



APPLE VALLEY PLANNING COMMISSION MEETING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 06, 2022 at 6:00 PM

MINUTES

Chair | Allen Angell

Commissioners | Lee Fralish | Forrest Kuehne | Jeri-Burhorn Politte | Margaret Ososki

CALL TO ORDER- Chair Angell called meeting to order at 6:01pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chair Allen Angell

Commissioner Lee Fralish

Commissioner Forrest Kuehne

Commissioner Margaret Ososki

ABSENT

Commissioner Jeri Burhorn-Politte

Planning and Zoning Manager, Frank Lindhardt is present

CONFLICT OF INTEREST DISCLOSURES

None disclosed.

APPROVAL OF MINUTES

1. Approval of Minutes: June 1, 2022

Motioned to approve minutes from June 1, 2022.

Motion made by Commissioner Fralish, Seconded by Commissioner Kuehne.

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne, Commissioner Ososki

The vote was unanimous, 3-0 and the motion carried.

Chair Angell discussed resignation of Richard Fischer, alternate Margaret Ososki is no longer an alternate and now a Planning Commission member.

DISCUSSION AND POSSIBLE ACTION ITEMS

2. Adopt Title 10.07 Administrative And Development Review Procedures
 - 10.07.01 Purpose
 - 10.07.02 Scope
 - 10.07.03 General Requirements
 - 10.07.04 Public Hearing And Meetings
 - 10.07.05 General Decision-Making Standards
 - 10.07.06 General Plan Amendment
 - 10.07.07 Zoning
 - 10.07.08 Permitted Use Review
 - 10.07.09 Conditional Use Permit



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- 10.07.10 Site Plan Review
- 10.07.11 Special Exception
- 10.07.12 Variance
- 10.07.13 Building Permit
- 10.07.14 Nonconforming Use
- 10.07.15 Sign Permit
- 10.07.16 Temporary Use Permit
- 10.07.17 Routine And Uncontested Matters
- 10.07.18 - Administrative Interpretation
- 10.07.19 Appeal Of Administrative Decision
- 10.07.20 Temporary Regulations
- 10.07.21 Review Of Constitutional Taking Issues
- 10.07.22 Procedural Irregularities

Planning and Zoning Manager, Frank Lindhardt states these are outlines to the current procedures. This is a procedural manual for this Town. These items have had a public hearing and tabled from the last Planning Commission meeting.

Chair Angell discusses creating procedures as a Town regardless of the administration. This will create consistency. These are roadmaps to follow. Asks Planning and Zoning Manager, Lindhardt if there any applications that this wouldn't apply to. These new rules will only apply to new applicants.

Commissioner Ososki discusses page 26: Animal closures is 50 feet in residential and 100 feet in agricultural. Current agricultural zone is 100 feet from building. Planning and Zoning Manager, Lindhardt states that is for a residential zone. Also on grubbing is residential lots included. Planning and Zoning Manager, Lindhardt states this is a separate item.

Motioned that we adopt title 10.07 Administrative And Development Review Procedures and pass it forward to the Town Council as written and sheet in evidence that brings numbers and others itmes into reality that need to be corrected and if other things crop up we will look at these things also.

Motion made by Commissioner Kuehne. Seconded by Commissioner Ososki.

Roll Call Vote

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne

The vote was unanimous, 3-0 and the motion carried.

- 3. Adopt Title 10.05 Planning Documents
 - 10.05.01 Purpose
 - 10.05.02 General Plan
 - 10.05.03 Road Master Plan And Official Map
 - 10.05.04 Capital Facilities Plan



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Planning and Zoning Manager, Lindhardt Read Purpose: "The purpose of this chapter is to identify planning documents which provide the policy foundation for this title and to set forth the basis for preparing and adopting such plans."

Planning and Zoning Manager, Lindhardt discusses procedure we are supposed to be following as we adopt the General Plan. Adopting ordinance that outlines general procedures.

Chair Angell as understand in Utah, general guide or solidify yourself to follow in an ordinance. Planning and Zoning Manager, Lindhardt when forced means that it is stating that having a Public Hearing is a must. Discusses General Plan Map Amendment request before a zone change which would help to find out the census of Planning Commission and Town Council. Chair Angell states it is great education. General Plan Map Amendment either before or at same time of zone change application. Suggest to Town as applicants come before first for a general plan map amendment. Planning and Zoning Manager, Lindhardt General Plan Map Amendment application first. Angell asks about urban development-urban is commercial, industrial interpreted.

Motioned we adopt 10.05 Planning Document and forward to the Town Council with our consideration as presented to Planning Commission.

Motion made by Commissioner Kuehne. Seconded by Ososki.

Roll Call Vote

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne

The vote was unanimous, 3-0 and the motion carried.

4. Title 10-10.28.310 Add Grading and Grubbing.

Town Council recommended to send back to Planning Commission for further review.

Chair Angell discusses this is primarily for nuisance. What potential unintentional consequence are we creating. Also, would like to know if allows for an exception.

Planning and Zoning Manager, Lindhardt read:

Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized, upon an affirmative vote of the Town Council, to issue a grading permit for property not scheduled for immediate or reasonably imminent development upon such terms and conditions as may be deemed necessary by said Town Council to guarantee the protection of the property and neighboring properties against problems resulting from such grading, including, but not limited to, the accumulation of weeds, soil erosion, surface drainage and dust.

Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized to issue a grading permit for a property not scheduled for immediate construction.

Motioned to accept 10.28.310 Grading and Grubbing with new paragraph added to it and send it to Town Council for approval. "Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized to issue a grading permit for a property not scheduled for immediate construction. Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized, upon an affirmative vote of the Town Council, to issue a grading



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permit for property not scheduled for immediate or reasonably imminent development upon such terms and conditions as may be deemed necessary by said Town Council to guarantee the protection of the property and neighboring properties against problems resulting from such grading, including, but not limited to, the accumulation of weeds, soil erosion, surface drainage and dust."

Motion by Commissioner Ososki. Seconded by Commissioner Kuehne.

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne

The vote was unanimous, 3-0 and the motion carried.

5. Update 10.28.200 Dumping, Storing or Disposal--O-2022-17

At Town Council Meeting on 5/18/22: Motion made to send back to Planning Commission with instructions to focus on front of yard and define what it is and remove shipping containers since it will be addressed elsewhere.

Planning and Zoning Manager, Lindhardt from planning point of review, we have not taken the time to review this. Several concerns for example the dumping and storing talks about building material and shipping containers and they are too restrictive, but we are working on revision of our shipping containers rules. It talks about no yard, not intent that can't be put in backyard. This was too broad and felt the Planning Commission should table for now until we have shipping containers taken care of.

Motioned to table until we have the shipping containers ordinance worked on.

Motion made by Chair Angell, Seconded by Commissioner Kuehne.

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne

The vote was unanimous, 3-0 and the motion carried.

ADJOURNMENT

Adjournment at 7:01 pm.

Motioned to adjourn meeting.

Motion made by Chair Angell. Seconded by Ososki.

Voting Yea: Chair Angell, Commissioner Fralish, Commissioner Kuehne

The vote was unanimous, 3-0 and the motion carried.

Date Approved: _____

Approved BY: _____

Chair | Allen Angell

Attest BY: _____

Clerk-Recorder | Jenna Vizcardo