

# Hildale City Planning Commission Meeting

320 East Newel Avenue, Hildale, Utah 84784

Thursday, August 20, 2020, 6:30 pm

## **Present:**

**Commissioners:** Brigham Holm, Jenn Kesselring, Nathan Fischer, Derick Holm, Rex Jessop, Charles Hammon, (Tracy Barlow Excused)

**City Recorder:** Athena Cawley

**Staff:** John Barlow, Christian Kesselring

**Public:** Mary Jessop, Willie Jessop, Fred Jessop, Stacy Seay, Brody Olson, Gareth Evans, Kyle Layton (this list may be incomplete)

**Court Monitor:** Roger Carter

## **#1. Call to Order**

Meeting called to order at 6:30 pm.

## **#2. Roll Call**

Roll was taken, quorum present.

## **#3. Pledge of Allegiance**

Brigham led the crowd in the pledge of allegiance.

## **#5. Public Comment**

Brody Olson brought forward his concern about the bridge Willie Jessop is building on his lot. He wondered if that big of a structure follows City Code, has proper engineering plans, and if a building permit had been filed. Gareth Evans is a resident of Hildale at 640 North Willow Street and shares an alleyway with Willie Jessop. He stated his concern about the bridge as well, and if City Code was being followed along with a permit.

## **#6. Staff Reports**

### **A. Summary of Incomplete Applications**

John gave a summary of the applications in process.

### **B. Summary of Pending or Approved Administrative Applications**

John presented the pending applications and how some were going through a legal review by Christian.

### **C. Request for Proposal for General Plan Update 2020**

John said that a Request for Proposal was put out last month and there were two submittals. He stated that an Evaluation Committee will be put together to review the candidates and then staff will present the results.

**#7. Public Hearing**

**Charles Hammon moved to open the Public Hearing on Ordinance 2020-009 Establishing Land Use Regulations Regarding Site Review of Lots with Allowed Non-Conforming Structures.**

**Derick Holm seconded. Roll call vote:**

	YES	NO	ABSTAIN
Charles Hammon	X		
Nathan Fischer	X		
Rex Jessop	X		
Brigham Holm	X		
Jenn Kesselring	X		
Derick Holm	X		

Motion carried.

**A. Ordinance 2020-009 Establishing Land Use Regulations Regarding Site Review of Lots with Allowed Non-Conforming Structures.**

John presented the site plan as it is in the ordinance and the additional text amendment of adding a limited site plan for existing non-conforming structures.

No Public comments.

**Charles Hammon moved to close the Public Hearing on Ordinance 2020-009 Establishing Land Use Regulations Regarding Site Review of Lots with Allowed Non-Conforming Structures.**

**Derick Holm seconded. Roll call vote:**

	YES	NO	ABSTAIN
Charles Hammon	X		
Nathan Fischer	X		
Rex Jessop	X		
Brigham Holm	X		
Jenn Kesselring	X		
Derick Holm	X		

Motion carried.

**#8. New Commission Business**

**A. Ordinance 2020-009 Establishing Land Use Regulations Regarding Site Review for Lots with Allowed Non-Conforming Status**

Christian presented the legal aspects of the ordinance. He also explained a few things for the Commissioners to consider, accounting for not exceeding the building footprint, and buildings that existed before zoning codes were established. After extensive discussion between Commissioners the consensus was to change D(1) in the ordinance to read as follows “the Zoning Administrator determines that the scope of the project is limited to

construction within a structure that was substantially completed prior to November 20, 2018 with note to subsections as discussed”.

**Charles Hammon moved to recommend Ordinance 2020-009 to the Hildale City Council with the following changes, adding to paragraph D(1) to include “revision of substantial completion”, adding the word “limited” into D(3) before “site plan”, and a paragraph that requires a review from the department heads upon any structures built before November 20, 2018.**

**Jenn Kesselring seconded. Roll call vote:**

	YES	NO	ABSTAIN
Charles Hammon	X		
Nathan Fischer	X		
Rex Jessop	X		
Brigham Holm	X		
Jenn Kesselring	X		
Derick Holm	X		

Motion carried.

**B. Conditional Use Permit Application for HD-1-33**

John presented; the applicant is requesting a conditional use permit allowing an accessory structure more than the height and size limits in the Residential Agricultural zone. Christian went through the staff report and touched on the application and the analysis for 525 West Field Avenue. He pointed out the four conditional requirements of City Code for a Conditional Use Permit. He explained this is an administrative decision and what an appeal process would look like if the request was denied. Rex Jessop disclosed a conflict of interest that the applicant is his brother. The Commissioners had a discussion of the building permit in review for this application. Christian stated that the determination will be conditional on a Plat Amendment being permitted.

Willie Jessop gave a public comment expressing his vision of the bridge on his lot. He explained the level of his lot and the size of the structure. He brought two things forward for consideration, engineering plan which was stamped by an engineer and lot line document combining two acres (Lot 33 and 34) filed with the county. He spoke of getting these cleared with Andy, City Building Inspector.

Before discussion from the Commissioners, Christian clarified all the facts and that a legal process is required with Hildale City for lot lines. The Commissioners discussed in depth the four conditional requirements for the Conditional Use Permit. The four requirements are: structure is not above a certain height, architectural compatibility, 35% permeability after structure is built, and permitted use in the zone.

**Derick Holm moved to approve the Conditional Use Permit with added condition that the applicant must obtain a Plat Amendment to consolidate lots 33 and 34 prior to construction.**

**Nathan Fischer seconded. Roll call vote:**

	YES	NO	ABSTAIN
Charles Hammon		X	
Nathan Fischer	X		
Rex Jessop			X
Brigham Holm	X		
Jenn Kesselring		X	
Derick Holm	X		

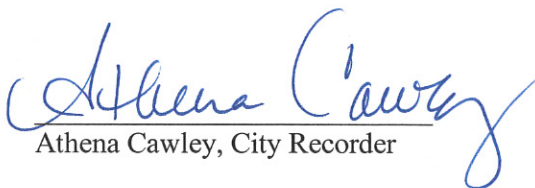
Motion **NOT** carried.

Motion died. Christian stated that he would check City Code on majority to pass an action. After review he advised for the matter be taken under advisement on the conflict of interest concern and that it is against the City's interest to proceed any further.

### **8. Adjournment**

With no other business, meeting adjourned at 8:05 pm.

Minutes were approved at Planning Commission meeting on October 15, 2020.

  
Athena Cawley, City Recorder

