

# Daniel Town Planning Commission Meeting

Wednesday, March 15, 2023, at 7:00 PM  
Wasatch County Services Building, Conference Room B  
55 South 500 East, Heber City, Utah

## Meeting Minutes

Quorum Present: Planning Commissioner Chair Gary Weight, Commissioners Eric Bennett, Bridger Wilde, Byron Horner, Kipp Bangerter and Pam Skinner. Also present were Town Planner, Eric Bunker, T-O Engineering Representative Amelia Pays, and Clerk/Recorder Kim Crittenden, to take minutes.

Members of the Public: Jorge Morales-Villegas, Mildred Casiano-Molina, Armando Casiano-Molina, Dan Ford, Harry and Vickie Weyandt, Melissa McMillian, Scott Long, and Brent Haight.

Chairperson Weight called the meeting to order at 7:00 pm.

### 1. Public comments (please limit to 2 minutes)

Melissa McMillian from Ark Tiny Homes addressed the Planning Commission in regards to allowing tiny homes or Additional Dwelling Units (ADU) within the Town of Daniel. She stated that the tiny homes that they build are 320 SQ FT and have a full kitchen, bathroom, and bedroom/living space. She stated that their tiny homes can be hooked up to septic or sewer as well as the Town's culinary water system.

She stated that the business was originally located in the Town of Daniel, but they had quickly outgrown that location and relocated. She continued her discussion by stating that she was visiting all local communities to find out applicable zoning restrictions for tiny home placement. It was noted that current zoning would not allow for stand-alone ADUs within the Town and that all ADUs would need to be connected to the original dwelling. It was pointed out that the best course would be to speak more at length with the Town Planner and if she would like to continue the discussion further, she would need to ask to be on the agenda at a future meeting.

### 2. Dan Ford Property (continued from February 15, 2023)

Chair Weight turned the time over to Dan Ford. He referred to the packet that was distributed to the Commissioners. Self-storage was briefly discussed and Mr. Ford noted that he would like feedback from the Commission about what they would like to recommend for the space since self-storage had proved to be a sticking point at the last meeting. It was asked if they were still seeking a zone change for both Commercial and Industrial and he stated that that would be his preference so that some of the land could be used for light industrial uses such as the business park across the highway in Charleston.

Mr. Ford then continued that he would like support from the Town to seek an additional outlet on HWY 189 because the parcels fall just short of the 1,000-foot rule to put an additional right-only access point. He then proceeded to discuss traffic driving measures to drive traffic off from 3000 South as much as possible. He also noted that a lack of sewer access would limit the available commercial and industrial businesses that could be developed on the land.

It was noted that several of the Commissioners were much more comfortable recommending a Commercial Zone change to the Town Council than they would for both a Commercial and

Industrial mixed-use zone change.

Chair Weight asked for any final discussion prior to a motion and once again traffic access and exit points were once brought up. It was noted that that would be a specific discussion for the site plan following a zone change. It was also noted that once the zone change was made, Mr. Ford and the developers would be able to house any commercial businesses that would fall within the current Town of Daniel Code. If uses did not fall within the current Town Code, they would need to obtain a conditional use permit.

***Commissioner Wilde made a motion to recommend the consideration of a Zone Change to the Town Council for the Ellis Subdivision Parcel #s 20-2403 and 20-4525 at approximately HWY-189 and 3000 South from RA-5 to Commercial. Commissioner Bennett seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangarter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

Mr. Ford thanked the Commissioners for their time and invited them to contact him with any questions or concerns anytime.

### **3. Smith Garage Application**

It was noted that Mrs. Smith had been notified about the meeting and that this was on the agenda, however, she was not present. Planner Bunker referred to the plat map that was in the Commission packet.

Planner Bunker stated that Town Staff had been unable to approve the application because it did not meet setback requirements and that when this type of situation happened it was standard practice to send it back to the Planning Commission for consideration. There was a brief discussion about the Town Code and how it applied to the setbacks of the Smith Property Garage Expansion Application. It was noted that this step was necessary for the Smiths to begin an appeal process should they choose to.

***Commissioner Horner made a motion to decline the Smith Garage Expansion Application due to inadequate setbacks. Commissioner McGeean seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangarter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

### **4. Engineer Report**

No information was presented

### **5. Planner Report**

Planner Bunker referred to his Planner Report that was contained in the Commission packet. He noted that not on the report was a CO that had been issued for the Beveridge home, but that the property, in question had a gate that would need to remain open until all conditions with the Town for emergency access were met. It was also noted that some power poles would be replaced by subcontractors for Heber Power, so to expect that work in the next little while.

Commissioner Bennett asked about an ongoing issue with an unpermitted home on Daniel Road and approximately 2500 South. Planner Bunker stated that Mayor Kohler was in conversations with the owner and that was all of the information he could provide at this time. He assured the Commission that the issue was being worked on and hopefully negotiated in a way that could avoid the Town taking legal action to bring the home into compliance.

## 6. Daniel Code Title 8 Discussion and Possible Recommendations to the Town Council

Commissioner Wilde discussed his proposed changes to Title 8 of the Daniel Town Code. See attachments. He noted that these were just his suggestions and he was happy to discuss and make any modifications that the Commission felt were necessary. One of the changes he suggested was to specifically state that only 10% of any commercial enterprise could be used for storage. The discussion then moved to how to clarify the proposed 10%. Would it just be for buildings, would it include outdoor storage, parking, and what if it were something like a car lot, which would have a rather small building with a much larger area to house cars? Discussion continued and it was decided that the focus should be on recommendations that address the “incidental” part of the Town Code in regard to storage. It was suggested that the Planning Commission send a recommendation for a moratorium for all consideration for storage pending the Planning Commission being able to draft more thoroughly considered Code change recommendations.

***Commissioner Horner made a motion to make a recommendation to the Town Council to place a 120-day moratorium on the approval of any storage facility. Commissioner Skinner seconded the motion. The motion was modified to state “rental storage units or rental to third-parties” instead of “storage facility”. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

## 7. Approval of February 15, 2023, Planning Commission Meeting Minutes

It was noted that Commissioner Skinner and McGeean needed to be added to the attendee list. Commissioner Wilde noted that the name Charles Biggs needed to be changed to Travis Biggs from the Heber City Airport.

***Commissioner Wilde made a motion to approve the Daniel Town Planning Commission Minutes from February 15, 2023, with the noted changes. Commissioner McGeean seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

## 8. Discussion of work session meeting date(s)

It was noted that the room had been reserved for March 20<sup>th</sup> already, but that it could be reserved on March 27<sup>th</sup>. Clerk/Recorder Crittenden noted that all items for discussion could be discussed on a group email and “hashed out” prior to a meeting, but any final items for discussion would need to be on the agenda which needs to be posted publicly.

Commissioner Skinner suggested that each Commissioner pick a piece of the Town Code to work on and then go from there. It was decided that March 27<sup>th</sup> at 6:00 PM would be the next work session. It was discussed that this would be a Commission driven meeting, but input from the Town Council was welcome.

Chair Weight suggested that the two issues to be discussed should be storage in all zones and consideration of tiny homes if time allowed.

## 9. Possibly set a public hearing date for consideration of change(s) to the Daniel Town Code Title 8

Not discussed pending work session

10. **Adjourn**

***Commissioner Horner made a motion to adjourn. McGeean seconded the motion. The motion was approved with a roll call vote of Bennett yes, Wilde yes, Bangerter yes, McGeean yes, Horner yes, and Skinner yes. The motion passed.***

The meeting ended at 8:20 PM

*Kim Crittenden*  
Kim Crittenden  
Clerk/Recorder

approved May 17, 2023