

MINUTES  
PLANNING COMMISSION MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
January 23, 2018

PLANNING COMMISSION WORK MEETING AND REGULAR MEETING

1. WELCOME

The Planning Commission Work Meeting was called to order by Chairman Curtis Tanner at 7:03 pm.

The meeting was opened by Commissioner Susan Hunt leading in the Pledge of Allegiance and a word of prayer was offered by Commissioner Chris Martineau.

2. ROLL CALL

COUNCIL MEMBERS PRESENT: Commissioners, Sam Brady, Susan Hunt, Chris Martineau, Chairman Curtis Tanner and Council Member Diane Anderson were all present. Commissioner Paul Wood was absent.

STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler and Recording Secretary Kelli Rollins were present.

VISITORS: Kyle Charlesworth, Andrew Busch, John Pohlman, Jeremy Canter, Scott Stanger

3. APPROVAL OF MINUTES OF MEETING

*Commissioner Chris Martineau made a motion to approve the minutes for the Planning Commission Meeting on October 10, 2017. It was seconded by Commissioner Sam Brady and was approved unanimously.*

**WORK MEETING**

City Manager Brandon Green presented three business license applications to the Planning Commission. The first was Mr. Bass to purchase a home and then rent it as an Airbnb. The owner will not be living there. He is from Roseville, California. An Airbnb was defined as a short term rental. The City Staff and Planning Commission discussed if this situation was more of a rental type situation or a bed and breakfast type situation. City Planner mentioned that there had already been one bill passed last session regarding short term rentals and that the legislature would most likely be looking at these again this session. Commissioner Susan Hunt read the bill that had been passed and the Planning Commission determined that they could not prevent short term rentals. They determined that this was a short term rental situation and that the business license was not required and the fee should be refunded.

City Planner Oyler presented the second license which was from Mr. John Gronar. He is requesting a business license for a used auto sales lot on 451 North and Highway 89. It is located where R&L Fencing was previously located. The property is currently owned by UDOT but they would agree to lease this property for a year with a 30 day notice if they

proceed with the Highway 89 construction. The City has stipulated that the signage would remain the same size on the back of the existing building, the lighting already installed would be the only lighting, the business must remain located only on the property and not on the road, and there would not be any auto repair done on the property. Mr. Gronar has agreed to all the terms. The property is currently zoned as commercial property and auto sales falls under that category so rezoning will not be required. Mr. Gronar informed the Planning Commission that he is planning on being open from 10:00 am to 6:00 pm Monday through Saturday. Commissioner Sam Brady cautioned him to make sure the building and area are all up to code and are ADA compliant.

The final business application is for a home business license for a yoga studio. The application listed four hours a week with 0-8 students per session. The home is located on a cul-de-sac and the Planning Commission is worried about parking on the street. The application states that a home business "shall be conducted in such a manner that the average neighbor, under normal circumstances would not be aware of its existence". They determined this business does not fit this criteria because of the number of vehicles that would need to park on the street.

City Manager Brandon Green and City Planner Jeff Oyler reported to the Planning Commission that the City Council had requested that the Planning Commission be brought the proposed plans for the east bench 100 acres. City Manager Green presented the plan that Blu Engineering had done for the City. The proposed cemetery plan was being looked at by the cemetery committee and the City Engineer had recently begun working with them. The upper area in the recommended plans suggested a bike trail. City Manager Green pointed out the Bonneville Shoreline Trail up above the area and the fire break trail down below. The middle area was the suggested biking/hiking loop trail. He reported that the City Council meeting had a large turnout in support of this plan and they discussed how there is a large interest in seeing this trail be made by the Davis High Mountain Bike Trail. City Manager Green mentioned that he and City Planner Oyler had begun applying for grant from the Governor's Office of Outdoor Recreation. The application was due by April of 2018 but wouldn't be awarded until 2019. It was further discussed that the intent of the trail would be that is available to all hiking and biking. It would not be super technical but more cross country. The Planning Commission expressed concerns with liability and the cost of adequate facilities. The City Staff and Planning Commission agreed that the City needs to have a plan in place, make it a priority and use this area properly or it will become used for whatever people would like.

Mr. Busche mentioned to the Planning Commission that he hikes this area quite a lot and reported the Mayor Stevenson, when he pled the City's case to get the 100 acres from the Federal Government mentioned the City's need for a cemetery and promised to keep the area as open space. He also mentioned that the Mayor wanted to protect the sensitive land areas and not destroy the natural sagebrush landscape. He encouraged the City to pay attention to the original intent of this land request. He

agrees that the City needs to have a plan and he would like to be a part of the solution.

The Planning Commission applauds the idea but would like to be very careful in the process. City Planner Oyler reminded the Planning Commission that the reason the property was sold to the Federal Government to begin with was to prevent the area from ever being developed.

## **REGULAR PLANNING COMMISSION MEETING**

### **SUBDIVISION REVIEW AND UPDATES**

1. Approve/Deny Deer Crest at Hidden Springs Plat Lot #4

This item was tabled.

### **CITY PARKS AND TRAILS REVIEW**

1. Review/Discuss/Approve/Deny East Bench Trails Master Plan Design

The Planning Commission requested that City Manager Green provide them with a copy of the talk given by Mayor Stevenson when he addressed the House Committee.

### **BUSINESS LICENSE REVIEW/DISCUSS/APPROVE/DENY**

1. Home Occupation Business: Kelli Stephens Yoga Studio

*Commissioner Susan Hunt made a motion to deny this home occupation license for Kelli Stephens Yoga Studio. It was seconded by Commissioner Sam Brady and denied unanimously.*

2. Dwight Bass, Airbnb

*It was determined that a business license was not needed and the Planning Commission asked that his license fee be refunded.*

3. 5<sup>th</sup> Street Auto Sales

*Commissioner Sam Brady made a motion to approve the business license for 5<sup>th</sup> Street Auto Sales. It was seconded by Commissioner Chris Martineau and approved unanimously.*

### **HIGHWAY 89 REVIEW AND DISCUSSION**

Mr. Jeremy Canter, a resident of Fruit Heights, presented to the Planning Commission his thoughts and ideas regarding the Highway 89 reconstruction plan. He stated that recently UDOT had presented their current three plans to the public and it really hadn't changed. He mentioned that Layton City changed their Master Plan and because the Highway 89 plan now violated their Master Plan they were able to get two changes to the UDOT plan. He stated that the SES Plan was too narrowly defined to promote a predetermined plan. He expressed concern that the current plan does not take into

account the need for mass transit. He cited references regarding air quality. He mentioned that the Planning Commission should be aware of the lack of aesthetic plans for the Highway plans. He spoke about sound reducing concrete and the possibility of UDOT having a budget for a committee to oversee the ongoing preservation of any aesthetic improvements. He requested that the Planning Commission take a look at updating the City's Master Plan.

The Planning Commission expressed concern that they have never been able to be part of the decision-making process. Council Member Diane Anderson reminded them that this process began 30 years ago and those Planning Commissions, citizen groups, and City Councils were part of that process. They were involved in the planning years ago when the plans were being prepared.

#### PUBLIC COMMENTS

Mayor John Pohlman spoke to the Planning Commission and thanked them for all their service. He asked them to look higher and do more to help the City Council and Mayor. He asked them to look to the future of the City.

#### OTHER BUSINESS

City Planner Jeff Oyler asked the Planning Commission to look at the new meeting format and keep in mind that it is not good planning to make a person wait for a vote to take place on a discussion that took place an hour prior. Chairman Curtis Tanner agreed to work on the meeting format.

#### UPCOMING EVENTS:

City Manager Green reminded the Planning Commission that the annual Ethics and Open Meetings required training would take place on February 20.

#### ADJOURNMENT:

*Planning Commissioner Sam Brady made a motion to adjourn the Planning Commission meeting and it was seconded by Commissioner Susan Hunt. The meeting was adjourned at 9:01 pm.*

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights Planning Commission meeting held January 23, 2017.

*Not approved until signed*

  
Kelli Rollins, Fruit Heights Recording Secretary

Date approved by Planning Commission: February 27, 2018