

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, April 24, 2019**

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

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

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8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Logan Johnson

13
14 **MEMBERS ABSENT**

15 Thomas Hunt

16 Becki Wright

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18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director

20 Lisa Romney, City Attorney

21 Jamie Brooks, Recording Secretary

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23 **CITY COUNCILMEMBERS PRESENT**

24 George McEwan

25 Robyn Mecham

26 Stephanie Ivie

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28 **VISITORS**

29 Interested citizens

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31 **PLEDGE OF ALLEGIANCE**

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33 **OPENING COMMENT/LEGISLATIVE PRAYER** Chair Hayman

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35 **DISCUSSION – GENERAL PLAN – SOUTH MAIN STREET CORRIDOR PLAN**

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37 Cory Snyder, Community Development Director reminded those gathered that both the City
38 Council and Planning Commission wish to re-address the South Main Street Corridor Plan. The intent is
39 not so much to determine the details of the plan but instead, to have a discussion about some of the
40 fundamental issues that each body hopes to address. He provided a memorandum as a summary of what
41 he has heard in previous discussions thus far. The intent is to discuss various questions and concerns
42 pertaining to the future of south Main Street and to confirm that both bodies continue to communicate
43 with one another.

44
45 His memorandum addresses some of the characteristics of the Corridor from a land use
46 perspective and mentions five distinct areas of emphasis:

- 47
 - Corridor-wide Elements
 - 48 • Commercial Use Expectations
 - 49 • Residential Re-introduction Opportunities

- Build Environment Design Expectations
- Corridor's Street Space Expectations

Mr. Snyder also mentioned the tension that exists between existing commercial development and the potential of future commercial and/or residential redevelopment of the area. Specifically, the Commission recently discussed the potential effect on tax revenue regarding one type of development over the other. Perhaps that effect should be studied before the City makes a determination as to which direction it should head. He provided commercial property data available from 2015 but it does not include sales tax revenue or residential property values. Economic value of *future* development is very difficult to predict.

The Planning Commission stepped down from the dais and joined Councilmembers McEwan, Mecham and Ivie at a table for a more informal discussion regarding these topics.

Chair Hayman began the discussion by pointing out that the five areas of emphasis that Mr. Snyder has outlined in his memorandum make a great deal of sense. She outlined those areas briefly for those who had not yet had the opportunity to review them. She also stated that an early rough estimate was that Centerville receives ten times the amount of economic value from the commercial businesses on Main Street than the residential units. That information makes her question the wisdom of pushing for more residential development in the area. Still, she recognizes the existence of the current housing crisis. She asked for the Councilmembers' input on these issues.

Councilmember Mecham stated that the Planning Commission had done exactly what she felt it should. She now has a better grasp of the issues facing Main Street than she has had in 20 years. The information presented by the Commission and by staff really causes her to think. Although she is concerned about potential tax revenue from Main Street, she does not wish to invest funds into a study of the sales tax base because she feels that the State Legislature will soon make a change that will drastically change what that picture looks like. She refers to the possibility of the State taxing not just point of sale purchase but services as well. She repeated comments she has made previously that "soft commercial" is the most appropriate use for the Main Street Corridor. She stated that emphasizing residential use on Main Street will be more expensive to the City than commercial development.

Councilmember Ivie indicated that the cost of providing services to residences was higher than the cost to provide them to businesses. Councilmember Mecham commented on the sales tax revenue the City receives from Main Street businesses annually. Chair Hayman pointed out that if services are to be taxed in the future, maintaining a commercial focus on Main Street could result in a significant revenue increase for Centerville.

Councilmember Mecham indicated she could accept mixed use on a very small scale. For example, a dentist's office with an apartment above or adjacent to it. She also emphasized that she wishes the focus of any mixed-use property to be on the commercial rather than the residential use.

Commissioner Daly asked Councilmember Mecham if she would be comfortable with a property with eight or more residential units per acre. She responded that she would not and that in fact, she might want to reduce density to fewer than six units. She also expressed an interest in Accessory Dwelling Units (ADUs).

Chair Hayman inquired if Councilmember Mecham has received an indication that property owners on Main Street are interested in tearing down their structures in order to build the types of multi-use properties she refers to. Councilmember Mecham responded that her intent was not to encourage the demolition of existing buildings but rather to treat a very small number of residential units as icing on the commercial cake, so to speak. She also mentioned her desire to consider treating the east and west sides of Main Street differently.

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2 Commissioner Johnson wished to confirm that Councilmember Mecham's goal is to provide
3 additional protections for the east side. She agreed, and asserted that the west side was already highly
4 dense with apartments. Despite having grown up in Centerville, she had once been shocked to realize that
5 from Pages Lane to Parrish Lane was non-stop apartments and condominiums on the west end. She felt
6 there would be a huge public outcry even at six residential units per acre.
7

8 Councilmember Ivie stated that those in single-family homes have a higher expectation of
9 protection against commercial development in the neighborhood.
10

11 Chair Hayman pointed out that if Councilmember Mecham had lived in the area her whole life
12 and never noticed the high-density on the west side, perhaps it is not having as big an impact as has been
13 suggested. Councilmember Mecham stated that the Police Department feels a significant impact and
14 spends a greater amount of time at multi-family complexes.
15

16 Chair Hayman wished to confirm Councilmember Mecham's position that she wants Main Street
17 to focus on commercial use but that she is open to allowing a small number of apartments or ADUs.
18 Commissioner Johnson mentioned that Orem dictates a particular percentage of a property's square
19 footage be commercial (at least in certain zones) and that perhaps a similar practice could be useful in
20 Centerville.
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22 Chair Hayman asked for Councilmember Ivie to weigh in on the topic. Councilmember Ivie
23 responded that she is generally in agreement with the comments made by Councilmember Mecham.
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25 Chair Hayman explained that the Planning Commission was thinking long-term. They did not
26 anticipate large changes taking place in the next several years but wished to create a plan that would show
27 a more cohesive plan in perhaps 20-25 years as property ownership gradually changed.
28

29 Chair Hayman then asked Councilmember McEwan to provide his input. He responded that he
30 was somewhat the odd-man out among his fellow councilmembers present that evening. He agrees there
31 is merit to addressing the problem of lost sales tax revenue with increased residential development on
32 Main Street. He also feels the idea of planning a large Farmington Station-type of mixed-use development
33 is at least worth discussing. And although he feels Centerville will survive if Main Street's focus becomes
34 residential, he does not necessarily wish to see that happen. He also wanted to make it clear that he does
35 not wish to force businesses out and that he wants to avoid an eastside vs. westside mentality. Chair
36 Hayman pointed out that there was already somewhat of a divide. Chair Hayman asked if it is
37 Councilmember McEwan's wish to increase uniformity of the two sides. He agreed that he would, if the
38 impact could remain the same. He recently read that the Salt Lake Metropolitan Area is one of the top ten
39 most challenging areas in the country in which to become a first-time home owner. The overall affordable
40 housing crisis would not be solved by Centerville making residential development the priority on Main
41 Street. He also is not convinced that the State Legislature will begin taxing services soon because to do so
42 is far more complex than originally thought. He supports the amount of residential density proposed by
43 Councilmember Mecham but is more flexible on footprint size for commercial space.
44

45 Councilmember Mecham reiterated her desire to limit residential use to 20% of any property on
46 Main Street, with 80% existing as commercial. She is aware of one Main Street property owner who has
47 expressed an interest in demolishing his current structure, constructing an office building and including 2-
48 3 apartments above it in order to subsidize the cost of the office building. Chair Hayman asked if
49 Councilmember Mecham knows what is stopping the property owner from doing exactly what she
50 mentions. Councilmember Mecham suspected it is simply a matter of personal timing.
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1 Councilmember McEwan is concerned less with commercial vs. residential development than he
2 is with ensuring that the City has a plan that supports peaceful co-existence. He feels it is important to do
3 something substantial in a timeframe that is meaningful to the community.
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5 Commissioner Johnson summarized that it appears to him that the general desire is to retain the
6 commercial zoning on Main Street but perhaps allow residential as an accessory use. He feels that if a
7 property owner wants to add residential units on site, such units should be physically attached to the
8 commercial structure. He still wishes to discuss the design of public spaces.
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10 Mr. Snyder pointed out that the City Council previously adopted a guideline for such spaces and
11 that current policy required a 4' park strip and a 5' sidewalk. The hope was to get away from the term
12 Public Space Plan as it has a negative connotation for historical reasons. He recommended that the
13 Planning Commission and City Council keep utilities and bike lanes in mind as they contemplate public
14 spaces. He felt the City should set expectations so that UDOT could keep those in mind while doing its
15 own planning in the area.
16

17 Chair Hayman indicated to the Councilmembers that the Commission feels there is a shortage of
18 crosswalks on Main Street. Councilmember Mecham pointed out that it was a UDOT road and that
19 UDOT required a certain number of pedestrians to use a crosswalk per hour in order to justify its
20 presence.
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22 Chair Hayman explained how helpful the discussion had been and Councilmember Mecham
23 expressed appreciation to the Planning Commission for providing ideas that helped direct her own
24 thinking. Chair Hayman felt more comfortable that both bodies were heading in the same general
25 direction and could now fine-tune the plan in a way that would benefit the community.
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27 Councilmembers McEwan, Mecham and Ivie left the meeting at 7:56 p.m. and the Planning
28 Commissioners returned to the dais.
29

30 **PUBLIC HEARING – ZONING TEXT AMENDMENT – CZC 12.62 (HOME**
31 **OCCUPATIONS)**
32

33 Mr. Snyder explained this agenda item is a response to the latest legislation addressing home
34 occupations. To require a license fee for a home-occupied business, the City is required to show the
35 combined offsite impact of the home-based business exceeds the offsite impact of the primary residential
36 use alone. Centerville came into compliance with the new law by no longer charging a fee for home-
37 based businesses. Staff's recommendation was to amend the zoning ordinance and to require a "permitted
38 use review and permit" for zoning compliance purposes only. In cases where an increased impact could
39 be shown, Centerville provided a Conditional Use Permit with a fee attached.
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41 In the most recent legislative session, fees for zoning regulation of home-based business also
42 became prohibited except in those cases with demonstrable increased impact. Staff recommends keeping
43 the CUP process in place and eliminating the fee for zoning and zoning review in order to remain
44 compliant with state law. Staff also recommends establishing home occupations as "use by right" for
45 "permitted" home occupations. Mr. Snyder asked if the Planning Commission was comfortable with what
46 was proposed. He pointed out that the City would continue to keep zoning regulations in place. He was
47 not suggesting abandoning the ordinance altogether but simply permitting it by right and allowing home
48 occupations that complied with state law. For those owners of home occupations that still wished to
49 secure a license for their own reasons, the City could charge a \$40.00 administrative fee. This
50 administrative fee for courtesy licenses is permitted by state law.
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1 Chair Hayman felt that the staff recommendations made a great deal of sense. She opened the
2 public hearing at 8:06 p.m. There was no one who wished to speak and Chair Hayman closed the public
3 hearing.

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5 Commissioner Johnson spoke in favor of the proposed changes.

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7 Commissioner Daly made a **motion** for the Planning Commission to recommend to the City
8 Council to approve the proposed amendments for “Home Occupations,” as presented by staff with the
9 following suggested reasons for action:

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11 Suggested Reasons for Action-

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13 a. The Planning Commission finds that the “decision to amend the...zoning ordinance is
14 a matter of within the legislative discretion of the City Council as described in CZC
15 12.21.060.a.1.B.
16
17 b. The Planning Commission finds that the amendments DO NOT CONFLICT with the
18 goals, objectives and policies of the City’s General Plan.
19
20 c. The Planning Commission also finds that the amendments are needed to comply with
21 S.B. 158, in the 2019 General Session of the Utah State Legislature.
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23 The motion was seconded by Commissioner Hintze and passed unanimously (4-0).
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25 **DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 6**
26 **(PRELIMINARY PLATS)**
27

28 Lisa Romney, City Attorney, explained that Chapter 6 of the new proposed Subdivision
29 Ordinance is similar to the previous Chapter regarding concept plans, but has more requirements and
30 more engineering information. Some of the primary points Ms. Romney made regarding Chapter 6 were:

- 31
 - This phase requires a public hearing before the Planning Commission (which had
32 previously taken place during concept plan), providing more detailed information to the
33 public
 - Page 2 of the Chapter goes into great detail regarding the submittal requirements, many
34 of which came directly from current City code
 - Subsection (a) of the submittal items (15.06.060) includes twenty different requirements
35 for the plat
 - Subsection (b) in that section listsd additional reports or documents that may be required
36 by the City (e.g. traffic reports, etc.)
 - The preliminary plat phase follows the same procedure as the concept plan, in that the
37 Zoning Administrator would confirm the application was complete before distributing it
38 to department heads, then the Development Review Committee, then back to the Zoning
39 Administrator to make a recommendation to the Planning Commission.
 - The approval requirements for the Planning Commission are spelled out in this Chapter
 - Reference to phasing has been removed and will be placed in a more prominent position
40 within the Code, possibly with some amendments to the language.

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48 Ms. Romney mentioned that she would not be in attendance at the first Planning Commission
49 meeting in May because she would be at the Utah Municipal Attorney’s Association Conference. Chapter
50 7 would be presented at the second meeting in May.
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52 Chair Hayman **moved** to take a five-minute break. The motion was seconded by Commissioner
53 Johnson which passed unanimously (4-0).

The meeting recessed at 8:14 p.m. and reconvened at 8:21 p.m.

LAND USE TRAINING – WHAT HAT DO YOU WEAR? – PART TWO

Lisa Romney, City Attorney, presented a video created by the Utah Property Rights Ombudsman's office which provided helpful information regarding the role of the Planning Commission.

The video explained that the primary purpose of a Planning Commission was to plan for land use in the community that reflects what the community wishes to be. In short, to create and recommend changes to the General Plan. It is also tasked with making recommendations to the City Council as to zoning and land use ordinance changes. A third role is to handle assigned administrative matters if delegated to do so by the City Council. The most effective municipalities had Planning Commissions that focused on the roles as outlined in the video.

Ms. Romney pointed out that the agenda that evening was a direct reflection of the roles that were outlined in the video—addressing the General Plan and making recommendations on the Zoning Ordinances. For example, in the subdivision ordinance, the City could delegate administrative decisions to staff if it chose to do so.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. Snyder indicated that Jensen Family Subdivision would most likely not be addressed at the next meeting because the applicant had requested more time.

The Sheffield Downs PDO would be returning to the Planning Commission because their design standards were attached to the PDO approval.

CITY COUNCIL ACTIONS REPORT

The Barrus Cove Subdivision was approved by the City Council.

Chair Hayman recommended that the Community Development Director's Report and the City Council Actions report be combined into a single report in the future. Mr. Snyder agreed.

MINUTES REVIEW AND ACCEPTANCE

The minutes of April 10, 2019 were reviewed and amendments suggested. Commissioner Johnson **moved** to accept the minutes as amended. The motion was seconded by Commissioner Hintze and passed unanimously (4-0).

The minutes of March 13, 2019 were reviewed. Commissioner Johnson **moved** to accept the minutes as presented. The motion was seconded by Commissioner Daly and passed unanimously (4-0).

ADJOURNMENT

Chair Hayman **moved** to adjourn. Commissioner Daly seconded the motion which passed unanimously (4-0). The meeting adjourned at 8:44 p.m.

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Cheyllynn Hayman, Chair

Date Approved



Jamie Brooks, Recording Secretary