

MINUTES OF THE
PUBLIC HEARING OF THE
PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held a Public Hearing on Wednesday, April 2, 2014 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Vice Chair Mike Schiess opened the Public Hearing at 4:35 p.m.

Commission Members Present:

Jim Stone
Jim Hanzelka
Susann House
DeWayne Gifford
Pat Argyle
Mike Schiess

Excused: Lance Bourne

Others Present:

Sharlene Millard
Norm Mecham
Darin Pugmire
Bruce Warner

Brian House
Mel Maynes
Gary Cox

ROLL CALL

Commission Vice Chair Schiess, Commission Member Stone, Jim Hanzelka, Commission Member House, Commission Member Gifford, City Administrator Gary Cox, Commission Member Argyle.

ORDINANCES

Commission Vice Chair Schiess asked if there are any comments on #14-01. Norm Mecham asked about the operation and maintenance of infrastructure. He said once the city accepts a road, it's their responsibility to maintain it.

#14-03, Parking, Commission Member Pugmire explained his ideas on parking. The city would be liable for city parking even if businesses rent.

#14-10, Sign Ordinance, Brian House stated that he is against off-premise signs. He said those businesses aren't paying any sort of tax to Garden City. If our businesses only have a few months to make a living, why would we have others advertised here that don't even pay taxes here. They shouldn't be allowed.

Council Member Bruce Warner asked the Planning Commission if they were willing to change the height for a hotel in the beach development zone. They said no, not at this point.

Commission Vice Chair Schiess complimented those for discussing their concerns. He explained the view corridors.

ADJOURNMENT

Commission Member Argyle made the motion to close the Public Hearing. Commission Member House seconded the motion. All in favor and the meeting closed at 5:37 p.m.

APPROVED:

ATTEST:

Mike Schiess, Vice Chair

Sharlene Millard, Assistant Clerk

MINUTES OF THE
MEETING OF THE
PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, April 2, 2014 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Vice Chair Mike Schiess opened the meeting at 5:40 p.m.

Commission Members Present:

Jim Stone
Jim Hanzelka
Susann House
DeWayne Gifford
Pat Argyle
Mike Schiess
Lance Bourne, via phone

Others Present:

Sharlene Millard	Brian House
Norm Mecham	Mel Maynes
Darin Pugmire	Gary Cox
Bruce Warner	

ROLL CALL

Commission Vice Chair Schiess, Commission Member Stone, Jim Hanzelka, Commission Member House, Commission Member Gifford, City Administrator Gary Cox, Commission Member Argyle, Commission Chair Bourne, via phone.

MINUTES

Regular meeting of March 5, 2014

Commission Member House made the motion to approve the minutes for the regularly scheduled meeting of March 5, with the changes as noted. Commission Member Argyle seconded the motion. All in favor and the motion carried.

Special Meeting of March 20, 2014

Commission Member Argyle made the motion to pass the special meeting that was held March 20, 2014, with the correction of the special meeting being added instead of the Public Hearing. Commission Member House seconded the motion. All in favor and the motion carried.

ORDINANCES

#14-01, an Ordinance updating the bonding of infrastructure

Commission Vice Chair Schiess asked about any changes that they felt needed to be made on #14-01. Commission Member Argyle talked about a couple of changes that need to be made and then a discussion ensued about the ordinance. Commission Chair Bourne said a lot of times the town is supposed to go back and check if things are done and that doesn't get done. Hopefully, the ordinance can help it get done.

Commission Vice Chair Schiess asked about a cash deposit for roads. Commission Member House explained it can only be for public, not private. We still need to make changes for next month.

#14-03, an Ordinance updating parking requirements

Commission Member Argyle asked if we are still contemplating having businesses pay for parking? Commission Chair Bourne said we need to have that discussion next month. Commission Member Stone said we also need to realize that all of the people that go to a business don't always drive. There is also a lot of walk-in traffic. He thinks we need to be more pro-business and not make it hard for the businesses who are struggling. We've got to protect our businesses. We shouldn't be overbearing on the parking. We have more work to do on this ordinance. We still need to work on purchasing parking and ingress/egress in the commercial zone. Mr. Norm Mecham told the Planning Commission to think about what they want Garden City to look like in the future.

#14-04, an Ordinance updating height and phasing in a PUD/PRUD

Commission Member Argyle talked about having the definition in the place where definitions go.

Commission Member Gifford made the motion to approve Ordinance #14-04 as we have amended or corrected it, which includes taking out garbage's and nuisances and putting up as stipulated in 11A-200-height on 11F-103-B-10 and look at definitions on 11A-200 after development under the 11F-102-A-9. Commission Member House seconded the motion. All in favor and the motion carried.

#14-05, an Ordinance updating height and phasing in subdivisions

Jim Hanzelka suggested changing the definition behind "development" and Commission Member Argyle suggested adding "phasing definition" in 11A-200. She also wondered if this could be voted on where we're still talking about a hotel zone. Commission Chair Bourne said we will be talking about a hotel zone later on. Jim Hanzelka suggested adding that the heights shall not exceed the limit in the zone which the building sits.

Commission Member House made the motion to accept the changes in 11E-302-A-4 and 11E-526-F as changed. Commission Member Gifford seconded the motion. All in favor and the motion carried.

#14-06, an Ordinance making changes to all zones in 11C

There was discussion about Conditional Uses vs. Permitted Uses and deleting the open view corridor part for Beach Development.

Commission Member Stone made the motion to table this for next month. The motion died for lack of second.

There was more discussion about Conditional Uses.

Commission Member Stone made the motion to table this for next month so we can all think about it. Commission Member Gifford seconded the motion. All in favor and the motion carried.

#14-07, an Ordinance adding definitions of Infrastructure and Phasing, Stand Alone to 11A-200

Commission Member Argyle made the motion to pass #14-07 with the changes as: #68 – exclude "including" and add "which may include". On #107, cross out phasing and add it after stand alone, Commission Member Gifford seconded the motion adding that "phasing be in parenthesis". All in favor and the motion carried.

#14-08, An Ordinance making changes to the Abatement of Garbage and other Deleterious Material Ordinance #9-500.

Commission Member House made the motion to accept #9-502 to say: “Ordinance Officer. It shall be the duty of the Code Enforcement Officer or a Town Council Member to act as the inspector for the purpose of enforcing this ordinance”. Commission Member Stone seconded the motion. All in favor and the motion carried.

COMMERCIAL SETBACKS

Commission Member Argyle said if we want to get rid of setbacks so that businesses can be next door to each other? Fire Chief Mike Wahlberg said as long as the buildings conform to fire code. If the businesses are next to each other, they will need a common fire wall. The fire fighters will need access to one side of the structure and it would be good to have a corridor. There may be one problem; if a house is 10’ from their setback and the business wants to put a parking lot to their setback, they would have an issue with that. If a business is 3 stories high, setbacks will matter. Their biggest concern is a building that is not part of the initial plan be protected by a setback.

Commission Member Stone said the Planning Commission is working on a zone for higher buildings, so Mr. Wahlberg may want to come to the meetings and discuss that. Mr. Wahlberg said their ladder truck has a 55’ ladder and a 35’ ground ladder. But that doesn’t mean it will reach that far, they would still have to connect it and go from there. He said if the Planning Commission wants a strip mall, they’ll need to think about how long it can be. They will need about 150’ access to the site. Their hose reach has to be 150’ or less. Having no access with a limited setback can be a safety issue.

This will be discussed next month.

#14-09, An Ordinance stating that property needs to conform to City Ordinances

There was discussion about when a lot splits, adding that each lot/building needs to have a meter when they want water.

Jim Hanzelka said his concern is that we don’t want to put so much into our ordinances based upon a single entity that they become unyielding.

Commission Member House made the motion to accept Ordinance #14-09 , section 11E-102-C that will read: “Before any changes are made, i.e. commercial zones, lot splits, or lot line adjustments, all property shall conform to city ordinances”. Commission Member Stone seconded the motion. All in favor and the motion carried.

SIGN ORDINANCE, Joey Stocking

Commission Member Stone feels like we should help others because we’re a community and the businesses are also helping us.

Jim Hanzelka questioned the order of the contents in the sign ordinance. Mr. Stocking said he was trying to have 5 categories of signs and have it written so that someone wouldn’t have to read the whole ordinance in order to find the requirements of a certain type of sign.

Mr. Stocking said he took out a few sentences; permission of the property owner – that’s pretty well implied; general liability insurance required – a contractor will already have that; eliminated large and small signs – if the sign is large or heavy enough that it can hurt somebody, it’s a sign that a permit and

needs construction inspections, it not, it's a temporary sign; he went from temporary signs needing a permit to not needing a permit – it's burdensome on a business owner that doesn't need that. Each business can have a maximum of 60 sq. ft. temporary signage: 1' signage per 1' of frontage – up to 60'. There are other categories for other types of signs.

Commission Member Gifford asked about people in Logan putting up off-premise signs. Commission Member House read from the old sign ordinance about having no off-premise signs unless the businesses have a current business license. Mr. Stocking asked if they want that back in the ordinance. There was discussion about different types of off-premise signs that could come up, the permit, cost of the permit and who approves the sign.

There was also a comment that it's ridiculous for the town to charge a business owner to put up a sign. Jim Hanzelka said he thinks it's a cost for the permit process. There is a cost that occurs for that. Council Member Darin Pugmire talked about the more regulations the city puts on things the more the liability will come back to the city. Commission Member Argyle said once the city approves the sign, they become liable.

Commission Member Stone talked about his father putting up some spindles and painting them with smiley faces. The Mayor at that time said it's the first time that side of town has come to life in 20 years, leave them alone. Commission Member Stone said that's how he feels. If the businesses have a chance to come to life for 3 months of the year, let them.

There was discussion about the necessity of a permit, inspections and sizes of signs. Gary Cox said he's had experience with working with weight above heads, so if anyone has questions, he's available. He would be the one liable from the city. Commission Vice Chair Schiess thanked Mr. Stocking for all the work he's done on this ordinance. We'll review it again next month.

MISCELLANEOUS

Mel Maynes said he's done several lot splits, now he's where he would like to do a subdivision. His property is 5.33 acres. The road is already in. The water and sewer is in. With the subdivision, he would have about 6 lots, he would like to have a cul de sac instead of two egress/ingresses. He asked what they would like to see before he spends money on engineers. Commission Vice Chair Schiess would like to look at the ordinances and find out what he would need to ask for. They all will need to review the ordinances. Commission Member Argyle said if the road is wide enough, he may not need the cul de sac, but they'll have to look into that.

He will need to apply and pay the fees for a subdivision to go forward.

ADJOURNMENT

Commission Member Argyle made the motion to adjourn the meeting. Commission Member House seconded the motion. All in favor and the meeting closed at 10:30 p.m.

APPROVED:

ATTEST:

Mike Schiess, Vice Chair

Sharlene Millard, Assistant Clerk