

**CITY OF SOUTH JORDAN
ELECTRONIC
PLANNING COMMISSION MEETING
COUNCIL CHAMBERS
May 27, 2025**

Present: Chair Nathan Gedge, Commissioner Michele Hollist, Commissioner Lori Harding, Commissioner Laurel Bevans, Commissioner Sam Bishop, Commissioner Steven Catmull, City Assistant City Attorney Greg Simonson, City Planner Greg Schindler, Planner Andrew McDonald, Planner Damir Drozdek, Planner Miguel Aguilera, Planner Joe Moss, City Recorder Anna Crookston, Deputy City Engineer Jeremy Nielsen, IT Director Matt Davis, Senior System Administrator Phill Brown, GIS Coordinator Matt Jarman

Other: Dean Pettit, Shea, Jaren, Didi, Marci Hansen, Ryan Hansen, Shane Swinson, Greg Mason

**6:31 P.M.
REGULAR MEETING**

A. WELCOME AND ROLL CALL –*Chair Nathan Gedge*

Chair Gedge welcomed everyone to the Planning Commission Meeting and noted that all (6) of the Planning Commissioner's are present.

B. MOTION TO APPROVE AGENDA

Commissioner Bevans motioned to amend the agenda to add an Action Item G.1. to appoint a new Planning Commissioner Member to the Architectural Review Committee. Commissioner Gedge seconded the motion. Vote was 6-0 unanimous in favor.

Commissioner Hollist motioned to approve the May 27, 2025 Planning Commission Agenda as amended. Chair Gedge seconded the motion. Vote was 6-0 unanimous in favor.

C. APPROVAL OF THE MINUTES

C.1. Approval of the May 13, 2025 - Planning Commission Meeting Minutes.

Commissioner Bevans motioned to approve the May 13, 2025 Planning Minutes as published. Commissioner Gedge seconded the motion. Vote was 6-0 unanimous in favor.

D. STAFF BUSINESS

Director of Planning Brian Preece introduced himself.

E. COMMENTS FROM PLANNING COMMISSION MEMBERS

F. SUMMARY ACTION

G. ACTION

G.1. Appointing a Planning Commissioner to the Architectural Review Committee.

Commissioner Hollist motioned to nominate Planning Commissioner Lori Harding to the Architectural Review Committee. Commissioner Gedge seconded the motion. Vote was 6-0 unanimous in favor.

H. ADMINISTRATIVE PUBLIC HEARING

H.1. DAYBREAK BINGHAM CREEK OPEN SPACE PLAT

Address: Bingham Creek Open Space File No: PLPLA202500079

Applicant: Perigee Consulting on behalf of LHM Real Estate

Planner Greg Schindler reviewed background information on this item from the staff report. (Attachment A).

Commissioner Catmull said is this pretty much covering the path that was on the active transportation plan, and is that intersect with the Active Transportation Plan?

Assistant City Engineer Nielson said yeah, it does. And actually, this plat is pretty important because UDOT is kind of waiting for the property to be in the city's ownership, so that they can proceed ahead with that path between mountain view corridor and where the Bingham Creek Trail currently ends at the edge of the park.

Commissioner Hollist said what is UDOT doing with it?

Assistant City Engineer Nielson said UDOT is using some funding from the Utah trail network to build the paved path where the trail currently ends at the Bingham Creek Creek Park, up to the mountain view corridor trail.

Commissioner Bevans said will this have access underneath Mountain View, or will it have to cross the trail under?

Assistant City Engineer Nielson said it will cross under, the bridges have been sized to accommodate the trail.

Chair Gedge said if you look at the very northwest quadrant south of the property, you see the Trans Jordan City's landfill in the future, if they wanted to expand their operations, what would be the process for that?

Planner Schindler said they won't be able to expand their operations unless the city wants to give up their property for it. What we've heard from Trans Jordan Cities in the past, is once they run out of capacity they'll have to find a new location.

Chair Gedge said because this is to give the property to the city, I'm assuming council action has already been taken and aware of any potential budgetary impact for this.

Planner Schindler said they know what's going on with it, it's part of the development agreement that's been in place. It has taken a while to get to this point, but I'm sure they approve of this as well.

Commissioner Catmull said so where the old Bingham Highway goes straight across and it's right by the commercial, is there some sort of drainage pond or something that's right next to the open space.

Planner Schindler said it's just north of that section that they're going to be maintaining where the Rio Tinto Distribution Center is out there. And just south of that, there's some vacant properties in another subdivision and it is pretty busy. There are also a lot of wells in that area.

Commissioner Catmull said what kind of wells are those?

Planner Schindler said they are monitoring wells for extraction, they're extracting the water. It's part of the cleanup of the water, the sulfur, and whatever else is in those.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Bevans motioned to approve File No. PLPLA202500079 Daybreak Bingham Creek Open Space Plat. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

H.2. GOLDENWEST CENTER-COPPER RIDGE AMENDMENT

Address: 3676 W South Jordan Parkway

File No: PLPLA202400246

Applicant: Brett Simpson

Assistant City Attorney Greg Simonson asked to take a 5 min break for some technical issues with staff computers.

Chair Gedge motioned to take a 5 min recess to address technical issues. Commissioner Bevans seconded the motion.

Chair Gedge called the meeting back to order.

Planner Miguel Aguilara reviewed background information from the staff report (Attachment B).

Chair Gedge said parking is always an issue, especially in this area. So any changes with the number of stalls going from four lots to two with the required amount of parking stalls for these?

Planner Aguilara said so the parking lot boundaries will not be affected in the subdivision amendment and the other properties are not currently developed fully. So parking calculations here are really not factored in because we don't know what's going to be built there yet.

Commissioner Bevans said are some of these funky lot lines because of the realignment of Bangerter, and some of those lots were larger prior to that.

Planner Aguilara said I don't know if you can see this, but they're kind of outlined in white. Those are remnants of Bangerter, they're occupied by Bangerter Highway so those are remnant lots. So essentially, this larger lot, Golden West two way is going to absorb the smaller remnants of what's left there.

Brett Simpson (Applicant) – said I am here to represent the applicant. I don't have anything to add other than it was a pleasure working with your city planners and your staff. I just wanted to stand up here and give them some kudos for doing a good job. It was easy to get things submitted online. They were responsive to email's and phone conversations, so I thought that would be important information for you guys to have.

Commissioner Hollist said any ideas how you will orient things on this property, will that extra lot be parking?

Mr. Simpson said it will most likely be parking. The building will be on the bigger one on the south, and then that has enough room to access it for cars to go both ways, so it will most likely be parking there. And then it's professional office, so it'll be a business similar to what's already there.

Chair Gedge opened the public hearing to comments. There were none. He closed the public hearing.

Commissioner Bevans said is there any plan in the works to clean up the zoning now that we'll have two different zones on one piece of property?

Planner Aguilara said So right now, there isn't any plan that I'm aware of. The applicant or the property owner here would have to essentially start the application process for a rezone on this property, so when they do a site plan in the future, if that's necessary, I think they can go ahead with that process first. There are other properties with double zoned sections across the city so that can't be cleaned up.

Commissioner Bevans said do they need to rezone in order to put an office building on there? Or is there enough on the zone that they could do what they want without doing that?

Planner Aguilara said I don't believe that they would need to rezone it, since it's actually a really small part on the eastern side. They might not place a building there, but if they do, they might have to go through that.

Commissioner Hollist motioned to approve File No. PLPLA202400246 Goldenwest Center-Copper Ridge Amendment. Commissioner Gedge seconded the motion. Vote was 6-0 in favor.

H.3. GUESTHOUSE ACCESSORY DWELLING UNIT (ADU): MAXIMUM TOTAL FLOOR AREA

Address: 11210 S. Brooke N Lance Lane

File No: PLADU202500099

Applicant: Bryan Weaver

Planner Andrew McDonlad reviewed prepared presentation (Attachment C).

Commissioner Harding said in this zoning, does the height matter as far as the original home and what's being proposed, and does that comply?

Planner McDonald said yes, as with all accessory buildings, guest houses included, you cannot exceed the overall height of your home without a conditional use permit. Their proposal is about 20 feet overall, and their home is about 23 feet six inches, so we are less than we any of the typical CUP requirements that you usually see in some cases. None of those are applicable in this case, and we don't have to seek those.

Commissioner Catmull said where's the front yard on this house? how is that determined? I thought that it was always associated with the right of way. With this being the corner lot, it seems to be facing an odd alignment that I don't think we've seen before. So maybe you could walk me through that, because I want to understand placement of a guest house.

Planner McDonald said this property is unique, as are a lot of the older properties in the city. So if this slide for the record can be included as attachment C to the staff report, representing the yard area. You do have the site plan in the middle, which city code for the front yard setback requires 30 feet from the front property line to the front part of the home, and then that area becomes your front yard area. So on this site plan, they are far beyond that minimum setback that technically, their home for this property is built in their rear and side yard areas. It is this interpretation application that has been done before throughout the city, and just two examples of what you can see on the screen here. On that top image on the left, the blue circles are subject property, and then the Red Cloud is the property in question at the address listed and that's 1.8 acres. That's bigger than the subject property, but it is the recent one that staff had to deal with in terms of determining that when a new home was constructed that would place the existing home and existing buildings in the front yard. And so, it has been applied there, and it also has been applied to a property that's actually just around the corner on Dalton Farm Cove. On the right images, you'll see the subject property in blue again, and that one is in the Red Cloud.

Commissioner Catmull said I am just trying to look up in the code to confirm that the front yard was directly attached to the street the right of way, but it's not, is that what you're saying?

Planner McDonald said how lots are done today, it is different. It does need to be noted that our code is a general application of how it applies, and every property has circumstances that we do need to look at and see what is happening, because it can possibly change what does get proposed. In this particular case, their front yard actually extends to the center line of Brooklyn Lance Road, and beyond that there's 30 feet for their front yard setback area. The home is just built way back into the rear side yard of the property, meeting the requirements for a minimum home and still allowing them to do the guest house recordings with those requirements.

Commissioner Catmull said I understand when you're calculating a yard, that is something that's mostly immutable, it can't change very easily. I guess I have to go back and just verify, I wasn't aware that it was so subjective, I felt like it was a little more well defined.

Commissioner Hollist said I think you said this, but can you confirm that if this had been proposed as a 1,092 square foot ADU, you would have approved it. We would never have seen it with even in the current location, what they're requesting is the footprint, correct? I'm with Commissioner Catmull, that's a little confusing to me, just because our code tends to describe these as secondary structures tucked behind and hidden. Can anybody build in their front yard and have an ADU as long as it meets the offset from the road?

Planner McDonald said if it's outside of that front yard area. But again, that would depend on their property and what that looks like. In this case it is okay.

Commissioner Bishop said I have the same questions about the primary. I was wondering if you could remind us of what the kind of restrictions will come with this in terms of what the ADU can be used for, and if I remember correctly, the owner of the home needs to remain the primary resident. Can you review that for us?

Planner McDonald said ADUs, whether internal or guest house require owner occupancy, so the ADU permit is making it a legal guest house. An ADU is required, regardless if it's internal or not, that will run with the land. Although, it's not the owner's intent right now, they are going through the legal process to have it be legal with the permits for that. They could market it as that, or they could sell it for that, so when that time comes around, the architectural compatibility will match the home, which is requirement for guest houses. It can be rented long term, longer than 30 calendar days is for an ADU, it cannot be rented short term, less than 30 calendar days, then they're in violation. They will actually have recorded the necessary ADU Affidavit against the property of the county that is going on record, and putting notes on the property that they are agreeing to all the rules and ordinances as they exist now. They will make the effort to understand those changes and how to they would have to potentially make more changes, or how that would work.

Bryan Weaver (Applicant) said a little history on the property. I am the original builder from back in 1991. I've been there the entire time. We've raised our family here and it is our intentions

right now to continue doing so. When we built this home, you'll see I don't know if you have it on there or what, but the homes to the south of me, because of the slope of the ground, we also chose to build at the back of their acre. And so we did that at the time to be in compliance, or at least have the same appearances. Our neighbors had some of the questions you asked about on the front yard.. That was one of the first questions I asked Andrew, I very much appreciate the assistance he's given me making this decision. But, one of the first questions was, where can we build this? And so we actually have moved it a couple of times because he told me of the thing we cannot do. We are trying to do everything we can that is in compliance with all the ordinances, zoning, whatever else that goes on. Our main motivation right now is my wife's ailing mother. She is neither capable of, or wants to live in assisted living. So our proposal is for two bedroom, one bath home that we could accommodate her in. It would also provide us with a guest room. We have no intentions at this time of renting it out to unknown, non family members. The reason for exceeding the minimum footprint that is allowed, but not going over the 1,500 that's required and we'd like to have a family room. Our base room right now is 26 feet by 15 feet, and as I've got grandchildren and family that are coming along, you should see pictures from our last Christmas. All the grandkids gathered around me and we are quite packed in our little room there, so that's just strictly why we are looking for something that we can expand into. I'd be more than happy to answer any questions you may have for me.

Commissioner Catmull said one of the things that's required in the code is to match the architecture. Could you kind of walk through what you think matches?

Mr. Weaver said we're going to match the brick, shingle color, window shutters, and the wrought iron on the porch. This home will have a five foot front porch, and the main home has a five foot front porch. The pitch is all going to be the same. We're going to try to make it look like it belongs. when people drive up, I want them say, this all belongs together.

Commissioner Bevans said this rendering that you have, is that an accurate representation of what you intend for it to look like, or will it be more closely aligned with what the brick home looks like?

Mr. Weaver said it's probably going to look more like the brick home because the pitches you see on the artist rendering is a bit steeper than I would be using. I think in the requirement, I have to have the same materials.

Chair Gedge said I do want to note that we did receive one email from Mr. Ryan Hanson. Hopefully, you all had a chance to review that. It was signed the residents of Brook N Lance Lane. However, there were no associated names, Sso just for the future if you are representing the group, that he just to tell us who the individual is representing a group. So I just it to be stated that we have received that email and have had a chance to review that as part of the public record.

Chair Gedge open the public hearing.

Ryan Hansen (Resident) Email sent previously (Attachment D) and Handout (Attachment E). I sent in that email earlier. I'll read the bulk of it, but like to express opposition for the ADU proposal on Brook N Lance Lane . We moved into this area to get away from higher density, and our street is made up mostly of one acre lots, and this would change the environment and the character that we moved into. We don't want to disrupt the historic single family neighborhood and loss of open space that we'd be getting with this new house. This would also set a precedent for additional homes as mentioned earlier. There are other homes on the same street that have open space in the front yards that this would. I guess it would entice them to do the same to add additional houses. We will pick up some additional traffic, and likely end up with more cars on the streets. This could impede snow removal during the season, it would also add an additional safety concerns. I'm not sure how this would actually impact it, but it appears it would have an impact on the value of the homes that are there, because now it would be considered higher density with this. I don't know again, how it would impact taxes, but I think that that may possibly increase our tax burden on our houses that are on the street. I don't know how you police a guest house as not being used as a rental later on, after it's built. I just don't know how that would not be used as a rental, and then again, you know it could be used as a possible generation of income. I think that I don't necessarily like the idea of the rentals on the street and others being enticed to do the same. So I did make mention of that in the email I sent you, and it is on record that there are covenant restrictions on this end of Brook N Lance Lane. It was dated back in 1978 when the subdivision was put together. It does state on here on number five. I'll give you a copy of this "no dwelling shall be erected or placed on any lot having an area less than one acre" and so that was put in place. We have had neighborhood meetings, and we have reviewed these notes. I don't know the date when that last happened, but I want to say that has been roughly five to six years ago when we last met as a neighborhood and reviewed these notes, and I guess you'd say ratified them.

Michelle Evans (Resident) said my house was the last house to be built on the street, and when I built my house they had covenants of the neighborhood. They wanted to make sure that I followed them to the T and one of the things that they made us do, which made us have a very different house, is that the exterior needed to be 70% masonry. And also, that one dwelling per acre was something that was very desirable. Since I have lived and had a house there we as a neighborhood have fought and combated other people wanting to do these things, and this is very much their front yard. It's right there, and it would change the feel of the spaces of the houses on our street drastically, because it's very clear that we have these very large yards with just one dwelling on it, and it is so close to the street. I guarantee you, if you walk down our street you would say; it looks like there's two houses on this piece of property. It would really change the feel of the neighborhood. At the end of our street we already have a significant traffic problem across the street from them. There's a gal who has tried to run a business out of her home that has lots of trucks next door to them, and they have a bunch of kids. They have also mentioned that they have a bunch of kids, and it just feels like it is going to cause a lot more traffic issues. The in and out on our street is one of the main arteries getting into this neighborhood. I do feel that our neighborhood would come together and help make it so that we wouldn't have multiple changes to our covenants. we as a neighborhood have fought to keep that from happening, and it is a big concern. Who police's something like this? It's not their intent now, and I have great

respect for what they're trying to do for their ailing family. I have my mom living with me because she's 90 and ailing, so I understand that. I would be not opposed to an addition on the house itself, versus something separate that goes so against our covenants and the feel of our street and our neighborhood.

Chair Gedge closed the public hearing.

Assistant City Attorney Greg Simonsen mentioned code 17.130.030.020 (e) (Attachment F) This is an unusual situation, it's an unusual statute, and so with your permission, I want to make a few comments about the statute that you're dealing with and the standards by which you can make a decision tonight. First of all, the comments that have been made about the private covenants, they may all be true or not true, but that's not the domain of this planning commission. Private covenants between adjoining landowners need to be enforced among themselves. All we are doing is evaluating whether this is permissible under city ordinance. I would like to take a moment because of the language and so many administrative hearings that you have, you have very little to discuss, very little discretion at all. And here it seems like the door has been left open with virtually no guidance. I would like to just make some comments on that if you wouldn't mind. I'm going to just read from the ordinance itself. I was quite surprised when I read it. A guest house maximum size in 17.130.030.020 sub part (E), in all cases, a guest house shall remain subordinate and incidental to the primary dwelling. So even if you make a decision which that statute says that you may have some discretion on your first consideration, is this guest house subordinate? And it's not something that's going to dominate over the primary house that's been built. So then it goes on, no guest house shall have more than three bedrooms. The floor space of the guest house shall comprise no more than 35% of the living area of the primary dwelling, or be greater than 1,105 square feet, whichever is less. Now most of the time our ordinances just ends there, and that's it. As Andrew said in his really good presentation, it says; the only reason you're here is that the application exceeds the maximum floor area for guest house ADUs, so if it didn't do that, it wouldn't even be here tonight. And then it says this, which is pretty astounding, unless, in the opinion of the planning commission, a greater amount of floor area is warranted, it doesn't give you any guidance at all on determining whether it is warranted or not. Now, in the event an attorney gets challenged and goes to court to determine if it's warranted, you've got to give me something to work with. You've got to tell me why in your opinion it is warranted. What evidence has been presented tonight that makes you believe that the 400 or so square feet is warranted. What I'll also tell you is that you can't, and I think you know this from all our trainings, but you can't be arbitrary and capricious about it. Let me give you some examples that are so obvious to you, you'll think, why is he even bringing this up. But he's lived in the neighborhood for a long time. Okay, that's wonderful, we're grateful to have citizens who have lived in this area for a long time, but is that really evidence on whether this ADU is warranted? I'll leave the final determination on that for yourself to decide if it is warranted that we want to have all the family come gather around in the family room? I leave that to you whether that is something that's arbitrary, capricious. I think the things that the courts are going to support or not support if it gets challenged are the kinds of things that are brought up by Andrew in his staff report. The size of the lot is certainly something that may enter into your consideration. The determination of I think that is 400 feet. I mean, again, the reason you're here is 400 feet, and is the 400 feet going to change the character of the neighborhood. Because if he

wants to reduce it by 400 feet and redo his application and come back, you won't even see it, it will just get built. So you want to consider whether the 400 feet is going to change the character of the neighborhood. I hope you don't mind me talking about that statute, but it's so unusual.

Chair Gedge said Mr. Simonson is our Deputy City Attorney and he is assigned to the planning commission. He's an expert in these areas, so we've been counseled by our council on how we should move forward. Thank you, Mr. Simonson for that.

Chair Gedge said I've only talked once tonight about traffic. I mean, this is probably the very lowest level of road, but what is our lowest level status of this road? And potentially, with the ADU, how many additional vehicular trips, trips per day, or peak times, do we have that info?

Assistant City Engineer Nielson said the most recent count we did was about 500 average daily traffic, which is very low residential street volume. So, that would be considered a level of service (B) and we try to stay above a level of service (D) to give you kind of an idea, on the scale, for a dwelling unit like this, you'll add a max of about 10 trips a day statistically, on the average, so it would still remain a level of service (B) with this single change, I don't see it really impacting traffic.

Commissioner Catmull said I'm looking at code 1740.20 in the zone for yard requirements and it's saying that the location accessory buildings may not be located between the front building line of a main building, and the right of way that determines the front yard area. So what is the front yard? what is the right of way that determines the front yard area on this house.

Planner McDonald said for this property, it is Brook N Lance Lane.

Commissioner Catmull said so would the front then be where the building is proposed to be built?

Planner McDonald said the building the minimum setback area between the building and the front yard line constitutes your front yard area, which is a minimum of 30 feet. Because the building exceeds that by more than 62 according to the site plan, it's not in their front yard area. This shows this site plan right here, and on the top left shows your setbacks to the property lines with Brook and Lance being on the right side of the screen and Corey Road on the top. The 62 that you're seeing here is from the building to the curb of the sidewalk that's on Brook N Lance Lane. The applicant's property technically extends beyond that another 18 feet to the center line of the road. It is still their property and the property line used to determine the front yard setback, even though there may be a road going through that it is their front yard area according to that minimum setback distance between that.

Commissioner Catmull said I guess what I am trying to figure out, as it says "that the right of way" so Brook N Lance Lane dictates what the front of the building is between the front of the building? I feel like what that's in conjuring up in my head is that the front of the building would be what we are seeing on this picture is the east part of the main building is the front of the

building that goes towards the right of way that defines the yard area, which would be broken lands. Now, that's not what it looks like if you were to take a picture of the house for marketing, but I'm trying to think of it from that perspective. I don't think that it necessarily has to stop this, because I could be wrong, but there might be other ways to interpret this. But, as I look at the code I'm having a hard time reconciling with the way it's been presented, that the front of the house is this is where I'm seeing the RV and the driveway, versus anything else I've seen as a commissioner, so could someone help me understand that?

Planner Schindler said I am looking at the same section of code that you talked about, and it does say that the location of accessory buildings, and this is considered an accessory building. It may not be located between the front build line of a main building, so that's the front right across their front door, front building line of their house. The right of way that determines the front yard area is Brook N Lance Lane. If I was interpreting it, I would say no, they cannot build between the building and Brook N Lance Lane. But I'm not the one who officially is the interpreter of the code. It would be Brian Preece, it was the previous director who signed it, I don't know if the previous director Steve had any input about this or not.

Chair Gedge said if that's the case, just how we're thinking that even if it was to reduce to the 35% it still would not be allowed administratively, because of our concern of its location and it is an accessory building.

Commissioner Hollist said I want to know if I'm being asked to only consider the one variance. If there's a second one, I would immediately move that we table so that it can be sorted out.

Planner McDonald said so there wasn't the interpretation of code, it does follow the Director of our Department at the time, that was Steve Schaefermeyer, consulting with him on this property. That was the interpretation that's been expressed in staff's presentation for the building, is not in what code would consider the front yard area, although it looks like it is the front yard area.

Chair Gedge said I guess the recommendation of the staff report of someone who is no longer with the city, I'm thinking maybe we should table just to get clarity on that. Because, like what Commissioner Hollist just said, not just one variance, when we get considering it might be two variances, and that's a precedent for other ADUs in this type of situation, just not the footprint being exceeded, but the location as secondary. If we were pushed to a vote tonight, I think we'd have to deny, because I don't think this could be defended in court by our legal counsel.

Commissioner Hollist said at the very least, we would need it documented exactly what and how staff determined this.

Chair Gedge said I would hate to also push the applicant back to our next meeting or just a meeting after that, but I think we need that clarity to be able to make a thoughtful decision.

Commissioner Bishop said I agree, that makes sense.

Commissioner Bevans said my thought process basically, is obviously Andrew and Steve Schaefermeyer reviewed this. Mr. Schaefermeyer was the Director of Planning when this came in and was reviewed and approved. So, I take it that as city staff has approved it and going back through it, we haven't been asked to consider that. We've only been asked to consider the footprint size. So I would be opposed to tabling something we're not being asked to consider.

Commissioner Bishop said for the benefit of the public that's here. I'm the second newest member of this commission, so I I'm still trying to understand how things work. But, I have understood our role described previously as, like the QA process for the planning process of the city. So I feel like the issue that Commissioner Catmull brought up is a good catch and having brought that up, it seems like something we should consider, but it seems like a legal question. It doesn't seem like something we should be trying to answer, but having said that concerns me with regards to the 402 square feet, I did the math with 1.11 acres. That's .8 and is 3% more square foot that they're asking for, given the sizes of the acres of the acreage and the smallness of the homes. As it was pointed out in the staff report and and the relative small size compared to the lot as a whole, I would be in favor of a positive vote on this with respect to that part of the question.

Commissioner Bevans said can we go and bring up the page where it shows from Brook N, Lance Lane, I think it's to the northeast or northwest. So with all of the fun we've had with fences on front yards, is Brook N Lance a collector, or is it a residential road?

Planner Schindler said it's a residential road.

Commissioner Bevans said I am assuming that this would be considered out of compliance with code, and if they were to build this ADU, would they be required to come into compliance on the fencing on the property? That ordinance was denied by the city council. I know you worked hard on that, but where that was denied and this is actually out of compliance with city code, would they be required to bring it into code if they were to get approval on this ADU since they're doing alterations to the property.

Assitant City Attorney Simonson said n my opinion, there's no way to answer that. But this fence in my view was built at some time in the past, and it could have been been very well built at the time, and in a way it was allowed at the time.

Commissioner Bevans said regardless of the front yard in question here, we talked about the 402 square feet and making our approval contingent on specific warranted items. If we were to require them to go down to the 35% which was 1,092 square feet, because they're only at 9% lot coverage, then could they not just build a second building and not come back before us?

Commissioner Hollist said the city staff decided yes, it was acceptable.

Commissioner Bevans said I have kind of already vocalized my opinion on this. I don't have any issue with approving this. I think they have plenty of information provided. Obviously, it's a large lot size. It's an older home, so most newer homes that have been built this size would not be

an issue. That would have just been approved on most newer homes due to the the percentage. And then obviously, the fact that they could just put two buildings on the lot. I'd rather see one and make it a nice building, rather than force people into building multiple buildings.

Commissioner Harding said I have nothing to add. I am in agreeance of the variance that they're requesting.

Commissioner Catmull said I think when we consider similar size properties, and what we've approved, and what feels it could be compatible, the square footage is not of a concern to me. My concerns obviously, are what is in the front yard and whether we're compliant with South Jordan ordinances. As we say in almost every motion, it has to be in compliance with all the ordinances, I recognize that we might consider what was done in the past. So, I think what I lack is what was the front yard determined to be when this house was built? When I look at it from the homeowners perspective, I can see the front yard being where the driveway is. When I look at it from a neighbor's perspective, the front yard would be expected to be along that right of way, and putting something that doesn't match the neighborhood, I could see where that would be an issue. I think there's ways to accommodate that, there might be ways to screen that, but I am uncomfortable with what's been presented. Where the front line, front yard really is and was determined, and whether that can stay as a non conforming use. I don't understand that part, but that's the part that I would like to know more about. And then the architecture I'd like to see more if that goes forward. I would like to see more brick on there to match, because all the brick seems to be hidden by the landscaping, and it does seem to me to be incompatible with with the neighborhood in that way. Especially, if it's going to be out there so visible in the street, by the street.

Commissioner Hollist said if I'm looking at this from the perspective of we've had staff sign off on what the front yard is, and they've told us that this is compliant in the location that it's in. The only exception we're making is on the footprint, then I could justify making the exception on the extra 400 square feet due to the following the size of the lot. This is a significantly larger lot than we are often looking at when we are being asked to approve a guest house. It has clear off the street parking available. There is a concrete pad that's marked as uncovered parking. This is significantly more than a concrete pad that's marked as uncovered parking. This is significantly more than we typically see in similar applications. I appreciate that the height is less than the main building, and that plays into ensuring that this building is subordinate to the main building structure. The fact that the original home has had a garage added, and even though that does not count in the footprint calculations for determining what's allowed. It does, again play into that making this building that's being proposed still feel subordinate to the main house because those garages are attached. It actually increases the total footprint. I did the quick calculations to 4,800 square feet, which, again, I know is not how our ordinance calculates it, but it does give that primary dwelling a larger feel. I really appreciate that they are still within that second 1,500 square foot limit. Often we're being asked to make an exception to that because there is a bigger house, and they're saying we're only going up to 35 square feet, even though that's 2,500 feet in their guest house. I especially appreciate that this is truly obviously just a guest house with no potential for a bunch of extra storage or other vague uses that might eventually be lumped into it.

It feels authentic, for lack of a better word, It feels clear cut of what it is, and what it will always be.

Chair Gedge said I echo almost everything you said. The one question of course is the placement of the lot. Of course, as Mr. Catmull said, most of our motions require the statement of it meets all provisions of South Jordan Municipal Code and other city ordinances. I think if that's determined after we make a motion tonight, or if we were to table this motion subsequently, that can be determined outside, because obviously, as we discussed, city staff has determined that this is allowable under their interpretation. And obviously, before a building permit could be issued, depending on whatever they would have to determine if all other city ordinances and city code has been satisfied. I am in favor of approving with the language that all other city ordinances and city codes are satisfied, because if it's not, then they can't build, that's the end of story.

Commissioner Hollist said the applicant indicated it and so did the staff report. This applicant has worked with our staff and moved their location several times to be compliant with what they've told is required.

Commissioner Catmull said I think I could go forward with the approval as stipulated, knowing that there have been people who spoke against this. They're aware, everyone is here for, or against it and is aware of some of the discussion. The city staff is aware, and I think that could be sorted out afterwards. We just need to understand that it is a potential risk and needs clarity, but it is not the key question tonight, and so with from that vantage point, I could be open to passing and voting in the affirmative for this.

Commissioner Hollist motioned to approve File No. PLADU202500099, based on the findings, include conclusions listed in the staff report, as well as the findings of the planning commission. And discussion this evening, subject to meeting all city code and ordinances, with the exception of the planning commission approving the additional 402 square feet. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

I. LEGISLATIVE PUBLIC HEARINGS

I.1. DRINKING WATER SOURCE PROTECTION CODE TEXT AMENDMENT

File No: PLZTA202400255

Applicant: Jordan Valley Water Conservancy District

Commissioner Harding motioned to take a 5 min recess. Chair Gedge seconded the motion.

Chair Gedge resumed the meeting.

Planner Joe Moss reviewed background information from the staff report (Attachment G)

Chair Gedge said with the state change of fluoride removal from water, and we're talking well water. Would that have any impact with the dental office? Because I think the source of fluoride in the future would come from a dental office.

Planner Moss said yes. The applicant has a memo that they've submitted with their reasoning for the proposed changes, and the primary concern with dental offices is generally amalgam, which is used in those old silver fillings and that contains mercury. And so their justification for the change is there's been some change in EPA regulations to require water filtration systems in dentist offices. That changed in 2020, our current ordinance dates from 2010 and so they they're more comfortable with that particular use in Zone One. However, it is still generally shown as a prohibited use in all of the comparable ordinances that we have checked.

Commissioner Harding said you have an asterisk two or so screens back, but I didn't see what it was referencing.

Planner Moss said that was the one where I wanted to point out the it was resolving a conflict. So it has in our current ordinance, it's listed as both prohibited and restricted, depending on which line you looked at. This would just clarify that it's a restricted use in zone two for those golf courses. So those are all the proposed changes that they're asking for in the amendments. I think the city's primary concern is the four uses, particularly in zone one, which are more permissible than other jurisdictions. We want to make sure that we are not pulling ourselves further out of alignment with the county and other regional authorities that way. To our knowledge, we're the only city that the applicant is going through on this particular request. This ordinance hasn't been updated since 2010 when it was initially adopted. There may be a reason for adopting some of these changes and things. However, I think we would come to it from a place where we would like to see this happen at a larger, more holistic update with other jurisdictions, and we have concerns about being the only municipality with kind of eased restrictions on these particular uses in zone one. And so for that reason, we are not recommending approval of this request.

Commissioner Bishop said my first question is looking at the pure sojo website, and it says that currently South Jordan imports 100% percent of its water, having no local water source of our own, just curious about the map with the wells.

Planner Moss said we do have some underground aquifers that have well heads. Jordan Valley uses those in addition to other water sources, and we sort of buy it back from them. I can let them speak a little bit more to their distribution system, but because those well heads are located within South Jordan, that's why we were asked back in 2010 when Jordan Valley came to us and said, Hey, can we help protect these assets? And we said, Yes, and that's how the current water source protection ordinance came.

Commissioner Bishop said my other question was regarding what's it called with the different zones. Zone one is 100 feet, and then the other are in terms of the amount of time that pollutant would impact our water supply. I guess it seems like that amount of time basically dictates how long we have to detect issues and how long we have to mediate them. If we detect them right with zone one, it seems like the assumption is, there is no time given there. It seems like it's essentially immediate. Is that a fair understanding?

Planner Moss said I think that zone one is obviously the most sensitive and would have a more immediate impact. It doesn't mean that there's necessarily no time at all to react to something, but it would have a much more acute effect than something further out.

Commissioner Bevans said when we're talking about restricted and how we can look at it. In their memorandum, it talks about how we can only consider something in a restricted zone once Jordan Valley Water Conservancy has signed off and the health department has signed off on that use, and then South Jordan could consider the use. But, if either of those two entities say no, then it's just, we have no say. Is that correct?

Planner Moss said if something's listed as prohibited, it's just a no go. There's no opportunity to allow that use in that particular location. If something's listed as restricted, it would need to go through those approvals in order to be allowed.

Commissioner Bevans said so those two have to happen before South Jordan can do anything with it.

Planner Moss said it would be part of that development application when that comes in to review that process.

Commissioner Catmull said are we very aware of any development applications that have been turned away recently because of their current designation?

Planner Moss said as far as I'm aware? No, this isn't something that we run up a lot against. I mean, those areas within 100 feet of a well head are pretty limited. And, you know, sometimes they're well fenced off and kind of more isolated on their own. So we're just looking forward to potential future development applications and what that would mean for what uses could be allowed there.

Commissioner Catmull said First of all, I love that map. Can we go back to that map real quick with the radiuses? Okay, so most of the areas in consideration are developed. It looks like mainly, the one in Daybreak.

Planner Moss said yeah, that's a Kennecott facility, and they generally have the ownership of all that land around it too, right?

Commissioner Catmull said I guess what I'm saying is that a lot of the areas that are covered today by the wellheads described here are all currently developed areas of the city.

Planner Moss said I think the main exception would be the intersection of Temple Drive and Shields Lane, but yeah, for the most part, they are largely currently developed.

Commissioner Hollist said so two of the wells that you show are technically in West Jordan. Do their restrictions govern what happens on South Jordan side, or do we still just comply with what the zone is for that? Or do we even recognize those.

Planner Moss said we recognize any of those wells that have area within our city. So what happens on the other side of the border from West Jordan is up to them to protect with their ordinances. Theirs are structured a little bit differently than ours, which is why I didn't include them in those comparison tables. However, any part of that like the zone for that blue area that kind of hangs over, for instance, in those two we would still enforce our ordinance in those areas,.

Commissioner Hollist said if they were more restrictive, would we comply with a request to be as restrictive as their ordinances?

Planner Moss said no, it would fall to whatever jurisdiction that particular parcel is in for what regulations are applicable.

Commissioner Hollist said so it's very clear what the proposed ordinance is compared to what are on our books. I wasn't completely certain what's going on with Salt Lake County. So the orange box indicates that Salt Lake County's current ordinance is more restrictive than what they're proposing.

Planner Moss said yes, so currently an apiary would not be an allowed use in zone one. The applicant has submitted some in their affidavit of reasonings for what that restriction would be, primarily that there's not a generally big definition of what an apiary is. Is that one beehive or is that 300 beehives? So they think that there's a reasoning to allow those on a case by case basis, depending on size. And I'll let them speak a little bit more to that.

Commissioner Hollist said all right. And then piggybacking on what Commissioner Bevin said, what would be the approval steps? Would South Jordan have a say if it cleared the county and the Health Department?

Planner Moss said in our ordinance, it spells out those approval authorities, and it is the Health Department, and it is the Water Conservancy District.

Commissioner Hollist said but with South Jordan's ordinances, if more restrictive still.

Planner Moss said if it was not allowed per our ordinance, if it's listed as prohibited, that would automatically not require any review, and we would just say it's not allowed.

Commissioner Hollist said can you give us specifics about what is triggering this, they gave a memorandum, but it didn't specifically state just they're aware of.

Planner Moss said I know that they've been working on some real estate transactions and things which kind of brought some of this to light. We adopted this in 2010 and it hasn't really been updated since, so there could definitely be some legitimate reasons for needing to update that as times have changed since 2010. Again, where we're coming from is we want to make sure that we're bringing our ordinance closer into alignment with the county.

Commissioner Bevans said we were talking about Salt Lake County and where those would apply. Obviously, there's lots of municipalities within Salt Lake County. Would that just apply to areas that are unincorporated Salt Lake County and not part of a municipality? Or are there cities that are all part of that grouping.

Planner Moss said so it depends on city to city. Like I said, if we didn't have our own ordinance, ours would default to the county. So there could be other cities out there without their own that they are defaulting to the county regulation. I just kind of went through the ones within Jordan Valley's service district and saw if they had a ordinance similar to ours, and went from there with my evaluations.

Chair Gedge said would any neighboring cities of South Jordan be on that list where they don't have their own municipal ordinance to default to Salt Lake County.

Shane Swinson (Chief Engineer at Jordan Valley Water Conservancy District) said so I've been employed there for 24 years. I am very familiar with all the questions you're asking, which are very good questions. We are the primary water provider for South Jordan City. They're one of our member agencies. We have a great working relationship with the city, which, no matter what decisions are made tonight or at the council meeting, that relationship will stay the same. We are just here to provide a service, and so that's what we're doing. So other than that, I think Joe presented well, so I'd just be open to your questions you may have.

Commissioner Catmull said thank you for the opportunity to ask questions. Why South Jordan? So why leading with South Jordan to make more detailed changes than have been made recently or made made now?

Mr. Swinson said so these ordinances have been around for South Jordan since 2010 but even before that, Salt Lake County probably had the model ordinance that most of the cities followed during that time. I have not seen any other requests similar to this one. There's a piece of property at shields lane and temple drive. This property we purchased in the early 2000's we constructed the well on there by 2010 and then there was a house there that we removed. The other properties were owned by Questar, and then there's another piece of property. We've been approached multiple times about selling a portion of our property, or accepting our property, an easement on our property, and using our property to do different developments they have never worked out, which is fine with us. We're not looking to make money. We're a government entity. We just want to do whatever is best for South Jordan or the residents in that area. So that's that's fine with us, whether you approve it or not. We're just looking to make an opportunity there that that we feel good looking at as the water source provider. And that controls can be put in place, or restrictions that could make it safe, they keep the groundwater safe. I would like to just clarify on those zones, it isn't the transportation of contaminants, it's the transportation of water. So even though that's how long it takes the water to get there. The contaminant would till have to reach the water then travel in that. So, with that 100 foot zone there are, it's just not like if you put a contaminant there, and it's not going to go in the well. We do casing and we seal it and there's the aquifer. Is a confined aquifer. It means there's a clay layer, so to get to the water is very difficult, and there's other precautions there. But with that in mind, we still want to be very aware of

what's in that 100 foot zone, the 250 zone, and then the three year and 15 year zone. So as as we looked at these items were presented tonight, we recommending moving them from prohibited to restrictive. And what restrictive means is it doesn't mean we're just going to allow it, it means it gives us the opportunity to look at and give South Jordan City the opportunity to look at it, and it gives the Department of Health an opportunity to look at it. And then we decide if the controls they're putting in place are good. So, that's basically the way we look at it.

Commissioner Catmull said so as you look at the uses as they're defined, and thank you for cleaning up some of those areas. I think, as is rightly been described, things change over time. How do you detect emerging like contaminant patterns or those sorts of things? So dentistry, I think I heard the EPA was kind of leading that charge and saying the EPA now required, if you're going to use the amalgam.

Mr. Swinson said normally, this is the first one that's come up in my 20 years. But with this, the EPA has now required dental offices. This is a new change. Since when we put out these ordinances, they're requiring dental offices to have amalgam separators. Which means that amalgam goes straight into that separator, and there's no chance that it's ever going to get in the groundwater or even in the soil. So that's a precaution they put in place. My guess is most ordinances are not looking at that. It's not worth their time, really, it wouldn't be worth our time to go all around the valley and make all these changes. We're only going to make the changes when someone asks us to and to, so to tell you the truth, these changes actually would create more work for us, because now we have to review it instead of just saying it's going to go away.

Commissioner Bishop said if a pollutant was to get in the soil, how would it be detected?

Mr. Swinson said we wouldn't detect it until we started pulling it out of the water. There's no other way to do that. That's why, when we construct a well, we go through a process where we identify all the potential contaminants. And that's why these ordinances are so important, is because if there's one of these facilities within those zones that's supposed to control it, as you can imagine we don't always do a great job of when something comes in. The cities aren't always aware that there's this ordinance, or they're not aware of what it is. And so sometimes they may allow something that's not allowed, but typically, we try to identify and are just aware of what's there. And then when we test our wells all the time, and so that's when we would notice if there was an issue, and it's doesn't come up often. I know previously, like dry cleaners used to be a big issue. Fuel stations leaking, fuel tanks, and they're always like I said, they're developing better controls to control those type of things.

Chair Gedge said just to follow up on that, on your wells where you have the 100 feet zone, the general property that you own around these wells, is it generally 100 foot buffer, or is it smaller or greater.

Mr. Swinson said with a confined aquifer with what we call a grout seal, where the top of the well is sealed, it's 100 feet. If it were an unconfined aquifer, which means there's nothing preventing the contaminant from reaching the water, it could just infiltrate through the soil, that it's a much greater, I think it's 1000 feet. Most of our wells are of the confined top type. And so

that 100 foot is something that's practiced across the nation. It's required of the state that's well defined within that 100 feet. They really want you to be cautious of what can be in there.

Commissioner Bevans said do you happen to know how many Water Conservancy Districts there are in Salt Lake County,

Mr. Swinson said Jordan Valley Water Conservancy District is the major provider of most of the valley. There's Metropolitan Water District of Salt Lake and Sandy. They serve Salt Lake City Sandy and a lot of the neighborhoods on the east side. This does not mean that we provide water to everybody in the valley. A lot of municipalities have their own sources. So such as Murray city supplies their own water. We do supply some of the residential areas outside of them, but so they're really only two larger wholesale providers. But then there's other smaller improvement districts that provide water, and municipalities that provide water.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Chair Gedge said when is this tentatively scheduled to be heard by the Council.

Planner Moss said it will be on the second City Council Meeting in June.

Chair Gedge said I appreciate staff's report, and it is changes. However, we haven't updated our order since 2010 and there's been a lot changing in the world in 15 years, so I think it's probably good time to update. And obviously very familiar with the property that's been discussed on Temple Drive and Shields Lane. That was our family farm, and that's where I drew my water. So very familiar with that well. So I would like to see that develop as well. I'm in favor of actually recommending this to city council as with a positive recommendation to do something with the property. We've had Council direction on what they want to do with that property, so it also just needs to update the ordinance as well. It's been too long. Maybe we need to undo some things. But the applicant mentioned that there is a process, that doesn't mean it's allowed, it's restricted. So there's just a pathway to apply for that, and there's the various levels with Conservancy District, and the Health Department, and I'll fit us whatever that mechanism is.

Commissioner Harding said I agree that it's time for some reevaluation. I also like the idea of allowing people to review things, so instead of just prohibited, more of a restricted.

Commissioner Catmull said I think recognizing the staff's concerns of being first, I feel like they've answered why they're kind of leading with us. When I look at the well and what we're talking about, most of it's already developed. I think it's a low incident that will overlap. And I like that everything in Zone One is still, as far as if I read the charts right, restricted is still restricted or prohibited. And so that means there's eyes on that and zone two, I think the only thing I'm seeing that's allowed in zone two without review or the extra scrutiny of dry cleaners without chemicals, which feels like that could be low risk to me. My only comment, I would say, for the City Council, would be if we're relying on federal regulations to justify an easing of this, just to be careful, because those can change, seemingly on a dime.

Commissioner Hollist said I agree with what Commissioner Catmull said, calling out that nothing is now allowed in Zone One without at least a review. I do agree with staff, though, that I like consistency. I would recommend approval if council would review specifically the items that would be less restrictive than like the Salt Lake County ordinances. So to review those items that are not consistent.

Commissioner Bevans said this doesn't happen very often that I'm like opposite of most. I don't have an issue with what the actual ordinances are changing necessarily, but I do agree with staff that it's a little bit disconcerting that we're the only ones doing this and it's not lining up with what the rest of the county is doing. So I am probably more along the lines of a no on this.

Commissioner Bishop said I know this is out of the scope of what we're considering this evening, but if consistency with the county is what we're interested in, and it's what we would get if we didn't have our own ordinance. I'm just wondering what the point of having our own ordinance is. I trust our staff quite a bit, but listening this evening, my thought was the same, this seems okay with me. I'm leaning towards a positive recommendation for these changes.

Commissioner Hollist said I do think it's appropriate to adopt the policies of the government at the higher level, but then to retain the ability to make ours more restrictive. And so I agree, I think it's okay to still have that. But again, like to review line by line where we're not consistent with Salt Lake County, or where this is not consistent with Salt Lake County to adopt the more restrictive I do think our water is a precious resource.

Commissioner Hollist said I move that the Planning Commission provides a positive recommendation to approve what's been presented this evening with the recommended modification to review items that are not consistent with Salt Lake County code and maintain the most restrictive option. Commissioner Gedge seconded the motion. Roll Call Vote was 6-1 with Commissioner Bevans voting No.

I.2. MASON HOME ZONE CHANGE

Address: 2511 W. 10950 S.

File No: PLZBA202500090

Applicant: Robbie Pope, LRPope Engineering

Planner Drozdek reviewed background information on this item from the staff report (Attachment H)

Chair Gedge said I know in the last couple years we've seen a lot of applications on 10950 south, a lot of them for accessory units, which I'm looking at in the picture right here. Is this proposed application property one of those applications we've seen the past, or is this an original?

Planner Drozdek said yes, it was.

Chair Gedge said in those previous applications before us, was this zoning not caught? Or was this an additional building besides what we had previously.

Planner Drozdek said it was not caught. So this was approved in 2021. It had a conditional use permit issued for the large, 6000 square foot accessory building.

Commissioner Hollist said is a building permit required for a shed this size?

Planner Drozdek said yes.

Commissioner Hollist said how do these smaller lots come into occurrence in the five?

Planner Drozdek said my guess is it's a remnant zoning from times way back.

Commissioner Bevans said I think we saw another one on this exact street for this exact same issue, where the building they wanted to build was not in code, so we rezoned that one.

Commissioner Catmull said I do like how we're including lot coverage and the calculations into this. I think that will help prevent something like this in the future. So I like that as a standard process.

Greg Mason (Applicant) said when I bought the house 10 years ago, there was a number of other structures that were on the property, just little hodgepodge things, and I always didn't like them. So when I got the permit to build my big garage, I have a collection of vintage cars, and a couple other things that I keep in there. I thought, perfect, I've got enough room here. I've got a shed that's 125 X 50. But, one day my 1970 Challenger RT, very rare car had a big old ding on it that my little five year old boy leaned his bike up against it and it hit it. So I'm like, I can't leave their bikes in there. So I tore down a few other kind of hodgepodge buildings that were there before I owned the home, and I built that structure that you can't even see if you look at the garage from the road. I was at my expense, I bricked the front of it, took the siding off it, it was built in sometime in the 1990s. My home was built in the 1960s. It's really small, I don't have room to store things. So I built this shed to put my lawnmower and my families bikes in there so that they don't ruin my cars. I didn't want to rezone, I was hoping I could come and have a conversation and say, I am 1,187 feet over. I'm on 42,000 square feet. So that's where I am in this predicament. The building will match my building, and the white brick that's on it, and then all the other buildings I was gonna get rid of the other things that are on there. They're not buildings, they are called dog houses. When we go to a job, I lift them up with a crane and I set them on a trailer, and they go to an oil field in Wyoming or wherever. Then we use them so that people can't break into them, so they're movable, they're trailers and other things like that. So anyway, I was hoping that you could hear all this, and I don't have to rezone. Meanwhile, my building is still sitting there with the Tyvek on it so I thought, well, if I just do a couple of smaller sheds, but I want it to be a little bit nicer than that.

Chair Gedge said you know a few years ago, we did approve the larger building, but that was for what you just mentioned a storage of your private vehicles. There is no home occupied auto mechanic and no business occurring, I asked this of all applications.

Mr. Mason said I'm a contractor, so I wish I could bring the lot to my house. It would get a lot easier for me. But no, I store things inside a building, so it's not in front of the house, so no one can see it, and plus, it keeps my investment nice, right?

Commissioner Hollist said were you unaware that you needed a permit for a shed that size?

Mr. Mason said I honestly thought it was 200sq ft, and It's 400 square feet.

Commissioner Hollist said so that's all you're building is a 400 square foot shed?

Mr. Mason said it's like 418sq.ft.

Chair Gedge opened the Public Hearing to comments. There were none. He closed the Public Hearing.

Commissioner Hollist said I'm just gonna say this out loud, and this is maybe for our learning. I don't know how I voted on this, but when I see something that big, and what the applicant said earlier, I have to imagine that. We thought it was going to consolidate a whole bunch of little sheds and that we said, okay, this is an improvement for that particular reason. So I find it a little disheartening to now see additional sheds going up. So that's not what's in front of us. I just wanted to ask to see if we had added any sort of mitigation to approving something that size.

Commissioner Hollist said I move that the planning commission recommend that the city council approve ordinance number 2025-04Z approving the zone change as presented this evening, from a five to R 1.8. Chair Gedge seconded the motion. Roll Call Vote was 6-0 unanimous in favor.

J. OTHER BUSINESS

J.1. Planning Commission Discussion regarding Commission Rules for 2025.

The Planning Commission discussed the Commission Rules for 2025.

ADJOURNMENT

Commissioner Bevans motioned to adjourn. Chair Gedge seconded the motion.

The Planning Commission Meeting adjourned at 9:36 p.m.