

**PERRY CITY PLANNING COMMISSION MEETING
THURSDAY, MAY 6, 2010 7:00 P.M.
PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM
3005 S. 1200 W. PERRY, UTAH**

PLANNING COMMISSIONERS PRESENT: Martin Hinckley (Chair), David Curtis (Vice Chair), Harlan Brewer, Mark Anderson, Steven Pettingill, David Walker

OTHERS PRESENT: Brandon Hansen, Carma Cady, Tom Peterson (Councilmember), Marc VanPelt, Duncan Murray (City Attorney/Administrator), Lani Braithwaite, Ed Christensen, Marie Christensen, Susan K. Obray (Minutes Clerk).

1. CALL TO ORDER AND OPENING CEREMONIES

Chairman Hinckley called the meeting to order at approximately 7:05 p.m.

A. PLEDGE ALLEGIANCE TO THE U.S. FLAG

Conducted by Chairman Hinckley.

B. DECLARE CONFLICTS OF INTEREST, IF ANY

Questions initiated by Chairman Hinckley. None existed.

C. REVIEW AND ADOPTION OF THE AGENDA

Motion: Comm. Pettingill moved to accept the agenda for May 6, 2010. The motion was seconded by Comm. Curtis. All in favor.

D. APPROVE MINUTES FOR APRIL 1, 2010 AND APRIL 15, 2010

Motion: Comm. Pettingill moved to approve the April 1, 2010 minutes as amended. Comm. Brewer seconded the motion. All in favor.

Motion: Comm. Curtis moved to approve the April 15, 2010 minutes as written. Harlan Brewer seconded the motion. All in favor.

2. PUBLIC HEARING AND PUBLIC COMMENTS

A. PUBLIC COMMENTS

Brandon Hansen handed the Commissioners pictures of 4-plexes that are located in Brigham City. He asked as the Commissioners look at the infill ordinance for the NC-2 zone and consider adjusting down the minimum square footages for 4-plexes. He asked if the Commissioners would take this into consideration as they look at the NC-2 Ordinance.

B. VACATION OF LOT 2, PARCEL #02-070-0002, AND 10FT OF LOT 3, PARCEL #02-070-0050 FROM RACKHAM SUBDIVISION TO COMBINE PARCELS WITH PARCEL #02-028-0059

Motion: Comm. Pettingill moved to close the regular meeting and open to public comment for vacation of lot 2. Comm. Brewer seconded the motion. All in favor.

Marc VanPelt asked what the purpose of the vacation was.

Comm. Curtis stated it will come out later in the meeting.

Ed Christensen9 (the applicant) stated the main purpose he is doing the vacation is to clean up his property. He stated the city wanted him to do this several years ago and is just now getting to it. In the future he would like to have the old house his son lives in as the Christensen Auto office or tear it down.

Mr. Murray stated this recommendation would go to the City Council in the form of a resolution for their approval; it would be recorded at the county. Lot 2 is where the car sales are and has never had a house on it. It has never been used as a residential lot.

Comm. Pettingill asked what the disposition of the 10 ft of property.

Mr. Murray stated it is a separate parcel number. The applicant wants to vacate the one full lot plus the 10ft of lot 3. Mr. Christensen wants to add it to the adjacent parcel that is not in a subdivision.

Comm. Pettingill asked where the 10ft is going to go.

Mr. Murray stated it is the intent of the applicant that it will be a part of one big parcel. He stated the Commissioners are not considering joining the lots; the application is for the removal of the 1 lot, plus the small 10ft.

Comm. Curtis asked if there was anyone there to talk for or against this vacation. No comments.

Motion: Comm. Curtis moved to close public hearing on the vacation of lot2 and the 10ft. lot 3 as described and return to the regular meeting. Comm. Pettingill seconded the motion. All in favor.

3. LAND USE APPLICATION

A. MAVERIK BUSINESS SIGN

Mr. Murray passed out the layout of the sign. Codey Illum did a memo that was put in the Commissioners packets. The layout shows where the sign will be. It shows the sign on the building and a standalone detached sign. The signs are actually smaller than what the ordinance allows. It meets setback requirements and all building requirements. When Maverick went through the design review process they could have had these signs approved at the same time, they decided to have them separate because of issues with Rocky Mountain Power. Mr. Murray recommended including that in their motion, if they approve it tonight. Comm. Curtis asked if the applicant should be in attendance. Mr. Murray stated that procedurally the commission cannot act on the application without a representative of the applicant being present.

Motion: Comm. Curtis moved to table this item until Maverick is here and then take action. Seconded by Harlan Brewer. All in favor.

B. VACATION OF LOT 2, AND 10FT OF LOT 3 FROM RACKHAM SUBDIVISION IN ORDER TO COMBINE PARCEL #02-028-0059 (ED CHRISTENSEN)

Motion: Comm. Curtis moved to vacate lot 2 and 10ft of lot 3 from the Rackham Subdivision. Seconded by Comm. Anderson. All in favor.

Comm. Anderson yes Comm. Curtis yes

Comm. Pettingill	yes	Comm. Walker	yes
Comm. Hinckley	yes	Comm. Brewer	yes

4. LAND USE ORDINANCES, ZONING, DESIGN GUIDELINES, GENERAL PLAN, ETC.

A. DISCUSSION ON TITLE 41 DEFINITIONS

(Storage pods, Storage Containers etc.)

Mr. Murray placed title 41 from the land use book in front of the Commissioners with some suggestions for storage pods, storage containers, etc.

The definition of an accessory building is a detached, subordinate building, not used for occupancy. Mr. Murray hand wrote some other items that could be added. A sentence could be added in the ordinance to include storage pods, storage containers, and similar containers or accessory buildings. The advantage of doing this is not to have to come up with a whole new definition or ordinance. The setbacks will still need to be met. Comm. Curtis asked to include a better description of what a container is and size and height. Comm. Walker suggested just using storage pod and not container. Comm. Pettingill stated he would like to look at other municipalities and their definitions. Comm. Hinckley felt the language is vague and could be interpreted many different ways. The language needs to be defined a little better. Comm. Pettingill was given the assignment to contact other municipalities and get their definition of storage containers, pods, etc.

B. DISCUSSION ON CHANGING THE IN-FILL ORDINANCE

(Changing from allowing only duplexes to allowing fourplexes)

The current infill ordinance indicates right now that in the NC-2 & NC-3 zones you can have single family dwellings the same requirements as R-1 zone; which is a minimum of 10,000 square feet. Lot size frontage and setback requirement for a two family dwelling meets the ordinance for the R-2 zone; which is a minimum 8000 square feet. Mr. Murray suggested instead of coming up with different sets of rules; have them be the same as what is already in the R-2 zone. What The Planning Commission looked at in the past is 5000 per unit per multi-family dwelling, so 10,000 for a duplex, 15,000 for a tri-plex and 20,000 square feet for a four -plex. Mr. Murray stated you would have to have just under a half acre to put a four-plex on. The current land use chart needs to be changed to reflect a reference to the infill ordinance to make sure all the requirements are met. The next item to be updated in the land use book is affordable housing.

Brandon Hansen stated the duplex he would like to develop faces 900 West, so people would not have to back out on to Highway 89. Brandon Hansen asked if it could be looked at on a case by case basis. Each case currently has to be looked at by a conditional use process design review. Comm. Pettingill stated that adjacent to Brandon Hansen's home is trailer houses and putting a four-plex would be an enhancement to Perry City. Comm. Hinckley asked if the commissioners need to re-write the infill ordinance. The in-fill ordinance will be put in the next packet so the commissioners can review it. Comm. Hinckley asked if the in-fill ordinance is a design review or conditional use. Mr. Murray stated the current conditional use

process gives the Planning Commission more latitude and discretion.

5. TRAINING, HANDOUTS AND UPDATES

A. CITY COUNCIL REPORT – TOM PETERSON

Councilman Peterson reported that the City Council is currently working on the budget.

It has been a struggle, but it is coming along well. Every city is having their struggles with their budgets. Councilman Peterson wanted the commissioners to know a little about the soccer field next to the city offices. He asked Mr. Murray to tell a little bit about it. Mr. Murray stated the city received a \$150,000.00 grant, which is a matching grant. The city was able to match it by getting volunteers from the Clyde Company to come in and do the work, which is equivalent to \$100,000.00 worth of equipment use.

B. LAND USE TRAINING (LEGISLATIVE VS. ADMINISTRATIVE ACTION BY LAND USE AUTHORITIES) – DUNCAN MURRAY

Mr. Murray went over the questions with the Commissioners.

6. REVIEW NEXT AGENDA AND ADJOURN

A. ADD AGENDA ITEMS REQUESTED BY PLANNING COMMISSIONERS

B. MOTION TO ADJOURN

Motion: Comm. Brewer moved to adjourn. Comm. Anderson seconded the motion. All in favor.

Meeting adjourned approximately 9:00 p.m.