

Minutes taken at the Town of Apple Valley, Regular Planning Commission meeting that was held on the 26th day of January, 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 Dale Beddo.
3. Roll Call: Mike Maddocks, Dennis Smith, Jack Davis, Cynthia Browning, Kevin Sair and Dale Beddo were present.
4. Declarations of conflict of interests

None stated.

5. Discussion on open-ended building permits – Gloria Charles

Gloria Charles said that she wanted to talk about the next house that will end up unfinished in the Town. She said that she was surprised to find out that there were no ordinances to regulate the amount of time that a house could take to be built. She said that anything could be built including spec homes and the Town would not do anything to stop it. She said that she was upset about this and asked the Planning Commission what they would do about it.

Dale Beddo replied stating that the Town ordinances do not allow anything to be built and that the ordinances did specify what types of homes were allowed. He defined what a spec home was. He said that neither the Town of Apple Valley nor any governing body had the ability to enforce private CC&Rs established by a neighborhood. He said that that the Town did require a developer to provide covenants to any prospective builders. He said that the Town's ordinances provide the freedom to the residents to maintain their property as they see fit. He said that the Town only ensures that the building that takes place is conducive to the health and environment of the community as a whole. He said that he had spent close to six months trying to fix the ordinances. He said that he did not believe that he or any other board had the right to dictate what someone can or cannot do on their property, and that includes construction time periods. He said that there is a realistic expectation that is assumed by the Town and the home builder that the home construction will not take place over a year or more. He said that sometimes people are met with challenges that cause delays, but that people still need to have a plan to finish construction.

Gloria Charles made the comparison to the houses in Colorado City that are unfinished.

6. Discussion and possible action on setting a public hearing for proposed changes to the Land Use Ordinances (Section 10:11 Planned Development Zone)

Dale Beddo said that they need to send this on to the Town Council for review before they set a hearing date.

Motion made by Dennis Smith to forward the proposed changes to Section 10:11 Planned Development Zone of the Land Use Ordinances to Town Council for review with the recommendation to accept. Cynthia Browning seconded the motion. Vote: Mike Maddocks-yes, Dennis Smith-yes, Jack Davis-yes, Cynthia Browning-yes, Dale Beddo-yes. Motion passed 5/0.

7. Discussion on possible changes to the Land Use Ordinances (Title 11 Subdivision Ordinance)

Dale Beddo said that they needed to review this section and return next meeting with proposed changes so that it properly correlates with the past changes that have been proposed to the PDZ section.

8. Discussion and action on setting a date for training from the Handbook for Planning Commissions and Land Use Authorities

Dale Beddo made sure that all members of the Planning Commission had a copy of the handbook.

It was decided to meet at Dale Beddo's residence to review the Handbook for Planning Commissions and Land Use Authorities on February 1, 2012 at 6:00 pm.

9. Consider approval of minutes:

a. January 12, 2012 Regular Meeting Minutes

Motion made by Dale Beddo to approve the January 12, 2012 regular meeting minutes as corrected. Cynthia Browning seconded the motion. Vote: Mike Maddocks-yes, Dennis Smith-yes, Jack Davis-yes, Cynthia Browning-yes, Dale Beddo-yes. Motion passed 5/0.

Dale Beddo opened the floor for public comment.

Richard Ososki said that he was worried about the neighbors' property values because of the state of the neighborhood including the Rossi's, Sair's and Bateman's properties. He said that he hoped that the Town could pull together and enforce the current codes.

Dale Beddo said that the values of the properties is not something that the Town controls, but that they are working to fix any issues with the ordinances that need to be addressed. He said that the Town ordinances are the only powers that they have to enforce. He suggested not using specific names in a public forum to avoid causing more discontent in the community.

Margaret Ososki asked about wind turbines.

Dale Beddo said that he believed they were allowed under the approval of a special use permit, but that he said that he would research it and get that information back to her.

10. Adjournment

Motion made by Mike Maddocks to adjourn the meeting. Jack Davis seconded the motion. Vote: Mike Maddocks-yes, Dennis Smith-yes, Jack Davis-yes, Cynthia Browning-yes, Dale Beddo-yes. Motion passed 5/0.

Meeting adjourned at 6:30 pm.

Date approved: _____

ATTEST BY: _____
Nathan Bronemann

Dale Beddo
Planning Commission Chairman