

**APPROVED**

CITY OF GRACE  
PLANNING & ZONING COMMISSION  
REGULAR MEETING HELD ON  
SEPTEMBER 12, 2024 @ 7:00 P.M.

PRESENT: Chairman Ralph Spackman  
Commission Members: Larry Thomas, Sherry McCurdy, Mark Crabb, Scott Rasmussen  
Zoning Clerk: Loy Raye Phillips

OTHERS PRESENT: Ken Rasmussen, Meloney Rasmussen, Ryan Rasmussen

Chairman Spackman called the regular meeting of the Planning & Zoning Commission held on September 12, 2024, to order at 6:59 p.m.

Invocation: Commission Member Thomas

Pledge of Allegiance: Clerk Phillips

Chairman Spackman asked if the Planning & Zoning Commission had read the minutes of the regular meeting held in July, and if there were any changes or corrections? There were none.

Motion to approve the minutes of the regular Planning & Zoning meeting held on July 11, 2024, was made by Commission Member Rasmussen. Motion was seconded by Commission Member Crabb. Motion passed unanimously.

Report from City Council:

Chairman Spackman stated that the city council has resolved an issue on BLK 43. Mr. Christensen will survey the property to the specifications to make the area more accurate. When the survey is done then it will be submitted to the city council. Then the proper paperwork can be completed on the property to correct the issue.

Chairman Spackman stated that the Rasmussen Family is present requesting a re-zone in the Burton Canyon Phase 2.

Mr. Rasmussen passed out a copy of the final plat for Burton Canyon Estates Phase 2, stating that he would like to re-zone Lot 11 from an R1 (Single-Family Residential) zone to an R2 (Multi-Family Residential) Zone. Mr. Rasmusen would like a re-zone to be able to build more affordable housing. Mrs. Rasmussen stated that lot 11 was originally two lots, but when the road was not developed, we chose to make it one big lot.

Commission Member Rasmussen asked if the lot was R1 (Single-Family Residential) Zone, and what Mr. Rasmussen wanted to change the zone to now. Mrs. Rasmussen stated high density city residential.

Mrs. Rasmussen wanted to know how to find out if it could be changed. Clerk Phillips stated that there had been a zone change requested in the city. Attorney Wood came to the meeting and discussed the situation. There is no spot zoning allowed, it is illegal.

Question was asked about the lots next to Lot 11. Mrs. Rasmussen stated that all the small lots are sold, these lots all sold first. Mr. Rasmussen stated that the Rasmussen's have a duplex on 225 S. 1<sup>st</sup> W., it is zoned R1 (Single-Family Residential) Zone. Mrs. Rasmussen asked if Lots 11, 29,30,31, 32 could be rezoned.

Clerk Phillips asked if the Ramussen's would be willing to come to our next meeting and have the City Attorney help with the situation.

Chairman Spackman asked who owns the house on the northside of Lot 11? Mr. Rasmussen stated it was Dee Hunzeker's home. Mrs. Rasmussen stated that Hunzeker was in Phase 1 of Burton Canyon.

Commission Member Rasmussen stated that the little section on the map is where the road would have been. Mr. Rasmussen stated it would have been 2<sup>nd</sup> S. Commission Member Rasmussen stated that if a bridge was put on 2<sup>nd</sup> S. it would have remained the small lot as platted.

Mrs. Rasmussen stated that it could have been a road but there was a drain placed there.

Commission Member Rasmussen asked what the lot was presently zoned? Clerk Phillips stated it was an R1 (Single-Family Residential) Zone. Commission Member Rasmussen asked Mr. Rasmussen what he would like to have it zoned? Mr. Rasmussen stated that he would like to build a Multi-Family Residential structure. Mrs. Rasmussen stated that there is no place for people to rent. Commission Member Rasmussen asked like the duplex behind the library. Mrs. Rasmussen stated yes it would be a duplex.

Spot zoning benefits the property owner therefore it is illegal. Mrs. Rasmussen stated not even the people who live in the duplex could benefit.

Commission Member Rasmussen asked what the school had done when the change was not allowed. Discussion was had that the school had not done anything. Commission Member Rasmussen stated that the concern with the school was that the neighboring property owners were concerned that the school could sell the property outside of the school district and the new property owner would build a convenience store or something that did not fit the area.

Discussion was had that there would have to be a hearing, publication in the newspaper, letters would need to be sent to property owners within three hundred feet of the property, a hearing held, and then the decision would have to go to the city council.

Mrs. Rasmussen stated that this is the first step. Chairman Spackman stated he would like to visit with City Attorney Wood and get his clarification or input on the re-zone. Then the Planning & Zoning can get with you.

Commission Member Rasmussen stated that the Burton Canyon Phase 2 had statutes where there are no trailers, etc. Mr. Rasmussen said yes with approval.

Mrs. Rasmussen stated that there needs to be a building inspector in the city which would benefit the city and contractors.

Commission Member Rasmussen asked if this property is in the county. Chairman Spackman stated that

that the Highline View Subdivision is in the county. Commission Member Rasmussen stated that things were looking nice in the new subdivision. The question was asked if this is something that needs to be done right away. Mrs. Rasmussen stated that there was no hurry.

Commission Member Rasmussen asked if the Rasmussens were to do a multi complex would a conditional use permit work. Chairman Spackman felt that the Planning and Zoning Commission need to do the very best for the citizens that this commission represents.

Zoning Map:

Chairman Spackman stated that the city map has everything plotted out with lot numbers, on this map the commission is presently using names. Chairman Spackman asked the Commission Members what is the end result that the commission is after here? Chairman Spackman asked if it was just changing the color on the map? Commission Member Rasmussen stated that the results solved the need for the zones to be corrected and updated.

Chairman Spackman asked if the Planning & Zoning was trying to change zones or just to identify? Commission Member Rasmussen stated that zones need to be identified and corrected. Commission Member Rasmussen asked if the corner by the school was all R1 (Single-Family Residential)? Discussion was had that it will stay as R1 (Single-Family Residential).

Chairman Spackman asked where the Stanley Christensen lot was on the map. It is on 4<sup>th</sup> W. behind CHS and the old Anderson lumber property. Chairman Spackman asked if it needs to change? Commission Member Rasmussen stated that Mr. Christensen wants the property to remain commercial. Commission Member Rasmussen stated that there was a small portion that was zoned R1 (Single-Family Residential) Zone. Commission Member McCurdy stated that the lot on 223 W. Center next to the Anderson lumber property was C (Commercial) Zone. Commission Member McCurdy stated that the house on the corner of 2<sup>nd</sup> W. and Center Street was an apartment complex at one time. Commission Member McCurdy stated that the Dentist's office was on 114 W. 1<sup>st</sup> S. Chairman Spackman asked what the owner would want, Planning & Zoning need to know what the citizens want. Chairman Spackman stated that the citizens need to be notified that there is a change. Commission Member Rasmussen asked if taxes were more on commercial. Chairman Spackman stated that commercial is more according to the information received from Assessor Cook. Commission Member Rasmussen stated that the zones were done several years ago there needs to be an update on the zones.

Commission Member Rasmussen asked Commission Member Crabb what area was his property in? Commission Member Crabb stated his property was in the Impact area.

Commission Member Crabb asked Commission Member Thomas which zone was his property in? Commission Member Thomas stated that he lived in an R1 (Single-Family Residential) Zone.

Commission Member Spackman asked the clerk to check out the type of taxes being paid on the properties that are in question.

Commission Member McCurdy stated that the area from W. Center Street south to W 1<sup>st</sup> S. on Main street was where McCurdy, Thomas, Ecker, Farnworth, Chadwick's were C (Commercial) Zone.

Commission Member McCurdy stated that the house on the corner of 1 S. 1<sup>st</sup> W. was a fast food restaurant and is now a home does it need to change to be a R1 (Single-Family Residential) zone.

Chairman Spackman stated there were homes, storage units, and the phone company in the area. Commission Member McCurdy asked if the large shed on W 1<sup>st</sup> S. which is used for storage is it in an R1 (Single-Family Residential) Zone? Commission Member Rasmussen stated that there was a house behind the shed, then the lounge, small businesses, old theater it would be C (Commercial) Zone. The fairgrounds have a lot on 117 W 1<sup>st</sup> N. and Center Street where there will be a new building, this lot is correct.

Chairman Spackman asked if the Planning & Zoning Commission was going to do the zone changes in chunks? Commission Member Crabb stated that it would be a good idea to do it in baby steps. Commission Member Rasmussen asked if the Planning & Zoning Commission was on board with the current corrections with the zoning corrections.

Commission Member Rasmussen asked about a property in the Turner Subdivision with a building on the lot, is it zoned R2 (Multi-Family Residential) Zone? The property with the building is in the Turner Subdivision and is zoned R2 (Multi-Family Residential) Zone which is correct.

Chairman Spackman asked about the area on One Mile Road. Discussion was had that the area is owned by King Farms. Discussion was had that the property had city water. Commission Member Thomas stated that Gibbs owned property across the road on McPherson Canyon Road and Stoddard Farms owns property on that north side of McPherson Canyon Road. Commission Member Rasmussen stated that there could be complexes built for housing if sold and if it were zoned R1 (Single-Family Residential) Zone they could not build, it would need to be R2 (Multi-Family Residential) Zone.

Chairman Spackman stated that the patrons need to know that the city is looking at correcting some of the areas on the zoning map. Question was asked if there could be two zones placed on an area? Chairman Spackman stated that if it were an R2 (Multi-Family Residential) there could be multi-family dwellings built on the property. Commission Member Rasmussen stated that if it was done all the way down to McPherson Canyon Road, could it be zoned to place multi-family homes because the property is all agricultural. Chairman Spackman stated that it would be a major expense to get homes along the canal. Commission Member Rasmusen stated that the canal company may bury the canal which would give the people better access to build on the other side.

Commission Member Thomas stated that it would be a large project between the city and the church to get the canal covered. Commission Member Thomas stated that there has been several people from the canal company and engineers looking at the situation. There has been three different opinions of who is responsible for the project. Commission Member Thomas stated that there is another pipeline that goes to Varley's pump. Commission Member Rasmussen stated that there is a pump that sits behind the old elementary school for Varley's. Commission Member Thomas stated that there is buried pipe going to Varley's and the line that goes under the street.

Chairman Spackman asked for a motion to table the correction of the zoning on the map.

Motion made by Commission Member Thomas to table the zoning map correction. Motion was seconded by Commission Member Crabb. Motion passed unanimously.

Chairman Spackman stated that the Commission Members needs to make a list for a new member for the Planning & Zoning Commission.

Commission Member Rasmussen stated that a new list should be made for the east side of the city. Several names were submitted on a list to be emailed to the Planning & Zoning Commission. The Commission Members are to rate the names and return to the Zoning Clerk (list on file).

Commission Member Rasmussen asked what type of person the commission would like to have, one that knows the history of the community. Chairman Spackman stated that it would be a good idea because things change.

Commission Member Crabb stated that when Mayor Barthlome approached him to serve on the Planning & Zoning Commission, he was to finish the rest of Commission Member Smith's obligation which was two years? Commission Member Crabb stated that he had fulfilled the obligation asked by Mayor Barthlome to fill. Commission Member Crabb stated that he did not want to serve another term, that he has filled the time frame for that obligation. Commission Member Crabb asked if there could be another list made for the Impact Area

Commission Members compiled a list for the impact area. The list will be emailed, and the commission will prioritize and send back to the clerk (list on file).

Announcements:

Planning & Zoning meeting will be held on October 10, 2024, at 7:00 p.m.

Chairman Spackman asked for a motion to adjourn.

Motion to adjourn was made by Commission Member Rasmussen. Motion was seconded by Commission Member Thomas. Motion passed unanimously.

Adjourned at 8:19 p.m.

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ZONING CLERK

APPROVED: \_\_\_\_\_  
CHAIRMAN/OR VICE CHAIRMAN

DATE: \_\_\_\_\_