

June 1, 2023
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Marcus Wager, Commissioner Julie Jones, Commissioner Ryan Vaughn
Commissioner Beth Thompson, Commissioner and Blake Broadhead

Commissioners Absent: Vice Chairman Stephan Moss and Commissioner Jan Kerr

City Staff Present: Mayor Jeppsen (on-line), City Administrator Bob Barnhill, City Attorney Chris Crockett
(on-line), and Planning Secretary Tyra Bischoff

Others Present: Melanie Barnhill (on-line)

1. 7:01 p.m. - Call to Order and Opening Ceremonies

Chairman Marcus Wager called the meeting to order.

A. Declare Conflict of Interest, if any

None.

2. Action Items

A. Ordinance 23-E Landscaping Regulations

Mr. Barnhill said this action item was a follow-up from the last meeting. The main purpose of this ordinance was to present an option as a code amendment for the residents who want to remove their grass and replace it with water wise landscaping. He explained that in qualified cities the State of Utah will give \$1.50 per square foot to the residents who participate in this water wise landscaping program. He said in order to qualify for this state incentive program the municipality will need to have adopted an ordinance with the state regulation wording. He explained the landscaping ordinance will be for new residential and commercial developments. To qualify for this program the regulation should list that residential lawns will not be permitted in park strips or areas less than 8 feet in width and the lawn in the front and side yards will be 50 percent or less of the landscaping. The commercial and multi-family housing regulation should state that the lawn will not exceed 20 percent of the total landscaped area with the exception of large recreation spaces.

He suggested while they are amending the landscape regulations ordinance, they also do a clean-up on outdated criteria and other changes. He mentioned that at the prior Planning meeting the commissioners requested he send out a survey asking the citizens if they would be supportive of this incentive plan so, he put a two-question survey on social media. He then reviewed the data of the responses with the commissioners.

Commissioner Jones said she was concerned that 50 percent was not enough for conserving water in seasons like last year. She said the minimal water (drought) gave her perspective and that she was grateful for the water we had (thus far) received this year. She voiced that she talked to people that were for this incentive program but against the government control part of it. She said she wanted them to push it to City Council for review to get more eyes (opinions) on it.

Commissioner Vaughn asked how they calculated the percentage of the property and Mr. Barnhill responded and then used some of the measurements as examples. He noted that the state will not pay if the grass was replaced with gravel or cement. He said the state program is to give a financial rebate to the resident who replaces landscape with (water wise) landscape. The group then discussed water usage and types of landscape options such as zero-scaping. Commissioner Thompson said she was concerned about people who will just let weeds grow up through their water wise landscaping (not maintain the rock areas). Mr. Barnhill mentioned that the city has a code about weeds and frequently sends letters to citizens about this issue. They continued their discussion and focused on the landscaping percentages for the ordinance draft. Commissioner Broadhead commented that he finds it odd that the state will offer rebate only if replacing it with something else that requires water.

MOTION: Commissioner Jones made a motion to recommend to City Council for approval and discussion of Ordinance 23-E Landscaping Regulations. Commissioner Thompson seconded the motion.

Roll Call Vote:

Commissioner Wager, Yes
Commissioner Moss, Absent
Commissioner Jones, Yes
Commissioner Kerr, Absent
Commissioner Broadhead, Yes
Commissioner Vaughn, Yes
Commissioner Thompson, Yes

Motion Approved

3. Approval of the Minutes

A. April 6, 2023 Regular Planning Meeting

Commissioner Broadhead said there was one change on line 27 to take out “and”.

MOTION: Commissioner Broadhead made a motion to approve the April 6, 2023 with the correction. Commissioner Vaughn seconded the motion.

All In Favor

4. Discussion

A. State Legislature Changes

Mr. Barnhill said the State of Utah Legislature made changes to S.B. 174 Local Land Use and Development Revisions (<https://le.utah.gov/~2023/bills/static/SB0174.html>) to streamline the subdivisions process. He explained that Perry City will have to create an ordinance to comply with this state revision. He said the first half of the bill was about providing moderate income housing but for this discussion they will be focusing on the subdivision review and approval process. The following were his highlights of a few optional changes and some changes that the city must make to comply with the state code revision.

In section 10-9a-604.1. Process for Subdivision Review and Approval:

- Line 388 – 390 (3) preliminary and engineering done at same time and should be ready to record. They should have only two applications, preliminary and final.

- Line 397 – 399 (4) (a) request for a pre-application meeting to review concept plan shall be met within 15 days.
- Line 410 – 413 (7) for the preliminary application the city may receive public comment and may hold a public hearing.
- Line 417 – 413 (9) (b) the final subdivision application may not require approval from Planning Commission or City Council (but a person who was given land use authority for the city).

In section 10-9a-604.2. Review of Subdivision Land Use Applications and Subdivision Improvement Plans:

- Line 449 – 450 (3)(b) A municipality shall maintain and publish a list of the items comprising the complete preliminary subdivision land use application, including:
 - (ii) the owner's affidavit;
 - (iii) an electronic copy of all plans in PDF format;
 - (iv) the preliminary subdivision plat drawings; and
 - (v) a breakdown of fees due upon approval of the application.

He continued reviewing the state bill and highlighted areas of important interest. With all these state legislature changes, he said, Planning Commission and City Council need to be extra stringent from the beginning of the applications review process. He mentioned as a side note that the city may bill the applicant for the time it takes office, administration, and city engineer staff to process the application paperwork. As he progressed through the code revision, he commented that this will really impact the land developers. In reference to 10-9a-604.2 7(c), he said, the first review will need to be as comprehensible as possible and will be very important. He pointed out in 10-9a-608 Subsection 5, that lot line adjustments do not need to be amended with a plat therefore the different amendments will not show up on the county map and would be more difficult to track. At the end of the state code review, he said that they will begin working on updating the city code to comply with this revised Utah State legislature code.

B. Future Projects

Mr. Barnhill said that nothing had been presented to be on Planning Commission agenda and Chairman Wager commented that perhaps they might not need to have a meeting next month. Mr. Barnhill then reported that he has had residents call with questions about ADU's. Chairman Wager asked about the RA Housing report and Mr. Barnhill responded that he had submitted it but had not heard back from the state.

C. Report on past-approved Planning Commission Agenda Items

Mr. Barnhill said Maverik site plans were originally tabled and then Maverik took the time to do a soil analysis (and presented the report to the engineers) so they were approved.

D. Report from Commissioner regarding previous Council Meetings

None.

E. Make Assignments for Representative to Attend City Council Meeting (June 8 & June 22, 2023)

Mr. Barnhill will attend the June 8th, and Commissioner Blake Broadhead said he will go to the June 22nd, City Council Meetings.

5. Public Comment

None.

6. Training

A. Staff

None.

7. Review Next Agenda and Adjourn

A. Items for July agenda (next meeting July 6, 2023)

Mr. Barnhill said that there was nothing so far.

B. Motion to Adjourn

Motion: Commissioner Jones made a motion to adjourn the meeting. Commissioner Thompson seconded the motion.

All Commissioners were in favor. The meeting ended at 7:51 p.m.