



EAGLE MOUNTAIN PLANNING COMMISSION MEETING MINUTES

December 11, 2018, 6:00 p.m.

Eagle Mountain City Hall Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

6:00 P.M. - Eagle Mountain City Planning Commission Policy Session

COMMISSION MEMBERS PRESENT: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson.

OFFICIALS PRESENT: Councilmembers Melissa Clark and Donna Burnham

CITY STAFF PRESENT: Steve Mumford, Community Development Director; Michael Hadley, Planning Manager; Tayler Jensen, Planner; Lianne Pengra, Recording Secretary

Commissioner Everett opened the meeting at 6:00 p.m.

1. Pledge of Allegiance

Commissioner Everett led the Pledge of Allegiance.

2. Declaration of Conflicts of Interest

None.

3. Approval of Meeting Minutes

A. November 13, 2018

MOTION: *Rich Wood moved to approve the November 13, 2018, meeting minutes. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

4. Election of Planning Commission Chair and Vice-Chair

MOTION: *Rich Wood moved to elect Matthew Everett as Planning Commission Chair. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *Jared Gray moved to elect Rich Wood as Planning Commission Vice-Chair. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

5. Action and Advisory Items

A. Clark Hobby Breeder/Kennel License, Public Hearing; Action Item:

Planner Tayler Jensen presented an application for a kennel license to allow Brittany Clark to board dogs in her home. She currently has three dogs and is requesting approval to board five additional dogs in her home. Her request also includes exceptions to the required outdoor dog runs, and required national registry documentation.

Mr. Jensen said the Municipal Code states kennels are defined as any lot wherein five or more dogs over 4 months of age are kept or maintained for any purpose including boarding, breeding, buying, grooming, letting for hire, training for fee, or selling, and are only allowed within the Agriculture Zone. He stated hobby breeder licenses are permitted in residential neighborhoods and allow up to eight dogs on the property. He explained the application does not fit precisely in either the hobby breeder or kennel definition.

Mr. Jensen explained the proposed five-day limitation is an arbitrary number and the Commissioners can update that number as they see fit. Commissioner Wood stated that as long as the dogs have a controlled environment with ample room, the length of stay is not important. Commissioner Wright expressed concerns regarding enforcement of that condition.

Mr. Jensen stated the hobby breeder portion of the license requires outdoor dog runs to allow the animals to exercise individually. As the applicant is not breeding dogs, she is requesting an exception to that requirement.

Commissioner Wood asked how the application was noticed to the public. Mr. Jensen said 99 notices were mailed, which covers all properties within 600 feet of the applicant's home. The Planning Department did not receive any comments for or against the license application.

Ms. Clark explained that she has watched dogs while their owners are on vacation, and applied for the license to continue, once she realized it was required. She stated she watches a variety of breeds for \$10 per day, per dog. The dogs have separate kennels and are fed in their kennels to avoid food aggression. They are exercised outdoors with supervision, although in the winter, the dogs do not spend much time outdoors; Ms. Clark plays and interacts with the dogs inside for exercise. She has spoken with her neighbors and has not received any negative feedback. She stated she requires dog owners to provide proof that all state-required vaccinations are up to date.

Ms. Clark said she has had a maximum of nine dogs at one time, and she determined that was too high a number for the available space, which is the reason for the requested eight dog limit. She stated she averages one to two dogs every month. Commissioner Everett asked if limiting the number to eight dogs is a small enough limitation. Ms. Clark said she limits the number of dogs based on the breeds she watches. If they have a large, high-energy dog such as a Great Dane, she would not allow the full amount of eight dogs during that period.

Commissioner Everett asked Ms. Clark if the time limit of five days was agreeable. She stated most dog owners will leave for up to two weeks, and would prefer a limit of fourteen days. She has not had any requests for dog boarding for more than two weeks.

Commissioner Wood asked how much time the dogs spend in their kennels, how she prevents the spread of disease, and how she mitigates noise. He also expressed concerns regarding the use of travel-size kennels. Ms. Clark clarified that the dogs rarely come with travel-size kennels, and stated the dogs do not spend more than three hours at a time in kennels during the day. The dogs

are only in kennels during daytime hours if she needs to leave the home for an errand. She explained the dog owners bring kennels, food, and dishes, which negates the possibility of any cross contamination. Regarding noise, the dogs are rarely outdoors alone, and if they bark, she brings them inside.

Commissioner Everett opened the public hearing at 6:30 p.m. As there were no comments, he closed the hearing.

Commissioner Wood stated Municipal Code standards for the hobby breeder permit should be used for this application until a better code is in place. He expressed concerns regarding the size of the home, the sizes and breeds of the dogs on the property, and the use of travel-size kennels. He explained he believes seven dogs would be disruptive to neighbors and would cause unsanitary conditions in the home. He stated the dogs need to have a designated area, versus being allowed throughout the home, and expressed concerns regarding setting a precedent in allowing this number of dogs in small lots. He said Agricultural zones are more conducive to this use.

Commissioner Wright expressed concerns regarding the space available, and if it would allow for separation of the dogs, as well as space for them to relax and exercise. He does not think this property is large enough.

Commissioner Wood said he is not opposed to approving this application, even though it is not in the Agriculture zone, but stated that guidelines need to be in place.

Commissioner Gray said as the Municipal Code currently stands, the Planning Commission can discuss each application individually. He stated a maximum of seven dogs is reasonable, and limits can be set on the size of the dogs. He stated he would prefer conditions based on the size and breed of dogs.

Commissioner Wood asked if approving this specific application would set precedent for future applications. Mr. Jensen said that is not likely. He explained a hobby breeder license, which allows the applicant to own up to eight dogs, would be permitted on this property. He stated a kennel license allows the homeowner to board five or more dogs, but does not have a cap.

Discussion ensued on potential conditions that specifically spoke to size and breeds of dogs.

Commissioner Everett stated any conditions that the Planning Commission places are only enforceable if complaints are made. He said not having any comments after sending out 99 notices is telling, and he appreciated the applicant coming to the Planning Commission of her own volition. He stated he is comfortable with limiting the total dogs on property to seven, and said a time limit of two weeks is appropriate. He agreed that the dogs should have up-to-date vaccines, per State law, to protect the animals and ensure a safe environment.

Commissioner Gray stated he is comfortable approving this application as long as staff updates Municipal Code to define dog sizes and breeds. He asked for staff's opinion on the time limit condition. Mr. Jensen said staff is working on this section of the Code, and the City intends for this license to allow for short-term stays. The Commissioners agreed that fourteen days is reasonable, as there is not a set definition for short-term stays.

Commissioner Wood asked if the applicant is subject to the hobby breeder permit portion of the Municipal Code. Mr. Jensen confirmed the applicant is subject to the Code, and explained that staff reviewed the application based on the hobby breeder permit portion of the Code.

MOTION: *Rich Wood moved to approve the Clark hobby breeder/kennel license, with the following conditions:*

- 1. The applicant receives and maintains a valid business license;*
- 2. The applicant shall not own more than four dogs;*
- 3. At no time may more than seven dogs (including those owned by the applicant) be located on the property;*
- 4. No dog may be watched for more than 14 days at a time;*
- 5. The applicant shall ensure owners of all dogs watched provide proof of rabies certificates and all State-required vaccines; and*
- 6. No external dog runs are required.*

Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.

B. Development Code Amendment (17.38) , Code Amendment, Public Hearing; Action Item:

Mr. Jensen presented the applicant-proposed request to amend the Commercial Storage Zone to allow for additional moving trucks in front of walls at moving and storage facilities and businesses. The proposed amendment removes the limit of six moving vehicles, and instead states the number of allowed vehicles is only limited by the design of the facility and available space. The amendment also states the parking plans must be approved by the Planning Director or their assignee.

Commissioner Gray asked who determines if the design of the facility warrants additional vehicles. Mr. Jensen said a conditional use permit would still be required, so the Planning Commission would review all applications.

Commissioner Wood asked if "design of facility" needs to be defined. Mr. Jensen said that staff did not draft the amendment, and stated applications should still require Planning Commission approval.

Dave Hall with Sunset Storage said his property is located in the Industrial zone and the denied application for moving vehicle parking in the Ridley's parking lot was located in a Commercial zone. He explained there is a 1700-square foot area to park the moving trailers, and there is adequate room to park and move vehicles as needed without blocking traffic flow.

Mr. Hall stated the moving trailers are rented out 24 hours a day. As such, customers drop off moving trailers at night, and staff is not on the premises to ensure trailers are placed correctly. Customers also need to pick up moving trailers when the business is closed, so having vehicles placed in the front of the storage lot is more convenient. He explained the layout of the parking area and the location of curbs and asphalt. He said his property would meet Municipal Code if a wall was built, but he prefers to not build a wall, as customers would likely back in to it.

Commissioner Wright asked what the property setbacks are. Mr. Jensen said adjoining Commercial properties have a maximum setback; there are no minimum setbacks or buffers. Mr. Jensen clarified that the property in question is Commercial, not Industrial. Staff considers the

property to be zoned Commercial Storage, as the Commercial zone does not allow storage facilities; this facility was grandfathered in through past approvals.

Commissioner Everett asked how many trailers would fit at the location, if no restrictions were in place. Mr. Hall said fourteen would fit, and that most people who drop off trailers at night will park in the designated spots.

Commissioner Wright asked staff what the purpose of the current reading of the Municipal Code is. He stated the proposed amendment does not address a problem that exists for the Planning Commission; it addresses a problem that exists for the applicant. Mr. Jensen said the wording is in place for visual preference and to keep properties orderly.

Commissioner Wood said the applicant is not meeting the current or proposed Municipal Code, as the property does not have designated parking stalls.

Commissioner Gray expressed concerns regarding visibility, and stated he prefers to limit parking to twenty feet from the entrance. He does not want to allow moving trucks to park along sidewalks, as that can offer dark spaces for people to hide.

Mr. Jensen clarified that the clear vision triangle of 30 feet applies to all vehicle parking and fences, City-wide. Nothing over three feet high is allowed within that triangle. He stated the Planning Commission should consider the amendment outside of the site under discussion, but did inform the Commissioners the approved landscaping plan for the site shows the current parking area as grass, and also shows a future connection to the property to the south, which is not there currently.

Discussion ensued regarding businesses renting out parking stalls to moving companies for trailer storage. Mr. Jensen confirmed that only six trailers total, regardless of the moving company brand, are allowed on the Ridley's parking lot.

Commissioner Everett opened the public hearing at 7:20 p.m. As there were no comments, he closed the hearing.

Commissioner Wright said limiting the number of allowed trailers to six keeps the City clean. He stated the property under discussion can store additional trailers behind fencing; the purpose of allowing the six trailers is to advertise and display vehicles, not to park the entire fleet. He does not see a need for the amendment.

Commissioner Wood agreed that the amendment is not necessary, since the applicant is not following the current or proposed Municipal Code. He said the parking stalls are not marked and expressed doubt that the Code would be followed if the amendment is approved.

Commissioner Gray said the amendment allows the Planning Commission to determine the appropriate number of vehicles on a case-by-case basis. The Commission could limit a business to a lesser number, if six is too high.

Commissioner Everett said the proposed language is too ambiguous, and asked if the Planning Commission should differentiate between motorized and non-motorized vehicles.

Discussion ensued regarding the applicant's approved site plan, and the fact that the current parking does not meet the Municipal Code.

Commissioner Wright said the current wording of the Municipal Code is to allow companies to advertise. He said it is not to allow for picking up and dropping off moving vehicles. Commissioner Wood disagreed and stated his belief that the wording is to allow companies to receive vehicles. He said "display" may need to be changed to "park," and his biggest concern is that vehicles need to be parked in designated parking stalls.

The Commissioners discussed the need for the amendment and if it addresses a current problem within the City as a whole, versus a problem for the applicant.

Commissioner Gray said he likes the amendment, as it allows the Planning Commission to determine the appropriate number of vehicles for individual properties. Commissioner Everett stated he preferred to recommend denial to the City Council, as the amendment does not address a current problem within the City.

MOTION: *Brett Wright moved to recommend denial of Development Code Amendment 17.38 to the City Council. Matthew Everett seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and DeLin Anderson. Those voting nay: Jared Gray. The motion passed with a vote of 4:1.*

C. Scenic Mountain Phase B, Preliminary Plat, Site Plan, Conditional Use Permit, Public Hearing; Action Item:

Mr. Jensen presented the preliminary plat, site plan, and conditional use permit for Scenic Mountain Phase B. He said the proposal is for forty townhomes in the Townhome Pod of the master development plan. He said the item was tabled on September 11, 2018, until the applicant provided applications for a site plan and a conditional use permit, a plan showing buildable areas, an updated traffic study, and updated elevations. All of those items have been submitted.

Mr. Jensen stated density is an item of consideration for the Planning Commission. He explained the original master development plan allowed for a maximum density of 8.23 dwelling units per acre. The applicant sold more land to UDOT than they anticipated, so in order to include the forty townhomes originally approved, the density has been raised to 9.38 dwelling units per acre in that pod. The master development plan included up to 94 single-family units, but only 80 units are platted. With the additional five units in the townhome pod, the overall total number of units is nine fewer than what was approved. He explained the master development agreement states the developer may modify the planning areas to accommodate a relatively similar mix of uses, and the property shall not exceed an average of 10.15 dwelling units per acre; staff feels the proposed plan meets the spirit of the master development agreement. He explained the location is along a freeway, and an additional five units will not be detrimental to the character of the area.

Mr. Jensen presented the proposed elevations of the townhomes, as well as the clubhouse. He stated staff likes the elevations, but additional pop-outs or bay windows would be appropriate on side elevations facing the public right of way. The proposed clubhouse is a two-story structure with a pool, and has Hardie board and rock all around.

Commissioner Gray asked if additional high density would be added later in the project, and if the Mount Saratoga project borders Scenic Mountain. Mr. Jensen stated additional units might be built in the Flex Use pod, but staff is requesting office or commercial use be placed there. Staff is working with Saratoga Springs on a potential road connection between the projects.

Community Development Director Steve Mumford said the Mount Saratoga plan shows a potential or possible future connection in that area. He explained there is also a potential connection in the north end of the Porter's Crossing project.

Commissioner Gray expressed concerns regarding traffic if a connection is made from Mount Saratoga to Scenic Mountain. Commissioner Everett said the traffic study shows a performance level D in the morning hours. He said a connection could potentially relieve some traffic leaving the area. Mr. Mumford said a traffic study will be completed before a road is put in. The intent is to not draw Saratoga Springs traffic into Eagle Mountain.

Commissioner Wood asked if the road connecting to Wride Memorial Highway will have a continuous right turn. Mr. Mumford said the applicant can speak to that, as they are working with UDOT.

Dylan Young with Fieldstone Homes explained the updated traffic study was in response to the plan's change to one access, instead of two right-in, right-out accesses onto Wride Memorial Highway. He said the access permit from UDOT requires a deceleration lane heading east with an extended barrier to prevent left turns. The acceleration lane is 1500 feet long. He said once the freeway is in place, the road will be a frontage road. The on-ramp will be located at Mt. Airey Drive.

Mr. Young said the plans show the possible road connection to Mount Saratoga as open space that will not be landscaped, so residents do not have other expectations for that piece of land. He stated his belief that the connection onto Wride Memorial Highway will relieve traffic on Mt. Airey Drive.

Commissioner Gray expressed concerns regarding the number of homes in the project area. He stated he is opposed to the additional five townhomes. He said UDOT purchased the additional 7.5 acres of land; Fieldstone Homes did not give the land away. He stated that it is not the Planning Commission's responsibility to allow for additional density, due to Fieldstone not utilizing the approved density in other areas.

Mr. Young said the master development plan designated what would be built before any development happened, and UDOT purchased 0.35 acres more than was planned for.

Commissioner Wright asked if the proposal fits the intent of the master development plan, and if the City is obligated to approve the plan. Mr. Jensen said staff feels it meets the intent. He explained the additional density is going in by a freeway, and is being concentrated away from single-family homes.

Commissioner Wood said the City has to allow an overall density up to 10.15 dwelling units per acre throughout the whole plan.

Mr. Young explained the master development agreement was written to allow for potential changes such as this. He said the changes are within the parameters of the master development agreement, as they are well under the 10.15 dwelling units per acre within the project.

Commissioner Gray said the proposed location is appropriate for high-density, but he believes regarding the specific parcel under discussion, 8.23 dwelling units per acre is the maximum density allowed, not the 9.38 dwelling units per acre requested. Mr. Jensen explained the applicants are decreasing the density of Planning Area 1 and increasing the density in Planning Area 2. The applicants feel they are within the rights given to them in the master development agreement, as the changes are minor. Mr. Young said flex in density is specifically addressed in the master development agreement.

Commissioner Gray said residents do not want more density; he stated his obligation is to support the residents.

Commissioner Wright stated the building facades facing Wride Memorial Highway need to have more architectural interest. Commissioner Wood said adding something as simple as an awning over the rear door can make it look like a front door, instead of a flat wall. He said he does not want these townhomes to look like the Pony Express Townhomes.

Mr. Young said the buildings will not look similar to those on Pony Express, as they are not using stucco around all sides, and the buildings are staggered. He explained the elevation presented is the base plan, and upgrades that buyers can add include pop-outs, a shed roof on the porch, and an enlarged porch. Commissioner Wood stated the units that would look awful if some units had upgrades that others did not. He said the builder should make the decision on the exterior options, not the home buyers. Mr. Young explained it is standard to offer these upgrades to individual buyers.

Mr. Young asked if the design meets Municipal Code. Commissioner Wright said the proposed elevations do not; they need architectural details.

Mr. Young said they are allowed to use vinyl siding or stucco throughout, but they are using stone and other upgraded building products. They have stepped the units in order to avoid having the driveways all on the same plane. He said they can require the upgrade of pop-outs on two of the units along Wride Memorial Highway. Commissioner Wood said the builder needs to make the decision regarding the units' exteriors that face Wride Memorial Highway, because the buyer won't make the correct decision.

Commissioner Anderson said he is concerned that options will be available for buyers and some may choose to upgrade, and others may not. Commissioner Wood said if they do not update the elevation, the applicants will have the same reputation as the Pony Express Townhomes builder.

Commissioner Everett opened the public hearing at 8:19 p.m. As there were no comments, he closed the hearing.

Commissioner Wood asked why condition number two, which requires Hurstbourne Drive to connect to Vernham Lane prior to issuing building permits, was in place. He also asked for the reasoning behind condition number four, which requires accesses onto Wride Memorial Highway to have shoulders and center turn lanes. Mr. Jensen explained the road connection condition was included because a second access is required in order to meet Fire Code. He

clarified that the condition pertaining to Wride Memorial Highway should state the applicant comply with the requirements within the UDOT traffic permit.

Commissioner Wood asked if the Commissioners are compelled under Municipal Code to approve the preliminary plat. He said he does not want to recommend approval, but believes the master development agreement allows the requested change. Commissioner Gray stated the preliminary plat complies with the verbiage of the master development agreement, but it exceeds the allowed density.

Commissioner Wright said he feels it would be best to allow 35 units. Commissioner Gray stated the consensus of residents City-wide is to not approve higher density.

MOTION: *Rich Wood moved to approve the Scenic Mountain Phase B conditional use permit. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

MOTION: *Rich Wood moved to recommend approval of the Scenic Mountain Phase B preliminary plat to the City Council with the following conditions:*

- 1. The site plan and conditional use permit must be approved prior to any building permits being issued;*
- 2. Hurstbourne Drive must connect to Vernham Lane prior to any building permits being issued;*
- 3. The sewer lift station must be maintained by the HOA;*
- 4. The plans must comply with all requirements within UDOT's traffic permit;*
- 5. The townhome elevations must provide additional features such as a pop-out, bay window, or awning on side and rear elevations facing a public ROW;*
- 6. The applicant shall provide model numbers of playground equipment to the Parks and Recreation Director; and*
- 7. The maximum density allowed is 8.23 dwelling units per acre, with a maximum number of 35 units.*

Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.

D. Cold Springs, Amended Site Plan, Public Hearing; Action Item:

Mr. Jensen presented the amended site plan for the Cold Springs subdivision. He explained the applicant is proposing to amend the approved site plan to remove three existing parking stalls and replace them with a dumpster enclosure. The Municipal Code requires 2.33 parking stalls per unit, for a total of 273 stalls. Currently, there are 290 stalls in the development. Each residence has two dedicated parking stalls, and if the amended site plan is approved, that would not change.

Commissioner Wood asked if the proposal is due to a lack of trash receptacles. Mr. Jensen explained that a resident was upset that his parking stalls were being used for dumpsters, and filed a complaint with the City. Staff informed the HOA that parking stalls could not be removed without an amended site plan approval.

Commissioner Wood stated he is opposed to approving the plan as it currently stands, as it does not fully enclose the dumpster.

Commissioner Everett opened the public hearing at 8:32 p.m. As there were no comments, he closed the hearing.

Commissioner Everett explained he does not have any concerns with adding a dumpster to the area, but does not like the location, as it is in the middle of a line of parking stalls.

Commissioner Gray stated the Commissioners can approve the proposal with the condition that it is located at the end of the line of parking stalls, and is enclosed with a fence or gate.

Commissioner Everett said without the applicant in attendance, tabling the item makes sense to allow the Commissioners to discuss concerns with the applicant at a later meeting.

MOTION: *Rich Wood moved to table the Cold Springs amended site plan to allow the applicant to be in attendance to address Planning Commission concerns. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

E. Development Code Amendment (17.72), Code Amendment, Public Hearing; Action Item:

Mr. Jensen stated the amendment was drafted at the request of the Fire Marshal, in order to assist in emergency response times. He explained the proposed code requires service drives to meet all fire access requirements, and requires units accessed via a rear service drive have a man door on the garage side of the unit. It also requires the unit to be addressed off the service drive.

Commissioner Everett opened the public hearing at 8:37 p.m. As there were no comments, he closed the hearing.

Commissioner Wood asked if existing homes could be required to place numbers. Mr. Jensen said the City can request existing homeowners to place numbers, but the amendment only applies to new development.

MOTION: *Brett Wright moved to recommend approval of Development Code Amendment 17.72, as written in the staff report. Rich Wood seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

F. Development Code Amendment (17.10), Code Amendment, Public Hearing; Action Item:

Mr. Jensen presented the staff-proposed change to Municipal Code definitions which will clarify that “kitchen” and “wet bar” are different. The definition of “kitchen” is any room and/or other place used, or intended or designed to be used, for cooking or the preparation of food that is at a minimum comprised of a set of fixed cooking facilities other than hot plates or other portable cooking units; includes kitchenettes. The definition of “wet bar” is a bar or serving counter, as in a recreation room, equipped with running water and sink.

Commissioner Everett opened the public hearing at 8:41 p.m. As there were no comments, he closed the hearing.

MOTION: *Jared Gray moved to recommend approval of Development Code Amendment 17.10, as written in the staff report. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

G. Development Code Amendments (17.25 & 17.30), Code Amendment, Public Hearing; Action Items:

Mr. Mumford stated staff has been working on a proposal to amend the Residential zone to comply with the newly adopted General Plan. He explained future land uses are not zones. The proposed zone names more closely match the future land use categories in the General Plan.

Mr. Mumford said he will research to see if current Residential zones can be automatically rezoned to comparable new zones with the approval of the Development Code amendment. If that is determined to not be legal, the properties will need to be rezoned through the City's process.

Mr. Mumford said the current zoning contains one Residential zone with a bonus density incentive system. The proposed amendment breaks the single zone into more options; developers will need to rezone property to obtain higher density. Residential buffering and transitioning will still be required.

The Rural Residential 1 zone has a minimum lot size of 2.5 acres. Rural Residential 2 has a minimum lot size of 0.5 acres and requires 1,000 square feet per lot to be provided as improved open space.

Commissioner Gray stated that if a 2.5-acre lot is the minimum size allowed, developers will not build larger lots. He said he wants to ensure 5-acre lots are still available within the City. He explained he would like to have a zone that requires larger lots, or require an average lot size and a set percentage of lots being more than 3 acres within the Rural Residential 1 zone. Mr. Mumford said staff did not propose a 5-acre residential zone because Agricultural zones allow that lot size. He explained the General Plan shows Rural Residential 1 with a minimum lot size of 2.5 acres.

Commissioner Wood said he would like variety of lot sizes within the zones. Mr. Mumford said the variety of lot sizes within the rural zones was not as important in staff's opinion, as it is difficult to tell the difference between a 2.5- and 3-acre lot.

Mr. Mumford asked if there is a specific lot size larger than 2.5 acres that is desirable to the Commissioners. Commissioner Gray said he does not prefer a set lot size; he wants variation in the developments. Mr. Mumford said curbs, roads, and corners will provide variation within the developments.

Discussion ensued on curb and gutter in rural areas. Mr. Mumford stated staff prefers all developments have curb and gutter, especially in areas with hillsides.

Commissioner Wood requested the word "sidewalk" be removed from the Rural Residential 1 possible exemptions, in order to allow the City to continue requiring pathways.

Commissioner Wood expressed concerns regarding the ¼-acre minimum lot size in the Foothill Residential zone. He stated the minimum lot size should be 1/3-acre, as that zone contains the City's showcase lots. Commissioner Gray explained that for every ¼-acre lot developed, a ¾-acre lot will need to be developed in order to comply with the required average of ½-acre. He said he does not think many ¼-acre lots will be developed. Commissioners Anderson and Wright stated their preference for 1/3-acre lot minimums.

Mr. Mumford explained that said Neighborhood Residential 1 zone has larger lots than Neighborhood Residential 2. He stated the Neighborhood Residential 2 zone would contain the typical standard residential lots, and that development will mainly be within the Neighborhood Residential 1 zone. Commissioner Gray said he believes the Neighborhood Residential 2 zone will be the most developed, and he would like to change the minimum lot size to 8,000 square feet in that zone.

Commissioner Wood asked if it would be better to set specific lot sizes that do not overlap between zones. He stated that the Neighborhood Residential 1 zone should allow three to six dwelling units per acre, and Neighborhood Residential 2 should have a minimum lot size of 0.15 acres with all multifamily development prohibited. He expressed concerns with allowing multifamily units in single-family home developments. He stated having both types of homes in an area causes many problems.

Commissioner Gray stated he would like an additional zone added specifically for attached multifamily homes only.

Mr. Mumford explained having flexibility within zones is a good planning practice, as is allowing both attached and detached homes within an area.

Commissioner Wood stated that requiring the Planning Commission to approve items only if supported by findings of fact would be a legal precedence. He said this would require the City Attorney to come to all Planning Commission meetings. Mr. Mumford explained all administrative items that the Commissioners decide on are based on findings of fact.

Discussion ensued regarding when the Municipal Code requires pools to be built in multifamily projects, and how to ensure the pools are built. Commissioner Wright expressed concerns that developers would build fewer than 150 units at a time, in order to avoid the pool requirement. Mr. Mumford said staff will research ways to prohibit that, but he does not believe that situation has happened within the City.

Commissioner Wood asked if the amendment should include design standards, and if the City has a process to require a minimum number of home designs within projects. Mr. Mumford explained multifamily home design standards are currently included, and the Municipal Code has requirements on differing colors and styles of homes within developments.

Commissioner Wood asked if the amendment can prohibit designs similar to what is currently along Bridleway Road in Oak Hollow. He stated the development is tunnel-like in appearance and is too uniform.

Commissioner Wood requested larger side setbacks, and that the side setbacks be increased as lot sizes increase. Mr. Mumford said each zone will include setbacks, and the setbacks do increase as the lot sizes increase.

Commissioner Gray stated he would approve the Rural Residential 1 zone, as long as wording is added that addresses average lot size requirements and a percentage of lots greater than a specific size. He said the Rural Residential 2 zone needs wording that would address lot size variation; he would like 15% of the lots to be larger than 1 acre.

Commissioner Everett opened the public hearing at 9:55 p.m. As there were no comments, he closed the hearing.

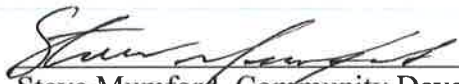
MOTION: *Matthew Everett moved to table Development Code Amendments 17.25 and 17.30. Brett Wright seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, Jared Gray, and DeLin Anderson. The motion passed with a unanimous vote.*

6. Next scheduled meeting: January 8, 2019

7. Adjournment

MOTION: *Rich Wood moved to adjourn the meeting at 9:57 p.m. Jared Gray seconded the motion. Those voting aye: Matthew Everett, Rich Wood, Brett Wright, and Jared Gray. The motion passed with a unanimous vote.*

Approved by the Planning Commission on January 22, 2019.


Steve Mumford, Community Development Director

