

**Plain City Planning Commission
Minutes of Meeting
13 November 2008**

The Plain City Planning Commission convened in a meeting on Thursday, the 13th of November 2008, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce (excused)
Vice Chairman: Brandon Stokes
Members: Bob Spencer (arrived at 7:10 p.m.)
Buddy Sadler
Jarod Maw
Alternate: Robert Seager
Staff: Diane Hirschi

Also present: Councilman Brett Ferrin, Dennis Brown, and Ryan Hancock. Vice Chairman Stokes conducted the meeting and Mr. Maw gave the invocation.

Public Hearing – Browns Subdivision – 1957 N 5100 W – 3 lots

Mr. Maw moved to convene in a public hearing for the Browns Subdivision at 1957 N 5100 W. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Sadler, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried. There were no comments. **Mr. Sadler moved to reconvene in a regular meeting. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Sadler, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.**

Preliminary/Final – Browns Subdivision – 1957 N 5100 W – 3 lots

Mr. Brown explained what is going on with the subdivision. He wants to create two lots with one existing lot. Mr. Spencer arrived. The commission reviewed the letter from Brad Jensen dated November 5, 2008. Lots 1 and 3 are to be sold. They each have 100 foot frontage. Lot 2 has more frontage and an existing house on the lot. There is a telephone line that runs across lot 1 that either needs to be removed or allow for an easement. Mr. Brown is aware of the line and will remove it. There will be 33 feet dedicated from the center of the road not including the 10 foot public utility easement as shown on the plat. Because the road isn't wide enough in that area, a deferral agreement would be required for asphalt. It was noted that the edge of the asphalt and the edge of the dedicated street are different. A deferral agreement hasn't been signed yet. There is a concern with having the lot owners pay for the asphalt extension along 5100 W instead of the developer. The asphalt is a major issue. The deferral would be for asphalt, curb, gutter, and sidewalk. The commission discussed having the developer put in the asphalt and the deferral agreement for the curb, gutter, and sidewalk. The Dean Olsen subdivision was for a 2 lot subdivision and was approved with a deferral agreement. There are engineering issues: signature block, lot addresses, location of point of beginning shown, etc. The commission doesn't want to grant preliminary and final in one night because it isn't a minor subdivision. The lots need to be restricted without basements and shown on the plat as restricted lots. No comments were received from the Fire or Public Works departments. The deferral agreement needs to be signed and in the folder before final approval will be granted.

Mr. Maw moved to grant preliminary approval for the Browns Subdivision located at 1957 N 5100 W for 3 lots contingent upon the letter from Brad Jensen dated November 5, 2008, and the deferral agreement detailing the proposed development widening of 5100 W, curb, gutter, and sidewalk on the westside of 5100 W and the phone line is addressed and is coordinated with Qwest, and lot 1 address is an odd number to coordinate with lots 2 & 3. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Spencer, and Mr. Maw ayes and Mr. Sadler and Vice Chairman Stokes nays. Motion carried.

Motion – Lot Line Adjustment – Lions Club Park

The City is moving the boundary line approximately 4 feet north to make a 100 foot frontage on the parcel to the south of the Lions Club Park. The new line will be 3 feet from the existing bathroom building on the Lions Club property. The ordinance requires 3 feet from an existing building to the property line. The fence lines are not correct and will need to be moved before the property is sold. **Mr. Sadler moved to approve the lot line adjustment for the Lions Club Park as presented. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.**

Motion – Amendment to the Zoning Ordinance and Police Regulations – concerning animals

It was mentioned that some residents raise pigs for the fair. It was mentioned that pigs shouldn't be allowed unless they are on large parcels of property of at least 1 acre or 5 acres. It was decided to not allow pigs at all. The commission discussed clarifying the definition of small and large animals. Dogs and cats can be classified as small animals. The commission discussed the individual amount of animals to be considered as small animals. They also discussed how many fowl equal a small animal. It was determined that 3 turkey, 3 ducks, 3 peacocks, 20 pigeons, 15 chickens or pheasants or similar fowl with no more than 30 chicks under 5 months is equivalent to a small animal. Small animals defined as 1 goat, 1 sheep, and 5 rabbits with

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10 rabbits being allowed on 20,000 sq. ft. It was decided two small animals equal one large animal. The commission doesn't mind rabbits and fowl on a 1/2 acre the concern is large animals. There is a concern with family food production not being allowed on 1/2 acre lots. It was decided that small animals would be above and beyond the dogs and cats. It was decided 2 small animals and no large animals would be allowed on 20,000 sq. ft. It was mentioned we need to be consistent with neighboring cities that is why the 3/4 acre was discussed. The commission discussed their concerns. No more than 30 fowl would be allowed per acre. The commission wants a grandfather clause that states if the large animals are gone for more than 60 days or if the property is sold the animals won't be allowed on the property.

The lighting for dog kennels needs to be specified as per the current ordinance. Under the dog kennel, the commission would like to add number 8 saying kennel operating hours and curfew times for dogs. It was decided dogs should be indoors between 9 pm and 7 am. A number 9 added saying they have to come before the planning commission for a site plan approval with to scale drawings of the site plan of the buildings on the property and the buildings on the adjacent properties. The commission would also like to say any other requirements deemed necessary by the planning commission. Chairwoman Pearce is to check the fees for the removing of dead animals. **Mr. Sadler moved to table the motion for further discussion until the next work meeting. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.**

Motion – Cancel – November 27th Meeting – Thanksgiving

Mr. Seager moved to cancel the November 27, 2008 meeting because of Thanksgiving. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.

Approval of minutes – 23 October 2008

Mr. Spencer moved to table the approval of the minutes of 23 October 2008 as written. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.

Report from City Council – Sadler

Mr. Sadler reported that he discussed the situation concerning the Lorna Hoffman property with the Council, a new snow plow blade was purchased, a public hearing was set for the capital facilities plan, and buying a new lawnmower for \$10,000 instead of fixing the old one for \$5,000 was discussed.

Public Comments

Ryan Hancock who is looking at purchasing one of the Browns lots is concerned about the deferral agreement for the asphalt widening. The road is off and most of the asphalt would be his responsibility if a deferral agreement is required. The commission and Mr. Hancock discussed the situation. There was discussion of redoing the whole thing and going back to a lot line adjustment instead of a subdivision. The concern is the zoning of the property.

Commission Comments

Mr. Sadler mentioned a federal law that all the street signs need to meet certain regulations. The City needs to adopt the ordinance so street signs don't need to be changed later. Councilmember Ferrin will get the information to Chairwoman Pearce.

Schedule for Attending the City Council Meeting

<u>Pearce</u>	<u>Stokes</u>	<u>Sadler</u>	<u>Spencer</u>	<u>Maw</u>	<u>Seager</u>
Jan 15	Feb 5	Feb 19	Mar 5	Mar 19	Apr 2
Apr 16	May 7	May 21	Jun 4	Jun 18	Jul 2
Jul 16	Aug 6	Aug 20	Sep 3	Sep 17	Oct 1
Oct 15	Nov 5	Nov 19	Dec 3	Dec 17 (if held)	

Mr. Sadler moved to adjourn at 9:10 pm. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Vice Chairman Stokes, and Mr. Maw all ayes. Motion carried.

Planning Commission Vice Chair

Planning Commission Secretary