

CENTERVILLE PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON April 23, 2014 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the Planning Commission of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting . This Agenda is also posted on the City's website: and at <http://centervillepublic.novusagenda.com/> .

Tentative - The times shown below are tentative and are subject to change during the meeting.

Time:

7:00 **A. ROLL CALL**

B. PRAYER AND THOUGHT

Kevin Merrill

C. MINUTES REVIEW

Planning Commission Meeting April 9, 2014

D. COMMISSION BUSINESS

7:10 1. Discussion - Accessory Dwelling Units (ADUs)

Discuss the staff suggested process outline that contains outreach tools, educational materials, public involvement and formal procedures and meetings

7:30 2. Training - Understanding Legislative and Administrative Decisions

Planning Commission training regarding types of applications that come before the Planning Commission and the distinction between legislative and administrative decisions. Presentation by City Attorney

7:50 3. Community Development Director's Report 042314

Next Planning Commission Meeting scheduled for May 14, 2014. Items scheduled are as follows: US Trucks Conditional Use Permit to sell trucks in the I-H Zone; Code Text Amendment to address Apiaries (beehives/beekeeping)

E. ADJOURNMENT

CENTERVILLE CITY COUNCIL

**Staff Backup Report
4/23/2014**

Item No.

Short Title: Planning Commission Meeting April 9, 2014

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

D 040914 PC Minutes

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, April 9, 2014

7:00 p.m.

A quorum being present at Centerville 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

David Hirschi, Chair

Gina Hirst

Scott Kjar

Kevin Merrill

Debra Randall

MEMBERS ABSENT

Brian Holman

Logan Johnson

STAFF PRESENT

Brandon Toponce, Assistant Planner

Lisa Romney, City Attorney

Kathy Streadbeck, Recording Secretary

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Chair Hirschi

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held March 26, 2014 were reviewed and amended. Commissioner Randall made a motion to approve the minutes as amended. The motion was seconded by Commissioner Kjar and passed by unanimous vote (4-0). Commissioner Hirst abstained from voting as she was not present at this meeting.

FINAL SITE PLAN – BAMBERGER OFFICE BUILDING - Consideration of a final site plan for the Bamberger Office Building to be located at 190 South Main Street, South Main Street Corridor Overlay District Zone. Applicant James S. Dean.

Brandon Toponce, Assistant Planner, reported the Planning Commission previously accepted the conceptual site plan for the proposed office building. During that process, discrepancies were discovered within the Ordinance that needed to be amended in order for the

1 applicant to utilize his property to the fullest. The appropriate amendments are scheduled for
2 review and approval by the City Council on April 15, 2014. The applicant has submitted the
3 necessary plans and drawings for final site plan approval including landscaping, parking,
4 dumpster, screening, lighting, etc. The proposed building has been shifted from the property line
5 to a total setback of ten (10) feet. This will allow current utilities to remain in place, will bring
6 the building out of the water table, and will allow for ten covered parking stalls. Staff has
7 reviewed all submitted materials and recommends approval.
8

9 Chair Hirschi said there was some concern during conceptual approval regarding the
10 addition of gables to the building architecture. He asked if this has been done. Mr. Toponce
11 reviewed the elevation drawings showing where the gables have been added.
12

13 Commissioner Merrill made a **motion** for the Planning Commission to approve the final
14 site plan for the Bamberger office building, located at 190 South Main Street, with the following
15 conditions:
16

17 ***Conditions:***

- 18 1. The Bamberger office building shall be developed following the approved site plans,
19 as reviewed by the Planning Commission on April 9, 2014.
- 20 2. A building permit shall be issued prior to any construction taking place.
- 21 3. All required utility provider sheets be completed and deemed acceptable by the City
22 staff by the time any construction permits are issued by the City.
- 23 4. The applicant shall post all necessary bonds and pay all necessary professional
24 service fees prior to receiving a building permit.
- 25 5. The South Main Street Corridor amendments shall be approved by the City Council
26 prior to issuance of a building permit.
27

28 ***Reasons for the Action (findings):***

- 29 a. A complete final site plan has been submitted, meeting the requirements found in
30 Section 12-21-110(e)(1) of the Zoning Ordinance.
- 31 b. The proposed structure meets all the review criteria found in Section 12-21-110(f) of
32 the Zoning Ordinance.
- 33 c. Development has been found to meet all standards found within Section 12-48,
34 concerning the South Main Street Corridor.
35

36 The motion was seconded by Commissioner Randall and passed by unanimous roll-call
37 vote (5-0).
38

AMENDED FINAL SITE PLAN – THE PASTURE BUSINESS/INDUSTRIAL PARK - Consideration of an amended final site plan for The Pasture Business/Industrial Park; which consists of changes to a rock wall, landscaping and entryway features, to be located at approximately 1275 North 1300 West. Shorelands Commerce Park District. Applicant, Troy Salmon.

Brandon Toponce, Assistant Planner, reported the Planning Commission previously approved an amended conceptual site plan for The Pastures project and accepted the alterations that were proposed, i.e., changes to landscaped rock wall, bridge, and signage. The applicant has submitted the necessary plans, has complied with the conditions of the amended conceptual site plan and is now ready for final site plan approval. The proposed amendments do not alter the use on the site and do not change the general layout of the site. All proposed alterations meet the intent of the Shorelands Commerce Park District. The applicant has met all applicable Army Corps of Engineer requirements for the wetland areas. The applicant will need to continue addressing engineering and drainage issues with the City Engineer and Public Works Director. Staff has reviewed the application and recommends approval.

Lisa Romney, City Attorney, explained there are several utility easements required for this property. She suggested an additional condition be added requiring the recordation of all easements prior to the issuance of a building permit.

Chair Hirschi made a **motion** for the Planning Commission to approve the amended final site plan for the proposed amendments concerning The Pasture Business/Industrial Park development located at 1275 North 1300 West, with the following conditions:

Conditions:

1. The applicant shall construct the rock wall, timber features, bridge features and signage feature as depicted by the approved final site plan as per review by the Planning Commission on April 9, 2014.
2. The applicant shall follow the approved landscaping plan as per the original final site plan approval dated April 25, 2012.
3. The timbers and landscaping shall be placed as to appear random and natural, rather than formalized.
4. The applicant shall reconstruct the front corner of the wall to create a stepping design up toward the project signage. This rock wall detail shall allow for more variety of appropriate Shorelands Commerce Park vegetation to be planted.
5. All signage shall require a separate permit.
6. Applicable bonding shall be posted and all professional service fees shall be paid.

PRELIMINARY DRAFT

Planning Commission Meeting
April 9, 2014

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7. The applicant shall continue to work with the City Engineer concerning culverts, drainage issues and other related engineering issues.
8. The applicant shall provide and record the required utility easements prior to issuance of a building permit.

Reasons for Action (findings):

- a. An amended final site plan requires the applicant to go through the same procedural requirements as the original approval [Section 12-21-110(i)(2)]
- b. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
- c. A complete final site plan has been submitted, meeting the requirements found in Section 12-21-110(e)(1) of the Zoning Ordinance.
- d. The proposed amendments meet the final site plan review criteria found in Section 12-21-110(f) of the Zoning Ordinance.
- e. With the above conditions addressed, the proposal will likely meet the requirements found in the Zoning Ordinance, concerning development and design standards of the Shorelands Commerce Park (SCP) Zone [Chapters 12-47 & 12-68].

The motion was seconded by Commission Merrill and passed by unanimous roll-call vote (7-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, April 23, 2014.
2. Upcoming Agenda Items
 - Accessory Dwelling Units

The meeting was adjourned at 7:40 p.m.

David Hirschi, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

CENTERVILLE CITY COUNCIL

**Staff Backup Report
4/23/2014**

Item No. 1.

Short Title: Discussion - Accessory Dwelling Units (ADUs)

Initiated By: Community Development Director

Scheduled Time: 7:10

SUBJECT

Discuss the staff suggested process outline that contains outreach tools, educational materials, public involvement and formal procedures and meetings

RECOMMENDATION

See Memorandum attached

BACKGROUND

ATTACHMENTS:

Description

- ☐ Memorandum on ADU outline

Memorandum

To: Centerville City Planning Commission
From: Corvin M. Snyder AICP, Community Development Director
Date: 4/23/2014
Re: Accessory Dwelling Units – Staff Suggested Process Outline

As directed by the Planning Commission, the following project process outline is being suggested by staff for considering whether ADU's are an appropriate use for housing options in Centerville City. The outline contains outreach tools, educational materials, public involvement, and formal procedures and meetings.

Step #1 – **OUTREACH**

- ✦ Post the prepared ADU Brief Publication on the City's Website
- ✦ Prepare and submit a "Press Release" to the local newspaper
- ✦ Use the City's utility billing system to send a copy of the Press Release and to direct the public to the City's Website to read the ADU Brief Publication
- ✦ Create and send a summary brochure, with a possible quiz, about the ADU Brief Publication with a City Newsletter
- ✦ Create a few various offers/rewards for encouraging the reading of and taking the quiz about the ADU Brief Publication

Step #2 – **EDUCATION**

- ✦ Commission hosts a **Public Open House Discussion** (*Independent Meeting*)
 - An ADU Presentation (*e.g. PowerPoint*) given by Planning Staff
 - Staff/Commission Panel (Planner, Legal, 2 interested Commissioners) to conduct a question/answer session– solicit public questions & dialogue

- A drawing is performed to award the prizes for returning the quiz & attending the Public Open House
- ✦ Commission Work Session Roundtable #1 (*held prior to a Commission Meeting*)
 - Feedback & Comments Summary Report presented to the Commission
 - Commission discusses and identifies pertinent issues and/or concerns about ADU's to be addressed in WS Roundtable #2
- ✦ Commission Work Session Roundtable #2 (*held prior to a Commission Meeting*)
 - Planning Staff presents information, addresses, or responds to issues, concerns, or questions raised by the Commission in the WS Roundtable #1 Meeting
 - Commission directs whether to move forward with considering an ADU Ordinance and identifies the foremost aspects that should be addressed in considering an Ordinance

Step #3 – **DRAFT ADU ORDINANCE EXAMINATION**

- ✦ ADU Ordinance Presentation Meeting #1 (*regular Commission meeting*) – *pending Commission directive in WS Roundtable #2*
 - Initial Draft ADU Ordinance is presented to the Planning Commission
 - Public comment is accepted as part of the response to the proposed Ordinance
- ✦ ADU Ordinance Presentation Meeting #2 (*regular Commission meeting*)
 - Planning Commission Discussion – a substance review of the Draft ADU Ordinance
 - Public comment is accepted for editing and changing draft ADU Ordinance
 - Commission directives for edits & changes to the Draft ADU Ordinance

Step #4 – **FORMAL ORDINANCE REVIEW AND RECOMMENDATION**

✦ Formal ADU Ordinance Public Hearing Session (*regular Commission meeting*)

- Formal staff presentation of the proposed ADU Ordinance
- Commission conducts a formal Public Hearing regarding proposed ADU Ordinance
- Commission tables, modifies, and/or formally makes a recommendation to the City Council regarding the proposed ADU Ordinance

CENTERVILLE CITY COUNCIL

Staff Backup Report 4/23/2014

Item No. 2.

Short Title: Training - Understanding Legislative and Administrative Decisions

Initiated By: City Attorney

Scheduled Time: 7:30

SUBJECT

Planning Commission training regarding types of applications that come before the Planning Commission and the distinction between legislative and administrative decisions. Presentation by City Attorney

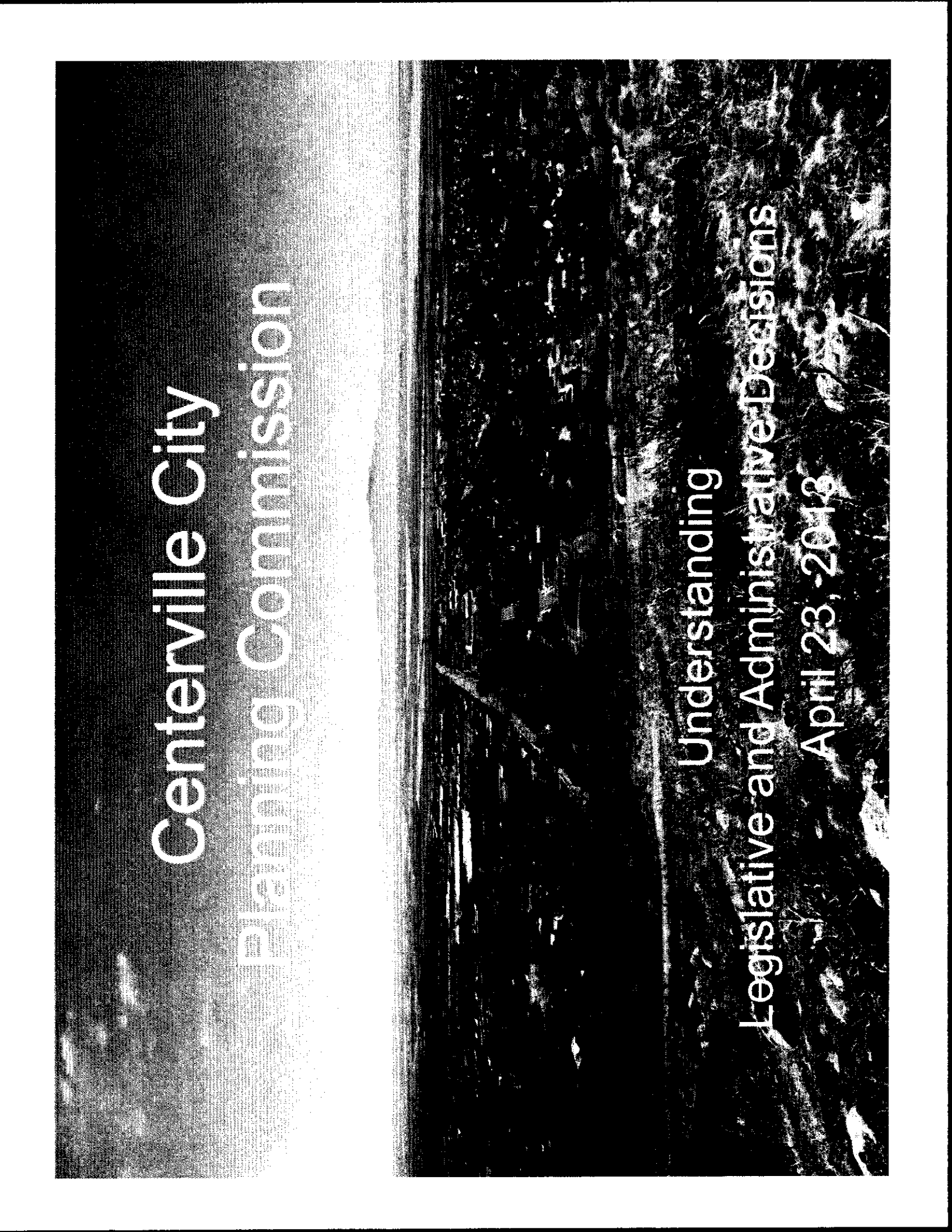
RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ Powerpoint - Legislative and Administrative Decisions



Centerville City Planning Commission

Understanding
Legislative and Administrative Decisions

April 23, 2013

Types of Applications and Decisions

General Plan
Enactment or
Amendment

Zoning
Ordinance
Enactment or
Amendment

Zoning Map
Amendment
(Rezone)

Subdivision
Ordinance
Enactment or
Amendment

Conditional Use
Permit

Site Plans

Subdivision
Plats

Special
Exception

Classification of Decision

Legislative Decision

Decisions which establish law and policy

Laws and policies are applicable generally

Decision made by City Council

Administrative Decision

Decisions which apply the laws and policies

Applied to factually distinct, individual circumstances

Decisions made by Planning Commission and Board of Adjustment

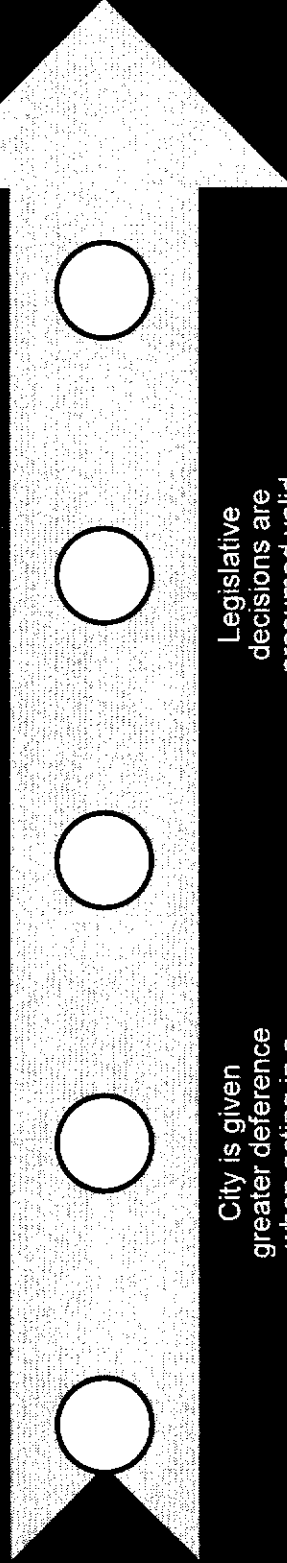
Legislative Decisions

Standard of Review for Legislative Decisions

Legislative act will
be upheld if it
could promote the
general welfare or
even if it is
reasonable
debatable that it is
in the interest of
the general
welfare

Reasonably
Debatable
Standard

Public clamor and
comment may be
considered in
legislative
decision-making



City is given
greater deference
when acting in a
legislative
capacity

Legislative
decisions are
presumed valid
and upheld unless
there is no
reasonable basis
for the decision

Look to the General Plan and Zoning
Consider existing uses and development
Any adverse impact on adjacent property
Transportation plan and traffic conditions
Population and housing projections
Orderly development of the City
Capacity of utilities, facilities and services
Public comment

Administrative Decisions

Subdivision Plats

- Conceptual
- Preliminary
- Final

Site Plans

- Conceptual
- Final

Conditional Use Permits

Standard of Review for Administrative Decisions

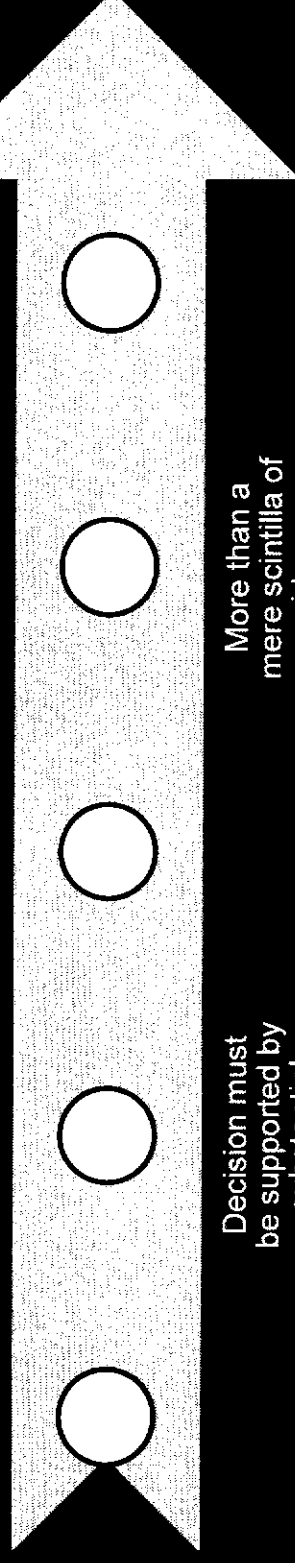
That quantum
and quality of
relevant
evidence that is
adequate to
convince a
reasonable
mine to support
a conclusion

Substantial
Evidence
Standard

Cannot be
based solely on
public clamor

Decision must
be supported by
substantial
evidence in the
record

More than a
mere scintilla of
evidence,
though
something less
than the weight
of the evidence



Look first to Ordinance requirements
Does application meet requirements
Can negative impacts be mitigated
What evidence is in the record
Cannot consider public clamor

The End

CENTERVILLE CITY COUNCIL

**Staff Backup Report
4/23/2014**

Item No. 3.

Short Title: Community Development Director's Report 042314

Initiated By: Community Development

Scheduled Time: 7:50

SUBJECT

Next Planning Commission Meeting scheduled for May 14, 2014. Items scheduled are as follows: US Trucks Conditional Use Permit to sell trucks in the I-H Zone; Code Text Amendment to address Apiaries (beehives/beekeeping)

RECOMMENDATION

BACKGROUND