

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON APRIL 24, 2019 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 City Council 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 Jacob Smith, Centerville Management Services Director, at 801-295-3477, 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. The full packet can also be viewed on the City's website: <http://centerville.novusagenda.com/agendapublic>.

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

7:00 PM **A. WELCOME AND ROLL CALL**

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Commissioner Hayman

D. COMMISSION BUSINESS

1. Discussion - General Plan - South Main Street Corridor Plan

Council Invited for Commission Update Discussion - see Staff Memo

The Commission will continue to discuss proposed revisions and amendments to Section 12-480-7 of the General Plan, the South Main Street Corridor Plan

2. Public Hearing - Zoning Text Amendment - CZC 12.62 (Home Occupations)

LEGISLATIVE DECISION

The Commission will consider the proposed Zoning Text Amendment for CZC 12.62.040 and CZC 12.62.050 regarding the regulation of Home Occupations.

3. Discussion - Subdivision Ordinance Updates - Chapter 6 (Preliminary Plat)

Continue discussion of proposed revisions and updates to City Subdivision Ordinance - CMC 15 (Subdivision)

4. Land Use Training #2 - What Hat Do You Wear? - Part 2

5. Community Development Director's Report

Upcoming Commission Items:

- Conceptual Subdivision - Jensen Family Subdivision (3-lots)
 - Sheffield Downs PDO Amendment - Architectural Design Amendments
6. City Council Report
- Barrus Cove Subdivision - Council Approved

E. MINUTES REVIEW and ACCEPTANCE

April 10, 2019 Regular Commission Meeting

March 13, 2019 Joint Work Session Meeting

F. ADJOURNMENT

CENTERVILLE

**Staff Backup Report
4/24/2019**

Item No.

Short Title: Commissioner Hayman

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/24/2019**

Item No. 1

Short Title: Discussion - General Plan - South Main Street Corridor Plan

Initiated By: City Council

Scheduled Time:

SUBJECT

Council Invited for Commission Update Discussion - see Staff Memo

The Commission will continue to discuss proposed revisions and amendments to Section 12-480-7 of the General Plan, the South Main Street Corridor Plan

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ Planning Staff Memo
- ☐ South Main Street Corridor Plan Ideas

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

STAFF MEMORANDUM

DATE: APRIL 24, 2019

TO: CENTERVILLE CITY PLANNING COMMISSION

FROM: PLANNING STAFF

SUBJECT: SOUTH MAIN STREET CORRIDOR PLANNING – GENERAL PLAN STATUS

BACKGROUND

At the last regular Planning Commission, an initial skeleton draft for replacing the South Main Street Corridor Plan was reviewed by the Commission. Several anchoring elements were discussed and roughly agreed upon. **The intent of this memorandum is to summarize the agreed upon elements and review these matters with the City Council.** Afterwards, the Commission will continue with their efforts to formulate a replacement corridor plan for South Main Street.

PLANNING COMMISSION'S ANCHORING POLICY ELEMENTS AND DESIRE FOR FURTHER INFORMATION

In general, the Planning Commission made the following conclusions further developing the needed policies regarding the corridor:

- ✓ *The South Main Street Corridor Plan should be **reduced in scope to run from Parrish Lane to Porter Lane.***
- ✓ *The Corridor Vision ought to address the following five (5) parts:*
 - **Corridor Wide Elements**
 - **Commercial Use Expectations**
 - **Residential Re-introduction Opportunities**
 - **Built Environment Design Expectations**
 - **Corridor's Street Space Expectations**

Note: The PC is wrestling with vision's primary commitment to either commercial or residential. Should it be primarily to one or the other? If not, how ought the plan deal with differing needs and conflicts created both types of uses, even more particularly when located adjacent to one another?

- ✓ *The Corridor does have potential for some **sub-area planning.** These sub-areas can be identified as:*
 - 1) Parrish Lane Intersection, 2) Civic/Cultural, and 3) Traditional Main Street**

- ✓ *The Planning Commission also believes that as part of developing future use and design policies, it would **be beneficial to understand the potential economic consequences or impacts**, specifically with setting a course with either commercial or residential uses.*
- ✓ *The Planning Commission believes that there will likely be a need to **extend the timeframe** for developing a replacement Plan and Zoning Ordinance for the South Main Street Area.*

INTRODUCTORY COMMERCIAL USE ECONOMIC DATA

The Planning Commission expressed a desire to pursue understanding the economic outcome of maintaining commercial uses verses a future conversion of the area to residential uses (*type and intensity of residential undetermined at this time*). This would take additional time and effort by staff to produce a reasonable study.

However, as part of initially starting a dialogue, the data shown in Figure 1 below, was developed in 2015 by City Staff, which was part of the initial Council effort to begin modifying the South Main Street Corridor Plan and Zoning Ordinance. The estimated 2018 City property tax (0.001275) received for the “commercial acreage,” using the 2015 values, is \$34,521.⁰⁰. The estimated residential 2018 City Property tax (60% of assessed value for single family uses), using the 2015 values, is \$3,687.⁰⁰.

Additional research is needed to estimate any sales tax revenue received by the City from these commercial uses and correcting the all the property values to 2018 County Assessments. Also, due to market variability and property owner discretion, any estimate for future residential re-introduction to the area would likely be very speculative at best. Nevertheless, staff may be able to take a stab it using target parameters agreed upon by the Commission and Council.



Figure 1- Acreage 2015 Value by Land Uses

SOUTH MAIN STREET CORRIDOR

[GENERAL PLAN DRAFT LANGUAGE CONCEPTS]

CHAPTER 12-430-2. COMMERCIAL DEVELOPMENT POLICIES.

[existing language edits] Policy 2, Main Street commercial area:

The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded somewhat as the traditional commercial center of Centerville, though in reality it never became a strong merchant focal point. The Main Street commercial area is aging now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. Some revitalization is warranted and should be encouraged in a limited manner to maintain the local service-oriented uses for the community.

CHAPTER 12-480-2. NEIGHBORHOOD 1, SOUTHEAST CENTERVILLE.

[existing language edits] Policy 2.b, Main Street Commercial Area:

The area on Main Street between 400 North (Parrish Lane) and 400 South (Porter Lane) is generally regarded as the traditional commercial area of Centerville, though in reality it never became a strong merchant focal point. The present structure of commercial development with its numerous individual properties, small frontages, short setbacks, and older buildings tends to work against the possibility of any large scale, unified commercial development.

1. The Main Street commercial area should be allowed to remain as a local service needs or specialty retail area. To encourage any larger scale commercial development would be detrimental to surrounding residential areas and to the future function ability of Main Street as an arterial road.
2. The Main Street commercial area is aging and somewhat deteriorating. Significant enhancement of commercial viability is not likely to occur in the future. Nonetheless, some revitalization is warranted and should be encouraged in a limited manner to maintain the local service-oriented uses for the community.
3. Future commercial development in the Main Street area should conform to performance guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas.
4. To preserve the residential integrity of surrounding areas, future commercial development on Main Street shall not be allowed south of 400 South or north of 400 North, and shall not extend more than one-half block east of Main Street.

CHAPTER 12-480-3. NEIGHBORHOOD 2, SOUTHWEST CENTERVILLE.

[existing language edits] Policy 2.a, Main Street Commercial:

The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) is generally regarded as the traditional commercial area of Centerville, though in reality it never became a strong merchant focal point. The present structure of commercial development in this area, with its numerous individual properties, small frontages, short setbacks, and older buildings tend to make larger scale unified commercial development unlikely.

1. The Main Street commercial area should be allowed to remain as a local service needs and specialty retail area. To encourage any larger scale commercial development would be detrimental to the surrounding residential areas and to the future functionability of Main Street as an arterial road.
2. The Main Street commercial area is aging and somewhat deteriorating. Significant enhancement of commercial viability is not likely to occur in the future. Nonetheless, some revitalization is warranted and should be encouraged in a limited manner to maintain the local service-oriented uses for the community.
3. Future commercial development in this area should conform to performance guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas.
4. To preserve the residential integrity of surrounding areas, future commercial development on Main Street shall not be allowed south of 400 South or north of 400 North, and shall not extend more than one-half block west of Main Street.

CHAPTER 12-480-7 – SOUTH MAIN STREET CORRIDOR PLAN

(rescind all of PART 12-480-7)

[replace with] **A. Background**

Over the past few years, the City Council has increasingly expressed concerns regarding the density and design standards regarding the 2008 South Main Street Corridor Plan. Early on the residents expressed discomfort regarding the “*residential densities*” that the “*mixed-use*” concepts allowed. In 2015, the allowable “*residential densities*” were altered in a reduced manner in response to public concerns. Around this same time, the expected “*public space*” plan was tempered in response to concerns from both elected officials and the public. The initial effort to adopt a Public Space Plan raised concerns regarding liability and maintenance issues related to streetscape furniture and furnishings. Some of these features conflicted with UDOT’s streetscape regulations, while others were expensive or took up space along Main Street that completed with

the City's 4th of July Annual Parade. Ultimately, the anticipated public space design was rejected in the initial form that it was presented.

In early-mid 2018, the City Council and Planning Commission met and undertook an effort to re-review the allowable uses of Main Street and the resulting outcome raised added concerns about the relationship of the allowable land uses and the regulations adopted South Main Street Overlay. Also near this same time, the City reviewed several regulatory amendments that were needed accommodate the construction of the proposed new Centerville Fire Station, which further confirmed the development conflicts with the SMSC Overlay regulations. All of these matters culminated in a March 2019 work session meeting between the City's Planning Commission and the City Council. The fundamental findings reached in this meeting regarding South Main Street can be reviewed in Section C. of this Chapter.

Subsequently, the general consensus of this meeting was that currently adopted South Main Street Plan and associated Zoning Ordinances would not adequately support or be advantageous in balancing the current and future needs of the commercial property owners and adjacent residential uses for the South Main Street area. Therefore, it was time to reevaluate the original 2008 Vision and formulate a replacement vision to better balance these challenging and sometime competing land use patterns. The recommendation of how to proceed from the Planning Commission and then acceptance by the City Council entailed the following:

- a. **GENERAL PLAN** - Re-write/modify the existing Generalized Sections of the General Plan's Goals regarding Main Street to reflect a consistency with the Corridor Plan.
- b. **GENERAL PLAN** - Create an alternative/reformat for the adopted independent SMSC Plan (*Section 12-480*) that identifies what the new goals and objectives are to be.
- c. **ZONING ORDINANCE** - The SMSC Overlay Zone District would need to be rescinded and replaced in a manner, such as:
 1. Eliminate the SMSC Overlay Zone District and write new design with performance regulations that are specific for Main Street. This would be analogous to what has been done in other Zoning Districts, such as the Parrish Lane Gateway Design or the Shorelands Commerce Design regulations.
 2. Consider reducing the corridor are to be regulated – example limit General Plan and Zoning Ordinance changes from Parrish Lane to Porter Lane – rather than from Parrish to Pages

B. Formation of an updated South Main Street Corridor Context

The overall context of the South Main Street Corridor Plan is to admit that although *South Main Street was previously viewed as the traditional commercial center of Centerville, in reality it never became a strong focal point of the Community*. Overtime, Pages Lane and Main Street declined in any strong commercial focus and were replaced with the placement of the interchange

for Interstate 15 at Parrish Lane and the subsequent regional commercial center that developed along the Parrish Lane Corridor. However, one remaining strong point for the South Main Street area is that of local ownership and land uses that provide services predominately oriented to the local community. Consequently, the “the South Main Street Corridor Context” is to maintain and even promote opportunity for local owners to be successful for as long as possible and any future replacement land uses are to be viewed in a manner to mitigate conflicts with and espouse the character of the surrounding residential environment, including, but not limited to the Deuel Creek Historic District (*see CZC, Chapter 12-49*).

C. South Main Street Corridor Plan Vision

The South Main Street Corridor Plan’s (SMSC) Vision establishes a comprehensive guide to future physical land use patterns and desired attributes that have been expressed by the public and City’s appointed and elected officials (aka “*Vision*”). Additional planning notions and concepts have also been included to help establish the policies of the overall SMSC Plan Vision.

In the case of the South Main Street Corridor, the **Fundamental Notions used for formulation of the South Main Street Corridor Plan are:**

- ✓ *The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded somewhat as the traditional commercial center of Centerville, though in reality it never became a strong focal point.*
- ✓ *The Main Street commercial area is aging now and somewhat deteriorating, though a few new buildings have been constructed here in recent years.*
- ✓ *Some revitalization is warranted and should be encouraged, but in a limited manner to maintain the local service-oriented uses (aka: “soft commercial”) for the community.*
- ✓ *Significant growth and enhancement of commercial synergy is not likely to occur in the future. Consequently, some strategic residential development and use may be appropriate in parts of the corridor area.*
- ✓ *The Main Street Corridor should be addressed in whole, however there are differentiating characteristics between the east and west sides of the roadway that need to be considered in defining an appropriate land use and development pattern.*
- ✓ *All future commercial development along Main Street should conform to performance [e.g. design] guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas*

Furthermore, the South Main Street Corridor, the **Vision is expressed using five (5) different themes.**

- **Corridor Wide Viewpoints**
- **Commercial Use Expectations**
- **Residential Re-introduction Opportunities**
- **Built Environment Design Expectations**
- **Corridor's Street Space Expectations**

In addition to the themes, the South Main Street Corridor area is divided into **three (3)** different sub-areas. Each sub-area plays a slightly different and at sometimes distinct role in how land uses patterns are to develop in that particular area of the neighborhood. These sub-area are identified as follows:

- **North Parrish Lane Intersection Area** – South from Parrish Lane; 1) East Side to Smith Park, 2) West Side to the Post Office.
- **Civic/Cultural Area** – South from; 1) East Side from Smith Park south to 100 North, 2) West Side from Post Office to 100 North Street.
- **Traditional Main Street Area** – Both sides of street, from 100 North to north side of Porters Lane.

The themes, goals and objectives associated with the SMSC Plan are to be considered as statements of policy and are to be used in the decision-making process for land use ordinance amendments, applicable land use application reviews, and/or related capital improvement programs. Additionally, each goal may be accompanied by descriptive text that is intended to assist with understanding the purpose, intent, and interpretation of the goal.

The SMSC Plan identifies five (5) corridor planning themes, with goals and objectives being included for implementation of each theme. These themes, goals, objectives, and graphical maps for the South Main Street Corridor Plan are described on the remaining pages of this document.

SMSC PLAN PROPOSED GOALS:

Corridor Wide Viewpoints

[Corridor Wide Goals/Objectives Drafting...]

Goal 1 - Maintaining the Local and Historic Character of Main Street

Main Street has been generally regarded as the traditional commercial area of Centerville, though in reality it never became a strong merchant focal point. The present structure of commercial development in this area, with its numerous individual properties, small frontages, short setbacks, and older buildings tend to make larger scale unified commercial development undesirable with the residential neighborhood located adjacent to the corridor.

OBJECTIVES:

1.A. The Main Street commercial area is to remain as a local service needs and specialty retail area. To encourage any large-scale architype commercial development would be detrimental to the surrounding residential areas and to the vehicular functionability of Main Street as an arterial state road.

1.B. The Main Street Corridor should be addressed in whole, however there are differentiating characteristics between the east and west sides of the roadway that need to be considered in defining an appropriate land use and development pattern.

1.C. The Deuel Creek Historic District, which includes a portion of the South Main Street area, is primarily located just east of Main Street. The District not only includes many historic homes interior to the neighborhood, there are two National Register Sites located in the corridor area, which are the Randall Gas Station and the Whitaker Museum. All development adjacent to any historic site needs to be contextually sensitive to the built historical presence.

Commercial Use Expectations

Goal 2 - Preserving and Maintaining the Domestic Nature of Commercial Uses of South Main Street

Historically, the City's General Plan has addressed South Main Street and a boundary between the Southeast and Southwest Neighborhoods, but attempted to unify the corridor in its geographical extent (*i.e. ½ block limitations for commercial zoning*). The SMSC Plan desires to better unify the land use and design pattern for the corridor, but to recognize the differing elements of the east verses west sides. These differences are, but not limited to, topographical differences, parcel sizes, acceptable or desirable uses, and adjacent residential use types.

To date, the South Main Street Corridor is predominately comprised of localized property ownership and investment. Approximately, 62% of the properties are owned by Centerville residents and business owners and increases to 89% when adding the Davis County area residents. About 83% of the County Assessed Value comes from commercial uses with 64% of the land devoted to commercial type uses. The estimated 2015 Davis County Market Value of commercial land was over \$27 million (*see August 04, 2015 SMSC Data and Analysis presentation to City Council and Planning Commission*).

[Commercial Use Goals/Objectives Drafting...]

OBJECTIVES:

Corridor-Wide:

2.A. Commercial development on Main Street shall not be allowed south of 400 South or north of 400 North, and shall not extend more than one-half block east of Main Street.

2.B. Some revitalization is warranted and should be encouraged, but in a limited manner to maintain the local service-oriented uses (aka: “soft commercial”) for the community

2.C. Draft an East/West Side Objective(s)

North Parrish Lane Intersection Area:

2.D. Due to the very small lot sizes located in this area, building sizes should be limited to the intensity of the C-M Zone (e.g. 10,000 sq. ft.).

Civic/Cultural Area:

2.E. Commercial Uses should be limited to the typical Commercial Medium (C-M) allowances and the Public Facility Low and Medium uses of any Public and/or Civic Use type, as deemed appropriate by the City.

2.F. Due to the typical lot sizes located in this area, building sizes should generally reflect the intensity of the C-M Zone (e.g. 10,000 sq. ft.). However, may be increased to up to 20,000 sq. ft. (e.g. City Hall) and must meet the public/green space design and layout expectations.

Traditional Main Street Area:

2.G. Commercial Uses are to be limited to the Commercial Medium (C-M) allowances.

2.H. Due to the small lot sizes located in this area, building sizes are to be limited to the intensity of the C-M Zone (e.g. 10,000 sq. ft.).

Residential Re-introduction Opportunities

[Residential Use Goals/Objectives Drafting...]

Goal 3 – [Future Residential]

OBJECTIVES:

3.A. Significant growth and enhancement of commercial synergy is not likely to occur in the future. Consequently, some strategic residential development and use may be appropriate in parts of the corridor area.

3.B. If residential is re-introduced, such development should be strategic in nature and limited in a manner to compliment the preservation of the local or domestic owners and preservation of the needed services to the community.

3.C. Due to the proximity of existing multi-family neighborhoods along the west side of the corridor, residential development opportunities should primarily be implemented along the west side of South Main Street.

3.D. The re-introduction of any residential land use pattern would be appropriate is as follows:

- Maintaining or accommodating the traditional and historical pattern of single-family homes.
- Maintaining building fronts (*front yards*) that are oriented to South Main Street. Residential side yards facing Main Street should be kept to a minimum. Residential rear yards should be prohibited.
- Residential fencing, above 4-feet in height, should not be located along the South Main Street Corridor.
- Supporting the preservation of commercial uses by allowing a limited amount of accessory residential uses.
- Further developing underutilized or vacant lands, when additional commercial development is not likely to occur.
- Providing housing options that support a moderate-income accommodation strategy that has been adopted by the City.

Built Environment Design Expectations

[Development Design Goals/Objectives Drafting...]

Goal 4 – [Development Design]

OBJECTIVES:

4.A. All future development along Main Street should conform to performance [e.g. design] guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas.

4.B. The City should develop building and site design standards that over time improve the overall built environment of the Corridor. All new and existing development should implement to the extent possible the standards adopted by the City.

4.C. Require the use of building materials and architectural elements in the District that are compatible and complementary to...

4D. Require appropriate building heights within each segment.

4.E. Establish landscaping requirements to create a distinctive corridor

Traditional Main Street Area:

4.F. Consider preserving key historic buildings within the South Main Street Corridor whenever possible.

4.G. Require the use of building materials and elements that complement the historic context (??) on Main Street.

4.H. Consider establishing maximum building footprints to prevent encroachment by larger chain stores.

Civic/Cultural Area:

4.I. Require distinctive elements and architectural styles for civic buildings to set them apart from commercial buildings along Main Street.

4.J. Civic buildings should be more than one-story to allow for a smaller building footprint, which will allow for more public green space around the building.

4.K. Further development of the City Hall and Smiths Park area needs to be designed in a manner akin to a town square. Green space and community based facilities, such as walkways, gardens, garden plazas, fountain or outdoor water features (*e.g. splash pads, ice rink, and wading streams*) and other public use amenities, should be incorporated in the layout of these sites.

4.L. Additionally, City's Hall's west porch (steps) and surrounding front yard and streetscape should be re-designed for improved public access and improved civic style grand staircase/public plaza. Design amenities and changes should focus on construction of a multi-tiered pedestrian access, plaza spaces with seating and other design furnishings.

4.M. The sidewalk system along the street should have a civic style promenade theme with protection bollards that can double as lighting. Due to the presence overhead power lines, streetscape trees should be discouraged.

4.N. Due to vehicular left turn conflicts, the northern access from Main Street should be eliminated. Access to City Hall should be from 100 East with emergency or congestion exiting on the South side of the building.

Corridor's Street Space Expectations

[Public Space Goals/Objectives Drafting...]

Goal 5 – [Corridor's Street Space Expectations]

OBJECTIVES:

5.A. Work with the Utah Department of Transportation to provide additional crosswalks, and pedestrian safety features, across Main Street

5.B. Advocate for wider sidewalks throughout the corridor when road cross-section improvements are being considered.

5.C. Allow for bike routes that are a part of the roadway, to provide opportunities for bike lanes along Main Street and on surrounding neighborhood streets that connect to Main Street. Bike

lanes/routes create a designated space for bikers and reduce the conflict between pedestrians and bicyclists on the sidewalk.

5.D. Draft the previous 4-foot park strip & 5-foot sidewalk symmetry Objective(s)

CENTERVILLE

Staff Backup Report

4/24/2019

Item No. 2.

Short Title: Public Hearing - Zoning Text Amendment - CZC 12.62 (Home Occupations)

Initiated By:

Scheduled Time:

SUBJECT

LEGISLATIVE DECISION

The Commission will consider the proposed Zoning Text Amendment for CZC 12.62.040 and CZC 12.62.050 regarding the regulation of Home Occupations.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ 04-24-19 PC Staff Report Home Occupation Amendments
- ▣ Ordinance No. 2019-08 - Home Occupations

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

**STAFF REPORT
AGENDA: ITEM 2**

INITIATION: **UTAH LEGISLATURE’S ADOPTION OF SENATE BILL 158
REGARDING MUNICIPAL LICENSING OF HOME
OCCUPATIONS - (*i.e.* 2019 GENERAL SESSION)**

PETITION: **ZONING ORDINANCE TEXT AMENDMENTS FOR HOME
OCCUPATIONS IN RESPONSE TO S.B. 158**

**STAFF RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY
COUNCIL**

BACKGROUND

In the 2019 General Session, the Utah Legislature adopted S.B. 158 further restricting (*i.e.* S.B. 81 – Session 2017) a municipality’s authority to charge a business license fee for home based businesses, unless the combined offsite impact of the home-based business and the primary residential use materially exceeds the offsite impact of the primary residential use alone. Staff has reviewed these requirements and is recommending the following:

- Eliminate the requirement for Home Occupations to be licensed (*no fee*) by the City to help home businesses to comply with local and state regulations.
- Amend the Zoning Ordinance to requiring a “permitted use review and permit” for Zoning compliance purposes.
- Establish Home Occupations as a “*use by right*” for “*permitted*” Home Occupations.
- Home Occupations that are a conditional use will still be subject to Planning Commission review and approval of a Conditional Use Permit and its related zoning application fee.

PROPOSED TEXT AMENDMENT

Amendment 1 - Section 6.01.070 of the Centerville Municipal Code regarding Home Occupations is hereby amended to read in its entirety as follows:

6.01.070 Home Occupations

Except as otherwise expressly provided, this Title shall apply to persons engaged in business, trade, service or professions in their homes as well as to those engaged in

business at a separate establishment or location. Applicants for a home occupation business shall comply with the provisions of this Title and with the applicable provisions of CZC 12.62 (Home Occupations). Pursuant to Utah Code § 10-1-203, the City may not charge a fee for a resident of the City to operate a home occupation business, unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the offsite impact of the primary residential use alone. Given the status of State law, the City has elected to not require a business licenses for home occupations, but such uses are subject to applicable provisions of CZC 12.62 (Home Occupations). The City may issue a courtesy business license for a home occupation upon request by the business owner. Any request for a courtesy business license for a home occupation shall be subject to an administrative fee as permitted by Utah Code 10-1-203, and as more particularly set forth in the City Fee Schedule.

Amendment 2 - Section 12.62.040 of the Centerville Zoning Code regarding Permitted Uses for Home Occupations is hereby amended to read in its entirety as follows:

12.62.040 Permitted Use

- (a) Permitted Use. Permitted home occupation uses listed in Subsection (b) may be established as a home occupation in an agricultural or residential zone as a permitted use subject to the development standards of CZC 12.62.050.
- (b) Permitted Uses. The uses set forth below shall be allowed as permitted home occupation uses in any agricultural or residential zone:
 - (1) Family child care facility;
 - (2) Medical service;
 - (3) Personal care service;
 - (4) Personal instruction service; and
 - (5) Office, general.
- (c) Prohibited Uses. The uses set forth below shall be prohibited as home occupation uses:
 - (1) Kennel; and
 - (2) Stable.

Amendment 3 - Repeal. Subsection 12.62.050(a) of the Centerville Zoning Code regarding Development Standards for Permitted Home Occupations is hereby repealed as follows:

12.62.050 Development Standards – Permitted Use

The development standards set forth in this Section shall apply to any home occupation allowed as a permitted use.

(a)

TEXT AMENDMENT REVIEW AND ANALYSIS (12.21.080.e)

Zone Map Amendments - Pursuant to the City's Zoning Ordinance, the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B. Additionally, CZC 12.21.80.e. lists one (1) criterion for considering a text amendment petition. The following is a summary of staff's review of the matter:

1. **Is the proposed text or map amendment consistent with the goals, objectives and policies of the City's General Plan?**

STAFF CONCLUSION – After staff's review of the General Plan, there a *NO SPECIFIC* guidance provisions regarding "home occupations." Typically, such specific uses are addressed in Zoning ordinances and related municipal business regulations.

PLANNING STAFF RECOMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Ordinance regarding Home Occupations – I hereby make a motion for the Planning Commission to recommend to the City Council to approve the proposed amendments for "Home Occupations," as presented by the staff to the Planning Commission.

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B.
- b. The Planning Commission finds that the amendments *DO NOT CONFLICT* with the goals, objectives and policies of the City's General Plan.
- c. The Planning Commission also finds that the amendments are needed to comply with S.B. 158, in the 2019 General Session of the Utah State Legislature.

ORDINANCE NO. 2019-08

AN ORDINANCE AMENDING SECTION 6.01.070 OF THE CENTERVILLE MUNICIPAL CODE REGARDING BUSINESS LICENSING OF HOME OCCUPATIONS AND SECTIONS 12.62.040 AND 12.62.050 OF THE CENTERVILLE ZONING CODE REGARDING ZONING REGULATION OF HOME OCCUPATIONS

WHEREAS, the Utah Legislature adopted S.B. 158 in the 2018 General Session restricting a municipality's authority to charge any fee for home based businesses, unless the combined offsite impact of the home based business and the primary residential use materially exceeds the offsite impact of the primary residential use alone; and

WHEREAS, City Staff has prepared proposed amendments to the Centerville Municipal Code and Zoning Code to address the new legislative requirements regarding home occupation as more particularly set forth herein; and

WHEREAS, the proposed amendments to the Zoning Code regarding zoning regulation of home occupations and permitting requirements have been reviewed by the Planning Commission with a positive recommendation to the City Council; and

WHEREAS, City Council has determined that the proposed amendments to the Centerville Municipal Code and Zoning Code regarding home occupations are desirable and necessary to bring the City's ordinances into compliance with State law; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 6.01.070 of the Centerville Municipal Code regarding Home Occupations is hereby amended to read in its entirety as follows:

6.01.070 Home Occupations

Except as otherwise expressly provided, this Title shall apply to persons engaged in business, trade, service or professions in their homes as well as to those engaged in business at a separate establishment or location. Applicants for a home occupation business shall comply with the provisions of this Title and with the applicable provisions of CZC 12.62 (Home Occupations). Pursuant to Utah Code § 10-1-203, the City may not charge a fee for a resident of the City to operate a home occupation business, unless the combined offsite impact of the home occupation and the primary residential use materially exceeds the offsite impact of the primary residential use alone. Given the status of State law, the City has elected to not require a business licenses for home occupations, but such uses are subject to applicable provisions of CZC 12.62 (Home Occupations). The City may issue a courtesy business license for a home occupation upon request by the business owner. Any request for a courtesy business license for a home

occupation shall be subject to an administrative fee as permitted by Utah Code 10-1-203, and as more particularly set forth in the City Fee Schedule.

Section 2. Amendment. Section 12.62.040 of the Centerville Zoning Code regarding Permitted Uses for Home Occupations is hereby amended to read in its entirety as follows:

12.62.040 Permitted Use

- (a) Permitted Use. Permitted home occupation uses listed in Subsection (b) may be established as a home occupation in an agricultural or residential zone as a permitted use subject to the development standards of CZC 12.62.050.
- (b) Permitted Uses. The uses set forth below shall be allowed as permitted home occupation uses in any agricultural or residential zone:
 - (1) Family child care facility;
 - (2) Medical service;
 - (3) Personal care service;
 - (4) Personal instruction service; and
 - (5) Office, general.
- (c) Prohibited Uses. The uses set forth below shall be prohibited as home occupation uses:
 - (1) Kennel; and
 - (2) Stable.

Section 3. Repeal. Subsection 12.62.050(a) of the Centerville Zoning Code regarding Development Standards for Permitted Home Occupations is hereby repealed as follows:

12.62.050 Development Standards – Permitted Use

The development standards set forth in this Section shall apply to any home occupation allowed as a permitted use.

- (a)

* * *

Section 4. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 5. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 6. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 16th DAY OF APRIL, 2019.**

ATTEST:

CENTERVILLE CITY

Mackenzie Wood, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Mecham	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

MACKENZIE WOOD, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2019.

PUBLISHED OR POSTED this ____ of _____, 2019.

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/24/2019**

Item No. 3.

Short Title: Discussion - Subdivision Ordinance Updates - Chapter 6 (Preliminary Plat)

Initiated By:

Scheduled Time:

SUBJECT

Continue discussion of proposed revisions and updates to City Subdivision Ordinance - CMC 15 (Subdivision)

RECOMMENDATION

BACKGROUND

As part of the process to update and revise the City Subdivision Ordinance, a copy of the latest Chapter 6 (Preliminary Plat) is attached for Planning Commission review. Chapter 6 addresses application and procedural requirements for submittal of preliminary plat applications. Since the proposal is to eliminate Planning Commission review of the concept plan, the preliminary plat process now includes a public hearing before the Planning Commission.

ATTACHMENTS:

Description

- Subdivision Ordinance - Chapter 6 (Preliminary Plat)

TITLE 15 SUBDIVISIONS

CHAPTER 15.06. PRELIMINARY PLAT.

- 15.06.010. Purpose.**
- 15.06.020. Authority.**
- 15.06.030. Initiation.**
- 15.06.040. Procedure.**
- 15.06.050. Application.**
- 15.06.060. Submittal Requirements.**
- 15.06.070. Determination of Completeness.**
- 15.06.080. Distribution.**
- 15.06.090. Review by Department Heads.**
- 15.06.100. Review by Development Review Committee.**
- 15.06.110. Recommendation by Zoning Administrator.**
- 15.06.120. Decision by Planning Commission.**
- 15.06.130. Notice of Decision.**
- 15.06.140. Approval Requirements.**
- 15.06.150. Approval Standards.**
- 15.06.160. Appeal.**
- 15.06.170. Effect of Approval.**
- 15.06.180. Amendment.**
- 15.06.190. Revocation.**
- 15.06.200. Expiration.**

15.06.010. Purpose.

A preliminary plat is required for any subdivision of land. The purpose of a preliminary plat review is to provide details and drawings of the subdivision layout, lots, streets, easements, public improvements, utility facilities, and similar requirements.

15.06.020. Authority.

The Planning Commission is authorized to review and approve preliminary plats as set forth in this Chapter.

15.06.030. Initiation.

An application for approval of a preliminary plat may be submitted by the owner of property proposed to be subdivided, or the owner's agent, as provided in this Chapter. An agent of a property owner shall provide an affidavit of authorization in accordance with CMC 15.03.160 (Owner Authorization Affidavits).

15.06.040. Procedure.

An applicant may file an application for approval of a preliminary plat only after the concept plan has been approved. Except as otherwise provided in CMC 15.08 (Small Subdivision), CMC 15.10 (Property Line Adjustments), CMC 15.11 (Plat Amendments), or CMC 15.13 (Condominiums), approval of the preliminary plat is required before an application for a final plat may be submitted.

15.06.050. Application.

The subdivider, or the subdivider's agent, shall submit an application for preliminary plat approval to the Community Development Department in accordance with the provisions of this Chapter, together with the application fees and deposits set forth in the City Fee Schedule. An application for approval of a preliminary plat shall be considered as provided in this Chapter.

15.06.060. Submittal Requirements.

The preliminary plat application shall be submitted in writing on forms provided by the City and shall include three hard copies and one electronic copy of the following:

- (a) The proposed preliminary plat, showing or including the following:
 - (1) The proposed subdivision plat, drawn at a scale of not less than 100 feet to the inch, showing on each sheet of the set, the name of the subdivision, scale, sheet number, and north arrow;
 - (2) The boundary lines and legal description of the property to be subdivided, with all dimensions shown;
 - (3) The location of the subdivision as it relates to any associated larger lot or parcel, including a sketch of the prospective future street system on any unplatted portion of the property, and the street system proposed within the subdivision in accordance with the future street system of the surrounding area and the General Plan;
 - (4) The boundary lines of adjacent land within 100 feet of the property proposed for subdivision, showing ownership and property monuments;
 - (5) A vicinity map of the subdivision, drawn at a scale of 500 feet to the inch, showing all lots and streets in the subdivision, and all abutting streets with street names;
 - (6) The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of land immediately adjoining the subdivision;
 - (7) A contour map at intervals of at least two feet, showing all unusual topographic features with verification by a qualified engineer or land surveyor;
 - (8) The location of existing sanitary sewers, storm drains, subdrains, culinary and secondary water supply mains, and culverts and other utilities within the property or within 100 feet thereof;
 - (9) The location, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots with the size and buildable area of each proposed lot in square footage and proper labeling of spaces to be dedicated to the public;
 - (10) The location, principal dimension, and names of all existing and recorded streets, alleys, and easements, both within the proposed subdivision and within 100 feet of the boundary thereof, showing whether recorded or claimed by usage;
 - (11) The location and dimensions to the nearest existing benchmark or monument, and section line;
 - (12) The location and principal dimensions of all water courses, public utilities, and other important features and existing structures on the land adjacent to the proposed subdivision, including railroads, power lines, and exceptional topography;
 - (13) The location of existing bridges, culverts, surface or subsurface drainage ways, utilities, buildings or other structures, pumping stations, or appurtenances, within the subdivision or within 200 feet thereof, and all known wells or springs, and location of any 100-year flood plain as delineated by the Federal Emergency Management Agency;
 - (14) Proposed off-site and on-site culinary and secondary water facilities, sanitary sewers, storm drainage facilities, and fire hydrants;
 - (15) A tentative plan by which the subdivider proposes to handle storm water drainage for an event with a 10-year return interval, as determined by the City Engineer;

- (16) A tentative plan for providing street lighting in the subdivision;
- (17) Plans showing any required landscaping and/or parkstrip tree planting;
- (18) A soil erosion and sedimentation control plan prepared by a registered civil engineer if the site requires substantial cutting, clearing, grading, or other earthmoving operations in the construction of improvements as determined by the City Engineer; and
- (19) Certification of the accuracy of the preliminary plat by the land owner;
- (20) Certification of the accuracy of the preliminary plat and any traverse to permanent survey monuments by a land surveyor registered to practice in the State of Utah;
- (b) The following documents, reports and/or studies:
 - (1) Copies of any agreements with adjacent property owners relevant to the proposed subdivision;
 - (2) A comprehensive geologic hazards, geotechnical, and/or soils report prepared by a qualified engineer based upon adequate test borings or excavations in accordance with City Standards and Specifications, if required by the City Engineer;
 - (3) Evidence that all utilities and services will be available for the subdivision;
 - (4) A traffic report prepared by a qualified traffic engineer, if required by the City Engineer;
 - (5) Evidence of application for a Davis County Development and Construction Permit if the proposed project is located within 100 feet of a critical flood area as defined by Davis County (which includes Deuel, Parrish, Barnard, and Ricks Creek stream channels);
 - (6) Evidence of compliance with other applicable federal, state and local laws and regulations if requested by the Zoning Administrator; and
 - (7) A copy of proposed protective covenants if subsurface drains or common open space are to be located within the subdivision.

15.06.070. Determination of Completeness.

The Zoning Administrator shall determine whether a preliminary plat application is complete as provided in CMC 15.03.050.

15.06.080. Distribution.

Once the Zoning Administrator has determined that the preliminary plat application is complete, the Zoning Administrator shall distribute copies of the completed application to City department heads and any governmental departments or agencies deemed appropriate.

15.06.090. Review by Department Heads.

Upon receipt of a completed preliminary plat application, each department head shall review the application for compliance with applicable Approval Requirements which are administered by the department and submit any comments and recommendations to the Zoning Administrator and Development Review Committee.

15.06.100. Review by Development Review Committee.

(a) Review by Development Review Committee. The Development Review Committee shall review the completed preliminary plat application and any comments received from department heads and other applicable departments or agencies.

(b) Meeting. The Development Review Committee may meet with the Zoning Administrator and the applicant or applicant's agent to discuss and review the proposed application.

(c) Comments. The Development Review Committee may provide the Zoning Administrator with information and advice regarding compliance of the proposed application with Approval Requirements set forth in Section 15.06.140 and may identify modifications needed to bring the proposed preliminary plat application into compliance with such requirements.

15.06.110. Recommendation by Zoning Administrator.

(a) Review by Zoning Administrator. The Zoning Administrator shall review the completed preliminary plat application for compliance with Approval Requirements set forth in Section 15.06.140, including comments received from the department heads, other departments or agencies, and the Development Review Committee.

(b) Additional Information. Before preparing a staff report and making a recommendation concerning the preliminary plat, the Zoning Administrator may reasonably require the subdivider to provide additional information, data, or studies as may be needed to determine compliance with Approval Requirements set forth in Section 15.06.140.

(c) Written Recommendation. The Zoning Administrator shall prepare a staff report and recommendation to the Planning Commission that the preliminary plat be approved, approved with conditions, or disapproved based on compliance with Approval Requirements set forth in Section 15.06.140. The staff report shall include written findings and recommendations that show the basis for the Zoning Administrator's recommendation.

15.06.120. Decision by Planning Commission.

(a) Public Hearing. The Planning Commission shall schedule and hold a public hearing on the proposed preliminary plat. Notice of the public hearing and any public meeting shall be provided in accordance with CMC 15.03.070. At the time and place specified, the Planning Commission shall hold the public hearing and review the preliminary plat for compliance with applicable Approval Requirements set forth in Section 15.06.140.

(b) Additional Information. Before approval or disapproval of the preliminary plat, the Planning Commission may reasonably require the subdivider to provide additional information, data, or studies as may be needed to determine compliance with Approval Requirements set forth in Section 15.06.140.

(c) Decision. Following the public hearing, the Planning Commission may approve, approve subject to conditions, or disapprove the preliminary plat based on findings and recommendations regarding compliance with Approval Requirements set forth in Section 15.06.140.

15.06.130. Notice of Decision.

The Zoning Administrator shall provide written notice of decision regarding the preliminary plat application to the applicant in accordance with CMC 15.03.070 and to applicable department heads.

15.06.140. Approval Requirements.

All preliminary plat applications shall be reviewed for compliance with the following ("Approval Requirements"):

- (a) Preliminary plat submittal requirements set forth in Section 15.06.040;
- (b) Applicable provisions of this CMC 15 (Subdivision Ordinance);
- (c) Applicable provisions of CZC 12 (Zoning Code);
- (d) Applicable provisions of the Centerville Municipal Code;

- (e) Applicable provisions of the Construction Codes; and
- (f) Applicable provisions of the City Standards and Specifications.

15.06.150. Approval Standards.

Approval, conditional approval, or disapproval of a preliminary plat is an administrative decision which shall be based upon compliance with Approval Requirements and applicable decision-making standards for an administrative decision as set forth in CMC 15.03.090.

15.06.160. Appeal.

Any person adversely affected by a final decision of the Planning Commission regarding a preliminary plat may appeal that decision to the Board of Adjustment as provided in CMC 15.03.160.

15.06.170. Effect of Approval.

(a) Authorization to Submit Final Plat. Subject to the expiration provisions of Section 15.06.200, approval of a preliminary plat shall authorize the subdivider to submit an application for approval of a final plat.

(b) Scope of Approval. Approval of a preliminary plat shall not be deemed approval of a final plat or any other procedure or permit required by this Title, the Centerville Zoning Code, or the Centerville Municipal Code. Such approvals shall be obtained in accordance with applicable ordinance provisions.

(c) Vesting of Applicable Code Requirements. A preliminary plat application which is timely submitted shall be reviewed and considered under this Title and the applicable ordinances in effect on the date when the completed application for the associated concept plan was submitted. Certain exceptions apply to this general vesting rule, such as pending ordinance, compelling, countervailing public interest, and proceeding with reasonable diligence concepts provided under Utah law.

15.06.180. Amendment.

The procedure for amending an approved preliminary plat shall be the same as for considering an original preliminary plat as set forth in this Chapter.

15.06.190. Revocation.

A preliminary plat approval may be revoked as provided in CMC 15.17.070.

15.06.200. Expiration.

(a) Failure to Submit Final Plat. A preliminary plat shall be deemed withdrawn, and shall expire and have no further force or effect if an application for final plat approval is not submitted within 12 months after approval of the preliminary plat.

(b) Extension of Time. Notwithstanding Subsection (a), the subdivider may request an extension of time as provided in CMC 15.03.050(i).

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/24/2019**

Item No. 4.

Short Title: Land Use Training #2 - What Hat Do You Wear? - Part 2

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

The Planning Commission has identified land use training as one of its goals for 2019. As part of this commitment, the Planning Commission has agreed to work through the informative and entertaining videos created by the Land Use Academy of Utah (LUAU). The second video selected for this training is entitled "What Hat Do You Wear? - Part 2." This video is a follow up to the prior training video regarding legislative and administrative decisions. This video is about 10 minutes long. We will watch this video as a group at the meeting and then discuss any questions or comments.

What Hat Do You Wear? - Part 2 - How to Apply the Law to Your Decisions:

<https://luau.utah.gov/2018/11/02/part-2-of-what-hat-do-you-wear-how-to-apply-the-law-to-your-decisions/>

From the LUAU Website: *LUAU was created by a grant from the Utah State Legislature in 2014. Spearheaded by the Utah League of Cities and Towns, LUAU is made up of a consortium of Utah interest groups who support training and education in land use for our local elected and appointed officials. Our goal is to create the first statewide uniform and comprehensive online land use website resource to train, inform and educate elected and appointed officials and the general public in statutory land issues and best planning practices. The site is housed and managed by the Utah League of Cities and Towns working with a review board for content and oversight direction.*

CENTERVILLE

Staff Backup Report 4/24/2019

Item No. 5.

Short Title: Community Development Director's Report

Initiated By:

Scheduled Time:

SUBJECT

Upcoming Commission Items:

- Conceptual Subdivision - Jensen Family Subdivision (3-lots)
- Sheffield Downs PDO Amendment - Architectural Design Amendments

RECOMMENDATION

- Barrus Cove Final Subdivision - Council Approved

BACKGROUND

CENTERVILLE

Staff Backup Report 4/24/2019

Item No. 6.

Short Title: City Council Report

Initiated By:

Scheduled Time:

SUBJECT

- Barrus Cove Subdivision - Council Approved

RECOMMENDATION

BACKGROUND

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, April 10, 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 7:04 p.m.

7
8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Thomas Hunt

13 Logan Johnson

14 Becki Wright (Arrived at 7:12 p.m.)

15
16 **MEMBERS ABSENT**

17 No members were absent

18
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director

21 Lisa Romney, City Attorney

22 Jamie Brooks, Recording Secretary

23
24 **VISITORS**

25 Interested citizens

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Thomas Hunt

30
31 **PUBLIC HEARING – CONDITIONAL USE PERMIT – ADVENTURE TIME SALES –**
32 **1140 W 725 N**

33
34 Chair Hayman turned the time over to Cory Snyder who explained that the applicant sought a
35 conditional use permit to sell a very small number of cars—no more than two or three vehicles at any
36 time-- which would be displayed for sale *inside* the building.

37
38 Commissioner Daly wondered if the verbiage of Condition #5 was clear enough. Mr. Snyder
39 agreed that the language could be tightened. The Planning Commission discussed various language
40 options.

41
42 Commissioner Wright arrived at 7:12 p.m.

43
44 Chair Hayman invited the applicant to step forward and address the Commission. Martin
45 Dorrance introduced himself and stated he was comfortable if the language of condition #5 was changed
46 to prohibit trucks that hauled more than one vehicle at a time.

47
48 Chair Hayman opened the public hearing at 7:14 p.m. There was no one who wished to speak and
49 Chair Hayman closed the public hearing.
50

1 Lisa Romney, City Attorney, suggested revising Condition #5 to add a maximum capacity of the
2 commercial vehicle transport trucks. Chair Hayman proposed that Condition #5 read, *"The loading and*
3 *unloading of vehicles for sale from a commercial vehicle transport truck designed and/or with capacity to*
4 *carry two or more vehicles is prohibited."*

5
6 Commissioner Johnson **moved** to approve the Conditional Use Permit request for Adventure
7 Time Sales at 1140 West 725 North, Suite D, subject to the following:
8

9 **Conditions**

- 10 1. This Conditional Use Permit shall apply only to the user space located at 1140 West 725 North,
11 Suite D.
12 2. This Conditional Use Permit approval is for a Vehicle Sales use.
13 3. Display vehicle parking shall not be less than three spots, as required by the State of Utah.
14 4. All display vehicles shall be operable and in good condition, and shall be kept parked inside the
15 garage/ building and shall NOT encumber the use of any required parking stalls and shall be
16 located in an area that does NOT conflict with needed parking and vehicle circulation lanes (e.g.
17 in the auto repair use facility, an approved storage area, or other similar place).
18 5. The loading and unloading of vehicles for sale from a commercial vehicle transport truck with a
19 capacity of two or more vehicles is prohibited.
20

21 **Suggested Reasons for the Action (Findings)**

- 22 a) The Planning Commission finds that the land use of vehicle and equipment rental or sales is a
23 conditional use within the Industrial-High Zone [CZC 12.36 (Table of Uses)].
24 b) The use is consistent with the expectation of the City's General Plan [Section 12-430-1 & Future
25 Land Use, Goal 1, 12-480-6].
26 c) The Planning Commission finds that the applicant has an online sales operation with only a few
27 cars per year for select patrons of his business, so he doesn't need much space for customer
28 parking and has enough to fulfill the state's dealer minimum requirements of three (3) display
29 stalls (see e-mail dated 12-11-2018).
30 d) The Planning Commission finds that with the implemented conditions of approval the criteria for
31 issuance of the CUP have been satisfied, as described in the applicable staff report.
32

33 Commissioner Wright seconded the motion which passed unanimously (6-0).
34

35 **PUBLIC MEETING – BARRUS COVE FINAL SUBDIVISION PLAT – 196 E CHASE**
36 **LANE**
37

38 Mr. Snyder explained that the construction plans had changed in response to comments made by
39 the Design Review Committee. Staff would need to verify that the lot width area at the setback of 25'
40 measured 60' required width minimum. Additionally, the developer will need to work with the Public
41 Works Director regarding addressing for the new lots. The applicant had reconfigured the property and
42 reduced the total number of lots by one (total of 13 lots) in order to provide larger lots. Staff
43 recommended the Planning Commission forward a positive recommendation to the City Council with the
44 suggested conditions.
45

46 Commissioner Hunt explained that he would recuse himself from this discussion and vote, as he
47 had taken part in the civil design of the subdivision. He then stepped down from the dais.
48

49 Chair Hayman invited the applicant to step forward. Applicant Jodi Barrus introduced herself as
50 did Kyle Honeycutt, a consultant working on behalf of the Barrus'. Mr. Honeycutt had no concerns
51 regarding the directives/conditions of approval. Pertaining to the property on the south side of the parcel,
52 it would be deeded over via a Quit Claim Deed to the individuals who had been under the mistaken
53 impression that they already owned it.

Chair Hayman opened the public hearing at 7:22 p.m. There was no one who wished to speak and Chair Hayman closed the public hearing.

Commissioner Daly **moved** for the Planning Commission to recommend approval of the Final Plat and Construction Plans for the Barrus Cove Subdivision, subject to the following:

Directives/Conditions

1. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling, and be deemed acceptable by the City's Public Works Director.
2. The Final Subdivision Submittal shall provide verification of the required Lot Width Requirements of 60-feet, as measured at the 25-foot setback for the R-L Zone, and be deemed acceptable by the City's Planning Staff.
3. The identified property boundary discrepancies through quit-claim (or other appropriate recording instrument) to adjacent land owners as part of the subdivision plat recording process.
4. Conditions 1 and 2 shall be performed and completed as part of the Final Paper Plat submittal, which is preparatory to the printing and submittal of Final Lien Subdivision Plat submittal to the City for recording.
5. Condition 3 shall be performed and completed prior to or as part of the recording of the Subdivision Final Lien Plat, as deemed acceptable by the City Attorney.

Suggested Reasons for Approval Action:

- a) The Planning Commission finds that the proposed Subdivision has necessary subdivision steps of Conceptual and Preliminary Application and has substantially completed all directives and conditions related to these previous acceptance and approvals.
- b) The Planning Commission finds that the Final Subdivision Plat and Plan Submittal, with the conditions imposed, complies with the applicable regulations of the City's Subdivision Ordinance, regarding lot development and associated zoning standards within the R-L Zone.

Commissioner Hintze seconded the motion.

Commissioner Wright appreciated that the applicant chose to reduce the number of lots in order to meet the set back and easement requirements.

The motion passed unanimously (6-0). Chair Hayman explained to the applicant that the Planning Commission would forward the recommendation to the City Council for their consideration.

Commissioner Hunt returned to the dais.

Commissioner Johnson stepped out of the meeting at 7:24pm

DISCUSSION – SUBDIVISION ORDINANCE UPDATES

Lisa Romney, City Attorney, discussed proposed amendments to Chapter 5 of the Subdivision Ordinance regarding Concept Plans. Ms. Romney explained that there is a three-step application process for subdivision approval in Centerville and she recommended that process continue, with some exceptions. She suggested a two-step process may be appropriate in certain circumstances such as small subdivisions, property line adjustments, plat amendments, and condominiums. She planned to discuss that further with the Design Review Committee.

Commissioners Daly and Wright pointed out that the language in the draft ordinance refers to *Concept Plan* but that the actual practice is to refer to it as *Conceptual Plan*. Ms. Romney explained she was proposing the terminology change to *Concept Plan* for subdivision review so as to avoid having it confused with Conceptual Site Plan.

Commissioner Johnson returned to the meeting at 7:27 p.m.

Regarding application submittal requirements, Ms. Romney explained the intent to *not* to include items that required engineering at the concept plan stage of subdivision review. The proposed ordinance provides applicants with a list of requirements for each step of the development process, including concept, preliminary, and final plat approval requirements. The Planning Commission discussed the possibility that some requirements might need to be moved from one step to another.

Commissioner Daly liked the language on page two which referred to “*significant natural and man-made features on the subject property and within 500 feet of any portion of it.*” He wondered if that language could be carried over into the Existing Conditions Inventory list associated with a property. Ms. Romney stated she would review the language in the ECI to ensure that it was consistent and not duplicative.

Ms. Romney continued through the ordinance, explaining that she proposed the same procedure with each different type of application:

- Determine if the application is complete (to be confirmed by the Zoning Administrator)
- Forward the application to Department Heads for review
- Submit the application to the Development Review Committee for review

Lisa Romney, City Attorney, highlighted the major change in this version of Chapter 5 which proposes to allow Concept Plans to be approved by the Zoning Administrator rather than the Planning Commission. This change will also move the first public hearing for subdivision applications from Concept Plan to Preliminary Plat. Ms. Romney pointed out the positives and negatives to this proposal. The Planning Commission and Staff discussed this topic at great length.

Commissioner Johnson suggested that allowing the public to submit written comments to Staff could possibly take the place of holding a public hearing. Ms. Romney recommended that any public comments be made directly to the Planning Commission. She stated that if the Commission was inclined to adopt the proposed code change and have the Zoning Administrator responsible for approval of a Concept Plan, it should review subsection ‘b’ which provided that “no notice or hearing was required...” Again, the commissioners discussed the pros and cons of providing for public comment during the Concept Plan phase of the development process.

Commissioner Hunt pointed out it was important to keep in mind that this was merely at the Concept Plan phase. There was little point in notifying the public until a project was solidified beyond the point where it was a mere ‘idea.’

Commissioner Wright reiterated her concern about Concept Plan being confused with Conceptual Plan.

Regarding CMC 15.05.190(c), Ms. Romney suggested this section prohibiting ‘phasing’ should be more apparent within the ordinance and should maybe be moved to a different chapter regarding general subdivision requirements. Mr. Snyder pointed out that subsection was created when Centerville still had large tracts of undeveloped land and some developers would try to develop in phases as a way to avoid providing public improvements.

1 Ms. Romney suggested that if the Planning Commission wished to continue prohibiting phasing
2 in a majority of circumstances, the prohibition could be moved to the General Subdivision Regulations.
3 Alternatively, she suggested the subsection could be revised to provide that “phasing of subdivisions is
4 not permitted *unless approved by the City.*”
5

6 **DISCUSSION – GENERAL PLAN MAIN STREET – DRAFT AMENDMENTS**
7

8 Mr. Snyder reminded the Planning Commission that after meeting with the City Council, it was
9 determined that a Corridor General Plan would be retained but that changes to the zoning overlay were in
10 order. There were three Main Street policy sections of the General Plan outside the Corridor Plan: the
11 general commercial development policies, a southeast quadrant neighborhood plan and a southwest
12 quadrant neighborhood plan. He was attempting to unify the language in those sections. He was still
13 unsure as to how best to present the logic behind the transition from 2008 to where the City now found
14 itself and requested any feedback from the Commission.
15

16 He had addressed what the City wished to do in the Corridor Plan and listed five different areas.

- 17 ■ Corridor-wide viewpoints
- 18 ■ Commercial use expectations
- 19 ■ Residential re-introduction opportunities
- 20 ■ Development design expectations
- 21 ■ Public space plan (with a different name?)
22

23 He had heard some positive comments about preserving some of the aspects of the overlay and
24 attempted to include some of the past policies that could remain applicable. Modes of transit on the
25 corridor also needed to be addressed and it was important to ensure that we know what these expectations
26 are for the future. If the City did not have a plan in place, UDOT would likely formulate and act on its
27 own plan for the area. The small lots at Parrish Lane were the dividing line between the C-H and C-M
28 zones. Did the City wish to allow some additional C-H uses at the corners? Did it wish to limit building
29 size to 10,000 square feet? City Hall was certainly larger than that. He sought the Planning Commission’s
30 input on these topics so that the City Council could have their perspective.
31

32 Mr. Snyder stated that the rest of the document is primarily a skeleton. He had attempted to pull
33 out some portions of the overlay which he felt were still positive.
34

35 Chair Hayman liked the five “vision areas” that could then be fleshed out. She agreed this was a
36 great opportunity to brainstorm and that they did not necessarily need to restrict themselves to what was
37 contained within the staff report. They also could present more than one plan to the City Council. Rather
38 than one very detailed plan, they could provide them with more than one more general idea.
39 Commissioner Daly liked that idea, particularly since it had been suggested that the two bodies should
40 interact more with one another. Chair Hayman asked for input from the rest of the Commission regarding
41 the five vision areas. Commissioner Daly felt the City should go “all in” on either commercial
42 redevelopment or residential redevelopment, but not both. He could not envision a combination of the two
43 as being successful. More specifically, he did not believe that either the City Council or the residents had
44 an appetite for the high density that would be necessary if the focus was to be residential redevelopment.
45

46 Commissioner Hunt pointed out that commercial developments had not been terribly successful
47 on Main Street and he was unclear exactly why that was. Commissioner Johnson asked Mr. Snyder if the
48 code could provide different design criteria according to type of use. Mr. Snyder responded that in the
49 Shorelands Commerce Park there were already differing residential guidelines, industrial guidelines, etc.
50 The challenge in a small area of Main Street is compatibility of various use types. There will likely be
51 friction between residential uses and commercial uses.
52

1 Chair Hayman reminded the rest of the Commission that the City Council had wished to
2 recognize a difference between the east and the west side. It might make sense to have multi-family
3 housing on the west side since it already existed about half a block away from the corridor.
4

5 Commissioner Wright stated she likes what she sees of the document thus far and like the three
6 sub-areas. She addressed the long-term goal of having a town square/civic area. She disagrees with
7 Commissioner Daly's statement that the City needs to focus on either residential or commercial, but not
8 both. She cautioned against focusing wholeheartedly on residential redevelopment for several reasons.
9 She felt the City should respect the fact that many of the Main Street business owners lived just a short
10 distance away. She felt that should be encouraged. She said there were some thriving office businesses
11 already present. The second reason not to focus solely on residential development was that she did not
12 feel the majority of the residents wanted that and in fact, she herself did not think it was best for the City.
13 Turning our backs to Main Street would send a very dangerous message to UDOT.
14

15 Chair Hayman pointed out that commercial development was good for Centerville from a revenue
16 standpoint. While residential development provided some initial revenue, *all* residential is not good for
17 the City's economy. It might provide an infusion of cash up front, but it would not be a long-term source
18 of revenue. She recommended keeping commercial on the east side and allowing a mix of uses on the
19 west side.
20

21 Commercial Wright indicated that a need for more residential development was a current reality,
22 as was the need for increased telecommunicating opportunities for some. There would also continue to be
23 a need for services along Main Street.
24

25 Commissioner Hintze weighed in and said that he, too, liked the five vision areas presented in the
26 staff report. He also agreed with Chair Hayman that the Planning Commission and City Council needed to
27 entertain a balance between residential and commercial re-development.
28

29 According to Commissioner Daly, removing the shackles currently attached to the design
30 standards and the overlay is an important step. He agreed with Chair Hayman that commercial
31 development would bring in revenue for the City. Without it, property taxes will need to eventually be
32 increased, and would most likely require several increases over time. Commissioner Wright agreed that
33 many restrictions should be lifted.
34

35 Chair Hayman addressed form over design and indicated that she was leaning more towards the
36 design element. She spoke in favor of doing away with the requirement that if a property owner develops
37 over 30% of his/her property, the building has to move forward. But if every time someone renovates
38 their building in any significant way, there can be some design standard that encouraged the use of similar
39 colors, materials, etc. The result would be increased cohesiveness and synergy which would incentivize
40 others to make similar improvements to their property. She feels strongly that the design standard
41 shackles should be loosened, although she understands that the City Council is nervous about doing so.
42

43 Mr. Snyder stated there were two ways to approach the situation. Design guidelines could be
44 used to address any issues with public spaces. Expanding uses could also be adopted. Do we want to
45 address it from a C-M perspective or from an overlay perspective? Commissioner Daly felt they should
46 stick to the C-M zoning since the C-M only existed in the overlay.
47

48 Regarding Development Design guideline #4 in Mr. Snyder's document, Commissioner Johnson
49 and several others disagreed with the statement in 4B which was that developers should "*Avoid making*
50 *requirements that will lead to a **themed** look.*"
51

52 Commissioner Wright felt there should be a theme based on cohesive palette of colors, materials
53 and heights. Mr. Snyder responded that he felt any 'theme' should be organic and be reflective of the

1 specific community. Centerville was moving toward a theme at one time with the Parrish Lane Design
2 Guidelines, but it broke down at some point and additional options were amended into the ordinance. If
3 the City was going to have a theme, what should it be so that it would be unique to Centerville?
4

5 Commissioner Daly indicated that Centerville needed to find a way to get comfortable with
6 certain materials. Chair Hayman suggested starting with the Parrish Lane guidelines. Commissioner
7 Wright felt that having a public space plan and certain design guidelines would automatically lend
8 themselves to cohesiveness.
9

10 Commissioner Hintze asked Mr. Snyder to weigh in on his impressions of Ogden's 25th Street.
11 Mr. Snyder responded that it was a 'traditional' Main Street and that the south side incorporated the new
12 design guidelines, between Lincoln and Wall Avenues. It worked well from a form-based standpoint
13 from Lincoln to Wall Avenue. However, he did not believe it had the same organic feel as the rest of the
14 original street. He wished to ascertain if Centerville had a theme it wished to develop, or would it be
15 better to allow property owners to have a more organic feel.
16

17 Chair Hayman pointed out this was a great opportunity to partner with business owners along
18 Main Street, particularly since the length of the corridor had been shortened a bit. Perhaps some cohesive
19 decorative lighting and building materials could make a big difference. She wondered what kind of
20 revenue the City received from those businesses. Chair Hayman agreed that it would be very helpful to
21 know if by investing a relatively small amount in the area could result in considerably larger returns.
22

23 Ms. Romney reminded the Commissioners that during the joint work session on March 13^h, the
24 topic had been discussed. It was noted in that meeting that before the City reduced its tax base in this area
25 through residential policy changes, it would be helpful to know this impact on potential lost revenue
26 through reduced sales tax. Property tax revenue and estimates would also be helpful to determine where
27 the City should focus their redevelopment efforts.
28

29 Commissioner Hunt appreciated Chair Hayman's point about the City making a relatively small
30 investment or possibly provide incentives of some sort in order to realize a greater return.
31

32 While Chair Hayman and Commissioner Wright agreed with much of what Mr. Snyder had
33 indicated in his document, they disagreed with his negative opinion of having a *themed* appearance.
34 Commissioner Wright also disagreed with his statement that "street-scape trees should be discouraged."
35 Mr. Snyder pointed out that it was important to take the physical environment into account. There were
36 power lines on the east side that needed to be considered. The west side included some topography issues
37 which presented a challenge. He felt hard surfaces and design could be a better street scape and that trees
38 would function better in front yards. He also suggesting acquiring more right-of-way with larger park
39 strips. Commissioner Hunt indicated that for trees to do well, they typically needed at least a 5-foot park
40 strip but that they often had utility lines under them.
41

42 Commissioner Daly asked Mr. Snyder about the plan to eliminate the north access to City Hall—
43 several commissioners spoke against that plan. Mr. Snyder explained that the City, with the City Hall
44 Master Plan, wish to eliminate it to avoid the left-turn conflicts going to the Post Office.
45

46 Returning to the discussion of draft amendments to the General Plan, Mr. Snyder indicated he
47 would take the Planning Commission's ideas, flesh them out and bring them back for further review. The
48 agenda for the April 24th Planning Commission meeting was light and the City Council would be invited
49 to meet with the Commission that night in order to be updated on the five principles/ideas, residential vs.
50 commercial development, tax values, etc. The purpose was to ensure that the City Council understood
51 what issues the Commission was wrestling with. Chair Hayman stated she was convinced that getting
52 specific information regarding business and residential tax revenues was critical to moving forward with
53 the Main Street corridor plan. She also wished to know what the rest of the Commission felt about Mr.

Snyder's idea of commercial high density on the north end of the corridor. She liked the idea conceptually but ultimately did not think she could support it. Commissioners Wright and Daly agreed.

Mr. Snyder indicated he would back away from the C-H uses. Chair Hayman agreed with Mr. Snyder's earlier suggestion that there might be a better name for what had been called the Public Space Plan. She also wished to work with UDOT to increase the number of cross walks on Main Street. A single crosswalk was completely inadequate.

Mr. Snyder would and invite the City Council to attend the April 24th Planning Commission meeting, tentatively set for 7:00 p.m.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. Snyder indicated he would continue drafting amendments for the South Main Street Corridor General Plan.

CITY COUNCIL REPORT

Deuel Creek Place Subdivision had been approved.

MINUTES REVIEW AND ACCEPTANCE

The minutes of March 13, 2019 were reviewed, and amendments suggested. Commissioner Wright **moved** to accept the minutes as amended. The motion was seconded by Commissioner Hintze and passed unanimously (6-0).

The minutes of March 27, 2019 were reviewed, and amendments suggested. Commissioner Hintze **moved** to accept the minutes as amended. The motion was seconded by Commissioner Johnson and passed unanimously (6-0).

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Hintze seconded the motion which passed unanimously (6-0). The meeting adjourned at 9:16 p.m.

Cheylynn Hayman, Chair

Date Approved

Jamie Brooks, Recording Secretary

JOINT CITY COUNCIL/PLANNING COMMISSION
MINUTES OF WORK SESSION
Wednesday, March 13, 2019
5:30 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah, the Centerville City Council/Planning Commission Work Session was called to order at 5:35 p.m.

MEMBERS PRESENT

Mayor	Clark Wilkinson
Council Members	William “Bill” Ince George McEwan Robyn Mecham Stephanie Ivie
Planning Commissioners	Cheylenn Hayman Thomas Hunt Logan Johnson Becki Wright

MEMBERS ABSENT

Tami Fillmore, City Councilmember
Kevin Daly, Planning Commissioner
Kai Hintze, Planning Commissioner
Gina Hurst, Planning Commissioner

STAFF PRESENT

Steve Thacker, City Manager
Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Cassie Younger, Assistant Planner
Jamie Brooks, Recording Secretary

VISITORS

Interested Citizens

Mayor Wilkinson welcomed those in attendance and explained the anticipated structure of the joint work session.

Cory Snyder stated that he had been open about his position regarding the viability of the City’s South Main Street Corridor (SMSC) Plan, while also believing that perhaps the Plan has been compromised too much. He explained that the memo he had provided prior to that evening’s work session was intended to summarize the six years of dialogue that had taken place subsequent to the adoption of the SMSC Plan. He had attempted to identify some options for the Main Street corridor that he had heard from the two bodies over time, as well as an additional option that might warrant discussion.

1 The first option he wished to address actually dated back to the 1985 corridor plan. At that time,
2 the City took the position that Main Street hadn't developed as had been anticipated, but was still the
3 heart of the City and needed to be restored or revitalized. That was the basis of the 2008 Main Street
4 redevelopment strategy. Now the questions to be answered are:

- 5 ▪ "Is Main Street unique and the heart of the City?"
- 6 ▪ "If so, in what way?"
- 7 ▪ "If not, why not?"

8
9 Attempting to get answers to those questions had become exhausting to staff, property owners and
10 residents alike. The current SMSC Plan had kept things in flux for nearly six years. For example, a
11 property owner spent two years attempting to market their property before finally bringing in Brighton
12 Homes, whose proposal was then rejected. Jeff Cook wanted to develop his property but felt like nothing
13 was getting done. Residents were dissatisfied about a variety of situations on Main Street. In short, there
14 was a great deal of frustration on many sides. Mr. Snyder indicated that there needed to be an answer to
15 these questions, although it should be understood that not everyone would be happy with the answers. He
16 asked that the City Council be definitive about the direction in which it wished the City to proceed.

17
18 Mayor Wilkinson then asked for input from the councilmembers and Commissioners present.

19
20 Councilmember McEwan indicated there had long been a "disconnect" between what Main Street
21 *should* be and what it actually was. He was unclear about what the intent had been. Councilmember Ivie
22 stated that it had been a painful process to create the historic district that now exists. She felt it was
23 pointless to suggest that Main Street should be like the Main Streets of other cities.

24
25 Chair Hayman asked what the City Council wished Main Street to be. She stated that if the
26 Council did not have a definitive answer, there was little point in moving forward with making any
27 changes.

28
29 Mayor Wilkinson indicated that the right question to be asking was, "what do the people want?"
30 Councilmember Ince responded that there were two or three primary groups of people in the City. One
31 group wanted to preserve the residential feel of the area. Another group wanted "no holds barred" and a
32 third group simply wanted to be able to do something with their property in order to make some money.
33 None of these groups seemed to be dominant over the others.

34
35 Commissioner Wright suggested that the groups did not necessarily need to be at cross purposes
36 but that planning was obviously necessary as was maintaining a respect for individual property rights. It
37 made sense to recognize the variety of nuanced roles at play and that compromise would be necessary.
38 Everyone should find what could be agreed upon. Chair Hayman indicated that ultimately, the Planning
39 Commission needed the City Council to make clear what its goal for the area was. They had been elected
40 by the people to choose a direction for the City and failure to do so had become frustrating for all
41 involved, particularly residents and business owners. If the Council wished to make something of Main
42 Street, it needed to identify what that was. If there was no vision, perhaps there was no reason to have the
43 conversation.

Councilmember Ivie stated she could identify what she did *not* want it to be. She did not want high-rise apartments on Main Street and she also did not believe it was reasonable to make it a commercial center like Parrish Lane. Commissioner Wright felt that a majority of the City could agree on that. However, what did it mean for the existing commercial properties on Main Street?

Mayor Wilkinson did not feel that many people wanted residential development on Main Street. Councilmember McEwan disagreed, saying that some had been waiting for the zoning to change in order to provide additional residential development. The cost of converting commercial property to residential use was then discussed. Councilmember McEwan pointed out that low density residential was very sought after in the City and he could envision a natural conversion to residential use. Commissioner Wright asked if he would be open to additional single-family homes on Main Street. He indicated that he would be. He had also heard the suggestion that Main Street should be a walking district with coffee shops, etc. In reality, Main Street did not lend itself to such a vision.

Chair Hayman asked the councilmembers if they would agree that Main Street had deteriorated. Councilmember Ince agreed, but pointed out that anything would deteriorate over time unless it was maintained and/or revitalized. Personally, he did not believe the area would ever be returned to residential if commercial development increased.

Mr. Snyder explained that Main Street parcels were generally too small to develop into Planned Unit Developments. Density itself was not a problem. A well-designed project of seven units per acre could look better than a poorly designed project of only five units per acres.

Chair Hayman asked the other councilmembers to respond to her question about whether or not they felt Main Street needed revitalization. Councilmember Mecham responded that while she agreed that Dick's Market had been in need of revitalization, she had been watching social media and a large number of people in the area were upset that the building had been taken down because it was a part of Centerville's history. She understood that the property owner had the right to take it down and build a new market, but everyone wanted the old market back. Many were also concerned that it would be replaced by expensive residential development. She had been shocked to learn from the Planning Commission that buildings on Main Street could be greater than 10,000 square feet in size as she had been told time and again that they could not. Additionally, she saw that there were currently 97 allowable uses on Main Street. She had no idea the list was so extensive and had been under the mistaken impression that the list was more limited than it had turned out to be. She asked if the residents living on 2050 North really cared what was on Main Street. Commissioner Wright made it clear that yes, she and her neighbors definitely cared about it. Councilmember Mecham asserted that 90% of people concerned about the future of Main Street live fairly close to it. While she agreed that *some* redevelopment was necessary, she wished to learn from history and some of the mistakes that had been made previously. She stated that the Main Street Overlay handicapped everyone.

Chair Hayman asked what Councilmember Mecham's vision for Main Street was. She responded that she wished for soft commercial (offices, services) with some residential development. She felt the City needed to make some changes to the overlay because it made it too difficult to build.

1 Mr. Snyder pointed out that the current version of the overlay is not in a position to be simply
2 “tweaked” although it could be replaced with something else. Councilmember Mecham stated that she
3 wished to protect Main Street but still open it up to other possibilities.
4

5 Councilmember Ince asked for clarification regarding the purpose of the overlay. Commissioner
6 Wright responded that she thought perhaps it was meant to encourage uniformity through design
7 standards and pointed to Parrish Lane as a similar example.
8

9 Commissioner Wright reminded all those gathered that the City did not own Main Street and was
10 essentially at the whim of what UDOT wished to do. She felt it was wise to do whatever possible to
11 establish a City vision for it, rather than allow the State to enact its own vision, which might not be best
12 for Centerville. Councilmember Mecham stated that the overlay was created with the idea of bringing
13 light rail to the City which required a certain number of rooftops. Commissioner Wright respectfully
14 disagreed and stated that light rail was not part of the plan.
15

16 Chair Hayman still wished to hear from Councilmembers Ivie and McEwan regarding whether or
17 not they believed Main Street was in need of revitalization. Councilmember Ivie agreed that it was
18 deteriorating but felt it would revitalize on its own if the handcuffs (some parts of the overlay
19 requirements) were removed. Mayor Wilkinson stated that many were hesitant to invest in a business on
20 Main Street because they had no idea what the future held for the area.
21

22 Commissioner Wright asked what they felt the “perfect” type of business was for the area.
23 Councilmember Ince responded that Ann Fadel’s insurance office fit perfectly. Mr. Snyder stated that Ms.
24 Fadel had divided her business in a way that was not an economic engine for the City—only for the
25 property owner. That business was not *really* investing in Main Street and doing well. Instead, it was
26 merely surviving. If the City was comfortable with having businesses merely survive, there was no need
27 to make a change. Councilmember Mecham reiterated her desire to change the overlay.
28

29 Commissioner Wright felt that having design standards was a good compromise. It provided
30 property owners with the opportunity to redevelop without *requiring* that they do so.
31

32 Councilmember Mecham suggested that another possibility was to treat the west side of Main
33 Street different than the east side.
34

35 Councilmember McEwan indicated that Main Street had no identifiable anchor for the street and
36 there was nothing unique about it. He felt there was opportunity to convert some existing structures into
37 mixed-use units and pointed out that there was currently 44,000 square feet of unoccupied commercial
38 space in Centerville. Businesses were coming and going frequently, disappearing from the commercial
39 area near Pier 1 Imports where there was plenty of available parking. Therefore, there was no reason to
40 believe that a new business on Main Street would succeed when parking there was so limited. Regarding
41 residential development, although he would not support apartments on Main Street, he was not opposed to
42 condominiums or anything else that encouraged long-term investment in the community. He did not
43 anticipate that it could develop into something like Logan’s Main Street or the 9th and 9th area of Salt
44 Lake City. While he was not advocating that the City force property owners out, he wished to give them
45 an opportunity to take advantage of the fact that Centerville currently had one of the hottest markets

1 around. Commissioner Wright asked if Commissioner McEwan would be comfortable with density if it
2 was owner occupied. He responded that he would be comfortable with it on a somewhat limited scale.
3 However, Councilmember Mecham did not want greater density than what was currently present.
4

5 Mr. Snyder wished to confirm what he was hearing from the City Council. It appeared to him that
6 they wished to replace the existing overlay. Commissioner Johnson pointed out that Commissioner
7 Fillmore seemed to genuinely value the overlay although she was not present to weigh in. It sounded as
8 though the Council was fine with soft commercial development. He heard that they wished to focus on
9 core commercial area and preserve what was already present. He also heard an interest in addressing
10 supplemental revitalization as a residential component.
11

12 Commissioner Johnson also wished to confirm the City Council's position. It sounded to him
13 that the strict design guidelines for soft commercial development should be removed but that *if* increased
14 residential development were to be introduced, it should come with increased restrictions. Commissioner
15 Wright asked if there would be any design standards for soft commercial development. Mr. Snyder
16 thought there could be but was unclear to what extent.
17

18 Like Mr. Snyder and Commissioner Johnson, Chair Hayman wished to confirm what she was
19 hearing from the City Council—that the overlay should be changed but that there should still be some
20 guidelines. Additionally, the Council appeared to be open to *some* new residential development. She
21 asked the Council to make their feelings extremely clear so as to avoid miscommunications with the
22 Planning Commission. The Chair indicated she was hearing that there should be no overlay.
23 Councilmember Mecham stated that no one had said “no overlay.” She explained what she meant was
24 that the existing overlay did not work. Chair Hayman and Commissioner Wright asked if some residential
25 development on Main Street was acceptable. Councilmember McEwan responded that he wished to
26 encourage residential development while Councilmember Mecham wished to be silent and neutral on the
27 matter. Councilmember Ivie suggested that residential development would come on its own if it was
28 allowed. Councilmember McEwan indicated he did not believe that if the overlay disappeared
29 completely, an appropriate project would suddenly appear and take care of all the problems on Main
30 Street. However, he agreed that the overlay was handcuffing projects
31

32 Commissioner Johnson agreed that the perfect project would not suddenly present itself because
33 Main Street was not a great commercial corridor. However, allowing residential development would have
34 an immediate impact. The possibility of different standards for the east and west sides of Main Street was
35 again mentioned.
36

37 Regarding the prospect of allowing some residential development on Main Street, Mr. Snyder
38 asked if the Council was open to strategies of inclusionary zoning, with some of those units being
39 designated as affordable housing. Some councilmembers raised concerns with that idea. Commissioner
40 Wright pointed out that there was also a need for housing that was appropriate for empty nesters. Mr.
41 Snyder pointed out that if the Council agreed to devote a small number of units on Main Street to
42 affordable housing, it would be preferable to having all the affordable housing in the City centered within
43 a single area. Councilmember Mecham was not willing to approve high density housing.
44 Councilmember McEwan had seen such projects on North Temple and he was alright with the concept if

1 the neighborhood supported it. Mr. Snyder indicated that a project on a small scale would not have much
2 of an impact on the community.

3
4 Commissioner Wright said that the City was required to have a plan that included affordable
5 housing. Councilmember Ince responded that there were not yet penalties for failing to include that in the
6 housing plan but that could change. Chair Hayman suggested that the City should be looking to include
7 affordable housing. Commissioner Mecham pointed out that there were some units west of the freeway
8 that had originally thought could produce affordable housing but, it did not turn out to be so.

9
10 Councilmember McEwan appreciated that the Commission understood that it was the Council
11 who determined in which direction Main Street development would move. However, he was still
12 interested to know what it was that the Planning Commission could support. Commissioner Johnson
13 responded that he could get behind removing the current strict design guidelines. He would also be
14 comfortable with up to six residential units per acre with alternative design guidelines, although he could
15 not speak for the entire Commission.

16
17 Commissioner Hunt asked if the City lacked anything in particular that could be brought to Main
18 Street. He did not believe that traditional retail would be interested in the area. Commissioner Thomas
19 explained that his company, as part of his employment profession had previously looked at 15 different
20 revamp designs for the Maverik building, located on Main Street, which didn't work out. He agreed with
21 Commissioner Johnson that soft commercial was appropriate for the area. He stated he could also support
22 some residential development. Councilmember Mecham didn't want Main Street to be *all* residential.
23 Commissioner Wright agreed, but indicated that she also did not want to see an abundance of drive-
24 through businesses. She reiterated her concern for individual property rights and expressed concern that
25 if the overlay was completely removed, it would send a message to UDOT that the City had no plan or
26 vision and that the State could run roughshod over the City. She pointed out that Main Street was a
27 significant arterial if one thought about the area's long-term transportation needs.

28
29 Commissioner Wright had to leave the meeting at 7:08 p.m.

30
31 Councilmember Mecham wished to hear Chair Hayman's thoughts. The Chair shared Mr.
32 Snyder's concern regarding the exhaustion of all those individuals who had put in eight months of work,
33 only to realize that the Planning Commission and City Council were not on the same page and that
34 everyone's time and energy had been wasted. Councilmember Ivie felt bad about the misunderstanding
35 and Councilmember Mecham felt that the Council became privy to information that was not available to
36 the Commission. Chair Hayman asked that if the City Council had a vision of what Main Street should
37 be, they should all move toward it. But if there was no solid vision, perhaps the City should wait to take
38 action until there was.

39
40 Councilmember Ince stated that the City could easily kick the can further down the road but he
41 did not believe it was the right thing to do. He felt it was clear that the biggest issue was the overlay.
42 Specifically, Chair Hayman asked Commissioner Ince to clarify if his concern was that the overlay
43 pushed all the buildings close to the street. Commissioner Ince read from the code and said that the
44 overlay zone was to "*encourage additional single-family and multi-family residential land uses by way of*
45 *mixed use*" and "*encourage greater intensity of land use.*" Councilmember Ince indicated some of the

things he saw in the overlay failed to make sense. Councilmember Mecham said she did not wish to increase the intensity of Main Street. Mr. Snyder pointed out that by adding a residential component, the overall intensity was being increased. He used the example of Michael's Main Street Garage in its current condition. Adding a residential component to the property would triple or even quadruple its intensity.

Councilmember McEwan asked what had the Planning Commission heard that evening that it could get behind and support. Chair Hayman responded that she had not heard anyone bring forth a vision of Main Street other than a small increase to the amount of residential development. She understood that they wished to relax the overlay standards and perhaps allow a small amount of residential development. She asked if that characterization was representative of the Council's position. Councilmember Mecham responded by asking for Chair Hayman's opinion. Chair Hayman stated she agreed with Councilmember McEwan. She did not think she would limit the area to soft commercial. She felt all the conditional uses that the Planning Commission had recommended to the City Council also made sense. She also felt increased residential development made sense due to the current housing crunch. Councilmember Mecham reiterated her desire to limit the amount of residential development on Main Street.

Mr. Snyder asked how much of the community's image of Main Street was nostalgia of the past vs the current conditions. His perception was that a large percentage of the community wished to keep Main Street as it had been in their memories. Councilmember Mecham disagreed. She felt the community was more concerned about the compatibility of future development with the surrounding property.

Mayor Wilkinson asked if the Planning Commission had sufficient direction and understanding of the City Council's position. Mr. Snyder responded that at the next Planning Commission, staff and the Commission would attempt to synthesize what they had heard from the Council. Chair Hayman recommended that they send what they believe they heard back to the City Council for confirmation. Councilmember Mecham agreed. The Chair also encouraged the councilmembers to sit in on some future Planning Commission meetings. Councilmember Mecham pointed out that the City Attorney had discouraged that. Ms. Romney clarified that the point she had attempted to make was that while it was good for the Council to be informed of the Planning Commission's actions and why they made the decisions they did, that information could be gleaned from watching the meetings on line and reading the meeting minutes. Having Councilmembers or the Mayor physically in attendance at the meetings can change the dynamics of the Commission's discussions and decisions. Councilmember Mecham stated that she had attended meetings before in an effort to share her knowledge but that she had been made to feel unwelcome. Chair Hayman indicated that she would defer to Ms. Romney on the matter but still encouraged the councilmembers to view the meetings on line and communicate with the Planning Commission if they felt they were wandering down a path that was contrary to where the Council wished them to go.

Ms. Romney pointed out that good communication between the two bodies was critical and she did not wish to stifle that communication. She merely recommended that the Councilmembers refrain from commenting in Planning Commission meetings. All those present agreed that effective communication would be key to the City's success.

The work session adjourned at 7:23 p.m.

1
2
3
4
5
6
7
8

Mackenzie Wood, City Recorder

Date Approved

Jamie Brooks, Recording Secretary