

Newton Planning Commission Meeting
September 8, 2022, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Call to Order/Roll Call
2. Opening Ceremony Barry Myers
3. Approval of August 2022, minutes
4. Water exaction requirements discussion
5. Agriculture Zoning Review
6. Draft Animal Ordinance Review
7. Review Newton Town right-of-way code
8. Adjournment

1. Roll Call

Members present: Justin Cooley, Rich Olsen, and Barry Myers.

Karla Ferguson – Recorder. Electronic attendance by Zoom: Reid Smith

Absent: Martin Empey

Others present: Brett Petersen and Gordon Anderson

2. Opening Ceremony – Barry Myers

3. Minutes for August 2022, approved.

4. Water exaction requirements discussion – Rich Olsen discussed that Mayor Benson has requested that the Newton Planning Commission make suggestions on a water exaction ordinance to be reviewed with the town attorney at next month's town council meeting. Aspects of sample ordinances sent by the Countywide Planner were reviewed. Brett Petersen reviewed water projects, water data collection, secondary water shares and what the water committee is working on. Tooele's code on water exaction was discussed. It was decided that the water exaction should be added to the water code and referenced to in subdivision and annexation code. Each member was asked to review the example ordinances on water exaction and determine what portions of those codes they would like to use. Karla Ferguson will combine all the example ordinances into a single document that can be edited and will email it to members to review and make suggestions on. A workshop with the countywide planner to review the suggestions will be scheduled for September 21 at 7:00 p.m.

5. Agriculture Zoning Review – Problems with the current zone map were discussed. It was also discussed that standards for changing zoning should be clarified. Adding a new zone to help with the draft animal ordinance was discussed. Parameters are needed for re-zoning a parcel. Brett Petersen read current code. It was discussed that changing zones is vague and a more measurable process with better wording is needed. Planning Commission members were asked to look at other communities zoning changes and research what they like for any zone change.

6. Draft Animal Ordinance Review - The planning commission reviewed items that had been discussed previously about the draft animal ordinance. Zoning and animal enclosure requirements that are in current land use code but are not enforced were discussed. Also discussed were conditional uses versus zoning and enforcement. Brett Petersen discussed allowing for agricultural business, such as dairies, but eliminate nuisance problems with overcrowding of animals. Justin Cooley said that current nuisance code needs to be enforced. Applying the proposed codes fairly and equally by taking out subjective wording in the code was

discussed. Concerns about how to discontinue abundance of animals on smaller properties without penalizing animal owners, grandfather and conditional use was discussed. It was discussed that the former countywide planner, Tayler Jensen, suggested a new zone called a rural residential zone that allowed more animals than the residential zone based on square footage of the lot. Planning Commission members were asked to look at the different drafts of the animal ordinance and other community's animal ordinances to help determine how to deal with existing problems and how they can come into conformity with the draft animal ordinance.

7. Review Newton Town right-of-way code – Mayor Benson has asked that the Planning Commission review Newton codes and compile what is and is not permitted on town right-of-way property. Mayor Benson would like to know if codes need to be updated to address the town right-of-way. Karla Ferguson will email the current code regarding town right-of-way for review.

Other business: Gordon Anderson asked if the Planning Commission is aware of confusion with parcel 13-020-0002. The parcel recorded is not representative with what is going on with Center Street right-of-way. The right-of-way needs a legal description written and a quit claim deed recorded for the property. Jed Woodward and Gordon Anderson have talked with the property owner, Stephen Griffin, in the past about this parcel and he has agreed to sign what is necessary to get this property confusion cleared up. The Town Council previously discussed paying for the survey to be completed so a quit claim deed could be filed.

The meeting adjourned.

Minutes prepared by: _____
Karla R. Ferguson, Newton Town Clerk Approval Date _____