

# Minutes

## Elwood Town Planning Commission

Tuesday, October 3, 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, October 3, 2023.

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

OTHERS PRESENT: Samuel Heiner(Zoning Administrator), Scott Goodliffe(Town Council Rep), Karolina Munns(Planning Commission Secretary), Steve Woerner(Public Works), Eli Pali, Sherri Pali, James Grimes, Eric Stevenson, Jacob Stevenson, DeVere Hansen

### **Welcome**

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

### **Minutes**

- September 5, 2023, & September 19, 2023 - Commissioner Shimek made a motion to accept minutes, Commissioner Crouch seconded, all in favor, motion passed.

### **Town Council Update - Mark Lay**

- Addressed the General Plan survey status including the raffle. We talked about companies operating in residential areas. Tonight we met to get preliminary approval on the Robert Shaw Property.

### **Zoning Administrator Update – Samuel Heiner**

- Emily has drafted the updates for the Subdivision code. Samuel is currently reviewing it. This is an update incorporating new legislation. This is taking from the town council to make decisions on subdivisions and placing it with the administrative, so in Elwood's case to the Zoning Administrator. This will be coming at the next meeting. The variance for the Henry Thompson Flag lot was approved. So they have a shared entrance to the

properties. The building permit is currently in review now. Commissioner Hamson inquired about what the number of available water taps was. Steve Woerner left paperwork from the previous town council meeting showing the current count. The Bronson property has had three inquiries for development. There have been additional inquiries at different locations. The south part of town with no sewer is a hard one for development.

## **Public Hearing**

Commissioner Hayden motioned to open the public hearing, Commissioner Crouch seconded it, all in favor, motion passed.

- Elwood Town Code of Ordinance Amendment Site Plan Approval Required 155.015. DeVere Hansen asked what are the changes? Samuel Heiner answered that this code is being updated to how Elwood is currently handling site plan approvals. The code previously referenced that site plans would come to the planning commission, specifically residential buildings. The change states that these site plans will be approved by the Zoning Administrator.

No more comments. Commissioner Hall moved to close the public hearing, and Commissioner Crouch seconded it, all in favor, motion passed.

## **Commission Business**

- Action Item A: Recommend to Town Council - Elwood Town Ordinance Amendment Site Plan Approval Required 155.015. Commissioner Shimek motioned to approve the amendment, Commissioner Crouch seconded the motion, all in favor, motion passed.
- Action Item B: Recommend to Town Council - Final Plan, KJE Green Acres Minor Subdivision 8800 North, Presenter-Eric Stevenson. Samuel Heiner addressed the commission on his updated findings, as a three lot minor subdivision on a collector road. Samuel stated that the current code 150.146(c) Access Roads in process but not approved yet, although he originally thought it was not in effect, was informed by Amy Hugie, Town Attorney, of state code section 10-9a-509(1)(b) that states any ordinance change within 180 days and being passed within that time can be required code for a developer to follow. With that being said, Amy's recommendation is to table this action item, for the town council's approval. If the town council passes then this development would have to follow the Access Roads code and not back out onto the road, plus the allowed access options. A single lot can get approval, but with subdividing the land, the development is held by the updated code if passed within the 180 day window. Eric Stevenson asked for clarification, stating that he was under the impression that he could get his minor

subdivision approved before this code was amended. He stated that he recently purchased the farm ground with the intention to sell the front three lots to make it work financially for him. He stated that his opinion is that a road, a cul de sac would be out of the ordinary and would jam it all up. Commissioner Hayden asked if we could approve the plan, with the final design of each lot being decided when each lot is built. Samuel Heiner stated that this needs to be tabled until a decision is made by the Town Council. Commissioner Hamson stated that the reason the planning commission recommended this amendment for the Access Roads ordinance is as development progresses this ordinance is to stop too many access roads on collector roads. James Grimes, community member, commented on this issue, inquiring about the timing of this subdivision and new ordinance, getting this done for Eric. Commissioner Hall stated that there is state code that has been found that needs to be followed. Commissioner Hamson stated that there are other developers in the concept plan wanting to move forward in similar situations. There was a lot line adjustment discussion on the property. There are design options for access roads in the amended ordinance that a developer can use. The planning commission chose to table the minor subdivision. Commissioner Hall motioned to table the KJE Minor Subdivision until the city has made a resolution, Commissioner Hayden seconded the motion, all in favor, motion passed.

- Action Item C: Recommend to Town Council - Final Plan, Robert Shaw Subdivision, 4800 West, Presenter-Steve Woerner, Public Works. Steve Woerner said there were not additional changes from when the planning commission saw the plan in the preliminary stage. There were no comments. Commissioner Shimek motioned to recommend the Final Plan, Robert Shaw Subdivision to town council, Commissioner Crouch seconded it, all in favor, motion passed.

## **Work Meeting**

- Discussion Item A: Ordinance Revision - Schedule of Uses 155.126. Samuel Heiner commented that this is in draft stage with red text as changes made by Samuel to match code. It is suggested that duplicates be taken out to lessen confusion. Also, to include definitions at the beginning of sections to clarify. Commissioner Hayden went over comments that he was questioning with recommendations. For businesses that come in and meet the Schedule of Uses, they may have permitted or conditional uses to agree to. The section G needs to be reviewed to see if when columns were added marks were not moved with them. The commissioners will continue to work on the document.
- Discussion Item B: Ordinance Drafting - Parking of commercial vehicles in residential areas. Samuel Heiner addressed the commission. Samuel stated that in the past meeting there may have been confusion as to what the issue we are talking about. The example talked about here is the parking on roadways, and Samuel brought two examples, one

more rural, one more urbanized. James Grimes commented to the planning commission about thinking about the future of Elwood and trucks. He suggested that he doesn't want to cut his own feet off, having large trucks himself, and the similarities and differences between commercial and agricultural trucks concerning weight and speeds on the Elwood Town roads. James wanted to make the commission aware of the incoming ports to the county in Brigham City and Garland. This is going to bring 1000s of trucks to our county; the trucks are going to run out of time and need a place to park/rest. James Grimes asked the planning commission to be aware and think ahead for the city. Commissioner Hall suggested that there is a way to figure out a win-win strategy for our town and our community members.

- Discussion Item C: Ordinance Drafting - On-street Parking. Commissioner Hamson invited Mark Lay to comment. About 2 or 3 months ago the issue of parking in subdivisions came up. I looked into it and the complaint was businesses were operating in residential areas. Mark runs a trucking company. Mark Lay introduced at the Town Council businesses operating in a residential area and the limits and considerations to operating. Mark Lay suggested that we all have an impact and we need to be aware. Mark also commented about the validity of what was said about the ports coming to our county and the concerns. This is an appropriate topic to be discussing, including all business uses. Commissioner Hamson tabled this item because of lack of time.
- The commission has assignments

## **Adjourn Meeting**

Commissioner Shimek motioned to adjourn the meeting at 9:42 pm, and Commissioner Hayden seconded, all in favor, motion passed.