

# Town of Leeds

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## Agenda

### Town of Leeds Planning Commission

Wednesday, October 4, 2023

**PUBLIC NOTICE** is hereby given that the Town of Leeds Planning Commission will hold a **Work Session** on Wednesday October 4, 2023, at **5:30 P.M.**

**PUBLIC NOTICE** is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** scheduled for Wednesday, October 4, 2023, at **7:00 P.M.** Both meetings will be held at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

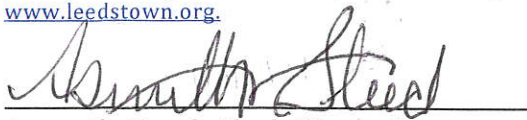
#### **Work Session 5:30pm**

The purpose of this work session is to facilitate open dialogue among the Planning Commission, Town Council members (should a quorum be present) Staff, and residents regarding the short-term rental policy. Decision-related discussions will be scheduled for a future Planning Commission meeting. This session prioritizes candid idea exchange, with no formal action taken

#### **Regular Meeting 7:00 pm**

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda: (These items will be a single motion unless removed at the request of the chairman or board Members)
  - a. Tonight's Agenda
  - b. Meeting Minutes of September 6, 2023, work session & regular meeting
6. Announcements:
  - a. Reminder of Huntsman Senior Games Cycling event scheduled October 12, 2023
  - b. Beautification and Leeds Outreach cOMmittee (BLOOM) scheduled Fall Events update
7. Public Hearing:
  - a. Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map
  - b. Proposed Ordinance 2023-04, amendment to Ordinance 2013-03, Street Tree Ordinance
8. Action Items:
  - a. Action regarding Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map
  - b. Action regarding proposed Ordinance 2023-04, Amendment to ORD 2013-03, Street Tree Ordinance
  - c. Discussion possible action regarding updated Amended Subdivision Preliminary Plat Application for Silver Creek Estates, A Planned Development Community with SITLA /Aaron Langston
  - d. Action regarding Conditional Use Permit application for Owner Occupied B&B at 825 N Bonanza Rd
  - e. Action regarding Conditional Use Permit application for Owner Occupied B&B at 195 S. Main Street
  - f. Action regarding finalized Consolidated Fee Schedule update and presentation to Town Council
9. Discussion Items:
  - a. Discussion regarding request of Craig and Barbara Rentle to disconnect parcel number L-3181
10. Staff Reports
11. Adjournment

The Town of Leeds will provide reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 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 October 2, 2023, at these public places being **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).

  
Aseneth Steed, Clerk/Recorder

# Town of Leeds

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## Planning Commission Meeting for Wednesday, October 4, 2023

1. Call to order: 7:00 p.m.

Chairman Swenson called to order the regular meeting of the Planning Commission at 7 PM on Wednesday, October 4, 2023.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>X</u>	<u>      </u>
COMMISSIONER: KEN HADLEY	<u>X</u>	<u>      </u>
COMMISSIONER: TOM DARTON	<u>X</u>	<u>      </u>
COMMISSIONER: GARY ROSENFELD	<u>X</u>	<u>      </u>
COMMISSIONER: ALAN ROBERTS	<u>X</u>	<u>      </u>
TOWN PLANNER: SCOTT MESSEL	<u>X</u>	<u>      </u>
Town Attorney: Craig Hall	<u>X(ZOOM)</u>	<u>      </u>

2. Invocation: Commissioner Darton
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts: None
5. Consent Agenda:
  - a. Tonight's Agenda

Commissioner Darton made a motion to approve the agenda for October 4, 2023. Commissioner Rosenfeld seconded the motion. Motion passed in a roll call vote.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: KEN HADLEY	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: TOM DARTON	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: GARY ROSENFELD	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>
COMMISSIONER: ALAN ROBERTS	<u>X</u>	<u>      </u>	<u>      </u>	<u>      </u>

b. Meeting Minutes of September 6, 2023, regular meeting

Commissioner Darton made a motion to approve the regular Planning Commissioner Meeting Minutes of September 6, 2023. Commissioner Roberts seconded the motion.  
Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

c. Meeting Minutes of the September 6, 2023, Work Session.

Commissioner Rosenfeld made a motion to approve the Work Session Minutes of October 4, 2023. Commissioner Hadley seconded the motion.  
Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

Chairman Swenson addressed the meeting, expressing his desire to introduce a citizen comment section and discuss concerns at the meeting. He acknowledged that this change wasn't on the agenda but proposed it as an official change and requested a vote of approval from the committee. The attorney pointed out that the citizen comment section wasn't on the agenda and suggested not acting on it without prior notice.

Chairman Swenson accepted the advice and thanked the attorney for their input, deciding not to proceed with the citizen comment section for the night.

6. Announcements:

- a. Reminder of Huntsman Senior Games Cycling event scheduled October 12, 2023

Chairman Swenson announced and discussed the upcoming Senior Games and the traffic it would bring to town, especially during the road race. He encouraged residents to be cautious when driving through town due to the event and promoted participation in the Huntsman Senior Games. Additionally, he mentioned the upcoming dumpster days on December 15th, 16th, and 17th as a valuable service for the community.

- b. **B**eautification and **L**eeds **O**utreach **cOM**mittee (BLOOM) scheduled Fall Events update.

Chairman Swenson highlighted upcoming events for the fall holidays organized by the BLOOM committee, Leeds Outreach Committee. He introduced Juliean Burley, a representative from the committee, who shared details about the events.

Juliean Burley reported on the following events:

Annual Chili Cook-Off: Scheduled for October 28 from 4 to 6 PM, with free applications for cooking and serving chili. Prizes will be awarded for the best chilis.

Zombie Walk: Also on October 28, from 6 to 8 PM, featuring a zombie walk in the park with local judges.

Trunk or Treat and Costume Contest: On October 31, with a surprise event following the costume contest.

Chairman Swenson then provided information about other upcoming events, including the "Wreaths Across America" event on December 16, during which they plan to purchase and lay wreaths on graves. He encouraged community support for this event.

He also mentioned the Christmas tree lighting event in December and acknowledged the recent flag ceremony organized by the committee. This event involved cleaning up and properly disposing of flags. Chairman Swenson expressed gratitude to those who participated and made the community look better.

Additionally, the committee mentioned the chili cook-off applications being available on the Leeds Family Fun website and the Leeds website.

Finally, Chairman Swenson thanked everyone for their participation and noted that some people had arrived thinking the zombie walk was that night.

#### 7. Public Hearing:

- a. Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map



Commissioner Darton made a motion to open the public Hearing for Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map. Commissioner Rosenfeld seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

Chairman Swenson initiated a discussion regarding the ordinance aimed to align with Utah State Code and allow the town council to initiate the process of potentially vacating a previously recorded subdivision plat without requiring a petition from property owners.

Craig Hall, the attorney, then provided details about the ordinance, explaining its procedural aspects and the need to clean up some typos and wording inconsistencies. Chairman Swenson sought further clarification, and Craig Hall mentioned that the proposed amendments would grant the Town Council additional authority to process subdivision plat vacation applications, provided the appropriate procedures and public hearings were followed.

The discussion continued with some questions and clarifications about the ordinance. Chairman Swenson acknowledged that the proposed changes would be addressed before moving forward.

Finally, Chairman Swenson opened the floor to public comments, inviting individuals to state their names and share their opinions related to the ordinance.

Wayne Peterson, residing at 975 Bonanza Road, addressed the meeting and sought to ensure that his statement was officially recorded. He pointed out an inaccuracy in the meeting's introduction, which stated that the Town of Leeds did not have a board of adjustments. Wayne Peterson clarified that in May 2020, the town council passed Resolution 2020-02, which replaced the five-member board of adjustments with a land use public hearing officer. This officer, a professional in land use matters, now fulfills the role previously held by the board of adjustments.

Wayne emphasized the importance of accuracy in the official records and encouraged the town to continue using the approach of involving a professional to handle contentious issues, potentially avoiding future complications.

His comment was made to correct the record and clarify the town's procedures regarding land use matters.

Craig Hall, the attorney, confirmed that former Mayor Wayne Peterson's statement was accurate. The ordinance had no intention of eliminating the hearing officer or the board of adjustment individual that was adopted in 2020. He mentioned that some references to the board of adjustment in the ordinance were not appropriate, which would be addressed during the wordsmithing process.

Chairman Swenson then offered Wayne Peterson the opportunity to comment on Craig Hall's explanation, to which Wayne indicated his satisfaction with the clarification. Chairman Swenson then asked if anyone else had comments. No other comments.

Commissioner Roberts moved to close the public hearing for Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map. Commissioner Darton seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

b. Proposed Ordinance 2023-04, amendment to Ordinance 2013-03, Street Tree Ordinance

Commissioner Darton made a motion to open the public hearing for proposed Ordinance 2023-04, amendment to Ordinance 2013-03, Street Tree Ordinance. Commissioner Rosenfield seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

Scott Messel brought up the concern regarding trees and vegetation along streets, sidewalks, and pathways. He mentioned that there was a need for clarification on the town's authority to act on trees and branches that obstruct public areas. He emphasized that the town didn't intend to cut down all trees but wanted to ensure that overhanging

branches that were not being cared for could be trimmed. Additionally, he pointed out the need for clarity regarding property ownership, especially in parkway areas, to determine where the city's jurisdiction ends, and private property begins.

Chairman Swenson then invited comments or concerns from those present at the meeting. One person mentioned the inconvenience of branches obstructing sidewalks and roads, which can make walking difficult and potentially pose safety hazards, particularly when streets are narrow. The person appreciated the shade provided by the trees but suggested raising the branches slightly for better clearance.

Angela Rohr shared her experience dealing with this issue in her neighborhood. She mentioned that she has neighbors who are affected by tree branches sticking out, making it difficult for them to walk along sidewalks or roads, particularly in areas where streets are narrow. She emphasized the need for improved clearance to ensure comfortable and safe passage. Angela acknowledged the value of shade provided by the trees but suggested that the shade could be achieved from branches at a higher level.

During the meeting, Wayne Peterson raised a question regarding the proposed amendment to the street tree ordinance. He inquired about how these new definitions would fit into the existing statute, whether they were just additions or if there were deletions from the old ordinance.

Scott Messel clarified that the new definitions would be added to the existing ordinance without removing anything. It was an expansion of the existing definitions rather than a replacement.

Chairman Swenson also pointed out the need for proactive communication and education with property owners about compliance with the ordinance, especially for elderly or struggling individuals who may require assistance.

The discussion continued, touching upon the need for education and communication before enforcement and the potential impact on property owners. Gary Rosenfield asked about including shrubs and trees in the right-of-way area, which Scott confirmed was already covered.

Scott also clarified that the ordinance was specific to private property owners encroaching into the public right-of-way. It did not cover issues in the public right-of-way itself, as that would fall under the jurisdiction of the entity responsible for that right-of-way.

The discussion expanded to include the need for responsible and considerate tree trimming practices, especially in cases where an arborist is hired to address encroachments.

The meeting participants discussed the inclusion of foliage, referred plants, shrubs, and vines in the new ordinance, which expanded the scope beyond just trees.

The discussion focused on the need for clear communication and proactive education of property owners before moving to enforcement.

Commissioner Darton made a motion to close the public hearing for proposed Ordinance 2023-04, amendment to Ordinance 2013-03, Street Tree Ordinance. Commissioner Rosenfield seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

- 8. Action Items:
  - a. Action regarding Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map

Commissioner Darton made a motion to recommend Ordinance No. 2023-03, An Ordinance Amending Chapter 21, Section 14, Related To Vacating, Altering, Or Amending A Subdivision Plat/Map to Twon Council for approval. Commissioner Rosenfield seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X			
COMMISSIONER: KEN HADLEY	X			
COMMISSIONER: TOM DARTON	X			
COMMISSIONER: GARY ROSENFELD	X			
COMMISSIONER: ALAN ROBERTS	X			

- b. Action regarding proposed Ordinance 2023-04, Amendment to ORD 2013-03, Street Tree Ordinance

Commissioner Darton made a motion to approve Ordinance 2003-04, the foliage and tree maintenance ordinance amendment to the tree ordinance and send Ordinance 2003-04



on to the town council with a recommendation that they pass it. Commissioner Hadley seconded the motion. Motion passed in a roll call vote.

ROLL CALL VOTE:

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

c. Discussion possible action regarding updated Amended Subdivision Preliminary Plat Application for Silver Creek Estates, A Planned Development Community with SITLA /Aaron Langston

Chairman Swenson welcomed Aaron Langston, who represented SITLA (School and Institutional Trust Lands Administration), and Ken Miller, who is an engineer on the development project.

Scott Messel provided an update on the proposed amendment to the subdivision preliminary plat application for the Silver Creek Estates, a planned development community with the School and Institutional Trust Lands Administration (SITLA).

Scott mentioned that a public hearing was held in the previous meeting, and the state code allowed for only one public hearing for a preliminary plat or subdivision. He explained that there had been discussions between residents from the town, Aaron (a representative), and SITLA.

Scott then showed two versions of the preliminary plat: the previous one that had been reviewed in the last meeting and the updated plan. He noted that the updated plan had incorporated feedback and made changes to distinguish non-buildable areas from open spaces.

Chairman Swenson added that the preliminary plat could change again depending on how the land sale progresses.

Aaron Langston, a representative from SITLA, was invited to provide more details about the changes and respond to questions. He introduced Ken Miller, the engineer for the project.

Chairman Swenson requested Aaron to walk through the changes and the agreements reached during discussions with various groups.

Aaron Langston discussed some of the changes made to the preliminary plat for the Silver Creek Estates. He addressed the concerns raised during the public hearing and

the subsequent discussions that took place. Here are some of the changes and points that were discussed:

**Water Drainage:** Drainage was a significant concern, and adjustments were made to address these concerns.

**Easements:** Aaron mentioned a resident's easement and said they had made efforts to depict it in the plan. The specifics of how this would work were still being worked out.

**Road Access:** The road that previously extended into BLM property was eliminated to avoid concerns about public access. A new arrangement with an open space was made to provide access to BLM lands. The intention was to discourage non-residents from parking along the roads to access federal lands.

**Parking:** Small pullout areas were included for occasional visitor parking. These areas were negotiable, and if the town decided they were not needed, they could be removed.

**Road Width:** The right-of-way width for the roads was approximately 30-55 feet, and this would be publicly dedicated.

Additional details and specifics were included in the discussion, but these are some of the main points that were highlighted in Aaron's presentation.

Aaron Langston continued to provide an overview of the changes and details in the updated preliminary plat for Silver Creek Estates. Some key points discussed include:

**Road Width:** The width of the right-of-way for the roads was confirmed to be 55 feet.

**Easements:** An easement was discussed, and the location was depicted on the plat. The details of how this would work were still being worked out.

**Access to BLM Lands:** The road that previously extended into BLM property was eliminated to address concerns about public access. A new open space was added to provide access to BLM lands. Limited parking was designed to discourage non-residents from accessing the federal lands.

**Disturb able Area:** The buildable pad for the residences was discussed. The location was not shown on the plat as it was left flexible. The homeowner's association (HOA) and CC&Rs would govern the use of these areas.

**Overhead Powerlines:** Negotiations were mentioned to have powerlines placed underground.

**Footprints:** Available footprints for building were discussed, and a real-time app was offered to help people see the available areas.

Homeowner's Association (HOA): Aaron is in discussions with the existing HOA to potentially annex these lands into their HOA. If not, a new restrictive set of CC&Rs would be put in place.

Drainage: The plat included markers for significant drainage points, with the specific culverts detailed in the construction plans.

Aaron Langston elaborated on the plan regarding the sewage system, open space, and future developments. Here are the key points discussed:

Dry Sanitary Sewer System: The development is designed with a dry sanitary sewer system. This system doesn't handle sewage treatment but is designed to be connected to a future sewage system when it becomes available. The developer is working with the Washington County Water Conservancy District to implement a hybrid above-ground treatment system for individual properties.

Historical Relics and Open Space: A designated open space includes an area with historical relics that the public can enjoy. There is a no-build zone to protect this area. The developer intends to keep this land open, but the management entity (county or HOA) will need to be determined.

Proposed Land Changes: The primary reason for the requested amendment was to shift the designated open space and common area. The acreage remains the same. The land that was moved was part of a separate parcel that has a potential cash offer. The developer is waiting for the outcome of this project before proceeding with the sale of this land.

Future Steps: If the project is approved, it will trigger the issuance of a Request for Proposal (RFP) to solicit bids for the land. Potential buyers or development groups can submit proposals. The developer's primary goal is to maximize revenue for the land.

In this part of the discussion, there was a focus on the turnout lanes along the road. Here are the key points discussed:

Turnout Lanes: The turnout lanes were discussed, and there was a question regarding their purpose and why they were included in the plans. Aaron Langston explained that the turnout lanes were added based on the town's request, although the specific reasons for their inclusion were not clear.

Concerns About Turnout Lanes: Some members of the Planning Commission expressed concerns about the turnout lanes. They questioned the need for turnout lanes, as there is access on both sides of the road. Concerns were raised about potential maintenance issues, such as damage from off-road vehicles.

Proposal to Remove Turnout Lanes: A suggestion was made to strike the turnout lanes from the plans, effectively removing them. It was agreed to remove the turnout lanes from the plan.

Openness to Town's Decision: The developer expressed a willingness to accommodate the town's preferences regarding the turnout lanes.

The Planning Commission discussed the turnout lanes and reached a decision to remove them from the plans, in line with the preferences of the town.

Commissioner Rosenfield moved to approve the Amended Subdivision Preliminary Plat Application for Silver Creek Estates, a Planned Development Community, set to be forwarded for consideration by the Town Council stating that the proposed project had undergone a duly noticed public hearing, and that the developer, SITLA, had worked with various parties to address concerns raised during this process. The motion included a condition to eliminate the turnouts marked in pink on the preliminary plat. Commissioner Hadley seconded the motion. Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

**d. Action regarding Conditional Use Permit application for Owner Occupied B&B at 825 N Bonanza Rd**

Chairman Swenson introduced the next agenda item, which is a discussion regarding a Conditional Use Permit application for an owner-occupied bed and breakfast at 825 North Bonanza Road, presented by Chris and Abby Studdert.

Scott Messel, the town planner, mentioned that the property is owner-occupied and complies with the Bed and Breakfast code. He acknowledged that there was an oversight in the previous meeting, where the item wasn't discussed thoroughly due to time constraints and expressed his apologies for it.

The Chairman recognized the need for a discussion with the board members about the proposal for an owner-occupied bed and breakfast, emphasizing that it is a standard home looking to operate as a B&B. The discussion revolved around whether the application aligns with the current B&B regulations, and it was explained that some of

the changes discussed in a prior meeting have not been officially adopted. The conditional use permit was highlighted, which doesn't require annual renewal like a business license. It was also mentioned that conditions can be placed on the permit, and if the operation changes, an amendment to the permit may be required. Additionally, the possibility of addressing complaints through letters rather than shutting down the operation was discussed.

Chairman Swenson mentioned that the applicants had received Chapter 24 of the Land Use Ordinance related to conditional use. This information had been included in the application with all the necessary requirements.

Commissioner Darton requested one of the applicants to approach the podium to field questions and provide responses. The individual introduced themselves as Chris Studdert, residing at 825 North Bonanza Road.

Chairman Swenson clarified that the official address was the one with the longer driveway, as it received mail.

Commissioner Rosenfield inquired if Chris planned to utilize the addition to the property for the bed and breakfast.

Commissioner Darton noted that he had not visited the property yet but intended to do so before the discussion concluded.

Chairman Swenson continued by asking about the main entrance to the property and which one would be primarily used for bed and breakfast guests. There were concerns about potential light issues associated with using the other entrance, especially for nearby homes. The Chairman pointed out that the homes on the lower part of the property, set further back, were less affected.

Commissioner Darton inquired if there would be a designated parking area for the guests.

Chris Studdert confirmed that there was already a dedicated parking area on the property, set back from the road.

Commissioner Darton remarked about the map, That I can't spot the pickleball court.

Studdert acknowledged there's more parking space on the property than we'll ever need.

Commissioner Darton inquired how many people could you feasibly accommodate?

Chris Studdert answered, It's two King suites and four Queen bunk rooms. So, it's not a large number. Yes, there are four Queen bunk beds in the same room. I built them.



Commissioner Hadley raised a question, "Is there a septic tank that can handle that many people?"

Chris Studdert assured the Commission, Yes, there is. The plan isn't to make it too large. We're currently not listing it on VRBO or Airbnb; it's primarily for friends and family. I want to be considerate to the neighborhood and avoid excessive usage.

Commissioner Rosenfield added, "As your neighbor, I have another question. The tennis ball or racquetball court, What are the hours? Studdert replied, as you might have noticed, it hasn't seen much use, and it probably won't be very active.

Commissioner Rosenfield inquired, "What are the rules, particularly at night?"

Chris Studdert explained, their rules follow city ordinances with a 10:30 PM cutoff. He said, We've included a clause in our stating that we will impose fines if renters violate the curfew. Even if the city doesn't impose fines, we will fine renters or guests if they continue making noise after 10:30.

Charman Swenson asked If there are any questions or additional conditions. He stated conditions include the requirement that all parking must take place on private property, as previously mentioned by Chris.

Commissioner Hadley inquired, Are you registered with the state of Utah for transient room tax?

Studdert replied. I have a business and I'm waiting for the conditional use permit before applying for the tax.

Chairman Swenson asked if there any other conditions that anyone believes should be added? I don't need to bring it up specifically, but I read in the ordinances that certain businesses listed in there, including this one, can be transferred with the property. Is that correct? Yes, this particular business falls into that category. That's why I think it's important. You mentioned you have the actual ordinances, and it's beneficial to go through them. We should consider providing these to everyone.

Is there anything else regarding additional conditions that should be discussed? In the comments, it was suggested to restrict the number of vehicles or people. However, I don't believe we need to impose restrictions on vehicles or numbers. The ordinance already addresses the need for sufficient on-site parking to avoid traffic issues, and the property has ample private parking. Alan, since you have the conditions, would you like to propose any?

Commissioner Roberts moved to accept the conditional use application for a bed and breakfast located at 825 North Bonanza Row, subject to the following four conditions:

1. All parking must take place on private property.
2. The transient room tax registration must be completed.
3. The home business license should be renewed annually.

4. The conditional use is non-transferable with the property.  
 Commissioner Darton Seconded the motion.  
 Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

e. Action regarding Conditional Use Permit application for Owner Occupied B&B at 195 S. Main Street

Chairman Swenson expressed empathy for the applicant, Miss Jones, due to recent family developments and indicated support. He mentioned a conversation with Mr. Brent Jones, showing the importance of open communication between applicants and the board.

Miss Jones explained that she intended to use her property as an owner-occupied bed and breakfast, primarily for her family but occasionally for others. She highlighted her parking availability and the fact that her mother had moved in permanently.

The board discussed the number of bedrooms, the use of the property, and the presence of a storage container on the premises, which Miss Jones explained belonged to her son-in-law and would be removed soon.

Commissioner Roberts made a motion to approve the conditional use permit application for a bed and breakfast at 195 South Main with the following four conditions: all parking must be on private property, the transient room tax must be registered with the state of Utah, the home business license is subject to annual renewal, and the conditional use permit is not transferable. Commissioner Darton seconded the motion.  
 Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____

- f. Action regarding finalized Consolidated Fee Schedule update and presentation to Town Council

Commissioner Darton made a motion to table the discussion on the consolidated fee schedule until next month for more time to finalize details. Commissioner Rosenfeld seconded the motion.

Motion passed in a roll call vote.

**ROLL CALL VOTE:**

	Yea	Nay	Abstain	Absent
CHAIRMAN: DANNY SWENSON	<u>X</u>	_____	_____	_____
COMMISSIONER: KEN HADLEY	<u>X</u>	_____	_____	_____
COMMISSIONER: TOM DARTON	<u>X</u>	_____	_____	_____
COMMISSIONER: GARY ROSENFELD	<u>X</u>	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	<u>X</u>	_____	_____	_____

9. Discussion Items:

- a. Discussion regarding request of Craig and Barbara Rentle to disconnect parcel number L-3181

In a discussion about a disconnect request, Craig and Barbara Rental expressed their desire to disconnect a 20-acre parcel of land from the town and into the county. The rationale behind this request was to maintain flexibility and avoid potential annexation by other municipalities in the future. She also wanted to experience a more rural or county atmosphere, which she believed would offer greater freedom. The town's representatives expressed their concerns about the disconnect, emphasizing that it might not be in the best interest of the town. They highlighted the potential costs and challenges associated with the disconnection process. The Planning Commission decided to move the discussion to a public hearing at their next meeting, which will occur on November 1st. Barbara Rental understood the process and agreed with this decision. Her current residence is in Southern California.

10. Staff Reports: None

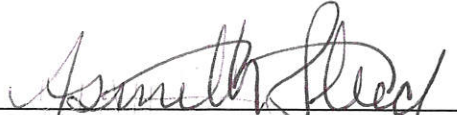
11. Adjournment

Adjournment: The meeting was adjourned at 9:45 pm.

Approved on this Fourth day of October 2023

  
\_\_\_\_\_  
Danny Swenson, Chairman

ATTEST:

  
\_\_\_\_\_  
Aseneth Steed, Town Clerk/Recorder