

Plain City Planning Commission  
Minutes of Meeting  
November 14, 2019

Minutes of the Plain City Planning Commission Meeting held on November 14, 2019 at 7:00 p.m. in the Council Chambers of Plain City Hall – 4160 W 2200 N, Plain City, Utah 84404.

Present: Vice Chairman Blake Neil  
Commissioner Cheri Sparks  
Commissioner Shawna Faulkner  
Commissioner Dustin Skeen

Excused: Chairman Jarod Maw  
Commissioner Kris Carrigan

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

**Attendees:** Jon Beesley, Mark Bowman, Brad Barto, Lane Davis, Jeff Hales, Sheri Stimpson Barahona, Cecil Satterthwaite, Sherry Barker, Steve Rhead, Wayne Andreotti, Randy Runolfson

**Welcome:** Commissioner Neil

**Pledge of Allegiance:** Commissioner Faulkner

**Moment of Silence / Invocation:** Mike Kerswell

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

**2. Opening Statement:** Commissioner Neil read the Opening Statement.

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

Commissioner Skeen reported a brief conversation with developer, Jeff Hales, after City Council meeting. He explained that Mr. Hales presented a preliminary sketch of a proposed Panunzio Estates subdivision and asked for feedback on the layout, particularly regarding traffic flow. He indicated that Mr. Hales is present at this Planning Commission meeting and will expound on the matter during the Public Comments segment.

**4. Public Comments:**

Jeff Hales distributed a preliminary sketch of the proposed Panunzio Estates subdivision. He noted that preliminary approval of an earlier draft was granted by the Commission but changes were ordered when the plan was presented for recommendation of final approval. He affirmed that the requested alterations have been performed with direction from the City Engineer. He sought review of, and comments on the new layout, prior to requisitioning another set of formal drawings. He pointed out specific elements that were amended. He explained; a portion of the

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property (2 – 3 lots), currently zoned RE-15, is designed to meet the minimum lot size requirements for that zone, rather than General Plan indications for the MDR1 – due to requested widening of a through roadway. He stated that he will coordinate with the City Engineer to obtain final advisements from the Planning Commission on the proposed design.

**5. Approval of Meeting Minutes for October 24, 2019 and October 29, 2019**

**Motion: Commissioner Sparks motioned to Approve the Meeting Minutes for October 24, 2019. Commissioner Skeen seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

**Motion: Commissioner Skeen motioned to Approve the Meeting Minutes for October 29, 2019. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

**6. Technical Review Report**

City Engineer, Paul Taylor reported that Nilson Homes presented two projects for review: A new subdivision of the Herbert property, approximately 1881 N 4700 W and a proposal for phases 2 and 3 of the Sunset Meadows subdivision. He commented on an updated plan for the Heritage North subdivision (Residential Overlay), that was submitted for review. He reported a proposed rezone of Lorri Thurgood property and listed factors that were discussed while analyzing the objective.

**7. Legislative Items:**

**Discussion: Annexation Policy Amendment**

City Attorney, Brandon Richards described the process for amending an Annexation Policy Plan. He indicated that recently proposed changes to the Plain City Annexation Policy Plan are primarily associated with the boundary. He stated that part of the process is to have a Public Hearing, hosted by the Planning Commission. He provided details on hearing notification requirements and procedures. He noted that approximately twenty-five affected entities were invited to attend this Planning Commission meeting, to publicly present comments. He remarked on an extended ten-day period, allowed for written comments to be submitted after this meeting. Comments heard at this meeting and received in written form, will be considered at a Public Hearing, next month. He further explained the format for receiving comments from affected entities at this Planning Commission meeting. Commissioner Faulkner asked if current Plain City residents were invited to provide comment. Brandon Richards clarified; invitations to this meeting were not mailed to individual *residents*, nor is it required. Commissioner Sparks asked about impending petitions for annexation. Brandon Richards instructed; petitions for annexation within the proposed border cannot be filed until the extended boundary has been approved as part of the Plain City Annexation Policy Plan.

Warren resident, Wayne Andreotti acknowledged interest in annexation into Plain City. He indicated that he is at the meeting to gather information. He commented on talk of turning four areas of unincorporated western Weber County (Warren, West Warren, Taylor and West Weber) into a city. He relayed Warren residents' desire for alternatives to the proposed incorporation.

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Little Mountain Service District representative, Randy Runolfson described operations of their small-population sewage treatment facility that lies inside the proposed annexation boundary. He spoke of budgetary and capacity concerns. He requested that the District be conscientiously notified of future plans for development that will impact their system. Brandon Richards reminded those present that written input will be accepted for ten days. He reviewed Public Hearing policy and the Planning Commission's function in the annexation process. Commissioner Neil directed that a Public Hearing for Amendment to the Plain City Annexation Policy Plan be held during the regular Planning Commission meeting on December 12, 2019.

**Discussion / Motion: Subdivision Amendment – Town Square Estates 2nd Amendment, approximately 4380 W 2500 N**

Valeo Management Development Manager, Cecil Satterthwaite explained that the proposed amendment affects two of the building pads in Town Square Estates. He described the enlargement and shifting of buildable footprints, illustrated in drawings that were previously distributed to the commissioners. He affirmed compliance with setback and open common area requirements.

**Motion: Commissioner Faulkner motioned to recommend City Council approval of the presented Subdivision Amendment – Town Square Estates 2nd Amendment. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

**Discussion / Motion: Petition for Annexation – Sherry Barker Property, 3224 W 2200 N**

Property owner, Sherry Barker verified the location and scope of the proposed annexation. Commissioner Neil reviewed annexation policy on zoning. Sherry Barker voiced understanding of the zoning rule, indicating that the land will be annexed into Plain City with an agricultural zoning classification. Commissioner Faulkner queried if the annexation will create a peninsula. Land Use Specialist, Mike Kerswell advised that the parcel is comprised in an odd-shaped island of unincorporated land and will not create a new peninsula. He noted that the City Recorder accepted the application without raising concerns over the layout. Commissioner Neil explained that the City Council will make a final decision on the petition.

**Motion: Commissioner Sparks motioned to forward the Petition for Annexation – Sherry Barker Property, 3224 W 2200 N, to City Council. Commissioner Faulkner seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

**Discussion / Motion: Ordinance Amendment – Mixed-Use Overlay Zone**

Commissioner Sparks informed; after reviewing the latest draft, previously discussed revisions have been appropriately composed. Commissioner Skeen referred to page 2, 10-19-3 A (2);

- Minimum Size: The minimum size of residential units in commercial buildings... and expressed confusion over terms on page 4, 10-19-3 B (7);
- Square Footage: The minimum square footage of each dwelling area shall be nine hundred (900) square feet and the maximum square footage of each dwelling area shall be at most one thousand seven hundred (1,700) square feet, excluding garages.

He asked if the regulations are actually affixed to different provisions in the code. Commissioner Neil explained that the ordinance has been segmented to address three specific conditions:

- A. Residential dwellings IN commercial buildings

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- B. Separate single-family dwellings and multi-family dwelling units in a commercial development of LESS THAN ten (10) acres
- C. Separate single-family dwellings and multi-family dwelling units in a commercial development of GREATER THAN ten (10) acres

He indicated that each segment will have minimum size requirements, specifically adapted to those certain conditions. Commissioner Faulkner clearly distinguished General Regulations pertaining to 10-19-3 A, B and C. Commissioner Skeen referred to 10-19-3 B (12); regulation for off-street parking. He asked how issues with imprecise terms have been addressed.

Commissioner Neil indicated that the word “minimum” was added:

- Minimum two (2) parking spaces per dwelling and shall meet the requirements of section 10-9-2 of this title.

Commissioner Sparks suggested “minimum” be added to 10-19-3 C (13). Commissioner Faulkner commented on driveway length and garage standards. She recommended that “minimum” be added to 10-19-3 A (5), also. She referred to the written parameters “LESS THAN ten (10) acres” and “GREATER THAN ten (10) acres”, advising that they be changed to cover the plausible scenario of a development containing exactly ten (10) acres. She proposed “ten (10) acres or more” or “ten (10) acres or less”. After discussion, consensus was reached on the terms “ten (10) acres or LESS” and “GREATER than ten (10) acres”, for 10-19-3 B and 10-19-3 C, respectively. Commissioner Sparks presented 2018 Weber County Demographic statistics on median home pricing. She asserted that the number would be impossible to replicate in Plain City, even with lot size reductions allowed by the Residential and Mixed-Use Overlay Zones. Land pricing and construction costs were deliberated. Commissioner Skeen commented on a list of options meant to promote affordable housing, put forth in SB34. Paul Taylor remarked on SB34 reporting requisites. An ordinance for accessory dwellings that was marshalled by the Planning Commission but rejected by the City Council was discussed. Rent price and its correlation with overall housing affordability was examined by the Commission. Commissioner Skeen reviewed 10-19-2: USE REGULATIONS. Commissioner Sparks proposed that “Sales, storage or repair of open-bed, travel or camping trailers” be added to Prohibited Uses. She suggested that “Automotive salvage, recycling, or scrap yard” be added to Prohibited Uses.

**Motion: Commissioner Sparks motioned to table Discussion / Motion: Mixed-Use Overlay Zone Ordinance Amendment. Commissioner Skeen seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

## **8. Administrative Items:**

### **Discussion / Motion: Subdivision Amendment – Forever Young 1st Amendment, approximately 4706 W 2200 N**

Commissioner Neil opened discussion on the proposal, noting that the address on the Subdivision Amendment application is incorrect – the applicant’s home address is placed on the line for the project address. General Contractor, Brad Barto described the adjustment of property lines. He confirmed that minor modifications have been made to an updated plan, per City Engineer comments, and the project address has been corrected on a new application. Commissioner Neil indicated that final approval can be granted by the Planning Commission, as this is a single-lot (minor) subdivision.

**Motion: Commissioner Faulkner motioned to approve the Subdivision Amendment – Forever Young 1st Amendment, with corrections as specified. Commissioner Skeen seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

**Discussion / Motion: Cancel Regular Planning Commission Meeting 11/28/2019**

**Motion: Commissioner Faulkner motioned to Cancel Regular Planning Commission Meeting 11/28/2019. Commissioner Sparks seconded the motion. Vote: Commissioners Sparks, Faulkner, Neil and Skeen voted aye. Motion carried.**

## **9. Report from City Council:**

Commissioner Skeen reported that Council Chambers was full - many residents were there in support of Colette Doxey. He noted that City Council opened the vacant Recreation Department Director position for public applications rather than instating the current Recreation Department Assistant Director, Colette Doxey to the full-time appointment. He indicated that numerous citizens recommended Colette Doxey during the Public Comments segment of the meeting. He commented on a presentation by Plain City Youth Council and a status review by the Weber County Sheriff's Office. He reported discussion on affordable housing promotional options, listed in SB34. He stated that action toward items A, F, G and W will be reported by the City Council to the State.

## **10. Commission Comments:**

Commissioner Faulkner asked if the appropriate procedure was followed when, after preliminary approval of the Panunzio Estates subdivision was granted by the Planning Commission, several changes were ordered before final approval would be considered. She mentioned measures taken to ensure that the project coincides with the Future Land Use Map. Paul Taylor described the amendments that were ordered after preliminary approval was given and explained the significance of each. Commissioner Faulkner remarked on road-side memorials and asked if Plain City has an ordinance to regulate such displays. Public Works Director, Dan Schuler acknowledged that State law prohibits makeshift displays along roadways. He commented on enforcement concerns and acceptable alternatives offered through the Utah Department of Transportation. Commissioner Faulkner questioned the legitimacy of re-submittal of an application for legislative land use action after the Planning Commission has recommended denial, when consequential proceedings by the City Council have been intentionally foregone by the applicant. Paul Taylor suggested that the City Attorney give direction on the subject. Mayor Beesley commented on the matter, indicating that clear rules should be added to articles of policy and procedure and annotated on applications for land use actions. Commissioner Sparks had no further comment. Commissioner Skeen yielded. Commissioner Neil wished all a happy Thanksgiving.

## **11. Adjournment**

**Motion: Commissioner Skeen made motion to adjourn at 8:53 p.m.**

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

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**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	

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Planning Commission Chair

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Planning Commission Secretary