



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman | Bradley Farrar

Commissioners | Lee Fralish | Richard Palmer | Garth Hood | Becky Wood

CALL TO ORDER- Chairman Farrar called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Bradley Farrar

Commissioner Lee Fralish

Commissioner Richard Palmer

Commissioner Garth Hood

Commissioner Becky Wood

CONFLICT OF INTEREST DISCLOSURES

Commissioner Fralish announced a conflict of interest and will abstain on items 33-40.

HEARING ON THE FOLLOWING

Chairman Farrar provided clarification on agenda items 8-20, which involved thirteen town-initiated zone changes. It was noted that in the past, certain zone changes had been made that were not in the best interest of the town or its residents and had conflicted with the town's general plan. These previous changes had approved approximately 3,300 new homes, a number that far exceeded the town's capacity in terms of staff, water, and infrastructure. The proposed zone changes aimed to reduce the number of lots to around 550, a more manageable figure. Chairman Farrar emphasized that all required notices had been sent to affected and surrounding property owners. It was made clear that the upcoming public hearings would be for comments only, with each person allowed three minutes to speak, and that the planning commission members would not be engaging in a Q&A session.

1. Adopt Title 10.42 Controlled Growth Management Plan, Ordinance-O-2024-45.

Chairman Farrar opened the hearing to adopt Title 10.42 Controlled Growth Management Plan, Ordinance-O-2024-45.

Bruce Baird, representing several entities including Jepson Resorts, Wells, and Holmes Enterprises, expressed strong opposition to the proposed Growth Management ordinance. Baird claimed that the ordinance was entirely illegal under Utah law, alleging that it allowed for unlimited discretion and favoritism, and constituted an abuse of discretion. He warned that if the ordinance were adopted, legal action would be taken immediately, predicting that the town would lose the case and face legislative changes imposed by the state. Baird described the ordinance as potentially the most flawed land use proposal he had encountered in Utah. He acknowledged that the planning commission was only making a recommendation at this stage and stated his intention to present the same arguments to the town council if a hearing occurred. He also mentioned the possibility of saving his detailed objections for either a formal presentation to the council or future litigation.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman Farrar closed the hearing to adopt Title 10.42 Controlled Growth Management Plan, Ordinance-O-2024-45.

2. Repeal Title 10.10.060 SF Single Family Residential Zone, Ordinance-O-2024-46.

Chairman Farrar clarified during the meeting that the town was not prosing to eliminate one-acre parcels.

Chairman Farrar opened the hearing to repeal Title 10.10.060 SF Single Family Residential Zone, Ordinance-O-2024-46.

Bruce Baird further addressed the planning commission, asserting that any attempt to alter vested rights through the proposed down zonings would violate the doctrine of vested rights under Utah law. He warned that the town could be liable for tens of millions of dollars in damages for breaching development agreements. Baird specifically mentioned projects he represents, including Jepson, West Temple, and Crimson Peaks, stating that these developments have vested rights that the town cannot legally change. He reiterated that attempting to do so would be a significant legal error.

Brandon Hanson, the owner of the Crimson Peaks development, addressed the council, expressing concerns over the proposed downzoning of vested properties. Hanson acknowledged that legal opinions might differ on whether the properties were vested, but emphasized that regardless of the legal aspects, it would be morally and ethically wrong to proceed with the downzoning. He argued that his development had been contributing positively to the community, including providing resources like a water tank and a well, and that downzoning would unjustly affect his property rights. Hanson urged the council to consider the ethical implications, comparing the situation to altering mortgage terms, which would be clearly wrong. He expressed a desire to find common ground and collaborate with the council but noted that no such discussions had taken place. Hanson reiterated that the downzoning, beyond the legal arguments, was simply unethical and unjust.

Chairman Farrar closed the hearing to repeal Title 10.10.060 SF Single Family Residential Zone, Ordinance-O-2024-46.

3. Update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.

Chairman Farrar opened the hearing to update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.

No public comments.

Chairman Farrar closed the hearing to update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

4. Adopt Title 10.39 Drones On Private Property, Ordinance-O-2024-40.

Chairman Farrar opened the hearing to adopt Title 10.39 Drones On Private Property, Ordinance-O-2024-40.

No public comments.

Chairman Farrar closed the hearing to adopt Title 10.39 Drones On Private Property, Ordinance-O-2024-40.

5. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.

Chairman Farrar opened the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.

No public comments.

Chairman Farrar closed the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.

6. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.

Chairman Farrar opened the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.

No public comments.

Chairman Farrar closed the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.

7. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.

Chairman Farrar opened the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.

No public comments.

Chairman Farrar closed the hearing for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

8. Zone Change Application on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Margie Ososki, resident, asked during the meeting if the parcel in question was the one owned by Bob Campbell. A question was raised about the presence of cabins on a parcel that was previously zoned commercial.

Bruce Baird raised a concern about the application for down zoning, asking the chairman to confirm whether the applicant was Simply 889 LLC. Chairman Farrar clarified that Simply 889 LLC was the owner of the property. Baird, identifying as counsel for Simply 889 LLC, asserted that the application had been submitted fraudulently, as Simply 889 LLC had not authorized the filing. He argued that the city did not have the authority to consider the application due to its fraudulent nature and objected to the down zoning on the grounds that it could constitute an improper taking. Baird emphasized that the application was not appropriately initiated, as Simply 889 LLC had not signed it.

Chairman Farrar closed the hearing for Zone Change Application on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

9. Zone Change Application on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Rich Ososki, a resident, expressed strong support for the proposed changes, stating that he had supported them from the beginning and had voted in favor. He noted that his neighbors had also come around to support the changes.

Tish Lisonbee addressed the commission on behalf of a project, highlighting that the project had undergone several public hearings and votes. Lisonbee referenced the support of Rich Ososki and noted that the project had received general approval previously. They pointed out that the developer had paid over \$100,000 in impact fees to the water district and had a signed developer agreement. Lisonbee argued that unraveling these arrangements would be impractical and requested clarification on whether a refund would be provided.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman Farrar closed the hearing for Zone Change Application on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

10. Zone Change Application on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

No public comments.

Chairman Farrar closed the hearing for Zone Change Application on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

11. Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Bruce Baird addressed the planning commission, representing Jepson Canyon Resort. Baird expressed concerns that the application for downzoning, if it was indeed purported to be on behalf of Jepson Canyon Resort, would be considered a forgery and unauthorized. He stated that Jepson Canyon Resort did not agree to the downzoning, which would violate the development agreement granting vested rights for the specified units. Baird emphasized that the resort had acted with reasonable diligence. He cited a legal precedent, Tooele Associates v. Tooele City, where a city faced a \$21 million judgment for attempting to remove vested development rights. Baird argued that downzoning the property would not only be legally incorrect but also morally reprehensible, showing a lack of respect for private property rights and demonstrating a level of arrogance that could lead to legal repercussions.

Tish Lisonbee addressed the planning commission, reminding the members that there had not yet been a water study to support the claim that the town could not handle the proposed growth. Lisonbee



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

argued that it was premature to make changes affecting property owners who had invested thousands of dollars in zoning changes and, in some cases, sold their property. They expressed concern that the proposed changes were unfairly impacting individuals' property values and criticized the approach as essentially taking away from people's hard-earned investments. Lisonbee acknowledged the desire for open space but maintained that the current actions were unjust.

David Calder, Town Clerk Jenna Vizcardo read comment into the record: Please clarify. We did not apply. Is the Town authorized to apply on our behalf or any other developers. Clarification is appreciated.

Libby Wells addressed the planning commission, noting that the Oculta Roca development had been approved and progressed, while other developments were being placed on hold or downgraded due to water concerns. Wells pointed out that the Roca development, being substantial, would also require water resources. They concluded with a brief statement, emphasizing the ongoing issue with water availability.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

12. Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

No public comments.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

13. Zone Change Application on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

No public comments.

Chairman Farrar closed the hearing for Zone Change Application on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

14. Zone Change Application on parcels: AV-1317-B, AV-1317-D (Mark Bryan TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1317-B, AV-1317-D (Mark Bryan TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Scout Holm clarified to the planning commission that the matter being discussed was part of the Crimson Peaks subdivision, which is located directly behind the current meeting location. They wanted to ensure that this connection was clearly understood.

Bruce Baird, representing Mr. Holm and the project, addressed the chairman, clarifying that the discussion involved the Crimson Peaks subdivision. Baird expressed concerns that the downzoning was not properly authorized and was an attempt to deny vested rights. They criticized the town's handling of water impact fees, noting that the town had a fee structure allowing for payment for water connections. Baird argued that it was contradictory to accept a \$17,000 water impact fee while using the lack of water as a reason for downzoning. They also mentioned that requiring additional share dedication amounted to a double charge under impact fee law. Baird expressed frustration with the town's actions and questioned their rationale.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1317-B, AV-1317-D (Mark Bryan TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

15. Zone Change Application on parcel: AV-1325 (Fountainhead Consulting, Inc.) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1325 (Fountainhead Consulting, Inc.) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Brandon Hanson addressed the planning commission commenting on water resource use in different property sizes. Hanson shared that he had spent two days with the cities of Hurricane and St. George, noting that there were over 24 developments with half-acre lots adjacent to one-acre properties. He argued that one-acre properties did not necessarily use fewer resources than two half-acre properties and that people with one-acre lots often engage in activities like farming, which can use more water. Hanson contended that the argument for down zoning from one-acre to smaller lots to save resources was flawed, citing a lack of evidence supporting the claim. He also mentioned discrepancies in the information he received about zoning changes, with some letters indicating different lot sizes than others. Overall, Hanson asserted that one-acre lots do not inherently use fewer resources compared to smaller lots.

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1325 (Fountainhead Consulting, Inc.) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

16. Zone Change Application on parcels: AV-1324-A, AV-1323-A, AV-1322-A (Kravetz Frederick M TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1324-A, AV-1323-A, AV-1322-A (Kravetz Frederick M TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Scout Holm reiterated that the matter being discussed was part of the Crimson Peaks subdivision, including item number 17. Holm wanted to ensure the commission was clear that both items were related to the same subdivision.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1324-A, AV-1323-A, AV-1322-A (Kravetz Frederick M TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

17. Zone Change Application on parcels: AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420 (Scout Reggie Holm) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420 (Scout Reggie Holm) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Bruce Baird addressed the chairman, representing Mr. Holm. Baird pointed out that on page 427 of the staff report agenda packet, the document in question did not have a proper applicant signature, indicating it might be fraudulent. He asserted that even if there were an applicant, the actual property owner objected to the proposal. Baird emphasized that the proposal violated vested rights and water-related issues previously mentioned. He chose not to elaborate further on his criticisms of the motives behind the proposal, focusing instead on the procedural and legal concerns.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420 (Scout Reggie Holm) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

18. Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Bruce Baird, representing Holm House LLC, reiterated concerns previously raised about vested rights, water issues, and the improper signature on the application. Baird questioned why the town was proceeding with a hearing at the town council given these issues. He respectfully requested that the hearing be continued, citing several reasons for this request. Baird expressed concern that the town's actions might lead to further legal challenges and potentially result in court proceedings if the issues were not addressed.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

19. Zone Change Application on parcel: AV-1327 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcel: AV-1327 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Bruce Baird addressed the chairman, he reiterated that, for the same reasons previously stated, the matter should be recommended for denial or tabled by the planning commission. Baird warned that proceeding with the matter could lead to litigation that the town could not afford and would likely lose. He criticized the town's belief in having insurance coverage for handling such illegal zoning actions and suggested that the town's budget would be better spent on providing actual services rather than pursuing what he perceived as misguided actions.

Chairman Farrar closed the hearing for Zone Change Application on parcel: AV-1327 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

20. Zone Change Application on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar opened the hearing for Zone Change Application on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Bruce Baird addressed the chairman, indicating that he was making the same comments on behalf of the property owner as previously discussed and did not need to repeat them.

Chairman Farrar closed the hearing for Zone Change Application on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

DISCUSSION AND POSSIBLE ACTION ITEMS

21. Adopt Title 10.42 Controlled Growth Management Plan, Ordinance-O-2024-45.

Chairman Farrar explained that the proposed ordinance was modeled after similar ordinances from other cities, with modifications made to suit the town's specific needs. The ordinance aimed to promote slow and responsible growth, allowing the town to manage development effectively. The plan was to permit the construction of twenty homes per year, with half allocated to homeowners intending to live in the homes and the other half to developers. The chairman noted that this number could be adjusted in the future as the town's capacity to handle growth increased. Additionally, it was clarified that the steps to receive an allotment would apply only to developers, not to owner/builders.

Chairman Farrar invited comments from the other commissioners, expressing a willingness to hear any feedback or thoughts on the matter.

One participant expressed support for the plan, describing it as a good approach. Chairman Farrar agreed, mentioning that similar practices have been successfully implemented in other cities, such as



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Boulder, Nevada, for over 20 years. He reiterated that the ordinance was adapted by modifying the wording to fit the town's needs. Chairman Farrar also emphasized that the plan could be revisited and adjusted as the town's capacity for growth increases, allowing for flexibility in the number of homes permitted. He then opened the floor for any further questions or comments.

Motion: Commissioner Fralish motioned we adopt Title 10.42 Controlled Growth Management Plan, Ordinance-O-2024-45.

Motion made by Commissioner Fralish, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

22. Repeal Title 10.10.060 SF Single Family Residential Zone, Ordinance-O-2024-46.

Chairman Farrar introduced a discussion on repealing Title 10, Section 10.10.060. This repeal would remove the Single-Family zoning designation, affecting only Cedar Point, which will be grandfathered with its current block sizes. The move aims to streamline zoning by focusing on agricultural and rural development, as Single-Family zoning is seen as unsuitable for the rural character of the town. Although Single Family zoning is being removed, the one-acre lot size for Rural Estates will remain unchanged. This will ensure that one-acre lots are still available, though they will no longer be designated as Single Family.

Motion: Commissioner Hood motioned that we recommend approval of item 22, 10.10.060 SF Single Family Residential Zone, Ordinance-O-2024-46.

Motion made by Commissioner Hood, Seconded by Commissioner Wood.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

23. Update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.

Chairman Farrar explained that Big Plains' policies require all tanks built for the district to be made of concrete. The town is proposing updating its ordinances to align with this requirement.

Motion: Commissioner Hood motioned that we recommend approval of item 23, Update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.

Motion made by Commissioner Hood, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

The vote was unanimous and the motion carried.

24. Adopt Title 10.39 Drones On Private Property, Ordinance-O-2024-40.

Chairman Farrar stated that the new ordinance would clarify that drones are not allowed to be flown over private property. This reflects the existing state code and is being incorporated into the town's ordinances for consistency.

Motion: Commissioner Fralish motioned we adopt Title 10.39 Drones On Private Property, Ordinance-O-2024-40.

Motion made by Commissioner Fralish, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

25. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.

Chairman Farrar introduced item number 25, which involves an application to change the zoning from Open Space Transitional (OST) to Agricultural Zone (A-X). The applicant is Lyman Family Farm Inc, for a 240-acre parcel located on the south side of Main Street. The land is currently designated as OST.

Motion: Commissioner Wood motioned to recommend approval for Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.

Motion made by Commissioner Wood, Seconded by Commissioner Hood.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

26. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.

Chairman Farrar clarified that the proposal concerns two five-acre parcels and one ten-acre parcel on the south side of Main Street, all currently zoned Open Space Transitional (OST).

Motion: Commissioner Hood motioned that we recommend approval on item 26, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Motion made by Commissioner Hood, Seconded by Commissioner Fralish.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

27. Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.

Chairman Farrar clarified that the application involves one ten-acre parcel on the south side of Main Street, which is currently zoned Open Space Transitional (OST).

Motion: Commissioner Wood motioned to approve Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.

Motion made by Commissioner Wood, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

28. Zone Change Application on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced the zone change for parcel AV-1327. The application seeks to change the zoning from Cabins or Tiny Home Park to Rural Estates 5-acre (RE-5). This change aims to lower density, align with the master general plan, and address water issues. The 40-acre property is located on the north side of Main Street, near the turnoff for Gooseberry Mesa. Chairman Farrar then invited questions, comments, and concerns.

Motion: Commissioner Fralish motioned that approve the application Zone Change Application on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Fralish, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

29. Zone Change Application on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman Farrar introduced item number 29; a zone change for parcel AV-1311-A-7-A. The application seeks to change the zoning from Planned Development to Rural Estates 5-acre (RE-5). This change aims to lower density, align with the general plan, and address water issues.

Motion: Commissioner Wood motioned to approve Zone Change Application on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Wood, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

30. Zone Change Application on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced item number 30; a zone change for parcel AV-1-3-5-211. The proposal seeks to change the zoning from Single Family Residential (half-acre) and Highway Commercial (C-2) to Rural Estates 5-acre (RE-5). This change aims to lower density, align with the general plan, and address water issues. The 136-acre property is located on the south side of Main Street and is currently zoned for half-acre single-family and commercial uses. The proposed change is to RE-5.

Motion: Commissioner Fralish motioned we approve the Zone Change Application on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Fralish, Seconded by Commissioner Hood.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

31. Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced item number 31; a zone change for multiple parcels. The proposal seeks to change the zoning from Planned Development to Rural Estates 5-acre (RE-5). The purpose of this change is to lower density, align with the general plan, and address water issues. The property is located across



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

from Chevron and is currently zoned as Planned Development. The proposed change is to RE-5. The Chairman then invited concerns regarding the application.

Motion: Commissioner Hood motioned that we recommend approval for the Zone Change Application on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Hood, Seconded by Commissioner Wood.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

32. Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced item number 32; a zone change for multiple parcels. The proposal seeks to change the zoning from Plan Development to Rural Estates 5-acre (RE-5). The purpose is to lower density, align with the general plan, and address water issues. This property is across from Chevron and is currently zoned Planned Development. Although this application is from a different landowner and has different parcel numbers, it covers the same area as the previous application. The proposed change is to RE-5.

Motion: Commissioner Wood motioned that we recommend approval for Zone Change Application on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Wood, Seconded by Commissioner Hood.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

33. Zone Change Application on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced item number 33, a zone change for parcel AV-1319-A. The proposal seeks to change the zoning from Rural Estates 1-acre (RE-1) to Rural Estates 5-acre (RE-5). The purpose of this



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

change is to lower density, align with the general plan, and address water issues. The 66-acre property is located near the water tanks in Apple Valley Ranches subdivision. The current zoning is RE-1, and the proposed change is to RE-5.

Chairman Farrar confirmed that this is item number 33 and invited any questions or comments.

Motion: Commissioner Hood motioned that we recommend approval for item 33, Zone Change Application on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Motion made by Commissioner Hood, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

34. Zone Change Application on parcels: AV-1317-B, AV-1317-D (Mark Bryan TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Chairman Farrar introduced item number 34, a zone change for parcels AV-1317-B, AV-1317-D. The proposal seeks to change the zoning from Single Family (half-acre) to Rural Estates 5-acre (RE-5). This change aims to lower density, align with the general plan, and address water issues. The property is part of what was previously known as the Desert Rose subdivision, located near the Gooseberry subdivision. The current zoning allows for single-family half-acre lots, and the proposed change is to RE-5.

Commissioner Fralish announced a conflict of interest and will abstain from the vote.

Chairman Farrar then invited any other questions or comments.

Motion: Commissioner Hood motioned that we recommend approval for item 34, Zone Change Application on parcels: AV-1317-B, AV-1317-D (Mark Bryan TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Motion made by Commissioner Hood, Seconded by Commissioner Wood.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish

The vote was four aye and one abstain and the motion carried 4-1.

35. Zone Change Application on parcel: AV-1325 (Fountainhead Consulting, Inc.) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

Chairman Farrar introduced item number 35, a zone change for parcel AV-1325. The proposal seeks to change the zoning from Single Family Residential (half-acre) to Rural Estates 5-acre (RE-5). The purpose is to lower density, align with the general plan, and address water issues. The property is part of what was previously known as the Desert Rose subdivision, near the Gooseberry subdivision. The current zoning allows for single-family half-acre lots, and the proposed change is to RE-5.

Motion: Commissioner Wood motioned to recommend Zone Change Application on parcel: AV-1325 (Fountainhead Consulting, Inc.) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Wood, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish

The vote was four aye and one abstain and the motion carried 4-1.

36. Zone Change Application on parcels: AV-1324-A, AV-1323-A, AV-1322-A (Kravetz Frederick M TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Chairman Farrar introduced item number 36, a zone change for parcels AV-1324-A, AV-1323-A, AV-1322-A. The proposal seeks to change the zoning from Single Family Residential (half-acre) to Rural Estates 5-acre (RE-5). The aim is to lower density, align with the general plan, and address water issues. The property is part of what was previously known as the Desert Rose subdivision, located near the Gooseberry subdivision. The current zoning allows for single-family half-acre lots, and the proposed change is to RE-5.

Chairman Farrar then invited any comments from the commissioners.

Motion: Commissioner Hood motioned that we recommend approval for Zone Change Application on parcels: AV-1324-A, AV-1323-A, AV-1322-A (Kravetz Frederick M TR) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of "To lower density to match general plan, to address water issues."

Motion made by Commissioner Hood, Seconded by Commissioner Wood.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish

The vote was four aye and one abstain and the motion carried 4-1.

37. Zone Change Application on parcels: AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420 (Scout Reggie Holm) from Single-Family Residential > 20,000 Sq Ft (SF-



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Chairman Farrar introduced item number 37, a zone change for multiple parcels. The proposal seeks to change the zoning from Single Family Residential (half-acre) to Rural Estates 5-acre (RE-5). The purpose is to lower density, align with the general plan, and address water issues. The property is part of what was previously known as the Desert Rose subdivision, near the Gooseberry subdivision. The current zoning allows for single-family half-acre lots, and the proposed change is to RE-5.

Chairman Farrar then invited comments and questions from the commissioners.

Motion: Commissioner Wood motioned to recommend approval for Zone Change Application on parcels: AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420 (Scout Reggie Holm) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Motion made by Commissioner Wood, Seconded by Commissioner Hood.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish

The vote was four aye and one abstain and the motion carried 4-1.

38. Zone Change Application on parcels: AV-1313-D-1-A, AV-1313-D-2 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Chairman Farrar introduced item number 38, a zone change for parcels AV-1313-D-1-A, AV-1313-D-2. The proposal is to change the zoning from Single Family Residential (half-acre and one-acre) to Rural Estates 5-acre (RE-5). The purpose is to lower density, align with the general plan, and address water issues. The property is located off Highway 59, across from the Gooseberry Lodges. The current zoning includes Single Family Residential (half-acre and one-acre) and Commercial. The proposed change affects only the sections currently zoned for Single Family Residential, with the goal of rezoning these areas to RE-5.

Chairman Farrar invited questions and comments. If there were none, he indicated he would make a motion.

Motion: Chairman Farrar motioned that we recommend approval on the Zone Change for parcels: AV-1313-D-1-A, AV-1313-D-2, to switch the Single-Family 1 acre and Single-Family half-acre to RE-5 Rural Estates 5 acre. The C-2 Commercial and the A-40 Agricultural will remain the same zone.

Motion made by Chairman Farrar, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

The vote was four aye and one abstain and the motion carried 4-1.

39. Zone Change Application on parcel: AV-1327 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Chairman Farrar introduced item number 39, a zone change for parcel AB-1327, submitted by Home House LLC. The application seeks to change the zoning from Single Family Residential (half-acre) to Rural Estates 5-acre (RE-5). The purpose is to lower density, align with the general plan, and address water issues. The property is a total of 440 acres, with a large portion currently zoned as Single Family Residential (half-acre) and the rest as Open Space Transitional (OST). The proposed change affects only the section zoned for Single Family Residential, while the remainder will remain OST.

Chairman Farrar then invited questions, comments, and concerns.

Motion: Chairman Farrar motioned that we recommend approval on the Zone Change for parcel AV-1327, to switch the Single-Family half-acre to RE-5 Rural Estates 5 acre and the section of the property that is OST will remain the same.

Motion made by Chairman Farrar, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish

The vote was four aye and one abstain and the motion carried 4-1.

40. Zone Change Application on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Chairman Farrar then introduced item number 40, a zone change for parcels AV-1348-A, AV-1345, AV-1346, AV-1326. The proposal seeks to change the zoning from Rural Estates 1-acre (RE-1) to Rural Estates 5-acre (RE-5). The purpose of the change is to lower density, align with the general plan, and address water issues. The property totals 640 acres and is located on the north side of Main Street. The current zoning is RE-1, and the proposed change is to RE-5.

Chairman Farrar then invited questions, comments, and concerns.

Motion: Commissioner Wood motioned to recommend approval for Zone Change Application on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

Motion made by Commissioner Wood, Seconded by Commissioner Hood.

Voting Yea: Chairman Farrar, Commissioner Palmer, Commissioner Hood, Commissioner Wood

Voting Abstaining: Commissioner Fralish



PLANNING COMMISSION MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 07, 2024 at 6:00 PM

MINUTES

The vote was four aye and one abstain and the motion carried 4-1.

APPROVAL OF MINUTES

41. Minutes: July 3, 2024.

Motion: Commissioner Fralish motioned to approve the minutes of July 3, 2024.

Motion made by Commissioner Fralish, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

ADJOURNMENT

Motion: Commissioner Fralish motioned to adjourn the meeting.

Motion made by Commissioner Fralish, Seconded by Commissioner Palmer.

Voting Yea: Chairman Farrar, Commissioner Fralish, Commissioner Palmer, Commissioner Hood, Commissioner Wood

The vote was unanimous and the motion carried.

The meeting was adjourned at 7:05 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Bradley Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo