

PLANNING COMMISSION MINUTES

August 5, 2003

7:00 P.M.

Present: Chairman Mark Green, Vice Chairman Larry Rigby, Michael Allen, Tom Smith, City Council Representative Barbara Holt, City Attorney Rusty Mahan, City Engineer Paul Rowland, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Duane Gardner and Clark Jenkins.

Joint study session for City Council and Planning Commission.

Present: City Manager Tom Hardy, City Attorney Rusty Mahan, City Council Members: Barbara Holt, Gordon Thomas, John Pitt and Tom Tolman.

Excused: Mayor Joe Johnson and Fred Moss.

Mark Green welcomed all those present.

Barbara Holt made a motion to approve the minutes for July 15, 2003 as written. Larry Rigby seconded the motion and voting was unanimous.

Subdivisions

1. Consider preliminary and final subdivision for the Bryson Subdivision at 300 South 200 East, Jim & Stephanie Bryson, owners.

Jim Bryson, owner, was present. Blaine Gehring explained that Jim and Stephanie own the large corner lot on the southeast corner of 300 South and 200 East. Mr. Bryson owns the home on the corner and would like to divide the lot into two lots. Both lots meet the minimum 6,500 square foot size and 70 foot minimum lot width requirements for the R-1-6.5 Zoning and the setbacks do not create a problem.

Staff recommends the Planning Commission send a favorable recommendation for preliminary and final subdivision approval with the following conditions:

1. Pay the following fees:
 - a. Storm drain fee = \$717.88 (.342 acres X \$2,100/acre)
 - b. Checking fee = \$100.00
 - c. Recording fee = \$80.00
 - d. Water and sewer impact fees to be paid at the time the building permit is issued.

Mr. Gehring explained that the subdivision is a metes and bounds description. On lot 2 there

will have to be a special designed home to fit because the lot is so narrow in depth.

Jim Bryson mentioned that he has an interested buyer that would build a 1100 foot rambler type home on lot 2.

There was a brief discussion before Tom Smith made a motion for preliminary and final subdivision approval for the Bryson Subdivision subject to the conditions outlined by Staff. Larry Rigby seconded the motion and voting was unanimous.

Zoning Ordinance Amendments

1. Consider amendments to the C-R Zone.

Rusty Mahan has revised the drafts of the proposed ordinance changes. Mr. Mahan has also made some new language changes for the C-R Zone which will clarify the intent of the mixed use zone to be one of allowing for the continuation of existing residential uses while promoting the further development of commercial uses and its primary objective.

Mr. Mahan mentioned that the purpose for these changes is to prevent making changes from commercial to residential within the C-R Zone. Mr. Mahan has changed the wording as follows: Commercial uses are permitted uses throughout the district. And residential uses are permitted uses only where residential uses presently exist within the district.

It was asked how will these changes allow for the mixed use that is now on Main Street? Mr. Mahan mentioned that he will have to some modification to make the mixed uses fit. It was also mentioned that the mixed uses are the new urban development being used in other cities. It has also worked well in Bountiful.

The changes discussed will be considered at the August 19, 2003.

Special Items

1. Joint study session with the City Council on changes to the Zoning Ordinance relating to development of the foothills.

The City Council Members joined in for the discussion on this item.

The foothill regulations have been re-written by the City Attorney, City Engineer and City Planner, and have twice been reviewed by the Planning Commission. There are numerous suggested changes, but the primary ones are as follows:

1. The Foothill Overlay Zone will be done away with, replaced primarily by a new Residential Foothill Zone which will be an independent zone, and not an overlay over other zones.
2. The Foothill Zone will be reduced in size, with areas west of Bountiful Boulevard being dropped from the coverage. Those areas removed from the zone will be designated as R-1-10 or R-1-12 depending on their existing developments.
3. Discretion by the Planning Commission and the City Council has been expressly provided for in 14-13-101(C). This is a very important section. It gives the City the ability to waive, increase or decrease any requirement set out in the Foothill Zone.
4. All subdivisions within the Foothill Zone will require a conditional use permit. (14-13-113) Traditionally, conditional use permits have been granted by the Planning Commission, it is suggested that they be granted by the City Council after Planning Commission recommendation because the Council gives the final subdivision approval.
5. Homes are not to exceed in height the nearest ridge line. (14-12-109 (A))
6. All of the traditional restrictions remain in place, but they are subject to greater discretion and flexibility. This includes the 30% slope restrictions, ten foot cuts and fills, 600 foot cul de sac, 12% street, etc.
7. The lot size requirement has been altered to require significantly larger lots for steeper areas. (14-13-106)

There was a lengthy discussion on the changes. It was decided to reword/change some items as discussed and present them for further consideration on August 19, 2003.

Barbara Holt made a motion to adjourn. Larry Rigby seconded the motion and voting was unanimous.

Meeting adjourned at 8:40 P.M.