

**PAYSON CITY PLANNING COMMISSION  
MEETING MINUTES  
May 11, 2016**

**REGULAR SESSION – CITY COUNCIL CHAMBERS**

**CALL TO ORDER:** 7:00 p.m.

**ROLL CALL:** Commissioner Blair Warner (acting Chair), Commissioners Kirk Beecher, Taresa Hiatt, Adam Billings; City Planner Jill Spencer, Planning & Zoning Specialist Kyle Deans. Chairman John Cowan, Commissioner Harold Nichols, Ryan Frisby, Councilman Mike Hardy and Jill Spencer were excused.

**INVOCATION:** Commissioner Kirk Beecher

**NEW BUSINESS:**

**CONSENT AGENDA:**

- Approval of Minutes for the Regular Meeting of April 27, 2016

**MOTION** by Commissioner Hiatt to approve the meeting minutes as corrected. Motion seconded by Commissioner Billings. All voting in favor. Motion carried.

**PUBLIC FORUM**

No public comments

Public forum ended at 7:04 p.m.

**REVIEW ITEM**

**Request for final approval of the Draper Subdivision arranged on Utah County Parcels 08-166-0015 and 08-166-0016 located at approximately 700 North and 450 East in Payson**

**Background**

The proposed Draper Subdivision is a division of two (2) parcels to accommodate three (3) single family dwelling lots which in accordance with Utah Code constitutes a subdivision of land. The project divides Utah County Parcels 08-166-0015 and 08-166-0016 located on the south side of 700 North at approximately 450 East. The property is included in the R-1-75, Residential Zone that allows, by right, single family dwellings on 7,500 square foot lots with at least 75 feet of frontage on a public street. The lots in the proposed subdivision satisfy the minimum zoning requirements (i.e. lot area, frontage) of the underlying zone and the subdivision is considered a traditional subdivision without any request for increased density. The request is an administrative action, whereby the applicant is entitled to subdivision approval if the applicant is willing to satisfy the minimum requirements of the land use ordinances of Payson City.

The Payson City Planning Commission reviewed the Preliminary Plan and Final Plat of the Draper Subdivision on March 23, 2016. Following a public hearing to receive input on the request, the Planning Commission granted approval of the Preliminary Plan contingent upon the

satisfaction of staff conditions. However, Final Plat approval was not granted concurrent with the Preliminary Plan. The project drawings have been modified to address many of the conditions included on the original staff report and the applicant is requesting approval of the Final Plat at this time. Section 20.11.5 of the Subdivision Ordinance authorizes the Planning Commission to take final administrative action on traditional subdivisions containing three (3) lots or less. Therefore, the Planning Commission will be the final authority on the proposed subdivision, unless the Planning Commission determines the proposal requires additional action by the City Council.

#### Analysis

The proposed Draper Subdivision has been reviewed for compliance with Title 19, Zoning Ordinance (January 6, 2016), Title 20, Subdivision Ordinance (November 18, 2015), the Standard Specifications and Standard Plans, and other applicable requirements of the land use ordinances of Payson City. Following staff review, a list of items has been generated that will need to be satisfied prior to the recordation of the Final Plat or development of the property, as applicable.

1. Documentation will need to be submitted that indicates that all current and past property taxes have been paid for the property included in the proposed subdivision. This information must be provided before the Mylar is recorded in the office of the Utah County Recorder.
2. Due to the topography of the site and the uncertainty of how the lots will be structurally prepared and raised to the proper elevation for construction, the applicant will need to prepare a lot to lot drainage plan. The plan will need to include implementation measures that will be taken to ensure that water will not trespass from one parcel to another. If drainage systems or easements are anticipated, the applicant will need to provide detailed information about the system or easement for review and approval by the City Engineer.
3. Staff will need additional information on the method of mail delivery from the US Postal Service. If the preferred mail delivery system includes a community box unit (CBU), staff will need to approve the location of the CBU unit.
4. The following items will need to be addressed prior to recordation of the Final Plat or during the construction phase, as required by City ordinance.
  - a. Complete the transfer of adequate amount of water to serve the development in accordance with Title 10, Water Ordinance of the Payson City Municipal Code.
  - b. Provide a performance guarantee in the form of a cash bond or irrevocable letter of credit in an amount equal to one hundred twenty (120) percent of the engineer's cost estimate for completing project improvements. The applicant will also need to submit, in cash, an amount consistent with the fee schedule of Payson City that will be used to complete public works inspections.
  - c. Submit payment for the testing and inspection fees associated with the installation of the new fire hydrant.
  - d. Submit payment of fees associated with labor and materials provided by the Payson Power Department for the primary power service to the subdivision.
  - e. Schedule and conduct a pre-construction meeting with the City Engineer. Construction standards, geotechnical requirements, Storm Water Pollution Protection Plan (SWPPP) regulations, traffic control, project schedules, and other improvement related issues will be discussed at the meeting.
  - f. The applicant will need to adhere to the recommendations identified in the geotechnical report, unless a stricter standard is required by the Payson City ordinances and

specifications. Compaction tests will need to be completed for all imported or redistributed material.

- g. The applicant will need to remove all debris and waste including trees, asphalt, and other deposited materials from the site and be aware that only approved materials may be used as structural fill. The applicant will need to remove all non-residential type fencing in the development such as barbed wire and field fence.
- h. The applicant will need to be aware that the front yard areas of each lot will need to be completely landscaped prior to issuance of a Certificate of Occupancy for any dwelling in the proposed subdivision.

These items represent the issues that are not consistent with the development ordinances of Payson City and will need to be completed by the applicant. In general, staff had no major concerns with the proposed subdivision if the conditions of this staff report are satisfied. The Planning Commission may require additional information in order to make a well-informed decision.

#### Recommendation

This staff report identifies items that are not in compliance with the Payson City Development Code. It was the intent of the staff to complete a thorough review and identify all items that do not satisfy the requirements of Title 10, Water Ordinance; Title 19, Zoning Ordinance; Title 20, Subdivision Ordinance; the Standard Specifications and Standard Plans; and any and all other development requirements of the City. However, failure of the staff to identify an inconsistency with any City requirement does not release the applicant of the obligation to satisfy all development requirements of the City. If an item is identified at a later date, the applicant will be responsible to satisfy the relevant development requirements.

The applicant is requesting Final Plat approval of the Draper Subdivision, a traditional subdivision consisting of three (3) single family dwelling lots in the R-1-75, Residential Zone. By ordinance, the Planning Commission is the land use authority for subdivisions consisting of three (3) lots or less along an existing public street. In other words, the Planning Commission will be the final authority on the proposed subdivision, unless the Planning Commission determines the proposal requires additional action by the City Council. The Planning Commission, following a public hearing to receive public input, may:

1. Remand the Final Plat back to staff for further review. This action should be taken by the Planning Commission if it is determined that there is not enough information provided by the applicant in order for the Planning Commission to formulate a well-informed decision.
2. Approve the Final Plat as proposed. If the Planning Commission chooses to approve the Final Plat as proposed staff would suggest that an opportunity to require the applicant to satisfy the regulations of the Payson City development ordinances and the land use goals of the City will be missed.
3. Approve the Final Plat contingent upon the satisfaction of staff suggestions. Staff would suggest that if the Planning Commission approves the Final Plat contingent upon the satisfaction of staff conditions, the applicant will be required to satisfy the regulations of the Payson City development ordinances and the land use goals of the City.
4. Deny the proposed Final Plat. This action should be taken if the Planning Commission determines that the applicant is unwilling or unable to satisfy the regulations of the Payson City development ordinances and the land use goals of the City.

Staff would suggest that the proposed use of the property is consistent with the General Plan, Zoning Ordinance and Subdivision Ordinance if the conditions proposed by staff are satisfied by the applicant. The Planning Commission should include findings that indicate reasonable conclusions for their decision.

Planner Deans explained that on March 23<sup>rd</sup> Planning Commission reviewed the preliminary and final plat, and approved the preliminary plat, and had some concerns on the final plat.

Since that meeting the applicant has completed all the requests that had been made by the Planning Commission that they are able to complete prior to plat recording.

Commissioner Beecher asked Planner Deans if he could recall what some of those requirements were.

Planner Deans explained that there was a concern on the Utility Easements, Planning Commission had requested a wider easement for utilities and to specify on the plat where the access gates would be to access the rear easement. The City attorney included verbiage on the plat, according to State Code.

Planner Deans explained that this is a subdivision of three lots or less and that Planning Commission is the final approval authority on this matter and this will not be reviewed by City Council. Planner Deans explained the options that Planning Commission has on this item.

Planning Commission can approve the final plat as proposed; Remand that Final Plat back to staff for further review; Approve the Final Plat contingent upon the staff suggestions; Deny the proposed Final Plat.

Commissioner Beecher brought up the driveways that we had requested be on the east side of each lot. He felt that lots two and three should share a drive approach, with lot two being on the east side of the parcel and lot three being on the west side of the parcel. This would create only two total points of access onto the busy road.

Planner Deans clarified Commissioner Beecher's suggestion that lot one be on the east, lot two on the east and lot three be on the west of their individual parcels.

Commissioner Billings had a similar concern about all the driveways be on the east and that the house to may block the driveway.

Commissioner Hiatt asked for clarification of where the properties where located.

Commissioner Beecher explained that the road curves and that it is somewhat of a blind corner.

Commissioner Beecher explained that the applicant has already put in the connections for the water lines.

Commissioner Warner pointed out that no matter where those driveways are located they will be at some point be blocked.

Commissioner Warner asked if it was staff that had suggested all the driveways be on the east side.

Planner Deans explained that it was brought up and suggested in Development Review Committee that the drive approaches all be on the east.

Commissioner Billings brought up that the parcel adjacent to lot one is City property and will never have a house.

Commissioner Beecher said that it would be easier to see the driveway on lot one if it were on the west side of the parcel.

Commissioner Billings mentioned that west bound traffic could more easily see the driveway after the curve.

Commissioner Beecher stated that there is the additional center lane which would allow for residents to back out into that lane. He explained that it is a wide road and there is plenty of space to accommodate that middle lane.

Through further discussion Planning Commission determined that due to the speed of the road, the collector nature of the road and having limited access, that the driveways should be as follows: Lot one, west side; Lot two, east side; Lot three, west side.

**MOTION** by Commissioner Beecher to approve the final plat subject to the location of the driveways being as follows; Lot one to be on the West side of the parcel, and lot two and three to be together at the east/west lot lines. Motion seconded by Commissioner Billings. All voting in favor. Motion carried.

## **OTHER BUSINESS**

Land use training was table to the following meeting.

## **COMMISSION REPORTS AND PLANNING DISCUSSION**

Planner Deans stated that we met with a restaurant company, a fast food restaurant that is looking to build a restaurant near Wal-Mart.

Commissioner Billings was asked by the Library Committee to mention that they want a real library and that downtown isn't sufficient. Their recommendation was to put south of the pool.

Planner Deans mentioned that some city staff had mentioned that the library needs to move off Main St in order to allow a broader range of businesses on Main St. A particular property owner has considered opening an Italian restaurant, and in that particular location he would not be able to serve alcohol, which is crucial to Italian dining.

Commissioner Warner stated that that has been an ebb and flow in libraries over the past 20 years, and the demands for what the library offers is a challenge and what a Library is. What the

future needs are need to be taken into consideration before deciding what type of facility will be needed.

Commissioner Billings brought up that if UVU were to come to town that many of those students may want to use the Library, and that a new library could be a huge community resource.

Commissioner Beecher brought up the walking tour for the South County Active Transportation plan on Monday at 12:30.

Planner Deans told them that he would send them the location information, and that the focus area is south and east of the Highway, and how to make that area more walkable and bikeable.

**MOTION** by Commissioner Beecher to adjourn.

Meeting adjourned at 7:25 p.m.