

**BRIGHAM CITY PLANNING COMMISSION  
BRIGHAM CITY COUNCIL CHAMBERS  
ELECTRONIC MEETING  
Tuesday, 6/1/2021 6:00 p.m.**

PRESENT:	Scott Mildenhall	Commissioner- Vice Chair
	Curtis Hoehn	Commissioner
	Holly Bell	Commissioner
	Cindy McConkie	Commissioner
	Jason Coppieters	Commissioner

EXCUSED:	Steve Barsuhn	Commissioner- Chair
	Dean Lester	Commissioner

ALSO PRESENT:	<b>Mark Bradley</b>	<b>City Planner</b>
	<b>Tony Ekins</b>	<b>Associate Planner</b>
	<b>Sarah-Jane Martin</b>	<b>Administrative Assistant</b>
	<b>Mandi Richins</b>	<b>Commissioner in Training</b>
	<b>Roger Manning</b>	<b>Commissioner in Training</b>
	<b>Bijan Skaki</b>	<b>Applicant</b>
	<b>Ernie Fonseca</b>	<b>Applicant</b>
	<b>Gary Hunt</b>	<b>Applicant</b>
	<b>Tiffany Clark</b>	<b>Applicant</b>
	<b>Tina Peck</b>	<b>Applicant</b>
	<b>Nick Wheeler</b>	<b>Applicant</b>
	<b>Charlie Severs</b>	<b>Applicant</b>
	<b>Kym Van Dyke</b>	<b>Applicant</b>

**AGENDA**

Pledge of Allegiance

Approval of Minutes

Public Hearing <sup>1</sup> / Application #21-051 / Amend Brigham City Code Title 29 Zoning / Chapter 29.27 Sign Regulations / Allow medical cannabis pharmacy sign standards to be regulated like retail businesses within the same zoning district and in harmony with provisions of Utah Code / Bijan Skaki, Beehive Farmacy

Public Hearing <sup>1</sup> / Application #21-052 / Amend Brigham City Code Title 29 Zoning / Chapter 29.17 Tannevista Planned District / Include a provision to reduce the required accessory building side and rear yard setback from 20 feet to 10 feet / Cody Veibell

Application #21-042 / Conditional Use Permit <sup>1</sup> / Victory First Assembly of God / 510 East 950 South / Pastor Ernie Fonseca

Application #21-055 / Conditional Use Permit <sup>1</sup> / Major Home Occupation – Recreation Rental Equipment / 864 North 200 West / Tiffany Clark and Tina Peck

Application #21-053 / Permitted Use Permit / Recreational Coach Park (RV Park) / 55 South 1550 West / Love’s Travel Stops & Country Stores, Inc.

Discussion Item:

- A. Application #21-054 / Subdivision Concept Plan / 900 North and approximately 175 East / Brent Dickamore

## **REGULAR MEETING**

Regular session opened at 6:00 p.m. by Commissioner Mildenhall and the Pledge of Allegiance was recited.

## **APPROVAL OF MINUTES**

Commissioner Hoehn made a motion to approve the minutes with corrections as noted for May 18, 2021 meeting. The motion was seconded by Commissioner Bell passed unanimously.

## **Public Hearing <sup>1</sup> / Application #21-051 / Amend Brigham City Code Title 29 Zoning / Chapter 29.27 Sign Regulations / Allow medical cannabis pharmacy sign standards to be regulated like retail businesses within the same zoning district and in harmony with provisions of Utah Code / Bijan Skaki, Beehive Pharmacy**

The current City Code language allows one wall sign with an area no larger than 20 square feet. The applicant would like signage regulations to be treated like other retail businesses, such as a traditional pharmacy, within the same zoning district. As an example, in the GC district along 1100 South where building front on 1150 South and back up against 1100 South, multiple signs (front, side, and rear of building) are allowed depending on size and overall allotment. Plus, potential signage on a freestanding pylon sign. The regulation adopted by the City in November 2019 was believed to have been in harmony and consistent with what State Legislation was going to adopt. It appears per Utah Code (see below) the final language was modified. City Code language is not consistent with Utah Code but is allowed to be more restrictive.

Questions and comments from the Planning Commission:

1. Does this make us compliant with the Utah State code?

Response from City Planner: We are not out of compliance, but it does align Brigham City code with Utah State code.

Public Hearing:

Motion: Commissioner Bell made a motion to open the public hearing. It was seconded by Commissioner Coppieters and passed unanimously.

There was no public comment.

Motion: Commissioner Bell made a motion to close the public hearing. It was seconded by Commissioner McConkie and passed unanimously.

**Motion:** Commissioner McConkie made a motion that the Planning Commission recommend approval of application #21-051 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Bell and passed unanimously.

**Public Hearing <sup>1</sup> / Application #21-052 / Amend Brigham City Code Title 29 Zoning / Chapter 29.17 Tannevista Planned District / Include a provision to reduce the required accessory building side and rear yard setback from 20 feet to 10 feet / Cody Veibell**

Chapter 29.17 Tannevista Planned District, Section 29.17.30. Planned District outlines the zoning district that the planned district applies to which is MU-160. All setbacks within the Tannevista Planned District are subject to Chapter 29.11. Multiple Use standards and regulations unless otherwise stated in Chapter 29.17. Where the MU-160 represents one lot on 160 acres, the setback standards are greater than typical R-1 residential districts. Accessory building rear and side yard regulations (setback from property line) are 20 feet. The request is to modify the setback only in the Tannevista Planned District by adding a provision in Section 29.17.040. Standards and Regulations. The following provision is proposed:

- C. An accessory building rear yard and side yard regulation (minimum setback from property line) is ten (10) feet unless a public utility easement dictates otherwise.

Questions and comments from the Planning Commission:

There were no questions or comments from the Planning Commission.

Public Hearing:

Motion: Commissioner Bell made a motion to open the public hearing. It was seconded by Commissioner Coppieters and passed unanimously.

There was no public comment.

Motion: Commissioner Bell made a motion to close the public hearing. It was seconded by Commissioner McConkie and passed unanimously.

**Motion:** Commissioner Bell made a motion that the Planning Commission recommend approval of application #21-052 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Coppieters and passed unanimously.

### **Application #21-042 / Conditional Use Permit <sup>1</sup> / Victory First Assembly of God / 510 East 950 South / Pastor Ernie Fonseca**

This is an application to convert the existing building at 510 East 950 South into a church facility for the Victory First Assembly of God. Some parking will be provided on this lot with most of the parking to be provided on the second lot located across the street. Staff asked the applicants to provide a crosswalk mid-block to connect the two parking lots to discourage jaywalking. The room where services are held will hold 172 seats. Site improvements, including landscape and sidewalk, will be installed. The church group will be working with a landscape architect, where detailed landscape plans will need to be submitted to the City for approval.

Questions and comments from the Planning Commission:

1. How many parking spots will be provided?  
Response from applicant: There will be 54 total spots between both lots. They redesigned the site to create the additional stalls that are on the most current site plan.
2. Did the bathroom layout change from the original floor plans?  
Response from applicant: Yes, will have four sinks and six water closets. It will be a male and female restroom. The water closets are private facilities with sinks out in the joint area.
3. Does the mid-block crosswalk alter the speed limit in that area?  
Response from City Planner: The speed limit should be minimal in that area already, but the city has not decided about the speed limit yet.
4. Where is the ADA ramp located?  
Response from applicant: There is a ramp on the east and west side of the building.

**Motion:** Commissioner McConkie made a motion that the Planning Commission, acting as the Land Use Authority, approve application #21-042 subject to Staff comments, Findings of Fact, and stipulations as noted. It was seconded by Commissioner Bell and passed unanimously.

**Application #21-055 / Conditional Use Permit <sup>1</sup> / Major Home Occupation – Recreation Rental Equipment / 864 North 200 West / Tiffany Clark and Tina Peck**

The applicants are proposing to rent equipment for people to use such as paddleboards, kayaks, life jackets, and coolers through an online marketplace process of selecting, reserving, and paying to rent equipment items. The equipment will be stored on-site and within enclosed storage bays underneath the carport. Items that are chosen for rentals will be placed in Rubbermaid bins and stored under the carport for quick service pickup. Hours of operation for pick up and drop off are scheduled between the hours of 8:00 AM to 8:30 PM. The applicants hope to move to a brick-and-mortar store in the future.

There were five emails in regards to this application. There were three key concerns:

1. Concern with adequate space for the rental equipment, applicant vehicles, and customer vehicles?
2. Increase of traffic in the area.
3. Clutter at the residence.

Questions and comments from the Planning Commission:

1. At what point would this business need to be moved to another location?  
Response from City Planner: There isn't a clear point when they would be required to move the business out of their home. It needs to be considered a small business.
2. Is it possible to have an off-site location for pickup and dropoff?  
Response from applicant: Yes, that could be arranged if they need to. They could also stagger rental pickup to help with traffic on the street.

**Motion:** Commissioner Bell made a motion that the Planning Commission, acting as the Land Use Authority, continue application #21-055 until the next Planning Committee meeting. It was seconded by Commissioner Coppieters and passed unanimously.

**Application #21-053 / Permitted Use Permit / Recreational Coach Park (RV Park) / 55 South 1550 West / Love's Travel Stops & Country Stores, Inc.**

The project description on the application states, “construct a new RV Park development including office kiosk building, on-site parking area, 30 back-in RV stalls (1 ADA), 14 pull-thru RV stalls (2 ADA), sport courts, dog park, on-site stormwater facilities, and associated utility improvements. The proposed RV stalls will have full hookups available.”

The subject property is Lot 3 of the Brigham City Love’s Subdivision with an address to be assigned to the site as 55 South 1550 West. Access to the RV Park will solely be from 1550 West Street at the common entrance of the new Holiday Inn Express & Suites. The east portion of the Holiday Inn property (Lot 2) is being incorporated into the RV Park design. Some type of document should be filed with the City and recorded with the properties from the Love’s organization authorizing shared use of Lot 2 and Lot 3 of the Brigham City Love’s Subdivision.

On March 18, 2021, the City Council adopted an ordinance amending City Code Chapter 29.13 Commercial Districts to include Recreational Coach Park (RV Park) as allowed use (permitted use) in the General Commercial zoning district. A development agreement should be entered into between the owners and City to address future roadway improvements (1400 West Street and the east/west road between 1550 West cul-de-sac and 1400 West Street) and the timing of when said improvements are required.

Questions and comments from the Planning Commission:

1. Are there multiple entrances into the park?  
Response from applicant: Yes. There is a second entrance on the south side of the cul-de-sac.
2. There was concern about the amount of traffic between the RV park, hotel, and service station?  
Response from City Planner: There are additional roads that will be developed over time as nearby properties are developed. Also, there will probably be a street light installed at 1550 W.
3. How many ADA stalls are in the development?  
Response from applicant: There are three ADA sites.

**Motion:** Commissioner McConkie made a motion that the Planning Commission, acting as the Land Use Authority, approve application #21-053 subject to Staff comments, Findings of Fact, stipulations as noted, and contingent on a development agreement being approved by City Council. It was seconded by Commissioner Bell and passed unanimously.

**Discussion Item:**

Application #21-054 / Subdivision Concept Plan / 900 North and approximately 175 East / Brent Dickamore

The applicant is looking to create a subdivision along 900 N. The largest discussion focused on 30 feet on the west end of the property being held for a potential road that would extend 100 E. for later connectivity of roads and possible subdivision.

Motion to adjourn

**Motion:** A motion was made by Commissioner Bell to adjourn. The motion was seconded by Commissioner Coppieters and passed unanimously.

The motion passed unanimously and the meeting was adjourned at 8:38 pm.

*This certifies that the regular meeting minutes of June 1, 2021, is a true and accurate copy as approved by the Planning Commission on June 15, 2021*

Signed: \_\_\_\_\_

*Sarah-Jane Martin, Administrative Assistant*