

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, February 27, 2019**

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

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah, the
6 meeting of the Centerville City Planning Commission was called to order at 7:01 p.m.

7
8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Gina Hirst

13 Thomas Hunt

14 Becki Wright

15
16 **MEMBERS ABSENT**

17 Logan Johnson

18
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director

21 Lisa Romney, City Attorney

22 Cassie Younger, Assistant Planner

23 Jamie Brooks, Recording Secretary

24
25 **VISITORS**

26 Interested citizens

27
28 **PLEDGE OF ALLEGIANCE**

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30 As Thomas Hunt had recently been appointed to serve on the Planning Commission, Chair Hayman asked
31 him to introduce himself. Commissioner Hunt explained that he was a Civil Engineer, grew up in West
32 Bountiful and had lived in Centerville for the past six years. He hoped to contribute to the community in
33 which he and his wife had chosen to raise their children.

34
35 **OPENING COMMENT/LEGISLATIVE PRAYER** Kai Hintze

36
37 **PUBLIC MEETING – LEGACY LANDS FINAL SUBDIVISION PLAT – 1243 N 1300 W**

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39 Cory Snyder explained that the applicant wished to subdivide his industrial property. One unique
40 aspect of the corner parcel was that it was zoned as I-H. The property to the south and west of that piece
41 was the area that the applicant hoped to subdivide. It was believed that the I-H zoning classification was
42 an error and that it could be rectified by submitting an affidavit of correction to the City Recorder who
43 could verify that the ordinance changing the zoning of the surrounding property had been signed and
44 supported the intended rezone of the corner piece to Shorelands Commerce Park Zone.

45
46 There were several things that had yet to be completed. For example, the wetlands had not been
47 mitigated so it was important that their location be spelled out clearly on the subdivision plat.
48 Additionally, the access easement must not encumber the wetlands. A title report has not been submitted
49 to the City Attorney because the applicant is waiting until the aforementioned corner parcel has been

1 purchased. The City Engineer was still in the process of reviewing the construction plans. Despite these
2 shortcomings, Staff recommended approval as highlighted in the staff report.

3
4 Commissioner Hintze asked for Mr. Snyder to clarify the situation regarding the wetlands. Mr.
5 Snyder explained that there had been a soil study in the past which showed a delineation of wetlands. Part
6 of the subdivision process was to identify the existence of any wetlands so that future property owners
7 would understand that the area was restricted for future development. The boundary of the wetlands will
8 need to be shown on the plat.

9
10 Commissioner Wright pointed out that indicating the wetlands on the final plat did not appear on
11 the list of conditions, although it was included elsewhere in the staff report. Mr. Snyder stated that was an
12 oversight and would need to be an additional condition.

13
14 Chair Hayman invited the applicant to step forward and speak on the item. Jeff Cook of Cook
15 Builders introduced himself as well as property owner Gary Smith. Mr. Cook stated he was unaware of
16 the zoning difference but agreed it should be consistent with that of the surrounding property.

17
18 Lisa Romney asked if the corner parcel had been purchased. Mr. Cook responded that the sale
19 would close within the next several days. Ms. Romney asked that he could notify the City when the
20 purchase was completed and he agreed that he would. He stated he was notified earlier in the day that the
21 title search had been completed.

22
23 Mr. Cook stated that the wetlands would be noted on the plat as required. Additionally, there was
24 an easement at the rear of the property which was approximately 50' and was for petroleum lines. The
25 wetlands were roughly 46' so there was no room for a structure of any kind anyway.

26
27 Chair Hayman opened the public hearing at 7:18 p.m. There was no one who wished to address
28 the Commission so Chair Hayman closed the public hearing.

29
30 The Planning Commission and Staff discussed the verbiage for proposed condition #8.

31
32 Commissioner Hirst made a **motion** to recommend approval for the Final Subdivision Plat and
33 Plans for the Legacy Lands Subdivision, subject to conditions 1-8, with #8 being that the wetlands
34 boundary shall be depicted on the final plat matching the construction drawings, with suggested reasons
35 for action a and b as noted. Commissioner Daly seconded the motion.

36
37 Conditions

38 1. The Final Recordable Subdivision Plat shall reflect the lot layout and engineering as submitted
39 and also compliance with these conditions of approval, or as may be amended by the City in
40 preparation of its recording

41
42 2. The subdivision construction plans shall be deemed acceptable to the City Engineer prior to
43 recordation of the subdivision plat.

44
45 3. A Final Paper Plat shall be submitted to the City Recorder's office to be reviewed by the City
46 staff to ensure plat compliance with City's approved format, approval of final layout, survey
47 standards, and owner dedications. Such paper plat shall be deemed acceptable by the City
48 Attorney and City Engineer prior to preparation and submittal of the final recordable lien plat to
49 the City.

50
51 4. A current Title Report (i.e. within 30days of recording) for all properties shall be submitted to
52 the City with the Final Paper Plat Submittal to the City Recorder.

53

5. The required improvement bond and associated fees shall be prepared, reviewed, and paid prior to the recordation of the subdivision plat.

6. The "Affidavit of Correction" requesting that the Zoning Map be adjusted to meet the 2009 SCP Map Revision Exhibits shall be accepted by the City Recorder, prior to recording the plat.

7. After the plat recording, a preconstruction meeting shall be held with the City that includes all parties that are installing the public and utility service infrastructure.

8. The wetlands boundary shall be depicted on the final plat, matching the construction drawings.

Suggested Reasons for the Action:

a) The Planning Commission finds that Final Plat and Plans are consistent with the previous Conceptual Plan Acceptance directives and Preliminary Subdivision Plan Approval.

b) The Planning Commission finds that the final subdivision complies with the applicable Regulations of the subdivision, non-residential subdivision, and SCP Zone lot regulations and requirements.

The motion passed unanimously (6-0).

The applicant expressed his appreciation to Staff.

DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 4 (EXISTING CONDITIONS INVENTORY)

Ms. Romney introduced the next Subdivision Ordinance chapter for review by the Planning Commission. Chapter 4 involves the requirement for an existing conditions inventory to be submitted with every new subdivision application. Ms. Romney explained that the City's Zoning Code contains a chapter requiring an existing conditions inventory ("ECI"). Chapter 4 of the Subdivision Ordinance is intended to provide similar provisions. She indicated that it might be worth having the Commission revisit Chapter 50 of the Zoning Code to add some of the improvements or additional provisions provided in Chapter 4 of the Subdivision Ordinance.

Commissioner Daly wished to clarify whether the Zoning Code would continue to contain information about ECI or if that language would be moved from the Zoning Code to the Subdivision Ordinance. Ms. Romney explained that since the Zoning Code was separate from the Subdivision Ordinance in the municipal code, the ECI language and information is intended to be provided in both places. Ms. Romney noted that the ECI should be required at the initial stage of subdivision development to specifically identify existing conditions on the property. It might require more work of the developer up front, but this process will ensure that any complex or challenging issues are identified sooner rather than later.

Commissioner Daly inquired if a hand-drawn conceptual plan would be acceptable. Mr. Snyder explained that there were applicants who were reasonably experienced in the development process who would conduct their own environmental assessments initially but that there were also those individuals who might still come in with a very rudimentary, hand-drawn sketch. He indicated that Staff was fairly flexible and moved things forward whenever possible.

Ms. Romney indicated that her recommendation was to require the ECI document with the submittal of all initial applications, regardless of type. She pointed out that CMC 15.04.030 addressed what was to be included in the ECI. The General section specified that the information was to be submitted on 24" x 36" sheets so that it could be easily viewed and understood by City Staff. It also was

1 to be overlaid on the subject property. There were to be three hard copies and one electronic copy
2 submitted.

3
4 Chair Hayman mentioned that ECI was defined in CMC 15.04.010 and then again in CMC
5 15.04.020. She felt once was sufficient. Also, she suggested that the heading of 15.04.030 could simply
6 be *ECI Requirements*. Ms. Romney thought perhaps spelling it out would provide for an easier hit on an
7 electronic search of the document. Chair Hayman did not have a strong opinion on the matter.

8
9 Regarding steep slopes, any property with a grade beyond 30% grade was considered
10 undevelopable in Centerville. Ms. Romney stated the verbiage in CMC 15.04.030(d) was simplified, and
11 that while it did not require that a soil study take place, it stated that if a study *had* been conducted, the
12 results were to be provided to the City. Mr. Snyder thought perhaps Davis County had some older soil
13 data available but Commissioner Hunt indicated it was quite general and vague. Commissioner Hirst
14 suggested that there might be data available from the Natural Resources Conservation Service. Ms.
15 Romney said she would add the language "*including but not limited to...*" in order to give the applicant at
16 least a suggestion of where to begin a search for the pertinent information.

17
18 Commissioner Wright asked about requiring a geotechnical report for hillside property. Ms.
19 Romney indicated that was addressed in CMC 15.04.040.

20
21 Regarding special protection areas such as wetlands, the ordinance said they "*shall be shown by a*
22 *line denoting the boundaries.*" Commissioner Hunt cautioned against confusing an approximate boundary
23 with an exact one. Ms. Romney felt that was a helpful suggestion and agreed that the actual boundary
24 should be required at preliminary plat rather than concept plan. Ms. Romney then requested Mr. Snyder's
25 input regarding wetlands assessments. He responded that they were quite costly and would involve hiring
26 a professional to identify what was present, test the water, etc.

27
28 Commissioner Daly hesitated to leave it up to the applicant to determine whether or not wetlands
29 were present, as they might be inclined to claim they were outside their property line when in fact they
30 were not. Commissioner Wright stated that the ECI was not intended to take the place of other
31 requirements that would indicate the presence of wetlands later in the development process. Mr. Snyder
32 agreed.

33
34 Ms. Romney then addressed CMC 15.04.030(f) regarding shrubs and trees and asked Mr. Snyder
35 for his input regarding the draft language in the ordinance. He pointed out that current City ordinances do
36 not include a strong landscape preservation goal regarding trees on privately owned land. Ms. Romney
37 indicated that although no ordinances *required* the retention of trees during development, there were
38 several ordinance provisions that encourage such preservation. The Planning Commission and Staff
39 discussed potential verbiage for that section of the ordinance and debated whether the tree assessment
40 should be required as part of the ECI, and if so, if it should include trees and shrubs or just trees. Chair
41 Hayman advocated for removing reference to shrubs but retaining the reference to "mature" trees.
42 Commissioner Hunt agreed that trees were important, adding value to property but that the same was not
43 necessarily true of shrubbery, particularly in an industrial area. Commissioner Wright stated she would
44 like to see trees and shrubs included in the assessment. Mr. Snyder indicated the matter was subjective,
45 particularly depending on the type of property involved.

46
47 Commissioner Daly saw no reason the ordinance could not include both shrubs and trees and
48 Commissioner Hintze agreed. Ms. Romney indicated that for now, the verbiage would simply read, "*The*
49 *ECI shall show shrub and tree stands as indicated by recent aerial photos*". She said the Commission can
50 debate this further when the entire Subdivision Ordinance is brought back to them for approval and
51 recommendation.

52

1 Chair Hayman expressed concern that the currently proposed language was more stringent than
2 what was being verbally described in the meeting. She was hearing things like “approximate” and
3 “preliminary” and “do your best” when none of that language was contained in the ordinance.
4

5 Commissioner Hirst agreed with Chair Hayman. She pointed out that the ECI mentioned a
6 wetlands assessment requirement although it wasn’t actually required until the preliminary plat stage of
7 development.
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9 Ms. Romney indicated she was comfortable moving paragraph (3) of CMC 15.040.030(e) to the
10 preliminary plat phase. Commissioner Hirst felt the language should be very specific so that applicants
11 had a clear understanding of what was required of them.
12

13 Regarding paragraph (g) pertaining to Utility Lines, Ms. Romney pointed out that this
14 information was often not submitted to the City as required and she wondered how readily available the
15 information was to obtain. Mr. Snyder responded that while City lines were plotted on the GIS system,
16 the sewer district’s information was not. Still, he felt it was a reasonable requirement. The Commission
17 and Staff agreed that if there was an available reference for members of the public to use in order to
18 obtain the required information, it would be helpful to reference it in the ordinance and require it as part
19 of the ECI.
20

21 Returning to paragraph (c) which pertained to Steep Slopes, Chair Hayman and Ms. Romney
22 discussed the fact that there was some overlap in slope percentages. Ms. Romney said she would amend
23 the language to provide mutually exclusive categories to read,
24

- 25 (1) *Less than 10%;*
- 26 (2) *More than 10% to 20%;*
- 27 (3) *More than 20% to 30%;*
- 28 (4) *Over 30%.*
29

30 Ms. Romney moved to paragraph (i) which pertained to Special Protection Areas and stated that it
31 was meant to encourage the applicant to begin considering restrictions or special regulations applicable to
32 the subject property regarding things like the Hillside Overlay Zone, wellhead protection sites, etc.
33

34 As far as CMC 15.04.040 (Geotechnical Assessment) was concerned, it had been added by the
35 Design Review Committee, but Ms. Romney now wondered if it should be moved to the preliminary plat
36 development phase given the feedback from the Commission. Ms. Romney noted that somewhere in the
37 new Subdivision Ordinance, the City should retain the language provided in subsection (b) in order to
38 make it clear that if at any point the City wanted to require a geotechnical report, it could do so. She had
39 no preference between leaving the language where it was or moving it to the General Subdivision
40 Provisions. The Commission agreed it should be moved to the preliminary plat phase. Ms. Romney
41 would adjust the verbiage in subsection (a) so that it read, “*When a subdivision is proposed, the ECI shall*
42 *include relevant reports and maps published by the Utah Geological Survey affecting the subject*
43 *property. ~~along with a geotechnical assessment written by a Utah licensed professional engineering~~*
44 *geologist or a Utah licensed professional engineer who is trained and experienced the practice of
45 *geotechnical engineering...*
46*

47 Ms. Romney stated that she would revise Chapter 4 with the suggestions provided by the
48 Commission. In summary, she noted the intent of this Chapter is to identify any red-flag issues associated
49 with the property, to help the developer understand some key points regarding development of the
50 property, and to provide Staff with more information earlier in the process.
51
52

DISCUSSION – FINISH DISCUSSION ON 2019 GOALS

Cassie Younger reminded everyone that there would be a joint work session with the City Council on March 13 at 5:30 p.m. Dinner would be provided and the regular meeting would not start until 7:30 p.m.

Ms. Younger wished to confirm that her understanding of the Commission's 2019 priorities as presented in the staff report was accurate. Chair Hayman indicated it was, and agreed that the highest priority was completing the Main Street Overlay Zone updates. Councilmember Daly agreed and felt the Commission should make every effort to stick to the *Main Street General Plan & Zoning Ordinance Amendments Timeline* as presented in the report. Mr. Snyder explained that by scheduling a couple of joint work sessions, he was attempting to ensure that the City Council remained apprised of the Planning Commission's activities instead of being surprised as they apparently had been at the Commission's recent attempt to overhaul the Table of Uses. Chair Hayman wished to express to the councilmembers that they were welcome to attend any Commission meeting and provide feedback. Commissioners Hayman and Wright indicated that they would not be available to attend the meeting on April 24.

Ms. Romney reminded the Commissioners they had expressed interest in land use training for themselves as well as for the City Council. In response to their request, she reached out to the Utah League of Cities and Towns and learned that the Land Use 101 training calendar was already in place for the year and that it would not be possible to add Centerville as a training location. However, she indicated that training sessions would be presented in Kaysville on both May 18 and June 8. She suggested the City target these dates for mandatory attendance by members of the City Council, Planning Commission and Board of Adjustment. The Commission agreed. Commissioner Hintze said he recently attended the Land Use 101 training and thought it was very informative. He stated there were four speakers at the session he attended and he was very impressed by each of them, finding the training to be very worthwhile. Ms. Romney pointed out that the ULCT recommended each body receive annual land use training and the City's insurance company required it. Several of the Commissioners spoke in favor of attending one session or the other. Chair Hayman hoped that the City Council members and Planning Commissioners could attend together. Ms. Romney mentioned that she could provide training on specific pertinent topics and that the ULCT had several very good, short training videos available as well. It was agreed that the Commission would plan to view videos when agendas were light so they could take advantage of the helpful and concise information available in them. Additionally, Ms. Romney would ask all members of both bodies as well as the Board of Adjustment to attend either the May 18th or the June 8th session of Land Use 101.

Chair Hayman asked that after the Planning Commission finished addressing the Main Street Overlay, they return to the list of other 2019 goals.

Commissioners Wright and Hintze both expressed concern about delaying the West Centerville Update for long. Mr. Snyder would provide the Commissioners with a copy of the last proposed West Centerville General Plan amendment that they could study in the meantime.

CITY COUNCIL REPORT

Mr. Snyder explained that the City Council did not pass any of the edits to the Table of Uses as recommended by the Planning Commission. The Councilmembers indicated they were not ready to take action on the proposed amendments until they knew in which direction they wished to proceed on the Main Street Overlay. Mr. Snyder said that he can appreciate the Council's position, he said it would be very difficult to draft any specific regulations for the Main Street Overlay without understanding the permitted uses.

Commissioner Daly disagreed with that perspective. He felt there were plenty of buildings on Main Street that could be repurposed for a new use without changing the design of the building.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

The Cottage on the Corner final subdivision plat received final Council approval. At the next Planning Commission meeting, there will be an agenda item pertaining to a conditional use permit for Sydnee's Pet Grooming. The Deuel Creek final plat will also be addressed and possibly one other agenda item.

MINUTES REVIEW AND ACCEPTANCE

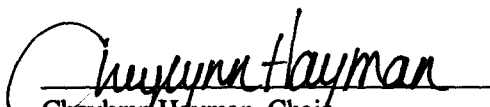
Ms. Romney pointed out that the February 13, 2019 Work Session minutes that were originally posted did not include some suggested Staff edits. She thanked Jamie Brooks for highlighting this issue. Ms. Romney noted that the corrected minutes have been reposted on Novus. The Planning Commission then discussed additional edits to the Work Session as well as the regular meeting minutes of February 13, 2019.

Commissioner Wright moved to approve the minutes of the February 13, 2019 Planning Commission meeting as amended. The motion was seconded by Chair Hayman which passed unanimously (6-0).

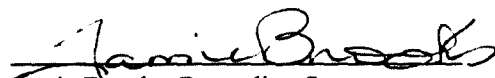
Commissioner Daly moved to approve the minutes of the February 13, 2009 Planning Commission Work Session as amended. Commissioner Hintze seconded the motion which passed unanimously (6-0).

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Wright seconded the motion. The motion passed unanimously (6-0) and the meeting adjourned at 8:53 p.m.


Cheylynn Hayman, Chair

4/12/19
Date Approved


Jamie Brooks, Recording Secretary

