

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, February 25, 2015**

3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 David P. Hirschi, Chair

10 Gina Hirst

11 William Ince (arrived at 7:07 p.m.)

12 Logan Johnson

13 Scott Kjar (arrived at 7:04 p.m.)

14 Kevin Merrill

15 Debra Randall

16
17 **STAFF PRESENT**

18 Corvin Snyder, Community Development Director

19 Lisa Romney, City Attorney

20 Katie Rust, Recording Secretary

21
22 **VISITORS**

23 Interested citizens (see attached sign-in sheet)

24
25 **OPENING COMMENT/PRAYER** Commissioner Randall

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **MINUTES REVIEW AND APPROVAL**

30
31 The minutes of the February 11, 2015 Planning Commission meeting were reviewed.
32 Chair Hirschi and Commissioners Merrill and Kjar requested amendments. Commissioner Kjar
33 made a **motion** to approve the minutes as amended. Chair Hirschi seconded the motion, which
34 passed by unanimous vote (7-0).

35
36 **PUBLIC HEARINGS | ZONING CODE TEXT AMENDMENT, CHAPTER 12-60 –**
37 **ACCESSORY DWELLING UNITS (ADUs)**

38
39 During 2014 the Planning Commission held some public discussion meetings to assess
40 the possibility of allowing accessory dwelling units as part of the housing options within the city.
41 Generally, these meetings indicated that allowing such a housing type might be appropriate,
42 provided sufficient use regulations could be developed. However, there were some concerns
43 regarding allowing detached ADUs, or units constructed separately from the primary dwelling.
44 The Commission also questioned whether some aesthetic design standards were actually
45 needful. Staff was asked to prepare a draft Ordinance to review and discuss.

46
47 At 7:14 p.m. Chair Hirschi made a **motion** to reopen the public hearing to receive a letter
48 from Linda Harrison into the public record for consideration, and for further public comment.
49 Commissioner Johnson seconded the motion, which passed by unanimous vote (7-0).

50
51 Dale Engberson – Mr. Engberson owns a home and property in Centerville that he thinks
52 would work well with the addition of an ADU. He said he thinks the draft Ordinance is well

1 written. Mr. Engberson referred to the size limit of 200 square feet per resident and the
2 maximum limit of 800 square feet per ADU, which equals a proposed maximum ADU occupancy
3 of four residents. The State has an occupancy limit of 200 square feet per person, but Mr.
4 Snyder stated that he is not aware of occupancy levels being enforced in the State of Utah
5 during his career. Mr. Engberson said he assumes inspections would be required to make sure
6 everything is up to code. He added that he thinks it would be a good idea for the City to
7 maintain a list of ADU occupants for emergency situations. He also suggested that the City
8 provide an instructive packet for ADU property owners that could include ways to screen
9 potential occupants. Mr. Engberson mentioned the limitations imposed by required setbacks.
10 He suggested that it would be fair to charge a percentage of some of the impact fees rather than
11 the full amount.

12
13 At 7:24 p.m. Chair Hirschi closed the public hearing. Chair Hirschi said he knows there
14 are some citizens who could benefit from the Ordinance, but he is not sensing a huge amount of
15 support or need right now. Mr. Snyder reported that three or four citizens call him regularly in
16 support, and he regularly hears from one citizen against. Mr. Snyder said he personally
17 believes that an ADU ordinance would be low-key in Centerville to begin with, but the General
18 Plan states that the option should be considered. Commissioner Randall said she believes
19 there are quite a few ADUs already in operation.

20
21 Mr. Snyder mentioned several concerns brought to him by Commissioner Merrill,
22 including placement of ADUs, and the question of whether or not the City should address
23 existing ADUs. Chair Hirschi referred to the issue of "free access" on page two, item (e) of the
24 draft Ordinance. Mr. Snyder responded that access is a distinguishing factor between a duplex
25 and an ADU. An ADU is intended to be subsequent to the main residence, with a proposed size
26 allowance of 25% of the main residence, which would avoid a duplex situation. The
27 Commission discussed the proposed requirement of owner occupancy of at least six months of
28 the year. Mr. Snyder explained that a provision is included for "sabbatical leave" if the City is
29 given notice.

30
31 As written, the draft Ordinance restricts detached ADUs to the backyard of a residential
32 property. Through the conditional use permit process the Commission will have an opportunity
33 to check the location of any detached ADU and analyze potential impact on neighboring
34 properties. Mr. Snyder responded to a question from Chair Hirschi that he is not aware of any
35 study related to ADU impact fees. Chair Hirschi brought up a potential scenario involving
36 homeowners who pay impact fees when they purchase a home, raise a family, and years later
37 decide to rent out a portion of their home, with the rental situation causing less impact on the
38 community than the family did when the home was purchased and the family was young. He
39 asked if the homeowners would be required to pay impact fees again if they decide to rent out a
40 portion of the home. Commissioner Randall stated that charging impact fees twice in that
41 situation would not seem right. Chair Hirschi suggested that one solution might be to assess a
42 different impact fee for a detached dwelling than for a converted portion of an existing home.
43 Impact fees are determined, in part, by the number of fixtures in a dwelling. The Planning
44 Commission indicated that some type of tiering might be preferable for ADU impact fees,
45 depending on potential added impact. Chair Hirschi asked staff for further education regarding
46 how flexible the City can be with impact fees. Lisa Romney, City Attorney, responded that
47 impact fees are intended to pay a fair share for services in a community, not to increase level of
48 service. She commented that the City does not charge impact fees based on family size or
49 number of residents, and stated that the final decision should be defensible with analysis. Chair
50 Hirschi agreed that the City needs to be clear and consistent. Ms. Romney added that the City

1 includes an exception in all of its impact fee ordinances that allows residents to provide proof of
2 lesser impact and apply for a reduction.

3
4 Chair Hirschi commented that some of the City's residential roads are narrow, and
5 additional need for parking might exacerbate an already difficult parking situation, especially in
6 winter months. Mr. Snyder stated that the draft Ordinance allows a maximum of 800 square
7 feet, with four occupants and one required parking spot. City Code requires two parking spaces
8 for a primary residence, and the Commission could recommend requiring two parking spaces
9 for ADUs as well.

10
11 Commissioner Ince asked how strictly the City enforces exact setbacks and design
12 requirements. Mr. Snyder responded that enforcement of design require is disciplined
13 approach. Enforcement of behavior is on a complaint basis. Chair Hirschi added that through
14 the conditional use process the Commission will have the ability to look closely at individual
15 situations. He stated that the provision regarding location of entrances was confusing. Mr.
16 Snyder responded that character of the neighborhood and privacy are factors considered in
17 determining location of entrances. Mr. Snyder confirmed that the draft Ordinance requires at
18 least six feet between a main residence and a detached ADU for emergency personnel access.

19
20 Commissioner Johnson referred to the letter sent by Linda Harrison that cites Orem as a
21 negative example of ADU occurrence, and asked Mr. Snyder if he knows the difference in the
22 number of single family units in Orem compared to Centerville. Mr. Snyder responded that he
23 imagines Orem has significantly more single family homes than Centerville. Commissioner
24 Johnson said he felt the letter centered around the topic of expectations, and asked how the
25 Planning Commission should balance people's expectations with the needs of the City. Mr.
26 Snyder stated that Centerville was originally organized with the idea of varying single-family lot
27 sizes. In 2003 the City instituted completely different parameters based on gross density.
28 Cities change through time and zoning, creating differences in expectations. Chair Hirschi
29 added that the demographics in Centerville have changed significantly. Commissioner Merrill
30 commented that the city has changed since he bought his first home 40 years ago, but he still
31 loves Centerville. He feels the city still has a small-town feel, but provides what people need
32 and want within the city. Commissioner Merrill stated he has embraced the change that has
33 taken place, and he thinks the younger generation in the community will want to stay.
34 Commissioner Johnson stated that he would personally tend to disregard expectations that
35 things remain the same, and asked how much the expectations should affect decisions made by
36 the Commission.

37
38 Commissioner Randall commented that if all the properties on her block built detached
39 ADUs in the backyard, there would be a big impact on the neighborhood. She said she is fine
40 with existing structures being converted to ADUs, but the detached concept makes her nervous.
41 She would not want the neighborhood to become a different place. Chair Hirschi added that
42 there are parts of the city where separate structures would be possible, but many
43 neighborhoods in the city where it would not be possible. Commissioner Randall agreed that it
44 would increase what some citizens are able to do with their property. Commissioner Hirst
45 stated she agrees with some of the concerns voiced in Ms. Harrison's letter, but at the same
46 time, Centerville is not Orem City. Commissioner Hirst said she cannot imagine that many
47 homeowners will be interested in adding ADUs, and she does not think the City will see an
48 entire block of properties add detached structures. Commissioner Merrill seconded what
49 Commissioner Hirst said, and added that he does not anticipate a clamor to add ADUs.

Commissioner Ince asked about enforcement against existing ADUs. Mr. Snyder repeated that the City enforces on a complaint basis. If a report were to come in on a pending ordinance, he would not take action until a decision is made. The proposed draft Ordinance may not make all existing ADU situations legal. Some would benefit from the draft Ordinance, some would not. Commissioner Ince said he has an issue with things seeming to be arbitrary in government, and stated that the 25% and 800 square foot limitations seem to him to be arbitrary. He suggested there should be some latitude or tolerance for different circumstances. Mr. Snyder stated that the 25% and 800 square foot limit is consistent with other communities with ADU ordinances. ADUs are a limited use opportunity. Mr. Snyder clarified that an owner could live in either the primary residence or the ADU to satisfy the occupancy requirement. Chair Hirschi suggested clarifying the definition of "the dwelling" on page 6 Section (a)(2) of the draft Ordinance.

Commissioner Randall made a **motion** to table the issue, which was seconded by Commissioner Merrill. Mr. Snyder asked the Commission for direction regarding design standards. Chair Hirschi stated that he personally thinks design standards make a lot of sense because appearance reflects the character of a neighborhood. Commissioners Merrill, Kjar, and Randall indicated support for leaving design standards in the Ordinance. Chair Hirschi voiced support for requiring that exterior finishes must be compatible with the primary residence, and that entrances remain non-intrusive. Chair Hirschi suggested changing the word "must" to "should" with regards to matching windows on the main home. Commissioner Ince suggested requiring that exteriors be "complimentary" to the main home. Mr. Snyder agreed to continue working on the design standards portion of the Ordinance.

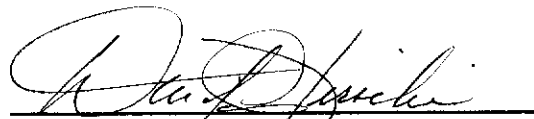
The motion to table passed by unanimous vote (7-0). Commissioner Ince asked what constitutes the definition of a family in a residential situation. Mr. Snyder responded that State law states that family/guardianship situations constitute family, as well as four unrelated individuals sharing a dwelling. The City Codes include related individuals, plus two additional individuals in the definition of a family.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

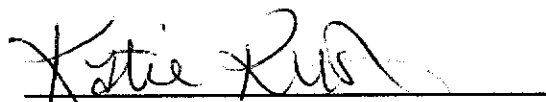
The Planning Commission will meet next on March 11, 2015, beginning with a work session before the regular Planning Commission meeting. The Planning Commission will also participate in a planning priorities work session with the City Council on March 17, 2015

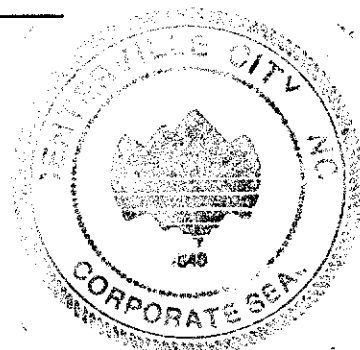
ADJOURNMENT

At 8:59 p.m. Chair Hirschi made a **motion** to adjourn. Commissioner Johnson seconded the motion, which passed by unanimous vote (7-0).


David P. Hirschi, Chair

3-11-2015
Date Approved


Katie Rust, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, February 25, 2015
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Laura Jannickson
Dan + Robin Neville
Dale Engberson
Caden Campbell
Spencer McKee
Cutter
Charlie O. Cree
Oliver Joseph Dickes
Wilfred Adams
Gary Harsh
Scott Lange
Bruce Cox
Lee Skabelund

114 Bradley Dr. Cent
415 South Main C'ville
696 E Cedar St
1480 N 50W Oakcrest Circle
1443 North Suncrest Circle
1381 N. Main Centerville UT.
1361 N. Main Centerville Utah.
345 W 1400 N
383 W 1400 N
364 W - 1375 N.

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.