

**PERRY CITY PLANNING COMMISSION MEETING
THURSDAY, OCTOBER 15, 2009 7:00 P.M.
PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH**

PLANNING COMMISSIONERS PRESENT: Steve Pettingill (Chair), Karen Cronin (Vice-Chair), Harlan Brewer, Martin Hinkley, David Curtis

OTHERS PRESENT: Rachel Tribe (City Planner), Duncan Murray (City Attorney), Lorin Gardner (City Engineer), Angela Erwin (Minutes Clerk), Tom Peterson (City Council), Lani Braithwaite, Ardell Jenks, Lehi Jenks

I. CALL TO ORDER AND OPENING CEREMONIES:

Comm. Pettingill called the meeting to order at approximately 7:06 p.m.

A. PLEDGE ALLEGIANCE TO THE U.S. FLAG

Conducted by Comm. Pettingill.

B. DECLARE CONFLICTS OF INTEREST, IF ANY

Questions initiated by Comm. Pettingill. None existed.

C. REVIEW AND ADOPTION OF THE AGENDA

Lorin Gardner requested a discussion of streetlights be added to the agenda.

Comm. Pettingill added the streetlight discussion as item VI-D. Also, Comm.

Pettingill added a discussion of the planning commission's calendar for the rest of the year as item VII-D.

Motion: Comm. Brewer moved to adopt the agenda for October 15, 2009 with the amendments given. The motion was seconded by Comm. Hinckley. No discussion. All in favor.

D. APPROVE MINUTES FOR OCTOBER 15, 2009

Comm. Brewer pointed out an extra period on page two item VI-A.

Motion: Comm. Brewer moved to accept the minutes for October 15, 2009, as corrected. The motion was seconded by Comm. Pettingill. No discussion. All in favor.

II. PUBLIC HEARINGS AND PUBLIC COMMENTS

A. PUBLIC COMMENTS

No public comments.

B. PUBLIC HEARING

1. PUBLIC NUISANCES ORDINANCE, INCLUDING WEEDS, GARBAGE, AND UNREGISTERED VEHICLES (AMENDING CHAPTER 54.04) AGENDA ITEM

No public comments.

III. DESIGN REVIEW/SITE PLANS AND LIMITED REVIEW PERMITS
(ADMINISTRATIVE APPLICATIONS)

None

IV. SUBDIVISIONS AND STREETS (ADMINISTRATIVE APPLICATIONS)

A. DISCUSSION REGARDING MONUMENT MARKERS FOR NEW SUBDIVISION (MAPLE HILLS)

Duncan Murray said there is a “drafted ordinance” completed by Taylor North, Perry’s extern, which includes considering monuments with limited purposes. Mr. Murray suggested adding a sentence to the current ordinance stating that monuments are not allowed, if this is what is decided, since monuments are not specifically mentioned in the current ordinance. Item postponed due to absent commissioners.

V. SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS, AND MISC.
(QUASI-JUDICIAL APPLICATIONS)

None

VI. LAND USE ORDINANCES, ZONING, DESIGN GUIDELINES, GENERAL PLAN
(LEGISLATIVE ACTION)

A. DISCUSSION REGARDING LAND USE CHART TITLE 45 (NC2 AND NC3 ZONES NEIGHBORHOOD COMMERCIAL)

Item postponed due to absent commissioners.

B. DISCUSSION REGARDING RURAL RESIDENTIAL AREAS

Item postponed due to absent commissioners.

C. PUBLIC NUISANCES ORDINANCE INCLUDING WEEDS, GARBAGE, AND UNREGISTERED VEHICLES (AMENDING CHAPTER 54.04)

Item postponed due to absent commissioners.

D. STREETLIGHTS

Mr. Gardner further inquired of Rocky Mountain Power and was told there were no intentions of having Perry take over streetlights, unless Perry submits a request. There is a procedure in which Rocky Mountain will sell the lights back to the city at

a depreciated value. Perry owns some streetlights and some are owned by Rocky Mountain. Some are fully maintained by Rocky Mountain and some are partially maintained. An inventory has been done and if Rocky Mountain was to sell the lights to Perry, the cost, at this time, would be about \$24,402. This is considering that most of the lights are on a single wooden pole or a telephone or power pole with other utilities. Some of the light poles would remain owned by Rocky Mountain and are not included in the purchase estimate. Mr. Gardner wanted to make it clear that if the city requests the purchase, Rocky Mountain would oblige, but there would be an associated fee.

Comm. Curtis and Comm. Cronin arrived at approximately 7:15 p.m.

Comm. Hinckley asked Mr. Gardner if he knew what was economically feasible. Mr. Gardner said there are 109 lights in the city and the cost would be about \$350 per light. Now that there is a figure on the total costs, Mr. Gardner can evaluate the savings based on the rates and how long it will take to recoup the money.

*Previously postponed items, as follows.

IV-A. DISCUSSION REGARDING MONUMENT MARKERS FOR NEW SUBDIVISION (MAPLE HILLS)

The committee has not met again and has no information to report. Mr. Murray said city staff has added the requested changes and the committee can review those changes. There will be a committee discussion after the meeting.

VI-A. DISCUSSION REGARDING LAND USE CHART TITLE 45 (NC2 AND NC3 ZONES NEIGHBORHOOD COMMERCIAL)

Comm. Pettingill commented that these zones will not remain the same. At some point a housing component will be added to the NC2 and NC3 zones, as 640 acres of commercial acres cannot be supported in Perry. He encouraged the commissioners to open a discussion that would start inserting some type of housing components for the area.

VI-B. DISCUSSION REGARDING RURAL RESIDENTIAL AREAS

Comm. Curtis requested to defer this discussion until after the rural residential area training has been completed.

VI-C. PUBLIC NUISANCES ORDINANCE INCLUDING WEEDS, GARBAGE, AND UNREGISTERED VEHICLES (AMENDING CHAPTER 54.04)

Comm. Cronin needs to review the packet she just received from Jim Buchanan. Comm. Brewer asked who is responsible for enforcement when the state uniform fire code is referenced. Mr. Murray responded that the fire marshall typically enforces, but city staff can enforce certain provisions.

Rachel Tribe will scan the packet from Jim Buchanan and either her or Comm. Cronin will e-mail the information to the commissioners.

*The agenda continued, as follows.

VII. TRAINING AND HANDOUTS

A. UPDATE ON ISSUES ASSIGNED TO STAFF

B. CITY COUNCIL
REPORT - TOM
PETERSON

Tom Peterson commented that there has not been a planning commissioner present at the city council. He also said that there is some concern over the intersection at 2450 where there is a sunken hole. The engineer will be looking at raising this area if drainage approves, as there is some extra asphalt available. Mr. Gardner will be reporting on this at the city council meeting.

Comm. Cronin asked about the status of 1200 West “through to Willard.” Mr. Murray said there will possibly be a “rough road,” but not an entire right-of-way, for use of landowners and emergency vehicles. There may be an alternative for slow moving traffic. There is some leftover material from the sewer project that the city is planning on using for the drive-able portion.

C. NEXT TRAINING: NOVEMBER

In addition to the rural residential area training, Taylor North, Perry’s extern, has prepared a presentation on exactions, both legal and illegal, and when the commission can impose additional requirements for a specific situation. There are also some presentations done by the Mayor, including the park groundbreaking and a presentation on the recent chemical and hazardous waste event in Perry.

D. PLANNING COMMISSION MEETING CALENDAR

Mr. Murray informed the commissioners that the October 29, 2009 meeting will serve as the first meeting in November. Comm. Pettingill recommended one December, 2009 meeting. Comm. Cronin requested that the meeting be on December 3, 2009.

Motion: Comm. Hinckley moved to have a December 3, 2009 only. The motion was seconded by Comm. Curtis. No discussion. All in favor.

VIII. REVIEW NEXT AGENDA AND ADJOURN

- A. **ADD AGENDA ITEMS REQUESTED BY PLANNING COMMISSIONERS**
Ms. Tribe said there are two (or possibly three) conditional use permits. There is also a public hearing on one of the permits. There will also be an update on monument markers and a discussion on the nuisance ordinance.

Mr. Murray reviewed the changes made to the nuisance ordinance. The first sentence in Section 54.04.013 was simplified to read, "leaking any measurable amount of fluid." Comm. Cronin pointed out that there still needed to be a transition from garbage cans to motor vehicles in Section 54.04.012. Comm. Curtis suggested the wording, "garbage can removal shall be subject to the same regulations as car parking in sections [insert sections] with relationship to snow removal."

Mr. Murray responded to a prior question of why the ordinance just addressed weeds, garbage, and unregistered motor vehicles. He said the council wanted to focus on these three issues first and revisit the other issues at a later time. There are no specific standards or requirements to these three areas in the current ordinance. Mr. Murray added that there is a statement of intent in the current ordinance, but no standards and nothing to enforce. Mr. Murray also said that a copy the current fire code will be added as an appendix, so, as the code changes, an ordinance change will not be required. The last change was to reference Section 54.04.010 with Section 08.12.

- B. **MOTION TO ADJOURN**
Motion: Comm. Curtis moved to close the meeting. The motion was seconded by Comm. Brewer. No discussion. All in favor.

Meeting adjourned at approximately 7:45 p.m.