

THE MINUTES OF THE
FIELD TRIP OF THE
PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held a field trip on Wednesday, June 4, 2014 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Chair Bourne opened the meeting at 4:00 p.m.

Planning Commission Members Present:

Lance Bourne, Chair
Susann House
Pat Argyle
Mike Schiess
DeWayne Gifford

Others Present:

Sharlene Millard
Gary Cox

FIELD TRIP

There was discussion about areas that would be good to allow extra height, i.e. hotels and motels. They wondered how far buildings will need to be away from the canal. They figured it would be 33 feet from the center of the canal.

Commission Chair Bourne suggested having the “hotel zone” at the Season’s area. Commission Member Schiess would like to use the land west of Chevron along south to Shundahai’s water tank.

Commission Member House and Commission Member Bourne thought the flatter area would be good so more cars could get around.

City Administrator Gary Cox said a tall hotel will need to have views on all four sides. They decided on a field south of Cherimoya, the gravel pit up at Shundahai, an area west of Barry Negus’ and the area below the canal along 300 W. for areas to have hotel/motel zones.

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk

THE MINUTES OF THE
PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, June 4, 2014 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Chair Bourne opened the meeting at 5:14 p.m.

Planning Commission Members Present:

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

Others Present:

Sharlene Millard
Gary Cox
Norm Mecham
Bess Huefner
Joey Stocking

ROLL CALL

Commission Chair Lance Bourne, Commission Member Susann House, Commission Member Mike Schiess, Commission Member Pat Argyle, Commission Member DeWayne Gifford, Jim Hanzelka, City Administrator Gary Cox

APPROVAL OF MINUTES

May 7, 2014

Commission Member Schiess questioned the minutes. He said no matter what the ordinances are, when somebody comes in with a preliminary plan, it is the duty and obligation of this board to sit down and take a look at that project upon the merits that's being presented and from that, we negotiate through the ordinances or the benefit of the city as to whether or not we approve it and send it on to the City Council for their approval based on what they're trying to accomplish not necessarily and always based on 100% upon the ordinances already written. That's what he said he was trying to push. He said the Town Council had sent this back and asked us to take a look at some of the issues. They had a split approval and wanted more leeway.

Commission Member Argyle said we're here to abide by the ordinances. Commission Chair Bourne said our job is to follow the ordinances, not negotiate. Jim Hanzelka said that's what a variance board is for.

Commission Chair Bourne explained that as a Planning Commission, we have to be black and white. He fears the word negotiation because that's what got us into trouble earlier. Commission Member Argyle said we have the law and we have the ordinances. If we start negotiating outside of that, that's when we

get into trouble. Jim Hanzelka said if we negotiate, it becomes a favoritism problem.

Commission Member Schiess proposed that the minutes of May 7, be approved with two changes. Commission Member House seconded the motion. All in favor and the motion carried.

ORDINANCE #14-01, Infrastructure

Commission Member Schiess proposed to approve this and send to the Town Council for approval #14-01. Roll Call Vote: Commission Member House seconded the motion. All in favor and the motion carried. Roll Call vote: Commission Member House for, Commission Member Argyle for, Commission Member Gifford for, Commission Member Stone for, Commission Member Schiess for, Commission Chair Bourne for.

#14-03, Parking Requirements

Commission Chair Bourne said he would like to add that more parking may be required for employees. After some discussion, Commission Chair Bourne said we're leaving the occupancy up to the fire marshall.

Commission Member Schiess said he doesn't know how to increase the number of parking places for fast food places because we don't know who will be coming and when. Commission Member House said they need more parking. She feels parking needs to be determined by the square footage of the building and add more with the outside seating they have.

Commission Member Argyle said it doesn't matter how many parking spaces we require, it will never be enough on the big weekends. People park where ever they want and run across the roads to get different places. She said so many business owners complain that the city makes it so hard to have a business – with parking and the sign ordinance. They feel like they're getting squeezed so hard.

Council Member Huefner suggested seeing what Logan does. Commission Member House would like to plan so businesses will still have enough parking in the future. Commission Member Argyle said we are different than Logan.

Commission Chair Bourne suggested having the fire marshall determine occupancy. He will take the kitchen and storage dimensions out of how many people can fit in a building. He has a formula, where we don't. He doesn't want to restrict a business that doesn't have the space for adequate parking. At first we went overboard with parking and then we went with too few of spaces.

Jim Hanzelka said Park City has a free shuttle system with a town parking lot. Park City has 10 times the revenue of any other county in the state.

Commission Member Schiess made the motion to not change this until we have better control of UDOT's cooperation with parking or we as a city provide more parking so there is a place for these places to grow to the immense numbers that they have on any given weekend. Until then, whatever we say will be speculation, but that's already written. Motion died for lack of second.

Jim Hanzelka said he likes Commission Chair Bourne's idea of tagging parking with the occupancy from the fire marshall with the stipulation that if outdoor seating is provided, more parking will be required. Commission Chair Bourne said if they already have an established business, they can't just add land for more parking. Mr. Hanzelka said you'd be surprised what businesses can come up with. If a business wants to maximize their profits, they'll find a way to add sufficient parking.

Occupancy from the fire chief would also include the employees.

Commission Member Argyle said the business owners can't use the UDOT easement in front of their business to count as their parking.

Council Member Huefner said you'll need to have a checklist for the fire chief to look at when he looks at the occupancy. She's reviewed other city's fire code and the state fire code. They don't really have one rule. It's very flexible how they determine occupancy.

Commission Member Schiess made the motion that in consideration of #14-03 that we wait until we meet with the fire chief to find their concerns and our concerns and put them in a review form until we have an appendage to this. Motion died for lack of second.

Commission Member Schiess made the motion that in consideration of #14-03, that we table the passage of #14-03 until we have a meeting with our fire chief and find out his concerns and our concerns and put them in some kind of review form that can be an appendage to this as far as the number of parking spaces. I don't think we're ready to make that kind of decision right now. Motion died for lack of second.

Commission Chair Bourne said that sounds good. He likes Council Member Huefner's comment. Maybe we should make recommendations. Maybe we should split where it says restaurants and fast food but we also need to consider that there are a lot of different types of businesses. He suggests we table this and go over it. We need to talk with the fire chief and get an understanding from him but thinks we should sit down with the fire chief and give him a list of considerations. We also want him to consider employee parking as well and are employees considered in the total occupancy, which I think it would have to be, but give him a list of things we are concerned with and let's come back in another month. Commission Member Argyle said especially because we could talk to him and find out that some of the things we think are possibilities aren't possibilities at all. Commission Member House seconded the motion. All are in favor and the motion carried.

Commission Member Gifford said to add to this, if you look at google earth at LaBeau's, they don't have any parking at all other than what the city has provided. Commission Chair Bourne said there is parking behind the building. They just need to advertise it.

Commission Chair Bourne said he will sit down with the Fire Chief and get his feedback.

Jim Hanzelka said there are service jobs and retail. They're different for parking also.

#14-07, Stand Alone, (Phasing)

Commission Member Argyle made the motion to pass ordinance #14-07 with the new definition of Stand Alone Phasing. Commission Member House said there is a punctuation mistake. Commission Member Schiess seconded the motion.

After Discussion, Commission Chair Bourne wanted to start the motion over.

Commission Member Argyle made the motion to pass ordinance #14-07, crossing out 136, the top part that says Stand Alone Phasing, going to the second paragraph, it starts individual phases and include that part of it. Commission Member Gifford asked if there's another part that talks about new construction in other phases damaging the previous phases. It was explained that that is what this ordinance is. Commission Member Schiess asked if it's just the definition or are we striking "Stand Alone Phasing". It was stated that it's just part of the definition being changed. Commission Member Schiess seconded the

motion. All in favor and the motion carried.

#14-10 Sign Ordinance

Jim Hanzelka said he understood that we were trying to scale down the sign ordinance. City Administrator Gary Cox said we also need to make it clearer so we can understand it without being an attorney.

City Administrator Gary Cox said he would be willing to work with Joey Stocking and get this sign ordinance done. Commission Member Argyle said she hates the sign ordinance.

Jim Hanzelka suggested showing different signs in the ordinance and what is required for each sign. City Administrator Gary Cox said he could take pictures of signs around town and show the different signs. They would have to enhance the business and the community. Jim Hanzelka said the coolest sign he has ever seen was painted on the whole side of a building. Council Member Huefner said there used to be so many banners in town that it was looking trashy.

After much discussion, Norm Mecham suggested a temporary sign could be determined by how long it's up, not the materials it's made out of. Commission Member Argyle said businesses don't need to be restricted; they're just trying to make a living. Maybe we could just put in the ordinance that if your sign is looking raggedy, get it taken care of.

Joey Stocking said as a representative of the business community and the Chamber, businesses are trying to get their signs up. He wondered if this could be approved and if they find they don't like something, change it later. Jumping through all the hoops to get a temporary sign is ridiculous. It was decided to have him work with Mr. Cox and work that out.

Commission Member Gifford made the motion that we table this until further notice. Commission Member House seconded the motion. Motion died for lack of vote.

Commission Member Schiess added that this be tabled under the condition that Gary Cox will be working on simplifying what is already written, with Joey Stocking to the point that we're trying to shorten the instructions for signs and simplify it to perhaps where we have tabs that show temporary signs, short-term sign, long-term signs, hanging signs and simplify it in that way. And we're working towards that the only other thing that I would suggest is next month, we take one of those issues and work towards passing that issue instead of trying to beat the elephant all at once. It was stated that we have to pass the whole ordinance, not just a little bit at a time. Motion died for lack of second.

Gary Cox suggested we get the best ordinance we can and pass it on to the Town Council and when they give it back to us with suggestions, then we go for another month. He said he will have it done for next month. Commission Chair Bourne said if anyone has suggestions, to please get a hold of Mr. Cox.

Commission Member Schiess made the motion that this be tabled tonight and simplify it and review it next month. Commission Member Argyle seconded the motion. All in favor and the motion carried.

Mr. Cox said he will have this done in a month.

Zoning Map

There was discussion about where to place the Industrial/Manufacturing zone. It's presently along 300 W., going south and there may be a better place for that zone that in the middle of town. It was suggested

to move it south of Ideal Beach. They wondered whose property it was. Norm Mecham said it is his property. He wondered if making it manufacturing zone, would it preclude letting him put in residential? The Planning Commission said no, he would still be allowed to put homes there. He said he wouldn't mind if the zone were changed to Manufacturing. Commission Member Schiess went through the permitted and conditional uses in other zones. He wants to make sure moving the uses will be okay with everyone.

Commission Member Gifford made the motion that we accept the future land use and zoning map, as it is presented to us today, accepting it as it is. Jim Hanzelka said we want to move the C2 zone to where the pink is. Motion died for lack of second. More discussion and clarification ensued.

Commission Member House made the motion that C2 in town gets changed to C1 and that the 80 acres in the Residential Estates that is to the east of 2000 S. and to the south of Pickleville Parkway be changed to C2. Mr. Mecham owns that part of land and said he's okay making the whole thing commercial so he doesn't have several zones on one parcel of ground as long as he can have residential in that zone. More discussion and clarification ensued. Motion died for lack of second.

Commission Member House made the motion that we approve the Garden City future land use and zoning map with the changes of the current C2 area be changed to a C1 and the Residential Estate area that is east of 2000 S. and south of Pickleville Parkway be changed to a C2 zone. Commission Member Gifford seconded the motion. All in favor and the motion carried. Roll Call Vote; Commission Member House for, Commission Member Gifford for, Commission Member Argyle for, Commission Chair Bourne for, Commission Member Stone for Commission Member Schiess for.

HOTEL AND MOTEL ZONE

Commission Chair Bourne said he is in favor of creating a hotel/motel zone which would allow greater height than 35'. The height shouldn't be specified, just let them bring in their plans and we'll look at it and review it.

Commission Chair Bourne said they went up to the gravel pit at Shundahai and the Planning Commission felt like that would be a good place for a hotel. They also thought about a place in Hodges Canyon and on the west side of Bear Hollow, and the west side of Barry Negus' place. They understood a "Christensen" owns that piece of land.

Commission Chair Bourne said we need to identify the boundaries and send it to Town Council. Commission Member Gifford said he likes the zones, but what if there's some other property that would be good? Commission Chair Bourne said it can be changed later on. Commission Member Argyle said their biggest criteria is that it won't block anyone's view to have one against the hill or you can't even see some of Norm's property, and also easy access and protecting view corridors.

Commission Member Gifford suggested we put a height requirement on the hotel zone for fire reasons. Commission Member Argyle said that's one thing that will have to put into the zone ordinance; sprinkler systems, etc., and there may need to be impact fees with different things like fire restrictions. Jim Hanzelka said that's something that could be open-ended. They'll have their engineers look at fire safety and height and how they're going to address it.

DISCUSSION OF CUP DEFINITIONS AND UNLISTED USES

Commission Member House proposed to change the definition for a Conditional Use Permit. She read a couple definitions that she had found. She found that if a use is not listed as a permitted or conditional use, it's a special exception and someone would have to go to the Board of Appeals for permission to add

it. Commission Member House's proposal for a definition, is: "a use that is allowed by the base zone district subject to pre-defined conditions often listed elsewhere based on the zoning ordinance. You should check with staff to make sure all conditions apply. The use is allowed by the base zone district subject to pre-defined conditions in the often listed in the zoning ordinance".

Commission Member Schiess said we need to come up with a platform to handle those items that are not conditional or permitted and send them to a board for approval. We already have a board of appeals. If they approve it, we will then need to have a meeting to consider seeing if we will allow it in those zones.

There was a discussion about an agriculture zone not being in the town.

Commission Chair Bourne said they were all in agreement that if a use is not listed under a conditional or permitted use, it should go to the Board of Appeals.

MISCELLANEOUS

Gary Cox said he's learned from UDOT that if we don't restrict access on 300 W. to a minimum of every 300', it will just be a residential road.

Council Member Argyle brought up a discussion about the water rates for the RV Park and paying throughout the winter. Council Member Huefner said they can look at working with the RV Park since we have not allowed them to open during the winter.

Commission Member Schiess talked about the height of fences ordinance#11C-908. He said a resident has property next to the park area in Buttercup which is being developed. He went to the resident and told him they wanted to re-locate the trash pick-up to the park property and offered him a 6 or 8' privacy fence between his home and where the trash pick-up is. He accepted the 8' privacy fence, but now they're in conflict with the ordinance. He said he now needs to go to the Appeals Board or change the ordinance. He wondered if there's a reason the ordinance has to say just 6'. Commission Member House said 6' is the standard, if it were higher; people wouldn't be able to see the lake at all. The Planning Commission said they'll need to get a variance.

Commission Member Schiess said the sewer district is going through with the project of taking the sewer through Buttercup. The 300 W. area will be having a bike path so they will be careful backfilling over the piping and take into consideration of the bike path on the right of way going through the Buttercup development.

ADJOURNMENT

Commission Member House made the motion to adjourn the meeting. Commission Member Gifford seconded the motion. The meeting closed at 8:12 p.m.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk