

**MINUTES OF A REGULAR MEETING
OF THE EPHRAIM CITY PLANNING COMMISSION
EPHRAIM CITY BUILDING, 5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY, March 13, 2024
6:00 PM**

Commission Members Present: Planning Commission Chair Lisa Murray, Larry Smith, Chevi Sutton, Jan Jonson, and Desiree Funk.

Commission Members Present via Zoom: None

Commission Members Absent: Stephen Cornelsen and Darren Glathar

Staff Members Present: City Planner Megan Spurling and Community Development Clerk Guadalupe Corona, and City Engineer Bryan Kimball is present via phone.

Others Present: Randy Bailey, Greg Bailey, Carol Jacobsen, Jim Hartley, Betty Jo Hartley, Leland Thompson, Judy Keller, Connor Thompson, & Jon Pugmire

Planning Commission Chair, Lisa Murray called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES

The Commission reviewed the minutes of the February 14, 2024, Planning Commission meeting.

Planning Commission Member Jan Jonson moved to approve the corrected minutes from February 14, 2024. The motion was seconded by Planning Commission Member Larry Smith. All were in favor. The motion carried.

ACTION ITEM

The applicant, Randy Bailey, is requesting the subdivision to divide portions of Assessor's Parcel S-609 consisting of 6.09 acres into (16) parcels each being between .27 and .34 acres.

City Planner Megan Spurling explained that this subdivision does not currently have access. She states Mr. Thompson deeded a strip of land to Ephraim City, a piece of land and it's owner is still in question and until it can be resolved, staff recommends denial of the preliminary plat of this proposed subdivision. A subdivision does require two points of access at proper width for use of resident's and emergency vehicles.

Randy Bailey is present. He states they have done surveys along with Ludlow and Ensign to discuss the overlaps and the plat submitted had a road designed to go through it. He's unsure if it was recorded or surveyed wrong to leave that little strip that is not owned by the city. He states they do not have access to their land now, the three survey companies agree that road was designed to go through there and it should be that way. Mr. Bailey states when they originally sold the neighboring property to the Church for the Temple, they were under the understanding that they should've had a cul-de-sac which was denied. Megan Spurling states that

development would trigger that road. He states his development should not require two points of access or a cul-de-sac. Megan states if a cul-de-sac was denied two points of access would be required, even if it is a hammer head turn-around. It is required to have for emergency vehicles. Mr. Bailey states the reason for the denial on the cul-de-sac is because of the snowplows and where the snow would pile up. He states this has never been an issue and requires two points of access. He is informed he does not have any points of access currently.

Megan states the Fire Chief requires an emergency vehicle to turn around safely, currently with the layout provided there is no way for emergency vehicles to service this subdivision. She informs him a hammerhead would be a recommendation to help with this situation.

City Engineer Bryan Kimball is present via phone. He states there is a second access required if the street exceeds 650 feet, it is measured from the intersecting roads to the center of the radius of the cul-de-sac. He states a scenario where he could potentially get access off of 100 North and still have 650 feet before a second access is required. It may require phase 1 and phase 2. There is also a scenario for a hammer head turnaround, there are dimension requirements for it, we would need to confirm with the Fire Chief.

Mr. Bailey asks the city to step up and help him get access to his land, since according to the surveyors it should be there.

Lisa Murray states as it is now, it may not be approved without access to the property.

Megan states the city can work with Mr. Bailey and aid him with resolving the lack of access. She states the Planning Commission board would recommend denial to the City Council and proceed at that time. The City Council will then help with the resolution on the discrepancy. This is the right and formal process to trigger to come to a resolution on the discrepancy of the property.

Bryan confirms Mr. Bailey has been working on this for a while and without access, it is to be denied. This, however, is the correct process to help resolve the issue. He states there is steps that may be taken to help resolve the discrepancy, with landowners, legal counsel, and the City.

Leland Thompson is present. He states the property does belong to him and when the city conducted the survey of the property for over 20 years. He was unsure of where the line was, he accepted it, has paid taxes on it for over 20 years and that is how it was recorded. He states there may be a dispute, however he states the Acquiescence Law of Utah he picked up at the count office. He reads aloud the boundary by acquiescence statute in Utah. He states the neighboring property owners are present and opposed to a cul-de-sac in the area, the family of Randy Bailey is staying neutral. He states they have consulted an attorney and he informed him that his own property could be devalued. He's asking if Mr. Bailey or if the City will be paying the property owners the devaluation on their property.

Lisa states they are not able to go forward with this approval until the road issue has been resolved.

Planning Commissioner Chevi Sutton made a motion to deny to the Ephraim City Council for the Preliminary Plat Temple Cove Subdivision based on the findings of access to the property. Planning Commission Member Jan Jonson seconded the motion. All were in favor. The motion carried.

Night Sky Ordinance Discussion

Megan informs the board that Ephraim City keeps in mind to be Night Sky friendly, the power director has informed us that the lights being updated are night sky friendly as well. She brings up questions as to who will be enforcing the new code? All public lighting will come before the board, and to maintain the certification there will need to be two free Night Sky events held. Will the library host those events? Who will fund or

budget for the enforcement person? She asks the board if they are interested in pursuing the ordinance, Lisa Murray, Desiree Funk, and Larry Smith agree they are.

Larry Smith states he hopes it doesn't take extra resources on the City, he thinks there would be some value in becoming an designated Dark Sky City. He states the Snow College Astronomy Department is happy to run the events at zero cost to the city.

Dr. John Pugmire from Snow College is present. He informs the board that Snow College would love to host the twice-a-year star party. He would cover all costs with a grant. He would just like some help with advertising. Commercial buildings are pretty good, except Arby's. The process would be to educate the power businesses and contractors so they may help be night sky friendly with new construction.

Jason Hansen a resident of Ephraim. He loves the dark sky, however, would like the enforcement method to be thought through carefully. He's in favor of educating the community.

PLANNER'S REPORT

City Planner Megan Spurling informs the board that Carol is here as she has requested to be on the Planning Commission Board. Jan Jonson & Lisa Murray have chosen to stay on the board.

The hotel on the north side of town is still in progress, subdivisions for new single-family homes, conditional use permits for existing properties.

New businesses: Kimberlee Jacobson has received a business license for a food truck, Studio B is under new management and being renamed to Salon Agave,

Lease between Ephraim City & Snow College has been signed and they are currently holding an open house. Manti Temple Open House is starting tomorrow, there will be increased foot traffic for the next few weeks.

ADJOURNMENT

Planning Commission Member Jan Jonson moved to adjourn the meeting at 7:45 pm. Planning Commission Member Desiree Funk seconded the motion. The motion carried.

Minutes approved on: March 27, 2024



Lisa Murray, Chair



M. Guadalupe Corona, Community Development Clerk