

**Plain City Planning Commission**  
**Minutes of Meeting**  
**26 March 2009**

The Plain City Planning Commission convened in a meeting on Thursday, the 26th of March 2009, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce excused

Vice Chairman: Buddy Sadler

Members: Jarod Maw (arrived at 7:05 p.m.)

Robert Seager

Bob Spencer (arrived at 7:10 p.m.)

Alternate: Blake Neil

Staff: Kathy Hancock

Also present: Public Works Director Mitch Willson, Public Works Department Courtney Smith, Craig Call, and Jeff Hales, Archie Skeen, and Susanne Palmer. Vice Chairman Sadler conducted the meeting and Mr. Neil gave the invocation.

**Re-Final – Diamond E Subdivision – Approx. 3300 W 2600 N**

Mr. Hales mentioned that he is requesting final again as he has for the last 2 years. There haven't been any changes since final was approved 6 months ago on September 11, 2008 from the commission and September 18, 2008 from the City Council. They don't want to record the subdivision until the market comes back. The commission was concerned about the escrow amount changing. Mr. Hales mentioned that during the pre-construction meeting Brad Jensen will tell them how much to put in escrow. There are four items on the letter from Brad Jensen dated September 3, 2008 that still need to be addressed. **Mr. Seager moved to recommend re-final to the Diamond E Subdivision located at approx. 3300 W 2600 N with the stipulation of approval as granted on September 11, 2008, and following the 4 items on the letter from Brad Jensen dated September 3, 2008. Mr. Neil seconded the motion. Mr. Maw arrived. Vote: Mr. Seager, Vice Chairman Sadler, and Mr. Neil all ayes. Mr. Maw abstained since he wasn't here for the discussion. Motion carried.**

**Discussion – Amendment to the Land Use Ordinance**

It was explained that the City Council more or less adopted this in their last meeting, but they would like the commission to review and make any changes they see fit. The city has a 6 month time period to work on the ordinance. During this time the city has some control. Mr. Craig Call and the friends of Plain City submitted the draft ordinance. It is taking permitted uses and making them conditional uses for better control. The commission wanted to see if other cities had adopted an ordinance similar to this. Mr. Neil mentioned a training he attended suggested being selective with conditional use permits and having more meat in the ordinance. There was a concern with PRUDs requiring a conditional use permit and parks and churches that could be in the PRUDs also requiring a conditional use permit. It may be doubling the conditional use permits. Mr. Spencer arrived. Mr. Call mentioned it may need to be defined a little more, but this would protect the citizens.

Vice Chairman Sadler asked Mr. Call to explain what he has submitted to the city. Mr. Craig Call, who lives in Plain City and working with the Friends of Plain City, feels the city needs to have more control over certain areas. Some of these may be power lines, churches, and schools. By making these items require a conditional use permit the city has more control over what happens in these areas. Right now all they are required to do is get a building permit. Some of the conditional use permits could be delegated to the staff and not come before the commission or council. The draft includes a section for group homes. The group home ordinance was adopted by Cache Valley recently. Right now our city only allows a limit of 4 unrelated people. The requirements also have to be met with frontage and acreage. The old elementary school could possibly be made to house 8 people and fit the requirements. The other issue with the elementary school is it would have to be rezoned and the State does not require the city to do that. These are just some ideas the Friends of Plain City would like to have the city look at. The Friends of Plain City would be willing to work with the commission or Council in any way. The Council has tentatively adopted it and the city has 6 months to review and work on it. During that period of time the city has some enforcement. Legal Council needs to review it. It was suggested highlighting sections and reviewing it at the next month.

**Discussion – Amendment to the Public Ways & Property Ordinance – Snow Removal & Parking**

Mr. Mitch Willson had copies for the commission of other city ordinances. Mr. Willson doesn't want the ordinance to say no parking from November to March. During family parties and holidays when snow removal isn't necessary he doesn't want to see tickets given out. There is a concern that it shouldn't take 5 days to remove the snow. So for those 5 days because residents don't know when the snowplow is coming they can't park on the street. Mr. Willson explained that because the city only has 1 big snowplow and a truck it may take that long. The city needs more equipment. The parking ordinance could be left the way it is until more equipment is purchased. Putting snow in the

**Plain City Planning Commission**  
**Minutes of Meeting**  
**26 March 2009**

road needs to be addressed. A penalty needs to be added for those violating the ordinance. A penalty was discussed. The State Code mentions a Class B misdemeanor. The commission would like to see a Class C instead because it isn't as strict. The fine needs to be reasonable. The ordinance also needs to say both sides of the street and not just your side. There is a concern that the ordinance also mentions putting water in the gutter. With the city requiring people to put water in the drains instead of sewer, that will need to be changed. The commission would like Deputy Cragun at the last meeting in April to discuss penalties associated with the ordinance.

**Discussion - Amendment to the Public Health & Safety Ordinance – Abandoned Property**

The commission discussed the definitions Mr. Maw has been working on. An ordinance needs to be written to enforce the definitions, what is required, and the penalty. The commission is concerned about the abandoned buildings in the area and the safety. There is an International State Building Code that is specific to changing occupancy and the restrictions. Mr. Maw will review the code. The commission will discuss it at the next work meeting.

**Approval of minutes – March 12, 2009**

**Mr. Seager moved to approve the minutes of March 12, 2009 as discussed. Mr. Spencer seconded the motion.**

**Vote: Mr. Seager, Vice Chairman Sadler, Mr. Spencer, Mr. Maw, and Mr. Neil all ayes. Motion carried.**

**Discussion – April 9<sup>th</sup> agenda**

The commission discussed England Meadows and concerns with abandoning it. They would like a recommendation from the City Attorney on some of the concerns and would like to meet with him prior to the April 9<sup>th</sup> meeting. Concerning Stillcreek the commission would like to see house plans and elevations.

**Report from City Council – Sadler**

Mr. Sadler reported that they set a \$100 fine for dumping waste water into the sewer and after 30 days it is \$250 per month and will help cover expenses such as the \$.55 per foot camera expense, a public hearing was set for May 7<sup>th</sup> for the subdivision ordinance amendments, the land use draft passed, and business licenses and warrants were approved.

**Public Comments:**

No comments.

**Commission Comments:**

Mr. Seager has some animal ordinance information he will bring in for the commission to review.

**Schedule for Attending the City Council Meeting**

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

**Mr. Spencer moved to adjourn at 9:00 pm. Mr. Seager seconded the motion. Vote: Mr. Seager, Vice Chairman Sadler, Mr. Spencer, Mr. Maw, and Mr. Neil all ayes. Motion carried.**

\_\_\_\_\_  
Planning Commission Chair

\_\_\_\_\_  
Planning Commission Secretary