

# Town of Leeds

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## Agenda Town of Leeds Planning Commission Wednesday, April 6, 2016

**PUBLIC NOTICE** is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, April 6, 2016 at 7:00 P.M. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

### Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call  
Election of Planning Commission Chair and Pro-tem
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
  - a. Tonight's Agenda
  - b. Meeting minutes from March 2 and March 4, 2016.
6. Announcements:
7. Public Hearings:
  - a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone.
8. Action Items:
  - a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone.
9. Discussion Items:
10. Staff Reports:
11. Adjournment:

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2947 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Clerk/Recorder does hereby certify that the above notice was posted April 4, 2016 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmmutah.gov> and the Town of Leeds website [www.leedstown.org](http://www.leedstown.org)



Kristi Barker, Clerk/Recorder

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# Town of Leeds

## Planning Commission Meeting for April 6, 2016

1. Call to order:

Commissioner Nelson called to order the regular meeting of the Planning Commission at 7:02pm on April 6, 2016, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u>          </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u>          </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u>          </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u>          </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u>          </u>

Election of Planning Commission Chairman and Pro-tem.

Commissioner Poast nominated Darrell Nelson for the Planning Commission Chairman. 2<sup>nd</sup> by Commissioner Stirling. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>

Commissioner Stirling nominated Commissioner Poast as the Pro-tem. 2<sup>nd</sup> by Commissioner Swenson. All voted "Aye". Motion passed.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DARRELL NELSON	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DANNY SWENSON	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>
COMMISSIONER: DARRYL LEWIS	<u>x</u>	<u>          </u>	<u>          </u>	<u>          </u>

2. Invocation by Commissioner Swenson.

3. Pledge of Allegiance by Commissioner Poast.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:

Commissioner Swenson moved to approve tonight's agenda. 2<sup>nd</sup> by Commissioner Poast. All voted "Aye". Motion Passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

Commissioner Poast made a motion to approve Meeting Minutes of March 2, 2016. 2<sup>nd</sup> by Commissioner Lewis. All voted. Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	_____	_____	x	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

Commissioner Stirling made a motion to approve Special Meeting Minutes of March 4, 2016. 2<sup>nd</sup> by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	x	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	x	_____	_____	_____
COMMISSIONER: JOHN POAST	x	_____	_____	_____
COMMISSIONER: DANNY SWENSON	x	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	x	_____	_____	_____

6. Announcements:

Chair Nelson, there will be a Planning Commission and Town Council members training from the Utah League of Cities and Towns (ULCT) by David Church on April 15<sup>th</sup> from 9:30am to 3:00pm at the old church in Virgin.

Chair Nelson, there is going to be a public awareness seminar on Tuesday, April 12<sup>th</sup> at 5:00pm at the Town Hall on how to protect water in your home. It is about cross connections and backflow devices.

7. Public Hearings:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone. Bob Nicholson the Town Planner and Commission members discussed the Mixed-Use Ordinance and what some of the advantages and disadvantages are in having a Mixed-Use Zone.

Commissioner Stirling opened the Public Hearing for proposed Ordinance 2016-01, as well as, all that is in 7-a. 2<sup>nd</sup> by Commissioner Lewis. All voted “Aye”. Motion Passed

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DANIELLE STIRLING	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: JOHN POAST	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DANNY SWENSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DARRYL LEWIS	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Richard Kohler who is working with Alberta Pace indicated Alberta has a piece of property zoned Commercial that she applied for Mixed-Use Zoning located on Majestic Mountain Road. Richard indicated no other zone other than Mixed-Use allow for an Assisted Living or an Art Studio that would have residents living on the top floor as a permitted use and that is what Alberta is planning on building on the property.

Commissioners, Alberta Pace, Bob Nicholson, Angela Rohr, and Richard Kohler discussed it further.

Susan Savage discussed with Bob Nicholson and Commissioners what permitted uses are allowed in the different zones and what uses require a conditional use permit.

Commissioners and Bob Nicholson discussed the Mixed-Use Zoning Ordinance and if it is repealed, amending other Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zoning.

Richard Kohler, Bob Nicholson and Planning Commission discussed the Mixed-Use application that was submitted to the Town by Alberta Pace, the application will be put on hold. Planning Commission will look at amending some of the Land Use Ordinances to contain some of the permitted uses listed in the Mixed-Use Zone.

Chair Nelson made a motion to close the Public Hearing.

Commissioner Lewis, I so move. 2<sup>nd</sup> by Commissioner Stirling. All voted “Aye”. Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DANIELLE STIRLING	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: JOHN POAST	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DANNY SWENSON	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: DARRYL LEWIS	<u>  x  </u>	<u>      </u>	<u>      </u>	<u>      </u>

8. Action Items:

- a. Proposed Ordinance 2016-01, Repeal of Land Use Ordinance 2011-03, Chapter 23, Mixed-Use Zoning, Amendments to the Land Use Ordinance 2012-02, Chapter 26, Site Development Plan and Amendment to the Land Use Ordinance 2008-04, Chapter 12, Zoning District, to address the language related to the repeal of the Mixed-Use Zone.

Chairman Nelson asked Richard if this satisfies him.

Richard Kohler replied they are fine with leaving it Commercial and not applying for Mixed-Use if some of the uses are accommodated in the Commercial Zone.

Commissioner Stirling, one thing I want to make sure is on the record is there is a tremendous amount of specifications that have to deal with Commercial. I hope you are not expecting to come in and say "we want this, this and this" and in 6 weeks, we will go ahead and put it in the Ordinance because there are quite a few different Ordinances that specifically state setbacks from Residential to Commercial and the height of buildings for Commercial can only be like 35 feet.

Richard Kohler, what we would have been doing in the Mixed-Zone, we can do in Commercial. We have to do the same extra architectural thing in my mind that we would have had to do in the Mixed-Use to get the Commercial plat done. Chapter 26 governs both for the final map. It is just that the uses were enumerated in the one and not the other for us.

Commissioner Stirling made a motion to approve action item a, to repeal the Land Use Ordinance and everything included in 8, action item a. 2<sup>nd</sup> by Commissioner Lewis.

Commissioner Poast, in Chapter 26 on page 6, I noticed one other small reference to Mixed-Use under 26.4.2.2.

Commissioner Stirling amended the previous motion for proposed Ordinance 2016-01 to include adding any other reference to Mixed-Use Zone would also be deleted. 2<sup>nd</sup> by Commissioner Lewis. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	_____	_____	_____
COMMISSIONER: JOHN POAST	<u>x</u>	_____	_____	_____
COMMISSIONER: DANNY SWENSON	<u>x</u>	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	<u>x</u>	_____	_____	_____

9. Discussion Items:

10. Staff Reports:

11. Adjournment:

Commissioner Swenson moved to adjourn the meeting. 2<sup>nd</sup> by Commissioner Poast. All voted "Aye". Motion passed.

	Yea	Nay	Abstain	Absent
CHAIRMAN: DARRELL NELSON	<u>x</u>	_____	_____	_____
COMMISSIONER: DANIELLE STIRLING	<u>x</u>	_____	_____	_____
COMMISSIONER: JOHN POAST	<u>x</u>	_____	_____	_____
COMMISSIONER: DANNY SWENSON	<u>x</u>	_____	_____	_____
COMMISSIONER: DARRYL LEWIS	<u>x</u>	_____	_____	_____

Time: 8:30pm.

APPROVED ON THIS 4 DAY OF May, 2016

Darrell Nelson  
Darrell Nelson, Chair

ATTEST:

Kristi Barker  
Kristi Barker, Clerk/Recorder

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