

City of Green River

460 East Main Street, Green River, Utah

Planning Commission Minutes
Regular Meeting
Thursday, March 3, 2011

ATTENDING: Katherine Brown, Robert Smith, Ben Coomer, Amy Wilmarth and Jack Forinash; Council Member Irene Daw; Employees, Conae Black and Bryan Meadows, from the Association of Governments Michael Bryant.

CONDUCTING: Chair, Robert Smith, opened the meeting at 10:40 a.m.

ORDER OF BUSINESS:

1. Discuss/approve/deny minutes for February 3, 2011 regular meeting. There were some spelling corrections. **MOTION:** Jack Forinash moved to accept the minutes for February 3, 2011 with the corrections. Ben Coomer seconded the motion. **VOTE:** Robert Smith, Katherine Brown, Ben Coomer, Amy Wilmarth and Jack Forinash voted aye. The motion carried.

2. Discuss/approve/deny proposed new overlay zone. The Planning Commission agreed that a special overlay zone was needed and agreed upon the area drawn up on the proposed zoning map which included all property west of the canal. It was discussed that the Mancos shale in that area was expansive soils and needed special conditions set in order to build upon it. This will in hopes alleviate the city from any possible law suits for allowing building on this area and later damages to a structure due to the soil conditions that may incur. The discussion led to whether the regulations for this zone should be required or recommended. Jack Forinash felt that recommending rather than requiring an engineered soil test would be best. Other members of the planning commission agreed. The engineered testing would be an additional cost to building and if zone gives a warning of the possible consequences of building in that area that could be enough. **MOTION:** Ben Coomer moved to approve the proposed new overlay zone and to set the date of April 12, 2011 for the public hearing on the zoning map. He said the written part of the ordinance should be rewritten and a special Planning Commission should be held on March 17, 2011 to finalize the written ordinance before the public hearing. Katherine Brown seconded the motion. **VOTE:** Robert Smith, Katherine Brown, Ben Coomer, Amy Wilmarth and Jack Forinash voted aye. The motion carried.

3. Discuss/approve/deny setting date of public hearing for zoning map with new overlay zone, including name. This agenda item was acted upon in agenda item #2.

4. Discuss/approve/deny new expansion area map to be included in public hearing. Conae Black said that some members of the City Council had some concerns about the expansion area being too large mostly on the west side. She said that the Mayors request is to enlarge the expansion area to include the Emery County Industrial Park for future annexation. She did not see anywhere in the state law where it mentioned the area of influence. Michael Bryant said the term expansion area is used for annexations and the area of influence is the city wants to know if the county is doing anything in that area. They county doesn't have to do what you say you just want to know what the county is doing. Amy Wilmarth asked if there needed to be an area of influence. Michael Bryant said maybe and the reason being in theory any outside entity in that vicinity would have to inform the city of what they were doing. The expansion area was revised to a smaller area that is more feasible for the city to provide city services. **MOTION:** Ben Coomer moved to approve the revision to the expansion area. Amy Wilmarth seconded the motion. **VOTE:** Robert Smith, Katherine Brown, Ben Coomer, Amy Wilmarth and Jack Forinash voted aye. The motion carried.

5. Discuss/approve/deny conditional uses. Conae Black completed the draft ordinance for conditional uses. She went over that with the Planning Commission. It is now ready for any changes to the draft. Some of this draft is from the city's conditional use ordinance and some from the ordinance that Michael Bryant provided. Katherine Brown noticed that no changes had been made from their previous discussion. Conae Black said that those changes have been noted in her notes but not done yet; this was just the completion of the draft. Ben Coomer referred the board to page nine of the draft addressing antennas and towers. He reminded them of what was discussed previously on the set backs of the antenna. It states "the antenna tower will be located no closer than two hundred feet from the nearest residential structure." Ben Coomer suggested adding "or the height of the tower set back, whichever is greater." Robert Smith pointed out that almost all uses in the commercial zone are conditional and must be approved by the planning commission and the city council. Katherine Brown said that needed to be corrected. Robert Smith said he can see where the city council should be involved in a large scale commercial development but not the small ones such as the single family dwelling in the commercial zone. Ben Coomer asked what business should be approved by the city council that can't be done through licensing. Robert Smith said any large development such as the proposed apartment housing development. Ben Coomer agreed and suggested adding that to the conditional use ordinance. Michael Bryant said the problem with that is they are now creating two land use authorities which are not needed. Another problem is who is going to hear an appeal? It would have to go to court. A developer may think that this is a duplication of effort to go the both the planning commission and the city council. Robert Smith said the city does have an ordinance on large scale development. Bryan Meadows said it only includes mobile home parks, recreational vehicle parks and motels. Robert Smith said that ordinance should be amended to include Planned Unit Developments. Michael Bryant said you want to separate as much as possible the legislative and executive actions. The city council creates the laws and can make changes. The city council can also act as the appeal authority. No action was taken.

6. Discuss/approve/deny subdivision ordinance. There was not any discussion or action on this agenda item.

7. Adjourn **MOTION:** Ben Coomer moved to adjourn. Jack Forinash seconded that motion. The meeting adjourned at 12:25 p.m.

Katherine Brown, Chair

Conae Black, City Recorder

Approved: March 17, 2011