

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
July 6, 2015**

Chairman Clark Jones called the duly posted public meeting of the Planning and Zoning Commission to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Barbara Underwood, Clark Jones, Dan Jaeger, James Scheidt, Jennifer Smith, and Lori Meyers.

ABSENT: Eric Martindale

STAFF PRESENT: Sheila DeSchaaf, Planning & Development Director, Doni Wilbanks, Planning Specialist, Trever Fleetham, Planning Technician, Bobby Davis, Economic Development Specialist, Hector Figueuroa, Town Attorney, and Chris Floyd, Executive Assistant.

A. APPROVAL OF MINUTES

1. Public Meeting 6-1-15 Pages 1-5

The minutes were approved as submitted.

- B. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.**

There were no public comments.

C. SCHEDULED HEARING(S)

1. S14-002 Preliminary Plat Extension
Filed by: TTLC Timber Ridge, LLC, property owner; True Life Communitites, LLC (dba True Life Companies), applicant; Aidan Barry agent
Location: 300 West Rumsey Drive

Purpose: To subdivide a 26.8 acre property into 150 residential units and 17 tracts.

Sheila DeSchaaf, Planning and Development Director, summarized the request for a six (6) month extension for the Timber Ridge subdivision preliminary plat.

Commissioner Scheidt asked for a progress report to date. Mr. Barry stated they were just finishing the requirements for the Sanitary District and should be submitting the final plat to the Town within a couple of weeks.

Motion: To approve the plat extension for S14-002, filed by TTLC Timber Ridge, LLC, property owner; True Life Communities, LLC (dba True Life Companies), as submitted.

Moved by Barbara Underwood, seconded by James Scheidt.

Vote: Motion carried 6 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, James Scheidt, Jennifer Smith, and Lori Meyers.

Absent: Eric Martindale.

2. CUP15-005 Conditional Use Permit

Filed by: Kenneth Plunkett, property owner; Amy Hibbard Plunkett and Kenneth Plunkett, applicant(s)

Location: 503 East McKamey Street

Purpose: To allow a level two home occupation (daycare).

Doni Wilbanks, Planning Specialist, summarized the staff report. Staff recommends approval with the following conditions:

1. Business shall comply with all Level Two Home Occupation requirements of UDC 154-14-007 subsections A thru G, except for subsection B (allowable locations).
2. All vehicles associated with the business, including customers and employees, shall only park in the designated parking areas as depicted on the site plan submitted/stamped 5-11-2015.
3. Vehicles shall not use any adjoining properties for parking, turn-around, or access.
4. No more than 10 children shall be cared for at the residence at any one time, and no more than 5 of those 10 children may be under the age of 2 1/2 .
5. The total number of vehicle trips per day shall not exceed the allowable twenty (20) vehicle trips per day.
6. The length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a day care use then the use permit is applicable. Change in use or additional uses may require separate approvals or a modification to this Conditional Use Permit.
7. Failure to comply with the above conditions shall be grounds for zoning

citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department. A request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

The Commission asked questions, which were answered by staff and the applicant.

Chairman Jones opened the public hearing.

Chairman Jones closed the public hearing.

Motion: To approve CUP15-005, a request for relief from 154-14-007B the allowable locations for Level Two Home Occupations in a R1 zoning district at 503 East McKamey Street subject to the conditions recommended by staff. Moved by Lori Meyers, seconded by Barbara Underwood.

Vote: Motion carried 5 - 1

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, Jennifer Smith, and Lori Meyers.

No: James Scheidt.

Absent: Eric Martindale.

3. CUP15-008 Conditional Use Permit
Filed by: Team CB Petroleum Properties, LLC
Location: 706 East Highway 260
Purpose: To allow for a carwash use and outside sales/display.

Doni Wilbanks, Planning Specialist, summarized the staff report. The staff recommends approval with the following conditions:

1. Use areas shall substantially conform to the site plan submitted/stamped 6-29-15.
2. Display areas shall not interfere with ADA accessibility.
3. Signage associated with the proposed car wash shall comply with all Town of Payson sign regulations.
4. All other Town of Payson development requirements shall be met.
5. That the length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as the car wash and outside display use at 706 East Highway 260 conforms to the above conditions, this CUP is valid. Change in uses or additional uses shall require approval through the CUP process.

The Commission asked questions, which were answered by staff and applicant.

Chairman Jones opened the public hearing.

Chairman Jones closed the public hearing.

Motion: To approve CUP15-008, a request to allow car wash and outside display uses in a C-2 zoning district at 706 East Highway 260 subject to the conditions recommended by staff.

Moved by James Scheidt, seconded by Lori Meyers.

Vote: Motion carried 6 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, James Scheidt, Jennifer Smith, and Lori Meyers.

Absent: Eric Martindale.

4. A15-003 Abandonment Request
Filed by: Town of Payson
Location: 1004 North Scenic Drive
Purpose: To abandon a portion of a drainage and public utility easement.

Sheila DeSchaaf, Planning and Development Director, summarized the staff report. She noted that there has been a request to postpone this item.

Chairman Jones opened the public hearing.

Jerry Bien-Willner, son of owner of lot 70, stated that they were opposed to this request for changing the drainage easement. It was also noted that they weren't opposed to a residence being built within the existing building envelope.

Motion: To postpone A15-003, the abandonment request at 1004 North Scenic Drive, until the August 3, 2015 meeting.

Moved by James Scheidt, seconded by Barbara Underwood.

Vote: Motion carried 6 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, James Scheidt, Jennifer Smith, and Lori Meyers.

Absent: Eric Martindale.

5. P15-006 Unified Development Code Amendment
Filed by: Town of Payson
Location: Could affect all of Payson
Purpose: To amend the Unified Development Code to create provisions pertaining to Community Garden uses.

Trever Fleetham, Planning Technician, summarized the staff report and the proposed amendment to the UDC for Community Gardens.

Commissioner Scheidt congratulated Mr. Fleetham on his effort to develop the proposed amendment to the Unified Development Code (UDC) for Community Gardens.

Chairman Jones opened the public hearing.

Chairman Jones closed the public hearing.

Motion: To recommend to the Town Council approval of P15-006, an amendment to the Unified Development Code (UDC) to include *community gardens* as a permitted use in all zoning districts as reflected in Exhibit A. Moved by Lori Meyers, seconded by James Scheidt.

Vote: Motion carried 6 - 0

Yes: Barbara Underwood, Clark Jones, Dan Jaeger, James Scheidt, Jennifer Smith, and Lori Meyers.

Absent: Eric Martindale.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Review of mobile storage container provisions

Sheila DeSchaaf, Planning and Development Director, stated that regarding items one (1) and two (2) these were going to be a presentation by staff but asked that they be postponed until the next meeting.

2. Review of temporary sign provisions

3. Discussion regarding planning and zoning meeting start time for remainder of 2015

Sheila DeSchaaf, Planning and Development Director, stated that since the calendar was set at the beginning of the year, there have been significant changes to the Commission. She noted that several Commissioners independently spoke with staff to change the start times for the meetings.

There was discussion regarding the possibility of changing the starting time for the Commission meetings.

Commissioner Smith moved, seconded by Commissioner Underwood, to move the meetings back to the original 3 p.m. start time.

Motion carried 5-1 with Commissioner Meyers casting the dissenting vote.

4. Discussion regarding possible provisions for recreational vehicle/travel trailer temporary stays on all residential lots/uses

Sheila DeSchaaf, Planning and Development Director, stated that she would be bringing potential revisions to the recreational vehicle/travel trailer provisions. She stated that it would be for possible short term stays. Staff has been querying other communities on how they handle this situation. A couple of issues to be addressed would be long term care for a caregiver and for visiting family or friends for a certain time frame.

There was discussion regarding the use of a recreational vehicle/travel trailer for temporary stays. It was suggested that the Homeowners Associations (HOA's) be contacted for input even though the Town doesn't enforce their codes and to add something for commercial properties.

E. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

F. INFORMATION TO COMMISSION (Not for Discussion)

Sheila DeSchaaf, Planning and Development Director, stated that at the last Council meeting there was an item regarding the setbacks in commercial and industrial areas. This will also be on the next Council agenda.

Also there will be a request on the next Council meeting to see if they want to consider revisions to the poultry provisions on residential lots.

Adjourned 6:04 p.m.

Clark Jones, Chairman

Approved

Chris Floyd, Executive Assistant