

Mendon Planning & Zoning Committee Meeting
February 7, 2018
Mendon City Library – 15 N Main

Administration Meeting began at 7:05 PM

Public meeting began at 7:33 PM

In Attendance:

Chairman: Joni Endicott

Co-Chairman: Jeremy Martin

Commissioners: John Davidson, Kevin Wright, Phil Zobell, Todd Shelton, Nancy Tolman

Council-member: Bob Jepsen

Secretary: Jill Pack

Mayor: Ed Buist

Excused: Bob Jepsen, Jeremy Martin

Public: Jess Roper, Bob DeGasser, Steven Sorensen, Brian Carver

Administration Meeting:

Joni started the administrative meeting at 7:05 p.m. She began where the commission left off last month. Chapter 3 and 4. Chapter 3 - Joni didn't find anything in Chapter 3 that needed changing. Kevin underlined 3.1 "It is further the intent of this Chapter that nonconforming uses or structures shall not expand or extend the nonconforming aspect of the use or structure." John stated that the biggest issue is nonconforming lots in town. Kevin stated that the businesses that have been there forever can stay but can't add a big building and expand the business. Joni stated that if it is already nonconforming it can stay that way but can't change from that. Chapter 4 - 4.1 Section A has been red-lined. John asked why they would want to take it out. Kevin stated that may be times there are people that really know their stuff and have been around a long time and it may be beneficial if they stay around longer than the stated term. P&Z is a complicated issue and needs time to really learn. John stated that the term limit forces change and allows others to take turns and helps there be no special interests. Mayor Buist stated that he believes it seems like a waste to see people leave right when they are learning everything and can be the most effective. Kevin stated that we have trouble finding volunteers for the commission. Joni suggested that maybe the commission should change the terms. Kevin stated that it should be left crossed off as Ron has it. There was discussion on whether to change the wording. Kevin, Phil, and Todd agreed to leave it as red-lined. It was suggested to change the wording to "begin following approval of City Council." Section C Meeting - redline as is. Ron changed all the numbers to be the same format throughout the document. Section 4.5 Permits To

Comply with Ordinance – It was asked if this section is needed? 4.6 Enforcement Official – Joni asked who this is. The Mayor stated that it could be the city council or designees, or sheriff. Bob Degasser stated that the police won't enforce civil law. The Mayor stated that James Swink is the prosecuting attorney and he could possibly be considered an enforcement official. It was asked if this should be added to the definitions section. Kevin stated that the building inspector would probably be an enforcement official too. Section 4.8 Penalties – John stated that he has issue with this redline because the change is excessive. The commission agreed to leave it as the original amount of \$299.

Public Meeting:

Joni welcomed everyone and called the meeting to order at 7:33 PM. Nancy led the Pledge of Allegiance with Phil saying the prayer. Phil made a motion to accept the January minutes. Nancy seconded the motion and the minutes were approved unanimously.

Jessa Roper's business license was approved last month but there was not a printed license for Joni to sign. Joni signed the business license.

Nyree Bevan & Michelle Hunsaker. This is actually a renewal. There were no issues. Todd made a motion to approve. Phil seconded the motion. The business license was approved.

Jenna Fransen – She will have about 6 clients a week. She will send her state license number to Jill to attach to the application. John made a motion to approve. Todd seconded the motion. The business license was approved.

Wayne Wheeler Accessory Building –It has been started so they are coming back for proper permits and to do it correctly. It has not been completed. No issues with setbacks or heights. No issues with plans. John made a motion to approve. Phil seconded the motion. The project was approved.

Moderate Income Housing Report & Mendon City's Master Plan – Brian Carver from BRAGG came to discuss this with the commission. He gave an explanation of their purpose. They are a housing Authority and they help low income families with housing assistance and services for homeless and seniors. It is a small community development office. They come to the smaller communities in the valley to assist as a resource for community issues. There is a bill eliminating the requirement of the biannual report for moderate income housing being discussed at the state legislature right now. But he encourages communities to still be aware of the needs of the community

for moderate income housing. He discussed the report he has put together. See attached. The more Mendon grows a sewer system would be eventually required. Condensed housing & density reduces cost of adding sewer. Accessory dwellings can help provide for the need. BRAGG has programs that can help find financial assistance for rehabilitation of older homes. There are quite a few within Mendon City. This won't cause the high density strain. Because of the bill being discuss the requirement could be changed by the legislature in April. The same bill would require cities to allow development for moderate income housing. Cities cannot deny the development. House Bill 259. Housing affordability is being discussed and is a concern of the legislature. It is important that we consider the original intent of providing housing for people of all stages of life. Nationally the trend is if developments are turned down because social issues court cases have shown they favor the developers.

The Mayor stated that Mendon city has had a moratorium for most of the past 10 years. We are working on water resources right now. We want to be cautious in our planning. Big developments are not good for our city. His stewardship is the community of Mendon.

Brian also addressed the city's master plan. The number one thing that is coming from the planning community is that city's get rid of conditional uses. If you don't want it don't allow it. If you pile on conditions they may go to court. A committee has been discussing this. The state could outlaw the practice. Legally they are not going to stand in court. Developers want reasonable expectations not 6 months of negotiating. Hyrum is phasing out conditional uses. Include with permitted uses very specific requirements & details. Gives developers the expectation. A lot of burden on the community to think of every scenario. Moving to form based codes - don't care what you do as long as it isn't a nuisance, not unsafe, and it fits in. Most problems can be solved with good design. It requires a lot of work. League of cities and towns will be putting out a list that will help with cities and towns to be compliant with anything that the state requires. He can update the maps. He recommends a transportation map including future plans. Annexation declaration map. Bob DeGasser asked about water sources map. They could help with that. Sensitive lands section could be updated. Assessment of natural hazards. Flood plains. They will help with getting public input with open house workshops. The Commission will wait until April to see what the legislature determines. Research is needed on design and roadway standards that could be added as conditional use permits are phased out. Brian can come back in April or May and update the commission.

Steven Sorenson - Drainage ditch by his home. There has be a concrete pipe for the last 18 years. He has put in a field drain (10 inch pipe) with gravel and a membrane. It has been backfilled over it. He has had Kirk come and look at it. It goes under the road. The culvert on the other side of the road if full of dirt. It is a flood issue. He doesn't

think that it will be expensive. He is going to look into the cost of it. And after it is cleaned out he would like to put a concrete box with a grate on the top of it. There are a lot of drains that feed into this ditch. He asked if there any funds available to clean this ditch out. Bob DeGasser is the Mendon North Irrigation spokesman. Currently they can't carry the amount of water that is coming in their system. They can't be responsible for city flood water. 100 east is going to be repaired. The water needs to be dumped into the hollow. There are big culverts under the road. The junction box makes a lot of sense.

Bob DeGasser stated that he owns a few pieces of property that he would like to build a house on. There is no record of the meter that is attached to the property. It is about 3 acres. It was asked where there is no record what is the precedent. Paul Cressall does not get a record of a meter. Jill will send him an application via email.

The Commission continued work on the revision of the zoning ordinances.

Ordinance Update/Review:

Clarified the 4.8 penalties. Leave as originally written. Start with Chapter 5 & 6. It would be good to get a copy of Hyrum's codes to see what they have done. John will watch the housing bill. Commission will read through the moderate income housing report.

Kevin motioned to close the public meeting with Phil seconding the motion. The meeting adjourned at 9:00 PM.