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**PLEASANT GROVE CITY
PLANNING COMMISSION MEETING MINUTES
JANUARY 11, 2024**

PRESENT: Chair Dustin Phillips, Jim Martineau, Alicia Redding, Jeffrey Butler, and Todd Fugal

STAFF: Daniel Cardenas, Community Development Director; Jacob Hawkins, City Planner; Aaron Wilson, City Engineer; Christina Gregory, Planning and Zoning Assistant

EXCUSED: Commissioners Wendy Shirley and Karla Patten

Chair Dustin Phillips called the meeting to order at 7:00 p.m. and welcomed all present.

REGULAR SESSION

Commission Business:

1. Pledge of Allegiance and Opening Remarks:

Commissioner Redding led the Pledge of Allegiance. Chair Phillips offered the opening remarks.

2. Agenda Approval.

As reported during the Work Session, Agenda Items 3 through 6 were to be continued indefinitely.

- **MOTION:** Commissioner Butler moved to ACCEPT tonight’s agenda as modified with items 3 through 6 being continued indefinitely. Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

3. Staff Reports:

- **MOTION:** Commissioner Fugal moved to ACCEPT the Staff Reports as written. Commissioner Butler seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.

4. Declaration of Conflicts and Abstentions from Commission Members.

There were no declarations or abstentions.

1 **ITEM 1 – Public Hearing: Rezone – Located east of 820 West and north of 1800 North (North**
2 **Field Neighborhood)**

3 Public Hearing to Consider the Request of Noel Vallejo and Bryce Hardee for a Zone Change from
4 the RR (Rural Residential) Zone to the R1-20 (Single-Family Residential) Zone on 3.32 acres of
5 Unplatted Land, located East of 820 West and North of 1800 North.

6
7 City Planner, Jacob Hawkins, presented the Staff Report and stated that the applicants would like to
8 subdivide vacant property (3.32 acres in size) located north of 1800 North and east of 820 West and
9 are seeking to rezone the property from RR (Rural Residential) Zone to R1-20 (Single-Family
10 Residential) Zone. Using visual aids, the aerial image of the subject property shows the surrounding
11 properties as primarily single-family residential homes. The zoning map shows the area as primarily
12 being zoned RR (Rural Residential) Zone (green) and R1-20 (Single-Family Residential) Zone
13 (lighter green).

14
15 Currently, no subdivision plans have been submitted. The differences between the two zones included
16 the following:

- 17
- 18 • A variance in minimum lot size (21,780 square feet or half-acre size, for the RR Zone and
19 20,000 square feet, or .46-acre size, for the R1-20 Zone); and
 - 20 • The type of animal that can be raised on site (RR Zone allows larger animals based on the
21 amount of acreage of the property, and R1-20 Zone allows only chickens).
- 22

23 Both zones limit the use to single-family dwellings and accessory buildings such as garages. The
24 General Plan designation for the subject area is Single-Family-Very-Low-Density. It is characterized
25 by single-family homes on large three-acre lots, which results in a slightly more compact subdivision
26 layout while maintaining the semi-rural character of the area. Overall, staff found the zone change to
27 be compatible with the surrounding properties and the General Plan and recommended approval. If
28 a subdivision application were ever submitted staff would ensure that all zoning requirements are
29 met.

30
31 A request was made to reexamine the zoning map to confirm the type of zones surrounding the subject
32 property, which were identified mostly as the R1-20 (Single-Family Residential) Zone. Additionally,
33 R1-15 and R1-10 zones are found in the surrounding area.

34
35 The applicant was present but had no comment.

36
37 Chair Phillips opened the public hearing.

38
39 *Craig Farthklein*, an adjacent property owner, stated that the requested zoning change is reasonable
40 and acknowledged that plans have not yet been submitted. He asked how many homes could be put
41 in that location and whether the road footage (with possibly a cul-de-sac) counts toward the lot sizes.
42 Chair Phillips explained that the street area is not counted as part of the lot size. Considering the
43 property size and lot requirements, City Engineer, Aaron Wilson, estimated four to five lots could be
44 placed on the property. He stated that the applicant is working with him on the concept. The speaker
45 also asked about the placement of utility attachments to the main lines. Engineer Wilson noted that
46 the lines would likely go through the street as access is nearby.

1 The applicant, *Noel Vallejo*, reported that with the current zoning, they will get five lots. They
2 originally asked for six lots, however, Lots 1 and 2 did not meet the 21,000 square-foot lot
3 requirement for the RR zone, which was why they are seeking the zoning change. The desire was to
4 develop six lots.

5
6 *Craig Farthklein* expressed concern about how development will impact his irrigation system, which
7 includes two shares of irrigation water, an easement, and a nearby ditch. Engineer Wilson stated that
8 all ditches will need to be piped if the property is developed and permission issues pertaining to the
9 easement and ditch will need to be addressed.

10
11 Community Development Director, Daniel Cardenas, read an email from *Elizabeth Nance* who was
12 opposed to the proposed zone change as it alters the original Master Plan that she relied on when she
13 purchased her property. She stated that traffic problems in the area would be exacerbated. She was
14 unable to locate a permit regarding an existing plan on the website and wants a voice in what is being
15 developed in the neighborhood. Director Cardenas spoke with Ms. Nance via telephone and
16 explained that the rezone does not change the Master Plan as the proposed zone change is within the
17 allowed parameters. He helped Ms. Nance find the General Plan on the website and reviewed the
18 general principles with her. On an aerial map, he noted that the existing lots surrounding the subject
19 parcel are .44-acre lots which are all smaller than what is being proposed. The impact of the zone
20 change appeared nominal.

21
22 *Dave Farnsworth* identified the lot he owns and asked about the size of the lots being contemplated
23 and the applicant's rationale for seeking a zoning change. It was noted by Chair Phillips, that if the
24 zone change is allowed, the applicant will have enough square footage for six lots. It is noted that
25 buildings cannot be placed on easements and setbacks from other properties are required.

26
27 *Natalie Ellis* identified her property and asked if, with the proposed zone change, consideration had
28 been given to fire truck turnaround access. She was informed that adequate emergency fire access is
29 required with any plat subdivision approval. Ms. Ellis also asked if future development in the area
30 will affect water and sewer upgrades or infrastructure. Currently, her property is at the end of the
31 pipeline and she does not have adequate irrigation for her own lawn. Director Cardenas clarified that
32 the questions being raised are valid to ask at the time of subdivision approval. The issue tonight,
33 however, is a zone change and not a subdivision plat. The actual number of lots to be approved has
34 not yet been determined.

35
36 *Heather Osborn* identified her property and stated that they were the first to buy in the area
37 approximately 30 years ago. She has copies of the original plat plans for the six acres surrounding
38 her property which show the lots were always intended to be one-half acre lots. Her biggest concern
39 was the impact on the water and roads. She is at the end of the road and never has enough water. She
40 described having only a trickle of water and commented that they are cleaning their filters weekly.
41 She stated that what will be the main access road is awful now.

42
43 *Shauna Farnsworth*, the owner of property 600 West, stated that she owns large animals. She was
44 concerned that people who move in would complain about the activity and noise related to her
45 animals. Her family moved to the area because such activities are allowed. She noted that in the past
46 they wanted to build a two-story detached garage but were denied a second story because of the rural
47 zoning. She was concerned that her property would become surrounded by high-rise structures.

1 Those residents with have a greater view of their property and may complain about animal-related
2 activities. She also raised privacy issues as it will be easier to peer into her yard. Chair Phillips
3 assured her that her current zoning requirements will not be affected and that she can continue to
4 conduct animal activities as she has been. The buyers will receive notice upon purchasing property
5 that her property contains horses. Any development plans would still need to meet the building
6 requirements that are in place in the zone. He commented that the homes already built in a nearby
7 cul-de-sac are of the same size that will be built in the new development.

8
9 There were no further public comments. The Chair closed the public hearing and invited the
10 Commission to either continue the discussion regarding this item, or he would entertain a motion if
11 no further discussion was necessary.
12

13 There was discussion regarding traffic growth in Pleasant Grove. It was noted that the subject
14 property, as currently zoned, allows five lots, and the applicant is exploring the possibility of putting
15 a sixth lot in place. It was uncertain how the addition of one more home would make a difference in
16 the traffic patterns or water usage. There was further discussion about factors that impact water usage.
17

18 **MOTION:** Commissioner Redding moved that the Planning Commission forward a
19 recommendation of APPROVAL to the City Council for the request of Noel Vallejo and Bryce
20 Hardee for the rezoning of approximately 3.32 acres of land located east of 820 West and north of
21 1800 North from the RR (Rural Residential) Zone to the R1-20 (Single-Family Residential) Zone;
22 and adopting the exhibits, conditions, and findings of the Staff Report. Commissioner Martineau
23 seconded the motion. The Commissioners unanimously voted “Yes”. The motion carried.
24

25 **ITEM 2 – Public Hearing: Code Text Amendment – Section 11-7: Plan and Plat Requirements**
26 **(City Wide)**

27 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 11-7;
28 Plan and Plat Requirements. The City is proposing to Make Changes to the Review and Approval
29 Process for Subdivisions.

30 *(Continued from December 14, 2023)*
31

32 Director Cardenas presented the Staff Report and stated that what is proposed is a Code Text
33 Amendment that was prepared by Staff to comply with new State requirements regarding the process
34 and review of approving subdivision plans for single-family dwellings, duplexes, and townhouses.
35 Currently, Pleasant Grove Code Section 11-7, provides that the process to be used is as follows:
36

- 37 • Upon receipt of an inquiry to submit a Subdivision Plan, the person is referred to the
38 Development Review Committee (“DRC”), which consists of staff from the Fire Department,
39 Public Works, and Community Development. The committee works with the potential
40 applicant on a Concept Plan showing how the property is to be subdivided and provides ideas
41 and comments.
42
- 43 • The potential applicant is given an application packet and asked to submit both Preliminary
44 and Final Plans once completed. The review process is triggered by submission.
45
- 46 • The current goal for the time in which to conduct the review process is 20 days. If changes
47 are needed, the applicant is advised, to make the changes, and resubmit the application. That

1 resubmission triggers another 20-day review. This process is repeated until the plans are
2 approved by staff, which usually requires six rounds.
3

- 4 • The application is then presented to the Planning Commission as a Final Plan for a public
5 hearing. At the conclusion of the public hearing, the application is either recommended for
6 approval or denial. If there is a recommendation of approval it is submitted to the City Council
7 for action, or under limited conditions, to staff for final processing and recording, which
8 usually takes a few days.
9

10 Director Cardenas reported that because each jurisdiction in the state uses its own process, the State,
11 by passing Senate Bill 174, now requires that processing residential plat applications be done
12 uniformly. The proposed Code Text Amendment incorporates the changes mandated.

13
14 The following proposed changes are identified:

- 15
16 1. Any Pre-Application Meeting before the DRC must be optional and not mandatory.
17 Pleasant Grove City already has the DRC recommendation and not a requirement. The
18 proposed ordinance will make clear that the DRC is an option. It further identifies the
19 committee membership, its role, and time frames for the reviews.
20
- 21 2. The most important change in the ordinance is that the City Council will no longer be
22 the Land Use Authority for residential plats including single-family homes, duplexes,
23 and townhomes. Director Cardenas and the City Attorney determined that the
24 Planning Commission should have that authority. Staff will now bring preliminary
25 residential plats only to the Planning Commission to approve, deny, or approve with
26 conditions. The approval takes place at a Public Meeting but does not require a public
27 hearing. This means that the noticing requirements are different and applications are
28 not subject to public comments at a Public Hearing. Other types of plats will continue
29 to be approved or denied by the City Council after recommendations are made by the
30 Planning Commission.
31
- 32 3. The State requires staff to conduct a first review within the first 15 days of the
33 application. After this review, staff may conduct two or three different reviews. Once
34 the matter is ready for preliminary review by the Planning Commission, it is scheduled
35 for hearing. A final review must be conducted within 20 business days.
36

37 A question was raised about possible timing issues because of the Planning
38 Commission's meeting schedule, which is currently once a month and when necessary.
39 Director Cardenas reported that the issue could be resolved by scheduling meetings
40 bi-monthly. He also noted that because the Public Hearing notice is no longer
41 required, scheduling may be easier. The legislation does not require the application to
42 be brought to the Planning Commission after the first 15-day review and only dictates
43 when the first staff review is to be performed. The matter may be under staff review
44 for two to three reviews before being forwarded to the Planning Commission for
45 Preliminary Plan review. He noted that reviews are limited to a maximum of four.
46 The City's goal will be to do two preliminary plan reviews and two final reviews if
47 needed. That schedule, however, could be modified depending on the complexity of

1 the application. The Final Review must be completed within 20 business days.
2 Director Cardenas was confident that the City could comply with these time frames.
3 Staff will need to be cognizant that only four reviews, in total, can be done.
4

5 4. The City is to provide a checklist of items needed at a minimum, for approval that list
6 as being worked on by staff. The list must be very clear with respect to what is needed
7 because of the required time limit. State law provides that the application review date
8 starts running the day money is accepted, which creates a vested application. Director
9 Cardenas reported that Paul Douglass is the Planner and Permit Administrator
10 responsible for reviewing all residential applications. If applicable, he will send
11 material out for review to the Fire, Engineering, and Planning Departments. If the
12 application is incomplete it will be rejected. If it is accepted and the fees paid, the
13 review process time starts to run.
14

15 5. Staff is required to review the application and address all needed corrections
16 completely and thoroughly. An appeal process is in place in the event there is a dispute
17 over a land use decision that requires an appeal before the Hearing Officer. If the issue
18 pertains to Engineering, the applicant has 10 days to appeal. Once that is done, the
19 City and the Applicant each hire an Engineer, and the two Engineers hire a third
20 Engineer. That trio then rules on the issue. The cost of appeal is borne with each side
21 paying half. If the applicant is still not satisfied, an appeal can be made to the District
22 Court.
23

24 Director Cardenas remarked that many of the resolutions in the proposed ordinance are already in
25 operation but he anticipated difficulties if the applicant does not make use of the DRC and expects
26 there to be developer dissatisfaction and requests to change parts of the ordinance. Further, because
27 the applications presented to the Planning Commission will be at the Preliminary Plan level of
28 development, the Commission will need to be more alert and thorough with regard to what is being
29 brought forward. The proposed change will increase the Planning Commission's workload but they
30 will be able to have applicants respond to their concerns. The proposed changes are what the State
31 requires. The City Attorney requested approval and the staff was comfortable with the process.
32

33 Chair Phillips opened the public hearing. There were no public comments. The Chair closed the
34 public hearing and invited the Commission to either continue the discussion regarding this item, or
35 he would entertain a motion if no further discussion was necessary.
36

37 There was discussion regarding the process and the changes required since what is being presented is
38 in a preliminary rather than a final plan stage.
39

40 **MOTION:** Commissioner Butler moved that the Planning Commission recommend that the City
41 Council APPROVE the request for a Code Text Amendment to City Code Section 11-7: Plan and
42 Requirements; and adopt the exhibits, conditions, and findings of the Staff Report. Commissioner
43 Redding seconded the motion. The Commissioners unanimously voted "Yes". The motion carried.
44

1 **ITEM 3 – Public Hearing: Code Text Amendment – Section 11-3-4-B.1: Cul-De-Sacs**
2 **(City Wide)**

3 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 11-3-4-
4 B-1, Cul-De-Sacs. The City is proposing to Remove the Possibility of Extending Cul-de-Sacs Beyond
5 their Maximum Permitted Length.

6 *(Continued from December 14, 2023).*

7
8 The above item was continued indefinitely.

9
10 **ITEM 4 – Public Hearing: Code Text Amendment – Section 10-6-2: Definitions**
11 **(City Wide)**

12 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-6-2:
13 Definitions. The City is proposing to Make Changes to the Definitions of “Lot Coverage” and Create
14 New Definitions for the Term “Enclosed”.

15 *(Continued from December 14, 2023).*

16
17 The above item was continued indefinitely.

18
19 **ITEM 5 – Public Hearing: Code Text Amendment – Section 10-9-C: Medium Multiple-**
20 **Residential Zone (RM-7)**
21 **(City Wide)**

22 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-9-
23 C: Medium Multiple-Residential Zone (RM-7). The City is proposing to Make Changes to the
24 Density, Permitted Uses, and Requirements in the RM-7 Zone.

25 *(Continued from December 14, 2023)*

26
27 The above item was continued indefinitely.

28
29 **ITEM 6 – Public Hearing: Code Text Amendment – Section 10-15-14: Flag Lots**
30 **(City Wide)**

31 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-15-
32 14, Flag Lots. The City is proposing to Make Changes to the Zoning Requirements for the Potential
33 Development of Interior Lots with the Intent to Facilitate the Development of Infill Areas in an
34 Orderly and Reasonable Manner.

35 *(Continued from December 14, 2023)*

36
37 The above item was continued indefinitely.

38
39 **ITEM 7 – Election of Chair and Vice-Chair for 2024-2025**

40
41 Chair Phillips opened the nominations for Chair and Vice-Chair.

42
43 Nominations for Chair were as follows:

- 44
45 • Commissioner Martineau nominated Commissioner Patten to serve as Chair. Commissioner
46 Redding seconded the nomination.

1 • Chair Phillips nominated Commissioner Martineau to serve as Chair. Commissioner Fugal
2 seconded the nomination.

3
4 Director Cardenas counted the votes with Commissioner Patten receiving three votes and
5 Commissioner Martineau receiving two. Commissioner Patten was elected to serve as Planning
6 Commission Chair.

7
8 Nominations for Vice Chair were as follows:

9
10 • Commissioner Redding nominated Commissioner Martineau to serve as Vice-Chair.
11 Commissioner Butler seconded the nomination.

12 • ~~Commissioner Butler nominated Commissioner Redding to serve as Vice-Chair.~~
13 ~~Commissioner Martineau seconded the motion.~~

14
15 Director Cardenas counted the votes with Commissioner Martineau receiving two votes and
16 Commissioner Redding receiving three. Commissioner Redding was elected to serve as Vice-Chair.

17
18 Director Cardenas reported that after discussing the matter with Mayor Fugal more applicants for
19 Planning Commission Alternates are needed.

20
21 **ITEM 8 – Review and Approve the Minutes from the December 14, 2023, Meeting.**

22
23 **MOTION:** Commissioner Fugal moved to APPROVE the December 14, 2023, minutes as written.
24 Commissioner Martineau seconded the motion. The Commissioners unanimously voted “Yes”. The
25 motion carried.

26
27 **ADJOURNMENT**

28
29 **MOTION:** Commissioner Martineau moved to ADJOURN the Planning Commission Meeting.
30 Commissioner Butler seconded the motion. The Commissioners unanimously voted “Yes”. The
31 meeting adjourned at 8:09 p.m.

32
33
34 
35 Planning Commission Chair

36
37 
38 Christina Gregory, Planning and Zoning Assistant

39
40 1/25/2024
41 Date Approved