



Mayor Bryan Cox
PC Chair Rachel Erickson
Commissioner Mark Lynne
Commissioner Ryan Brady
Commissioner Bann Matson
Commissioner Derek Grange

HYDE PARK CITY
PLANNING COMMISSION MEETING
March 1, 2023
Minutes

PC Meeting began at 7 PM and was conducted by Commission Chair Erickson.

CITY REPRESENTATIVES PRESENT

Planning Commissioners: Rachel Erickson, Mark Lynne, Derek Grange, Ryan Brady and Bann Matson;
Councilmember Kevin Flint, City Administrator Marcus Allton, and Secretary Melinda Lee

OTHERS PRESENT

Taylor & Brittne Thomas, Cory Goettsche, Kelly Harmon, Charles Wheeler, Melissa Stokes (and another),
Ed Fisher, Alex Bearson, Thayne Braegger, Jack Nixon, Andy Checketts, and Dan Nixon
Via Zoom: Councilmember Gerald Osborne, Skyler Jenks, Jake Young, and Chris Chlarson

THOUGHT/PRAYER & PLEDGE – Commissioner Lynne shared the origination of the term ‘grandfathered’
in referring to allowed exceptions.

APPROVAL OF PAST PC MINUTES

Lynne made a motion to accept the Minutes as presented from the Planning Commission Meeting held February 15, 2023. Matson seconded the motion. Motion carried 3/0. Grange and Brady abstained because they were absent February 15.

CITY COUNCIL REPORT

Councilmember Flint reported on City Council Meeting held February 22, 2023:

1. Presentation to retiring Smithfield City Fire Chief Jay Downs, 35 years of service, 28 years of service for Hyde Park City.
2. Voted against sign agreement with NUU Soccer
3. Voted to sign interlocal agreement with Cache County to administer the city’s election this fall. Three City Council seats open (Tiffany Atkinson, Stephanie Allred, Karl White)
4. Approved eliminating the residential estate zone and the regular PUD option.
5. Looked over other PC work on ordinance updates.

ADMINISTRATIVE ITEMS:

CONSIDER MELISSA STOKES IN-HOME NAIL SALON CUP

Melissa Stokes applied for an in-home nail salon business license:

- Existing home at 412 N 150 W in a residential zone (R-1)
- Parcel ID: 04-118-0006
- Reference HPC Code Section 4.40 Home Occupation Ordinance

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Melissa Stokes – Wants approval for a nail salon in her basement. Usually only one or two clients at a time. All can park on her driveway. Maximum number of clients per day: probably 5. She only offers it a couple days a week. No employees.

Lynne asked about home occupations. Did not the state remove licensing regulations?

Lee clarified: Licensing not required ‘unless clients come to the home’.

Grange wanted to add a condition that Melissa would be the only technician, no other employees.

Lynne made a motion to grant the Melissa Homes in-home Nail Salon CUP, with the condition of no other employees. Erickson seconded the motion. Motion passed 5/0.

TAYLOR THOMAS APARTMENT DESIGNATION REQUEST

Taylor Thomas owns the home at 280 E 300 S and resides in it. He legally rents out the basement as an IADU. He says it was originally designed and built for two dwellings and has always been used as such. It has two electric meters and two gas meters (one water meter). He requests the property Building Specific Type be officially designated as “SFR/Apt” - single family residence/apartment, at the county. As such, both units could be rented out separately, now and for any future owners, without being ‘owner occupied’.

Taylor Thomas said the home was built as a duplex and has been used that way for as long as anyone can remember. It has multiple power meters and multiple gas meters. The property provides 2 parking spots in the garage, plus 6 other off-street parking spaces.

Erickson noted the R-1 zone does not really address this. She wondered how we approve/disapprove without any mention of authority in the ordinance.

Lynne said this one was built in 1967, others were also built before we had a code that regulated ADUs. He believes this is ‘grandfathered in’. Our city codes came into place between 1975 and 1978.

This home was purchased with the expectation that the home would always allow renters.

Taylor wants the designation “SFR/Apt” instead of “SFR”.

Basement unit is one bedroom/one bath. Upstairs is two bedroom/two baths. Brady worries about crowded parking (nuisance to neighbors).

Grange made a motion to change the county designation from “SFR” to “SFR/Apt”. Bann seconded the motion. Motion passed 5/0.

CONSIDER LONE CEDAR SUBDIVISION PHASE 2 FINAL PLAT

Item pulled from agenda.

LEGISLATIVE ITEM:

CONSIDER SUBDIVISION AND ZONING ORDINANCE AMENDMENTS

Consider amendments to Title 12 Land Use and Title 13 Subdivisions to comply with state code and the newly adopted General Plan. Update existing zones and create new zones:

- Mixed-Use zone (New)
- Mountain Recreation zone (New multi-density zone)

Allton said the RCC could not be here tonight, so we are on our own. Staff and Mark Lynne will approach the Land Use Table in detail, then present a draft version to Commissioners. He hoped Commissioners would spend their time tonight on the Mixed-Use zone, and the Mountain Recreation zone, if time allows.

Lee posted draft copies of the two zones to the state's public notice website yesterday.

Allton walked commissioners through the zone.

Mixed-Use Zone thoughts/comments:

- Purpose – allow commercial with multi-family, city-structured.
- Approval process – rezone, site plan, building elevation & design schemes, contour map...etc. before final approval.
- Desire: shared accesses, connected parking lots, comprehensive landscaping plans, utilities plan, and a phasing plan (if applicable).
- Intend to keep 40 mph speed limit on Wolfpack Way.
- Pedestrian crosswalks at roundabouts, flashing lights may be added in the future. It may eventually need a sky bridge. Is there a standard distance between crosswalks? Grange (policeman) knows of no issues in North Logan, along their portion of Wolfpack Way.
- Kelly Harmon said other cities have built a raised separate area in the center of the road, providing offset crosswalks – very economical to do.
- Charles Wheeler asked about required percentages of commercial in the mixed-use zone. Not yet. Will come.
- Brady asked if this is meant to be anywhere besides the Wolfpack Way corridor. Not yet. The city is working with consultants on a mixed-residential zone – to be addressed later.
- Permitted uses (staff will prepare)
- Item C. drive-throughs. Not walkable. Perhaps make CUP for certain areas. No Cal Ranch store (because of outdoor storage)? Chose to make both CUPs: drive-throughs and outdoor storage.
- Item D. attempts to allow other unforeseen, but desirable uses – so long as PC and CC approve with a development agreement.
- Brady suggested fewer pre-defined permitted uses. Do list industrial uses as prohibited.
- Kelly Harmon votes for MORE permitted uses. Easier to sell space to prospective tenants.
- Cory Goettsche, drive-through owner. Logan City has many restrictions for drive-throughs. Our city needs drive-throughs.
- Drive-throughs may work so long as pedestrians are given appropriate space. Goettsche noted the benefit in that they remove parking lot space. Lynne sees them better in spaces with less traffic, not on busy corners.
- Alex Bearson has experience with this in Providence. UDOT limits them on Main St/Highway 91. The city should not try to dictate demand, just dictate the space between intersections. Leave creative space for developers.

- Flint reminded everyone UDOT is greatly limiting curb cuts (highway access points). Allton said it is getting worse all the time (UDOT is becoming stricter). Zions Bank had to fight to keep a curb cut they had had for many years.
- Brady feels the west side of Wolfpack Way is appropriate for mixed-use. He is less sure mixed-use belongs on the east side. He wants to protect his neighbors and neighborhoods.
- Allton noted the existing parcels are long and go all the way from the busy road to residences.
- Grange feels there is plenty of room between commercial areas and residential areas, even on the east side of Wolfpack Way.
- **General Requirements:**
 - Location – within ¼ mile of transportation corridors (defined and on Master Road Plan) and near other compatible uses.
 - CVTD is now doing a study for Wolfpack Way, all the way to Smithfield. Nothing yet.
 - Ownership – single owner, avoid haphazard development.
 - HOAs – city generally against. Who “requires”? Needs clear trigger.
 - Residential uses required above ground floor – keep? Allton does not love this part. We do not need all these conditions. Let developers ‘develop’.
 - Erickson likes keeping it for certain sections immediate to ‘town center’ roundabouts - 200 S/325 S and Center Street.
 - Need ability to build purely residential buildings or purely commercial buildings.
 - Perhaps squish D, E & F to apply only to limited roundabout areas. Areas behind the street-fronting buildings is much more flexible for developers.
 - Phasing – requires commercial before all residential, but commercial cannot make it until residents move in. Wheeler suggested leaving commercial pad open. Kelly Harmon likes the commercial pad option.
 - Goettsche fears prohibiting a phased approach.
 - Allton likes requiring them to build various parts of the project before all residential.
 - Checketts said you need to look at it from a retail perspective. You cannot force an establishment to come in if it will not be successful.
 - This may evolve over time as more residences come in. This is too new (empty) right now.
 - Brady felt bonding may be appropriate.
 - Bearnson has strong feelings about bonding - very frustrating when restricted anyway (ie. Juniper Trails Phase 2 & 3 – fully bonded, the city still restricts building).
- **Site Development Standards**
 - Instead of maximum density, give minimum density. Density can increase. Must be tapered down from highway (dense, less dense, then townhomes) toward residential (SFD). Maximum 35' height next to existing neighborhood.
 - Brady’s neighborhood is comfortable with this gradient form of development. He felt he could not stress that enough.
 - Ed Fisher understands and likes the idea Brady expresses – great idea.
 - Harmon – project downtown Logan. Ten townhomes with decks, with 4-story apartments behind the townhomes. Between Chuck-a-Rama and Joann’s. He encouraged everyone to drive by and take a look.
 - Allton said developers watch the market and propose and build what works.
 - Minimum units/acre: 12 (arbitrary # - up for discussion)
 - Lynne mentioned the ideas shared via email by Councilmember Gerald Osborne (Hayward 2040 General Plan) – includes some good ideas, others do not apply.

- Restrictions will come down to setbacks and building heights. Can build as high as the airport allows.
- Goettsche indicated parking as another limiting factor.
- Brady wants a residential barrier between existing homes and possible businesses.
- Allton does not foresee a problem. School is a good barrier as well.
- 20% open space required. Max 20% landscape area. Parking is not open space.
- Harmon said if it is too restrictive, you kill projects.
- Checketts was also concerned with restrictions. Parking could be open space. Allow projects to build 'up'. You need more than 100 units to justify pickleball courts or other similar amenities. He felt 5% open space/landscaping is plenty. The setbacks become the open space. Parking becomes a large part of the footprint.
- Brady is more interested in quality, community space.
- Harmon said if you are more flexible with open space, you address development plans.
- Grange is concerned about parking. The Factory (student housing in Logan) has a 5-story parking structure but only about 60% of residents are allowed to park in it so there are numerous vehicles parked on the streets.
- Goettsche said storm water HAS to be part of this conversation. Every other city allows storm water systems underneath roads. Other cities say this is a normal thing. If you have 8 acres, and storm water takes one acre, everyone loses. The Mountain Gate Phase 5B retention pond prevented 4 beautiful lots that could have been beautiful homes with incredible views. Grange agreed to at least hear it out.
- Harmon said North Logan City allows underground storm water retention.
- SW under parking lots (seems reasonable) is a different ask than SW under roads (liability).
- Current draft ordinance requires each developer to provide own parking study.
- Harmon has a current project of 117 units, providing 177 parking stalls, involving studio apartments. They are going after a different kind of market.
- Checketts believes the city should have a minimum parking requirement, like 1.6 spots/unit or something.
- Open space should include common areas, could include a clubhouse, possibly wider sidewalks.
- Wheeler wants to encourage private open space, like Harmon's rooftop areas or balconies, or outdoor patios that increase quality of life. Erickson worries about a single penthouse taking up the bulk of the whole community's open space.
- Harmon has no problem providing walks, but not clubhouses and swimming pools, to the entire city community. The liability is too great.
- **General Design Standards**
 - Arbitrary heights and glass front requirements
 - Maximum 2-story building at road, 3-story okay on the interior.
 - Lynne does not believe the airport is as restrictive as previously thought. Wheeler said the height restriction is closer to 80 feet.
 - Concerning glass fronts, Checketts said beware of vandalism. Glass is expensive. Harmon noted new energy codes make that expensive too.
 - Most felt "40% glass" too high. Logan is high at 30%. Brick and stone look good too.
 - Flint reported on one of the classes he attended at ULCT re: the importance of making developments look good. Prefer masonry, not plastic or stucco or steel. They must look good, have a 'Hyde Park look' (whatever that is) for better community acceptance.

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- Checketts said it is unlikely to see ugly buildings on that land because it is expensive. Developers need to get a return.
- Allton showed airport height restrictions on a map.
- Landscaping only has a maximum requirement because the city wants to limit water-using turf. Possibly mix with open space.
- Protection of residential property requires masonry wall and a planting strip. Goes against walkable community. Leave up to each development. Commissioners unsure. Will probably make less binding.
- Utilities – no comment
- Pedestrian & vehicle circulation – Encourage/Require on-site walkways to connect building entrances, trails, amenities...
- Wheeler – Noted from experience, if sidewalks are up against parking, the sidewalk needs to be at least 6' wide. Pickup truck beds can often take up valuable sidewalk space.
- Commercial sidewalks require minimum 8' width.
- Erickson asked about lighting requirements – missing? Allton will add.
- Parking – Comply with city minimum or justify submitted parking plan.
- Loading/unloading in rear, screened.
- Refuse storage hidden, also in rear.
- Postal delivery – use common collection boxes
- Signage – want height limit. Brady suggests separate section in sign ordinance.
- Approval Time Limit – must start and substantially complete within 2 years of approval. What is the process for extension? City could revoke, amend or extend. Brady suggests developer set a timeline then the city holds them to it.
- Developers were wary. Address the real issues: eye sore, safety, neighborhood nuisances...

Next time: Similar conversation, new topic - **Mountain Recreation Zone**

Meeting adjourned at 9:42 PM

Melinda Lee, Secretary
Hyde Park Planning Commission