

Erda Planning Commission Minutes

7/16/2024 – 7:00 pm

Erda City Office-Fire Station

Call to Order

1. Roll Call

- a. Planning Commissioners- Chase Bawden, Mark Gull, Russell Brimley, Nancy Martin, Michael Jensen, Kathleen Mallis
- b. Jennifer Poole-City Recorder, John Brems-City Attorney

2. Pledge and Prayer

- a. Russ Led the pledge of allegiance
- b. Mark Led the prayer
- c. Russ motioned to move item 5 to the next item, Michael seconded the motion
- d. Voting unanimous to move item 5 next

3. Approve Minutes from 5-28-24

- a. Kathleen moved to approve the meeting minutes, Mark seconded
- b. Voting was unanimous to approve the meeting minutes from 5-28-24
- c. **Meeting minutes from 5-28-24 APPROVED**

4. Public Comment (3 minute limit per comment)

- a. Mike Camp- We just moved in on Erda Way. We are new. How do you get appointed to the Planning Commission and how long do you serve?
- b. Russ- You are appointed by your city councilman and you serve for 4 years.
- c. Miranda Smith- I live on Cimmarron Way and I want to speak on the importance of what it means to the farmers and keeping Erda Rural. I've gone to talk to residents in other rural farming areas like Herriman. They all have a really common point. Unfortunately there are no protections for micro farmers or farmers at all. Everything has only been to accommodate the high density growth. Due to development and high density moving in so fast the farmers have no protection and no voice. Think of the current residents and how to protect them and the lifestyle they came here for,
- d. Jim Harrell- I live on Cimmarron Way. I want to reflect a little bit on what Erda has become. I've lived here for 30 years. When Erda City came up

for a vote I was very enthusiastic, I felt that the county was overlooking us. I thought we'd have local representation that would look out for us. We had a referendum not too long ago and we gathered signatures, then 3 council members went out and got people to remove their names from that. I don't feel like that was the representation they signed up to do. It would be nice if the elected officials talked to the people who put them in office. I am for one extremely upset that 3 elected officials are more concerned about developers than what the citizens want. That is not okay. I am okay with development, just not 4000 sq/ft lots. That's not what the people want.

- e. Allison Kipp- If we make comments during public comment and not the Public Hearing section will it still be considered for the public hearing?
- f. Jenn- I can do that just let me know.
- g. Aubrey Smith- Thank you for your service, I know this is a difficult job. I know in the trainings that you should be familiar with the boundaries of Erda. If you are uncertain of where things are either google map it or go take a drive and see where it is. I also think that it's important to understand that Erda City did not choose these big developments that are coming, we inherited them and we are trying to make the best of what we've been given.
- h. Mark moved to close public comment, Russ seconded the motion,
- i. Voting was unanimous to close public comment
- j. **Public Comment Closed**

5. Administration of Oath of Office to Chase Bawden as new Planning Commission Member

- a. Jennifer Poole administered Oath of Office to Chase Bawden as Planning Commissioner

6. Amending Erda City Code to add Planned Communities zoning

- a. Michael- I think it would be good to have a good overview and understanding of what we've been doing. We have been taking this very seriously, we live here too.
- b. Russ- We haven't changed anything in Erda since we became a city. All the large developments that are going in were previously approved. We tried to change it but it couldn't. We are a recommendation body. The property owner of this area north of the 138 and west of Stansbury asked us to look into this. That area is prime commercial and Erda needs commercial tax dollars.
- c. John- This is a zoning text amendment, not a rezoning of the property. And you are a recommendation body and the City Council makes the decisions.

- d. Michael- Just one thought is that the title of the Board is Planning Commission. Our job is to Plan. If all we are is a committee to sit here and tell people no, the same thing will happen as did the Erda township committee. I see this body as being very thoughtful in talking to our neighbors. Our responsibility is to look to the future and understand that this is coming. Our role is to help plan.
- e. Nancy-Please bring in some constructive comments. Not just I don't want it. I love the 5 acre lots that's what I moved here for. I love the farm land. This is us trying to manage a way to make everyone happy. The state is coming down hard on city's to provide more affordable housing. This is our efforts in trying to plan what is required
- f. Mark-This is a very diverse body, it might not look like it but we've all worked from the different perspectives
- g. Chase- I've been Erda for 10 years, I moved to Erda for its ruralness. To their comments growth is inevitable. We need to plan for it. I am also here because I want to hear what the citizens have to say.
- h. Kathleen- I think we are ready to move forward, I think they will be respectful.
- i. Russ-Moved to open the public hearing, Nancy seconded the motion
- j. Voting unanimous to open public hearing
- a. **Public Hearing Open**
- b. Allison Kipp- I have been to more Tooele County Planning and Zoning meetings than I wish to admit and Planning Commission meetings. I don't know if you are aware of this but shortly after we incorporated the City wanted to adopt a Planned Community Zone. So we did a referendum and got way more than the signatures needed to get it on the ballot. So on May 6th 2022 the referendum was validated by the Tooele County clerk. It was Ordinance 2022-10. We needed 771 valid signatures, we had 904 and the city council withdrew it and we had no Planned Community Zone. The people of Erda don't want a PC Zone. I think you all knew that. You know how many referendums have been done in Erda. At least a dozen. I have spent hundreds and hundreds of hours at referendum tables, knocking on doors people do not want planned communities. You are not required to create a planned community for the Blazzards. You don't need to mitigate a planned community for the Blazzards. That information on the referendum is on the Tooele County website under referenda. So people want 1 and 5 acre lots, some want 2. I even remember Diane Sagers saying once that we want to make it so we can't have anything smaller than 1 acre lots in Erda. We have plenty of commercial planned in the City already. There is no right to a rezone in state code. So if you really want to listen to the people I suggest you say no. I don't know how many lawsuits the Blazzards have filed either against Erda or the Lt. Governors. It's looking like it's not going to be successful. You don't need this. Please just put this on hold until the court decisions have been made.
- c. Terry Matthews-I have lived in Erda for a long time. I was a dirty no good for nothing who tried to incorporate Erda 40 years ago. Along with Scott's

dad and Leroy Rose. We had everything done, then our county commissioners took us to court and some stupid rule got brought up and got it thrown out. I'm like Allison here, I've been out gathering signatures too. Let's remember that the majority of people here voted to incorporate. To keep it Erda, not another Daybreak or West Valley. I'm a little worried and scared about this talk of we need more money. We need some, no doubt but how much? We don't need all of the niceties that others have, people moved here to get away from it. So what criteria are we using to determine just how much commercial, industrial do we need to support this community? I guess that depends on how greedy we are and if Salt Lake isn't close enough to go get all of those niceties. Do we want them right here too? No we don't. There was a man many years ago who said the majority of people will choose the right but some won't. Do the government by the voice of the people. If you pay attention to the people, not the developers, the people. They don't want high density. They want to keep a nice quiet community and we can do without all the niceties that cost lots of money. Thank you.

- d. Miranda Smith- I have some notes on the PC zone. First I want to say thank you for putting in here trying to keep Erda as rural as possible. When you go down to neighborhoods it says this category is designed for low density. It says to accommodate growth that it is 1-6 units per acre. I don't feel like that is low density. When you go into Neighborhood A and Neighborhood B it says 50% of each one. It says 6000 sqft, that is less than my rental house in Tooele. If I had had 2,000 more square ft I would have been able to have some goats and chickens. I think we should make those lots bigger so that people who don't want those 5 acre lots but still want that rural feel make it big enough so people can have a goat. You go to Stansbury and the sheriff gets calls for roosters because the houses are too close. I think that 6k should be doubled to 12k so people can still have farm animals and keep that farm rural feeling with the density. Where it says 12 units per acre in the village area. That's still too high, which says medium density is a little too high. Thank you for getting rid of that 25 units per acre that's way too high. I appreciate you doing that. Just a suggestion where it says in section 3 the town homes go down a little bit. It says approved up to 20 units per acre. I'm not a lawyer but maybe change the word not to exceed 20 units per acre. As for open space it should be upped from 25% to at least 35-50%. I think if we can make more of those changes that feels more like what Erda is supposed to be like. Erda is a desirable city and we should have high standards for what we bring in.
- e. Kyle Matthews- I would like to thank Allison for clarifying what property this is. I would like to reiterate that we are going to win and six mile is going to stay here. Don't let them bully you into it. We already did a referendum on this when we incorporated and we got the signatures to shut it down. We got the signatures, nobody wants this. Are we on the same page there? This has already been brought to the people and now we are trying to reverse that referendum basically? Is that what I'm seeing here? Where

the people already spoke as is their constitutional right? I'm here to tell you right now if this happens, I know the buck doesn't stop with you guys but it starts with you guys. I am doing to be like the developers, they are constantly threatening lawsuits and fear mongering and strong arming people. They are threatening lawsuits all the time. Guess what, I am going to threaten a lawsuit. If this happens, Erda will have a lawsuit. That's not a threat that's a promise. If you try to overthrow the referendum we already did three and a half years ago, Erda will have a lawsuit. I hope, don't take it personally. These referendums are not easy, and you are trying to undo the will of the people that have already spoken? What do you think Mark? Think about that for me will you? I promise you there will be a lawsuit.

- f. Leanne- One concern I have about adopting this PC designation is that I don't see anything in it from stopping others who want this. More developers will come and ask for this in many other parts of the city. I don't see what would stop others from asking for this if it becomes a part of what Erda has to offer. I think we need to think about the steps that we are taking that would make this just another suburb
- g. **Mark moved to close public hearing, Mike seconded the motion**
- h. **Voting was unanimous to close Public Hearing**
- i. **Public Hearing Closed**
- j. John- If in fact this is to drop the lawsuit and the annexation your attorney would make sure it's dropped before becoming zoned in this. This does need some fine tuning and polish before it's up for an approval to the City Council. She brought up the language not to exceed and I love that language. There are quite a few fixes in the language that need to be in there. You can only do a development agreement with a rezone.
- k. Nancy- Is there a statute of limitations on a successful referendum?
- l. John- No, if there is a successful referendum and the Council drops it, the Council can bring it up for a vote again a day later. Then they have the opportunity to do another referendum.
- m. Michael- I think we need to understand that this is not the Tooele County PC Zone. We have made many changes to this to try and make it work better for Erda City.
- n. Mark- What would it take for you to go through this and make those recommendations?
- o. John- I would want to read it more carefully, and invite everyone to email me on what we would like to see.
- p. Michael- Something we discussed is about this because this was a natural break with the highway. We are open to this happening in that specific area but don't want this throughout Erda.
- q. Nancy- If we can change the low limit to 500 acres then it will prevent these popping up all over Erda.
- r. Mark- I think we want John to look over this and make this flow better.

- s. Nancy- I think we need to work more and go over the rest of the document so I would recommend we have another work meeting on August 13th. Then we can present this to the people and see if they are okay with all of the changes made.
- t. Kathleen- I've always felt a little behind on this. I would really like the opportunity to go over this again. I recall when we originally looked over this I wasn't super comfortable with it.
- u. Russ- I think we should send emails to John by August 1st. Then have another work meeting on August 13th.
- v. Mark- In order to facilitate this action we need to make a motion to table this.
- w. Mark-Motioned to continue the discussion at the next meeting and have John and Rachelle there to handle any questions and have a work meeting in August to work through the issues, Russ seconded the motion
- x. Voting was unanimous to approve the motion
- y. **Erda PC Zone discussion TABLED**

7. Comments from Commissioners

- a. None Made

8. Adjournment

- a. Nancy moved to adjourn the meeting, Michael 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 Mark Gull @ 801-707-4355

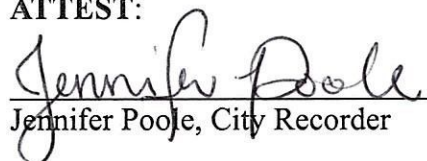
Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

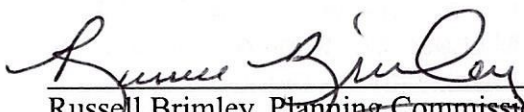
Prepared by: Jennifer Poole, Erda City Recorder

PASSED AND APPROVED by the Planning Commission this 13th day of August, 2024.

ERDA

ATTEST:


Jennifer Poole, City Recorder


Russell Brimley, Planning Commission Chair