



PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON MARCH 23, 2022 AT CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 N. MAIN STREET, CENTERVILLE, UTAH.

Centerville Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Centerville City Electronic Meetings Policy. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Mayor and Council reserve the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.

The full agenda packet and backup materials can be found on the Centerville City website at:

<https://centervilleut.v8.civicclerk.com/>

A. CALL TO ORDER

1. **ROLL CALL**
2. **LEGISLATIVE PRAYER OR THOUGHT**
3. **PLEDGE OF ALLEGIANCE**

B. BUSINESS ITEMS

Business action or discussion items to be considered by the Planning Commission.

1. Public Hearing - ADMINISTRATIVE DECISION - Conditional Use Permit - HollyCakes
Review conditional use parameters for a home occupation bakery at 123 West 1850 North.

C. COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Community Development Director's Report
Next Planning Commission Meeting - April 13, 2022:
Tentative Items:
 - *Canyon Point Final Site Plan*
 - *Zone Text Amendment - SF Landscaping to participate in Flip the Strip, if ready*
 - *Zone Text Amendment - Parking, if ready***City Council Report:**
 - *Approved Food Truck Language amendment regarding city events***Commission Goals Update:**
 - *Parking Update Study - In progress*
 - *Subdivision Ordinance - underway with City Attorney, delayed to mid 2022*
 - *Food Truck Ordinance -**COMPLETED***
 - *Single-family on un-platted lots - not yet underway*
 - *General Plan/Economic Study - delayed until April/May 2022*

D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. March 9, 2022

E. ADJOURNMENT

CERTIFICATE OF POSTING

I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

Mackenzie Wood
Centerville Assistant Planner

CENTERVILLE
city

**PLANNING
COMMISSION**

Staff Report
3/23/2022

Item No. 1.

Title: Public Hearing - ADMINISTRATIVE DECISION - Conditional Use Permit - HollyCakes

Initiated By: Mackenzie Wood, Assistant Planner

Staff Representative: Holly Reynolds, Applicant

SUBJECT:

Review conditional use parameters for a home occupation bakery at 123 West 1850 North.

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 3-23-22 PC Staff Report HollyCake

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801)292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

APPLICANT/HOMEOWNER: HOLLY REYNOLDS
(Reynolds9 @ q .com)

PROPERTY LOCATION: 123 WEST 1850 NORTH

PARCEL SIZE: 0.73 ACRES

ZONING DISTRICT: RESIDENTIAL-LOW

APPLICATION: CONDITIONAL USE PERMIT
HOME OCCUPATION - HOLLYCAKE

BACKGROUND

The applicant wishes to supply cakes and baked goods to schools in the County and other entities. She has begun the process to apply for and comply with the Utah Cottage Food Establishment code, and part of that process is getting City approval.

CODE REQUIREMENTS

Centerville Zoning Code section 12.62 Home Occupations states it is “intended to ensure that limited business activities allowed in a residential zone do not disturb the residential character of a neighborhood.” The applicant’s bakery use (Catering, Limited) is not listed in the permitted uses of home occupation. However, CZC 12.62.060 states that a use not listed may seek a conditional use permit subject to CZC 12.21.100. Such applications must meet the Conditional Use Permit requirements, Home Occupations Development Standards for Permitted Use as well as Development Standards for Conditional Use.

[CZC 12.21.100 Conditional Use Permits](#)

The Planning Commission has the authority to issue conditional use permits at a property owner’s request as part of a complete application and providing a notarized authorization. The applicant has made the request and provided the necessary notarized authorization in the form of an owner’ affidavit as well as a complete application.

“A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. Any conditions of approval shall be limited to conditions needed to conform the conditional use permit to approval standards.”

CZC 12.21.100(e)(3) No conditional use permit shall be authorized unless the evidence presented establishes:

- a. The proposed use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
- b. The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community;
- c. The proposed use will comply with regulations and conditions specified in this Title for such use; and
- d. The proposed use will comply with applicable provisions of the General Plan.

[Approval Standards \(12.21.100\(e\)\(5\)\)](#) Factors to be reviewed

- a. The suitability of the specific property for the proposed use;
- b. The development or lack of development adjacent to the proposed site and the harmony of the proposed use with existing uses in the vicinity;
- c. Whether or not the proposed use or facility may be injurious to potential or existing development in the vicinity;
- d. The economic impact of the proposed facility or use on the surrounding area;
- e. The aesthetic impact of the proposed facility or use on the surrounding area;
- f. The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area;
- g. The safeguards proposed or provided to insure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation;
- h. The safeguards provided or proposed to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor from the proposed facility or use;
- i. The safeguards provided or proposed to minimize other adverse effects from the proposed facility or use on persons or property in the area; and
- j. The impact of the proposed facility or use on the health, safety, and welfare of the City, the area, and persons owning or leasing property in the area.

Staff Response: The Northwest Neighborhood section of the General Plan (12-480) does not provide comment on home occupation uses, other than to leave the low-density residential areas low density. The small, proposed operation will have a beneficial impact on the economy of the neighborhood, though minor. Staff believes the potential deleterious effects can be conditioned and mitigated by several of the prescriptions written in the Home Occupations code reviewed below.

Development Standards: Permitted

- a. Employees
- b. Fire Inspection
- c. Hours of Operation
- d. Inventory
- e. Modification of Structures
- f. Nuisance
- g. Product Display
- h. Secondary Use
- i. Signs
- j. Traffic, Parking, and Access
- k. Yards

Staff Response: The proposed use is a bakery with no customers coming to the residence. No modifications are being proposed, nor any additional non-occupying employees. Reviewing criteria A through K, the limited nature of the proposed use meets the requirements. Staff recommends several conditions to address these requirements into the approval.

Development Standards: Conditional

- a. Employees. A home occupation shall have no employees other than persons who reside on the premises where the home occupation is conducted.
- b. Neighborhood Disturbance. A home occupation shall not alter the residential character of the premises or unreasonably disturb the peace and quiet of the neighborhood, including radio and television reception, by reason of color, construction, design, lighting, materials, noises, sounds, or vibrations, or excessive traffic.
- c. Promotional Meetings. Promotional meetings for the purpose of selling merchandise, taking orders, or training shall not be held more than one time per month.
- d. Utility Demand. A home occupation shall not cause a demand for public utilities in excess of that necessarily and customarily provided for residential uses.

Staff Response: No outside employees will be engaged to work in the proposed home occupation, nor any changes to the structure or façade of the structure. Utilities are already

connected to the dwelling, and the small nature of the business does not necessitate any upgrades.

APPLICANT NARRATIVE

“I would like to have a very small at-home bakery. All items would be "special order" items to be delivered to the buyer. There will not be the need for parking as no one will be picking up orders. Because of this, the street will not see a change or increase in use.”

PLANNING STAFF RECOMMENDATIONS

I hereby make a motion for the Planning Commission to approve the Conditional Use Permit for the home occupation of HollyCake, located at 123 West 1850 North, with the following conditions:

1. This conditional use permit shall be for the home occupation use, HollyCake, in the home located at 123 West 1850 North.
2. The primary use for the home shall be maintained as a single-family dwelling.
3. HollyCake shall only be operated by persons living within the dwelling unit where the home occupation is being conducted.
4. No delivery trucks dropping off or picking up products shall be permitted other than those associated with residential deliveries.
5. Any outside display, use of accessory buildings, or use of yard areas for the home occupation and the storage of products shall be prohibited.
6. All signage shall follow the guidelines found in CZC Section 12.54.080(b)(1).
7. The home occupation use and all associated storage and inventory shall not occupy more than 20% of the residence.
8. No visible evidence from the exterior of the dwelling of the home occupation shall be permitted.
9. No pedestrian or vehicular traffic or parking beyond what is required in the Residential-Low zone shall be generated.
10. Promotional meetings shall not be held more than one time per month.
11. The applicant shall obtain a business license prior to conducting business on the premises.

SUGGESTED REASONS FOR THE ACTION:

1. A complete application for a conditional use permit has been submitted per CZC 12.21.100(d)(1).
2. The application meets the required established evidence for an approval of a conditional use permit 12.21.100(e)(3).
3. The request for a conditional use permit meets the factors to be reviewed and considered for an approval CZC 12.21.100(e)(5)(A-J).
4. A use not listed on the home occupation approved listing of Section 12.62.040 is subject to receiving a conditional use permit CZC 12.62.060.

If the applicant does not adhere to the conditional use permit, they may be subject to having the permit revoked CZC 12.21.100(i)(1).

CENTERVILLE
city

**PLANNING
COMMISSION**

Staff Report
3/23/2022

Item No. 1.

Title: March 9, 2022

Initiated By:

Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 3-9-22 Draft Minutes

1 **PLANNING COMMISSION MINUTES OF MEETING**
2 **Wednesday, March 9, 2022**
3 **7:00 p.m.**
4

5 A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the
6 meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.
7

8 **MEMBERS PRESENT**

9 Kevin Daly, Chair
10 Mason Kjar
11 Matt Larsen
12 Christina Wilcox
13 Becki Wright, Vice Chair
14

15 **MEMBER ABSENT**

16 Heidi Shegrud
17

18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director
20 Lisa Romney, City Attorney
21 Mackenzie Wood, Assistant Planner
22

23 **VISITORS**

24 Blake Davis, Hogan and Associates Construction
25 Frank Murdock, Architect for Hogan and Associates Construction
26

27 **PLEDGE OF ALLEGIANCE**

28
29 **OPENING COMMENTS/LEGISLATIVE PRAYER** Commissioner Wright
30

31 **PUBLIC HEARING – HOGAN CABINET & STEEL PLANNED DEVELOPMENT**
32 **OVERLAY AND CONCEPTUAL SITE PLAN MAP AMENDMENT**
33

34 Community Development Director Cory Snyder disclosed that he knew an individual who
35 worked as a supplier for Steel of Cache Valley, who was a supplier for Hogan and Associates
36 Construction (applicant). He stated the individual was not involved with the finances of the
37 entity.
38

39 Mr. Snyder explained Hogan and Associates Construction desired to master plan
40 property located at 975 West 50 South. Hogan steel operations were currently located in
41 existing buildings on the east end of the property. The applicant submitted an application for
42 PDO Overlay Rezone of 8.97 acres from Industrial High (I-H) to Industrial Very High (I-VH) to
43 seek variation from the conventional I-H Architectural Design standards. The PDO Conceptual
44 Site Plan depicted two buildings, one for steel fabrication on the east side of the property, and
45 one for a cabinet manufacturing facility on the west side of the property. It was proposed that
46 the buildings would be constructed using an engineered insulated metal panel system using
47 various features and elements. The applicant proposed to upgrade landscaping along the
48 perimeter adjacent to retail uses to the north, and to use upgraded fencing design compared to
49 I-VH standards to screen between lots. Mr. Snyder spoke of the proposed detention area. He
50 stated the applicant did not request a parking variation. Mr. Snyder said staff recommended the
51 Commission consider a recommendation of approval of the proposed PDO Rezone and
52 Conceptual Site Plan Acceptance for the Hogan Cabinet and Steel Manufacturing Site with
53 directives listed in the staff report.
54

1 Responding to a question from Chair Daly, Mr. Snyder said he had not compared
2 parking in the PDO Conceptual Site Plan to the proposed amendments to parking standards the
3 Planning Commission recently discussed. According to the current parking schedule, 161
4 parking stalls would be required. The site plan proposed 128 parking stalls.

5
6 Commissioner Wright asked Mr. Snyder how he felt the proposed plan fit with the larger
7 West Centerville Neighborhood Plan. Mr. Snyder spoke of past development conversations and
8 possibilities considered for the area, including the proposed update to the West Centerville
9 Neighborhood Plan that was not approved several years ago. He said his analysis of the current
10 application was based on the current West Centerville Neighborhood Plan. Mr. Snyder
11 expressed the opinion there would still be opportunity and space to facilitate a transition and
12 buffering of uses with the neighboring Trinity property if sold in the future.

13
14 City Attorney Lisa Romney commented that what the applicant was proposing was
15 permitted under the current West Centerville Neighborhood Plan, and pointed out the applicant
16 was asking for permission to improve on current design standards.

17
18 Chair Daly asked the applicant to address the phasing plans included in the application.
19 Blake Davis with Hogan and Associates Construction commented that the cabinet and the steel
20 operations would probably be split off as separate entities from Hogan Construction. Mr. Davis
21 said the applicant planned to build the facilities in succession. He showed conceptual plans for
22 the cabinet manufacturing shop and the steel manufacturing shop, and described the planned
23 automated steel manufacturing process. Mr. Davis said the intention was to create a nice
24 facility.

25
26 Mr. Davis described landscaping plans for the property. He said Hogan responded
27 favorably when a neighboring landscaping company asked to be able to landscape a portion of
28 the Hogan property as a showcase area.

29
30 Responding to a question from Commissioner Wright, Mr. Davis said the steel facility
31 would not generate a lot of noise. He said the cabinet shop would have a showroom, and would
32 cater more to homebuilders than individual homeowners.

33
34 Chair Daly opened a public hearing at 7:04 p.m., and closed the public hearing seeing
35 that no one wished to comment. Mr. Snyder explained the development phasing process. Chair
36 Daly expressed the opinion that the proposed architectural elements would be a positive
37 upgrade from standard requirements. Commissioner Larsen said he agreed the proposal would
38 be an upgrade, and would be appropriate for an industrial facility. Commissioner Wright said
39 she appreciated that the applicant requested a PDO to do something nicer than the standard
40 requirement. She said she thought the phasing made sense in the situation.

41
42 Commissioner Wilcox made a **motion** to recommend approval to the City Council
43 regarding the request for the I-VH/PD Zone for the proposed Hogan Cabinet Steel
44 Manufacturing Site with the following directives and reasons for action. Commissioner Kjar
45 seconded the motion, which passed by unanimous vote (5-0). Commissioner Kjar suggested the
46 applicant's request was an indication that Centerville Code was a little behind the times.

47
48 Directives:

- 49
50 1. The properties shall be rezoned to I-VH/PD and limited to the area shown in the
51 illustrative Aerial Parcel Map, submitted to the Commission on March 9, 2022; also
52 known as Parcel **06-008-0034**.

2. The PDO approval has an exception clause of one (1) year from the adoption date of the requested PDO approval or may be extended upon approval for one (1) additional year, in accordance with CZC 12.41.080 of the Zoning Ordinance.
3. As part of the PDO approval, the petitioner's March 9, 2022 **Project Narrative and Illustrative Exhibits**, as submitted to the Commission, that describes the idea, design concepts, and site layout shall be deemed the project's Master Conceptual Site Plan, which contains the following:
 - i. **Introduction** – The described purpose for the PDO approval.
 - ii. **Architectural Design, Features and Color Scheme** – A planned and controlled architectural theme through use of materials, colors, and design.
 - iii. **Project Site Plan** – Depiction of the site layout for buildings, landscaping, and fencing.
 - iv. **Development Plan and Phasing** – Establishes a two (2) phase development scenario either for construction or development. This will need to be finalized with the Final Site Plan submittal.
4. All subsequent development applications shall be subject to and reflect in substantial detail the approved PDO Conceptual Site Plan and Architectural Design Theme.
5. The Final Site Plan submittal shall be submitted in accordance with CZC 12.21.110 – Site Plan Review and CZC 12.35 – Industrial Zones. The following variations are allowed from the conventional ordinances and regulations or as specifically approved as part of any final site plan approval:
 - ✓ **CZC 12.35.080(e): Exterior Building Standards** – The proposed building design may be modified in favor of using the proposed engineered insulated colored metal wall panel system, as depicted in the March 9, 2022 submittal to the Commission.

Reason for Action:

- a. The Planning Commission finds that CZC 12.21.080.c. authorizes a "property owner or authorized agent" to initiate a PDO zone map amendment.
- b. The Planning Commission finds that after considering the goals and objectives of the West Centerville Neighborhood Plan, as reviewed in the staff report, the PDO request can be deemed consistent with the City's General Plan.
- c. The Planning Commission finds that the request for PDO meets the spirit and intent of the Zoning Ordinance as set forth in CZC 12.41.060.
- d. Therefore, the Planning Commission finds that the request for PDO along with the conditions imposed will allow for the property to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional I-VH Zone regulations.

PUBLIC HEARING – ZONE CODE AMENDMENT – FOOD TRUCKS

City Attorney Lisa Romney explained the City Council recently adopted an ordinance regarding food trucks recommended by the Planning Commission, and directed staff to look into exempting governmental entities, particularly the City, from the regulations. She recommended adding the following language to the food truck chapter of City Code: "This Chapter shall not apply to activities lawfully conducted by a government agency." She said the same language was already included in the temporary use chapter of City Code.

Chair Daly commented that government excepting itself from regulations could be a touchy subject. The Commission discussed regular events hosted by the City that may involve food trucks, such as opening day for the annual community baseball program, and the 4th of July celebration. Ms. Romney added that the City's new Recreation/Events Coordinator was

interested in scheduling a number of additional community events that may involve food trucks. Commissioner Wright said she could see that exempting the City from needing to apply for a permit for each event would contribute to increased efficiency in government and potentially save tax dollars.

Chair Daly opened a public hearing at 8:21 p.m., and closed the public hearing seeing that no one wished to comment. Commissioner Wright expressed the opinion that the food truck ordinance was more stringent than it needed to be.

Commissioner Wright **moved** to approve Ordinance No. 2022-07 regarding the scope and applicability of Chapter 12.70 (Food Trucks). Commissioner Larsen seconded the motion, which passed by unanimous vote (5-0).

OPEN AND PUBLIC MEETINGS ACT TRAINING

City Recorder Jennifer Hansen provided annual Open and Public Meetings Act training. The Planning Commission and staff participated in a game to test their knowledge.

CIVICCLERK TRAINING

Ms. Hansen explained the City would soon switch to new agenda management software with CivicClerk. She oriented the Planning Commission with the CivicClerk board portal, and answered questions from Commissioners.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on March 23, 2022.

MINUTES REVIEW AND ACCEPTANCE

Minutes of the February 23, 2022 Planning Commission meeting, and revised minutes of the February 9, 2022 Planning Commission meeting were reviewed. Chair Daly **moved** to accept the revised February 9, 2022 minutes. Commissioner Larsen seconded the motion, which passed by unanimous vote (5-0). Chair Daly **moved** to accept the February 23, 2022 minutes as presented. Commissioner Wilcox seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 9:11 p.m., Chair Daly moved to adjourn. Commissioner Wright seconded the motion, which passed by unanimous vote (5-0).

Jennifer Hansen, City Recorder

Date Approved

Katie Rust, Recording Secretary