



**REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday, January 06, 2021 at 6:00 p.m.**

Present:

Commissioner Tim Blackburn
Chair Bryce Brady
Commissioner Jessica Welch
Vice-Chair Shan Sullivan
Commissioner Anthony Jenkins

Other Commissioners Present: Commissioner Jeff Knighton

Staff Present: Community Development Director Morgan Brim, Planner II Briam Amaya Perez, Planning Technician Cache Hancey, Public Works Director Don Overson, City Engineer Chris Wilson

Others: Brandon Watson with Edge Homes

CALL TO ORDER

Chair Brady called the meeting to order at 6:03 p.m. and then read the following statement:

1. WRITTEN DETERMINATION

I, Bryce Brady, 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

Commissioner Tim Blackburn gave an invocation.

3. OPEN SESSION

At 6:05 p.m. Chair Brady opened the session to the public. Hearing none, he called for a motion to close the open session.

MOTION:

COMMISSIONER BLACKBURN MOVED TO CLOSE THE OPEN SESSION. VIC-CHAR SULLIVAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: COMMISSIONER BLACKBURN, VICE-CHAIR SULLIVAN, COMMISSIONER WELCH, COMMISSIONER JENKINS, AND CHAIR BRADY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

4. MINUTES REVIEW AND APPROVAL:

No minutes were presented before the Commission for approval.

5. BUSINESS ITEMS

5.1 Parking Requirements of Private Recreational Vehicles and Trailers in Residential Zoning Districts

Chair Brady opened up the meeting for public comment.

Resident Jim Brinton made a comment stating that one of the problems we have in general is every time the city makes a law; people then don't abide by it and then the line gets moved. He believes that if people had been arrested for some of the improprieties being done in the last couple of years, they would not take the chance. He thinks the same thing applies to our community. In other words, if people are allowed to move the line on parking then pretty soon, they will be doing all kinds of crazy things. The streets were made narrow because they did not want people parking on the streets. If we allow that in any way it becomes pandora's box. People will start seeing one trailer parked and then that will open up them to park multiple trailers out. It becomes a slippery slope where everyone feels like there are no rules. He understands that at the moment we are just talking about a fence but the fence constitutes a line, it lets the citizens know they are abiding by the law. The trailer should be behind the line and we should not move the line. He stated that those who moved to the City were aware of or should have been aware of the existing regulations regarding RV and trailer parking.

Planning Technician, Cache Hancey, read public comments received by Staff on Dec. 6

Mr. Hancey read resident Alisha Sabin's comment:

"Below are my recommendations for changes to the recreational vehicle/boat/trailer parking code and reasoning behind said changes. I did quite a bit of research today on other city's codes and what their requirements are. Vineyard is a very tight code comparatively. Please let me know if you have any questions for clarification. I really appreciate your willingness to address this. Proposed changes to code: No parking of rec. vehicles on the street for more than 48 hours (could also consider 24 hours, I know Provo City is currently considering changing theirs to 24 hours from 48) Remove requirement "screened from front yards" and "located in a detached or attached garage or other accessory building". Add that it shall not obstruct a roadway or sidewalk. Could consider that the rec. vehicle shall not be more forward than the most forward portion of the house. Also consider changing the wording of the code from "may" to "shall" as to not confuse the public that it is not an option. May suggests discretion, must or shall do not. Reasoning for proposed changes: It's important that the city council and the citizens of the city take safety into consideration first. Although what is aesthetically pleasing to the eye

can be considered and important in some situations it should not be a priority consideration. This is already included in the code where it states, "vehicles kept in reasonable repair and operable condition." They should also consider that the Sleepy Ridge neighborhood existed before this version of the code (dates back to 2015) and those building houses here didn't have this code in mind when they decided how they would have their property built and organized. They should also consider a healthy balance between maintaining city safety and city goals with private property rights. Citizens should store rec. vehicles in a way that is safe and the city should ensure the code is not unreasonable. Many view the current code as unreasonable. For example, a citizen who parks their rec. vehicle in their driveway not obstructing anything nor creating a safety issue and has it on the side of the house, reasonably, shouldn't be expected to spend more money and resources on covering it or fencing it in. Government and City Council decisions don't always have to be about tightening rules and codes. They can be about re-evaluating and amending codes to bring balance between the city and its citizens. County wide this is a common complaint to city code enforcements and Vineyard is one of the tightest code's county wide, only second to Lehi City in its code's strictness. We should all consider how we can come to a harmonious conclusion; one that does not give the city a reputation of micro-managing personal property and one that gives citizens a reputation of consistent compliance."

Mr. Hancey read a comment from resident Tim Blackburn:

"I understand that soon, perhaps tonight in the City Council meeting, a "joint letter" from residents along "the loop" of Lakeview Drive in Sleepy Ridge will be read. This letter will apparently be expressing their concern about needing to abide to existing city code to shield boats, trailers, RV's etc. from street view.

Years ago, when the then- existing HOA covering this same area was disbanded, we as residents were assured not to be concerned because any city code existing, with the purpose of covering the same items an HOA covered, would be enforced. This is one of those codes that needs to be enforced, and those in violation need to take the necessary steps to be in compliance.

Thank you for your attention to this matter and for listening to another voice. "

Mr. Hancey read a comment from resident Jim Brinton:

"In the United States, we are expected to live by the rule of laws. The reason Vineyard is exceptional, is because residents here try to obey these laws and regulations. Each citizen who cares about our community will be law abiding and makes Vineyard a better place to live. Laws and regulations are established at the inception of each individual community. Each person, by moving here, agrees to follow the EXISTING regulations. Each NEW resident must adjust his or her expectations PRIOR to moving into this neighborhood. Changing the ordinances/regulations there-after can become a slippery slope, unfair to those already living in the community. The wisdom of the ordinance being discussed today is that a physical structure, a fence beside a home, defines an area. Without a fence, the area for storing RVs, boats, trailers and trucks can easily be expanded or even moved, defeating the location definition. We must ask ourselves, "Where do we draw the line?" Erasing these lines leads to progressive changes that ultimately defeat the original purpose of the ordinance. Granting a 24-hour temporary exception for loading and unloading purposes ONLY is very reasonable. The discussion today is about long-term storage areas and they must be defined in an ordinance for the entire community to strictly obey. No one and nothing should be above the law. Significant fines should

be levied for violations and repeated violators should to move to a community that allows for their needs.

When I first moved to this community 7 years ago, I questioned why the streets are so narrow. The mayor explained, the narrow streets are intentional because people will not be allowed to park permanently on them. If you don't like our community laws and ordinances, let me help you move.
“

Chair Brady asked Commissioner Knighton if he would like to provide a comment speaking as a resident. He told a story of when he rented a camper trailer this summer. He did not have a place to store it. He picked it up at night and then parked it in front of the house and took it out the next day. He spoke about a letter he received from his HOA due to parking his trailer in front of his property. After thinking about it, he understood the negative effects on the community of parking rv's and trailers on the street. He said, we do not want the streets to fill up with recreation vehicles. But after these events, he decided to maintain his vehicle parked off the street in accordance with the zoning code, but he also understands the plight of those who do not have the space to accommodate these vehicles on their property. Community Development Director, Morgan Brim, interjected suggesting that the Commission hear Mr. Hancey's presentation.

Mr. Hancey read from his presentation. He read the current code and noted proposed text amendment. He stated that on December 9, 2020, the Council asked staff to conduct research regarding how cities in our region have addressed this issue. Mr. Hancey read the findings of his research. He reviewed 14 different nearby city codes and he found there are three (3) types of codes. There are (five) 5 that do not have any screening requirements. There are five (5) that have a 6-foot screening requirement similar to Vineyards, but Vineyard does not have a height requirement. And there are four (4) that do not have screening requirements but have front parking restrictions such as, vehicles cannot obstruct the sidewalk. Mr. Hancey proposed the following two solutions/scenarios: To keep the code as is, or to eliminate the shielding requirements entirely; Staff would not recommend any parking in front yards or street.

Mr. Brinton stated that preserving the code as written would prevent increases in crime in this community (Sleepy Ridge) and that fences increase the overall appeal and beauty of the neighborhood.

Chair Brady asked if there were any more public comments. He moved forward with closing public comment and opening up comment from the Commissioners.

Commissioner Jenkins stated that it is important to regard safety as a priority. As a minimum, recreational vehicles (regardless of shielding or not shielding) should be parked in line with the front facade of the house. Nothing should ever be stored in front of the house. He then stated that there is not a need for a change to the code right now. Mr. Jenkins asked for clarification regarding the 'grandfathering' of properties that were parking RV's on the street or in front of their home after the code was put into place. Mr. Brim clarified that property owners are grandfathered through the code that was in place when they moved into the property. Mr. Jenkins submitted that he would be in favor of not changing the code and leaving it as is.

Chair Brady asked if there were not several residents that voiced their opinion regarding the manner in the last City Council meeting. Mr. Brim responded, yes and that the staff did meet with one of the residents that provided the initial comment and they encouraged her to ask her neighbors to come out to this meeting. It has been put on the agenda for a council meeting and will have an official public

hearing. The directive received from council was to put together some options. They will put together a code that eliminates the fence requirements and then Planning Commission will put together a recommendation and it will go back to the city council.

Commissioner Blackburn concurred that he would not like to see the code changed. The ordinance was adopted in 2006. His family moved in in 2012. He stated that at the time he moved in, there was an existing HOA in Sleepy Ridge. Shortly after moving in, the developer turned in over the HOA to the community. At the time, an HOA Board was put in place. Surprisingly, the HOA Board voted to dismantle the HOA over time. Nevertheless, at one of the meetings that was held by the HOA, Julie Fulmer, assured that HOA that even if that HOA was dismantled all existing codes under that HOA would still be enforced by the City. This includes the City's current code regarding RV and Trailer parking. Ignorance of the code by those who moved in after 2006 is not a viable reason for amending the code. In addition, many residents who wanted to come into compliance with the code, have invested the money to construct the necessary shielding. Changing the code now, would not be fair to those residents. He also proposed that on-street parking should be limited within the city, especially in Sleepy Ridge, to no more than 24 hours. He admitted that he knows this poses a challenge. Anyone parking a vehicle on the street for more than 24 hours should be required to move their vehicle.

Chair Brady asked remaining Commissioners to offer their opinions. Vice-Chair Sullivan asked Mr. Hancey if the data conducted in research showed that Vineyard is truly more constrictive in regards to this issue. She also stated that it seemed that the argument is that Vineyard is more restrictive but it does not really seem that way. It seems as if Vineyard is in company with other cities. Our code also does not specify a height which creates more flexibility than what some other cities offer. She agreed with the things that have been said she does not see a need for a change from what Vineyard currently has. Commissioner Jenkins reiterated that most municipalities studied presented that Vineyard City is not a strong outlier in terms of strictness. He explained that it is about 50/50 on this issue.

Chair Brady stated that he was in favor of increasing parking regulations on public roads. He also stated that he was not deeply in favor of HOA's, in general as he enjoys private property rights. He stated that RV's and trailers, under no circumstances, should be parked on the street. He would be fine with keeping screening if that is what most Commissioners are in favor of. He would also be in favor of eliminating the screening if the vehicles are behind the front of the house. He said, it sounds like majority of the Commissioners are in favor of leaving it how it is. He asked Mr. Brim to bring both options so they can hear public comment on the next meeting then they can make a decision on the next meeting.

Mr. Brim asked the Commissioner to clarify if they wanted to reduce the City's parking regulations from 48 hours to 24 hours. Chair Brady asked to bring back potential code amendments regarding both topics for the upcoming planning commission meeting.

6. WORKSESSION

6.1 Lakefront at Town Center Phase 1G

Mr. Watson with Edge Homes displayed phase 1G of the Lakefront development. He then stated in 2018 or 2019 this area was classified as wetland, but due to recent rulings from the federal government they have reviewed this area as a wetland. He continued that the Army Core of Engineers cleared this area as a wetland 4 to 6 months ago, in previous planning commission meetings, they removed 22 units in the Lakefront Development that were previously platted across the wetlands area. Edge homes has

decided that they do not want to build homes in the area regardless of the wetland's classifications because they don't want to run the risk of building homes over a wet area potentially. They will build in an extensive underground drain system to ensure they don't have any flooding in basements or any problems structurally with the surrounding roads and utilities. Brandon stated the site plan being displayed is what Edge homes intend to build in the area. He continued, they are doing an extensive rehabilitation of the shoreline by doing a trail system with native vegetation and grasses. This landscaping plan continues that theme from the lakeshore development wet land area. He moved on to describe what is being displayed in each part of the landscape plan. He stated, he wanted to get it in front of the Planning Commission to review before it officially on planning commission for the site plan approval. He would love to have feedback from the Planning Commission. They feel like it is a good plan and consistent with the surrounding areas.

Mr. Brim asked Mr. Watson to review all of the materials with in the plan.

Mr. Watson went through each material with in the landscape plan. He stated, the green area is a traditional lawn with a grass mix. The grass mix includes both short and long grass. He stated, that Commissioner Rasmussen wanted to preserve the wetland look so Edge Homes is trying to keep the native grasses with in the landscape plan while also trying to eliminate the phragmites that could potentially pop up.

Chair Brady asked if any of the commissioners have any comments.

Vice-Chair Sullivan stated she was going to ask if Commissioner Rasmussen had been on a tour of the area or had a chance to weigh in. She was glad to hear that Commissioner Rasmussen had the ability to look at the area.

Mr. Brim stated that Commissioner Rasmussen had comment on the Lakeside Landscape and it looks like Mr. Watson had done a good job of having it transition and keeping it consistent but that he would try to get Commissioner Rasmussen's comments on this landscape plan prior to the next meeting.

Commissioner Blackburn stated that he appreciated the effort to create a transition that looks natural. He likes the opportunities that they may have in the future from a heritage perspective, to incorporate and commemorate the heritage of Vineyard.

Mr. Watson stated, that he would love to get Commissioner Rasmussen's feedback. He met with her in October or September to receive feedback. They got really good feedback from her when they met with her in October/September. He continued, hopefully they can incorporate that same feedback into this design.

Chair Brady asked what the plan to limit the weed growth with in the plants being planted.

Mr. Watson responded; they have met with the landscaping company Golden Landscaping. Golden Landscape maintains the golf course at Sleepy Ridge so they are familiar with the area. They have had extensive conversations about the invasive species with in the area and how to completely remove them. They will continue to coordinate with them to make sure they do what is need to get rid of the invasive species.

Chair Brady asked if the parking on the northside is new. Mr. Watson replied that it was implemented under phase 1E or 1F. Morgan mentioned that only 2 parking stalls were rearranged but for the most part the infrastructure is the same.

Chair Brady asked if there were any more comments from Commissioners.

Commissioner Blackburn asked, what the plan is for watering. Mr. Watson answered they will use traditional landscaping for the grass and they may have to use temporary irrigation up front to make sure it establishes. They may also have wait for next growing season and wait until next spring and will do irrigation if it is needed. Commissioner Blackburn confirmed, so there is no plan for sprinkling systems, they would depend on rainfall for watering once they get established. Mr. Watson said they would. There would be some irrigation that is more on the outskirts. But the Sod will have normal irrigation. There will be no irrigation in the wetlands area.

Chair Brady asked Morgan if he was going to send all of the information being presented before the next meeting and Morgan confirmed yes, he would that this was just a work session.

Commissioner Knighton asked if there were any walkways or pathways in the wetlands area. And if there would be a bridge of some sort for pedestrian connections. Mr. Watson replied that he reached out to a person named Chad Kitchen with contact, they do pedestrian bridges. He is working on getting information from him to see what it would look like going over the wetlands. As of now they just plan on putting a sidewalk through that area. Right now, they are doing an extensive bridge and trail system along the shoreline. They would like to be consistent and so if there is a bridge along the lakeshore it might make sense to do a similar bridge system in the wetlands as well. He doesn't want to create a division. They would like to create the pedestrian connectivity they just don't know what it will look like yet.

Resident Jim Brinton asked if there would be plants that would keep the area dry to mitigate mosquitos, such as bushes. Chair Brady replied that they are focusing on that issue during the redevelopment along the shoreline by getting rid of the phragmites which encourage mosquito growth. And then replacing them with better plants that fight back mosquitos.

Chair Brady closed the session.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Blackburn provided an update regarding the historical graphics being selected for the Vineyard Frontrunner Station being planned and constructed soon.

Commissioner Jenkins noted a bike and pedestrian committee will be having a special meeting to discuss some opportunities that came from grant money that came for a bike/skate park. The park would be located on the Eastside of the parking lot of Vineyard Grove Park. It will be a public meeting. It is noteworthy for the Planning Commission and Vineyard residents.

Chair Brady reminded the Commission to regularly read the General Plan. He will be sending out an email to everyone to get everyone's main interests for the general plan. He would like to refer peoples interests in Planning Commission meetings. City Planner, Briam Amaya Perez, clarified the process for

filling out the General Plan Review Spreadsheet. He would like all the Planning Commission to go through the spreadsheet.

Chair Brady reminded the Commissioners to respond to the meeting invitations that Mr. Brim sends out so they know who will be there.

A discussion about the glass images for the Frontrunner station ensued. Mr. Brim displayed the mockup artwork that will be placed at the station. They will be presented to the RDA. Commissioner Blackburn mentioned the 4 topics that are going to be displayed.

Commissioner Welch mentioned that they have made some progress about the library. They have also started a children's book; V is for Vineyard. She asked if the City would be able to use the photos from the train station in the book. Mr. Brim offered to share the photos as long as the owner gives permission. Commissioner Blackburn mentioned that the Heritage book has a lot of photos available for the children's book.

8. ADJOURNMENT

MOTION:

VICE-CHAIR SULLIVAN MOVED TO ADJOURN THE MEETING.COMMISSIONER BLACKBURN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: COMMISSIONER WELCH, COMMISSIONER JENKINS, COMMISSIONER KNIGHTON, CHAIR BRADY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: February 3, 2021

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