

**MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION  
HELD 05/05/2022. 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, Gary Pinkham, and Commission Member, Jaime Topham, Commission Member, John Limburg

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

**Commission Members that were absent:** Commission Member, Erik Stromberg

**Appointed Officers and Employees Present:** Zoning Administrator, Kristy Clark; Grantsville City Attorney, Brett Coombs; City Engineer Dan England

**Appointed Officers and Employees that were present on Zoom or Absent:**

**Citizens and Guests Present:** Barry Bunderson, Dustin Hall, Kevin Hall, Jaime and Shane Reedy, Travis Taylor

**THE WORK MEETING WILL OFFICIALLY BE CALLED TO ORDER BY  
COMMISSION CHAIRMAN, BRIAN PATTEE AT 6:11 pm.**

- 1. Discussion to recommend approval the PUD Plan for Dustin Hall, D.A.B. & K, LLC. on the Willow Fields PUD Subdivision located at approximately at 834 N. Old Lincoln Hwy for the creation of twenty-seven (27) lots in the RR-1 zone.**

**Barry Bunderson and Dustin Hall were present for this agenda item and stated to the Commission:** So, based on some feedback on the road section, we've come up with two options. Option one we've modified it to 30 feet of asphalt. This still gives us the 66 feet of right of way. We took some width out of the shoulders and the park strip on the uphill side and a little bit out of the swale. So if you compare that to option two, all we did was increased the right of way with to 70 feet by adding four feet in the middle. So, it's the same thing as what you saw before. That's just one of the items that we wanted to talk about, based on fire department preferences. I would just make a comment about these road sections, we've tried to make the swells a little bit wider so that you can get a 12 or 15-inch diameter pipe in there with cover over the top of a driveway, and that's why they're wider, deeper than you've seen somewhere else. We pushed it all to one side so we can use the width of the right of way more efficiently as well. But those are basically the differences from what you've seen previously.

Jaime Topham asked, what is the park strip? Is there a curb somewhere?

Barry Bunderson answered, No curbs. So, there's the shoulder that's eight inches of granular borrow where the pavement ends. It changes from six inches of road base to nine inches of road base. So, it's a sturdy hefty section that's an all-weather type of a surface. It's not paved. The park strip is just like a park strip in our regular standard section.

Jaime Topham stated, that one of the things we talked about though is like the road maintenance in the winter, the blade, the snow plows having an edge to plow against, and that's why we kind of talked about potentially a curb leading up to that sidewalk, which would also give you that barrier you were talking about. I guess maybe you anticipated no park strip, I'm not sure, but can you address that and how does this work for the city now?

Barry Bunderson stated, I would certainly understand that plowing the snow here when that occurs would be a lot like 50% of our streets that exist today that don't have any of high back curb gutter or sidewalk. I'm not sure what they do to appropriately plow those streets, but it would be the same means and methods that they're doing on all the old parts of Grantsville.

Christy Montieth stated, the complaint with my snow plow drivers, for example, in South Willow, they have the swells, that when it snows, they cannot tell what the edge of the road is, if we have a good snow. We've had plows go off into those swells. If there's a curb and gutter they can at least fill it with their blade or see it because of the hump there. So, they do not like, for example, South Willow. Now, you said old parts of town. When you say Clark Street, Clark Street's huge. That doesn't matter. North Street's huge, but the other old parts of town do have curb and gutter.

Jaime Topham asked, what about Race Street? It slopes down away from the road; how do they handle that?

Christy Montieth answered, we just stay to the middle as much as possible. The other thing is we only have so many plows. So, a lot of times we do one sweep and then we go back and go over it again.

Dustin Hall asked, doesn't the curb prevent you from getting the snow into the swell where it belongs instead of on the road? The curb and gutter catches the snow, as opposed to being able to roll it off into the swell where it should be.

Christy Montieth answered, on our curb and gutter streets, there's not swells typically. If you think of many of our curb and gutter streets don't have swells.

Barry Bunderson stated, maybe he's thinking of the park strip when he says the swell in that situation.

Jaime Topham asked, how do you delineate the park strip from the shoulder?

Barry Bunderson answered, just by the surface materials.

Christy Montierth stated, I understand what you're saying. When you put a road in all that road base holds up really well at first, but without shouldering then eventually that road base wears away and you get holes on the side.

Barry Bunderson asked, are there significant incidents of that on record?

Christy Montierth answered, yes.

Dustin Hall asked, is there a reason that we can't put reflector poles along there like we do on all these radius' in towns to demarcate the edge of the roads?

Christy Montierth answered, you could. If you go into Carriage Crossing, they plow their own roads, you'll see that they have them. I don't know if you noticed how many of those get run over.

Dustin Hall answered, I do. We have to put them back up.

Brian Pattee asked, apparently, we used to have a rural cross section. Can someone tell me what that was like?

Barry Bunderson answered, there were no curb and gutters and there were shoulders and swales.

Shay Stark stated, I can tell you a little bit about that. Maybe the Mayor will remember the this too, I don't know. I can't tell you a lot about it. I do know that those sections, when we did the 2001, the street master plan for the city, which was really the first time the city had done a full blown street master plan. Those sections were in there, but I know they were in place before that. It wasn't something new that we pulled into there. Essentially it was a similar width pavement to what the local road was at that time, which you may remember, we had a 60 foot right away instead of 66 for residential. So it was the same pavement as that. Then you had the swales on the sides of it. Essentially, when that went before council and that was taken out of there, the things I remember from that discussion, the first biggest concern, which was the reason that everything went before council in the first place was because at that point in time, the fire marshal just felt like the 66-foot-wide right away, which was in the standards at that time but it wasn't being used in the residential streets. It was being used, not as a collector, but his main entrance is into subdivisions. And if we would've had a commercial area come in or something like that, it would've been used for those streets. His biggest concern was that he felt that we needed the 42-foot-wide pavement. And his argument for that, as I remember it, he brought in a picture of two fire trucks that one of them had their stabilizers out and the ability to be able to pass by that. Also, the other thing that he brought up is when you have vehicles, and sometimes we'll get a big trailer or something parked on one side of the street, and then you have a car parked

on the other side of the street that on those narrow pavement widths that they couldn't get through with their emergency equipment. And so, that was the main gist of the conversation, but then other issues that were brought up, and I know this had to do with Willow Street and there may have been something on Worthington Street also that occurred. There had been several instances where people had gone in front of their yards or in back of their yards where these swales were and they filled them in. I know in one case the instance that was brought up, basically, they were stating that they'd filled the swale in and re-landscaped it. And then there was a big storm and the storm water of course, filled up the swale, and went over and flooded their neighbor's house. I think it even flooded the house of the people who filled in the swale. And that this was an issue that was occurring off and on. So, I think they felt like it didn't fit well and work well within the higher density residential that we were seeing versus a really low density rural setting. So, from what I remember, that's essentially why those cross sections were removed.

Brian Pattee stated, so, this is a work meeting and we're under the context here of this being a PUD. Is this acceptable or isn't? I mean, am I hearing this is just a vote no by staff? Is there's some sort of work through on this? Obviously if we're looking at it as a subdivision, we just have that one cross section, right? This is for us to decide whether something like this falls under the PUD concept, could the fire department work with 30 feet asphalt? That's what I need to hear from different people, possibly.

Barry Bunderson stated, I can speak to some of that. Just based on what has been approved in the past, and you probably know. South Willow Estates and President's Park, both of these have the same width of pavement.

Brian Pattee stated, I live on Brock Way we have normal curb and gutter but the storm water goes onto our lots, every two lots takes care of their own storm water off the road. Well, when public works comes out and has to flush a fire hydrant, the water ends up going down and I actually could see it was potentially flooding people. So, that was a bad design. The subdivision south of me has the asphalt and a little curb strip, ribbon curb. I don't know that works really good, the way they have that one set up either.

Barry Bunderson stated, I understand that an appendix of the fire code has been adopted as policy. It requires 26 feet wide when there's a fire hydrant. So, we're exceeding those criteria. We're matching with some of the recent things that have been approved. That's just from observation, there may be other things to speak about that, for sure. I think we get to decide what's appropriate is, I mean, is this in the vein of making something that the general plan says we want? Does it meet some of those goals? That's what we're going back to in a PUD case. The reason why we're doing a PUD isn't necessarily to trade this worth for that worth, it's to come up with something that is more desirable based on the language that's in the PUD and the goals that are set forth on that. Something that can't be done in a standard process, but that is desirable. So, have we created a unicorn in the general plan? Because one, it sounds good, looks good, but it's not practical to do something different, to do something that's in that vein of a rural community, because nobody wants to take care of it,

which I can appreciate some of that. So, I think that's what we want to try and recommend or not recommend. Is this meeting some of the goals, the objectives of what a PUD would do? It's to create something different than the standard procedure, the standard cross sections. To create something that is more desirable that can't be done in the standard way. So, the question is, is this what the residents of Grantsville want?

Christy Montierth asked Barry, I've not been doing this as long as you have, but one comment I've heard before is that the PUD allows something different, but the city gains something for it. For example, you suggested Presidents Park, it doesn't have curb and gutter, it has a ribbon curbing, but they are putting in a very, very large park. So, I think that was the tradeoff for what I've heard in the past. So, if you put in a road that's going to require more maintenance for the city later, without curb and gutter, for example, what does the city benefit other than, like you said, to provide a rural atmosphere for someone.

Barry Bunderson stated, so, again, we looked at the general plan, we looked at the parks and rec map, and you're calling for a five-acre park. We're on the perimeter of a hallowed bulb that's right there, and so we are providing that to some match with what the general plan says. There may be additional maintenance on some items, but I think there's a tradeoff for other items that need maintenance with storm drain pipes and boxes and things like that also need to be cleaned and flushed, and those require some more specialized equipment than something like grading a shoulder, or taking care of a weed here and there. So I think there is a trade there, but I don't feel like it's a lopsided trade if you will. I think, there's probably some maintenance that has to happen with anything. Is public works going to be willing to do something a little different, again, in the vein of what the general plan is telling us that we want to promote in parts of our community, it can't all be the same. We can't all have five acre lots, even though we might want it.

Brian Pattee asked Barry, would you anticipate potentially, a homeowner wanting to asphalt from their driveway where the concrete ends out to this asphalt? I'm just asking and I wouldn't make it a requirement. I'm just asking.

Barry Bunderson answered, sure. What I see in our unincorporated parts of the county like Lake Point, Pine Canyon, and Erda, before it became a city, is their concrete driveways all the way out to the edge of asphalt? I think we can put in this PUD a special detail for that sort of a driveway so it's in the plan set, so it's not ambiguous and undefined, since it is maybe a little bit unique. I've done that before. I think that's something that we can certainly incorporate. So, for me, this boils down to, are we willing to follow what parts of the general plan says, even though it creates a different maintenance situation? Can that be a recommendation?

Christy Montierth stated, Public works gets asked a lot, why are you not taking care of the weeds? Why are you not taking care of the roads? It should be on the homeowners, unless you have an HOA that mandates that they take care of it. I understand that you're not looking to have an HOA for in this community.

Dustin Hall asked Barry, will you point out our detail on that swell, and what we're planning to do there.

Barry Bunderson stated, I can show you a picture, and you've probably seen this before. This one actually is of Moonlight Drive, it's off of Cochrane Lane. The road was built in 2013 or 14. We put a weed barrier fabric in the swale, and you can see that there are some weeds that poke up here and there. I mean, it's minimal, it can be sprayed, but what I'm pointing out is these weed barriers are going to do a lot. They're not going to be a hundred percent effective; weeds could grow in them. What we're showing here is a gravel mulch layer in the swells over a weed barrier, and APWA is specific about what weed barrier is. There's ISTM standards for that. It can't just be some chintzy thing that you get at Home Depot, it's commercial grade. In this picture, there are horizontal cracks. We talked about this last time in the asphalt, which asphalt needs maintenance on a seven-year cycle, if you will, but there are no shoulder failures at all in this picture. You can get on Google Earth and poke around all those places. You can do it in our community and find the same thing. These are what we were trying to mimic, so I went and took pictures of those locations. I think we have to make a recommendation, one way or the other on, is it something that, ultimately, we're willing to go away from a standard on in the vein of creating something that, according to some, is a desirable neighborhood they want to live in.

Brian Pattee asked, what's the big difference in these two proposals? One and two. The sidewalk width of one having five feet, and one with six?

Barry Bunderson answered, the shoulder width, part strip width, and then, on the swale, it's a little narrower on option one.

Brian Pattee asked, does anybody have comment versus five or six feet on a sidewalk?

Gary Pinkham answered, our code is five feet minimum. That was done several years ago in recognition of the fact that people are walking and they've got a stroller, a stroller takes up enough to put people off of a four-foot sidewalk. So, we went five.

Christy Montierth asked, so I understand this. There's nothing between the sidewalk and the pavement, right?

Barry Bunderson answered, there's nine feet.

Jaime Topham asked, what is the point of the park strip in this?

Barry Bunderson answered, it really doesn't have a lot of function. It's just a delineator between, "Hey, this is where we are putting a full road section and where we are not." Just because the shoulder criteria or design guides for that say, "Well, six is an adequate shoulder, so we cut it off." But I don't think that if it makes any difference to you guys, then I think we could widen some of that material, so that it's all consistent through there.

Dan England stated, I was just going to say that the one he's looking at has been the all-weather surface, so if a car goes off the edge of the pavement, it's not going to hit soft dirt and in a park strip, it would be something softer. Typically, it's not compacted. It's something that plants or grass or something should be able to grow in. I don't know that we would necessarily want something to grow in that area. I think what he's looking for is the 10-foot clear zone or the nine-foot clear zone is a distance between a fire hydrant and the edge of the road. And that gives the car a little bit of time to turn back before they hit something off to the side. It also gives distance between. So, park strip being there, I don't think is a beneficial thing, one way or the other. It's just an area that they didn't have to put the cost of the base rock, I'm guessing.

Jaime Topham stated, to me, it doesn't make sense to have a park strip if you don't have anything delineating it from your shoulder, you're just creating a soft spot. I think the last time we were here, you talked about the sidewalk being a little elevated.

Barry Bunderson stated, well, that was just because there was a sketch made of this curb that the sidewalk was lower than the curb and what I was saying is we wouldn't do that. We would just make the sidewalk surface match any curb that was suggested, and we could put some more slope on the shoulder or the park strip area between the sidewalk and the edge of asphalt on that side. Right now, it's 2% but we could go to a 5% or something like, that those are things that can be implemented.

Dustin Hall asked Barry, can't we just agree to do all weather surface in that area, just like we're doing on the other side of the road? I would rather do that anyway.

Barry Bunderson answered, yes.

Jaime Topham stated, that sounds better to me. Sorry, I'm not an engineer. I don't know of these things, but that'll keep the sidewalk dirt underneath the sidewalk from traveling away and the sidewalk dropping, right? Theoretically, right?

Dan England stated, I agree. I've been encouraging engineers to give me a couple feet next to the property line so that it doesn't sluff off underneath the sidewalk. We've done that on other projects, you can do that here too. There's no cost associated with that unless you have another build issue there.

Gary Pinkham stated, between these two sections, the narrower section and the narrower waterway there, if you look at that, it actually raises the full level of the water up equal to the surface of the street. So, we're bringing water up, even with our street, the wider section allows that water to be held down below the street, which will help keep that shoulder from becoming saturated and have and having problems. So, I think option two does a better job of getting the water a little further off the gravel shoulder.

Shay Stark stated, a question associated with that is the water meters, right now, the way

they're shown, they're shown split on the property line, meaning that part of the meter is in the public utility easement. Typically, our water meters are sitting in the park strip area, but where we've got this drainage swell here. I'm wondering, if we're showing a detail where we're putting the water meter's part way into the utility easement, why don't we push them back, so they're a couple feet back into the utility easement? So, they're totally outside of that swale.

Gary Pinkham added, we would need to do that on both sides of the street if we're going to gravel that park strip.

Brian Pattee stated, we're almost out of time so what items are left that we need to discuss?

Barry Bunderson answered, one of the important items was the wetlands. We have a meeting tomorrow with the Army Core of Engineers. So that's in progress. The sewer is another important item that there's been a lot of discussion had on that. What we're showing in the drawings is that we're providing a gravity sewer solution for the whole project. Then there's conditions on that. And that's where I think in the development agreement, we need to specify what triggers what. So, I think there's some things that can still be worked out for that.

Brian Pattee asked, is the plan still a lift station at each phase and then you'll move the lift station or the next phase or whatever until the gravity sewer goes wherever?

Barry Bunderson answered, yes.

Dan England stated, the lift station is just barely and big enough for this phase. And I thought the idea was, and I'm sure I'll be correctly if I'm wrong, but I thought the idea was to let this first phase go in to build some money to be able to build the rest of that sewer line out. I don't think that was understood on both sides, as I found out in our last meeting. But, we just had a subdivision that was approved last night, that they were putting about 2,300 feet of sewer line down Nygreen to get to their subdivision so that they could build theirs without having subject tanks in it too. And that was something that we put on them and he's doing it, as part of his subdivision.

Brian Pattee stated, all right, so for sake of time, your plan right now is to put in a lift station for the first phase. And then if you do a next phase, would it be at another lift station or you just move that one? Obviously you'd need a bigger one, sounds like Dan's saying.

Barry Bunderson stated, I think the options are still open for that. We don't want to necessarily say it, but the next phase is going to have its own lift station or a separate one, because it could be that the phase two and three go together and it all gets built, but yes, we have to work out and define those in a development agreement, which obviously has to come later as we works through some of this.



Brian Pattee mentioned, we talked about how it would be in the best interest of us to have you to do an HOA at least to maintain that lift station.

Barry Bunderson stated, with the lots, you can put a maintenance agreement on those lots. So, it goes with the deed. If someone then title searches, they're going to find this, it'll get tied to the lots. So if an HOA isn't what we want here, there are ways that we can require interested buyers to understand that, "they're in charge of maintaining this along with your neighbors."

Brian Pattee stated, I was on the wrong end of one of these deals with a city I use to work for. And the developer had put in a lift station for a subdivision. And he started having maintenance issues with it. And then it's like boiling over raw sewage, illicit discharge and he's like, "I'm bankrupt. I can't take care of it." Well guess who ended up taking care of? The City.

Barry Bunderson mentioned, in those maintenance agreements where it is prescribed that they do the maintenance and if it's not done the City has the power to get involved.

Dan England stated, I was talking to just this week, a couple times, the crews that have to go out in the middle of the night because it's plugged up. And typically they find feminine products that are in the plug in and these smaller pumps get plugged up very, very quickly. And if they don't get out there to fix it, people are getting flooded in their house. And if you just have an agreement on those, I'm not sure who's the one who's going to go out and take that apart and fix it and get that? Unless they have somebody on contract to come out and do that is what you're suggesting?

Barry Bunderson stated, yes. So, Deco Sewer Maintenance have local distributors and they have on call services. This is a duplex pump system. So one pump is capable of discharging the effluent. And if it breaks down, there's still another pump. They're alternating off and on.

Brian Pattee stated, I think you can definitely work out those details in a development agreement.

**THE REGULAR MEETING WAS OFFICIALLY CALLED TO ORDER BY COMMISSION CHAIR, BRIAN PATTEE AT 7:04 P.M.**

**PLEDGE OF ALLEGIANCE**

**DISCUSSIONS:**

1. **Discussion to approve a Commercial Conditional Use Permit for Shane and Jaime**

**Reedy to own and operate a Tire Maintenance Shop located at 167 North Old Lincoln Hwy in the MD zone.**

Jaime and Shane Reedy were present for this discussion and stated to the Commission: I've been in the tire industry for 15 years and I noticed Grantsville definitely needs a tire shop, so we're just excited to get started.

Gary Pinkham asked, did you work out the parking issues?

Dan England answered, I went out there and I measured it. I can't remember what the distance was between the buildings. You still show it's only 38 feet, I don't think that's correct. I think with the fenced area, it was 20 feet plus, we had more than 18 feet behind it. They have 58 feet which is plenty of room for perpendicular parking next to the building.

Gary Pinkham asked, all the work will be done inside?

Jaime and Shane Reedy answered, yes.

Gary Pinkham asked, are you planning on doing anything other than tires?

Shane Reedy answered, no, just tires.

Gary Pinkham asked, has the fire department looked at this yet?

Shane Reedy answered, no, not yet.

Kristy Clark stated, the Fire Marshall mentioned on Monday that he will need to do an inspection. You'll just need to reach out to him to schedule that inspection.

Jaime Reedy asked, for the ADA ramp, can we do a cement ramp instead of a metal ramp?

Dan England answered, yes. The ramp should be concrete. Shay, do they need two van accessible parking stalls?

Shay Stark answered, no. They only need one. My suggestion would be to take one of the visitor parking stalls and turn it into a regular ADA stall and then have the stall next to that be a parallel parking stall. That will make both accessible to the loading zone.

**PUBLIC HEARINGS:**

- a. Proposed Commercial Conditional Use Permit for Shane and Jaime Reedy to own and operate a Tire Maintenance Shop located at 167 North Old Lincoln Hwy in the MD zone.**

Chairman, Brian Pattee opened the public hearing at 7:14 p.m. and called for comments.

No comments were offered, Chairman, Brian Pattee closed the public hearing at 7:14 p.m.

## **COMMISSION CHAIR BRIAN PATTEE OFFICIALLY CALLED THE MEETING TO ORDER AT 7:14 P.M.**

- 1. Consideration to approve the Commercial Conditional Use Permit for Shane and Jaime Reedy to own and operate a Tire Maintenance Shop located at 167 North Old Lincoln Hwy in the MD zone.**

**Jaime and Shane Reedy were present for this agenda item:**

There weren't any additional comments from the Commission on this agenda item.

**Jaime made a motion to approve the Home Occupation Conditional Use Permit for Shane and Jaime Reedy to own and operate a Tire Maintenance Shop located at 167 North Old Lincoln Hwy in the MD zone with the condition that the Fire Marshall does an inspection and that they comply with any requirements implemented by the Fire Marshall. Gary seconded the motion. All voted in favor and the motion carried unanimously.**

- 2. Consideration to recommend approval of the Final Plat for Northstar Ranch, LLC and Travis Taylor for the Northstar Ranch Subdivision P.U.D., Phase 8 located at approximately 500 W Durfee Street for the creation of fifteen (15) lots in the R-1-21 zone.**

**Travis Taylor was present for this agenda item and stated to the Commission:** This is the last phase that was approved with preliminary approval for phases six through eight.

Gary Pinkham stated, this is the third of three phases we've been through, and we've talked through all the issues. So, I think we're in good shape to move this forward.

**Jaime made a motion to recommend approval of the Final Plat for Northstar Ranch, LLC and Travis Taylor for the Northstar Ranch Subdivision P.U.D., Phase 8 located at approximately 500 W Durfee Street for the creation of fifteen (15) lots in the R-1-21 zone. John seconded the motion. All voted in favor and the motion carried unanimously.**

**3. Consideration to recommend approval the PUD Plan for Dustin Hall, D.A.B. & K, LLC. on the Willow Fields PUD Subdivision located at approximately at 834 N. Old Lincoln Hwy for the creation of twenty-seven (27) lots in the RR-1 zone.**

**Barry Bunderson was present for this agenda item and stated to the Commission:** in our general plan, there's a section about community design and it has some goals. I've tried to provide the same information in this memo that went out about PUD objectives. But we highlighted one goal to create a more pedestrian friendly, even though we want to create a rural community, we understand that there's a need for being active. And that's why we've tried to do a wider sidewalk, some of those things. So, we're meeting a goal there. Goal four says, "Retain small town charm." We've said this. And there's five different things that are outlined in summary of that goal. One of which I want to highlight says, "Personify the historic image and feel of the community through retaining historic characteristics". That marries well with what Dustin is trying to do. He wants to have an historic feel. And that's why some of the things that we've talked about are things that he's saying, this is what he wants. What he wants and what is written happened to be the same thing. We're meeting that goal. Goal five is, to creatively prepare the built environment and personify the community's vision. That's where a different road section, and some of those things come in. This leans into low impact development ideas with the swales and recharging groundwater in the swales, where it lands, and not having to bring pipes in and build boxes, and all of that has an impact on the public in general. We are trying to implement low impact development practices, which also marry well with the rural feel. And then, we've said goal six is to preserve the natural environment, that's kind of the same thing. And specifically there are five subcategories. One of which is, use storm water basins for groundwater recharge. It talks about recreation spaces, parks, trails. And haven't really got into it before, but with the park, the owner is willing to use his reach to provide something really good for the community. Meaning there's some other developments that have provided land and the owners are willing to do more than that, it might be through donations or through his own work or whatever, to build something on the land, to provide an actual amenity. And so, those are things that we haven't really discussed and frankly, because we've got stuck on other things, but we haven't really talked about what this park could be because of the wetland potential, which we're going to solve. Those are things I wanted to add and just highlight, that we're trying our best to do what the general plan says, and we can't hit everything, because it's just not feasible to hit all the goals. But we're highlighting things that we are trying to do that are meeting, in our perspective, the goals. And so again, it comes down to, is that a general plan unicorn? Or, because we're not really willing to do something like that, and create something that's written on paper? And so, I think that's where it comes down to. And maybe it's bigger than this body and the folks in this room, that question. I don't know. Those are the things I wanted to say. Any other questions?

Brian Pattee stated, I have one question that we didn't ever get to. The plans show that the first four lots will be on the pressurized irrigation and the rest of them aren't?

Barry Bunderson answered, I met with Bodee with the irrigation company and he let us know that there is a four-inch line and it comes into the property at a 45 off of Old Lincoln. So we will have to re-route it and follow the street. Also the line is a dead end line so there is a capacity situation. The remaining lots will use the culinary water for indoor and outdoor needs.

Jaime Topham stated, on the road section, I know we've talked about this a lot, they only need to have a 66-foot right-of-way. So if they get rid of the park strip and just gravel that, and they just make that an eight-foot shoulder. And then, it stays at a 66-foot right-of-way, instead of a 70-foot right-of-way, if we do the road section option two?

Dan England stated, that would reduce the clear zone to the fire hydrant.

Jaime Topham asked, how much does that have to be?

Barry Bunderson answered, for low speed roads with low ADT, which we would be, ADT means annual daily traffic on an annual percentage or annual average. That it's seven to twelve feet. So, it gives a range. we are in that range with how these are drawn. If we go and drop off the park strip, we may not meet that range.

Jaime Topham stated, Okay, you're dropping off the park strip sort of, but you're adding two feet to the shoulder. So it's really an eight-foot shoulder there instead of a six-foot shoulder in a five-foot park strip. Would that work? If they reduce it down, then they stay within the 66-foot right-of-way where if they don't then it's a 70-foot right-of-way.

Barry Bunderson stated, okay. So we do a five-foot shoulder, seven-foot clear zone and six-foot sidewalk with the option two cross section.

Gary Pinkham asked, so you mentioned that there's meeting with the Army Corp scheduled?

Jaime Topham asked, didn't you mention that you were working with a consultant? What was the consultant's input?

Barry Bunderson answered, the consultant stated, that there were no aquatic plants on a lot of the area that's shown on the NWI. So that's an indicator. If there are Upland plants, which I don't know what those are. I just know that there are differences. Right? And so they identify those. If there are aquatic plants, then there has the potential for a wetland. If there are upland plants, such as kosha weeds then that also eliminates that there isn't a wetland. So there's three categories that have to be met, and one is groundwater near the surface. You have to have the right soil types and you have to have the right kind of vegetation. And so based on what we previously had him come out and see, there are a lot of upland plants in a lot of that area, and he is going to be there. And the Army Corp of Engineers is going to be there in our meeting.

Gary Pinkham stated, I think we've got a resolution to all problems here with the exception of the wetlands, but we don't have, per se, an updated drawing with this detail in it at this time.

Jaime Topham stated, I think we have enough information to make a recommendation. We would just need to indicate that they update the drawing before it goes to City Council in our motion.

**Jaime made a motion to recommend approval of the PUD Plan for Dustin Hall, D.A.B. & K, LLC. on the Willow Fields PUD Subdivision located at approximately at 834 N. Old Lincoln Hwy for the creation of twenty-seven (27) lots in the RR-1 zone with the following conditions: Specifically, the applicant is seeking exceptions or modifications to our code under the PUD for several things. One, the applicant is asking for two half-acre lots where the zoning regulation requires one acre lots. Two, modifications of the building setbacks for corner lots. They're asking that the half-acre corner lots have one front yard at 40 feet, one rear yard of 25 feet, one interior side yard of 10 feet, one street side yard of 25 feet. The one-acre corner lots would have one front yard 40 feet, one rear yard of 30 feet, one interior side yard of 15 feet and one street side yard of 30 feet. In addition to that there would be the requirement of a lift station and a maintenance agreement in the initial phases until the development is able to tie into the gravity sewer. The wetlands issue will be resolved before phases two or three are developed. The road section, there will be an exception to the road street section as detailed in the map that's provided. But more specifically, there will be a clear zone of seven feet, a shoulder of five feet, there will be gravel all the way to the sidewalk on the right hand side, and we end up with a 66-foot right-of-way. This will be more formally detailed in a written finding that will be passed on to the City Council. John seconded the motion. All voted in favor and the motion carried unanimously.**

**4. Consideration to recommend approval of the Preliminary Plan for Dustin Hall, D.A.B. & K, LLC. on the Willow Fields PUD Subdivision located at approximately at 834 N. Old Lincoln Hwy for the creation of twenty-seven (27) lots in the RR-1 zone.**

**Barry Bunderson was present for this agenda item:**

Jaime Topham stated, the preliminary plan, it doesn't have everything perfectly laid out. It has a general idea, right?

Attorney Coombs answered, our preliminary plan, the big biggest things that you need is you just need to have the density, a general idea of where the roads are going to be. As well as an understanding where, what's going to be coming in with the product, but basically everything beyond that is your final, will come through your final.

**Jaime made a motion to recommend approval of the Preliminary Plan for Dustin Hall, D.A.B. & K, LLC. on the Willow Fields PUD Subdivision located at approximately at**

**834 N. Old Lincoln Hwy for the creation of twenty-seven (27) lots in the RR-1 zone, conditioned on the approval of the PUD that we just discussed, and all the conditions tied to that PUD. John seconded the motion. All voted in favor and the motion carried unanimously.**

**5. Discussion to amend Chapter 14, 15, and 16 of the Grantsville City Land Use Management and Development Code.**

Kristy Clark stated, so Dan had some discussions with Gary, and they've went through and cleaned some of the language in these chapters. They have some questions in Chapter 15 about the reference to Chapter 4, Supplementary and Qualifying Regulations, section 4:5 Lot Standards and Street Frontage. They're wondering if we get rid of that reference and go back to requiring a minimum frontage for the lots.

Gary Pinkham asked, it's almost a question for legal. Flagging the minimum width of a lot to some distant feature, is that workable or legal?

Attorney Coombs answered, that's a difficult question to answer. It could depend on that distant feature that you're measuring it from isn't going to move.

Gary Pinkham stated, if we look at our various roadway sections, the edge of the asphalt and/or the curb and gutter and stuff is various distances from the right-of-way. So, it's kind of a moving target.

Dan England stated, what I have stated in here is that it is measured along the face of curb.

Gary Pinkham stated, when I first read through this, I thought that would work, but then I got to thinking about the difference in our roadway sections. For instance, Presidents Park has an eighty-foot-wide right-of-way width with borrowed ditches and trails. It's 30 feet from the edge of the asphalt to the right-of-way and the street is 11 feet.

Dan England stated, the main goal for what we're looking for is to make sure we have a place for someone to park. That's why I went to the curb location. I wanted to make sure that we had enough room for a 30-foot-wide driveway plus another 20 feet for someone to park.

Gary Pinkham stated, the problem that we've been having, like on the cul-de-sac lots is room for the utilities.

Dan England stated, well, if you have another 20 feet over there, that's plenty of room for your utilities to be able to fit as well as the driveway. So, the purpose of what I was trying to do was, on these cul-de-sacs, trying to make sure that there's enough room for that driveway plus a car and that location for that car to be, also leaves room for those utilities in that area too. And so, to me, I'm not worried as much about the lot back there. Unless it's going at a negative angle, you're just going to get more space coming back behind that curb.

Jaime Topham asked, what are you guys talking about?

Gary Pinkham answered, awhile back we discussed the cul-de-sacs and how they aren't big enough for parking and utilities with our current code. We've got developer's building lots that are 50 feet. Where the problem lies is when you put in a 30-foot driveway there's no place for the sewer and water except under the driveway. So, we were trying to get this dimension to around 50 feet. I had said, if this dimension here versus this dimension here, this being the right-of-way, this being the curb and the gutter. If you just proration that out, this needs to be about 70 feet in order to get us our minimum width here. So, I had suggested six months or so ago that we make everything a minimum of 70. And Dan is kind of coming back say "Well, let's make it a minimum of 50, but let's measure it at the curb and gutter, and not at the property line."

Jaime Topham asked, so you're talking about the minimum frontage being measured along the curb face or the edge of pavement?

Dan England answered, yes.

Shay Stark stated, you also have varying widths of park strips. I'll just point out, all the codes that I've ever seen, and I'm not saying I've seen a lot, I haven't seen everything out there. But all the codes I've ever seen have always had the distance measured either off the front property line or off the setback line at the setback line in the property. I'm just sitting here thinking about it and asking myself "Why would that be?" Well, number one, what we're talking about is the lot. And so, we're concerned about the dimensions of the lot, and that gives you fixed survey points at those corners that you can work from a fixed. So, when we're trying to review it, we're not having to try to, if we have a plat, we're not having to try to figure out, okay, well, we must measure out this far and then we've got to project these lines out, and that type of thing. So, from the perspective of a review and clarity on that, I think it should be at the lot. I think mathematically, one of the requirements in our code is that on cul-de-sacs and on curves that the property lines come out radially. So, they're supposed to, I'm not saying that always happens. But if we're requiring the lot lines to come out radially, then mathematically, we should be able to, but no matter where we're at on that curve, because we know we've got to have a minimum of 96 feet or a 48-foot radius, 96 feet for the turnaround. So, if we know that, if we get a curve that's a larger radius than that, then that width's going to get wider on us. It's going to be on the plus side for us. If it's, but we know we have that minimum. So, if we just look at that mathematically and figure out what that, to get those 50 feet out of the curb, like you want, what does it need to be back in the property?

Dan England stated, that's what I ended up doing, that's where I started. And then, I had seen some of those cul-de-sac property lines coming in with angles like this. And suddenly, if you've got it there, but I guess we can say at that corner going radially out from it, then that becomes that distance across there. So, if we go to the 70-foot minimum in this case, they've got a hundred-foot frontage and we can just take out as measured along the face of the curb in that location. If we need to keep it at the property line, we can do that. And then, we need to



just, from the 70-foot on a cul-de-sac, that gives us 50-foot at the frontage, so you still get your 30 and your 20 feet for parking. We just need to make sure that we're coming from the property corner radially to the center of the cul-de-sac for that distance, and that would work. I don't think, I don't know if that makes any sense, but it does in my mind.

Shay Stark asked, does this put us in a situation where we're going to be, we'll have all these 7,000 square foot lots? And then, all of a sudden, they're going to have 20,000 square foot lots around the curbs because they can't, that's the only way they get to a buildable area to make that work. I mean, you expect on a cul-de-sac that your lot's going to be larger.

Gary Pinkham answered, on cul-de-sacs, 50 feet at the curb line, that's approximately 70 feet at the frontage with right-of-way. If it's radial, most of them are close to radial. We have one out there going up Williams or whatever it is up next to Mormon Trail. We had one lot where, for some reason, they had one radial line, they had the other one coming in probably 15 degrees off the radial. And it really pinched down at the curb line. And that was about a year ago, and that's where this problem really popped out at me, is they have about a 20-foot curb line on that lot. I mean, they couldn't get with a 16-foot driveway and still had flares. They had no room for utilities. I think what Dan is doing here solves our problem.

Attorney Coombs stated, I think if you just measure it from the property line then it's easier.

Dan England stated, we can just measure the 70 feet at the property line then you'll still get the 50 feet at the curb face. It doesn't have to follow that property line from there to the face of curb. You can go from here, and then go straight to the center of the cul-de-sac in that direction. And that becomes his frontage.

Shay Stark stated, we probably want to state that the purpose of this is to get a minimum of 50 feet at the curb line. There's no problem with writing that in there. And that way, when we review it, if we do get something that's weird coming in there and we go, no, you've got to, we can fall back on that. Say, no, you got to have the minimum 50 feet at the curb. So, maybe they need to have the 80 feet instead. But, because the 70's a minimum.

Gary Pinkham stated, the other item I have, I think if we get down to 15.5. Oh, you've x'd out on some of these side yard setbacks. You've put a 5/15. Does that mean five fifteenths or a third of a foot?

Dan England answered, No, it's five feet on one side of the house, 15 feet on the other. Grantsville likes to have their toys. They like RVs, they like side by sides. These small lots are killing me. I can't stand them, and I want to try and stop something. And if we, it's on record, good. I'm going five feet on one side because we can deal with five feet on one side. Right now, they're putting five feet on both sides of a house and trying to make that work. I've lived in houses for most of my married life with five feet on each side of my house. And I can get by with it just fine. But in Grantsville, you can't put your toys there, you can't put your RVs. That's always been a frustration to me, is not being able to put anything on the side

of my house like that. And I want Grantsville to have a code that says no matter what, you will have one side of your house that you can put those things, unless you're in a town home. And that's for another code change.

Gary Pinkham stated, but we've got a seven and half foot public utility easement.

Dan England stated, yes, that needs to be corrected to say 7.5 feet/15 feet.

Shay Stark stated, as I'm sitting here thinking about that, now. We put that at seven and half, and that was my thought too was it's got to be at least as wide as the utility easement. But then, we're building a foundation, and the setback back is measured to the foundation wall, not to the footings. And so, you have a footing that's sticking out there that may be two plus feet. I mean, if you had columns, it could be three or four feet sticking out into that utility easement.

Gary Pinkham agreed our setback is to the wall. I don't believe it covers the easement. We need to define a setback to account for window wells and/or foundations in our definitions.

Dan England stated, we're not doing those now though, are we? I mean, how does it happen? Are they putting five feet on each side of some of their small lots? They're coming in with 45-foot-wide lots. That's tiny. I've never really worked with, they have some that are coming in at 40 feet, and I'm trying to get rid of those. And you guys could be my first step to get rid of them. I don't like them; I think they're too small. The only way that I think they work is if you're doing a duplex and you have that property line splitting and then you can have 10 feet on each side of the house or something like that. But when, when you have a 40-foot wide, and you're trying to put five feet on each side, and then that leaves 30 feet for a house and your garage takes up 20 or more, and that leaves you nothing for your entrance. And so, we need to try and get those a larger frontage across the front of those property lines. And right now, how are they doing it with the five feet on each side of a 45-foot lot? Is there not an easement on those?

Gary Pinkham answered, there should be if it's a new subdivision. They all should have a seven-and-a-half-foot easement.

Attorney Coombs stated, we can't be the first jurisdiction that's had to sort that out, perhaps this would be worth us going back and looking at some other places and seeing what language they've used to determine that.

Gary Pinkham agreed, if we're going to have a seven half public utility easement, we need to preserve it, period. So, our wording here needs to be done, either in the code with some further definition of what the setback point is, i.e. the furthest protrusion from the house, whether it be the eve or, the hot tub or whatever, or we need to change the definition for the setback to clarify that, because, like I say, we need to preserve that on both sides. If we want to go to the 15, which I am okay with, because again, we had this discussion over and over,

where do you put your motor home, and where do you put your ATV trailer and stuff? They need to be able to get either down, past the house to the backyard, or at least on side of the house. So, I'm okay with that dual definition there. And then the other one, I was kind of going through, 15.5, one thing on these multiple residents, if you read the code in the RM seven and the RM 15, they both read the same way to have a multiple unit, i.e. a duplex or a four-plex or a six-plex apartment or townhouse. The lot size is so many square feet for the first unit, plus so many square feet for each additional. So, for instance, here the lot size for a four-plex would need to be 10,000 square feet, plus an additional 12,000 to get the other three. So, it needs to be a 22,000 square foot lot. If we look at the area of an acre, 43,560, take out 10,000 for the first and divide the rest of that by 4,000, we can only max out at nine units per acre.

Dan England asked, is that before or after you take out the roads and open space?

Gary Pinkham answered, That's period. Per the code. These lot dimensions and lot sizes are area, they're not by density.

Dan England asked, do you want to just take out the number of units per acre then?

Gary Pinkham answered, that's where we're getting in trouble with these guys. We got people coming in and saying, well, I need one 15 units per acre, and I've got a one-acre parcel, but I'm going to put a parking lot in it, I'm still going to get 15 units. Well, the next thing you know, each one of them is on a thousand square feet. Or, in the case of people coming in and saying, well, I can put seven units per acre in the RM seven, I've got 10 acres, looks like that gives me 70 units. But by the time you do the roads and the parking lots, everything else, and deed the road over the city, they net three, seven acres. Now they're not getting seven units per acre, per se, they're getting 10 units per acre because they're using gross area. But that's not the way our code reads. Their lot size still is governed by the square footages. I'm just saying that in the RM seven, the minimum lot size at 7,000, the additional lot area 6,000 per unit. If you take 7,000 plus six times 6,000, that's 36, that gets us to 43,000 square feet, which is seven units per acre. But that's on net area, which I think you need to have clarified here, and I think you are doing that because you're saying, you're adding the clause here after taking out the city roads and stuff. So that seven units per acre works out there. On the RM 15, with that same logic, the density only comes to nine by changing it to 4,000 square feet. If we leave it at the 2300, I think we would still be able to get 15 units. I guess two questions: do we want to be able to do 15 units per acre? At 15 units per acre, they're probably not meeting the open space requirement that they need to provide as well.

Shay Stark stated, 15 units per acre are multi-story apartments. I can't see any other way that they could even meet that.

Gary Pinkham stated, I think they'd have to come in with a PUD. But even the PUD requires them to provide the 10% open space. By changing the 2300 to 4,000 the 15 doesn't work. It is only nine units per acre.

Dan England stated, this needs more discussion, I agree. I'd almost like to have a different call out for a place for apartments. One of the things I feel like we've gotten a lot of trouble is with this RM 15 zone, where I think originally it was set to try and get commercial on the bottom and then residential above it, and townhomes wasn't even really thought of at the time when it was done. And now we've got these things where, that's all they come in with, because they can get almost as much for a regular house as they can get for a townhome. And every place that has a RM 15, they see dollar signs and hit it, and we can't stop it. I think apartments is a good thing. I'd like an apartment, just like the mayor had said once before, down there by the racetrack. I think it'd be a hot spot for one down there. Those people that can get in that high rise hotel, whatever, or apartments, and look right down at the racetrack if they're really into it. But it needs to be a different zone than where we're trying to put houses, or if we want commercial and residential combined, it needs to be a little bit clearer.

Gary Pinkham stated, I think what you're saying is what we've come to realize here with these P-U-Ds that are showing up. We need a code that is going towards these high-density developments rather than trying to make them fit our residential code. First, they're being misused. The one that we're looking at now, the Townhomes on Willow, they're proposing 1000 square foot lots. If you look at the RM seven, the first one must be 7,000. Each additional must be 6,000. So, they're submitting something that's in violation of the code. If they meet the code requirements here, they're submitting for 20 more units than the code permits them. They're RM seven, and they're using the seven units per acre to get to their 94 units. And if you look at their plat, they're proposing 1000 square foot lots, i.e. each footprint of their building, of their townhome. Their lot sizing doesn't meet our RM seven code. I think, with regards to this multiple housing stuff that's coming on us suddenly, kind like the one out there across from Walmart, they're using this gross density type of approach and these skinny lots, you say you don't like skinny lots, the townhomes on Willows are 24 feet wide. By the time you put firewalls and stuff in there, the interior dimension on that unit is down to 22 and a half feet, 23 feet. That is such a huge stretch from our code.

Attorney Coombs stated, perhaps a way to kind of move this along is create a subcommittee with Dan and Shay and Gary and let them massage this and come back with something that might fit into some of these ideas.

Brian Pattee agreed, that's a good idea. You are now a subcommittee, Shay, Dan and Gary. This is a good discussion. It's something that we need to clean up because this is going to be kind of fast and furious. So, you guys will all go get together and massage this and find some language for us?

Dan England answered, yes.

**6. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held April 7, 2022.**

**Jaime made a motion to approve the meeting minutes for the previous P&Z Meeting that was held April 7, 2022. John seconded the motion. All voted in favor and the motion carried unanimously.**

**7. Consideration to approve the meeting minutes for the previous P&Z Meeting that was held April 21, 2022.**

**Jaime made a motion to approve the meeting minutes for the previous P&Z Meeting that was held April 21, 2022. Gary seconded the motion. John Limburg abstained. All voted in favor and the motion carried unanimously.**

**8. Report from City Council Liaison, Mayor Neil Critchlow.** Thank you for your conversations tonight. It was good. I appreciate the conversation that was had on the 21st as well, and took care of a lot of things, appreciate the work that you're doing and I wish I could pay you money, just so you know.

Gary Pinkham stated, I've got one thing I'd like to talk about. At P&Z, we review for subdivision or P-U-D or whatever, and we make our recommendations, and ultimately, they end up getting approved in one fashion or another by city council. And as we heard this evening, once that's happened, then a development agreement gets written and put into place. However, we never see it, and as Jamie mentioned, we get projects back here where developers are telling us, "Oh, well I have the right to do this." And we're asking ourselves, where in the hell did this come from? Because we at P&Z had no input or review or anything on it. President's Park P-U-D is coming in now saying they were granted, in the development agreement, permission to do eight units per acre on their townhomes in a half-acre zone. And that was never, ever conveyed to P&Z until we saw the drawings the other day and dug up a copy of the agreement.

Attorney Coombs stated, I can maybe respond to this. What you're relaying is an issue that has been identified in jurisdictions across the state of Utah. And the legislature recently passed a new law that says that the city council cannot enter into a development agreement with a developer without, at first, going through this body.

Gary Pinkham stated, we are periodically getting broad sided because we had absolutely no knowledge of. And in many cases, it's so grossly out of compliance with our code, we're starting to set precedence out here. It's going to destroy our code.

Jaime Topham stated, maybe clarify for me, isn't the purpose of the planning and zoning commission to be a body that is not under the influence of public opinion, and public sway? We're not elected bodies, we're appointed, that's why we're also volunteers. And isn't it in other jurisdictions that a lot of these things don't go on to the city council? They are done here, like the preliminary plat and the final plat, they end here; they don't go to city council for that exact

reason. Scenic Slopes is going to be, I just heard, that they're getting to do 4,000 square foot units. That's not in our code. How did that happen? Understand? So, Gary just told me, and I'm throwing someone under the bus, sorry, that that happened in city council. That didn't leave us. So, and that's not part of, that's certainly not part of Grantsville City. That's not rural in any way. How is that happening? Why is our process going that way, so that city council can then be swayed to make such a dramatic change, if the whole idea of planning and zoning is so that stuff doesn't happen?

John Limburg asked, didn't they do that so they could swap for open space?

Jaime Topham answered, that's what he said, but that leads me to a whole other issue. That planning and zoning are the ones who come up with the plan about our parks and everything. And we had this whole conversation about, we want to have more regional parks and less pocket parks, yet it sounds to me like pocket parks are happening everywhere.

Attorney Coombs stated, the way our code is set up the city council is the ones with the final say on everything. And so, you're right. Most jurisdictions, the city council plays a much smaller role in the ultimate decisions that are made for the development of the city. And you identify a couple reasons. Another reason is that the planning commission should be the subject matter experts when it comes to land use, your city council should not be.

Gary Pinkham stated, it's got us in a difficult situation. We're bound by code and that's how we have to make our decisions. And ultimately, we end up getting it back here with a different outcome, a different decision, which in many cases, we've never, ever been involved or informed of.

Attorney Coombs stated, again, this isn't unique to this jurisdiction, or the way the law set up here. These are issues that other planning commissions are dealing with. So, this is where having these discussions about changes to the code, that's where you start that, that's where it should begin. You, as a body, suggest changes to the code, it then goes to city council. Someone from this body should be the one that presents that to the city council and says here's the reason why your planning commission thinks that this needs to change. And, I mean, ultimately, they have to make the decision to change it, but it's, it should be a pretty powerful thing to share.

**9. Adjourn. Jaime made the motion to adjourn the meeting. John seconded the motion. The meeting was adjourned at 8:59 pm.**

Kristy Clark  
Zoning Administrator