

MINUTES
PLANNING COMMISSION
EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
JANUARY 23, 2019
6:00 PM

Board Members Present: Chair Lisa Murray, Larry Griffeth, Alma Lund, Stephen Cornelsen

Board Members Excused: Darren Glather, Lemar Hanson, Rob Nielson, Dennis Nordfelt, Craig Rasmussen

Staff Present: Community Development Director/City Engineer Bryan Kimball, City Planner Leah Romero, City Recorder Leigh Ann Warnock

Others Appearing: Diane Gordon

CALL TO ORDER

The Ephraim Planning Commission convened on Wednesday, January 23, 2019, in the Ephraim City Hall Board Room. Planning Commission Chair Lisa Murray called the meeting to order at 6:00 p.m.

II. AGENDA

A. Ben Gordon 1 Lot Split

The one lot split is located at approximately 1175 East Canyon Road. Mr. Gordon built his home close to the proposed split and has plans for a future subdivision to be located at and around the proposed one lot split. Mr. Gordon is requesting approval for a one lot split, not the entire subdivision.

The property is located within Ephraim City limits and is zoned RA. RA minimum lot size is 1/3 of an acre, with a minimum frontage of 75 feet. The proposed lot has a frontage of 113 feet and is .8 acres in size. The proposed lot has access to all available utilities.

Staff recommended approval of the one lot split. A right-of-way dedication on the road frontage is required; based off of the final survey. Ephraim City has no expected expansion of Canyon Road, the right-of-way dedication will be for the existing road. There is some discrepancy on the boundary lines of the adjoining property. Community Development Director Bryan Kimball will meet with Mr. Gordon and the surveyor to resolve that discrepancy. Mr. Gordon will extend the water/sewer lines and place a fire hydrant as needed. Curb/gutter, sidewalk and asphalt along the

frontage of the child lot, or a deposit to escrow may be required. A legal description, prepared by a professional, for the parent lot is required. Staff will verify that all utilities are willing and able to provide their services to the proposed lot.

Because many residents owned large tracts of land, Ephraim City was divided into three different zones to determine sidewalk/frontage requirements; inner, middle, and outer zones. The proposed one lot split is located in the outer zone, its .8 acre is smaller than the 1.5 acres that would qualify it as a large lot. Lots that are 1.5 acres or bigger can be exempt from frontage improvements with no deposit required. Curb/gutter and sidewalk improvements may be waived by the Planning Commission, in exchange for a deposit to escrow, on properties smaller than 1.5 acres that are located in the outer zone. No frontage improvements have been required previously on Canyon Road, future subdivision(s) will have curb/gutter and sidewalk. Most of the existing subdivisions are close to twenty years old. The original subdivision approvals did not require frontage improvements along Canyon Road, frontage improvements have been done on the interior of the subdivisions.

In the outer zone the Planning Commission has the option to allow a delay agreement on property smaller than 1.5 acres for curb/gutter and sidewalk if a bond or escrow deposit is put up. The deposit must be equal to the cost of the estimated frontage improvements. Ephraim City would hold the funds in their PTIF account until the frontage is ready to be put in. Once the sidewalk is completed the funds would be returned, with the accrued interest.

Diane Gordon asked who would determine the cost of the escrow/bond. Community Development Director Bryan Kimball stated that Ephraim would accept an estimate from a contractor, if that is not available there is a formula used, based on current market pricing, to determine the cost of frontage improvements.

Board Member Stephen Cornelsen stated that with no other existing frontage improvements on Canyon Road it does not make sense to require that the Gordon's put in curb/gutter and sidewalk right now.

There are plans to try to obtain funding to add frontage improvements up Canyon Road to East Point. With the knowledge that there is going to be more growth projected along Canyon Road, improved frontage on one or both sides of the road would be desirable.

Community Development Director Bryan Kimball requested that certain of the conditions of approval be satisfied before the City Council meeting to be held the following Wednesday, February 6 at 6:00 pm. Specifically, the right-of-way dedication/boundary line resolution and the legal description of the parent lot.

Board Member Alma Lund moved to approve the Ben Gordon 1 lot split located at approximately 1175 East Canyon Road based on staff recommendations of approval and the following conditions. 1) Legal description of parent lot provided to staff. 2) Right-of-way dedication on lot frontage/boundary line resolution. 3) Deposit made to escrow for curb/gutter

and sidewalk. The motion was seconded by Board Member Stephen Cornelsen. The vote was unanimous. The motion carried.

B. UTAH STATE OPEN AND PUBLIC MEETING ACT (O&PMA) TRAINING – CITY RECORDER LEIGH ANN WARNOCK

The Utah State Open and Public Meeting Act requires that there be a training once a year. City Recorder Leigh Ann Warnock requested that an updated list of active Planning Commission members be provided to her with a schedule of two and three-year terms. The goal of the Planning Commission should be to have as many members show up to meetings as possible, not just enough to make a quorum.

Board Member Alma Lund expressed his desire to continue to serve on the Planning Commission.

The purpose of the O&PMA is to allow the public to know what the Planning Commission is deciding and what deliberations are being made and why. Every board and commission that Ephraim City has is required to abide by the O&PMA.

If four or more members of the Planning Commission are discussing the public's business whether in person, electronically, or over the phone it is considered a meeting and must be publically noticed and recorded. Any meeting of four or more members of the Planning Commission in any form that is not publically noticed or recorded is illegal. It is important that board members keep this in mind during social gatherings or chance meetings.

The Ephraim Planning Commission is required to have four members present to constitute a quorum and vote on a motion. If less than four members are present, discussions could be had but no action may be taken. If only four members are present and the vote is not unanimous then the motion cannot be passed. It is required that there be four unanimous "yes" votes to pass a motion.

Public notice must be posted at the meeting location at least twenty-four hours before the meeting is held. The meeting agenda must be posted on the Utah State Public Notice website twenty-four hours before the meeting is to be held. If there is an agenda change it can be amended as long as it is before the twenty-four-hour period. If the item is not publically noticed on the agenda it can be discussed, but no action may be taken. Agendas must be given to one public news provider; all local news outlets subscribe to Ephraim's postings on the Utah State Public Notice website to satisfy that requirement.

It is required that the agenda items have reasonable specificity and clarity. Minutes that are being approved must have the date of the minutes on the agenda. The agenda must have the date, time, and location of the meeting.

Public notice of the Planning Commission's meeting schedule is required once a year. City Recorder Leigh Ann Warnock posts that for the boards and committees.

Emergency meetings are allowed without twenty-four-hour notice; if four board members approve the meeting. All approvals must be obtained before the meeting takes place. An agenda still must be posted and the agenda and meeting minutes must state the purpose of the emergency meeting.

All public meetings must be recorded and have written minutes. Written minutes are retained forever. Meeting recordings are available to the public for three years. If recordings are requested beyond three years and they are still available they must be provided to the public. Yearly purging of three-year-old recordings are recommended. Written minutes are the official record of the meeting, not the recording. Written minutes and recordings must be available to the public within thirty days of holding the meeting. Written minutes must contain the name of all board members and whether they were present or excused, the date, time, and location of the meeting, all matters proposed, discussed or decided, and all names and substance of individuals giving testimony. When a motion is voted on and it is not unanimous it must be stated in the written minutes which board members voted and how they voted. Approved minutes must be posted on the Utah State Public Notice website and available to the public within three days.

Planning Commission may at times need to go into a closed meeting to discuss the purchase or sell of real property. There must be a unanimous vote to go into closed meeting. A closed meeting can only be called while the Planning Commission is already in an open meeting. No decisions may be made or other topics be discussed in a closed meeting. The topic may not be discussed with anyone outside of the closed meeting, even with board members that were not present.

III. STAFF MEMBER REPORTS

Bryan Kimball, Community Development Director/City Engineer

Staff is still reviewing the plans for proposed multifamily units located where the old motel on Main Street was. Meeting parking requirements has been an issue that is being worked on by the applicants.

A couple of businesses have shown interest in locating in Ephraim. One is a call center that would bring in around fifty well-paying jobs.

A public hearing will be held on the new well environmental assessment. The government shut down has not affected the well project, it is still moving forward.

The water levels look good for this coming season. Ephraim could still use more moisture for a good water year.

Ephraim City was awarded a 2-million-dollar grant from the Corps of Engineers. In combination with other grants received and a loan from the State of Utah, Ephraim is looking at over 6 million dollars to put towards water infrastructure.

ADJOURNMENT

There being no further business to come before the Planning Commission for consideration, Board Member Larry Griffeth moved the Regular Planning Commission Meeting adjourn at 7:00 p.m. The motion was seconded by Board Member Stephen Cornelsen. The vote was unanimous. The motion carried.

The next regular Planning Commission meeting is scheduled to be held on February 13, 2019, starting at 6:00 p.m. in the Ephraim City board room.

MINUTES APPROVED:

Lisa Murray, Chair

Date

ATTEST:

Leah Romero, City Planner

Date