

Action Summary:

Agenda Item	Item Description	Action
#1	279 E. Main St.- Concept	Received unfavorably.
#2	Warm Springs General Plan Amendment-Discussion	Discussed, noted this would not receive a favorable recommendation.
#3	Warm Springs Rezone- Discussion	Discussed, noted this would not receive a favorable recommendation.
#4	799 N. 600 W. General Plan Amendment-Discussion	Pulled from agenda by applicant.
#5	799 N. 600 W. Rezone- Discussion	Pulled from agenda by applicant.
#6	CUP Richardson's Tires- Consideration	Tabled.
#7	CUP Elmer Automotive LLC- Consideration	Tabled.
#8	CUP AGX Automotive- Consideration	Tabled.
#9	Code Amendment to Remove PUD-Discussion	Voted to action item, recommended for approval.
#10	Code Amendment Ch. 3- Consideration	Recommended for approval.
#11	Code Amendment Ch. 21- Consideration	Recommended for approval.

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON DECEMBER 5, 2024 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 7:00 P.M.

Commission Members Present: Chair Rick Barchers, Trent Stirling, Jeff Downward

Absent: Vice-Chair Derek Dalton, Rob Jaterka

Appointed Officers and Employees Present: Community & Economic Development Administrative Assistant Jaina Bassett, Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler

On Zoom: Mayor Neil Critchlow

Citizens and Guests Present: Kevin Hall, Brent Marshall, Gary Pinkham, Stephen McCutchan, Stephen Richardson, Madison Schaverr, Sheri, Chris Willes, Wyatt Labrum, Teri Sprouse, Martin Anderson, Anthony Brown, Clifford Russell, Kaidon Elmer, Brad Sutton, Levi Pratt, Preston Shepherd, Duke North, Eric Anderson, Austin Anderson, Paul Rupp

Citizens and Guests Present on Zoom: Unknowns

Commission Chairman Rick Barchers called the meeting to order at 7:00 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Thursday, December 5, 2024 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

a) Proposed amendment to the Grantsville City General Plan and Future Land Use Map for Warm Springs Ranches to go from a Rural Residential 2 designation to a Medium Density designation, located at approximately 1379 N. Warm Springs Rd.

Brent Marshall: Brent Marshall was present to speak on this item, and thanked the Commissioners for the opportunity to speak. He stated that the QR code on the public notice sign did not work when he scanned it, and that there were no flyers in the box on the sign. He stated that he went to City Hall on December 2nd for clarification, then saw flyers in the box on December 4th.

He noted that this item requires a general plan amendment. He said that the City spent a lot of money and time on the general plan, including several public comments, and this project and others seem to have put that time and money to waste. He stated that this property originally had an MU40 zone, which was a manufacturing zone. He said that the property owner at that time rezoned the property because he did not have 40 acres, so it was changed to a 20-acre zone to build a house. He noted that the property owner came to the City a few years ago for a rezone to RR-5 so her children could build homes there, but her children never built a home. He continued to explain that a different family purchased the top portion of the property and built a home there. Mr. Marshall noted that this application would be the third rezone for this property, and is the complete opposite of what the general plan shows. He said this rezone would be spot zoning, and the approval of it would open up Pandora's box for the City.

He also mentioned that there is no infrastructure in this area- no water, no improved streets, and septic tanks. He said for a development like this, there would need to be several lift stations for sewer, which the City is trying to avoid, or several septic tanks which come with issues. Mr. Marshall stated that new wells would need to be drilled to accommodate this many houses, and that this area was never intended to be a housing track. He said that this area was set up for manufacturing to have a place in the City, where jobs can be provided locally, with close proximity to the freeway so trucks are not going through the City. He asked that, respectfully, the Commissioners deny this request.

Preston Shepherd: Preston Shepherd was present to speak on this item. He noted that he lives on the same street as the previous speaker. He noted that a few years ago the City granted to him a subdivision in the same area, for his children to be able to live there. He noted that half of the property was in the City limits and the other half was in County limits. He said that he learned a lot about the major and minor subdivisions during that process. He said that in looking further down the road and considering his future grandchildren, they considered subdividing into smaller lots. He stated that the City said, “Absolutely not,” to that idea, and they were strictly held to A-10 parcels.

He said that other people moved in around him, and there are currently working farms and ranches in the area. Mr. Shepherd stated that he has seen this before, as he was run out of Stansbury because of development there. He said that this is what is happening here, and is tragic. He said that he is all for a man’s right to his property, but that this affects other people too. He stated that he does not want snow plows, infrastructure, the City, or the Post Office down that road. He expressed that he is happy where he is and does not want the development. He stated that the property taxes with the development would force those already there to sell.

He stated that Susan was given an exception for smaller lots to provide lots for her children years ago, and questioned why the rules apply to him and not everybody else. He said that the rules should be applied equally. Mr. Shepherd asked that, respectfully, the Commissioners deny this request. He stated that if someone wants to buy a cow and land in the A-10 zone, he would love to have them.

Eric Anderson: Eric Anderson was present to speak on this item. He stated that he also lives in the area, and moved there because it is zoned A-10. He noted that he has cattle and horses and that if residences are put in the area, they will get complaints about the dust and smell associated with the current uses. He said that the current residents maintain all of the roads in the area, not the City. He requested that the Commissioners deny this rezone.

Austin Anderson: Austin Anderson was present to speak on this item, and stated that he moved out to this area for the A-10 zoning. He said they have cows, horses, and dogs, and requests that this application be denied.

Levi Pratt: Levi Pratt was present to speak on this item. He said that this project is directly across the street from his home. He said they moved out there for quality of life, expecting that it would stay A-10 and they would be able to maintain for their children and livestock, without the traffic and things that come with this development. He requested that this rezone be denied. He said there is no infrastructure in the area, and questioned who would pay for that if this were to be approved. He noted that this would be spot zoning.

b) Proposed Rezone of Warm Springs Ranches from zoning designation RR-5 to RR-2.5, located at approximately 1379 N. Warm Springs Rd.

Email Received 12/1/2024

Planning and Zoning Commission,

My name is Linda Herrera. I reside at 1318 Old Lincoln Highway. I have 10 Acres of land adjacent to the property located at 1379 N. Warm Springs Road, the property in question for possible rezoning.

I would ask the Planning Commission to deny the application allowing the rezoning of this property from Rural Residential to Medium Density Designation.

All the properties in this area are at least 5 acres or larger. Allowing this parcel of property to be split into parcels under 5 acres increases the density in this area. This request looks a lot like spot zoning.

My property butts up against the property in question for rezoning. My property is used for grazing purposes. If this rezoning is allowed, it could be detrimental to the agricultural use of my property. Why is Grantville City allowing Agricultural land to disappear?

Another concern is the access road leading to the property in question. This is a dirt road. Allowing the rezoning will add increased traffic to this road and then out on to Old Lincoln Highway. We already have a speeding problem with the current traffic on Old Lincoln Highway. People drive down this road going well above the posted 35 miles an hour. There are currently 2 new higher density housing developments going in, in the area. This is going to increase traffic. We do not need to continue adding to this problem. It appears that too much growth has already been approved for the Grantsville community. Why is an agricultural town allowing agricultural to leave the area? Please read my email during the meeting.

Linda Herrera

Email Received 12/1/2024

Dear Planning Commission,

My name is Joei Jaterka me and my husband Rob live at 1342 Old Lincoln Highway. I am writing this email because I am not able to attend the meeting due to previous commitments. As far as the rezone we would like to voice our opinion against this. Currently all of the lots around us are at least 5 acres, with the majority being larger. There are a few things that need to be brought up, first Warm Springs road is a gravel road, will the city be paving it to accommodate the possible 10 homes that could be built on this lot? Next there are no city utilities in this area, so is the county going to allow that many more septic tanks in this area? How about water? Is the developer or the city going to help the current home owners with lowering their wells if these new homes draw down the aquifer? Our property is used to raise livestock, as is the case with many of our neighbors, does this zoning really fit in with the surrounding area? I would say no. It seems that Grantsville is losing agriculture at an alarming rate and this would be the start of the

same thing in this area. So, I would like to ask you gentlemen as the land use authority to think long and hard before making your decision on this matter.

Joei Jaterka

Email Received 12/4/2024 (This was also read aloud during the meeting)

To the Grantsville City Zoning and Planning committee,

In addition to this being sent to every member of the planning and zoning committee, I would like this letter to be read in it's entirety at the planning and zoning meeting on December 5th. We were not given appropriate notice and unfortunately will not be able to attend the meeting due to previous unchangeable commitments.

I am writing this letter in regards to the request to change the zoning of the property located at 1379 N. Warm Springs Rd. Our property and home sits directly adjacent to the north of the property in question. Our entire south property line is the north property line of the property in question.

The first thing that we would like to address is the lack of notice that has been given to us. As of this date we have not received any mailed or emailed notice of this request. The first time that we had heard anything about this was the evening of Wednesday November 27th, when we came home from work and saw the posted signs of Grantsville City Public Notice. On our way home from work, we stopped and scanned the QR code and looked for papers in the flyer box. The flyer boxes were both empty. And the QR code simply took us to the Grantsville City website "current public notices" but did not have anything current listed or accessible that has anything to do with this property. We spent over half an hour scouring the website trying to find the information about this property request to no avail. This was extremely frustrating due to the fact that this was a holiday weekend and no one in the city offices would be available until Monday morning, 5 days after the signs appeared. We reached out to our neighbors who live on the same road as us, they had not received any mailed notice and could not find any pertinent information with the QR code or on the website either. We had to reach out to multiple people before we could find anyone who had any information about this purposed change. And flyers did not show up on the sign until Tuesday, December 3rd- two days before the meeting. With a city like ours, that is in a very active growth phase, these types of mistakes cannot be afforded, and should not be allowed. It is very disappointing and unprofessional- and I question if there is a legality concern involved as well.

In regards to the actual request to change the zoning, there are many reasons we are requesting that this request be denied:

- Isn't this considered "Spot Zoning"? This request is very much at odds with the current zoning of this area. It is in NO WAY harmonious with the surrounding property. There

is no benefit- financially or civically- to changing the zoning, the property owner is the only person who would benefit from this. If there is no benefit to the city or any other citizens, then this should not even be considered.

- There is no city sewer accessible anywhere close to this property. From what I understand then it is not in line with the county health department rules to not allow a septic tank for a property less than 5 acres. With the potential for 10 homes on this property there is no way that this should be approved based on the septic tank requirements.
- There is no city water accessible anywhere close to this property. Even IF water rights could be found and purchased and each one of these homes were allowed to have individual wells, the aquaphor that we and all of the current property owners use would be severely depleted and affected in extremely negative ways. These water rights are something that we have all had to invest tens of thousands of dollars into. This would cause many severely devastating results to those of us who rely on those water rights. Not only the amount of money that we have invested, but to the necessity to use on our property that we have invested in. Without water, or having to pay even more money for water, would destroy livelihoods of many of the current property owners.
- We are one of the many landowners who have chosen to purchase land in this area, invested hundreds of thousands of dollars of our personal money into the development of our land. And we have done this for the sole reason of agricultural use. And the current zoning of agricultural use is why we have made these choices and investments. Some have done this for their livelihood and others for the benefit of their personal family. This change in zoning to allow this development would be very detrimental to our animal's wellbeing.
- The road that this development is located on is an unmaintained gravel/dirt road. The addition of 10 homes would be very detrimental to the structure of this road.
- Our road does not get snow plowed by the city. This is not a conducive situation for a 10 home development.

I appreciate you taking your time to consider some of these concerns we have about the request to change the zoning at 1379 N. Warm Springs Road. We hope that all of the concerns we have listed will be seriously considered and addressed.

Please respond back to me and confirm the receipt of this email.

Sincerely,

Brian and Ashley Davis

Preston Shepherd: Preston Shepherd was present to speak on this item. He stated that he understood when Susan received an exception to go to 5 acres, and is okay with that. He said if

this is denied, he will shut up and go away. However, if it is approved he is looking for recourse since the law is being held against him and not others.

Fitzgerald: “Fitzgerald” was present on Zoom and noted the following: Against rezoning. No infrastructure.

c) Proposed conditional use permit for Stephen Richardson to own and operate Richardson’s Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone.

No comments.

d) Proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone.

Email Received 11/30/2024

Good Morning,

I received the notice in the mail this morning concerning 23 W Clark St and the Automotive shop. My husband and I have discussed how we feel about this as our property is 79 N Hale St, and we share a fence in our backyard with this neighbor.

We are torn but leaning toward a negative, considering the long-term consequences of this decision. We already have an automotive shop on our street, and we find often enough that in the process of testing the cars, there are recurring occasions of testing that result in racing up our street. We have four children, three of whom are five and under, which is already concerning for us. Having another mechanic shop around the corner, resulting in an added traffic of cars being tested at high speeds on our residential streets, seems like a safety concern for our children. This neighbor has already been clocked as driving his black truck at higher speeds up Hale St than is appreciated by those who have children.

However, we are very entrepreneurial, so this decision seems complicated. It would be ideal if there were a way to test the vehicles in places other than Clark and Hale.

I am very excited about this neighbor and his drive to start his own business; however, I do have concerns about how this would work with the lot in question, increasing traffic into the back portion of the property.

Our biggest question is whether this would improve the quality of our neighborhood, increase safety, or detract from both. We already have several businesses on Hale St, so between that and the fact that it is an access road from and to Burmester, we experience our fair share of cars speeding. As a parent who appreciates the mostly rural neighborhood quality of my area, I would really hate to see that increase.

However, I know this is a growing community, and I appreciate that someone can start a business and earn their family's livelihood. It is just a tough decision to make.

These are our concerns. Thank you for taking the time to read them.

With regards,

Linsey & Spencer Ostler

79 N Hale St.

Email Received 12/2/2024

To whom it may concern:

We ran by the proposed address for the Elmer Automotive LLC and it was far too narrow to have a car garage operating there.

Cars would be parked double stacked along the street in front of that property because there is no parking and it would block the sidewalk. There is already a garage just around the corner from this proposed site. One garage is an eyesore and two is a nightmare in the same vicinity. Thank you so much for your time.

Larry Rust

Teresa Sprouse: Teresa Sprouse was present to speak on this item. She noted that she owns property right next to this one, at 5 W. Clark St., which shares a fence with this property. She stated that she has spoken with the applicant and has no issues with this proposal.

Brad Sutton: Brad Sutton was present to speak on this item, and stated that he lives a few houses away from this one. He expressed that he does not have anything against the applicant, but that he feels this type of operation belongs in an RM-7 residential area. He stated that it is a bad precedent to set. He noted that there are some large commercial lots nearby, but that this is not one of them. He stated that he does not believe an application in other residential areas in the City would even be considered.

e) Proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

No comments.

f) Proposed amendments to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5

Gary Pinkham: Gary Pinkham was present to speak on this item. He stated that he is very much in favor of this proposal, and recommended it a few weeks previously to staff members and the Commissioners. He stated that the process is not being properly followed and is being misused by developers. He said that it looks like someone has done a good job of researching the code and finding the sections the PUD needs to be removed from. He said that he is concerned about chapter 12, where the MDA language is, and that by repealing the chapter the MDA language would be completely removed from the code as well. He noted that MDA language often discusses utilities, traffic, open space, and potential variances to the code. He stated that because of this the MDA language should at least require review by staff, public works, the fire department, the engineer, and Planning Commission, before being presented to the City Council.

AGENDA

1. Concept plan presentation for a possible PUD at 279 E. Main St., in the RM-7 zone.

Stephen McCutchan was present to represent this project. He noted that he heard the public hearing for the removal of the PUD from the code, and questioned what process would be used instead for projects like this one. Chairman Rick Barchers stated that a new variance process would be followed instead, possibly through the MDA process.

Mr. McCutchan stated that the subject property is just under 0.9 acre and is zoned RM-7. He stated that 5 units are allowed on the property with current zoning. He noted one option is to create four additional attached units to be rented out. He stated that one reason behind this proposal is to offer homeownership instead, with smaller lots. He said that they are hoping to get a sense of if this proposal is reasonable in this zone, rather than the 5-unit rental that is currently allowed. He noted that this proposal would be a PUD because variances would be required.

Chairman Barchers stated that he would have issues with the smaller lot sizes and other items. He said that only specific items can be discussed at this time, as it is a concept presentation. However, he noted that Mr. McCutchan alluded to a thinner road. Mr. McCutchan clarified that it would be 22 feet of asphalt and rolled curbs, with sidewalks. Chairman Barchers stated that the code only allows two units to be serviced by a private lane, for safety reasons and utilities. He noted that a thinner road would be a safety issue for the residents, especially children. Chairman Barchers noted that he also has issues with reducing personal open space. Mr. McCutchan questioned how much open space is needed for one family dwelling unit. Chairman Barchers explained that there is no park close by, and the children need somewhere to go and play. He noted that there is research that supports the need for open space.

Commissioner Trent Stirling asked what the dimensions of the front side are. Zoning Administrator Shelby Moore clarified that the proposed lot is 54 feet wide, and 85 feet including the private lane. Chairman Barchers stated that he feels comfortable with the City code as is, and outlining the yard sizes, setbacks, and definitions.

Chairman Barchers read standard D from the applicant's response, in regards to the use being harmonious with the surrounding uses in the area. He reiterated that this proposed use is not harmonious with the surrounding uses. He also noted that flag lots are not allowed in Grantsville City anymore. Chairman Barchers acknowledged Mr. McCutchan's mention that attached dwellings are permitted in the zone, and stated that he would prefer to see that over this proposal.

2. Discussion of the proposed amendment to the Grantsville City General Plan and Future Land Use Map for Warm Springs Ranches to go from a Rural Residential 2 designation to a Medium Density designation, located at approximately 1379 N. Warm Springs Rd.

Manjinder Singh was present to represent this item. He stated that he appreciates the comments given by his neighbors. He noted that they just want to see what their options are for this property. He said there are properties nearby with 1 acre lots and condominiums. Mr. Singh stated that their goal is to create four parcels, but they have also considered creating just three parcels. He noted that one plan shows a private road and another shows a public road.

The Commissioners noted that the current zoning matches the zoning on the future land use map.

Commissioner Trent Stirling stated he is not comfortable with the three present Commissioners making a change as large as this one, to a future zoning that was decided by previous board members.

Chairman Barchers stated that his issue is the proposed zoning not aligning with the future land use map zoning. He also noted that the proposed lots would have to be on a septic system, and that the standards are pretty high for those. He stated that he would like to see the use stay as it is.

The size of the land was noted to be just under 10 acres, and therefore could not be split into two lots as they could not both be 5 acres. Mr. Singh explained that this was the reason for their rezone request, so they could have more than one lot and home there.

It was noted that a minor subdivision had already been done for this property, so a subdivision of this lot would need to be a level 3 subdivision. Attorney Tysen Barker read portions of the City code which mentioned the additional requirements of going from a level 2 to a level 3 subdivision.

The Commissioners concluded that they are not in favor of going against the general plan and future land use map.

Chairman Barchers noted to the applicant that if a rezone is denied, no rezone application can be made for that property for the next two years.

3. Discussion of the proposed Rezone of Warm Springs Ranches from zoning designation RR-5 to RR-2.5, located at approximately 1379 N. Warm Springs Rd.

No further discussion took place, as this item was discussed along with item number 2.

4. Consideration of the proposed amendment to the Grantsville City General Plan and Future Land Use Map to go from a Rural Residential 1 (RR-1) designation to a Mixed-Use Density (MU) designation, for the property located at approximately 799 N. 600 W.

This item was pulled from the agenda.

5. Consideration of the proposed Rezone to go from zoning designation A-10 to MU, for the property located at approximately 799 N. 600 W.

This item was pulled from the agenda.

6. Consideration of the proposed conditional use permit for Stephen Richardson to own and operate Richardson's Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone.

Stephen Richardson was present to represent this item. He stated that he has lived in Grantsville for the last 5-6 years, and would like to offer his skillset to the community. He noted that the location of his property is unique in that the presence of customers would not get in the way of traffic. He explained that his business would allow residents to receive these services without having to travel to Tooele.

Ms. Moore noted that this use is prohibited by City Code, so staff is required to deny the permit. However, the applicant has the right to appeal the decision to the Planning Commission, which is why this item is being considered at this meeting. She also noted that while this is not allowed, other permits of similar uses have been approved in the same zone and similar areas.

Chairman Barchers asked if he has been operating this business, and Mr. Richardson stated that he has not performed these business functions.

Mr. Richardson noted that he has just one neighbor to the South, cows to the West, and a church to the North of his property. He expressed that his business will cause minimal noise or traffic to the area.

Commissioner Stirling asked how many cars could be parked in front of the house. Mr. Richardson stated that five cars could easily fit there at one time.

Commissioner Downward asked if the applicant had considered putting a privacy fence up around the property. Mr. Richardson noted that there is a privacy fence surrounding much of the property, and that the area which would be used for the business is not very visible from the road.

Chairman Barchers asked if the future land use zoning of this property would allow this use.

The Commissioners noted that they are in favor of approving this permit, but must wait until they receive some counsel from the City Attorney regarding the legality of it.

Rick Barchers made a motion to table the proposed conditional use permit for Stephen Richardson to own and operate Richardson's Tires, a tire repair and replacement business, on 0.44 acre at 148 S. West St. in the RM-7 zone. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.

7. Consideration of the proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone.

Ms. Moore noted that this item is similar to agenda item 6, where it is not an allowed use by code, but they are appealing the decision.

Chairman Barchers asked if in the future they could create an area in which businesses like this would be allowed. Attorney Barker confirmed that they could map an area in which businesses like this would be allowed.

The Commissioners noted that they must wait to make a decision on this until they receive some counsel from the City Attorney regarding the legality of it.

Rick Barchers made a motion to table the proposed conditional use permit for Kaidon Elmer to own and operate Elmer Automotive LLC, a general automotive repair and maintenance business, on 0.32 acre at 23 W. Clark St. in the RM-7 zone. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward "Aye," Trent Stirling "Aye," Rick Barchers "Aye." The motion carried unanimously.

8. Consideration of the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone.

Ms. Moore noted that this item is similar to agenda items 6 and 7, where it is not an allowed use by code, but they are appealing the decision.

Chairman Barchers stated that he is not sure why automobile sales are not allowed in this zone. Mr. Labrum agreed that he is also unsure of why it is not permitted, especially as automobile repair is permitted. Chairman Barchers asked staff to prepare the proposed code amendment to have this use be a conditional use in this zone, and bring it forward at the next meeting.

Rick Barchers made a motion to table the proposed conditional use permit for AGX Automotive to own and operate an automobile wholesale dealer business, on 1.80 acre at 292 N. Hwy 138 in the M-D zone. Jeff Downward seconded the motion. The

vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously.

9. Discussion of the proposed amendment to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5.

Jay Springer with Smith Hartvigsen was present on Zoom to answer questions about this item. He noted that this was discussed briefly in a previous meeting, to fix the PUD process to better fit the needs of Grantsville. He noted that he has worked with staff on the chapters that mention the PUD, but that repealing the chapters right now is a possibility. He explained that without the PUD process deviation requests would still go through a review process, but that the City would have more discretion than with the PUD. He noted that any code deviation requires a legislative act through LUDMA. He explained that MDAs are required for any code deviation that requires a legislative act, repealing the PUD process is just removing the question of how the deviations were approved.

Trent Stirling made a motion to make agenda item number nine an action item. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously.

Trent Stirling made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code to remove the Planned Unit Development (PUD) including modifications to Chapter 2, 3.6, 4.5, 4.12, 6.15, 8.9, 9.3, 9.5, 14.6, 15.7, 16.2, 16.4, 16.8, 17.3, 19.5, 19a.1, 21.1.15, 21.2.11, 21.6.2, and 21.6.12, and repealing Chapter 12 and 21.5. Jeff Downward seconded the motion. The vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously.

10. Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials).

Ms. Moore noted that she and Mr. Springer took the feedback from the previous meeting, and implemented it along with Aqua Consultant Shay Stark’s proposal.

Rick Barchers made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 3 (Decision Making Bodies, And Officials). Jeff Downward seconded the motion. The vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously.

11. Consideration of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476.

Ms. Moore noted some items that were changed, including words that were not intended to be there like, “duck”, modifying language to match state code, and other basic corrections.

Mr. Springer noted that several corrections were made based on discussions previously had. He explained the changes in 21.2.11 and that the levels were identified, processes cleaned up, and modifications made to include the appropriate people in the processes.

Jeff Downward made a motion to recommend approval of the proposed amendment to the Grantsville City Land Use and Management Code Chapter 21 (Subdivision Regulations), to implement modifications from SB174/ HB0476. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously.

12. Report from Zoning Administrator.

Ms. Moore asked if the Commissioners would be able to make it to the meeting on December 19, 2024. Commissioner Downward stated that he cannot attend that meeting. Chairman Barchers said he will attend via Zoom. Commissioner Stirling said he could make it if the others could. Ms. Moore asked the Commissioners to review the proposed ADU verbiage, and noted that they are required by the State to have ADU verbiage adopted by January 2025.

The Commissioners stated that they can attend the January 2, 2025 meeting.

City Council Liaison Rhett Butler asked Ms. Moore to provide the number of PUDs that are currently in the review process. He also requested that two individuals, one from the Planning Commission and one from the City Council, visit each public notice sign that is posted and scan the QR code to make sure it is working. Attorney Barker also volunteered to do this task if needed.

13. Open Forum for Planning Commissioners.

No further discussion took place.

14. Report from City Council.

No further discussion took place.

15. Adjourn.

Jeff Downward made a motion to adjourn. Trent Stirling seconded the motion. The vote is as follows: Jeff Downward “Aye,” Trent Stirling “Aye,” Rick Barchers “Aye.” The motion carried unanimously. The meeting ended at 9:08 P.M.