

Plain City Planning Commission
Minutes of Meeting
October 10, 2019

Minutes of the Plain City Planning Commission Meeting held on October 10, 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 Chairman Blake Neil
Commissioner Cheri Sparks
Commissioner Shawna Faulkner
Commissioner Kris Carrigan
Commissioner Dustin Skeen

Staff: Mike Kerswell, Dan Schuler, Paul Taylor

Attendees: Buddy Sadler, Kate Chapman, David Chapman, Chloe Chapman, Jordan Kranendonk, Brad Barto, Jacob Rhees, Jim Hill, Joe Taylor, Carter Clawson, Ty Campbell, Brennen Fryer, Payton Watson

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Sparks

Moment of Silence / Invocation: Commissioner Faulkner

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

2. Opening Statement: Chairman Maw recited 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 September 26, 2019

Commissioner Sparks submitted that the word “provisos” be replaced with “provisions”, on page 3. Chairman Maw recommended that the word “alliance”, on page 3, be replaced with “coordination”.
Motion: Commissioner Carrigan motioned to Approve the Meeting Minutes for September 26, 2019, with amendments as mentioned. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Carrigan and Chairman Maw voted aye. Motion carried.

6. Technical Review Report

Commissioner Neil summarized; Todd Cottle presented a plan for a lot line adjustment/lot consolidation, Garry Westergard proposed a lot line adjustment on property that he owns, and Joe Taylor had an amendment to Plain City Meadows Phase 6 reviewed: This amendment is on the agenda for approval, tonight. He reported that Brad Barto presented a lot line adjustment/lot consolidation proposal at the meeting.

7. Legislative Items:

Discussion: Town Center Mixed-Use Overlay Zone, app. 4315 W 2425 N

Chairman Maw announced that the concept will be presented for discussion only – there will be no action taken on the proposal, at this time. Commissioner Neil referred to “Retail Space” annotated on the plan and asked what type of business is proposed in these locations. He noted that the parking ordinance establishes parking stall requirements per specific commercial operations. Property owner, Jake Rhees indicated that business type has not been decided but expected to be in the service sector or professional industry grouping, e.g. insurance agency and real estate office. He explained that he will configure the interior space for the needs of a particular tenant, after the structure has been constructed. Commissioner Neil commented on existing parking accommodations. Commissioner Faulkner suggested that the “Retail Space” label implies selling of goods. Jake Rhees recounted guidance received during Technical Review. He commented on parking provisions and setback stipulations. Chairman Maw clarified; the Mixed-Use Overlay was advocated at the Technical Review meeting, as the land is currently zoned C-1. He expressed approval of changes made to the original concept, to meet the purpose and intent of the Overlay. He made mention of improved views, resulting from east-facing dwellings. Commissioner Carrigan suggested that proposed townhome units be moved south, allowing more parking behind commercial buildings. Commissioner Neil remarked on access for emergency vehicles, indicating that Fire Marshal review and approval of the plan is required in the process. He advised that plan approval by the Plain City Public Works Department will also be required. Chairman Maw verified that retail spaces will have two exits. Jake Rhees agreed to make the necessary changes and sought procedural instruction. Chairman Maw stated that the Mixed-Use Overlay Zone will need to be approved, first – this will include a Public Hearing, conducted by the City Council. Commissioner Neil maintained that per City Recorder direction, the Public Hearing can be hosted by the Planning Commission, as well. Commissioner Faulkner pointed out that the ordinance specifically identifies City Council as the body to conduct the Public Hearing for the Mixed-Use Overlay Zone. She read from the code:

10-19-7: CITY COUNCIL ACTION:

- A. The City Council shall hold a public hearing on the proposed Mixed-Use Overlay Zone. The City Council shall then approve, approve with conditions, or deny the Mixed-Use Overlay Zone.

Commissioner Neil recommended that ordinance language be amended to enable Planning Commission to hold a Public Hearing for this purpose. Chairman Maw evoked; the process can be found in the Mixed-Use Overlay Zone ordinance. City Engineer, Paul Taylor indicated that he will be verifying the Maximum Residential Use: The maximum residential use in any commercial building shall not exceed fifty percent (50%) of the total usable square footage - Maximum lot coverage: Sixty percent (60%) of lot area by buildings or accessory buildings - Density: The maximum residential density shall not exceed eight and a half (8.5) units per acre –

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Noncommercial Associated Residential Development: Residential development in commercial zones that is not associated with the development of any commercial uses in the same subdivision shall be limited to a maximum of fifteen (15) acres. If greater than fifteen (15) acres, residential development in commercial zones shall be limited to thirty percent (30%) of the development. Chairman Maw asked that data pertaining to the aforementioned ratios be noted on application documents and drawings. Commissioner Sparks commented on residential use IN commercial buildings, envisioning dwelling units above retail spaces, in the proposed development. She commented on the effectiveness of two-story design in narrow building footprint conditions.

Discussion / Motion: Subdivision Amendment – Plain City Meadows Phase 6 - 2nd Amendment, approximately 3525 W 2350 N

Property Owner, Joe Taylor explained that his lot was initially recorded with an easement for an emergency vehicle turnaround but the roadway has since been continued and the turnaround is no longer necessary. He requested that his lot line be adjusted to absorb the vacant easement. He indicated that he has submitted an application to build a home on the property. He listed items of concern, presented at Technical Review and confirmed that the issues have been addressed.

Commissioner Faulkner asserted that requiring a property owner to undergo the amendment process to eliminate an obsolete feature that was ordered by the City seems unfair. Paul Taylor acknowledged the sentiment and reported that the matter has been deliberated and measures have been proposed to release property owners from this responsibility, going forward.

Motion: Commissioner Faulkner made motion to approve the Subdivision Amendment – Plain City Meadows Phase 6 – 2nd Amendment. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Carrigan and Chairman Maw voted aye. Motion Carried.

Discussion / Motion: Ordinance Amendment – Residential Overlay Zone

Chairman Maw referred to printed copies of the amended draft ordinance, distributed to commissioners prior to the meeting. He asked if the revisions have been reviewed by the City Attorney. Land Use Specialist, Mike Kerswell answered in the negative. He explained that the City Attorney will review the new terms, once the draft ordinance is recommended to City Council for setting of Public Hearing. Chairman Maw pointed out verbiage placed in the “purpose and intent” of the revised Residential Overlay that is found in the Senior Housing Overlay text. He expressed opinion that the amended ordinance contains the elements discussed at the previous Planning Commission meeting. Commissioner Sparks noted that new side setback requisites need to be added at 10-20-3, B (2 c). Commissioner Faulkner affirmed that the changes clearly state a more precise purpose and intent. Commissioner Skeen queried if desired Planning Commission and City Council controls have been established with the added stipulations. Chairman Maw verified that related concerns have been met in the modified description of purpose and intent.

Motion: Commissioner Neil made motion to approve the Ordinance Amendment – Residential Overlay Zone with revisions as proposed. Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Carrigan and Chairman Maw voted aye. Motion Carried.

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Discussion: Ordinance Amendment – Mixed-Use Overlay Zone

Chairman Maw asked if any of the new text from the amended Residential Overlay Zone ordinance should be transferred to the Mixed-Use Overlay Zone ordinance. Commissioner Faulkner suggested that intent be reviewed and clearly stated. Commissioner Neil recommended revisiting height restrictions and terms regulating the number of stories allowed for residential units. He commented on misinterpretation of these regulations. Commissioner Sparks voiced concern over rear setback stipulations, minimum frontage, and other site development standards. She commented on application of the Overlay to existing commercial structures. Chairman Maw urged focus on the purpose and intent. He weighed inserting paragraphs one and two from the Residential Overlay Zone. Commissioner Faulkner noted that commercial use is primary, under the Mixed-Use Overlay, and needs to be clearly pronounced as such. Commissioner Carrigan pointed out that ratios have been established in the code, to ensure prevalence of commercial use. Paul Taylor advised specifying if the Overlay is strictly intended for new construction or if it can be applied to existing buildings. Commissioner Sparks asked if a separate redevelopment section should be included. Paul Taylor explained that the City Council requested review of the Mixed-Use Overlay Zone “purpose and intent” and clarification of height restrictions, related to residential conditions. Commissioner Neil remarked on particular allowances provided for buildings with “shared walls”, spelled out in the ordinance. Commissioner Carrigan counseled that a directive should be written, specifying that the ground-level of two-story assemblies within the Mixed-Use Overlay must be commercial space. Commercial vs. Residential ratios, specified in the code, were discussed at length. Paul Taylor noted that the ordinance limits shared-wall dwelling units to 50% of all residential cases. He pointed out that 100% of the residential units, presented in Jake Rhees’ proposal, have shared walls. He indicated; single-family dwellings would have to be part of the plan for the project to qualify for the Mixed-Use Overlay. Chairman Maw contemplated adding separate specifications for developments under 15 acres.

Commissioner Faulkner reviewed:

10-19-3: B1. Noncommercial Associated Residential Development: Residential development in commercial zones that is not associated with the development of any commercial uses in the same subdivision shall be limited to a maximum of fifteen (15) acres. If greater than fifteen (15) acres, residential development in commercial zones shall be limited to thirty percent (30%) of the development. The Planning Commission and City Council will consider existing mixed-use overlay zones applied on adjacent parcels when calculating the maximum of fifteen (15) acres or thirty percent (30%), whichever applies.

She indicated that the paragraph plainly shows a division between developments under fifteen (15) acres and developments greater than fifteen (15) acres, yet the subsequent stipulations do not present that distinction. Chairman Maw laid out new code divisions, under 10-19-3: B1 – one for subdivisions limited to a maximum of fifteen (15) acres, and one for developments greater than fifteen (15) acres. Commissioner Sparks suggested that all items currently addressed under 10-19-3: B1 be included, separately, in each new division. Paul Taylor dissected the phrase: “The Planning Commission and City Council will consider existing mixed-use overlay zones applied on adjacent parcels when calculating the maximum of fifteen (15) acres or thirty percent (30%), whichever applies.” Commissioner Carrigan asserted that the condition of adjacent parcels can only be considered if the land is already developed. Commissioner Skeen repeated that commercial use is the primary aim of the Mixed-Use Overlay Zone. He voiced concern over allowing a plethora of residential units on commercial property because it abuts a parcel that meets this standard. He suggested the clause be removed from the ordinance.

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Chairman Maw proposed a 50-50 ratio (percentage of residential development) be applied to stipulations for developments under fifteen (15) acres. He requested that Mike Kerswell create partitions in a draft ordinance, to dictate criteria for projects less than, and greater than fifteen (15) acres. Paul Taylor stated that allowing a higher percentage of shared-wall units might be considered for smaller developments, because of reduced buildable footprint size. Chairman Maw indicated that further deliberation of the details will be carried out after the ordinance has been segmented. Commissioner Neil commented on stipulations for mailbox locations. Parking considerations were discussed.

8. Report from City Council:

Commissioner Skeen reported a continuation of discussion regarding the Plain City Residential Sewer Rate and that a motion was passed to set the monthly commercial sewer billing rate at \$13.80 for collection and \$3.00 per 1000 gallons (\$0.003 per gallon) of metered culinary water usage, effective October 4th, 2019. A proposed residential billing changes was tabled.

9. Commission Comments:

Commissioner Sparks yielded. Commissioner Faulkner had no further comment. Commissioner Neil deferred comment. Commissioner Carrigan yielded. Commissioner Skeen deferred to Chairman Maw. Chairman Maw reported that annexation of a large amount of land westward is being considered and much of the process will require Planning Commission attention. He acknowledged that details are not yet certain. He advised the Commission to be prepared for the situation, should the process be initiated. Commissioner Neil explained that annexation is a legislative action and will be performed by the City Council. Paul Taylor remarked on expansion of the General Plan and Future Land Use Map.

10. Adjournment

Motion: Commissioner Faulkner made motion to adjourn at 8:08 p.m.
Commissioner Carrigan seconded the motion. Vote: Commissioners Sparks, 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>Skeen</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
October 24, 2019

Minutes of the Plain City Planning Commission Meeting held on October 24, 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 Chairman Blake Neil
Commissioner Cheri Sparks
Commissioner Shawna Faulkner

Excused: Commissioner Kris Carrigan
Commissioner Dustin Skeen

Staff: Mike Kerswell, Dan Schuler

Attendees: Buddy Sadler, Karli Harvey, Deja Brighton, Jacob Rhees

Welcome: Chairman Maw

Pledge of Allegiance: Chairman Maw

Moment of Silence / Invocation: Commissioner Neil

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

2. Opening Statement: Chairman Maw recited the Opening Statement.

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

Commissioner Sparks reported fielding questions from a neighbor, about future high-speed internet infrastructure.

4. Public Comments for items not on the Agenda:

Stillcreek residents, Karli Harvey and Deja Brighton commented on high-speed internet service in their area and relayed details about a provider non-compete agreement. They presented a petition (started about a year ago) for the installation of playground equipment at the Stillcreek city park. She made mention of partial funding of park amenities, offered by the developer of Stillcreek Phase 2. She volunteered to assist with further fundraising efforts. Deja Brighton proposed direct dialog between HOA delegates and Public Works Director,

Dan Schuler, regarding construction schedule and financing.

Jake Rhees requested clarification of commercial/residential ratio terms, specified in the Mixed-Use Overlay Zone ordinance. He noted that City Engineer, Paul Taylor indicated;

compliance with the denoted ratio will be scrutinized in review of an application for the Overlay. He affirmed intent to comply with the code. He commented on building height regulations in the Mixed-Use Overlay Zone ordinance.

5. Approval of Meeting Minutes for October 10, 2019

Motion: Commissioner Faulkner motioned to Approve the Meeting Minutes for October 10, 2019. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Chairman Maw voted aye. Motion carried.

6. Technical Review Report

Technical Review was not held this cycle.

7. Legislative Items:

Discussion / Motion: Ordinance Amendment – Residential Overlay Zone

Commissioner Neil explained that the City Council set Public Hearing for the Residential Overlay Zone Ordinance Amendment - November 7, 2019 - but wants some items reviewed, prior to the meeting. He conveyed Council concern over inclusion of required stormwater detention basins in development “open space” calculations. He stated their recommendation that language be added to the ordinance to prohibit classification of stormwater detention devices as “open space”. He submitted that an exception may be granted for basins that are large enough to be utilized for recreational activities, e.g. parks. He related uncertainty over the specified minimum frontage requirement (150’) for duplexes. He referred to existing code for shared-wall units in all zones, noting that 150’ minimum frontage is standard and that lot size is restricted to a minimum of one half-acre (21,780 sq. ft.). He imparted unease over ratios of common-wall residential units, allowed in the ordinance. He expounded on the Mayor’s expectation of quick processing of the recommended review and revision. He described challenging shallow lot conditions that will result from increased minimum frontage requirements unless the minimum lot size is increased accordingly. He contemplated increasing the minimum lot size from 6000 square feet to 8000 square feet. Chairman Maw commented on a design that transforms detention basins into multi-use amenities that may provide recreation, aesthetic value and wildlife habitat along with flood control. Commissioner Neil suggested that such a facility should include parking and restroom facilities. Dan Schuler noted; efforts made to detain stormwater usually take the form of detention ponds that are considered an eye sore. He considered the benefits of making the system an amenity in communities, especially when it’s incorporated in open space as recreation grounds. Chairman Maw estimated the scale of the proposed multi-use arrangement. Commissioner Faulkner suggested that a simple phrase be added to the ordinance, referring to State mandated stormwater detention requirements and stating that the elements cannot be represented as open space in Residential Overlay Zone developments. Commissioner Sparks remarked on Stillcreek detention provisions. Commissioner Neil gave details on the 3.5-acre park that was created to provide stormwater detention for the Stillcreek development. Chairman Maw commented on reported problems with a multi-use detention area in North Salt Lake. Commissioner Faulkner voiced inclination to preclude a large-scale, multi-use stormwater detention alternative in the ordinance. Chairman Maw spoke of liabilities associated with dedicated multi-use detention areas. Commissioner Neil proposed that a clause referring to State stormwater detention stipulations and prohibiting classification of stormwater

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detention devices as open space, be inserted at 10-20-5 C. Low impact development practices were concisely discussed. Chairman Maw advised; classifying detention basins of less than five acres in area as open space shall be prohibited. Commissioner Neil reviewed concerns expressed by City Council, relating to frontage requirements for shared-wall units. He recommended referring to existing site development standards for shared-wall dwellings in the Residential Overlay Zone ordinance. He weighed putting a limiting ratio of shared-wall units in the code. Commissioner Faulkner proposed adding a sentence in 10-20-3A (3.) stating that shared-wall units in a subdivision shall not exceed 20 percent of dwellings. Commissioner Sparks indicated that the ratio will provide the option of duplex/fourplex units without permitting overabundance. Commissioner Faulkner proposed stating the shared-wall unit regulation in 10-20-3A (2.) as well. Chairman Maw asked if changes can be composed for Commission review at a scheduled special meeting/Public Hearing – October, 29, 2019. Land Use Specialist, Mike Kerswell answered in the affirmative.

Motion: Commissioner Sparks motioned to table Discussion / Motion: Ordinance Amendment – Residential Overlay Zone. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Chairman Maw voted aye. Motion carried.

Discussion: Ordinance Amendment – Mixed-Use Overlay Zone

Chairman Maw opened discussion on General Regulations for dwellings in commercial developments of LESS than fifteen acres. He commented on garage requirements. He reviewed stipulations for dwellings with common walls. He weighed keeping the same requirements for both, commercial developments under fifteen acres and commercial developments over fifteen acres. He proposed removing the required ratio (50%) for detached, single-family and duplex units, from General Regulations for dwellings in commercial developments of LESS than fifteen acres. He proposed changing the requirement to 30% maximum, for duplex units in General Regulations for dwellings in commercial developments of GREATER than fifteen acres. Commissioner Faulkner clarified; overall maximum density requirements will remain unchanged for both categories. Commissioner Neil acknowledged that the proposed ratio and density standards work well for small commercial developments, advising that medium and larger developments should be held to tighter restrictions on shared-wall residential structures. He noted that the S-Curve Commercial plot has approximately eleven acres. Commissioner Faulkner suggested that the distinction be shifted to “Less than 10 acres” and “Greater than 10 acres”. Chairman Maw reviewed code regulations for garage doors and bonus rooms. He commented on building height standards. Commissioner Sparks contemplated adding stipulations for roof pitch in the ordinance. She proposed raising the current stipulation from twenty-four to thirty feet. She reexamined language on bonus rooms. Chairman Maw voiced accord with Commissioner Spark’s maximum building height adjustment proposal. He reviewed existing minimum and maximum square footage directives, roof plane requirements, relief feature factors, and the prohibition of basements and crawl spaces. Commissioner Neil suggested that the minimum lot area be changed from 6,000 square feet to 8,000 square feet. He revisited issues with shared-wall unit exceptions, found in the height restriction parameters. Chairman Maw noted that the building height restriction should be changed to thirty feet. Commissioner Faulkner pointed out that the “Minimum; One Story” stipulation in General Regulations is written, “Maximum: One Story” in another section of the code. She advised that the requirement be uniform in all sections to eliminate confusion. She stated that the minimum frontage should be changed from sixty to eighty feet. Chairman Maw indicated that language on bonus room standards should be removed

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from regulations for developments of LESS than ten acres. He proposed reference to section 10-9-2 be added to the off-street parking clause. Commissioner Sparks recommended that a MINIMUM of two parking spaces per dwelling be specified. Commissioner Neil referred to provisions allowing stormwater detention/retention basins to be calculated as part of open space requirements. Chairman Maw directed that the provision be stricken from the Mixed-Use Overlay ordinance. Commissioner Neil proposed adding verbiage to the Landscaping stipulations, clearly prohibiting the counting of State mandated detention/retention formations as open space.

8. Report from City Council:

Commissioner Neil reported that the Youth Council announced a fundraising Chili Cookoff event, to benefit the Plain City Fire Department. He briefed the Planning Commission on discussion attributed to a potential annexation request. He commented on Council approval of an amendment to Plain City Meadows Phase 6. He reported that a requested extension of the Interlocal Agreement for Ambulance Services was granted. He reported that a resolution requesting recertification of the Plain City Justice Court passed, expansion of Recreation Program to include Hunters Safety was ratified, and that a Public Hearing was set for amendments to the Residential Overlay Zone. He gave details on Councilmember Sadler's reporting of information gathered from the Utah Mosquito Abatement Association's Annual Meeting, held in Bryce Canyon National Park. He reported that Councilmember Davis commented further on the proposed annexation and that Councilmember Weston gave a status update on sewer conditions.

9. Commission Comments:

Commissioner Sparks yielded. Commissioner Faulkner reported that a recent Facebook post, exhibiting the Plain City Parks, Trails and Open Space Master Plan, displays an out-of-date map. She reported confusion expressed by some viewers resulting from the old illustration. Commissioner Neil asserted that the old Parks and Trails map was supposed to be updated three or four years ago. Chairman Maw summarized a proposal to annex a large piece of western land into Plain City. He described steps in the annexation process. He remarked on speculated incorporation of a new township, involving the same land. He noted that the recently updated General Plan will need to be amended if the annexation transpires. He announced that a special Planning Commission meeting has been scheduled (per request by the mayor), October 29th - for public input and presentations by Mayor Beesley and the City Attorney, on annexation policy.

10. Adjournment

Motion: Commissioner Neil made motion to adjourn at 9:00 p.m.

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

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<u>Neil</u>	<u>Carrigan</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Sparks</u>	<u>Skeen</u>
Jan 3	Jan 17	Feb 7	Feb 21	Mar 7	Mar 21
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Planning Commission Chair

Planning Commission Secretary

Plain City Planning Commission
Minutes of Meeting
October 29, 2019

Minutes of the Plain City Planning Commission Meeting held on October 29, 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 Chairman Blake Neil
Commissioner Cheri Sparks
Commissioner Shawna Faulkner
Commissioner Dustin Skeen

Excused: Commissioner Kris Carrigan

Staff: Mike Kerswell, Dan Schuler, Paul Taylor, Brandon Richards

Attendees: Jon Beesley, Brent Davis, Russell Davis, Tracy Smith, Tina Davis

Welcome: Chairman Maw

Pledge of Allegiance: Commissioner Faulkner

Moment of Silence / Invocation: Chairman Maw

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

2. Opening Statement: Chairman Maw read the Opening Statement.

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

None presented.

4. Public Comments:

Mayor Beesley explained City policy for origination and expansion of Plain City annexation boundaries. He reported that many owners of unincorporated Weber County land, westward, have expressed interest in annexing their property into Plain City. He commented on speculation that a new municipality could be incorporated, comprising a large part of that land. He invited land owners in attendance to present their thoughts regarding annexation of their property into Plain City. He charted the proposed annexation boundary. He asserted that the action is not intended to be hostile, rather to accommodate those who desire to be a part of Plain City. He indicated that the annexation will not be pursued if fewer than 75 percent of owners of property to be annexed support the proposition. He acknowledged that the arrangement will not be affected by a vote by land owners or other involved entities. He stated that he would prefer the area to remain unincorporated, but might offer annexation into Plain City as an alternative to being assumed by a new municipality. City Attorney, Brandon Richards explained the significance of a

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city annexation policy plan. He compared the proposed annexation boundary with an attribute formerly termed "Pioneer Boundary". He emphasized; if a property is not located within a city's annexation policy plan, the owner cannot petition for annexation into that municipality, nor can the city enact annexation of said property. He referred to past, current and proposed Plain City annexation policy plan maps. He laid out the process of amending an annexation policy plan, declaring that this will be the first step in accomplishing the presented annexation. He spoke of additional requirements that must be met in the course of action. Commissioner Sparks reviewed Plain City code 10-1-10: TERRITORY ANNEXED TO CITY:

At the time of the annexation of new territory to the City, the City Council, after reviewing the recommendation of the Planning Commission, shall classify such territory for zoning purposes according to the zones established by this title. (Ord., 11-14-1974)

She asked where the current annexation policy plan is and why it was not presented to the Commission prior to this meeting. She made mention of an apparent by-passing of the Planning Commission in the proposed annexation policy plan. Brandon Richards affirmed that avoidance of Planning Commission involvement is not intended. He described the Planning Commission's role in the annexation process. He indicated that a copy of the revised annexation policy plan and associated map must be mailed to all affected entities. He explained; according to State statute, the City Council will have the final vote in adopting the annexation policy and accepting land into Plain City boundaries. Commissioner Sparks queried about annexation requests, received from owners of land abutting Plain City borders. Mayor Beesley verified one such request, suggesting that there have been more. Commissioner Faulkner referred to the extended border and questioned if islands and/or peninsulas will be created with a petition system. Brandon Richards informed that State laws restricting the creation of unincorporated islands and/or peninsulas through annexation, must be followed. Commissioner Neil clarified; the proposed annexation policy boundaries will replace the existing "Pioneer Boundary", if adopted. Commissioner Faulkner commented on projected limits of the new city, expected to be incorporated in the same region. She considered aspects of transferring County zoning designations. Commissioner Skeen made clear that existing zoning classification of annexed land will be maintained. He indicated that the recently updated General Plan and Future Land Use Map will need to be amended. He verified that the localities of Taylor and West Weber are outside of the proposed annexation boundaries.

5. Legislative Items:

Public Hearing: Policy Amendment - Annexation Plan

Motion: Commissioner Faulkner motioned to open Public Hearing: Policy Amendment – Annexation Plan. Commissioner Skeen seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Skeen and Chairman Maw voted aye. Motion carried.

Russell Davis questioned; If the Plain City annexation boundary is expanded, as exhibited, are other entities excluded from claims to land within those limits? Brandon Richards answered in the negative. He commented on competing or overlapping Pioneer Boundaries. Mr. Davis asked if submission of a petition is required for private property to be annexed. Brandon Richards explained the petition process, noting that under certain circumstances, a municipality can initiate petition actions without owner agreement. He revisited rules that restrict creation of islands or peninsulas through annexation. City Engineer, Paul Taylor identified circumstances

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that justify city-induced annexation of private property. Mr. Davis asserted that annexation of property where industrial entities are established will absorb tax revenue and impede profitable development of excluded, unincorporated plots. Mayor Beesley stated that the main intent declared by would be founders, for incorporating areas of western Weber County, is to slow or stop residential development and to block commercial growth. He pointed out space within the proposed city limits that is optimal for commercial development. He expounded on County Commission governance, contrasting municipal control over land use matters. He contended that present-day cities are not sustainable without commercial revenue. He recounted a history of commercial enterprises in Plain City. He commented on the cost of public services. He encouraged residents of land that will possibly be affected, to attend Plain City Council and Planning Commission meetings – to stay informed. He invited them to approach him at his home, if so desired, to get answers to questions about the proposed annexation.

Motion: Commissioner Neil motioned to close Public Hearing: Policy Amendment – Annexation Plan. Commissioner Skeen seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Skeen and Chairman Maw voted aye. Motion carried.

Discussion / Motion: Ordinance Amendment – Residential Overlay Zone

Chairman Maw indicated that changes to the Residential Overlay Zone ordinance were requested by City Council, discussed by the Planning Commission, and a draft of the amended code will be reviewed at this time. He referred to height restriction questions that were posed via email by Commissioner Faulkner. Commissioner Faulkner noted that Commissioner Skeen responded with sufficient data. Chairman Maw affirmed the importance of height restriction stipulations in the Residential Overlay Zone ordinance. He commented on application of rules governing building height, in Mixed-Use Overlay standards. Commissioner Sparks recommended specifying “two-story maximum” in addition to the thirty-five-foot height restriction. Commissioner Skeen sought clarification of 10-20-3: GENERAL REGULATIONS: ...

“(1:2 ratio of developed open space to housing). Any developed open space shall be dedicated to the City”. He referred to 10-20-5: PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION: ... “All attendant open space, privately or otherwise owned, shall be publicly accessible and contained within the perimeter of the development” and asked if the two clauses contradict each other. He commented on the permitting of private ownership of land deemed open space. Commissioner Faulkner suggested that one of the articles provides a general definition while the other specifies a requirement. She asked what “all attendant open space” signifies. Land Use Specialist, Mike Kerswell indicated that it means any area in a development that is counted as open space and intended to gain density compensation. Paul Taylor recommended that evocations of “State mandated stormwater detention” in the ordinance, should include “or retention”. He cited movement toward legislation requiring stormwater retention systems. Commissioner Skeen requested clarification of multi-family, attached unit regulations. He questioned the suitability of mixing duplexes with single-family dwellings in Residential Overlay Zone developments. He voiced opinion that multi-family units should not be allowed. After deliberation, it was recommended that any shared-wall structure be limited to two-family, or “duplex”, in Overlay standards.

Motion: Commissioner Faulkner motioned to recommend City Council approval of the amended Residential Overlay Zone ordinance. Commissioner Neil seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Chairman Maw voted aye. Commissioner Skeen voted nay. Motion carried.

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6. Commission Comments:

Commissioner Sparks indicated that she has questions about the annexation policy amendment and expects answers to be impending with progression of the plan. Commissioner Faulkner had no further comment. Commissioner Neil relayed concerns by neighbors of the F. Maw subdivision, over use of an outbuilding on the property for storing and dispatching construction equipment. Chairman Maw reported accounts of concern by F. Maw subdivision neighbors regarding the height of the aforementioned shed. He noted that a building permit for the structure was issued after examination of submitted plans. Commissioner Skeen deferred comment.

7. Adjournment

Motion: Commissioner Sparks made motion to adjourn at 7:52 p.m.
Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil, Skeen and Chairman Maw voted aye. Motion Carried.

2019

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