

**PERRY CITY PLANNING COMMISSION TRAINING**

**THURSDAY, JULY 16, 2009 6:00 P.M.**

**PERRY CITY OFFICE BUILDING—CITY COUNCIL ROOM**

**3005 S. 1200 W. PERRY, UTAH**

**PLANNING COMMISSIONERS PRESENT:** Karen Cronin (Vice-chair), Martin Hinckley, Harlan Brewer, Steve Pettingill (Chair)

**OTHERS PRESENT:** Duncan Murray (City Attorney), Codey Illum (Building Inspector and Community Development Director), Rachel Tribe (City Planner), Angela Erwin (Minutes Clerk), John Derinzy, Kathleen Anderson, Michael Jones

Kathleen Anderson, Regulatory Assistant with the U.S. Army Corp of Engineers, presented training. The three mission elements of the U.S. Corp of Engineers is permitting, compliance, and enforcement. Their jurisdiction includes waters of the U.S., such as interstate waters, waters used for interstate or foreign commerce, intrastate waters connected to interstate commerce, and impoundments of waters. They test wetland vegetation, hydrology, soils, and atypical or problematic situations. There are three general permits (regional, programmatic, nationwide) for activities that are substantially similar in nature and cause minimal impacts. There are two individual permit types (standard and letters of permission) that are issued for specific activity following normal procedures (includes a public notice) and after an abbreviated processing procedure (without a public notice). The U.S. Army Corp of Engineers practices avoidance, minimization, and compensatory mitigation. Ms. Anderson summarized the function of wetlands and their value.

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**OTHERS PRESENT:** Duncan Murray (City Attorney), Lorin Gardner (City Engineer), Codey Illum (Building Inspector and Community Development Director), Rachel Tribe (City Planner), Angela Erwin (Minutes Clerk), Tom Peterson (City Council), Richard Fix, Leonard Hill, Lani Braithwaite, Tamera Terry, Kevin Terry, Karre Leishman

I. CALL TO ORDER AND OPENING CEREMONIES:

Comm. Pettingill called the meeting to order at approximately 7:02 p.m.

A. PLEDGE ALLEGIANCE TO THE U.S. FLAG

Conducted by Comm. Pettingill.

B. DECLARE CONFLICTS OF INTEREST, IF ANY

Questions initiated by Comm. Pettingill. None existed.

C. REVIEW AND ADOPTION OF THE AGENDA

Questions initiated by Comm. Pettingill.

**Motion:** Comm. Cronin moved to adopt the agenda for July 16, 2009, as outlined.

The motion was seconded by Comm. Brewer. No Discussion. All in favor.

D. APPROVE MINUTES FOR JUNE 18, 2009

Comm. Cronin pointed out that “fire pressure” should read “water pressure” on page three. Also, on page three, Comm. Cronin’s motion should include, “[with a stipulation] that they concur with engineering comments.” She would like the bottom line on page two to read, “orchards on [either] side.” On page four, item B, Comm. Cronin wanted “and the mayor wanted the city council to have the opportunity to review the ordinance” added to the last sentence of the first paragraph. Also, on page five, “Comm.” was missing in front of “Pettingill.” Comm. Pettingill would like “Maple” clarified on page three, item VI.A. Ms. Tribe said she was referring to “Maple Hills Subdivision.”

**Motion:** Comm. Cronin moved to approve the minutes for June 18, 2009 with the noted corrections. The motion was seconded by Comm. Hinckley. No discussion. All in favor.

## II. PUBLIC HEARINGS AND PUBLIC COMMENTS

### RULES

Comm. Pettingill summarized the rules listed on the agenda.

#### A. PUBLIC HEARINGS

None

#### B. PUBLIC COMMENTS

Comm. Pettingill asked if there were any public comments. None existed.

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

#### A. SIGN PERMIT REGARDING CANYON VIEW ANIMAL HEALTH CENTER (6 X 16 SIGN LOCATED ON THE SOUTHWEST SIDE)

Codey Illum referred the commissioners to section 58.05.020. He said the size of the sign is well within the limit and other sign ordinance factors are compliant. Tamera Terry, applicant, was available for questions. She explained that the lights will come out the front and shine onto the sign. The lights will turn on in the evening and stay on all night.

**Motion:** Comm. Cronin moved to approve the sign request for Canyon View Animal Health Center with the application made by Cody Faerber. The motion was seconded by Comm. Brewer. No discussion.

**Roll Call Vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Brewer–aye, Comm. Curtis–aye, Comm. Nelson–aye, Comm. Pettingill–aye. All in favor (6 to 0).

#### B. MAPLE HILLS OFF PREMISE SIGN LOCATED ON HIGHWAY 89 (AT ABOUT 1850 SOUTHEAST SIDE OF HIGHWAY)

Mr. Illum said this was a temporary, off-premise sign, and referred the commissioners to section 58.05.120, number three. He met with the Maple Hills developer and measured the area. The sign will be in a “V” pattern, which will be visible from both sides. Comm. Curtis pointed out that the application was incomplete because the map, etc. was not submitted in the required amount of time for the commissioners to review.

**Motion:** Comm. Curtis moved to table this application until the requirements are met. No second motion. Motion fails.

The commissioners discussed the incomplete application. Mr. Illum concurred that the application was incomplete and that the applicant paid only yesterday.

**Motion:** Comm. Curtis moved to table this application for two weeks so that the application meets the ordinance of being fourteen days in advance of the meeting and so the commissioners have all the information available for review prior to the meeting. The motion was seconded by Comm. Nelson. Discussion: Comm. Brewer asked if the ordinance requirement of fourteen days was so the commissioners could make sure that the application meets the city law. Comm. Pettingill said this was the procedure.

**Roll Call Vote:** Comm. Cronin–aye, Comm. Hinckley–nay, Comm. Brewer–aye, Comm. Nelson–aye, Comm. Curtis–aye, Comm. Pettingill–aye. Motion passes (5 to 1).

#### IV. SUBDIVISIONS AND STREETS (ADMINISTRATIVE APPLICATIONS)

##### A. FINAL REGARDING RE-SUBDIVISION OF LOT 2 BRAD BARTO SUBDIVISION

Rachel Tribe spoke with Mr. Illum regarding the storm drain. Mr. Illum said when development happens on this property, the storm drain would be addressed in “preliminary” at that time. Comm. Hinckley said there is a need for a water easement on this property, which needs to be addressed on the drawing for future development (so it is not forgotten). Duncan Murray suggested putting an “R-restriction” on lot two and indicate any concerns on the plat. Lorin Gardner agreed that a water easement should be included, along with a sewer easement.

**Motion:** Comm. Hinckely moved to give final approval for the Brad Barto property subdivision with the condition that the easement for the existing sewer line be shown on the plan before it is submitted to the city council and that it be noted on the drawing that drainage needs to be addressed as this is developed. [Added to the motion during discussion: 1. This will be recommended to the city council for final approval, and 2. A definition for “general public utility easement” is to be included on the map.] The motion was seconded by Comm. Brewer. Discussion: Comm. Cronin would like to add to the motion that this will be recommended to the city council for final approval. Comm. Hinckley agreed with this addition. Comm. Pettingill recommended adding to the motion that an easement for the water drainage be shown on the map and defined. Comm. Hinckley accepted the motion amendment that a “general public utility easement” definition be included on the map.

**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Brewer–aye, Comm. Curtis–aye, Comm. Nelson–aye, Comm. Pettingill–aye. All in favor (6 to 0).

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

None

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

A. DISCUSSION REGARDING FIRE OVERLAY MAP

Ms. Tribe was told that the previous fire overlay map was developed by the U.S. Department of Interior and Jim Buchanan said that further information can be found at the website <http://gis.utah.gov/agrc-service>. Ms. Tribe said when the power lines are installed there will be an easement, which will include a slow burning grass. Mr. Buchanan told Ms. Tribe that he would be willing to come to the next planning commission meeting to answer questions. Ms. Tribe said there was a water pressure map at one time and she is working on getting it. Comm. Pettingill would like a sub-committee to further research this subject. He would like to see a pressure map before the sub-committee meets. Comm. Hinckley, Comm. Cronin, and Comm. Curtis will serve on the sub-committee.

B. FINAL APPROVAL OF 1100 SOUTH ARCHITECTURAL DESIGN GUIDELINES

Mr. Murray said with the development of Upland Square, the streets will eventually be dedicated. They have been working on the 1200 South intersection. He added that the architectural design guidelines are not binding, but provide a starting point. Procedurally, this would be recommended to the special uses and appeals board for final approval. The guidelines are for the 1100 South corridor, combined with Brigham City and Perry, between Walmart and the railroad.

The lack of specificity of the architectural design guidelines was briefly discussed.

**Motion:** Comm. Hinckley moved to approve the design guidelines. The motion was seconded by Comm. Nelson. No discussion.

**Roll call vote:** Comm. Cronin–aye, Comm. Hinckley–aye, Comm. Brewer–nay, Comm. Nelson–aye, Comm. Curtis–aye, Comm. Pettingill–nay. Motion passes (4 to 2).

C. STREET LIGHTS (APPROVED STYLES)

Mr. Murray Perry will eventually be responsible for most of the street lights. The city council is looking at hiring a private contractor to service the poles and lights. The developer would install the poles and lights and Perry would take responsibility for the contractor maintaining them. He asked the planning commission to provide some direction that can be put in the design guidelines. In addition, the planning commission needs to approve the lights.

Mr. Illum brought up the expense of replacing poles after being hit by a car. Comm. Hinckley suggested the city engineer, or the person responsible, suggest what option of cobra head lights to use. He thinks the “Series II” lights should only be allowed in

certain situations. Comm. Pettingill wanted to make sure that the lighting will be directed “down.”

Karre Leishman, who works for an electrical supply company, was available for questions. He said all the street lights are designed for “down” lighting because they all have a dome and reflector that shines down. He said the cobra head and function lights are about one-third less expensive compared to the “Series I” lights. He said a lot of the cost is the decorative base and pole. Comm. Pettingill asked which series was easiest to maintain. Mr. Leishman said the lamps are the basically the same in all the series making maintenance the same. He showed a sample of a fiberglass pole installed in Hooper City. He said there is no glass and the light bulb is recessed and uses a reflector to shine on the street. It has a lower installation cost. With this option, Mr. Leishman said that Perry would be getting a “Series I” light for the price of a “Series III” light.

Comm. Hinckley felt the engineer should recommend and limit options. Comm. Curtis agreed and said that the engineer should come back with his recommendations on the recessed bolt. He added that guidelines should go along with what Hooper City installed. Mr. Leishman explained how the maintenance warranty could be a benefit. Mr. Leishman then said he would furnish the specifications for Hooper City.

## VII. TRAINING AND HANDOUTS

### A. UPDATE ON ISSUES ASSIGNED TO STAFF

Ms. Tribe provided updated information on the fire overlay map and Mr. Illum further researched the drainage for the Brad Barto Subdivision.

### B. CITY COUNCIL REPORT - TOM PETERSON

Tom Peterson said the city council members are researching the nuisance ordinance and no decisions have been made. Mr. Peterson said that Comm. Pettingill gave a presentation to the council on the reasons behind the nuisance ordinance and there is a public hearing on the ordinance in two weeks.

Comm. Pettingill said that he traveled around the city with Mr. Illum and Ms Tribe and they noted about fifteen nuisance ordinance offenders. Also, he attended the Willard’s city council meeting where the Rocky Mountain power lines were discussed.

## VIII. REVIEW NEXT AGENDA AND ADJOURN

### A. ADD AGENDA ITEMS REQUESTED BY PLANNING COMMISSIONERS

Comm. Nelson will no longer be serving on the planning commission. He was given a vote of thanks for his service.

Comm. Pettingill said in the process of changing Highway 89 a north/south access from the subdivision behind Red Baron (at 1100 South in Brigham City) should be opened to Perry. Tom Peterson pointed out that the curb needs to be painted red on the private road to Walmart, Sonic, car wash, and the dollar store so no one can park there. Comm. Pettingill would like to identify the “dead end” streets with signs to avoid emergency personnel issues. Comm. Curtis has been asked about the gravel pit’s hours operation and extended hours of operation. Mr. Murray said the hours can be found in Title 6.

B. MOTION TO ADJOURN

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

Meeting adjourned at approximately 8:28 p.m.