

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, May 22, 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 7:00 p.m.

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8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kai Hintze

11 Thomas Hunt

12 Logan Johnson

13 Becki Wright

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15 **MEMBERS ABSENT**

16 Kevin Daly

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18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director

20 Lisa Romney, City Attorney

21 Mackenzie Wood, Assistant Planner

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23 **VISITORS**

24 Interested citizens

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26 **PLEDGE OF ALLEGIANCE**

27
28 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Hintze

29
30 **PUBLIC HEARING – SMALL SUBDIVISION WAIVER, FISHER LOT SPLIT, 498**
31 **NORTH MAIN STREET**

32
33 Cory Snyder, Community Development Director explained that the Planning Commission was
34 tasked with considering the proposed Small Subdivision Waiver/Lot Split to create a new building lot for
35 the Fisher property located at 498 North Main Street. Staff felt that the application met the requirements.
36 Such a waiver would eliminate the preliminary and final subdivision processes of the subdivision
37 ordinances. Staff recommended approval of the application.

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39 Chair Hayman invited the applicant to address the Planning Commission. Natalie Fisher spoke on
40 behalf of George and RuthAnn Fisher. She shared their proposal that the new lot bear the address of 474
41 North Main Street.

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43 Chair Hayman opened the public hearing at 7:08 p.m. There was no one who wished to speak and
44 Chair Hayman closed the public hearing at 7:08 p.m.

45
46 In response to Ms. Fisher's request to assign the address of 474 North Main Street to the new
47 parcel, Mr. Snyder explained that the applicant would need to present the request to Public Works
48 Director Randy Randall.

49

Commissioner Hunt **moved** to approve the small subdivision waiver for the Fisher subdivision, with the following conditions and suggested reasons for action-

Conditions

1. The small subdivision waiver shall be for the Fisher Subdivision involving Parcel #02-096-0264

2. The following items shall be effective or addressed as part of this small subdivision waiver approval:

- a. The applicant shall prepare a final paper plat for the property, as per the City subdivision standards, to the Centerville City Recorder. After the paper plat is deemed acceptable by the City, the Final Linen Plat shall be prepared, signed, and submitted to the City Recorder.
- b. The applicant shall prepare any required subdivision construction drawings for the minimum needed improvements (e.g. sewer, drainage and public improvements) to be installed for the subdivision and be deemed acceptable by the City Engineer.
- c. The Plat shall show all required street frontage and interior lot line public utility easements. Any additional easements, such as cross-access shall be prepared. All easements shall be deemed acceptable by the City Engineer and City Attorney.
- d. The subdivision construction drawings or plat shall show and comply with the required 2,000 square foot buildable area for the new lot.
- e. Prior to recording the small subdivision waiver plat, applicant shall submit an updated title report for the entire property area for review and approval of encumbrances and ownership by the City Attorney and City Engineer.
- f. At minimum, the following plat notes shall be set forth on the final plat, or as deemed acceptable to the City Attorney, for the small subdivision waiver:
 - Approval of the small subdivision waiver plat by Centerville City does not constitute any representation as to the adequacy of subsurface soil conditions nor the location or depth of ground water tables.
 - Approval of the small subdivision waiver plat is subject to the grant of easement dated 05/07/2019 from the State of Utah.

3. The applicant shall provide, with the plat and plans, all the required “utility provider” sheets to the City. Additionally, the applicant shall provide verification that the applicable secondary water service was available for the new lot and shall install all necessary improvements.

4. The applicant shall pay all applicable impact fees and post the related bonds for public improvements prior to recordation of the Final Linen Subdivision Plat.

Suggested Reasons for Action

a. The Planning Commission finds that the subdivision qualifies for the small subdivision waiver, in accordance with the criteria found in CMC 15.2.107 of the Subdivision Ordinance.

b. The Planning Commission finds that two lots are consistent with the Zoning Standards for the Residential Low Zone.

c. The Planning Commission finds that with the conditions imposed, the general requirements for all subdivisions have been addressed and fulfilled [CMC 15.5].

Commissioner Wright seconded the motion which passed unanimously (5-0).

PUBLIC HEARING – CONCEPTUAL SITE PLAN, TRUMP NEW DWELLING, 124 EAST 400 SOUTH

Mr. Snyder pointed out that what was unique about this proposal was that there had been an existing home on the site which had been demolished. The applicant intended to use part of the existing foundation and build a new home subject to review of the new site plan. This was the Planning Commission's opportunity to review the conceptual site plan and provide feedback for future approval by the Zoning Administrator, if deemed appropriate. Because a home had previously been in place, the majority of the necessary infrastructure was already present. During the building permit review, there would be an analysis of the water meter line to ensure that it was still adequate. The Development Review Committee had evaluated the plan and found it to be acceptable with certain conditions in place. The largest issue involved the dedication of some easements which would ultimately go before the City Council. Staff recommended approval by the Planning Commission.

Chair Hayman invited the applicant to step forward and address the Commission. Mathew Trump introduced himself and made himself available for any questions. Commissioner Hunt expressed concern about the proximity of a power pole to the proposed driveway. Mr. Trump indicated that he intended to make a topographical change of some sort in order to protect the pole against potential damage from a moving vehicle.

Chair Hayman opened the public hearing at 7:15 p.m. There were no comments so the public hearing was closed at 7:15 p.m.

Commissioner Wright **moved** to accept the conceptual site plan for the single-family residential parcel located at 124 East 400 South with the following directives and suggested reasons for the action:

Directives:

1. The applicant shall submit a final site plan application, as per the City's Zoning Ordinance, and address any missing or undetermined required elements.
2. As per the Planning Commission's delegated authority for routine and uncontested matters, the City's Zoning Administrator shall review and approval the Final Site Plan for 124 East 400 South, in accordance with City Ordinances. Any disputed decision by the Zoning Administrator shall be forwarded to the Planning Commission for resolution and decision.
3. The applicant shall prepare and provide the required public utility easements for the parcel and be submitted to the City Recorder for city acceptance by the Council.
4. As part of the easement submittal to the City Council, the applicable legal descriptions for the public utility easements shall be reviewed and deemed acceptable by the City Engineer.

Suggested Reasons for Action:

- (a) The Planning Commission finds that the Conceptual Site Plan has adequately shown how the property could be developed – see CZC 12.21.110.d.2.
- (b) The Planning Commission finds that with the directives provided, the proposed development of a single-family home would comply with the applicable Zoning and Subdivision Ordinances of the City.

Commissioner Hintze seconded the motion which passed unanimously (5-0).

DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 7 (FINAL PLATS)

This item had been tabled from the May 8, 2019 Planning Commission meeting.

Lisa Romney, City Attorney, explained that there were more items required at review of the Final Plat than with either Conceptual or Preliminary Site Plan review. Many of them were required by law and were therefore taken directly from State code.

Although 15.07.020 listed the City Council as authority for the review and approval of final plats, the Planning Commission could, if it so chose, direct staff to look into the possibility of that authority being transferred to the Commission, particularly in light of the fact that it was an administrative decision.

Ms. Romney pointed out that upon further review of the submittal requirements for final plats, she wished to add some references to the fact that City code must comply with all State requirements, including the Land Use, Development and Management Act. At some point in the future, she wished to create a chart that would visually depict the requirements for conceptual, preliminary and final plat review. A finalized chart of that kind could be useful in creating a checklist form.

Page 3 of the ordinance contained much of the same language contained in previous descriptions of the review process as far as the Zoning Administrator accepting the application, distributing it to the department heads and the Development Review Committee, etc. before the Zoning Administrator made a recommendation to the City Council. Although it was not required in State law, a public hearing would take place before the City Council.

Chair Hayman indicated that she wished to seriously consider keeping all administrative decisions with the Planning Commission and allow the City Council to focus on legislative decisions. Mr. Snyder pointed out that the mandatory public hearing took place at review of the conceptual site plan. The public hearing that typically took place before the City Council was a “courtesy” that the City Council had wished to hold. The discussion to be had, then, was whether or not there was value in holding a second public hearing after the plan had already gone through a conceptual and preliminary review. Mr. Snyder asked if the Commission would be in favor of not just eliminating the “courtesy” hearing to avoid what appeared to be a disconnect with the public’s understanding of what the City Council could do at that point in the development process, but also to leave the final approval of the plat with the Commission. Chair Hayman and Commissioner Johnson both spoke in favor of making that change. Commissioner Wright expressed a desire to make it clear to the City Council that there would still be a public hearing held. It would simply be held earlier in the process, when substantive changes could still be made.

Ms. Romney clarified that although current City code dictated that a public hearing was to take place at conceptual site approval, the Planning Commission had recently recommended that approval of the conceptual plan be transferred to Staff. Therefore, it was being proposed that the public hearing should take place at preliminary plat approval. The Planning Commission and staff discussed the idea that maintaining administrative decisions at the Planning Commission level was merely implementing policies that the City Council had previously put in place. Making this change would eliminate some redundancies in the current process.

There were new sections of the ordinance spelled out on pages 4 and 5 of the staff report that Ms. Romney recommended as a way to reflect the reality of how final plats were processed in the City. After the City Council approved the final plat, there were always small, technical issues that needed to be addressed by the City Attorney or the City Engineer. This new portion of the code contained information regarding the current practice of having the developer submit what was essentially a paper plat. Staff

1 reviewed and red-lined the paper plat and if the recommended changes were not significant, provided
2 direction for the developer to print the mylar plat at their own risk, assuming they made the necessary
3 corrections. It was anticipated that referencing this practice in the ordinance would make the plat process
4 very clear to developers.

5
6 Regarding 15.07.200 pertaining to plat amendments, Ms. Romney had wished to make it clear
7 that if the final plat had not yet been recorded, the developer need attend just one meeting for final plat
8 approval. She recommended possibly looking into having a two-step plat amendment process in the
9 future. Mr. Snyder pointed out that there would need to be a serious discussion when it came time to
10 review that chapter of the code.

11
12 In response to an inquiry from Chair Hayman, Ms. Romney stated that although current City code
13 allowed developers six months in which to record their final plat, she recommended changing that to
14 twelve months.

15
16 **DISCUSSION AND REPORT BY PLANNING COMMISSIONERS AND STAFF THAT**
17 **ATTENDED THE AFFORDABLE HOUSING SEMINAR PROVIDED BY THE UTAH LAND**
18 **USE INSTITUTE ON MAY 14, 2019**
19

20 Ms. Romney explained that she, some members of the Planning Commission and City Manager
21 Brant Hanson had recently attended the above-mentioned seminar which included a discussion about SB
22 34. Later the same week, she and Mackenzie Wood attended an additional seminar which provided
23 information about where to obtain data about moderate income housing, population, etc. She explained
24 that the Wasatch Front Regional Council was actually collecting much of the data for the various member
25 cities. A good first step would be for the City to assign a staff member the task of obtaining the most
26 recent data from the WFRC which was specific to Centerville.

27
28 Mr. Snyder pointed out that although the City's General Plan mentioned moderate-income
29 housing, it lacked a definitive strategy for meeting the requirements and he felt that it was important that
30 the City identify such as strategy. He agreed with Ms. Romney's recommendation that the City begin by
31 gathering the most recent data available before fleshing out a strategy. After that, he felt that
32 Centerville's Transportation Plan should be addressed.

33
34 Commissioner Wright expressed appreciation for the idea that the City must first measure its
35 needs and then address them, potentially along with other communities that had similar needs.

36
37 Chair Hayman pointed out various rather surprising consequences of a lack of affordable housing
38 (defined as less than 30% of one's gross monthly income) such as reduced air quality, reduced time spent
39 with family, increased homelessness, and negative impacts on children's education.

40
41 Commissioner Wright wished to point out that accommodating growth did not necessarily mean
42 reducing quality of life.

43
44 **LAND USE TRAINING #3 – TOP 10 THINGS EVERY PLANNING COMMISSIONER IN**
45 **UTAH NEEDS TO KNOW**
46

47 Ms. Romney provided a brief introduction to the third in a series of Land Use Training videos.
48 Additional training videos would be reviewed and discussed in the next fiscal year.

49
50 One point she wished to clarify from the video was the suggestion that if a Planning
51 Commissioner did not know something, he/she should not vote on the matter. She pointed out that
52 Commissioners were duty-bound to vote on the issues brought before them. Therefore, she felt a better
53 statement would be to say that if you do not know something, table the matter in order to gather the

necessary information to make an informed decision. Ms. Romney had recently reviewed LUDMA and intended to make the Commission's written rules and procedures available at future Planning Commission meetings if that was a legal requirement.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Upcoming Agenda Items:

- Zone Text Amendment / R-L Zone Accessory Building Setbacks, City Council Request
- South Davis Metro Fire District / Amended Site Plan for Plaza Design
- Quality Machine Addition / Amended Site Plan in I-H Zone
- Continuation of South Main Street General Plan Amendment

City Council Report:

- Home Occupation Amendments / Council Approved
- Accessory Building Setbacks / Council Directed Amendments for the R-L Zone

MINUTES REVIEW AND ACCEPTANCE

The minutes of May 8, 2019 were reviewed and amendments suggested. Commissioner Wright **moved** to accept the minutes as amended. The motion was seconded by Commissioner Hunt and passed unanimously (5-0).

ADJOURNMENT

Chair Hayman **moved** to adjourn. Commissioner Johnson seconded the motion which passed unanimously (5-0). The meeting adjourned at 8:36 p.m.


Cheylynn Hayman, Chair


Date Approved


Jamie Brooks, Recording Secretary

