

**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

Present

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

Absent

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 UNANIMOUSLY.

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 met (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 UNANIMOUSLY.

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 UNANIMOUSLY.

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 UNANIMOUSLY.

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 UNANIMOUSLY.

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 UNANIMOUSLY.

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.

MINUTES APPROVED ON: December 2, 2020

CERTIFIED CORRECT BY: /s/ Briam Amaya Perez
Briam Amaya Perez, Planning Technician