

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

Commissioners Present: Chairman/Commissioner Stuart Grover, Commissioner Michelle Drago, Commissioner Jan Kerr, and Commissioner Nicole Butler

Commissioners Excused: Commissioner Blake Ostler and Commissioner Tresa Peterson

City Staff Present: Susan K. Obray: City Recorder
Bob Barnhill: City Planner
Tyra Bischoff: Office Assistant

Others Present: Bret Scoffield and Mike Jensen

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

A. Invocation-

Jan Kerr- Did a reading from The Four Agreements.

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

Commissioner Grover led the Pledge of Allegiance.

C. Declare Conflict of Interest, if any-

Jan Kerr said she did not have a conflict of interest because the Planning Commission did not have the quorum necessary to act on her subdivision.

2. Public Hearings

A. Public hearing for the Kerr Subdivision, Location: 2925 S Hwy 89 Perry, Applicant: Jeff Kerr

There were no public comments.

B. Public hearing regarding Ordinance 18-F Emergency Access Ordinance for Subdivisions.

There were no public comments.

3. Land Use Applications

A. Final Approval and recommendation for Application for Kerr Subdivision, Location: 2925 S Hwy 89 Perry, Applicant Jeff Kerr Trustee.

Jan Kerr discussed her lot and power access for the billboard. Commissioner Drago felt there was a need for a reciprocal access easement for both lots. Mrs. Kerr said she would record a permanent easement for the lot and power access for the smaller parcel where billboard is located. Robert Barnhill discussed whether UDOT would require additional access and recommended that a reciprocal access easement be shown on the site plan and that it should be recorded with the plat. Commissioner Grover wondered about a revision of the drawing from the code standpoint and what the minimum area requirement is. The Planning Commission tabled this issue due to the lack of a quorum. Mrs. Kerr said she would have the plat amended to include the reciprocal access easement so it could be approved next month.

B. Approval and recommendation for Lot Line Amendment for Wasatch Hills lots 11&12.

Bret Scoffield addressed the Commission regarding the lot line between Lots 11 & 12. Bob provided back ground information on the two lots. He showed the original layout of the two lots and the current

layout. He also discussed the setback line in the cul-de-sac and his finding that the frontage measurement did not comply with the City's Code as it was currently written. Bob's recommendation, after talking to both the City Engineering and City Attorney was to table this item for a month. Next month a code amendment to resolve the cul-de-sac frontage issue would be presented to the Planning Commission. Bret discussed that the proposed plat was what was originally approved and wanted by current interested clients. Bret spoke with Greg Hansen of Hansen Associates. Greg Hansen suggested vacating the current plat and going back to original plat. Bob said that it would be a viable option. However, it would require an additional application to be filled out by the property owner. The Planning Commission proposed that an amendment to the Code needed to be made regarding the definition and set back line definition for cul-de-sac frontage. Mr. Schofield would not need to fill out an application for new lot line if the code was amended. Commissioner Grover brought up the City Engineer's comment regarding the northwest corner of lot 12 residing in NC2 zone. As the Planning Commission viewed an enlarged copy of the Zoning Map, it was noted that the other two vacant lots in the cul-de-sac had an NC2 zoning rather than residential. Bret then commented about the commercial zoning that had been put in place and was now affecting his other two lots in the same cul-de-sac. His concern was that the subdivision was approved before the commercial zoning was put in place. Bret asked if his lots would be grandfathered. Bob explained that grandfathering was decided by the use of the property. If it a use was vacated for a year, it lost its grandfathered status. Bob advised Bret to come into his office and they would discuss options regarding the zoning for the two lots. The Planning Commission decided to table the approval for the lot line Amendment on Lots 11 & 12 while they work on an ordinance to change the frontage requirements.

4. Land Use Ordinances, Zoning, Design Guidelines, General Plan, Etc.

A. Final Approval and recommendation for Ordinance 18-F Emergency Access.

Bob explained that the Land Use Authority could look at the layout of streets as a whole and could require things such as stub roads, additional access into developments, or adjustments to the street layout so that the entire community could be connected. The reason for this would be public safety and emergency access. Two routes should be required when dwelling units exceed thirty, and when there was a development that extended more than 1800 feet from a connecting street. Bob stated that Craig Hall, City Attorney, had concerns with the latter. He said there might be unanticipated consequences with this revision. For example: If someone wanted to build in the hills or agricultural area, they could possibly be 2000 feet off the road. Bob stated that there weren't very many places that this would be a concern, possibly in some undeveloped areas on the east side. The City Attorney also suggested that points of access be increased from 500 to 600 feet to comply with the UDOT standard. Commissioner Grover brought up the exception clause and asked if that would cover possible issues that might come up in future. Bob stated that if there was an unintended consequence where no second access was available the exception clause might be able to cover that.

Motion: Commissioner Butler approved and recommended to City Council ordinance 18F with minor edits noted. Commissioner Kerr seconded the motion. Roll call vote.

Commissioner Drago, Yes
Commissioner Butler, Yes

Commissioner Grover, Yes
Commissioner Kerr, Yes

5. Approval of the Minutes

(a) August 2, 2018 Regular meeting minutes

Motion: Commissioner Kerr moved to approve the August 2, 2018 Regular Meeting Minutes with the notes that were sent to be incorporated. Commissioner Butler seconded the motion. Roll call vote.

Commissioner Drago, Yes
Commissioner Butler, Yes

Commissioner Grover, Yes
Commissioner Kerr, Yes

(b) September 6, 2018 Regular meeting minutes

Motion: Commissioner Kerr moved to approve the September 6, 2018 Regular Meeting Minutes with the notes that were sent to be incorporated. Commissioner Butler seconded the motion. Roll call vote.

Commissioner Drago, Yes
Commissioner Butler, Yes

Commissioner Grover, Yes
Commissioner Kerr, Yes

(c) Report by Commissioner regarding last Council Meeting

Commissioner Butler reported that the City Council on September 13, 2018 had a presentation given by the Utah Geologic Survey about the geology of our area, fault lines, and where they are located. It was also discussed that radon was present in Perry. Commissioner Kerr had suggested the idea of purchasing kits for radon testing and making them available to the public at cost to have their homes tested. Attorney Craig Hall had issues with appeal authorities needing to be amended and wanted them done at the same time as the Business License Ordinance. He suggested that the Planning Commission work on the Special Uses and Appeals Authority Ordinance first. The Perry City Council gave Mayor Jeppsen authority to work with the broker regarding the Point Perry property. The city council passed the Stokes lot line amendment.

(d) Make Assignments for Representative to Attend City Council Meetings (October 11, 2018 and October 25, 2018)

Commissioner Drago and Commissioner Kerr volunteered to attend the October 11, 2018 meeting; Commissioner Grover volunteered to attend the October 25, 2018 meeting.

6. Discussion

A. Future Projects

The Commissioners discussed adding a staff report section to future agendas, to allow for news and feedback. Commissioner Grover had compiled a list of ideas that had been discussed in past including:

- PMC clean-up
- Planning-Zoning forms clean-up
- Business Licenses
- Subdivision Application Process
- General Plan support
- Ideas from the proposed General Plan

7. Training

A. Staff

Bob Barnhill, Perry City Planner, presented a training video on affordable housing by Brent Bateman, the Property Right Ombudsman.

8. Review Next Agenda and Adjourn

A. Items for November agenda

- (1)** Final for Kerr subdivision
- (2)** Final for Wasatch Hills lots 11 & 12 lot line amendment and ordinance
- (3)** Results of General Plan meeting

(4) Future projects

B. Motion to Adjourn

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