

**Plain City Planning Commission  
Minutes of Meeting  
14 May 2009**

The Plain City Planning Commission convened in a meeting on Thursday, the 14<sup>th</sup> of May 2009, in the Council Chambers of the Plain City Hall at 7:00 pm.

Present showed the following:

Chairwoman: Artie Pearce

Vice Chairman: Buddy Sadler

Members: Bob Spencer  
Robert Seager

Jarod Maw (arrived 7:05 pm)

Alternate: Blake Neil

Staff: Kathy Hancock

Also present: John Dunkley and Kathy Dunkley. Chairwoman Pearce conducted the meeting and Mr. Sadler gave the invocation.

**Discussion/Motion – Affordable Housing Plan**

With the economy the way it is right now, the commission didn't feel the need to review house prices. Mr. Maw arrived. The commission decided that no changes were needed to the Housing Plan at this time. There will be a new census in 2010 and the commission will wait for the results of that. The commission didn't feel there had been any changes since the previous year.

**Mr. Sadler moved to recommend to the City Council the Affordable Housing Plan as amended in 2007, it is still current and acceptable. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Chairwoman Pearce, and Mr. Maw.**

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

After having read through the proposed ordinance the commission likes the way it is written. They would like to have Craig Call at the next meeting to answer some questions. The concern is still the conditional use permit and what to do with the conditional use permit for parks. A PRUD requires a conditional use permit and they also have parks. For parks the developer would be required to put in the improvements and not the city. Conditional use permits may need to be spelled out more clearly. There is the question as to what is the reason for so many conditional use permits.

**Discussion/Motion – Amendment to the Police Regulations and the Zoning Ordinance – Kennels, Catteries, & Livestock**

The commission discussed the draft ordinance and changes that needed to be made. There was a concern about fencing when surrounding property is developed. Fences can be taken down by developers and the ordinance requires the animal owner to put up a fence. The commission changed the ordinance. The change "unless in the case of property being developed it is the developer's responsibility to provide and maintain fencing around the perimeter of the development abutting property with animals". The concern is if the fence is removed it needs to be put back. **Mr. Maw moved to table the Amendment to the Police Regulations and the Zoning Ordinance concerning Kennels, Catteries, and Livestock until the May 28<sup>th</sup> meeting. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Chairwoman Pearce, and Mr. Maw all ayes. Motion carried.**

**Public Comments**

John and Kathy Dunkley need to know what they can and can't do with their property. They own 6 lots in the original Parkvale Subdivision. Each lot is at least an acre plus. The back four lots are zoned RE20 and the front two lots are zoned A-2. In the 80's the back lots were condemned because of water issues. When the pumps were installed to drain the Great Salt Lake the lots were no longer condemned. They would like a place to run their excavation business out of. They would fence the piece of property for security reasons if a business was approved there. They would like to construct a metal building bigger than a house to store their equipment. When they are excavating and they have excess dirt they would also store it on the site. There are currently no homes in the area. As of last fall they do have access to the back lots. They don't know the story concerning what happened to the recently abandoned Parkvale Subdivision. They have heard several stories. There is an easement that runs through the property with a big manhole in it. There is also a drainage ditch with a fence around it. The asphalt only goes as far as Wendell Winegar's house. The street 5050 W that is on the newer subdivision plat does have roadbase on it. The other roads have been cut but don't have roadbase. The commission asked how much equipment would be used on the roads each day. Mr. Dunkley stated that he has 2 dump trucks but some days both are used. Equipment wouldn't be going in and out all day. After looking at the ordinance, the commission thinks the property would have to be rezoned to C-3 for this kind of business. The C-1 zone allows for contractors to be working out of a shop but everything has to be done within a building. One concern is all businesses need to be on an improved street. The commission is sure that means an asphalt street. This would need to be discussed with the Fire Department. The General Plan would also have to be amended. It presently shows the area as residential not commercial. One requirement of the C-3 zone is the business has to be on an arterial road. It also mentions these zones shouldn't be by residential areas. Winegar's house is probably the closest house at 400-500 feet. It is still surrounded by a

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residential zone. This street isn't an arterial road. Between the Winegar's home and the lots on 2700 N there are about 2 lots. The commission and the Dunkley's discussed the current conditions of the property. Houses could be built on the lots on 2700 N if all of the improvements are there. The sewer should be as far as Winegar's house. The road would have to be paved to the lots also. The Dunkleys asked about having storage on the lots. It was noted that storage units aren't allowed in residential or commercial. The Dunkleys would like to have the property rezoned agricultural for property tax reasons. They were told to check into that since they are lots in a subdivision it may not change the taxes. If the Dunkleys decide to go with a C-1 zone, the General Plan would still have to be amended, but the arterial road wouldn't be required. It was suggested the Dunkleys look at the code on the city website and see what is allowed in the different zones. If the Dunkleys want to do anything with their lots, improvements would have to be done i.e. asphalt, sewer, and utilities.

**Approval of minutes – 23 April 2009**

**Mr. Sadler moved to approve the minutes of 23 April 2009 as written. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Chairwoman Pearce, and Mr. Maw all ayes. Motion carried.**

**Report from City Council – Pearce**

Chairwoman Pearce reported that the Amendment to the Subdivision Ordinance was approved concerning the Lot Line Adjustments and Consolidation of Parcels, the sewer service regulations were passed; it is now a Class C Misdemeanor to put drain water into the sewer with the judge determining the fine, the inter local agreement with Central Weber Sewer was approved, a public hearing was set for June 4<sup>th</sup> for the abandonment of England Meadows; the Mayor wants to abandon the subdivision but keep the Development Agreement and the attorney is looking into it, Big Cottonwood asked for final acceptance extension and concerns are being addressed, they approved the tentative budget for 2009-10, approved the warrants, discussed the 4<sup>th</sup> of July, sewer issues are on hold, and they adjourned and went into an executive session to discuss property.

**Commission Comments**

Mr. Seager may need to be excused from the May 28<sup>th</sup> meeting. Mr. Kenneth Owen called him concerning Universal Estates starting over. The commission discussed it.

Mr. Sadler mentioned that Hunter's Run doesn't have their sidewalk in front of the Cottle's homes yet and it has almost been two years. The flag lot for Bluff Acres is for sale. There is a concern that the improvements haven't been done. The attorney may need to get involved.

Mr. Neil mentioned the North Legacy meeting on June 10<sup>th</sup> at the West Weber Elementary from 5-7 pm.

**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>
Jul 16	Aug 6	Aug 20	Jun 4	Jun 18	Jul 2
Oct 15	Nov 5	Nov 19	Sept 3	Sept 17	Oct 1
			Dec 3	Dec 17 (if held)	

**Mr. Spencer moved to adjourn at 8:55 pm. Mr. Sadler seconded the motion. Vote: Mr. Seager, Mr. Sadler, Mr. Spencer, Chairman Pearce, and Mr. Maw all ayes. Motion carried.**

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Planning Commission Chair

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Planning Commission Secretary