

March 7, 2024
Planning Commission Meeting
Virtual Meeting
7:00 p.m.

Commissioners Present: Vice Chairman Ryan Vaughn, Commissioner Marcus Wager, Commissioner Jan Kerr, and Commissioner Paul White

Commissioners Absent: Chairman Stephan Moss, Commissioner Beth Thompson, and Commissioner Blake Broadhead

City Staff Present: City Administrator Bob Barnhill, City Attorney Chris Crockett, and Planning Secretary Tyra Bischoff

Others Present:

1. Call to Order and Opening Ceremonies

Vice Chairman Ryan Vaughn called the meeting to order.

A. Declare Conflict of Interest, if any

None.

2. Action Items

A. Public Hearing – Ordinance 24-D Amending Multi-Family Dwelling and Apartment Density Map

Mr. Barnhill showed the multifamily density map and mentioned it had been adopted in our code. He said that the council and a lot of people involved are pretty happy with how this has worked, so far. He noted that as things have moved along, there have been some tweaks and changes in design standards and adopted as needed. He explained that it is in our best interest to monitor the new developments along the highway and how they look when they are completed so we may make these updates. He said that maybe we should back off on development on the highway for a little while with the idea of preserving whatever commercial properties we can. He noted that the city still needs to have as much commercial property along the highway as possible.

From the map he highlighted the districts that are color-coded according to how many units were still available to develop. He said the caveat to this was this map does not capture developments that have been proposed but not approved. He changed the color-coded layer to see the undeveloped or vacant properties with at least 2 acres along the highway. He said he was actually a little bit surprised that there was not a whole lot (available).

He noted that in the south end of town the land use chart was not commercially focused. He then continued going north on the map and pointed out possible prime commercial properties with frontage along the highway. He mentioned that there are some properties that are currently agricultural that could be prime commercial properties in the future. He said this snapshot or overview was what we wanted to look at and that the city council was interested in getting recommendations from the Planning Commission.

Vice Chairman Ryan Vaughn opened the public hearing.

Open Public Hearing 7:08 p.m.

No public comment

Closed Public Hearing 7:08 p.m.

Considerations by the Planning Commissioners were discussed included maintaining the potential for commercial development in certain areas while possibly increasing multi-family unit allocations where developments have already maxed out. The Planning Commission entertained the idea of drafting language to reflect the proposed adjustments for mixed-use development attached to commercial space and considering changes to the development units in specified zones.

Mr. Barnhill said he would draw some code language about any family units adjacent to the highway to only be allowed if they are connected or attached to commercial space.

MOTION: Commissioner Marcus Wager motioned to table this to our next meeting.
Commissioner Jan Kerr seconded the motion.

Roll Call Vote:

Commissioner Wager, Yes
Commissioner Kerr, Yes
Commissioner White, Yes
Commissioner Vaughn, Yes

Motion Approved

3. Approval of the Minutes

A. January 4, 2024 Regular Planning Meeting

Commissioner Kerr said the grammatical change on line 53 needed to include “made a” after Kerr. On line 92, she suggested using “as” after the word accept and “on” after the word improvements. Then on line 119 she said there should be a comma after the word this.

MOTION: Commissioner Marcus Wager made a motion to approve the minutes from the January 4, 2024, Planning Commission meeting with the changes (listed by) Commissioner Kerr. Commissioner Kerr seconded the motion.

All In Favor

4. Discussion

A. Future Projects

Mr. Barnhill mentioned that there was one small amendment he will be bringing to the next planning meeting. He said the subdivision code needs updates because of the recent state statute changes. He noticed in the code some generic language and wants to strengthen it as well as broaden other sections of it. Also, we made some changes to the conservation subdivisions, even though they are voluntary, they should still follow that process of coming to planning commission only for approval as outlined in state code. He said that our code presently says that they still go to the city council at the beginning and the end of the process. He explained that we need to either change that process or require conservation subdivisions to have an overlay zone, which would require them to go to the city council for that zoning.

B. Report on past-approved Planning Commission Agenda Items

Mr. Barnhill reported that the city financial advisors and engineers did a water and parks study to check our impact fees. The results of the study indicated that the city raised these fees about 3 times what

they were. The City Council elected to take the full fee as recommended by the study. So, those fees have gone up quite a bit for our local developers. The new fees will go into effect 90 days after they were approved.

C. Report from Commissioner regarding previous Council Meetings

Commissioner Ryan Vaughn gave a brief account of the recent City Council meetings. He said they had discussions centered around budget and economic data.

D. Make Assignments for Representative to Attend City Council Meeting (March 14 & 28, 2024)

Commissioner Jan Kerr said she would attend the upcoming City Council meeting on March 28th, as it was anticipated that the meeting scheduled for March 14th would likely be canceled.

5. Public Comment

None.

6. Training

A. Staff – Annual Training

A comprehensive training session was conducted by the city attorney, Chris Crockett, covering key aspects of the Open and Public Meetings Act (OTMA) and educating members about their responsibilities to act openly and non-biased in the public interest. The session also delved into legislative and administrative actions, exercising caution on conflicts of interest, and the importance of having transparent communications with applicants, property owners, and the public. He navigated around the Utah State public website and showed the commissioners where notices were shown for Perry City. Legal requirements and protections for the Planning Commissioners in their official roles were explained, including immunity from lawsuits due to decisions made during the planning process. Training also advised on how to involve the public proactively in the legislative process and highlighted resources such as the Utah Land Use Institute and the Property Rights Ombudsman office. Current and new commissioners were encouraged to engage in ongoing education and to bring any unfamiliar topics to the attention of staff for clarification.

7. Review Next Agenda and Adjourn

A. Items for April agenda (next meeting April 4, 2024)

Looking ahead, Mr. Barnhill said that changes to code adjustments could be on the upcoming agenda. He noted there were no applications or other specific items announced for review at the time. Commissioners were prompted to raise any new points to add to the next agenda.

B. Motion to Adjourn

Motion: Commissioner Marcus Wager made a motion to adjourn the meeting. Commissioner Kerr seconded the motion.

All In Favor

The meeting ended at 8:33 p.m.