

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 10/08/2020. THE MEETING WAS HELD IN THE GRANTSVILLE CITY COUNCIL CHAMBERS AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: Vice Chairman Gary Pinkham, Commission Member Brian Pattee and Commission Member Erik Stromberg

Commission Members that were present on Zoom:

Commission Members that were absent: Chairman Jaime Topham and Commission Member Jacob Linares

Appointed Officers and Employees Present: Zoning Administrator Kristy Clark, Attorney Brett Coombs, Shay Stark with Aqua Engineering, City Engineer Timm Dixon, Grantsville Fire Marshall Brad Clayton and City Council Liaison Darrin Rowberry

Appointed Officers and Employees that were absent or present on Zoom:

Citizens and Guests Present: Adam Nash, Joell Dowden, Steve Macurdy, Paul Linford, Claire and Karen Halladay, and many members of the community attending the meeting through Zoom

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS:

- a. Proposed General Plan and Future Land Use Map Amendment for Paul Linford at approximately 1100 West Main Street for 140 acres to go from a “Low Density Residential” designation to a “Medium Density Residential” designation.**

Vice Chairman Gary Pinkham opened the public hearing at 7:00p.m. and called for comments.

Vice Chairman Gary Pinkham read into the record an email from Ed Burrola that read: My neighbors and I are totally against this amendment. Our whole neighborhood is constructed on a two homes per acre, putting too many homes will disarray everything. Were short of water as it is for all the city, putting “extra” homes would make it worse, you cannot conserve water putting extra homes. I am also against two story homes too close to our properties, they are OK at least 1/4 mile away, the panoramic view of the city is fantastic closer to the mountains. I would also request an alley or road between our properties to have an extra outlet to the highway in case of another flood or fire. We hope the Planning and Zoning Committee will take this to heart for this part of Grantsville’s Families and Citizens. THANK YOU

Clare Halladay stated to the Commission: My name is Clair Halliday. I'm a former resident of Grantsville. I was born and raised here and I own 10 acres adjoining this property. Let me give you some background on myself, I spent 25 years in heavy construction, building subdivisions from the north clear down to Salem, and clear up into Idaho. Then I spent 15 years with West Valley City in their engineering division doing plan reviews and permits. When I got this, I was surprised that he was asking for 12,000 square foot lots instead of seven or eight thousand square feet, so that part pleased me. I would hope that some of his subdivision offered larger lots because as a fellow previously stated, that's the only part of Grantsville that's got a 360-degree panoramic view. I mean, on my property up there, I can watch the airplanes take off and the fighter jets at Hill Air Force Base. I can even see the Event Center. In '83 I set up at the Event Center where we were doing some work on my front end loader and with a pair of 10 power binoculars I could actually watch the fire sweep right over the top of my brother's house and I could see him coming down off the mountain on his bike. And I knew it was him. So you have an unbelievable view from up there. I'd like to see really nice homes go in. Where I live in Salt Lake, Ron Thorne built a subdivision all the way around me and he told everybody there would be no home built on there over \$200,000, that people were too cheap in West Valley City. There was one home built for less than \$200,000. The rest are all three, four or five hundred thousand dollar homes. So, I think the same thing would happen here. If the property is available with nice sized lots, I think you'd see a really nice home go in. I'm just opposed to the 12,000 square foot lots. And that's all I got to say. Thank you very much.

With no additional comments offered, Vice Chairman Gary Pinkham closed the public hearing at
7:04p.m.

b. Proposed Rezone of 140 acres for Paul Linford to go from an R-1-21 zone to a R-1-12 zone for property located at approximately 1100 West Main Street.

Vice Chairman Gary Pinkham opened the public hearing at 7:04 p.m. and called for comments.

Clare Halladay stated to the Commission: I have one more comment. Clair Halliday: Part of my perspective is we've got subdivisions all up and down the Wasatch front and I've seen what happens to them over the years and the ones with the smaller lots, they get jaded and turned into ghettos very quickly. The larger lots, they're still in pretty good shape. In West Valley City, I saw them build high density housing there, north of 21st South. They claimed that two and a half cars per unit are plenty. And if you drive in there at any time, the streets are totally packed with cars. There's not enough parking. And West of WinCo, you see that high density housing. They said they had plenty of parking. No, they're parked all over the road. Parked. The smaller the lots, the quicker they turn into ghettos. I have great pride in Grantsville and personally I tell people

when I meet them, I'm from Grantsville and I don't want to see Grantsville deteriorating. So, once again, thank you.

Joseph Kempe stated to the Commission from Zoom: My wife and I are against it because we don't want the high density houses kind of like echoing what the previous gentleman said. We moved here because we liked the bigger lots and that's why we're where we're at because we want a little more land. We want to be around people like us. Like to maintain what we've got and not have to super high density packed around us. And have the value of the property around us go down. We're afraid that it's going to also affect our taxes. Our tax values are going to go way up. That's a big concern for us with this many houses and that many lots.

Vice Chairman Gary Pinkham read into the record an email from Brenda Peterson that read: I received a notification about a rezone request by Paul Linford about property that is in the area of my property. Of course I do not like that so much of the open land is being developed but I also realize it is going to happen whether I like it or not. My comments on the subject are that if they think they need to make the lots smaller (which I do realize that some people prefer smaller lots) then go ahead and make them smaller but do not allow any more lots in the development. Use the extra land for open space. I would love to see some walking paths with open areas available in our community. To ask a developer to leave open space most likely won't happen so my vote is to keep the lots 1/2 acre so there won't be so many houses crammed into a development. Larger lots keep the feel of a rural community which I believe is why all of us are here in Grantsville. Brenda Petersen

Vice Chairman Gary Pinkham read into the record an email from Julie Mackley that read: To Grantsville City Zoning Department: I am writing in response to the request for REZONE information I received about the property that abuts our back property line. I look forward to attending the Zoom Meeting so that I can gain further information about this process. However, I wanted to send my initial concerns before the meeting. I disagree with the REZONE change. First: The city planners just finalized the new General plan at the beginning of this year. I feel that the many hours of hard work, gathering public input, carefully studying the proposals as a public to give our input, and coming up with a workable General Plan should not be ignored. Our city is growing, and we can't refuse landowners or developers from using their land. However, we should be able to have the General Plan serve as a good faith agreement, or standard for those that have lived here, and are planning on moving here. Citizens should be able to have a general idea of what the area they are living in, or buying in, could look like in the future. I feel that the zoning changes that differ from the General Plan are some of the biggest contentions the citizens have with developments. Property owners have purchased or built their homes where they have because they expect the surrounding area to maintain the same design, or feel. People that like to be in smaller homes with smaller lots, tend to build and buy closer to the city center. Those of us that like

animals, and open spaces build or buy on the outskirts of town. Our neighbors are in the county. We thought we were literally buying on the edge of town. We like the sound of chickens, goats and horses, and the smell of hay fields and cattle. The development of ½ acre lots around us will already be a huge adjustment from the wide open spaces we enjoy now. I can see the beautiful mountains as I'm washing my dishes, and watch my children ride their motorcycles up the trails. I've seen deer, fox and an occasional coyote from my window. I know that eventually there will be a house, or if I'm lucky, a park behind my house. I hope that I won't have 3 houses there instead! Second: The reason stated is to have smaller lot sizes "due to NO irrigation" and to be able to "conserve culinary water". I feel that two households per acre will use less than three households per acre. According to the EPA: The average American family uses more than 300 gallons of water per day at home. They state that roughly 70 percent of this use occurs indoors. According to the Utah DNR Survey in 2009 the amount of Outdoor water use is not significantly different from a ¼ acre to ¾ of an acre. According to this same survey, "linear regression was used to determine if the amount of floor space in the home had any relationship to indoor water use". There was a notable difference in water usage from 1000 sq. ft. homes to 3000 sq. ft. homes. It was assumed that a larger home has more water using devices. Therefore, larger homes would have more impact on water usage than larger lot sizes. Our neighbors to the North of us in the Fox Hollow subdivision are experiencing water pressure issues, they feel are a direct result of the subdivision that is under development to the West of them. (The Highlands). Does the city have a plan to mitigate these problems when they approve any and all new subdivisions? An article from the DNR about the cost of water in Utah stated that many developers convert the water rights of the property to the municipality, which helps to keep the costs down of providing water to the new subdivision. Agreeing to a rezoning of smaller lots to save water, or decrease the cost of water delivery should not be a consideration due to the small difference in water usage between an R-1-21 zone and a R-1-12 zone. If such an agreement can be made, it should be made with the current zoning in place. Developments are coming, the secret is out that Grantsville is a great place to live and raise a family. Let's keep it that way by following our General Plan and creating a working vision for our city. Thank you, Julie Mackley

Vice Chairman Gary Pinkham read into the record an email from Greg Mackley that read: I second of which my wife has stated, and would like to add my personal thoughts. With me being in the building industry, and my personal occupation I have chosen being an electrician, I know that the building and development will happen with or without my blessing! Change is the only thing that stays the same as they say. I would like to admonish the building and zoning department of Grantsville the following: Sometimes, we as individuals have a human trait to want to make everyone happy, including the person/people proposing a change in zoning to a certain parcel to maximize their revenue. When the time and money has already been spent on building a masterplan and a vision for our city, in my opinion, every application that has been submitted doesn't need to be brought before the public. if such person/people don't meet

minimum requirements, the city should in my opinion, reject such applications and ask them to go back to the drawing board and regroup, and come back with a plan that is cohesive with the standards and vision of Grantsville City. It is of my opinion being a home owner in the little Reno Estates, that the lot sizes in this area should maintain a ½ acre size, so it doesn't hurt the value of the homes and lots already purchased in these subdivisions. I know you Men and Woman on the planning and zoning board have a tough job, and appreciate everything you do to give our community a sense of safety and purpose, and appreciate you taking a minute to listen to my concerns. Sincerely, Greg Mackley

With no additional comments offered, Vice Chairman Gary Pinkham closed the public hearing at 7:18 p.m.

c. Proposed Minor Subdivision for Joell Dowden to divide her property from one (1) 10-acre lot into four (4) 2.5 acre lots located at 228 S 1160 W in the RR-1 zone.

Vice Chairman Gary Pinkham opened the public hearing at 7:18 p.m. and called for comments.

With no comments were offered, Vice Chairman Gary Pinkham closed the public hearing at 7:19 p.m.

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

Vice Chairman Gary Pinkham opened the public hearing at 7:19 p.m. and called for comments.

With no comments were offered, Vice Chairman Gary Pinkham closed the public hearing at 7:19 p.m.

e. Proposed Amendment to the Ordinances of the Grantsville City Land Use Management and Development Code. Adopting and Amending Chapter's 6.14 & 6.15, Driveway Regulations.

Vice Chairman Gary Pinkham opened the public hearing at 7:19 p.m. and called for comments.

With no comments were offered, Vice Chairman Gary Pinkham closed the public hearing at 7:20 p.m.

VICE CHAIRMAN GARY PINKHAM OFFICIALLY CALLED THE MEETING TO ORDER AT 7:20 P.M.

- 1. Consideration to approve an Animal Conditional Use Permit for Steve Macurdy to keep up to six (6) Horses on his property located at 358 Wrangler Court in the R-1-21 zone.**

Steve Macurdy was present for this agenda item and stated to the Commission: I think what you guys are waiting on is just those drawings with the measurements, unless there's something else you would like?

Gary Pinkham stated, it looks like we've gotten the information that we requested of you.

Gary made the motion to approve the Animal Conditional Use Permit for Steve Macurdy to keep up to six (6) Horses on his property located at 358 Wrangler Court in the R-1-21 zone. With the condition that the horses be kept in the center of the property to maintain the 100-foot buffer. As well as keeping and maintaining the corrals and stalls to control the waste and smell. This is a temporary approval and will be reviewed in six months to see that Mr. Macurdy is still in compliance before this becomes permanent. Brian seconded the motion. All voted in favor and the motion carried unanimously.

- 2. Consideration to recommend approval to amend the General Plan and Future Land Use Map for Paul Linford at approximately 1100 West Main Street for 140 acres to go from a "Low Density Residential" designation to a "Medium Density Residential" designation.**

Paul Linford was present for this agenda item and stated to the Commission: My name is Paul Linford. I appreciate the commissioners letting me have a chance to talk and tell you why and how we're proposing this. I need to make a comment that it's actually 156 acres, not 140. And I apologize. That was my fault. We are asking to go from a 24,000 square foot lot down to a 12,000. There's a couple reasons for this. As you probably know, on the west side of the city, none of the subdivisions have irrigation water. And there's been a couple of comments made, and I do appreciate those comments. Grantsville irrigation says that for a half acre lot, they're planning on 250,000 gallons a year. In this city, the approximate average of culinary use per home is in the realm of 36 to 42,000 gallons. Also, if we look at the property north of what we're talking about on the highway, that is high density, six units per acre. And that is owned by Deseret Highland and Investments, LLC. I did a survey on two of the subdivisions in the area. And part of the issue with the water is the expense and what people are doing or not doing because of that expense. And by no means am I criticizing anybody in the

way they take care of their yard or what they decide to do to it. But it is interesting that in one of the subdivisions, the full yard landscaping, meaning that at least half of the rear yard is landscaped and they might have some gravel and things like that, 44% of the people actually have full landscaping. What would be considered full. Just the front yard, 18%. None is 32%. That means either they've got zero scape, which is the case in three or four of the items. But there's nothing whatsoever. That means either there's dead grass or they're just not doing anything. They have weeds. That 32% of the time. In the second subdivision that we surveyed, there are 48 homes in that area. Finished. Landscaping, the full yard landscaping, is 25%. Front yard is 44%. No landscaping being done at all is 32%. The question that we have is, is it because irrigation water is not being allowed? Could that be one of the reasons why the yards are not being kept up? And again, people can do what they want. That's what it's all about. What we're proposing is a medium density, which is three lots per acre, going down from two lots per acre. As part of our incentive for the city to allow us to do this, the city right now is trying to come up with money to do a splash pad in one of their parks. That splash pad is going to cost \$400,000. We are offering today that if we can get this done, as soon as it is passed, and the development agreement will state that we can build a minimum of 12,000 square foot lot, we will give the \$400,000 to the city so that they can start this winter on construction of the splash pad.

Someone from the audience stated, "That's a bribe."

Paul Linford continued, No kidding. It is a bribe, but it's a bribe that's legal because you're giving it to the city, and you can do that. Also, with one year from the time we start, we have final approval on the first phase. One year from then, we will give \$100,000 and then in two years we will give another \$100,000, to be able to put money into a water tank that needs to be constructed on that side of the city. So, we are proposing this not only because of the water, but also because it will be a great benefit to the City.

Gary Pinkham stated, I am in agreeance with the comments we've heard this evening and we did do an awful lot of work on our general plan. I'm not really ready to start making changes to that right now, as far as a splash pad really goes at a quick glance I think, for the open space ordinance, we're probably going to get three or four times that much anyway. You've got 156 acres and 10% would be 16 acres, so we are looking at approximately half a million dollars if not more. So, I don't see that you're really offering us anything we're not going to receive if this project goes forward. Again, I'm not willing to give up on our master plan this quickly.

Paul Linford stated, we are asking to go from half-acre lots to 12,000 square foot lots which is within what is already going in around this property. You have the property to North, which is six units per acre and then you have the property to East, that is going to be 8,000 square foot lots and farther to the East along the highway there are going to be

town homes. But, I understand how you feel and I'm fine with that.

Erik Stromberg stated, I agree with Gary. We just finished the master plan. The ink hasn't even dried on it and you're coming in and asking us to change it. I don't see how putting in more houses in that area is going to conserve water. The one thing I would say, I mean, I understand the desire for smaller lots. I think there's other ways that that could be accomplished without us changing the master plan, without changing the zoning. If that's the direction you want to head, I would encourage you to look at other options.

Gary Pinkham added, there may be some options if you do a PUD type approach. Where maybe we could grant you higher density for some of the property while setting aside open space and create avenues that would give a sense of a rural nature. Perhaps you could explore other options that would give you the smaller lots rather than us amending our general plan and zoning map.

Erik made the motion to recommend denial of the General Plan Amendment and Future Land Use Map for Paul Linford at approximately 1100 West Main Street for 140 acres to go from a "Low Density Residential" designation to a "Medium Density Residential" designation. Brian seconded the motion. All voted in favor and the motion carried unanimously.

- 3. Consideration to recommend approval of the Rezone of 140 acres for Paul Linford to go from an R-1-21 zone to a R-1-12 zone for property located at approximately 1100 West Main Street.**

Gary made the motion to remove agenda item number 3 from our agenda this evening. Erik seconded the motion. All voted in favor and the motion carried unanimously.

- 4. Consideration to recommend approval of the Minor Subdivision for Joell Dowden to divide her property from one (1) 10-acre lot into four (4) 2.5 acre lots located at 228 S 1160 W in the RR-1 zone.**

Joell Dowden was present for this agenda item:

Gary Pinkham stated, I think last time there were questions on the roads. Have those been resolved?

Timm Dixon, City Engineer stated, I went out and looked at the site and my memo still stands from September 2nd. I went out to the site last week and took three measurements

of the road. I found that the measurements were all under 24 feet. I am also still waiting for an updated geo-technical report of the road, 1160 West. As soon as I can get that information, I'll feel better about allowing this to move forward. That's all I'm waiting for.

Joell Dowden asked the City Engineer, may I ask which road you measured?

Tim Dixon, City Engineer stated, I measured the 1160 West.

Joell Dowden asked, where was the road smaller at?

Tim Dixon, City Engineer stated, right at the beginning on Main Street, right at the wash, and then right at the property line of the first homeowner to the North fence line.

Joell Dowden asked, so may I speak freely? First of all, we had meet with James, and there were no specifications on how this road needed to be. So we rented the heavy equipment and did it ourselves. I called James and he was very nice to come out and throw some road based down. Our concerns were that the road did not meet the measurements. So, I called James and he had told me that he was going to speak with the fire chief and that they were going to come up and look at the road. And that I didn't need to worry about that part because that is where they put those fines down. I have been working on this for a year and a half now. It's becoming a bit of a headache. As far as this application goes, we were told that this was a minor subdivision, no road and gutter, no curb, no specifications on this road. I've done everything that everybody has asked me to do and then some. I bought a stop sign and a road sign. I paid for a guy to come out and do a perk test that costed me \$3,500. Then, you guys told me that the road wasn't adequate because of a letter from some engineer. So, I had to pay him another \$500 to rewrite the letter. All I'm asking is for, four little two and a half acre lots on my property. I own the 20 acres across the street, it's also in the RR-1 zone. I'm not asking to build apartments up there. I've lived there for 11 years and not one time has this road ever been a concern. Nobody's been out to grade it, except for the last couple of years. We don't get garbage and we don't get mail. I don't have any type of utilities as far as water and sewer goes. I make one request and it's like, I have to move water. It's actually quite frustrating. I don't even know anything about this stuff legally, so I had to hire an attorney on top of this. And no offense to anybody, I understand that we all have a job to do and we have to do things certain ways. But, it's been this way for the last 11 years. Nobody's cared about me before. And now all of a sudden, because I want to subdivide some property, it's like, Joey, you need to do a road, you need to do this, you need to do that. I've done everything that everybody's has asked me to do and then some. I was actually willing to make it so that you guys have the road, but then the argument was, make it a private road and it seems to me is that you guys didn't want to maintain the road.

Kristy Clark stated, no. If you dedicated the road to us, then you would've had to do a Major Subdivision.

Gary Pinkham stated, I can kind of appreciate your frustration. I would imagine that this part of the City predates the city code. It is something that we've inherited from the County. When it was brought into the city, the city did not make everybody suddenly comply with the City ordinances. So you've, to some degree, escape that all these years. On the other hand, once we start developing, which you are developing. Then you have to comply with the ordinances. I understand that there's good deal of things that may be required both from public safety point of view and from the city's point of view, to do this development. It may be something that the neighbors need to help with or maybe something you need to put off, I don't know. Unless you want to pay for it yourself.

Joell Dowden asked, to extend the road?

Gary Pinkham continued, to get the road to the point that it meets City and Fire standards. I think until we can confirm that there is adequate access we need to put this on hold.

Joell Dowden's friend stated, I was the one who did the work on the road. I measured it myself. It's 26 feet. Where he's talking about is not true. There is plenty of access. We were told over the phone that the road was fine.

Timm Dixon, City Engineer stated, let's clarify. There's two roads that I think the confusion is coming from. First, we have Main Street, and then we have the road that we are concerned with which is 1160 West, it runs North South, not East West. So the North South road, which connects and runs past three or four residences, right? That is the road that I measured.

Joell Dowden stated, but the road with the ravine is the road that runs East West and has the chippings that James put down.

Timm Dixon, City Engineer stated, no, there's also a ravine that comes from higher, goes through 1160 West, then goes through the lower property and then crosses Main Street. Which is the road that you're talking about with the chippings.

Grantsville Fire Marshall Brad Clayton stated, this is a class C road in James's inventory. So, what we are talking about is that we need to have 26 feet of drivable surface that will support a 75,000-pound fire truck. The memo that your engineer gave us stated that it would occasionally support a 75,000-pound fire truck. What does that mean? We just need a definition and something that shows the sites that the testing was done before we can approve it.

Timm Dixon, City Engineer stated, I have pictures of the three locations that I measured and I will email them to you tomorrow.

Gary Pinkham stated, I drove up there after the millings had been spread and I do believe that the City may need to go back up there and grade that to get the 26 feet through there.

Joell Dowden stated, I guess our argument really, honestly, we're not trying to be rude and disrespectful and unreasonable. I'm really not. We rented equipment to do both roads. Even West Main, which really wasn't our responsibility. I'm not complaining about it. I did it. Okay? We didn't have any specifications. You didn't say in a black and white paper, look, it needs to be no rocks on the road. You can't have these ravines on the side, no specifications. We extended the road to exactly what fire chief asked us to. We did. Now all of a sudden you're coming back and not approving ours because of two areas. And one of them is actually the city's fault. And I'm not complaining about that. I appreciate the road chippings, even though for some of the cars it's not great, but it's there, it's better than rocks.

Gary Pinkham stated, the city will take care of our portion so just double check from Main street to your property that the road meets the requirement. And then call and we will go and verify it and then we will go from there.

Gary made the motion to table the Minor Subdivision for Joell Dowden to divide her property from one (1) 10-acre lot into four (4) 2.5 acre lots located at 228 S 1160 W in the RR-1 zone. This is to allow the applicant and the City to address the width issues with both roads, Main Street and 1160 West, to meet the 26-foot requirement. Erik seconded the motion. All voted in favor and the motion carried unanimously.

5. Consideration to recommend approval of the Preliminary Plan for Land Development, LLC and Adam Nash on the Royal Estates Subdivision located at approximately 265 North Cooley for the creation of thirty-nine (39) lots in the RM-7 and RR-1 zone.

Adam Nash was present for this agenda item and stated to the Commission: Good Evening. Great to be in front of you guys again. Last time we met, there were some confusing things in the plans and I believe with our engineers and yours, we've straightened those out. There was some confusion and that's where we've asked them for some direction from you guys. The last thing we talked about was the roads. The City Engineer, Timm Dixon, stated that we need to put in cul-de-sacs at the end of the roads that come off of Cooley into the subdivision. I understand his take on it. And then the fire marshal said, well, why don't we just connect them all with a fire lane? I said, well

we're happy to do that. We're actually happy to do either. So the plans were drawn with the fire lane and then I got a memo today that stated that the City Engineer still wanted the cul-de-sac's. We'll build cul-de-sac's or we'll do a fire lane, it's fine. We accept the responsibilities of developing the property. I am certainly not trying to shun those responsibilities.

Gary Pinkham stated, I've got a couple of comments. I believe the items required for the preliminary process are covered on sheets one and two of your drawing. The rest of the drawings contain some of the final process.

Adam Nash answered, that's correct.

Gary Pinkham stated, okay, I still got problems with this, engineering wise. Despite the fact that it's been brought to your guys' attention over, over, and over there's engineering errors. So, for tonight's discussion let's get back to the preliminary application process. Which is the first two sheets, I see it has the various things that the ordinance calls for. I only see two things on here that bother me right now. One, is the calculation of open space, it includes area that doesn't qualify under our current code for open space. If you look at the site table for open space, it's got parcels A, B, the trail, and the future right of way for the road. Partial B is a retention basin which does not qualify for open space. The future right of way for Wrathall Drive there, of course, roadways aren't open space. So those two items don't belong in that calculation. That leaves parcel A and the trails that would be applicable for the open space. I think that the Parcel A and the 25-foot trail easements, bring you very close to the 10% open space requirement. You need 1.72 acres and I believe my calculation gets you to 1.53 acres which is very close.

Erik Stromberg stated, he's only off by a third of an acre. I came up with 1.37 acres for the open space.

Adam Nash asked, can I do the fee in lieu of for the balance?

Gary Pinkham continued, the other problem that I have is with lot number 3 and lot number 36. They do not comply with the city ordinance. They don't meet the size requirements for the zoning. Lot 3 is in the RM-7 zone and doesn't meet the minimum width requirement and Lot 36 is in the RR-1 zone and doesn't meet the minimum width requirement. Those are the only two issues that I have if we take the engineering pages out and focus on what is required for preliminary approval.

Shay Stark stated, I want to point out here that part of the reason that we had them jump through extra hoops on this was number one, to make sure that the sewer would actually flow and work. So there was extra planning there. And then the other one was the storm drain to make sure a storm drain worked. The plans that came in, with the park in the Southwest corner, the storm drain, just wasn't going to work at all. The last thing we

want to do is approve a preliminary. And then if they get the engineering and find out they lose several lots or that the configuration has to totally change. I also want to remind you that every time we get drawings back, there's these issues that were asked to be addressed, and they're not fully addressed. And that's been the real challenge here.

Gary Pinkham stated, I don't know if your engineers just aren't listening to us or they are blowing you off.

Adam Nash stated, Well, Focus does a lot of work here for you guys and for us, so if I need to get ahold of the owner of the company and sit him down and say, got to have this thing as perfect as can be and consistent. Not really defend myself, but to explain, there's a lot of disconnect around here. The last meeting, the chairman said that sometimes we don't turn in complete plans. I received a memo from the engineers as I came to the pulpit. I had no time to address them and so there's a little bit of disconnect there. I'm happy to do what we can do to improve it and I'm happy to get Focus on task.

Gary Pinkham stated, from an engineering point of view, we may need to rethink, the ordinance for preliminary and final. I mean, if we can't do a preliminary without some engineering, then maybe we need to add some back into the requirements. The bottom line for you tonight is as far as the preliminary, I think we are very close on the open space and the future right-of ways, that I wouldn't have a problem saying yes. With regards to the through lane for fire access or the cul-de-sacs, they both work.

Grantsville Fire Marshall Brad Clayton stated, so, that brings us back to the question of, is this three individual subdivisions or one? The International Fire Code states that there needs to be two points of entrance and egress. So, if all three roads dead end then you've got three individual subdivisions not one.

Gary Pinkham asked, does the fire lane solve the issue?

Grantsville Fire Marshall Brad Clayton answered, as a fire code standard it would. Gary Pinkham asked Adam Nash, are you going to have an HOA?

Adam Nash answered, yes.

Gary Pinkham stated, the HOA is going to have to maintain that fire lane. Not just for maintenance but from snow removal so that it remains a private road.

Adam Nash stated, the HOA will take care of all the common ground as well. That would be Cooley Street, the trail and the park.

Erik Stromberg stated, so the engineering problems aside, and going back to the things that Gary pointed out with lot 3 and lot 36. I don't understand how those are wrong.

Adam Nash stated, no one told us. We went off the ordinance. This is the first we've heard of this when Gary brought this up five minutes ago. My experience is that planning commission recommends approval to City Council with the couple issues that we've had to be resolved.

Erik Stromberg stated, that the problem. We have no guarantee that it's going to get fixed.

Kristy Clark asked, so the fire lane that is going along lots, 12, 13, 22 and 23, is that going to be public or private?

Adam Nash answered, it is going to be private.

Kristy Clark stated, because this is going to service more than two lots, it needs to be a 66-foot road. That is our requirement for a private street.

Adam Nash stated, we won't call it private. We will call it a fire lane.

Kristy Clark stated, I think that it still needs to meet fire code and be at least 26 feet.

Adam Nash stated, okay. That road is next to the one acre lots so there will be plenty of room and we will create an easement.

Kristy Clark asked, so where it is an easement, you don't have to lose a lot or reconfigure the lot layout?

Shay Stark answered, it's like when we do a minor subdivision and they put a private road on there. Typically, they do it as an easement in the lots because it is separate then it has to be dedicated or they have to have an HOA to maintain it and then the property owners have to maintain it.

Kristy Clark asked, what will the property owners be able to do with it? Will they be able to landscape it?

Adam Nash answered, no. We are paving it.

Brian Pattee stated, I think we have enough information to approve this as a preliminary. They are going to have to come with their final plat. I expect all of our staff to review this. It shouldn't be our job as this body to be the engineers. I think that we get too in depth. One of these days, Gary will be off fishing and he is going to leave us. And I don't know if the rest of us are going to be able to do what he does.

Brian made the motion to recommend approval of the Preliminary Plan for Land Development, LLC and Adam Nash on the Royal Estates Subdivision located at approximately 265 North Cooley for the creation of thirty-nine (39) lots in the RM-7 and RR-1 zone. Gary seconded the motion. All voted in favor and the motion carried unanimously.

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

Attorney Coombs stated to the Commission on this item: So, the desire here as staff, is to completely get rid of the minor subdivision process. Just make everything one process. A lot of this was precipitated because previously with the minor, you didn't need to do some of the improvements that you would need to do with a major, we recently changed that and said, now, you need to do a street. You need to do a sidewalk, even if it's a minor. So, a lot of those benefits to doing a minor subdivision versus a major are no longer existent. And so, from our perspective, it would be a heck of a lot easier if we just have one process instead of two separate ones that can create all sorts of havoc.

Gary Pinkham stated, I'm 100 percent in agreement with that. Two thirds of the minors we get here are done for no other purpose than to skirt the requirements for a major. I think as we're subdividing here, that we should have everybody meet the same standard. It would simplify life for all of us.

Shay Stark, Aqua Engineering stated, I was just going to point out, with this, we are required to have a simpler process for developments that don't require dedication of streets, or major infrastructure. But the simplification in that process can be, you're coming in with two lots, the street's already in front of your house. It's complete. We do preliminary and final at the same time as one is one step, because there's no reason to do a preliminary and then you do engineering drawings afterwards. It's simple. And so, there would need to be something written into our major subdivision concerning that. And then that helps us address those issues, and other than that, everybody is required to walk through all the same steps.

Kristy Clark stated, we've not had time to actually write anything up. So, that's why I have it on here as a discussion and consideration, more so I could do the public hearing and have that done. And then we'll take the month to draft up something. So, you could table this and then we'll come back in a month and hopefully have something drafted that you guys can approve and feel comfortable with.

Gary Pinkham stated, I was looking at some of these changes for the minor. And then there's a comment about do we just want to abandon this? I'm more in favor of

combining or simplifying, the process into one code rather than having two. If we're going to do that, then I think you're right. We've got to discuss this and look at a revision to the code that eliminates the minor and amends the major, to address these smaller subdivision issues.

Attorney Coombs stated, then that's what we will do. We will get something drafted and present it to you next month.

Gary made the motion to table to amend the Minor Subdivision Ordinance, Chapter 21.3 of the Grantsville City Land Use Management and Development Code. Erik seconded the motion. All voted in favor and the motion carried unanimously.

7. Discussion and Consideration to recommend approval to amend the Ordinances of the Grantsville City Land Use Management and Development Code. Adopting and Amending Chapter's 6.14 & 6.15, Driveway Regulations.

Attorney Coombs stated to the Commission: I'll address this one as well, I guess. This was a lot of work that was put in by the staff, as well as Councilman Stice. He spearheaded this and put together some revisions to this code. And so then, we decided to move all of our driveway ordinances and regulations into one chapter of our land use code so they would be easier to find. So, the proposal here is to adopt several new regulations and then move the regulations and ordinances that were in other places in our code, into this one chapter.

Erik Stromberg asked, I'm going to assume that this has stemmed from the folks that we've had here about secondary accesses. So, is this going to provide them a way to make a request and have it reviewed?

Attorney Coombs answered, yes. We do provide a process in here that will hopefully be easier for everybody. We will require a driveway permit. And that would be a review process done by staff. And then, the staff would be permitted to approve a secondary access. It doesn't necessarily need to go to city council, unless they wanted to appeal the decision by the staff. Specifically, a denial. I doubt they'd appeal approval, but they could and that's written in here as well, that would allow someone to go through that. Again, hopefully making it easier for everybody to understand.

Erik Stromberg asked, what about someone that's wanting to expand, say widen their existing driveway? The same process would happen as well?

Attorney Coombs answered, yes, it will be the same process.

Gary Pinkham stated, I would like more time to look this over. I'm not ready to vote on

this tonight.

Erik made the motion to table the amend the Ordinances of the Grantsville City Land Use Management and Development Code. Adopting and Amending Chapter's 6.14 & 6.15, Driveway Regulations. Gary seconded the motion. All voted in favor and the motion carried unanimously.

- 8. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held September 10, 2020.**

Gary made the motion to table the meeting minutes for the previous P&Z Meeting that was held September 10, 2020. Erik seconded the motion. All voted in favor and the motion carried unanimously. Brian abstained.

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

Council Liaison Darrin Rowberry stated to the Commission: Had nothing to add. The Commission had a discussion about Irrigation shares that get turned over for subdivisions and they're value.

- 10. Erik made the motion to adjourn the meeting at 9:25 p.m. Brian seconded the motion. All voted in favor and the motion carried unanimously.**

Kristy Clark
Zoning Administrator