

**Plain City Planning Commission
Minutes of Meeting
10 September 2009**

The Plain City Planning Commission convened in a meeting on Thursday, the 10th of September 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: Robert Seager

Bob Spencer

Jarod Maw

Alternate: Blake Neil

Staff: Kathy Hancock

Also present: Joe Serrao, Erick Thompson, Nathan Corey, Jeff Hales, Caleb Corey, and Jesse Campbell. Vice Chairman Sadler conducted the meeting and Mr. Spencer gave the invocation.

Re-Final Approval -Diamond E Ranch Subdivision – approx. 3200 W 2600 N – 40 lots

Mr. Hales wasn't present. The commission didn't have any concerns since there aren't any changes. **Mr. Spencer recommended re-final approval to the City Council for the Diamond E Ranch Subdivision. Mr. Maw seconded the motion. Vote: Mr. Seager, Mr. Spencer, Vice Chairman Sadler, Mr. Maw and Mr. Neil all ayes. Motion carried.**

Motion - Conditional Use Permit – Verizon Wireless

Mr. Joe Serrao representing Verizon Wireless, mentioned that he met with the commission about 7 months ago to discuss this tower. The proposal is to replace the light pole east of the T-mobile tower with a cell tower pole with a light. There will be an equipment shelter of about 20'X26' at the base of the tower, similar to the T-mobile shelter. The reason for not co-locating on the existing tower is there is limited space for the equipment shelter at the base of the tower. The proposed tower will allow for future co-locators, which benefit the city. The pole will match the existing pole and the light will be replaced on the pole. There is approximately three feet between the existing fence and the proposed fence. There will be cement under the equipment shelter, and the rest of the area gravel. The commission is concerned with weed maintenance. Mr. Serrao mentioned a technician comes out once a month to service the area and could spray for weeds if necessary. There was a concern with balls hitting the shelter. Mr. Serrao mentioned that quite a few towers are located in similar areas. The contract can include a clause not holding the city liable for damages from balls. There won't be any more sound than what presently exists in the area. The only noise will be the equipment priming once a week to keep it going. Another concern was the microwave antenna that the other cell tower doesn't have. Mr. Serrao mentioned it is for power and operative reasons and has to meet government regulations. If the power goes out it can shoot to another tower. Mr. Serrao has been working with Mitch Willson with the site plan and Mayor Jenkins on the lease, and will continue to do so. **Mr. Maw moved to grant a conditional use permit to the Verizon Wireless South Farr West Tower contingent on the issue that weed maintenance is addressed in some fashion, it is up to Verizon to determine how. Mr. Spencer seconded the motion. Vote: Mr. Seager, Mr. Spencer, Vice Chairman Sadler, Mr. Maw and Mr. Neil all ayes. Motion carried.**

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

The Commission decided to table the discussion and motion for further review. **Mr. Spencer moved to table the discussion and motion on the Amendment to the Police Regulations and Zoning Ordinance – Kennels, Catteries, and Livestock. Mr. Neil seconded the motion. Vote: Mr. Seager, Mr. Spencer, Vice Chairman Sadler, Mr. Maw and Mr. Neil all ayes. Motion carried.**

Public Comments

Mr. Erick Thompson is concerned about the proposed animal ordinance. He recommended to the commission that they make sure the wording is very clear so there aren't any questions. There is too much misinformation out there. He also suggested the commission look into how much space an animal requires from someplace like the Utah State University. People are worried about their property values especially if they can't sell it as horse property. He has chickens and the ordinance won't affect him.

Mr. Nathan Corey mentioned the current ordinance isn't being enforced. A lot of residents aren't in compliance now. Some people can't afford larger lots so buy the ½ acre lots. Anytime horses are on ½ acre there is dust. The commission explained pastures will be different than corals. The commission explained that odd shaped lots and corner lots can't meet the setback requirements now for animals.

Mr. Jesse Campbell has cows and wants to keep them. The commission explained the proposed grandfather clause that states he can still have animals if they aren't gone for more than 6 months or he doesn't sell his property. He has five cows and the commission explained that he is only presently allowed 2 at a time on his ½ acre. He asked if the wordage in the ordinance

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could get worse. The commission explained this is what the present commission wants that other commissions or Councils may want it different. The city is changing and change brings need for new ordinances. He mentioned his dad has 3 horses on 1 ½ acres. The commission explained that part of the ordinance won't change. The reason for the grandfather clause is so that eventually everyone will have the same rules. The commission explained they looked at Farr West's ordinance and there grandfather clause states 4 months instead of 6 months and other things are stricter.

Discussion -Temporary House Trailers

Mr. Maw explained the definitions he presented tonight. The only place he could find reference to recreational trailers is in California. It is a starting point to compare with our mobile home definition. A time period for allowing living in a recreational trailer needs to be addressed. The commission thought 3-4 months unless it is an emergency situation. Living in a trailer needs to be discouraged while a house is being built. Being hooked up to sewer needs to be restricted. Disasters were discussed. Maybe something needs to be in there to allow for that. Mr. Maw will take the definitions and go from there.

Approval of the Minutes – August 28, 2009

Mr. Spencer moved to approve the minutes of August 28, 2009, as written. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Spencer, Vice Chairman Sadler, Mr. Maw and Mr. Neil all ayes. Motion carried.

Report from City Council - Maw

Mr. Maw reported that the public was there to discuss there concerns with the animal ordinance, passed the Group Living Ordinance, passed vacating England Meadows PRUD, discussed sewer and poo gloos, a crawler for the landfill was discussed, Brad Simons discussed the 5 issues with Four Mile Parkway (private vs public parks, accesses, water features, Homeowners Association vs Special Improvement District, and the land drains), the business licenses and warrants were approved, the Council commented on the Harvest Arts Festival, property with land drain issues were discussed, recycling will be discussed next month, concerns with maintaining the paint sprayer was discussed, the Pioneer Park designs are moving along, the sidewalk on 1975 and 3600 W ran into drain line problems, and the sewer system was discussed.

Commission Comments

Mr. Neil mentioned he learned in the seminar today different ways to inform the community. Our city could use a newsletter through Bona Vista, webpage, marquee, the Standard Examiner or an open house. He got some information for the affordable housing. The average update is 6 years. There are incentives for cities that update at 2 years.

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>
Oct 15	Nov 5	Nov 19	Dec 3	Dec 17 (if held)	Oct 1

Mr. Spencer moved to adjourn at 8:15 pm. Mr. Seager seconded the motion. Vote: Mr. Seager, Mr. Spencer, Vice Chairman Sadler, Mr. Maw, and Mr. Neil all ayes. Motion carried.

Planning Commission Chair

Planning Commission Secretary