VINEYARD
STAY CONNECTED

REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday, December 2, 2020 at 6:00 p.m.

This meeting will be held electronically because of the gathering restrictions in force due to the COVID-19 Pandemic.

Please click the link below to access:
https://zoom.us/j/93596234196?pwd=NFhUKzZnV29EalpUdUJrRzgydUE5dz09

Meeting ID: 935 9623 4196
Passcode: 834561
One tap mobile
+12532158782,,93596234196#,,,,,,0#,,834561# US (Tacoma)
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Find your local number: https://zoom.us/u/acCC5OF7bJ

Live stream is also available at https://www.youtube.com/channel/UC_IoRhVzIR3LJPp7V9i-lqw.

CALL TO ORDER

1. WRITTEN DETERMINATION

This meeting will be an electronic meeting according to Vineyard Municipal Code Section 3.08.030.

I, Anthony Jenkins, as the Chair of the Vineyard Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Utah County and Vineyard City as a result of the COVID-19 Pandemic and the recent surge in COVID-19 infections across the state and in Utah County, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and

2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and

3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

NOW THEREFORE, BASED UPON THE FOREGOING,

For thirty days from the date of this Order, meetings of the Vineyard Planning Commission shall be conducted by virtual means without an anchor location.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

3. OPEN SESSION

"Open Session" is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three (3) minutes. Because of the need for proper public notice, immediate action cannot be taken in the Planning Commission Meeting. If action is necessary, the item will be listed on a future agenda. However, the Planning Commission may elect to discuss the item if it is an immediate matter of concern.

4. MINUTES REVIEW AND APPROVAL:

4.1 July 1, 2020

4.2 July 15, 2020

4.3 September 16, 2020

4.4 November 4, 2020

5. BUSINESS ITEMS

5.1 The Planning Commission will approve the 2021 meeting calendar.

5.2 The Planning Commission will appoint a new chair and vice chair.

6. WORKSESSION

6.1 The Planning Commission will discuss potential 2021 updates to the General Plan.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

8. ADJOURNMENT

The Public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Cache Hancey, Planning Tech, at least 24 hours prior to the meeting by calling (801) 226-1929 or email at cacheh@vineyardutah.org.

The foregoing notice and agenda were emailed to the Salt Lake Tribune and Daily Herald, posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, delivered electronically to city staff and each member of the planning commission.

AGENDA NOTICING COMPLETED ON: November 25, 2020

NOTICED BY: /s/ Morgan Brim

Morgan Brim, Community Development Director

PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, July 1, 2020 at 6:00 p.m.

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Present	**Absent**
Chair Anthony Jenkins	Commissioner Tim Blackburn
Vice-Chair Jeff Knighton	
Alternate Tay Gudmundson	
Alternate Amber Rasmussen	
Commissioner Shan Sullivan	

Other Commissioners Present: Commissioner Bryce Brady and Alternate Jessica Welch

Staff Present: Community Development Director Morgan Brim, Senior Planner Elizabeth Hart, Planning Technician Briam Amaya Perez, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson

Others Present: Cassie Younger with Maverik Inc.

1. CALL TO ORDER

Chair Jenkins called the meeting to order at 6:02 pm.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

No invocation/inspirational thought was presented.

3. OPEN SESSION

Chair Jenkins asked if anyone from the public had submitted comments ahead of time for the open session. Hearing none, he closed the open session.

4. MINUTES REVIEW AND APPROVAL

Minutes from regular Planning Commission meetings on May 6, 2020 and June 3, 2020 were presented for approval. Chair Jenkins called for a motion to approve or amend the minutes.

Motion (6:03 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE MINUTES AS PRESENTED. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5. BUSINESS ITEMS:

5.1 PUBLIC HEARING AND CONSIDERATION: Maverik Inc., and Alloy Apartment Site Plan Amendment, and Maverik Inc. Conditional Use Permit Application

The applicant, Maverik, requested approval for a site plan amendment for the expansion of a motor vehicle fueling station (Maverik Inc.) and additional parking (Alloy), and a conditional use permit for the expansion of a motor vehicle fueling station (Maverik Inc.) located at approximately 24 S. Geneva Rd, Vineyard Utah. The property is zoned Regional Mixed Use.

Senior Planner, Liz Hart, summarized the applicant's petition. The applicant proposed two site plan amendments. They proposed to amend the Alloy Apartments site plan and the Maverik site plan. The Alloy proposed to land swap with Maverick to add 32 additional parking spots. At the Maverik, they proposed to expand the existing motor vehicle fueling stations by adding five additional fuel dispensers underneath a new canopy on the southern part of the site. They also proposed the addition of four (4) commercial truck parking stalls and to relocate the dumpster adjacent to the southern side of the existing primary structure, which would increase their existing parking from 32 to 35 total stalls. New canopy setbacks were introduced. The canopy would be set back 80 ft. from Geneva Rd., 29 ft. from the rear property line, and 75 ft. from the closest Alloy building. The new Maverick canopy would be the same height (21 ft.) as the existing canopy. Entrance into this new fueling station would be off Geneva Road. After fueling up, truck drivers would exit northward using the alley behind the Maverick which leads to Mill Rd. A new right in right out on Mill Rd. would be created. Having this feature would hopefully reduce the congestion on site. The Maverick Landscaping Plan was explained. This plan proposed 22% of the total site to be landscaped. This plan provided a 10' buffer in the rear of the property with an eight-foot fence. Landscaping would also be provided along Geneva Rd. Ms. Hart explained that it was brought to her attention by the Engineering Department that a bus stop along the eastern part of the site between the existing Maverick entrance and the existing Alloy entrance had been installed. All landscaping affected by the bus stop must have been installed somewhere else on site. Ms. Hart explained that the applicant must have revised the site plan in order to show how their landscaping plan adjusted to the UTA bus stop.

Ms. Hart listed the two approvals under consideration: the motor vehicle fuel stations as a conditional use (this will require a public hearing); and the Maverick and Alloy site plan amendment.

Ms. Hart read all the new conditions recommended for approval by Vineyard City Staff:

Conditions of Approval: Maverick and Alloy Site Plan
1. The applicant payed any outstanding fees prior to applying for a building permit.
2. The applicant made any redline corrections prior to applying for a building permit.
3. The applicant updated the landscape plan to reflect the UTA bus stop along Geneva Rd.
4. The applicant remained in compliance with all federal, state, and local laws.

Conditions of Approval: Maverik Condition Use Permit
1. Deliveries would not be allowed to take place on the north side of the existing Maverik building which cause traffic congestion at the shared entrance between Starbucks and the Maverik site.
2. The site plan designated where delivery trucks could park.
3. No excessive idling could take place by the commercial trucks after 10 pm.

Chair Jenkins opened the floor for questions regarding the site plan amendment. Commissioner Shan Sullivan expressed concern regarding break noise coming from trucks, especially at night. She asked if there is anything put in place as a sound barrier so as to not become a nuisance for nearby residents. Community Development Director, Morgan Brim, explained that the applicant had worked closely with the apartment complex to avoid such issues. Cassie Younger, with

Maverik, explained that Maverik would be happy to put in a two-inch caliper into the sound buffer and explained that trucks would be traveling at reduced speeds and would therefore not become a nuisance to the Alloy Apartments. Additionally, the new, 21-foot canopy would illuminate straight down which would prevent light pollution towards adjacent properties.

Chair Jenkins opened the floor for questions regarding the site plan amendment. Seeing none, he opened the floor for discussion regarding the conditional use permit. Chair Jenkins called for a motion to open the public hearing regarding the Maverik Conditional Use Permit.

Motion (6:30 PM): VICE-CHAR KNIGHTON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for questions from the public. Seeing none, Chair Jenkins called for a motion to close the public hearing.

Motion (6:31 PM): COMMISSIONER GUDMUNDSON MOVED TO CLOSE THE PUBLIC HEARING. VICE-CHAIR KNIGHTON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for a discussion regarding the conditional use permit (first) and the site plan amendment (second). Chair Jenkins asked for questions regarding the conditional use permit. Vice-Chair Knighton asked for clarification regarding a permitted time for idling of commercial trucks. A discussion ensued where the Commission established that condition number three would read as follows: No idling in excess of 10 minutes shall take place by commercial trucks between 10 pm-6 am. Condition number four shall read as follows: No idling for longer than 30 min is permitted.

Chair Jenkins called for a motion to approve the amended conditions.

Motion (6:30 PM): VICE-CHAR KNIGHTON MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE EXPANSION OF THE MOTOR VEHICLE FUELING STATION ON THE MAVERIK SITE WITH THE CONDITIONS AS LISTED BY STAFF: CONDITION NO. 3 ‘NO IDLING IN EXCESS OF 10 MINUTES SHALL TAKE PLACE BY COMMERCIAL TRUCKS BETWEEN 10 PM-6 AM’. CONDITION NO. 4 ‘NO IDLING FOR LONGER THAN 30 MINUTES IS PERMITTED’. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins called for any additional questions and comments. Commissioner Sullivan moved to approve the Site Plan Amendment for the Maverik and Alloy with the conditions listed by Staff. Mr. Brim asked Commissioner Sullivan to explicitly read condition three. Chair Jenkins called for a motion to approve the Maverik site plan amendment.

Motion (6:41 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE MAVERIK AND

ALLOY AMENDED SITE PLAN WITH THE CONDITIONS LISTED BY STAFF: ‘NO. 3. THE APPLICANT WILL UPDATE THE LANDSCAPE PLAN TO REFELCT THE UTA BUS STOP ALONG GENEVA ROAD.’ COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5.2 DISCUSSION AND ACTION: Lakefront at Town Center Lakeside Trail and Open Space Improvements Site Plan

The applicant requested approval of a site plan for the Lakeside Trail and Open Space improvements located along Utah Lake and the west side of the Lakefront at Town Center development.

Commissioner Amber Rasmussen had suggested that the applicant should include fire-wise and native plants. She went into detail about what plants she had recommended to the applicant. She further explained that the seeds for those plants were most likely available where they are currently acquiring/purchasing their plants. Assistant City Engineer, Chris Wilson, informed the Commission that the process for the City to receive a general permit to maintain this area required that the City submit an approved set of plans to the Utah Division of Forestry, Fire, and State Lands. This process may have taken several months. Mr. Wilson stated that the faster the City moved along with this process, the better. Mr. Brim suggested that it should be stipulated that this plan shall be approved on the condition that the applicant reflect the changes in the selected vegetation by Vineyard City Staff, and the Utah Division of Fire, Forestry, and State Lands.

A discussion ensued regarding the grading along proposed trails and existing vegetation.

Mr. Brim stated that the City had been working with the applicant to have them control the maintenance of the trail adjacent to their condominium buildings on the east of the site. The City did not require for two trails within this development, but the easternmost trail would primarily serve their development. Therefore, the applicant would oversee the trail’s maintenance. Nevertheless, the public would be able to use those trails as they resided over state lands.

Commissioner Brady asked how this development connected to Sunset Beach Park. Chair Jenkins explained that a bridge would go over the water and that there would be a stubbed trail at the park. Additionally, a sidewalk would connect the park to the eastern part of the development. Commission Brady confirmed that there will not be any sharp corners on the trail. Chair Jenkins opened the floor for additional questions. Seeing none, he called for a motion to include the vegetation conditions stipulated by Mr. Brim.

Mr. Brim explained that the motion should be to approve the site plan with a condition that staff would be allowed to work with State Officials to select vegetation types.

Motion (6:31 PM): COMMISSIONER SULLIVAN MOVED TO APPROVE THE OPEN SPACE IMPROVEMENT SITE PLAN FOR THE LAKESIDE AT TOWNCENTER LAKESIDE TRAIL WITH THE CONDITIONS STATED BY STAFF. COMMISSIONER RASMUSSEN SECONDED THE MOTION. ROLL

CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

5.3 PUBLIC HEARING AND CONSIDERATION: New Code Section 15.50 Flood Damage Prevention

City Engineer, Don Overson, explained the new zoning code. He provided some background information regarding the ordinance. He recounted that Vineyard was not incorporated when the Federal Emergency Management Agency (FEMA) completed the original floodplain study. Vineyard was never invited to join. In 2017, FEMA authorized an update to the Flood Insurance Rate (FIR) Maps, and Vineyard was invited to participate. In June 2019, the study was finalized, and the FIR maps were published. These came to form a part of the ordinance. He explained that for Vineyard to have their application approved, the City must have adopted the ordinance as written and the City Council must also have passed a resolution. He further emphasized the importance for Vineyard to be a part of the Flood Plain Management Plan. He stated that the first two bullet items were the most important: The Federal Government would subsidize flood insurance for anyone who wanted flood insurance. This was key because it reduced the cost by a sixth of the regular cost. One did not need to be in the flood plain to qualify for insurance. Second, if there were ever a disaster in Vineyard, FEMA would help Vineyard City with any funding or improvements/reconstruction that needed to be done. If the city did not accept this, the city would not receive funding in case of a natural disaster. Additionally, Mr. Overson explained that there were currently no structures in the flood plain. In other words, this meant that no one currently living in Vineyard would be affected by this ordinance. This would only effect structures built in the future along the lakefront.

Chair Jenkins opened the floor for questions. Seeing none, he called for a motion to approve the ordinance.

Motion (7:03 PM): VICE CHAIR KNIGHTON MOVED THAT PLANNING COMMISSION SHOULD RECOMMED APPROVAL TO ADOPT SECTION 15.50 FLOOD DAMAGE PREVENTION. COMMISSIONER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The recommendation moved to the City Council.

5.4 PUBLIC HEARING AND CONSIDERATION: Section 15.34.060 Accessory Dwelling Units

The City proposed a zoning ordinance amendment to Section 15.34.060 Accessory Dwelling Units (ADU) to establish minimum lots size, parking and other development standards.

Mr. Brim simplified the ordinance requirements for the ADU. Mr. Brim explained the history of this regulation. The City had received more requests for ADU’s within homes that are 3,000 SQ FT and smaller. Mr. Brim explained that many of these units are now serving as duplexes due to demand. It was important that the City provided housing stock for a wide range of demographics. He further explained the rental behavior of Vineyard residents. Many people who first rented in Vineyard, then purchased a home in Vineyard. He stated that the City did not wish to eliminate ADU's, but it would rather regulate them in a way that preserved the character of the neighborhoods and reduced the impact on neighbors. He summarized the changes to the ordinance. This ordinance wanted to ensure that the size of the ADU's were controlled. This change would require a minimum lot size of 5,200 SQ FT. The Accessory Dwelling Unit size would continue to be the lesser of 50% of the total square footage of the primary unit or 1,200 SQ FT. Chair Jenkins asked about the quantity of people allowed to rent within an ADU. Mr. Brim explained that a maximum of four (4) unrelated people would be allowed to occupy an ADU. He further stated that the biggest complaint with ADU's was the requirement to increase parking. Therefore, the number of minimum off-street parking spaces required would be increased to five (5). Mr. Brim stated that property owners could not park in tandem with tenants and tenants could not park in tandem with owners. Owners could not block tenants and vice versa. He explained that the City desired to maintain the standards of how much of the front yard would be permitted for hardscaping. Please see VZC 15.38.030 (2)(b).

Chair Jenkins calls for a motion to move to a Public Hearing.

Motion (7:14 PM): COMMISSIONER RASMUSSEN MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the meeting for questions.

Commissioner Brady asked about the process for renewing an ADU. Mr. Brim explained that once an ADU is established, it ran with the land. Before, the City registered ADU's under a business license. This provided the City the benefit of conducting an audit to confirm that it was owner-occupied. He explained that owner-occupancy was essential for reducing problems. He furthered explained that the City could add the condition to require a business license when applying for an ADU that would be renewed once per year. Commissioner Brady also suggested that parking is the biggest issue with ADU's. He recommended that property owners could lose the right to operate an ADU if they received a certain number of complaints throughout the year. He stated that the City could create a way to continually remind property owners the importance of regulating parking in their ADU's.

Chair Jenkins invited comments from other members of the public. Seeing none, he called for a motion to closer the public hearing.

Motion (7:19 PM): COMMISSIONER GUDMUNDSON MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the floor for comments.

Mr. Brim suggested that the decision to make audits a part of the ADU renewal process should not be determined solely by increased fiscal impact due to increased employee time. He stated that City Staff would somehow make it work. Chair Jenkins asked if the City knew how many legal ADU's there were in Vineyard. Ms. Hart stated that there were just over 100 legal ADU's. He asked if, of those 100, there are any which would be negatively affected by this new zoning amendment. Ms. Hart stated that a few would be. Chair Jenkins asked if ADU's required a separate address. Ms. Hart stated that it is not technically a separate address. The post office required the acquisition of a P.O. Box if ADU's wished to have a separate mail box. Commissioner Rasmussen asked if an ADU permit could be removed based upon repetitive parking infractions.

Mr. Brim suggested that the city did an audit of ownership. He also suggested that the audit be conducted biannually. If there is reason to believe, during the audit, that physical changes have been made to the property, that would allow the City to conduct a site visit. In this manner, their business license would not be able to be renewed. Ms. Hart was partial to the idea of renewing the ADU Business Licenses biannually. Doing them once per year was too messy. At the time, the planning department reviewed ADU's once the building permitting process has been completed. Mr. Brim expressed that he liked the idea of having ADU's go through a business licensing process which would allow the City to conduct biannual audits.

Mr. Brim suggested that this discussion should be revisited once the Planning Department had revisited the wording of the code with these new recommendations. Commissioner Brady suggested that the city include a parking agreement within the ADU business license. Ms. Hart stated that in previous ADU business licensing, property owners had to agree that all tenants would park off-street.

Chair Jenkins called for a motion to continue this discussion and public hearing in the next PC meeting once Staff had a chance to refine the wording of this code amendment.

Motion (7:33 PM): COMMISSIONER GUDMUNDSON MOVED TO CONTINUE THE DISCUSSION AND PUBLIC HEARING IN THE NEXT PLANNING COMMISSION MEETING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

6. WORK SESSION

6.1 Wall Signs

Ms. Hart suggested that this wall sign work session be pushed to next PC meeting.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Rasmussen explained that the gardening group was having their first meeting on the 8th of July at 6 p.m. Morgan Brim encouraged Commissioner Rasmussen to share the link to this meeting with Vineyard City Social Media Coordinator, Neeley Rimal.

8. STAFF REPORTS

- Morgan Brim, Planning Director

  Mr. Brim stated that the Planning Department was working on the County grant ($2.9 million) for Lakefront improvements. This support would come from Utah County. The City has been recommended but not yet approved.

- Don Overson, City Engineer

  Mr. Wilson explained that the City was moving forward to start an aquatic resource delineation. This identified where the Army Core of Engineers (ACOE) jurisdiction began and ended. Mr. Wilson also mentioned that the new Public Works building was up for Bid. Awarding of that contract would be presented next Council Meeting. The Center Street overpass was moving along quickly. Piles had been driven in to support the structure. This treatment was applied to both sides of the overpass.

  Mr. Brim explained that the County had purchased beach combers. The Vineyard Beach looked and operated as a functional beach.

9. ADJOURNMENT

Chair Jenkins called for a motion to adjourn the meeting.

Motion (7:42 PM): COMMISSIONER SULLIVAN MOVED TO ADJOURN THE MEETING. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, VICE-CHAIR KNIGHTON, COMMISSIONERS GUDMUNDSON, RASMUSSEN, AND SULLIVAN VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

AGENDA NOTICING COMPLETED ON: June 30, 2020

NOTICED BY: /s/ Briam Amaya Perez
Briam Amaya Perez, Planning Technician

PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, July 15, 2020 at 6:00 p.m.

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

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Present	**Absent**
Chair Anthony Jenkins	
Commissioner Bryce Brady	
Commissioner Shan Sullivan	
Commissioner Spencer Blackburn	
Alternate Commissioner Jessica Welch	

Other Commissioners Present: Vice-Chair Jeff Knighton, Tay Gudmundson, Amber Rasmussen

Staff Present: Community Development Director Morgan Brim, Senior Planner Elizabeth Hart, Planning Technician Briam Amaya Perez, Public Works Director/City Engineer Don Overson, and Assistant City Engineer Chris Wilson

Others Present: Resident David Lauret, Tom LaMont, Jon J, Craig Lamont, and Steve Davies

1. CALL TO ORDER

Chair Jenkins called the meeting to order at 6:04 pm.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

No invocation was provided.

3. OPEN SESSION

"Open Session" is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three (3) minutes. Because of the need for proper public notice, immediate action cannot be taken in the Planning Commission Meeting. If action is necessary, the item will be listed on a following agenda. However, the Planning Commission may elect to discuss the item if it is an immediate matter of concern.

Chair Jenkins invited members of the public to bring forward any questions or comments. Seeing none, Chair Jenkins moved forward.

4. MINUTES REVIEW AND APPROVAL

Minutes from June 17, 2020 planning commission meeting were presented for review and approval. After pointing out minor but necessary revisions, Chair Jenkins called for a motion to approve the minutes from June 17, 2020.

Motion: COMMISSIONER BRADY MOVED TO APPROVE THE MINUTES AS PRESENTED. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

5. BUSINESS ITEMS:

5.1 PUBLIC HEARING AND CONSIDERATION: Section 15.34.060 Accessory Dwelling Units

The City is proposing a zoning ordinance amendment to Section 15.34.060 'Accessory Dwelling Units' to establish minimum lots size, new parking requirements, and other development standards. Continued from July 1, 2020 Planning Commission Meeting.

Mr. Morgan Brim introduced the changes to the ordinance. Mr. Brim stated that all Vineyard City ADU's will require biannual renewal subject to property inspection for code compliance by a Vineyard City staff member. This allows the City to ensure that all ADU requirements are being meet (audit ownership, no additional SF has been added, etc.). In addition, minimum lot size has changed to 5,200 SF. The language that determines the maximum size of the ADU now reads, "Accessory Units shall not exceed the *lesser* of 50% of the size of the principle dwelling unit or 1,200 SF." The ADU parking requirement was increased from 4 to 5 off-street spaces. Additionally, no tandem parking is permitted between tenants and the property owner. A reference to the City's maximum hardscape requirement in front yards was also inserted [VZC 15.38.030(2)(b)].

Chair Jenkins called for a motion to open a public hearing (6:12 pm).

Motion: COMMISSIONER BLACKBURN MOVED TO OPEN THE MEETING TO A PUBLIC HEARING (6:12 PM). COMMISSIONER BRADY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

Mr. David Lauret asked how these changes affect property owners that already run an ADU. Mr. Brim stated that minimum lot standards and other requirements would not affect existing ADU's unless they cease activity for a 2-year period. He further stated that all ADU's will have to register for a business license. Mr. Lauret asked if a business license is currently required. Mr. Brim stated that, initially it was, but currently Vineyard City does not. Mr. Lauret asked what would happen to property owners with an existing ADU that do not have a business license. Mr. Brim stated that upon the Fee Schedule getting updated, registering a business license will become a requirement for all ADU's. Mr. Brim stated this may have to be worked out with Ms. Kelly Kloepfer. Mr. Lauret asked how current ADU owners who do not have a business license be notified of these updated requirements. Mr. Brim stated that the City is in possession of ADU ownership data and current building permit data. These residents would be notified by mail or email regarding these updates. The business license would be required starting in the new year.

Chair Jenkins asked for additional questions. Seeing none, he called for a motion to close the public hearing (6:18).

Motion: COMMISSIONER SULLIVAN MOVED TO CLOSE THE PUBLIC HEARING (6:18 PM). COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

Chair Jenkins asked for specific questions from the Planning Commission. Commissioner Sullivan asked to clarify the definition of tandem parking and why it is prohibited between tenants and property owners. Chair Jenkins answered by stating that means 'stacked' parking. Mr. Brim stated that this is for the purpose of preventing exit and entrance issues onto the property. This prevents property owners from blocking tenants and vice versa. Commissioner Brady asked about the wording in the code that prohibits tenants from parking on the street. Mr. Brim stated that the code requires that the number of vehicles maintained on the property be the number of off-street parking spots required on the property. The code does not say that parking on the street is not prohibited, but it does stipulate how many parking spaces must be made available off-street. Commissioner Brady stated that the biggest issue with ADU's is people parking on the street. Mr. Brim explained that, hopefully, this parking requirement will address these parking issues. Mr. Brim further explained that code enforcement and additional parking capacity will lead to voluntary compliance. Commissioner Blackburn asked about owner-occupancy. He asked if the primary unit must be occupied by the property owner. Chair Jenkins answered, yes; owners must occupy the primary unit. Commissioner Blackburn also asked if there was an occupancy limit on ADU's. Mr. Brim explained that the VZC follows the state's definition of 'family' for both units (primary and accessory) when it comes to the number of people allowed per unit. The definition of family may not be mixed. Mr. Brim stated that the City does not regulate it further. Chair Jenkins asked about the required length of parking spaces off-street. Mr. Brim explained that off-street parking must be 18' in length and 8' in width and that no vehicles may protrude onto the sidewalk or block the public right of way.

Chair Jenkins called for additional questions from the Commission. He then called for a motion to recommend approval of Ord. 2020-09 with the text amendments to the City Council.

Motion: COMMISSIONER BRADY MOVED TO APPROVE ORD. 2020-09 WITH THE ZONING TEXT AMENDMENTS TO THE CITY COUNCIL (6:28 PM). COMMISSIONER BLACKBURN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

5.2 Neighborhood Commercial District Zoning Text and Map Amendment

The applicant is proposing the creation of a new zoning district; Neighborhood Commercial (NC) with the Vineyard Zoning Ordinance Section 15.12 Establishment of Districts and Zoning Tables. (This it was sent back to Planning Commission for further review.)

Mr. Brim introduced the background of this amendment. When this amendment was first presented to the City Council (June 3rd), they were mainly in support of it, but were concerned with an inappropriate increase in multi-family housing and high density uses. The applicant proposed a use titled 'Clinical Support Housing'. This is defined by residential housing whose occupancy is restricted to persons who are registered as a patient, student, or staff member associated with the clinical or educational programs, facilities, or campus in which the housing unit or dormitory is located. Mr. Brim explained that multi-family housing was removed from this district but was replaced with clinical support housing. A 50% limitation still exists on the use (see below the table). All housing must truly be associated with the clinical use or educational program on-site. This maintains the nature of the district as a commercial/business use rather than residential. All Tenants must be registered with TELOS school.

Commissioner Blackburn asked for clarification of 'clinical support housing'. Mr. Brim stated that this refers only to students or patients registered with TELOS. Only these persons would be allowed to live on-site. Staff or faculty will also be permitted. Chair Jenkins invited the applicant, Mr. Craig LaMont, to provide any additional information and answer follow-up questions. He stated that TELOS agrees with these changes. Their desire is for the City to be comfortable with the changes. He expressed a desire to provide housing for graduated students who continue to need their support and to train their staff in a residential setting without the need to seek short-term rentals. Chair Jenkins called for additional questions from the public for Mr. Craig LaMont. Mr. Brim stated this is Code 2020-05. Commissioner Blackburn asked about the relationship with the proposed facility in Vineyard and the other located on Center Street in Orem. Mr. Lamont explained the types of facilities they operate. TELOS Academy is intended for 13-17-year-old patients/clients. The other location is called Anthem House, which focuses on providing transitional programs for 16 and 17 year-olds who have completed treatment at TELOUS Academy and are in the need of some additional months of independent living before they return to their homes. There is also a program called Senior House located at the Geneva Road campus. That focuses on high school seniors. This helps these students focus on transitioning into college life. TELOUS-U is intended for young adults up to the age of 26 without issues with substance abuse. TELOS would like to consolidate their housing into one place to have their patients in one, easy to access location.

Chair Jenkins opened for comments from the public. Seeing none, he closed time for public comments. He then asked for addition questions from the Commission. Seeing none, he called for a motion to recommend the zoning amendment to the City Council.

Motion: COMMISSIONER SULLIVAN MOVED TO RECOMMEND ZONING AMENDMENT 2020-05 FOR CONSIDERATION TO THE CITY COUNCIL (6:41 PM). COMMISSIONER BRADY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

6. WORK SESSION

6.1 Wall Signs

Chair Jenkins open the work session at 6:43 pm.
Ms. Elizabeth Hart explained her background and research regarding wall signs. Ms. Hart examined 20 different sign permits: 10 from the previous code, and 10 from the new code. She examined the surface area of each façade then calculated the sign area and obtained the percentage of sign area for each façade under examination. She discovered that our average sign size is 4.2% of wall area (under 5%). The median size is still 4%. The City's sign standard waiver is under 4%. She examined the total average of all the signs which came to 3.89% of the wall area. Ms. Hart presented a series of images from diverse businesses that visualize the varying percentages of wall area occupied by signage. Most of the examples presented were at 4% of the façade area.

She explained that she gathered feedback from various sign companies and how they tailor the design of their signs for their customers. They informed her that they first go to the City Code and recommend a sign size to the customer based on their code. In terms of percentage of sign area to façade area, these businesses stated that they usually design for a range of 5-20%. This surprised Ms. Hart. She stated that going by percentages is something that these companies preferred.

Ms. Hart presented her recommendations based on her research. Firstly, the City should remove their current wall sign code (1 SF per 1 linear FT of building façade) and replace with a maximum allowed percentage. The primary façade should allow for 10%. 10-15% can be an administrative approval. Anything over 15% could be a Planning Commission approval or anything 10% and over could also be a staff approval. Secondary facades should cap out at 5%. The sign companies that provided feedback said that they do not like to see a limit on the number of signs because many of their customers want to take advantage of all the space they possibly can. Ms. Hart further recommended that the City get rid of that limit number and rather, regulate the signs based on location (i.e. signs can only be located between the roof and the top of the first window or door). The City should allow for shifting of square footages between façade. This allows businesses to transfer unused space from one façade to another. Significant signage, like the Megaplex or a Town Center sign, could be approved through a development agreement and approved by City Council. Ms. Hart also recommended that the City should allow for larger signs along Geneva Road.

Mr. Brim added that if the City has a large development with a sign that does not fit into the Code, a development agreement between the property owner and the City could provide flexibility for the City (PC to review; CC to approve) to approve signs based on their judgement. This would be done on a case by case basis. This would give the City the greatest amount of control, though it would be a more complex process for the applicant. Ms. Hart stated that other cities allow for standard sign waivers if certain design standards do not comply with the city's code.

Chair Jenkins expressed concerns regarding large billboards on Geneva Rd. He wanted to avoid State Street, Orem-style urban design. Commissioner Blackburn stated that the Planning Commission should act as guardians against signs that will destroy the appeal of the City. Mr. Brim stated that sometimes, billboards can be designed in a way that are architecturally pleasing and can benefit the community.

Commissioner Sullivan asked if the call for billboards is coming as a precursor to the development that will soon take place in the new Vineyard Downtown. Ms. Hart stated that the Downtown area has its own signage ordinance. She further stated that this conversation came about because of a large golf recreation business that, in the end, decided not to locate in Vineyard. She restated that the City need not consider changes to sign code verbiage at all. Chair Jenkins stated that sign standard waivers can be tedious. Most signs should be codified to improve efficiency. Signs over 10% should receive additional consideration as stated in Ms. Hart's recommendations. Commissioner Blackburn suggested that anything under 10% should be by administrative approval, and anything over 10% should be reviewed by the Planning Commission. Ms. Hart asked the Commission if they were okay with 10% on the primary face and 5% on the secondary façade. The Commission stated, yes. In addition, Ms. Hart suggested that the City should not regulate the number of signs per façade. Chair Jenkins suggested that the code should somehow regulate the number of signs on any façade. For example, the code might read that anyone can have, for example, up to 5 signs, but anything over 5 will need approval from PC. There could be a business that abuses the lack of a regulation on the number of signs. Ms. Hart asked if the Commission would like to regulate the number of signs per building or per façade. Mr. Brim suggested that the planning department investigate this further. Ms. Hart said she would do further research on number of signs per façade and additional research on the verbiage of monument signs. Commissioner Sullivan stated that she liked the idea of a development agreement to approve unusually large signs.

Chair Jenkins wrapped up the work session and invited commission members to present their reports.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE (7:10 pm)

Amber Rasmussen suggested that the City should be considering elements of Smart Cities. Chair Jenkins asked what the City's requirements are in terms of electric charging stations. Mr. Brim explained that he had spoken to City Attorney, David Church, who stated that the City cannot require EV stations, but it can recommend and incentivize them. Mr. Brim explained that the City would be excited to take advantage of opportunities to implement

EV Stations and other Smart Cities elements. Chair Jenkins asked for additional reports or comments

Commissioner Sullivan expressed gratitude to the Public Works Department for working to resolve the ponding and drainage issues on the trails between Penny Springs Park and Vineyard Connector.

Commissioner Welch notified us of the Vineyard Youth Council's successful book drive.

City Engineer, Mr. Don Overson, stated he has been working with UTA and UDOT on the Frontrunner Station. He stated that the Contractor is committed to open the Vineyard Frontrunner Station by April 2021. They have jumped significant hurdles to stick to that schedule. The City needs to help them by getting the Town Center up and running so the train station will be functional upon opening. UTA will put project out to bid by the end of August and be able to begin construction by end of this fall. In addition, Mr. Overson announced that the City is very close to obtaining the three-way contract between UDOT, UPRR, and Vineyard to remove the spurn location from Geneva Road. UDOT is getting close to releasing a Request for Proposal to finalize the design and construction of this project. This will hopefully take place within one year.

Mr. Chris Wilson spoke about the Center Street Overpass. Mr. Wilson stated that constructors are done with pile driving. There will be no more hammering. Next week they will begin filling them. Overpass project is coming along great.

Chair Jenkins asked for additional questions for staff from the members of the Commission.

8. STAFF REPORTS

Mr. Brim informed the Commission about the importance of commissioners using their VINEYARD UTAH Gmail Accounts in order to facilitate GRAMA requests. Morgan suggested that each commissioner create a Gmail account where Pam have password access.

Commissioner Jenkins recommended this become an action item for next Planning Commission meeting. Mr. Brim informed them that Pam will create these accounts and pass each member their login information. All future packets will be sent to these VineyardPC Gmail accounts. Chair Jenkins asked for a motion to adjourn the meeting.

Motion: COMMISSIONER WELCH MOVED TO ADJOURN MEETING AT 7:24 PM. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS BLACKBURN, BRADY, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANYMOUSLY.

9. ADJOURNMENT

The next regularly scheduled meeting is August 5, 2020.

This meeting may be held electronically to allow a commissioner to participate by teleconference.

The Public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Elizabeth Hart, Planner, at least 24 hours prior to the meeting by calling (801) 226-1929.

The foregoing notice and agenda were emailed to the Salt Lake Tribune and Daily Herald, posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, delivered electronically to city staff and each member of the planning commission.

AGENDA NOTICING COMPLETED ON: September 21, 2020

NOTICED BY: /s/ Briam Amaya Perez

Briam Amaya Perez, Planning Technician

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

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.

Commissioner Tay Gudmundson 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: Commissioner Sullivan 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.

NOTICED BY: /s/ Cache J. Hancey
Cache J. Hancey, Planning Technician

REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, October 21, 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
Alternate Commissioner Tay Gudmundson
Alternate Amber Rasmussen
Alternate Jessica Welch

Absent
Commissioner Tim Blackburn

Other Commissioners Present: Vice-Chair Jeff Knighton and Commissioner Bryce Brady

Staff Present: Community Development Director Morgan Brim, Planner II Briam Amaya Perez, and Assistant City Engineer Chris Wilson

Others Present: Jason Peery with Circustrix and resident David Lauret

1. CALL TO ORDER
Chair Jenkins called the meeting to order at 6:05 p.m.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE
Chair Jenkins asked Commissioner Bryce Brady for an innovation

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 ZTA Parking Regulations: VZC 15.38.030(2)[c]

The applicant requested a code amendment to change the required amount of parking stalls required for his business.

Chair Jenkins turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that the purpose of this discussion is for a zoning text amendment for Jason Peery. Mr. Peery is wanting to build a pickleball facility but wants the parking code to be amended for this specific use. Currently, there is a requirement for 5 parking spaces per thousand square feet. Mr. Peery believes that a parking study would determine the actual need of space for this facility. Mr. Brim discussed similar parking requirements from Sandy, Logan, Saratoga Springs, and Lehi.

Chair Jenkins stated that he is typically against commercial parking minimums, as business owners know exactly how much parking they might need. Extra parking is costly for business owners

The applicant, Jason Peery, discussed his involvement in the indoor recreation sector. He is one of the co-owners of Circustrix, the largest indoor trampoline park company in the world. He believes that an indoor pickleball facility would be put to use by the community and be successful. He is concerned with purchasing more land than what is needed for his use, which he believes is 3 per thousand square feet. With 17 indoor courts, the facility would reach full capacity at 68 people. With this size of building, only 1 per thousand would be necessary for parking needs.

Commissioner Knighton stated that he agreed with Chair Jenkins. He stated he understands that parking requirements can be very restrictive. He does not want to over-pave and over-park. Counseled to be aware that parking may increase if tournament seating is included. He asked if this would be a staff administrative process. Mr. Brim indicated that the standard process would be to have a baseline up to 20%-25% could be reduced through a parking study and anything above that would be approved through the planning commission. The parking study would be submitted with the site plan.

Mr. Brim asked Mr. Peery if he intended on including tournament seating. The applicant responded that is not currently in the plans. Minimal seating will be included for the center court. He doesn't believe more than 100 spectators would be attending the facility.

Mr. Brim stated that the City could perform a parking study based on the proposed site plan. The City could make sure to account parking for all proposed uses within the facility. Mr. Peery stated that Ryan from Hales Engineering would be performing the parking study.

Mr. Brim discussed how parking uses in other categories such as restaurants need revision as different types of restaurants have different turnover times, thus requiring more or less parking than others.

Chair Jenkins stated that the City should be open to what the parking studies say. Where neighboring businesses exist, shared parking could be considered. Chair Jenkins asked for opinions from Commissioner Rasmussen and Commissioner Brady. Mr. Brady said that he believes most businesses know what they need and the city's role is to help them make good decisions regarding parking. He mentioned how different uses need different parking requirements such as a shooting range compared to an art facility. Ms. Rasmussen stated she was pro-parking study, but asked what happens if the parking study improperly predicts the amount of parking needed.

Mr. Brim stated several solutions in the case that parking problems surface. Retroactive planning might need to be adapted to fix issues that arise. It would be up to parking enforcement to regulate any overflow parking. From a legal aspect, if any issues arise after the plan as been improved, the city is not able to enforce any new rules. Mr. Peery stated that it is in their best interest to get the parking right. They want to avoid being forced to buy extra land.

Mr. Brim stated that the City has the benefit of having this proposal reviewed by a professional engineer. In the end, Staff will analyze the proposed parking strategy and make recommendations based on discovered issues. Ms. Rasmussen asked if the parking study would apply only for this business or if it would be applied to the whole City. Mr. Brim replied that by including it into the parking code, it would allow 4-5 different types of uses to apply for a parking reduction based off a parking study. Ms. Rasmussen asked if the city would pay for the study or the business. Mr. Brim stated that the applicant would pay for the parking study.

Chair Jenkins asked if the facility includes tennis and restaurants also. The applicant responded only pickleball courts with food trucks. He compared this to a Chicken and Pickle.

Chair Jenkins indicated that he was in favor of a parking reduction as long as a parking study was included. Similarly, if someone was to overbuild parking, Chair Jenkins would want a study done to determine if that is actually needed.

Mr. Brim informed Mr. Peery that we will put this on the agenda for a public hearing for November 4th. He asked Mr. Peery to have a parking study prepared before the public hearing.

Chair Jenkins concluded by speaking for the counsel saying that they are flexible and open to new, and innovative businesses.

6.2 ZTA Front Yard Parking Coverage: VZC 15.38.030(2)[b]
Chair Jenkins turned the time over to staff to present the next issue.

Mr. Brim detailed the history regarding the code on front yard parking coverage. He read this part of the code into the record: "parking shall not exceed a maximum of thirty- five percent (35%) of the front yard area, except on lots less than seven thousand (7,000) square feet in which case the excess vehicle and visitor parking may be located on up to fifty percent (50%) of the front yard. This standard is similar to most cities in the valley. Except that other cities were developed historically, meaning that they had a main street and downtown with .5-1-acre farmland around. Vineyard meanwhile was built much more compact. The code reflects a standard adopted long ago when lots were much larger.

Mr. Brim stated that this code has created some issues in that historically the building and planning department didn't enforce this code. Due to this being an administrative error, we can no longer retroactively deny already approved building permits and cause residents to take out hardscape in their front yards.

Mr. Brim also included that because the city's housing program allows for accessory dwelling units, more hardscape is necessary to accommodate needed parking. Accessory dwelling units are beneficial to the city in that they help resident supplement their income and also provides more housing availability within the city. He said that the city believes that making both size standards the same easier administratively as well as ease the code for larger lots. This would not cause issues with storm water capacity. He asked the commission how they feel about the increased size of hardscape for larger lots.

Chair Jenkins asked Mr. Brim if a permit is need to pour cement. Mr. Brim stated that it is not. Nevertheless, the City wants to encourage anyone who wants to pour additional cement that this action should be discussed with the city engineer or their designee. This could be written into the city code. A public education outreach could be commenced to reestablish where the threshold is.

Ryan Erdmann came to the pulpit. He lives in the Willows. He decided to move to the Willows from Bridgeport due to the availability of larger lots. Expressed support for the 50% parking across the board. Additional parking space would allow for accommodating ADU tenants and their guests, and safer streets for their children. Expressed frustration for how the ordinance measures the front yard-based on the face of the house closet to the street. Mr. Brim suggested that the code should measure front yards from the corners of the house out the entire width of the property. This would require a change in the definition of front yard.

Ms. Rasmussen expressed concern that the code, as written, may prefer wealthier residents and provide an added benefit. Mr. Knighton expressed that concrete does not determine aesthetics. A front yard which is 50% paved will not negatively affect aesthetics. This regulation significantly provides moderate income housing stock.

Mr. Erdmann spoke to a parking issue in Windsor with driveways that are too short. To secure safety, he encouraged the City to require developers to design house with driveways that are long enough to comfortably accommodate cars.

A conversation regarding the process for submitting a code enforcement complaint regarding illegal ADUS and driveway coverage ensued.

Commissioner Sullivan expressed support for an Assemble Poll regarding public sentiment regarding ADU's. She also expressed support for the 50% driveway coverage.

A conversation ensued regarding the management of public versus private streets. Mr. Brim stated that the City cannot prohibit parking on private streets.

Commissioner Rasmussen asked Mr. Erdmann if he feels that the general public understand why the City designed narrow streets and created what could be considered strict parking requirements.

Bryce Brady suggested that when the Assemble poll is sent out, residents should submit first what neighborhood they reside in. Chair Jenkins suggested that any questions in the poll should remove emotions.

6.3 ZTA Home Occupations: VZC 15.34.150

The core of this issue was previously well discussed. It was included in this discussion so that the issue is not forgotten on the staff agenda.

6.4 ZTA Accessory Structures within Side Yards: VZC 15.34.030

Chair Jenkins introduced the subject and then turned the time to Mr. Brim to explain. Requests have been made to allow detached garages in side yards in places such as James Bay and Holdaway Cove. Accessory buildings in side lots of corner lots cannot exceed a height limit of 10'. Mr. Brim suggested that this should be revisited. This text amendment could limit it to detached garages only.

Chair Jenkins stated that staff should ask themselves what they are trying to avoid when scripting this code.

7. COMMISSION MEMBERS’ REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Knighton thanked Ryan Erdmann for showing up to the meeting and encourage all Vineyard residents to come speak to the City whenever a concern arises. They will be heard.

Mr. Brim stated that the Planning Department will have a meeting once a year discussing the goals and plans of the General Plan.

Chair Jenkins called for a motion to close the meeting.

Motion: COMMISSIONER BRADY MOVED TO ADJOURN THE MEETING. VICE-CHAIR KNIGHTON SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONER SHAN SULLIVAN, ALTERNATE COMMISSIONER TAY GUDMUNDSON, ALTERNATE AMBER RASMUSSEN, AND ALTERNATE JESSICA WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

8. ADJOURNMENT

Meeting was adjourned at 7:45 p.m.

NOTICED BY: /s/ Cache J. Hancey

Cache J. Hancey, Planning Technician

2021 Calendar

JANUARY

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