



SPECIAL PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Tuesday, August 27, 2024 at 6:00 PM

MINUTES

CALL TO ORDER- Chairman Farrar called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

PRESENT

Chairman Bradley Farrar
Commissioner Lee Fralish
Commissioner Richard Palmer
Commissioner Garth Hood
Commissioner Becky Wood

CONFLICT OF INTEREST DISCLOSURES

Commissioner Lee declared a conflict of interest regarding agenda items 3, 4, 7, and 8.
HEARING ON THE FOLLOWING

1. Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is "Change to RE-1."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is "Change to RE-1."

No public comments.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is "Change to RE-1."

2. Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2) and the reason for the request is "Change to RE-1 and C-2."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2) and the reason for the request is "Change to RE-1 and C-2."

No public comments.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2) and the reason for the request is “Change to RE-1 and C-2.”

3. Zone Change Application on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 to RE-1.”

Chairman Farrar opened the public hearing for Zone Change Application on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 to RE-1.”

Brandon from Crimson Peaks addressed the commission, stating that despite meeting prior requirements—such as addressing fire hazards and upgrading the sewer system—new obstacles arose. He criticized recent downzoning and building permit restrictions, claiming no other city in Utah has imposed similar restrictions. He stated that the short timeline for adjustments was unreasonable and asked for a 60-day extension to resolve the issues. He mentioned the possibility of legal action if the situation couldn’t be worked out.

Scout from Crimson Peaks addressed the council, expressing agreement with Brandon’s previous statements. Scout referenced the meeting minutes from October 4, 2023, when the preliminary plat for their development was approved by the planning commission and later by the town council. Scout argued that the approval process had been followed properly and any changes since then were unfair to their project. Scout emphasized that they had not tried to bypass the system and felt developers were being unfairly labeled based on past issues. They requested that their comments apply to all relevant agenda items to avoid repeating themselves throughout the meeting.

Chairman Farrar closed the public hearing for Zone Change Application on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 to RE-1.”

4. Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same.”

Chairman Farrar opened the public hearing for Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same.”

Brandon from Crimson Peaks addressed the commission, stating that despite meeting prior requirements—such as addressing fire hazards and upgrading the sewer system—new obstacles arose. He criticized recent downzoning and building permit restrictions, claiming no other city in Utah has imposed similar restrictions. He stated that the short timeline for adjustments was unreasonable and asked for a 60-day extension to resolve the issues. He mentioned the possibility of legal action if the situation couldn't be worked out.

Scout from Crimson Peaks addressed the council, expressing agreement with Brandon's previous statements. Scout referenced the meeting minutes from October 4, 2023, when the preliminary plat for their development was approved by the planning commission and later by the town council. Scout argued that the approval process had been followed properly and any changes since then were unfair to their project. Scout emphasized that they had not tried to bypass the system and felt developers were being unfairly labeled based on past issues. They requested that their comments apply to all relevant agenda items to avoid repeating themselves throughout the meeting.

Chairman Farrar closed the public hearing for Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Changing SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same."

DISCUSSION AND POSSIBLE ACTION ITEMS

5. Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is "Change to RE-1."

Chairman Farrar transitioned the meeting to the discussion of agenda item five, which involved a zone change application for several parcels associated with Jepson Canyon Resort Development Co., Inc. The proposed change was from planned development to rural estates (one-acre lots), affecting 44 acres. Farrar noted that while item six was related, it was separated due to the commercial zoning aspect. Chairman Farrar then opened the floor for questions, comments, or concerns.

MOTION: Commissioner Wood motioned to approve Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is "Change to RE-1."

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Wood - Aye
Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish- Aye

The vote was unanimous and the motion carried.

6. Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Change to RE-1 and C-2."

Chairman Farrar introduced agenda item six, which involved a zone change application for multiple parcels owned by Little Creek Land Company, LLC. The request was to change the zoning from planned development to rural estates (one-acre lots) and commercial (C-2). The total area affected was 268 acres, with 21 acres designated as C-2 along the highway. Farrar then opened the floor for any comments or questions, but there were none.

MOTION: Commissioner Hood motioned hat we recommend approval for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Change to RE-1 and C-2."

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Farrar called for a vote:

Commissioner Wood - Aye
Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish- Aye

The vote was unanimous and the motion carried.

6. Zone Change Application on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Changing SF-.5 to RE-1."

Chairman Farrar introduced agenda item seven, which involved a zone change application for several parcels in the Crimson Peak subdivision. The request was to change the zoning from single-family residential (half-acre lots) to rural estates (one-acre lots) over a total area of approximately 160 to 170 acres. Farrar then opened the floor for any comments or questions, but none were raised.

MOTION: Commissioner Wood motioned to recommend approval for Zone Change Application on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Changing SF-.5 to RE-1."

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Wood - Aye
Commissioner Hood - Aye

Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish- Abstain

The vote was four aye and one abstain and the motion carried.

8. Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is "Changing SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same."

Chairman Farrar introduced agenda item eight, concerning a zone change application for parcels in the West Temple subdivision. The request was to change the zoning from single-family residential (half-acre and one-acre lots) to rural estates (one-acre lots), affecting a total of 531 acres. Farrar noted that the commercial and agricultural zones would remain unchanged. He then opened the floor for comments, but none were raised.

MOTION: Chairman Farrar motioned we recommend approval on Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is to "Change SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same."

SECOND: The motion was seconded by Commissioner Hood.

VOTE: Chairman Farrar called for a vote:

Commissioner Wood - Aye
Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish- Abstain

The vote was four aye and one abstain and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Farrar called for a vote:

Commissioner Wood - Aye
Commissioner Hood - Aye
Chairman Farrar - Aye
Commissioner Palmer - Aye
Commissioner Fralish- Aye

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:22 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo

DRAFT PENDING APPROVAL