

**MINUTES OF THE  
PUBLIC HEARING OF  
GARDEN CITY, UTAH**

The Garden City Planning Commission held a Public Hearing on Wednesday, November 2, 2011 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 4:50 p.m.

Commission Members Present:

Lance Bourne, Chair  
Dallas Solum  
Mike Schiess  
Jennifer Huefner  
Chuck Stocking  
Darin Pugmire

Others Present:

Sharlene Millard  
Anita Weston  
Kathie Andersen  
Bess Huefner  
Brian House  
DeWayne Gifford  
Ken Hansen

Commission Member Mike Schiess opened the Public Hearing with a prayer and Commission Member Darin Pugmire led the audience in the Pledge of Allegiance.

**ORDINANCE DISCUSSION**

#11-14 – No comments from the audience.

#11-15 – No comments from the audience. Council Member Huefner thinks this is a great idea to pave past the residences. She wondered if it would also apply to Elk's Ridge? Commission Chair Bourne said from now on, they'll also have to pave past the homes.

#11-16 – No comments from the audience. Commission Chair Bourne explained that the homeowner will need to also sign the building height form.

#11-17 - No comments from the audience.

ADJOURNMENT

Commission Chair Bourne closed the Public Hearing at 5:02 p.m.

APPROVED:

ATTEST:

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Lance Bourne, Chair

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Sharlene Millard, Assistant Clerk

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

The Garden City Planning Commission held their regularly scheduled meeting on Wednesday, November 2, 2011 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Commission Chair Lance Bourne opened the meeting at 5:02 p.m.

Commission Members Present:

Lance Bourne, Chair  
Dallas Solum  
Mike Schiess  
Jennifer Huefner  
Chuck Stocking  
Darin Pugmire  
Nate Gracey

Others Present:

Sharlene Millard  
Anita Weston  
Kathie Andersen  
Bess Huefner  
Brian House  
DeWayne Gifford  
Ken Hansen

**MINUTES**

Commission Member Schiess made the motion to approve the minutes of October 5, 2011 as presented. Commission Member Stocking seconded the motion. All in favor and the motion carried.

**DISCUSSION/APPROVAL OF NEW ORDINANCES**

#11-11, Commission Member Schiess said he's done a lot of work on this. He listened intently to what Norm Mecham said last month and feels it would be very restrictive if every lot had to be 3/4 acre. He is concerned about the size of large homes on the lots. He looked at homes that could be about 5,000 sq. feet and realized that some of the lots, because of the terrain, would not be perfect squares to determine the height. Lower lots are more preferred for more density.

Commission Member Schiess explained how he came up with some figures to implement coverage of a lot and setbacks for different size of homes. Commission Chair Bourne explained that in Ordinance 11C-915, coverage of a lot is explained and shouldn't go over 60% of the lot.

Commission Member Schiess said as a committee, it's our interest to set a lot size and use a ratio of developmental footage that would allow the homeowner to do what he wants to do but still maintain what we want. Commission Chair Bourne said Laketown has passed an ordinance that the minimum lot size is 1 acre.

Commission Member Huefner said she read and studied the blueprint process. She would like to clarify, in her mind, what our purpose is here. 1) To preserve the view that we have on the mountain, and 2) have higher density above the canal. Commission Chair Bourne said roads are more difficult when you go higher. He feels we should have more restrictions on steeper lots. He would like to preserve and protect the colors and the wildlife. We can always change things later. Development needs to be safe. He's thinking about dropping the grade to 8% in higher elevations. Our present ordinance is 12% with exceptions for a short distance. It's our job to protect this area.

Commission Member Solum feels there are roads in some subdivisions that we need to look at. We need to do something better than Bear Lake West. Where do we go from here so we can see what is established, organize it and do what we need to do?

Commission Chair Bourne explained that what was approved over a year ago is now null and void if they haven't started.

Ken Hansen said when Shundahai became a conceptual plan, the town required them to show what planned through a master plan. It's not a recordable document. It can change. A conceptual plan is shown so that the town can see how much water, sewer, roads, etc. will be needed throughout their subdivision. It's a document that doesn't expire because there's no timeframe.

Mr. Hansen said there's no sewer on their side hill. They built a million dollar water tank in anticipation of servicing all of the master plan. He showed their master plan. They are mostly 1 acre lots. Norm Mecham said if you add up all the lots, they average less than one per acre. Commission Member Schiess said he thinks it should be an average.

Commission Member Huefner said our ordinance already states that they will need to have a significant amount of open space – 70/30.

Mr. Mecham said the town asked them to bring in their master plan when they started the development. He wondered if the town is still willing to accept it. He said he would be very frustrated if they don't accept it. It was approved.

Mr. Hansen said they tried to incorporate a mixed use in their subdivision. Council Member House said maybe we should state that a PUD would be treated differently.

Commission Member Pugmire said he feels that if a master plan is approved, it's set and should be observed. We shouldn't make them start all over.

Lot sizes were discussed. Commission Member Stocking said he likes the idea of having a master plan. That way, there is a good plan with a large open space instead of it being taken up with other developments.

Commission Member Huefner suggested having a flexible lot size policy. She read that "allowing flexible lot sizes increases the options available, allowing for increased housing diversity and attention to critical lands or recreational amenities. The average lot size is growing in popularity instead of a minimum lot size."

She's wondering if we really need to change our ordinances, we already have 70/30 open space and the blueprint probably didn't take that into account.

She also talked about an overlay zone over critical lands. She thinks it would identify natural drainages so we don't have flooding issues in some developments.

Commission Member Solum wondered how we could get more developers to develop in the downtown area.

Mr. Hansen said the Planning Commission has a big job and he knows it's hard. But he looks around the table and sees people with a lot of wisdom. He and Mr. Mecham have put a lot of thought into their plan. There are even trails incorporated into their plan. It's just a conceptual plan. It hasn't been surveyed. The Planning Commission makes suggestions to them and they make suggestions to us. There will be changes. He's not about to destroy something that is good. He's been raised here and loves it. We don't know how fast it will develop, based on the economy, and realizes financial conditions come and go. He appreciates the time and effort the Commission puts into their job.

DeWayne Gifford said he likes the percentage idea and setbacks of larger homes. He appreciates being able to see the mountains also, not just homes.

Mr. Hansen said the CC&R's for Shundahai are pretty stringent and they are sensitive about what can be moved on that lot. They have architectural standards and CC&R's. They can only have so much grass – a very small amount – and they want to leave as much vegetation as possible.

Mr. Hansen said they will be putting sewer into Shundahai because they're within 1 mile of the lake.

Commission Member Huefner talked and read about a form based code, “which encourages a predictable community form and high quality public safety by using the physical form of a community as the organizing principal, rather than a separation of uses. Such codes shape private developments to produce good public spaces instead of focusing narrowly on land use and prohibited uses. Form based codes allow communities to prescribe how they want their towns, cities and suburbs to look and feel”. That really caught her attention – to have a standard to develop by. She’s concerned about having a minimum lot size. She feels we’ll be doing what we don’t want to do by having it. She said cluster lots add variety. We want to preserve the open space and the beauty of why we live here. She wants to make sure we get there the right way.

Commission Chair Bourne said there’s been a lot of good information tonight. He would like the Planning Commission to think about this for another month. He would like to look at overlays and include trails. Mr. Mecham said we could use Google Earth and start creating one.

Commission Member Schiess thinks we could look at the flexible lot size. Commission Chair Bourne would like to cover minimum lot size, not the maximum. There will be more open space with larger lots. Council Member House suggested putting 70/30 in the subdivision ordinance also.

Mr. Hansen said when you talk about trails, ATV accesses, etc., he encourages them not to let them go hard and fast.

Mr. Hansen said they know about 300 W. coming along the east side of their subdivision. It may benefit their development. He encourages having a little steeper grade on roads for a short distance.

There was discussion about trails. Commission Member Schiess said there are a lot of people that bring trailers with their ATV’s thousands of miles – intercontinentally. They come a long way to ride their machines. It’s a huge business, and would really encourage us to do more than just let them cross a road. He wondered if we could have a map of the area that we’re concerned about getting overlays on, so we can start to digest what we want to do? Mr. Mecham said we could use google earth and start creating one.

Commission Member Huefner said she’s got one ready and we’ll be looking at it tonight.

Commission Chair Bourne said if we want to put something in the zone that within a high density area, the grade of the road could go up for a short distance, it would have to be at a place that is easily accessible and safe for the general public, but it would just be for high density.

Mr. Mecham said they have no homes within 100’ close to the road in Shundahai. He strongly suggests doing an overlay because the next owner may not do what he’s doing.

## **ORDINANCE APPROVALS**

### **#11-14 – Water Meter Construction**

Council Member Huefner made the motion that we recommend the Town Council approve #11-14, which is an ordinance updating the water meter construction and installation requirements for any development or commercial use, as written. Commission Member Solum seconded the motion. All in favor and the motion carried.

### **#11-15 - Developers required to pave 100'**

Council Member Huefner made the motion that we recommend the Town Council approve #11-15 changing the 300' paving requirement to 100' paving requirement, as written. Commission Member Solum seconded the motion. All in favor and the motion carried.

### **#11-16 – Owner's Signature for Building Height Form**

Mr. Mecham said he's worked with this and it is sometimes tough to get the homeowner's signature. They're not always here. Commission Chair Bourne explained that if the height is wrong, the homeowner's are the ones responsible.

Commission Member Solum made the motion to approve ordinance #11-16 as written with the addition of the statement that the red-tag will be added and that the height will be corrected before work commences. Commission Member Schiess seconded the motion. All in favor and the motion carried.

### **#11-17 – Updating Bonding Requirements**

There was discussion about changes to be made. Commission Chair Bourne said that bonding is only for the infrastructure, swimming pool, roads, power, sewer and if any golf courses are stated within a subdivision, they will also need to be bonded.

It was decided by the Planning Commission to not make any changes, just leave the ordinance the way it is.

There was a break for 5 minutes and we convened in the Pineview Room to discuss Trails.

## **TRAILS**

Commission Member Huefner has created a map showing the bike path throughout town, Garden City Canyon, Hodges Canyon and Richardson Fork. There was discussion that these trails really need some help. She showed a conceptual plan for along the canal all the way to Swan Creek. She envisions creating a loop with our existing bike trail. She would like to put it on the General Plan.

We would have to contact the Canal Company and the individual property owners for permission to put the path along the canal. She would like to get it on the map, or we'll

never get it done. She's thinking of putting it on an overlay.

Commission Member Huefner said the bike trail is presently for pedestrians only. The Paradise Parkway trail is planned to have pedestrians on one side and motorized on the other side. She plans to put that on the map.

She envisions that the trail along the canal would also be pedestrian only.

Commission Member Huefner said that Hodges Canyon and Richardson Fork could be for either pedestrian use or motorized use. We will have to coordinate with the county, the state and the forest service. Council Member Bess Huefner has already done a lot to help. But she would like to show a plan for the trails and would like their cooperation, it may be easier to "sell" it.

She would also like to add another trail going north and south, possibly higher up so there is a view of the lake. She was glad to see that Shundahai already has plans for trails. She would like to connect those trails to their trail.

Commission Chair Bourne talked about a trail near his home that would also be a good trail to connect to.

Commission Member Huefner talked about a road along Hodges Canyon that is totally destroyed. She said there is a place where the stream has taken the trail as its course. A little money from the state would really help maintain the trails. It would cost a lot less money to maintain them than to try and re-do them. Council Member Bess Huefner said she's going to ask the county next month if they could donate two loads of road base yearly to help maintain the trails. Commission Member Huefner said it will take some coordinated effort and some public pressure. The town is pretty restricted, but it does affect us. We do want to attract those with ATV's.

Commission Member Huefner said there's also a Swan Peak trail, but she wasn't as familiar with that, so it wasn't put on her map. There was some discussion about closing some trails to motorized vehicles. Commission Member Huefner said in her opinion, closing a trail to motorized vehicles is closing a trail. No matter how often she runs on the trail, it won't keep the vegetation down.

Commission Member Huefner said the Great Western Trail could attract many visitors. To get there, you would go up through Garden City Canyon and Swan Peak then drop down and hit the Great Western Trail. But now you can't, you have to go way south of Hodges Canyon and around. She's concerned that we're being cut out of the usage of the Great Western Trail by the forest service closing that trail. She would like to put this on a map and communicate with the forest service.

Commission Member Huefner said she would like to work this through a couple of angles. She doesn't just want to go to the state. She would also like to approach the Governor's Office of Economic Development who is really keen on helping small areas like ours on economic development. The Great Western Trail is a great resource for us and we should have easy access to it.

Council Member Bess Huefner said the Bear Lake Regional Commission is working with them on getting a tiger grant. She doesn't know if we'll get it or not, but it's for transportation improvement for rural communities. She just sent it off Monday. If we get it, it will include the bike path from the Marina to Fish Haven and finish 3<sup>rd</sup> West and 1<sup>st</sup> West.

#### MISCELLANEOUS

Commission Chair Bourne said if we have a goal of  $\frac{3}{4}$  acre lots, but for every  $\frac{1}{2}$  acre lot, you do an acre lot. We would give them an opportunity to do smaller lots and then it would average out. Commission Member Pugmire said he likes the minimum and maximum sizes. Commission Member Schiess said he likes the idea of flexible lot size maintaining the 70/30 ration with the minimum lot size of  $\frac{1}{2}$  acre. Commission Chair Bourne said we need to set a minimum, but not a maximum. Clustering would be encouraged and we should restrict the grade on the road. Commission Member Stocking asked about having architectural standards explaining the colors they can and can't use. Commission Chair Bourne said he really appreciates this Planning Commission and feels that this is the best group ever. He likes the diversity of this group.

#### ADJOURNMENT

Commission Member Schiess made the motion to close the meeting at 8:15 p.m. Commission Member Huefner seconded the motion. All in favor and the motion carried.

APPROVED:

ATTEST:

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Lance Bourne, Chair

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Sharlene Millard, Assistant Clerk