



(435) 885-3036
(307) 350-0739, Mayor

dutchjohn.org

NOTICE OF PUBLIC MEETING
Town of Dutch John
Planning Commission
Dutch John Conference Hall
June 17, 2024 7:00 P.M.

NOTICE OF PUBLIC MEETING AND AGENDA

Electronic participation will be available. See <https://dutchjohn.org/electronic-meetings> for more details.

CALL TO ORDER 7:05pm

ATTENDANCE

Commision Members

Jared Marquis
Rachel Albritton
James McGuirk
Amanda Lucas

Public Audience

Allen Parker

Online

Dave McDonald
Christian Colovich
Justin Colovich
Garrett Colovich
Butch Johns

Melinda Colovich
Sandy Kunkle
Harriet Dickerson
Brad LoveJoy
Harriet Dickerson

ESTABLISHMENT OF VOTING MEMBERS

PLEDGE OF ALLEGIANCE

1. CONSENT AGENDA

The Consent portion of the Agenda is a means of expediting routine matters that must be acted on by the Commission. All items approved will be done by one undebatable motion passed unanimously. Any item may be removed for debate on request of any Commission member. Items removed from the Consent portion become the first item of business of the regular agenda.

1.1 Minutes of meeting: Jun 3, 2024

Jared requested a minor adjustment to the minutes regarding the public discussion.

1.2 Review Building Permit List

Updated the permit list with information emailed by Matt Tate. There were some remaining questions regarding the CO for Weaver, and Lunt inspections that have been completed. There was also a question regarding the Morton Garage and if Matt Tate reviewed the application.

Action Items

- Rachel will follow up with Matt Tate regarding these items.
- Amanda Lucas is following up with Amy McDonald on the permit extension for her home. The invoice has been paid but the Committee cannot recall receiving an extension application.

1.3 Correspondence: None

Motion

Jared motioned to accept the consent agenda. James seconded. All in favor.

2. PUBLIC COMMENT

Limited to 5 minutes per individual or group spokesperson. Members of the public may address the Planning and Zoning Commission on matters that are not listed on the meeting agenda. The Commission cannot discuss or take legal action on any matters during the Public Comment, unless the matters are properly noticed for discussion and legal action. Commission members may or may not respond to those who have addressed the Commission or may ask that a matter be put on a future agenda. All Planning & Zoning Commission meetings are recorded.

Harriet Dickerson was opposed to certain phases of the Colovich project that was previously presented to the Town Council a few years ago. Specifically, she is opposed to the idea of land being purchased and held for an extended period of time (roughly ten years). She believes that the County should allow this land to remain available for purchase but provide Colovich the first right of refusal if there is another buyer interested in property. Harriet made it clear that this is her personal opinion and is not a representation of the position of Town Council.

3. NEW BUSINESS

3.1 Christian Colovich, CJC Enterprises - Airport Development - Presentation and Discussion

Christian Colovich provided introductions for CJC Enterprises.

For about four years, there has been ongoing collaboration between CJC Enterprises and the county, and a participation agreement is expected to be signed within the next week. This agreement will outline various development phases and cooperation strategies between CJC Enterprises and the county moving forward once the land has been purchased. The purpose of this evening's presentation is for Christian Colovich to present a rough concept of their development plans to the Planning and Zoning Committee in the anticipation of working with them and the Town over the coming months and years on their development plan.

The conceptual plan presented is to build residential homes that include aircraft hangers within the RDA project area that is adjacent to the airport property on the bench. This would require the creation and adoption of a new airport-residential zone into the Towns Planning and Zoning Ordinance. Similar zones currently exist in areas like Alpine, Saratoga Springs, and Lake Powell.

The project is proposed to take place over seven phases. Phase 1 proposes (31) 2-acres lots over three years that are adjacent to the existing runway, followed by Phase 2 which would take place over the maximum of an additional 3 years. Phase 3 could begin approximately 2 years after the start of phase 2 since the infrastructure would be established. Time periods are maximum time periods allotted to them by the County, and could go faster depending on how development progresses. The initial phase aims to complete all necessary infrastructure and utilities within the first three years. Utilities included would be water, sewer, gas, and electric. Internet is currently not planned. They have already contacted all the utility companies and have plans in place. The intention is to develop and sell the land (as opposed to just selling parcels and leaving development up to the new property owner to pursue).

To address Harriets concerns given during the public comment period, subsequent phases (4-7) will involve renegotiations with the county when the time arises. This helps ensure that the land is not being held over the first 8-10 years while phases 1-3 are being implemented. CJC Enterprises would have the first right to refusal if there were other interested purchasers before the renegotiation period.

Christian expressed concern about the current ordinance requirements regarding curb and gutter for the development area. The project is aiming to keep a rural feel to the area and believes that curb and gutter for the entire property does not align with this vision and also seems unnecessary given the nature of the proposal.

Allen Parker asked if CJC Enterprises has reviewed the current zoning map for the development area, to which Christian responded that it needs to be addressed by Planning and Zoning. There was continued discussion about what the County had specified they could and could not do. Rachel clarified that zoning decisions are made by the Town and the Dutch John Planning and Zoning Commission, not the County which Christian acknowledged he understood. Later on in the discussion, Dave McDonald also reiterated this point noting that while the county can set conditions and restrictions (via a participation agreement), this does not equate to formal approval from Planning and Zoning. Driving this point home even further, Allen again stressed that zoning changes would be required in order to make the current plan workable and that pursuing these changes should be the next steps. Moreso, the Town is not required to change the zoning to match plans and the CJC Enterprises should take this into consideration in their negotiations with the County. Christian stated that the sale of the property would be contingent on being able to pass the zoning request changes.

For CJC Enterprises, their next steps include purchasing the land, beginning engineering work, and presenting a more concrete plan to the Planning and Zoning Commission. The timeline for readiness to present is about a year.

During the presentation several concerns or questions were raised by both the public and planning and zoning.

James raised concerns about road development, which had not been addressed within the presentation. CJC Enterprises would be responsible for road development within the project area but nothing outside of that. This means that portions of the existing airport road as well as surrounding roads would remain undeveloped making road development inconsistent.

Amanda questioned height restrictions within the runway apron. Similarly, Allen wanted to know what forethought had been given to the long-term planning of the airport itself and how the proposed project could limit or restrict future airport development. Christian stated the County does have future plans to extend the runway and to improve its capacity to be accessible for emergency aircraft. CJC Enterprises has been working closely with the County engineer to make sure that their development plans align with current FAA airspace restrictions as well as the long term vision that the County has for the project area which includes considerations for extending the runway, allowing increased aircraft capacity.

Dave McDonald asked about plans for runway improvements. Christian stated that the runway itself is not included in the project area and that the airport is still owned and maintained by the County. Therefore, the county is responsible for additions, upgrades and management of that property.

Allen followed up by asking if Christian was familiar with runway easements. Christian mentioned that they have not been considered, but discussions with engineers included these aspects of this as it related to access to the runway and supporting airport infrastructure. Allen will follow up on navigation easements and report back to Christian.

3.2 Butch Johns - Review and Discussion on Airport Development

Following the presentation from Christian, Butch Johns, town mayor, introduced himself and questioned Christian about the language given in the email Christian sent when requesting to be on the agenda. The email inferred that there had been a closed session several years ago with the Town of Dutch John regarding the proposed development. The Town does not currently participate in a closed session and this statement was misleading and illegal. Christian clarified that the closed session was not with the Town, but with the County. The meeting was held in the town of Dutch John, and the Town Council was invited to attend that meeting but the closed door session was with the County.

Once this was clarified discussion continued to reemphasize that the Town reserves the right to allow development that aligns with the vision laid out in the General Management Plan. Currently the proposed development does not align with that vision and Butch does not support this. The proposed project currently takes place where the towns biking and hiking trails exist and the plan itself does not incorporate that. Justin Colovich stated that they would be more than happy to work with the Town to integrate that trail system into the development plan where feasible. Butch stated that more discussion would be needed. He is in the office on Monday and Tuesday and encouraged the Colovich's to come back for further discussions at that time. Butch also asked Harriet to put the Airport project on the next agenda for Town Council.

Some discussion was had about the value added of the project. Dave McDonald state that the Town does not collect property tax. Therefore the development of homes in this area were not an added value to the Town. Colovich disagreed. There was some back and forth about what would be seen as an added value to the town but Butch reminded everyone that this was a discussion for a later time and that Planning and Zoning needed to continue on with planned agenda items.

4. OLD BUSINESS / WORK ITEMS

4.1 Ordinance Updates

General Planning Discussion

There was lingering discussion about the airport presentation along with how the Committee felt about all of the recent proposals coming in for development. It was acknowledged that many of us felt that the ordinance, and therefore the Committee itself, is racing to meet the current demand. While in some aspects this is true, Allen noted that we are working in the right direction and taking all the necessary steps to make sure that both the Committee and the Town are developing in a way that aligns with the Master Plan for Dutch John. Additionally we have outlined current needs and continue to prioritize those needs as new information and demand arises. The Committee has created a roadmap for forward planning and are doing well to stay the course.

Allen is currently working on migrating the existing Planning and Zoning Ordinance into a new template as part of the forward roadmap. The Committee discussed how to propose new ordinance updates in a way that keeps Allen informed and able to incorporate changes into the new template. They decided to use the document outlining priorities as a discussion guide. Final decisions made by the Committee will be added to a designated spreadsheet, noting the current ordinance being altered, the type of change (addition, deletion, modification), and the specific change desired. Allen will refer to this spreadsheet and incorporate the updates as he works. This approach allows both Allen and the Committee to move forward along their respective paths.

R2 Zone - Water Meters

Discussion was focused on R2 zoning standards, specifically as it related to the need for separate water meters per building or per lot. The current ordinance states that water and sewer is required, but it does not specify how this requirement applies if there are multiple structures on a property. This left some ambiguity on what exactly is needed here. Three main options were presented for consideration,

- One master meter and no other meters (main property owner divides out).
- One master meter on the property that would feed out to secondary meters.
- One meter for each building on a property.

After some internal debate Jared called Trevor Brooksby, the Towns water operator and asked for clarification on options. Trevor offered the following points to consider;

- If the property is ever subdivided and sold then new meter(s) would need to be installed and hooked up.
- It would be best under the current structure if apartments were on a single meter, leaving the property owner responsible for managing the water bill among residents.

The Committee came to the decision that the language in the ordinance should be updated to state that each property needs to have at least one meter. This way, if a property owner wants to have one meter per building on their property they can, but it is not a requirement.

Next Meeting / Working Meeting

Next work meeting should focus on defining R2 densities. This is related to tonight's discussion in terms of defining the number of buildings that should be allowed per lot within certain multi-family zones.

MEETINGS / TRAINING / INFORMATION REPORT OUT

PUD Administrator - Allen Parker

Building Inspector - Matt Tate

Fire Chief - JayDee Guymon

5. Executive Session, if necessary* Pursuant to 52-4-204

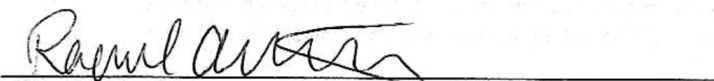
5.1 Discussion

*Closed session is for the purpose of discussing the character, professional competence, or physical or mental health of an individual; Collective Bargaining; Litigation, Purchase, Exchange or lease of real property.

6. Adjournment 9:05pm

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communication aid and services) during the meeting should call 435-880-8042 at least 48 hours before the meeting.

Requests for items to be added to the agenda must be submitted by 5pm the Thursday prior to the scheduled meeting. Submittals must include details of agenda item and any documents etc. that pertain to subject item. Requests can be emailed to ralbritton@dutchiohn.org and must be received by the above noted deadline. The Planning Commission may modify the agenda order, if necessary. This agenda may be subject to change up to 24 hours prior to the meeting.


Rachel Albritton , Planning & Zoning Secretary