

**PERRY CITY PLANNING COMMISSION MEETING
THURSDAY, JANUARY 21, 2010 7:00 P.M.
PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH**

PLANNING COMMISSIONERS PRESENT: Martin, Hinckley (Chair), Harlan Brewer, Steve Pettingill, Kellie Reese

OTHERS PRESENT: Duncan Murray (City Attorney), Rachel Tribe (City Planner), Angela Erwin (Minutes Clerk), Tom Peterson (City Council), Lani Braithwaite, Ken Reese

I. CALL TO ORDER AND OPENING CEREMONIES:

Comm. Hinckley called the meeting to order at approximately 7:01 p.m.

A. PLEDGE ALLEGIANCE TO THE U.S. FLAG

Conducted by Comm. Hinckley.

B. DECLARE CONFLICTS OF INTEREST, IF ANY

Questions initiated by Comm. Hinckley. None existed.

C. REVIEW AND ADOPTION OF THE AGENDA

Motion: Comm. Pettingill moved to accept the agenda for January 21, 2010. The motion was seconded by Comm. Brewer. No discussion. All in favor.

D. APPROVE MINUTES FOR DECEMBER 3, 2009

Motion: Comm. Pettingill moved to accept the minutes for December 3, 2009, as written. The motion was seconded by Comm. Brewer. No discussion. All in favor.

II. PUBLIC HEARINGS AND PUBLIC COMMENTS

A. PUBLIC COMMENTS

No public comments.

B. PUBLIC HEARING

None

**III. DESIGN REVIEW/SITE PLANS AND LIMITED REVIEW PERMITS
(ADMINISTRATIVE APPLICATIONS)**

None

IV. SUBDIVISIONS AND STREETS (ADMINISTRATIVE APPLICATIONS)

None

**V. SPECIAL EXCEPTIONS, CONDITIONAL USE PERMITS, AND MISC.
(QUASI-JUDICIAL APPLICATIONS)**

None

VI. LAND USE ORDINANCES, ZONING, DESIGN GUIDELINES, GENERAL PLAN
(LEGISLATIVE ACTION)

A. FINAL REGARDING AMENDING ORDINANCE FOR BUILDING SETBACK
AND AREA REQUIREMENTS

Duncan Murray explained that there had been some formatting changes and notes added at the end of the document. General rules applicable to all zones, such as site triangle additional setback requirements and fence requirements for manufacturing and commercial next to residential areas was updated. Comm. Hinckley was concerned with the rear setbacks when residential property is to the rear of commercial property. Mr. Murray will expand that note to read “additional setback requirements” or place additional asterisks by each of the three commercial zones and add the wording “may be required to have minimum setbacks” with a reference to the remaining ordinances. Comm. Pettingill said “design review” opens the rear setback up to the interpretation of the planning commission and as the planning commission changes, so can the rear setbacks. Also, he said there is ambiguity about what can happen against residential. Comm. Hinckley did not understand “a front setback against residential.”

Motion: Comm. Pettingill moved to table further discussion on amending the ordinance for building setback and area requirements. The motion was seconded by Comm. Brewer. No discussion.

Roll call vote: Comm. Pettingill–aye, Comm. Brewer–aye, Comm. Hinckley–aye. All in favor (3 to 0).

B. (FINAL) ORDINANCE REGARDING MONUMENT MARKERS FOR NEW
SUBDIVISIONS

Rachel Tribe said the wording, “Perry has no financial obligation now for the signs nor will it assume any such obligations in the future” has been added to the ordinance. Comm. Pettingill said his position is that monument markers will clutter the city and will make the city a “bunch of yard signs for subdivisions.” The markers are only self-fulfilling for the contractor.

Unofficial Motion: Comm. Hinckley tabled the ordinance regarding monument markers for new subdivisions because of a possible split-vote which would automatically table this item. No discussion.

C. DISCUSSION REGARDING LAND USE CHART TITLE 45 (NC2 AND NC3
ZONES NEIGHBORHOOD COMMERCIAL)

Comm. Pettingill said the NC2 and NC3 zones need to be changed to allow commercial development and residential to coincide. He believes that commercial

business will need people to be there. Comm. Brewer wanted to know who would benefit from this change and Comm. Hinckley felt that some people would gain and some people would lose. Comm. Hinckley agreed that there is more commercial than necessary. Comm. Pettingill said the commissioners need to think about and discuss this matter. Also, he suggested speaking to [10] residents. Comm. Pettingill said the “hottest” commercial areas are determined by where there are people. He said there needs to be high traffic, high visibility, and easy access for commercial areas (such as 1100 S. and the freeway/Point Perry). He does not agree with maintaining commercial on Highway 89 for long term. Comm. Hinckley would like to examine other issues at the same time and find a balance. Also, he has concerns about industrial areas.

*Comm. Reese arrived at approximately 7:21 p.m.

Comm. Hinckley suggested forming a committee to examine the issue and why one solution is better than the other. He would like this discussion to have specific solutions. Comm. Pettingill said Perry has retained the largest lot size against a commercial zone and the two obstruct each other. If commercial is to be successful, the city needs to infiltrate the area with as many people as it can.

Comm. Pettingill will attend the next city council meeting to discuss this item and ask for their direction.

VII. TRAINING AND HANDOUTS

A. UPDATE ON ISSUES ASSIGNED TO STAFF AND DISCUSSION ON PRESSURE ZONES AND ANY OTHER MAPS

Comm. Hinckley met with Jim Buchanan (Fire Marshal). Currently, there are zones in Perry currently that do not have 20 psi (notably the region on the north side of the gravel pit). This is a major issue in terms of fighting fires. When a fire truck pumps a line that cannot support flow rate, the line could collapse. The slope of the roads is also an issue. Fire trucks do not handle sloped roads very well. Mr. Buchanan said there were some places the road slope is significantly steep and would delay fire services. Mr. Buchanan was supposed to send mitigation measures for high risk fire areas in the community. Ms. Tribe will contact Karen Cronin (City Council) to see if Mr. Buchanan has sent this information to her. Mr. Buchanan also indicated there are some guidelines on shingles and the debris and protection around property.

Comm. Hinckley thinks building in risk areas should not be permitted until the flow and pressure have been resolved. Also, there should be a road slope review for roads in the area.

The commissioners discussed a possible discrepancy between actual psi measures and the data on the map. Comm. Hinckley said the flow rate is the main problem and is a function of the length of the pipe. He added that Mr. Buchanan said the city should evaluate areas of problems before there is an issue.

Mr. Murray pointed out that the ordinance addresses slopes above 8 percent. He said the city council has been discussing the "Pre-Disaster Mitigation Plan" that identifies flood zones, water problems, and fire areas. It is a great document to help with future planning.

Comm. Hinckley said flooding, earthquakes, landslides, wildfires, and dam failures are addressed in the "Pre-Disaster Mitigation Plan." The "three mile flood control district" found high risk flood areas in Perry. He said the southeastern corner is viewed as being a high risk landslide area. Comm. Hinckley said anything west of 1200 West is in a "liquefaction" area that may result in a disaster during an earthquake. He thinks these items should be taken into consideration for development and to make sure people building in areas of concern are aware of the risks. He suggested a committee go through each map and address mitigations and address where there may need to be a zoning change to protect the health and safety of people.

Ms. Tribe will get a CD of the "Pre-Disaster Mitigation Plan" for each of the planning commissioners.

B.

CITY COUNCIL
REPORT - TOM
PETERSON

Tom Peterson said the city council will pass the "Pre-Disaster Mitigation Plan" because emergency assistance is required. Also, he commented that the Fourth of July will be on a Sunday this year and will be celebrated by the city on Monday.

C. TRAINING: DUNCAN MURRAY, PARLIAMENTARY PROCEDURES

Duncan Murray provided the commissioners with a packet of information regarding parliamentary procedures. He said if Title 42 is not specific, then the city goes back to Robert's Rule of Order. Mr. Murray summarized the procedures and rules. Parliamentary procedure is to preserve the rights of people. Decisions are made according to majority rule. Mr. Murray pointed out that items should be discussed as listed on the agenda. It is important to remember that once an item is discussed, unless it is left open to discuss later, the issue is "done" for the meeting. There are general rules and special rules and there are administrative and legislative powers of the planning commission. Administrative issues should not be discussed outside the meeting. Mr. Murray further explained the Open Meetings Act and rules pertaining to motions, majority rules, and voting.

VIII. REVIEW NEXT AGENDA AND ADJOURN

A. ADD AGENDA ITEMS REQUESTED BY PLANNING COMMISSIONERS

Ms. Tribe will provide the commissioners with a copy of the “Pre-Disaster Mitigation Plan.” Mr. Murray brought up some informational items that can be added to the planning commission agenda (“Pre-Disaster Mitigation Plan,” enterprise zone, community development area, and flood control board). These items will be divided into the next two planning commission meetings.

B. MOTION TO ADJOURN

Motion: Comm. Pettingill moved to close the meeting. The motion was seconded by Comm. Brewer. No discussion. All in favor.

Meeting adjourned at approximately 8:34 p.m.