

August 6, 2020
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Michelle Drago, Vice Chairman Jan Kerr (arrived 7:15 p.m.),
Commissioner Tresa Peterson, Commissioner Marcus Wager and Commissioner Julie Jones

City Staff Present: Bob Barnhill: City Administrator
Susan Obray: City Recorder
Christopher Crockett: City Attorney

Others Present: None

1. 7:00 p.m. - Call to Order and Opening Ceremonies

Chairman Drago called the meeting to order.

A. Declare Conflict of Interest, if any.

Chairman Drago stated that she has a beehive and wanted to clarify that it would not be a conflict of interest with the code regarding Chickens/Urban Livestock. Christopher Crockett, City Attorney stated that it would not be a conflict of interest.

2. Public Hearings

A. Public Hearing Amending Title 15 of the Perry Municipal Code regarding signs.

Chairman Drago opened the public hearing portion of the meeting at 7:02 p.m.

No public comment received.

B. Public Hearing Amending Title 15 of the Perry Municipal Code regarding the land use chart and associated regulations.

No public comment received.

C. Public Hearing Amending Title 15 of the Perry Municipal Code regarding temporary uses and food trucks.

No public comment received.

D. Amending the Perry Municipal Code regarding Chickens/Urban Livestock.

No public comment received.

Chairman Drago closed the public hearing portion of the meeting.

3. Action Items

A. Amending Title 15 F Perry Municipal Code regarding signs.

The Commission discussed postponing the discussion on signs to a future meeting due to time. Bob Barnhill stated that he would like to meet with Commissioner Kerr to discuss the areas of concern he had with signs in more detail before the next meeting. Commissioner Kerr indicated that Walmart was needing an amendment on the signs more urgently to accommodate a new project. Bob confirmed that Walmart was needing a sign for their new addition to their grocery pick up area. He stated that right now the square foot area allowed for signs only allows 600 square feet. The Commission discussed amending just this area of the sign ordinance to accommodate Walmart and changing the allowed amount to 850 square feet.

MOTION: Commissioner Kerr made a motion to approve amending the sign ordinance to allow a maximum of 850 square feet of signage. Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

B. Amending Title 15 of the Perry Municipal Code regarding the land use chart and associated regulations.

Bob Barnhill presented the land use chart with the language changes the Commission suggested from the previous meeting regarding vehicle auction establishment. The Commissioners discussed the changes and agreed that the wording makes sense.

MOTION: Commissioner Kerr made a motion to approve the added verbiage to Title 15 and recommend that vehicle auction use, with the wording discussed, to be sent to City Council to review prior to final approval. Commissioner Wager seconded the motion. Roll call vote.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson Yes
Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

Bob Barnhill presented the land use chart to the Commission with a list of new and modified items. He explained in detail how to read/use the chart and regulations. The Commission discussed that they like the way he presented the land use chart; that it is user friendly. Bob informed the Commission about a landscaping business similar to Sandy's in West Haven, that wants to go to Pointe Perry, but as the land use chart is written now Pointe Perry is for commercial. The Commission discussed that they felt that it would be good to have a business like that in Perry, but that since it is more industrial, it may be better in a different location.

C. Amending Title 15 of the Perry Municipal Code regarding temporary uses and food trucks.

Commissioner Peterson reviewed some questions that she had. She asked for clarification on who to go through for temporary permits, the City Administrator or designee. The Commission discussed the wording and felt that it was fine the way it is written. She also asked if 3C complied with Utah State code. She was concerned that putting the state code number in might not be good in case the State code changed. Then the City would have to amend its code as well. Christopher Crockett, City Attorney, suggested it writing the ordinance in a way that it does not have to be constantly updated, such as stating 'as amended'. That language would refer one to look at the State's most updated code. The Commission discussed temporary structures and the wording they want regarding these, adding seasonal vendor for temporary structures with temporary uses to include things like a snow cone place or a pop-up farmers market, for example. The Commission discussed the time allowed for temporary uses. Bob Barnhill discussed business licensing involving food trucks. The Commission

discussed hours of operation and signs, deciding they would like more research on the hours of operation and having City Council give the final approval in this area.

MOTION: Commissioner Wager made a motion to recommend approval to the City Council amending Title 15 of the Perry Municipal Code regarding temporary uses and food trucks subject to Bob Barnhill, City Administrator, and Christopher Crockett, City Attorney, looking up hours of operation and what possibilities there were to attach conditions to a temporary use. Vice Chairman Jan Kerr seconded the motion. Roll call vote.

Commissioner Kerr Yes	Commissioner Peterson Yes
Commissioner Jones Yes	Commissioner Wager Yes
Commissioner Drago Yes	

Motion Approved: 5 Yes 0 No

D. Amending the Perry Municipal Code regarding Chickens/Urban Livestock.

Commissioner Jones discussed the language changes that she made. Bob stated that there are some single-family homes that are non-conforming and asked the Commission to clarify the wording they would like to use regarding zones. They discussed the Land Use chart being able to clarify that. The Commission discussed the slaughter of urban livestock being allowed only in agricultural zones and being strictly prohibited in the other zones. The Commission discussed beehives and how far away from the property line they should be allowed. It was decided that 10 feet from the property line and 25 feet from a neighboring dwelling would be acceptable.

MOTION: Vice Chairman Kerr made a motion to recommend approval to the City Council amending the Perry Municipal Code regarding Chickens/Urban Livestock with the changes discussed by Planning Commission. Commissioner Jones seconded the motion. Roll call vote.

Commissioner Kerr Yes	Commissioner Peterson Yes
Commissioner Jones Yes	Commissioner Wager Yes
Commissioner Drago Yes	

Motion Approved: 5 Yes 0 No

3. Discussion Items

A. Code Amendments and Projects

Tabled.

4. Approval of the Minutes

A. July 2, 2020 Regular Meeting Minutes

MOTION: Commissioner Peterson made a motion to approve the regular meeting minutes from July 2, 2020. Commissioner Wager seconded the motion. Roll call vote.

Commissioner Kerr Yes	Commissioner Peterson Yes
Commissioner Jones Yes	Commissioner Wager Yes
Commissioner Drago Yes	

Motion Approved: 5 Yes 0 No

Chairman Drago stated that she does not think that the meeting minutes from June 4 were approved. Bob said that he will investigate it and make sure it is included on the agenda for the next meeting.

6. Discussion

A. Future Projects

Bob reviewed the sign and land use chart will be coming up. Bob stated that at the next Council Meeting there will be a sewer bond and sewer rate approval as well as a tax rate approval. The City office will be open so they can participate by coming in or online. If there is a large crowd, the people will have to take turns coming into the meeting to give public comment.

B. Report on past approved Planning Commission Agenda Items.

Chairman Drago asked if the ADU's had passed at City Council. Bob informed the Commission that it had passed with the impact fee being reduced to 20%.

C. Report from Commissioner regarding last Council Meeting

Commissioner Jones stated the City Council meeting she attended did not have a lot of discussion on Planning Commission items.

Vice Chairman Kerr reviewed the City Council meeting she attended with the Commission. She stated that much of the meeting was going over the budget and finances.

D. Make Assignments for Representative to attend City Council Meetings. (August 13, 2020 and August 27, 2020, these will be Electronic Meetings).

Chairman Drago will attend August 27th meeting and Commissioner Peterson will attend the August 13th meeting.

7. Training

A. Staff

Christopher Crockett discussed the law change on open meetings. At the beginning of the pandemic the Governor issued an executive order that suspended certain requirements at open meetings, which made it so that there did not need to be an anchor location for the public to attend. This allowed open meetings to be held via zoom/online. The Legislature met and passed a law reversing the decision from the Governor. Cities must now set up an anchor location for the public to attend. He informed the Commission of the new process to continue to hold online meetings and the form and content that would need to be included in each meeting, due to it expiring every 30 days. There would be a written determination that is read into the meeting by the Chairman and recorded into the minutes at each meeting explaining that there is a substantial risk for the health and safety for people attending at the anchor location, how the public will be allowed to make comments at the online meeting, and state facts to support the risk.

8. Review Next Agenda and Adjourn

A. Items for next agenda (September 3, 2020)

- Land Use Chart
- Municipal Code regarding signs

B. Motion to Adjourn

Motion: Commissioner Kerr moved to adjourn. All commissioners were in favor.