

July 2, 2020
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Chairman Michelle Drago, Vice Chairman Jan Kerr, Commissioner Tresa Peterson, Commissioner Marcus Wager and Commissioner Julie Jones

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

Others Present: Blake Hazen, Bryan Loveless, and Eric Hazen

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

A. **Declare Conflict of Interest, if any-**
None

2. Public Hearings

A. Public Hearing amending Title 15 of the Perry Municipal Code regarding Auction Establishments.

Chairman Drago opened the public hearing portion of the meeting.

No public comment received.

B. Public Hearing amending Title 15 of the Perry Municipal Code regarding Accessory Dwelling Units

No public comment received.

C. Public Hearing amending Chicken/Urban livestock Ordinance

No public comment received.

Chairman Drago closed the public hearing portion of the meeting.

3. Action Items

A. Amending Title 15 of the Perry Municipal Code regarding Auction Establishments

Mr. Barnhill reviewed the amendment to Title 15 regarding Auction Establishments. He explained the code currently doesn't address auction establishments. He reviewed the interest in Pointe Perry to have a vehicle auction yard. He said the City Council and Mayor have asked the Planning Commission to allow this land use in this area. He said he spoke with the Woods Cross Planner regarding their vehicle auction yard and reviewed his thoughts on the pros and cons of it.

The Commission and Staff discussed and clarified if they felt this use would be in the best interest of the City. The Commission and Staff discussed time limits for vehicles on the property, fencing requirements, landscaping requirements, types of auction establishments, etc.

The Commission and Staff discussed and clarified the future possible developments surrounding this area and how this proposed concept would affect those.

The Commission discussed the best course of action in moving forward with this concept and decided to have Mr. Barnhill put something together including the 10% landscaping, required sight obscuring fencing, use of asphalt versus gravel, etc.

MOTION: Commissioner Wager made a motion to table this item until the next meeting. 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 Accessory Dwelling Units

Commissioner Wager reviewed the amendment regarding the Accessory Dwelling units (updated fee schedules, permitted uses, setback adjustments, maintaining of property as primary residence, etc.).

The Commission and Staff discussed and clarified the requirement of maintaining the accessory dwelling unit to be maintained or utilized as the owner’s primary residence.

The Commission and Staff discussed and clarified their concerns and questions regarding the proposed amendment (typo corrections, off street parking setbacks, conditional use permits versus permitted uses, impact fee clarifications, not requiring it to be a relative to be able to rent, etc.).

The Commission and Staff discussed and clarified what needed to happen for the amendment to be fully ready to be implemented into the City Codes.

MOTION: Commissioner Kerr made a motion to approve the writing of the proposed amendment of Title 15 regarding Accessory Dwelling units, with the discussed corrections, to be sent to City Council to review prior to final approval. Commissioner Wager seconded the motion. Roll call vote.

DISCUSSION: Mr. Barnhill reviewed his notes to make sure that he had all the desired corrections to be implemented into the amendment (rewrite number 1 regarding primary/permanent dwelling, changing anything that references Planning Commission, removing conditional use, and take out the front yard setback).

Commissioner Peterson asked for her concerns to be passed on to the Council regarding the Impact Fees.

Commissioner Kerr Yes
Commissioner Jones Yes
Commissioner Drago Yes

Commissioner Peterson No
Commissioner Wager Yes

Motion Approved: 4 Yes 1 No

C. Amending Chicken/Urban Livestock Ordinance

Commissioner Jones reviewed the proposed amendment for Chicken/Urban Livestock Ordinance with the Commission (including a point system which correlates allowed animals with the size of the property).

The Commission and Staff discussed and clarified the utilization of the point system in the residential zones and the clarification that it would not be applied to the agricultural zones.

The Commission and Staff discussed and clarified the appropriate restrictions regarding buffer placements for locations of coops/corrals of animals.

The Commission and Staff discussed and clarified appropriate allowable animals in residential zones.

The Commission and Staff discussed some reorganization, the language regarding slaughtering/butchering in residential zones, etc.

The Commission and Staff recapped the changes to be implemented (animal enclosure buffers from property line, sheep and llamas not allowed, research small animals like pigmy goats, move items 3,5, and 7 up to section B, change slaughtering language, etc.).

Chairman Drago tabled the item until next meeting to allow for changes to be implemented.

D. Final application for Mount Pleasant Estates Phase 2. Locations 2045 South 150 West, #03-159-0026. Applicant: Bryan Loveless

Mr. Barnhill reviewed the final application for Mount Pleasant Estates Phase 2 with the Commission (creating fourteen single family lots ranging from .339 acres to 1.27 acres, including four flag lots).

Mr. Barnhill stated he and the City Engineer have been able to review the updated drawings and they both feel good about the direction of this application. He said there are no major red flags with this application at this time, but there are a few minor outstanding items. He stated the applicant is asking for the Planning Commission to reconsider the ten year expiration on the No Access Clause. He stated the City Engineer supports a twenty year agreement and while the City Attorney prefers short time limits he is okay with the twenty year limit, especially if the City isn't responsible to administer the agreement or collect funds.

The Commission discussed the twenty year agreement for the No Access Clause and felt it was appropriate for this application.

MOTION: Commissioner Peterson made a motion to recommend approval to the City Council of the Final Application for Mount Pleasant Estates Phase 2, subject to the completion of the remaining Engineer agreements and the adjustment of the 20 year agreement for the No Access Clause. Commissioner Kerr 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

E. Amendment for Davis Creek Estates. Location 2200 South Hwy 89. Applicant Blake Hazen

Mr. Barnhill reviewed the amendment for the Davis Creek Estates with the Commission (realigning the access of this subdivision with existing access 2235 S across the highway from development).

He said the left over pieces will now be included in the lots so that there are no left over pieces. He said from his review everything is looking good and there are no major red flags. He reminded that the Planning Commission is the final Land Use Authority on this application and will not be recommending this item to City Council for approval.

The Commission discussed and clarified the City owned right of way and the process of vacating that property and moving forward with it after this application is approved.

MOTION: Commissioner Wager made a motion to approve the amendment for Davis Creek Estates subject to the City Engineer’s Final review of the Plat. 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

3. Discussion Items

A. Code Amendments and Projects

Tabled.

4. Approval of the Minutes

A. June 4, 2020 Regular Meeting Minutes

Tabled.

6. Discussion

A. Future Projects

Code amendment and projects

B. Report on past approved Planning Commission Agenda Items.

Mr. Barnhill stated Mount Pleasant Phase 1 was approved by City Council.

C. Report from Commissioner regarding last Council Meeting

Commissioner Peterson reviewed the City Council meeting she attended with the Commission.

Vice Chairman Kerr reviewed the City Council meeting she attended with the Commission.

D. Make Assignments for Representative to attend City Council Meetings. (July 9, 2020 and July 23, 2020, these will be Electronic Meetings).

Commissioner Jones stated she would attend the July 9th meeting and Vice Chairmen Kerr stated she would attend the July 23rd meeting.

7. Training

A. Staff- None.

8. Review Next Agenda and Adjourn

A. Items for next agenda (July 2, 2020)

- Discussion Item Food Truck Ordinance
- Action Item of Urban Livestock Ordinance
- Discussion Item of the rest of the Title 15 assignments

B. Motion to Adjourn

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