

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

May 10, 2016

7:00 pm

Members Present: Kathleen Gray, Jim Linschoten, Samantha Scott, Adam Ray

Members Excused: Kimball Glazier

Staff Present: Allen Parker, Assistant City Manager; Corey Coleman, Building Official; and Sherri Montgomery, Administrative Clerk.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Vice-Chair Samantha Scott welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM APRIL 12, 2016: Samantha Scott asked if there were any changes to the minutes from April 12, 2016. There being no corrections, *Kathleen Gray moved to approve the minutes of April 12, 2016 as presented. Jim Linschoten seconded the motion. The motion passed with Kathleen Gray, Jim Linschoten, Samantha Scott, and Adam Ray voting in favor.*

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – CHAPTERS 16.04, 16.20, 16.24, 16.26, 16.48, 16.50, AND 16.52 – ADDING “DATA CENTER” AS A USE – ORDINANCE NO. 2016-03 – ALLEN PARKER: Allen Parker explained that he did not include the entire ordinance in the packets; however, it will be in the next month’s packets when the public hearing will be held. The Council looked at the last proposed ordinance and felt that there was a better way to address the noise problem from the systems at the data centers. Mr. Parker stated that he has added a simple and straight forward noise mitigation plan to the Code. Mr. Parker read and explained the additional Code. The Code states the purpose of a noise mitigation plan, definition, requirements, and failure to comply. Mr. Parker stated that part of this noise mitigation plan is to find out if the noise is continuous or occurs only once in a while to know if the surroundings would be impacted by the noise. The Code requires exactly why and how the system is intended to be used. There is a basic description of locations of points and measurements. All cases would be required to supply a master site plan. Mr. Parker explained that the ordinance is not written only for data centers. It is written to include any and all other noise polluters. The Code also specifies the parameter point which is the point they measure the sound and the method of measurement along with the maximum of noise the generators can make. Jim Linschoten asked about the concerts at Western Park. Mr. Parker explained that those special events do not apply to this Code. They are required to have a special permit for noise after 10:00 p.m. This Code applies more to fixed installations with repetitive sounds rather than special events. Mr. Parker read and explained the penalty phase for all zones referring to Section 16.02.080 which could include the revocation of their business license. Mr. Linschoten asked if there was a plan in place if the generators they are using should fail as far as a time frame to get them repaired. Mr. Parker explained that he did not think that was a good idea for many reasons such as technology changes, the wide variety of time frame for certain systems to

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get parts and get fixed. Mr. Parker suggested that the Code Enforcement Officer notify the company that they are in violation of the Code and get their expected time frame to get the repairs in a timely manner. Samantha Scott mentioned that the Code seems pretty clear. Mr. Parker stated that he will get this Code into ordinance form for the next meeting when the public hearing is held. Mr. Parker explained that Ken Bassett will bring the ordinance to the Planning Commission as he will be on military leave until November.

PLANNING COMMISSION VACANCIES – ALLEN PARKER: Allen Parker reported that the Planning Commission is down to only 6 Commissioners. The bylaws require four members to make up a quorum. Ken Latham and Rory Taylor have both resigned. Mr. Parker asked the Commissioners to let him know if they have any suggestions or interested parties willing to serve on the Planning Commission. The only requirement is they must live within the city limits.

MISCELLANEOUS: Allen Parker reminded the Commission of the Planning Conference that is coming up. Mr. Parker stated that he has signed up all the Commissioners; therefore, if someone cannot make it, please let him know as soon as possible. Kathleen Gray stated that she will not be able to make it. Jim Linschoten mentioned that he will be attending. Adam Ray stated that if it is just the Friday session, than he can make it. Samantha Scott mentioned that she might could make it later in the afternoon.

ADJOURN: There being no further business, *Adam Ray moved to adjourn. Jim Linschoten seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

Samantha Scott, Planning Commission Vice-Chair