

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 10 May 2018

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

**Tim Grubb
Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton**

CITY ENGINEER:

Brandon Jones

CITY PLANNER:

Barry Burton

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Blair Halverson

Approval of Consent Agenda—Commissioner Pitts

- **Minutes April 12, 2018**

Action on Conditional Use Permit: Impound yard at approx. 2225 E 7400 S (Parcel 13-009-0022) approx. 1.04 acres by applicant Dale Winterton: Commissioner Osborne reported that Mayor Sjoblom and Barry Burton met with Dale Winterton and he has agreed to complete all the previous items discussed. Barry said the issue with water runoff from Parsons gravel pit has been fixed. Barry discussed this conditional use permit for commercial storage or repairing automobiles, and stated Mr. Winterton will not be repairing vehicles. Discussion took place regarding the total number of vehicles at this site. It was stated the length of time the vehicles stay at this site needs to be determined. A fire hydrant wasn't needed.

Ratification of Conditional Use Permit 16-05: Clarification of previously approved conditional use for Elite Training at 128 E South Weber Drive by applicant Kelly Parke: Brandon stated the ratification includes reaffirmed conditions. He said the City Attorney has reviewed and approved it. He said from now on with conditional use permits, the city staff will put together a document that lists items approved and conditions.

Public Hearing and Action on Rezone: Application for property located at approx. 7513 S 1900 E (Parcels 13-291-0001), approx. 0.74 acres, be rezoned from Agricultural Zone (A) to Residential Moderate Zone (R-M), by applicants Matt and Sarah McFarland: Lisa Smith said the McFarland's are withdrawing this rezone request.

Public Hearing and Action on Amending Zoning Ordinance: Recreational (Travel Trailer) Vehicle Park subsections 10.01.100 General Provisions, 10.7F.1 Conditions required and 10.7F.2 Lot, Area and Space Requirements: Barry Burton, City Planner, discussed the amendments to the city code which include the following summary:

1. Change definitions of Short Term Occupancy (10.01.100)
2. Add definition of an RV (10.01.100)
3. Change 10.7F.1 (delete "short term", add "Recreational Vehicles" to definition)
4. Change density of RV Park Development (10.7.F2)
5. Give City Council and Planning Commission discretion to adjust setbacks (10.7F.2)

Barry then discussed the definition of recreational vehicle and the timeframe allowed for the occupants. He explained the amendments to the setbacks. He said this section allows the Planning Commission and City Council to decide the setbacks. Discussion took place regarding mobile tiny homes.

Discussion on Bastian property located at 7408 S 1900 E (Parcel 13-290-0001) in RM zone:
No discussion on this item

Discussion on Creation of HAFB Plumes Development Policy: No discussion on this item

ADJOURNED: 6:35 p.m.

APPROVED:

Vice Debi Pitts Date 6-14-18
Chairperson: ~~Rob Osborne~~
Debi Pitts
Michelle Clark
Transcriber: Michelle Clark

Attest:

Lisa Smith
Planning Coordinator: Lisa Smith

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CITY PLANNER:

Barry Burton

CITY ENGINEER:

Brandon Jones

PLANNING COORDINATOR:

Lisa Smith

Transcriber: Minutes transcribed by Michelle Clark

A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS

PLEDGE OF ALLEGIANCE: Commissioner Pitts

ATTENDEES: Carl J. Leuschner, James Cook, Stanley Cook, McKay Winkel, Dale Winterton, Blair Halverson, Andrew Winterton, Justin Oram, and Mike Bastian.

APPROVAL OF CONSENT AGENDA: Commissioner Osborne

- **Minutes of 12 April 2018**

Commissioner Johnson moved to approve the consent agenda as written. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: (None)

Action on Conditional Use Permit: Impound yard at approx. 2225 E 7400 S (Parcel 13-009-0022) approx. 1.04 acres by applicant Dale Winterton: Commissioner Osborne said he understands the items from the last meeting have been taken care of. Barry said the approval should include the applicant is responsible to maintain the low berm created at the driveway to the home to keep water from going down the driveway. Also, the applicants need to clean up the debris located on the roadway and Staker Parson's gravel pit. Commissioner Grubb said the city

will not be doing any snow removal on the dirt trail. Commissioner Pitts asked how many vehicles will be stored. Mr. Winterton said there may be as many as fifteen or sixteen. Andrew Winterton said an auction takes place every 30 to 60 days. He said there is no sales tax associated with the sale of the vehicles. Dale estimated a maximum of 20 vehicles will fit on the property. Commissioner Grubb wants to make sure this doesn't turn into a junk yard. Discussion took place regarding requiring this conditional use permit to be specifically for Winterton Automotive. Dale said there are three businesses at this site. It was stated the State controls the time limit for vehicles.

Barry Burton, City Planner's memo of 2 May 2018 is as follows:

GENERAL INFORMATION: This proposal was tabled at the April 12th meeting to allow the applicant and staff time to resolve a drainage issue and to review a landscape plan. There also was some question as to whether the proposed towed vehicle storage is a permitted use in the T-1 zone.

City staff members and Mayor Sjoblom met with Dale & Andrew Winterton and believe we have a reasonable solution to the storm drainage problem. There has been a low berm created at the driveway to the home that prevents drainage from running down the driveway. It will be the responsibility of the owner to maintain that berm. The plan for landscaping is to install lawn on that portion of the property designated as the yard for the house. This will satisfy the 15% landscaping requirement.

With regard to the issue of whether this is a permitted use; I believe that there are two specific listed permitted use categories that this could fit into. One is "commercial storage" which this certainly fits. They are planning on temporarily storing vehicles for commercial purposes. The other is "repair services". The ordinance doesn't specify repair of what, but I believe it would include the repair of vehicles. The Wintertons will not be repairing vehicles, but if they were, they certainly would have some temporary storage of the vehicles. I don't see how we can deny this use on the basis that it is not a permitted use.

Mark Larsen has indicated that he would like the Wintertons put on notice that the City does not maintain the road leading to the trailhead/fisherman's access and that they are in a location that might be adversely affected by blowing sand from the Staker-Parson's Pit.

STAFF RECOMMENDATION: I recommend approval of the Conditional Use Permit with the condition that the owners are responsible to maintain the drainage deflection berm such that no storm drainage from the roadway can enter the home/garage. Furthermore, the applicants shall clean up any debris they have deposited on the adjacent roadway of the Staker-Parsons property and install the required landscaping by September 30, 2018.

Brandon Jones, City Engineer's letter of 2 May 2018 is as follows:

DOCUMENTS RECEIVED / CONDITIONAL USE REQUEST:

1. As part of this application, we received the following documents/plans:
 - a. Site Plan; most recent revision date of 12/19/2017, and the Conditional Use Application.

2. It is our understanding that what is being requested is to use the parcel as a vehicle tow yard. The applicant, Mr. Winterton, has indicated that no wrecked vehicles would be stored at this location, only towed vehicles. The plans indicate installing enough grass around the existing home to meet the 15% landscape requirement. No street improvements are being proposed on 2225 East (the existing dirt road to the east of the parcel). New chain link fencing with barbed-wire strands is being proposed around the perimeter. Three (3) 20' gates are shown on the east property line accessing 2225 East. Also, the location of a potential future shop is shown.

FOLLOW UP:

At the last Planning Commission meeting on April 12, 2018, the Commission tabled this item with the charge for the City Staff and Wintertons to address and resolve the following two issues:

- a. Get a determination from the Fire Department on whether a fire hydrant would be required at the north end of the property in 2225 East.
- b. Provide a permanent solution for the drainage on 7400 South.

On April 30, 2018, the City Staff met with the Wintertons to resolve the issues, as requested by the Planning Commission. The Fire Department determined that a fire hydrant could NOT be required. For drainage, it was determined that the City is responsible for the drainage on 7400 South. Public Works has installed road base and graded it to drain away from the home. Wintertons agreed to maintain the road base in order to keep the storm water from draining into the driveway and garage.

RECOMMENDATIONS:

We would recommend that the following conditions be applied to this CUP.

3. All storm water is to be kept on site. If necessary, berms along the west and north perimeters may need to be installed.
4. The property north of this parcel is used for aquifer recharge. The City should have the right to inspect the yard area whenever necessary to ensure that the vehicles being stored are not leaking fluids or causing the potential for contamination of the groundwater. If concern about potential contamination is ever found, the applicant will need to propose and put in place means whereby the threat of contamination is eliminated (we would suggest 30 days to propose a solution and 30 days to get it in place).
5. The applicant is responsible to maintain (labor, equipment, materials, etc.) the graded berm along the driveway and garage in order to keep the storm water on 7400 South from going into the garage.
6. A tracking pad / stabilized entrance needs to be installed at each gate area being used in order to keep the tracking of mud outside the site to a minimum.

Commissioner Grubb moved to approve the Conditional Use Permit: Impound yard at approx. 2225 E 7400 S (Parcel 13-009-0022) approx. 1.04 acres by applicant Dale Winterton subject to the following: 1. Barry Burton, City Planner's memo 2 May 2018, 2. Brandon Jones, City Engineer's memo 2 May 2018. 3. This conditional use permit is for the ownership of the current applicant/property owner and will expire upon any change of that. 4. Snow removal will not be conducted on the angler access road next to this property. 5. Applicant will remove all junk next to the property. 6. Maximum of 25 vehicles on site. and 7. Approval based on conditional use for commercial storage. Commissioner Taylor

seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Ratification of Conditional Use Permit 16-05: Clarification of previously approved conditional use for Elite Training at 128 E South Weber Drive by applicant Kelly Parke:

Commissioner Osborne stated there was some clarification items that needed to be taken care of with the conditional use permit.

Commissioner Grubb moved to approve the ratification of Conditional Use Permit 16-05: Clarification of previously approved conditional use for Elite Training at 128 E South Weber Drive by applicant Kelly Parke. Commissioner Taylor seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Public Hearing and Action on Rezone: Application for property located at approx. 7513 S 1900 E (Parcels 13-291-0001), approx. 0.74 acres, be rezoned from Agricultural Zone (A) to Residential Moderate Zone (R-M), by applicants Matt and Sarah McFarland: This applicant withdrew the rezone application.

Commissioner Grubb moved to open the public hearing for Amending Zoning Ordinance: Recreational (Travel Trailer) Vehicle Park subsections 10.01.100 General Provisions, 10.7F.1 Conditions required and 10.7F.2 Lot, Area and Space Requirements. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING *******

Public Hearing and Action on Amending Zoning Ordinance: Recreational (Travel Trailer) Vehicle Park subsections 10.01.100 General Provisions, 10.7F.1 Conditions required and 10.7F.2 Lot, Area and Space Requirements.

McKay Winkel, of Riverside RV Resort, said he recently purchased the Frisbee property and wishes to establish an RV Park on the property. This is a 12-acre parcel adjacent to the river at the bend just before the bridge on Cottonwood Dr. He said the property lies in the flood plain. There is noise from I-84. He feels the property is in a beautiful setting with a pathway that they would like to connect to. He said the challenge with an RV Park is that it is very seasonal. He said seasonal can't survive winter with just overnight stays. He said they want to market park model cabins (RVs) as nightly hotels and extended stays. He said they have reached out to Hill Air Force Base and Snow Basin for their seasonal workers to stay here. He said RV Resorts provide a taxable use to cities.

Commissioner Osborne questioned the definition of a "light duty truck". He said the city is trying to avoid the mobile home. Barry suggested changing the language for a moving vehicle. He is also concerned if a flood occurs, those homes need to be movable. Brandon suggested defining "mobile homes" and then state they are not accepted.

Barry suggested amending 10.7.F.1 adding section H which will address mobile homes being prohibited. Commissioner Grubb suggested the patron staying no longer than 180 days. Barry suggested putting a limit on the number of permanent units. It was suggested allowing a maximum of 30% of the built density for patron owned permanent units.

Commissioner Grubb moved to close the public hearing. Commissioner Pitts seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

******* PUBLIC HEARING CLOSED *******

Barry reviewed the amendments from tonight's meeting. Commissioner Osborne is concerned about the length of stay being 180 days and suggested 120 days. He then suggested changing from 30% of the built density for patron owned permanent units to 25%.

Commissioner Grubb moved to recommend to City Council the amendments to the Zoning Ordinance: Recreational (Travel Trailer) Vehicle Park subsections 10.01.100 General Provisions, 10.7F.1 Conditions required and 10.7F.2 Lot, Area and Space Requirements. Commissioner Johnson seconded the motion. Commissioners Grubb, Johnson, Osborne, Pitts, and Walton voted yes. The motion carried.

Discussion on Bastian property located at 7408 S 1900 E (Parcel 13-290-0001) in RM zone:

Mike Bastian approached the Planning Commission. He stated he would like to put a duplex on this property, but the property is currently zoned RM. He said this is a main arterial street and other cities allow these types of units. Commissioner Osborne asked Mike why he wouldn't build a single-family home on this property. Mike said it wouldn't be cost effective for him. He said the R-H Zone requires a minimum of five acres. Commissioner Grubb discussed 1900 East being a major collector road and South Weber Drive being a minor arterial road. Commissioner Walton discussed creating higher density to drive commercial. Mike said this a transition area into 1900. Commissioner Osborne feels this would open up requests for other properties. Commissioner Grubb is in favor of Barry investigating only allowing a duplex on an arterial and collector road. Commissioner Pitts agreed. Commissioner Osborne would like to define the locations in which this would be viable.

Discussion on Creation of HAFB Plumes Development Policy: Barry said a committee has been formed and will meet next week.

Stan Cook, 6966 S. 725 E., said there are a lot of houses that have been tested and they are clean. He said Hill Air Force Base did meet with the City Council on Tuesday night. He had a home that was contaminated and HAFB installed a system and now the home is clean. He has other family members whose homes, groundwater, and wells have been tested and they are clean.

Commissioner Osborne said the contamination lines have shrunk and needs to be amended on the general plan. Commissioner Johnson said the city needs baseline data to be included in the development of a policy.

James Cook, 760 E. South Weber Drive, said he attended the meeting on Tuesday and the plumes were smaller. He said HAFB made a presentation on the contamination of OU1, OU2, and OU4. He appreciates the Planning Commission's efforts.

Planning Commissioner Comments:

Commissioner Walton: He asked about a definition for transient lodging. Barry said it is a permitted use in the C-H Zone.

Commissioner Johnson: He discussed commercial development with mixed use. Barry said areas where it is successful is where there is a downtown that drives people in.


Commissioner Osborne stated you have to create a destination type of commercial. Commissioner Johnson said the city needs to brand itself for outdoor recreation. It was stated the city needs an economic development plan.

Commissioner Pitts: She discussed city property on the old South Weber Drive and people using it. Lisa will contact Chris Tremea.

Commissioner Osborne: He will not be attendance at the next Planning Commission meeting.

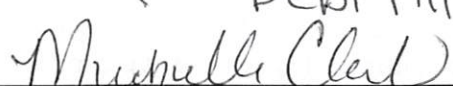
ADJOURNED: Commissioner Johnson moved to adjourn the Planning Commission meeting at 8:52 p.m. Commissioner Taylor seconded the motion. Commissioners Grubb, Pitts, Johnson, Osborne, and Walton voted yes. The motion carried.

APPROVED:


Vice Chairperson: ~~Rob Osborne~~

Date

6-14-18


Transcriber: Michelle Clark

Attest:


Planning Coordinator: Lisa Smith