

City of Washington Terrace

Minutes of a Special Planning Commission Meeting held on Thursday, August 6, 2020 City Hall, 5249 South 400 East, Washington Terrace City, County of Weber, State of Utah

Note: The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease. Members of the public at the Public Meeting may view the meeting via the City's Facebook page at: Washingtonterracecity.com. Comments on appropriate agenda items may be emailed to: amy@washingtonterracecity.org. or typed into the Facebook live stream at the Public Hearing agenda item.

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Scott Larsen
Commissioner Wallace Reynolds
Commissioner Charles Allen
Commissioner T.R. Morgan
Commissioner Steve Jacobson
Commissioner Dwight Henderson - excused
Commissioner Dan Johnson – excused
Chief Building Inspector Tyler Seaman
City Recorder Amy Rodriguez
Planning Attorney Bill Morris
City Manager Tom Hanson

Others Present

Jeff Beckstead

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 Morgan
Seconded by Commissioner Jacobson
to approve the agenda
approved unanimously (5-0)**

49 **4.2 MOTION: APPROVAL OF MINUTES FOR MAY 28, 2020**

50
51 **Motion by Commissioner Allen**
52 **Seconded by Commissioner Reynolds**
53 **to approve the minutes for May 28, 2020**
54 **Approved unanimously (5-0)**

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56 **5. SPECIAL ORDER**

57
58 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**
59 **OPPOSITION OF AN ORDINANCE AMENDING CHAPTER 17.10**
60 **RELATING TO IN-FILL RESIDENTIAL DEVELOPMENT**
61 **REGULATIONS; ADDING PARCEL TO THE INFILL DEVELOPMENT**
62 **MAP; AND ADOPTING AN INFILL DEVELOPMENT FOR A CERTAIN**
63 **PARCEL**

64
65 **Motion by Commissioner Allen**
66 **Seconded by Commissioner Reynolds**
67 **To open the public hearing**
68 **Approved unanimously (5-0)**
69 **Time 6:03 p.m.**

70
71 There were no citizen comments.

72
73 **Motion by Commissioner Jacobson**
74 **Seconded by Commissioner Allen**
75 **To close the public hearing**
76 **Approved unanimously (5-0)**
77 **Time: 6:04 p.m.**

78
79
80 **6. NEW BUSINESS**

81
82 **6.1 MOTION/ORDINANCE 20-04: RECOMMENDATION TO APPROVE**
83 **AMENDING CHAPTER 17.10 RELATING TO IN-FILL RESIDENTIAL**
84 **DEVELOPMENT REGULATIONS; ADDING PARCIL TO THE INFILL**
85 **DEVELOPMENT MAP; AND ADOPTING AN INFILL DEVELOPMENT**

86
87 Seaman thanked the Commissioners for attending the special meeting being held tonight.
88 Seaman spoke about the parcel in question, noting that this parcel has previously been
89 split (Laker88 subdivision). He stated that there is a single family home on Parcel B, west
90 of the parcel in question. Seaman stated that the ordinance would be adding parcel 18 to
91 the infill map so that Parcel A can be developed. Seaman stated that the density of the lot
92 for the infill parcel is decided by code and will be calculated by the average of the
93 density on a per acre basis of the surrounding parcels. Seaman stated that there are 14 lots
94 surrounding the area with 97 units in that area. He stated that comes to 15.6 units per
95 acre. Seaman stated that 3.9 units are eligible on the parcel based on his calculations. The

96 applicant is only asking for 2 units, therefore, the developer is in compliance with the
97 infill ordinance calculations. He stated that the developer is meeting the residential
98 setbacks for the zone that he is in. He stated that he complies with the requirement for
99 immediate access to the road. Seaman stated that there will be 104 ft. in the back of the
100 duplex.

101 Seaman showed the floorplan for the two duplex, noting that there will not be a
102 basement, however, they will be two stories.

103 Seaman stated that we have met with the Development Review group on this project. No
104 issues were found. He stated that there will be separation between sewer and water
105 because these will have separate tax ID and parcel numbers. They can be sold to separate
106 owners. Seaman stated that there will be a development agreement. Seaman stated that an
107 HOA will be needed for these twin homes.

108
109 Commissioner Reynolds asked for clarification on the location. Chairmen Larsen noted
110 that the property has been subdivided, with the original home remaining on the second
111 lot. Seaman noted that there is a ten foot walkway for school access alongside the
112 property.

113 Commissioner Jacobson asked if the five foot setback next to the walkway met code, as it
114 seems very close. Seaman stated that it is up to the City discretion in regards to setting
115 setbacks for infill developments. Commissioner Jacobson asked about the height of the
116 "bump out". Commissioner Jacobson stated that the kids could jump up and hit it on
117 their way to school. Seaman stated that the cantilever will be recessed back 3 feet from
118 the fence line and will be 10 feet from grade for safety issues. Commissioner Jacobson
119 asked if one of the owners could put a fence up in the backyard for separation, as they
120 will have separate ownerships of their properties. Developer Jeff Beckstead stated that
121 after 10 feet back, the backyard becomes a common area. He stated that the PUD could
122 decide to put in a divider, however, it will remain common area in accordance with the
123 PUD. Beckstead stated that the hangover (cantilever) will be less than 2 feet.

124 Commissioner Morgan wanted clarification on whether there is a concrete driveway to
125 the west of the property. Seaman stated that there is a concrete driveway that was put in
126 very recently, and will not show up on the google earth map.

127 Commissioner Morgan asked about the ratio on how Seaman calculates the surrounding
128 density, wanting clarification on how wide he goes out to consider it surrounding area.
129 Seaman stated that he has interpreted it to mean the houses across the street, around the
130 house, behind the houses. He stated that it needs to be clearly defined.

131 Morgan stated that it should be clearly defined before the Commission agrees on
132 anything, or it could be deemed that the actions of the Commission was arbitrary.
133 He stated that it should be clearly defined, as someone could go out far out enough to
134 get the density requirements needed. He stated that it could be a potential issue in the
135 future.

136
137 Hanson stated that the intent of the in-fill process was to give the opportunity to make in-
138 fill lots fit in areas that make sense. Hanson stated that he realizes the ordinance needs to
139 be tightened up. Hanson stated that a duplex will not change the overall feeling of the
140 area, as there is a lot of density in that area. Hanson stated that this duplex felt like an
141 appropriate fit for the area.

142

143 Morris stated that the new language proposed in the code stated that the density of the
144 lot should be calculated as the average density of the residential units immediately
145 adjacent to properties seeking in-fill development. Morris stated that this parcel is not in
146 the In-fill development map and we are including it with this ordinance.

147 The Commission reviewed the ordinance. There have been two changes to the ordinance
148 which address the density and how it is calculated. Morris stated that the parcel being
149 approved tonight is vested under the current ordinance and therefore will be approved
150 under the calculations that Seaman has provided.

151 Morris stated that moving forward, calculations will be determined by the parcels
152 immediately adjacent.

153
154 Commissioner Morgan stated that this parcel will be different than the homes that are
155 across the street. He stated that each parcel is showing separate lots. Commissioner
156 Morgan stated that we have to be consistent on how things are described, otherwise
157 people in the future may push for something that they want, noting that intent is one thing
158 and the black and white of the ordinance is another. He stated that he wants to make sure
159 we do this right so that we are not stuck with something down the road that we did not
160 anticipate. Commissioner Jacobson stated that he feels the development on this lot fits in
161 well with the surrounding area. He stated that he does not like the changes from
162 surrounding to adjacent. He stated that he does not think the word adjacent has been
163 defined well enough and we should work on that before it gets passed. Commissioner
164 Allen stated that he would like to see a complete site plan with all the dimensions so that
165 he can make a decision. Chairman Larsen stated that the site plan is included and shows
166 all the offsets. A larger map will be provided in the future as to make it easier to read.

167
168 Commissioner Allen asked what SZ meant on the development agreement. Morris
169 responded that it stands for subzone. He also stated that all of the exhibits were not
170 included in the development agreement. Rodriguez stated that she did not put in the
171 financials in the public package. Morris stated that he has reviewed the exhibits.

172
173 Commissioner Allen stated that he found some inconsistency with the parcel numbers on
174 the map. Seaman stated that some parcels change ownerships and that is why there are
175 inconsistencies. He stated that it is a live document and will be changing throughout.
176 Seaman stated that the new map provided in the packet is correct.

177 Morris stated that the motion is for recommending the approval of the Infill Residential
178 Ordinance. He stated that it does three things. It adds the property to map. It changes the
179 wording from "surrounding" to "immediately adjacent" to the property seeking an infill
180 parcel. Morris stated that we can add the words in there to "including across the street."
181 Morris asked if there was an objection to changing the language from immediately
182 adjacent to immediately adjoining and properties across the street. There was no
183 objection. The change will be made before it goes before Council.

184 Morris stated that the ordinance approves the building of the homes on the property.
185 Commissioner Jacobson stated that he has no problem with development but doesn't like
186 the language in the document. Commissioner Morgan stated that the application was filed
187 under the old language so we should change the language subsequently or after we
188 approve the development. Morris stated that it was all put under one ordinance to
189 streamline, and noted that we cannot take away the developers vesting under the old

190 language. Commissioner Morgan stated that if we approve all as one package it
191 contradicts itself. Morris stated that it legally contradicts itself so that we can add the new
192 language in the code to fix any issues concerning the vagueness “surrounding areas” for
193 the future.

194 Commissioner Morgan stated that this fix is a band aid and we can clean the language up
195 down the road.

196 Morris stated that we will modify “surrounding” to “adjoining” instead of “adjacent” and
197 add to include parcels across the street.

198
199 Morris stated that the motion will be the approval of the ordinance, noting that the
200 building approval is part of ordinance. Chairman Larsen clarified that the new version of
201 the ordinance being approved will have the wording changes as mentioned above.

202
203 **Motion by Commissioner Jacobson**
204 **Seconded by Commissioner Morgan**
205 **To recommend approval for Ordinance 20-04**
206 **With the new language changes as amended**
207 **To approve amending chapter 17.10 relating to in-fill**
208 **Residential development regulations and**
209 **Adding parcel to the infill development map and**
210 **Adopting an infill development**
211 **Approved unanimously (5-0)**
212

213 **7. BUILDING AND PLANNING UPDATE**

214 Seaman stated that we will be having a preliminary site plan for new surgical center at the end of
215 the month.

216 Seaman stated that he is working through ordinances to revise, as he wants to follow code and
217 does not want any code to be subjective

218
219
220 **8. MOTION: ADJOURN THE MEETING**
221

222
223 **Motion by Commissioner Morgan**
224 **Seconded by Commissioner Jacobson**
225 **To adjourn the meeting**
226 **Approved unanimously (5-0)**
227 **Time: 7:05 p.m.**
228

229 _____
230 **Date Approved**

229 _____
230 **City Recorder**