

Minutes

Elwood Town Planning Commission

Tuesday, December 6, 2022

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, December 6, 2022.

The following members were present constituting a quorum: William Call, Quinn Hamson, Curtis Crouch, Phil Shimek.

Others Present: Samuel Heiner(Zoning Administrator), Amy Hugie(Town Attorney), Scott Goodliffe(Town Council Rep.), Britton Hayden(General Plan Committee), DeVere Hansen, Marc Allred.

Welcome

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

Minutes

- November 1, 2022, & November 15, 2022 - The town attorney stated that the minutes need to be specific in naming people with last names and titles, and the minutes need to be written in third person. The secretary will rewrite the minutes for November and resubmit at the December 20th meeting. Commissioner Shimek made a motion to table the minutes, Commissioner Crouch seconded, all in favor, motion passed.

Town Council Update - Scott Goodliffe

- The town council sent the Zoning Map back to the planning commission at the November 8th meeting. Commissioner Shimek asked about information on Fiber Optics progress and installation. The town council representative said that he doesn't know any more information other than the article that was recently written in the local newspaper which Commissioner Shimek referred to as well.

Zoning Administrator Update – Samuel Heiner

- Reported nothing new. He also stated that his office has not heard anything further after Shane Taggart's comments on the resubmittal of Riverbend Subdivision dated October 26, 2022.

Commission Business

- Action Item A: Elwood Town Zoning Map - The zoning administrator introduced the updates to the Zoning Map since the last meeting. He showed the county map with the existing developed parcels and asked how to know what their zoning was. The town attorney then stated what she wants the process of the zoning map to look like. First take the 2015 Zoning Map, then add the changes to annexation and zone changes to it by penciling in the lines and providing reference of date and code. This will result in an updated Zoning Map. This Zoning Map will only show existing/current content. The town attorney restated that the Zoning Map and the Land Use Map(future plan and part of General Plan) are separate maps, and that is the way it needs to be to not infringe on current property owners rights. After concentrated discussion, Commissioner Crouch made a motion to table the Elwood Town Zoning Map to give the zoning administrator time to add the changes to the 2015 map, thus creating a new Zoning Map of existing zone and annexation status, Commissioner Hamson, seconded the motion, all in favor, motion passed.
- Action Item B: Elwood Crossing Lot 6 - Marc Allred Commercial Building Permit. Marc Allred with M&D Development addressed the planning commission explaining that he was requesting a building permit to build a spec building on Lot 6, similar to the building they built for the Lot 5(Lewis Cabinets). Commissioner Hamson made a motion to approve the building permit with no town engineers comments to address, Commissioner Crouch seconded the motion, all in favor, motion passed. Marc Allred also asked if the planning commission would consider rezoning the back property that was owned by M&D Development all to C-3 Light Industrial. The planning commission said that they deal with rezones on a case by case basis.

Work Meeting

- Discussion Item A: Discussion of possible zoning change procedure with Amy Hugie, Town Attorney. The town attorney stated that with the corrected Zoning Map as stated earlier in this meeting with all residential, commercial and industrial notated, the planning commission could then go through the process of rezoning some parcels. The process of rezoning would be to first research each parcel to make certain that no property rights were affected by the zone change, then properly notify each property owner, next hold an open house, and public hearing. After each of these steps it would be

recommended to the town council. The town attorney suggested that if the planning commission wanted to proceed in rezoning that they start with commercial zones to establish C-1, C-2, C-3 zones where the current map shows all commercial lots as “Commercial”. The planning commission discussed examples of commercial zone changes and residential zones also. Commissioner Call asked if the planning commission should wait for the General Plan Committee to make their recommendations. The town attorney indicated there was no reason to wait. Other than the Commercial zones and one Industrial/Manufacturing zone the rest of the map is all residential except for two parcels zoned agricultural. The town attorney suggested leaving the rest of the map residential/as is because zone changes infringe on property owners rights and that residential zones are not that big of an issue. The planning commission will then entertain any zone changes as they are presented through proper town procedure. The secretary asked about agricultural land and if rezoning to an agriculture zone was needed/suggested. The town attorney said no, and the zoning administrator stated that agricultural use is permitted in residential zones. Commissioner Call asked the planning commission to think about what had been discussed and return with ideas of how they want to proceed with zoning changes and the zoning map.

- Commissioner Call asked the town attorney if there were any specific instructions for the General Plan Committee to follow ie: do meetings need to be noticed, minutes kept, open to the public. The town attorney inquired about how the committee was formed, and found that no resolution was made, but that the town council gave the planning commission permission to form a committee. It was stated that there would be no voting on policy and only suggestions would come back to the planning commission. The town attorney said that no meeting notice would be needed, minutes are not required but she recommends they be kept.
- Commissioner Call informed the planning commission that the town council was inviting them to a meeting to be held on December 20th at 5:30 pm. The General Plan Committee is also invited. The planning commission will then hold their regular meeting at 7 pm.
- Commissioner Call also reminded the planning commission of the Christmas Party on December 14th.

Adjourn Meeting

Commissioner Crouch motioned to adjourn the meeting at 8:37pm, and Commissioner Shimek seconded, all in favor, motion passed.