

**PERRY CITY PLANNING COMMISSION MEETING
THURSDAY, July 1, 2010 7:00 P.M.
PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH**

PLANNING COMMISSIONERS PRESENT: David Curtis (Vice Chair), Harlan Brewer, David Walker

OTHERS PRESENT: Tom Peterson (Councilmember), Susan K. Obray, Minute Clerk, Misti Groll, Jeff Groll, Bill Morris, (City Prosecutor), Angie Cefalo

1. CALL TO ORDER AND OPENING CEREMONIES

Vice Chairman Curtis called the meeting to order at approximately 7:04 p.m.

A. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Conducted by Vice Chairman Curtis

B. DECLARE CONFLICT OF INTEREST, IF ANY

Questions initiated by Vice Chairman Curtis. None existed.

C. REVIEW AND ADOPTION OF THE AGENDA

Comm. Brewer moved to adopt the July 1, 2010 agenda. Comm. Walker seconded the motion. All in favor.

D. APPROVE MINUTES FOR JUNE 3, 2010

MOTION: Comm. Brewer motioned to approve the minutes for June 3, 2010 as amended. Comm. Walker seconded the motion. All in favor.

MOTION: Comm. Brewer moved to close the regular meeting and open the meeting into a public hearing. Comm. Walker seconded the motion. All in favor.

2. PUBLIC HEARING AND PUBLIC COMMENTS

A. Jitterbug

(Home Business, Conditional Use Permit)

Angie Cefalo presented her business Jitterbug. It will be a small group of children including her own children. They will meet twice a week to do movement, tumbling, exercise, and dance. She stated she has adequate room in her home.

B. Misti Groll Hair Salon

(Home Business, Conditional Use Permit)

Misti Groll presented her business to the Commissioners. She would like to do hair services in her home.

MOTION: Comm. Brewer moved to close the public hearing and open the regular meeting. Comm. Walker seconded the motion. All in favor.

Comm. Curtis stated both of these agenda items will be recommendations to the Special Uses and Appeals Board.

3. LAND USE APPLICATION (ADMINISTRATIVE ACTION)

Comm. Brewer asked Angie Cefalo the ages of the children that would be attended Jitterbug. Ms. Cefalo stated she would have the 4 and 5 year olds on Monday and the 2 and 3 year olds on Wednesday. She would have 6 children on each day, 4 children coming into the home and 2 of her own children. She will hold these sessions Sept through November and January through April.

MOTION: Comm. Walker moved to recommend approval of the Conditional Use Permit and Special Business License for Jitterbug. Comm. Brewer seconded the motion.

Comm. Walker yes Comm.Curtis yes
Comm. Brewer yes

Motion Approved: 3 yes 0 no

Comm. Brewer asked Ms. Groll if she would have appointments for her hair salon. She stated she would have one client at a time. She would have 45 minutes between clients. Her hours of operation would be Monday through Saturday 9: 00 AM to 9:00 PM. Attorney Morris stated the ordinance allows her to have 6 clients a day. She has her state certification. Mr. Groll stated they have a semi circular drive in front of their house. The salon is on the main floor. Attorney Morris stated the conditions should be Monday through Saturday 9:00 AM to 9:00 PM, 6 clients, one client at a time.

MOTION: Comm. Brewer moved to recommend approval for this business to the Special Uses and Appeals Board. Comm. Walker seconded the motion.

Comm. Walker yes Comm. Brewer yes
Comm. Curtis yes

Motion Approved: 3 yes 0 no

The motion was amended as follows:

MOTION: Comm. Brewer moved to amend the motion to include the conditions outlined by the staff and as read into the minutes, Monday through Saturday 9:00 AM to 9:00 PM, 6 clients total, and one client at a time. Comm. Walker seconded the motion.

Comm. Walker yes Comm. Brewer yes
Comm. Curtis yes

Motion Approved: 3 yes 0 no

4. LAND USE ORDINANCES, ZONING, DESIGN GUIDELINES, GENERAL PLAN, ETC.

**A. Action on Title 41 Definitions
(Storage pods, Storage Containers etc.)**

Mr. Illum included in the packet a definition of a storage container. A “storage container” includes any container that is intended for the purpose of storing or keeping household goods and other personal property or material of the property owner that is intended to be filled, refilled, or emptied while located outdoors on a property, and to be thereafter removed from the property. Comm. Walker asked if it is stored on the property and not removed is it still considered a storage container. Comm. Curtis stated the containers need to fit within the setback requirements. Councilman Peterson stated a storage container needs to be defined, and should be treated as a shed and follow all the requirements. Comm. Curtis said there is a definition for an accessory building rather than trying to define a storage container it could be anything that is used for permanent storage shall be considered an accessory building. Councilman Peterson said you need to take the square footage of the container into consideration. He suggested researching what other cities have done with their storage container ordinances. Comm. Curtis suggested taking out storage containers in the definition and inserting “any structure that is intended for the purpose of storing or keeping household goods and other personal property or material of the property owner shall be considered an accessory building subject to accessory building setbacks”.

MOTION: Comm. Brewer moved to table this item for a later date when we have more information. Comm. Walker seconded the motion.

Comm. Walker yes Comm. Curtis yes
Comm. Brewer yes

Motion Approved: yes 3 no 0

Comm. Curtis would entertain a motion to have the attorney rewrite plus the other comment on the accessory buildings provided to the staff for further clarification, and has staff provide ordinances from other cities for consideration at the next meeting.

MOTION: Comm. Brewer moved that in connection with the previous motion relating to storage pods, we consider also the rewritten definition of storage container previously discussed in these minutes and also possibly include storage containers with the definition of accessory buildings. Comm. Walker seconded the motion.

Comm. Brewer yes Comm. Curtis yes

Comm. Walker yes

Motion Approved: yes 3 no 0

Comm. Curtis gave the staff an assignment to provide other cities' ordinances related to storage containers and temporary type buildings for the next meeting.

B. Action on Changing the In-Fill Ordinance
(Changing from Allowing only duplexes to allowing fourplexes)

The wording has been changed from two-family to four-family dwelling. Comm. Curtis stated ordinance 45.08.040 number 7. Comm. Curtis would like to strike "except that a minimum lot area shall be 8,000 square feet per unit or 16,000 square feet per two-family dwelling. Comm. Curtis stated his motion from last meeting was to recommend striking everything from "except" on. Comm. Pettingill made a motion at the last meeting to receive the language for the change for a 4 family unit in the NC2 and NC3 in-fill ordinance at the next meeting. Comm. Curtis stated it appears the recommendation had not been followed.

MOTION: Comm. Brewer moved that the landfill ordinance 45.08.040 item 7, that we add the hyphenated words four-family after the words two-family comma. Comm. Walker seconded the motion.

Comm. Curtis yes Comm. Walker yes
Comm. Brewer yes

Motion Approved: yes 3 no 0

MOTION: Comm. Brewer moved that in the infill ordinance 45-08-40 number 7, we eliminate the partial sentence at the end of item 7 which begins with "except" and goes through the word dwelling period. Comm. Walker seconded the motion.

Comm. Brewer yes Comm. Curtis yes
Comm. Walker yes

Motion Approved: yes 3 no 0

5. TRAINING, HANDOUTS AND UPDATES

A. City Council Report-Tom Peterson

The city council made a major decision in regards to UTOPIA. The proposal was a resolution for consideration to have the city enter into an inter-local cooperative agreement to form the Utah infrastructure agency. This agency would allow UTOPIA to require additional funding. The other resolution 10-13 authorizing the city to enter into a communication service

contract with the Utah infrastructure agency. Both of these resolutions were disapproved unanimously by the City Council.

6. REVIEW NEXT AGENDA AND ADJOURN

- A. Add Agenda Items requested by Planning Commissioners.
- B. Motion to Adjourn

MOTION: Comm. Brewer moved to adjourn. Comm. Walker seconded the motion. All in favor.

Adjourned at approximately 8:00 PM.