

## Erda Planning Commission Minutes

10/28/2025 – 7:00 pm

Erda City Office-Fire Station

### Call to Order

1. Roll Call
  - a. Planning Commissioners: Kathleen Mallis, Michael Jensen, Nancy Martin, Chase Bawden, Mark Gull, Russ Brimley
  - b. Jennifer Poole-City Recorder, Jessilyn Stagg-Dept Clerk, Via Zoom-Rachelle Custer-City Planner
  - c. Absent and Excused :Mike Higgins
2. Pledge and Prayer
  - a. Nancy led the Pledge of Allegiance
  - b. Russell led the prayer
3. Approve Minutes from 10-14-25
  - a. Michael motioned to approve the meeting minutes from 10-14-25, Nancy seconded the motion
  - b. Voting was unanimous to approve the minutes from 10-14-25
  - c. **Minutes from 10-14-25 Approved**
4. Public Comment (3 minute limit per comment)
  - a. Brooks Pitt- I wanted to make a comment on the auto shop part. I don't think they should be in the neighborhood. You should zone other places commercial or light industrial. I just don't think they belong in RR-1. It changes the character of the neighborhood.
  - b. Bryan- I want to comment on auto, it has nothing to do with the Devores at all. It has to do with my personal neighbors. I have a wrecking yard. I came here last week and it was packed. I went home and listened. I agree with Mike last week that we need someone enforcing the rules that is not a councilman. We need someone who can do this that isn't volunteering their time. I love Scott, but he's a busy man and doing his best. I know you've talked about codes but how are these going to be enforced? Who

is going to enforce them? We are understaffed and this doesn't happen until it gets bad.

**c. Russell-Closed Public Comment**

**5. Proposed Text Amendment** Jennie DeVore is requesting a code text amendment to allow for automotive repair as a home based business in the RR-1 zoning district.

- a. Nancy- Where we don't have an automotive on RR-1 would we add this to RR-5 as well?
- b. Russ- We can add that as well to the RR-5.
- c. Nancy- I think the percentages would need to be changed in an RR-1 to fit the size of the lot, or it won't work. My thoughts on this would be to not allow it in a subdivision. But to have this use it has to be on a collector road, it would not be so noisy as you have the road noise anyway. People are worried about the garage. I don't see you using your primary garage to have a business out of it.
- d. Michael- If I hear you Nancy, you wouldn't support this unless it was in an accessory dwelling, behind a 6ft fence.
- e. Nancy- I think it would need to be a shop with no dwelling in it.
- f. Michael- If you are saying nothing in a garage in a primary residence, it really is an accessory garage. And limiting the amount of vehicles they are allowed to have at a time. The comment that was made this evening that maybe we are putting the cart before the horse. That until we have a real enforcement officer maybe we don't do this.
- g. Mark- We can make that as part of the recommendation, that we don't approve this until we have better checks and balances on this.
- h. Kathleen- As part of the business license renewal process aren't there inspections required?
- i. Jennifer- Yes, there is a fire inspection that is required. But he looks for his regulations being met, not the city's.
- j. Michael- Also we have some homes that are in RR-1 that are only 1/2 acre lots.
- k. Chase- I missed were hours of operations discussed?
- l. Mark- I think we were following city code, and additional regulations on the CUP.
- m. Nancy- I would like these to not be in subdivisions, and only on collector roads.
- n. Michael- In new subdivisions if they have HOA's they can regulate this. Let me ask Bryan a question. If we had a regulation officer that could help us keep those codes that we've discussed would you have a problem with this?
- o. Bryan- No, not at all.
- p. Mark- I think that some of these ideas make sense. I understand why having it on a collector road would make sense. But I don't want to make it so others can't use their property as we've discussed. But I think all of the conditions could be made when the applicant comes before us for the

conditional use permit. I just don't want to limit others on a 1 acre lot who could do this.

- q. Nancy- I do think we need to have a commercial fee, I don't think it's right that those businesses only pay a residential tax and no commercial tax. I think they should have to pay a percentage of commercial tax.
- r. Mike- We have a lot of parts covered. Where we are lacking is lighting. Body work, there is going to be a need to do welding. Occasionally there will need to be welding done.
- s. Chase- I am a proponent of personal property rights. I don't want eye sores. Is 4 cars going to be enough? What if they are all behind a fence? But really none of this matters if we don't have code enforcement.
- t. Mark- I agree with what you are saying and that can be a part of the recommendation. But in the end that's not part of our purview.
- u. Michael- I like limiting the amount of employees. If you have more than that, more traffic and it's no longer a home business.
- v. Mark- Also do we want to limit what types of items can be worked on?
- w. Nancy- Read the current recommendations from the staff report. This says 2 waiting for repairs and 2 waiting to be picked up. This doesn't limit the amount of vehicles in the shop being actively worked on.
- x. Michael- I read some of the emails and one mentioned the general plan and the definition of the RR-1 areas. The primary purpose is to maintain residential purposes. Not solely but the primary purpose. I bring this up to ask the question: do we want to limit what we can do with our 1 acre properties? I get the idea that if the mixed uses are done appropriately it can be a good thing. But we see out here in Erda a lot of enterprises going on that don't fit in keeping the residential purpose. The question is, are each of us comfortable with this being next to us? I think we can do this but it would need a paid code enforcement officer who can be unbiased.
- y. Mark- I have a couple of additional comments on what was given to us from Rachelle. A and B look good. On C I'd like to add that those vehicles need to be registered.
- z. Chase- So how many vehicles would it take to make a living on the property?
- aa. Michael- Should we say 10? Also it has to be behind a completely surrounded by a sight obscuring fence.
- bb. Mark- I'm making these notes for Rachelle to add to this then bring back to us.
- cc. Michael- I'd say no outside storage, And no more than 15% of the lot for work purposes. I think we are covering hours of operation and no vehicles over 10k GVW. I'd add no welding, metal fabrication , or body repair shops.
- dd. Mark- I'm saying I'd like to see all of this incorporated and then make this into a motion. I think Rachelle can use this and get it back to us.
- ee. Nancy- I'd like to see this in writing first. I think we need to have her write it up so we are in agreement as to what it's supposed to be.

ff. Michael- I propose we table this text amendment until the next meeting, Mark seconded the motion

**gg. Voting was unanimous to table this item until the next meeting.**

**hh. Item Tabled**

ii. Mark- As we don't have a scheduled meeting in November we meet on the third Tuesday Nov 18th.

**jj. Commissioners agree to hold a meeting on Nov 18th.**

**6. Proposed General Plan Amendment** Walters Ranch is requesting a general plan land use element amendment for parcels 01-452-0-0003, 01-452-0-0008, 01-419-0-0006, 01-419-0-0042, 01-409-0-0003 from employment to medium intensity residential to allow for a rezone to rural residential one acre lots

- a. Russ- In the last meeting it was brought up about having other land owners go into this so there wasn't an island.
- b. Bryan- We did contact one of the owners and they stated that they are not interested in changing. So we didn't contact the others. Staff recommended that we leave a 16 acre section as MD. We are looking to keep some of it MD and the road access and then do the RR-1.
- c. Michael-If we are all in favor of 1 acre lots in Erda, then lets change the plan to be medium residential.
- d. Mark- I do see the recommendation of not making that area an island. I am in a similar situation where if that's what the resident wants then let's help make that happen.
- e. Mike- I think you've covered it mostly.
- f. Michael- Here would be my question. To do what I said would be to propose a general plan amendment changing parcels 1,2,3,4,5 from Employment to medium residential. So they can rezone it. So all Rachelle's suggestion is to add those little pieces into the medium residential.
- g. Michael- Motioned to recommend to amend the general plan land use element listed 014520008, 014190006, 01419410042, 014090003 from employment to medium intensity residential, Mark seconded the motion
- h. ROLL CALL VOTE: Chase-Yes, Mark-Yes, Russ-Yes, Nancy-Yes, Michael-Yes, Kathleen-Yes, Mike-Yes**
- i. Favorable recommendation to the city council for this general plan amendment.**

7. Comments from Commissioners

- a. Michael- Chairman will you get with either Clyde or Craig on how we could proceed on how we can make a recommendation for auto shops on 1 acre lots but needing a paid enforcement officer.

8. Adjournment

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

Pursuant to the Americans with Disabilities Act, Individuals needing special accommodations should contact Mark Gull @ 801-707-4355

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

Prepared by: Jennifer Poole, Erda City Recorder

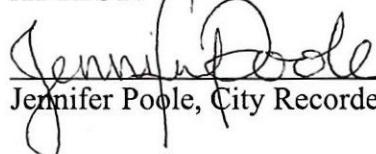
**PASSED AND APPROVED** by the Planning Commission this 18th day of November, 2025.

**ERDA**

*Nancy A. Martin*

Nancy Martin, Planning Commission Vice-Chair

ATTEST:

  
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Jennifer Poole, City Recorder