

Plain City Commission
Minutes of Meeting
January 11, 2024

Plain City Planning Commission met in a regular meeting at City Hall on Thursday, January 11, 2024, also accessible via ZOOM beginning at 7:00p.m.

Present: Chairman Faulkner
Commissioner Jenkins
Commissioner Maw
Commissioner Neil
Commissioner Skeen
Commissioner Ortega

Staff: Tammy Folkman, Dan Schuler-Zoom

Attendees: Steve Andersen, Julia Beutler, Peter Mortenson

Zoom Attendees:

Welcome: Chairman Faulkner

Pledge of Allegiance: Chairman Faulkner

Moment of Silence/Invocation: Commissioner Neil

1. Roll Call: Chairman Faulkner directed roll call. Commissioners Maw, Jenkins, Ortega, Skeen, Neil and Chairman Faulkner were all present.
2. Opening Statement: Chairman Faulkner
3. Ex Parte: Chairman Faulkner mentioned that she had some text messages with Michelle Gee from Cody Rhees's office, she will talk about this in commission comments.
4. Public Comments: None at this time
5. Approval of Meeting Minutes for December 14, 2023
Commissioner Skeen motioned to approve meeting minutes for December 14, 2023. Commissioner Neil seconded the motion. Commissioners Jenkins, Maw, Skeen, Neil and Chairman Faulkner voted aye. The motion carried.
6. Technical Review Report: Steve Anderson-Diamond Estates Phase 2, FIIZ-Frank Weston
Commissioner Neil mentioned that Diamond Estates came and said that they wanted to do another phase and to do that it requires a second access, the second access would be up by where the IHC will be. The property is all JDC property. Dan Schuler the public works director said there will be no building permits permitted until they have the second access. He mentioned FIIZ and the new owner. He told them what the city council wanted them to do, they are going to get on the agenda for city council. Commissioner Maw mentioned the back lit sign and the giant TV screen. The franchise was sold, the building is still owned by the same person. Commissioner Neil mentioned the berms and hedges, he said the owner said they are already done. Chairman Faulkner wanted Rob to go prepared to city council about the sign on FIIZ building.

Plain City Commission
Minutes of Meeting
January 11, 2024

7. Legislative Items:

Discussion/Motion: Set public hearing for February 8, 2024 to amend Subdivision Ordinance on Submittal Procedures for Residential Subdivisions

Chairman Faulkner mentioned that the public hearing is so we can be in compliance with the State code.

Commissioner Neil mentioned the geospatial center, this is for the 911 data base. It wasn't clear if we do this or the county.

Commissioner Maw motioned to set a public hearing for February 8, 2024 to amend Subdivision Ordinance on Submittal Procedures for Residential Subdivisions. Commissioner Jenkins seconded the motion. Commissioners Maw, Neil, Jenkins, Skeen and Chairman Faulkner voted aye. The motion carried.

Chairman Faulkner wanted to know if we can change our ordinance to not be fifteen days' notice?

Commissioner Maw mentioned that it is a state law on the fifteen-day notice.

Discussion/Motion: Final approval for The Grove at approx. 2865 W North Plain City Road 5 lots- Steve Anderson

Chairman Faulkner indicated that this is just a 5 lot Subdivision in Plain City, the rest is in Weber County.

Commissioner Neil motioned to recommend to City Council to approve final for The Grove at approx. 2865 W North Plain City Road 5 lots. Commissioner Jenkins seconded the motion. Commissioners Maw, Neil, Jenkins, Skeen and Chairman Faulkner voted aye. The motion carried.

8. Administrative Items:

Discussion/Motion: Preliminary/Final approval for Beutler Subdivision approx. 2243 N 4275 W 2 lots Jason & Julia Beutler

Chairman Faulkner said everything was in order.

Commissioner Maw motioned to approve Preliminary/Final approval for Beutler Subdivision approx. 2243 N 4275 W 2 lots. Commissioner Skeen seconded the motion. Commissioners Maw, Jenkins, Neil, Skeen and Chairman Faulkner voted aye. The motion carried.

Discussion/Motion: Site Plan for building sign at Plain City Family Dental 2384 N 4350 W Peter Mortenson

Chairman Faulkner said there were no concerns with the sign. Commissioner Jenkins wanted to know if the second building would have a sign also. Peter said just one sign.

Commissioner Jenkins motioned to approve site plan for the building sign at Plain City Family Dental 2384 N 4350 W. Commissioner Maw seconded the motion. Commissioners Maw, Jenkins, Neil, Skeen and Chairman Faulkner voted aye. The motion carried.

9. Report from City Council: Commissioner Ortega

Commissioner Ortega said the city had an audit report that went really well, city council will keep their starting time at 6:30pm. Council approved the amendment on the commercial zoning ordinance. They also approved the business licenses; he did say there was some concern about the warrant register. Chairman Faulkner wondered if Branded Beauties got their business license. City Council will get their paperwork electronically not hard copies. Planning said they would like both email and a hard copy.

Plain City Commission
Minutes of Meeting
January 11, 2024

10. Commission Comments:

Commissioner Maw mentioned that it is legislature time again, there is a new bill HB188 that is being proposed it hasn't been released yet. The bill says it would modify any provision related to any building permits issued by county or municipality, it would prohibit any county or municipality to change or add to a permit after it has been issued. He said it is very broad and vague right now. Chairman Faulkner mentioned to Dan that he may want to be aware of this. Dan would like a copy of the bill; Jared will send that over to him when he gets it. Commissioner Skeen mentioned a letter that Chairman Faulkner posted on Facebook and he was also wondering about Cody Rhees. Chairman Faulkner mentioned the text she received from Michelle who works for Cody Rhees about wanting to meet before the planning meeting to make sure he has everything. She told Michelle she was not in favor of extra meetings plus she does not want it to come across that this is giving him approval. She asked Dan to help her understand about the sidewalks. She said she thought that in our last meeting Dan said the city would be in favor of doing the sidewalks if Mr. East would deed the property to the city? Dan said the whole thing was to get Mr. East to put his house in the subdivision. He indicated Mr. East already has his house separated and therefore the city can't make him put his house into the subdivision. That means the sidewalk will end right at the back of Mr. East's property, he said he would rather not have any sidewalk at all instead of just ending it. He is afraid the general public will ridicule this, so he would rather not have a sidewalk. Commissioner Neil asked Dan about the property to the north, if they decide to develop will he require them to do a sidewalk. Dan said if it is going to just dead end at Jim East's, he would rather not have sidewalk and have it end at the back of the property. Chairman Faulkner mentioned the problem she is having with all of this is that the property Cody is developing is Jim East's property and he is benefiting from the development going in, but he is digging in his heels about having the sidewalk go past his home. She does not think it is right. Commissioner Neil said the application and the will serve letters all have his name on them. Dan mentioned that since the house and the property are separate, they can't make him do the improvements. Chairman Faulkner said they are the ones who separated the property, she is wondering if we can't say that sidewalk needs to go on that side of the street. She said there is no benefit to not having a sidewalk. Dan indicated they only have 3 feet for a sidewalk from the fence that Jim put up. Commissioner Skeen said it should be 5 feet. Dan felt there would be safety issues with the sidewalk ending at the back of Jim East's property. Commissioner Ortega was wondering if the city had a right of way where Jim has his rocks. If there is a right of way Jim would have to move his fence and rocks. Commissioner Neil mentioned Leona Schumers subdivision and how she had to change how her drive way entered. Commissioner Ortega would still like to see a sidewalk, so there is a safe place to cross the road. Commissioner Skeen said eventually the sidewalk will go to the north, to North Plain City Road. He said according to the application it shows Mr. East is developing the property and hired Cody Rhees as his representative, if we are asking a guy to develop the property there are conditions attached to it. He mentioned talking with a realtor attorney about this, the person said there are subdivisions put in all the time that people have to do improvements offsite of a subdivision as a condition for an approval to develop a certain piece of property. Commissioner Maw feels Mr. East needs to move the boulders and the fence and put in the sidewalk. Commissioner Skeen is wondering if it's a good idea to have legal look at this. Chairman Faulkner mentioned that Cody will want to know where this is in our ordinance or is this just something conditional. Commissioner Maw indicated that it was what we originally wanted and it complies with our ordinance to continue the sidewalk. Chairman Faulkner will text Michelle and let her know. Commissioner Ortega agrees with everyone, but Cody's position is show me in the ordinance where it requires that he does the offsite improvements to get this done. He understands that it is the same owner but it is two separate parcels. He feels we can ask him to do it but he is not sure if we can require him to do it. He feels we

Plain City Commission
Minutes of Meeting
January 11, 2024

do need a sidewalk no matter what. Chairman Faulkner mentioned a letter from the Riverton city council, basically it said they rejected the Utah Housing Policy. She read a few things from the letter. *I am pleased to add Riverton City to the growing list of those who reject the Utah Legislative Auditor General's Report on state housing policy. Their report tries to blame cities for Utah's purported 28,000 a year housing deficit, yet it fails to present a single example.*

Cities don't build houses, developers do. Riverton City alone has 2,800 undeveloped parcel units that have been ready to build since 2016, but developers have not submitted any plans. She mentioned that they had a lot of good points, she posted the letter hoping our city council would send the same kind of letter. She said we get beat up all the time about affordable housing and we can't create affordable housing. Commissioner Neil mentioned apartments going in up in Brigham City and how they are not affordable to live in. Chairman Faulkner mentioned the mayor called her and wanted to look at whether it was possible to build a duplex and sell each side individually, she said she wasn't in favor of that but she is only one person. She was thinking that for every 30 homes that you have to have 2 or 3 quarter acre properties in the subdivision. Commissioner Maw said it would be nice to say that they can not all be placed in one section it would need to be spread out through the subdivision. Chairman Faulkner said it would have to be owner occupied so people can't just go in and create rental property for themselves, and specify the square footage and let them incorporate into the neighborhood. She asked if anyone else had any ideas. Commissioner Neil mentioned Diamond Estates proposal on how they are creating a second access in another development, which is going to be real high density and the second access for JDC as well will be our access. Should we look at each separate subdivision having their own two accesses. Chairman Faulkner was wondering if each phase should have their own access. Commissioner Ortega would like Commissioner Jenkins to cover his city council meeting on July 18.

11. Adjournment

Commissioner Maw moved to adjourn the meeting at 7:57pm. Commissioner Neil seconded the motion. Vote: Commissioners Maw, Neil, Jenkins, Skeen and Chairman Faulkner voted aye. Motion carried.

City Council: January 18- Commissioner Ortega

2024					
JENKINS	ORTEGA	MAW	NEIL	FAULKNER	SKEEN
JAN 4	JAN 18	FEB 1	FEB 15	MAR 7	MAR 21
APR 4	APR 18	MAY 2	MAY 16	JUN 6	JUN 20
JUL 18	JUL 4	AUG 1	AUG 15	SEP 5	SEP 19
OCT 3	OCT 17	NOV 7	NOV 21	DEC 5	DEC 19

If you are unable to attend on your assigned night, please make sure someone goes in your place


Planning Commission Chair


Planning Commission Secretary