

Plain City Commission
Minutes of Meeting
January 12, 2023

Plain City Planning Commission met in a regular meeting at City Hall on Thursday January 12, 2023, also accessible via ZOOM beginning at 7:00p.m.

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

Excused

Staff: Tammy Folkman

Attendees:

Zoom Attendees: Dan Schuler

Welcome: Chairman Faulkner

Pledge of Allegiance: Commissioner Jenkins

Moment of Silence/Invocation: Commissioner Skeen

1. Roll Call: Chairman Faulkner directed roll call. Commissioners Maw, Ortega, Jenkins, Skeen, Neil are all present.

2. Opening Statement:

3. Ex Parte: Commissioner Maw had a conversation with Principal Elliott from Plain City Elementary about the assisted living that will be going in across the street from the school. Principal Elliott asked Commissioner Maw to forward the assisted living presentation that was presented to the planning commission. Principal Elliott had some concerns about where the crosswalk would go as well.

4. Public Comments:

5. Approval of Minutes for December 8, 2022

Commissioner Jenkins motioned to approve the work meeting minutes and the regular meeting minutes from December 8. Commissioner Maw seconded the motion. Commissioners Maw, Ortega, Jenkins, Skeen, Neil and Chairman Faulkner voted aye. The motion carried.

6. Technical Review Report: Rick Scadden and Clay Jensen came to Technical Review to talk about Brynlee Acres approximately 3400 West on North Plain City Road. They would like to apply for a residential overlay. Councilman Sadler was not in favor of a residential overlay because Still Creek is in the same area and already has a residential overlay. Chairman Faulkner thought the plan looked good; she told Mr. Scadden he was still welcome to bring it to planning commission. They have not brought their plan to planning commission yet so Chairman Faulkner is not sure what they will bring in, she also said they wanted to build affordable housing to keep the home prices down.

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7. Legislative Items:

8. Administrative Items:

Discussion: Flood Plain Ordinance

Chairman Faulkner looked at the Flood Plain Ordinance that Dan had revised she thinks it's really good. She was wondering if we were going to call it a flood plain area or are we grouping them all as areas. Dan mentioned in Appendix G of the International Building Code (IBC) they call it a flood hazard area. He was wondering do we want to call it a flood hazard area so we are consistent with what the IBC has or do we want to call it flood plain area. Commissioner Maw was wondering if we would just refer to Appendix G. Dan said we would and it would always be updated from the state, that is why we would just refer to Appendix G. Commissioner Maw would like to word it as refer to Appendix G of the adopted IBC. Chairman Faulkner mentioned 10-18-3 under definitions on Flood Plain she would like Dan to change maybe to may be. Commissioner Skeen was curious about the ordinance protecting developments in flood plain areas, do you think we need to put in there that they can't have basements. Dan reiterated the reason we want to adopt Appendix G for this very reason. Dan said our building inspector thought this was a good idea as well. Commissioner Skeen was wondering if we make a requirement to drain sump pump to the curb. Chairman Faulkner thought the city did not want it to go to the curb. Dan said for any ground water it can be pumped to the curb, impervious should stay on the property. Commissioner Maw would like to put the responsibility on the developer and their engineers. Chairman Faulkner feels we need to identify basements in the ordinance, are basements not good because of the water table or flood plain? Dan said any flood hazard. She said the title of the ordinance says High Water Table, Floodplain and Wetland areas can you make it consistent throughout the ordinance to match the title. She would like Dan to change 10-18-17 (B) #10 move *To protect the public from hazards* to the end of the sentence. It should read *Fencing off canals, rivers or streams may be required to protect the public from hazards*. Under 10-18-18 #5 there is a question about *code 9-1-1*. Everyone liked what Dan had done.

Discussion Assisted Living Ordinance

Chairman Faulkner brought her notes from the December 8 work meeting. She mentioned breaking up the ordinance based on the level of care. There is level 1 it would go into commercial areas and level 2 can go into residential. She said from what she understands level 1 requires more care. She said she would like rehabilitation to go into commercial. In level 2 the residents are mostly independent. Commissioner Jenkins likes the Alpine ordinance on assisted living he likes Page 4. 8-B. *Certify in a sworn affidavit to the City that no person will reside or remain in the facility whose tenancy would likely: Constitute a direct threat to the health or safety of other individuals, or Result in substantial physical damage to the property of others. 15. No person who is being treated for alcoholism or drug abuse or who is violent will be placed in a residential facility for elderly persons. 16. Placement in the facility is on a strictly voluntary basis and is not part of or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.*

He said it also has an age limit on the front page. Chairman Faulkner likes the Orem ordinance on assisted living, she said the things Commissioner Jenkins liked in the Alpine ordinance are similar to the Orem ordinance. Commissioner Skeen feels this will be a nice service for the residents of our community if they have a family member that needs this type of assistance, they will be able to stay close to other family members. Chairman Faulkner would like everyone to look at Alpine and the Orem ordinance and circle all the things that you like. Chairman Faulkner said to keep in mind how many parking spots should be required for the facility's normal usage. Commissioner Jenkins mentioned the Alpine ordinance does have a minimum square footage per resident. Is that something we want to look into? Commissioner Neil thinks the state will check everything

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to make sure it is compliant. Chairman Faulkner liked the Orem ordinance because it made it very clear that the facility was not a rehabilitation facility. For instance, #5. *Residency in the facility shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility. An assisted living facility for elderly persons shall not include any persons referred by the Utah State Department of Corrections or any court.* Again, take the two ordinances and circle what you like.

9. Report from City Council: Commissioner Skeen

Jake Weston came in and gave public comment on accessory dwelling units, he would like to see the ordinance changed so you can have them on smaller lots. He also wanted to have the option to not have the primary resident live in the home. Chairman Faulkner mentioned that he wanted to be able to rent both the dwelling and accessory dwelling without the property owner living there. Commissioner Skeen said the council liked the ordinance the way it is now. There was some discussion on requirements to build an accessory building. Trent Meyerhoffer our building inspector came and talked about what people are doing that doesn't meet our standards. There was a discussion of what to do to make them more compliant. It was mentioned that people are not meeting our setbacks so instead of calling it an accessory dwelling they are calling it a shop or storage but still using it as an accessory dwelling. The council comments were that the primary resident should live in one of the dwellings. Chairman Faulkner asked the city council if we can get someone to help with our general plan. Commissioner Skeen mentioned that he talked to the mayor and he said they have someone to help with the general plan. The survey for the general plan is now online. Skeen Brothers was on for conditional final it was approved. There was a \$1.00 increase for both the black and blue garbage cans. City Council will have a new start time for meetings. Starting in February it will start at 6:30pm. They approved the street block ordinance and had a discussion on stub roads, they said they cannot require a developer to put a stub road in unless not doing so completely landlocks the other property owner. Chairman Faulkner said if our ordinance requires the twelve, she feels we need to stick to our ordinance. The last thing they talked about was on accessory dwelling units.

10. Commission Comments:

Commissioner Neil said that Dan had mentioned to him about a business that he has seen as he goes out North, there is a resident that has porta potties and dumpster the name of the company is The Crapper. The concern is what are they doing with the waste. Chairman Faulkner gave the address and the name of the business and to the building inspector and he was going to check to see if they had a business license. Commissioner Neil said we don't have anything like this addressed in our commercial zones. He thinks maybe it might be a C2 or a bigger operation could be a C3 with conditions. He went through our codes to see if we had it identified, do we want it to be C2 or C3. He also mentioned the email Tammy sent out; it was a notice of development the county is doing up by the Christensen property. Commissioner Maw was wondering how big the lots were. There is a portion that is in the city. Chairman Faulkner said they did come to a technical review she mentioned that the portion in our city are bigger lots, she said we really didn't get to see the plan they just told us what was applicable. Commissioner Maw said the Utah State code says we have to provide consent, Chairman Faulkner said absolutely no way. It says the city needs to respond within 90 days. The letter was addressed to Jon Beesley, so Chairman Faulkner will talk to Jon and see who should respond to the county. Commissioner Maw was glad to see the survey on the website. Chairman Faulkner mentioned that Tammy gave a copy of the survey response to everyone take it home and look it over. She mentioned that we met with the Mayor, Brad Jensen, Jordan, Tammy, Diane and Bruce Parkin from PDS he is going to help with the general plan. He has done a lot of plans for smaller cities like Richfield and Willard. He seems to understand that we want to stay rural but we need to manage the growth. He suggested starting at the

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planning commission level to go page by page through the current general plan highlight what you like and don't like then we can start having some consistent meetings on the general plan. She feels like our current plan doesn't fit what we really want. In February we need to find a new chair, Commissioner Skeen would be the new chair but he would like to defer to someone else. Chairman Faulkner would like a break she said she could be the co-chair and go to technical reviews. Commissioner Skeen said he doesn't feel he has enough time with his young family and all that is going on he wants to make sure the job is done right. He feels there is a lot more involved than the time he would have to put into it and do it right. Commissioner Jenkins would like to be the co-chair first but he said he will do whatever the group needs. Commissioner Skeen's term is up this year, they are five-year terms. Commissioner Neil said because we have an opening this year it will need to be advertised and interested people can submit a letter to the city, then it will go to the city council. If Commissioner Skeen is wanting to continue as a commissioner, he will need to submit a letter as well. Chairman Faulkner asked Tammy to make up a list of everyone's names, email, cell number and their term expiration. Commissioner Skeen was wondering if he could be the alternate and Commissioner Ortega could move into the chair position from alternate? Commissioner Ortega is not interested in being the chair he would like to be the co-chair first.

11. Adjournment

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

Meeting ended at 8:30pm

City Council -Commissioner Jenkins

2023

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

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



Planning Commission Chair



Planning Commission Secretary