

Mendon Planning & Zoning Committee Meeting
October 11, 2017
Mendon City Library – 15 N Main

Administration Meeting began at 7:05 p.m.

Public Meeting began at 7:35 p.m.

In Attendance:

Chairman: Joni Endicott

Co-Chairman: Jeremy Martin

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

Councilman: Bob Jepsen

Secretary: Jill Pack

Mayor: Ed Buist

Excused: Bob Jepsen

Public: Ethan Poppleton, Shannon Poppleton, Al Pollack

Administration Meeting:

Joni welcomed everyone. The meeting began at 7:05 p.m.

Ordinance Changes Review/Update

Joni proposed an extra meeting in January to work through the ordinance changes. John proposed to stay late instead of meeting two times a month. Jill will ask who will do the actual physical changing of the ordinances online. Phil stated that anything in the ordinances needs to be enforced. John stated that the Mayor has the final say on what authority the P&Z has. Joni stated that the commissioners need to make sure that P&Z has the authority listed within the ordinance. Now is the time to make really good changes. Joni suggested divided it up and giving each person a section and they will be the lead on that section. Then input would be giving from others. It states in the ordinances in the Powers & Duties section p. 25 4.1.B the planning and zoning's authority is "as delegated by the city council".

The Mayor stated the he would like to see the P&Z put a list together that can be presented to the City Council as to what authority they think should be given to the P&Z. The more that can be done here the less that needs to be done at City Council. John & Kevin would like to have more authority than they have now. Kevin believes that this authority is already stated in the ordinances. The Mayor stated that now is the time to address these issues. There is about a year until the moratorium is lifted and the City needs to have their ducks in a row. The Mayor had the City Engineer work with the state to figure out the number of water hook ups that can be allowed. The Mayor wanted the worst case scenario. There are currently 3 houses over the limit. The test hole seems to be good water and is producing about 300 or more gallons per minute. Currently, there are 250 hook ups. We need to have a game plan for the future. It was asked how the City is going to manage the growth properly. Look at zoning and building permits per year are two ways. The Mayor stated the City has been reactive with the Top Job and now they need to be proactive. The Mayor would like to know what the P&Z wants and the authority they need.

The Mayor backs up P&Z 100%. John asked about sewer issues. The Mayor stated it won't be long until the state mandates a sewer system to the city. The mayor would like to put that off as long as possible. It is going to be very expensive. The Mayor stated that the City will have to work something out with Wellsville. The best thing with the sewer and water would be to work with Wellsville. Joni asked about Phil's question about the population ceiling for that. It isn't population. It is hook up. It is a floating number basically when the state dictates it. John stated that is a good reason to limit building to slow the growth. The multi-family proposal would be good in a few years. Millville got the new high school and it had to hook to sewer. The bottom road has a very high water table and the City must be prepared when the water comes in. The secondary water that is required when building permits are issued is helps as well.

Home Business Zoning Issues – Ryan Bradshaw

Kevin believes that it is still in violation. Ryan was notified by John. He has moved the truck and trailer from the streets. He is still in violation with storage. A Level 2 Home Occupation can have no outside storage or evidence of a business. John drove around town to see what other issues there were and there were many not in compliance. For example, Kim Clemenson has 4 semi -trailers and 2 commercial vehicles parked at his residence. Kevin stated that this is a case of a legal non-conforming use because this began before the ordinances were in place. Kevin doesn't want to drive around town to find all that are not in compliance. However, when a complaint comes forward the commission has the responsibility to enforce the ordinances. He stated that he thinks that attrition will eventually bring everyone to compliance but when a resident brings an issue the P&Z must address it. John stated that it may be a Logan business and only parking at home. Kevin stated that there is business stuff all over the property. John stated that if the City goes after one person we need to go after all. Kevin stated that if someone complains then the commission must respond. Kevin read a letter that he has drafted to address this situation. He stated that if it is in writing then all issues are addressed and it must be mailed as a certified letter. Then Jill would file it and keep all the documentation. It can't just be verbal. John stated that it needs to be defined as what is considered as a vehicle. Most people would be in violation if they own a truck and trailer. If a trailer is considered a vehicle then the number should be increased. (Continued later on in the meeting.)

Public Meeting:

Joni welcomed everyone. The public meeting began at 7:35 p.m. The pledge was led by Kevin. Phil offered the opening prayer. Phil made a motion to approve the August minutes. Kevin seconded the motion. The August minutes were approved. Jeremy made a motion to approve the September minutes. Phil seconded the motion. The September minutes were approved.

Business Licenses:

There were no business license applications or renewals.

Multi-Family Proposal:

Ethan Poppleton stated that last month he came to discuss a multi-family ordinance. He sent a proposed unit development and an example from Smithfield. He would like to further that discussion. He knows that Paul Taylor has concerns. Civil Solutions and Bear River Health Dept. are going to design a high density septic system. They really aren't too far into the design process because they want to make sure there is a chance that it may happen. Half of the land is in the county and half is in city. They are looking at applying for annexation into Mendon City. They are also looking at the possibility of drilling a well. They are aware that there are hurdles with water and sewer. They are looking at proposing 50 -52 units. He likes the design of the Smithfield plan. It allows for more parking. It will help the school with overflow parking. The design will probably change as the process goes forward. It was stated that waste has to be contained on the same property. Ethan stated that everything will be self-contained within that acreage. Joni stated that it could use up all future building permits. Ethan stated that it will bring in more tax dollars and more affordable housing. He feels like it could be made compatible for Mendon City. John stated that the P&Z needs to have a meeting to review and work on multi-family ordinance. Joni stated that the input from Ethan has been good. Jeremy stated that people he lives by do not like change. He believes that there will be some push back from some residents. Al Pollok asked about the timing of the ordinance changes. Ethan asked about what the goal was. Kevin stated that it would likely be 2-3 months. Joni stated that it would be in next calendar year. Joni would like to invite Ethan to give input when that section is addressed.

Zoning Violation (cont.):

Kevin asked about the letter that was mentioned above (attached). Joni stated that she would like to read it. The commissioners read through it. It does address a lack of business license. It outlines where the business is in violation. John stated that it needs to be more descriptive in regards to having no business license and the display of goods in the external areas. Todd would like to see it listed out. Kevin stated it is. John thinks it should be clearer. Kevin stated that when just citing chapter and verse you are not inserting any personal opinion. It was mentioned that the section about a business license is an afterthought. John asked if the job of the commission is to help or penalize. John stated that it should be simple. There was disagreement on how it is interpreted. Joni stated that there are 3 violations with Ryan Bradshaw but they are essentially the same issue. Jeremy asked if a lawn mower is a vehicle. John stated that there is a need to define what a vehicle is. Kevin stated the code says it but we can't say anything other than our code. Kevin stated that the commission needs to jump on and address this. Joni is going to take the letter and explain it to Ryan Bradshaw and ask if there are questions. Jeremy stated that there needs to be a paper trail. John was not specific with the multiple violations when he spoke with Ryan. It was determined that a personal visit and a letter listing violations in writing were good to do.

Ordinance Update/Review:

Joni stated that there are 8 chapters to review and update and if each commission took a chapter. Someone would have two. They could come together and discuss them. John suggested that everyone read the same chapter and then discuss it. Joni stated that the commissioners will go

through chapter 1 & 2 before the next meeting. They will come ready to discuss and make changes.

Jill was forwarded a letter and information regarding Biennial Moderate Income Housing Review Report from Teena. She forwarded it to the commissioners. Kevin has read through it. This report must be done every two years. The letter stated that 2007 was the last report submitted. Jill will look into whose responsibility it is to complete the report.

Jeremy stated that the multi-family proposal includes an HOA. If Ethan submits a plan before the ordinance is updated it could be a problem. However, it was stated that annexation and rezoning take time. Kevin stated that the city doesn't have to rezone. Commissioners reviewed the zoning map. The master plan is different than the county map. The master plan was used.

Kevin made a motion to adjourn. John seconded the motion. The meeting was adjourned at 8:23 p.m.

Mendon City Christmas Party December 15th @ 6:30 at the Riverwoods.