

Plain City Planning Commission
Minutes of Meeting
July 8, 2021

Minutes of the Plain City Planning Commission Meeting held online July 8, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

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

Excused: Commissioner Dustin Skeen
Commissioner Blake Jenkins

Staff: Mike Kerswell, Dan Schuler

Attendees: Jim Flint

Welcome: Chairman Neil

Pledge of Allegiance: Commissioner Ortega

Moment of Silence / Invocation: Chairman Neil

1. Roll Call:

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

2. Opening Statement:

Chairman Neil 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 June 24, 2021

Chairman Neil indicated that Margie and Mitch Hunt were at the meeting but their surname is shown as “Hart” in the minutes. He explained that he was simply acknowledging conformity with the General Plan when he spoke during the Public Hearing on the Burns Plain City Zoning Amendment – not voicing approval of the request.

Commissioner Maw motioned to approve the Meeting Minutes for June 24, 2021 with corrections, as discussed. Commissioner Faulkner seconded the motion. Vote: Commissioners Faulkner, Ortega, Maw and Chairman Neil voted aye. Motion carried.

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6. Technical Review Report

TRC meeting was scheduled but the applicant did not turn up for the appointment.

7. Legislative Items:

Discussion / Motion: Final Subdivision – Plain City Fields, approx. 2200 N 3600 W

Chairman Neil reported that the City Engineer and Public Works Director were not given a response to their memorandum with sufficient time to review the comments, prior to this meeting. Project engineer, Jim Flint acknowledged that the response was delivered hours before this meeting. He remarked on a storm drainage report that was included with the resubmittal. Public Works Director, Dan Schuler spoke of an existing drainage ditch that runs along the north shoulder of 2200 North Street, addressed in discussions for preliminary approval.

Commissioner Ortega motioned to table Final Subdivision – Plain City Fields, approx. 2200 N 3600 W, until the City Engineer completes a review of the project engineer’s response to his memorandum. Commissioner Maw seconded the motion. Vote: Chairman Neil and commissioners Faulkner, Maw and Ortega voted aye. Motion carried.

8. Report from City Council:

Commissioner Maw reported that a new City Council member, Jed Jenkins, was appointed to fill the seat vacated when Councilmember Allen resigned. He indicated that final approval of the Skeen and Robson Farms Phase 2 Subdivisions was granted. He briefed the Commission on points discussed concerning a requested zoning amendment for parcels owned by the Favero family. He noted that the matter was tabled, pending an anticipated General Plan amendment. Chairman Neil commented on provisions established for modifying General Plan guidelines. He reported that a public hearing was set for the Burns Plain City zoning amendment application and for a recommended cul-de-sac ordinance amendment - Aug 5, 2021. He informed that restrictions on the use of personal fireworks within city limits, around the 24th of July, were considered.

9. Commission Comments:

Commissioner Ortega had no further comment. Commissioner Faulkner expressed her love for the community and delight over the City’s 4th of July Celebration. Commissioner Maw related a personal experience he had at a 4th of July event, attesting to the integrity of those celebrating in Plain City. He commented on a proposed ordinance for Accessory Dwelling Units (ADU) and suggested the topic be discussed at an upcoming Planning Commission meeting. Chairman Neil requested that the mentioned ordinance be put on the agenda for discussion at the next Planning Commission meeting.

10. Adjournment:

Motion: Commissioner Faulkner motioned to Adjourn at 7:30 p.m. – Commissioner Maw seconded the motion. Vote: Commissioners Faulkner, Maw, Ortega and Chairman Neil voted aye. Motion carried.

2021

Neil	Faulkner	Maw	Jenkins	Skeen	Ortega
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

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Planning Commission Chair

Planning Commission Secretary

Plain City Planning Commission
Minutes of Meeting
July 22, 2021

Minutes of the Plain City Planning Commission Meeting held online July 22, 2021 at 7:00 p.m. – virtually broadcast via ZOOM.

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

Attendees: Jim Flint, Adams Family, Rex Quilter, Tom Favero, Debbie Robinson, Miles Robinson, Jared Hadley, Jake Brian

Welcome: Chairman Neil

Pledge of Allegiance: Commissioner Jenkins

Moment of Silence / Invocation: Chairman Maw

1. Roll Call:

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

2. Opening Statement:

Chairman Neil 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 July 8, 2021

Commissioner Maw motioned to approve the Meeting Minutes for July 8, 2021 with corrections, as discussed. Commissioner Ortega seconded the motion. Vote: Commissioners Jenkins, Ortega, Maw and Chairman Neil voted aye. Motion carried.

6. Technical Review Report

Chairman Neil reported that two projects were reviewed by the Technical Review Committee. He indicated that Brynlee Acres is a proposed subdivision that comprises both incorporated and unincorporated parcels. He informed that the developer is reconsidering initial plans to use an overlay. He reported that Joseph Marsh

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presented a concept for a subdivision called Snow View Estates – another project that includes both incorporated and unincorporated property. He told of realignment of access points, discussed during the meeting.

7. Legislative Items:

Public Hearing: General Plan Amendment

Commissioner Jenkins motioned to open a Public Hearing on a proposed General Plan Amendment. Commissioner Maw seconded the motion. Vote: Chairman Neil and commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

Property owner, Tom Favero supported the resolution to revise and update the Plain City General Plan. He commented on developing his land in the southwest section of town.

Commissioner Maw motioned to close the Public Hearing. Commissioner Jenkins seconded the motion. Vote: Chairman Neil and commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

Discussion / Motion: General Plan Amendment

At the request of Commissioner Maw, Chairman Neil outlined the process for amending the General Plan. Commissioner Maw advised; a call for reexamination of codes that regulate the keeping of horses and raising of livestock for food production may result from the proposed changes.

Commissioner Maw motioned to recommend City Council approval of the proposed General Plan Amendment. Commissioner Ortega seconded the motion. Vote: Chairman Neil and commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

Discussion / Motion: Final Subdivision – Plain City Fields, approx. 2200 N 3600 W

Project engineer, Jim Flint introduced himself and offered to answer questions. Commissioner Ortega verified that all items on the City Engineer’s memorandum for this project have been addressed.

Commissioner Ortega motioned to recommend City Council approval of the Final Subdivision – Plain City Fields, approx. 2200 N 3600 W. Commissioner Maw seconded the motion. Vote: Chairman Neil and commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

Discussion: Ordinance – Accessory Dwelling Units

Chairman Neil recalled the Commission’s progress toward instituting an ordinance for Accessory Dwelling Units (ADUs) in the recent past. He commented on a draft ordinance recommended to the City Council for approval in March of 2019, which was summarily denied. Commissioner Maw remarked on concerns expressed by councilmembers as they considered the code. He noted that a bill was recently passed by the state legislature, intended to allow for more accessory dwelling units in single family homes like basement apartments or mother-in-law units. The idea is those units would then become an affordable rental option for people looking for housing, but are not in a financial position to buy a house of their own. He commented on ADU access to sewer, water, electric and gas service. Chairman Neil noted that the Purpose and Intent posed in the draft ordinance is: *to encourage moderate-income housing opportunities with reasonable limitations to minimize the impact on neighboring properties, and to promote the health, safety, and welfare of the property owners and residents.* He questioned use of the word “encourage” in the statement, suggesting that it be replaced with the word “integrate”. He commented on terms in the bill that deal with short-term rental arrangements. Commissioner Jenkins contemplated increased housing density connotations related to the integration of ADUs. Commissioner Maw spoke about detached ADUs in urban environments and expounded short-term rental provisions in H.B. 82. Chairman Neil reviewed terms in the draft ordinance associated with utility connections:

10-21-3E Utility Meters: An ADU shall have separate water and sewer connections and meters. In the case of septic systems, the applicant must demonstrate the system has sufficient capacity for another

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dwelling in accordance with County Health Department requirements. Gas, electric, and other utility services (i.e. internet, etc.) may be provided either on the same meter as the primary residence, at the discretion of the property owner and in accordance with utility service requirements. Water and sewer impact fees are required when adding an ADU.

He considered septic system scenarios. Commissioner Jenkins queried if ADUs will be allowed on all residential lots (of any size), provided they fit within established setback requirements. Chairman Neil clarified; according to proposed Use Regulations, ADUs may be constructed in AG-1, AG-2, RE-40, RE-30, RE-20, RE-18.5 and RE-15 zones. Commissioner Ortega analyzed the intent of the separate utility meter requirement. Public Works Director, Dan Schuler stated that utility connections for ADUs are comparable to commercial utility provisions, and should be handled as such. He made mention of parking parameters. He recommended that only ADUs that are attached (to a primary dwelling) be allowed.

Commissioner Ortega submitted; if utility providers allow separate meters/connections for ADUs, the City should not prohibit secondary gas, electric, and other utility meters - *at the discretion of the property owner and in accordance with utility service requirements*. Commissioner Maw proposed that 10-21-3E be removed. Dan Schuler warned about problems related to detached ADUs and divided utility services. Commissioner Jenkins remarked on potentially subdividing a lot after an ADU is built on it. Commissioner Ortega advised that building standards for ADUs should be the same as those for a primary residence.

8. Administrative Items:

Preliminary Subdivision – Cove Creek, approx. 900 N 5200 W

Jim Flint described the proposed development. He explained that it will be located in the southern-most sector of Plain City and is currently zoned A-1. He affirmed that a previous worry about access to neighboring parcels has been addressed. He commented on stormwater management plans and secondary water provisions. He noted that each lot is expected to have an approved septic system, but state of the art sump pump devices are being considered for public sewer connections. Chairman Neil spoke of a bridge that carries 5200 West Street over the South Branch of the Weber Canal and asked for details on the proposed structure. Jim Flint displayed construction drawings for the bridge and conveyed engineering data. Dan Schuler confirmed that a curved approach to the bridge meets requirements for emergency and road maintenance vehicle access. Chairman Neil noted that subdivision roads will comply with Rural Preservation specifications. Commissioner Maw evaluated a planned, temporary turn around at the end of 900 North Street. Jim Flint advised that formalization of road dedication and a canal maintenance agreement are being worked out with the Warren Irrigation Company, at present.

Commissioner Jenkins motioned to approve Preliminary Subdivision - Cove Creek, approx. 900 N 5200 W. Commissioner Maw seconded the motion. Vote: Chairman Neil and commissioners Jenkins, Maw and Ortega voted aye. Motion carried.

Preliminary Subdivision – Diamond E, approx. 3200 W 2600 N

Commissioner Ortega motioned to table Preliminary Subdivision – Diamond E, approx. 3200 W 2600 N. Commissioner Jenkins seconded the motion. Vote: Commissioners Jenkins, Maw, Ortega and Chairman Neil voted aye. Motion carried.

9. Report from City Council:

Commissioner Ortega reported that he gave a report from the Planning Commission at the meeting. Dan Schuler informed that Conditional Final Acceptance for the Pheasant Brook Subdivision was granted. He indicated that a RAMP Interlocal Agreement for walking path improvements at Lee Olsen Park was approved, as well as funding for extra parking. He reported that the 5200 W Skin Patch and Chip Seal project was moved forward. Land Use Specialist, Mike Kerswell indicated that an application and timeline for a scholarship from OTech was approved. He relayed elements from a presentation by the Major Brent Taylor

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Foundation regarding a county-wide 9/11 commemoration. He notified that a new City position and job description for a Mayor’s Assistant was approved and proposed Fraud Risk Policies were tabled.

10. Commission Comments:

Commissioner Skeen had no further comment. Commissioner Maw yielded. Commissioner Jenkins requested information on the subject of City parks landscaping standards. He verified specifics of ownership of Town Square Park - land and facilities – and mentioned maintenance protocols. Dan Schuler noted that water conservation guidelines indicate a moderated weekly watering schedule during severe drought conditions. Commissioner Ortega had no further comment. Chairman Neil announced that he will not be at the next Planning Commission meeting. He affirmed that Vice-Chair, Shawna Faulkner, will conduct that meeting.

11. Adjournment:

Motion: Commissioner Maw motioned to Adjourn at 7:57 p.m. – Commissioner Ortega seconded the motion. Vote: Commissioners Maw, Ortega, Jenkins, Skeen and Chairman Neil voted aye. Motion carried.

2021

<u>Neil</u>	<u>Faulkner</u>	<u>Maw</u>	<u>Jenkins</u>	<u>Skeen</u>	<u>Ortega</u>
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Planning Commission Chair

Planning Commission Secretary