

**Perry City Planning Commission
3005 South 1200 West
7:00 PM September 10 , 2015**

Members Present: Chairman Vicki Call, Commissioner Blake Ostler, Commissioner Toby Wright

Members Excused: Commissioner Mark Lund, Commissioner Lawrence Gunderson and Commissioner Travis Coburn

Others Present: Greg Westfall, Perry City Administrator, Susan Obray, Minutes Clerk, Katie Russell, Craig Puckett, Lani Braithwaite, Devin Miles, Cannon Neslen

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

A. Invocation- Toby Wright

Invocation was given by Commissioner Wright

B. Pledge Allegiance to the U.S. Flag-Vicki Call

The Pledge of Allegiance was led by Chairman Call

C. Declare Conflicts of Interest, If any

There were no conflicts of interest.

D. Review and Adopt the Agenda

Chairman Call stated that the items that the Planning Commission recommended for Single Family Dwelling be on the agenda. She said on item 4A there is a discussion regarding the definition of the building lot, she asked if it was the same thing. Susan Obray stated that it is the same thing. Greg Westfall stated that we do have a little bit to discuss on the item. He said this was Codey Illum's agenda item and he is helping with Peach Days. Greg stated that we can go forward with that discussion. Chairman Call stated that they also asked for the sign ordinance to be on the agenda. Greg stated that it is not ready to be put on the agenda. Chairman Call said that they also asked for the Large Animal Ordinance be put on also and it is not ready. She said it is still at the City Council level.

MOTION: Commissioner Wright moved to adopt the agenda as written. Commissioner Ostler seconded the motion. All in favor.

E. Approval of the August 13, 2015 Minutes

Commissioner Ostler stated that there are a few grammatical changes that need to be made and he will get those to Susan at the end of the meeting. He said on page 4 line 10 he said we are talking about the water, drainage with Mr. Matthews the minutes say that "the drainage will end up on his side". Mr. Ostler asked if that is on the Matthew's subdivision side or Cherish View side. Susan stated that it is the Matthew's side.

MOTION: Commissioner Ostler moved to approve the August 13, 2015 minutes as amended. Commissioner Wright seconded the motion. All in favor.

F. Make Assignment for Representative to Attend City Council Meetings (October 1st and October 15th)

Chairman Call will attend the October 1st City Council Meeting and Commissioner Wright will attend the October 15th meeting.

G. City Council Report given by Council Member Lewis

Council Member Lewis was not in attendance at the Planning Commission meeting. Commissioner Coburn stated that they did approve the Suncrest Subdivision and the Orchard View Subdivision Amend & Extend.

MOTION: Commissioner Wright moved to close the regular meeting and open the public hearing. Commissioner Ostler seconded the motion. All in favor.

2. Approx. 7:05 p.m. Public Hearings and Public Comments

A. Approx. 7:05 p.m. Public Hearing Regarding a business license for a in home daycare for Katie Russell located at 1441 S 25 E.

Katie Russell stated that she would like to open a day care in her home. She said that she has looked at other day cares in the area and they are full and there is a need for it in our community.

Cannon Neslen: He said he would like to speak on behalf of Katie. He said she is great person. He said she lives next door and will be a great asset to the community. He stated that she has a great family and a great home for a day care.

Greg Westfall: He stated that the city got an e-mail from another neighbor Brian & Barbara Dawson. The e-mail stated” We wish to express our support for the day care home business run by Katie Russell. We live a few houses down the street and feel it will not significantly change traffic or noise in the area”.

Devin Miles: Mr. Miles said that he has known Katie, her ability to take this on, her ability to take care of children and she has his full support.

MOTION: Commissioner Wright moved to close the public hearing and go to the regular meeting. Commissioner Ostler seconded the motion. All in favor.

B. Public Comments

There were no public comments.

3. Land Use Applications

A. Final Approval Regarding a business license for a in home daycare for Katie Russell located at 1441 S 25 E Perry

Chairman Call asked Katie to fill them in on the hours, how many children she will have at one time, and what the facilities are like. Katie Russell stated that she will have children from 5:30 am to 5:30 pm. She said that the parents will bring their children up 1500 south and go down 1425 south. She said she has finished her yard and put a fence up with a lock on it. Katie said that she can have 6 children until her child turns four and then she can have 7 children. She said if she gets a helper she can have up to 16 children. Katie stated that she will be state licensed and she went through CPR, first aid, and food handlers. She said the Fire Marshal will come and do an inspection next week and the health department will come the week after to inspect her kitchen. Katie stated that she has a fire plan, and examples of meals that will be served including for those children who have allergies. Katie said the bedrooms will be off limits and has designated a room downstairs for them to play in. She said she has a back play area for them. Greg Westfall stated that she is going through all the right processes. He said the state will not issue a license until the city issues a business license. Greg stated that if the recommendation for the day care is to approve it and forward it to the City Council, the staff's recommendation for the motion would be to approve it contingent on Fire Marshal inspection, Health Department inspection, and the State license. Commissioner Ostler asked how many days a week would she have the children. Katie said it would be Monday through Friday. Commissioner Ostler asked if there would be a separate entrance. Katie said that they would come through her front door. Commissioner Ostler asked if there would be a conflict with the bus stops or bus routes. Katie stated that there is a bus stop by her home. At this time she does not know the parents schedules but thought that they would come five minutes earlier or later to miss the bus drop off. Chairman Call asked if she or any of her neighbors have a swimming pool in their backyard. Katie stated that she does not and does not think that any of her neighbors do.

MOTION: Commissioner Ostler moved to approve and recommend to the City Council the Business License pending the health inspection, fire inspection and the state licensing. Commissioner Wright seconded the motion. Roll call vote.

Commissioner Ostler yes
Chairman Call yes

Commissioner Wright yes

Motion Approved: 3 Yes 0 No

4. Land Use Ordinance, Zoning, Design Guidelines, General Plan, Etc.
A. Discussion Regarding the Definition of a Building Lot

Chairman Call stated that the one item that we have on the agenda is to talk about the definition of a building lot or as we have been calling it before single family dwelling. Greg Westfall stated the need for larger parcels that are on the boundary of residential areas. He gave an example of someone having 10 acres and they want to split this and sell it and put a house on it. He said it does not front a city street etc. He stated that we need to decide how we are going to deal with those types of issues. Greg stated that single family is part of it and a buildable lot is another part of it. He said the buildable lot is the bigger issue. What is a buildable lot? Greg stated that we need to define what the frontage is on a dedicated street. He said the goal is to make it user friendly to be able to do what they want on their properties. He explained the problem is when we have county roads or private drives, we issue a building permits on the property or don't, but if we do it affects garbage service, and snow plowing service. He said who becomes responsible if the city issues a building permit? Does the city become responsible? Mr. Westfall stated that Codey added a couple more items for discussion. Do we want to add, hooked up to all of the City utilities? Codey also stated in the memo that we want this to conform to parcels and lots. Chairman Call asked if we currently have any provisions in our ordinances that address any of these ordinances or are they all over the place. Chairman Call stated that there may be some ordinances that address some of these items but are not well defined. Susan Obray explained what Codey was striving for was to have all the information in one place so when you type "Single Family Dwelling" in the search engine in the code and it will all be right there in one place. She said you can print it off and hand it to the developer. Chairman Call suggested that we pull all of our information in the code together and arrange it and modify it according to how we think it should be. Commissioner Ostler asked who would do that. Greg Westfall advised that staff will take the first gathering of it. He said we need to decide if we want to take on this big of project or not. Susan Obray asked if the Planning Commission has gone online and looked at the ordinances. Most of the commissioners have gone online and looked at them. Greg stated that if you have looked at our code it is very difficult. He said that he wants to set everything up by zones. Greg stated that we want to include setbacks and other building codes. Chairman Call stated that there are some issues with the definition of a single family dwelling as well, such as renting your basement out to someone. She said there are lots of instances where this is happening in our community. Greg stated that the building lot would be a

good one to define now because there is some immediate things that would help with that and would carry through every zone. Greg stated another issue that we have had is someone has two parcels and wants to build one house and they want to put the house in the middle of the two parcels. His recommendation is the building lot is the taxable parcel. He said if someone had the two parcels they could ask for a lot line adjustment. Greg stated that staff will take the assignment in getting something put together. Commissioner Ostler asked if this is for residential lots only. Greg stated that this is talking about a buildable lot and so that would be across the board both residential and commercial. Chairman Call stated we might want to separate them out. Mr. Westfall stated that we probably would because the frontage would be different.

5. Review Next Agenda and Adjourn

A. Review Agenda Items for Thursday, October 8, 2015

- 1) Building lot ordinance
- 2) Large Animal

B. Motion to Adjourn

MOTION: Commissioner Wright moved to adjourn. Commissioner Ostler seconded the motion. All in favor.