

## **PUBLIC NOTICE**

The Grantsville City Planning Commission will hold a Regular Meeting at 7:00 p.m. on Tuesday, December 2, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

## **ROLL CALL**

## **PUBLIC HEARING**

- a) Proposed conditional use permit for Russell Wallis to own and operate a home-based business for the storage and rental of three 16'x7' roll-off dumpsters and one trailer unit, located at 334 S Banister Lane in the RR-1 zone.
- b) Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses.
- c) Consideration of a proposed amendment to the conditional use permit for the property located at 10 W Clark Street. The amendment would allow additional retail goods to be sold both online and in person.

## **AGENDA**

1. Proposed conditional use permit for Russell Wallis to own and operate a home-based business for the storage and rental of three 16'x7' roll-off dumpsters and one trailer unit, located at 334 S Banister Lane in the RR-1 zone.
2. Survey results regarding conditional use permits.
3. Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses.
4. Consideration of a proposed amendment to the conditional use permit for the property located at 10 W Clark Street. The amendment would allow additional retail goods to be sold both online and in person.
5. Approval of minutes from the November 4, 2025 Planning Commission Regular Meetings, and the November 18, 2025 Joint Working Meeting.
6. Report from City Staff
7. Open Forum for Planning Commissioners.
8. Report from City Council.
9. Adjourn.



**Scan QR code  
to join Zoom  
meeting.**

**Shelby Moore**  
**Zoning Administrator**  
**Grantsville City Community & Economic Development**

### **Join Zoom Meeting**

<https://us02web.zoom.us/j/81670019731>

Meeting ID: 816 7001 9731

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# AGENDA ITEM #1

Consideration of the Proposed conditional use permit for Russell Wallis to own and operate a home-based business for the storage and rental of three 16'x7' roll-off dumpsters and one trailer unit, located at 334 S Banister Lane in the RR-1 zone.

**Planning and Zoning**  
336 W. Main St.  
Grantsville, UT 84029  
Phone: (435) 884-1674



## **STAFF REPORT**

**To:** Grantsville City Planning Commission  
**From:** Shelby Moore, Planning and Zoning Administrator

**Meeting Date: December 2, 2025**

**Public Hearing Date: December 2, 2025**

**Request:** Conditional Use Permit – Home-Based Business (Roll-Off Dumpster Rental)

**Applicant:** Russell Wallis

**Business Name:** Pinnacle Logistics, LLC – DBA Trash Pandaz

**Location:** 334 S Banister Lane

**Zone:** RR-1 (Rural Residential – 1 Acre Minimum)

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### **I. Project Summary**

The applicant is requesting approval of a Conditional Use Permit (CUP) to operate a **home-based roll-off dumpster rental business** from the residence located at **334 S Banister Lane**, within the RR-1 zone. The business involves the **storage and rental of three (3) 16' x 7' roll-off dumpsters and one trailer unit**. The operation is primarily off-site, with no significant customer visits anticipated.

The property is **Lot 3 of the Banister Minor Subdivision**, consisting of approximately **1.012 acres**, as confirmed in the subdivision plat and Quitclaim Deed.

This CUP has been scheduled for Planning Commission review because **two public comments were received**, triggering the requirement for a public hearing.

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### **II. Background & Property Context**

The business is a secondary occupation with most activity occurring at customer locations. Administrative functions occur within the home, and equipment is stored outdoors on the applicant's property.

According to the applicant's Business Details document:

- Only the applicant and spouse participate in the business.
- Customer traffic is expected to be minimal to none.
- No hazardous materials are stored; equipment consists of dumpsters, a trailer, and basic safety supplies.

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**Planning and Zoning**  
336 W. Main St.  
Grantsville, UT 84029  
Phone: (435) 884-1674



Aerial images provided by the applicant identify multiple **potential storage areas**, including fenced side yards and a rear yard area. These areas are located away from Banister Lane, helping maintain visual compatibility with surrounding residential uses.

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### III. Interdepartmental Review

Staff circulated the CUP for agency review. Responses included:

- **Building Department:** No building code issues; storage of equipment outdoors is not regulated.
- **Fire Marshal:** No fire concerns identified.
- **Public Works:** No concerns noted.
- **Engineering:** Private Lane—no issues identified.

No departments raised objections or requested conditions beyond typical CUP standards.

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### IV. Site Plan & Equipment Overview

Submitted materials include:

- Photos of the actual **16' × 7' dumpsters** and the **Iron Bull trailer** used to transport the units.
- A scaled **site plan** highlighting storage area, driveway access, parking, fencing, and potential pull-through locations for occasional customer needs.
- Aerial diagrams labeling various **Storage Potential Areas** on the property, each positioned to minimize visibility and impact on adjacent homes.

These visuals demonstrate that the parcel's **171' of frontage** and overall acre-sized configuration provide adequate space to accommodate the equipment while maintaining neighborhood compatibility.

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### V. Public Comments

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The City received **two written public comments** related to the application. Per Grantsville City Code, the receipt of public comments prior to administrative approval requires the CUP to be heard by the Planning Commission at a public meeting. These comments triggered this review.

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## VI. Standards of Review

Home occupations with outdoor storage or visible equipment require a Conditional Use Permit to ensure:

1. The use is **compatible** with surrounding residential areas.
2. Off-site impacts are **mitigated** (noise, traffic, aesthetics).
3. Storage is **contained**, orderly, and screened where feasible.
4. The business remains **secondary** to the residential use of the property.

Based on staff analysis, the site size, layout, and limited customer traffic support compatibility with RR-1 neighborhood expectations.

## VII. Recommended Conditions of Approval

Staff recommends approval of the CUP with the following conditions to strengthen compatibility and future enforcement:

1. **Maximum Equipment:** Storage limited to **three (3) 16' × 7' dumpsters** and **one (1) trailer unit** as proposed.
2. **Storage Location:** Equipment shall be stored **only within the designated areas** shown on the submitted site plan or as otherwise approved by staff.
3. **Screening:** Existing fencing shall be maintained; any new screening shall meet zoning standards.
4. **Traffic:** Customer traffic shall remain minimal. No on-site business appointments unless pre-coordinated.
5. **Operational Hours:** Business activity shall remain at a low-intensity, secondary scale consistent with the applicant's submittal.
6. **Noise Control:** Equipment movements should occur during normal daytime hours when possible.
7. **No On-Site Waste:** Dumpsters shall **not** be used to store debris on the residential property.
8. **Compliance:** Any expansion of equipment, employees, or business scope requires CUP amendment.

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9. **Nuisance Standards:** The use shall comply with all City nuisance standards, including noise and visual impact limits.

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## **VIII. Findings of Fact & Conclusions**

### **Findings of Fact**

#### **1. Property & Zoning**

- The subject property is located at **334 S Banister Lane** and is legally described as **Lot 3, Banister Minor Subdivision**, consisting of approximately 1.012 acres.
- The property is zoned **RR-1**, which allows home occupations as conditional uses when outdoor storage or equipment is involved.

#### **2. Nature of the Proposed Use**

- The applicant proposes a home-based business involving the **storage and rental of three (3) 16'×7' roll-off dumpsters and one (1) trailer unit**.
- Business operations occur off-site; administrative tasks occur within the home. Customer traffic is expected to be minimal to none, consistent with the applicant's Business Details.

#### **3. Site Conditions**

- The property provides multiple fenced or screened areas suitable for equipment storage as shown in the applicant's site plan and aerial diagrams.
- The parcel contains sufficient frontage (approx. 171') and depth to accommodate the equipment without interfering with residential character.

#### **4. Agency Review**

- The **Building Department** identified no building code concerns because all storage is outdoors.
- The **Fire Marshal** found no fire safety issues.
- **Public Works/Engineering** identified no concerns and noted that the access is a private lane.
- No reviewing agency submitted objections that would prevent approval.

#### **5. Public Input**

- The City received **two public comments**, requiring the application to be forwarded to the Planning Commission for full review and public hearing per City code.

#### **6. Neighborhood Compatibility**

- The RR-1 zone is intended for large-lot rural residential uses, where limited outdoor storage and low-intensity home occupations can be compatible when properly conditioned.

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- The use does not introduce employees, on-site servicing, or customer traffic beyond what is typical for a home occupation.

#### 7. Applicant Compliance

- The applicant has provided a full site plan, equipment photos, property documentation, and responses to departmental inquiries.
- The applicant agrees to conditions regarding storage location, equipment limits, and operational constraints.

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#### Conclusions

1. The proposed home-based business is **consistent with allowed conditional uses** in the RR-1 zone.
2. With reasonable conditions, the use **will not be detrimental** to the health, safety, or welfare of persons or properties in the vicinity.
3. The property is **large enough to mitigate visual and operational impacts**, and equipment can be stored in a manner compatible with surrounding homes.
4. Agency review identified **no regulatory conflicts or safety concerns** associated with the proposed use.
5. The application **meets the intent** of the City's home occupation standards by maintaining residential character and ensuring that the business remains secondary to the dwelling.
6. Public comments have been considered, and the Planning Commission has authority to impose conditions ensuring long-term compatibility.
7. Based on the evidence provided, the proposed Conditional Use Permit **satisfies the required findings** for approval under Grantsville City Code.

#### Staff Recommendation

**Staff recommends APPROVAL** of the Conditional Use Permit for Russell Wallis to operate a home-based roll-off dumpster rental business at 334 S Banister Lane, **with the conditions listed above.**

The proposed use is low-intensity, fits within the RR-1 zone expectations, received no objections from reviewing agencies, and can be responsibly managed with the provided conditions.

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## Business Details

### Location of Business

Storing and renting out a roll off dumpster and trailer for customers to rent out. The equipment will be stored at the property located at 334 S Banister Lane in the RR-1 zone.

### Individuals Who Will Be Working at the Business

- Russel Wallis
- Heidi Wallis

### Days and Hours of Operation

- On call, revolving around landfill hours and client needs. This is a secondary occupation.

### Expected Number of Customers Per Day:

- None. Business conducted at client sites and via phone/website. We do not anticipate much if any onsite client traffic.

### Equipment Chemicals

Current supply of 3 new 16'x7' roll off dumpsters with corresponding new trailering unit for transport, Pickup truck for transport (non CDL), protective mats for concrete at client sites, reflective tape/logo decals, small amounts of touch-up paint as needed. Possibly merchandise with the business logo/sayings for promotion/sale, safety cones or other safety equipment as needed.

Storage potential area

**Fence**  
**Parking/**  
**Storage**  
**potential**  
**area**

**Fence**

**Storage**  
**potential** **Driveway**  
**area**  
**/Parking**

<- Pull through  
for any customer  
parking

<--Size of actual unit  
16'x7'

<-----171' lot frontage----->

**\*Photo to scale**

Banister Lane



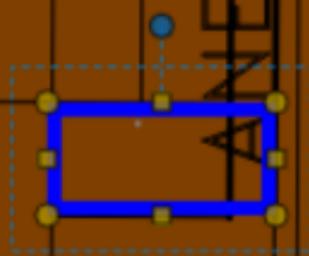
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SO



BANISTER

MARCELIA  
COURT

MONTEGO  
COURT

LANE



WHEN RECORDED MAIL TO  
Jackie Banister Living Trust  
334 S Banister Lane  
Grantsville, UT 84029

Entry #: 453920  
08/28/2017 10:32 AM QUIT CLAIM DEED  
Page: 1 of 1  
FEE: \$10.00 BY: JACKIE BANISTER  
Jerry Houghton, Tooele County, Utah Recorder

SPACE ABOVE FOR RECORDER'S USE

## Quitclaim Deed

DOCUMENTARY TRANSFER TAX  
\$0 (Transfer to trust)

APN: 18-075-0-0003

334 S Banister Lane, Grantsville, UT 84029

For no consideration,

Jackie Banister, individually

Does hereby RELEASE, REMISE AND QUITCLAIM to

Jackie Banister, Trustee, or her successors in interest, of the Jackie Banister Living Trust dated August 26, 2017, and any amendments thereto  
(334 S Banister Lane, Grantsville, UT 84029)

all that real property situated in City of Grantsville, County of Tooele, State of Utah, described as follows:

LOT 3, BANISTER MINOR SUBDIVISION, A SUBDIVISION OF GRANTSVILLE CITY, TOOELE COUNTY.  
OUT OF 1-70-14 FOR 2015 YEAR 1.012 AC.

Subject to all covenants, conditions, restrictions, exceptions, reservations, easements, and other limitations of record.

Dated: August 26, 2017

Jackie Banister  
Jackie Banister

STATE OF UTAH

)

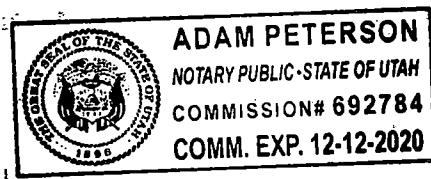
COUNTY OF UTAH

) ss.

)

The foregoing instrument was acknowledged before me on August 26, 2017, by  
Jackie Banister.

[Seal]



Adam Peterson  
Adam Peterson  
Notary Public - State of Utah  
My commission expires: December 12, 2020



Nicole Ackman <nackman@grantsvilleut.gov>

## CUP - Homes Occupation 2025161 Russell Wallis

8 messages

**Nicole Ackman** <nackman@grantsvilleut.gov>

Mon, Oct 27, 2025 at 12:36 PM

To: Christy Montierth <cmontierth@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>

Cc: Tae-Eun Ko <tko@grantsvilleut.gov>

Good afternoon everyone,

We have received an Conditional Use Permit (CUP) application for a home occupation for Pinnacle Logistics, LLC – DBA Trash Pandaz, located at 334 S Banister Lane in teh R-1-21 zone. The business involves storing and renting a 16' x 7' roll-off dumpster and trailer unit for on-site customer use.

Attachments include the application, site plan, equipment images, and business details. Please review and provide any questions, concerns, or feedback.

Thank you!

### Nicole Ackman

Planning and Zoning Administrative Assistant

435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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### 5 attachments



Image 2.png  
339K



Image 1.png  
401K



SITE PLAN.png  
419K

**Business Details.docx**  
27K

**IWORQ APP.pdf**  
95K

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**Andy Jensen** <[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)> Mon, Oct 27, 2025 at 12:42 PM  
To: Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>  
Cc: Christy Montierth <[cmontierth@grantsvilleut.gov](mailto:cmontierth@grantsvilleut.gov)>, Markus Seat <[mseat@grantsvilleut.gov](mailto:mseat@grantsvilleut.gov)>, Shelby Moore <[smoore@grantsvilleut.gov](mailto:smoore@grantsvilleut.gov)>, Robert Sager <[rsager@grantsvilleut.gov](mailto:rsager@grantsvilleut.gov)>, Grantsville Fire <[grantsvillefire@grantsvilleut.gov](mailto:grantsvillefire@grantsvilleut.gov)>, Gina Mecham <[gmecham@grantsvilleut.gov](mailto:gmecham@grantsvilleut.gov)>, Grantsville Fire Chief <[firechief@grantsvilleut.gov](mailto:firechief@grantsvilleut.gov)>, Grantsville Fire Marshal <[firemarshal@grantsvilleut.gov](mailto:firemarshal@grantsvilleut.gov)>, Bill Cobabe <[bcobabe@grantsvilleut.gov](mailto:bcobabe@grantsvilleut.gov)>, Tae-Eun Ko <[tko@grantsvilleut.gov](mailto:tko@grantsvilleut.gov)>

If being stored outside, the building code doesn't regulate.

Andy Jensen  
Grantsville Building Official  
[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)  
435-884-4617

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**Grantsville Fire Marshal** <[firemarshal@grantsvilleut.gov](mailto:firemarshal@grantsvilleut.gov)> Mon, Oct 27, 2025 at 12:56 PM  
To: Andy Jensen <[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)>  
Cc: Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>, Christy Montierth <[cmontierth@grantsvilleut.gov](mailto:cmontierth@grantsvilleut.gov)>, Markus Seat <[mseat@grantsvilleut.gov](mailto:mseat@grantsvilleut.gov)>, Shelby Moore <[smoore@grantsvilleut.gov](mailto:smoore@grantsvilleut.gov)>, Robert Sager <[rsager@grantsvilleut.gov](mailto:rsager@grantsvilleut.gov)>, Grantsville Fire <[grantsvillefire@grantsvilleut.gov](mailto:grantsvillefire@grantsvilleut.gov)>, Gina Mecham <[gmecham@grantsvilleut.gov](mailto:gmecham@grantsvilleut.gov)>, Grantsville Fire Chief <[firechief@grantsvilleut.gov](mailto:firechief@grantsvilleut.gov)>, Bill Cobabe <[bcobabe@grantsvilleut.gov](mailto:bcobabe@grantsvilleut.gov)>, Tae-Eun Ko <[tko@grantsvilleut.gov](mailto:tko@grantsvilleut.gov)>

Nothing from fire



**Nicholas Critchlow,**  
**Deputy Fire Marshal/Fire Inspector**  
Grantsville Fire Department  
26 N Center St, Grantsville, UT 84029  
Station: (435) 884-3343  
Cell: (435) 830-1006

[Quoted text hidden]

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**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Mon, Oct 27, 2025 at 2:09 PM

Thank you!

**Nicole Ackman**  
Planning and Zoning Administrative Assistant  
435-884-1674  
nackman@grantsvilleut.gov



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**Christy Montierth** <cmontierth@grantsvilleut.gov>  
To: Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>  
Cc: Andy Jensen <ajensen@grantsvilleut.gov>, Nicole Ackman <nackman@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Tae-Eun Ko <tko@grantsvilleut.gov>

Mon, Oct 27, 2025 at 3:17 PM

Private lane, no issues.

On Mon, Oct 27, 2025 at 12:56 PM Grantsville Fire Marshal <firemarshal@grantsvilleut.gov> wrote:

[Quoted text hidden]

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**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Gina Mecham <gmecham@grantsvilleut.gov>

Thu, Nov 6, 2025 at 10:56 AM

Gina,

Just follow up to see if you have had a chance to review this CUP application. Please let me know if you have any questions or concerns.

Best,

**Nicole Ackman**  
Planning and Zoning Administrative Assistant  
435-884-1674  
nackman@grantsvilleut.gov



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**Gina Mecham** <gmecham@grantsvilleut.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>

Thu, Nov 6, 2025 at 1:22 PM

Nicole,  
I see no issues.  
Thanks  
Gina Mecham  
Administrative Assistant  
435-884-1691



[Quoted text hidden]

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**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Gina Mecham <gmecham@grantsvilleut.gov>

Thu, Nov 6, 2025 at 1:32 PM

Thanks Gina!

**Nicole Ackman**  
Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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# AGENDA ITEM #2

Survey results regarding conditional use permits.



## Staff Report Summary for Conditional Use Permit Experience Survey: 26 Responses Collected

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### Purpose and Context:

Community and Development staff determined that public input should be sought regarding updates to Grantsville Land Use Ordinance Chapter 7: Conditional Uses. This has been an ongoing discussion between staff and the Planning Commissioners. Conducting a survey allows the City to gather feedback directly from the public about what they would like to see moving forward. The survey was posted on the Grantsville City Facebook page on November 19, 2025, with a response deadline of November 27, 2025. However, due to the upcoming holiday, results were pulled on November 25, 2025, to ensure the information could be included in the Planning Commission packet and posted on the City website prior to the meeting. In addition to the Facebook posting, each applicant who had applied for a Conditional Use Permit in the past 12 months was emailed directly. This feedback will help guide staff and the Planning Commission as they review the code and determine what revisions may be needed to Chapter 7.

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### 1. Have you recently applied for a Conditional Use Permit? If so, please describe your overall experience with the process.

#### Response Overview:

Most respondents who recently applied for a Conditional Use Permit (CUP) in Grantsville reported a positive and manageable experience, highlighting the ease of the online system and the helpfulness of staff. Applicants appreciated clear guidance, organized procedures, and support for first-time business owners. Examples include:

- “I loved the online options. They help you understand the process. It wasn’t difficult.”
- “Experience was not bad at all, Nichole and Shelby, amazing explaining the process.”
- “I applied for a Conditional Use Permit in April 2025... the staff at the Grantsville office were beyond helpful.”

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Overall, the feedback shows the CUP process is generally clear, supportive, and encourages successful completion.

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## **2. What, if anything, would you change about the Conditional Use Permit process?**

### **Response Overview:**

Respondents offered a mix of constructive suggestions and frustrations regarding the Conditional Use Permit (CUP) process in Grantsville. The main themes included improving clarity, speeding up approvals, reducing costs, and increasing public information and input. Examples include:

- Difficulty understanding requirements: “It was hard to explain in detail what was needed exactly but it all got worked out in the end.”
- Concerns about unnecessary permits: “I had to get a conditional use permit for a business license when my property was already zoned commercial/residential.”
- Long approval timelines: “Find a faster solution for approving or rejecting applications...waiting over two months...almost bankrupted me.”
- Need for better public information: “A way of informing new residents...a Conditional Use Permit is required...maybe require real estate listings or a notice from utility companies.”

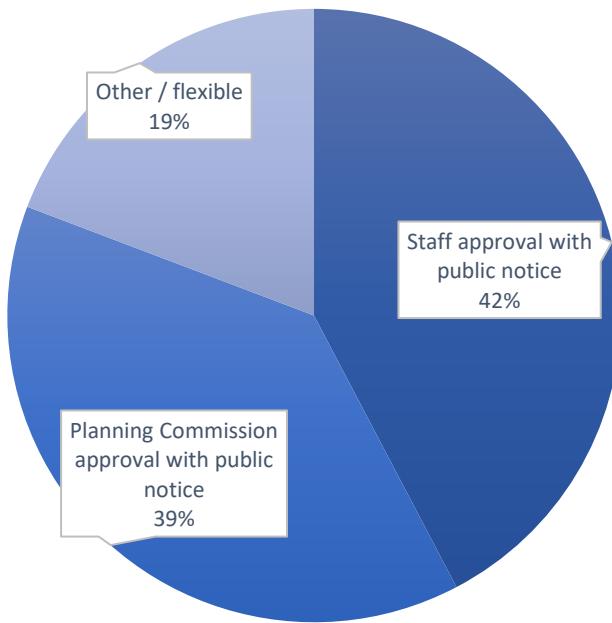
Overall respondents want the Conditional Use Permit process to be clearer, faster, and more transparent, with unnecessary steps reduced and better communication to the public.

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## **3. What process would you like to see conditional use permits go through?**

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### **Response Overview:**

Respondents shared preferences for Conditional Use Permit (CUP) review that balance efficiency, transparency, and community input. Many favored staff approvals with public notice for straightforward cases, while others preferred Planning Commission approval with public notice for larger or community-impacting projects. Some suggested a flexible approach depending on project scope, and a few raised concerns about public notice causing neighbor conflicts. Examples include:

- Staff approval with public notice: “Staff approval with informed neighbors and letters of support.”
- Planning Commission approval with public notice: “Things that change our town should be voted on and not based on a kickback from contractor.”
- Flexible approach: “It would depend on the scope of the conditional use.”
  
- Staff approval without notice: “My neighbors started treating me differently after they received the notice.”

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Overall, respondents want a Conditional Use Permit process that is proportional to the project's impact, efficient and straightforward for minor requests, while allowing public input and oversight for larger or community-sensitive projects.

---

#### **4. Please explain your answers.**

##### **Response Overview:**

Respondents shared a range of views emphasizing transparency, property rights, and proportional public involvement in Conditional Use Permit (CUP) decisions. Many noted that minor, low-impact requests should be handled administratively, while larger or community-affecting requests should involve public input and Planning Commission review. Key concerns included follow-through on permit conditions, perceived favoritism or political influence, and the balance between individual property rights and neighbor interests. Examples include:

- Support for staff-level approval for minor requests: "Most conditional use permits are small home businesses or pet wants or needs...staff approval should be sufficient with planning or council appeals available."
- Need for public input on larger impacts: "Some items have a greater bearing on the public and they deserve a say while others do not. One should have a public hearing, and one should not."
- Concerns about enforcement and accountability: "The public...have generally not been notified in a timely fashion...not sure there is follow-through on the permits to see if conditions are being met."
- Property rights and limits on neighbor influence: "I should be able to do with my land as long as it follows city code and my neighbors shouldn't get to change that."
- Criticism of political favoritism: "Grantsville city council/mayor/zoning commission ignore the voices of their constituents...too much favoritism for LDS church leaders and behind-the-scenes deals with developers."

Overall, respondents recommended a CUP process that is transparent, fair, and balanced, allowing public input where appropriate while respecting property owners' rights.

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Have you recently applied for a Conditional Use Permit? If so, please describe your overall experience with the process.	What, if anything, would you change about the Conditional Use Permit process?	What process would you like to see conditional use permits go through?	Please explain your answer.
I loved the online options.	It was hard to explain in detail what was needed exactly but it all got worked out in the end.	Staff approval with a public notice	
They help you understand the process. It wasn't difficult.	N/a	Planning Commission approval with a public notice, Staff approval with a public notice	
Great Nicole has been great !!	N/a	Staff approval with a public notice	
Yes.	The turn around time and approval process.	Staff approval without public notice. My neighbors started treating me differently after they received the notice.	Well I understand the importance of transparency why does my neighbor get to say in what I get to do with my property.
4 years ago I did, so not recent.	I had to get a conditional use permit for a business license when my property was already zoned commercial/residential. The business was 98% online, with a couple customers month coming by to pick up orders. Why was a conditional use permit necessary? I was already zoned commercial! All of this was in the application.  I was told to buy as many stamps and envelopes, as address on the list, but when I dropped off the list they crossed off at least a dozen address because they did not apply. No stamps or envelopes were returned to me. They are expensive! Tell me how many stamps and envelopes to bring once you have final numbers to reduce the applicants expense.	It would depend on the scope of the conditional use. Some need staff approval and some need planning commission with public notice.	Some items have a greater bearing on the public and they deserve a say while others do not. One should have a public hearing, and one should not.
No	Better information to the public	Things that change our town should be voted on and not based on a kickback from contractor	
No	Nothing	Planning Commission approval with a public notice	If it's something that doesn't really affect other people like my permit, I think the city should just approve it and let it go, but if it's big and affects other people then maybe get others opinions.
It's been a couple years but I think the process was not to overwhelming which I think allows people to actually follow through with getting conditional use permits versus continuing without.	It seems to me Grantsville has been pretty open and welcoming for people to use their own properties/ homes and access for small business. With the lack of Business development in Grantsville I think it needs to stay that way to keep business revenue within Grantsville.	Planning Commission approval with a public notice	I feel the zoning and planning committee has been very open to ideas to mediate differences between needs, wants and concerns within neighbors And bordering properties as well. please keep it within the zoning and planning approval because city council has proven their votes seem to be based off of their own opinions.
No	Consider public input, we live near these people, city officials drive by once	Public opinion and public heart	Grantsville city council/mayor/zoning commission ignore the voices of their constituents. To much favoritism For LDS church leaders and behind the scenes deals with developers
No not recently	The process seems good from an outside perspective	Planning Commission approval with a public notice	The public or those close to the area for the conditional U.S. permit generally have not been notified in a timely fashion and I would like to know who them enforces conditional use after it has been issued? I am not sure there is follow through on the permits to see if conditions are being met or any consequences/ fines if not
It was a lot but still positive	Make it simpler	Staff approval with a public notice	
No, I checked the permitting process and felt it was put into place for an easy way to deny a permit.	If developers are able to build higher density in 1/2 acre zones because it's their right to develop their land, the same rules should apply for current homeowners. Let current homeowners reach out to their neighbors for their opinions, if it isn't hazardous, this should have more weight than overly regulating how a person uses their land.	Staff approval with informed neighbors and letters of support. Along with any utility company approvals.	Explained
Yes	I was never contacted regarding the next steps.	n/a	Better follow through.
Smooth, Organized and expeditious	A way of informing new residents to Grantsville that purchased a home on "horse property" a Conditional Use Permit is required by the city prior to housing your animals. Maybe require real estate listings with a caption saying "city permit is required to house horses and livestock." or a notice on new contracts from utility companies....	Planning Commission approval with a public notice	
Experience was not bad at all, Nichole and Shellby, amazing explaining the proses.	City should provide the stamps and envelopes. It should be included in the process fees.	Staff approval with a public notice	
No	Let people do what they want with their property. Government needs to get out of the way.	Staff approval with a public notice	Make the process easier to get through.
no	Informing the public, having public input, actually listen and act based on public opinion	Planning Commission approval with a public notice	This city needs more transparency and needs to be aware of the public opinion. CUP should involve public input
No	Nothin	Staff approval with a public notice	Most conditional use permits are small home businesses or pet wants or needs such as more than allowed animals. Unless it is a large request the staff approval should be sufficient with planning or council appeals available.
No	Keep working it through zoning and planning committee then to city council for final approval	Planning Commission approval with a public notice	
No	N/A	Planning Commission approval with a public notice	
Yes	Clear and precise limitations, not 'we don't know' or 'the city code enforcement office should be able to help'.	Staff approval with a public notice	
I applied for a Conditional use Permit in April 2025, I am so very grateful to all the staff. I am a first time business owner, and had zero knowledge about obtaining licenses and permits. The staff at the Grantsville office, were beyond helpful. And I will always be grateful for their assistance.	Find a faster solution for approving or rejecting applications for such permits. Have a representative on hand to approve or deny the application.  In my case I had to wait over two months to have a meeting with the planning commission. Having to wait that long almost bankrupted me.	Staff approval with a public notice	Same as question #2.
No	Some explanation of limitations of municipalities powers vs private property rights at the time of Commission's action	Staff approval with a public notice	
No	Update what amount of property is actually needed for small birds, such as chickens, quail, etc.	Planning Commission approval with a public notice	The amount of land needed currently needs an update.
No	No sure	Staff approval with a public notice	I should be able to do with my land add long as it follows city code and my neighbors shouldn't get to change that.

# **AGENDA ITEM #3**

Discussion of Proposed Amendments to  
Chapter 7 – Conditional Uses

**Planning and Zoning**  
336 W. Main St.  
Grantsville, UT 84029  
Phone: (435) 884-1674



## STAFF REPORT

**TO:** Planning Commission

**FROM:** Bill Cobabe, Community Development Department

**MEETING DATE:** December 2, 2025

**PUBLIC HEARING DATE:** December 2, 2025

**RE:** Consideration of Amendment to the Conditional Uses Ordinance (Chapter 7)

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## Background

The Code from time to time needs revision to address the changing nature of our departments, the need to clarify some points in the Code, and to provide additional regulations to more closely align with the values and goals of the City. The proposed changes are outlined in detail in the report below and in the subsequent attachments. Please note that the changes in the Code are noted with **additions in green and bold** and **deletions are red and strikethrough**.

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## Proposed Amendments

(Please refer to the attached documents for the full text of the proposed Code changes).

### Chapter 7. Conditional Uses

The current Code allows for certain decisions related to an existing conditional use permit to be amended by approval of the Planning Commission. Certain modifications or changes can be made administratively by the Zoning Administrator, if they are found not to have a significant impact beyond the site. The proposed changes would require that any/all amendments to an approved conditional use permits go through the Planning Commission. Further, it defines the role of the Zoning Administrator as advisory, explicitly removing the authority to modify, remove, or alter conditions imposed.

The process for these amendments is as follows:

1. The Planning Commission makes a determination on a conditional use permit.
2. The applicant reviews conditions discussed and approved by the Planning Commission and, if desired, submits a written request (via email) for exercising the authority granted in Section 7.15 to appeal the conditions.

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3. The Zoning Administrator and other City Staff reviews the request to determine if it is a change that will not have a significant impact beyond the site. If so, the Zoning Administrator may administratively make an amendment. Otherwise...
4. When/if there is any doubt regarding the appropriateness or impact of the proposed change, the Zoning Administrator may send it to the Planning Commission for review and amendment.

This item is for discussion only at the Planning Commission meeting, pending any changes or revision to the Code agreed upon by the Planning Commission and after due public notice per local and state ordinance.

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## Staff Analysis

- It is within the rights and authority of the Planning Commission to make recommendations on revisions to the Code. The proposed changes clarify the role of the Zoning Administrator and Planning Commission regarding alterations to already-approved conditional use permits. All recommended changes of the Planning Commission must be approved by the City Council before the ordinance changes go into effect.
- Staff has worked with the Planning Commission Chair to get language that addresses concerns about potential conflicts with State Code while providing for public input and notification. Changes

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## Attachments

### Attachment 1: Proposed Changes to Chapter 7: Conditional Uses

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## Attachment 1: Proposed Changes to Chapter 7: Conditional Uses

### Chapter 7 Conditional Uses

#### **7.15 Amendment Of A Conditional Use Permit**

(a) The Zoning Administrator may administratively consider, approve, or disapprove modifications or changes which are consistent with the purpose and intent of this ordinance. In addition, such administrative determinations may be made only where the following conditions exist:

i. All additions, modifications, or changes are determined not to have significant impact beyond the site. **Significant impact means any measurable or observable effect of a development or land use that extends beyond the property on which it occurs and materially affects neighboring properties, public infrastructure, or community resources, including but not limited to increases in traffic, noise, light, stormwater runoff, or changes to visual character or intensity of use.** In determining whether a modification has a significant impact beyond the site, the Zoning Administrator shall consider objective data such as trip generation estimates, drainage calculations, hours of operation, and potential effects on adjoining land uses. The Administrator may require the applicant to provide supporting documentation as needed.

ii. **The Zoning Administrator shall provide notice of any decision made to modify conditions to the Planning Commission, City Council, and the public on the City's website.**

iii. Any decision of the Zoning Administrator may be appealed within 30 days to the Planning Commission.

(b) The Planning Commission may consider, approve with modifications, or disapprove amendments to a conditional use permit where the Zoning Administrator determines not to make an administrative determination as provided in (a) above and where the following requirements are met:

i. The proposed modification or amendment complies with the intent and purpose of these ordinances.

ii. **~~Reasonable conditions may be attached, where and to the extent that the Planning Commission finds, that the imposition of the conditions will directly mitigate or eliminate some aspect of the proposed amendment that violate the intent and requirements of this chapter. Impacts must be of the magnitude that without the mitigation or elimination thereof, the amendment to the conditional use permit could not be granted.~~ All conditions of approval, or any modifications of those conditions, shall be based on performance standards outlined in the GLUMDC and other adopted City regulations, standards, and specifications, unless negotiated separately in a master development agreement or other legally binding document.**

iii. All decisions of the Planning Commission regarding approval, denial, the imposition of special conditions may be appealed to the City Council as provided in this Chapter.

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# AGENDA ITEM #4

Consideration of a proposed amendment to the conditional use permit for the property located at 10 W Clark Street. The amendment would allow additional retail goods to be sold both online and in person.

**Planning and Zoning**  
336 W. Main St.  
Grantsville, UT 84029  
Phone: (435) 884-1674



## Grantsville City Staff Report

**Meeting Date:** December 2, 2025

**Public Hearing Date:** December 2, 2025

**Address:** 10 W Clark Street

**Parcel Number:** 01-051-0-0025

**Applicant:** Vickie Lake & Robyn Cox

**Agenda Item:**

Consideration of a proposed amendment to the conditional use permit for the property located at 10 W Clark Street. The amendment would allow additional retail goods to be sold both online and in person.

---

### 1. Background & Application History

On **May 29, 2025**, the Zoning Administrator approved a Conditional Use Permit (CUP) for a **produce stand** to operate as a home occupation at 10 W Clark Street, located in the **RM-7 Commercial Shopping District**.

On **November 19, 2025**, staff received information that the scope of the home occupation had expanded beyond the approved produce stand. Two additional small accessory structures had been placed on the property and retail activity had broadened without prior review. The following day, **November 20, 2025**, the applicant met with staff and initiated a formal CUP amendment request to bring the property into compliance.

The amendment seeks the following:

- Authorization to expand the retail activity to include non-produce goods sold on-site and online.
- Approval of two accessory buildings associated with the business.
- Review and approval of building placement and access.

---

### 2. Zoning & Land Use Analysis

#### a. Zoning Designation: RM-7 – Commercial Shopping District

- Home occupations are allowed with a Conditional Use Permit.
- Retail sales in conjunction with a home occupation may be considered but must not conflict with zoning performance standards.

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## b. CUP Amendment Required

The expansion of retail activity and addition of accessory structures constitutes a modification of the original approval and requires Planning Commission review.

---

### 3. Accessory Building Placement & Yard Requirements

#### a. Front Yard Restrictions

Both accessory buildings (“Building 2” and “Building 3”), each under 200 sq. ft., are located in the **front yard**.

**GLUMDC 4.9** states that yards must remain unobstructed “**except for permitted accessory buildings in the rear yard.**”

**GLUMDC 4.8** reinforces that required yard areas cannot be used as the yard for any other building.

Additionally, the **City Attorney’s memo** (Nov. 16, 2023) concludes that the City may reasonably interpret the code to prohibit accessory buildings in the front yard. This interpretation is based on the structure of the zoning ordinance, which distinguishes accessory-building setbacks everywhere except the front yard, indicating Council intent to restrict accessory buildings to the side or rear yards.

Use Table: Accessory Buildings Customarily Incidental to a Conditional Use

**Chapter 15 (RM-7 Use Table)** lists “**Accessory buildings and uses customarily incidental to conditional uses**” as an allowed use within the district.

The Use Table determines **whether** a use is allowed in a zone; it does **not** determine **where** on a lot that use can be placed.

Placement is governed by Chapters **4.8** and **4.9**, which explicitly restrict accessory buildings to the **rear yard** only.

In other words:

#### **Use Allowed?**

Accessory buildings incidental to a CUP are allowed in RM-7.

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This means the applicant *may* have accessory buildings supporting their conditional use, but Planning Commission needs to determine the location.

---

#### 4. Access & Circulation

The site plan depicts a **secondary access to Hale Street**.

- This access has **not** been approved.
- A secondary access application is required under City engineering standards.
- No access improvements may occur until approval is granted.

---

#### 5. Building Permit Requirements

- Buildings 2 and 3 are each below 200 sq. ft. and therefore do not require a building permit **unless utilities are installed**.
- The applicant has indicated a desire to run utilities to Building 3, which will require a building permit and full review.

---

#### 6. Building Coverage

The RM-7 zone allows a **maximum building coverage of 35%**.

- Lot area: **26,571.6 sq. ft.**
- Maximum allowed: **9,300 sq. ft.**
- Existing + proposed structures total approx. **1,727 sq. ft.**

**Conclusion:** The property remains **well below** the maximum coverage, and building coverage is not a limiting factor in the application.

---

#### 7. Findings

1. The property is zoned RM-7, which allows home occupations through a Conditional Use Permit.

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**Planning and Zoning**  
336 W. Main St.  
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2. The expansion of retail sales and placement of buildings 2 and 3 requires formal amendment to the existing CUP.
3. Based on GLUMDC Sections 4.8 and 4.9 and the City Attorney's interpretation, accessory buildings are permitted only in the rear yard, and placement of Buildings 2 and 3 in the front yard is **not compliant**.
4. The site plan shows a secondary access to Hale Street, which requires separate approval before being established.
5. Building coverage remains well within RM-7 limits, and building size itself is not a barrier to compliance.
6. Any structure receiving utilities must receive a building permit prior to installation.

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# Approved Conditional Use Permit – Home Occupation Permit

Approval Date:

Permit #: 2025072

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## Applicant / Owner

Applicant: Vickie Lake and Robyn Cox  
Jessop  
Address: 10 West Clark Street  
City, State, Zip: Grantsville  
Phone: 4358405418

## Location Information

Site Address:  
Site Parcel: 10 West Clark Street  
Business Name: Oakley Rae  
Current Zoning: RM-7

Request: To own and operate a produce stand on the residential property located at 10 West Clark Street, in the RM-7 zone.

---

## Specifics

### Facts and Findings:

1. Approval is for a produce stand that offers produce, eggs, and other various small goods.
2. Expected hours of operation are Monday - Saturday between 10:00am - 7:00pm.
3. Vickie lake and Robyn Cox Jessop will be the only employees.

### Conclusion of Law:

1. This is in compliance with the General Plan of Grantsville City.
2. This is in harmony with the surrounding uses in this area.
3. Activity will not impact the use of property for surrounding owners.

---

### This Permit has been issued with the following conditions:

1. A current business license must be maintained at all times.
2. The business must operate within the parameters of the approved application.
3. Any expansion of use requires prior approval.
4. Parking is prohibited within 30 feet of the stop sign to preserve clear sightlines and ensure intersection safety.
5. It is recommended that the stand be securely anchored to prevent tipping and ensure safety.
6. No animal meat is allowed to be sold without prior approval.
7. This permit will be subject to periodic administrative review by the Zoning Administrator.

---

Approved by Grantsville City: Zoning Administrator on 05/29/2025

*Shelby Moore*

Shelby Moore, Zoning Administrator

5/29/25

Date

# **Business Details:**

## **Location of Business**

Vicky, Robyn, and Kathy are requesting an amendment to the Conditional Use Permit for the property located at 10 W Clark Street. The proposed amendment includes adding two additional buildings on the site that will be used to retail non-food goods.

The existing farm stand will remain in the southeast corner of the property. Building #2 is proposed for the southwest side (front yard), and Building #3 is proposed for the southeast side (front), situated behind the farm stand.

## **Individuals Who Will Be Working at the Business**

- Vickie Lake
- Robyn Cox Jessop
- Kathleen Hunt

## **Days and hours of operation**

Monday - Saturday 10am -7pm

**Expected number of customers** per day will be 10 to 20

**No special equipment is needed.** All inventory will be stored in either the farm stand or one of the two proposed buildings.

**No chemicals needed**

PIPER MILL LLC  
01-051-0-0027  
R011810  
0.56 Acres  
141 N HALE ST



JESSOP ROBYN ANN JT  
01-051-0-0025  
R001337  
0.61 Acres  
10 W CLARK ST

Front Yard

Front Yard

CALLISTER STEVEN  
01-051-0-0024  
R010965  
0.33 Acres  
24 W CLARK ST

Hale St

PIPER MILL LLC  
01-051-0-0027  
R011810  
0.56 Acres  
141 N HALE ST

CALLISTER STEVEN  
01-051-0-0024  
R010965  
0.33 Acres  
24 W CLARK ST

JESSOP ROBYN ANN JT  
01-051-0-0025  
R001337  
0.61 Acres  
10 W CLARK ST

3rd Building: In person  
sales (similar to 2nd  
building)

2nd Building: On-line  
and in person sells.  
Non food items (ie  
baskets, doll furniture)

Farm Stand

Parking out Front

Hale St

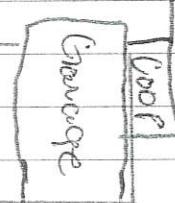
Clark St

# Notes

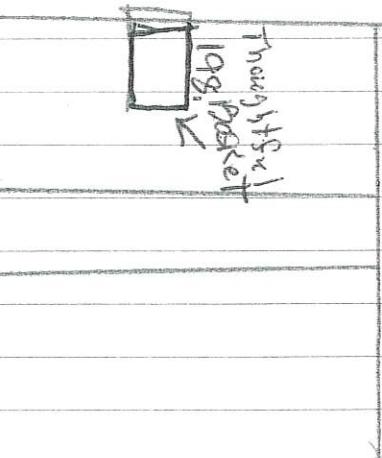
thegatheredgardenonClark@gmail.com

Chicken Run

Front Drive

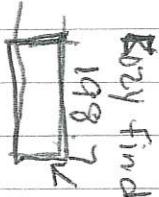


Main House



Back Drive

Kory finds



1987



Farm  
Stand

frontage

Hale Street

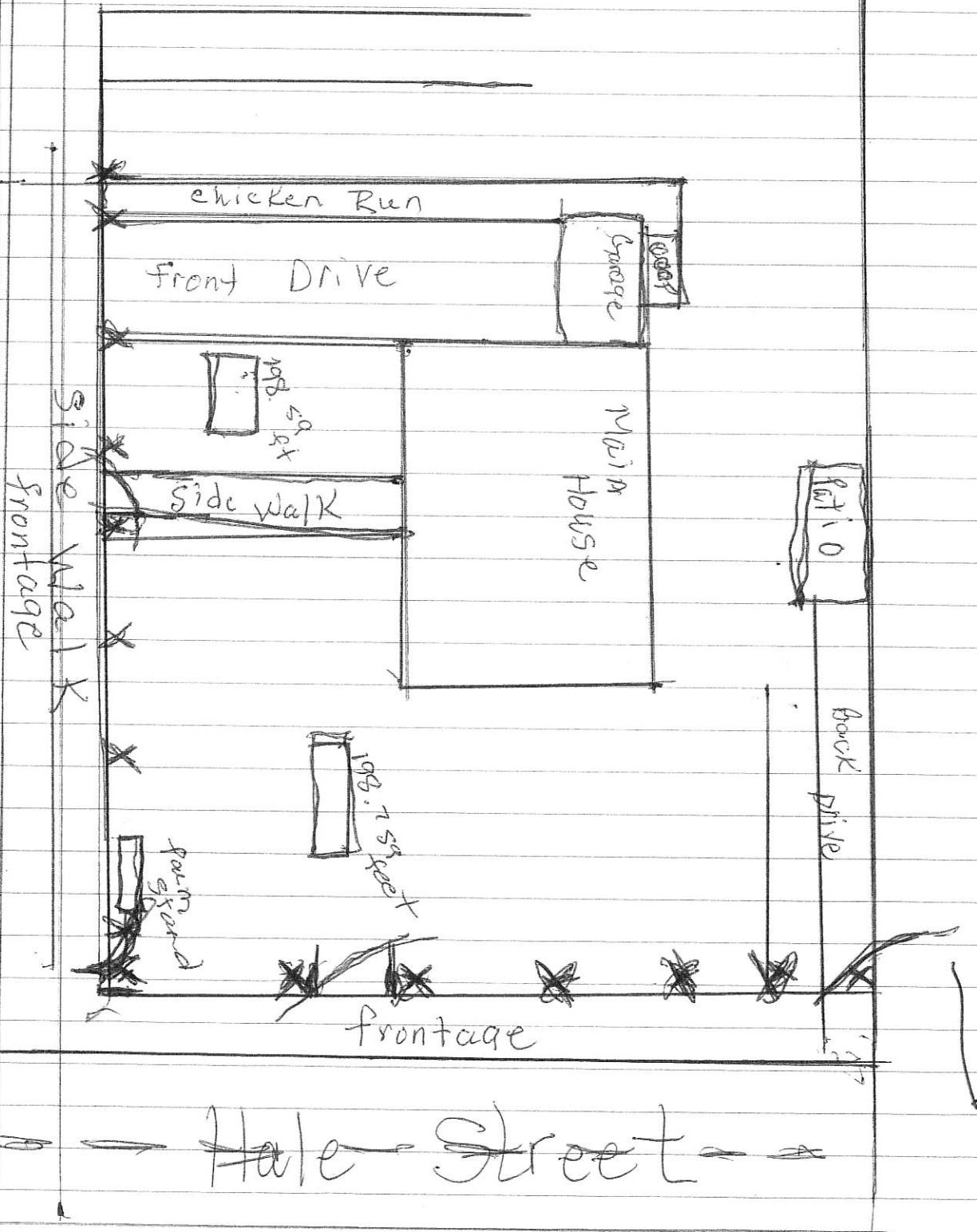
110

frontage

side walk

# Notes

Clark Street



R022678  
1.07 Acres  
68 W CLARK ST

EVEUER REBECCA JT  
01-051-0-0023  
R016569  
0.98 Acres  
46 W CLARK ST

MAGE ALBERT CURTIS JT  
01-051-0-0022  
R000381  
0.98 Acres  
36 W CLARK ST

CALLISTER STEVEN  
01-051-0-0024  
R010965  
0.33 Acres  
24 W CLARK ST

JAMES M CAPP  
01-051-0-0028  
R022382  
1.69 Acres  
155 N HALE ST

KNICKERBUCKER VANESSA L JT  
01-051-0-0026  
R013672  
0.28 Acres  
151 N HALE ST

PIPER MILL LLC  
01-051-0-0027  
R011810  
0.56 Acres  
141 N HALE ST

JESSOP ROBYN ANN JT  
01-051-0-0025  
R001337  
0.61 Acres  
10 W CLARK ST

VERNON ISOROKYU JT  
01-050-0-0045  
R022789  
0.44 Acres  
140 N HALE ST

JOHNSON BEAU JT  
01-050-0-0055  
R092302  
0.363 Acres  
128 N HALE ST

GABRIELLE RIBAS  
01-050-0-0051  
R031485  
0.29 Acres  
16 E CLARK ST

Clark St

Hale St

## **4.8 Yard Space For One Building Only**

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this Code shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

## **4.9 Yards To Be Unobstructed - Exceptions**

Every part of a required yard shall be open to the sky, unobstructed except for permitted accessory buildings in a rear yard, the ordinary architectural projections of skylight, sills, belt courses, cornices, chimneys, flues, and other ornamental features which project into a yard not more than 2 1/2 feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five feet.

## **4.10 Exceptions To Height Limitations**

Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, wireless, radio, or television masts, theater lofts, silos, energy generation and conservation apparatus, or similar structures may be erected above the height limits herein prescribed. Nonetheless no space above the height limit shall be allowed for purposes of providing additional floor space, nor shall such increased height be in violation of any other ordinances or regulations of Grantsville City.

## **4.11 Additional Height Allowed**

Public buildings and utility buildings, when authorized in a district, may be erected to a height greater than the district height limit by conditional use permit.

## **4.12 Minimum Height Of Dwellings**

No dwelling shall be erected to a height less than 1 story above grade, except in a planned unit development.

## **4.13 Accessory To A Dwelling Prior To Residence**

No building which is customarily accessory to a dwelling shall be erected prior to the dwelling, unless a conditional use permit has been approved by the Planning Commission.



Nicole Ackman <nackman@grantsvilleut.gov>

## CUP Application #2025072 Vicky Lake and Robyn Cox Jessop

12 messages

**Nicole Ackman** <nackman@grantsvilleut.gov>

Wed, Apr 23, 2025 at 4:59 PM

To: Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>  
Cc: Robert Sager <rsager@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>

Good afternoon,

Attached is a CUP application for a home-based occupation to own and operate a produce stand that sells produce, eggs, and nicknacks. Please review and provide any feedback or concerns you may have.

Thank you!

**Nicole Ackman**

Planning and Zoning Administrative Assistant

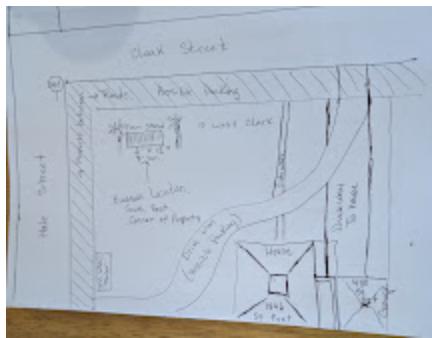
435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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### 3 attachments



**Site Map.jpg**  
875K

**Business Details.docx**  
13K

**CUP Application.pdf**  
90K

**Andy Jensen** <ajensen@grantsvilleut.gov>

Thu, Apr 24, 2025 at 7:28 AM

To: Nicole Ackman <nackman@grantsvilleut.gov>

Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>

If this is less than 200 square feet in size and has no power going to it, then only recommend that it is somehow anchored to not tip over or move. If there is power, then regardless of the size, a permit is required.

Andy Jensen  
Grantsville Building Official

ajensen@grantsvilleut.gov  
435-884-4617

[Quoted text hidden]

---

**Gina Mecham** <gmecham@grantsvilleut.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>

Thu, Apr 24, 2025 at 8:30 AM

Nicole,  
I have nothing for this address, just make sure they do not use 12 ft from the corner for parking in order to keep a clear line of sight.  
(4.16)  
Thanks  
Gina Mecham  
Administrative Assistant  
435-884-1691



On Wed, Apr 23, 2025 at 5:01 PM Nicole Ackman <nackman@grantsvilleut.gov> wrote:

[Quoted text hidden]

---

**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Gina Mecham <gmecham@grantsvilleut.gov>

Thu, Apr 24, 2025 at 10:51 AM

Thank you Gina! I have let the applicant know.

**Nicole Ackman**  
Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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[Quoted text hidden]

---

**Grantsville Fire Marshal** <firemarshal@grantsvilleut.gov>  
To: Andy Jensen <ajensen@grantsvilleut.gov>

Thu, Apr 24, 2025 at 4:26 PM

Cc: Nicole Ackman <nackman@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>

Nicole,

No concerns for Fire.

**Jason E. Smith**  
**Fire Chief/Fire Marshal**  
**Grantsville Fire Department**



**Cell: (801) 598-7049**  
**firemarshal@grantsvilleut.gov**

[Quoted text hidden]

**Shelby Moore** <smoore@grantsvilleut.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>  
Cc: Andy Jensen <ajensen@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Mon, Apr 28, 2025 at 8:32 AM

Nicole,

What type of food are they selling and do they have a secondary access permit?



**SHELBY MOORE**  
Planning & Zoning Administrator  
Department of Public Works  
Office: (435) 884-4604  
Email: [smoore@Grantsvilleut.gov](mailto:smoore@Grantsvilleut.gov)

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[Quoted text hidden]

**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Andy Jensen <ajensen@grantsvilleut.gov>  
Cc: Shelby Moore <smoore@grantsvilleut.gov>

Mon, Apr 28, 2025 at 8:43 AM

Andy,

The stand will not be more than 200 sq. ft and will not have power. I have advised that applicant that the stand needs to be anchored to not tip over or move.

Thank you,

**Nicole Ackman**  
Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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On Thu, Apr 24, 2025 at 7:29 AM Andy Jensen <ajensen@grantsvilleut.gov> wrote:

[Quoted text hidden]

**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Christy Montierth <cmontierth@grantsvilleut.gov>  
Cc: Shelby Moore <smoore@grantsvilleut.gov>

Mon, May 12, 2025 at 10:46 AM

Hello Christy,

Have you had a chance to look over this application?

Thank you,

**Nicole Ackman**

Planning and Zoning Administrative Assistant

435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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---

Mon, May 12, 2025 at 10:52 AM

**Nicole Ackman** <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>

To: Shelby Moore <[smmoore@grantsvilleut.gov](mailto:smmoore@grantsvilleut.gov)>

Shelby,

I'm not sure how I missed this comment earlier. They are selling eggs, produce, and knickknacks from a stand located at the corner of their property (not impeding the sight triangle). Customers will park on the street. Per Gina M., I advised them to maintain a 12-foot setback from the corner to ensure clear visibility.

Do they need secondary access? I've emailed Christy for feedback, as she is the only one I haven't heard back from yet. Public comments closed on May 7, and none were received.

If secondary access is not required and no concerns are raised by Christy, would this be okay to approve in-house?

Thanks,

**Nicole Ackman**

Planning and Zoning Administrative Assistant

435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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[Quoted text hidden]

---

Mon, May 12, 2025 at 12:58 PM

**Shelby Moore** <[smmoore@grantsvilleut.gov](mailto:smmoore@grantsvilleut.gov)>

To: Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>

Yes,

They will need a secondary access if they are showing a driveway on the site plan.

# SHELBY MOORE

Planning & Zoning Administrator  
Department of Public Works  
Office: (435) 884-4604  
Email: [Smoore@Grantsvilleut.gov](mailto:Smoore@Grantsvilleut.gov)

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[Quoted text hidden]

---

**Christy Montierth** <cmontierth@grantsvilleut.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>  
Cc: Shelby Moore <smoore@grantsvilleut.gov>

Mon, May 12, 2025 at 1:59 PM

No parking 30 feet from the stop sign to preserve clear sightlines for safety at the intersection.

[Quoted text hidden]

---

**Nicole Ackman** <nackman@grantsvilleut.gov>  
To: Shelby Moore <smoore@grantsvilleut.gov>

Mon, May 12, 2025 at 2:37 PM

Shelby,

I have spoken to Robyn and advised her to submit an application for the secondary driveway that she has on her site plan.

Thank you,

## Nicole Ackman

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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[Quoted text hidden]



Nicole Ackman <nackman@grantsvilleut.gov>

## RE: [EXTERNAL]

3 messages

**Wade Tolbert** <wade.tolbert@tooeleco.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>

Thu, Apr 17, 2025 at 3:12 PM

We think it won't be considered a Microenterprise kitchen. Unless the eggs are cooked and served. If it is fresh farm eggs maybe check and see if Utah Department of Agriculture and food has any permitting requirements.

---

**From:** Nicole Ackman <nackman@grantsvilleut.gov>  
**Sent:** Wednesday, April 16, 2025 12:48 PM  
**To:** Wade Tolbert <wade.tolbert@tooeleco.gov>  
**Subject:** [EXTERNAL]

**This Message originated outside our organization. Please use caution when clicking links or attachments.**

---

Hello Wade,

I have an applicant who wants to sell eggs from her front yard as a home occupation. Since she would be selling eggs, would this be considered a Microenterprise Home Kitchen Operation?

Thanks,

**Nicole Ackman**

Planning and Zoning Administrative Assistant

435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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**Wade Tolbert** <[wade.tolbert@tooeleco.gov](mailto:wade.tolbert@tooeleco.gov)>  
To: Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>

Thu, Apr 24, 2025 at 8:46 AM

No, where this is isn't a food establishment or a temporary event it wouldn't be required.

---

**From:** Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>  
**Sent:** Wednesday, April 23, 2025 4:52 PM  
**To:** Wade Tolbert <[wade.tolbert@tooeleco.gov](mailto:wade.tolbert@tooeleco.gov)>  
**Subject:** [EXTERNAL] Re:

**This Message originated outside our organization. Please use caution when clicking links or attachments.**

---

Wade,

Do they need to have a food handlers permit to sell eggs and produce? Per the Utah food code they do not need one but wanted to check and see if it's different in Grantsville.

Thanks,

## Nicole Ackman

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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On Wed, Apr 16, 2025 at 12:48 PM Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)> wrote:

Hello Wade,

I have an applicant who wants to sell eggs from her front yard as a home occupation. Since she would be selling eggs, would this be considered a Microenterprise Home Kitchen Operation?

Thanks,

## Nicole Ackman

Planning and Zoning Administrative Assistant

435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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[Quoted text hidden]

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**Nicole Ackman** <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>  
To: Wade Tolbert <[wade.tolbert@tooeleco.gov](mailto:wade.tolbert@tooeleco.gov)>

Thu, Apr 24, 2025 at 10:48 AM

Thank you Wade!

## Nicole Ackman

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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#### 4 attachments

**Erickson\_Estates\_PUD-recorded.pdf**  
12023K

**25301-SITE PLAN REDLINES.pdf**  
298K

**Brett Coombs front yard acc bld.pdf**  
283K

**25301-GIC Approved Site plan.pdf**  
113K

---

**Tysen Barker** <tbarker@grantsvilleut.gov>

Mon, Aug 4, 2025 at 5:37 PM

To: Gina Mecham <gmecham@grantsvilleut.gov>

Cc: Shelby Moore <smoore@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Lyle Perkins <lperkins@grantsvilleut.gov>

Hi Gina,

Brett's letter concluded that accessory buildings are prohibited in the front yard. My take on this is that it is not uncommon for a road to be stubbed for future development and we should hold those corner lots (even if they are not currently on the corner of a developed road) to the setback requirements for corner lots. However, it may be possible for them to obtain a setback variance from the Board of Adjustment if they can demonstrate that the current setback causes an unreasonable hardship and that the variance is essential to the enjoyment of a substantial property right and that they otherwise comply with 3.25. If they are encroaching on a PUE, then they would want to obtain encroachment letters from utility companies either prior to review by the Board or as a condition of approval of the variance from the Board. Being a corner lot, sight triangles are always a concern, and so any encroachment approval should be limited to avoid jeopardizing public safety in the event Wrathall gets built out.

What are your thoughts, Shelby?

-Tysen

[Quoted text hidden]

---

**Shelby Moore** <smoore@grantsvilleut.gov>

Tue, Aug 5, 2025 at 8:28 AM

To: Tysen Barker <tbarker@grantsvilleut.gov>

Cc: Gina Mecham <gmecham@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Lyle Perkins <lperkins@grantsvilleut.gov>



Gina Mecham <gmecham@grantsvilleut.gov>

## Fwd: Non-Compliance Shed

Cavett Eaton <ceaton@grantsvilleut.gov>  
To: Gina Mecham <gmecham@grantsvilleut.gov>, Lyle Perkins <lperkins@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>

Thu, Nov 16, 2023 at 4:02 PM

Sorry  
Have a great day,  
Cavett

*Cavett Eaton*

Planning & Zoning Administrator  
336 West Main Street  
Grantsville, UT 84029  
(435) 884-4604  
ceaton@grantsvilleut.gov



----- Forwarded message -----

From: Brett Coombs <bcoombs@grantsvilleut.gov>  
Date: Thu, Nov 16, 2023 at 3:17 PM  
Subject: Re: Non-Compliance Shed  
To: Cavett Eaton <ceaton@grantsvilleut.gov>  
Cc: Jesse Wilson <jwilson@grantsvilleut.gov>, Lanise Thompson <lthompson@grantsvilleut.gov>

Cavett,

You are correct. The ordinance does not expressly foreclose the construction of an accessory dwelling in the front/side yard. However, just because it is not written expressly, does not mean that it is permitted. The City is allowed to interpret its laws anyway that is fair and reasonable. In this case, a reasonable reading of 15.1 would be that the only location permitted for an accessory dwelling would be in the side yard or the back yard. My analysis is as follows:

In the setbacks table, it lists a different setback for "Rear Yard" as opposed to "Rear Yard for Accessory Buildings". Also, "Side Yard" is listed separate from "Side Yard for Main Buildings". There would be no reason to include a separate setback for "accessory building" or "main building" unless the City Council intended to treat construction of accessory buildings separate from main buildings. We don't see the ordinance treating front yard the same as rear or back yard. There is only one setback listed for the front yard. Since the ordinance excludes any mention of accessory or main building in the front, it could be inferred that the Council does not want anything other than the main building in the front.

My conclusion is further supported by a couple other ordinances, 4.8 and 4.9. 4.8 state that any space set aside for a yard or open space may not be utilized for the construction of a building. (By and by this creates all sorts of other problems when we think about how 4.8 could be used to prohibit any buildings in backyards, but for the purposes of this analysis, we will just consider the ordinance text and not all its potential effects). 4.9 states that yards are to be "unobstructed except for permitted accessory buildings in the *rear yard*..." This suggests that accessory buildings are only permitted in rear yards.

Based on the totality of the evidence, I think it is reasonable to interpret the code as prohibiting accessory buildings in a front yard.

NOTE: The City's decision in this case may have unintended consequences, so I recommend the City consider the potential ramifications before moving forward with any action. Specifically, if the City decides that accessory buildings are prohibited in front yards, there are residents who have livestock barns, hay barns, utility buildings, etc... in their front yards. Is the City prepared to move forward with citations for each of those citizens? Another potential option, is the City adopt a new ordinance which expressly forbids construction of a shed in the front yard. Doing so, would not help in this instance, but it would clear up the City's position moving forward.

Hope this helps.

Thanks,

Brett M. Coombs  
City Attorney  
Grantsville City  
429 East Main Street  
Grantsville, Utah 84029

Attorney's Office: (435) 884-4635  
City Hall: (435) 884-3411  
Fax: (435) 884-0426

[Quoted text hidden]



Nicole Ackman <nackman@grantsvilleut.gov>

## Amended CUP #2025072 - 10 W Clark Street

11 messages

**Nicole Ackman** <nackman@grantsvilleut.gov>

Fri, Nov 21, 2025 at 12:51 PM

To: Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Good afternoon everyone,

We have received a request to amend CUP #2025072 to allow two additional buildings on the property for the sale of non-food items. Both structures are proposed to be under 200 sq. ft., and at this time they will not include any utilities. The applicant is aware that a building permit will be required if utilities are added in the future.

This item is scheduled to go before the Planning Commission on **December 2, 2025**. Due to the holiday next week, we will need all feedback or concerns **no later than the end of day Tuesday, November 27th**. The packet will be sent to the Planning Commission and posted on Wednesday.

Please review and provide any feedback or concerns you may have. Attached are the original approved CUP, the original site plan, and the amended site plan.

Let me know if you have any questions.

Best,

**Nicole Ackman**

Planning and Zoning Administrative Assistant  
435-884-1674

[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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---

3 attachments



**Site Plan.jpg**  
122K

 **Signed CUP.pdf**  
308K

 **Amended Site Plan.pdf**  
129K

---

**Andy Jensen** <ajensen@grantsvilleut.gov>  
To: Nicole Ackman <nackman@grantsvilleut.gov>  
Cc: Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Fri, Nov 21, 2025 at 2:23 PM

Being less than 200 square feet with no utilities, what do these do for the lot coverage? Otherwise, no concerns.

Andy Jensen  
Grantsville Building Official  
[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)  
435-884-4617

[Quoted text hidden]

---

**Shelby Moore** <smoore@grantsvilleut.gov>  
To: Andy Jensen <ajensen@grantsvilleut.gov>  
Cc: Nicole Ackman <nackman@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Mon, Nov 24, 2025 at 8:16 AM

Nicole,

Since the code references that no accessory building cannot be placed in the front yard this will need to go to PC.

Andy, the applicant, wants to connect these to power in the future. Are there any regulations they should anticipate?



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**Andy Jensen** <ajensen@grantsvilleut.gov>  
To: Shelby Moore <smoore@grantsvilleut.gov>  
Cc: Nicole Ackman <nackman@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham

Mon, Nov 24, 2025 at 9:05 AM

<gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

When a structure, ir-regardless of its size, will have a utility within it, the code requires that it is somehow anchored.

Andy Jensen  
Grantsville Building Official  
[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)  
435-884-4617

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**Nicole Ackman** <nackman@grantsvilleut.gov>

Mon, Nov 24, 2025 at 10:00 AM

To: Andy Jensen <ajensen@grantsvilleut.gov>

Cc: Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Andy,

Robyn came into the office today and stated that she would like to have power run to Building #3. I informed her that, based on the current locations of Buildings 2 and 3, both structures are situated in the front yard, which is not allowed under our code. Because of this, she will need to obtain approval from the Planning Commission to keep those buildings in the front yard.

Additionally, since she is planning to run power to Building #3, she will be required to obtain a building permit. I will also let her know that, regardless of whether a building permit is required, both buildings must be anchored. Please see attached hand drawn site plan.

Best,

**Nicole Ackman**

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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**Hand Drawn Site Plan.pdf**  
442K

**Nicole Ackman** <nackman@grantsvilleut.gov>

Mon, Nov 24, 2025 at 11:00 AM

To: Andy Jensen <ajensen@grantsvilleut.gov>

Cc: Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Andy,

Sorry I didn't address your question regarding maximum building coverage. This property is zoned RM-7, which allows up to 35% lot coverage. Based on their lot size, they are permitted up to 9,300 square feet of building coverage. Currently, they are at 1,727 square feet, which includes the house, carport, covered porch, and farm stand.

Best,

**Nicole Ackman**

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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**Christy Montierth** <cmontierth@grantsvilleut.gov>

Mon, Nov 24, 2025 at 11:12 AM

To: Nicole Ackman <nackman@grantsvilleut.gov>

Cc: Andy Jensen <ajensen@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

No Public Works concerns.

[Quoted text hidden]

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**Gina Mecham** <gmecham@grantsvilleut.gov>

Mon, Nov 24, 2025 at 4:52 PM

To: Christy Montierth <cmontierth@grantsvilleut.gov>

Cc: Nicole Ackman <nackman@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Nicole and Shelby,

10 W Clark St is a corner lot with 2 Front yard setbacks of 25 ft and 2 side yards of 6 ft. There are no easements on the property and it is not in a subdivision. As long as the homeowner places the building behind the front setback in the buildable envelope they are not in the front yard and not violating the front yard requirement. The home was built 73 ft off the property line on Clark St. and 54 ft off of Hale St. The home was built in 1930. The earliest zoning I can find is in 1970 as an R-2. Front 30' Side 6'. It was changed to RM-7 OD 86-10.

The earliest record I have for setback is from 1996

**Minimum Yard Setback Requirements:**

Front Yard	25 feet.
Rear Yard for Main Buildings	20 feet
Rear Yard for Accessory Buildings	1 foot
Rear Yard for Accessory Buildings on a Corner Lot	10 feet
Side Yard	6 feet
Total of the two required side yards	18 feet
On corner lots, 2 front yards and 2 rear yards are required.	

Based on this information and the placement of the buildings, potentially I don't see the need for them to go to the Planning Commission. Please see attached site plan.

Thanks

Gina Mecham  
Administrative Assistant  
435-884-1691



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**10 w clark site plan.pdf**  
212K

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**Shelby Moore** <smoore@grantsvilleut.gov> Mon, Nov 24, 2025 at 4:57 PM  
To: Gina Mecham <gmecham@grantsvilleut.gov>  
Cc: Christy Montierth <cmontierth@grantsvilleut.gov>, Nicole Ackman <nackman@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Bill Cobabe <bcobabe@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>

Gina,

Please outline the code and your interpretation of it.

Thank you.



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**Nicole Ackman** <nackman@grantsvilleut.gov> Tue, Nov 25, 2025 at 11:20 AM  
To: Grantsville Fire <grantsvillefire@grantsvilleut.gov>, Grantsville Fire Chief <firechief@grantsvilleut.gov>, Grantsville Fire Marshal <firemarshal@grantsvilleut.gov>, Robert Sager <rsager@grantsvilleut.gov>  
Cc: Bill Cobabe <bcobabe@grantsvilleut.gov>, Markus Seat <mseat@grantsvilleut.gov>, Christy Montierth <cmontierth@grantsvilleut.gov>, Andy Jensen <ajensen@grantsvilleut.gov>, Gina Mecham <gmecham@grantsvilleut.gov>, Shelby Moore <smoore@grantsvilleut.gov>

Good afternoon,

This item is scheduled to go before the Planning Commission on December 2, 2025, and we need to finalize the packet. Fire and Robert, have you had a chance to review the amendment? If so, do you have any feedback or concerns?

Best,

## Nicole Ackman

Planning and Zoning Administrative Assistant  
435-884-1674  
[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)



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**Grantsville Fire Marshal** <[firemarshal@grantsvilleut.gov](mailto:firemarshal@grantsvilleut.gov)>

Tue, Nov 25, 2025 at 11:28 AM

To: Nicole Ackman <[nackman@grantsvilleut.gov](mailto:nackman@grantsvilleut.gov)>

Cc: Grantsville Fire <[grantsvillefire@grantsvilleut.gov](mailto:grantsvillefire@grantsvilleut.gov)>, Grantsville Fire Chief <[firechief@grantsvilleut.gov](mailto:firechief@grantsvilleut.gov)>, Robert Sager <[rsager@grantsvilleut.gov](mailto:rsager@grantsvilleut.gov)>, Bill Cobabe <[bcobabe@grantsvilleut.gov](mailto:bcobabe@grantsvilleut.gov)>, Markus Seat <[mseat@grantsvilleut.gov](mailto:mseat@grantsvilleut.gov)>, Christy Montierth <[cmontierth@grantsvilleut.gov](mailto:cmontierth@grantsvilleut.gov)>, Andy Jensen <[ajensen@grantsvilleut.gov](mailto:ajensen@grantsvilleut.gov)>, Gina Mecham <[gmecham@grantsvilleut.gov](mailto:gmecham@grantsvilleut.gov)>, Shelby Moore <[smoore@grantsvilleut.gov](mailto:smoore@grantsvilleut.gov)>

Good from fire



**Nicholas Critchlow,**  
**Deputy Fire Marshal/Fire Inspector**  
Grantsville Fire Department  
26 N Center St, Grantsville, UT 84029  
Station: (435) 884-3343  
Cell: (435) 830-1006

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# **AGENDA ITEM #5**

Approval of minutes from the November 4, 2025 Planning Commission Regular Meetings, and the November 18, 2025 Joint Working Meeting.

**Action Summary:**

<b>Agenda Item</b>	<b>Item Description</b>	<b>Action</b>
#1	Proposed conditional use permit for Scott Roskelley to own and operate Cirque Roskelley at his residence located at 775 S Cedar Road in the R-1-21 zone. The business will provide trapeze and aerial silks training for performers.	Approved
#2	Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations and Chapter 2 Definitions, specifically regarding sign-related definitions.	Approved
#3	Consideration of a Request for an Extension of the Matthews Meadows Subdivision Phase 2 Plat Approval.	Approved
#4	Consideration of the proposed Master Development Agreement with VT Grantsville Land Co, LLC, for the Deseret Subdivision.	Tabled
#5	Discussion of Proposed Amendments to Chapter 7 – Conditional Uses	Discussed
#6	Approval of minutes from the October 2, 2025 Planning Commission Regular Meetings.	Approved

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON NOVEMBER 4, 2025 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 Derek Dalton, Vice-Chair Sarah Moore, Debra Dwyer, Jason Hill, Chris Horrocks

**On Zoom:** Jason Hill

**Commission Members Absent:**

**Appointed Officers and Employees Present:** Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Community and Development Director Bill Cobabe, City Engineer Barry Bunderson, Planning and Zoning Administrative Assistant Nicole Ackman.

**On Zoom:**

**Citizens and Guests Present:** Tony Knowlton, Trevor Wood, Scott Roskelley, Ashtyn Roskelley, Nicole Aston, Linda Brown Roskelley, Georgia Roskelley, Maverick Roskelley, Ammon Aston, Kin Lefevre, Unknown, Gary Pinkham, Shawn Holste, Roger and Jana Hale, Jim Keeth, Shaun Johnson, Scott Stapley, Sarah Stapley, Cheri Gibbs, Michael Gibbs

**Citizens and Guests Present on Zoom:** Unknowns

**Chair Derek Dalton 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 Tuesday, November 4, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **PUBLIC HEARING**

- a) Proposed conditional use permit for Scott Roskelley to own and operate Cirque Roskelley at his residence located at 775 S Cedar Road in the R-1-21 zone. The business will provide trapeze and aerial silks training for performers.**

**Jim Keeth:** Jim Keeth was present to comment on this item. He stated that he was a neighbor of the Ross-Killeys and shared concerns and points of curiosity regarding the matter. He noted that he had reviewed the details associated with the item. His first concern was parking. He stated when he lived in Salt Lake he observed that during events and gatherings, vehicles were not parked as identified, with five to seven cars often parked in the driveways down Redwood. He noted that the two homes in question were not yet sold, raising concerns about potential congestion. He clarified that this may or may not be an issue but wanted to raise it as a point of curiosity for himself and the neighbors. He also stated concern to hours of operation, Monday through Sunday. He mentioned that currently, there was not much activity and there was little concern. His question pertained to the frequency and number of lessons or events that would occur at the location. He noted that at present it was very quiet and not disruptive, which was positive. He concluded by stating that these points were shared purely as points of curiosity as a local, close neighbor regarding how the operation would move forward.

- b) Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations and Chapter 2 Definitions, specifically regarding sign-related definitions.**

**Email Received 11/4/2025:**

November 4, 2025

sent via email

Honorable Chairman Dalton and the Grantsville Planning Commission:

Re: Proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations and Chapter 2 Definitions, specifically regarding sign-related definitions

I am contacting you on behalf of the [Utah Sign Association](#) and the [International Sign Association](#). Both associations work with jurisdictions throughout Utah and beyond To assist in the creation of beneficial and enforceable on-premises sign regulations.

We appreciate the inclusion of many of our recommendations in this draft of the sign code. However, we do have recommendations for the proposed mandated monuments signs on SR-138 and SR-112 corridors and in other districts.

The existing code encourages monument signs as stated in Section 20.8 (1), “all planned commercial and industrial zones and commercial zones located along the commercial corridor of SR-138 and SR-112.”

The proposed code in Section 20.8 (1) states the following: Monument signs along these roads (SR-138 and SR-

112) and in other commercial centers or industrial zones shall be a maximum of six feet (6') high, unless they are multi-tenant (two or more businesses per sign) signs, in which case the sign may be up to twenty feet (20'). Monument signs shall be comparable in aesthetic theme and style to the overall commercial development in the area and complementary to other existing signs.

As an alternative to mandating monument signs along the commercial corridors of SR-138 and SR-112 in other commercial centers or industrial zones we recommend that the Planning Commission incentivize monument signs that have a maximum height of 10' rather than 6' with a bonus such as a 5% increase in allowable wall sign area. We also recommend that the proposed standard for freestanding signs be at a 20' height for all commercial and industrial districts along with the SR-138 and SR-112 corridors for following reasons:

American Planning Association's Street Graphics and the Law recommends that sign copy be located no lower than 5' from grade due to other vehicles that will block the sign.

*" For signs providing roadside information in primarily vehicular-oriented environments, the height above grade of the sign or sign copy has a pronounced effect on an approaching motorist's ability to detect and read the message displayed. As is documented in the research publication, Sign Visibility, Effects of*

*Traffic Characteristics and Mounting Height (2003), the simple presence of other vehicles on the road (i.e., in front, in an adjacent travel lane, or in travel lanes in the opposite direction) can potentially prevent a driver from detecting a sign. If a sign is situated at or below five feet above grade, other vehicles may block the driver's view, and the sign copy will not be legible (Figure 4.7). (Mandelker, D.R. J.M. Crawford,*

*R.B. (2015). Street Graphics and the Law, 4<sup>th</sup> ed. American Planning Association, pg. 35.)*

*Therefore, to safely accommodate a monument sign and ensure reasonable visibility we recommend that monument signs be at 10' in height with sign copy no lower than 5' above grade.*

- Monument signs require a much higher upfront investment compared to other sign types, making them financially burdensome for small businesses or tenants with limited resources.*
- Since many freestanding signs will become nonconforming, this may very well lead to a mix of older, taller, or differently styled signs alongside newer, smaller, signs. This inconsistency can create a visually cluttered or disjointed streetscape, which may undermine the aesthetic goals of a uniform signage code, leading to a less attractive commercial and industrial environment.*
- New businesses are placed at a disadvantage because they must comply with the more restrictive signage requirements from the start, often resulting in smaller, less visible signs compared to some existing signs still in place under nonconforming status. This unequal footing can impact their ability to compete effectively for customers.*

Therefore, we respectfully request that the Planning Commission consider incentivizing 10' tall monument signs along the SR-138 and SR-112 corridors and in other commercial centers or industrial zones. In addition, allow for freestanding signs be at a 20' height for all commercial and industrial districts along with the SR-138 and SR- 112 corridors.

We appreciate your consideration of our recommendations.  
Sincerely,

James Carpentier

**Candace Horn:** Candace Horn was present to comment via Zoom. She introduced herself and read James Capentier's letter aloud. The letter had been provided above.

**c) Consideration of the proposed Master Development Agreement with VT Grantsville Land Co, LLC, for the Deseret Subdivision.**

**Gary Pinkham:** Gary Pinkham was present to comment on this item. He stated that the commission should have received an email from him containing a list of items, and he wanted to address a couple of them this evening. Gary Pinkham stated that per Section 3.3.1 indicates the developer only needs to be in substantial compliance with the agreement, plan, code, and other requirements. He expressed concern that the Utah or Grantsville City code and the agreement with the city should be specific, and giving developers an “out” by allowing substantial compliance rather than full compliance was problematic. He argued that “substantial” was an arbitrary definition that could lead to legal disputes. He recommended that 3.3.1 be revised to require full compliance, and that any deviations require the developer to return to the Planning Commission and City Council for revisions. He then addressed Sections 6.1 and 6.2, noting that they allow on-site and off-site infrastructure to be completed up to two years after recording the plat. Since developers are allowed up to a year to record the plat, this could result in a three-year delay before infrastructure, such as sewer, water, streets, and fire hydrants, is complete. He emphasized that a building permit cannot be issued until infrastructure is complete, in accordance with fire code, and questioned why the agreement extended the timeline so far into the future. He suggested developers would likely want to complete infrastructure sooner. Gary Pinkham also discussed Section 6.3 regarding sewer plant qualifications for expanded capacity and noted conflicting language stating completion within “2/8 years.” He emphasized the need to align added capacity with the timing of development to ensure infrastructure is available when homes are built. He highlighted confusing references throughout the text, such as “build out 11, infrastructure 9, plan 7, code 5,” which lacked clear connection to the text or drawings. He questioned the meaning of “Code 5” and stressed that, as a legal document, the agreement should be clear and enforceable, recommending it be cleaned up before submission.

## **AGENDA**

**1. Proposed conditional use permit for Scott Roskelley to own and operate Cirque Roskelley at his residence located at 775 S Cedar Road in the R-1-21 zone. The business will provide trapeze and aerial silks training for performers.**

Scott Roskelley was present to answer questions about the item. Planning and Zoning Administrator Shelby Moore explained that, under Section 8.1 for Home Occupations, any client visits to a residence for services like barbers, beauticians, or tax preparation require Planning Commission approval. She noted that a commissioner had observed the trapeze structure earlier in the day, and the applicant confirmed it was for personal use, not business purposes.

Shelby reviewed the proposed operation. She explained that Scott, Linda, Maverick, and Ashton, all family members, would hold small monthly training sessions using the trapeze equipment. She provided site details, including lot size, driveway, on-street parking availability, and the trapeze footprint. Shelby confirmed the proposal met code requirements and recommended approval.

Vice-Chair Sarah Moore said the proposal fit the purpose of home occupation rules and expressed no concerns. Commissioner Dwyer noted that the use did not seem likely to create significant traffic issues and asked if the business was expected to grow. Scott responded that they did not plan substantial growth and that the facility primarily serves family and acrobatic troupe members, with limited outside use. Commissioner Dwyer added that the property appeared well-maintained during her drive by earlier that day.

Commissioner Dwyer also asked about maximum building height. Shelby explained the code allows up to 35 feet, and the trapeze structure is 34 feet. She asked if a winter cover might increase the height, and Scott confirmed no cover would be added.

Chairman Dalton raised questions about liability and safety. Shelby clarified the city has no liability since the structure is on private property. Scott added that the trapeze was designed by engineers and aerial performance experts and that insurance protects both the property and neighbors.

Motion Sarah approval with conditions in the staff report Debra second all in favor

**Sarah Moore made a motion to recommend approval of the proposed conditional use permit for Scott Roskelley to own and operate Cirque Roskelley at his residence located at 775 S Cedar Road in the R-1-21 zone. The business will provide trapeze and aerial silks training for performers. With the following conditions:** **Compliance with City Code:** All requirements of the Grantsville City Code must be met, **Payment of Fees:** All fees associated with the permit and future permits must be paid, **Health and Safety Standards:** All industry standards regarding health, safety, and welfare regulations must be followed, **State Licensing:** The permit holder must maintain current state licensing at all times, **Business License:** The permit holder must maintain a current business license at all times, **Scope of Use:** The use of the property must remain within the parameters approved in the application, and any expansion of use requires prior approval, **Administrative Review:** This permit may be periodically reviewed by the Zoning Administrator and/or reviewed if any complaints are received, **Non-Compliance Consequences:** Failure to comply with any of these requirements may result in revocation of the permit, **The trapeze structure will not exceed 35 feet in height, in accordance with Section 15.1 of the Residential District (R-1-21) zoning regulations.** Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore "Aye," Deborah Dwyer "Aye," Chris

**Horrocks “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

**2. Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations and Chapter 2 Definitions, specifically regarding sign-related definitions.**

Community and Development Director Bill Cobabe was present to answer questions on this item. Planning and Zoning Administrator Shelby, explained that the portion of Main Street under discussion is a state road, and the state has jurisdiction over sign placement, height, and certain building code requirements. She clarified that even with city regulations in place, UDOT ultimately determines approvals, but a conditional use permit from the city and a building permit are still required before signs can be installed.

Community and Development Director Bill addressed questions from industry representatives, noting that while legal concerns had been resolved, the remaining issues were policy questions about sign height and location. Bill recommended a six-foot maximum height for freestanding signs, explaining that this standard is common nationwide and fully within the city’s authority. He also discussed enforcement for illegal or “snipe” signs, explaining that city employees could remove them and hold them temporarily, with liability resting on the person placing the sign illegally.

Chairman Dalton asked how the ordinance would affect off-premises business signs along roads or in fields. Bill clarified that these would largely be prohibited as billboards, and code enforcement would require removal of non-compliant signs. Shelby added that prior to this code, some signs had been placed without permits. Commissioners discussed sign visibility, height, and maintaining clear view triangles at intersections. Bill emphasized that the six-foot height standard is intended both for aesthetics and safety. He noted that non-conforming signs may remain until the end of their lifecycle, but once replaced, they must comply with the new code.

Vice-Chair Sarah Moore asked about specific situations, such as monument signs at corners, and how the height standard interacts with visibility for traffic, pedestrians, and cyclists. Bill confirmed that clear view triangles would be maintained and explained that temporary obstructions, like a car in front of a sign, would not impact compliance. He reiterated that the city’s goal is to reduce visual clutter while maintaining clear and safe sightlines.

Bill also addressed electronic signs, explaining that light levels would be measured in foot-candles with a maximum increase of 0.3 above ambient light. He noted that the city currently has few electronic message centers, but regulations will ensure signs are not distracting to drivers.

Commissioner discussion touched on aesthetics, with Bill explaining the preference for monument-style freestanding signs over single-pole signs, and providing examples where signs are integrated with building design to create a more cohesive look.

Council Member Rhett asked how the regulations apply to signage on or attached to buildings, such as gas station canopies. Bill clarified that the code applies only to freestanding signs, while signage attached to buildings is not subject to the six-foot standard. For developments like the new Main Street shopping center, Bill explained that larger monument signs could be used to combine multiple tenants on one sign, with a maximum height of 20 feet, keeping it well below the town's 35-foot building height limit.

The discussion returned to enforcement and liability, with Commissioner Horrocks expressing concern about allowing city employees to remove illegal signs. Attorney Tysen noted that the city must ensure that expressive content remains protected, such as political signs or other First Amendment rights.

Vice-Chair Sarah Moore noted that signs such as lost pet and yard sale notices are often placed on city-owned property, including stop signs, and many people may not realize that doing so is illegal. Chairman Dalton asked about enforcement. Bill stated that it is addressed in Section 20.1.14.

Motion Debra approval Sarah seconded all in favor

**Debra Dwyer made a motion to recommend approval of the consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 20 Sign Regulations and Chapter 2 Definitions, specifically regarding sign-related definitions. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Chris Horrocks “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

### **3. Consideration of a Request for an Extension of the Matthews Meadows Subdivision Phase 2 Plat Approval.**

Planning and Zoning Administrator Shelby Moore provided background on the request, explaining that staff had been working with Sean on Phase 1, including discussions regarding the retention basin and potential placement of a park. Shelby clarified that the park would ultimately not be placed in the basin and that the subdivision would proceed as planned with the requested extension.

Chairman Dalton noted that the plat had originally expired on the 4th, but the extension request had been received on the 18th. Shelby explained that because Sean had been actively working

with staff prior to the expiration, there was no issue with the timing and it was up to the city to determine the direction for the project by the 18th.

**Derek Dalton made a motion to recommend approval of the consideration of a Request for an Extension of the Matthews Meadows Subdivision Phase 2 Plat Approval. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Chris Horrocks “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

#### **4. Consideration of the proposed Master Development Agreement with VT Grantsville Land Co, LLC, for the Deseret Subdivision.**

Shaun Johnson was present to answer questions on this item. Nate Mitchell, outside counsel for Grantsville City, provided background and explained that the city retained him to assist in negotiating the master development agreement (MDA) with the developer proposing the Deseret project. He noted that the Deseret Zoning Overlay District (DZOD) had been adopted earlier in the year and explained that the MDA was intended to vest development rights, clarify long-term obligations, and support financing and construction of public infrastructure and amenities.

Nate presented a PowerPoint outlining the proposed town center, commercial areas, parks, trails, and the phased build-out of nearly 7,000 homes. He explained that the MDA required compliance with the DZOD, set maximum residential density, increased the developer's moderate-income housing commitment from 20 to 25 acres, and allowed assignment of development rights to sub-developers while preserving responsibility for infrastructure and public amenities. He then reviewed vested rights provisions, exceptions for changes in state or federal law, modification processes, fee structures, termination mechanisms, and public infrastructure requirements, including the city's commitment to a future water treatment plant. He noted that several timing and procedural items were still under negotiation before the upcoming City Council meeting.

Vice-Chair Sarah Moore raised questions regarding the unacquired road parcel and water rights, referencing prior correspondence indicating the developer would not obtain ownership of the parcel. She expressed concern about impacts to the phased development plan and stated that the city should not provide water rights to the developer. Nate deferred to Shaun Johnson for clarification. Shaun explained that the presence or absence of the road parcel did not alter the city's requirements for how the project must proceed. Each phase is tied to a defined set of public improvements, and no development may occur within a phase until its associated roads, utilities, and infrastructure are fully constructed, inspected, and accepted by the city. He emphasized that this requirement applies regardless of internal ownership gaps. If a future phase relies on access through the unacquired parcel, that phase simply cannot advance until the right-of-way is secured

and improvements are completed. He noted that this approach is standard for large master-planned developments and prevents construction from outpacing essential services.

Vice-Chair Sarah Moore also asked about moderate-income housing metrics, sewer plant timing, and potential monetary damages. Nate explained the substantial-compliance standard used in large MDAs, the process for tracking moderate-income housing obligations over time, and the waiver provisions designed to protect the city from litigation, referencing past Utah cases where developers have obtained significant judgments.

Chairman Dalton expressed significant frustration with the MDA draft provided to the commission. He stated that the document contained numerous errors, formatting issues, and inconsistencies, and commented that it “looked like a child wrote it.” He emphasized that the commission should not be reviewing incomplete drafts on short notice prior to city council consideration and stressed the need for near-final versions to ensure meaningful review. Nate responded that the draft was provided to maintain momentum in the process and explained that city council specifically requested track changes and color-coding to show edits and contributions. Chairman Dalton reiterated that incomplete documents risk confusing council members and undermining the commission’s review role.

Commissioner Horrocks, then inquired about the financial waiver provisions. Nate explained that the waiver is intended to prevent developers from pursuing monetary claims against the city, referencing prior Utah cases in which cities faced significant financial judgments.

Additional questions from Vice-Chair Sarah Moore and other commissioners addressed infrastructure timing, the effect of unacquired parcels on development phases, and the referendum-related termination clause. Nate and Shaun provided further explanation on phased infrastructure requirements, the handling of unacquired parcels under the MDA structure, and the termination mechanism that allows the developer to exit the agreement in the event of a referendum.

**Derek Dalton made a motion to table the proposed consideration of the proposed Master Development Agreement with VT Grantsville Land Co, LLC, for the Deseret Subdivision. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Chris Horrocks “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

## **5. Discussion of Proposed Amendments to Chapter 7 – Conditional Uses**

Community and Economic Development Director Bill Cobabe introduced the proposed amendments to Chapter 7 of the Land Use Code. He explained that commissioners had expressed

concern about allowing the zoning administrator to approve minor modifications to conditional use permits. He stated that staff was comfortable either leaving the authority administratively or returning all modifications to the Commission, but he cautioned that some of the proposed language reflected misunderstandings about conditional use requirements under Utah law.

Bill reviewed that conditional use permits are administrative. If an applicant meets all written standards in the code, the city must approve the CUP. If the proposal does not meet those standards, it must be denied. He cited Utah Code 10-9a-509 and noted that an applicant is vested under the rules in place at the time of application. Unwritten or subjective conditions cannot be imposed, and all ambiguity must be interpreted in favor of the property owner. He provided an example involving split-zoned parcels and noted that guidance from the State Property Rights Ombudsman consistently reinforces this principle.

Chairman Dalton explained that the issue arose during the Arby's approval. The Commission had imposed conditions in a public meeting. Neighbors believed those conditions would be enforced. When a vinyl fence was later installed without public notice, residents felt blindsided and frustrated, and the appeal period had already passed.

Planning and Zoning Administrator Shelby Moore stated that the eight-foot precast fence the Commission attempted to require was not supported by written code standards. Chairman Dalton acknowledged that the concrete fence may have exceeded code, but emphasized that the lack of transparency was the problem. Residents saw a different fence erected and had no opportunity to respond.

Bill stated this example illustrated a gap between public expectations and the legal limits of CUP authority. Unless fencing requirements are written clearly into the ordinance, the city cannot require a specific fencing product. He noted that legislative code updates are the proper place to create enforceable standards.

Chairman Dalton responded that buffering requirements do exist, and that the Commission was not acting arbitrarily. Vice-Chair Sarah Moore summarized that conditional use review cannot involve subjective judgments. Chairman Dalton agreed but reiterated that changes to approved conditions should be handled publicly.

Bill restated that staff processed the modification because the original condition could not be legally enforced, Shelby explained that if the Commission wants more control over CUP conditions, those requirements must be written directly into each land use category. Otherwise, the proposed language would not work as intended.

Bill also suggested eliminating the public hearing requirement for CUPs to reduce confusion, explaining that hearings imply that public testimony can influence the outcome when the Commission is legally limited to applying written standards. Chairman Dalton opposed removing

hearings, stating that residents may not always receive the outcome they want, but they should never lose the chance to speak.

Chairman Dalton stated that his only non-negotiable point was this: when a CUP is approved with conditions in a public meeting, any proposed modification to those conditions should return to the Planning Commission for a public review.

Attorney Tysen Barker advised caution. Requiring all amendments to return to the Commission could create delays and could lead to legal challenges if imposed conditions were unlawful exactions. He suggested a hybrid system where administrative modifications would trigger public notice. If residents or commissioners objected, they could file an appeal, which would pause the modification until the appeal was resolved.

Chairman Dalton noted the difficulty of defining major versus minor modifications. Bill agreed and said the Commission would need clearer definitions. He supported Attorney Barker's suggestion of using public notice as a transparency tool while still allowing administrative efficiency.

## **6. Approval of minutes from the October 2, 2025 Planning Commission Regular Meeting.**

**Motion Derek Sarah second all in favor**

**Derek Dalton made a motion to approve the Planning Commission Regular Meeting Minutes from October 2, 2025. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

## **7. Report from City Staff.**

Planning and Zoning Administrator Shelby Moore reminded the commission about the upcoming session on November 18, 2025 at 6 p.m.

## **8. Open Forum for Planning Commissioners.**

No discussion.

## **9. Report from City Council.**

City Council Member Rhett Butler addressed the commission, noting the council's meeting the next day and asking if commissioners had any items for him to bring back. He mentioned fencing but considered holding that discussion for later.

Chairman Dalton and City Council Member Rhett Butler questioned the Arby's decision noting previously agreed conditions were not followed. Attorney Tysen Barker clarified the developer

had not formally agreed but had asked about vinyl versus concrete fencing without receiving a clear answer. Community and Development Director Bill Cobabe explained the city can only enforce code requirements and cannot impose conditions beyond those in effect when the application was submitted. City Council Member Butler questioned Section 6.16 regarding fencing and why vinyl fencing was allowed. Bill noted the code allows “masonry or” fencing, leaving the choice to the developer, while Attorney Barker added that requiring masonry could significantly increase costs without clear benefits.

#### **10. Adjourn.**

**Derek Dalton made a motion to adjourn. Debra Dwyer seconded the motion. The vote was as follows: Sarah Moore “Aye,” Deborah Dwyer “Aye,” Derek Dalton “Aye.” The motion was carried unanimously. The meeting adjourned at 7:34 p.m.**

**Action Summary:**

<b>Agenda Item</b>	<b>Item Description</b>	<b>Action</b>
#1	Training with the Property Rights Ombudsman.	Completed

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON NOVEMBER 18, 2025 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 6:00 P.M.**

**Commission Members Present:** Chairman Derek Dalton, Vice-Chair Sarah Moore, Commission Jason Hill

**On Zoom:**

**Commission Members Absent:** Commissioner Debra Dwyer, and Commissioner Chris Horrocks

**Appointed Officers and Employees Present:** Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Planning and Zoning Administrative Assistant Nicole Ackman, Mayor Critchlow, City Manager Micheal Resare, City Recorder Alicia Fairbourne, Jay L. Springer consultant with Jones and Demille, Police Chief Roger Sager, City Council Member Heidi Hammond

**On Zoom:** Community and Economic Director Bill Cobabe

**Citizens and Guests Present:****Citizens and Guests Present on Zoom:**

**Chairman Dalton called the meeting to order at 6:00 PM.**

**PUBLIC NOTICE**

The Grantsville City Council and Planning Commission will hold a Joint Work Meeting at 6:00 pm on Tuesday, November 18, 2025 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

**ROLL CALL****PLEDGE OF ALLEGIANCE****AGENDA**

1. Training with the Property Rights Ombudsman.

Jordan Cullimore, Lead Attorney for the Property Rights Ombudsman's Office, led training for the Planning Commission and City Council, focusing on conditional use permits. He explained the difference between legislative and administrative land use decisions. Legislative decisions create or change laws, like general plans or zone changes. In these cases, the commission advises, and courts generally respect decisions that are reasonable and in the public interest. Administrative decisions apply existing rules to specific applications, like subdivisions or conditional use permits (CUPs). Jordan emphasized that applications that meet the rules must be approved, and decisions should be based on facts, not public opinion.

He explained that CUPs are for uses that are usually allowed but may have special impacts, like traffic, noise, or light, and that need review. The goal is to reduce potential negative effects with reasonable conditions. Rules should have clear standards to guide decisions and avoid arbitrary choices. Conditions must be reasonable, directly related to expected impacts, and applied fairly.

The CUP process has four steps: identify potential impacts, check the rules for standards, apply reasonable conditions, and record the decision with evidence. Denying a CUP is rare and requires strong proof that no condition could fix the issue.

Jordan said cities are moving toward turning common conditions into regular rules, so fewer things need a CUP. He also explained that a CUP is a permitted use with conditions, while a variance is a rare exception for unusual land features, like wetlands or odd terrain, that cause hardship.

## **2. Adjourn.**

**Derek Dalton made a motion to adjourn. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore "Aye," Jason Hill "Aye," Derek Dalton "Aye." The motion was carried unanimously. The meeting adjourned at 6:48p.m.**

# **AGENDA ITEM #6**

Report from City staff.

# **AGENDA ITEM #7**

## **Open Forum for Planning Commissioners**

# **AGENDA ITEM #8**

Report from City Council.

# **AGENDA ITEM #9**

Adjourn.