

Minutes taken at the Town of Apple Valley, Regular Planning Commission meeting that was held on the 13th day of December, 2012 at 6:00 pm at the Smithsonian Fire Department Building, 1777 N. Meadowlark Drive, Apple Valley, Utah 84737.

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Cynthia Browning.
3. Roll Call: Zeniff Hathaway, Jack Davis, Mike Maddocks, and Cynthia Browning were present. Dennis Smith and Kevin Sair were excused.
4. Declarations of conflict of interests
None stated.
5. Discussion and possible action on proposed Recreational Resort Zone

Mike Maddocks said Hurricane had a Recreational Resort zone that included all the elements the Jepson Canyon resort would have. He said he had customized it so that it would fit into the Town's Planned Development Zone in section 10-11. He asked about recreational resort zones only being allowed on collector or higher street classifications.

Bob Davis said the divided road going into the proposed resort could be classified as a minor or major collector.

Mike Maddocks said he thought it should read collector or lower street classification.

Jack Davis said a lot of Hurricane's Recreational Resort zone content was mentioned in the Town's Planned Development zone ordinance.

Mike Maddocks said the proposed changes could be incorporated as Section 8 on the Planned Development Zone and that the following sections could be moved lower. He recommended that the other members of the Planning Commission review the proposed changes and they could discuss them at the next meeting in January.

Jack Davis said these changes were critical due to the Jepson Canyon project needing to be rezoned in order to begin the development.

Mike Maddocks proposed the board review his proposed changes to the Planned Development Zone and then they could discuss it in their next meeting.

Nathan Bronemann recommended that Mr. Hank Isaksen be put on the next meeting agenda to get his property rezoned so that he could then pull building permits for the first couple houses before getting phase one approval, if that was legal.

Bob Davis said it was Mr. Isaksen's intent to build his home and maybe one other before starting the subdivision approval.

Jack Davis said they were trying to prevent having to rezone the area more than once.

Mike Maddocks said he was not aware of the Town's Planned Development zone allowing for a house or two to be built without having first put in the infrastructure. He said he thought that they should first at least have a development agreement with the Town.

Nathan Bronemann said that if there was a development agreement in place it might be possible for the Planning Commission to approve a variance allowing the construction of the first couple houses prior to the infrastructure going in.

Jack Davis added that it would be a big expense to add to add the entire infrastructure prior to beginning the first phase.

Bob Davis said they planned on putting in dry sewer lines in the first phase where each house would have a septic system or a collective system for several houses.

Mike Maddocks asked if the health department allowed for collection systems for individual homes.

Bob Davis said the county allowed for both individual septic system as well as multiple systems hooked together.

Mike Maddocks said the intent of the Planning Commission was to prevent "hodgepodge" developments from going in and expressed his concern that they first needed to set up a development agreement with the Town.

Jack Davis said 2013 would be a busy year and they needed to come to a decision as to what path Mr. Isaksen needed to take to move forward.

Bob Davis said they were coming to the meeting to try to determine what needed to be done on their part to move forward. He said that there was some confusion as to the current zoning of the parcel.

Jack Davis asked if Nathan Bronemann could research the parcel to find out for sure how it is zoned.

Nathan Bronemann said that he could do that.

Jack Davis asked what the plan was to fund the infrastructure.

Bob Davis said Mr. Isaksen's intent was to establish a service district to help fund the initial infrastructure, and that as people bought into it they would be assessed.

Jack Davis said the Town needed to develop a current zoning map and it would be a very effective tool.

Mike Maddocks proposed that the Planning Commission review the changes to the Planned Development zone that he had suggested for review in their next meeting.

Jack Davis said they wanted to help Mr. Isaksen move forward as soon as possible.

Bob Davis said they would work on putting together a development agreement.

Mike Maddocks said he didn't believe they would be able to put the new road in for just one house.

Nathan Bronemann added that the Mayor had mentioned he didn't think that the State would allow access off of the highway without first widening it, but that in the interim, access to any new homes would have to come off of Apple Valley Drive.

Jack Davis said that Mr. Isaksen had also spoken with UDOT about that issue.

6. Discussion and possible action on proposed changes to the Outdoor Lighting Ordinance

Jack Davis said they had discussed the proposed lighting in the Jepson Canyon Resort. He said he had obtained a lot of information put out by the Illuminating Engineering Society. He said parts of that information could be implemented into the Town's lighting ordinance. He asked if Bob Davis had anything to add about lighting.

Bob Davis said that he didn't have anything to add and they agreed with what was being proposed. He added that with most developments, the lightning ordinance would establish the precedent and the developers could come in and get specific types of lights approved.

Jack Davis said it sounded like all the ordinance would need to specify would be the lumens and the direction that the lights would have to face. He thought that the Town's ordinance already covered that information.

7. Discussion and possible action on a time frame for developers

Jack Davis said a developer time frame was tabled in a past meeting for developers to finish a development and the issue had previously been on the agenda and was never revisited.

Mike Maddocks said that would be a tough issue to push.

Jack Davis said they needed to have it on record what the board members decided to do with regard to a timeframe.

Mike Maddocks said there were some timeframes with regard to infrastructure being put in place. He said he felt they needed to do their best up front to get a developer in line to where he can develop and complete a phase before he can move on to another phase.

Bob Davis said developers were always very concerned about how the project will progress. He said the Planning Commission could have a timeframe in place after which the Planning Commission could review the progress.

Mike Maddocks said anything like that could be put into a development agreement.

Jack Davis said this is why he wanted the issue to be brought up and discussed.

Motion made by Mike Maddocks to not adopt a specific timeframe for a developer to complete a project. Jack Davis seconded the motion. Vote: Zeniff Hathaway-yes, Jack Davis-yes, Mike Maddocks-yes, Cynthia Browning-yes. Motion passed 4/0.

8. Consider approval of minutes:
a. November 8, 2012 Regular Meeting Minutes

Motion made by Cynthia Browning to approve the November 8, 2012 regular meeting minutes. Zeniff Hathaway seconded the motion. Vote: Zeniff Hathaway-yes, Jack Davis-yes, Mike Maddocks-yes, Cynthia Browning-yes. Motion passed 4/0.

b. November 29, 2012 Work Meeting Minutes

Motion made by Cynthia Browning to approve the November 29, 2012 work meeting minutes. Zeniff Hathaway seconded the motion. Vote: Zeniff Hathaway-yes, Jack Davis-yes, Mike Maddocks-yes, Cynthia Browning-yes. Motion passed 4/0.

9. Adjournment

Motion made by Cynthia Browning to adjourn the meeting. Jack Davis seconded the motion. Vote: Zeniff Hathaway-yes, Jack Davis-yes, Mike Maddocks-yes, Cynthia Browning-yes. Motion passed 4/0.

Meeting adjourned at 6:45 pm.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Cynthia Browning
Planning Commission Co-Chairman