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(307) 350-0739, Mayor

dutchjohn.org

NOTICE OF PUBLIC MEETING
Town of Dutch John
Planning Commission
Dutch John Conference Hall
August 5, 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 7:02pm

ATTENDANCE

Commision Members

Jared Marquis
James McGuirk
Rachel Albritton
Amanda Lucas

Public Audience

Harriet Dickerson
Allen Parker
Brad Lovejoy
David Orr
Scott Gough

Online

N/A

ESTABLISHMENT OF VOTING MEMBERS

There are enough voting members for a quorum.

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: July 15, 2024

Minutes accepted without any changes.

1.2 Review Building Permit List

- A new building permit for Western Rivers - Cicada Cove was issued. Signed by James McGuirk.
- Dutch John Resort (DJR) PUD
 - David Orr & Scott Gough came to pay for building permit(s) for the manufactured home and skid oil field building permits. There was some back and forth conversation on what application(s) had been submitted and what was approved by Matt Tate. Rachel reached out to Matt Tate during the meeting over text and Matt did respond, noting that the only building permit that is currently approved is for the manufactured home, and that engineering plans are still needed for the skid oil field application (6-bedroom house).
 - Jared also noted that the contractor numbers for the contractors listed in the building application were missing.
 - Scott Gough asked about an official document that can be posted within a building being constructed in order to be compliant with the state. He was told he can post the signed

building permit application since it contains all contractor information as well as valuation and signatures.

- There was an ongoing conversation between David, Scott, and Allen Parker (Land Use Administrator) about the PUD Amendment request that was initiated back in April of this year. They are requesting to move the proposed modular homes inward from the property line by 30 feet, making this a minor change. Allen acknowledged that he did have a discussion with them about the changes that they wanted to implement, however he does not recall the submission of a final package for the request. There is also no documentation in email or the google drive for this request.
- It was confirmed that the variance request for the second PUD for the Dutch John Draw property is formally withdrawn.
- Jared also requested that DJR “reply all” to email messages so that everyone can stay in the loop, and to not change the subject in the email chain.
- Questions were raised about the certificate of occupancy and whose responsibility it was to complete this, Planning and Zoning or Matt Tate. Rachel said she would look into this. Once this is figured out next steps can be taken for Weaver, Lunt, and Moser.
- A question was also raised about the Morton porch. We cannot find any emails with a valuation from Matt Tate, however, construction is being carried out on the project.

1.3 Correspondence

An email was received from Dena Strange asking if the Town was still limiting the number of short term rentals, and if so if we had reached the limit. Rachel responded back, noting that the limit is 10% of the residential housing in Town, and that we had not yet reached that limit.

David Orr sent an email asking about subdividing the property over in the Dutch John Draw area. Jared emailed him the application for this as well as a link to the state code for guidance.

Rachel motioned to accept the consent agenda. Jared second. 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.

Dave Orr asked if there was ever a town meeting on dividing land for Dutch John Draw area (public hearing). Jared Marquis stated that there has been nothing submitted to subdivide the land, and therefore, no public or internal meeting to discuss this. This led to some confusion about what's been completed and what steps David still needed to take on behalf of the new PUD for the Dutch John Draw development. Matt Lucas chimed in to explain what needs to be done for subdividing the land since he had just gone through the process with Cicada Cove. Jared noted that the Town relies on the state code for subdividing land since the Town ordinance does not cover this case specifically. Once an application for subdividing land is submitted to Planning and Zoning the project can proceed to the next steps which would include a public hearing that Dave is asking about. Jared noted we did have them on the agenda last meeting, but no representative showed up.

3. NEW BUSINESS

3.1 Matt Lucas - Cicada Cove - Discussion and Possible Action

This topic was addressed during the Building Permit review earlier in the meeting. For the record, it was noted that that permit application was the old version. Matt Lucas completed a new version of the

application. Matt Tate has reviewed all documents required for the permit and has given prior approval. The building permit has been paid for, and James McGuirk signed off on the physical building permit. All documents were printed and scanned. Amanda Lucas is adding them to the files.

3.2 Review Subdivision Ordinance Compliance Report - Discussion and Possible Action

A memo was provided to the Planning and Zoning Committee by the Hansen Planning Group in regards to how the Town's current ordinance for single and multi-family home subdivisions meets the new State Law (Utah Code §10-9a-6) passed earlier this year. This includes limiting the Town Council's and Planning Commission's roles in the approval process, establishing expedited review timelines, and defining specific requirements for public hearings, improvement plans, and subdivision applications.

Additionally, the memo suggests updates to the code, such as adding definitions, clarifying plat requirements, and improving the appeal process. The Town must also address minor subdivision approvals, update application forms, and refine language throughout the code for clarity. The memo requests the town's preferences on whether to adopt a two-phase or combined review process for small residential subdivisions and whether the updated process should apply solely to 1-2 family residential subdivisions or all subdivision applications.

This is something that the Town must implement to be compliant, however, we do have some choices in how we choose to implement the new process. The discussion for the Committee centered around which proposed process would work best for the Town. The memo provided an overview of three different processes, each with certain pros and cons.

Allen suggested going with a combined approach which would have the town follow the same review and approval process for all subdivisions (not just single and multi-family homes) making it a uniform process across the board. It was stated that more importantly, the ordinance language pertaining to subdivisions for the Town needs to be clearly written and defined and that this language above all else will be what guides future processes forward.

The Committee decided to schedule a special work session to focus on understanding the possible impacts of each approach and to focus on any updates needed for the current subdivision ordinance. This has been tentatively scheduled for Saturday, August 31 at 10:00am.

4. OLD BUSINESS / WORK ITEMS

4.1 Review Short Term Rentals - Discussion and Possible Action

It was briefly discussed that there was a lack of documentation on if all short term rentals in town were currently complying to all standards. Rachel is going to get with Harriet to see which ones have current business licenses and then the committee can evaluate next steps.

Additionally, there was some uncertainty in whether or not the state and federally owned homes in town should be included in the total home count, and therefore total percentage of homes that are short-term rentals. Allen noted that the current language within the Town's ordinance for Short Term Rentals applies to all residential homes including all state and federally owned homes as it relates to limits and the 10% allotment.

4.2 Ordinance Updates

NA

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

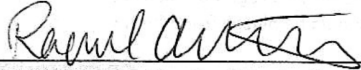
5.1 Discussion

*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@dutchjohn.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