



## MINUTES

Oakley City Planning Commission  
Regular Meeting  
December 5, 2024 6:00 p.m.  
Zoom Meeting Platform was available

### AGENDA

1. **Open Meeting.**
2. **Public Comment:**  
\*Public comment is for any matter not on the agenda and not the subject of a pending land use application. If you would like to submit comments to Commission, please email [stephanie@oakleycity.com](mailto:stephanie@oakleycity.com)
3. **Possible Action: Approval of meeting minutes from 11.6.2024**
4. **Public Hearing and possible action: Land Use and Management code amendment.**  
Proposed changes address various clarity/correctness issues and ensure consistency and compliance with current State requirements related to land use review/approval processes and subdivision platting requirements.
5. **Possible Action: Oakley 1886 Preliminary Plat.** Discussion and possible recommendation of Oakley 1886 subdivision plat and associated subdivision documents. Oakley 1886 Subdivision is a proposed 13 lot subdivision (62.47 acres) at approximately 189 E Weber Canyon Road.
6. **Possible Action: River Haven Development Agreement Amendment.** Proposed minor amendments to the Development Agreement for River Haven Subdivision. Primarily affecting water shares/secondary water system, affordable housing, and instituting a fence on Eastern property line.
7. **Discussion if time permits. Dark Sky Code Amendment and Enforcement.**
8. **Planner Items:**
  - a. **2025 Meeting Schedule.**
9. **Adjourn**

## MINUTES

## 1. Call to order and roll call:

- a) Planning Commission: Chairman Cliff Goldthorpe; Commission Members: Kent Woolstenhulme, Doug Evans, Richard Bliss, Jan Manning  
Absent: Steve Maynes
- b) City Staff: Stephanie Woolstenhulme, City Planner; Tristin Leavitt, City Treasurer
- c) Other: Kelly Edwards, Tara Carroll, David Berger, David Diehl, Wes Harwood, Josh Call, Jon Rudd (Attorney for Oakley 1886)  
Zoom: Eva Herinkova

2. **Public Comment:** Public comment is for any matter not on the agenda and not the subject of a pending land use application.

None.

3. **Possible Action: Approval of meeting minutes from 11.6.2024**

**Richard Bliss** makes a motion to approve the minutes from 11.6.2024.

**Jan Manning** seconds the motion.

**All in favor.**

4. **Public Hearing and possible action: Land Use and Management code amendment.**

Proposed changes address various clarity/approval processes and subdivision platting requirements.

**Planner Stephanie Woolstenhulme** shares that the Utah legislature adopted new statutes that requires municipalities to adopt regarding subdivision processing. Adoption needs to be implemented by December 31<sup>st</sup> of this year. This has been made available to the public for the last 10 days.

The following is a summary of the changes and areas that the city does does have a say:

- Declaring a Land Use Authority – Someone who can make the final decision on a preliminary plat and a final plat. Allows for Planning Commission to be Land Use Authority for preliminary plat and processing and City Engineer to be Land Use Authority on final plat.
- Allows for an Ag Exemption – If land is just being used for only agricultural purposes, it can be subdivided without the subdivision process. It does have to meet certain qualifications under Utah State Code and meet the certain size requirements of the city zone that it is in. If used as non ag in future, then that subdivision goes away and they will have to go through the subdivision process to be allowed to use it for residential or development purposes.

- Public Street Municipal Utility Easement allowance – able to change the plat to get the easements where you need them.
- Optional provision: Provision would allow for 3 lots or less subdivisions to be processed as an administrative action and be exempt from the subdivision process. The number of lots can be changed by the city.
- Requirements for preliminary plat applications – The city can add more requirements to this. For example: Right to farm element, notes about water and septic use, right to install/extend the water, etc. The city will add their requirements to the state's requirements.

**Chairman Cliff Goldthorpe** opens up the public hearing.

No comment.

**Chairman Cliff Goldthorpe** closes the public hearing.

**Doug Evans** makes a motion to approve the subdivision update as required by the State with the amendment that the City Planner becomes the Land Use Authority for final plat rather than the city engineer, allow for 3 lots or less exemption from the subdivision process, and not changing anything with the agricultural subdivision.

**Richard Bliss** makes an amendment to the motion to include grammatical and reference number code changes that aren't applicable or out of sequence with what is in our own code.

**Jan Manning** seconds the motion.

**All in favor.**

5. **Possible Action: Oakley 1886 Preliminary Plat.** Discussion and possible recommendation of Oakley 1886 subdivision plat and associated subdivision documents. Oakley 1886 Subdivision is a proposed 13 lot subdivision (62.47 acres) at approximately 189 E Weber Canyon Road.

**Josh Call** with Rimrock Engineering presents the following to the Planning Commission:

- Lot 13 – affordable housing got bigger 1.27 acres, can only be accessed off of Weber Canyon Road and will be deed restricted as affordable housing.
- Cul-de-sac got moved up off of the hill to where the current driveway is for the existing home.
- From the cul-de-sac, there will be a shared private driveway to access Lot 6 & 7 that will be 16 feet wide.
- Width of the road will be 24 feet wide rather than 26 feet wide as per fire department – shoulders will still be on each side of roadway. This will also reduce the amount of storm water that will be generated and it will go into the ground.
- Shared private trail access that will start at Lot 1 and run down through Lot 6. Trail follows the shared driveway with a 25 foot trail easement.

- Working on pipeling easement for Southbench – been reaching out, but nothing has been provided that has been recorded. It will be put on the plat once they get the information.
- Storm water will be handled by a vegetative bioswale with check dams at each property line. Nothing to maintain but the vegetation.
- Lot 6 & 7 will be subject to the sensitive land overlay.

**Planner Stephanie Woolstenhulme** shares that once the South Bench ditch is on the plat it will need a 20 foot full easement, 10 foot on either side of the ditch.

**Doug Evans** shares that the south end of Lot 7 is not U.S. government ground. It is a private land owner. Also trail along the west fence line needs shown on the plat.

John Rudd, Attorney for Oakley 1886, discusses some of the terms that were put in the Development Agreement with Planning Commission.

**Planner Stephanie Woolstenhulmes** asks if the Development Agreement speaks to the following:

- Conditional Use Permit for the Training and Ropes Course – *Mr. Rudd confirms that the Conditional Use Permit will be dissolved upon the issuance of the first building permit pertaining to the project.*
- Transfer of water rights – *Mr. Rudd confirms that it is included in the Development Agreement and shares how it is worded.*
- Would like the Development Agreement to state exactly when the transfer of water rights will take place and that it is the responsibility of the developer to ensure that they are transferred to the city – *Mr. Rudd confirms that he will get that added.*
- Some concerns that some of the fence lines are currently wrong in the bottom – *Mr. Rudd confirms that they did require a survey for all of the perimeter lines. He did not classify refencing in the Development Agreement, but will include it as a term. He would like to get a couple of fencing images to include in the Development Agreement.*
- Trees on the road – *Mr. Rudd confirms that if any of the trees die when moved, they will need to be transplanted or replaced.*
- Irrigation pump house being enclosed – *Mr. Rudd confirms that it is included as a term and done in a tasteful matter.*
- Language for the affordable housing component and the deed restriction including when it will be recorded and that it needs to comply with the parameters of the affordable housing – *Mr. Rudd confirms that it is not in the Development Agreement because it is referenced on the plat, but he will include it.*

**Doug Evans** makes a motion that they approve the preliminary plat of the Oakley 1886 Subdivision as presented with the changes discussed and that the Development Agreement/CC&R's be provided to the City Planner for approval before this is forwarded on to the City Council for their approval.

**Jan Manning** seconds the motion.

**All in favor.**

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6. **Possible Action: River Haven Development Agreement Amendment.** Proposed minor amendments to the Development Agreement for River Haven Subdivision; primarily affecting water shares/secondary water system, affordable housing, and instituting a fence on Eastern property line.

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**Planner Stephanie Woolstenhulme** shares the following proposed amendments with the Planning Commission:

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1. Recitals D.11 – Added a depiction of the fence on Northeast side.
  2. Section 2.2 – If Developer pays fee-in-lieu for affordable housing, 2 market rate units could be constructed on Lot 107.
  3. Section 2.3 – Open space changes from a conservation easement to Permanent Open Space with development restriction.
  4. Section 2.4 – Gabion style fence from 42" to 5'.
  5. Section 2.5 – Adding fence to Northeast property line.
  6. Section 2.6 – Fencing allowed anywhere on lot.
  7. Section 3 – Adding a full fee-in-lieu option.
  8. Section 7 – Added transfer of water shares to City and removed the secondary water system.
  9. Section 9.3 – Adding that no landscaping allowed in wetlands areas.

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General discussion amongst Planning Commission regarding the proposed changes listed above.

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**Trevor Williams, property owner**, joins the meeting by phone and then by Zoom to clarify for the Commission why he is requesting the above proposed amendments.

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More discussion amongst Planning Commission.

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**Richard Bliss** makes a motion for a roll call vote on each of the proposed amendments individually.

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**Jan Manning** seconds the motion.

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**All in favor.**

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1. Recitals D.11 – Added a depiction of the fence on Northeast side.

<b>Commissioner Woolstenhulme</b>	<b>Nay</b>
<b>Commissioner Bliss</b>	<b>Yay</b>
<b>Commissioner Evans</b>	<b>Nay</b>
<b>Commissioner Manning</b>	<b>Nay</b>
<b>Commissioner Maynes</b>	<b>Absent</b>

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2. Section 2.2 – If Developer pays fee-in-lieu for affordable housing, 2 market rate units could be constructed on Lot 107.

<b>Commissioner Woolstenhulme</b>	<b>Yay</b>
<b>Commissioner Bliss</b>	<b>Yay</b>

224 Commissioner Evans Yay  
225 Commissioner Manning Yay  
226 Commissioner Maynes Absent  
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- 228 3. Section 2.3 – Open space changes from a conservation easement to Permanent Open  
229 Space with development restriction.  
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231 Commissioner Woolstenhulme Yay  
232 Commissioner Bliss Yay  
233 Commissioner Evans Yay  
234 Commissioner Manning Yay  
235 Commissioner Maynes Absent  
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- 237 4. Section 2.4 – Gabion style fence from 42" to 5'.  
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239 Commissioner Woolstenhulme Nay  
240 Commissioner Bliss Nay  
241 Commissioner Evans Nay  
242 Commissioner Manning Nay  
243 Commissioner Maynes Absent  
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- 245 5. Section 2.5 – Adding fence to Northeast property line.  
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247 Commissioner Woolstenhulme Nay  
248 Commissioner Bliss Yay  
249 Commissioner Evans Nay  
250 Commissioner Manning Nay  
251 Commissioner Maynes Absent  
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- 253 6. Section 2.6 – Fencing allowed anywhere on lot.  
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255 Commissioner Woolstenhulme Yay  
256 Commissioner Bliss Yay  
257 Commissioner Evans Yay  
258 Commissioner Manning Yay  
259 Commissioner Maynes Absent  
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- 261 7. Section 3 – Adding a full fee-in-lieu option.  
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263 Commissioner Woolstenhulme Yay  
264 Commissioner Bliss Yay  
265 Commissioner Evans Yay  
266 Commissioner Manning Yay  
267 Commissioner Maynes Absent  
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- 269 8. Section 7 – Added transfer of water shares to City and removed the secondary water  
270 system.  
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Commissioner Woolstenhulme Yay  
Commissioner Bliss Yay  
Commissioner Evans Yay  
Commissioner Manning Yay  
Commissioner Maynes Absent

9. Section 9.3 – Adding that no landscaping allowed in wetlands areas.

Commissioner Woolstenhulme Yay  
Commissioner Bliss: Yay  
Commissioner Evans: Yay  
Commissioner Manning: Yay  
Commissioner Maynes: Absent

7. Discussion if time permits. Dark Sky Code Amendment and Enforcement.

Planner Stephanie Woolstenhulme shares that the amortization of enforcement comes due May of 2025. Discussion needs to occur regarding enforcement mechanisms. Planning Commission needs to look at Dark Sky and holiday lighting.

Richard Bliss makes a motion to table for future meeting.

Kent Woolstenhulme seconds the motion.

All in favor.

8. Planner Items:

b. 2025 Meeting Schedule

Jan Manning makes a motion to approve the 2025 Meeting Schedule.

Richard Bliss seconds the motion.

All in favor.

9. Adjourn

Chairman Cliff Goldthorpe makes a motion to adjourn.

Minutes accepted as to form this 6 day of Feb. 2025.



Richard Bliss, Vice Chairman



Stephanie Woolstenhulme, Deputy Recorder