

ROY CITY PLANNING COMMISSION

October 9, 2012

Minutes of the Roy City Planning Commission Meeting held in the City Council Room of the Roy City Municipal Building on October 9, 2012, at 6:02 p.m.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Lee Holt, Chairman
Blake Hamilton
Gennie Kirch
Tom Stonehocker

Jared Hall, Planner
Michelle Drago, Secretary

Excused: David Dickson and Rhett Zito

Others present were: Missy Warwood; Jose Soto, Jr.; Maria Guerra; Scott Johnson; Burch Kirch; and Councilman Brad Hilton.

Pledge of Allegiance: Gennie Kirch

1. APPROVAL OF SEPTEMBER 25, 2012, MINUTES

Commissioner Kirch moved to approve the minutes of September 25, 2012 as corrected. Commissioner Stonehocker seconded the motion. Commission members Hamilton, Holt, Kirch, and Stonehocker voted "aye." The motion carried.

2. CONSIDERATION OF A REQUEST TO AMEND THE TEXT OF THE ZONING ORDINANCE REGARDING THE KEEPING OF DOMESTIC LIVESTOCK AND FOWL IN RESIDENTIAL ZONES (CONTINUED FROM 7/25/12, 8/14/12, 8/28/12, 9/11/12, and 9/25/12)

Jared Hall stated during the last meeting the Commission discussed setting a bench mark for domestic livestock and fowl. The table had been modified according to the Commission's direction. Lots with 8,000 to 9,999 square feet would receive 10 points; lots with 10,000 to 14,999 square feet would receive 20 points; and lots with 15,000 square feet or more would receive 30 points. No points would be given to lots with less than 8,000 square feet. Everything else was basically the same, but he did clean up some language.

He was working on an application form that would be tied to an information sheet. It would mirror the proposed ordinance.

Chairman Holt asked if the Planning Commission would be involved in reviewing the application form. Mr. Hall said it would. Ultimately, the City Council would have to sign off on the application as well.

Chairman Holt asked if the ordinance would be enforced by the Zoning Administrator or the Code Enforcement Officer. Mr. Hall said that as the Zoning Administrator, he would handle the application, administration, and enforcement of this ordinance rather than burdening Code Compliance.

Chairman Holt asked if Mr. Hall had the authority to issue tickets. Mr. Hall said enforcement of this ordinance would be handled by permit, not tickets. If a property owner violated the ordinance, his permit would be in jeopardy.

Chairman Holt asked what would happen if a permit was revoked and a property owner continued to keep domestic livestock. Mr. Hall said it would then become a public nuisance and would fall under Code Compliance.

Chairman Holt asked about those who were currently not complying and who would not be eligible for domestic livestock. Mr. Hall said some had been issued tickets. While this ordinance was under consideration, action on their tickets had been suspended. If the ordinance passed and they were not eligible, they would have to comply or face the penalties associated with their ticket.

Chairman Holt asked about owners and renters. Jared Hall said that per the Commission's instructions in the last review, in this draft a permit could only be issued to property owners, not tenants.

Commissioner Kirch asked if the City Council could change the point system proposed by the Planning Commission. Mr. Hall said it could. Commissioner Kirch was concerned about any changes to the proposed ordinance. The Planning Commission had listened to a lot of public input. It had given a lot of thought to the proposed ordinance. The Commission's decision to not have animals on lots with less than 8,000 square feet meant some of those who attended the Commission's hearing would not be able to have animals. Some would have to come into compliance. The Planning Commission felt the proposed numbers were best for the City. As Commissioner Hamilton had said, it would be easier to become less restrictive and than more restrictive.

Jared Hall said the Planning Commission was Roy City's land use authority. The City Council took the Planning Commission's recommendations seriously. The Council frequently did not spend a lot of time considering issues that the Planning Commission had reviewed. When a planning item was forwarded to the City Council, the Council was usually then ready to make a final decision.

Commissioner Hamilton felt the Planning Commission had done its job in considering the desires of some of the citizens versus the rights of all the citizens. It was time for the City Council to consider the requested text amendment.

Commissioner Hamilton moved to forward the request to amend the text of the Zoning Ordinance regarding the keeping of domestic livestock and fowl in residential zones and a draft ordinance to the City Council for their consideration. Commissioner Stonehocker seconded the motion. Commission members Hamilton, Holt, Kirch, and Stonehocker voted "aye." The motion carried.

Jared Hall said he would forward the original application and the proposed ordinance language worked out by the Commission to the City Council for review. The proposed ordinance would be reviewed by the City Attorney before it was forwarded to the City Council. He felt it would be late November before it was placed on a Council agenda.

3. STAFF UPDATE

Jared Hall said there would be a meeting on October 23rd. Two names for the vacancies on the Commission had been forwarded to the Mayor.

4. ADJOURN

Commissioner Hamilton moved to adjourn at 6:20 p.m. Commissioner Kirch seconded the motion. Commission members Hamilton, Holt, Kirch, and Stonehocker voted “aye.” The motion carried.

Lee Holt
Chairman

Attest:

Michelle Drago
Secretary

dc:poct912