

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 7/09/2020. THE MEETING WAS HELD IN THE GRANTSVILLE CITY COUNCIL CHAMBERS AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Chairman Jaime Topham, Commission Member Gary Pinkham and Commission Member Jacob Linares

Commission Members that were present on Zoom: Commission Member Brian Pattee

Commission Members that were absent: Commission Member Erik Stromberg

Appointed Officers and Employees Present: Zoning Administrator Kristy Clark, Shay Stark with Aqua Engineering and City Council Liaison Darrin Rowberry

Appointed Officers and Employees that were absent or present on Zoom: Attorney Brett Coombs was on Zoom and Grantsville Fire Marshal Brad Clayton was absent

Citizens and Guests Present: Mike Colson, Barry Bunderson, Scot Hazard and many members of the community attending the meeting through Zoom

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

a. Proposed Amendment to Chapter 2, Definitions, #77 DEVELOPMENT (LAND) of the Grantsville City Land Use Management and Development Code.

Chairman Jaime Topham opened the public hearing at 7:01p.m. and called for comments.

With no comments offered, Chairman Jaime Topham closed the public hearing at 7:01p.m.

b. Proposed Amendment to the Minor Subdivision Ordinance, Chapter 21.3 of the Grantsville City Land Use Management and Development Code.

Chairman Jaime Topham opened the public hearing at 7:01 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:02 p.m.

c. Proposed Amendment to Grantsville City's Transportation Plan in the General Plan and amend the Street Master Plan.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:03 p.m.

d. Proposed Amendment to Grantsville City's Land Use Management and Development Code to clarify the approval process for Commercial and Industrial.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:03 p.m.

e. Proposed Amendment to the Grantsville City's Land Use Management and Development Code to add "Places of Worship" to the C-D zone in the Chapter 16 Use Table.

Chairman Jaime Topham opened the public hearing at 7:03 p.m. and called for comments.

With no additional comments offered, Chairman Jaime Topham closed the public hearing at 7:03 p.m.

CHAIRMAN JAIME TOPHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:03 P.M.

- 1. Discussion** with Scot Hazard to consider adding "Places of Worship" to the Use Table in the C-D zone.

Scot Hazard was present for this agenda item and stated to the Commission: Thank you. We have in our new Grantsville Professional Park a prospective use that would fall under houses of worship. In reviewing the CD zone ordinance there is no allowance in there for that use. Every other use within the zone is a conditional use. There are no permitted uses within the zone. And we just wanted to ask the City to consider placing places of worship as a conditional use within that zone. In other developments I've done, we've had churches and places of worship in both retail and office building scenarios. And it's worked out really well for us. Most of the uses are on Sundays and in evenings

when the other professional uses are not in use. So alleviates demands on my parking for their square footage of space during business hours. And it allows them to utilize the space when nobody else is there. So I really just wanted to have a conversation and see if you'd be willing to add places of worship in there. We do have a prospect looking to go into our new building for that use and that's what's driven the inquiry today.

Jaime Topham stated, I didn't see that listed in any of our conditional use, that section at all. So it's not, generally, a conditional use anywhere unless I missed it.

Kristy Clark mentioned, I didn't see it anywhere either, but if you want to add it to all the other Zones as well, then that could be part of the discussion. But for at least his situation, he would like to see it there.

Jaime Topham stated, understood. Well, I definitely think that it needs to be added to our list of uses. And it seems appropriate in the CD Zone. I mean, if you look at the definition of a CD Zone it's mostly about commercial, mixed use, multi-family. So it makes sense that the house of worship would be located in a similar Zone. We currently have four churches that are located in neighborhoods, residential neighborhoods, so I don't see how it would be any different in a commercial zone.

Gary Pinkham asked, will you be setting aside a portion of your building for that?

Scot Hazard answered, yes. We've got two of the units within the building that we're looking to build out for their sanctuary and educational use. Like I said, we've done this before in other developments we've had, it's been a great synergy.

Gary Pinkham stated, as long as it's a dedicated spot, I don't see a problem. I don't think it has been a problem with the previous Churches when they were in the strip malls. My only concern is that it wouldn't cohabitate with another business because of the potential hazards, et cetera, from the other business. So, I guess, if it's a dedicated use for that unit then I would be fine.

Scot Hazard stated, I think the city has some control on that because they're all conditional uses within the zone.

2. **Consideration to recommend approval** to amend Grantsville City's Land Use Management and Development Code to add "Places of Worship" to the C-D zone in the Chapter 16 Use Table.

Jaime made the motion to recommend approval to amend Grantsville City's Land Use Management and Development Code to add "Places of Worship" to the C-D

zone in the Chapter 16 Use Table. Jacob seconded the motion. All voted in favor and the motion carried unanimously.

- 3. Consideration to recommend approval** to amend Grantsville City's Transportation Plan in the General Plan and amend the Street Master Plan.

Shay Stark with Aqua Engineering was present for this agenda item and stated to the Commission: So, we have an area that has just recently been annexed into Grantsville, to the east of Sheep Lane. We have two or three other annexation applications that have been turned in. So, that's kind of driven the issue that we need to get a few of these streets designated in our plan. I recognize that the City is going to complete a transportation study. We have grant money in place that would totally update the Street Master Plan. And it will probably amend these maps. But I think that we have development that's coming in with these annexations, that we need to be proactive here and at least set aside, based on the best knowledge that we have, so that we don't find ourselves going into that study and already having development occur and we don't have the rights of way that we need for the future. There are a few other streets that are on here that have come up over different issues. So, I think the best way to handle this is just to kind of work down through each one of these streets that's being proposed. Some of these can go quickly, some may require a little additional discussion. The first one is Sheep Lane. Sheep Lane, when there's events at UMC, and large events at Deseret Peak Complex acts like a highway. And you could definitely argue that it already functions as an arterial street. And as this Lakeview Business Park develops it will create more traffic there and introduce more large trucks. Also, the fact that the north end Sheep Lane is the connection with the Midvalley Highway. All these things are going to introduce more traffic and it'll be a busier road. And I can't help but see that within a short period of time we're going to need two lanes each direction instead of turn lanes on there. And so, my thought is that we need to designate that as an arterial road now. And as the Lakeview Business Park develops, we'll require them to put together a traffic plan for their whole development, and then we will look at phasing. And try to figure out what those build-out needs will be, so they don't have to build it all at once, but they can phase that in. The next one associated with this is Lamb Lane. And we have a proposed subdivision that will be coming in that is north of 112 and the property bounds along the Lamb Lane alignment. It made sense, just looking at Lamb Lane that, that will become a collector because it will run at least from SR-138 to 112. And if the Depot fence line road is constructed, it would make sense for it to connect onto that also. So, recommending that is made as a collector street. Erda Way between SR-138 and Sheep Lane is another one to look at as its part of one the annexation applications that has been received. Realistically, it probably acts as an arterial. But we have a lot of homes, and a lot of driveway accesses already on it, in that section. I'm showing it here as a collector at this point. But I think that as we study that in the future, we may want to come up with a special designation for it. To determine how we're going to handle those homes and

driveway accesses. And then between Sheep Lane and Lamb Lane, running through this property to the North of the UMC, through this business park, we're proposing a collector there. Part of their master plan and looking at the businesses that could be going in there, it makes sense that there could be higher traffic with it. And with that, I want to be able to reserve the width of right of way. That will allow for center turn lanes and our collector design will allow for that. The rest of these don't have anything to do with the annexations. These are other issues that have come up along the way. The extension of Durfee east of SR-112. We just had Cook Corner approved, so if we keep moving that further east with that road. One of my concerns is that I don't want that to become directly connected to this collector street, into the Lakeview Business Park, because if it does then it will, by default, turn into a quick way to get over there. And we'll have a lot of traffic there at that SR-112 intersection with Durfee, is not a good alignment. So, we don't want to introduce additional traffic on that. And that's the reason that I'm showing a local road on there and extending it out. Typically, we wouldn't have those extensions on local roads, we just let them fall where they do. But one of the reasons I want to show it on there is as developers look at this, they see that it is not connected to that proposed collector. They're not tied into the same intersection. So, we're not creating a situation where that's the most convenient route to get into the older parts of Grantsville and to access that industrial park. The next one is South Street. We had a conversation with Shawn Holste on a concept plan and then there was the approval of Hunter Estates Subdivision where South Street goes through the properties but dead ends. Currently, we're showing South Street as a collector street. I think the question is that really going to act as a collector there? You saw some of the challenges that Shawn Holste was up against with that street and where we're at with it. Is it enough to show that as a residential street coming across and trying to make those connections? Do we want to make those connections? Does it make sense to bring it fully across?

Gary Pinkham stated, after our last discussion I was leaning towards making it local because the east end of its already blocked off with Worthington. It's not going to go through. And we got another part of it in the middle that has residential encroachment on it. So, unless the City wants to spend a couple million dollars buying houses and demolishing them, we're not going to have a street there.

Shay Stark continued, so then the question becomes, making it local, do we want to show it as local on here? And show it going full way across essentially from South Willow, to the west, to Mormon Trail? Or do we want to just totally remove it off the map? So, then it is developed as a local street in these areas, but it may not connect the full way through, it may just be dead-end sections.

Gary Pinkham stated, with the already built-out sections in there, I'm not so sure it's beneficial even show it on the map.

Shay Stark continued, the next one is the Worthington collector street. That right now is shown to extend all the way out to where potentially the Depot fence line road would

come across. And there was a discussion on June 24th, 2020 with Grantsville City Council and the developer of the Presidents Park subdivision. And I believe that you received the minutes from that meeting. What was proposed was that one of the streets in that subdivision called Washington Avenue would continue to run north-south. And the feeling that I got from the City Council was that they were okay with that idea because, the Depot fence line road is still in question. So, is everybody comfortable with this?

Jaime Topham stated, the City Council reviewed this, and they feel comfortable with it, that gives us good direction to take that designation off Worthington.

Shay Stark stated the last item that I have on here is the addition of the second phase of the Mid Valley highway. If you look at it, it runs right down the middle of the Romney Group property. I just had a meeting with them, and I asked them if they have talked to UDOT about this? They're currently in discussion with UDOT about the alignment. Supposedly they've made a proposal to UDOT that they're recommending that the alignment run along the east boundary of their property and they're willing to dedicate right away for that and then run it down along the edge of the airport. I guess there's talk of expanding the runway at the airport. So, this would work into that. He was explaining to me that if the runaway is expanded, there's going to be a realignment of SR-138. They haven't gotten anything finalized yet, but I am concerned that we don't have it showing on our plan. At the very least, I think we need to show what we know of now as the proposed alignment. And every time somebody tries to develop there, we need to ask that question.

Brian Pattee asked, so just to clarify, the discussion on the South street was that we would return it back to a local street.

Jaime Topham answered, I think that's the consensus.

Jaime made the motion to recommend approval to amend Grantsville City's Transportation Plan in the General Plan and amend the Street Master Plan as detailed by the map provided by Aqua Engineering and return South Street and Worthington south of Nygreen to local streets. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 4. Consideration to recommend approval to amend the Chapter 2, Definitions, #77 DEVELOPMENT (LAND) of the Grantsville City Land Use Management and Development Code.**

Shay Stark with Aqua Engineering was present for this agenda item and stated to the Commission: So from our previous discussion on April 8th, I've modified this a

little bit. From what I got from that discussion, I've taken our existing definition of development and just added the words that creates additional demand and need for public facilities. We ran into a situation just this last week, that is, we were in a meeting with this Lakeview Business Park and they were asking about being able to grade a pad, out there on the site. As soon as I heard it, I thought, well, what's the definition of development because we were basically saying, yes, you can go in and you can move dirt on the property, there's no permit required.

Jaime Topham stated, remind me why we had to look at this. Because I couldn't remember the context of why changing the definition of development was important.

Shay Stark stated, part of it was associated with our requirements for open space. We have a statement in the requirements for open space, that we're basically saying that we're trying to preserve the character and nature of the undeveloped tracks of land. I'm not quoting that exactly correct. As we had one of these minor subdivisions come in that was looking at dividing two lots into three, and two of those lots had homes on them, as we were reviewing that we were going through that code, reading the code and trying to understand what portion of that property should be required for calculation of the open space. As we read through that, one of the questions that came up was about this definition of development. As I passed that on to the City Attorney, he was concerned about the definition of development. As he brought up in that planning commission meeting, after we had that discussion about development, he also said that we probably also need to include a description of what development is not. It just so happened, I was looking at the Eagle Mountain City Code and they had language describing what development was not. So I've taken that and I've modified it just slightly, but for the most part this is just straight out of what they had in their definition. So, that's where this additional language comes from "the following operations or uses shall not be taken to be development for the purposes of this title. Normal agricultural operation activities, work by a highway or road agency for the maintenance of a road if the work is carried out on land within the boundaries of the right away utility installations, landscaping for residential uses and work involving maintenance of existing landscape areas and existing rights of way such setbacks and other planted areas".

Jaime Topham asked, so, the problem is in the open space regulations, it states, "Grantsville city desires to protect and preserve these characteristics while allowing for continued growth and improvement of the community by requiring each proposed development to consider and maintain some form of open space". So it's that use of development in that statement is where we're getting this problem?

Shay Stark answered, there's another statement.

Jaime Topham continued, it goes on to say, "all undeveloped parcels that come before the city as a subdivision of land shall comply with the open space regulation found in the

chapter. All development shall be in compliance with all applicable grants, city ordinances, regulations, and resolutions. When in conflict, the provisions of this chapter shall prevail".

Shay Stark stated, there's still another statement, but that undeveloped parcels is as part of it. Is it an undeveloped parcel if we have existing homes on it that we're splitting, but there's another statement further down.

Gary Pinkham asked, so if a guy comes in here and he's got 1000 feet of existing street frontage with sewer and water already installed on that street, whatever he does, doesn't constitute development?

Shay Stark answered, that's why I want to add, I thought it was interesting that the State's definition, they have three definitions for development in there that are really generic. Our definition kind of wraps all three of theirs into one. But the one statement that's in all three of theirs, that's not in ours is this statement, "that creates additional demand and need for public facilities". If it's an additional demand and it creates additional demand or the need for public facilities. So if he goes in and he takes that road out, then yes, that's development. But if he's just maintaining the road, it's not.

Gary Pinkham stated, that's not what I said. If there's an existing street, it's already built with sewer, water, curb, gutter, sidewalk and he's got a thousand feet of frontage, he wants to put 10 homes and there's not development because the street curb, gutter, sidewalk, sewer and water is already there.

Shay Stark added, that's the way we treat our minor subdivisions, we would essentially be saying something like that. But the fact is, he's creating additional demand because he's got to add services. He's got to excavate into the street and tie in water and sewer.

Gary Pinkham stated, if we're going to go over this additional demand issue, et cetera. And then the question came up, okay, he's got two lots now he's going to create a third lot, is it 10% of the gross area? Or is it 10% of the new lot? And basically they were getting out of creating or producing any open space contribution to the city because the two existing houses already have sewer and water. They're not going to do anything, so the next thing you know, we're going to get \$3.40 because we exempted everything. That's what brought this discussion up.

Jaime Topham stated, I got that part of it, but I don't understand why we need to have open space in that? What does that actually give the city? For me, it boils down to whether open space should be applicable, to minor subdivisions anyway.

Shay Stark stated, this initially came up with an open space issue, but there have been other situations where the definition of development came into question. That's why we

need this clarified in the code.

Gary Pinkham stated, this definition has zero to do with developing the street, whether he does or not. It's whether he goes in and puts in a house or puts up a garage or puts up a shop or a parking lot or a park or whatever, he has developed that parcel.

Shay Stark answered, correct. Which then affects the infrastructure that's out in the public right away. That's where by saying that creates additional demand and need for public facilities. Development can come in different forms. This definition isn't telling them, okay, this is development, here's the process you have to use. We have a lot of different processes. So somebody may come in, like you say, and they want to add onto their house, or they want to build a garage on the property. They'd be put through the building permit process. Where if somebody else wants to divide their property, they'll go through a subdivision process of some sort. This isn't defining a process, it's just defining, what development is because throughout our city code, we always fall back on this word development. We're basically saying, if you're doing any sort of development, you have to talk to the city and get an application and go through a review and approval process.

Jaime Topham asked the City Attorney, do you have something to add Attorney Coombs?

Attorney Coombs stated, I have a couple things. So, a couple of things, this conversation started or came from a discussion of open space and Jaime, you did hit on the correct ordinance. It was 21.1.12, but it was sub two that we were looking at and it says "all undeveloped parcels that come before the city of a subdivision or land shall comply with the open space regulations found in this chapter". Then it does go on to say, "all development shall be in compliance". As we were looking at the issue that Shay had discussed, we tried to determine what is undeveloped land versus developed land. I went to the definitions within our code and we don't define undeveloped land and we don't define development. Well, we do now, but the definition that we had at the time was basically, well it's still here, the conversion or alteration or abuse of physical characteristics of the land. So basically any alteration of the land was being considered development. And so that at that time we were concerned that if someone made alterations to their land, they didn't come in and under that open space provision and potentially other parts of the code. And so that's how this discussion started. But as Shay has mentioned, defining development does help us to try to understand what the intentions are of parties and of the city. Now, whether open space should be required in minor subdivisions, I think is a valuable discussion, but at the current moment, I don't think that that makes the difference in terms of how we define development. Shay mentioned that I had not had an opportunity to review what he had said, that the commission and I have no problems with it, but I do have a couple of comments. The first one is just the statement of normal agricultural activity, maybe a little broad. How

do you define what normal agricultural activity is? Also, perhaps it might be wise to enlarge our definition a little bit for construction, conversion, relocation, or enlargement of structures. The current definition that we have defines developments as land alterations. As it's been mentioned a couple times, development could also be structural alterations or conversions. So, a language along that line might be helpful to add into it. Do you have any particular questions Madam Chair?

Jaime Topham stated, one that's somewhat related? Do you know what the Utah state's title of the land use is? What the title number is for the land use for the state?

Attorney Coombs answered, it's 10-9a.

Jaime Topham stated, thank you. I just thought I'd look and see what their definitions are. Attorney Coombs, do you feel like this is something that we need to keep working on and continue to craft a little bit better than is currently stated?

Attorney Coombs answered, I think the document that you have in front of you is 90% there. I think if we include language similar to what's in the state code, they state that development activity is any construction or expansion of a building structure or use that creates additional demand and need for public facilities. Or we could include something close to what Eagle Mountain has in their definitions. They have the language that says the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure. But, ultimately that's up to this commission and if you think it needs to be worked on more, then we'll go back to the drawing board.

Jaime made the motion to table the amendment to the Chapter 2, Definitions, #77 DEVELOPMENT (LAND) of the Grantsville City Land Use Management and Development Code to continue to work on the definition. Gary seconded the motion. All voted in favor and the motion carried unanimously.

5. **Consideration to recommend approval** to amend the Minor Subdivision Ordinance, Chapter 21.3 of the Grantsville City Land Use Management and Development Code.

Shay Stark with Aqua Engineering was present for this agenda item and stated to the Commission: So we really struggle with these minor subdivisions, and to the point that sometimes I look at it and I know there's other staff members look at it and say, "Why don't we just get rid of the minor subdivision altogether?" And require everybody to go through the major submission process. Some of the issues that we're running into with it are, and I'll just go down through this and then explain it. In our purpose, we say minor subdivision is division of land into no more than four lots, and minor subdivision shall not, and it says "Include the construction and dedication of new infrastructure, unless

approved by Planning Commission and City Council." So, either that's saying that we can't use minor subdivision, if there is the requirement for a dedication of infrastructure, unless approved by Planning Commission or City Council, or it's saying that Planning Commission or City Council, that the person has to come ask Planning Commission or City Council, if they can dedicate infrastructure. So, the struggle is, are they required to put in or are they not? In our Code we basically stated that the only people who can waive that is the City Council. So, my suggestion is, let's just strike the sentence out of here. Take away the ambiguity of it and take away the question of whether infrastructure needs to be dedicated or not, allow the development, allow it to be determined based on where the development is, what it is. So, if they bring through a four-lot subdivision that needs infrastructure and land dedicated, there's no problem with that. If they don't, we move it through. And the City Council waves it, that's their job. Going down a little further, number three, it says "Land may be dedicated along existing city streets that increase the right way to current city standards, shall be dedicated." If it's not city standard, they need to dedicate their, whatever portion of land for their half of that street. And then at number six, this was all one huge paragraph in the existing code. And it bounced all over the place because over the years, everybody just added another statement onto it. So, I'm proposing that we break this up and just title it "Improvements." The first sentence in that paragraph said, "If a proposed minor subdivision is located in a zoning district, other than in an agricultural or rural residential zoning district, the adjoining public roads fronting the development the roads should be fully improved." We need to amend this to not stating agricultural or rural residential. As we go down through that, so what I'm proposing here now, it says that joining public roads shall be fully improved on the side of the street, fronting the development with a minimum travel surface of 26 feet, or half the street pavement width, for the street classification, whichever is greater. I took private roads out because we already have a definition for private roads. There's no reason for that to be in here. "All the associated improvements, such as sidewalk, curb, gutter, or alternate drainage shall also be constructed to city standards for public road standard street section, as specified in Grantsville City's technical specifications and standard drawings. Unless waived by the City Council," is what the current quote says. And I just want to change that to "Unless specific improvements have been waived by the City Council," because it's not an all or nothing. We're talking about all associated improvements. Then this next section that was further down in the paragraph, I pulled it up here because it ties to these waivers. "If the City Council waives the completion of sidewalk, curb, gutter, or other improvements for minor subdivision at the time of approval, the owner of the minor subdivision shall, as a condition of that approval would be required, including a notation on the subdivision plat as follows," and the notation is basically saying that they're required, within 90 days of the city telling them that they're going to be making improvements and they need those new improvements completed, to help pay for the installation of those improvements in front of those parcels. Then on C, we don't have a City Maintenance Director. It'd be the Public Works Director. And that is saying that the director may also require a drainage plan and installation of related flood control improvements, or other city private, or private utilities. And it says, "As may be

necessary" just "as necessary." Another statement that was just in the middle of this paragraph. "No building permit will be issued in a minor subdivision until such time as all the required improvements and installation of utilities have been completed, or until the financial assurance has been filed with the city that complies with the requirements of Chapter 21, section seven of this code." Which are the construction bonds. But this is where these next paragraphs come in. This is one of the issues that we're running into, that we're really struggling with. We've had several minor subdivisions that have come through, been approved. And of course, we don't require them to install the utilities, install these improvements immediately, like we do with a major subdivision. And so, a year or two later, they finally decide that, well, one of the kids wants to build a house, now we must make these improvements. And they go out, hire a contractor, and proceed to dig in the street. Public Works finds out, and asks where's the plans? There are no plans. What standards are you building it to? Oh, we just went over to Home Depot, bought some pipe and here we are tying onto it. We keep running into this problem in different ways, but that, because we don't require a meeting right after approval, people don't know what to do. These next paragraphs really try to tie that down. And the idea here is, that's fine if you're doing it a year later, or two years later, 10 years later. We don't care about that, but when it does happen, we need to have construction drawings. We need to have inspections occur. We need to have a pre-construction meeting to make sure everybody knows what needs to occur, just like we would with any other subdivision. Paragraph E "Construction drawing stamped by licensed engineer, and adhering to the current city codes, specifications and standards for construction shall be submitted to the city for review and approval, prior to construction of any improvements. Construction drawings submitted with the minor subdivision application shall be updated to meet current city codes, specifications, and standards, and resubmitted to the city for review and approval. If the approval of the application is older than one year and the construction has not occurred." Paragraph F "Though in some cases, construction may not be required to occur immediately after city approval of minor subdivision, at the time the applicant submits updated construction drawings to the city for review and approval, instruction of improvements shall take place within one year after the construction drawing approval." We also may have a change in the State Law. Maybe they have a different minimum size pipe or something that they come up with. And if that doesn't occur within a year, we need to be able to fall back and re-review. "A single six month instruction extension may be considered by the city, if the applicant applies for the extension prior to the expiration of the one year construction period, and has shown a good faith effort to complete the required improvements within the one year construction period." So, if they're in the middle of construction, they hit winter, they still need to pave, and you must wait until spring or something like that. They can apply for this, and we can work with them on it. "Failure to complete construction within a construction period shall result in a requirement to provide financial assurance to the city for the remaining work that complies with the requirements Chapter 21, section seven." So basically in a lot of these cases, they're not required to bond, initially, but if we were struggling with this and have a problem, and they're not getting it constructed, we actually had this on a subdivision

where the city attorney finally had to say, "Look, you guys have to bond because it's just, we're concerned about whether we're going to get the end product that we're supposed to have here." And so, that's one way that we can ensure that everything gets finished or have the ability to complete it if we need to. Paragraph G "Construction shall proceed following the city's established processes or standard subdivision, including but not limited to a pre-construction conference with city staff." I put in the contractor priority construction, testing and inspections, and payment of the appropriate inspection fees, coordination of work in City Rights way in connection to utilities and final inspection, acceptance, and other close-out procedures as required. Paragraph H, this was another sentence that was in that paragraph jumble. It said, "City Council may also require the subdivision improvements be guaranteed for two years after the installation." This is a requirement, we require everybody. So, I'm going to just change it and state it that way and get rid of the "may", and just say "Dedicated subdivision improvements shall be guaranteed for two years." That's what we require OF everybody.

Gary Pinkham stated, where it says, "and after their installation, or after their final acceptance". How about we say after final acceptance?

Shay Stark answered, I agree and stated, those are the big changes in this code. And then under the approval process, we have a different requirement for drawings. We have refined that as we've been going through the DRC's and different things. So, we require them to bring in three 24 by 36 prints, four sets of 11 by 17 prints and a PDF file of the final Plat. But there again if we have infrastructure, we need infrastructure design, engineer drawings also with that. But we don't require CAD file at that point anymore. And then we don't require the original Mylar for the Plat until it's gone through the approval process. So, as we go down through the process and get down to the end of the process after the DRC, the development review conference. Then this middle of the revised drawing package, shall include drawing packages in the following formats: four 24 by 36 prints, fourteen sets of 11 by 17 prints and PDF file. We will require the CAD file it at that this point, it should have all the revisions done of the final plat and infrastructure design drawings. After City Council has approved the minor subdivision, we require the applicant to submit the 24 by 36 Mylar. There was one more, in number four, as I was reading through this, it said County Health department, County Recorder, and then it said, and other private public body. I just added the word "any" and because it made sense. So that's all the changes that we're requesting in the minor subdivision.

Jaime made the motion to recommend approval to amend the Minor Subdivision Ordinance, Chapter 21.3 of the Grantsville City Land Use Management and Development Code. With the changes detailed in the memo from Aqua Engineering. Jacob seconded the motion. All voted in favor and the motion carried unanimously.

6. **Consideration to recommend approval** to amend Grantsville City's Land Use Management and Development Code to clarify the approval process for Commercial and Industrial.

Attorney Coombs was present for this agenda item and stated to the Commission:

Jaime Topham stated, you're asking us to recommend approval when I didn't see anything that we're looking at to approve?

Attorney Coombs stated this is a precipitated primarily by that new development the Lakeview business park. They are wanting to try to get to start moving soil and breaking ground as early as September 1st. So we as a city have been working very diligently to ensure that we have a process in place whereby they can get the approval needed, and that city can inspect and do the things that we need, to ensure that both sides are protected and taken care of. I am working on creating a process that will be submitted to the Planning and Zoning Commission. Originally, we had talked about having that process, at least a draft form ready for the Commission this evening to get approval so that we could get it to the City Council immediately. The problem that we ran into in doing that is in creating a new process like this and doing it from scratch is taking a lot more time than what we had anticipated. In discussion with Shay and staff we determined that for this first building they'll be able to use our major subdivision process to come before this Commission and get their first subdivision done. And then beyond that, we will hopefully have this new process in place before they move forward with the rest of their phases. What I would request today is if you want me to explain the process, I can do that, but otherwise if you could table this until your next meeting. I will have something for your next meeting, whereby hopefully we will have this process in a much better position that we can present it to you. We were just very nervous trying to rush it to the point where we were going to make a mistake.

Jaime Topham stated, I think with the lightness of the time, I think it would be wise for us to table. And then we can, when we have something to actually review and look at, then we can ask questions based on that. So, thank you for that input.

Jaime made the motion to table to amend the Grantsville City's Land Use Management and Development Code to clarify the approval process for Commercial and Industrial. Gary seconded the motion. All voted in favor and the motion carried unanimously.

7. **Consideration to recommend approval** of the P.U.D. for Mike Colson and Wade Sandberg on the Presidents Park P.U.D. Subdivision located at Worthington and Nygreen for the creation of two hundred and ninety-six (296) lots in the R-1-21 zone.

Mike Colson and Barry Bunderson were present for this agenda item.

Jaime Topham stated, so given the discussion about the streets, the last time you were here, we tabled it because of the question about Worthington, and Worthington being a collector. It seems like we've resolved that issue. Obviously, City Council still needs to vote on that. But that gets us back on track. Shay, is there anything else that we need to bring their attention?

Shay Stark answered, No, I don't think there was anything else. With our last discussion, I think everybody was fine with everything else on here.

Gary Pinkham stated, one question, if we take Washington Way and turn it into the new designation for street, is the design cross-section in here going to a meet that? Part of that question comes from you have a section that comes from NyGreen to Shelley, but then there's something else somewhere else. If we're going to go to the collector street is Washington way going to meet the requirements for the collector?

Barry Bunderson answered, yes, the standard collector has a 12-foot turning lane and then an 11-foot travel lane in each direction, with some shoulders. Our shoulders are one foot different than what is in the standard collector road section and we have no parking, all that. The standards for shoulder width are based on volume of traffic and speed, and we have four-foot shoulders which is adequate for this development. So, the shoulder width, isn't an issue based on those standards. So, to answer your question; yes, the travel lanes are the same, the only minor differences are in the shoulder width.

Gary Pinkham stated your detail number one shows that you are only taking the collector to Shelley. Shouldn't the collector status go all the way through to the southern boundary?

Barry Bunderson stated my understanding is that the notes say that they would allow driveways. So, there is 30 feet of pavement in what continues. So, there's ninety feet right of way, but we've got 30 feet of asphalt.

Jaime Topham stated, I think that the special condition was just there would be driveway access at 100-foot intervals, but not necessarily that the street right of way could be less.

Barry Bunderson stated, our right of away would meets this conditional right of way collector, the actual right of way widths are the same 40 and 40. So, it's there but if there were a need in the future to widen the streets you have the right of way. But the way it's proposed right now is to just do this.

Shay Stark stated, so basically you need to carry the three lanes all the way through to the Depot boundary.

Barry Bunderson stated, we can make a modified cross-section.

Jaime made the motion to recommend approval of the P.U.D. for Mike Colson and Wade Sandberg on the Presidents Park P.U.D. Subdivision located at Worthington and Nygreen for the creation of two hundred and ninety-six (296) lots in the R-1-21 zone. With the understanding that the road cross-section labeled number one in the detail will continue all the way to the south boundary of the property on Washington street. Jacob seconded the motion. All voted in favor and the motion carried unanimously.

- 8. Consideration to recommend approval** of the Preliminary Plan for Mike Colson and Wade Sandberg on the Presidents Park P.U.D. Subdivision located at Worthington and Nygreen for the creation of two hundred and ninety-six (296) lots in the R-1-21 zone.

Mike Colson and Barry Bunderson were present for this agenda item and stated to the Commission:

Barry Bunderson asked, is there opportunity for us to modify the section from Shelley to the South boundary so that it has the full lanes, but it's the 80-foot-wide right of way?

Gary Pinkham answered, you will still have the driveways? I think the City Council anticipated the modification for the driveways going from north to south. So, I think that would be okay as long as we have the full length of the right of way. I also think with you putting sidewalk only on one side I think you are gaining some ground within that right of way to make it work.

Jaime Topham asked Shay Stark, do you think the City would be comfortable with this? Shay Stark answered, I don't see a problem with it. The reason for the 90 foot versus an 80-foot-wide in those standards is because of the open swells for drainage. And you just need an order to get any volume without creating an irrigation channel. You need to be able to have the wit to be able to pull it off. So, there's certainly other options. As Gary said, there are storm drain plans, the critical storage, and the critical capacity and those seems to be on the East West of the street.

Jaime Topham stated, so to be clear, then they can do the 90 foot up to Shelley lane and then have it be the 80 foot right of way. As long as the roadway has the same travel lanes all the way through, we're all comfortable with that?

Jaime made the motion to recommend approval of the Preliminary Plan for Mike Colson and Wade Sandberg on the Presidents Park P.U.D. Subdivision located at Worthington and Nygreen for the creation of two hundred and ninety-six (296) lots in the R-1-21 zone with that qualification that the travel lanes must remain the same from NyGreen all the way to the South boundary of the property. But the actual right of way can differ. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 9. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held June 11, 2020.**

Jaime made the motion to approve the meeting minutes for the previous P&Z Meeting that was held June 11, 2020. Gary seconded the motion. All voted in favor and the motion carried unanimously. Jacob abstained.

- 10. Report from City Council Liaison Darrin Rowberry.**

Council Liaison Darrin Rowberry stated to the Commission: I don't have anything to discuss. Do you have anything for me?

Jaime Topham asked, do we have anything for Darrin to take back to City Council?
All Commission members stated, not at this time.

- 11. Jaime made the motion to adjourn the meeting at 8:56 p.m. Gary seconded the motion. All voted in favor and the motion carried unanimously.**

Kristy Clark
Zoning Administrator