

TOWN OF STOCKTON
18 NORTH JOHNSON STREET
P.O. BOX 240
PHONE (435) 882-3877 FAX (435) 833-9031

PLANNING COMMISSION
Minutes
August 2, 2016

Marlene Thomas Chair called the Regular meeting of Planning Commission

Call to Order- 7:00pm

Crystal Anderson Office Manager/Treasurer took Roll Call-

1. Roll Call

Marlene Thomas-Chair-Present

Dave Rusk-Member-Present

Kaye Hollien-Member-Present

Lisa Rhoads-Member-Present

Steve Oblad-Member-Present

2. Approval of Regular Meeting Minutes-July 5, 2016

Motion to Approve Minutes July 5, 2016-Kaye Hollien

Seconded-Dave Rusk

All in Favor-

Motion Carried-

3. Transfer from Planning Commission Meeting to Public Meeting regarding Title 10 Zoning Changes

Motion to open Public Hearing-Steve Oblad

Seconded-Lisa Rhoads

All in Favor-

Motion Carried-

4. Opened Public Hearing for Stockton Town Title 10 Zoning Changes

PUBLIC HEARING

Ms. Thomas, Chair of Planning Commission explained changes of the development code. Purpose is to organize ordinances that the town has had and put in one place. There are not a lot of changes that will affect the way we have been living – a few changes were made to make it more agreeable to what we are doing.

Comments:

Dan Rydalch 227 South Grant Street Stockton

Q. About 20 years ago, the decision as to whether to allow pigs in Stockton Town Limits was put on the ballot for a vote. The vote resulted in no pigs were allowed inside of town limits. Does the town board now have the right to change that vote or does it have to return to the voters to make a change to allow pigs within town limits?

A. Yes, we checked with Dave Church, attorney for the Utah League of Cities and Towns and he stated that it is within the perimeter of the town Board's authority to make changes to ordinances governing the Town of Stockton.

Note: The new pig permit only allows residents in agricultural areas of two (2) acres or more to request a pig permit from March 1st through October 31st of each year. There is no residential areas in the core of Stockton that have two acres, therefore pigs will not be allowed in the core residential area of Stockton.

Q. When Rawhide Ranchettes Subdivision Amended (Rawhide) was recorded at the Tooele County Recorder's Office as a subdivision of Stockton, it came in with its own restrictive covenants (CC&R's) stating the number of animals the residents within Rawhide are allowed. Will Rawhide's restrictive covenants supersede the town ordinances or do the residents of Rawhide have to abide by the Town of Stockton's animal restrictions?

A. The Town of Stockton ordinances always supersede HOA's restrictive covenants (CC&R's). Rawhide will run in conjunction with what the Town is doing, which restricts the amount of animals that used to be allowed in the Town incorporated areas. It used to be no pigs in town limits, the pig permit is a blanket permit for the Town and directed to those in an agriculture areas. If Rawhide's rules are more restrictive, residents of Rawhide will have to abide by those – right now we are about hand in hand with Rawhide.

Q. A4 properties throughout – if I have ten acres and I go buy one to two acres more– do I have to have animals on separate parcels – if I have 12 acres do they have to be split in four acre units? If they are joined together can I them.

A. Depends on how it is recorded in the County Recorder's Office – if you have a parcel with 10 acres – you have one parcel and all of your animals can be on it – if you have a parcel right next to it – that parcel is separate unless they are joined. If you have 10 acres, you get three animals per acre which amounts to 30 animals.

Q. Do I have to separate the animals on separate parcels or can I have them all on one?

A. No, they have to be separated – again it depends upon how it is recorded. If you have three parcels in a row and you want to put all animals on one parcel you can't. You have to separate on the three separate parcels.

Q. The Town Engineer is the individual that will enforce the code. Is that an engineer the Town is hiring?

A. The Town Engineer will be utilized when it comes to building permits. The Town Engineer from Sunrise Engineering has the expertise and knowledge to review building permits and apply appropriate recommendations rather than the lay town members who are volunteering to be on the Stockton Planning Commission Board.

It was not intended that the Town Engineer will enforce the animals – he will do building permits only.

Q. Who will enforce the number of animals?

A. We do not have an animal police. Policing will be done by other residents. If you have too many animals you run the risk of other residents coming and making a complaint.

Q. Variance Committee? Do we have one?

A. At this point we do not.

Q. It states that the Variance Committee (can be one person) will have right to hire if they need help – will this go through the Town Board? It does not state this.

A. We will have to research this issue. In the past we did have a Variance Committee. If we do need one, the Mayor would appoint or ask for volunteers to serve.

Q. Just wondered if you were going to form one. It doesn't state the system they would utilize to hire. Need a reference or approval from the Board.

George Carter, Rawhide

Q. Concern is Zone A2 (Rawhide) the way it reads, with the change it is going to allow pigs – by permit – what does this require?

A. You can only have maximum of three pigs – last year many folks wanted a pig as a 4H project and/or for the meat. We will allow this from March 1-October 31 by permit only

Q. Have a lot of animals in Rawhide – but I think pigs are a totally different animal. If you have 25 residents out there and you have two or three that wants pigs – you have 22 that don't. It is going to affect the entire neighborhood. Two acres is not that much. Can someone with two acres have six pigs?

A. No, only three pigs and no breeding of pigs. I am hearing you don't want pigs.

Q. No.

A. Again, pigs are by permit (March 1st through October 31st) – if your neighbor has pigs and they are not taking care of them, and causing a nuisance– come and make a complaint – if the complaint is substantiated, they will not be allowed to have them the next year.

Q. If you file complaints against your neighbor it causes contention.

A. Agreed, however, we need to start somewhere – if it becomes a problem – we will relook at the issue.

Q. Afraid it is going to become a slippery slope – once you allow pigs – it will get worse from there – animal overload.

A. Talking just about Rawhide. Are you making a suggestion? How does Rawhide residents feel about it.

Statement from Audience – three Rawhide residents have no issue.

Q. I have neighbors on the left and right of me that have animals – I DON'T WANT PIGS.

Question from Audience – if it bothers one home owner, and the pig owner is doing what he/she is supposed to- what will happen? Who deems it a nuisance?

A. We will have to just wait and see what happens. Thank you for speaking up.

Q. Were pigs a problem?

A. In the 90s it was a problem as pigs were being boarded in residential areas.

Statement from Audience – issue has been addressed as best as can be expected at this time.

A. If there is an issue and a complaint is made, hopefully the owner will clean it up. You don't know what is going to happen until we make it through this year. Got to set some guidelines and start somewhere – remember, they have to have a permit. Permit could be revoked if it is a sustained nuisance. It has been tough to find common ground – thus the two acre requirement. This eliminates pigs within the core of Stockton because no one has two acres.

Penny Thomas,-

Q. Have 13 acres – and believe we should be able to raise pigs and do our best to keep neighbors happen – deserve a chance – let our kids be country kids.

A. Pens have to be 40 feet from your own home and 75 feet from your neighbors dwelling.

Melinda Verik and Clark Hyde- 315 West Walk Street

Q. Have a dog kennel. Confused between number six (number of units) and ten (kennels) of the zoning information. We are in A4 – we want to clarify – do we have to get permit renewed each year?

A. You have a business so you need to renew your license each year.

Q. If someone new moved.....I can put \$200K in a license and the Town decides I can't have a license what do I do? Also, can this be grand-fathered if someone buys our property, or would they be limited?

A. This needs to go to the Variance Committee. But right now you are Grand-fathered in. Twenty years from now when you kids want to take over – is it still in the family? Cross that bridge when we get there.

Q. What is a Variance Committee?

A. If you want to build a building and you have to have 20 feet in the front and you want to move it up to 10 feet you would ask the Variance Committee.

Q. Who is the Variance Committee?

A. We don't have one. P&Z has been able to work issues out.

Q. What about the 40' – if we have a building and we want to build another one next to it.....

A. This 40' feet is specific to your dwelling – you can build another building for your business, you just can't build another building for your dogs' closer than 40' to your home.

Q. Can we have a small home?

A. No as you are on a one dwelling home and you cannot subdivide.

Doug Kinsman-

Q. You had a R4 Zone, but one is not on the map. Is there any plans for that in your Town?

A. If you decide you want to build a four-plex you would need 20K square feet of property, we would accept your application.

Q. Is there an area where you would envision something like that?

A. Planning Commission couldn't find an area.

Q. If I wanted to do something like that where would you see that occurring in your community? You have the zone, but nowhere indicated.

A. We need some type of limitation that says you must have so much acreage to do this.

Q. Do envision in your main street corridor.

A. No – if you have space, we will listen to your request.

Ms. Thomas– in the original zoning everything was A1 = five acres for animals. There are only half a dozen lots that have five acres. In B and B subdivision, they are four point nine acres, (just under five on the south side; north side has larger lots). If we moved it all to an A4 zone, then there are more qualified. Rawhide was originally in the A1, no one there has more than two acres that is why it was changed to an A2 – you have privileges for A2 not for A4. That is the real modification in the zoning map that was addressed. Getting people in the size lots that are in that area.

5. Close Public hearing

Motion to close Public Hearing-Dave Rusk
Seconded-Kaye Hollien
All in Favor
Motion Carried.

6. Reopen Planning Commission Meeting

Motion to close Public Hearing and reopen the Planning Commission Meeting-David Rusk
Seconded-Lisa Rhoads
All in Favor-
Motion Carried-

7. **Wenia Jordan-170 New Saddle Drive:** Board listened to Ms. Jordan as she had filled out paperwork and paid to be on agenda. Due to termination of Town Clerk, this was overlooked. She will get on agenda for next Planning Commission meeting. However, she did ask the question if she could sell Jams and Stuff for Stockton Days. Mr. Oblad, Stockton Day Chair told her she would have a one day temporary license to sell that day. She could pursue a business license for the remainder of the year if she wished to continue selling.

8. Adjourn-7:45 pm.

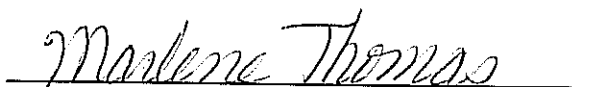
Motion to Adjourn-David Rusk
Seconded-Steve Oblad
All in Favor-
Motion Carried-

August 2, 2016

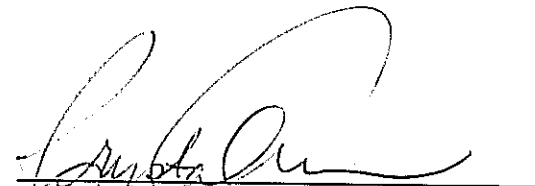
Amended August 4, 2016

Crystal Anderson

Planning Commission



Marlene Thomas, Chair
Planning Commission
Town of Stockton



Crystal Anderson
Office Manager/Treasurer
Town of Stockton