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PLEASANT GROVE CITY  
PLANNING COMMISSION MEETING MINUTES  
October 25, 2018

**PRESENT:** Chair Lisa Coombs, Vice Chair Sam Sanderson, Commissioners Peter Steele, Bobbi Jo Blake, Tamara Oborn, Dustin Phillips, and John Hawkins

**EXCUSED:** Commissioners Jeffrey Butler

**STAFF:** Community Development Director Daniel Cardenas, City Planner Julie Henry, Planning Assistant Kelly Evans

Chair Coombs opened the meeting at 7:00 p.m.

**Commission Business:**

**1. Pledge of Allegiance:** Commissioner Phillips led the Pledge of Allegiance.

**2. Opening Remarks:** Commissioner Blake gave the opening remarks.

**3. Agenda Approval:**

- **MOTION:** Commissioner Oborn moved to APPROVE the agenda as part of public record. Commissioner Blake seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**4. Staff Reports:**

- **MOTION:** Commissioner Sanderson moved to APPROVE the staff reports as part of the public record. Commissioner Oborn seconded the motion. The Commissioners unanimously voted “Aye”. The motion carried.

**5. Declaration of Conflicts and Abstentions from Commission Members:** There were none.

1 **ITEM 1** – Public Hearing to Consider a Request of Jason Fox for a Conditional Use Permit to  
2 Allow an Accessory Structure, with a Footprint Exceeding 1,200 square feet, on Property Located  
3 at 312 East 1700 North in the R1-12 (Single-Family Residential) Zone. **BIG SPRINGS**  
4 **NEIGHBORHOOD** \*Continued from the October 11, 2018 Planning Commission Meeting.

5  
6 *NOTE: Items 1 and 2 were discussed simultaneously.*

7  
8 City Planner, Julie Henry presented the staff report regarding two conditional use permit requests  
9 for an accessory structure at the address listed above. The subject property was part of a  
10 subdivision that was recorded earlier in the month, so the property was still vacant. She presented  
11 the site plan and identified the location of the primary dwelling and the proposed accessory  
12 structure, which would be a garage on the main floor and an accessory apartment on the second  
13 floor. City Code limits the height of an accessory structure to 18 feet, and up to 25 feet or the  
14 height of the home (whichever is less) with a conditional use permit. Ms. Henry described the  
15 slope of the property and how it affected their calculations for the height of the home and the  
16 proposed accessory structure. Staff calculated 24 feet for the home and 22’7” for the accessory  
17 structure, which was within the Code requirements for a conditional use permit.

18  
19 Commissioner Phillips asked if the intent of the height limitation was to ensure that the accessory  
20 structure isn’t higher than the home. In this case, the accessory structure would be physically  
21 higher than the home because of the slope. Ms. Henry responded that staff was more concerned  
22 about the scale of the structure and the view from the neighboring homes.

23  
24 Ms. Henry stated that staff recommended approval of the conditional use permit for the height of  
25 the structure. The second conditional use request was for the footprint of the accessory structure.  
26 The Code limited the footprint to 10% of the minimum lot area of the zone. Since the property is  
27 located in the R1-12 zone, the limit would be 1,200 square feet. The Code allows for an accessory  
28 structure up to 15% with a conditional use permit. The proposed accessory structure would be  
29 1,536 square feet, which meets the Code requirements. Staff recommended approval.

30  
31 Ms. Henry explained that the main dwelling will have two kitchens with one on the main floor and  
32 one in the basement. Staff would require that the applicant to provide a Second Kitchen Affidavit,  
33 which states that the second kitchen will only be used by the family and will not be rented out.  
34 The applicant would also need to record an Accessory Apartment Registration on the property to  
35 clarify that the accessory apartment can be rented out.

36  
37 Chair Coombs opened the public hearing. There were no public comments. Chair Coombs closed  
38 the public hearing.

39  
40 **MOTION:** Commissioner Steele moved that the Planning Commission APPROVE the request  
41 of Jason Fox for a Conditional Use Permit to allow an accessory structure with an area of 1,536  
42 square feet, on property located at 312 East 1700 North in the R1-12 (Single-Family Residential)

1 Zone; and adopt the exhibits, conditions, and findings contained in the staff report, and as modified  
2 by the conditions below:

- 3
- 4 1. Must match primary dwelling with a wainscot of brick siding on 30% of all building sides  
5 or alternative that meets City Code Section 10-9B-7:F.
- 6
- 7 2. All Final Planning, Engineering, and Fire Department requirements are met.
- 8

9 Commissioner Sanderson seconded the motion. The Commissioners unanimously voted “Aye”.  
10 The motion carried.

11  
12 **ITEM 2** – Public Hearing to Consider the Request of Jason Fox for a Conditional Use Permit to  
13 Allow an Accessory Structure, with a Height Greater than 18 feet, on Property Located at 312 East  
14 1700 North in the R1-12 (Single-Family Residential) Zone. **BIG SPRINGS NEIGHBORHOOD**  
15 ***\*Continued from the October 11, 2018 Planning Commission Meeting.***

16  
17 *NOTE: Items 1 and 2 were discussed simultaneously.*

18  
19 **MOTION:** Commissioner Oborn moved that the Planning Commission APPROVE the request  
20 of Jason Fox for a Conditional Use Permit to allow an accessory structure 22’7” in height, on  
21 property located at 312 East 1700 North in the R1-12 (Single-Family Residential) Zone; and adopt  
22 the exhibits, conditions, and findings contained in the staff report, and as modified by the  
23 conditions below:

- 24
- 25 1. Must match primary dwelling with a wainscot of brick siding on 30% of all building sides  
26 or alternative that meets City Code Section 10-9B-7:F.
- 27
- 28 2. All Final Planning, Engineering, and Fire Department requirements are met.
- 29

30 Commissioner Steele seconded the motion. The Commissioners unanimously voted “Aye”. The  
31 motion carried.

32  
33 **ITEM 3** – Public Hearing to Consider the Request of David Gibb for a Two-Lot Preliminary  
34 Subdivision Plat called Manila Hills Subdivision Plat “B” on Property Located at Approximately  
35 328 West 2600 North in the R-R (Rural Residential) Zone. **SAM WHITE’S LANE**  
36 **NEIGHBORHOOD** ***\*Continued from the October 11, 2018 Planning Commission Meeting.***

37  
38 Ms. Henry presented the staff report regarding a two-lot preliminary subdivision plat at the address  
39 listed above. The property is zoned R-R, which requires minimum one-half acre lots. The existing  
40 plat for the subdivision contains Lots 1 and 2. The proposed plat would not affect Lot 1 but would  
41 subdivide Lot 2 into Lots 3 and 4. There is an existing barn on Lot 4, which could either be vacated  
42 and used as a barn or brought up to Code to be a dwelling. Ms. Henry noted that this needed to be

1 established before the plat was recorded. The plat would also have to include a note for Lot 4  
2 prohibiting a single-family dwelling at the back of the lot because they would not be able to provide  
3 an access that meets Code requirements. If an accessory structure were constructed in that  
4 location, any utilities would have to run through the property and to the main road, rather than  
5 through the private stem. With regard to Lot 3, Ms. Henry stated that there had been a lot of  
6 discussion during the last Planning Commission Meeting about the tiny home on the lot. Staff  
7 maintained their position that the tiny home must be removed or demolished before the plat can  
8 be recorded. The owner also had the option of altering the tiny home to meet the minimum  
9 requirements for a single-family dwelling. The standard for single-family dwellings in the zone  
10 was 1,200 square feet in size with a two-car garage. Staff recommended approval with the  
11 conditions listed in the staff report.

12  
13 In response to a question from Commissioner Blake, staff clarified that no dwellings could be built  
14 at the back of Lot , but they could construct a barn or a shop in that area.

15  
16 Chair Coombs opened the public hearing. There were no public comments. Chair Coombs closed  
17 the public hearing.

18  
19 Commissioner Blake asked if they could approve the request before the conditions are met.  
20 Director Cardenas explained that staff would grant final approval of the subdivision. The applicant  
21 would have to meet all of the conditions before receiving final approval from staff.

22  
23 Commissioner Oborn was saddened that they may have to tear down the tiny home, but she was  
24 happy to hear that they had the option to build up the home if they wish to keep it.

25  
26 **MOTION:** Commissioner Blake moved that the Planning Commission forward a positive  
27 recommendation of approval to the Public Works Director for the request of David Gibb for the  
28 preliminary subdivision plat called Manila Hills Subdivision Plat “B”, on property located at  
29 approximately 328 West 2600 North, in the R-R (Rural Residential) Zone; and adopt the exhibits,  
30 conditions, and findings contained in the staff report, and as modified by the conditions below:

- 31
- 32 1. The accessory structure on Lot 3 be either demolished, moved to another lot, or made into  
33 a single-family dwelling consistent with the code requirements.
  - 34
  - 35 2. The barn that exists on Lot 4 be brought up to code by either vacating or being made into  
36 a single-family dwelling consistent with the code requirements.
  - 37
  - 38 3. All Final Planning, Engineering, and Fire Department requirements are met.
  - 39

40 Commissioner Phillips seconded the motion. The Commissioners unanimously voted “Aye”. The  
41 motion carried.

42

1 **ITEM 4** – Public Hearing to Consider the Request of Paul Washburn to Amend City Code Section  
2 10-12B-7:B Yard Requirements. The Proposed Amendment Aims to Reduce Side Yard Setbacks  
3 in the Manufacturing Distribution (MD) Zone. **MANUFACTURING DISTRIBUTION ZONE**  
4

5 Director Cardenas explained that staff’s goal was to present the amendment to the City Council on  
6 November 13. He recommended that the Planning Commission give their feedback regarding the  
7 proposed amendments and continue the item to the November 8 meeting, at which time they could  
8 give their formal recommendation for the city Council. Director Cardenas explained that the  
9 applicant approached the City about two months ago with a proposal to create a conditional use  
10 that would allow a reduction in side yard setback requirements for narrow lots in the MD zone. At  
11 the time, staff and the Planning Commission were not in favor of creating another conditional use  
12 because the City was trying to move away from them. Staff was asked to work on the proposal  
13 and create some qualifying provisions that would allow the reduction.  
14

15 Director Cardenas presented the proposed language, which included an exception for the side yard  
16 setbacks of narrow lots. The language reads:  
17

- 18 1. Narrow Lots: Lots that are not currently a part of a formal subdivision and that have a street  
19 frontage of less than 120 feet may be eligible for a side yard setback and side yard  
20 landscape reduction. Such lots may be granted a minimum set back of eight (8) feet on  
21 one side and a zero (0) set back on the opposite side, front and rear yard setbacks will  
22 remain unchanged. This modification shall be granted only by the issuance of a conditional  
23 use permit subject to the following conditions:  
24
  - 25 a. The lot is currently recorded with a metes and bounds description.
  - 26 b. Minimum lot size of one-half acre.
  - 27 c. The setback does not interfere with any public utility easements.
  - 28 d. The adjacent properties on either side are in the MD Zone.
  - 29 e. Landscaping shall be enhanced by increasing the size or number of trees and shrubs  
30 by at least 50% over the existing landscape standard.
  - 31 f. Any other conditions deemed appropriate by the Planning Commission.  
32

33 Director Cardenas noted that there had been discussion about requiring the eight-foot setback to  
34 be landscaped. Verbiage to that effect could be added to the proposed language if desired by the  
35 Commission.  
36

37 Commissioner Sanderson asked if there was a minimum square frontage requirement. He was  
38 concerned that this could apply to lots with as little as 10 feet of frontage. Ms. Henry responded  
39 that she would research that.  
40

41 Commissioner Sanderson asked for clarification on the increased landscaping requirement.  
42 Director Cardenas explained that the applicant would have to provide 50% more trees and shrubs  
43 than are required in the Code. If the Code requires 10 trees, they would have to provide 15.

1 Commissioner Oborn commented that that seemed like a lot of trees to put on such a small lot.  
2 Director Cardenas stated that he used 10 trees as an example, but the applicant's property would  
3 only require two or three. Staff wanted to maintain the tree requirement because Pleasant Grove is  
4 "the City of Trees".

5  
6 The Planning Commission discussed the 120-foot frontage requirement and requested that the  
7 language be altered to ensure that any lot with less than 120 feet of frontage is eligible for the  
8 exception. They also wanted to allow the applicant to decide which side of the lot would be the  
9 eight-foot setback. There was also discussion regarding the numbering and formatting of the  
10 proposed language. Director Cardenas indicated that he would discuss the matter with the City  
11 Attorney. He noted that the application would have to be re-noticed regardless of whether they  
12 change the numbering.

13  
14 Commissioner Phillips questioned whether their definition of a narrow lot was overly restrictive.  
15 Director Cardenas did not think it was. He showed the entire MD zone and stated that the  
16 exception would only apply to the old, narrow lots that were not part of another subdivision. He  
17 did not foresee any issues with the definition.

18  
19 Commissioner Steele suggested they include language clarifying that if two narrow lots are next  
20 to each other, the eight-foot setbacks need to be adjacent to one other. He was concerned that they  
21 will end up with eight feet between buildings.

22  
23 Ms. Henry addressed Commissioner Sanderson's question from earlier and stated that the  
24 minimum frontage for lots in the zone was 40 feet.

25  
26 Director Cardenas asked if the Commission was comfortable with 120 feet or if they want to  
27 decrease it. The applicant's property includes 105 feet of frontage. The consensus of the  
28 Commission was that 120 feet was an acceptable number.

29  
30 Julie Smith was present representing Paul Washburn and addressed the increased landscaping  
31 requirement and stated that they wanted to be clear that they are not trying to avoid doing  
32 landscaping. She noted that Mr. Washburn's property shares an access with Warburton's to the  
33 west, so their building will have to be on the east side adjacent to the neighboring property's side  
34 yard. She asked if this would conflict with Commissioner Steele's recommendation.

35  
36 Director Cardenas stated that the neighboring property had already been approved, so they would  
37 have to allow the building on that side of the property. Putting this language in place would ensure  
38 that this kind of spacing doesn't happen in the future.

39  
40 Chair Coombs opened the public hearing. There were no public comments. Chair Coombs closed  
41 the public hearing.

42

1 **MOTION:** Commissioner Hawkins moved that the Planning Commission CONTINUE the  
2 request of Paul Washburn for the proposed amendments to City Code Section 10-12B-7:B Yard  
3 Requirements, until the November 8, 2018 Planning Commission meeting, based on the following  
4 finding:

- 5  
6 1. Staff will clarify the proposed amendments.

7  
8 Commissioner Sanderson seconded the motion. The Commissioners unanimously voted “Aye”.  
9 The motion carried.

10  
11 **ITEM 5** – Review and Approval of the Minutes from the September 27, 2018 and  
12 October 11, 2018 Planning Commission Meetings.

13  
14 **MOTION:** Commissioner Steele moved to APPROVE the minutes from the September 27, 2018  
15 Planning Commission Meeting. Commissioner Sanderson seconded the motion. The  
16 Commissioners unanimously voted “Aye”. The motion carried.

17  
18 **MOTION:** Commissioner Steele moved to APPROVE the minutes from the October 11, 2018  
19 Planning Commission meeting. Commissioner Oborn seconded the motion. The Commissioners  
20 unanimously voted “Aye”. The motion carried.

21  
22 **MOTION:** Commissioner Hawkins moved to adjourn. Commissioner Blake seconded the  
23 motion. The Commissioners unanimously voted “Aye”. The motion carried.

24  
25 The meeting adjourned at 8:00 p.m.

26  
27  
28 \_\_\_\_\_  
29 Planning Commission Chair

30  
31  
32 \_\_\_\_\_  
33 Barbara Johnson, Planning Tech

34  
35 \_\_\_\_\_  
36 Date Approved