

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION
MINUTES OF THE PUBLIC MEETING
April 15, 2013**

Vice-Chairman Swenson called the duly posted public meeting of the Planning and Zoning Commission to order at 3:00 p.m. in the Town Council Chambers.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: John Swenson, James Scheidt, Clark Jones, Lori Meyers, Jeff Loyd, Mark Waldrop, and Dan Jaeger.

ABSENT: None

STAFF PRESENT: Sheila DeSchaaf, Zoning Administrator, LaRon Garrett, Assistant Town Manager, Doni Wilbanks, Planning Technician, Tim Wright, Town Attorney, Kyle Mann, Town Prosecutor, and Chris Floyd, Executive Assistant.

Commissioner Loyd was present telephonically.

**A. APPROVAL OF MINUTES
1. Public Meeting 3-11-13 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. CUP13-001 Conditional Use Permit
Filed by: Payson Development Associates, property owner;
PetSmart, applicant; Shawn Nelson, agent
Location: 400 East Highway 260, Suite C
Purpose: To allow pet shop and outside display/pet adoption uses in a C-2 zoning district.

Vice-Chairman Swenson opened the public hearing.

Doni Wilbanks, Planning Technician, summarized the staff report.

Shawn Nelson, PetSmart, gave a brief overview of the conditional use proposal.

Vice-Chairman Swenson closed the public hearing.

Motion: Approve CUP13-001, a request to allow a pet shop and outside display/pet adoptions use in a C-2 zoning district at 400 East Highway 260 subject to the conditions recommended by staff.

Moved by James Scheidt, seconded by Clark Jones.

Vote: Motion carried 7 - 0

Yes: John Swenson, James Scheidt, Clark Jones, Lori Meyers, Jeff Loyd, Mark Waldrop, and Dan Jaeger.

2. P13-001 Unified Development Code Amendment
Filed by: Town of Payson
Location: Could affect all of Payson
Purpose: To amend the Unified Development Code provisions pertaining to the parking of trailers or recreational vehicles (RV'S) on residential and commercial lots and rights-of-way areas.

Sheila DeSchaaf, Zoning Administrator, summarized the staff report. Several considerations noted by staff were:

1. Continue to prohibit parking in the improved portion of the rights of way.
2. In residential areas, allow property owners and lessees to park in the unimproved portion of the right of way that is immediately adjacent to their property, so long as such parking is not within 35 feet of an intersection or creating a traffic hazard.
3. Allow the Public Works Director to temporarily prohibit parking in a specific section of the unimproved right of way. Allow the Public Works Director, upon confirmation of the Town Manager, to permanently prohibit parking in certain sections of the unimproved right of way.
4. Any excavations done or improvements constructed in the right of way shall require a Town right of way permit (as is typical of all driveway work for residential construction).
5. Any existing improvements/excavation done without previous permits, should obtain a permit. Town staff will facilitate this process.

Vice-Chairman Swenson opened the public hearing.

Several members of the audience spoke in favor of the proposed amendments to the code. This proposed change does not affect commercial areas of Town.

LaRon Garrett, Assistant Town Manager, stated that his main concern was safety. If the vehicles/trailers are parked off of any public improvements, even if they are still on Town property, and are not causing a safety issue, he doesn't have an issue.

Sheila DeSchaaf, Zoning Administrator, explained the process for a violation notice.

Vice-Chairman Swenson closed the public hearing.

There was further discussion regarding possibly clarifying the definition of a RV for 5th wheels, considering a time limit on parking in the improved area of the roadway for loading/unloading purposes, and to consider limiting the number of units that could be parked in the right of way.

D. SCHEDULED DISCUSSION/POSSIBLE ACTION

1. There are no items for this section.

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

Commissioner Loyd requested information regarding violation notices and how they are written. He also requested information for possible future public education options on rights of way.

F. INFORMATION TO COMMISSION (Not for Discussion)

Tim Wright, Town Attorney, updated the Commission on Council actions regarding two (2) items they had worked on previously. One was the sign code amendments which the Council did remove the 15 day limit on banners but the rest was approved as recommended. They also ask that the Design Review Board review the criteria for temporary portable signs.

Mr. Wright also noted that the mobile storage units had first reading and will have a second reading at the upcoming Council meeting. At first reading the Council did ask for a change on the color requirements.

ADJOURNMENT - 4:15 p.m.

John Swenson, Vice-Chairman

Approved

Chris Floyd, Executive Assistant