



**REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, September 2, 2020 at 6:00 p.m.**

This meeting was held electronically, via Zoom,
due to COVID-19 gathering restrictions

Present

Chair Anthony Jenkins
Commissioner Shan Sullivan
Commissioner Jessica Welch
Commissioner Bryce Brady
Alternate Amber Rasmussen

Absent

Other Commissioners Present: Vice-Chair Jeff Knighton, Commissioner Tim Blackburn, and
Alternate Tay Gudmundson

Staff Present: Community Development Director Morgan Brim, Senior Planner Elizabeth Hart,
and Planning Technician, Briam Amaya Perez

Others Present: Bev Astin and Justin Arriola with Life Elevated Processing

1. CALL TO ORDER

Chair Jenkins called the meeting to order at 6:00 p.m.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

Chair Jenkins asked Commissioner Bryce Brady to lead the Pledge of Allegiance.

3. OPEN SESSION

Chair Jenkins asked if anyone from the public had any questions for the open session.
Hearing none, he closed the open session.

4. MINUTES REVIEW AND APPROVAL

No minutes were presented for review and approval.

5. BUSINESS ITEMS

No items of business were presented.

6. WORK SESSION

6.1 Zoning Text Amendment: Temporary and Monument Signage

Senior Planner Elizabeth Hart presented the existing and former code related to monument signage. Ms. Hart also displayed the monument signage code of Lehi and Provo. She made the following recommendations regarding residential monument signs: change the maximum height to 6 feet, increase the maximum sign area to 50 square feet per sign, or allow total sign area to be transferred between multiple signs. Her recommendations for multi-tenant commercial monument signs were to change the definition to two tenants, change the max height to 15-18 feet, change frontage requirement to be clearer like the old code, and to keep the sign standard waiver as is. For all signage in single and multi-tenant facilities, Ms. Hart recommended to add a requirement for how far signs must be from each other. Chair Jenkins mentioned that he liked the concept of smaller signs and opposed to increasing sign size limits.

Ms. Hart proceeded to examine the current and former code regarding temporary signage. Chair Jenkins asked for the definition of temporary as it related to signage. Ms. Hart replied that temporary signs had to be removable and be up for no longer than 30 days. She also indicated that to have a temporary sign time extension, one would have to apply for a permit.

Regarding the temporary signage code, Ms. Hart made a few recommendations. She recommended to: base commercial temporary signage off of acreage, allow at least 2 signs per development depending on acreage, determine whether to allow or prohibit off-premise signage, or consider picking a one size fits all rule with a maximum of 2 signs per development.

6.2 Cannabis Pharmacy and Production Facility Uses

Chair Jenkins introduced the subject of this section and turned the time over to Community Development Director, Morgan Brim. Mr. Brim explained the process of taking raw product and making it into CBD and THC. He opened the floor to Bev Astin and Justin Arriola with Life Elevated Processing.

Mr. Arriola discussed the process to obtain a license from the state to produce medical cannabis. Mr. Arriola wanted to work with the City to provide community outreach and education.

Chair Jenkins opened the meeting for questions from the planning commission. Commissioner Tim Blackburn asked about limiting the number of cannabis processors from the state code. Mr. Arriola said there was no limit for businesses on the processing side. Commissioner Blackburn asked if this was intended for indoor production. Mr. Arriola responded that Life Elevated Processing did not do cultivating; only processing. Justin explained that cultivation would only be indoors and would happily allow the City for regular inspection.

Mr. Brim stated that this would be an ever-growing industry for coming decades. Mr. Brim explained that the code allows two (2) uses of cannabis production: the cultivation/production side of cannabis that is allowed in the FOI district as well as for use of a medical cannabis pharmacy, which is the storefront side of things. This allowed customers to purchase from a retail interface with 25% of the building being allowed for storefront retail. Mr. Brim wanted to make sure to keep this percentage limited so as to focus retail in commercial districts. This intended use would be very far from public schools. The code would need to include requirements for internal road connections and precautions to limit emissions of dust, fumes, odors, and waste into the environment. Business owners would need to give the City a plan to show how they intended to mitigate those effects. A business license would also be required. This code would allow for a growing industry to operate within the City.

Chair Jenkins spoke in favor of zoning that allowed for medical cannabis pharmacies in retail districts instead of industrial districts. He said that there is no reason for the City to treat this type of facility any different from a traditional pharmacy.

Ms. Astin thanked the Commission and the public for their time and stated that she looks forward to working with Vineyard City.

6.3 Zoning Text Amendment: Home Occupation Impacts

Planning Technician Briam Amaya Perez introduced the subject. Mr. Brim examined the differences with home occupations without impacts, such as home offices or clerical work, and those with impact would be preschools, daycares, Zumba lessons, and businesses of that nature. Namely, businesses with impact allowed for a maximum of one (1) non-resident working on the premises and visiting customers.

The City had been facing issues with a residence that possessed more than one home-based occupation. This residence possessed a home-based occupation in the main unit and one in the accessory dwelling unit. These types of residences had caused issues with parking and increased traffic in the neighborhood.

Other issues that have been brought up to the City have dealt with home occupations with impact in smaller dwellings, such as townhomes, condos, and apartments. One in particular, had caused problems due to the tools and equipment used as part of the home-based business.

Chair Jenkins stated that the commission had been unanimous in the past relating to allowing different uses if it was not bothering neighbors. He understood that there could be problems with proximity of occupations that interfere with another. He asked

Mr. Perez if there have been any previous complaints regarding this issue. Mr. Perez explained that there have been issues regarding the two home occupations with impacts located at one residence but not with home occupations with impacts at smaller dwelling units. He believed that it was important for the City to prevent any issues before they arose.

Commissioner Bryce Brady stated that he believed that there were already codes in place that would prevent excess sound or odor. He reiterated that he had been okay with whatever home occupations if they did not have a large impact. He suggested to limit the amount of businesses with impact to one (1) per dwelling.

Commissioner Amber Rasmussen expressed that limiting the amount of businesses with impact could cause financial harm to individuals living in accessory dwelling units. Mr. Brim replied that limiting the amount of businesses with impact to one per structure would still allow for a resident in an accessory dwelling unit to have a business with impact as long as the resident in the main unit did not.

Commissioner Brady expressed a desire to keep the code lenient if neighbors were not being bothered. Mr. Brim noted that the current code allowed for the City to enforce most issues that would arise. He continued to explain that home occupations are designed to maintain small impacts because residential neighborhoods are not designed for that. If operations had increased impacts, they would need to be located in retail zoning districts.

Commissioner Brady brought up the idea of including a 3rd classification in the code. This new classification would divide the amount of impact multiple home occupations have so that houses with accessory dwelling units would not be limited. Mr. Brim said that the City could create code that would limit the amount of non-resident employees allowed and the types of businesses allowed on any property. Commissioner Brady mentioned that the code could limit such based off parking availability. Chair Jenkins asked if individuals who were applying for business permits could get signatures from neighbors approving of their business impacts. Mr. Brim replied stating that the complaint-based system worked better and lessened the administrative work.

Mr. Brim stated that the City could enforce compliance by refusing to issue business licenses to individuals who had outstanding complaints. Mr. Brim explained, from a legal standpoint, the City is limited in refusing business licenses. Mr. Brim mentioned that the City could address noise complaints through a decibel meter if residents had continual sound above the noise limits.

Chair Jenkins asked if the City could delegate noise complaints to shared communities that are run by and HOA. He said that it is in the best interest of an apartment manager or HOA to enforce noise complaints to ensure that residents stay in the community. The City would not have to be involved in that case. Mr. Brim mentioned that HOA's would have to inform each resident the neighborhood limits.

Mr. Perez brought up the current code limiting a home occupation to 25% of a residence. He asked if that would apply to each residence in the case of an accessory dwelling unit. Mr. Brim stated that the limit of 25% is standard across most communities and that could also solve the issue of 2 high impact home occupations as multiple daycares at one residence would take up more than 25% of the property.

6.4 Dog Park update on potential City locations and process

Ms. Hart introduced the topic of dog parks within Vineyard City. She explained there were no dog parks in the City and that the existing code did not allow for dogs to be off leash while at dog parks. Enforcement was purely complaint based. At the time, Grove Park, Gammon Park, and Lakeside Sports Park were often used as dog parks by residents.

The City had a doggy meet-and-greet one (1) year ago. Residents were asked what they wanted to see in a dog park. They answered open space and shaded areas. Ms. Hart presented the results of an Assemble Survey. 190 people responded to the survey. Residents expressed the greatest concern regarding dog parks would be cleanliness and maintenance. Dayland Park in Draper was mentioned as the most popular dog park for residents in Salt Lake and Utah County.

Ms. Hart suggested a location between the James Bay and Hampton Neighborhoods. Vineyard City Engineer, Don Overson, suggested this area because it is unusable except for a dog park. Chair Jenkins expressed concern that this area is not close enough to residents who did not own land and that would utilize the park. Ms. Hart agreed that the park would be a better fit closer to the high-density zones. Mr. Brim stated that this location would give the City a usable, temporary location while we work to create an ideal dog park somewhere else in the City.

Commissioner Brady suggested that a lot of areas along our beach could host a dog park. Assistant City Engineer Chris Wilson stated that much of the beach has been cleaned up but more work is needed. A delineation initiative had been undertaken to determine wetlands area. Mr. Wilson mentioned that the City is waiting on a grant from Utah County regarding the cost of cleaning up the beach.

Alternate Jessica Welch spoke in favor of building a dog park in the area that Ms. Hart suggested. Commissioner Gudmundson stated that this area was a good location as a

dog park because homes had not yet been built around it. People that build near the park would be completely aware that a dog park is being built adjacent to their neighborhood.

Commissioner Brady asked if it would be possible to move the location of this park further north towards Sunset Beach Park. Mr. Wilson replied that because that area is a detention pond, the defecation from the animals would contaminate the storm water so it could not be done.

Ms. Hart brought up a discussion regarding the second potential location, the wetlands next to Vineyard Grove Park. Most survey respondents stated that they did not prefer this area, as they would like to see it preserved as wetlands. Mr. Overson stated that these wetlands would be delineated in approximately three (3) months. This area would be transformed into usable green space. Assuming the width of the proposed dog park remain to 50 feet, the impact on the surrounding community would be greatly reduced.

Ms. Hart mentioned that the last potential location for a dog park would be the Town Center. Dog parks were allowed in the Town Center in the current code.

Ms. Hart proposed that the City should closely work with the public on choosing and designing a dog park. Chair Jenkins stated how important it was to apply and receive grants, as tax dollars being spent is a large topic of controversy among residents.

Chair Jenkins suggested that the locations for a dog park should be chosen sooner rather than later. Though there is no regulation that requires dog parks, it would be nice to have one (1) if all these issues can be hashed out.

6.5 COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Report from Commissioner Amber Rasmussen: Commissioner Rasmussen had been working with staff regarding Lakeside Wetlands maintenance issues. She asked for a clear plan and vision so that everyone could be on the same page with the progress of the project.

Report from the Vineyard Youth Council: Alternate Jessica Welch stated that the Youth Council had been working hard on the library in cataloging over 600 books as well as creating a mural. One (1) Youth Council member had been working on bringing an opioid disposal unit, NarcX, to the City. This would be available for free to any resident.

7. STAFF REPORTS

Report from Community Development Director, Morgan Brim: Mr. Brim thanked Ms. Hart for the good work that she had done over the previous four years. Mr. Brim highlighted her accomplishments.

Chair Jenkins called for a motion to adjourn the meeting.

8. ADJOURNMENT

(8:14 p.m.) Motion: COMMISSIONER BRADY MOVED TO ADJOURN THE MEETING. COMMISSIONER BLACKBURN SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BRADY, RASMUSSEN, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED: December 2, 2020

CERTIFIED CORRECT BY: /s/ Cache J. Hancey
Cache J. Hancey, Planning Technician