

Planning Commission Chair: Tim Petty  
Planning Commission Vice-Chair: Todd Burton  
Commissioners: Robert Guiller  
Scott Dixon  
Glen Woolsey  
Secretary: Crystal Western  
City Council Representative: Greg Johnson

**UINTAH CITY**  
**PLANNING COMMISSION MEETING**  
**Tuesday, November 28, 2017**  
**7:00 PM**



2191 East 6550 South – Uintah, Utah 84405

(801) 479-4130 Fax: (801)476-7269

**Meeting Minutes**

Meeting Called to Order by Tim Petty at 7:00 p.m.

Pledge of Allegiance led by Tim Petty.

Roll Call: Present – Tim Petty, Todd Burton, Robert Guiller, Scott Dixon, Glen Woolsey

Declaration of Conflicts of Interest: Robert Guiller declared a conflict with item #6.

Attendees: Crystal Western, Marc Sacco, Lori Woolsey

**Agenda Items:**

**1. Public Comment (2 minutes per person) \*(recording: 00:01:40)**

- There was none.

**2. Approval of minutes for the Planning Commission meeting held October 24, 2017.**

\*(recording: 00:00:44)

**Presenter: Tim Petty**

- There were no comments on the minutes.
- Glen Woolsey motioned to approve the Planning Commission meeting minutes from October 24, 2017 as written.
- Seconded by Robert Guiller.
- All in favor, motion passes.

**3. Discussion/Review on Conditional Use Permit #2014-0176 for Brent & Abby Stuart; a multi-family dwelling located at 2100 E. 6450 S., Uintah. \*(recording: 00:01:55)**

**Presenter: Brent & Abby Stuart**

- Abby Stuart contacted Planning Commission Secretary Crystal Western before the meeting and informed her that they had a scheduling conflict and would not be able to attend the meeting. She asked if this item could be moved to another agenda.
- Glen Woolsey asked if there had been any complaints or problems with this CUP.
  - Crystal Western answered there had been none.
- The Commissioners discussed whether they should move this item to another agenda, or go ahead and review it without Brent and Abby present.
- Glen Woolsey motioned to table the review on Conditional Use Permit #2014-0176 for Brent & Abby Stuart; a multi-family dwelling located at 2100 E. 6450 S., Uintah.
- Seconded by Todd Burton.
- All in favor, motion passes.

\*\*\*\*\***OPEN PUBLIC HEARING**\*\*\*\*\*

Motion to close the planning commission meeting and open the public hearing made by Glen Woolsey, 2<sup>nd</sup> by Robert Guiller. All in favor, none opposed.

**4. Discussion on amending Title 9, Chapters 2, 7, 8, 13, and 17 of the Uintah City Code regarding the regulation and licensing of home based businesses. \*(recording: 00:03:33)**

**Presenter: Tim Petty**

- There were no comments.

Motion to close the public hearing and reopen the planning commission meeting made by Glen Woolsey, 2<sup>nd</sup> by Robert Guiller. All in favor, none opposed.

\*\*\*\*\*CLOSE PUBLIC HEARING\*\*\*\*\*

**5. Discussion/Action on amending Title 9, Chapters 2, 7, 8, 13, and 17 of the Uintah City Code regarding the regulation and licensing of home based businesses. *\*(recording: 00:04:12)***

**Presenter: Tim Petty**

- Tim Petty explained that the previously approved changes to the City's business license ordinance made these additional changes to title 9 necessary as well. Tim provided the Commissioners with a copy of the proposed changes, and explained that on his handouts the miscellaneous changes covered chapter 2-8, and there was a separate document for chapter 13.
- Tim went over each proposed change with the other Commissioners, and additional revisions were made. The Commissioners decided on the following final revisions:
  - Chapter 2: Instances of "Home Occupation" were changed to "Home Based Business". Titles and general definitions for Home Based Business, Major and Home Bases Business, Minor were updated.
  - Chapter 7 & 8: Instances of "Home Occupation" were changed to "Home Based Business". Changes already discussed on this section at the 10/24/17 Planning Commission Meeting were approved.
  - Chapter 13: Instances of "Home Occupation" were changed to "Home Based Business". Changes were made to the wording in various sections in Article C.
  - Chapter 17: No changes were needed.
- There was some discussion about the previously approved changes to the City's Business License Ordinance. The Commissioner's inquired about how the process is working out with the City Office Staff and the fire inspections. Tim suggested the staff make suggestions about how the application can be updated over time to make the process go smoother.
- Todd Burton made a motion to approve the proposed amendments to Title 9, Chapters 2, 7, 8, and 13 of the Uintah City Code regarding the regulation and licensing of home based businesses.
- Seconded by Robert Guiller.
- All in favor, motion passes.

**6. Discussion/Action on request to change the size and location of the Crossroads Christian Fellowship Church signage located at 6545 Combe Rd., Uintah. *\*(recording: 01:04:21)***

**Presenter:**

- Robert Guiller presented photos of the sign and the property to the Commissioners. He explained that he was recently contacted by UDOT. They were doing an inventory audit, and informed Robert that this sign was on the church's property and legally belonged to them.
- Robert referred to the photos, and pointed out the sign's location and explained that the sign is currently a 7x15 billboard type sign.
- Robert stated that they would like to be allowed to increase the sign's size to 12x24 and have it backlit.
  - He said he called some sign-wrap companies and they do not produce wraps for 7x15 size signs anymore.
  - They would like to go to 12x24 in size because it is the next standard size which wraps are produced for; which would then make the sign useable.
- Tim sited the City's sign ordinance, saying that the ordinance defines classes of signs and then references what classes of signs are allowed in specific zones. He explained that the Crossroads property is currently zoned residential. He said that since this is an already existing sign it is grandfathered in and could be used as is; however changes to the sign could not be allowed in a residential zone.
- Scott asked if that means that the other larger signs off of US 89 in that area are located on residential zoned property.

- Tim and Glen answered that they are, however they are grandfathered too.
- Robert confirmed that he was told by UDOT that the signs do not follow regulation, however they are grandfathered.
- Tim said that rezoning the property might be an option. However the City does not currently have a zone for institutions; i.e.: churches, schools, government buildings, etc.
- Robert said that when he spoke to UDOT they told him he could do whatever he wanted with the sign. However, he explained that he wanted to come before the Planning Commission and go through the correct process.
- Tim stated that he did not see that they had any leeway with it being in a residential zone.
  - Glen said that he felt they could consider allowing a non-conforming sign. He stated that he felt that would be within the Planning Commission's right.
  - Tim said that he thinks non-conforming only applies to allowing existing signs; changes would not be allowed even under non-conforming.
- Glen said that he remembers that Valley Nursey has had a similar problem, with wanting to increase the size of their sign and not being allowed to.
- There was much discussion on what the options were for this issue. The Commissioners decided that the following two options were available:
  - Petition to have an Institutional type zoning created, then apply to have the property rezoned.
    - They explained that this is a lengthy process that would affect many other ordinances, and should not be considered just for one individual need.
  - Or apply for a variance, asking to be allowed to bring the sign up to a standard size.
    - Tim said he thought this was the first and most reasonable option.
    - Tim explained that a variance cannot be approved based on a financial limitation. He said he thought a variance probably could be approved based upon the fact that the sign is no longer a standard size, and that in order to use it as a standard size it must be a bigger size.
    - Glen mentioned that a lawyer might need to be contacted to be used for advice on a variance.
- Todd asked about the master UDOT plan with the widening of US 89, and if it might affect this sign in the future.
  - Robert answered yes, that it would.
- Tim Petty told Robert that they could not at this time allow the sign to be altered, as it would be non-conforming under the City's sign ordinance, due to the property's current zoning.

**7. Discussion/Action on closing Conditional Use Permit #2016-0199 for Morgan & Elizabeth Thurgood; a kennel located at 6810 Buena Vista, Uintah. \*(recording: 01:24:50)**

- Robert Guiller explained that the Planning Commission received a letter in the mail from Morgan and Elizabeth Thurgood requesting that this CUP be closed.
- Robert Guiller made a motion to close Conditional Use Permit #2016-0199 for Morgan & Elizabeth Thurgood; a kennel located at 6810 Buena Vista, Uintah.
- Seconded by Glen Woolsey.
- All in favor, motion passes.

**8. Commissioner's Responsibility Reports and follow-up from previous meeting. \*(recording: 01:24:52)**

- CUPs – Robert Guiller
  - Robert explained that Crystal is still going through the CUP files and master list. We are trying to clean up the list and hope to have it updated by early 2018.
- Commercial Building – Scott Dixon
  - Nothing to report.
- Training – Glen Woolsey

- Nothing to report.
- Nuisance – Todd Burton
  - Nothing to report.
- Other – Tim Petty
  - Nothing to report.

**9. Meeting adjourned.** \*(recording: 01:28:55)

- Glen Woolsey made a motion to adjourn the Planning Commission meeting for November 28, 2017.
- Seconded by Robert Guiller.
- All in favor, motion passed.

APPROVED by the Planning Commission this 23 day of January, 2018.



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Planning Commission Chair