

**March 1, 2018**  
**Planning Commission Meeting**  
**3005 South 1200 West Perry UT 84302**  
**7:02 p.m.**

**Commissioners Present:** Chairman Devin Miles, Vice Chairman Stuart Grover, Commissioner Blake Ostler, Commissioner Tresa Peterson, and Commissioner Nicole Butler

**City Staff Present:** Susan K. Obray: City Recorder

**Others Present:** Jay Palmer, Jim Flint, Christine Olsen, Barney Olsen, Aaron Nielson, Amber Nielson, and Tom Murdock

**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 Butler led the Pledge of Allegiance.

**C. Declare Conflict of Interest, if any-**

None

**D. Review and Adopt the Agenda**

Commission Grover stated the February 1, 2018 Work Session Minutes needed to be added to the agenda, as they were in the packet for review.

**MOTION:** Commissioner Grover moved to adopt the March 1, 2018 Planning Commission Meeting agenda with the addition of Item 5D [the February 1, 2018 Work Session Minutes]. Commissioner Peterson seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**

**Commissioner Peterson, Yes**

**Commissioner Grover, Yes**

**Commissioner Butler, Yes**

**Commissioner Miles, Yes**

**Motion Approved:** 5 Yes 0 No

**2. Public Comments and/or Public Hearings**

**A. Public Hearing regarding a home business for Quickhatch Armory, Applicant: Tom Murdock, 1266 W 3225 S**

**MOTION:** Commissioner Peterson moved to open the public hearing section of the meeting. Commissioner Butler seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**

**Commissioner Peterson, Yes**

**Commissioner Grover, Yes**

**Commissioner Butler, Yes**

**Commissioner Miles, Yes**

**Motion Approved:** 5 Yes 0 No

Susan Obray reviewed the details regarding this application by Tom Murdock.

No public comment was received regarding this application.

**B. Public Hearing regarding a home business for Amanda's Place Salon, Bookkeeping, & Product Sale, Applicant: Amanda Bunnell 2340 S 900 W Perry**

Susan Obray reviewed the details regarding this application by Amanda Bunnell.  
No public comment was received regarding this application.

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

**Commissioner Ostler, Yes**

**Commissioner Peterson, Yes**

**Commissioner Grover, Yes**

**Commissioner Butler, Yes**

**Commissioner Miles, Yes**

**Motion Approved: 5 Yes 0 No**

**C. Public Comments**

No public comment was received.

**3. Land Use Applications**

**A. Application for Approval/Recommendation regarding a home business for Quickhatch Armory, Applicant: Tom Murdock, 1266 W 3225 S in Perry.**

Tom Murdock explained the basis of his business is restoring old firearms for his customers. He clarified it is not a store front where he has firearms on display for people to come and purchase firearms, however, he stated he is an FFL [Federal Firearms License] Dealer and so he can sell firearms via ordering online and running a background check on the customer before finalizing the sale. He explained he is also a concealed firearm permit instructor and is currently working on creating a course so that he can teach here in Perry and/or elsewhere.

Commissioner Peterson inquired about whether Mr. Murdock would have visiting clientele.

Mr. Murdock stated he would occasionally have visiting clientele for those customers coming to pick up firearms he orders for them. He estimated visiting clientele would occur only a few times per month. He stated they would park in his driveway and not on the street.

Commissioner Butler inquired about the location for the training/concealed firearm courses.

Mr. Murdock stated these would not take place within his home or within the neighborhood. He explained in the future if he finishes his basement he might possibly use this for the concealed firearm permit course (which does not require actual handling or firing of the firearm). He continued, for the trainings he would like to use the Perry Gun Range or other similar local facilities.

Commissioner Peterson inquired if a fire inspection has been done for this application.

Mr. Murdock stated it had not, as the home is still being built currently but he said he would be happy to get one done once the home is completed.

Commissioner Ostler inquired about when the move-in date for this home is scheduled.

Mr. Murdock stated it is scheduled for mid-July.

Commissioner Ostler asked if Mr. Murdock will transfer his FFL from his current location to Perry.

Mr. Murdock affirmed this.

Commissioner Ostler inquired about the hours and clarified for visiting clientele the hours need to be between 8am-9pm.

Mr. Murdock explained this was his plan and that the application says 24/7 because he can restore guns at any time.

Commissioner Ostler stated he has a concern about issuing a home occupation business license when the home is currently not being occupied and won't be until mid-July. He explained he doesn't see any other issues with this application and would feel fine approving it once the home is occupied.

Mr. Murdock stated he has no qualms with waiting until the home is finished being built and he has moved into it. He explained he was advised by officials from other cities who recommended submitting his application ahead of time so that he could know if there were any concerns in advance. He stated he would not be doing any actual business until he has actually moved into the home.

The Commission discussed if it would be better to table this item until July or include all the conditions specified in the motion to approve.

Commissioner Ostler said that if they put forth a motion he would like one of the conditions to be that Mr. Murdock maintains a valid, current FFL Dealer License.

**MOTION:** Commissioner Grover moved to recommend to the City Council approval of business license and conditional use permit for Quickhatch Armory, location: 1266 W 3225 S in Perry with the following conditions: 1. The occupation should not be open to the public before 8am or after 9pm. 2. The approval of the Business License is subject to a completion and approval of a fire inspection. 3. The applicant provides to the City a copy of his FFL certification. 4. The approval of the application is subject to ownership and occupation of the property by the applicant. Commissioner Peterson seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**  
**Commissioner Grover, Yes**  
**Commissioner Miles, Yes**

**Commissioner Peterson, Yes**  
**Commissioner Butler, Yes**

**Motion Approved:** 5 Yes 0 No

**B. Application for Approval/Recommendation regarding a home business for Amanda's Place Salon, Bookkeeping, & Product Sale, Applicant: Amanda Bunnell 2340 S 900 W Perry**

Amanda Bunnell explained she is applying for a home-based salon where she will do hair, as well as, sells hair products. She stated she also does bookkeeping for a friend. She stated her hours of operation would be from 8am-9pm. She said she has not had her fire inspection done

yet but will get that done. She stated her clients have room to park in her driveway. She explained she is licensed with the State as a cosmetologist. She said she is interested in having signage at some point and would be in compliance with the City codes regarding signage. She stated they have lighting in their driveway and on their porch. She said the entrance for the proposed business is the front door entrance of the residence.

The Commission discussed this property having already been approved for this type of land use, as it has been used as a salon prior to Mrs. Bunnell's ownership of it.

**MOTION:** Commissioner Peterson moved to recommend to the City Council approval of the conditional use permit for Amanda's Place Salon, Bookkeeping, and Product Sale (located at 2340 S 900 W in Perry), contingent on the fire inspection being approved, hours of operation being 8am-9pm, and this conditional use permit will replace the prior conditional permit placed on the property. Commissioner Butler seconded the motion. Roll call vote.

<b>Commissioner Ostler, Yes</b>	<b>Commissioner Peterson, Yes</b>
<b>Commissioner Grover, Yes</b>	<b>Commissioner Butler, Yes</b>
<b>Commissioner Miles, Yes</b>	

**Motion Approved:** 5 Yes 0 No

**C. Concept Approval for Pettingill Subdivision No. 2 located on Hwy 89, Parcel #02-029-0023.**

**Applicant: Steven Pettingill**

Jim Flint stated that he is representing the applicant and he reviewed with the Commission the details of the application regarding the zoning, flag lots, and UDOT access roads.

The Commission discussed and clarified with Mr. Flint the details presented by Mr. Flint regarding this application.

The Commission discussed and reviewed whether or not this application met the requirements for a concept approval.

**MOTION:** Commissioner Peterson motioned to approve Concept Approval for Pettingill Subdivision No. 2, Parcel #02-029-0023 subject to a conditional use permit. Commissioner Grover seconded the motion. Roll call vote.

<b>Commissioner Ostler, Yes</b>	<b>Commissioner Peterson, Yes</b>
<b>Commissioner Grover, Yes</b>	<b>Commissioner Butler, Yes</b>
<b>Commissioner Miles, Yes</b>	

**Motion Approved:** 5 Yes 0 No

**D. Discussion/Action regarding Sports Court Fence for Jay Palmer, Location: 1813 S 75 E Perry**

Jay Palmer explained he is proposing to build a fence around his sports court which in certain sections will reach up to 12 ft. in height. He stated he has contacted and received signatures from his adjacent neighbors who state they support the installation of this fence.

**MOTION:** Commissioner Ostler motioned to approve as a land use authority the Sports Court Fence for Jay Palmer located at 1813 S 75 E in Perry UT. Commissioner Butler seconded the motion. Roll call vote.

<b>Commissioner Ostler, Yes</b>	<b>Commissioner Peterson, Yes</b>
<b>Commissioner Grover, Yes</b>	<b>Commissioner Butler, Yes</b>
<b>Commissioner Miles, Yes</b>	

**Motion Approved:** 5 Yes 0 No

**E. Concept Approval for ADL Storage Site 2. Location: 1150 W 3600 S Perry. Applicant: Aaron & Amber Nielsen**

Aaron and Amber Nielsen stated they are proposing to expand their current business which is storage units. He said there will be 150 units (as well as an uncovered storage area) when the site is complete but these will be installed in phases.

Mr. and Mrs. Nielsen reviewed the details of the proposed concept with the Commission.

The Commission discussed and clarified with the Niensens the zoning of the property, the aesthetics of the business, the curb, gutter, and sidewalk of the property, and parking. The Niensens inquired about the possibility of a deferred agreement for installation regarding curb, gutter, and sidewalk improvements, due to possible construction they believed Perry City is planning to do on the roads adjacent to the property.

**MOTION:** Commissioner Grover motioned to approve the concept approval for ADL Storage site 2, located at 1150 W 3600 S in Perry UT. Commissioner Peterson seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**

**Commissioner Peterson, Yes**

**Commissioner Grover, Yes**

**Commissioner Butler, Yes**

**Commissioner Miles, Yes**

**Motion Approved:** 5 Yes 0 No

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

**A. Discussion/Action on the Gravel Pit Zone**

The Commission reviewed and discussed the redlined draft of the Gravel Pit Zone, including the suggested revisions from City Attorney, Craig Hall. (See Attached Redlined Document)

The Commission discussed and clarified language and intended meanings in various sections of the Gravel Pit Zone Ordinance.

**MOTION:** Commissioner Grover motioned to recommend to the City Council approval of Ordinance 18-B for the Aggregate extraction zone with the noted corrections. Commissioner Ostler seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**

**Commissioner Peterson, Yes**

**Commissioner Grover, Yes**

**Commissioner Butler, Yes**

**Commissioner Miles, Yes**

**Motion Approved:** 5 Yes 0 No

**5. Approval of the Minutes**

**(a) February 1, 2018 Regular Meeting**

**MOTION:** Commissioner Grover moved to approve the February 1, 2018 Planning Commission Regular Meeting Minutes. Commissioner Ostler seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**  
**Commissioner Grover, Yes**  
**Commissioner Miles, Yes**

**Commissioner Peterson, Yes**  
**Commissioner Butler, Yes**

**Motion Approved: 5 Yes 0 No**

**(b) Report by Commissioner regarding last Council Meeting**

Commissioner Butler reported on the February 8<sup>th</sup> City Council Meeting. She said in the Mayor's State of the City address he reviewed what the Planning Commission is currently working on. She stated City Attorney, Craig Hall reviewed a proposed State of Utah legislation which could possibly effect the Planning Commission regarding allowing gravel pits to remain open 24/7. She said the Council is still trying to decide how to best coordinate with the Planning Commission, whether that be through attending each other's meetings regularly or having joint work sessions together, etc.

Commissioner Peterson reported on the February 22<sup>nd</sup> City Council Meeting. She stated there was not anything which pertained to the Planning Commission.

Mayor Jeppsen reviewed with the Commission the process of hiring the new City Administrator/Planner and where things currently sit.

Mayor Jeppsen thanked Susan Obray and the Commission for all the incredible work they do for the City.

Mayor Jeppsen reviewed the legislation regarding gravel pits and stated that, based on the t current state of things, he believed it would not be passed.

**(c) Make Assignments for Representative to Attend City Council Meetings (March 8, 2018 and March 22, 2018)**

Commissioner Grover stated he would attend the March 22<sup>nd</sup> City Council Meeting and Commissioner Ostler stated he would attend the March 8<sup>th</sup> City Council Meeting.

**(d) February 1, 2018 Work Session**

**MOTION:** Commissioner Peterson moved to approve the February 1, 2018 Planning Commission Work Session Meeting Minutes. Commissioner Grover seconded the motion. Roll call vote.

**Commissioner Ostler, Yes**  
**Commissioner Grover, Yes**  
**Commissioner Miles, Yes**

**Commissioner Peterson, Yes**  
**Commissioner Butler, Yes**

**Motion Approved: 5 Yes 0 No**

**6. Discussion**

**A. Discussion on the Business License Process**

Chairman Miles stated as the Commission is having a lot of Business Licenses coming to the Commission, he feels this item needs to be bumped up as a higher priority.

Commissioner Ostler reviewed what he has done regarding this item up to this point in time.

The Commission discussed and clarified how they would like to progress with this item. The Commission agreed upon reviewing this item to be prepared to discuss it at the next Planning Commission meeting.

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

**C. Discussion on the Conservation Subdivision Ordinance**

Commissioner Ostler reviewed with the Commission the current draft of the Conservation Ordinance. He explained the changes incorporated in this draft are an attempt to address the feedback given by the Council and the City Attorney.

The Commission discussed this current draft of the Conservation Ordinance and agreed it should be ready to take action on at the next Planning Commission Meeting, with the Commissioners suggested edits (sent to Commissioner Ostler by March 15<sup>th</sup>) incorporated.

**D. Form Based Code**

Tabled.

**E. Final Land Use**

Tabled.

**7. Training**

**A. None.**

**8. Review Next Agenda and Adjourn**

**A. Next Agenda:**

- Work Session regarding Form Based Codes (possible including a training from an outside party)
- Discussion/Action and Public Hearing on Conservation Subdivision Ordinance
- Discussion on Agricultural Zone
- Discussion on Form Based Codes
- Discussion on Business License Process
- Discussion on Subdivision Ordinance

**B. Motion to Adjourn**

**MOTION:** Commissioner Peterson moved to adjourn.

**Motion Approved:** All Commissioners were in favor.