

May 5, 2022
Planning Commission Work Session
Virtual Meeting
6:01 p.m.

Commissioners Present: Chairman Julie Jones, Commissioner Jan Kerr (came at 6:07 p.m.), Vice Chairman Marcus Wager (came at 6:51 p.m.), Commissioner Stephan Moss (came at 6:52 p.m.), Commissioner Beth Thompson, Commissioner Blake Broadhead

Commissioners Absent: Commissioner Ryan Vaughn

City Council Present: None.

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

Others Present: None.

1. 6:00 p.m. - Work Session

A. Training for new Planning Commission Members

Chairman Jones called the meeting to order and gave a roll call.

City Attorney Chris Crockett began this training session on land use development and laws. He said it is a new state requirement for the Planning Commissioners to receive four hours of training per year. This hour-long land use is a general overview training of Utah land use. He mentioned that the Planning Commission is an important part of the city growth and development. He pointed out that they can access training videos or more information on The Utah Land Use Institute website (utahlanduse.org). He proceeded to highlight a general overview of land use controls and administration with the following key points:

- There are different types of laws: Federal, State and court case land use laws.
- Planning Commission will use State Statutes and local ordinances. It was noted that Perry City recently updated their general plan.
- They have two focus areas: legislative responsibilities and administrative responsibilities.
 1. The city council relies on the Planning Commission for land use legislative law issues. It was noted that even changing a zoning code or ordinance was creating a new law. And it is important to hear from the public.
 2. Administrative functions might include subdivision applications, conditional use permits, learn the bounds of public comments and outside pressures on administrative rulings. It was mentioned that variance requests goes directly to the attorney and appeals will go to a Hearing Officer.
- Notice of changing the law: local ordinances, annexation, zoning map and temporary land use ordinance.
- Interpretation of ordinances – use plain language
- Non-conforming uses – right to be grand fathered by law
- Ordinances are mandatory
- Conditions on development – work with the developers and offer workable options
- Due process of law rights – don't impose requirements outside the development project
- State laws are always changing – a recent example was the interior ADU impact fee was waived

- Due process on noticing – members of the public should receive notice
- Evaluate the request and interpret the law with the information contained in it

City Attorney Chris Crockett finished his training session by showing the commission members a couple of helpful resources through the state that they can utilize. The two website sources are the following:

1. Utah State Code Title 10 Chapter 9a Municipal Land Use, Development, and Management Act (le.utah.gov)
2. Utah Property Rights (propertyrights.utah.gov).

Chairman Jones thanked everyone and closed the meeting.

3. Adjourn

The meeting ended at 6:56 p.m.