

**MINUTES OF A REGULAR PLEASANT VIEW CITY
PLANNING COMMISSION MEETING HELD
June 2, 2022**

MEMBERS PRESENT

Andy Nef

James Cummings *aka Jim*
Jeff Bolingbroke
Julie Farr
Manya Stolrow
Sara Urry, City Council
Amy Mabey, City Administrator
Amber Corbridge, Planning & Zoning Administrator
Dana Shuler, City Engineer

VISITORS

Bret Cummings
Danny Koop – Sure Can, Inc.
David and Cindy Erickson
Dave Marriott
Derrick Oman
Rick Lyman

Commission Chair, Andy Nef, called meeting to order at 6:00pm

OPENING PRAYER: Julie Farr

PLEDGE OF ALLEGIANCE: Julie Farr

DECLARATION OF CONFLICT OF INTEREST: There were no conflicts of interest designations.

SCHEDULED ITEMS:

ADMINISTRATIVE

1. Consider a Preliminary Subdivision Plat Approval for David Erickson Subdivision containing three (3) lots on 3.76 acres at approximately 1071 W Pleasant View Drive, in the RE-20 Zone.
2. Conditional Use Permit to allow a light manufacturing and assembly use in a new commercial building at 2647 N 1000 W
3. Site Plan Review for a new office and warehouse building at 2721 N Rulon White Blvd.

LEGISLATIVE

4. Consider recommendation for City Council to amend the Pleasant View Municipal Code definitions in Chapter 18.04 for assisted living facility, nursing home, residential facility for elderly persons, and retirement home and possible relative zoning modifications.

1. Consider a Preliminary Subdivision Plat Approval for David Erickson Subdivision containing three (3) lots on 3.76 acres at approximately 1071 W Pleasant View Drive, in the RE-20 Zone. Sunpro, will you please clarify why this is coming back to us. Amy said this is the

Ms. Corbridge stated this request to approve a preliminary subdivision requires the Commission to review the subdivision design and compatibility in relationship to the existing natural environment and surroundings. She stated the Commission is to consider how the preliminary subdivision meets the General Plan and will make a recommendation to City Council.

Ms. Corbridge stated the applicant is proposing to create a subdivision for new single-family lots, each about 1.2 acres where lot 1 will face Pleasant View Drive, and lot 2 and 3 will face 1100 W. She stated lot 1 includes an existing single-family home and shed and meets zoning requirements. She stated this subdivision is considered a standard subdivision instead of a minor subdivision due to lot 1 needing to install street improvements along Pleasant View Dr. She showed the plat on the screen and how the three lots will be subdivided.

Ms. Corbridge stated the ordinance requires subdivisions to install a six-foot-tall fence made of either solid board, chain link, or other non-climbable fence on both sides of an existing irrigation canal. She stated the plans will need to show this fencing on the south side of the subdivision between the canal and lot 3 and is a condition of approval. She stated fencing around the rest of the subdivision is not required and the Commission may require the fencing if they find the lots need to enclose items, animals, and such. She stated the lands does not appear to require fencing, as there are no animals, farmland, or other uses that require fencing.

Ms. Corbridge stated the subdivision code requires each lot in a subdivision to front a public or private dedicated street, and flag lots are not allowed. She stated all the lots in the proposed subdivision meet this requirement. She showed a land-locked parcels on map displayed on the screen. Ms. Mabey stated the Weber County Geo Gizmo lot lots are not completely accurate and there may be lots that meet at four corners.

Ms. Corbridge stated the General Plan emphasizes connections between the built environment and the continued sense of place and community. Land-locked parcels need to be considered with new development plans, where possible. She stated staff recommends installing a dedicated street with a stub on the south side of lot 3, adjacent to the canal. She stated this would allow for the adjacent land-locked parcel the ability to develop a small lot subdivision in the future. She clarified this is only a recommendation by staff to the developer, and not a requirement, as there are other ways the parcel may develop. Ms. Mabey confirmed this is not a requirement and there are other ways to develop the land-locked parcel.

Chair Neff stated we need to look ahead in the future and make sure this land locked parcel can develop and accessible. Ms. Shuler stated there are other adjacent properties where road access may develop.

Ms. Urry stated the state code supersedes the city code and the applicant is not required to put in a road, as the state code says the applicant does not have to provide access to a property, unless found to be land locked. Ms. Mabey stated an official land survey should be submitted for staff to review and be verified to show the lot lines. Chair Neff stated in the recommendation may include this as a requirement.

Ms. Corbridge stated that the applicant will also need to meet the staff requirements as a condition of approval. Chair Neff asked that if the road were installed, would the lots in the subdivision meet the minimum code requirements. Ms. Corbridge stated there is enough frontage with adjustments to meet the code requirements. Chair Neff asked if we require covering the canal. Ms. Mabey stated that is not a requirement.

Ms. Shuler explained how the existing parcels adjacent to the proposed subdivision have options to develop a road, cul-de-sac, and lots. Chair Neff pointed out the existing access road on the map displayed on the screen.

A motion was made to open the public hearing by Commissioner Cummings and second by Commissioner Bolingbroke.

Mr. Erickson stated this property is owned by himself and his wife and are wanting to subdivide into larger lots to maintain the rural integrity of the neighborhood. Mr. Erickson stated he does not want to put a road access in, and the subdivision meets minimum street frontage requirements. He stated the canal company does not want a fence to be put in as it makes it difficult for access. He stated he compromised with the canal company by proposing a fence with moveable posts for easy access to appease the canal company and meet the city code. He also stated the properties surrounding the development have had opportunities to develop over time. Mr. Erickson, the petitioner confirmed the properties which meet on the southeast corner of the proposed subdivision result in four corners.

Mr. Erickson stated it does not make sense for the city to require street improvements along Pleasant View Drive, as the rest of the block does not have street improvements, and the frontage on lot 1 slopes down, making putting in improvements difficult and costly. Chair Neff asked staff where the curb and gutter would start from the existing paved road. Ms. Shuler stated the curb and gutter would be placed about five to seven feet back from the improved edge of asphalt.

Mr. Marriott stated he thinks this should be reviewed as a minor subdivision not a standard subdivision. He stated there isn't a need to install right of way improvements. And stated there is no need to put a fence up along the canal, unless for a purpose of enclosing animals. He stated, we sometimes require fencing for subdivision for safety. He stated there is no need to for the fence and other properties that are adjacent to canals without fencing. He stated this subdivision is not being sold by a third party.

Chair Neff stated the code states a fence is required on both sides of the canal and as a Commission they are required to back the code. Mr. Marriott stated that the applicant's property does not even touch the canal.

Commissioner Farr stated there could be an easement on the existing property leading to the land locked parcel. Chair Neff stated the land locked property owners would have to acquire more land from neighboring properties to provide access. He stated that would be discussed and reviewed at another time. Commissioner Farr asked staff if the Street Master plan includes a road connection through this property. Ms. Shuler stated that this is not a part of the Master Plan, but the code states new lots are required to front street frontage.

Ms. Shuler stated new subdivisions are required to put in street improvements. Chair Neff asked if there is a way to create a deferral agreement for the street improvements along Pleasant View Drive. Ms. Mabey stated it would be cleaner to put in street improvements as the land develops. Ms. Shuler stated as the land develops, we make improvements as we go. She stated we required improvements along Pleasant View Drive, at Jacob's Mill.

Ms. Urry stated there's a drop on the side of the road. Chair Neff stated it is costly to make improvements with the slope. Ms. Mabey stated Pleasant View Drive has set a precedence for improvements. She stated there are topography issues and the Commission may not require the improvements. She also stated there is a need to verify that a plat map and survey match the petitioner's statement regarding the Weber County Parcel lot line error.

Ms. Corbridge stated the reason this subdivision is not a minor subdivision is because of the required street improvements. Chair Neff stated there are sections along Pleasant View Drive where the sidewalk stops and continues to the other side, where development has happened. He stated he does not have an issue with requiring street improvements to be installed with the proposed subdivision. He stated he is appreciative of the discussion by staff and the community regarding the land locked parcel. Chair Neff asked if the fencing would be a part of the subdivision. Ms. Corbridge showed on the plat map where the fence would go along lot 3. She explained the fence would be a part of the subdivision as the lot line abuts the canal boundary.

Commissioner Bolingbroke made a motion to recommend approval of the subdivision staff recommendation number two and include a survey which verifies the property corners. Motion was seconded by Commissioner Stolrow. Voting was unanimous in favor.

2. Consider a Conditional Use Permit to allow a light manufacturing and assembly use in a new commercial building at 2647 N 1000 W

Ms. Corbridge stated the site plan was already reviewed and now the applicant is requesting a conditional use permit for a light manufacturing and warehouse company to occupy the building. She said the conditional use will need to meet the five requirements in the report and any negative impacts will need to be mitigated. She stated the site plan will need to meet the conditions of site plan approval from the previous meeting. She stated this company works out of North Ogden and is looking to expand to Pleasant View City.

Ms. Corbridge stated the business includes employing three salaried staff and a handful of part-time staff. She stated the business will not operate using heavy machinery, but will utilize hand tools and pneumatic aids, such as an air compressor. She stated the air compressor will be used and stored indoors, where noise impacts are mitigated. She stated the shipping is handled by Fedex daily and LTL shipments will occur anywhere from 1 to 3 times per week.

Ms. Corbridge showed the floor plan of the building and where the uses will be in the building. She showed the site plan which is in review for the building. She stated the conditional use is reviewed for General Plan compliance. She stated this use is supported by the general plan and has minimal impact

to the community having minimal negative visual and noise impacts. She stated the use meets compatibility with surrounding commercial type uses. She stated the use will need to comply with the regulations and conditions of the city code. She stated the proposed use, building, and site will need to comply with the city code and meet staff review comments.

Mr. Coop stated the parts being assembled are for gas cans based out of a company in Tennessee. He stated the parts are molded and shipped to the Surecan Company to assemble on site.

Chair Neff stated the site will need to meet the water irrigation requirements for the landscaping and work with Bona Vista for secondary water. Ms. Corbridge stated this will be reviewed and resolved through the site plan review process. She clarified this is a final action by the Planning Commission.

Commissioner Farr made a motion to approve the conditional use for the building at 2647 N 1000 W with staff recommendations meeting site plan approval. Commissioner Cummings seconded the motion. Voting was unanimous in favor.

3. Site Plan Review for a new office and warehouse building at 2721 N Rulon White Blvd.

Ms. Corbridge stated this proposal is for a requested proposal for two office warehouse buildings in the MP-1 Zone. She stated the buildings will be placed on a 78,851 square foot lot. Before Jill left she said that the layout had changed. Amy said that hasn't come to the Commission. Andy said he's not saying no, he's just asking questions because this is not what the Commission has always discussed. Andy said there are 3 houses that come out there and they share that exit point, the hope was that they would tie in and have another way out. Applicant said there are four owners at this point and they seem to be ok with it. Andy said he appreciates the applicants willingness to work with the other property owners. Julie asked if anybody has made comment about this subdivision. Amy said that notices were sent out and the city didn't receive anything. Andy asked the applicant to not do any site prep work until all approvals have been given.

Commissioner Bolingbroke moved to recommend approval to the city council based on the discussion and staff comments. Motion was seconded by Commissioner Cummings. Voting was unanimous in favor.

4. Discussion/Decision: Consider recommendation for City Council to amend the Pleasant View Municipal Code definitions in Chapter 18.04 for Assisted Living Facility, Nursing Home, Residential Facility for Elderly Person, and Retirement Home and possible relative zoning modifications.

Ms. Mabey stated that this item has been looked at back and forth. She stated in looking at our code there is a need to clarify the definitions for assisted living facilities as there are multiple definitions. She said staff looked at different communities, such as the Salt Lake City Code, and is modeling the assisted living facilities definitions after their code. She said currently in our code we have definitions related to assisted living facility. She said they are all similar but scattered throughout the code. She said the recommendation is to look at consolidating and having three different footprints. The first is having an Assisted Living Facility at large, which is a residential facility that includes any of the following functions and purposes: nursing assisted living facility; retirement home; hospice and

respite care; or rehabilitation facility. She stated it further defines a residential facility, occupied by seventeen (17) or more individuals, licensed by the State of Utah that provides healthcare and assistance with activities of daily living and social care as defined in Utah Code Section 26-21-2 or its successor. She stated that is very specifically defined in Utah code.

Ms. Mabey stated there's a difference between the definitions where there's a large and small. She stated the small is defined as having six to sixteen individuals and limited capacity is occupied by two to five individuals. She stated staff looked at where these types of uses would be allowed, based on these definitions. She showed a table where the different types of facilities are allowed. She stated the City Council already approved the larger facility in the CP-2. She stated the uses are allowed in the MCM zone and limited allowed in some residential and agricultural.

Ms. Mabey stated the smaller facilities will be most appropriate in the residential zones. She stated this is just a recommendation and how the code may be modified to meet the needs of the community. She stated these facilities are not used in the C-1 and C-2 as this is a major commercial area and should be preserved for other commercial type uses. She showed the zoning map.

Chair Neff asked staff if this is a permitted use. Ms. Mabey clarified this proposal is to create these types of uses as conditional uses. Chair Neff referenced the zoning map and asked where each of the uses would be allowed. Ms. Mabey pointed out each use and where it would be allowed on the zoning map. She stated other cities have multiple definitions for assisted living type facilities. Chair Neff stated he is in favor of the different types of tiers of facilities. He stated these general level types include the variety of facilities. He stated it keeps it open but concentrates on the size of the facility.

Chair Neff asked Commission to open the public hearing. Commissioner Cummings made a motion to open the public hearing. Commissioner Bolingbroke seconded the motion. Commissioner Farr asked if there was public comment. Staff stated no public comment was sent in. A motion was made to close the public hearing.

Ms. Mabey stated the amendment will address and clean up the definitions for these uses and making them either conditional or not allowed in certain zones. Commissioner Bolingbroke made a motion to recommend modifying the code definitions for assisted living facilities and zones where these uses are conditional. Commissioner Stolrow seconded the motion. Voting was unanimous in favor.

MEETING OVERVIEW AND OTHER BUSINESS

Chair Neff clarified the Planning Commission is the recommending board to the City Council regarding the David Erickson Subdivision

Adjourned at: 8:28 pm