

February 4, 2021
Planning Commission Meeting
Virtual Meeting
7:01 p.m.

Commissioners Present: Chairman Jan Kerr, Vice Chairman Julie Jones, Commissioner Tresa Peterson, and
Commissioner Marcus Wager

Commissioners Absent: None

City Staff Present: Robert Barnhill: City Administrator
Chris Crockett: City Attorney
Tyra Bischoff: Deputy Recorder

Others Present: Marv Neff, Sheila Harper, Jim Flint, and Melanie Barnhill

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

Chairman Jan Kerr called the meeting to order.

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

None.

2. Action Items

A. **Preliminary Application for Neff Townhomes. Property address 1875 S 300 W 03:159:0016 & 03:159:0201 Applicant: Brinton Neff.**

Robert Barnhill presented the proposed layout of the townhomes as well as the location on the Box Elder County web maps to the Planning Commission. He discussed the surrounding area including commercial and residential zones. He talked about waiting for a new submittal from the developer with updated recommendations the engineer had made, and recommended tabling the item as those were not yet received. Mr. Barnhill explained the design standards and said the townhomes should be oriented to face the highway with pedestrian features, but in the proposal from the developer, a side of the townhome is facing the highway instead. He showed the Commissioners that by flipping the townhomes to face the highway and meet the design standards, the developer would lose a unit. He discussed having an architectural façade on the side of the townhomes to make it appear like a front view as a possibility of meeting the design standards, without having to flip them and lose the unit as mentioned previously.

The Commissioners discussed the idea of the front facing façade and what the requirements would be for the other units. Mr. Barnhill looked at the code requirements and said that it looks like it would only affect unit 1. Vice Chairman Jones asked what the requirements would be for landscaping and what the slope would be. Mr. Barnhill said that there is a little bit of a slope and discussed giving specific direction to the developers. He suggested that a direct pedestrian access and awnings, providing more architectural detail, might make the best solution. Commissioner Peterson asked if the sidewalk would be giving access to that single unit or the whole complex, and it was discussed that it would be to unit 1. The Commissioners discussed wanting to make it look nice and follow the design standards.

Jim Flint, the developer, expressed appreciation to the Commission for discussing this tonight. He discussed talking to the architect about putting in the facade and said it would not be an issue. He

talked about the setback from the Highway being 20 feet and the right of way to the face of unit 1. Commissioner Wager asked what the setback was supposed to be. Mr. Barnhill said that in the code it states by design review. He added that the only limiting factor is how close the driveway should be to the intersection, and that it may need to be suggested from the engineer. Vice Chairman Jones asked if the requirement for new developments to have six foot sidewalks in place will apply in this situation and Mr. Flint stated that they are expecting to do that.

Mr. Flint wanted clarification about the language on an item on the list they received from the City that states “each side of each building shall have multiple materials with no less than 40% of each material on each side”. Mr. Barnhill said that language may not be as clear as it should be and explained what he thought the intent was. The Commissioners explained that the intent was meant to not have the whole thing the same, for example all stucco or siding, but to have a combination of material.

Sheila Harper, resident, said that she does not quite understand why the sidewalk would be put to just unit 1 as she would be concerned about privacy and security if she were the homeowner. Her other concern was that the slope is very steep there.

Chairman Kerr said that not everything on the list was addressed. Mr. Flint explained that some of the items on the list were not yet complete as they had been waiting on UDOT. He said the anticipation is to be done with those items within the next week and he hopes they will be on the agenda with Perry City again soon.

Chairman Kerr recommended tabling this until all items have been addressed and put on the next agenda. Mr. Barnhill wanted to clarify that the Planning Commission is comfortable with the façade suggestion to comply with the design standards as presented and the Planning Commission agreed.

This item was tabled.

3. Discussion Items

A. Code Amendments & Projects

- Parking Regulations in Perry Municipal Code

Robert Barnhill summarized the recommendation to City Council to change parking from 2.5 stalls to 2 for apartment complexes and that City Council approved it. Vice Chairman Jones said that after looking at the remaining parking requirements, she was curious about duplexes requiring 2.5 parking stalls and single family homes requiring only 2. She wondered if it may have something to do with possibly not having street parking. Mr. Barnhill discussed giving more flexibility to developers and wondered where the Planning Commission felt they wanted to go with this. The Planning Commission members discussed looking at this further and what other cities require. Vice Chairman Jones said that she will be researching it more and invited anyone else that wanted to do the same. Mr. Barnhill discussed landscaping and how that may affect the number of parking stalls allowed. He also discussed language in the code that includes some flexibility for case by case basis.

4. Approval of the Minutes

A. January 7, 2021 Regular Meeting

Vice Chairman Jones questioned a comment on line 125 that was attributed to Commissioner Peterson and asked Commissioner Peterson if she made the comment or if it was her that made it.

They said they both discussed it and decided they were ok with how it was stated in the minutes. Chairman Kerr discussed not being at the last meeting and abstaining from the vote. Commissioner Wager also said he was not at the last meeting and would abstain. The Commissioners discussed if they could pass the minutes with only 2 votes. City Attorney Chris Crockett verified that they could.

MOTION: Vice Chairman Jones made a motion to approve the January 7, 2021 meeting minutes. Commissioner Peterson seconded the motion.

Roll Call Vote:

Commissioner Peterson Yes

Commissioner Jones Yes

Commissioner Kerr Abstained

Commissioner Wager Abstained

Motion Approved: 2 Yes 2 Abstained

5. Discussion

A. Future Projects

- Parking
- Land Use Chart

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

Mr. Barnhill mentioned City Council approved the parking as discussed previously. Chairman Kerr asked if any action was taken on the sign ordinance yet. Mr. Barnhill said that he is working with Council Member Ostler on the sign ordinance and it will be going to City Council soon. Commissioner Wager stated that the Ordinance with Accessory Dwelling Units (ADU's) that was passed recently may have to be changed as there are changes in the legislature happening right now. Mr. Barnhill added that the sign code may also have to be changed as well due to changing legislature and said they will be discussing this in more detail later.

C. Report from Commissioner regarding last Council Meeting. (January 14 & 28, 2021 Electronic Meetings)

The assigned Commissioners were unable to attend the meetings. Mr. Barnhill stated that he did not think there was anything land use related at the meetings that needed to be reviewed.

**D. Make Assignments for Representative to Attend City Council Meeting.
(February 11 & 25, 2021 these will be an electronic meetings)**

Commissioner Peterson will go to the February 11th City Council meeting and Chairman Kerr will go to the February 25th City Council meeting.

6. Training

A. Staff

Chris Crockett presented a video training on Open and Public Meeting Acts (OPMA) from the State Auditors website.

Commissioner Wager left the meeting at 7:49 p.m. after the meeting was stopped momentarily due to hackers jumping on the zoom meeting and requiring Mr. Barnhill to stop the meeting. When the meeting restarted at 7:53 p.m. Commissioner Wager did not re-join.

Mr. Crockett discussed updates going on currently with the legislature in detail, specifically House Bill 82 and House Bill 273, dealing with external accessory dwelling units. He also discussed Senate Bill 61 and Senate Bill 144, dealing with billboards. Mr. Barnhill discussed how these updates could affect organizations at a local level. Mr. Crockett added that House Bill 98, Local Government Building Regulation Amendment, would allow developers to hire and use their own building inspectors. The Commissioners discussed the problems that could potentially be issues with these changes with Mr. Barnhill and Mr. Crockett and frustrations with removing local authority. Vice Chairman Jones expressed interest in contacting the representatives in the legislature to voice her concerns. Mr. Barnhill said that on the Utah League of Cities and Towns website, there is a bill tracker that they can follow to see what the hot bills are.

7. Review Next Agenda and Adjourn

A. Items for February Agenda (next meeting March 4, 2021)

- Neff Townhomes
- Zone change for Bryan Loveless with Mt. Pleasant Estates

B. Motion to Adjourn

Motion: Commissioner Peterson made a motion to adjourn. Vice Chairman Jones seconded the motion.

All Commissioners were in favor. The meeting ended at 8:38 p.m.