

## Erda Planning Commission Minutes

2/13/2024 – 7:00 pm

Erda City Office-Fire Station

### Call to Order

#### 1. Roll Call

- a. Jerry Hansen, Diane Sagers, Kathleen Mallis, Mark Gull, Cory Warnick, Nancy Martin
- b. Jennifer Poole-City Recorder, Rachelle Custer-City Planner

#### 2. Pledge and Prayer

- a. Nancy Led the pledge of allegiance
- b. Jerry led the prayer

#### 3. Approve Minutes from 1-23-24

- a. Jerry moved to approve the meeting minutes, Nancy seconded the motion.
- b. Voting was unanimous to approve the meeting minutes from 1-23-24
- c. **Meeting minutes for 1-23-24 APPROVED**

#### 4. Public Comment (3 minute limit per comment)

- a. Mark Closed the public comment.
- b. Jerry moved to switch items 5 and 6 on the agenda, Mark seconded the motion
- c. **Voting was unanimous to switch the agenda items 5 and 6.**

#### 5. Oquirrh Point Community Structure Plan

- a. Rachelle- They have requested the approval of the Community Structure Plan. They have been zoned as a PC district and a CSP is the next step. \*Read from the staff report\* As long as the CSP fits the regulations of Chapter 31 of the Tooele County Code, it must be approved. In Chapter 31 it states very specifically for what reasons the CSP can be denied.
- b. Derald Anderson- We are pleased to be here. It's been a long road. Do you have any questions for me?
- c. Nancy- On your initial one you basically had it just being a neighborhood, now this is going to be a village.

- d. Derald- In the Development Agreement we layed out the different pods. That was just a general concept. This is an actual plan being set forth. Yes, some commercial would be allowed in the "village" area.
- e. Nancy- You'll still have the open space that was mentioned?
- f. Derald- Under chapter 31 we have to have 25% left as open space. It will be all over the development in different areas.
- g. Nancy- It looks like you took out some of those 5 acre lots and put in a church?
- h. Derald- We asked in our development agreement with the City we moved a few items around and that's when the church was moved to that different area.
- i. Nancy- As for your roads, for the villages you will have condos and townhomes, will you have additional parking in this area? I've seen it get really crowded and it gets too narrow.
- j. Derald- One thing in here is it states parking stalls and that they have to have 2 parking spots. But we will be doing more than that.
- k. Diane- You can determine your own setbacks as part of this development agreement? On here it says 12 ft? Is that true?
- l. Derald-At this point we don't have a product type yet, that may be used in rearload townhomes. I couldn't tell you for certain what specific specs will be used at this point.
- m. Cory-I spoke with Rachelle when looking this over and it does fill all of the requirements set forth.
- n. Cory-motioned to approve this CSP for Oquirrh Point as presented, Jerry seconded the motion
- o. ROLL CALL: Nancy-Yes, Jerry-Yes, Mark-Yes, Cory-Yes, Diane-Yes, Kathleen-Yes,**
- p. Motion to approve Oquirrh Point Community Structure Plan PASSED 6-0**
- q. Cory- Motioned that he would like to recommend this to the City Council for their further inspection, Nancy seconded the motion
- r. ROLL CALL-Mark-Yes, Jerry-Yes, Nancy-Yes, Cory-Yes, Diane-Yes, Kathleen-Yes**
- s. Motion to refer the Oquirrh Point CSP to the City Council for their further approval PASSED 6-0**

6. Proposed Home Based Business Ordinance Change

- a. Rachelle- This started with the Matterns requesting a change to the code. It was before you, and the City Council. The City Council rejected it but asked to have the Planning Commission review this and make changes to

the code that would be palatable to the city. \*Read all new changes to the Ordinance\* Those would be the required conditions on that home based business, and then you can further mitigate adverse effects with the CUP.

- b. Diane- So could they have multiple businesses on the one lot and will they each get four employees? I would like that to be clarified.
- c. Rachelle- We can put that there are only 4 extra employees per property, eliminating having multiple businesses having 4 people each.
- d. Cory- Seeing in the table this is conditional only in the RR-5 with nothing else?
- e. Rachelle- It is conditional in RR-5 and RR-10, and permitted in A-20.
- f. Cory- Moved to open the public hearing, Jerry seconded the motion.
- g. Voting was unanimous to open the public hearing

**a. Open Public Hearing**

- b. Hallie Mattern- Of RTM trucking and proof pawsitive. On item D and E, having the access to the collector. It seems to be a little contradictory, and unclear.
- c. Cory- The intent was that vehicles between 26,000-29,000 lbs must have direct access to a collector road. And if you have vehicles over 29,000 lbs they are not allowed.
- d. Hallie- I do have employees and Travis would have employees that would put us over the 4 employees limit. What do we do now?
- e. Kathleen moved to close the public hearing, Cory seconded the motion
- f. Voting was unanimous to close the public hearing

**g. Public Hearing Closed**

- h. Mark- Any additional thoughts on this?
- i. Nancy- We also have to be aware of the people in the area. An RR-5 is to be away from the industrial areas. Those people bought into those areas to have the rural lifestyle and have gardens and such. When they say direct access, do they have to live on that road? Is it limited to just the front having access? Don't we have to have the engineering done for that? Is there a limit?
- j. Rachelle- There are rules as far as how many outlets onto a road and distances between them.
- k. Jerry- I may have read D and E wrong. I understood that businesses must have direct access to the collector road if they have vehicles over 26,000lbs. I don't know if E even needs to be there. If a vehicle is over 26,000lbs is restricted from not going in the neighborhood.
- l. Mark- So what you're saying is anything over the limit of 26,000 should have direct access to the collector, and no maxim on the weight limit. I just don't think we need to put restrictions on what they can have on their lot.

- m. Rachele- Does the larger vehicle create more noise and smell then the smaller commercial vehicles?
- n. Mark-I think when they apply for a business license we could address those issues at that time.
- o. Jerry-Well that's why we have C, to help mitigate that nuisance.
- p. Nancy- How many vehicles can be on this property at one time?
- q. Rachele- They can have as many as they want, as long as it's behind a screened fence.
- r. Mark-Do we want to entertain Jerry's comment about removing the upper limit on the weight limits on the vehicles?
- s. Cory- We put that there based on the feedback we received.
- t. Craig- I would say that you go off of the vehicle's weight rating and not the actual weight of the loaded vehicle.
- u. Rachele- We need to determine what the intent is of the weight limit. We didn't want the larger vehicles in neighborhoods for safety reasons. So what is the purpose of this?
- v. Mark- I don't know enough about what we are asking or allowing here. I would like more guidance. I don't know if I'm comfortable with moving forward with this.
- w. Cory- We could say that commercial vehicles should not extend beyond the road's current weight limits.
- x. Rachele- We could say that vehicles over 26,000 can only enter or exit through the access to the main collector roads, and not allow them in the neighborhood.
- y. Cory- We could combine d and e.
- z. Rachele- Vehicles over 26,000 shall not be allowed on residential roads and shall access the property from a collector road only.
- aa. Cory- The first time this came we voted unanimously to not recommend this. The city council asked us to work on this and look it over. But in my mind it still doesn't fit the residential feel that should be in those areas.
- bb. Jerry- Moved that they recommend these changes to the Home Based Business with the changes we've made tonight and that this is moved forward to the City Council, Diane seconded the motion
- cc. Rachele- Item d vehicles over 26,000 gross weight not allowed on residential and anything over that must have direct access to collector roads.
- dd.ROLL CALL VOTE: Kathleen-No, Diane-Yes, Cory-No, Mark-Yes, Jerry-Yes, Nancy-No**
- ee. Rachele- Will those that voted NO please state their reasons.



- ff. Nancy- I voted no, I'm not comfortable with having more than 1 business on the same property with people going in and out.
- gg. Cory- I voted no because If it doesn't qualify for low-impact it shouldn't really be there. This is still a Rural Residential area.
- hh. Kathleen- I voted not because I believe that RR-5 is specifically Rural Residential. You have to balance this. You need to think about the neighbors as well. I just don't think it belongs.
- ii. **Cory- Moved that even though we are tied that we pass this along to the City Council with our tied votes, Kathy seconded the motion**
- jj. **Voting was unanimous to send onto the City Council.**

#### 7. Comments from Commissioners

- a. Kathleen- I'm wondering, we have a couple of City Council members here to ask. I got a card in the mail about the Airport expansion. Have you had contact with the airport and their planning?
- b. Craig-Yes we've had some contact, I would encourage you to attend their meeting.
- c. Kathleen- Have you been contacted about the overlay the airport is proposing?
- d. Craig- We have been in contact with them, and they should be sending that overlay over to you. Erda City is the largest affected entity.
- e. Cory- I have some questions for Derald. There are pods A,B, and C. How do you determine when you get to each pod?
- f. Derald-I can assure you that we will not forget any part of this project. We have 1259 units. We have to use all of that area to get that many homes in. Pod E is a little bit more out of our control. But all of the items that are under our control will be done on the timelines stated.
- g. Cory- Is there going to be anything done to widen Erda Way and Droubay with all of this development?
- h. Derald- There is not a plan to expand those roads at this time.
- i. Rachele- I've heard a lot of rumors, I wanted to make some clarification on Copper Cove. Erda Estates and Tealby Village are approved and vested. If that referendum is approved they can still develop those original developments. It will not revert back to 1 and 5 acre lots.
- j. Mark- It should be known that we don't give our opinion as a Planning Commissioner but as a private citizen.

8. Adjournment

- a. Mark motioned to adjourn the meeting, Jerry seconded the motion
- b. Voting was unanimous to adjourn the meeting
- c. **Meeting adjourned**

Pursuant to the Americans with Disabilities Act, Individuals needing special accommodations should contact Jerry Hansen @ 435-830-1244

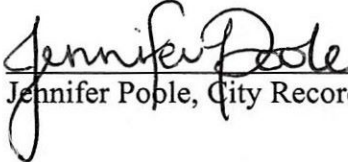
Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

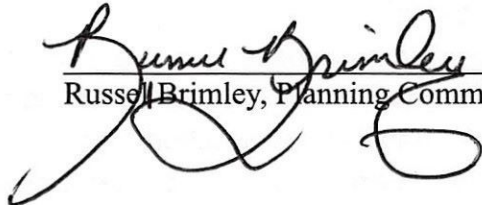
Prepared by: Jennifer Poole, Erda City Recorder

**PASSED AND APPROVED** by the Planning Commission this 12th day of March, 2024.

**ERDA**

**ATTEST:**

  
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Jennifer Poole, City Recorder

  
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Russell Brimley, Planning Commission Chair