

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, September 14, 2022
7:00 p.m.

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

MEMBERS PRESENT

Shawn Hoth
Mason Kjar
Heidi Shegrud
Christina Wilcox
Becki Wright, Vice Chair

MEMBERS ABSENT

Kevin Daly, Chair
Matt Larsen

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Whittney Black, Assistant Planner

VISITORS

Eric Defries, Mark Knight, Jared Pippin, Niel Brown, Chad Randall, Kevin Mortenson, Brad Porter, Chad Morris

PLEDGE OF ALLEGIANCE

LEGISLATIVE PRAYER OR THOUGHT Commissioner Wilcox

PUBLIC HEARING – SMALL SUBDIVISION WAIVER – 1441 N MAIN STREET

Community Development Director Cory Snyder explained the applicant desired to subdivide/reconfigure property at 1441 North Main Street into two single-family lots. The property was currently developed with an older single-family home and a garage. Since the proposed subdivision would be limited to two lots, the applicant was seeking a "Small Subdivision Waiver". Such a waiver would eliminate the preliminary and final subdivision processes of the Subdivision Ordinance, if approved by the City. Mr. Snyder said staff questioned whether the proposed flag-type lot was the best way to use the property. He also explained drainage and storm water concerns. Mr. Snyder said staff recommended tabling the small subdivision waiver request to reconfigure the lot layout and address drainage concerns.

Eric Defries, applicant, said the existing home on the property was not built perpendicular to the north property line, requiring lot lines to be jogged. He spoke of the slope of the property, and said he believed the proposed lot lines made the most sense and represented the best use of the land. Mr. Defries said the existing home was in excellent condition, and he and his partner had no intention of knocking it down. He explained the property already had two curb cuts. Mr. Defries answered questions from the Planning Commission regarding plans for the new home.

Vice Chair Wright opened a public hearing at 7:25 p.m., and closed the public hearing seeing that no one wished to comment. Commissioner Kjar said he was inclined to vote to table because the request as presented by staff did not feel ready. Vice Chair Wright and Commissioners Shegrud, Wilcox, and Hoth expressed agreement.

Commissioner Shegrud **moved** to table the small subdivision waiver request for Parcel 02-015-0002, subject to the following directives. Commissioner Kjar seconded the motion. Commissioner Kjar **moved to amend** the motion to add a directive that the accessory structure that would be on the lot without a primary structure needed to be addressed. Vice Chair Wright seconded the motion to amend, which passed by unanimous vote (5-0). The amended motion passed by unanimous vote (5-0).

Directives:

- a. The subdivision plans shall be modified to address the minimum "buildable area" requirements of 2,000 square feet (see CZC 12.32.1).
- b. The subdivision plans shall be modified to address the required 10-foot front yard public utility easements and the 7-foot side/rear easements [see CMC 15.2.107(3)].
- c. For storm water management, the City Engineer needs to complete a review to determine compliance with City Standards and make needed recommendations (see CMC 15.05.050).
- d. The applicant shall provide copies of all applicable utility provider sheets verifying there are adequate services available for the lots from entities deemed appropriate by ordinance and/or by City Staff (see CMC 15.05.060).
- e. The subdivision plans shall re-address the feasibility of a different lot configuration that is more appropriate to establish orderly development (see CMC 15.05.080).
- f. The applicant shall contact UDOT and provide a written confirmation of applicable acceptable terms for ingress/egress to the proposed lots (see CMC 11.01.060).
- g. The applicant shall address the accessory structure that would be on the proposed lot without a primary structure.

PUBLIC HEARING – ZONE MAP AMENDMENT – REMOVE HILLSIDE OVERLAY, LOTS 101, 102, AND 103 OF THE ROCKWOOD FARMS SUBDIVISION

This matter was reviewed by the Planning Commission on August 24, 2022. At that meeting, the Commission tabled the request to remove the Hillside Overlay from Lot 102 to allow expansion of the request to include Lots 101 and 103. Mr. Snyder reported all required noticing had occurred.

Mark Knight, applicant, emphasized that a berm had been placed along the western fence line, and Lots 101, 102, and 103 had a fairly even grade. He expressed a desire to be able to re-install a deck on the back of his home.

Vice Chair Wright opened a public hearing at 7:41 p.m.

Jared Pippin, Centerville resident, said he lived in the home to the north of Mr. Knight. He stated he strongly supported removing the Hillside Overlay from the three properties.

Niel Brown, Centerville resident, said he owned the property to the south of Mr. Knight, and expressed support for removal of the Hillside Overlay.

Vice Chair Wright closed the public hearing at 7:43 p.m. Mr. Snyder explained that the property was found to be noncompliant with the 40% impervious surface requirement in the Hillside Overlay when Mr. Knight came to the City for a permit for the planned deck. The property may be in compliance with the 60% impervious surface requirement of the base zone.

Vice Chair Wright said she was inclined to recommend approval of the request, and said she appreciated that the applicant had addressed Planning Commission concerns. Commissioner Kjar said he felt the cart had driven the horse, and said he believed the analysis was made based on what made sense rather than on principle. Responding to a question from Commissioner Shegrud, Mr. Snyder explained that the situation could not be treated as a legal nonconforming use.

Commissioner Wilcox **moved** to recommend approval of the Zone Map Amendment for Lot 101, Lot 102, and 103 of the Rockwood Farms Subdivision to be removed from the Hillside Overlay Zone for the following reasons for action. Commissioner Shegrud seconded the motion. Commissioner Kjar **moved to amend** the motion so that only the applicant's lot would be affected because the discussion about the other two lots, while helpful, was not driven by the need for a deck. The **motion to amend failed** for lack of second. The **original motion passed** by majority vote (4-1), with Commissioner Kjar dissenting. Mr. Knight expressed appreciation, and reminded the Planning Commission that the City Engineer had looked at the property and informally recommended removal of the Hillside Overlay.

Reasons for Action:

- a) The Planning Commission finds that the proposed zone map amendment and associated allotted density is consistent with the General Plan for Neighborhood 3, Northeast Neighborhood [12-48-4].
- b) The Planning Commission finds that the purpose of the Hillside Overlay Zone is "to ensure that urban development in these sensitive areas be guided in a manner that will minimize the potential for flooding, erosion, and other environmental hazards and will protect the natural scenic beauty of the foothills."
- c) The Planning Commission finds that the subject lots have a similar grade and size to the adjacent surrounding subdivision to the west.
- d) The Planning Commission finds that the existing and desired improvements of at least two of the lots already exceeds the maximum allowable lot coverage of 40% (see original applicant's narrative and testimony of Planning Commission of August 24, 2022). Whereas the base R-L Zone would allow up to 60% of the lots for desired improvements.
- e) The Planning Commission finds that the amendment is harmonious with the overall character of existing development in the adjacent vicinity of the subject property.
- f) The Planning Commission finds that the current developed improvements of these lots have not and would not likely have an adverse effect on adjacent lots.
- g) Therefore, the Planning Commission finds that the request for removal of the three (3) lots from the Hillside Overlay ought to be approved.

FINAL SITE PLAN – PARRISH CREEK BUSINESS PARK LOTS 1, 3, AND 4, 1160 NORTH 950 WEST

The City Council recently approved a PDO Amendment and Conceptual Site Plan for the Parrish Creek Business Park Lots 1, 3, and 4. The applicant was now requesting a Final Site Plan Approval for the proposed new layout for the remaining undeveloped portion of the project. Mr. Snyder said the Final Site Plan appeared to substantially comply with the PDO/Conceptual approval and the original PDO Design expectations. He commented that Utility Provider Letters were needed to ensure adequate services, and spoke of additional recommended conditions.

Chad Randall, representing the applicant, said the applicant was working on the outstanding items listed in the staff report.

Mr. Snyder answered questions from the Commission regarding conditions suggested by staff. Vice Chair Wright thanked the applicant for willingness to address Planning Commission concerns. Responding to a question from Commissioner Shegrud, Mr. Snyder explained that liability regarding wetlands area restrictions would be to the Army Corps of Engineers.

Commissioner Kjar **moved** to approve the submitted Final Site Plan for the Parrish Creek Subdivision, Lots 1, 3, and 4, subject to the following conditions and for the following reasons for action. Vice Chair Wright seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. This Final Site Plan Approval is subject to submitted site plan, building elevation plan, and landscape plan, as presented to the Planning Commission on September 14, 2022, or as altered by this approval or that may be amended in accordance with City Ordinances in the future.
2. A Subdivision Plat Amendment petition shall be submitted in accordance with CMC 15.09.020, Plat Amendments, which shall be secured with a City Council review and approval and also recorded prior to issuance of a building permit for the new building.
3. The Applicant shall submit the construction plans for the relocation/alteration of site improvements that are deemed required. Such construction plans shall be deemed acceptable to the City Engineer.
4. The Final Site Plan shall be altered/modified and resubmitted, as follows:
 - a. Address the dumpster enclosure design materials, which must be compatible with the design of the Main Building.
 - b. Address the use and placement location for allowable monument signs, if desired.
 - c. Confirm compliance with the screening requirements (as viewed from a public street) of all roof top and ground-mounted utility equipment.
 - d. Address the use of outdoor lighting and the required shielding for outdoor lighting fixtures.
5. The Applicant shall submit the following Utility Provider Letters to ensure adequate services can be provided:
 - South Davis Sewer District
 - Dominion Energy
 - Pacific Corp
6. All Final Site Plan alterations/modifications related to the approval conditions shall be reviewed deemed in compliance by the Zoning Administrator, as part of the issuance of any related construction permits.
7. Any dispute that arises regarding compliance with the Final Site Plan approval by the Zoning Administrator shall be re-submitted to the Planning Commission for further review and decision.

Reasons for the Action:

- a. The Planning Commission finds that the Final Site Plan submittal is substantially consistent with the PDO/Conceptual Site Plan Acceptance and its related conditions of approval.
- b. The Planning Commission finds that conditions may be imposed with a Final Site Plan approval, as necessary to achieve compliance with applicable code requirements.

- 1 c. The Planning Commission finds that the Final Site Plan, subject to the conditions of
2 approval, complies with the requirements found in the Zoning Ordinance with regards
3 to development standards of the Final Site Plan Approval Standards.
4

5 **PUBLIC HEARING – ZONE MAP AMENDMENT – REZONE 224 W CHASE LANE,**
6 **PARCELS 02-014-0050 AND 02-014-0072 FROM THE A-L ZONE TO THE R-L ZONE**
7

8 Community Development Director Cory Snyder explained the request to rezone 2.65
9 acres located at 224 West Chase Lane (Parcels 02-014-0050 and 02-014-0072) from
10 Agricultural-Low (A-L) to Residential-Low (R-L). The property currently contained a single-family
11 home and several accessory buildings. Mr. Snyder said staff found the proposed rezone of the
12 two parcels to be consistent with the goals, objectives, and policies of the General Plan,
13 harmonious with the overall character of existing development in the vicinity, and would have
14 minimal adverse effects on adjacent property. He said staff recommended approval.
15

16 Kevin Mortensen, one of the property owners, said he viewed the proposal to be
17 consistent with the area.
18

19 At 8:09 p.m., Vice Chair Wright opened a public hearing.
20

21 Brad Porter, Centerville resident, said his property was directly west of the property in
22 question. He said he was largely in favor of the proposed development; however, he expressed
23 concern for the difference in zoning between the proposed R-L property and his agricultural
24 property. Mr. Porter said he would like to see the builder provide a privacy fence between the
25 two zoning types.
26

27 Vice Chair Wright closed the public hearing at 8:11 p.m.
28

29 Mr. Snyder commented that there was no ordinance requirement for a fence to be
30 constructed now or into the future. However, it had been his experience that developers
31 generally installed a fence around a new development. He said State law protected agricultural
32 users from odor-related nuisance complaints. Mr. Snyder stated the City did not have screening
33 or buffering requirements between A-L and R-L Zones. He explained that drainage issues would
34 be addressed at the development stage.
35

36 Vice Chair Wright said she was inclined to vote in favor of the request. Commissioner
37 Kjar said he viewed the request to rezone as a horse-pulling-the-cart situation, in line with the
38 General Plan, and significantly different from Business Item 2 on the agenda discussed earlier
39 in the meeting.
40

41 Vice Chair Wright **moved** to recommend approval of the Zoning Map Amendment for the
42 property located at 224 West Chase Lane, known as Parcels 02-014-0050 and 02-014-0072,
43 from A-L to R-L. Commissioner Wilcox seconded the motion, which passed by unanimous vote
44 (5-0).
45

46 **PUBLIC HEARING – CONCEPTUAL SUBDIVISION CANYON POINT IN**
47 **CENTERVILLE DEVELOPMENT**
48

49 On July 13, 2022, the Planning Commission reviewed and approved the Final Site Plan
50 for Canyon Point in Centerville. The applicant was now seeking a Conceptual Subdivision
51 Acceptance, and proposed that the dwellings in the development be platted as a “planned unit
52 development” or PUD subdivision to allow for dwelling units to be individually owned. Mr.
53 Snyder said staff recommended the Planning Commission accept the Conceptual Subdivision
54 Plan.
55

1 Chad Morris, applicant, said he was currently working on an HOA document.

2
3 At 8:24 p.m., Vice Chair Wright opened a public hearing, and closed the public hearing
4 seeing that no one wished to speak. Commissioner Hoth made a **motion** for the Planning
5 Commission to accept the Conceptual Subdivision Plan for Canyon Point in Centerville
6 Development, located at approximately 347 North 400 East, subject to the following conditions
7 and for the following reasons for action. Commissioner Shegrud seconded the motion, which
8 passed by unanimous vote (5-0).

9
10 Conditions:

- 11
12 1. The next step is for the subdivider shall submit a Preliminary Subdivision Plat that
13 conforms to the requirements of CMC 15.03.030.
14 2. The preliminary plat shall depict the subdivision layout that conforms to the City
15 approved Final Site Plan of July 13, 2022.

16
17 Reasons for Action:

- 18
19 a) The Planning Commission finds that a Conceptual Subdivision Plan is consistent
20 with the City Approved Final Site Plan of July 13, 2022.
21 b) The Planning Commission finds that, with the conditions imposed, the proposed
22 conceptual subdivision plan meets the requirements of CMC 15.06.010 Planned Unit
23 Development.

24
25 **PUBLIC HEARING – ZONE TEXT AMENDMENT TO CZC 12.68.050(h)(2)**
26 **SHORELANDS COMMERCE PARK DESIGN STANDARDS, SIGNING**

27
28 Mr. Snyder shared a brief history of the Legacy Highway Scenic Byway Plan adopted by
29 Centerville shortly after the Legacy Highway was constructed. He added that since creation of
30 the Shorelands Commerce Park, the UDOT has now allowed truck traffic on the roadway. He
31 explained the petitioner desired to place a wall sign higher than the maximum allowable height
32 of 15 feet in the Shorelands Commerce Park (SCP) Zoning District. He said the petitioner
33 believed that the additional height, if allowed, would add to the visibility of the business sign, but
34 remain clean and nonintrusive, consistent with design expectations of the SCP Zone.

35
36 Mr. Snyder said Community Development staff previously failed to notice that two signs
37 on the Cook building located across the street exceeded the 15-foot maximum height standard.
38 The permits were approved by the City in error. Mr. Snyder said staff recommended the
39 following proposed zoning ordinance text amendment:

40
41 CZC 12.68.050(h)(2) – Shorelands Commerce Park District Design Standards, Signing

42
43 (2) Wall sign placement shall not exceed 15 feet in height from final grade of the
44 building and shall comply with CZC 12.43.140. Only Low-Profile monument style
45 signs shall be allowed and shall also comply with CZC 12.54.140...

46
47 At 8:33 p.m., Vice Chair Wright opened a public hearing.

48
49 Chad Morris, Centerville resident, asked if the Planning Commission had pictures of the
50 signs. Staff showed a photograph of the signs permitted in error. Mr. Morris said he was in favor
51 of the proposed amendment.
52

Commissioner Shegrud said she acknowledged that we were human, and mistakes happened; however, just because a mistake happened in one situation, did not mean it should be allowed to happen everywhere. She said she was strongly in favor of not modifying the ordinance, and was in favor of making decisions on a case-by-case basis as needed. Commissioner Shegrud asked if the Scenic Byway Plan adopted by Centerville was significantly different from those adopted by other cities involved. Mr. Snyder expressed the opinion that the Scenic Byway Plan adopted by Centerville was aggressive compared to tolerance levels in some of the other cities. Commissioner Shegrud suggested the question to ask was whether or not the value set with the Scenic Byway Plan was still the desired value for the community. She pointed out that the building involved would face west (not oriented to I-15), and questioned what value the petitioner would receive from raising the signs. Commissioner Shegrud said she believed the text should not be amended.

Commissioner Shegrud was excused at 8:32 p.m. Mr. Snyder and the Commission discussed existing wall signs in the area. Commissioner Kjar said he could understand Commissioner Shegrud's concerns, but was in favor of the proposed text amendment.

Commissioner Kjar made a **motion** for the Planning Commission to recommend approval of the proposed Zoning Code Text Amendment to CZC 12.68.050(h) regarding signs in the Shorelands Commerce Park District as follows, for the following reasons for action. Vice Chair Wright seconded the motion, which passed by unanimous vote (4-0).

CZC 12.68.050(h)(2) – Shorelands Commerce Park District Design Standards, Signing

(h) Signing. Signing is to enhance the scenic qualities of the shoreland environment and shall compliment the signing style of the Legacy Parkway...

(2) Wall sign placement ~~shall not exceed 15 feet in height from final grade of the building and~~ shall comply with CZC 12.43.140. Only Low-Profile monument style signs shall be allowed and shall also comply with CZC 12.54.140...

Reasons for Action:

- a. The Planning Commission finds that the proposed text amendment is consistent with the goals, objectives, and policies of the City's General Plan.
- b. The Planning Commission finds that the proposed text amendment can be deemed acceptable and/or consistent with review factors of CZC 12.21.080(e).
- c. The Planning Commission finds that two signs exceeding the 15-foot height limit already exist and would come into compliance with the proposed text amendment.
- d. The Planning Commission finds that the proposed text amendment would have little to no impact on the original design expectations of the Shorelands Commerce Park District.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on September 28, 2022. Mr. Snyder updated the Planning Commission on actions taken by the City Council.

MINUTES REVIEW AND APPROVAL

Minutes of the August 24, 2022 Planning Commission meeting were reviewed. Vice Chair Wright **moved** to accept the minutes. Commissioner Wilcox seconded the motion, which passed by unanimous vote (4-0).

ADJOURNMENT

At 8:41 p.m., Vice Chair Wright **moved** to adjourn the meeting. Commissioner Kjar seconded the motion, which passed by unanimous vote (4-0).


Jennifer Robison, City Recorder

9-28-2022
Date Approved

