

Plain City Planning Commission
Minutes of Meeting
May 13, 2021

Minutes of the Plain City Planning Commission Meeting held online May 13, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

Present: Chairman Blake Neil
 Vice-Chair Shawna Faulkner
 Commissioner Jarod Maw
 Commissioner Dustin Skeen
 Commissioner Rob Ortega
 Commissioner Blake Jenkins

Staff: Mike Kerswell, Dan Schuler

Attendees: Jim Flint, Rex Quilter, James Farrell, Shad Christensen, Adams Family, Marci Doolan, Steve Diamond, Saunders, Rich Skeen, Shane Skeen

Welcome: Chairman Neil

Pledge of Allegiance: Mike Kerswell

Moment of Silence / Invocation: Commissioner Faulkner

1. Roll Call:

Chairman Neil directed roll call and indicated; Commissioners Faulkner, Jenkins, Maw, Skeen and Chairman Neil were present. Commissioner Ortega joined the meeting after roll call.

2. Opening Statement:

Chairman Neil read the Opening Statement.

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

Commissioner Skeen reported speaking with a member of the Joel Heslop about subdividing a piece of family-owned property. He referred them to the Technical Review Committee for advisement. Commissioner Maw informed that he spoke with his uncle, Dan Maw, about developing his property.

4. Public Comments:

None offered.

5. Approval of Meeting Minutes for April 22, 2021

Commissioner Faulkner pointed out that the title “Commissioner” does not precede her last name in Commission Comments. She noted that “Chairman” is misspelled in the same paragraph. Chairman Neil indicated that he affirmed a formal complaint has been filed with the City, not Commissioner Maw, as reported in Commission Comments. He stated that an Ex Parte interaction reported by Commissioner Faulkner was not written in the minutes.

Commissioner Skeen motioned to approve the Meeting Minutes for April 22, 2021 with changes as

mentioned. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Skeen, Jenkins, Maw and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

The Technical Review Committee did not hold a meeting this week.

7. Administrative Items:

Discussion / Motion: Preliminary Subdivision – Skeen Subdivision, approx. 2200 N 3600 W

Commissioner Skeen recused himself from formal action on this proposal but agreed to answer questions. Chairman Neil reviewed the City Engineer's memorandum for the proposed subdivision and asserted that a majority of listed concerns have been addressed. Commissioner Faulkner commented on requirements for secondary water service through Weber-Box Elder Conservation District. She remarked on stormwater detention provisions added to the plat. Commissioner Skeen affirmed that the property has sufficient water shares to bring the property into the water district. Public Works Director, Dan Schuler indicated that the size and placement of the basin is satisfactory.

Commissioner Faulkner motioned to approve the Preliminary Subdivision – Skeen Subdivision, approximately 2200 N 3600 W. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Jenkins, Skeen, Maw and Chairman Neil voted aye. Motion carried.

8. Legislative Items:

Discussion / Motion: Final Subdivision – Robson Farms Phase 1, approx. 3626 W 1975 N

Commissioner Jenkins motioned to recommend the Phase 1 plat of Robson Farms Subdivision to the City Council for final approval. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Chairman Neil voted aye. Motion carried.

Discussion: General Plan

Chairman Neil informed that Mayor Beesley has communicated his standpoint on updating the General Plan to him and asked Commissioner Maw for a report on the City Council's position on the idea. Commissioner Maw indicated that the City Council tabled a requested zoning amendment that defies the current General Plan/Future Land Use Map. He reported that there was reluctance expressed by the Council to the suggestion of a General Plan revamping. He commented on the abundance of MDR-1 areas specified on the Future Land Use Map. Chairman Neil confirmed that the Mayor's stance on updating the General Plan parallels the Council's. Commissioner Faulkner considered amending the description of the MDR-1 Land Use Category to support preservation of RE-20 zoning. Chairman Neil stated that the funding process for the last General Plan update was initiated a year before the first public workshop was scheduled. Commissioner Faulkner advised that the Planning Commission can begin identifying parts of the General Plan/Future Land Use Map that are perceptibly in need of modifying while funding aspects are worked out. Chairman Neil voiced preference for the previous General Plan composition. He stated that the first step in the update process is lining up a budget. He inferred that presenting an amendment to the General Plan definition of the MDR-1 Land Use Category to City Council for approval is appropriate. Commissioner Skeen agreed with the proposed edit, suggesting that it be promptly enacted before a future update. Commissioner Ortega clarified; the definition of MDR-1 specifies 18,500 square-foot minimum lot size and an overall average lot size of 18,500 square-feet OR GREATER. He proposed that the minimum average stipulation be increased to 20,000 square-feet or greater. He commented on established RE-20 site development standards. Chairman Neil indicated that the prevalent RE-18.5 (MDR-1) designation was made, in part, to discourage the keeping of horses on lots that narrowly meet RE-20 requirements. Commissioner Maw contemplated revisions to the

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current ordinance for the keeping of horses. Chairman Neil divulged information regarding the purpose and intent of horse property regulations, discussed in a meeting with Dan Schuler.

Discussion / Motion: Ordinance Amendment - Cul-De-Sac Length

Commissioner Faulkner gave kudos to Land Use Specialist, Mike Kerswell, for providing helpful details from his research in planning commissioner packets. Chairman Neil pointed to Midway City Planning Commission's consideration of restricting the number of dwellings allowed to access from a cul-de-sac, advising that such terms might replace a maximum length stipulation. Commissioner Jenkins reasoned that minimum frontage standards will not limit cul-de-sac length if the maximum number of lots replaces maximum street length conditions. Commissioner Faulkner suggested limiting the number of lots on a street terminating in a cul-de-sac to 11. Professional Engineer, Jim Flint spoke of his extensive experience on this topic. He indicated that objective data on why communities set cul-de-sac length restrictions is impossible to precisely identify. He informed that International Fire Code permits 30 homes to access from a cul-de-sac. Commissioner Faulkner commented positively on a letter Mr. Flint wrote to North Ogden City when they were considering an amendment to their code standards. Developer, Steve Diamond told of research he has done on the cul-de-sac issues and historical regulations. He surmised that the City Council is looking to the Planning Commission for a firm, justifiable length, should an amendment to the current cul-de-sac length standard be recommended. Commissioner Skeen reviewed pros and cons related to the use of cul-de-sacs in city connectivity plans. He stated that distinct development scenarios require flexibility in cul-de-sac rules. Steve Diamond referred to guidance by Professional Planner, Roland Tonn with Cyburbia Urban Planning Community:

a cul-de-sac is one-half block in and one-half out because the only way in and out is to travel back the same way one comes in. Ergo, the cul-de-sac length should be one-half of the maximum block length standard.

Jim Flint acknowledged that the submission provides something concrete to tie the stipulation to. Commissioner Faulkner remarked on the impact of cul-de-sac streets on Public Works operations. Commissioner Maw indicated; convincing evidence that extending the maximum cul-de-sac length would be a positive change for the entire city has not been produced. Commissioner Faulkner noted that an important reason design standards are developed is to achieve community aesthetic goals. She commented on subdivision concept drawings presented by Steve Diamond, illustrating how a longer cul-de-sac street would generate more appealing lot configurations. Commissioner Jenkins advised that limiting lot quantity will not regulate cul-de-sac length unless frontages are held to a maximum standard. Dan Schuler presumed that an initial decision to change the 400-foot restriction will result in additional pleas by developers for code changes to facilitate their particular projects. Commissioner Ortega reported that the City Council has articulated the same concern. Steve Diamond stated that three councilmembers expressed a willingness to approve an amendment as long as it's clear-cut and is a positive change for the entire city. Commissioner Skeen reviewed North Ogden's guiding principles that should be considered before there is a change in any code standard:

Is there a safety reason that needs to be addressed?

Is a request a positive change for not only a specific property but does it make sense for the entire city?

Does the request qualify for special exception consideration?

Is there a national standard or best management practice that gives light to the rationale for a standard?

Is the proposal consistent with the General Plan?

He suggested that these questions should be asked in consideration of the proposed cul-de-sac ordinance amendment. He remarked on street connectivity within Plain City. He inferred that he's not opposed to a length of 600 feet, or less, for streets ending in cul-de-sacs. Chairman Neil proposed scheduling a joint work meeting with the City Council to review concerns, assess the presented data and discuss changes to the cul-de-sac ordinance that might benefit the City going forward. Commissioner Faulkner asserted that it's the Planning Commission's job to put forth well-intentioned proposals and make policy decisions on land use matters - notwithstanding, but in hopes of gaining City Council's approval. Dan Schuler described water flow

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hindrances that result from static pressure in long, dead-end main lines.

Commissioner Faulkner motioned to table Discussion / Motion: Ordinance Amendment - Cul-De-Sac Length. Commissioner Jenkins seconded the motion. Vote: Commissioners Faulkner, Jenkins, Skeen, Maw and Chairman Neil voted aye. Motion carried.

9. Report from City Council:

Commissioner Maw reported that a Public Hearing for the revised Residential Overlay Zone ordinance was hosted by the City Council and the proposed Amendment was tabled. He informed that changes were discussed and the draft was sent back to the Planning Commission for review. He indicated that Tom Favero's Zoning Amendment application was reviewed and tabled. He reported that some councilmembers want to visit the site before making a decision. He stated that the Tentative 2021-22 City Budget was discussed but not approved and Public Hearings were set for Final Approval of 2021-22 City Budget and Final Adjustments of 2020-21 City Budget. He related points from a presentation by UTA representative, Beth Holbrook, on their 5-year plan. He reported that a resolution to make Plain City a 2nd Amendment City was considered.

10. Commission Comments:

Commissioner Ortega had no further comment. Commissioner Jenkins yielded. Commissioner Faulkner asked when Council Chambers at City Hall will be reopened for in-person public meetings. Chairman Neil indicated that an early schedule slates the opening for the first meeting in June. Mike Kerswell affirmed that the room has been cleared for new flooring and paint. She commented on the start of construction on the Panunzio Estates subdivision and sought verification that the first phase has been formally approved and recorded. She queried about COVID-19 relief funding that was allocated to Plain City. She expressed her hope that some of the money would be used to support local businesses. Commissioner Maw commented on House Bill 82 that was ratified by the Utah Legislature - the final bill allows municipalities to prohibit internal Accessory Dwelling Units (ADUs) in no more than 25% of land zoned for residential use. He reckoned that every city in the state will be required to have an ordinance for Accessory Dwelling Units. He reflected on efforts by the Planning Commission to establish such a code in the past. Commissioner Skeen had no further comment. Chairman Neil reported inconsistencies discovered when he was about to sign a finalized plat of the Palmer Heritage subdivision. He urged closer inspection of drawings and documents throughout the process to final approval. He recommended that full-sized printouts (24"x36") of plat drawings be included in commissioner packets in the future. He confirmed that Project Engineer, Greg Day, corrected the mylar on-site before he signed it. He informed that he'll not be attending the May 27th Planning Commission meeting and asked Commissioner Faulkner to conduct in his absence.

11. Adjournment:

Motion: Commissioner Faulkner motioned to Adjourn at 8:36 p.m. – Commissioner Skeen seconded the motion. Vote: Commissioners Faulkner, Maw, Skeen, Jenkins and Chairman Neil voted aye. Motion carried.

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

Planning Commission Chair

Planning Commission Secretary

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May 27, 2021

Minutes of the Plain City Planning Commission Meeting held online May 27, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

Present:	Vice-Chair	Shawna Faulkner
	Commissioner	Jarod Maw
	Commissioner	Dustin Skeen
	Commissioner	Rob Ortega
Excused:	Commissioner	Blake Jenkins
	Chairman	Blake Neil
Staff:	Mike Kerswell, Dan Schuler	

Attendees: Ashley, Jim Flint, Adams Family, Joshua Wiscombe, Jeri, Rich Skeen, Shane Skeen

Welcome: Commissioner Faulkner

Pledge of Allegiance: Mike Kerswell

Moment of Silence / Invocation: Commissioner Maw

1. Roll Call:

Commissioner Faulkner directed roll call and indicated; Commissioners Faulkner, Maw, Skeen and Ortega were present. Commissioner Jenkins and Chairman Neil were excused.

2. Opening Statement:

Commissioner Faulkner read the Opening Statement.

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

None reported.

4. Public Comments:

None offered.

5. Approval of Meeting Minutes for May 13, 2021

Commissioner Ortega motioned to approve the Meeting Minutes for May 13, 2021. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Ortega voted aye. Motion carried.

6. Technical Review Report

Commissioner Faulkner reported that the Burns Plain City project was reviewed at the TRC meeting this week. She noted that a public hearing will be set tonight, for a zoning amendment needed for the proposed development.

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7. Legislative Items:

Discussion / Motion: Final Subdivision – Skeen Subdivision, approx. 2200 N 3600 W

Commissioner Skeen recused himself from voting on this application.

Commissioner Maw motioned to recommend the Final Subdivision – Skeen Subdivision, approximately 2200 N 3600 W to City Council for approval. Commissioner Ortega seconded the motion. Vote: Commissioners Faulkner, Maw and Ortega voted aye. Motion carried.

Set Public Hearing: Zoning Amendment – Burns Plain City, approximately 4277 W 3600 N (A-1 to RE-30)

Commissioner Faulkner referred to information about the project, provided in the Planning Commissioner packets. She described the development concept and summarized conditions discussed in the TRC meeting.

Commissioner Maw motioned to Set Public Hearing: Zoning Amendment – Burns Plain City, (A-1 to RE-30) for June 24, 2021. Commissioner Skeen seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Ortega voted aye. Motion carried.

Discussion / Motion: Ordinance Amendment - Residential Overlay Zone

Commissioner Faulkner submitted that the action to be taken by the Commission, at this point, is confirmation of amended stipulations proposed by the City Council. Commissioner Maw conveyed particulars from the Council's discussion on setback requirements in the ordinance. He reported that councilmembers also requested a change to *CITY COUNCIL ACTION*, denoting that the Council may hold an additional Public Hearing on an Overlay petition, if they deem it necessary. Commissioner Ortega pointed out a discrepancy in the draft, between the written-out and numeric specification for the rear setback standard. Commissioner Maw affirmed that the rear yard setback should be twenty-five feet (25'). Land Use Specialist, Mike Kerswell agreed to correct the draft before handing it back to City Council for approval. Commissioner Skeen noted that the attached graphic shows a 25' minimum rear setback and mentioned an adjustment to the percentage of multi-use stormwater detention/retention basins that can be considered developed open space. He commented on added restrictions related to street-facing garage doors. Public Works Director, Dan Schuler remarked on Low Impact Development (LID) standards for retention basins.

Commissioner Skeen motioned to recommend City Council approval of the Residential Overlay Zone Ordinance Amendment. Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Skeen, Maw and Ortega voted aye. Motion carried.

Discussion: General Plan

Commissioner Faulkner repeated Chairman Neil's advisement that an appeal for funding is the first step in the General Plan update process. She commented on amending descriptions of land use categories on the Future Land Use Map. Commissioner Ortega suggested that the City Council consider this specific amendment, prior to a full update the General Plan. He proposed that minimum lot sizes referenced in land use category definitions be kept with stipulated minimum averages being changed to ensure a mix of residential lot sizes and promote RE-20 zoning. He contemplated removing the average lot size constraint from the land use category definitions. Commissioner Skeen considered stipulating RE-20 standards for Medium Density Residential 1 (MDR-1) areas shown on the Future Land Use Map. He reviewed current horse property regulations. Commissioner Maw told of a past attempt to modify City codes appertaining to the keeping of horses and other livestock. Commissioner Faulkner proposed that a restructuring of the mentioned ordinance be deliberated, anew. She recommended terms that prompt horse owners to approach training and handling with compassion. Commissioner Skeen indicated that he'll ask the City Council to consider specific amendments to the General Plan/Future Land Use Map at the next City Council meeting.

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8. Report from City Council:

Mike Kerswell explained that work meetings for input on the City Budgets and Strategic Planning were held at the Lions Club building, prior to the regular City Council meeting. He reported that the Council tabled Tom Favero’s rezone request and a resolution for an Interlocal Agreement with RAMP for improvements to a jogging/walking trail at Lee Olsen Park. He informed that the Tentative 2020-21 City Budgets were accepted. He noted that final approval was given for the first phase of Robson Farms. He reported that a resolution declaring Plain City a Second Amendment Sanctuary was approved.

9. Commission Comments:

Commissioners Ortega, Skeen and Maw deferred comment. Commissioner Faulkner commented on a scheduled work meeting with the City Council to discuss cul-de-sac standards. She verified the time and place.

10. Adjournment:

Motion: Commissioner Maw motioned to Adjourn at 7:55 p.m. – Commissioner Skeen seconded the motion. Vote: Commissioners Faulkner, Maw, Skeen and Ortega voted aye. Motion carried.

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