



SPECIAL PLANNING COMMISSION WORK SESSION

1777 N Meadowlark Dr, Apple Valley
Tuesday, November 15, 2022 at 6:00 PM

MINUTES

Chairman | Allen Angell

Commissioners | Lee Fralish | Margaret Ososki | Richard Palmer | Garth Hood

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Allen Angell

Commissioner Lee Fralish

Commissioner Margaret Ososki

Commissioner Richard Palmer

Commissioner Garth Hood

CONFLICT OF INTEREST DISCLOSURES

None declared.

DISCUSSION AND POSSIBLE ACTION ITEMS

1. Update Title 10.28.230 Accessory Buildings And Accessory Uses General Requirements, Ordinance-O-2022-42.

Chairman Angell commented we had some lively discussion about this the last time. Chairman Angell commented we are here to deliberate what is best for the Town.

Commissioner Ososki mentioned that its the amount of shipping containers that are allowed in the new ordinance that is bothering. She also feels that shipping containers should not be considered an accessory building but rather in their own category.

Chairman Angell asked for any other comments from the commissioners.

Commissioner Fralish commented with the compromise previously in the ordinance, doesn't feel any reason to change it at this time.

Commissioner Hood is a little torn on this, mentioned about neighbor that has a shipping container in plain sight and he would never even know that it is a shipping container. Commissioner Fralish mentioned issue with enforcement. Chairman Angell stated there are a number of municipalities that bake into their ordinances what the penalties are. He would like to suggest to staff to make explicit what the penalties are. According to Utah State Law if we have penalties baked into our ordinances, we still do have to give time to comply. He would like to direct staff for example we are allowed as a municipality not following an ordinance is a misdemeanor, he would like to see this baked into our ordinances. Chairman Angell commented he did some research in other towns in Utah and some don't allow shipping containers. He continued maybe if under an acre don't allow it. Commissioner Ososki



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commented Frank Lindhardt (Mayor/Planning Department Manager) said to come up with suggestions for moderate income housing. She feels wording is fine for the 1 acre but maybe anything over 2 acres can have more. Chairman Angell asked if it makes sense to have minimum lot size to put any shipping containers at all. Commissioner Palmer disagreed with minimum lot size. Chairman Angell currently there are things that are done out of the ordinances. Commissioner Palmer recommending putting this out to vote for the public.

Chairman Angell suggested we not allow shipping containers on less than acre.

Town Administrator Jauna McGinnis commented I think one of the main problems with one acre is that it can be seen and de-value property values.

Commissioner Hood commented he would like to see the requirement for aesthetics.

Chairman Angell proposed of no container under an acre, 1 20-footer between 1-2.5, 2.5-5 acres 2 20 foot or 1 40-foot container, 5-20 acres 60 feet total, over 20 acres 100 feet total.

It was discussed and shared on screen for the following to be included in the motion:

0-1 acre - no containers

Greater than 1 - 2.5 acres - 20 feet

Greater than 2.5 - 5 acres - 40 feet

Greater than 5 - 20 acres - 60 feet

Greater than 20 acres - 100 feet

Omit travel trailers from I

Item # 6 move to item #1

Item #13 omit

Commissioner Angell commented to staff to move 6 to number one or A, make it really clear the first thing you see is they must be permitted. He also wonders if we should allow trusses for shade/storage. He does not know if we have to have that wording. Commissioner Fralish agreed to strike that wording. Chairman Angell commented this will only work if we get some penalty wording into our ordinances.

Commissioner Palmer commented about the verbiage of the Ordinance. He commented about the shipping container being considered an accessory building.

MOTION: Commissioner Ososki motioned that we accept Ordinance-O-2022-42 on Accessory Buildings And Accessory Uses General Requirements as discussed to Town Council. Commissioner Ososki motioned that we strike out I, travel trailers being used as an accessory building if they have water, sewer or electric available. Move the permit language #6 to the front of the ordinance so people can see that it needs to be permitted. We are going to strike #13 that



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the shipping containers can be used as the base to a truss-based roofing structure. The size on lots 0-1 acres no shipping containers, greater than 1 acre-2.5acres- one 20-foot shipping container, greater than 2.5acres-5 acres- 40 foot of shipping containers, greater than 5 acres- 20 acres- 60-foot shipping container, and greater than 20 acres- 100 feet of shipping containers.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Angell called for a vote:

Commissioner Ososki - Yes
Commissioner Hood - Yes
Commissioner Palmer - Yes
Commissioner Fralish - Yes
Chairman Angell - Yes

The vote was unanimous and the motion carried.

2. Update Title 10.28.270 Guesthouses Or Casitas, Ordinance-O-2022-36.

Chairman Angell recommend we strike all travel trailers and rvs. Commissioner Ososki commented we already have in our general plan language about moderate income housing that the state requires at city status. Chairman Angell commented allowing people to rent out casitas and renting out RVs. Also commented to move, permits required up front and move N to the front. Also, strike all travel trailers and RVs.

Commissioner Ososki questioned if people are allowed to rent out casitas and how we monitor that they are long term rentals. Chairman Angell commented he would like the town to come with enforcement provision for compliance. Commissioner Palmer questioned the classification of long term.

MOTION: Commissioner Hood motioned that we update Ordinance-O-2022-36 strike out the RV/travel trailers and move item N to the front of the Ordinance, so people can see that they have to have permits right up front and to recommend to the Town Council they approve those items, sending those items to the Town Council.

SECOND: The motion was seconded by Commissioner Fralish.

VOTE: Chairman Angell called for a vote:

Commissioner Ososki - Yes



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Commissioner Hood - Yes
Commissioner Palmer - Yes
Commissioner Fralish - Yes
Chairman Angell - Yes

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Fralish motioned to adjourn the meeting.

SECOND: The motion was seconded by Commissioner Palmer.

VOTE: Chairman Angell called for a vote:

Commissioner Ososki - Yes
Commissioner Hood - Yes
Commissioner Palmer - Yes
Commissioner Fralish - Yes
Chairman Angell - Yes

The vote was unanimous and the motion carried.

Meeting adjourned at 7:24 pm.

Date Approved: _____

Approved BY: _____

Chairman | Angell Allen

Attest BY: _____

Town Clerk-Recorder | Jenna Vizcardo