

Plain City Planning Commission  
Minutes of Meeting  
February 14, 2019

Minutes of the Plain City Planning Commission Meeting held on February 14, 2019 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 *Excused*  
Commissioner Kris Carrigan  
Commissioner Shawna Faulkner  
Staff: Mike Kerswell, Dan Schuler, Derek Moss

**Attendees:** Sheri Stimpson Barahona

**Welcome:** Chairman Neil

**Pledge of Allegiance:** Commissioner Faulkner

**Moment of Silence / Invocation:** Commissioner Carrigan

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

**2. Opening Meeting Statement:** Chairman Neil waived reading the opening statement.

**3. Ex Parte Communication or Conflicts of Interest to Disclose:** None reported.

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

**5. Approval of Meeting Minutes for January 24, 2019**

**Motion: Commissioner Carrigan motioned to Approve the Meeting Minutes for January 24, 2019. Commissioner Maw seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**6. Technical Review Report**

Chairman Neil reported a request by Andrew Bassett for a zoning amendment and subdivision of his property. He noted, a conceptual that was presented did not conform to Plain City code and would be revised and resubmitted.

**7. Administrative Items:**

**a. Discussion / Motion: Amended Minutes - December 13, 2018**

Chairman Neil explained that the City Attorney was incorrectly recorded as present at two meetings with the Mayor, Nilson Homes representatives, representation from City Council, and Planning Commission representatives to discuss the Wasatch Ridge project. He requested that the error be corrected.

**Motion: Commissioner Maw motioned to Approve the Amended Meeting Minutes for December 13, 2018. Commissioner Faulkner seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**8. Legislative Items:**

**a. Discussion / Motion: Set Public Hearing - Cook Property Zoning Amendment (C-2 to RE-15), approximately 1975 N 4650 W**

**Motion: Commissioner Leonardi motioned to Set Public Hearing - Cook Property Zoning Amendment (C-2 to RE-15), approximately 1975 N 4650 W for March 14, 2019. Commissioner Maw seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**b. Discussion: Accessory Dwellings**

City Planner, Derek Moss defined Accessory Dwelling Units (ADUs) and categorized three types.

- 1.) Attached to Single-Family Homes (Residential)
- 2.) Detached on Residential Lots
- 3.) Attached on Commercial Lots

He displayed a list of concerns that have been discussed at previous Planning Commission and City Council meetings, including owner-occupancy conditions, limits on how many ADUs can be built on one lot, size (area and height) restrictions, parking provisions, utility service, entrances and accessibility requirements, and rental arrangements. He commented on each concern. He noted, detached dwellings on commercial property are addressed in the current Mixed-Use Overlay Zone ordinance, and are not be defined under these ADU guidelines. Commissioner Leonardi commented on owner-occupancy of primary and accessory residences. He spoke of familial and non-familial occupancy circumstances. Commissioner Carrigan remarked on an ownership loophole created when a residential lease agreement is applied, in place of a rental contract. He suggested that the matter be covered in an ordinance on ADUs. Chairman Neil reviewed concerns over zone(s) in which ADUs will be permitted. He noted, there will be difficulty in fitting a detached Accessory Dwelling Unit within required setbacks for R-1-11 lots. Commissioner Maw clarified, limits on percentage of yard available for ADUs and setback stipulations relate to area of rear or side yard, not front yard. Commissioner Faulkner commented on relevance of a height restriction on two-story structures. Chairman Neil suggested limiting ADUs to 75% of primary dwellings that have more than one story. Commissioner Carrigan proposed requiring hard surface parking spaces in directives appertaining to off-street parking. He relayed personal experience with requesting separate utility services for multiple buildings on one lot. Public Works Director, Dan Schuler commented on sewer system connections and

Plain City Planning Commission  
Minutes of Meeting  
February 14, 2019

maintenance concerns, related to ADUs. Commissioner Maw commented on septic system provisions for multiple units on a site. Commissioner Carrigan indicated, recent state law prohibits requiring a business license for rental property enterprises. Chairman Neil reported City Council's open consideration of disallowing the rental of ADUs. Commissioner Faulkner made mention of ordinance enforcement concerns and assessed inspection procedures. She questioned distinctive treatment of familial and nonfamilial tenants, under the ordinance. Commissioner Carrigan commented on anti-discrimination laws. Chairman Neil suggested that more research be done and conversation be had with City Attorney, as work on an ordinance for Accessory Dwelling Units progresses.

**Discussion / Motion: Nomination of Chairperson and Vice-Chairperson**

Chairman Neil announced his reappointment to the Planning Commission. He acknowledged Commissioner Maw's participation with R/UDAT and suggested that his promotion to the chairmanship would promote continuity in direction of the program.

**Motion: Chairman Neil nominated Commissioner Maw for Chairman of the Plain City Planning Commission. Commissioner Carrigan seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**Motion: Commissioner Maw nominated Chairman Neil for Vice-Chairman of the Plain City Planning Commission. Commissioner Leonardi seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion carried.**

**9. Report from City Council:**

Commissioner Faulkner gave an account of Commissioner Maw's presentation on the R/UDAT. She indicated, the proposal was approved. She reported inaction on the Cody Christensen Estates Subdivision Amendment, which was approved by the Commission and sent to the City Council for final approval. She commented on a sewer collection master plan presentation by the City Engineer. She spoke of annexation concerns related to the Derek Kennedy property, indicating, the matter was tabled pending an invitation to neighboring property owners, for unified participation in the annexation. She mentioned the reappointment of Blake Neil to the Planning Commission. She relayed Council perception of contract violations with lighting on the east side of the Dollar Tree store. She reported Councilmember Sadler's perusal of a municipal fiber optics program (for internet) offered by UTOPIA.

**10. Commission Comments:**

Commissioner Maw yielded. Commissioner Leonardi had no further comment. Commissioner Carrigan yielded. Commissioner Faulkner deferred comment. Chairman Neil had nothing more to present.

**11. Adjournment**

**Motion: Commissioner Maw made motion to adjourn at 8:15 p.m.**  
**Commissioner Leonardi seconded the motion. Vote: Commissioners Maw, Leonardi, Carrigan, Faulkner and Chairman Neil voted aye. Motion Carried.**

Plain City Planning Commission  
Minutes of Meeting  
February 14, 2019

**2019**

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

---

Planning Commission Chair

---

Planning Commission Secretary