

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, August 22, 2018**

3 **7:00 p.m.**

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5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,  
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7  
8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Logan Johnson

13 Kathy Helgesen

14 Gina Hirst

15 Becki Wright

16  
17 **MEMBERS ABSENT**

18  
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director

21 Lisa Romney, City Attorney

22 Cassie Younger, Assistant Planner

23 Avalon Comly, Recording Secretary

24  
25 **STAFF ABSENT**

26  
27 **VISITORS**

28 Interested citizens (see attached sign-in sheet)

29  
30 **PLEDGE OF ALLEGIANCE**

31  
32 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Helgesen

33  
34 **PUBLIC HEARING – TABLED – ZONING TEXT AMENDMENT of 12.54, SIGNS**

35  
36 At the request of the applicant, this item has been tabled until the September 12<sup>th</sup>  
37 Planning Commission meeting.

38  
39 **DISCUSSION OF SUBDIVISION ORDINANCE UPDATES – Chapter 2 (Definitions)**

40  
41 Lisa Romney, City Attorney explained that Chapter 2 of the Subdivision Ordinance  
42 rewrite contains definitions and some basic rules of interpretation. She said this is a “work in  
43 progress” that she is hoping to receive early feedback on, and explained that she has included  
44 State Code definitions in the Subdivision Ordinance rather than simply referencing the State  
45 Code. All of the State Code definitions that have been included in this version have been  
46 updated through the 2018 session.

47  
48 Chair Hayman asked if the definitions that have been incorporated into the Subdivision  
49 Ordinance from Utah State code are primarily found in one section of the code, or if they are in  
50 multiple sections. Ms. Romney responded that they are mostly in one section. Chair Hayman

1 expressed that as a practitioner, she would be pleased to have all of the definitions in one place,  
2 without having to reference the State Code. However, she is concerned about real time changes  
3 being made to the Subdivision Ordinance whenever Utah State Code changes. Chair Hayman  
4 suggested including a disclaimer at the end of the section that says "to the extent that any of the  
5 definitions are inconsistent with the State Code, the State Code will take precedence."  
6 Commissioner Wright suggested providing an introduction at the beginning of Chapter 2 which  
7 explains that these definitions are provided for convenience, however, if there is a discrepancy  
8 with State Code, State Code will take precedence. Ms. Romney said she could craft some  
9 language for the beginning of Chapter 2 saying something to the effect that a number of the  
10 definitions are defined in the State Code and if there is any conflict with the State Code  
11 definition, State Code will govern. She would also still like to leave the definitions written out in  
12 the Subdivision Ordinance for ease of use.

13  
14 Commissioner Wright asked about the use of the words "or" and "and" at the end of lines  
15 where there are multiple subsections in a definition. She inquired if one of these words should  
16 be at the end of each and every line in the numbered list, or if they should just appear before the  
17 last subsection in the list as in sentences. Ms. Romney said she is following State Code.  
18 Commissioner Helgesen said she would like to have an "and" or an "or" after each line. Chair  
19 Hayman said it is common legal practice to have "and" or "or" only once before the last  
20 subsection in the list.

21  
22 Commissioner Johnson said it is hard to know what items are defined and what aren't as  
23 you read through the ordinance. Ms. Romney said in some codes terms that are defined are  
24 capitalized. She thinks that looks awkward, and said she will give more thought to how to point  
25 out what is defined. Chair Hayman said she thinks since this Subdivision Ordinance will now be  
26 online it will be easier to search for the definition of a word if there is a question while reading  
27 the ordinance.

28  
29 Commissioner Daly asked if the definitions of "Flood, 100-year" and "Flood, 10-year"  
30 should reference FEMA since the "Flood Plain" definition references FEMA. Ms. Romney said  
31 that "Flood Plain" has a statutory definition and the area is defined on FEMA maps.  
32 Commissioner Daly expressed concern about the statistics referenced in the definition for 100-  
33 year and 10-year floods and wanted to know where those came from. Commissioner Hirst said  
34 the 100-year flood and the 10-year flood definitions are just based on statistical analysis of  
35 floods historically. Mr. Snyder said he does think the statistics referenced are from FEMA. Ms.  
36 Romney said she can look into this and provide a reference to the industry standards that are  
37 the basis of the definition, so there will be no disagreement in interpretation.

38  
39 Commissioner Daly pointed out that there are no definitions listed for "Lot, Corner"; "Lot,  
40 Flag"; or "Lot, Interior". Ms. Romney said she will add those definitions, which may be in the  
41 Zoning Code. Commissioner Daly said perhaps those definitions could just refer back to "Flag  
42 Lot" or "Corner Lot" definitions, which are included in the ordinance.

43  
44 Chair Hayman pointed out that there are extra paragraph spaces between the definition  
45 of "Land Use Authority" and "Land Use Permit", and that a space needs to be added after "Utah  
46 Code" in the definition of "Public Meeting."

47  
48 Commissioner Daly asked about the definition of "Public Improvements" and wondered if  
49 Utopia would be included as a utility. Commissioner Daly asked if developers are required to run  
50 lines for all utilities, and Mr. Snyder said only public improvement items are required.  
51 Commissioner Wright wanted to know if certain utilities should be specified as "Public Utilities."  
52 Ms. Romney said that this is defined by Utah State Code.

1 Chair Hayman asked that Ms. Romney go through and do a search for double-spacing  
2 after colons and periods and change these to single-spacing, as this is the new typing  
3 convention and she has noted some inconsistencies in the document.

4  
5 Commissioner Wright pointed out that the colon after "Alley" on page 9 should be bold,  
6 and there is an extra period at the end of subsection (g) in the definition for "Freeway".  
7

8 Chair Hayman pointed out that the "or" at the end of subsections (a) and (b) in the  
9 definition for "Subdivider" should be removed.

10  
11 Commissioner Daly was concerned about the definition of "Unincorporated" and wanted  
12 to make sure other cities are not unintentionally included in the definition, as they are outside of  
13 the incorporated area of Centerville. Chair Hayman suggested that before the definition is  
14 changed, Ms. Romney take a look at how the definition is used in the Ordinance.

15  
16 Chair Hayman pointed out that there should be a space after the section symbol in  
17 subsection (a) of the definition for "Water Interest."  
18

### 19 **LEGISLATIVE AND ADMINISTRATIVE DECISIONS TRAINING**

20  
21 City Attorney, Lisa Romney, provided a brief presentation on Legislative and  
22 Administrative decisions, including a discussion of the applicable standard of review for such  
23 decisions.  
24

25 Chair Hayman asked Ms. Romney to create a small handout on the difference between  
26 Legislative and Administrative decisions that can be available whenever there is a public  
27 hearing. Ms. Romney and Commissioner Wright also suggested having a short introduction  
28 before opening public hearings at Planning Commission meetings to explain the difference  
29 between legislative and administrative decisions to the public. Chair Hayman indicated that she  
30 would work on creating that introduction.  
31

### 32 **OPEN AND PUBLIC MEETINGS TRAINING**

33  
34 The City Attorney provided a brief presentation on the basics of the Utah Open and  
35 Public Meetings Act.  
36

### 37 **DISCUSSION - MAIN STREET TABLE OF USES NEXT STEPS**

38  
39 Cory Snyder, Community Development Director, provided the Commissioners with a  
40 brief overview of where the Planning Commission is in the process of editing the Main Street  
41 Table of Uses and provided a summary of outcomes from the last public hearing on the matter.  
42

43 Mr. Snyder said that staff recommends holding public forums for property owners,  
44 nearby residential neighborhoods and the general public at large; as well as holding a Planning  
45 Commission Work Session to synthesize the information received at forums with the public and  
46 narrow in on the uses that are perceived as acceptable for Main Street.  
47

48 A timeline for these future meetings was suggested and was included in the staff report.  
49 The Commissioners expressed that they are supportive of holding the forums and of the  
50 suggested timeline.  
51

52 Chair Hayman expressed concern that there seem to be members of the public that  
53 think Main Street uses are being changed to allow for more intense commercial uses along

1 Main Street, which will lead to a higher density. Since this is not the case, Chair Hayman asked  
2 if the notices that are being sent to the public in preparation for the October 10 meeting could  
3 clarify that the changes proposed will not change zoning intensity on Main Street or create a  
4 higher density. Mr. Snyder agreed and said that he would ensure future notices include some  
5 clarification about that point.

6  
7 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

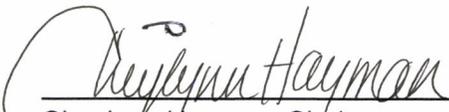
8  
9 Mr. Snyder discussed the agenda for the upcoming Planning Commission meeting.

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11 **MINUTES REVIEW AND ACCEPTANCE**

12  
13 The minutes of the August 8, 2018 meeting were reviewed and amendments suggested.  
14 Commissioner Johnson made a **motion** to accept as amended. Commissioner Wright seconded  
15 the motion which passed by unanimous vote (7-0).

16  
17 **ADJOURNMENT**

18  
19 At 9:02 p.m. Chair Hayman made a **motion** to adjourn. Commissioner Johnson  
20 seconded the motion which passed unanimously (7-0).

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25 Cheylynn Hayman, Chair

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28 9-2-18  
29 \_\_\_\_\_  
30 Date Approved

28  
29   
30 \_\_\_\_\_  
Avalon Comly, Recording Secretary

