

Plain City Planning Commission
Minutes of Meeting
November 8, 2018

Minutes of the Plain City Planning Commission Meeting held on November 8, 2018 at 7:00 p.m. in the Council Chambers of Plain City Hall – 4160 W 2200 N, Plain City, Utah 84404.

Present: Chairman Blake Neil
 Vice Chair John Leonardi
 Commissioner Jarod Maw
 Commissioner Cheri Sparks
 Commissioner Kris Carrigan
 Commissioner Shawna Faulkner
Staff: Mike Kerswell, Dan Schuler, Derek Moss

Attendees: Charlotte Williams, Ginger Brown, Charlene Kelso, Monte Kelso, David Williams, Jessica Smith, Luigi Panunzio, Linda Panunzio, Mike Panunzio, Casey Matue, Ben Hale, Jeff Hales, Kory Heslop, Brent Weston, Buddy Sadler, Harry W, David Williams, Josh Ableman, Derrick Barber, Valorie Barber

Welcome: Chairman Neil

Pledge of Allegiance: Chairman Neil

Moment of Silence / Invocation: Chairman Neil

1. Roll Call: Chairman Neil conducted roll call and indicated, Commissioners Sparks, Maw, Leonardi, Carrigan, Faulkner and Chairman Neil were present.

2. Opening Meeting Statement: Chairman Neil read the opening statement.

3. Ex Parte Communication or Conflicts of Interest to Disclose:

Chairman Neil reported meeting with Mayor Beesley, Nilson Homes representatives, Councilmember Sadler, and Public Works Director, Dan Schuler to discuss the proposed Nilson Homes development at Pappys Homeplace - Wasatch Ridge. He reported a subsequent meeting with City Planner, Derek Moss and property owner, Penny Barnes, regarding the same development.

4. Public Comments for items not on the Agenda: None presented.

5. Approval of Meeting Minutes for October 25, 2018

Chairman Neil indicated, a time limit was discussed and may have been specified in the motion to table Dr. Mackley Dentist office at Kelly's Corner Site Plan. He indicated, the specification is not recorded in the minutes. He pointed out, mention of signage on the AutoZone store states that

Plain City Planning Commission
Minutes of Meeting
November 8, 2018

it faces 2600 West Street and should be described as facing 2600 North Street. He asked that the “STATE” legislature be identified as the regulating body, stipulating items listed on lines 3 - 5 of Commissioner Comments.

Motion: Commissioner Maw motioned to table approval of the Meeting Minutes of October 25, 2018 pending further review. Commissioner Leonardi seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

No information was presented.

7. Legislative Items:

- a. **Public Hearing: Zoning Amendment – Panunzio property, app. 1975 N 3900 W (RE-20 to RE-15)**

Motion: Commissioner Leonardi motioned to open Public Hearing: Zoning Amendment – Panunzio property, app. 1975 N 3900 W (RE-20 to RE-15). Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

David Williams spoke, representing his mother and owner of adjacent property, Charlotte Williams. He expressed support of the proposed concept. He reported a long-time friendship with the Panunzio family. He commented on property boundary line disparities that often occur with the transfer of ownership. He requested that current survey data be acknowledged and strictly followed in development of the land.

Josh Ableman voiced concern over the inclination of developers to routinely seek zoning amendments for Plain City land purchases, allowing higher density. He commented on population growth and resulting infrastructure strains. He contrasted the Future Land Use Map and Zoning Map. He noted, a 20,000 square foot lot is closer in size to a suggested 18,500 square foot average than a 15,000 square foot lot. He stated disapproval of the proposed zoning amendment.

Derick Barber reasoned against the zoning amendment. He commented on increased traffic issues.

Valorie Barber related her family’s history in Plain City. She spoke of the peaceful atmosphere of a rural environment. She contrasted the unquiet of communities that have allowed high-density housing and an abundance of commercial development.

Jessica Smith contemplated the widening of 4550 West Street as part of the proposed development. She advised, traffic increases resulting from projects such as this, should be considered and planned for. She commented on the effect road modifications will have on existing property values. She relayed questions and concerns of a neighbor that was unable to attend the hearing.

Ben Hale sought clarification of zoning parameters. He indicated, the proposed lot size and development density is of no concern if infrastructure is adequate to support the population.

Motion: Commissioner Maw motioned to close Public Hearing: Zoning Amendment –Panunzio property, app. 1975 N 3900 W (RE-20 to RE-15). Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

Plain City Planning Commission
Minutes of Meeting
November 8, 2018

b. Discussion / Motion: Zoning Amendment – Panunzio property, app. 1975 N 3900 W (RE-20 to RE-15)

Commissioner Sparks affirmed, the proposed project must be concurrent with General Plan stipulations. City Planner, Derek Moss explained Medium Density Residential 1 and Medium Density Residential 2 land use categories. He noted, RE-15 zoning is required to allow the preferred lot size of 18,500 square feet. He commented on the process of General Plan development. He identified areas on the Future Land Use Map that have been deemed appropriate for 15,000 to 18,500 square foot lots – including the Panunzio property. He asserted, the Future Land Use Map was designed with intent to ensure an overall balance of land use categories. He recommended contingency be included in approval of the re-zone petition, that lots that lie in areas identified on the Future Land Use Map as Medium Density Residential 1, be 18,500 square feet or larger. He pointed out that on the old Land Use Map, the land in question was identified as a future commercial zone. Commissioner Maw referred to the Residential Overlay. He commented on mixed lot sizes within the proposed development. Developer, Jeff Hales indicated, because of the existing conditions and natural layout of the property, the subdivision design will necessarily comprise various lot sizes. Chairman Neil reported State lawmaker findings that half-acre, residential lots are not sustainable in the current Utah economic circumstance. He reviewed re-zoning and subdivision processes. Commissioner Leonardi stated agreement with current RE-20 zoning of the Panunzio property. He acknowledged General Plan conformity with the requested RE-15 zoning, proposing a three-to-one ratio of 15,000 square foot lots and 18,500 square foot lots. Derek Moss suggested all lots planned for areas identified as Medium Density Residential 1 on the Future Land Use Map be minimum 18,500 square feet – all lots in areas identified as Medium Density Residential 2 be minimum 15,000 square feet. Commissioner Carrigan commented on work involved in the drafting of the Plain City General Plan. He restated logic behind Future Land Use Map design. He advised compliance with Future Land Use Map specifications. Commissioner Faulkner sought clarification on proposed lot size requirements in relation to Future Land Use Map guidelines. Derek Moss indicated, there is not a zone (in current Plain City code) that stipulates a minimum lot size of 18,500 square feet. He noted, 18,500 square foot lots are not allowed in an RE-20 zone, with minimum lot size requisite of 20,000 square feet. He reiterated, the only zone in Plain City code that will allow an 18,500 square foot lot is RE-15. He suggested, approval of RE-15 zoning and directive to comply with Future Land Use map conditions will induce provision of 18,500 square foot lots in areas categorized Medium Density Residential 1 on the Future Land Use Map. Commissioner Faulkner commented on expressed desire for larger lots and preservation of Plain City's rural environment as community growth persists. She referred to the intended compromise provided within Medium Density Residential 1 parameters. Chairman Neil recalled occasions for public input on General Plan elements. He spoke of efforts by Commissioners and City staff toward the generating of the General Plan and Future Land Use Map. He noted City Council approval of the General Plan. He asserted, compelling justification will be required for deviation from General Plan guidelines. He proposed adherence to the 18,500 square foot, minimum lot size directive in areas designated Medium Density Residential 1. He delineated the Planning Commission's role as a recommending body as opposed to a legislative authority on this matter.

Motion: Commissioner Leonardi motioned to recommend City Council approval of the proposed Zoning Amendment – Panunzio property, app. 1975 N 3900 W (RE-20 to RE-15) in compliance with the Future Land Use Map designation and definition of Medium Density Residential 1 and Medium Density Residential 2. Commissioner Maw seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

c. Discussion / Motion: Agriculture and Residential Zoning Text Amendments

Commissioner Sparks asked for clarification on the definition of “small animals”. She commented on enforcement aspects of zoning ordinances. Derek Moss explained, “small animals” is addressed in the Definitions segment of the Plain City code. He acknowledged, enforcement is key to fully realizing objectives of the General Plan. He noted future advantages of ordinance updates.

Motion: Commissioner Maw motioned to recommend City Council approval of the proposed Agriculture and Residential Zoning Text Amendments. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

d. Discussion / Motion: Mixed-Use Overlay Zone

Commissioner Faulkner suggested, general requirements for common mailbox provisions be added to the Overlay Zone. Derek Moss indicated, an additional section (10-20-3C) will be added, to specify common mailbox requirements. She asked what limits will be placed on use of the Overlay, relative to zoning and other parameters. Derek Moss explained, the Residential and Commercial Zones portion of the rule, is only applicable in commercial zones. He noted, RE-15 and R-1-11 zones are the only residential zones where other aspects of the Overlay Zone may be used. Chairman Neil commented on the Planning Commission’s ability to deny requested use of the Overlay Zone when objectionable conditions result. Derek Moss restated the purpose of the Mixed-Use Overlay Zone. He described the Mixed-Use Overlay Zone as a tool to help meet the intent of the Future Land Use Map. Commissioner Maw remarked, the Mixed-Use Overlay Zone comprises the most agreeable parts of the former PRUD ordinance and adds greater controls. Commissioner Carrigan commented on an advertising sign restriction, written in the Mixed-Use Overlay. He advised, the text should specify that the restriction is for vehicle sales, only. Commissioner Leonardi made comment on side setback requirements and utility easement consideration. He asked about off-street parking directives, suggesting that the provisions be limited to “hard surfaces”. Derek Moss proposed incorporation of a general off-street parking standard that can be referenced in provisions set forth in other titles of Plain City code. Commissioner Leonardi pointed out two places in the text that contain the word “should”, and proposed the word be replaced with “shall”. Derek Moss agreed to make the changes. Chairman Neil commented on flexibility within the Mixed-Use zone, to build a higher percentage of dwellings. Derek Moss proposed eliminating the written percentage standard and relying on a maximum 15-acre restriction (for development not associated with commercial use) to provide intended variety of lot size and land use. Commissioner Maw weighed height and story restrictions, as pertaining to attached dwelling units. Chairman Neil advised flexibility on garage frontage limit, when subdivision lot size is increased, or limit garage size to maximum 2-car. He commented on exterior treatment requirements, mentioning affordability concerns. Commissioner Carrigan expressed support of maintaining the current standard for exterior treatment of dwellings in Mixed-Use zones. He clarified, sides and back of a building may be clad in less expensive materials. Chairman Neil voiced concern with open space allowances, provided in the Mixed-Use Overlay Zone. Commissioner Maw commented on existing

Plain City Planning Commission
Minutes of Meeting
November 8, 2018

landscaping standards and wastewater detention/retention provisions. Commissioner Leonardi proposed, requirement that detention/retention areas be otherwise usable, be pronounced in the ordinance. Chairman Neil pointed out, lot frontage requisite for duplex structures in the Overlay Zone differs from that in other residential zones. He suggested it be consistent (minimum 150').

Motion: Commissioner Leonardi motioned to table Discussion / Motion: Mixed-Use Overlay Zone pending corrections. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

e. Discussion / Motion: Parking Ordinance

Commissioner Maw reported City Council request for further study of the ordinance and input on restricted parking locations. He evaluated the benefit of holding a work meeting with Councilmembers, to map out the suggested regulations. Chairman Neil proposed that Dan Schuler head up the assembling of an updated parking ordinance. Derek Moss noted, revisions recommended by the Planning Commission were made, prior to City Council review. He affirmed the importance of Public Works Department involvement in drafting updated policy. Commissioner Sparks commented on the lack of curb markings to restrict parking in front of fire hydrants at Kelly's Corner. She remarked on an overabundance of restricted parking areas that coincidentally impede resident's guest parking. Chairman Neil suggested the matter be tabled until a staff review is carried out and proposed updates have been drafted.

Motion: Commissioner Leonardi motioned to table Discussion / Motion: Parking Ordinance until a staff review is completed and revised ordinance is drafted. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

f. Discussion / Motion: 11/22/2018 Regular Planning Commission Meeting Cancellation

Motion: Commissioner Sparks motioned to Cancel 11/22/2018 Regular Planning Commission Meeting for Thanksgiving Holiday. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Maw, Leonardi, Carrigan, and Chairman Neil voted aye. Motion carried.

8. Report from City Council:

Commissioner Maw summarized a presentation by Weber County Clerk, Ricky Hatch, on election processes and security. He announced the scheduling of Public Hearing for annexation the Glenn Williams property. He reported discussion on the hiring of a Recreation Director and transfer of Parks responsibility to the Public Works Department. He commented on the approval of a bid for new SCBA equipment for the Fire Department. He noted, a work session concerning the parking ordinance may be scheduled in the near future.

9. Commission Comments:

Chairman Neil commented on medical marijuana legislation that effects land use regulations. He Reported findings during discussion on the subject at the Utah Land Use Institute conference. He mentioned State mandates that will be referenced in updated City land use ordinances.

Plain City Planning Commission
Minutes of Meeting
November 8, 2018

10. Adjournment

Motion: Commissioner Maw made motion to adjourn at 9:23 p.m.

Commissioner Leonardi seconded the motion. Vote: Commissioners Sparks, Maw, Carrigan, Leonardi, and Chairman Neil voted aye. Motion Carried.

2018

<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
	Jan 4	Jan 18	Feb 1	Feb 15	Mar 1
Mar 15	Apr 5	Apr 19	May 3	May 17	Jun 7
June 21	July 5	July 19	Aug 2	Aug 16	Sept 6
Sept 20	Oct 4	Oct 18	Nov 1	Nov 15	Dec 6
Dec 20					

Planning Commission Chair

Planning Commission Secretary

COPY