

Minutes

Elwood Town Planning Commission

Tuesday, September 5, 2023

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall, 5235 West 8800 North, Elwood, Utah, at 7:00 P.M. on Tuesday, September 5, 2023.

The following members were present constituting a quorum: Quinn Hamson, Curtis Crouch, Phil Shimek, Britton Hayden, Kevin Hall.

OTHERS PRESENT: Samuel Heiner(Zoning Administrator), Amy Hugie(Town Attorney), Scott Goodliffe(Town Council Rep), Keenan Nelson(Mayor), Karolina Munns(Planning Commission Secretary), Mark Lay(Councilman), Zack Pali, Sherri Pali, Shannon Price, Clanne Patterson, Scott Petersen, Rue & Marilyn Rassmussen, Kim & Bev Yates, Henry Thompson, Jon & Steph Murdoch.

Welcome

The meeting started at 7 pm. Commissioner Hall offered a prayer and Commissioner Crouch led with the pledge.

Minutes

- August 1, 2023 - Commissioner Crouch made a motion to accept minutes, Commissioner Hall seconded, all in favor, motion passed.

Town Council Update - Scott Goodliffe

- Reapproved Double Damned Minor Subdivision. Approved Riverbend Subdivision and Fairview Estates Subdivision. Gave a donation for the new K-9 officer. Had a discussion on the General Plan Committee Survey Monkey survey. The survey will have to come back to the Town Council as an action item to receive approval. Town Council study for water system. Tap 444 in use, 42 available. Culinary funding for improvements.

Zoning Administrator Update – Samuel Heiner

- Continue to get calls for potential developments, but many are not serviceable. Robert Shaw Subdivision-Last week the survey was done by Hansen & Associates. Jones and Associates is starting on design plans. Samuel asked if there was a deadline? No answer.

Public Hearing

- Elwood Town Ordinance Site Plan Approval Required 155.015 was published as a public hearing item for today, however, the planning commission would like a chance to review and discuss first. So Commissioner Hamson has moved it down to the work meeting portion of tonight's meeting.
- Elwood Town Ordinance Amendment Access Roads 150.146(c) and 150.147(p). Commissioner Hayden motioned to open the public hearing, Commissioner Shimek seconded it, all in favor, motion passed. Samuel Heiner, Zoning Administrator commented that the language 'in general' should be taken out, because there is an exception section and more detail in how to go about it. Amy Hugie, Town Attorney, is ok with taking out 'in general' and code does say city, so city is how the current code is being written. Amy disagrees with how Samuel wrote the exception section, and stated that a developer would get the exception every time, which should be reserved for particular situations. Public comments were as follows: Rue Rassmussen lives on 9600 North, and questioned if he could no longer back onto the roadway from his existing home. Commissioner Hamson stated this does not pertain to existing, but to new development. A safety concern. This pertains to a collector road, by adding smaller neighborhood streets, comment by Kim Yates. Elwood Town transportation map says that main grid roads are currently listed as collector roads. There are a few neighborhood roads in subdivisions. Kim Yates suggested that the interior road needs to have a stop sign, to guarantee safety. Looking at the exhibits, Sherri Pali asked who keeps maintenance of the green strip? The developer does. There was some back and forth with green space maintenance. Kim Yates commented that an HOA is not a bad thing-let the developer decide. The 150.147(p) takes language out and references 150.146(c) to reduce redundancy, Commissioner Shimek motioned to close the public hearing, Commissioner Hall seconded the motion, all in favor and motion passed.
- Commissioner Hayden motioned to open the public hearing for Zoning Map Update, Commissioner Shimek seconded the motion, all in favor, motion passed. Samuel Heiner, Zoning Administrator, stated that a property was changed out of commercial use in the last Zoning Map update. This update fixes with documentation, Cal's Property. Commissioner Crouch motioned to close the public hearing on the Zoning Map update, Commissioner Hall seconded the motion, all in favor, motion passed.

Commission Business

- Action Item A: Recommend Elwood Town Ordinance Amendment Access Roads 150.146(c) and 150.147(p) Commissioner Shimek motioned to table the amendment Access Roads 150.146(c) and 150.147(p), Commissioner Crouch seconded the motion, all in favor, motion tabled. Amy Hugie, Town Attorney, requested clarification on the

changes to be made. 1)change town to city; 2) In general, remove it in two places; 3) take out the exception.

- Action Item B: Recommend Zoning Map Update. Commissioner Hall motioned to recommend to town council Zoning map Update, Commissioner Crouch seconded it, all in favor, motion passed.
- Actions Item C: Flag Lot Approval Stephanie & Jon Murdoch, 9600 North. Henry Thompson presented his plans to propose an exception for shared use lanes. There is a 30 feet roadway that was put in for this flag lot years ago. The proposed flag lot does not quite have 30 feet roadway addition, but can be used by the existing flag lot. The ordinance does not state anything about shared use flag lot roadway. Henry Thompson wants to have a shared easement on both lots. He has an original plat that shows a flag lot as a public road. Shared easement that is recorded(by county) can stand when owners change. Henry Thompson recorded a lot line adjustment to make this work. The purpose for this is Thompson/Murdoch is requesting a building permit. Commissioner Shimek asked if this is considered a variance or not. Samuel Heiner, commented that he is not sure, and he will get with Gina about the question. Amy Hugie, said that she would need to research this before she can answer it. Commissioner Hayden suggested that this may need to be tabled for further information. Commissioner Crouch motioned to recommend flag lot to town council, Commissioner Hall seconded it, 3 ayes, and 1 maybe, motion still passed. Commissioner Hamson said that if this is not allowed, then it won't move forward. Samuel and Amy were asked to clarify the flag lot process. Henry Thompson stated as a side note, Fairview Estates received preliminary approval from town council and the developer has chosen to table it and voluntarily amending the plat to work with the access roads updated so lots are not backing onto the main road.

Work Meeting

- Discussion Item A: Elwood Town Ordinance Site Plan Approval Required 155.015. Commissioner Hamson stated that Samuel Heiner drafted how the process is currently working for building permits. This allows the Zoning Administrator to approve. Commercial site plans do have to come through the Planning Commission. The site plans are completely controlled by ordinance, so the Zoning Administrator can approve. Amy Hugie, suggested that 155.013 all building permits. 155.015 needs to be updated to clarify commercial versus residential clarification. The state has gone through and changed many items to be an administrative approval instead of it having to go through planning commission and town council, in which Elwood will have to change their ordinances for residential primarily, per Amy Hugie. Commissioner Hamson stated that this is a move by the state to expedite the process. Amy will review the ordinance and change the language to be congruent with the discussion.

- Discussion Item B: Parking of commercial vehicles in residential areas. Commissioner Hamson offered a sample copy of another city's ordinance because he doesn't see it in the code. He asked that the commissioners and the Zoning Administrator and Town Attorney start looking at this to decide if we want to adopt something. Amy Hugie, requested that we think about how we are going to deal with agricultural equipment because it is as big as these commercial vehicles you are talking about here. Another subject would be to adjust speed zones, and no truck zones. Local roads are 25 mph, and bigger roads east and west roads are 45 mph and north and south roads are 35 mph according to Scott Goodliffe, Town Council Rep. Amy commented that to change you have to do traffic studies, and such. This is for future discussion and consideration. Marilyn Rassmussen commented that Ag equipment has to have access to their fields. Discussion continues. We need to promote safety for residents.
- Discussion Item C: General Plan Committee Survey discussion. Commissioner Hayden gave an update for the general plan committee has paused for harvest and fair. They are having some discussion and going through Amy's email comments. The general plan committee is wanting to hold a survey and interview individuals which is going to extend the timeline to 12-18 months by the time this is all done and collected from December to next year for public hearings, open house to happen. Survey hopes for a good community response. Commission members are invited on the interview panel, great.
- Discussion Item D: Elwood Town Ordinance Schedule of Uses 155.126. Samuel Heiner asked us to look at it for homework. There are various changes recommended based on past comments and previous requests. Zack Pali asked the commission what is the town going to do to enforce this Schedule of Uses. Commissioners agreed and offered a future combined discussion with the Town Council. The commission works on ordinance and the enforcement by direction of the Town Council. There are steps to the process. Growing struggles for Elwood to work through, part time basis. Mark Lay, town council member, stated that he believes a lot of the problems are coming from commercial businesses operating in a residential zone. Business Licenses are required in our community. Conditional Use permits are supposed to be the gate to yes and no. If we can enforce Commissioner Hamson stated that we would continue discussion.
- Commissioner Hayden will attend the town council meeting for September.

Adjourn Meeting

Commissioner Crouch motioned to adjourn the meeting at 9:05 pm, and Commissioner Shimek seconded, all in favor, motion passed.