

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 12 May 2022 **TIME COMMENCED:** 6:00 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT:

COMMISSIONERS: Gary Boatright (excused)
Jeremy Davis
Julie Losee
Marty McFadden
Taylor Walton

COMMUNITY SERVICE DIRECTOR: Trevor Cahoon

DEVELOPMENT COORDINATOR: Kimberli Guill

Minutes: Michelle Clark

ATTENDEES: Rod Westbroek, Iris Turner, Michael Grant, and Sky Hazelhurst.

Commissioner Davis called the meeting to order and welcomed those in attendance. He also excused Commissioner Boatright.

1. Pledge of Allegiance: Commissioner Walton

2. Public Comment: Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name & address and direct comments to the entire Council (Council will not respond).

ACTION ITEMS:

3. Consent Agenda

- 14 April 2022 Minutes

Commissioner Walton moved to approve the consent agenda as written. Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, McFadden, and Walton voted aye. The motion carried.

Commissioner Walton moved to open the public hearing & action on amending Ordinance 2022-08 Short Term Rental Regulations (City Code 10.18xx). Commissioner Losee

seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, McFadden, and Walton voted aye. The motion carried.

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

4. Public Hearing & Action on Amending ORD 2022-08 Short Term Rental Regulations (City Code 10.18.xx)

Community Director Trevor Cahoon reported the Planning Commission discussed this topic at the April 14th Planning Commission meeting. The direction that was given was to continue with what was recommended. Staff worked with legal counsel to craft a draft ordinance for recommendation from the Planning Commission to the City Council with the following amendments:

1. Must be a primary residence & must possess the residence for more than 12 months
 - a. 10-18-12: PRIMARY RESIDENCE:
Single-family homes that operate a short-term rental shall be the primary or principal place of residence of the property owner, as defined in Utah Code Annotated, Section 20-a-105.

Applications for a short-term rental shall not be accepted until which time the owner of the subject property has demonstrated ownership of no less than twelve (12) consecutive months.

2. Clarify single family homes and single-family zones
 - a. As staff reviewed the definition provided with legal counsel there was general consensus that the definition in code does make a clarification here.
 - i. SHORT-TERM OR VACATION RENTAL: Means a transient lodging facility in a single-family dwelling unit, in public lodging facilities as part of a planned unit development (PUD), or in an accessory dwelling unit (ADU), occupied by a single group on a temporary basis for less than thirty (30) consecutive days as an alternative to a hotel or motel.
3. Distance from schools – 2,000 feet
 - a. 10-18-11: PROXIMITY FROM SCHOOLS:

The location of a short-term rental shall not be nearer than two-thousand (2,000) feet from primary or secondary school. Such distance shall be measured as a radius originating from the center point of the property of which the school resides.

4. Cap # city wide – ½ % of residential units not exceeding 25
 - a. 10-18-13: NUMBER OF AVAILABLE PERMITS

The number of available permits allowed shall be calculated at one-half percent (.5%) of the total number of residential units within city limits, not to exceed 25. Availability of permits shall be on a first-come-first-served basis according to a process established by the City Manager.

Commissioner Davis asked if there was any public comment.

Michael Grant, 2622 Deer Run Drive, addressed agenda item #4 concerning the short term rental location from schools. He suggested the 2,000 feet from the school be linear feet from the outer most reaches of the property.

Commissioner McFadden moved to close the public hearing & action on amending Ordinance 2022-08 Short Term Rental Regulations (City Code 10.18xx). Commissioner Losee seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, McFadden, and Walton voted aye. The motion carried.

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

Commissioner Walton queried why the requirement for the individual to live in the home for 12 months prior to applying for a short term rental. He feels 12 months is excessive and doesn't accomplish anything from a policy standpoint. Trevor replied to make sure there is an invested personal interest. Commissioner Losee pointed out to prevent individuals from purchasing a home and then turning it into a short term rental immediately. Commissioner McFadden explained the 12 month is to identify someone as part of the community. He opined primary resident prevents an individual from purchasing and flipping a home into a short term rental. Trevor reported the 12 month time frame was suggested by the Short Term Rental Committee.

Discussion took place regarding the location of a short-term rental not being nearer than two-thousand (2,000) feet from primary or secondary school. The distance is measured as a radius originating from the center point of the property of which the school resides. Trevor expressed the Short Term Rental Committee suggested the 2,000 feet.

Commissioner Losee moved to recommend approval of amendments to Ordinance 2022-08 Short Term Rental Regulations (City Code 10.18xx) with the suggestion the City Council review the 12 month resident requirement. Commissioner McFadden seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, McFadden voted aye. Commissioner Walton vote nay. The motion carried 3 to 1.

5. South Weber Gateway Architectural Review

Trevor reported the architectural review for the South Weber Gateway hasn't been reviewed until now because the commercial plans are built to suit. The developer has provided architectural renderings and the materials that will be used for the commercial development for the purview of the Planning Commission tonight. The Planning Commission's role is to review and request any amendments to materials for any commercial development. If there are any significant design changes by the tenant, another architectural review will take place.

The Planning Commission reviewed the architectural rendering slides. Sky Hazelhurst explained the need for the architectural review because the City Council requested a development agreement for this project. He appreciated being able to be on the agenda and in attendance virtually. Sky expressed the look is "mountain modern" architecture with metal panels. He reported he started with a high level of finish on these buildings. Commissioner McFadden appreciated the look and feel of the materials being used. He pointed out the panels are fiber wood metal and very durable.

Mayor Westbrook questioned if there is going to be any stone. Sky replied at this time they don't have any plans for stone. Commissioner Losee voiced concerns with the timing of this agenda item, which doesn't allow much time for the public to weigh in on something they haven't seen. She expressed this should've been done with the preliminary plat approval in December of 2021. She feels the look is more modern versus the surrounding commercial area and the school. She favored a more cohesive look.

Commissioner Davis voiced the layout looks fantastic and doesn't think it will be blight coming into the city. Commissioner Losee queried how the commercial will tie into the residential. Sky replied there will be a masonry wall barrier between commercial and residential. The residential is more traditional with each unit having the look of a different resident.

The Planning Commission reviewed an example of a commercial sign. Sky stated they will apply for a monument sign. Commissioner Losee asked about placement of the sign. Trevor reported right now the sign isn't on the site plan, but will be reviewed when the developer applies for a sign permit.

Commissioner McFadden moved to approve the South Weber Gateway Architectural Review. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Davis, Losee, McFadden, and Walton voted aye. The motion carried.

6. Discussion Item: Amending R-7 Multi-family Zone

Trevor reported through the development process the city staff noticed some deficiencies within the code in practical application of the R-7 code. Some areas of concern are the setback descriptions, townhome provisions, and general site requirements.

Trevor stated the current code only provides provisions of zero lots lines within the Planned Unit Development (PUD) code. With R-7 being utilized primarily for multifamily units, staff feels this would be beneficial to include. The Code Committee suggested including this in the setback table and address townhome setbacks as 20 feet front and rear and 10 on the sides. Also, changing the setbacks to be based on building location rather than lot orientation.

Trevor discussed the possibility of a cottage court yard home with a main courtyard. There are a lot of options that need to be explored. He acknowledged the state changing requirements for moderate income housing that will need to be incorporated into city code. Commissioner McFadden discussed homes becoming more efficient.

Commissioner Losee asked if the amendments to the R-7 Zone will fix the concerns with what happened with the Gateway project. Trevor replied it allows for more options and flexibility for a developer. Commissioner Losee asked if a percentage can be set for a standard number of rentals. Trevor replied he will consult the City Attorney.

Commissioner Walton expressed the impact aesthetics can have on a development. Trevor pointed out the state code does provide some limitations, but we can explore the boundaries. Commissioner Davis added the setbacks need to accommodate for enough parking.

Commissioner Walton suggested comparing a form based code verse current code.

Planning Commission Comments:

Commissioner Losee: requested the Planning Commission packets for meetings to be sent out earlier.

Commissioner Walton: voiced there is no standard or plan to relate to architectural reviews. He suggested looking at how it relates to residential.

Commissioner Davis: discussed starting conversations about being more proactive verses reactive. Trevor announced there are other cities that meet periodically together as a City Council and Planning Commission. Commissioner Davis directed city staff to include the definition and restrictions for sensitive lands on the next agenda. He suggested the Planning Commission put together a list of items they would like discussed at future meetings.

Commissioner Davis questioned if there are any restrictions on resources for the number of people living in the city. Trevor replied every development is required to obtain approval for resources.

Community Director, Trevor Cahoon: reported the City Council will tentatively discuss moderate income housing on 28 June 2022. The Planning Commission will be invited to attend.

ADJOURN: Commissioner Losee moved to adjourn the Planning Commission meeting 8:10 p.m. Commissioner Walton seconded the motion. A roll call vote was taken. Commissioners Boatright, Davis, Losee, McFadden, and Walton voted aye. The motion carried.

APPROVED: Julie Losee Date
co/Chairperson: ~~Jeremy Davis~~ Julie Losee

Michelle Clark
Transcriber: Michelle Clark

Attest: Kim Duedl
Development Coordinator: Kimberli Guill