

Minutes from Special Meeting 7.19.2023 for the decision on the Rezone Request made by Savvy Investments, LLC and the Church of Jesus Christ of Latter-Day Saints Kingdom of God:

The meeting was called to order by Josh Paskett at 7:05 PM. Attending, Chairman Josh Paskett, Aysha Maddox, Steve Daniels, Parker Venable, Vickie Ingram, and RonDell Skidmore. Bucky Reeder attended by phone conference call.

Minutes from the July 5, 2023, Public Hearing were reviewed, Aysha identified edits need to be made, motion to accept with edits by Aysha, Vickie 2nd, motion carried.

Josh opened the meeting, reminding that public comment would not be taken. The meeting was for decision by the commission only.

Cody stated that Religion should not be factors to be considered. The rezone should be considered based on Comprehensive Plan and PZ Commission findings. It would be proper to recuse yourself if you have conflict. Legally these are 2 different items, legally the only question is, is the rezoning of this land in compliance with the comprehensive plan.

Josh asked if anyone needed to recuse themselves.

Steve asks about the one time split; parcel has not used its one time split. After a discussion it was determined that they can split the 5 acre and build a home. Instead of rezoning, or spot zoning.

Savvy could build the home and build a Church on the remainder of the property, pursuant to the CUP in Development Code, if they are not building for residential, they would still have the one time split available.

The findings are- Savvy Investments could build the home on a 5-acre parcel with the one-time split. A church could be built on the remainder parcel, it is not residential. Under the CUP it could require that water be transferred.

Motion to Deny Savvy Investment Rezone application, by Steve 2nd by Parker, motion carried.

Cody asked for clarification for the Deny. A rezone would redefine the area. The Commission is not ready to identify rural residential. Once the land is rezoned it changes the land forever.

There are other options that Savvy can follow. PZ Commission suggested that Savvy use the other avenues.

Josh opens the discussion on Nielson Rezone request. Josh stated that the Rezone Request is in an area of agriculture and does not conform with the Comprehensive plan. RonDell stated that he also felt like the subdivision was not suited for the area. He felt it should be built closer to town, so that it could be annexed into the city.

Steve had 3 concerns, location referred to 6-1B, encourage clustering residential. The Water Study information was concerning, was there a pumping test, no pumping duration periods were available, existing ready data is not readily available. Full Circle hydrologist stated that they cannot verify that there wouldn't be any ill harm to the rest of the valley. The last concern was roads. The access road is a gravel road and no winter maintenance, there is no guarantee that the county would take over the roadways.

Josh referred to the Comprehensive Plan, all roads would need to be brought up to county standards.

Parker shared his concerns about the water study.

Cody asks for under Comprehensive Plan, page 9 and 10 about how a subdivision affects the usable water. Page 18 Comprehensive plan concerns fire safety. Large Scale development should be required to provide secondary water. Steve stated that he didn't find enough information in the water study to alleviate his concern.

Josh referred to Development Code 7-3-3D Page 205 in the Development Code. Compatibility with surrounding areas, this was his concern.

Josh asked for a motion, Steve motioned that based on all the information provided, from the Public Hearing, Development Code, Comprehensive Plan, the Rezone Request be Denied.

Parker 2nd. Motion Carried.

Motion to adjourn by Josh, 2nd by Vickie, motion carried.