

Erda Planning Commission Minutes

5/10/2022 – 7:00 pm

Tooele County Building - Auditorium

Call to Order 7:02

1. Roll Call Mark, Russ, Jerry, Cory, Kathy, Matthew (Diane not present)
2. Pledge and Prayer Jerry, Russ
3. Approve Minutes from 4/26/2022 Jerry motions to accept minutes, Kathy 2nds vote unanimous
4. Administrative Items – No public input
5. Legislative Items – Public input
 - a. General Plan Adoption
 - i. Presentation from PSOMAS (Christian and Dillan will do a presentation)
 - a. Christian Kirckham with PSOMAS they have previous experience working with Tooele County. When they worked on that plan Erda hadn't been incorporated yet and they had a chance to talk to many people of Erda. We want to make sure your general plan will meet your goals. Chris Hupp project manager. Ryan Hales with Hales engineering. The state has some minimum requirements. They read the House Bill that it has to have a land use section and a transportation bare minimum. We've added more that we feel are appropriate that fit within the scope and vision of Erda. We have a land use open space element as well as a conservation element. The plan starts with what is currently here today. Land use, open space, the 3rd element is public feedback. This is to hope for a collaborative effort. Executive summary is a resident driven vision for the city. We want everyone to know about the general plan and that it reflects their vision. For research we looked at several plans for a starting point to begin. We looked at the Tooele County general plan. The Tooele County transportation plan, the active transportation and the human resources plan. For an overview of each section there is an intro of each section, background, best practices, principles, and implementation. First element of the land use portions is community service districts. West Erda Community Service district, East Erda, Oquirrh mountain district.

- b. Mark- What is the reason for the different districts?
- c. Christian- It helps to have specific design guidelines for that specific area. It gives the city more flexibility with the developments. You can have different guidelines that fit the different districts.
- d. Mark- Is this on top of regular zoning, something that gives characteristics for each area specifically?
- e. Christian- Yes, everytime a developer comes in and they want to change things this CSD gives the background guidelines. And it gives you more negotiation power with developers. You can show them a CSD for what the community plan is for that area. It is flexible and gives you more power.,
- f. Katy-You saw a real difference between the red and yellow areas and what they wanted.
- g. Christian-Yes, things can also be adjusted.
- h. Mark-Can you have areas within areas? Like a smaller CSD within a CSD?
- i. Christian-You could, this is just a starting point trying to simplify it and help people see how it works. If you have too many CSD people can get confused. The plans can be tweaked as needed. We have taken into consideration the future possible de annexation of parts of the city. A little about the land use map. There are different levels of intensity of land use. We use the smart growth model. If growth is going to occur where is it most likely to have the most infrastructure and what makes the most sense for growth to happen. There is hwy 36, Erda Way and the connector, there are others like Droubay rd and Bates canyon. That helped as well as information from the open house discussion. It helped with the different land use types. Commercial is most likely around hwy 36, by the airport, and the connector. There are a lot of residences in Erda, in order to keep the tax burden down, for the citizens of Erda we need a plan. Most taxes usually come from business and make it so residents can pay less. But we also want to preserve your rural city feel.
- j. Cory-What does it mean by high intensity between the commercial and the connector?
- k. Christian- It's just a difference in intensity, it could be from 5 acres to 2 acres, not just high density. High intensity around here because the CSDs are like 1 acre lots. You get to define those thresholds with your zoning. This is to just show where they go and how it should flow. I think downtown Erda is Erda way and 36. But you also have a large employment area around the airport. There are also a lot of transportation input a lot of requests for trails, connectivity overall will help relieve

congestion. There is a lot of congestion getting in here. Improving the grid pattern will help with the congestion and give alternate routes. The ½ mile grid pattern with major roadways. I know that there are many parts of the team that are discussing different points of transportation for the entire Tooele area. There is open space and recreation element. We got a lot of feedback from that. There are so many great amenities in Erda, The transportation portions help with this. There are several major roadways in green that can have a separate trail. There is potential in that section for a large regional park down the road. South of Erda way there is potential for open spaces and connecting them all together for trails and corridors. The final thing is conservation. We are going through several record droughts we've put in water access and availability issues. There are several councils we've added recommendations into the plan for water conservation and incentives. A recommendation to mandate meters in new developments, It's becoming a more and more pressing issue as time goes on.

- l. Mark- I've heard talking about trails and such.
- m. Christian- There are trails we do have on there, and because we also have the perspective of what the county is doing we can connect and tie into them. You can make an agreement with the county that they would maintain the trails even if it's in Erda's boundaries as it would be a community resource.
- n. Jerry-I'm interested in the employment section, for the property that is already zoned for 1 acres lots, are they affected by that change? In this area there is a residential place here at 1200 west and Erda way. There are about 50 acres there. How does it affect the zoning that is already there?
- o. Christian-We encourage that you follow the general plan for your zoning with the general plan. If you rezone after the fact people that were already there will be grandfathered in. The labeled employment area will actually pay you more for your property than that of a residential.
- p. Mark -What's the lifespan of this plan?
- q. Christian-Every plan needs to be updated every 10 years. But because this is Erda's new plan, it's the bare bones, this is just a starting point. This should be expanded for more detail and other sections.
- r. Cory -What other funding sources are there? Grant money? There are usually strings attached to it.
- s. Christian- You will probably want a transportation master plan, one of the funding sources available is the transportation and land connection program, they offer grant money usually matched money. It's typically tied

to having a transportation plan that is adopted by your city council. It has to meet certain requirements to be a plan. UDOT is another funding source here. They have a regional plan for 2050. On page 15 is where we've listed a few funding sources to help. There are some good resources here to use to help.

- t. Cory- The presentation is simpler than the PDF, what is an actual element as opposed to a general idea?
- u. Christian-The powerpoint gives a general overview. There are 4 main sections and in the packet you have it gives the specific details. Land use, transportation , open space, conservation and preservation. There are elements in those sections that drill down the best practices and what goes into a land use plan.
- v. Cory-One of the things I noticed is that the population of erda is 3673, which means we fall under the 5k limit for moderate income housing.
- w. Christian- According to 2020 numbers the community survey data, that was from the census, Once you reach the 5k population limit you have to have a moderate income housing plan for the city. There are a few requirements.
- x. Mark- What is the process for modifying this plan?
- y. Christian- It is the same process for when you adopt it. There is a public hearing coming. To change it it's the same legal process of public hearing and then being recommended to the city council and adopted by the city.
- z. Cory-What do we do before we adopt this if we want to make changes? Do we send an email or what?
- aa. Christian- Yes, this is just a draft, this is the perfect time to make changes , we don't have to go through the whole process, Please send us your feedback.
- bb. Cory-To the council, Has there anything that has jumped out that we want to discuss?
- cc. Mark-People are going to see this and not know what it means. Perhaps given better definitions of what these things actually mean for this area.
- dd. Kathy- Does employment mean industrial?
- ee. Christian-We left it vague on purpose so that we could flesh out these things and make it more detailed. Yes employment and commercial is retail, restaurant, boutique whichever you decide it is. That is the purpose of the CSD, you can promote a certain type of development.
- ff. Russ-Does that leave us open to people coming in and doing something we don't want them to do?
- gg. Christian-This is where the CSD comes in and helps, this is what is going to help define what is allowed in certain areas. If you have a developer

that comes in and fits the general requirements this CSD really helps give you the look and feel of your community.

hh. Cory-Kathy made a point with the light area, there is not much difference of what is left between that and the yellow.

ii. Mark-You said those are based on land use.

jj. Christian- Yes there was a general divide as to what those residents want there.

kk. Mark-If we can look at this and make sense of the area, and the history and what the public wants.

ll. Christian- A lot of that planned employment fell into that annexed area, if that goes, that is shifted to the 36 area. It's important to have a commercial tax base to help the citizens. If you have just a few blocks of commercial development, that creates an identity for what is "downtown". It gives a place that people look to, and it saves so much money for infrastructure. If you have any other questions, we will leave our information and well as Chris who is our project director, and there is the contact for the transportation director. We will be back for the public hearing portion and will be here to field questions there.

mm. Cory-The public hearing will be 2 weeks from tonight, on the 26th. Let's go through this with a fine tooth comb and make suggestions. With the 2 different intensities it's the 1 acre and the 5 acres lots. Regardless of what we name them we have 2 different areas.

nn. Matthew-It sounds like it's better to have them then not, divide them up and have the plan.

oo. Cory-Do we want the development to stay the 1 acre lots, then it seems like it's a 2 zone.

pp. Craig-From audience- we can open the public hearing tonight and just not close it.

qq. Matthew motions to open the public hearing for the public plan Cory 2nds it, voting unanimous.

i. (Public Hearing on 5/24/2022)

Jerry motions to leave public hearing open Matt 2nd, voting unanimous

Proposed Non-Low Impact Business License Ordinance

a. Jerry-The county has 3 chapters, just the general business, 2nd chapter has beer licenses, the 3rd is all business. I don't know that there is certain things

b. Russ-It is more about traffic and road ways , who's going to pay for that. Who's going to pay for that if business brings in outsiders then they need to contribute to the roads and infrastructure tax. If they

had more than 3 employees that is not low impact. You're affecting your neighbors. I don't want a large business of 15 employees coming in and out of my neighbors house. Ordinances for noise and time operation. Some people can be very affected by that, we can either go case by case or by complaint. I wouldn't send in a complaint. Or we set limits and stipulations and stuff that is addressed now, and I don't have to be that guy who sends in a complaint.

- c. Cory-So a home based business that doesn't fit or all business?
- d. Russ-I'm more about the residential business, it will impact the neighborhoods. If it's a small business that can be done under the radar, then it's okay. But there are those that are high impact, and they don't stop, because they can. It's really for my neighbors, I like having the residential feel.
- e. Matthew-Then perhaps that's where the conditional use permits come in? If there is anything above what is allowed they can apply for it. And if they aren't meeting the standards we can do something about it.
- f. Russ-We need to figure out what we consider a neighborhood.
- g. Matt- I think it's possible to have a larger business in the neighborhood if they followed the rules as dictated by the city. Maybe the CSD's would help with this.
- h. Russ-I'm mostly interested in the impact they have on their neighbors. We need to find a threshold we are okay with. We can alleviate a lot of the problems if we can set those limitations. Then maybe we can look into those limited use permits.
- i. Mark- I think we owe it to the residents of Erda and the small business owners who are anxious to have the rules to operate in. Those medium and large businesses want to do the same thing. They've purchased more land so they don't affect their neighbors. It's our job to help them, to do with their land as they choose that doesn't affect the rights of their neighbors. This is the next step to help the community. To delineate the difference between them.
- j. Jerry-Who is going to be responsible to make a draft? You Russ and Mark?
- k. Mark-Maybe what you do is get that set up and sent to us and we can do some discussion behind the scenes and get the more polished version out to the people.
- l. Russ-I don't want to squash small businesses in any way, we just need guidelines so they don't abuse the other taxpayers.

- m. Matthew-I think traffic problems and noise were some of the bigger issues.
- n. Cory-I have a copy of the Tooele County ordinance, and I will send you that copy for you to work on. It's the Tooele City Business Ordinance. Let's get a rough draft of the idea and get it out, then we can have the public hearing for it.
- o. Jerry moves to table it till Russ is ready to present, Matt 2nds it voting unanimous.
- ii. Open Public Hearing
- iii. Close Public Hearing

Proposed Animal Ordinance

- a. Cory reads the 6 large animals for the 1st acre, then 4 large for each additional acre. The maximum of small animals is 30 per species for lot size. I added in the table that ½ acre has 3 large animals.
- b. Mark, the small animals don't count against the large animals? Are we saying we could have 4 different species? They could have like 120 animals?
- c. Cory-As it is written, yes.
- d. Mark-I am still in favor of it counting it as one of those larger units. Like 30 rabbits is 1 large animal.
- e. Cory- The thought is if you have some chickens for eggs and some for meat and then you have turkeys or rabbits, you go over that number quickly. Domestic animals don't count. We were trying to avoid someone opening up an egg farm. We felt it was much less likely for people to have 30 chickens, 30 ducks, 30 geese, ect.
- f. Mark-The original ordinance is written as such that a certain number of those small animals count towards being larger animals. I'm still in favor of those land use, I just worry that it will cause an issue for those who won't follow the rules. We need to create these in mind to be able to police things if things become an issue.
- g. Jerry- Mark, maybe we can have an asterisk for people to ask for a permit for those people. If they don't take care of their animals then we can revoke it.
- h. Mark-I think we have that large animal equivalent there it helps to regulate those possible issues. Also I wonder about, saying you have to have ½ acre lot in order to have any animals. What about the smaller animals?
- i. Jerry-The Tooele County ordinance says anyone can have 6 chickens.

- j. Cory-You're right this says they can't have those chickens if they have less than ½ acre. Cory we can solve that concern to have it changed to large/medium animals on the ½ acre lot.
- k. Mark-Lets' put a comment in there that if you have the limit of large animals on your parcel then there is a cap on the amount of small animals you can have on there. Like a limit of 20 fowl or other small animals on there. I'm not saying that 20 is the magic number, I'm just trying to help regulate this. And to alleviate future concerns. I always think there are possibilities to have a variance granted, if they show they can properly and adequately take care of them. We need to change D. I need to think about the exact saying. We want it to say that those small animals don't count against their limit unless they have used up all of their large animal availability. Then there is a limit on the additional small animals allowed.
- l. Kathy-If we are going to offer a variance we need to define it. As in I have all of these animals but I have these meat chickens I'm raising. We need to do something about it.
- m. Cory-If the large animal limit has been filled then there is a limit on the amount of small animals you can have. What number are we looking at?
- n. Jerry-30 would be easily handled.
- o. Matthew-We could always put a number then we can change it if we need.
- p. Cory-I'm seeing that 30 is a good number from most of you. We are going to get this as close as we can, we just need to get the intent out to the Attorney and he'll fix it up. If the large animal unit is at the maximum allowed there will only be 30 small animals allowed on top of that on that property.
- q. Mark-I think there is our meat, in keeping with the theme we have a definition of nuisance and how this can be regulated that we can fall on. And this will help with affecting their neighbors.
- r. Cory-1c change to "large animals" if large animal units are at max there will only be 30 additional small animals allowed.
- s. Cory motions to reopen public hearing, Mark 2nds voting unanimous. Please limit your comments to 3 minutes
- iv. Optional Public Hearing
 - a. Craig Hancey- I'm confused on the quantity of animals. I have 2 horses, and I have to have 2 cans to haul out the poop. If I have 26 horses I have to house the feed and shoe them. If i'm going to feed the 15lbs a hay. It makes no sense

to have those kinds of quantities. It's not so you can name and pet them. It would have to be for a business. If you look at the cost to take care of them, what's the point? We have agriculture areas for this. If you take away the restrictions for housing that could cause possible problems. I think we are trying to accommodate people who don't want any restrictions. If this goes on and in a couple of years we might have a recall vote about this city. Perhaps take out the species in the fowl section. There is no reason to have 300 birds on a property. Look at the concept of the burden on the neighbors and neighborhood. You have to look at the cost to maintain these animals. Let's stick with the county and then see how that turns out. I think they have too many animals. I don't see a part that talks about offspring? It's not sustainable.

- b. Jess Bird- I think you made some good progress. I really like freedom . It means to me that every person could have a horse and a chicken. I think the 30 per species, it sounds okay to me, it keeps out the egg production farm. I understand the 30 per species. I think the way you might satisfy the problem of 300 different small animals. Is to put a maximum. Final point comes from the 5 acre lots. With the maximum you get much more maximum with the more area. My math is 6 on the first acre and 4 per after that. So 22 horses is excessive for those 5 acre people. 22 is more than recreation. Does Rural residential mean you can only own animals for recreation. I think there may be allowances for that.
- c. Clyde Christensen -Glad to hear the increase in the animals on the smaller acre. If you have multiple kids they can't use the same animals if they are trying to compete in any horse racing. On those larger lots, unless you are going to cheat the state of Utah unless you have a lot of extra water shares in order to take care of those animals. I am happy about the more animals, it lets the kids do 4H and things. Like raising turkeys. It could be a money maker for some.
- d. Aubrey Smith-To keep in mind, the personal uses caveat. 30 chickens that's a lot every day. Even if you're eating some. 6 cows, that's a lot of beef for a family. Horses I can't complain we've had more than we were allowed. No one needs 300

birds. We could take out the per species part. Those are my thoughts.

- e. Kathy moves to close the public hearing Jerry 2nds voting unanimous.
- f. Mark- I liked the up to comment for D. Maybe it's on the upper acreage. If it's larger we can stick to the 4 per acre. I know it doesn't move it a lot but it takes it down from 22 to 20.
- g. Matthew-Maybe if they get a permit and prove they can take care of them without disturbing their neighbors.
- h. Jerry- I'm not worried about what it costs the person. I provide meat for 27 people in our family. We don't need to worry about cost, that is just something you take on when you have animals. I've had 9 horses when we had kids, you just make it work. I'm the author of the 6 animals for the 1st acre.
- i. Mark-I think everyone here likes the 6 large animals for the 1 acre. I think it's the large animals for the larger parcels where we might run into problems.
- j. Jerry-that's what 3 is there for. You could lose your animals rights for your property if you aren't a good neighbor with them. If I had 5 acres I probably would have a small business of bringing in horses and selling them because I enjoy them. But then I have become a business. I think as individuals we need to make those choices.
- k. Mark-I was on the line of 2 large animals per acre if it was 5 acres. 12 was a good number. But 20 seems like a lot.
- l. Jerry-It does come to a point where it does become a business.
- m. Cory-I'm less concerned about the business end and more about the nuisance problem. It doesn't matter the number if people are going to be a nuisance they will be and if people are not going to be a nuisance then it doesn't matter if it's 12 or 20.
- n. Mark - Cory what are your thoughts on the cap for birds or eliminating the wording species.
- o. Cory- If we are eliminating the wording per species what number would we use to cap the fowls?
- p. Mark- I think the species helps with the 5 acres lots, but we need to be careful on it. If we keep it per lot size the larger

lots could become a problem. They could have 150 chickens.

- q. Cory-So instead of per acre just putting an ending limit on the amount of fowls allowed on a property. Like 50?
- r. Mark-A max of 30 per acre lot and 100 for 5 acre lots? I don't want to limit the 5 acre person. People buy larger acres so they can have more animals if they want.
- s. Kathy-Also we do have 2 acre lots. So we need to think about that.
- t. Jerry-What if we did like on our chart 30 for the first acre and then 15 more per acre you have?
- u. Mark-I'd support that, it puts a cap on it and gives people with larger lot sizes some room.
- v. Cory- 2 small animal units allowed for the 1st acre (15 birds) and then 1 unit per acre allowed after that. Okay I think the last thing is the number of animals allowed on lots.
- w. Matthew-I think my neighbor has like 18 large animals with the steers and horses and cows. I'm happy with anything under 20.
- x. Russ- Imagine having 24 cows? That would be horrible for any neighbor. Horses would be less problematic.
- y. Cory- I don't think we should be more restrictive than the county. The county is 20 per 5 acre.
- z. Russ-I'd be more for what we have now.
- aa. Mark- I like the 6 for the initial and 3 more per acre. I could do 20.
- bb. Cory I could do 20 and say the maximum number on any parcel is 20. Let's do a quick straw poll: Jerry 22, Russ 20, Mark 20, Kathy 22, Matthew 20, Cory 20. Okay i'll change it to the maximum of large animal units allowed on a lot is 20 regardless of property size. Cory reads all new changes to the ordinance.
- cc. Cory entertains a motion. Mark recommends a motion to recommend this farm animal unit per acreage unit ordinance Russ 2nd. Voting by roll call: Matt yes, Kathy yes, Cory yes, Jerry yes, Russ yes, Mark yes it is unanimous.

rr. FUTURE ITEMS

- i. Zoning Map (Future Public Hearing)
- ii. Permanent Land Use ordinance (Future Public Hearing)

6. Comments from Commissioners

- a. Jerry-We made some really good progress today.
- b. Jess-Once you give 10 days notice that's all we need the council doesn't also need 10 days notice.
- c. Kathy- I understand we will do the public hearing next time. Do we need to be prepared for that? I have some big questions.
- d. Cory-If there are some big changes that we all agree on beforehand lets talk about it.

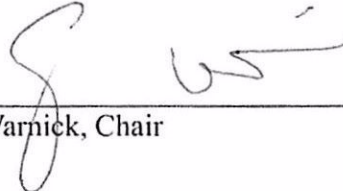
7. Adjournment Cory moves Matt 2nds voting unanimous 9:21

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

Prepared by: Jennifer Poole, Erda City Recorder

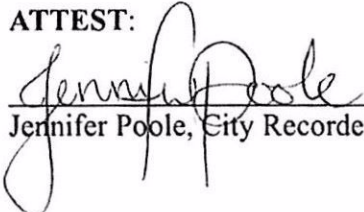
PASSED AND APPROVED by the Planning Commission this 24th day of May, 2022.

ERDA



Cory Warnick, Chair

ATTEST:



Jennifer Poole, City Recorder