

## LEHI CITY PLANNING COMMISSION MEETING

Minutes from the Lehi City Planning Commission meeting held on Thursday, September 25, 2008 in the City Council Chamber.

Members Present: Carolyn Nelson, Janys Hutchings, Carolyn Player, Jason Willes, Marilyn Schiess, Vaughn Pickell, Kerry Schwartz, Derek Byrne

Members Absent: Chris Bleak - excused

Others: Dianna Webb, Kim Struthers, Noreen Edwards, Frankie Christofferson, Lorin Powell, Council member Mark Johnson

Meeting began at 7:08 p.m.

### REGULAR AGENDA

#### **3.1 LORI MARSH – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A SALON FROM HER HOME LOCATED AT 89 SOUTH 300 WEST IN AN EXISTING R-2 ZONE.**

Kim Struthers presented the request and stated that the applicant has indicated that she wouldn't have more than 1 to 2 clients per hour.

Lorin Marsh was present for the request and stated that she did have her inspection but she needs to put in a banister. She said that there is a side door clients can enter through.

*Janys Hutchings moved to approve Lori Marsh's request for a Major Home Occupation permit to operate a salon from her home located at 89 South 300 West in an existing R-2 zone contingent on her passing her inspection and finding that it fits in the City Code. Second by Carolyn Player. Motion carried unanimous.*

#### **3.2 AMANDA DAVIS – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A PHOTOGRAPHY BUSINESS FROM HER HOME LOCATED AT 1920 WEST SNOW SPRINGS DRIVE IN AN EXISTING R-1-12 ZONE.**

Kim Struthers presented the request and stated that the applicant has passed her inspection. She has indicated that she would have no more than 1 or 2 clients at one time.

Amanda Davis was present for the request and stated that she takes the pictures at her home and off site.

*Kerry Schwartz moved to grant final approval of Amanda Davis's request for a Major Home Occupation permit to operate a photography business from her home located at 1920 West Snow Springs Drive in an existing R-1-12 zone basing on it's consistency with the General Plan and contingent that the notification of neighbors was for photography. Second by Marilyn Schiess. Motion carried unanimous.*

#### **3.3 NICOLE PETERSON – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A PRESCHOOL FROM HER HOME LOCATED AT 1634 NORTH 1175 WEST IN AN EXISTING R-1-8 ZONE.**

Kim Struthers presented the request and stated that the applicant has passed her inspection.

Nicole Peterson was present of the request and stated that she would be doing outdoor activities.

Jason Willes said that in the past we have required fencing all the way around the yard.

Discussed having fencing put in.

Nicole Peterson said that they could put a gate there if they need one.

*Jason Willes moved to approve Nicole Peterson's request for a Major Home Occupation permit to operate a preschool from her home located at 1634 North 1175 West in an existing R-1-8 zone finding that it meets the requirements of Chapter 20 of the Development Code and subject to the extent that they install fencing in the area where the trailer is usually backed into their yard and also acknowledging that the perimeter of the property is already fenced. Second by Kerry Schwartz. Motion carried unanimous.*

**3.4 KERRI GRAY – REQUESTS APPROVAL OF A MAJOR HOME OCCUPATION PERMIT TO OPERATE A DAYCARE FROM HER HOME LOCATED AT 276 EAST 400 NORTH IN AN EXISTING R-1-8 ZONE.**

Kim Struthers presented the request and stated that we do have a letter from the owner of the duplex stating that she approves this use there.

Kerri Gray was present for the request and stated that it is all fenced in. She said there is a door in the carport which has a gate across it.

Carolyn Player said that the application says that there will be 8 children and our code only allows 6 children.

Kerri Gray said that she's ok with that. She said the hours would vary depending on the parents' schedules but she would guess from about 5:00 in the morning to about 6:00 at night.

*Marilyn Schiess moved to grant final approval of Kerri Gray's request for a Major Home Occupation permit to operate a daycare from her home located at 276 East 400 North in an existing R-1-8 zone contingent on her passing the state inspection and include that she follow the code that allows only 6 children including 2 of her own if they are under 4 years old. Second by Kerry Schwartz. Motion carried unanimous.*

**REGULAR AGENDA**

**4.1 DAVE S PROPERTIES – REQUESTS REVIEW AND RECOMMENDATION FOR A ZONE DISTRICT AND ZONE DISTRICT MAP AMENDMENT ON APPROXIMATELY 9 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2300 WEST MAIN STREET FROM AN A-5 TO A COMMERCIAL ZONE.**

Public Hearing opened at 7:08 p.m.

Kim Struthers presented the request and stated that this is along Main Street by the Jr. High.

Kent Buie was present for the request.

Public Hearing closed at 7:35 p.m.

*Janys Hutchings moved to recommend approval of Dave S Properties request for a Zone District and Zone District Map Amendment on approximately 9 acres of property located at approximately 2300 West Main Street from an A-5 to a Commercial zone seeing it does fit the General Plan. Second by Carolyn Player. Motion carried unanimous.*

**4.2 SPENCER CLARK – REQUESTS SITE PLAN AND CONDITIONAL USE APPROVAL FOR CLARK’S CABINET TREE, A CABINET SHOP LOCATED AT 1560 NORTH TRINNAMAN LANE IN A MIXED USE ZONE.**

Public Hearing opened at 7:08 p.m.

Kim Struthers presented the request and stated that we have actually reviewed another business in this same building – this building is divided into several units.

Spencer Clark was present for the request.

Jany's Hutchings asked if he realized that it is residential across the street and stated that she would like to restrict lumber deliveries until after 8:00 am in the morning.

Spencer Clark said that they usually don't come until about 9:00 or after.

Kelly McDonald said that she is concerned about the parking – she mentioned the problem with parking with Peterson Paint.

Spencer Clark said that they may only see 2 to 4 costumers per month. He said he has 1 truck and sometimes 1-2 employees.

Chirine Touati lives on Trinnaman Lane and asked if this is a loud business.

Spencer Clark said that there is another cabinet shop behind this and their noise drowns out our noises.

Public Hearing closed at 7:40 p.m.

*Carolyn Player moved to grant final approval of Spencer Clark's request for Site Plan and Conditional Use for Clark's Cabinet Tree, a cabinet shop located at 1560 North Trinnaman Lane in a Mixed Use zone and request that he be considerate of the neighbors having delivery hours not prior to 8:00 a.m. and include DRC comments. Second by Kerry Schwartz. Motion carried unanimous.*

**4.3 LEHI CITY – REQUESTS REVIEW AND RECOMMENDATION OF AN AMENDMENT TO THE LEHI CITY DEVELOPMENT CODE CHAPTER 26, ACCESSORY USES, BUILDING AND STRUCTURES.**

Public Hearing opened at 7:08 p.m.

Kim Struthers presented the request and said that this is a small amendment that the Building Department had asked us to work on – this would apply to all zones.

Marilyn Schiess said that her doors on hers are 14 feet but they have a fifth wheel with antenna's and they go down through the doors then pop up.

Frankie Christofferson said that it also says that the accessory building cannot take up more than 30% of the yard – so that will help limit it.

Discussed the best way to regulate the size.

Public Hearing closed at 7:55 p.m.

Discussed the height and where to measure from. Discussed 24' or whether it should say 'shall not exceed 18' in height from top of foundation to the top of wall'.

Jason Willes said that the 24 ft height restriction shouldn't go across the board. He agrees with the 30% of the yard. He said that maybe we need to look at it by area. A lot depends on the topography of the lot, the placement, etc. He suggested that we modify the code so it read that lofts or any type of residential use or living space in the accessory building is restricted or limit the square footage of the loft or storage. He is not comfortable limiting it to 24 feet across the board. He said that a lot of farm equipment is taller than that and if we restrict this across the board it will limit everyone including the farmers.

Discussed having different heights for different zones. Discussed that the agriculture may be under different regulations.

Jason Willes said that maybe we need to send it back and have staff discuss it further.

Lorin Powell said that Lynn Jorgenson went all over the place and the highest door he could find is 18 feet.

Marilyn Schiess expressed concern with how big some of the buildings can be and that they're only a foot off the property line.

Vaughn Pickell said that maybe we need to look at a larger setback according to the height of the structure.

Jason Willes said that we could run the measurement to 18 foot wall height; specifically state that the height requirement does not apply to agricultural zones (specifically A-1 or A-5) but it does apply to residential zones. Then they can do whatever with the roof pitch.

Lorin Powell said that we need to have Lynn do this. We will take him the concerns and have him here to address this.

Jason Willes said that we need to have pictures of structures of concern.

*Jason Willes moved to table Lehi City's request for an amendment to the Lehi City Development Code Chapter 26, Accessory Uses, Buildings and Structures based on the concerns expressed relative to different zoning and building heights, the percentage of the back yard being encompassed by the building and include that some research be done on the set back requirement for accessory buildings and we have also requested some photographs of problematic buildings or buildings that have caused concern in the past. Second by Janys Hutchings. Motion carried unanimous.*

## **CITY BUSINESS**

### **5.1 DISCUSSION OF LEHI CITY SIGN ORDINANCE, CHAPTER 23 OF THE LEHI CITY DEVELOPMENT CODE.**

Mark Johnson said that he has received complaints on signs on SR-92. It has gotten out of hand and it's not being enforced.

Kim Struthers showed pictures of signs that are illegal.

Discussed having Robert Marshall give the owners a call or send a letter and give them a week to get the signs down or they will be removed at their expense and to included a copy of the sign ordinance with the letter.

Discussed the draft of the Sign Ordinance. The definition of pole sign should be written so it's not a single pole.

Kim Struthers said this is a work in progress. We want to put more pictures in the ordinance. He asked the commissioners to look through this and bring back their comments. He said we would like to have it done by the end of the year.

Lorin Powell said that if we want businesses we need to have some flexibility. Are we thinking of restricting all mono poles because some of them are nice. Some businesses rely a lot on their signage alone.

Vaughn Pickell stated that Carolyn Nelson wants to add to the discussion fencing issues with the daycares and preschools.

Carolyn Nelson said that she thinks that with the preschool and daycare from earlier that our code needs to read that they have to all have a fencing requirement so that the day care and preschool mirror each other.

Recommend to staff that they make that as part of a Work Session.

Mark Johnson said that the next work session will be combined with the City Council to discuss the Mixed Use issue and what the direction of the 10<sup>th</sup> South corridor will be. The City Council needs clear definition on what the Neighborhood Commercial is all about.

Dianna Webb said that it will be here in this building at 5:30 p.m. next Thursday.

Vaughn Pickell and Janys Hutchings will not be able to attend.

**ADJOURN**

*Carolyn Player moved to adjourn. Second by Janys Hutchings. Motion carried unanimous.*

Meeting ended at 9:00 p.m.

Date Approved\_\_\_\_\_

Chairman\_\_\_\_\_

Secretary\_\_\_\_\_