

Mendon Planning & Zoning Committee Meeting
July 11, 2018
Mendon City Library – 15 N Main

Administration Meeting began at 7:07 p.m.

Public meeting began at 7:34 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

Public Works: Kirk Taylor

Excused: Phil Zobell, Bob Jepsen, Kirk Taylor, Ed Buist

Public: Wendy Serr

Administration Meeting:

Joni stated that the City Council wants the planning commission to make a recommendation to them on the ordinances that have been updated so far including clarifying the wording on the water requirements for agricultural land. John and Kevin are concerned with rushing through this process and don't feel comfortable sending them on yet. The commissioners read through the draft ordinance document page by page to clarify changes.

Public Meeting:

Joni welcomed everyone to the public meeting. It began at 7:34 p.m. Jeremy led the pledge with Joni offering the prayer. Kevin motioned to approve the minutes. Nancy seconded the motion. The minutes were approved.

Business Licenses

WS Enterprises – Wendy Serr

She is wanting to start an Amazon and eBay business buying/selling household items. There were no issues. Jeremy made a motion to approve the business license. Todd seconded the motion. The business license was approved.

Business License Renewals. John asked if the city verifies the payment of sales taxes and how do we know they are following the rules of the state and federal

government? There really is no way to do this. Jeremy asked about enforcement of these issue. It was determined that the P&Z Commission is not an elected body. Joni stated that she has notified people of rules if there has been a complaint but has never enforced anything. Kevin stated that the Commission should notify someone in writing when they are not in compliance. The Commission is not sure what to do if they don't comply. They are not sure who enforces. It was stated that City Council has in the past. Kevin stated that maybe a certified letter should be sent to non-complier and to the city council. John asked if the Commission should just notify the mayor/council and then have them send notice. Todd made a motion to approve the renewals. John has concern with those renewals that have a conditional use permits that pertain to their business. John made a motion to approve those renewals that don't have conditional use permits. Jeremy seconded the motion. The business licenses without conditional use permits were approved. These are: Fonnesbeck Greenhouse, Top Job LLC, Daphne Carlson, Mendon Automotive, Schone Salon, Morgan Art LTD. Just Chillin' at Shonee's Shack, Mendon Dance Studio, Karen Evelyn LLC, and Wee Farm.

Conditional Use Permit – Renewals

A Cache Corp is renewing its business license and has a conditional use permit. Joni read the existing conditions set by P&Z listed on the conditional use permit. John's concern is commercial vehicles are not addressed within the conditions. There are times when there are more than one vehicle parked there. The building is non-conforming. It is an old rest home. Joni thought the parking spot is for customer parking. John stated that a Level I home business needs to be on the owner's residential property. It should be a Level II business because it is not in the home. The address is 125 south 100 east and is not a commercial zone. Jeremy stated that the conditional use permit would need to be rewritten so that it conforms. John stated that the application needs to change to a commercial application with the conditional use. Address of the business should reflect the actual location and it should be a new commercial license. Kevin stated he is also concerned and believes that Jay should come to P&Z to discuss the conditional use permit. Joni will ask Jay to come to P&Z to address this. A vote was not taken. It was tabled until the next meeting.

Bear-Tech Auto is renewing its business license and it has a conditional use permit. Joni read the existing conditions on the conditional use permit. There were no issues. The owners, Barry & Katie Locke, submitted a letter to the Commission stating that the nothing had changed in the nature of their business. There have been no complaints. The property is well taken care of. Todd made

a motion to renew the business license and the conditional use permit. Kevin seconded the motion. The motion was approved.

Ordinance Changes Review/Update/Recommendation

Joni stated that the Commission should go to the sentence the city council would like to add within the zoning code and decide whether to recommend. They looked at Agricultural area requirements. Kevin stated that it should say "each acre requires x number of shares." He feels that they should equalize it by getting rid of the less than and more than. Joni stated that the reason it isn't equal is because the amount of water needed per acre varies in agricultural when considering the support of animals. It is believed that less water is needed with a 5 acre parcel than a smaller parcel. The City Council wants the water policy clarified and put into the ordinance. Kevin made a motion to recommend approval to the agricultural area requirements and nothing else. This clarifying statement will match the water policy. The commissioners decided to recommend the entire section 6.7 Agricultural Zone because the only real change was to the agricultural area requirements. John seconded the motion. The Recommendation to amend 6.7 of the Zoning Code was approved.

The City Council would like the input of P&Z on the well within city limits policy. This is not in the ordinance. The city doesn't want to maintain many wells. They want to clarify on the distance that a property owner would be allowed to drill a well when the City is unable to provide water to them. This will be addressed in section 2 of water policy. It needs to state that private wells within so many feet will be in violation. The City Council wants input on how far away should the water be in order to require hook up to the city water. Kirk recommended 330 feet when speaking with Joni. Kevin stated that he trusts their judgement. John stated that it really is a noise issue. The noise from when a generator is running a well can be loud. He stated also that there are many shallow wells around town. These are used when the water isn't in the canal and farmers use them all the time to water livestock, etc. Jeremy asked why City can't cap the well when they take over a private well as when city water becomes available to property owners. John stated that the state doesn't regulate wells under 30 ft. deep. The Commissioners read through the minutes from city council discussion on this issue. They discussed domestic use and culinary water. John is concerned with outlawing wells under 30 ft. deep or anything that is not regulated by the state. John asked why the city is the trying to regulate it if the state doesn't. Kevin made a motion to defer to the judgement of the city council. John has issue with them taking away the groundwater option and believes this will drain the City's water supply. Todd seconded the motion. The motion passed.

Jeremy made a motion to close the public meeting. Nancy seconded the motion. The public meeting closed at 9:02 p.m.