

**Action Summary:**

<b>Agenda Item</b>	<b>Item Description</b>	<b>Action</b>
#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.	Approved
#2	Survey results regarding conditional use permits.	Discussed
#3	Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses.	Approved
#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.	Tabled
#5	Approval of minutes from the November 4, 2025 Planning Commission Regular Meetings, and the November 18, 2025 Joint Working Meeting.	Approved

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON DECEMBER 2, 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, Jason Hill

**On Zoom:**

**Commission Members Absent:** Debra Dwyer

**Appointed Officers and Employees Present:** Community and Development Director Bill Cobabe, City Planner/GIS Analyst Tae-Eun Ko, Planning and Zoning Administrator Shelby Moore, City Attorney Tysen Barker, City Council Member Rhett Butler, Planning and Zoning Administrative Assistant Nicole Ackman, Officer Ryan Oyler,

**On Zoom:**

**Citizens and Guests Present:** Russ Wallis, Jake Thomas, Lester Higley, Lou Ann Mascherino, Teri Sprouse, Jamie Day, Kathleen Hunt, Arnie Hunt, Vickie Lake, Annie Cox, William Belville, Bruce Bale

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

**Commission 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, December 2, 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 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.**

**Email Received 11/12/2025:**

Grantsville City,

We are writing in concern about the Application for a Conditional Use Permit for Russell Wallis' proposed home-based dumpster business located at 334 South Banister Lane.

Our concerns are as follows:

- The accumulation of garbage/debris that will inevitably blow out of the dumpsters and make its way to neighboring properties.
- The smell inherently associated with dumpsters.

We are hopeful that a discussion will be had between Grantsville City and Russ Wallis to mitigate these concerns.

Sincerely,

Jeremy & Cheri Leavitt

**Email Received 11/12/2025:**

I am writing concerning the Conditional Business permit for Russell Wallis on 334 Banister Ln. I do have some concerns. First of all I am actively trying to sell my property and moving out of town. I currently own the entire frontage of 334 S Banister which is 70ft wide running along the entire length of the front of the lot. Right now there

is currently an easement about 30ft directly in front of the garage for access to his place. That being said, when the new owner of the property has the right and authority to only provide access at the easement. I find it difficult to place trailers anywhere on his property without extra access points.

Another area of concern is that there are 3 dumpsters along with storing them. I would be opposed to having them parked in the front yard area or anywhere on the lane which is owned by me. It would be unsightly and having dumpsters there could have trash blowing out of them if not covered or smelling foul. What would the plan be to eliminate rotting trash smell and debris blowing or spilling when at the business location? I would assume they can't always be dumped before the landfill closes. To me the dumpsters should be hidden behind a fence simply for aesthetics of the neighborhood.

Thank you

Ryan Banister

CMCC Coordinator ATG

**b) Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses.**

**No Comment**

**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.**

**No Comment**

**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.**

Russell Wallis was present to answer questions on this item. Planning and Zoning Administrator Shelby Moore explained that the property is located in the RR-1 zone, just off Durfee Street near Matthews Lane, and is Lot 3 of the Banister Minor Subdivision, approximately one acre. She noted that two public comments had been received, which required the application to come before the Planning Commission. Shelby summarized the business operations, stating that only the applicant and his spouse would participate, customer traffic was expected to be minimal, no hazardous materials would be stored, and neither the building department nor fire department had concerns. She noted that the property is on a private lane, with no issues identified, and presented the site plan showing the frontage and proposed storage areas.

Chairman Dalton asked how the dumpsters would be delivered and whether customers would pick them up. Russell Wallis responded that he would deliver the dumpsters to customers and retrieve them once the customers were finished. He indicated that storage would occur either on the south side of the parking area or on the north side of the house, where vehicles had been relocated.

Commissioner Hill asked questions regarding potential storage locations and easements. Russell stated that he was willing to comply with any conditions and intended to use a 50 by 40-foot flat area for storage. He explained that he had full easement access to the front of the property and did not anticipate any conflicts. Shelby clarified that the plat specifies an access easement in favor of Lot 3, and that the easement would remain unless Banister Lane were removed or rerouted. Russell also noted that the north side of his property had been cleared and graveled to provide a 12-foot lane for access.

Commissioner Hill confirmed that Wallis would be the one transporting and handling the dumpsters on the property. Russell stated that the dumpsters were gooseneck trailers, which are easier to maneuver, and described the available turning space. Vice-Chair Sarah Moore inquired whether a trailer could be easily navigated through the property, to which Russell responded that ample room was available.

Commissioner Hill then asked where Mr. Banister's concern about a three-foot easement for a single driver had come from. Shelby clarified that it was actually a 30-foot easement and explained that Bannister Lane itself constituted that easement. She stated that the private lane sat adjacent to the public street, with a 25-foot width for Banister Lane and an additional 12-foot strip to the south.

Commissioner Hill asked how Russell would prevent hazardous materials from being disposed of in the dumpsters. Russell stated that a contract would be signed with each customer specifying that no hazardous materials, tires, or batteries could be disposed of. He noted that all pickups would occur during landfill hours and no hazardous materials would be stored on-site.

Vice-Chair Sarah Moore asked whether Russell would maintain the property roads and access points. Russell confirmed that he had already improved the yard with gravel and that the lane was maintained by Ryan Banister. Commissioner Hill asked if there were any aesthetic concerns about dumpsters being visible from the road. Russell stated that all dumpsters have covers and are maintained in good condition, and he did not foresee any concerns.

**Sarah Moore made a motion to recommend approval 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. With the following conditions: Maximum Equipment: Storage is limited to three (3) 16' × 7' dumpsters and one (1) trailer unit**

**as proposed, Storage Location: All equipment shall be stored only within the designated areas shown on the submitted site plan or as otherwise approved by staff, Screening: Existing fencing shall be maintained. Any new screening must comply with zoning standards, Traffic: Customer traffic shall remain minimal. No on-site business appointments are permitted unless pre-coordinated, Operational Scale: Business operations shall remain low-intensity and secondary in nature, consistent with the applicant's submittal, Noise Control: Equipment movements should occur during normal daytime hours when possible, No On-Site Waste: Dumpsters may not be used to store debris on the residential property, Compliance with City Code: All requirements of the Grantsville City Code must be met at all times, Payment of Fees: All applicable permit and licensing fees must be paid, Health and Safety: All applicable health, safety, and welfare standards 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. Any expansion of use requires prior approval, Administrative Review: This permit may be periodically reviewed by the Zoning Administrator and may be reviewed at any time if complaints are received, Non-Compliance: Failure to comply with any of these conditions may result in modification or revocation of the permit. Derek Dalton seconded the motion. The vote was as follows: Sarah Moore "Aye," Jason Hill "Aye," Derek Dalton "Aye." The motion was carried unanimously.**

## **2. Survey results regarding conditional use permits**

Planning and Zoning Administrator Shelby Moore reported receiving 26 community responses regarding the conditional use permit process. Respondents generally found the process positive and manageable, noting the online system's ease, staff helpfulness, clear guidance, and support for first-time business owners. Suggestions for improvement included clarifying requirements, reducing approval timelines and costs, and increasing public information and input. Specific concerns included confusing requirements, unnecessary permits, long timelines, and limited notice for new residents.

Regarding review preferences, 19% favored flexible alternatives, 42% preferred staff approval with public notice, and 39% preferred planning commission approval with public notice. Respondents emphasized balancing efficiency, transparency, and community input, suggesting minor projects be handled administratively while larger or community-impacting projects include public review. Overall, transparency, property rights, and proportional public involvement were valued.

Chairman Dalton noted that while more responses would have been preferable, the data was helpful, agreeing that minor home-based projects could be handled administratively, with larger

commercial developments requiring a different review. Commissioner Hill stressed clear timelines, communication, references to city code in notices, and ongoing public feedback, highlighting differences between individual homeowners and experienced developers. Vice-Chair Sarah Moore emphasized following established regulations. Commissioner Hill also suggested public outreach or Q&A sessions during community events.

Community and Development Director Bill Cobabe noted that homeowners may face more challenges than developers, but guidance and transparency ensure fairness. Shelby indicated she would explore posting survey results with responses and would consult with City Attorney Barker.

## **Discussed**

### **3. Consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses.**

Community and Development Director Bill Cobabe presented the item to the Commission. He stated that the discussion was relevant to upcoming planning efforts, including a planned update to the city's general plan. He emphasized the importance of public engagement in shaping the general plan, noting that online surveys provide valuable snapshots but that in-person outreach is necessary to reach residents without internet access or those less likely to respond online. He highlighted that no substantive changes had been made to the staff report since the last discussion and that staff was available to answer questions.

Chairman Dalton expressed appreciation for the staff's work, noting that while no ordinance is ever perfect, the proposed amendment represented a strong foundation. He acknowledged that ordinances often require tweaks after implementation and thanked staff for incorporating previous feedback, particularly regarding public notice of changes.

Commissioner Hill noted that previous outreach through utility bill inserts had been an effective way to inform residents before online tools were available.

**Derek Dalton made a motion to recommend approval of the consideration of a proposed amendment to the Grantsville City Land Use and Management Code, Chapter 7 Conditional Uses. Jason Hill seconded the motion. The vote was as follows: Sarah Moore "Aye," Jason Hill "Aye," Derek Dalton "Aye." The motion was carried unanimously.**

### **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.**

Applicants Vickie Lake, Kathleen Hunt, and Annie Cox were present to answer questions on this item. Planning and Zoning Administrator Shelby Moore provided background on the item, explaining that the property had initially been approved for a small front yard farm stand, but the owners had since added two additional structures. She referenced sections 4.8 and 4.9 of the city code, which restrict structures in front yards, and cited a 2023 city attorney memo confirming these limitations. Shelby noted that the Planning Commission needed to determine whether the movable structures violated land use ordinances and whether the home occupation could be expanded.

Addressing questions from the commission regarding the original conditional use permit, Shelby clarified that the property was initially approved for a small front yard farm stand. However, two additional structures had been added, putting the property in violation of the permit, which did not authorize expansion without approval. The City contacted the applicants regarding the violation, and they requested to amend their conditional use permit to include the two additional structures and to expand operations to offer retail goods.

Vice-Chair Sarah Moore asked whether the additional sheds were permanent. Kathleen Hunt confirmed they were movable and under 200 square feet, with her husband able to relocate them quickly if needed. She explained that the structures honored the history of the home and created a community-focused space. The farm stand and additional buildings evolved into a gathering spot, with neighbors selling produce and interacting around benches and planter boxes. Kathleen emphasized that the intention was to create a “gardener village” offering handcrafted items, produce, and flowers, rather than a commercial strip, while maintaining the residential character of the property.

Vickie Lake added that the spaces were intended for local residents to rent for gardening and crafts, and noted that the areas were double-insured to address liability concerns. Vice-Chair Sarah Moore asked whether business licensing needed adjustment for these activities, and Kathleen confirmed they were compliant for produce sales.

Vice-Chair Sarah Moore acknowledged the property’s appeal and community-focused motivation, then reviewed relevant land use codes, noting that Section 4.9 requires yards to remain unobstructed except for rear-yard accessory buildings, and Section 4.8 prohibits required yard areas from being used for other buildings. Vickie asked whether an amended conditional use permit could allow an accessory building in the front yard.

Shelby explained that the RM-7 use table allows “accessory buildings and uses customarily incidental to permitted residential uses” and “accessory buildings and uses customarily incidental to conditional uses.” The proposed structures were movable, had no utilities, and raised no staff concerns, but she questioned which section of the code applied.

City Attorney Tysen Barker clarified that the structures were not constructed simultaneously with the residential use, so they came after the fact. Attorney Barker recommended that the appropriate section was the one for accessory buildings customarily incidental to conditional uses. He also clarified that the property's home occupation permit should not be readily identifiable as a business from the exterior, and that the character of the home should remain residential rather than appearing as a fruit or egg stand.

Chairman Dalton expressed concern that the current conditional use designation as a home occupation may not be appropriate for the property's intended use. Shelby suggested that classifying the use as a community garden might be more fitting, as the applicants intend to allow the community to bring and sell produce on the property. Vice-Chair Sarah Moore agreed, noting that a home occupation typically refers to an activity conducted inside a residence, such as a hair salon in a basement.

Commissioner Hill expressed concern about front yard compliance and safe site access, including potential use of a side road for visitors. Vickie explained the property has front and unapproved back driveways, both remaining unobstructed, with gates only at garden panels, and indicated she will be applying for a secondary access permit for the unapproved back driveway. She also requested clarification on front versus side yard regulations.

City Attorney Tysen Barker clarified that the code is ambiguous but noted that a previous city attorney concluded that accessory buildings are generally only allowed in the rear yard, with the front yard required to remain clear. Attorney Barker added that allowing structures in the side yard would be subject to city interpretation and must maintain all setbacks, especially to ensure visibility and safety if a stubbed-out road is ever developed.

The commission and applicants discussed potential building locations to comply with front yard code, considering public safety, emergency access, street sightlines, and minimal disruption to pedestrians and bus stops.

City Council Member Rhett Butler noted that most homes on Clark Street, including his, are zoned RM-7, which theoretically allows seven homes per acre, but the actual lot sizes of approximately 0.68 acres make this designation impractical. He explained that the zoning was established in the 1970s, likely to accommodate the trailer parks that were being developed along the corridor.

Chairman Dalton stated that approving the current use as a home occupation would set a precedent, as home occupations are not meant to be visible from the street. Vice-Chair Sarah Moore noted the need for a clearer definition of home occupation as a service provided inside the home. Chairman Dalton agreed, emphasizing that the use is visibly a business or farm stand, unlike a typical home occupation such as a basement salon, and suggested tabling the item so the



applicants and city staff could meet to discuss a use that would better fit the zone and their intended use.

**Jason Hill made a motion to table the consideration of a proposed amendment to the conditional use permit for the property located at 10 W Clark Street. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

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

**Sarah Moore made a motion to recommend approval of minutes from the November 4, 2025 Planning Commission Regular Meeting. Jason Hill seconded the motion. The vote was as follows: Sarah Moore “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

**Jason Hill made a motion to recommend approval of minutes from the November 18, 2025 Joint Work Meeting. Sarah Moore seconded the motion. The vote was as follows: Sarah Moore “Aye,” Jason Hill “Aye,” Derek Dalton “Aye.” The motion was carried unanimously.**

**6. Report from City Staff.**

Community and Development Director Bill Cobabe noted that several development projects are in progress and will be coming before the commission in the near future, including work with Robert Green near the racetrack and the Romney Group on other developments. While some details cannot be discussed publicly, he invited commissioners to his office for more information.

**7. Open Forum for Planning Commissioners.**

Chairman Dalton asked whether the recently approved sign ordinance, which will be considered by City Council, would affect the placement or duration of the commission’s notification signs. Community and Development Director Bill Cobabe confirmed that it would not.

**8. Report from City Council.**

City Council had nothing to report.

**9. Adjourn. Dalton, Hill all in favor**

**Derek Dalton made a motion to adjourn. Jason Hill 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 8:20 p.m.**