

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

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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.

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<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

Plain City Planning Commission
Minutes of Meeting
February 28, 2019

Minutes of the Plain City Planning Commission Meeting held on February 28, 2019 at 7:00 p.m. in the Council Chambers of Plain City Hall – 4160 W 2200 N, Plain City, Utah 84404.

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

Attendees: Jay Scott, Cortney Rhees, Grace Miller, Sierra Wallace, Kynlee Hoggan, Brock Elliott, Glen Clarke, Bridger Clarke, Jaden Clarke, Kayley Ward, Kash Bitton, Trevor Hahn, Nathan Christensen, Riley Cooper, Cameron Dodge, Dakota Preece, Jordan Searle, Mason Hurd, Kahlee Petersen, Shannan Blume, Jason Hill, Mark Stanger

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Faulkner

Moment of Silence / Invocation: Commissioner Neil

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

2. Opening Statement: Commissioner Neil presented the Opening Statement.

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

Chairman Maw reported receiving a phone call from Grant Homes, who requested information on development along North Plain City Road – specifically, the proposed Nilson Homes project, Wasatch Ridge.

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

5. Approval of Meeting Minutes for February 14, 2019

Motion: Commissioner Faulkner motioned to Approve the Meeting Minutes for February 14, 2019. Commissioner Carrigan seconded the motion. Vote: Commissioners Faulkner, Neil, Carrigan, and Chairman Maw voted aye. Motion carried.

6. Technical Review Report

Commissioner Neil reported that a Technical Review for the proposed Nilson Homes project, Wasatch Ridge was conducted. He indicated that updated, digital copies of a newly created conceptual plan have been requested but have not yet been provided for Commission review. He

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commented on aspects of the development that have been adjusted to meet parameters set forth in the Mixed-Use Overlay Zone ordinance. He acknowledged, Public Works Director, Dan Schuler was present at the Technical Review.

7. Administrative Items:

a. Discussion / Motion: Site Plan - Westside Pizza at Kelly's Korner, 3639 W 2600 N

Franchise owner, Glen Clarke distributed a recent layout of the proposed pizza restaurant and equipment list to the Commission. He introduced himself and project contractor, Mark Stanger. He offered to field questions. Chairman Maw expressed appreciation for the additional information provided in the submitted drawings. Commissioner Faulkner evoked Kelly's Korner development agreement stipulations on exterior lighting and sought clarification on anticipated sign placement. Glen Clarke affirmed, existing lighting will remain in place without modification. He noted, sign (lighted) placement will conform to the development agreement – details to be included with building permit application.

Motion: Commissioner Neil motioned to Approve the Site Plan for Westside Pizza at Kelly's Korner, 3639 W 2600 N. Commissioner Carrigan seconded the motion. Vote: Commissioners Faulkner, Neil, Carrigan and Chairman Maw voted aye. Motion carried.

8. Legislative Items:

a. Discussion / Motion: Ordinance on Accessory Dwelling Units

City Planner, Derek Moss handed out printed copies of a draft ordinance (Title 10, Chapter 21) on Accessory Dwelling Units (ADU). He noted that feedback from Commission discussion in previous meetings is reflected in this document. He defined ADU as addressed in the ordinance, specifying, the code only recognizes and applies solely to DETACHED ADUs. He listed zones in which ADUs will be permitted. He commented on utility connections and usage fee onuses. Commissioner Faulkner sorted out setback requirements for lots in agricultural zones. Derek Moss explained owner-occupation arrangements. He stated, the ordinance will limit the number of ADUs per property to ONE. He made mention of mailing addresses and physical address assignment for emergency services. He reviewed a section on Fire, Building, and Health codes. He called attention to restrictions on selling ADUs as independent structures. He suggested further analysis of short-term renting of ADUs. He commented on development standards, including site placement and height restrictions. Commissioner Faulkner proposed that site development standards be precisely detailed. Chairman Maw suggested appending graphics to illustrate the directives. Curb cuts for driveway approaches and hard surface, off-street parking areas were discussed.

Motion: Commissioner Carrigan motioned to table action on Title 10, Chapter 21: Accessory Dwelling Units, pending finalization of the ordinance. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Neil, Carrigan, and Chairman Maw voted aye. Motion carried.

9. Report from City Council:

Chairman Maw reported on public comments regarding the requested removal of a Stop Sign at 2800 West off North Plain City Road. He indicated, a three-way stop with flashing light alerts was, instead ordered for the intersection. He commented on the conclusion of deliberation over annexation of the Derek Kennedy property. He reported the appointment of Andrew Weston to Assistant Chief of the Fire Department. He mentioned review of the City financial statement for the month of January,

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2019. He remarked on Councilmember Sadler’s initiative to bring UTOPIA fiber optic internet service to Plain City and Councilmember Davis’ applauding of snow removal efforts by the Public Works Department. He noted, Mayor Beesley announced the resignation of John Leonardi, from the Planning Commission – expressing appreciation for his years of service – and the reappointment of Blake Neil, to the Commission. He reported comment by Mayor Beesley on reclamation of an existing City Emergency Management Program.

10. Commission Comments:

Commissioner Faulkner had no further comment. Commissioner Neil deferred comment. Commissioner Carrigan reported meeting with Dan Schuler and Dollar Tree management, to inspect and resolve exterior lighting faults. He recounted cooperation by store agents. Chairman Maw had no additional input. Derek Moss reported receipt of application for sign permits from AutoZone. He indicated, applicants requested “halo lighting” of three of the four signs on the store (the fourth to be fully lighted). He noted, initial approval of the site plan was given under the condition that signs shall not be lighted, except for the one that faces the parking lot. It was determined, after Commission discussion, that the proposed “halo lighting” of signs will not be allowed.

11. Adjournment

Motion: Commissioner Carrigan made motion to adjourn at 7:45 p.m.
Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Neil, Carrigan, and Chairman Maw voted aye. Motion Carried.

2019

<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Leonardi</u>
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