**OPENING**

Chairperson Prenticebrought the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL/PRESENT**

Commissioner Angell

Commissioner Jorgensen

Commissioner Fralish

Commissioner Zaharias (Late)

Deputy Clerk Ben Billingsley

**NO CONFLICT OF INTEREST DECLARATIONS**

**CONSENT AGENDA**

1. **Approval of Minutes for March 25, 2020**
2. **Approval of Minutes for April 8, 2020**
3. **Approval of Minutes for April 22, 2020**

**MOTION:** Commissioner Angell moves to approve the consent agenda

**SECOND:** Commissioner Jorgensen

**VOTE:** Chairperson called for a vote:

Commissioner Jorgensen Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

**Discussion and Action**

1. **INTRODUTION AND PUBLIC HEARING FOR ZONE CHANGE OF PARCEL AV-1364-A FROM OST/OSC OPEN SPACE TO AG-5 AGRICULTURAL 5 ACRE. APPLICANT NUANCE MANAGEMENT LLC.**

Commissioner Angell introduces the agenda item.

Anthus Barlow addresses the commission. He is the representative for Nuance Management LLC. He is requesting a change from OST to AG-5. He mentions the General plan has this property as AG and he would like to have the zoning designation the same.

Mike Beals – asks what the intent of the change is. Mr. Barlow replies that he wants to build homes on the property. Mr. Beals asks if there will be a vote on the agenda topic tonight.

Frank Lindhardt – States that his property is just to the North of the applicant’s property. He states that his problem with the application is that it’s AG. He says the definition of the Agricultural zoning is to reserve the land for agricultural use. Mr. Lindhardt inquires if that is his intent, to preserve the land for agricultural designation. He also tells a personal experience when he lost a property that was adjacent to agricultural property due to the smell. He feels AG is not compatible with many of the parcels in this area. He suggests Residential Estates 5 acre.

Commissioner Zaharias joins the commission.

Commissioner Angell closes public comments.

1. **DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE OF PARCEL AV-1364-A FROM OST/OSC TO AG.**

Commissioner Fralish states he would like to see it as RE-5 because of what is surrounding it. Commissioner Jorgensen agrees that it should be RE5.

Mr. Barlow asks what buildings are allowed on RE5 versus AG5.

Mayor Lisonbee mentions that accessory buildings would have to match the home.

Margaret Ososki thought the rules changed on outbuildings this when they discussed animals.

Mayor Lisonbee mentions that unless they want to change the general map then this is already under a AG designation.

William Fischer speaks regarding the current zoning and general plan

Mayor Lisonbee mentions the Cedar Point subdivision where different zones are touching each other without a buffer area.

Commissioner Fralish asks how many homes will be put on the property. Mr. Barlow responds that the property will be split into two 10 acre pieces and one 20 acre. The immediate plan is to build one home on each 10 acre parcel.

Commissioner Angell is concerned that they’re boxed in with the decision of RE5, and that the pigs interpreted in the most conservative interpretation would require the conditional use to permit pigs.

Mr. Beals asks how the animals will be placed on the property, and when this is approved it gives them carte blanche to do whatever they want.

Commissioner Zaharias doesn’t have any objections to this designation.

Attorney Guzman states that there could be approval conditional on the clarification of the code.

Councilperson Kopp – states that the Planning Commission Chair stated she was reviewing surrounding properties to see if it fits in the area when the Graham property was designated.

**MOTION:** Commissioner Angell moves to approve the zone change subject to the town council updating the language that makes wiener pigs a conditional use and not a permitted use.

**SECOND:** Commissioner Zaharias

Attorney Guzman expresses concern and states that the state is moving away from conditional uses. He recommends instead adding clarifying language or criteria that would make that conditional use allowable.

**MOTION:** Commissioner Angell moves to amend the motion. He would like to approve this subject to the town council changing the code for AG to only allow pigs on property that is not directly adjacent to residential and commercial zones.

**SECOND:** Commissioner Jorgensen

**VOTE:** Chairperson called for a vote:

Commissioner Jorgensen Aye

Commissioner Fralish Aye

Commissioner Angell Aye

Commissioner Zaharias Aye

The vote was unanimous and the motion carried

1. **INTRODUCTION AND PUBLIC HEARING FOR ZONE CHANGE OF PARCEL AV-1377-F-1 FROM PD PLANNED DEVELOPMENT TO RE-1 RURAL ESTATES 1 ACRE. APPLICANT MORREL UTAH HOLDINGS.**

Megan Burnett – They would like to change the land to RE-1 zoning. They would like to put homes on this land.

Commissioner Angell clarifies that this application was received prior to the recent general plan change to low density.

Mike Beals – asks what the intent of the project is.

They would like to split the lot into smaller parcels so they can have 3 homes on it.

Commissioner Angell closes public comment

1. **DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE OF PARCEL AV-1377-F-1 FROM PD TO RE-1**

**MOTION:** Commissioner Fralish moves to approve the zone change for AV- 1377-F-1 from PD to RE-1.

**SECOND:** Commissioner Jorgensen

**VOTE:** Chairperson called for a vote:

Chairperson Prentice Aye

Commissioner Jorgensen Aye

Commissioner Zaharias Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

1. **PUBLIC HEARING FOR AMENDMENTS TO 10.10.110 CABINS OR TINY HOME PARKS ZONE.**

Deputy Clerk Billingsley introduces the changes.

Commissioner Jorgensen – clarifies item D should end in feet. She asks that the 400 and 600 square feet to read 400 or 600 square feet or less to allow a unit that is exactly 400 or 600 square feet.

Mike Beals – states that the public has opposed this item.

Commissioner Angell reminds Mr. Beals that the public hearing has not been opened.

Commissioner Angell states that there are a number of items in the code where updates are being made. He would also like to state that the changes made in these changes are also reflected in the new codes that will be adopted.

Commissioner Angell opens the Public Hearing

Margaret Ososki – Why are we changing the cabin and tiny home park zone to accommodate one resident? Commissioner Angell states they are not.

An argument ensues between a couple of residents in attendance.

Commissioner Angell reminds those in attendance that comments are not to be made to other residents in attendance.

Margaret Ososki – asks why they’re changing to cabins from 600 when the applicant’s cabins are 575. She states it seems odd that at the end of the last planning commission meeting Janet said she would come up with something. She feels the block wall at the Aaron Stout’s property looks a lot better than the cedar fencing around the Tiny Home Park.

Mike Beals states he sent everyone on the commission an email. He is a resident of Apple Valley for 10 years. He is spending time to correspond with the planning commission and council. He can’t believe that the Planning Commission would approve a project. He asserts that the Town is accommodating a developer.

Tricia Seybert-Mintz – she states that a number of years ago a notice was sent out that only one home was allowed per lot and all the people living in an RV had to move out. Her opinion is that people move in and want to change Apple Valley.

Commissioner Angell reminds the public that this hearing is to address changes to the town code for Tiny Home Parks and Cabins. This hearing is not in regard to any current development project.

Margaret Ososki – Why does the code continue to be loosened if we’re only trying to update and fix it?

Commissioner Angell closes public comment

1. **DISCUSSION AND POSSIBLE ACTION ON CHANGES TO 10.10.110 CABINS OR TINY HOME PARKS ZONE**

Mayor states that these changes were a result of the discussions in the previous meeting. And he’s not even sure we need this ordinance at all with the new ordinance that is being discussed.

Commissioner Fralish states that this discussion has been going on for a month and a half and this is just trying to making it more understandable.

Commissioner Allen table’s this agenda item until the end of the meeting.

1. **PUBLIC HEARING FOR AMENDMENTS TO 10.14 SHORT TERM VACATION RENTAL**

Deputy Recorder Billingsley introduces the subject of this public hearing.

Commissioner Angell opens public comment

Commissioner Angell closes public comment

1. **DISCUSSION AND POSSIBLE ACTION ON CHANGES TO 10.14 SHORT TERM VACATION RENTAL**

**MOTION:** Commissioner Angell moves to make this change. **SECOND:** Commissioner Fralish

**VOTE:** Chairperson called for a vote:

Chairperson Prentice Aye

Commissioner Jorgensen Aye

Commissioner Zaharias Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

1. **DISCUSSION AND POSSIBLE ACTION ON ZONE CHANGE APPLICATION FOR AV-1338-H-3 FROM OST/OSC TO CTP CABIN OR TINY HOME PARKS. APPLICANT ROBERT AND MARIA CAMPBELL. PC RECOMMENDED 5/0 ON 5/27/2020. TC REFERRED BACK TO PC TO REVIEW WITH CONSIDERATION TO GENERAL PLAN.**

Commissioner Angell introduces that the Commission failed to review the General Plan in their recommendation. Therefore the town council sent it back for further review.

Robert Campbell and his wife Maria Campbell address the commission. He mentions the grief over this zone change. He would like to bring Apple Valley drive back together as a community and neighborhood. He said he never had intent for 110 cabins. Eventually the property may change hands but he has not intent to do so at this time. He was disappointed about the fear items that were brought forth. He would like the Planning Commission to table the discussion at this point. He would like to throw this subject out for discussion: how do we protect the rights of property owners on Apple Valley Drive. He suggests that perhaps a possible PD (planned development) would resolve the issues that have come up. He suggests Jepson Canyon tried to buy the property first and they are zoned PD. He just wants to table this item and have some conversations about the options of changing this to PD.

Sheriff escorts Mike Beals out of the room.

**MOTION:** Commissioner Angell moves to table this application for a future meeting.

**SECOND:** Commissioner Fralish

**VOTE:** Chairperson called for a vote:

Chairperson Prentice Aye

Commissioner Jorgensen Aye

Commissioner Zaharias Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

1. **DISCUSSION ON PROPOSED CAMPING RESORT ZONE. PUBLIC HEARING SCHEDULED FOR 6/24/2020.**

Mayor Lisonbee points to Main Street and Hwy 59 and the language in the Tourist Commercial zone restricts an RV park from going in at that intersection.

The commission discusses the 1500’ barrier from residential areas and if this is realistic. Perhaps a shorter distance may be the solution. The idea of natural barriers for buffer zones is discussed. Block walls to separate from residential areas may be appropriate.

Commissioner Angell states that between now and the next meeting the commissioners should get their notes on this item to staff.

Deputy Recorder Billingsley offers to make a google doc where everyone could make edits online.

**Adjournment**

**MOTION:** Commissioner Fralish moves to adjourn. **SECOND:** Commissioner Angell

**VOTE:** Chairperson called for a vote:

Chairperson Prentice Aye

Commissioner Jorgensen Aye

Commissioner Zaharias Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

**ADJOURNMENT**

**MOTION:** Commissioner Fralish moves to adjourn

**SECOND:** Commissioner Angell

**VOTE:** Chairperson called for a vote:

Chairperson Prentice Aye

Commissioner Jorgensen Aye

Commissioner Zaharias Aye

Commissioner Fralish Aye

Commissioner Angell Aye

The vote was unanimous and the motion carried

Meeting adjourned at 7:27 pm.

Date approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Chairperson

ATTEST BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ben Billingsley, Deputy Clerk