

City of Washington Terrace

Minutes of Planning Commission Meeting held on
Thursday, April 24, 2014
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Vice-Chair T.R. Morgan
Commissioner Scott Barker
Commissioner Larry Weir
Commissioner Dan Johnson
Commissioner Charles Allen
Chairman Wallace Reynolds- excused
Commissioner Scott Larsen-excused
City Recorder Amy Rodriguez
City Building Official Jeff Monroe
Planning Attorney Bill Morris

Others Present

None

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

Motion by Commissioner Allen
Seconded by Commissioner Weir
to approve the agenda
Approved unanimously (5-0)

4.2 MOTION: APPROVAL OF MINUTES FOR MARCH 27, 2014

Motion by Commissioner Allen
Seconded by Commissioner Johnson
to approve the minutes for March 27,2014
Approved unanimously (5-0)

5. SPECIAL ORDER

47 Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation,
48 questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then
49 commission final discussion.
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51 **5.1 PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDING SECTION**
52 **17.62.130 “STANDARDS FOR ANTENNAS AND ANTENNA SUPPORT**
53 **STRUCTURES” RELATING TO SETBACK AND HEIGHT FOR**
54 **TELECOMMUNICATION TOWERS**
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56 Morris stated that staff recommendation is for the Planning Commission to recommend that City
57 Council approve ordinance 14-04 amending “Standards for Antennas and Antenna Support” to
58 include the words “and establish setbacks” in subsection 3e. Morris stated that the city is looking
59 for the ability and flexibility to pursue sites in the city that would be beneficial for the location of
60 personal wireless communication facilities.

61 Monroe stated that a telecommunication company is looking to come into the city.
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63 **Vice-Chair Morgan opened the public hearing at 6:02 p.m.**

64 There were no public comments.

65 **Vice-Chair Morgan closed the public hearing at 6:04 p.m.**
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68 **5.2 PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDING**
69 **CHAPTER 8.16 “INSPECTION AND CLEANING” RELATING**
70 **TO “NUISANCE DECLARED”**
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72 Morris stated that staff recommendation is to approve Chapter 8.16.040 relating to “Nuisance
73 Declared”. Morris stated that adding the wording “dry and parched grass” will assist Monroe in
74 code enforcement and make the ordinance tighter. Morris noted other changes to the ordinance,
75 to include overnight parking at city parks.

76 **Vice-Chair Morgan opened the public hearing at 6:04 p.m.**

77 There were no public comments.

78 **Vice-Chair Morgan closed the public hearing at 6:07 p.m.**
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80 **5.3 PUBLIC HEARING: TO RECEIVE COMMENT ON AMENDMENT**
81 **OF PARTIAL ROAD DEDICATION FOR PARCEL 070530014 PARCEL 1**
82 **AND 070370013 PARCEL 2 ON ADAMS AVENUE**
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84 Monroe stated that the road dedication is in conjunction with the Adams Ave. Project. The plat
85 identifies line adjustments for the widening of the road.

86 **Vice-Chair Morgan opened the public hearing at 6:07 p.m.**

87 There were no public comments.

88 **Vice-Chair Morgan closed the public hearing at 6:08 p.m.**
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90 **6. NEW BUSINESS**
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92 **6.1 DISCUSSION/MOTION ORDINANCE 14-04: AMENDMENT TO SECTION**
93 **17.62.130 “STANDARDS FOR ANTENNAS AND ANTENNA SUPPORT**
94 **STRUCTURES”**

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**Motion by Commissioner Allen
Seconded by Commissioner Barker
To recommend approval of Ordinance 14-04
Amending section 17.62.130 “Standards for
Antennas and Antenna Support Structures”
Approved unanimously (5-0)**

**6.2 DISCUSSION/MOTION ORDINANCE 14-05 AMENDMENTS TO
SECTION 8.16.040 OF THE MUNICIPAL CODE RELATING TO
“NUISANCE DECLARED”**

Monroe stated that he uses his judgment when citing for “dry and parched grass”. He stated that if he sees lawns that are dry, dead, matted, or turning to dirt, he will send notice to the owner. He noted that in most cases, the area may just need fertilizer or water. Vice-Chair Morgan asked if there is leniency for residents who can show a plan in which they are going to be killing off their grass for zero landscaping or for a specific reason. Monroe stated that he will work with residents that have a plan in place.

**Motion by Commissioner Johnson
Seconded by Commissioner Weir
To recommend approval of Ordinance 14-05
Amending section 8.16.040 relating to
“Nuisance Declared”
Approved unanimously (5-0)**

**6.3 MOTION: APPROVAL OF AMENDMENT OF PARTIAL ROAD
DEDICATION FOR ADAMS AVENUE**

Commissioner Allen asked if the affected land owners have given approval for the adjustments. Monroe stated that the land owners have been working with the city and UDOT throughout the whole process along Adams Ave. and necessary agreements have been reached. Morris showed the plat, stating that both sides will be widened. Monroe stated that the Project has not gone out to bid as of yet.

**Motion by Commissioner Johnson
Seconded by Commissioner Barker
To approve recommendation of
the partial Road Dedication
For Adams Ave.
Approved unanimously (5-0)**

6.4 DISCUSSION: DEFINING FAMILY UNIT REQUIREMENTS

Monroe stated that there are older single-family homes in the city that have a double entry (one for the basement and one for the main home). He noted that he is finding that many owners are using the homes as an illegal duplex, stating that the owners are using the reasoning that our ordinance states that four unrelated people can live in together in a home. Monroe suggested that a possible remedy could be changing the language to state that all occupants must have full access to the entire house without restrictions. Morris stated that the supreme court has ruled

142 that the definition of family includes “blood, marriage, or adoption”. He stated that we can edit
143 the definition from that point and limit the occupants to 3 people, or state that individuals must
144 have access to entirety of the home. Morris stated that code already defines what the
145 requirements of a duplex are, to include egress, separate furnace, separate entrances, among
146 other requirements. Commissioner Allen suggested the verbiage “single family means two or
147 more persons related by blood, marriage, or adoption, that is allow to occupy a residential unit
148 that is recognized by the Land Use Authority in a zone permitted occupancy by a single family”.
149 He also suggested the verbiage “Single Family Limit: no more than four unrelated individuals
150 allowed to occupy a residential unit that is recognized by the Land Use Authority in a zone
151 permitted occupancy by a single family”.
152 Monroe stated that the verbiage suggested does break down the definition; however it does not
153 alleviate the underlying problem. Morris suggested the language “living together as a single non-
154 profit housekeeping unit with full access to the entirety of the dwelling”. Commissioner Allen
155 also suggested changing the words “bachelor and bachelorette” to “un-related persons”.
156 Monroe stated that many of owners that are operating illegally have a license for a single family
157 unit. Vice- Chair Morgan stated that the language could be broken out so that it is clear as to
158 what constitutes the four occupants.
159 Monroe stated that Good Landlord Program violations are being monitored, but stated that it is
160 hard to go after landlords that are renting under the four persons law. Monroe stated that many
161 times he can cite nuisance violations when there is not enough parking for all the residents.
162 Commissioner Barker suggested that the definition could be changed to “four related, or three
163 non-related” individuals. Monroe stated that he and Morris will take the discussion into account
164 and will bring back proposed language at a future meeting. The Commission agreed that access
165 to the entire house must be included in any changed language. Morris stated that the city does
166 not regulate numbers on group homes.

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168 **7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**
169 **ZONING ISSUES**

170 Monroe stated that construction is moving along with Stonehenge Assisted Living.
171 Monroe stated that he believes that plans for Golden West Credit Union should come in this
172 summer.

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174 **8. UPCOMING EVENTS**

175 May 6th: City Council Meeting 6:00 p.m.
176 May 20th: City Council Meeting 6:00 p.m.
177 May 29th: Planning Commission Meeting 6:00 p.m.

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179 **9. MOTION: ADJOURN THE MEETING**

180 **Motion by Commissioner Barker**
181 **Seconded by Commissioner Johnson**
182 **To adjourn the meeting**
183 **Approved unanimously (5-0)**
184 **Time: 6:43 P.M.**

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Date Approved

_____ **City Recorder**