

# Minutes

## Elwood Town Planning Commission Work Meeting

Tuesday, May 21, 2024

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall at 7:00 pm, on Tuesday, May 21, 2024.

Present: Quinn Hamson, Curtis Crouch, Phil Shimek, Britton Hayden, Kevin Hall

Others Present: Scott Goodliffe(Town Council Rep), Karolina Munns(Planning Commission Secretary), Rodger Munns, Shane Loveland.

Commissioner Hamson conducted the meeting, by welcoming everyone to the meeting.

### Public Comments

- “Resident(s) attending this meeting will be allotted 3(three) minutes to express a concern or ask a question about any issue that is **NOT ON THE AGENDA**. No action can or will be taken on any issue(s) presented.” stated by Commissioner Hamson.
  - Rodger Munns, President of Elwood Combined Ditch #64E commented on the Mike Udy Subdivision and the fact that the ditch is on the propertyline, so it is half owned by him, half by Owen Udy and Russ Peterson. Rodger spoke with the mayor about this back when this subdivision was at planning commission and the mayor stated that the ditch needs to be piped. Commissioner Hamson said that it is in the development standards that the developer has to keep any water conveyances active in the subdivision, by getting water from point A to point B. Rodger stated that that can mean lots of different things. He will need access to make needed repairs to the ditch as time goes on.

### Commission Business

- Action Item A: Bear River Veterinary Clinic. Petition from property owner to allow an exception to Ordinance 155.189 (C) and approve the use of a 6’ vinyl fence between Residential and Commercial. Commissioner Hamson read the staff memo from Jones & Associates. Commissioner Hayden had a concern about the concrete vs vinyl fencing. The commercial lot is used for agricultural but zoned commercial and is surrounded by Residential. Commissioner Shimek inquired about the zoning. Commercial Hayden stated that the front strip of the lot is commercial, and the remainder of the lot is residential zoned. Commissioner Hayden said that the vinyl fence needs to go to the back border of the property to meet the intent of the code. Commissioner Shimek commented

that the Mark Allred property does have a concrete fence at the residential property line. Commissioner Hamson commented on two items: 1) should we require concrete and 2) should the fence go partial or go around the property on multiple sides. Comments about the sufficiency of vinyl fencing, and possible new uses of surrounding property in future. Commissioner Shimek read the code and stated that a concrete fence shall be constructed adjacent to the foundation to the building. Commissioner Hamson agrees that we don't have the ability to grant a variance. Comments also stated that when the surrounding property goes residential that the concrete fence should be required. Commissioner Shimek motioned to recommend to Town Council to not grant an exception of vinyl vs. concrete fencing via the inability to do so according to code. Commissioner Hayden seconded, all in favor, motion passes. Commissioner Hamson will make a note back to the engineer, of the commission;s concern also of the length of the fencing going to the rear propertyline.

## Work Meeting

- Discussion Item A: General Plan Update Review. Commissioner Hayden gave an update to the commission. Samuel Heiner's comments were emailed May 16, 2024 and included: Here is the updated plan for everyone's last review, particularly legal's.

Changes made and remarks for the redlined markups from Britton after a phone call discussing them with Britton.

Adoption Date - This will be updated for the final document once it has been adopted.

Open House - language was added

Potential Dwelling Units Table - Updated

Header to Include Community - This section and heading titled "Commercial and Manufacturing / Industrial" is not specific to just the C-2 Community Commercial zone. This includes C-2 Community Commercial, C-3 Light Industrial / Heavy Commercial, and Industrial/Manufacturing zones. Header was left as is.

Zoning Map - This is the current map

Land Use Map - After discussion with Britton, the intent was to show the Low Density along the roadways. It wasn't to extend and include the whole property as requested by the property owner. It is understood that development is not straight lined like shown and that line will vary. Also, It is currently zone "Residential" and so if this plan drives changes in the future zoning, the property owner can request to keep the residential zone as R-1-40 which is the Low Density Land Use and most likely that wouldn't be an issue to do. There was no change made to this map.

Transportation Map - The roadway highlighted to change to Collector is future and doesn't connect very many roadways to warrant it being a collector. It logic also brought up that 10000 North out to the cemetery doesn't connect because of the river so this doesn't warrant the roadway being a collector as well. The requested change was not made but 10000 North was changed to Local.

Regards,

**Samuel Heiner** | Engineering Analyst  
*Jones & Associates Consulting Engineers*

- Commission agreed to push the plan to the attorney for review, and a May 28th public hearing.
- Discussion Item B: Ordinance Review - Final Draft Subdivision Ordinance Chapter 150. Commissioner Hamson reviewed the Brandon email dated May 7, 2024 as follows: Here is the latest update to the Subdivision Ordinance with changes or comments as requested from the last City Council meeting. Please review the document, for convenience I have listed the pages below where there is a comment or a change to the document.

Definitions: I have added the following to the definition to provide some clarity to the ordinance.

- Canal
- Irrigation Ditch
- Watercourse
- Waterway

#### **Pg #14**

- I don't recommend that FEMA be removed from item (i)
- D(2) The word "City" cannot be replaced with "Developer". This section is language pulled directly from State Code and it is the City's responsibility to notify the Water Conveyance Facility Owners. (See my comment attached to this section)

#### **Pg #30, Fencing.**

- Definitions have been included as listed above.
- (3)(a) Masonry fencing is the only option along I-15.
- D. Authority. I'm not sure what the question is regarding this section but it is my feeling that the land use authority needs to have some language that allows for some flexibility IF there are issues or items that are unusual or unique to a development. I don't suggest that this section be removed.

Please review these updates and let me know if you have any questions.

Respectfully,

**Brandon Green** | Building Official/Project Manager

*Jones & Associates Consulting Engineers*

- Suggestions discussed by commissioners. Take out adjective “efficiently” in Canal definition. Take out “cost-effective conduits” in Irrigation Ditch definition. Drainage for field irrigation as “irrigation ditch”, suggested to drop “irrigation” and just say “ditch” to mean irrigation and drainage. Also discussion about ‘watercourse’ same as ‘ditch’. on page 30 Fencing the commission asked, “do we need fencing along I-15? Is this a requirement? Also, the commission has questions on D. Authority and we need to discuss with Brandon. There also was questioning on fencing agricultural fields in B 1), and more review is needed to determine what is state code, and what is up to the town to decide. What are the perimeters throughout the subdivision ordinance as far as Land Use Authority is concerned?
- Discussion Item C: Ordinance Review - Final Draft Schedule of Uses 155.126. The commissioners reviewed together. Commissioner Hayden asked to focus on Kennels, and added that he invited Shane Loveland to share his current use of kennels as an Elwood citizen. Shane has 14 kennels for training hunting dogs and breeds, for personal and business, but was not required to get a kennel license when he started. The commission discussed home occupation, and rules for personal boarding dogs on residential lots. Commissioner Hamson stated that this is not currently addressed in the schedule of uses code and could be addressed in dog ordinance. It was decided that we can continue to review it at the next meeting, May 28th.
- Discussion Item D: Ordinance Drafting - On-street Parking Regulations. Commissioner Hall stated that we need to address off-street parking. Commissioner Hamson asked the commissioners to review it as homework and address it at the May 28th meeting.
- Commissioners chimed in attendance through the summer. June 4th Q. Hamson gone, June 18th P. Shimek gone, July 2nd B. Hayden gone, July 16th Q. Hamson gone, C. Crouch gone, Aug 20th C. Crouch gone, September K. Hall gone(possible)
- The meeting was adjourned at 9:13pm.