

Action Summary

Subdivision Preliminary Plan Checklist	Discussion
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MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION HELD 03/02/2023. THE MEETING WAS HELD IN THE GRANTSVILLE CITY HALL AT 429 EAST MAIN STREET AND ON ZOOM.

Commission Members Present: John Limburg, Rick Barchers, Derek Dalton, Kevin Hall

Excused: Jaime Topham

Appointed Officers and Employees Present: City Attorney Brett Coombs, City Manager Jesse Wilson, Public Work Deputy Director Cristy Montierth, City Engineer Dan England; City Planning and Zoning Administrator Cavett Eaton, Planning and Zoning Administrative Assistant Lanise Thompson

Citizens and Guests Present: Gary Pinkham

On Zoom: Shay Stark

PLEDGE OF ALLEGIANCE

**COMMISSION VICE CHAIR JOHN LIMBURG OFFICIALLY CALLED THE MEETING TO
ORDER AT 7:00pm**

AGENDA:

- 1. Discussion of Revised Application – Subdivision Preliminary Plan Checklist and Preliminary Plans Checklist – Zoning Administrator/Cavett Eaton, and City Engineer/Dan England**

Cavett Eaton – This is the checklist to give to our developers to help give the right information back to us. Some of the stuff that was in previously was kind of old and outdated, so this is the newest version. We edited this a little bit this afternoon.

Our esteemed colleague, Gary Pinkham, gave us a few comments and we've added a few of those things to it. Anything we've changed since you saw the packet is in yellow. We just added this part here about variances outside the code requirement for a PUD. They get confused, they come in and they submit this and then when we ask them for a PUD they don't know what to do. We're just trying to communicate better. The other thing we've added to this is hotlink straight to the county website and our portal so they can submit online. That's all new stuff. We just got that rolling this last month. This week we actually had our payment process all online so they can actually pay all the fees online. We're pretty excited about that.

The bottom one there, it was a little confusing as to what the water and sewer modeling fees were, so we kind of cleaned that up so it would be easier to understand.

This gives new information after the DRC meeting. We're going to do the same thing to our final checklist and get it through. We've also revised the plan checklist and Dan will tell you a bit about that. Basically, we wanted to get this through. Do you want to talk about your concerns about the legislature and why we're doing this?

Dan England – The main reason that I wanted these, as I was mentioning to Brett earlier, was that I'd been given a warning as I went to a meeting on Capitol Hill and met with a couple legislators, and in the meeting before we met with them, they had made a comment to us that one of the things that they're trying to get passed is that anything that city does not have approved by a voted board, developers did not have to follow.

I had an engineer provide a set of plans that was one sheet for a whole subdivision. I says, "What's this?" He says, "Well, on that sheet is everything that you asked for in your checklist." I went, "Okay, I need to update my checklist." So, that's what I've done. As I've updated the checklist, I wanted to make a number of things that have come up over the last year as I've been plan checking, that I wanted to make sure were clear. I want to make sure that I've got things that are happening around the property edge. We've had problems where they didn't show where the road was on the other side of the street, and therefore the streets didn't line up. I didn't know because they didn't say where it was. I assumed that the engineer would automatically line up with streets on the other side. It didn't happen. I put a number of these things in this checklist that I thought were important.

I sent these out to three different engineering firms and say, "Hey, take a look at it, give me comments back." I haven't heard back from any of them yet.

John Limburg – Were they civil engineering?

Dan England – Civil engineers, yeah. Those that have been submitting plans to me in the past. I sent them out to them, and I haven't received comments. Like I said, one of them was like two months ago, another one a month ago, another one a couple of weeks ago. They all said, "Great thanks," and I haven't heard back. If you guys had a chance to look at it, if you had any questions about any of those things, these are just things that need to be there on the preliminary. I wanted to have enough stuff there that I could understand what they're doing. But if I caused them to change anything, it wouldn't be an increased fee to them or limit the amount of fee that they would have to pay to their engineer. Because if they're doing all the calculations and doing everything, then if I say, "Well you need to move this street, or add a street in here" or whatever, there's a lot of redesign. I try to limit the redesign but still have enough information.

Rick Barchers – They already know this information?

Dan England – They should know a lot of things, but you got to remember, these engineers are submitting plans to multiple different agencies and every single agency is different. When they come here, in their mind, they think they already know what they need to submit. What it is a little bit

different here than it is if you go to Tooele or if you go on the other side of the hill. Everywhere they submit it's going to be a different requirement they have.

Rick Barchers – Well, I'm not talking about the submitting part of it. Things change shouldn't they know that and update their plans before they submit them.

Dan England – It depends on the agency they're submitting. Because if they submit to us, we say 750 feet is the longest you can have before you have a cross street to it. In other cities they may not have that requirement. It may be a different length or they may not have a set length at all.

Rick Barchers – I don't understand how that's our requirement to inform them. I think they should have somebody at their firm is suppose to research all these things.

John Limburg – You're just trying to give them something that makes it easier, right?

Dan England – Yeah. If I can give them a checklist and they go through the checklist and everything is on the checklist, then they can submit to us and we can go through. There still may be some other things that need to be changed, but at least this will get them in the ballpark that it has most of the information there already. These are things that I felt were being missed and I wanted to make sure that they were added in there.

In fact, the way I actually got this checklist is I put out a request to all the engineers. There's a Utah civil engineer organization and I put a request to all the city engineers that said, "Hey, can you provide me your checklist that you use?" I took all of them and I pulled out the ones that applied for us. I tried not to miss anything. The final is also the same way. We'll finalize that and bring that in too. This is something I want to make sure that is out on the city website so that they can get easy access to it, and be able to know what they need to submit to us.

Rick Barchers – I read through this before. This is something we've been talking about a lot in the PUDs is there anything in any of this anywhere that applies differently for someone who is asking for a PUD.

Cavett Eaton – There's a whole separate application for PUDs with another list of things that we're asking for.

Rick Barchers – So this is separate from the PUD.

Dan England – This is just for the civil plants.

Cavett Eaton – Our thinking is using this is as a preemptive approach to speed up our DRCs, because our DRCs are coming back time and time and time again because they didn't get this stuff from the beginning.

Rick Barchers – Can we go over this approved by a voted board thing that you said at the very beginning, the legal part of it? Trying to get that in my head.

Dan England – What they said to me, and it's my interpretation of course of what it was. They had said that when a developer comes in, he needs to know what he needs to do on everything. What they're being told on Capitol Hill is that cities are to blame for delaying all improvements. They are even having caution tape saying, local government is a caution, you need to be aware of. We're the developers, we're the good guys. Help us get around these city legislators because they are preventing all these things that need to happen. With that mentality going on in the legislator, they came in and they said, "Look, these cities are changing the rules on us every time we submit." They came back and said, "Fine, we will set the thing saying that if it's not written down and approved by the legislative body of the city, then it doesn't apply to their subdivision."

Rick Barchers – Okay. So, you're talking about the application process?

Dan England – I'm talking about any requirements form. If it's not in our recorded land development codes, or if it's not something that was approved like this, I wanted to go out and get approved by you and City Council so that now as this is an approved document, every city civil engineer applying to our city has to follow. As it is right now, some of these things I ask for, they say, "Dan, this is just things you want. We don't have to follow it because it's, there's not a code for it." And you guys are helping me make a code.

Rick Barchers – No, I'm all for it.

John Limburg – So it's just a checklist you already had and you just made these two changes to it.

Dan England – No, that checklist is the one that I took from all the other ones. There was a checklist there, but it was very basic. That other checklist is the one where I got a one sheet of paper for a plan that was submitted to me. When I says, you know, gave me something that was a hundred scale that I could see the whole project. In there with some tiny lines, the streets were about this wide, I couldn't check it. Luckily that was not one that the owner decided to submit fees for, and so in the meantime I handed them and says, "Here, here's the checklist." And he says, "Okay great." It doesn't apply to him yet, because it hasn't been approved, but it's something that will help him as he comes through for other submittals.

John Limburg – Can we ask Gary, have you reviewed this? Can we ask him.

Dan England – Sure.

John Limburg – Have looked you over this Gary?

Gary Pinkham – I did a couple days ago. Then Cavett, Dan and I went over it yesterday. We had or two minor comments neither one of them was pertinent. Other than the note that Cavett had added to make sure people know this stuff does not apply to the PUD. The review time will be 14 days to review the draws and 21 days to schedule a meeting. This will go a long way towards cleaning up the process and speeding up the process for everybody. To give the this to go and if we finish up what Brett was bringing to us after the last meeting on the development agreement up front so that everybody knows in beginning what they have to do in this. That will help eliminate all this going back and forth.

Cavett Eaton – The previous application had an abbreviated version of Dan's checklist attached to it. We've separated those into another two documents and they'll get both documents and hopefully they'll give a little bit more attention to the things we're asking for.

John Limburg – I'm assuming a lot of stuff in here is the not different from other cities, so like cul-de-sacs, tightness, and turn-arounds, frontage. What I'm saying though, I bet a lot of this stuff in here is pretty consistent with what we already see.

Dan England – Yes. That's why I pulled it from other cities so that it was pretty much consistent with everybody else. There's a few tweaks that I made that was for our city or things that I have in mind, or that I expect to see having designed many subdivisions myself. Some of those things I've added, the other thing that I have highlighted in there is the proposed driveway locations. That's something we've never had on our plans.

John Limburg – I was going to ask, because I know that's been an issue on a lot of things that we do so. You're good with that, Gary?

Dan England – I restricted it only if it's 80 feet wide or less. Anything wider than that I didn't worry about because they have enough room to put the utilities outside of that. It's when we have narrower lots. If you're, well, we're getting 40-foot-wide lots. If you don't know where the driveway is and where the utility's going, it's not going to work. The same is going to be on a 60-foot wide lot too.

John Limburg – You guys have any questions?

Rick Barchers – You and I had talked once before about percolation tests. Did that kind of get...? I know it's not delineated here, but does that get spelled out somewhere?

Dan England – That will be another documentation. I need to come up with part of a storm drain process for the city. There's one that was done many years ago by Aqua Engineering, Shay's online, and they gave it to the city. That was done over 10 years ago, I think, and because of that there's been a number of things that have changed. I'm going to update what they're doing, and I'm going to make sure that it's clear, like a checklist for them to do their stormwater design too.

Brett Coombs – What is the difference between... What will be the difference between the preliminary plan checklist and the final plan checklist? There's an awful lot in here for preliminary plans.

Dan England – Those are for the whole preliminary plan and the difference is the profiles and all the elevations are in the final. That's the main difference. Everything else is being brought into this except for the overall grating. They need to survey site to make sure things are correct.

Kevin Hall – I do have a question. This proposed driveway locations required for all lots that are 80 feet the frontage or less? Does that mean every preliminary plat, so, I buy a lot from a subdivision and I wanted to switch the driveway to the other side I can't do that because it's on the preliminary plat on one side.

Dan England – If you do want to change it, you have to bring it in and make sure that it's going to work. Because probably what's going to happen is if you flip it, and we've had this happen, where they came in, they decided to flip it, and then all of a sudden, the driveway came out and there was a catch basin right in the middle of their driveway, or a water meter. All of a sudden it doesn't work, especially on those narrow lots. On the wider lots it can be flipped and it's not that big a deal, because normally they put those utilities outside where they can shove the house one way or another to make sure that that's going to work.

Kevin Hall – So it's just on the narrow lots.

Dan England – Yeah, that's why I went to the narrow ones because flipping it does make a difference and it can make a problem.

John Limburg – And I would say this isn't to restrict anybody from doing anything to make it easier.

Dan England – It's easier for the engineers to bring it in.

Kevin Hall – But I'm assuming that typically anybody that's going to have a narrow lot like that is in a cookie cutter subdivision, correct?

Dan England – Normally that's the case. Yeah.

John Limburg – Shay, have you got any comments on this?

Shay Stark – Not really specifically. I guess I just want to point out that again, as Dan has said, it is very important that we have everything down in writing from here on out. I mean, it was always important, but it's become really critical that we have it down in writing. I'm assuming this is probably going to get approved by a resolution and then as we go through an update the subdivision ordinance in the code, I think you're going to probably see that next week, based on the discussion we had with City Council. I mean next planning commission meeting. We will refer back to the approval of these documents to guide what the developers are going to be required to provide, in this case the preliminary plan application.

John Limburg – Is this all you want? Did you want to make this an action item?

Dan England – We haven't noticed yet for the public to see it.

Rick Barchers – I think it's great, Dan. I really do. The only question that I have is there anything in here that you can think of that you thought, maybe I should put that in there and then you thought, well nah, it'll be all right. Is there anything like that? Do you know what I'm saying?

Dan England – I'm going to probably find a lot of things that I wish I had included in this and will need to be added in there. I don't know if that means that the changes that I requested that need to come back to the board, or if that's something we can say "Okay, this just needs a slight modification to be added to it." Brett will help guide me on that as we go forward with that. I tried to get all the things that I felt was important. I put lots in here and then I took some things out and then I put things

in. I tried to get to where I'm getting the important things that I need to have in there but not getting overly petty on it.

Rick Barchers – Well, the problem with it is like you're saying if it's not covered in this, then they come in there and they do something like John saying, "Well I want to put my lot facing the arterial road." Or whatever, to me would be like, are you really going to do that? Those silly things? Do we need to cover those in here or not?

Dan England – I don't think it would need to be covered in this. We still have other codes.

John Limburg – Because we're just not going to let them do it. Right? If we decide we're not going to let them do it, we're not going to approve a plan that says that.

Dan England – And that's where we have to be careful because we can't restrict anything that's not in writing someplace. But I think those things are in our code, I just have to find where it is in the code.

Kevin Hall – Dan, seems to me like the definition to start with is that it all has to be approved, right? It seems to me like if you make any interjections to that it has to be approved or it's not valid. And if somebody could prove that if you just put it in there and somebody who had read it before discovered it wasn't voted on, that could create a problem, could it not?

Dan England – In my understanding, it could create a problem. But there are some things that can be considered administrative, just helping to clarify something that's in there. And those things might be able to be changed too, and not have to go all the way through the process again. Where if it's something new that is not here, then probably does. But I still lean on my attorney to help me understand those things.

John Limburg – So we don't need to vote on it?

Dan England – No, no.

Rick Barchers – The fee will be \$1,500. It's here in yellow. The water and sewer modeling by the city engineer with a \$1500 for the system. Is that the entire neighborhood? If someone comes in and wants four houses, or these miniature subdivisions we have been talking about. Is that going to be the same? I mean that's going to be up to the city council, isn't it? Isn't that a city council question?

Cavett Eaton – I know he's already said in there we just clarified the language, 15 for water 15 for sewer.

Dan England – Shay, can you help me with that? On what size we have to go through and do the sewer water modeling on projects? I think it's like four houses or something, but I don't know.

Shay Stark – The state law requires that every development that comes in on the water side. Sewer is actually not required in the state law, but it sure makes it hard for the city to track a sewer system if they don't know when their pipes are going to be at capacity. On the water side, the state law requires that every development, it doesn't matter if it's one lot or anything greater than that, it is required to

be modeled and we're required to make sure that we have the capacity to serve it. Every three years the city sends in information to the state about their water system and the state certifies that water storage capacity, the distribution capacity, and the capacity of, in our case, wells to pump the water. It's critical that we're always tracking that and making sure that our system can handle that.

What we have talked about is there's a big difference in the effort for a single lot subdivision versus the effort for 25 lots or even 10 lots, 25 lots, 50 lots are those small subdivisions that we're talking about, those four lots are less, I literally, all I have to do in the model because it's on an existing street, is just go plug in a demand on the pipe and it'll carry through the system. It's when we have to start putting additional work into it and really putting time into it comes when we are having to address subdivisions where there's the new water lines need to be put in. New streets are going to require new water lines. That type of thing. That's when the work begins to really stack up. The other one's a matter of probably 15 minutes and then we have it in and we're good.

I know city council has still got to figure out how they want to address the fees on these. I think the one thing that we did understand with the discussion with city council was that on the on the small subdivisions where we don't have that extra work, we're not going to bill them separately for it. It'll just be part of the cost of the review. Then if the city decides that they want to split this up so when somebody comes in with the, heavens, we've got a 800 lot subdivision, that's going to require a lot of work. If the city decides they want to split it up somehow, we will work through that and figure it out. But right now, the \$1500, essentially, was generated based off of looking at a range of various subdivisions that we've worked on and just looking at the amount of time that it's taken to deal with those subdivisions. Now we haven't had a subdivision larger than say 100 lots before now that we've had to try to model. Nothing larger than that was taken into account with this.

John Limburg – I remember Gary, you'll remember this, we talked about this during that city council meeting, and I guess that'll be addressed when they do the fees, but with a big one, I think Shay was saying it would take multiple days to do all the modeling. We ended up paying a whole lot more than we're actually bringing in.

Dan England – The fee we're charging now is kind of an average, so the smaller ones are helping to pay for the larger ones and that's what the mayor wants to get away from. Which makes sense. That is a real important thing because I've got a subdivision right now I'm looking at that they've taken like 50 homes or something and they've put it across the street into another small subdivision instead of the main pipes that they're running the rest of their subdivision through because the grades didn't work on it. I'm looking at that saying, "How the heck would I be able to check that whole thing?" Our consultant has the sewer modeling and they'll be able to check that and then they'll also check as other people tie into that line later on to make sure that we know when it hits capacity and when things have to be changed.

Kevin Hall – Is there maximum number of lots that can be approved to the subdivision, or is that an analyst number?

Dan England – For the preliminary, I'd like them to do everything that they proposed or they think that they might do. But then when it comes for the final, when they're actually going to phases to construct, we do limit that to 50 homes or 50 lots at a time.

Kevin Hall – So I guess I just wonder if the modeling fee could be, say it's \$1500 for the first 50 and you got to do it every time. Is that possible?

John Limburg – I think that's what it's going to end up with City Council.

Kevin Hall – Because if you have 800 homes and you only have to pay \$1,500.

Dan England – That's a big deal. It's a special for them. So yeah, we'll need to figure out how those fees can be adjusted to be able to work for that.

John Limburg – Just for my knowledge here, the reason you want the whole thing in the preliminary is so if they're building everything to capacity for the whole thing, like if they're going to bring in a sewer system to that, it's got to be able to handle everything else that they're going to plan building.

Dan England – Exactly. That is correct.

~~**2. Approval of minutes from Feb. 2, 2023 Planning Commission Meetings PULLED**~~

Pulled at the request of Commission Chair Jaime Topham

3. Report from City Council liaison Mayor Critchlow

Mayor not present

4. Adjourn

Kevin Hall made a motion to adjourn. Rick Barchers seconded the motion. All voted in favor. Motion passed.

Meeting Adjourned at 7:30 PM