

# **MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 07/07/2022. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.**

**Commission Members Present:** Commission Chair Brian Pattee, Commission Member Erik Stromberg, Commission Member Gary Pinkham, Commission Member Jaime Topham, Commission Member John Limburg

**Commission Members that were present on Zoom:**

**Commission Members that were absent:**

**Appointed Officers and Employees Present:** City Attorney Brett Coombs; City Recorder, Braydee Baugh; City Engineer Dan England; City Council Liaison Darrin Rowberry; Community Development Administrative Assistant, Braydee Baugh.

**Appointed Officers and Employees that were present on Zoom: Shay Stark**

**Citizens and Guests Present:** Barry Bunderson, Fred Cox, Kristi Smith,

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY  
COMMISSION CHAIR, BRIAN PATTEE AT 7:01 P.M.**

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARINGS:**

**a. Proposed rezone of .305 Acres Of Property Located At 196 West Main Street To Go From A Legal Non-Conforming Lot To A Mixed Use Designation**

Neil Critchlow stood to provide public comment in support of this rezone. Barry Bunderson stood for public comment. Mr. Bunderson was concerned the Mixed-Use zone requires both commercial and residential development and continued the minimum commercial lot size is ½ acre. Mr. Bunderson noted the current lot does not meet the minimum lot size requirement and did not know how the property would house residential in this case. Mr. Bunderson was concerned this would set a precedence for future projects along Main Street. Fred Cox stood to provide public comment. Mr. Cox advised he was told the commercial requirement of ½ acre would be changed. Kristi Smith stood for public comment. Ms. Smith advised she was the owner of the property and that Commission Member Pinkham brought up that Main Street was in a historic district but there were no defined boundaries. Ms. Smith continued that she understood the commission was going to address that issue during this meeting.

**b. Proposal To Rezone 11 Acres Of Property Located At 4860 West Highway 112 To Go From**

## **An A-10 Designation To RR-1 Designation**

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

With no comments offered, Chairman Brian Pattee closed the public hearing at 7:02 p.m.

## **COMMISSION CHAIR BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:03 P.M.**

### **1. Discussion of proposed rezone of .305 Acres Of Property Located At 196 West Main Street To Go From A Legal Non-Conforming Lot To A Mixed Use Designation**

Commission Member Pinkham asked how they anticipated doing commercial and residential. Mr. Cox advised the plan was to do residential units above the commercial. Ms. Smith advised the plans were already submitted as part of the packet. Mr. Cox explained there would be three apartments. Mr. Cox explained the second plans were submitted after learning of an easement on the property. Mr. Pinkham advised the lots were part of the old Main Street and they are cut up and small and many will be difficult to determine what use they will be. Mr. Pinkham suggested there be a Main Street specific zone district and liked the idea of the parcel having a use.

### **2. Discussion of proposed rezone of 11 Acres of Property Located At 4860 West Highway 112 To Go From An A-10 Designation To RR-1 Designation**

Commission Member Pinkham asked what the Master Plan shows this area as being designated. It was confirmed the Future Land Use was for RR-1. Commission Member Topham asked if the owner of the property knew it was going to take more to break out one parcel than previous processes allowed. Commission Member Stromberg advised this was just a rezone so the owner may not keep the one lot plan after the rezone takes place.

### **3. Consideration to recommend approval to amend Chapter 19a of the Grantsville City Land Use Management and Development Code**

Commission Member Topham acknowledge this code is the code that directly impacts Item 1 on the agenda. Ms. Topham advised that when the Master Plan was being developed there were multiple uses thought of for that designation and wanted to know if the language of the code requires commercial and residential. City Attorney Coombs advised that is how our code has the zone currently. Ms. Topham wanted to understand why there was language regarding Single Family Residential if there was a commercial and residential requirement. Commission Stromberg noted it could have multiple parcels. Ms. Topham wanted to know if it made sense to have the minimum lot size ½ acre when there are several lots on Main Street that will not meet this minimum requirement. Mr. Stromberg asked if there was a way to make an exemption

for properties on Main Street. Shay Stark advised the City has two districts in the code that are “Downtown Commercial Districts” but there is no area in the City that has been assigned that boundary. Mr. Stark advised to assign a boundary to the Downtown Commercial Districts and use an overlay to allow for smaller lot sizes; then it would not affect the areas outside that overlay. Mr. Stark suggested the minimum lot size could be reduced to ¼ acre; but would the City want to promote the smaller lot sizes outside the downtown district area. Mr. Stromberg advised he would prefer to see special sizing for Downtown. Mr. Pinkham advised that Main Street is unique in the City and a specialized code could accomplish what the City wants to go for in these areas. Mr. Stromberg was concerned with being broad with the term “Main Street” because there are larger pieces of property that could still meet the current Mixed-Use code. Ms. Topham asked what it would take to designate the Downtown District area. Mr. Stark advised it would need a public hearing and make it official. Mr. Stark suggested amending the future land use map and amend that boundary. Mr. Stark advised the Downtown Commercial and Downtown Support may require language updates which would be the code amendment process. Mr. Stark suggested amending the language in this current code to allow for the Planning Commission to amend the minimum lot size to ¼ acre along Main Street on SR-112 to Old Lincoln Highway. Ms. Topham asked if there should be a list of criteria that would limit that discretionary decision. Mr. Coombs agreed there should be some criteria. Ms. Topham requested Mr. Stark to provide a suggestion to the Commission regarding what the Downtown Districts should look like. Ms. Topham suggested an amendment later when the Downtown District is defined. Mr. Coombs added to have Mr. Stark also look at the “Central Business” district. Mr. Stark requested a work meeting to define what these districts should be. Ms. Topham asked why the code has the requirement of 25% landscaping and 10% open space. She continued that she felt it was an excessive amount that could border on a “taking”. Mr. Stromberg agreed with Ms. Topham that 35% because of the Mixed Use and PUD requirement combined seemed high. Mr. Coombs read the definition of landscaping:

**“Landscaping: Means the planting, paving and dressing of finished graded earth (dirt) including retaining walls, trees, ground cover, perennial plants and annual plants, etc., and together with an (automatic) irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity.”**

Mr. Stromberg suggested changing the definition of landscaping and suggested to conserve water that should be looked at. Mr. Stark advised the addition of that language was to be consistent with the desire for open space. Ms. Topham asked for the reason behind the 25% open space. Mr. Stark advised it was from an old code with the intention of not having a large building downtown. Mr. Pinkham advised the City is trying to avoid 10 acres of buildings and asphalt or other hardscaping. Mr. Stark did not feel 25% is excessive. Ms. Topham said 25% plus the 10% is what she is concerned about and that if it were 25% total it would be more palatable. City Engineer Dan England advised that open space could be landscaped islands in the parking lot. Mr. Stark suggested stating the 10% open space is required by PUD and is not required in Mixed Use Zone. Mr. Stromberg asked if it could be included with the 25%. Mr. Stark noted that some of the requirements to meet open space will not fit in smaller lots (such as the minimum for a 25’ wide requirement). Mayor Critchlow suggested designating a Mixed-Use Commercial or Mixed-Use Residential. Mr. Stromberg suggested the open space on smaller lots in the Downtown District

language. Mr. Pinkham suggested the 10% be included in the 25%. Mr. England suggested a certain lot size but make the requirement the lot is existing. Ms. Topham read the definition of open space and PUD:

OPEN SPACE. Land used for recreation, agriculture, resource protection, amenity, historical preservation, or buffers, and is protected by the provisions of this Code to ensure that it remains in such uses.

PLANNED UNIT DEVELOPMENT (PUD). An integrated design for development of residential, commercial or industrial uses, or limited combination of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements. Planned unit development regulations may govern the subdivision of land if it is proposed by the development to sell individual lots in the planned unit development. Thus planned unit development regulations can be subdivision regulations which may be chosen by the developer as an alternative to specifically designated subdivision regulations of this Code, to become effective only through the planned unit development approval process.

Mr. Lindburg addressed the site plan for Item 1 and noted the lot would comply with those requirements. Barry Bunderson noted open space cannot be a front yard, side yard, or rear yard. Mr. Coombs suggested putting a minimum lot number in the code for open space requirements. Mr. Stromberg advised he was concerned about leaving loopholes for the developer. Ms. Topham noted the 10% open space is more important. Mr. Lindburg wanted to know if the approval tonight would allow for an exception for the lot in item 1. Mr. Pinkham advised that one parcel isn't going to fit everything. Mr. Pinkham suggested passing this item and revisiting the Downtown District. Mr. Pattee noted he did not like the definition of open space. Ms. Topham asked Attorney Coombs if the language of open space will be an issue. Mr. Coombs advised doing 10% open space or 25% landscaping; not both. Mr. Pinkham suggested changing 25% landscaping to 25% open space. Ms. Topham noted the Mixed-Use zone should not be required to give more open space than other zones; she advised it was not warranted to have 35% dedicated to landscaping and open space because open space is so strictly defined. Mr. Lindburg felt the intention of open space was for parks and useable space and did not want high density in a Mixed-Use zone with no open space. Mr. England explained Item 1 is combined space and there should be a combination and if they can't meet the open space, they should pay a fee in lieu. Mr. Stromberg disagreed due to the proximity of the parks. Ms. Topham asked if the 10% being included in the 25% landscaping requirement would be safer. Mr. Coombs advised that it could still be problematic but more reasonable. Mr. Stromberg advised a rezone to Mixed-Use is not required. Mr. Pattee asked Deputy Public Works Director, Christy Montierth, how the billing is set up for this type of building. Ms. Montierth advised the billing would be like a trailer court. Mr. Pattee asked if it would be commercial or residential.

**Commission Member Eric Stromberg made the motion to recommend approval of amendments to Chapter 19a of the Grantsville City Land Use Management and Development Code with the change in 19a.8 paragraph 1 the 10% open space as required in Chapter 21 is INCLUDED in the 25% landscape area. Commission Member Pinkham seconded the motion. All voted in favor. Motion carried unanimously.**

#### **4. Discussion regarding Springfield Estates Subdivision Final Plat located at approximately 535 West Apple Street, Grantsville Utah**

Barry Bunderson was present for this item. Mr. England advised this subdivision has met all the requirements. **There was an issue with Ms. Topham and Mr. Pinkham not receiving the pages in the packet.** Mr. Stromberg noted the full packet was online. Mr. Bunderson noted there are two documents. Mr. Lindburg sent the email to Ms. Topham containing the full packet information. Mr. England explained that Mr. Bunderson put a manhole type structure that will collect the majority of the water. Mr. England explained there is no storm drainage in this subdivision; it all goes out to Apple Street and goes to 3 basins. Mr. Coombs asked if the owner would be dedicating the road to the City and when that would be done. Mr. Bunderson explained this would be done when the plat is recorded. Chairman Pattee asked who owns the storm basin. Mr. Bunderson explained it belongs to an adjacent property owner; however, there has been an easement document for that to happen. Mr. Pinkham asked if the old pond system would hold the water from this subdivision and if there was a risk to flooding neighbors. Mr. Bunderson advised that it would not. Ms. Montierth wanted to confirm the pond was not being dedicated to the City for maintaining. Mr. Bunderson advised there will be a Maintenance Agreement in place.

#### **5. Report from City Council Liaison Mayor Critchlow.**

Mayor Critchlow advised Ordinance 4 was passed and there was an amendment to strike the story limitation and leave it to 35' and that Chapters 14,15,16 were all tabled due to a corrupt document. Mr. Pinkham wanted to confirm it was not due to content. Chairman Pattee requested a joint meeting with Council in August.

#### **6. Adjourn.**

**Commission Member Topham made the motion to adjourn the meeting. Commission Member Stromberg seconded the motion. The meeting was adjourned at 8:48 pm.**

Braydee Baugh  
City Recorder