



NOTICE OF PUBLIC MEETING
Town of Dutch John
Planning Commission
Dutch John Conference Hall
December 2, 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 7:06pm

ATTENDANCE

Commission

Jared Marquis

Rachel Albritton

Public

Butch Johns

Harriet Dickerson

Allen Parker

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: November 18, 2024

Minutes are accepted as is.

1.2 Correspondence

Dave Orr emailed to request an Ordinance amendment regarding the additional 75 ft setback from highway 191. Jared responded back that they were welcome to submit the application for this, however they first needed to go to the Town Council for approval. According to the Planning and Zoning Ordinance, any ordinance change requests submitted after October must first be approved by the Town Council (Chapter 5, Section 502).

Motion

Rachel motioned to accept the consent agenda. Jared 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.

Butch Johns (mayor) reviewed the proposed ordinance changes with Allen Parker (Land use Administrator) today. A Public Hearing is scheduled for next Wednesday (Dec. 11th) at 6:30pm for public comment. The Town Council is going to propose the following changes:

Chapter 6, 607: The changes to the height requirements are accepted, however, a note will be read to specify that an accessory structure cannot exceed the height of the primary structure. Jared expressed how that isn't really fair to those in bureau homes that are limited to 10 ft (example). Butch stated that PnZ is welcome to resubmit with a conditional clause for these homes, but it would not be accepted as its currently presented to the Town Council.

There was some ongoing discussion on if Butch had reviewed the ordinance with the correct changes as he could not find text differences between the draft being reviewed and a copy of the existing ordinance. After some discussion it was determined that an incorrect copy of the current ordinance was being referenced for comparison.

3. NEW BUSINESS

None

4. OLD BUSINESS / WORK ITEMS

4.1 Review Building Permit List

- New application from Dixons - sent to Matt Tate for valuation
- iWorq Work Items
 - Allen Parker - call iWorqs to see what's going on with the account.
 - Followup with Amy on having iWorqs setup for application fees.
 - Need to update all application fees and their associated applications.
 - Make a working session to go through iWorq.

4.2 Report Out - Land Use Administrator

During the meeting, the Commission discussed the PUD application submitted by Dutch John Resort (DJR) for the Dutch John Draw Area. DJR's email correspondence suggested ongoing collaboration with the Town Council since February 2024. However, according to meeting agendas and minutes, the last discussion regarding the application occurred in March 2023, when the PUD application was initially submitted to the Commission and referred to Allen Parker, Land Use Administrator, for review. At that time, the concept plan showed a 75-ft safety setback from Highway 191, which did not comply with the 150-ft setback required by the current Planning and Zoning Ordinance. DJR subsequently pursued a variance for the reduced setback, but it was decided they should not proceed with engineering plans until the variance issue was resolved.

In August 2024, DJR officially withdrew the variance application. Discussions regarding the PUD application resumed in November 2024 when DJR presented a revised site plan that still included the 75-ft setback. Alongside this, they submitted an ordinance amendment application to address the setback requirements. Since the application was submitted after October, DJR must obtain Town Council approval to process it in 2024, or the application will be deferred to 2025.

Given that the current concept plan does not align with the ordinance and has changed since the 2023 submission, DJR will need to resubmit the PUD application and concept plan if they wish to move forward. The Commission will take no further action until a decision is made on the ordinance amendment application.

4.3 Ordinance Updates

Jared initiated a discussion and review of Chapter 5, Sections 501 and 502. After multiple reviews over the past two weeks, it became evident that Section 501, in particular, requires clarifying language and possibly some revisions or eliminations. During the meeting, ideas were exchanged with Allen Parker and Butch Johns, who were present in the public audience. Jared proposed drafting suggested changes to Section 501 and submitting them to Butch for review.

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

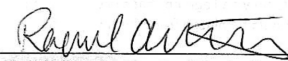
5.1 Discussion

*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 8:31pm

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