

City of Washington Terrace

Minutes of a Regular Planning Commission Meeting held on
Thursday, January 31, 2019
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Wallace Reynolds
Commissioner Dwight Henderson
Commissioner Darren Williams
Commissioner Dan Johnson
Commissioner T.R. Morgan
Vice- Chair Scott Larsen
Commissioner Charles Allen
Chief Building Inspector Jeff Monroe
City Recorder Amy Rodriguez
City Planning Attorney Bill Morris

Others Present

Jeff Holden, Richard Gabel, Matt McConkie, Kent Wilkenson

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 Larsen
Seconded by Commissioner Morgan
to approve the agenda
Approved unanimously (7-0)

4.2 MOTION: APPROVAL OF MINUTES FOR NOVEMBER 29, 2018

Motion by Commissioner Morgan
Seconded by Commissioner Williams
to approve the minutes of November 19, 2018
Approved unanimously (7-0)

48 **5. SPECIAL ORDER**

49
50 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT OR**
51 **OPPOSITION TO A PROPOSED SUBDIVISION “LAKER 88**
52 **SUBDIVISION” TO BE LOCATED AT 242 EAST 5000 SOUTH**
53

54 **Chairman Reynolds opened the public hearing at 6:03 p.m.**

55 Developer Jeff Holden stated that he would like to propose a subdivision on 242 East
56 5000 South.

57 **Chairman Reynolds closed the public hearing at 6:04 p.m.**
58

59 **6. NEW BUSINESS**

60
61 **6.1 MOTION: NOMINATION AND ELECTION OF CHAIR AND**
62 **VICE-CHAIR**

63 **Motion by Commissioner Reynolds**
64 **Seconded by Commissioner Morgan**
65 **to nominate and elect Commissioner Larsen**
66 **to serve as Chairman**
67 **Approved unanimously (7-0)**
68

69 **Motion by Commissioner Morgan**
70 **Seconded by Commissioner Larsen**
71 **to nominate and elect Commissioner Williams**
72 **to serve as Vice Chair**
73 **Approved unanimously (7-0)**
74

75
76
77 **6.2 MOTION: PRELIMINARY AND FINAL SUBDIVISION APPROVAL**
78 **FOR “LAKER 88 SUBDIVISION” TO BE LOCATED AT 242 EAST**
79 **5000 SOUTH**

80 Holden stated that there is an existing home and garage on the property. He would like to
81 subdivide the property and add another home. Setback requirements have been met. He stated
82 that his intention is to demolish the garage and add a new approach. He stated that he will not
83 demolish the existing home.

84 Monroe stated that this is a minor subdivision. He stated that all the lot requirements have been
85 met. He stated that the engineers have reviewed with no comment.

86
87 **Motion by Commissioner Larsen**
88 **Seconded by Commissioner Johnson**
89 **to approve the preliminary and final**
90 **subdivision submittal of Laker 88 Subdivision**
91 **located at 242 East 5000 South**
92 **Approved unanimously (7-0)**
93
94

95
96 **6.3 MOTION: FINAL SUBDIVISION AND SITE PLAN APPROVAL**
97 **FOR HARVEST POINT TOWN HOMES LOCATED AT 114 EAST 5000**
98 **SOUTH**

99 Monroe stated that he believes that the marker issue has been resolved. He stated that he walked
100 the property this morning and did not see any issues with the markers. Monroe stated that he
101 measured all three properties in question, and believes that all Mr. Gabel's issues have been
102 resolved. Resident Richard Gabel stated that he would like to thank the engineers and owner for
103 working with Monroe on the boundary issues. He stated that he is delighted that the frontage
104 issues have been resolved. He thanked the Planning Commission for listening to his concerns at
105 the last meeting. Mr. Gabel stated that he hopes that the vesting documents stay the same at 66
106 feet.

107
108 **Motion by Commissioner Williams**
109 **Seconded by Commissioner Allen**
110 **to approve the final**
111 **subdivision and site plan for Harvest**
112 **Point Townhomes located at 114 East 5000 South**
113 **Approved unanimously (7-0)**
114
115

116 **6.4 DISCUSSION: ORDINANCE 19-02 "NUISANCE ORDINANCE AMENDED"**

117 Morris stated that there will be a public hearing at the next meeting.

118 Morris stated that Monroe sent over the changes that were needed and Morris put it into
119 ordinance format. Chairman Reynolds stated that this item has been discussed in Commission
120 before and it appears that the suggestions have been incorporated.

121 Monroe stated that there have been several inquiries as to short term rental business licenses
122 (Air B&B). Monroe stated that it is not in current ordinance, and therefore, they are not allowed.
123 Morris stated that you cannot do anything in your zone that is not listed on the permitted list. He
124 stated that zoning is interpreted differently. He stated that if it is on the list, we have to interpret
125 it in the favor of the property owner.

126 Commissioner Morgan explained how Air B&B's work. He stated that there are different types
127 of options for rentals. People can rent a complete home, a room, a couch all online.

128 Morris stated that people in the Terrace are renting their homes out already. He stated that he
129 does not see a big problem with it in the Terrace if the Commission wants to allow them in the
130 city. Commissioner Morgan stated that he does not have a problem with changing the ordinance
131 to allow Air B&B. He stated that extra income could not hurt.

132 Monroe gave an example of nuisance issues that have arisen with current Air B&B's. He noted
133 that there are noise issues, parking issues, and interrupting the neighborhood integrity.

134 Monroe stated that he researched the licenses and stated that most of the ordinance limit how
135 many are allowed in the city. He stated that regulations need to be followed.

136 Monroe stated that there are currently a dozen homes that are already advertising for short term
137 rentals.

138 Commissioner Morgan stated that once the owners begin advertising, it will be easy to pull up
139 online and notify them that they need a license.

140 Chairman Reynolds stated that he does not see a problem with allowing this type of business.

141 Morris stated that it sounds like the Commission is in agreement to allow short term rentals. He
142 stated that a public hearing will be set for the next meeting and the ordinance will be brought
143 back at that time.
144 Commissioner Morgan asked if there would be a way to measure how many people have used
145 the service and determine if there is an impact to the city.
146 Monroe stated that an occupancy notice can be posted so that the neighbors know how many
147 people will be there, how long, and contact information if there is a problem.
148 Morris stated that we can impose a transient room tax. He stated that the transient room tax
149 would go straight to Council.
150 Monroe stated that there are multiple ways that he receives information on illegal rentals in the
151 city, such as basement apartments.
152 Commissioner Henderson stated that he knows of homes that have multiple cars and many
153 people living in the homes. He stated that it is obvious to him that some have more than one or
154 two families living in the home. Monroe stated that he sends notices out to the violators, but it is
155 up to the Sheriff's office to enforce.
156 Morris stated that population has risen, and there is a shortage of officers. Morris stated that the
157 new Sheriff is proposing a "bit" program. These people would be in charge of parking issues,
158 and patrolling the area.
159 Commissioner Morgan suggested changing the amount of time of the short term rental for 21
160 days in the description.
161 Commissioner Allen had a few comments, which he gave to Monroe to add to the ordinance.

162
163

164 **7. UPDATE COMMISSION ON CURRENT DEVELOPMENT PROJECTS AND**
165 **ZONING ISSUES**

166 Monroe stated that another in-fill property is looking to be developed on 5000 South on the
167 Stander property.

168

169 **8. MOTION: ADJOURN THE MEETING**

170

Motion by Commissioner Johnson
Seconded by Commissioner Morgan
to adjourn the meeting
Approved unanimously (7-0)
Time: 6:48 p.m.

171

172

173

174

175

176

177

178

179

Date Approved

City Recorder

180

181