

January 4, 2018
Planning Commission Meeting
3005 South 1200 West Perry UT 84302
7:00 p.m.

Commissioners Present: Chairman Devin Miles, Commissioner Blake Ostler, Commissioner Tresa Peterson, and Commissioner Stuart Grover

City Staff Present: Susan K. Obray: City Recorder

Others Present: Jeremy May, Mayor Kevin Jeppsen, Council Member Andrew Watkins, Clayton Anderson, Greg Hansen, Steven Ewert, Mike VanPelt, Ryan Stokes, and Dean Stokes

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

A. Invocation-

Commissioner Peterson gave the invocation.

B. Pledge of Allegiance to the U.S.A-

Commissioner Miles led the Pledge of Allegiance.

C. Declare Conflict of Interest, if any-

None

D. Review and Adopt the Agenda

Chairman Miles stated he would like to add item 5E: a discussion regarding training on how to hold a productive meeting.

MOTION: Commissioner Grover moved to adopt the January 4, 2018 Planning Commission Meeting agenda with the addition of item 5E to discuss [training on] meeting procedures. Commissioner Ostler seconded the motion. Roll call vote.

Commissioner Ostler, Yes

Commissioner Peterson, Yes

Commissioner Grover, Yes

Chairman Miles, Yes

Motion Approved: 4 Yes 0 No

E. Approval of the Minutes

(a) September 21, 2017 Regular Meeting

MOTION: Commissioner Peterson moved to approve the September 21, 2017 Planning Commission Meeting minutes. Commissioner Grover seconded the motion. Roll call vote.

Commissioner Ostler, Yes

Commissioner Peterson, Yes

Commissioner Grover, Yes

Chairman Miles, Yes

Motion Approved: 4 Yes, 0 No

(b) December 7, 2017 Regular Meeting

Tabled.

(c) Make Assignments for Representative to Attend City Council Meetings (January 11, 2018 and January 25, 2018).

Chairman Miles stated he will attend the January 11, 2018 City Council Meeting and Commissioner Grover stated he would attend the January 25, 2018 City Council meeting.

Commissioner Ostler stated the Council passed the Civic and Recreational Zones Ordinance which the Commission recommended to the Council. He noted that on the Chase Smith application the recommendation from the Planning Commission regarding not storing vehicles on the property was not part of the Council's motion.

F. Elect a Vice Chairman for the 2018 year

Chairman Miles nominated Commissioner Stuart Grover as the Vice Chairman for the year 2018.

MOTION: Commissioner Ostler moved to recommend to the City Council Commissioner Stuart Grover; as Vice Chairman/Chair Elect for the year 2018. Commissioner Peterson seconded the motion. Roll call vote.

Commissioner Ostler, Yes **Commissioner Peterson, Yes**
Commissioner Grover, Yes
Chairman Miles, Yes

Motion Approved: 4 Yes, 0 No

2. Public Comments and/or Public Hearings

A. Public Hearing for an application to amend the zoning map to change Parcel No. 02-029-0114 (comprising of 2.22 acres), from R1 Low Density Residential to NC2 Neighborhood Commercial 2. Approximately 2825 s Hwy 89 in Perry. Applicant: Dean Stokes

MOTION: Commissioner Peterson moved to close the regular meeting and open the public hearing. Commissioner Grover seconded the motion. Roll call vote.

Commissioner Ostler, Yes **Commissioner Peterson, Yes**
Commissioner Grover, Yes
Chairman Miles, Yes

Motion Approved: 4 Yes, 0 No

Clayton Anderson stated he is a property owner immediately east of the 02-029-0114 parcel. He said he is concerned that excavation is occurring in the hillside and asked what kind of slope is allowed in this area. He stated he is concerned about having sluff-offs from this excavation which would directly affect his property.

Steve Ewert stated he is on property lot 10 and asked if the hill being zoned commercial could be sold and then developed as commercial later on. He also expressed concern about the effect of traffic along the highway with this application being approved.

Jeremy May stated he lives on the south side of the orchard and inquired whether they are going to keep the orchard or sell it. He asked if he or the applicant will have to build a fence when the applicant develops the property.

Greg Hansen explained the cross hatch [shaded portion] on the plat is requesting to be changed from a R1 zone to a NC2 zone, so that the entire parcel is commercial.

MOTION: Commissioner Peterson moved to close the public hearing and reopen the Planning Commission Meeting. Commissioner Ostler seconded the motion. Roll call vote.

Commissioner Ostler, Yes
 Commissioner Grover, Yes
 Chairman Miles, Yes

Commissioner Peterson, Yes

Motion Approved: 4 Yes, 0 No

B. Public Comments

No public comment was received.

3. Land Use Applications

A. Application to amend the zoning map to change Parcel No. 02-029-0113 & 02-029-0114 (comprising of 2.22 acres), from R1 Low Density Residential to NC2 Neighborhood Commercial 2. Approximately 2825 S Hwy 89 in Perry. Applicant: Dean Stokes.

Greg Hansen stated that this application is asking to rezone the entire back [east] section [of the subject parcels] from residential to commercial so the applicant will be in compliance with City Codes regarding his building permit [for a commercial accessory building on the subject property].

Commissioner Peterson inquired about the buffer between the proposed commercial and residential zones (as stated by City Engineer, Brett Jones in a letter regarding this application).

Mr. Hansen explained the hillside creates a natural buffer between the residential and commercial zones.

Commissioner Peterson inquired what the standard for the slope is.

Greg Hansen stated there are many options which the City allows to deal with slopes, he stated a 2 to 1 slope is what he believes is permitted within the City.

Commissioner Grover asked if there were any plans for the south end of the plot.

Greg Hansen stated, at this point, there are not any plans regarding that section of the property that he is aware of.

Commissioner Peterson inquired if the new business will have to put in fencing.

Commissioner Ostler stated he did not feel the application, as it is currently, can require that—he explained he felt the Commission is simply deciding if the proposed Land Use is appropriate.

Commissioner Peterson noted the traffic issue which was brought up in the public hearing. She stated she felt the Commission could not control this concern, as this area is an established commercial zone. She said she is not sure that approving this application will add more traffic, as it is for personal storage for the applicant's construction company.

The Commission discussed the requirements of PMC 15.07.080.6 [Procedure for Zone Change Amendment] and whether the application meets the goals of the General Plan, was

submitted with a concept plan, and provides a significant benefit to Perry other than additional housing.

Commissioner Ostler asked what significant benefit to Perry City this application will provide.

Commissioner Grover stated it supports local business and the rezone provides a solution to the small residential lot that would have been hard to develop into housing due to lack of access.

MOTION: Commissioner Grover moved to recommend to the City Council approval of the amendment to the zoning map to change parcels 02.029.0113 and 02.029.0114 from an R1 Zone to an NC2 Zone. Commissioner Ostler seconded the motion. Roll call vote.

Commissioner Ostler, Yes
Commissioner Grover, Yes

Commissioner Peterson, Yes
Chairman Miles, Yes

Motion Approved: 4 Yes, 0 No

4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc. -Recommendation to the City Council.

A. None

5. Discussion

A. Discussion on Agricultural Zone

Commissioner Ostler proposed to the Commission to redo the entirety of Title 15. He said he would like to discuss doing this using Form Based Code (which tries to get away from Land Use Charts). He explained the General Plan is currently being updated and the content of it would apply to the Form Based Code. He stated he felt the best thing to do would be to meet with the administration and elected officials to have a conversation regarding if using the Form Based Code is the best direction for the City.

Commissioner Grover stated it was his understanding that the Agricultural Zone was close to being passed onto the Council from the Commission. He said he feels it might be a good idea to look at title 15 as a whole and try to streamline it, however, it still might be a good idea to go through the sections one by one first.

Commissioner Peterson asked for more clarification on Form Based Code.

Commissioner Ostler gave a website (formbasedcode.org) for the Commission to reference.

The Commission and Mayor Jeppsen discussed the General Plan update and how it is moving forward.

Commissioner Grover stated the City currently has 20 zones. He felt it might be better to look further into this Form Based Code option and see if it would be a more effective and efficient way to approach updating the codes.

Commissioner Grover recommended having a work session regarding the Form Based Code, inviting the City Council so both entities can be on the same page.

B. Discussion on the Business License Process

Commissioner Ostler stated there is a lot of work left on this item. He also noted the State has changed the fee regarding applications for non-visiting clientele Home Businesses which needs to be incorporated into the City Codes.

C. Discussion on the Subdivision Ordinance: Final Land Use Authority/ Final Approval Process Tabled.

D. Conservation Subdivision Ordinance

Commissioner Grover said that this item has been put on hold as the City Attorney has some misgivings regarding this proposed ordinance.

Commissioner Ostler stated he would like to get direction from the elected officials on whether they would like to see this item move forward or not. He said a lesson he learned in this process is getting the City Attorney involved much earlier on.

The Commission discussed the use of conditional uses.

E. Productive Meeting

Chairman Miles stated he spoke with City Recorder, Susan O Bray and she suggested having a training on how to have more effective and efficient meetings. He said he would like to have this training next month and inquired if the Commission would like to have such a training.

The Commission agreed this would be a helpful training and agreed upon having this training during a work session right before the regular meeting in February.

Commissioner Ostler inquired if they could pass the minutes and make the assignments to City Council Meetings at the end of the meeting versus at the beginning.

The Commission agreed with this agenda adjustment.

6. Training

A. None

7. Review Next Agenda and Adjourn

- Work Session on Form Based Code and Productive Meeting Training
- Classify Zone for Gravel Pit Discussion/Action
- Townhome Property
- Discussion on Agricultural Zone
- Discussion on Business License Process
- Discussion on Subdivision Ordinance

A. Motion to Adjourn

MOTION: Commissioner Grover moved to adjourn.

Motion Approved: All Commissioners were in favor.