

## Erda Planning Commission Minutes

7/12/2022 – 7:00 pm

Tooele County Building - Auditorium

Call to Order 7:03 pm

1. Roll Call: Russ, Jerry, Cory, Diane, Mark, Matt
2. Pledge and Prayer
  - a. Jerry-Led the pledge
  - b. Russ- Offered a prayer
3. Approve Minutes from 6/28/2022
  - a. Jerry motions to approve minutes, Diane 2nds the motion.
  - b. Voting was unanimous to approve meeting minutes from 6-28-22
4. Administrative Items – No public input
5. Legislative Items- Public Input
6. Land Use Items-
  - a. Proposed Subdivision Ordinance
    - i. Open Public Hearing
      - a. Russ motions to open the public hearing, Jerry 2nds the motion
      - b. Voting was unanimous to open the public hearing.
      - c. Craig-Thanks for all your hard work
    - ii. Close Public Hearing
      - a. Jerry motions to close the public hearing, Matt 2nds the motion.
      - b. Voting was unanimous.
      - c. Commissioners commence discussion of the proposed Subdivision Ordinance
        - a. Jerry- In the very first section there is some wording we need to change. Everywhere it says Tooele County we need to change to Erda City. Then another question I have is the mention of a committee, a community development department. That's what approves everything first. It's on 13.1-9 very last paragraph. It just talks about this department, and there are several references to it. My understanding is

we probably aren't going to have that committee. Right now Ensign Engineering is doing everything with the permits etc.. Is that who it should be?

- b. Cory-The way I read it the city can assign that as they want. It could be Ensign or it could be the city Recorder. They keep it non specific so they can assign it to whom they want in the future.
- c. Jerry-Should we make a note of this mention of the committee and then let the city council know.
- d. Cory-Usually if the recommendation is a little complicated I usually send the City Council an email about it so they can better understand what we meant. So I could send the email letting them know.
- e. Russ-I don't think it needs to be spelled out at this time. It can be assigned at a later date and time.
- f. Mark-I'm okay with leaving it vague.
- g. Jerry- Then there is a section about outdoor shooting ranges. I don't know that we will ever have an outdoor shooting range in our town.
- h. Mark-My comment is, is there something else we should be adding on there, beyond the shooting range. It's not necessary, needed, or required. Less is more sometimes. A lot of that is the property owners due diligence.
- i. Jerry- I can see that, on Walter's ranch there has been a long time thing where we have a Turkey shoot that goes on down there. But that's not a shooting range that's a personal land owner.
- j. Diane- But if it was a shooting range we still need to know what to do with it.
- k. Mark-I am thinking of those home purchasers who don't do their due diligence. That is if they buy their land and then can't build things on it because of what is located next to it, in 13-8.
- l. Jerry-I also have a question about condominiums in 13-1-11. Is that something we want in developments in our city?
- m. Matt-Is there a way to prevent developers from getting a portion of the resale every time. I know in some places that no matter how many times a condo is sold

the builder will always and forever get a small percentage of that sale.

- n. Mark- I think that's specific to the bylaws of the property itself. I don't think we can do anything about that.
- o. Cory- I think the shooting range and condo are different. We are just talking about the shooting range. We aren't preventing them, we are talking out notes on how to do them.
- p. Diane- We don't really have any condos in Erda yet. But down the road things may change and it might be good to have the language on what to do with them in there, for the future.
- q. Jerry- I have no problem with the subdivision application procedure. As I read through it it's okay, infrastructure and design is all done through Ensign. Final Plat requirements are pretty standard and work pretty well. When you go to Chap 3, 13-3 Minor Subdivisions, I don't fully understand the difference between the different types of subdivisions.
- r. Cory- I understand minor is 4 lots or less, Standard is 5-14 lots and anything over that is a Major.
- s. Jerry- So what we are looking at really, the most we have in the plan right now is standard except for what is going in, in Oquirrh Point. Most of the ones I know coming in will be minor. When you read through all of those different ones it was a little confusing. When you get back to major subdivisions and phase development, the only thing I hope is when they do the phase development they approve of having all the infrastructure done. It will be less costly to be done all at once. My well just died. A year ago I got a bid of \$5,700 to get hooked up to Stansbury water. Now it's \$11,000. I hope they approve the whole thing and not just phase it. Stages on applications are good. Honestly this thing is in pretty good shape.
- t. Cory- Jerry I have 4 things that you mentioned for us to talk over. Change language from the county to the city. I've already done that with the attorney. Departments: the community service department, the

shooting range and the condos. Any other items on the list.

- u. Mark- The creation of substandard lots is prohibited. I'm looking at 13.1-6 the creation of a substandard lot, if I'm in that position I see that it's prohibited from using or building on it. Would you have to do a rezone to go to a different zone or would you allow that as a conditional use permit? As I read this it just means that you can't build in it.
- v. Craig- If you are in a RR1 every lot has to meet the standards of the zoning you live. You can't create a lot that does not meet the minimum standard. So if you have 19.5 acres you can't make 19 1 acre lots and have that .5 left over you have to incorporate it into some of those lots. It won't allow you to make those lots that don't fit the zoning.
- w. Mark-My neighbor has .9 acres does that mean he just can't use it at all?
- x. Craig- If he had something there before then it would be considered legal non conforming. This is just stating that if you are creating a subdivision you can't make lots that don't fit the current zoning.
- y. Mark-This is not necessarily concerning current non conforming lots that exist.
- z. Matt-The first lot on Palmer road fits that. The county wouldn't let people build and lots of people tried and they said no. Then one day a person came in and they said yes.
- aa. Cory -I have 2 things to add 13-1-4. This is about notices, I'm not sure what state law is on this. 3c seems antiquated on this. It says you have to list for 4 weeks in a newspaper. I think there are better ways to handle this. The other is clear back 13-6-12. Standard major and planned unit development. A planned Unit Development was never put in Erda City Code. I think we should remove it and just have a standard and major.
- bb. Cory- Let's talk about them in detail about the notice and the shooting range. 13-1-8.

- cc. Russ-This is just saying that you have to notify people before they buy the lot that they are moving next to a shooting range.
- dd. Cory-This just says that IF you have a shooting range that the people who are buying a lot next to it need to be notified with this language in their documents.
- ee. Mark-Do we really need this in there? How relevant is this? Would this fit in with the home business license. In my mind why single out this type of business?
- ff. Mark-This is just saying that on the plat map it will have the notice that there is a shooting range. It's the less or more items. Why do we have that specifically mentioned and why not something else that is more disruptive. Is anyone else having a feeling about this or should we just move on. It just doesn't seem like it's applicable.
- gg. Matt- Perhaps it could stop a lawsuit one day. Just having something in there.
- hh. Cory-So 13-1-7 has something similar. With an agriculture protection area you have to post a notice on that as well. I think that fits our city well. But perhaps 13-1-8 might not.
- ii. Mark-Are we really going to give a conditional use permit for someone to have a gun range or active shooting range in this area.
- jj. Jerry-I just don't foresee an active shooting range in this area.
- kk. Matt-I really do think that we should leave this in there.
- ll. Cory-Takes straw poll 5-1 to leave this language in there. Next Item 13-1-11 Condos. Jerry, will you remind us why we are talking about this?
- mm. Jerry-I just don't know that in our current General Plan we even have this option.
- nn. Diane-Yeah but if all the pieces happen to create a condo then we have to scurry around to find this info and create this again? We could put ourselves in a tight spot not already having something in place.
- oo. Russ-I'd like to move to leave this in there. I don't really see a need to take things out.

- pp. Cory-I think though that in the future this could be a pretty easy fix. Just go to the Tooele code and copy and paste. But the question is to either leave it in or take it out. Cory-Out Diane-In, Jerry-In, Mark-In, Matt-In, Russ-Out. 4-2 to leave it IN.
- qq. Cory-Next thing the public notice deal, let's assume the council says this is antiquated.
- rr. Mark-I'm in favor of the most recent legal way to provide notice for this.
- ss. Cory-Instead of a newspaper, 4 most public areas or in the state there are Land Use Notice regulations that we could follow. If we can get those same people notified in a different way. I think we should consult the city attorney and see if we can update this. So if the attorney approves, we should update the language?
- tt. Diane-I really do think we want to make sure we reach as many people as possible. So we can keep the paper but perhaps add more ways to reach more people.
- uu. Cory-The last one 13-6-12 paragraph is taking out the language for the PUD to take out the planned unit developments.
- vv. Craig- On your planned unit development we don't have a current city code for them but there are 2 places Erda Acres and Tilby Village that are those. If you take them out you may create a problem there. Those developments are 2 PUD's if they make it though court we will have to be dealing with them.
- ww. Matt-I'd like to see Erda one day have their own Water and Sewer plant. We have a Tooele City Water and Sewer plant in our area but it's still owned by Tooele. I just hope that one day we can have our own city resource.
- xx. Cory-I accept Craig's argument and think we should leave it.
- yy. Mark-We are making a recommendation and this holds water and makes sense.
- zz. Cory-In summary we are recommending it as it is other than updating the public notice.

aaa. Matt-Erda needs a tractor or machinery to go out and regularly fix all of those little roads.

bbb. Cory- I move that we recommend title 13 Subdivision as written in the Tooele County Code with the change Tooele County to Erda City, as well as consult the attorney on the public notice. Mark 2nds the motion.

ccc. Roll Call Vote: Jerry-Yes, Russ-Yes, Matt-Yes, Mark-Yes, Cory-Yes, Diane-Yes.

ddd. Motion Passed Unanimously

7. Comments from Commissioners

- a. Matt-We need a tiny Toyota truck so we can take care of our roads. Tooele County is not taking care of the roads anymore right? Cory-They are. Diane-Maybe they just need to be told about them so they can fix them.

8. Adjournment

- a. Russ Make the motion to adjourn, Matt 2nds the motion
- b. Voting to adjourn was unanimous.

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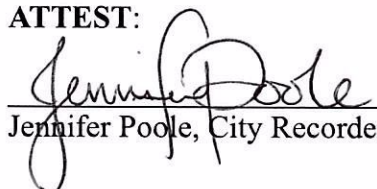
Note: these minutes represent a summary of the meeting and are not intended to be verbatim.

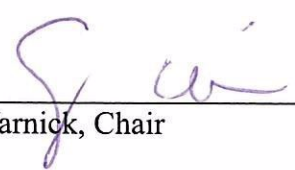
Prepared by: Jennifer Poole, Erda City Recorder

**PASSED AND APPROVED** by the Planning Commission this 26th day of July, 2022.

**ERDA**

**ATTEST:**

  
Jennifer Poole, City Recorder

  
Cory Warnick, Chair