

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

The Garden City Planning Commission held a Public Hearing on Wednesday, August 7, 2013 at 4:45 p.m. at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 5:00 p.m.

Commission Members Present:

Lance Bourne, Chair
DeWayne Gifford
Chuck Stocking
Mike Schiess
Jim Hanzelka

Excused: Nate Gracey, Jim Stone

Others Present:

Sharlene Millard
Anita Weston
Joey Stocking
Danny White
Carol Hanzelka

ORDINANCE DISCUSSION #13-09

Commission Chair Bourne explained that the Mayor will also be signing the Lot Splits and Lot Line Adjustments to help make sure something's not missed. He explained the difference between a Lot Split and a Lot Line Adjustment.

Commission Member Schiess suggested having a Town Council member or the Mayor sign along with the Planning Commission Chair. That way it won't tie the Mayor down too much.

ADJOURNMENT

Commission Member Stocking made the motion to close the meeting at 5:08 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
PLANNING COMMISSION
REGULAR MEETING OF
GARDEN CITY, UTAH

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, August 7, 2013 at 5:00 p.m. at the Garden City Lakeview Center located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 5:09 p.m.

Commission Members Present:

Lance Bourne, Chair
DeWayne Gifford
Chuck Stocking
Mike Schiess
Jim Hanzelka
Susann House

Excused: Nate Gracey
Jim Stone

Others Present:

Sharlene Millard
Anita Weston
Danny White
Joey Stocking
Danny White
Carol Hanzelka
Randall Knight

OATH OF OFFICE

New Commission member, Susann House received her Oath of Office.

VOTE FOR VICE CHAIRMAN

It was voted that Commission Member Schiess will be the new Vice Chair of the Planning Commission.

APPROVAL OF MINUTES

Commission Member Schiess made the motion to accept the minutes as they are written for June 5, 2013. Commission Member Stocking seconded the motion. All in favor and the motion carried.

ORDINANCE #13-09

Commission Member Schiess made the motion to amend the proposal to change it to Town Council Member instead of Mayor in every spot mentioned within Ordinance #13-09. Commission Member House seconded the motion. All in favor and the motion carried.

JIM HANZELKA

Commission Chair Bourne welcomed Jim Hanzelka. He explained that he is not on the Planning Commission, but is here to represent those in Shore Lodge Estates. Mr. Hanzelka said that people in Shore Lodge Estates don't understand what's going on and they thought it would be good to have someone explain to them and to Garden City, the nature of their subdivision. Mr. Hanzelka said he's lived in Hawaii and Tahoe, so he understands access issues and wants us to know how other people solve their access issues and maybe we can find a solution that is amenable to everyone. He has about 30 years of writing technical documents for the government and is willing to help with anything the Planning Commission needs.

Commission Member House said if there are public accesses and people block them off, they are still public accesses. Mr. Hanzelka said the city has allowed people to build over the accesses, some have been closed and split between property owners; some meander down and don't follow the property lines. There are physical and practical limitations that restrict what the Town wants to do there.

Mr. Hanzelka said one of the things that came up was the Mayor wants to put ropes on the sides and have people walk down to the beach. One problem is that it is very narrow and it is the access to four properties. They are already trying to maneuver boats and large vehicles to their properties using that access point. If you put a fixture down there, you block those properties. There's also a safety issue with that and people walking down there. Another issue is security.

Mr. Hanzelka said if people go down the accesses, they're going to have to park somewhere and Garden City needs to find a place for them to park and be smart about it.

He's hoping everyone is open to different discussions about how to go between properties that may be less restrictive, but it might involve a property exchange between the town and a homeowner that is giving up their property and right of ways. He suggested having Danny White come walk the property on Thursday. Mr. Hanzelka will show him the constraints and concerns of the properties.

Commission Member Schiess asked if Mr. Hanzelka or anyone in the Shore Lodge Estates subdivision have come up with any solutions for an alternative. There are many people that come up and the only access they're finding is at North Beach or Rendezvous Beach. Mr. Hanzelka suggested opening walkways on each end of the subdivision and having the town give up their rights of the access points back to the homeowners.

Commission Member Bourne said the city has 22 access points that are deeded. If the city wants to come in and rope them off, they can do it. We've chosen not to right now. The accesses are recorded and deeded by the county – every one of us know how many people come here and that lake should be accessible by anyone that comes here to play. They have every right to access the lake. It's not just ours. These access points are very important. We need to be very careful how we do it. We need to make sure accesses are walkable. It's amazing to see the growth at the beach. We need to work on opening the accesses up.

Mr. Hanzelka said he's willing to work for a common solution to get access to the lake, but there are restrictions because of how the property has been used the last 60 years. Mr. Hanzelka said they have no other way to access their property other than using the right of ways.

Mr. Hanzelka suggested that future developers be required to create an access to the lake.

There was discussion that the beach by Shore Lodge not being a very good beach. Commission Chair Bourne said the town has 22 accesses; we need to open up as many as possible and let people go to the beach. It's up to them if they want to use that access or not. The beach can change often.

There was discussion about security. Anita Weston said his house is just as vulnerable as hers from thieves. She said originally the accesses to the lake were put there so that people could use them. The people in Shore Lodge Estates just started building what they wanted – it wasn't just because the city allowed them to, it was because the city didn't know what they were doing. The accesses were just blocked off. Mr. Hanzelka said the city had approved for them to build. Ms. Weston said we didn't even have a building inspector back then.

Commission Chair Bourne said we want to work with the homeowners and every proposal will be looked at. We have an obligation for tourists that come here for them to have access. They support our economy here. But we also have an obligation to those that have property here.

Commission Member Gifford suggested not having walking paths in the backyards of the Shore Lodge Estates.

Many on the Planning Commission will meet Mr. Hanzelka at his subdivision tomorrow and look at the issues he's concerned with.

Commission Chair Bourne said we're glad to have Mr. Hanzelka with the Planning Commission because it will be good to find the best option for all of us. It won't be easy. Mr. Hanzelka said he knows and understands the need for access, so maybe we can think outside of the box a little. He realizes we're trying to fix things that have happened for 50-60 years.

Commission Chair Bourne asked if the Planning Commission is okay if they close the gates during the winter. Commission Member House said they're not plowed, so they agreed to let them have the accesses locked during the winter.

OVERLAY ZONE for Short Term Rentals

Commission Chair Bourne said if a HOA does not allow Short Term Rentals, the city shouldn't give out a license. People lie about it and say it's a timeshare. Anita Weston asked what about the people that are downtown that don't have HOA's. Can the city help them? Commission Chair Bourne said maybe those people should start an HOA to deal with Short Term Rentals. Other than that, Short Term Rentals will probably be allowed. Ms. Weston said she is completely surrounded by Short Term Rentals. She said we don't have any neighborhoods anymore. Commission Member Stocking said in his opinion, the city shouldn't even regulate Short Term Rentals. But understands they do it because of the revenue. He said the city has things in place that if there is a problem, they can call and have someone take care of it.

Danny White said the city attorney told him that if a HOA doesn't allow Short Term Rentals, he advised not giving a license.

Commission Member Gifford asked about the Short Term Rentals being zoned as residential. He wondered if it should be zoned commercial. The amount of people in a home substantially increases the demand on utilities. Commission Chair Bourne said no, it's residential.

For next month, we would like to have a yes or no on approval from HOA's.

For those who don't have an HOA, maybe we could invite homeowners to come to a public hearing before it's approved. Some wondered why that would be needed. Commission Member House said it would be a way to help people know how many cars and people should be at a place.

GENERAL PLAN

Danny White said he would like the Planning Commission to read over the General Plan. Think about goals and objectives that could be put in there, or if there's something else they would like added to the document.

Mr. Hanzelka said he found the history part interesting, but didn't think we needed to go that extensive. He suggested making the maps larger and putting a legend on the zoning map. He wondered if we want the zoning map in the general plan. Mr. White said yes, it needs to be in the General Plan. Mr. White asked them to look at the parking areas also.

Mr. White said he is also creating a Parks and Trails plan.

We will have a Public Hearing next month.

MISCELLANEOUS

Commission Chair Bourne said there was an issue with the Bear's Den during Raspberry Days. They started putting the enclosed trailers in the back where their parking is. They weren't happy with him, but he asked them to move the trailers or said they could lose their Business License if they don't comply.

Commission Member Schiess talked about going to Subway and the rear door of the Bear's Den was locked. Commission Chair Bourne said they have the door at the Subway unlocked. He thinks the Fire Dept. would require the other door to be open.

Commission Chair Bourne talked about a contractor who wants to buy some property and do a commercial business. We can help him know what can be done on that property. If it's a Conditional Use Permit, we'll put on some conditions for his business.

ADJOURNMENT

Commission Member Stocking made the motion to close the meeting. Commission Member Schiess seconded the motion and the meeting closed at 6:57 p.m.

APPROVED:

ATTEST:

Lance Bourne, Chair

Sharlene Millard, Assistant Clerk