



MIDVALE

In the Middle of Everything

7505 South Holden Street
Midvale, UT 84047
Phone (801) 567-7200
Fax (801) 567-0518

Midvale City
PLANNING AND ZONING COMMISSION
Minutes

27th Day of April, 2016
Council Chambers
7505 South Holden Street
Midvale, Utah 84047

COMMISSION CHAIR:

Richard Judkins

***PLANNING AND ZONING
COMMISSION VICE CHAIR:***

Kass Wallin

BOARD MEMBERS:

Allen Litster
Colleen Costello
Shane Liedtke
Don Slick (1st Alternate)
Evan Hanson (2nd Alternate)

STAFF:

Lesley Burns, City Planner
Matt Hilderman, Associate Planner
Nicole Selman, DCD Administrative Assistant
Chris Butte, Economic Development Director

GENERAL SESSION

Chairman Judkins called the Planning & Zoning Commission meeting to order at 7:00 p.m. The meeting began with the recitation of the Pledge of Allegiance. He informed the public there were agendas on the front table along with a sign-in sheet for them to sign. He explained how the meeting would proceed. First, the Planning Department would brief the Commission; then the applicant would speak to the Commission; after which, the floor would be open to the public for their brief statements and comments.

ROLL CALL

Mr. Hanson	Present
Mr. Slick	Present
Mr. Litster	Present
Mr. Wallin	Present
Mr. Judkins	Present
Ms. Costello	Present
Mr. Liedtke	Present

DICUSSION

1. REZ-22-31-132-025/026; WHITE PINES PHASE VIII; 189-193 EAST 8000 SOUTH; GENERAL PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL AND REZONE FROM SINGLE FAMILY RESIDENTIAL (SF-1) WITH AGRICULTURAL OVERLAY TO MULTI FAMILY RESIDENTIAL (RM-12); STEVE BRENDLE/SUNSTONE CORPORATION (APPLICANT)

Ms. Burns presented that the applicant, Steve Brendle, is proposing to expand the White Pines townhouse development onto the two parcels to the west of the existing development along 8000 South. These parcels, located at 189 East and 193 East 8000 South, are narrow, deep lots with older single family homes and are currently zoned single family residential (SF-1) with an Agricultural Overlay (AO). The intent is to extend the existing private road from White Pines Phase VI to access some of the proposed new units, with other new units proposed along 8000 South. The applicant was the original developer of the White Pines project, and is working with the White Pines Homeowners Association on this proposed expansion. At this time, the applicant is requesting that the two parcels, totaling 0.66 acres, be re-designated from a low density residential use to a medium density residential use on the General Plan Proposed Land Use Map and rezoned from SF-1 AO to RM-12 (multi-family residential 12 units per acre). Provided this General Plan Amendment/Rezone request receives a favorable decision, the applicant will move forward with the development application for the project itself.

General Plan Amendment and Rezone

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need

- that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
 3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The north side of 8000 South between the TRAX line and 300 East is primarily zoned RM-12, with some SF-1/Agricultural Overlay zoning interspersed. The adjacent RM-12 zoning was changed during 2000-2003 to accommodate the various phases of the White Pines development. This rezone request is on property directly west of the existing RM-12 zone. The General Plan shows this property as a low density residential designation. The City Council has amended the General Plan on the parcels that have become RM-12 to a medium density residential designation prior to the zone changes occurring. This request would be an orderly progression of the medium density land use designation and RM-12 zone, particularly with the existing development pattern providing a road access into the property. These properties have a history of code enforcement violations with weeds, storage of junk and general disrepair.

The Planning Commission will need to consider the appropriateness of the General Plan amendment and rezone request, and forward a recommendation to the City Council for its consideration. The City Council will make a final decision on this legislative request.

STAFF RECOMMENDATION:

Based on the development pattern in the area, Staff recommends that the Planning Commission forwards a positive recommendation to the City Council to amend the General Plan changing the land use designation on the property at 189-193 East 8000 South from low density residential to medium density residential. Based on compliance with the General Plan, the orderly progression of development that would occur as a result and creating an opportunity to better utilize and maintain the property, Staff further recommends that the Planning Commission forwards a positive recommendation to the City Council to rezone the property at 189-193 East 8000 South from SF-1/Agricultural Overlay to RM-12.

Jason Thompson with Sunstone Corporation, 7955 South 2325 East, South Weber, stated he is present on behalf of the applicant. He explained there are currently some existing homes onsite that have created problems for the community in the past. It is their intent to demolish those homes and build new homes in their place. They have met with the President and the Vice President of the HOA board and received positive feedback to move forward with this project.

Mr. Judkins asked Mr. Thompson if he was involved in the development of the first phases of this subdivision.

Mr. Thompson stated he wasn't personally involved in the first phases of this project. Steve Brendle was the original developer of this property. This new phase will be a natural continuation of what has already been developed.

Mr. Litster asked how many of the existing dwellings in the White Pines subdivision are owner occupied.

Mr. Thompson stated he doesn't have that exact number on hand, however, he estimated that only 30% of the homes in White Pines are currently being rented out.

There were no further questions for the applicant.

Ms. Costello moved to open the meeting to a Public Hearing. Mr. Liedtke seconded the motion. Motion carried.

Jack Nielson, 196 East Tennyson Avenue, Midvale, stated he lives directly behind the property that is proposed to be developed. He received a letter a couple years ago when the first phases of White Pines was developed, however, he ignored the letter because it was addressed to "Resident". In his opinion most people would consider that type of letter to be junk mail. He went on to explain that he has a five-foot easement on his property for an irrigation ditch and that Sunstone Corporation built their drainage system for the entire subdivision on a part of that easement. He complained about it as soon as he saw it because he was concerned his property would be flooded by the drainage system. He was told there is a one-hundred year dump in the drainage system and it will never rain enough to cause flooding. The first time it rained, the system flooded. He complained again and Sunstone installed an elbow to fix the problem. Now the second phase of this subdivision is proposed to be developed. He was already upset when the first phase of townhomes was constructed because his view of the mountains was completely obstructed. He also dislikes that these townhomes are two-stories high and overlook his property. He is very opposed to the construction of more townhomes right behind his property. He doesn't want to see more of these townhomes right up close to the property line destroying the last bit of privacy he has left.

Mr. Litster asked Mr. Nielson how deep his backyard is from the property line to the back of his home.

Mr. Nielson replied the distance from his house to the property line is thirty feet.

Ray Brown, 197 East White Spruce Cove, Midvale, stated he lives in a cul-de-sac located within the White Pines subdivision. He just moved into his home about a year ago and he isn't completely happy with this proposal because he has really appreciated the privacy of living on a cul-de-sac. Adding an additional phase will transform his cul-de-sac into a through street. He has some additional concerns which are mostly related to the lack of information that has been provided. He would like to know how overflow parking is going to be handled. The first phase of this development was built sometime around 2002. There are very few overflow parking spaces and parking is already a major issue in this neighborhood. The concept plan for the next phase doesn't show any additional overflow parking spaces which will only make the situation worse. He would also like to know if the construction company in charge of building the new homes

will pay for any damages to the road if they crack the asphalt during construction or will the homeowners and the HOA be left responsible for covering the cost of repairs. His final question is whether or not the new homeowners of the second phase will be a part of the existing HOA or will they form their own HOA. Simply put he would like to be more involved in the process of this development. He would definitely appreciate more open communication and information about this proposal.

Mr. Judkins explained that in regards to the process of this second phase, the first objective is to modify the General Plan and rezone the property so that it can be considered for the proposed expansion. If the Planning Commission forwards a positive recommendation for this item, and the City Council agrees to approve it, then the next objective would be the approval of a site plan. At that point a plan would be brought to the Planning Commission and there would be more public input. It is his hope that the developer would be working hand in hand with the HOA and all of the residents of the community to ensure that it is developed in such a way that all concerns are properly addressed.

Ms. Burns added the developer will be required to work with the HOA and it is required that the new homes will be a part of the existing HOA considering that the new homes will be using the existing private road.

Mr. Liedtke asked if the developer would be required to bond for possible damages to the road before the development can begin.

Ms. Burns explained that is a private road which means something will need to be negotiated between the HOA and the developer.

John Bruderer, 8033 South Tapp Lane, Midvale, stated he lives directly south of this development. He explained he has friends who live in the White Pines subdivision and he agrees with Mr. Brown. Parking is definitely an issue. It looks to him like the developer tried to cram as many units as possible onto that parcel of land without any regard for the people who would actually end up living there. There are constant complaints from his neighbors that there isn't enough parking especially during the winter months when some of the visitor parking spaces are used as snow embankments. If this property is approved for a rezone, his only request is that the City ensures the developer leaves plenty of space for guest parking. He added that the two properties under consideration for a rezone are both very run down properties that were most likely used as low-income rental units. In his opinion people who are low-income are also generally low-quality. They are used to a different standard of living and they tend to have a different thought process. He asked what type of Code Enforcement took place on those two properties.

Ms. Burns replied there were a few Code Enforcement cases opened on those properties for weeds, storage of junk, and some general disrepair of the property.

Mr. Bruderer added that, in his opinion, the quality of the units and the quality of the people living in the White Pines community has been very good so far. He hates to sound so judgmental but he does not feel confident things will always be that way. He has lived in this area for about thirty years and he remembers when Candlestick Apartments was first built. It started out as a

luxury apartment complex, but over time it has become dilapidated. The quality of life for anyone living in those apartments does not really qualify as something he would prefer to have as a neighbor. White Pines may be nice now during his lifetime, however, he is concerned for the people who might live in his neighborhood thirty years from now.

Mr. Hanson asked if it would be possible for the Planning Commissioners to require more parking spaces in this subdivision based on the number of townhome units to be built.

Ms. Burns stated there are development standards for this type of project and parking is something that the Planning Commission will take into consideration. The review process for the Site Plan is similar to a Conditional Use Permit. If the Commission feels there isn't enough parking, then it is within their authority to try and address that issue.

Gary Callister, 202 East White Spruce Cove, Midvale, stated he lives across the street from Mr. Brown. He explained he really likes this concept, however, he has some suggestions he would like to have forwarded onto the applicant. His main concern is also in regards to parking. He would really like to see fewer units and more visitor parking if this next phase of units is developed. There have also been questions as to whether or not Sunstone Corporation will continue to acquire and develop the land to the west. He would definitely be in favor of that happening. He would like more information from the developer before they proceed with something like that. His final concern is that he and many of his neighbors feel the HOA is beholden to the developer. They tend to allow the developer to do whatever he wants without receiving approval from the residents. He really hopes the developer will be more forthcoming with information and work harder to improve public relations with the White Pines community.

Mr. Litster asked Mr. Callister if there are ever elections for the HOA Board.

Mr. Callister stated Mr. Lister makes a fair point. Elections are held each year.

Mr. Liedtke commented that the current item under consideration is whether or not this property should receive a positive recommendation for a rezone. Approval for a site plan will not be made during this meeting; however, there will be more public hearings in the future if a rezone is granted. He asked that the residents please pay close attention to any letters from the city and to attend meetings and provide input during future public hearings.

Jack Nielson stated all permits will be granted for this property if the Planning Commission and City Council allows it to be rezoned. He is surprised the beginning phases of White Pines were approved. He wasn't paying attention during that process but he is paying attention this time. He will fight this project the whole way. He feels his rights are being infringed upon. He used to have a nice view of the mountains and now he is stuck looking at two-story townhomes.

Mr. Hanson replied that he can understand and sympathize with Mr. Nielson. He sees this type of situation take place on a regular basis. Sometimes people don't understand that the same thing can also happen when a builder decides to build a large expensive single family home that is two-stories. A situation like that wouldn't require a rezone but it would have the same negative impacts.

Gary Callister asked how soon construction on these homes could begin.

Mr. Judkins explained that at the moment the priority is completing the rezoning process. It's impossible to estimate when construction might begin or end before the rezone process is complete.

Mr. Bruderer added that the purpose of this meeting is to determine whether or not this property will be rezoned for multifamily use. He wanted to clarify that rezoning this property could potentially open it up for more undesirable uses such as low-rent duplexes in the event that the applicant decides he does not want to follow through with building townhomes. This fact is his biggest concern.

Bob Owens, 176 East Tennyson, Midvale, stated he lives right next to the existing White Pines subdivision. He understands that it is normal for vacant land to be developed; however, he would like to see some height restrictions. He doesn't like the monolithic three story condos. He feels a majority of the residents who live on his street are mostly concerned about privacy.

Mr. Bruderer commented that someone could purchase this property from the current owner and build single family homes. Those single family homes would most likely be two-stories. Changing the zone of the property isn't going to increase or decrease the chance of eventually developing the land into two story structures.

Mr. Wallin moved to close the Public Hearing. Mr. Liedtke seconded the motion. Motion carried.

Mr. Litster expressed his appreciation for the respectful and insightful comments brought forth by the public.

Mr. Thompson explained many of the concerns relating to the parking have already been brought to his attention by the HOA board. It's an issue that is very important to the developer and to the HOA. The HOA has suggested there be a meeting with the residents of White Pines in order to keep everyone informed of the process and general information of all the changes to come. He added that the construction traffic would enter the site from 8000 South. They would strive to minimize the amount of construction traffic throughout the subdivision.

Mr. Litster asserted the importance of making sure the concerns with parking are thoroughly addressed in the event that this rezone is granted. The applicant needs to be able to return to the Planning Commission with a Site Plan that illustrates a sufficient amount of additional guest parking.

Mr. Thompson stated they have some ideas on how they can address that issue. The parking concerns aren't new to them and they will work on finding a positive solution.

Mr. Liedtke reiterated Mr. Litster's comments. He really appreciates the opportunity to hear from the public and the comments that have been brought forward have provided the Planning Commission with some very valuable information.

Mr. Judkins reflected that the property under consideration is definitely in an area that is undergoing transition. Approving this rezone is a practical request that will help revitalize a property that has been neglected for quite a while.

The Planning Commissioners discussed the fact that this rezone appears to be a good fit for this property. It does not introduce a new use to the existing subdivision as it is an extension of an identical product. Through their discussion they were able to draft some findings that justify a recommendation for the approval of a rezone.

There were no further questions or comments regarding this item.

MOTIONS:

Findings

Mr. Litster moved to adopt the following findings, *“We find that:*

- 1. This area is in an area of transition.*
- 2. The single family homes to the north and the proposed area have different access points.*
- 3. This is an extension of an existing HOA, not a proposal for a single parcel or single unit of development.*

Mr. Liedtke seconded the motion. A roll call vote was taken.

Mr. Liedtke Yes
Ms. Costello Yes
Mr. Wallin Yes
Mr. Litster Yes

Motion carried unanimously.

Motion 1 - General Plan Amendment

Mr. Wallin moved that, *“Based on the development pattern in the area, I move that we forward a positive recommendation to the City Council to amend the General Plan proposed land use map changing the land use designation on the property at 189-193 East 8000 South from low density residential to medium density residential.”*

Ms. Costello seconded the motion. A roll call vote was taken.

Mr. Liedtke Yes
Mr. Wallin Yes
Mr. Litster Yes
Ms. Costello Yes

Motion carried unanimously.

Motion 2 - Rezone

Mr. Liedtke moved that, *“Based on compliance with the General Plan, the orderly progression of development that would occur as a result, and creating an opportunity to better utilize and maintain the property, I move that we forward a positive recommendation to the City Council to rezone the property at 189-193 East 8000 South from SF-1 with an Agricultural Overlay to RM-12 for the purpose of expanding the White Pines development.”*

Mr. Litster moved to amend the motion. Mr. Liedtke seconded the motion.

Ms. Costello seconded the amended motion. A roll call vote was taken.

Mr. Liedtke Yes
Mr. Wallin Yes
Mr. Litster Yes
Ms. Costello Yes

Motion carried unanimously.

2. REZ-27-01-201-056; FRY REZONE; 193 WEST 8600 SOUTH; REZONE FROM REGIONAL COMMERCIAL TO SINGLE FAMILY RESIDENTIAL (SF-1); BRANDON FRY/DIVERSIFIED ATLAS LLC (APPLICANT)

Ms. Burns presented that the applicant, Brandon Fry, is requesting that the property located at 193 West 8600 South be rezoned from Regional Commercial (RC) to Single Family Residential (SF-1). This property includes an older single family house and is 0.72 acres in size. The applicant is making this request in order to develop the property into three single family residential lots. The applicant has provided a concept plan illustrating the anticipated use of the property; however, the Planning Commission will not be reviewing the subdivision plat at this time.

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan, and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development created by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or
3. Land surrounding environs has changed or is changing to such a degree

that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

The General Plan Proposed Land Use Map designates this property as a low density residential use. The current RC zoning designation is not consistent with the General Plan Proposed Land Use Map; the proposed rezone to SF-1 would make the zoning on the property consistent with the current land use designation. The property directly east, although zoned RC, is currently being used as single family residential. The property directly west is an existing commercial use. With the exception of the properties to the west of this parcel, 8600 South is primarily a single family residential neighborhood west of the canal near State Street to Harrison Street. 8600 South functions and is designed as a neighborhood road. The location is not conducive to most commercial uses with its lack of visibility and traffic. It is better suited for a residential type development. The applicant has provided a narrative on the rezone request.

The Planning Commission will need to consider the appropriateness of the rezone request, and forward a recommendation to the City Council for its consideration. The City Council will make a final decision on this legislative request.

STAFF RECOMMENDATION:

Based on compliance with the Midvale City General Plan and existing development in the area, Staff recommends that the property at 193 West 8600 South be rezoned from Regional Commercial (RC) to Single Family Residential (SF-1).

Brandon Fry, 1800 East North Woodside Drive, Salt Lake City, stated he is the applicant. He explained that after speaking with the neighbors near this property they all seemed to be in favor of this rezone as well as the development of new single-family homes.

Mr. Wallin referenced a letter from the applicant to Ms. Burns that states that 8600 South is not to have large commercial trucks use that road. He asked what the source of that information is.

Mr. Fry replied he learned of this fact after talking to the neighbors. He estimated that 5 out of 6 neighbors brought this concern up with him. They said they had a discussion with an employee of Midvale City. During that discussion they were informed that large delivery trucks aren't supposed to use 8600 South for commercial delivery or driving purposes.

Mr. Wallin asked the applicant if he has something in writing that restricts the commercial traffic use of 8600 South.

Mr. Fry stated he doesn't have anything of that nature in writing. Ultimately that won't affect his ability to develop the property. He simply wanted to bring the general statement of concern forward to City Staff.

Mr. Litster stated he believes there is an ordinance that restricts regular traffic of trucks over a specific weight on residential streets.

Ms. Burns added that those restrictions could also be made on a case-by-case basis. She isn't sure of what the solid facts are but she will research it and update the Commission and the applicant at a later time.

Mr. Litster moved to open the meeting to a Public Hearing. Ms. Costello seconded the motion. Motion carried.

Steve Dailey, 198 West 8600 South, Midvale, stated he lives directly across the street from this project. This property has been a mess for a long time as it has shifted between potential commercial or residential uses over the years. The existing home on this lot has been sitting vacant for a while because the property owner was unable to use it for their intended purposes. He has seen the development of some large beautiful homes just to the west of his house and now the applicant is trying to build a similar product across the street. In his opinion, the lot is not large enough to fit another commercial structure and a commercial use isn't really appropriate for that location anymore. He would definitely prefer to see single-family homes go in.

Laurence Watchman, 189 West 8600 South, Midvale, stated he lives directly east of the aforementioned property. He explained the developer has not yet had the chance to speak with him. He is in favor of the development of single-family homes next door to him. Over time his neighborhood has improved significantly and he would like to continue seeing positive changes. His only concern is the possibility of trying to fit too many homes on one lot. He feels that crowding too many homes together would disturb the balance of the neighborhood. He added that living in a Regional Commercial Zone has really limited his ability to renovate his home. He has considered rezoning his property to single family as well in order to fix this problem.

Ms. Burns asked Mr. Watchman if he would be interested in the City making an application for the rezone of his property on his behalf.

Mr. Watchman replied that it is something he might consider, however, he is also interested in maybe utilizing one of the allowed uses of the Regional Commercial Zone.

Brian Jaynes, 70 West 8600 South, Midvale, stated he is in favor of this rezone. The property is currently owned by a trust and there are seven members in the trust. He is one of those members. It has been his responsibility to maintain the property and it's a big job. His only concern is that there used to be signs posted at the beginning and end of the block stating the truck load limit. Those signs were taken down when the new storm drains were installed and he would like to see them go back up.

Ms. Burns stated that is something she can look into and try to figure out what happened to those signs.

There were no further questions or comments from the public.

Mr. Wallin moved to close the Public Hearing. Mr. Liedtke seconded the motion. Motion carried.

Ms. Burns presented a written comment from Scott Woody of UWI, Uniforms West Supply Company. Mr. Woody requested permission from the Planning Commission to put 45 degree angled parking on the east side of his business. This would allow for two residential building lots to the east of the parcel with a small landscaped parking lot to the west of the property. He feels that lot would provide a good buffer between commercial and residential uses on 8600 South.

Mr. Judkins stated it is difficult to consider this request when it would be in conflict with the current application because a parking lot is not an appropriate use for a piece of property zoned as SF-1.

The Planning Commissioners discussed the positive public comments that seemed to be in favor of this rezone. They drafted some finding in order to reflect the justification of a positive recommendation for the re-zone of this property.

There was no further discussion.

MOTION:

Findings

Mr. Litster moved to adopt the following findings, *“We find that:*

- 1. The existing use is compatible with the proposed rezone.*
- 2. This rezone is necessary to comply with the General Plan proposed Land Use Map. It is consistent with the goals and policies of the General Plan.”*

Mr. Liedtke seconded the motion. A roll call vote was taken.

Mr. Wallin Yes
Mr. Litster Yes
Ms. Costello Yes
Mr. Liedtke Yes

Motion

Mr. Litster moved that, *“Based on compliance with the Midvale City General Plan and the findings adopted by this Commission and the existing development in the area, I move that we forward a positive recommendation to the City Council to rezone the property at 193 West 8600 South from Regional Commercial (RC) to Single Family Residential (SF-1).”*

Ms. Costello seconded the motion. A roll call vote was taken.

Mr. Litster Yes
Ms. Costello Yes
Mr. Liedtke Yes
Mr. Wallin Yes

DISCUSSION

3. PROPOSED TEXT AMENDMENT REGARDING FENCE HEIGHTS

Memorandum

Date: Thursday, April 21, 2016

To: Planning Commission Members

From: Matt Hilderman, Associate Planner

Subject: Discussion Regarding Proposed Text Amendment to Amend the Height Limitations for Fences, Hedges, and Walls

The City Council has made a request to review our existing fence ordinance for Single-Family and Multifamily Residential Zones, concerning the height limitations and have proposed increasing the overall height for fencing, excluding height limitations within the front yard setback and clear view triangle. The initial discussion suggested to increase the height from the existing six-foot (6') maximum limitation to an eight-foot (8') maximum limitation or higher.

The Municipal Code development standards for fences, hedges, and walls states the following: *“No fence or wall may exceed six feet in height, four feet in height in the front yard setback, nor three feet in the clear view triangle.”*

This same language is also identified within the multifamily zones, some sections within higher-intensity zone districts, and in some higher-intensity zones an Administrative or Conditional Use Permit is required for fencing higher than six-feet (6').

Discussion with the Building Official determined there is language within the current and adopted 2012 IBC and IRC development codes that states fences not exceeding seven-feet (7') in height does not require a building permit for the construction of this feature. The Building Official also stated the City is preparing to adopt the 2015 IBC and IRC codes in July, 2016, where upon this language is continued, as identified above.

Further research of thirteen (13) municipalities within the Salt Lake Valley determined that ten (10) Municipalities have provisions to allow fencing to increase to a maximum of eight-feet (8') within residential zone districts.

Staff has summarized and provided the following information; existing ordinance language, fencing language from the International Residential Code (IRC) and International Building Code (IBC), and research of fencing heights within other jurisdictions.

Mr. Hilderman led a discussion with the Planning Commission in order to provide them with an overview of a possible text amendment that would increase the maximum allowable height of residential fences to eight feet. He provided some background information regarding why this text amendment is being considered as well as the potential impacts this amendment could have on the City as a whole. He requested general input from the Commissioners in relation to the

correct verbiage of such an amendment. The Planning Commission discussed the pros and cons with increasing fence height, and the appropriate review process to do such. The Commission requested Staff to provide language addressing the standards by which fence heights could be allowed to be increased.

MINUTES

4. REVIEW AND APPROVE MINUTES OF FEBRUARY 24, 2016; MARCH 9, 2016; MARCH 23, 2016; AND APRIL 13, 2016

Mr. Litster moved to approve the minutes of February 24, 2016 as presented. Mr. Liedtke seconded the motion. Motion carried.

The minutes of March 9, 2016; March 23, 2016; and April 13, 2016 were tabled to the next meeting.

ADJOURN:

Mr. Hanson moved to adjourn at 9:23PM

A handwritten signature in blue ink that reads "Nicole Selman". The signature is written in a cursive style and is positioned above a horizontal line.

Nicole Selman
DCD Administrative Assistant