

December 3, 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

Commissioners Absent: None

City Staff Present: Bob Barnhill: City Administrator
Chris Crockett: City Attorney
Kevin Jepps: Mayor

Others Present: Kim Peterson and Melanie Barnhill

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

Chairman Drago called the meeting to order.

A. **Declare Conflict of Interest, if any.**

None.

2. Action Items

A. **Public Hearing for Ordinance 20 – V Amending Title 15 Regarding Design Standards.**

Robert Barnhill explained that this is to consider opening design standards to all commercial areas. Right now these standards apply to any multi-family dwellings, apartments, and any development along the highway. He added that current commercial buildings would not be required to follow the standards.

Chairman Drago opened the meeting for public comments and there were none. She closed the Public Hearing at 7:03 p.m.

Chairman Drago suggested moving to Item B and coming back to this.

Chairman Drago said she thinks it is a good idea to adopt some design standards and asked the Commissioners if they want to apply everything or if they want to pick and choose what they apply. Commissioner Kerr asked if these standards applied to commercial buildings only. Mr. Barnhill clarified that it applies to commercial and residential along Hwy 89 as well as multi-family dwellings/apartments. He explained that the question is if they want it to apply the standards to commercial areas everywhere, not just along the highway. Commissioner Wager questioned if there were a reason they would not want to apply them everywhere. Mr. Barnhill said that this started with a focus on multi-family dwellings and a few other areas of concern along the highway. He explained what the changes would be and said they would be minimal. He also added that this would apply for new businesses and that the existing would be grandfathered in.

MOTION: Commissioner Kerr made a motion to send the design standards to City Council for approval with the following changes; that the design standards apply to all developments including commercial, multi-family, apartments, and industrial. Commissioner Wager seconded the motion.

Roll Call Vote:

Commissioner Peterson Yes
Commissioner Drago Yes
Commissioner Wager Yes

Commissioner Jones Yes
Commissioner Kerr Yes

Motion Approved: 5 Yes 0 No

B. Plat Amendment Application – Cherry Ridge Subdivision Phase 3 located at approximately 1450 W 3325 S affecting parcels; 02:079:0052, 02:079:0060, 02:079:0051, 02:079:0059, 02:079:0044, 02:079:0061, 02:079:0043, 02:035:0066. Applicant; Frank Fife.

Mr. Barnhill gave some background information on what prompted this subdivision amendment application. He explained that about a year ago it came to the City's attention that these parcels were created without complying with the subdivision process required. He said that it appears that these homeowners intended to extend their backyards by purchasing the property behind them. He discussed in detail what would be required in order to comply, including adjusting the subdivision boundary to include the expansion of these lots and dedicating the right of way for 1450 W to the end of the subdivision. Perry City code also requires that the subdivider install improvements along with the dedication of the street right of way, but in this unique case, a deferral agreement may be appropriate. Mr. Barnhill explained that Planning Commission will be the final land use authority on this and that it will not go to City Council. He said that as the City does not yet have a plat reviewed by our engineer, he recommends tabling this item.

Commissioner Kerr asked about the parcel on the 3339 S obscuring where the stub road should go. Mr. Barnhill stated that in order to comply with the subdivision requirements, the owner would have to dedicate that portion of their parcel to the City. Ms. Kerr also asked about the Utah Transit Authority having a right of way area that looks like it may connect to the stub road. Mr. Barnhill said that it would need to be addressed when the property owners to the South want to develop in the future and possibly have a discussion with UTA.

Commissioner Wager asked about the property owners disputing the validity and allowances of the easement for the flood channel existing through the area. Mr. Barnhill gave more detail about the easement. He said that the property owners were aware it was there, but that they may not have understood the extent of it.

The Commissioners discussed tabling this until they get more information. They were all in agreement to table it.

C. Approve 2021 Planning Commission Meeting Schedule

Chairman Drago said she looked at the meeting schedule and did not see any conflicts with the proposed dates. The Commissioners agreed that they did not see any conflicts either.

MOTION: Commissioner Wager made a motion to approve the 2021 Planning Commission Meeting Schedule. Commissioner Kerr seconded the motion.

Roll Call Vote:

Commissioner Kerr Yes
Commissioner Jones Yes

Commissioner Peterson Yes
Commissioner Drago Yes

Commissioner Wager Yes

Motion Approved: 5 Yes 0 No

3. Discussion Items

A. Code Amendments & Projects

The Commission went back to discuss Ordinance 20-V under the Action Items. (See Action Items A. Public Hearing for Ordinance 20-V Amending Title 15 Regarding Design Standards for discussion.)

Mr. Barnhill discussed the sign ordinance that had been sent to the Commissioners as a rough draft. He went through the ordinance with them and discussed in detail the language and clarifications that had been added.

The Commissioners discussed the fees per day for violations. Chris Crockett, City Attorney, stated that the fees per day for violations are rarely used but are allowed.

Chairman Drago asked if there needed to be anything added preventing unregulated signs in a site triangle area. Mr. Barnhill agreed that there may be a need to add something regarding that. Chairman Drago also asked if there was an area discussing signs for home businesses. Mr. Barnhill explained that it was in a different section of the code and what the requirements are for that. Chairman Drago asked if there should be a regulation added under sign maintenance, stating that if a business closes, they be required to remove their sign at that time. Chris Crockett said that there would be other ordinances that could be used in those circumstances, for example a junk ordinance, which would be able to address that issue.

4. Approval of the Minutes

A. November 5, 2020 Regular Meeting Minutes

Chairman Drago said she had reviewed the minutes and the changes she suggested had already been made.

MOTION: Commissioner Kerr made a motion to approve the November 5, 2020 meeting minutes. Commissioner Jones seconded the motion.

Roll Call Vote:

Commissioner Kerr Yes

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Drago Yes

Commissioner Wager Abstained

Motion Approved: 4 Yes 1 Abstained

5. Discussion

A. Future Projects

Robert Barnhill said that there will be a code amendment request regarding parking requirements specifically regarding multi-family dwelling. He explained that with the apartments that are looking at coming to Pointe Perry, this will need to be addressed. He said that there are also some townhomes across from Maddox that are pending and a subdivision amendment for an

applicant wanting to purchase the property behind them. He also said that he is hoping to find time to work on the land use chart.

B. Report on Past-Approved Planning Commission Agenda Items.

Commissioner Peterson said that the Hansen zone change is going to City Council on December 10th as well as recommendation to amend the multi-family dwelling and apartment density map.

C. Report from Commissioner regarding last Council Meeting.

Commissioner Peterson said that there wasn't any information for Land Use. She added that the Holiday dinner had been cancelled.

**D. Make Assignments for Representative to Attend City Council Meeting.
(December 10, 2020 this will be an electronic meeting)**

Jan Kerr said that she could attend the December 10th meeting.

6. Training

A. Staff

Chris Crockett gave a training on a statute of how quickly a Land Use authority has to review an application to determine whether it is complete and brought to the Planning Commission to be approved or denied. He explained the statute in detail and the time frames allowed. He said he does not have any concerns with this new statute because the Planning Commission is usually quick and that any delays are usually from waiting on the applicant for things.

7. Review Next Agenda and Adjourn

A. Items for January Agenda (next meeting January 7, 2021)

- Neff Townhomes across the highway from Maddox
- Subdivision Amendment for lot line adjustment for Rick Fairborn
- Ordinance regarding parking regulations
- Cherry Ridge Plat Amendment

B. Motion to Adjourn

Motion: Commissioner Wager moved to adjourn the meeting. Commissioner Kerr seconded the motion. The meeting ended at 8:17 p.m.