

MINUTES OF THE
PUBLIC HEARING OF
THE PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held a Public Hearing on Wednesday, January 11, 2012 at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 4:55 p.m.

Commission Members Present:

Lance Bourne, Chair
Chuck Stocking
Mike Schiess
DeWayne Gifford

Others Present:

Sharlene Millard
Anita Weston
Mr. and Mrs. Brian Pulsipher
Stewart Pulsipher
Jake Weeks
Andy Stokes
Ray Elliott

BLOCK A, BLUEWATER AMENDED SUBDIVISION

Mr. Brian Pulsipher said they are re-aligning some property lines within their subdivision. They've been told they need to show easements for utilities, which Jeff Hansen has drawn on the plat. They have shown the Public Works Dept. where the water line is. When the water lines were put in, Garden City had to have easements at that time, so Garden City should have records that there are easements for the water.

Commission Chair Bourne said there's a utility easement recorded with the county that runs on the east side of the road from the highway. It's been taken off and isn't on the new plat. He's talked with Jeff Hansen and explained what needs to be on the plat. There are power lines there and there has been an easement since 1961. You can't have a footnote without it being drawn on the plat. He just saw the new plat today and by state law, he has to be able to study it for 2 weeks before the meeting so it won't be approved tonight. Our city attorney has recommended that we don't pass it as it is. If the utility easements are not on the plat, he won't sign it. He's held his ground all summer long. Rocky Mountain Power hired someone to go in and do some digging within that subdivision and he was run off. He wants to make sure the easements are there before he'll sign the plat. That's how power gets to Laketown is through these easements. The power company has to have them to get power to different places.

Andy Stokes said because someone run the power company's contractor off, isn't a reason to not approve their plat. He said it comes across that Commission Chair Bourne doesn't want to approve the plat because he's upset about the contractor getting run off. Commission Chair Bourne said that was an example of why the utility easements have to be drawn on the plat before it will be approved. A utility easement isn't just for meter readers to read the meters. He's not being angry, just following the laws.

Mr. Pulsipher asked if the new map is going to work for the easements. Commission Chair Bourne said he hasn't been able to look at it yet. He'll look at it tomorrow.

Mrs. Pulsipher asked about the stipulation of showing the water lines on the plat. They don't know anything about that. It should be something the town would have records of. Commission Chair Bourne said they can call him about that.

DeWayne Gifford from the Sewer District said they were able to locate their lines. They didn't find the "into it", but know about where it should be. Ray Elliott said they didn't find the terminal end. It's probably just a clean-out, not a manhole.

Commission Chair Bourne said the county records show the utility easement from the highway to the subdivision as 8' wide on the east side of the fence. It hasn't been on anything that he's seen yet. That has to be there before he'll sign the plat.

Mr. Pulsipher said he's been trying to work with what Commission Chair Bourne wants and what Jeff Hansen said is there. It's been hard to know what each of them want.

Mr. Stewart Pulsipher said they worked to get everyone within the subdivision to sign the last plat. He wondered if there was any way they could put the new plat over the old one with the signatures. Mr. Elliott said once a plat has been signed, nothing should change on it without it being signed again. He'll probably have to have a new mylar.

VACATION OF BLOCK A, BLUEWATER SUBDIVISION

Commission Chair Bourne said they're okay with vacating the subdivision but everyone within the subdivision has to agree to vacate it. Mr. Brian Pulsipher said that has already been done.

ORDINANCE #12-01

No Comments from the audience.

ADJOURNMENT

Commission Member Stocking closed the Public Hearing at 5:05 p.m. Commission Member Schiess seconded the motion. All in favor and the meeting closed.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk

MINUTES OF THE
MEETING OF
THE PLANNING COMMISSION OF
GARDEN CITY, UTAH

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, January 11, 2012 at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 5:05 p.m.

Commission Members Present:

Lance Bourne, Chair
Chuck Stocking
Mike Schiess
DeWayne Gifford
Nate Gracey

Others Present:

Sharlene Millard
Anita Weston
Mr. and Mrs. Brian Pulsipher
Stewart Pulsipher
Jake Weeks
Andy Stokes
Ray Elliott
Brian House
Skip Duffin

OATH OF OFFICE

The Oath of Office was given to new Planning Commission member, DeWayne Gifford and then to returning Planning Commission member, Chuck Stocking.

APPROVAL OF MINUTES

Andy Stokes explained that a GPS is the actual unit that you use. GIS is the system that we use to identify all of our fire hydrants, water lines and signs.

December 7, 2011 Public Hearing and Regular Meeting

Commission Member Schiess made the motion to approve the minutes of December 7, 2011 as they are recorded for our review. Commission Member Stocking seconded the motion. All in favor and the motion carried.

DISCUSSION/APPROVAL OF BLOCK A, BLUEWATER SUBDIVISION

Commission Chair Bourne said we've already discussed this. They also want to vacate the original plat, but they will have to have all the homeowner's agree and sign that they're okay with vacating the plat. So far, he hasn't seen any agreement.

ORDINANCE #12-01

Commission Chair Bourne said he would like to make sure the open space is 70/30. 70% open space, 30% development within cluster developments. He talked about not having more than 8% grade on the foothills. He talked about the ordinance saying that the egress/ingress to a cluster development not having any more than 8% grade. He would also like to talk next month, about changing the ordinance which currently allows a small area to have up to 14% grade. He wouldn't mind even dropping that down to 10% maximum grade. The entire Reserve subdivision was done at 9% or less.

George Peart asked if they felt they could negotiate with the county for incentives for developer's to develop at lower grades. Maybe if the town could negotiate that if the road is no more than 8%, could the county guarantee that they will provide garbage service.

Commission Member Schiess said he's had four meetings with the County Commission. The argument for the 8% grade is only an excuse. The reason they won't do it, is because there's a 30 year old ordinance that says any kind of subdivision or cluster of homes must have a central garbage area. What they're afraid of is if they give Buttercup the privilege of having trash pickup at the homes, Sweetwater and other subdivisions that aren't paved but have steep grades will also want trash pick up and their garbage trucks won't be able to get up.

They're afraid of setting a precedence with some subdivisions and having to turn down other subdivisions. He accepts that verbally, but thinks it's a bunch of nonsense because the commission could still say no, they would just have to say they can't have it until their roads comply. He feels they should make a decision on it.

Commission Chair Bourne said for the Planning Commission to come up with something that would be fair and safe. If we allow roads at 12-14% and can't get the fire truck up to them, we have a problem. The city could be liable. He will look at Park City and Jackson's ordinances.

FARMER'S MARKET DISCUSSION, Jake Weeks

Jake Weeks said he wants to open up an ice cream stand at the white house just south of Texaco. He would also like to put in a produce stand on the corner for 6 days a week. He was told it needed to be either a permitted use or a conditional use within the commercial zone. He would sell Utah grown produce, mostly fruits and vegetables. He would also use the property near the sidewalk. There will be outside seating with his business in the white house.

Mr. Weeks said he was told it was better to get an established building to run his businesses from. He wants to avoid doing a transient business. There's plenty of access for parking, but would like to use the one as drawn. He would also like to plant some raspberries.

Commission Chair Bourne said he could also use the city's parking lot for overflow parking. Mr. Weeks said he's working with Steve Hamblin, the commercial building inspector to get everything up to code. When he gets closer to being done, he'll come in and get final approval from the Planning Commission – for a new commercial business/building.

There was discussion of what the rules were for a farmer's market. Commission Member Gracey said he needs a better definition of a farmer's market. Mr. Weeks said typically a farmer's market is only open a couple days a week, but this would be different. He doesn't plan on selling by consignment.

Brian House said if Mr. Weeks is having a commercial business at the white house, he'll also need to follow architectural standards. He can find them online.

Mr. Peart asked how you can start a farmer's market, but stop it from bringing in used mattresses. That's what needs to be in the definition. Commission Member Stocking said we need to make sure it's not a flea market.

Mr. Weeks asked about changing the power from electric to gas in case he uses a gas stove for burgers. Commission Chair Bourne said once he decides what he wants to do, he'll need to have a licensed commercial electrician come in and do it. If he's going to go to a 400 amp panel, he'll have to make some changes.

Commission Member Gifford read a definition of a farmer's market off of his phone.

MISCELLANEOUS

It was stated that Kathy Hislop and Travis Hobbs are working on a ordinance for exercising bonds. They will try to have it for our meeting next month.

Commission Member Bourne talked about Lochwood roads and how they're just caving in and you can see the sewer laterals. There were contractor's pushing dirt to make a road for their second access, but Mr. Hobbs stopped them. We now have a standard and it has to be followed, whether the town takes over the roads or not.

Mike Schiess said he has been building a council table, but had to be taken back to cut 3" off. He'll try to have it ready by the end of the month.

Commission Member Schiess said he got a copy of the parking ordinance. He frustrated that people can't park in front of their property without getting a ticket. He feels that it's putting the residents and visitors at a disadvantage. He would like to look at the ordinance so he can understand what was intended by it. He wondered why we as a city couldn't designate a route that will be plowed. Maybe make it a 4-hour window so people can park there during the day, but after the snow has been removed, they can move their vehicles back.

Andy Stokes said a route is difficult because they're not only basing it on snowfall, but also drifting. Their routes change often because of severity or type of snow. He said he's been in other communities and feels that Travis Hobbs and Riley Argyle and he do a really good job as quickly as possible. They go out early in the morning and late at night. Even a route would be difficult. One day, all he plowed was 300 W. and 100 W. because of drifting.

Commission Member Schiess agreed that they do a good job, but feels we're here to support and protect our residents but when the residents can't use their own road, even when it's been plowed, it's not fair to them.

Mr. Stokes asked what the road is for? Is it for parking? The main purpose is to get people to their homes, or to get emergency vehicles to their homes. They're not termed as parking lots. Commission Member Schiess understands, but said Buttercup spent \$500,000. 00 to build their roads. When the plows go through, they push a berm up on each side. If someone comes for 30 mins. they're going to be in violation of an ordinance. There's got to be a way to accommodate the use of our homes. He feels we could make this more workable.

Anita Weston said in Rexburg, they don't let people park on their roads for 6 months. It's assumed that they have their own off-street parking. If not, they need to get some. There's got to be a way to get cars off the road. Even the students on campus, can't park on the streets. Because the plows have to plow when it snows and that can be anytime.

Commission Member Stocking said he's talked with Mayor Spuhler about this and he's more than willing to look at something different if it's presented.

Mr. Stokes said to avoid the gray areas. The ordinance right now is black and white and easy to understand and easy to enforce. If you make it gray, it will be impossible to enforce it. So make sure to make it black and white and good for Garden City.

There was discussion about having bonds for whatever is approved for subdivisions.

ADJOURNMENT

Commission Member Schiess made the motion to adjourn at 5:57 p.m. Commission Member Stocking seconded the motion. All in favor and the motion carried.

APPROVED

ATTEST

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk