

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
July 14, 2008**

CALL TO ORDER - 3:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Jere Jarrell, James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

ABSENT/EXCUSED: None

STAFF PRESENT: Ray Erlandsen, Zoning Administrator, Sheila DeSchaaf, Planner II, LaRon Garrett, Town Engineer, Debra Galbraith, Town Manager, Debbie Dawson, Executive Assistant, Tim Wright, Deputy Town Attorney, and Chris Floyd, Secretary.

A. APPROVAL OF MINUTES

1. Public Meeting 6-9-08 Pages 1-3

The minutes were approved as submitted.

- B. PUBLIC COMMENTS - Comments concerning items not on the agenda. Note: Those wishing to address the Planning and Zoning Commission during this time need not request permission in advance. Action taken as a result of public questions and comments shall be limited to directing staff to study the matter or rescheduling the matter and decision at a later date. There shall be no discussion regarding any issues presented.**

There were no public comments.

C. SCHEDULED HEARING(S)

1. CUP-168-08 Conditional Use Permit
Filed by: Payson Humane Society, property owner
Marcus Macfarlane, authorized agent
Location: 812 South McLane Road
Purpose: To allow a kennel use as well as an accessory use of an aluminum can crushing operation in an enclosed building.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

Staff recommends approval with the following conditions:

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1. The issuance of a permit for a conditional use shall apply only to the particular use and site plan for which it was issued, and such approval shall be deemed to run with the land.
2. Development shall be in substantial conformance with the site plan sealed May 30, 2008.
3. Expansion of the approved use, changes in use, or additional uses shall be subject to review and approval by the Planning and Zoning Commission if not expressly permitted in C-3 zoning district.
4. The following Design Review Board requirements shall be complied with prior to the issuance of a certificate of occupancy:
 - a. All outdoor wall lighting must conform to the dark sky requirements of the UDC.
 - b. Landscaping must be augmented on the site, especially in the area of the recycling facility.
5. Development shall comply with all applicable town codes in effect at the time of building permit application.

Any other conditions the commission deems necessary.

Marcus Macfarlane, Amon Builders, gave a brief overview of the proposed project. The Commission asked questions, which were answered by the applicant.

Chairman Baas opened the public hearing.

Phil Martin, Jot Mini-Storage, voiced his concern with the floodplain in the area and the finished floor elevation of the proposed building. Another concern was his ability to do maintenance on his wall or building in the back.

Hallie Jackman voiced her concerns with the placement of the dog runs that would be adjacent to 48 residential units of her proposed project.

Jim Scheidt asked what was on the north side of the units, which the reply was a block wall.

There was further discussion regarding the block wall and the noise reduction factor. An eight foot wall is being proposed by the Humane Society to help with noise reduction.

Ellie Watson, Director of the Payson Humane Society, explained how the outdoor exercise area would be utilized.

Jere Jarrell asked if this was the highest and best use of the property. Ms. Watson replied that she felt this project would enhance the area.

Chairman Baas closed the public hearing.

There was discussion regarding the operation and noise of the can crushing operation. It was suggested that a time limit be placed on the operation of the can crusher.

Joel Mona suggested another condition be added that reads; 'Operations will be conducted in a manner that will minimize outdoor barking'.

For the can crushing operation it was suggested that a time limit of 9 a.m. to 3 p.m., Monday-Friday, be established.

Motion: Approve CUP-168-08, a request to allow a kennel use (animal shelter) as well as an accessory use of an aluminum can crushing operation in an enclosed building in a C-3 zoning district at 812 South McLane Road subject to the seven (7) conditions as discussed by staff.

Moved by James Scheidt, seconded by Lori Meyers.

Vote: Motion carried 7 - 0

Yes: Jere Jarrell, James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

2. P-345-08 UDC Amendment

Filed by: Town of Payson

Location: Could affect all areas of Town

Purpose: To amend Section 15-02-014, Design Review Overlay District, of the Unified Development Code.

Sheila DeSchaaf, Planner II, summarized the staff report.

Chairman Baas asked Tim Wright, Deputy Town Attorney, to explain the responsibility of the Planning and Zoning Commission regarding this UDC amendment and the work of the Design Review Board. Mr. Wright explained that the Design Review Board was to make recommendations directly to the Council. He noted that pursuant to State law and the Town code all amendments to the Unified Development Code goes through the Commission. Mr. Wright stated that the Commission could make comments today and they would be forwarded to the Council by staff.

James Scheidt thanked the Design Review Board for all of their time and effort on the design review guidelines. He stated that he reviewed the document and gave a copy of his recommendations to staff. He noted some

of his recommendations for the Commission.

Russell Goddard commented that he was glad to see dark sky compliance included in the guidelines. He also had a question regarding the submittal requirements, which were answered by staff.

Gary Bedsworth felt that this was an excellent document. He did have comments regarding the plant list that is used by the Town for landscaping. He hoped the interpretation of the guidelines were business friendly, and he liked the preservation and augmenting of the Ponderosa Pine tree, when possible.

Lori Meyers questioned the provision of metal buildings being permitted with a facade on all visible sides and if that was going to apply to the industrial areas, which was answered by staff.

Chairman Baas commented on the appeal process and the time frame in which an appeal can be filed and heard.

Joel Mona asked about an exemption for removal of brush/dead trees for fire control.

Lori Meyers asked whether single family detached development would have to come to Design Review, and for clarification on the provisions for repainting structures.

Chairman Baas opened the public hearing.

Bernie Lieder, Chairman of the Design Review Board, commented on how the Board had developed these guidelines. He reiterated that it has always been the goal of the Board to be business friendly.

Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of A, and C through F, inclusive as outlined in the staff report.

Moved by Joel Mona, seconded by Russell Goddard.

Vote: Motion carried 7 - 0

Yes: Jere Jarrell, James Scheidt, Hal Baas, Russell Goddard, Joel Mona, Gary Bedsworth, and Lori Meyers.

3. P-346-08 UDC Amendment
Filed by: Town of Payson
Location: Could affect all areas of Town
Purpose: To amend Section 15-10, Enforcement, of the Unified

Development Code.

Ray Erlandsen, Zoning Administrator, summarized the staff report.

The Commission asked questions, which were answered by staff.

Russell Goddard stated that he had a real concern with the criminal portion of the proposed code amendment.

Chairman Baas stated that he would like to see a provision for weekend activity, for example cutting of trees.

There was discussion concerning the criminal aspect of the proposed code amendment.

Chairman Baas opened the public hearing.

Chairman Baas closed the public hearing.

Motion: Recommend to the Town Council approval of P-346-08, a request to amend Section 15-10, Enforcement, of the Unified Development Code as attached.

Moved by Lori Meyers, seconded by James Scheidt.

Vote: Motion carried 6 - 1

Yes: Jere Jarrell, James Scheidt, Hal Baas, Joel Mona, Gary Bedsworth, and Lori Meyers.

No: Russell Goddard.

4. P-347-08 UDC Amendment

Filed by: Town of Payson

Location: Could affect all areas of Town

Purpose: To amend the Unified Development Code by adding a section regarding beekeeping in residential districts as well as revise current language regarding beekeeping in commercial and industrial districts.

Ray Erlandsen, Zoning Administrator, gave an updated report regarding beekeeping. Staff is requesting time to work on this item.

Jim Scheidt moved, seconded by Russell Goddard, to extend the time for staff to establish a recommendation for a beekeeping amendment to the UDC.

Motion carried 7-0.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. Review of accessory dwelling units

Ray Erlandsen, Zoning Administrator, stated that staff was continuing to work on the accessory dwelling units revision and would bring it to the Commission in August.

E. REQUESTS TO STAFF FOR THE PLACEMENT OF ITEMS ON FUTURE PLANNING & ZONING COMMISSION AGENDAS

F. INFORMATION TO COMMISSION (Not for Discussion)

1. Update on UDC amendment regarding fences

Ray Erlandsen, Zoning Administrator, noted that he would be taking the proposed fence regulations back to Council on August 7 for a first reading.

Chairman Baas stated that the Council had requested that another public meeting be held regarding fences. The public meeting was held on July 9, 2008.

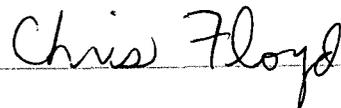
ADJOURNMENT - 5:36 p.m.



Hal Baas, Chairman



Approved



Chris Floyd, Secretary