



**BLUFFDALE CITY PLANNING COMMISSION
MEETING AGENDA
Wednesday, January 18, 2023**

Notice is hereby given that the Bluffdale City Planning Commission will hold a public meeting on **Wednesday, January 18, 2023, at 6:00 p.m., or as soon thereafter as possible** at the Bluffdale City Hall, 2222 West 14400 South, Bluffdale, Utah. This meeting may also be broadcast live to the public on the City's website www.bluffdale.com. Notice is further given that access to this meeting by Commission members may be by electronic means via telephone conference call.

PLANNING COMMISSION BUSINESS MEETING 6:00 PM

1. Roll Call.
2. Invocation/Thought/Reading and Pledge of Allegiance.

LEGISLATIVE ITEMS:

3. **PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION** on a proposed amendment to the Bluffdale City Zoning Map, for 6.7 acres from the Agricultural (A-5) zone to the Sand and Gravel (SG-1) zone, located at approximately 16400 S Pony Express Rd., Asphalt Materials, Applicant, (Application 2022-58) – Staff Presenter, Ellen Oakman.

DISCUSSION ITEMS:

4. Planning Commission Business (planning session for upcoming items, follow up, etc.).
5. Adjournment.

Dated: January 13, 2023

**Grant Crowell, AICP
Community and Economic Development Director**

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Present:

Members: **Debbie Cragun, Chair**
 Tina Griffis
 Kory Luker
 Erik Swanson
 Johnny Loumis, Jr.

Excused: **Ulises Flynn**

Staff: **Grant Crowell, City Planner/Economic Development Director**
 Ellen Oakman, Associate City Planner
 Kjersti Jarman, Community Development Coordinator
 Courtney Larson, AV Technician
 Pauline Matagi, Community Development Coordinator
 Mayor Natalie Hall

Public: **John Betof**
 Dale Hansen, AMI
 Jon Hansen, AMI
 Greg Wilding

Chair Debbie Cragun called the meeting to order at 6:00 p.m.

PLANNING COMMISSION BUSINESS MEETING

1. Roll Call.

All members of the Planning Commission were present with the exception of Ulises Flynn, who was excused.

2. Invocation/Thought/Reading and Pledge of Allegiance.

Mayor Natalie Hall offered the invocation and led the Pledge of Allegiance.

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LEGISLATIVE ITEMS

3. **PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION on a Proposed Amendment to the Bluffdale City Zoning Map for 6.7 Acres from the Agricultural (A-5) Zone to the Sand and Gravel (SG-1) Zone, located at approximately 16400 South Pony Express Road. Asphalt Materials, Applicant. (Application 2022-58) – Staff Presenter, Ellen Oakman.**

Commissioner Loumis noted that a citizen was present to make a public comment. It was suggested that the individual address the Planning Commission as part of agenda item number four.

Associate City Planner, Ellen Oakman, presented the Staff Report and displayed a map of the subject property and the other property owned by the applicants. The map included a zoning layer to provide context for the proposal. She noted that Asphalt Materials has been in business in Bluffdale for about 20 years. They have approximately 70 acres of mining land that is already zoned Sand & Gravel (“SG-1”). They also own 6.7 acres that are adjacent to their mining property that is currently zoned A-5 Agricultural. They wish to rezone the property to SG-1 to be consistent with the rest of their operation. They recently become aware that the subject property had not been zoned SG-1. They were seeking to rectify that oversight since they plan to mine gravel on the subject property and they want to do so legally.

Ms. Oakman reported that the land use designated in the General Plan for the subject property is Regional Core. That land use designation supports the current mining that is taking place with the future view of using the land for high-density housing and high-intensity commercial uses. The applicants have state mining rights and mining permits for the subject property. It was noted that the Regional Core designation supports mining.

The applicant, Dale Hansen from Asphalt Materials, Inc. (“AMI”) gave his address as 7961 South 1300 West. He identified himself as one of the owners of the property and AMI. He explained that the reason for the zoning discrepancy was that he and his brother purchased the original property many years ago. Later, they purchased the other two sections from the East Jordan Canal Company and erroneously thought the property was also zoned SG-1. As soon as they learned that the property was not correctly zoned they began taking steps to correct the oversight. Mr. Hansen reported that the subject property was purchased about five or six years ago and the original property was purchased in 1995. The hill on the subject property has a 1:1 slope and is all gravel. As a result, any agricultural use would be impossible to accomplish until it is used up and converted into flat ground. He explained that part of the subject property would be used for stockpiling sand and gravel and the steep section would be mined.

Chair Cragun opened the public hearing. There were no public comments or emails. The public hearing was closed.

Commissioner Luker thanked the applicant for bringing this oversight to the City’s attention.

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Tina Griffis moved to forward a POSITIVE recommendation to the City Council for the Zoning Map Amendment (2022-58) from A-5 Agricultural to SG-1 Sand & Gravel, based on the following:

Findings:

- 1. That the current use is consistent with the land use designation, Regional Core.**
- 2. That the proposed zoning is consistent with the remaining approximately 70-acre area, utilized for the Asphalt Materials, Inc., operation.**
- 3. That the business has all necessary state mining permits and mining rights.**

Johnny Loumis, Jr. seconded the motion. Vote on motion: Tina Griffis-Aye; Johnny Loumis, Jr.-Aye; Erik Swanson-Aye; Kory Luker-Aye; Debbie Cragun-Aye. The motion passed unanimously.

Chair Cragun reported that the item would go before the City Council on February 8.

DISCUSSION ITEMS

- 4. Planning Commission Business (Planning Session for Upcoming Items, Follow-Up, Etc.)**

John Betof gave his address as 14257 South Zonker Drive and stated that following a major snowstorm a few weeks earlier, he was scheduled to have major back surgery the following morning. He was anxiously waiting for the snowplow to clear his street as had been occurring ever since he built his home nine years earlier. The snowplow came by Loumis Parkway in the afternoon but did not plow his street. He frantically called the Public Works Department to express his urgent need to have his street plowed so he could make it to his medical appointment early the next morning. The individual at the Public Works Department stated that the plowing had not occurred because the budget did not pass. Mr. Betof described his medical crisis and the City employee offered to make a phone call. Soon thereafter, the snowplow plowed his street for which he was very thankful. Mr. Betof noted that a recent newsletter reported that snow plowing may be cut back. He was concerned that when there is another major storm, he could find himself in a similar situation. Mayor Hall suggested that she and Mr. Betof visit privately. Mr. Betof graciously accepted the Mayor's invitation.

Chair Cragun noted that this would be Commissioner Loumis' last meeting as a member of the Planning Commission. She acknowledged his many years of service and his expertise, especially related to water rights. Commissioner Loumis commended the Planning Commission and the City Council for its teamwork and professionalism in working together to deal with complex issues, even when there are differing points of view.

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City Planner/Economic Development Director, Grant Crowell, thanked Commissioner Loumis on behalf of the Staff for his service. With regard to Commissioner Loumis' expertise with water rights, Mr. Crowell stated that within the next few months, a review will be conducted of the City's Secondary Water Master Plan that would go on to the City Council. Commissioner Loumis indicated that he still owns some water rights that are used mainly for the Bird Refuge. The City Council planned to recognize Commissioner Loumis for his many years of service to the community on January 25, 2023.

Mr. Crowell addressed the need for the annual training, which was being facilitated by Ms. Oakman. She displayed a slide with a list of potential topics in connection with the Office of the Property Rights Ombudsman ("OPRO").

Chair Cragun expressed strong interest in training on the legislative changes taking place. Commissioner Griffis concurred. Commissioner Loumis stated that eminent domain is an extremely important topic. Chair Cragun expressed interest in avoiding land use-related lawsuits. Mr. Crowell acknowledged that it would be an excellent topic for training. The purpose of the training was to keep current with the law. Mr. Crowell was still looking for a resource for providing training on Traffic Studies. Chair Cragun supported that idea. She commented that with the departure of Commissioner Loumis from the Planning Commission, it would be helpful to have training on water rights. Mr. Crowell indicated that the state requirement is four hours of training per year and a one-hour video.

Mr. Crowell reported that with Commissioner Loumis' departure, Commissioner Griffis would be appointed as a regular member of the Planning Commission. Mike Kraupp was appointed as a New Alternate Planning Commission Member.

Mr. Crowell stated that it is time to elect a Planning Commission Chair and Vice Chair.

The next Planning Commission Meeting was tentatively scheduled for February 1. There will also be training for the Utah Open Public Meetings Law.

Mr. Crowell reported that construction is ongoing for the new Café Zupas. The opening had not yet been determined. Fat Cats was hoping to have a Grand Opening around April 20. About Thyme was under construction and still seeking a Bar License. Some restaurants were looking at The Ranch.

The Detached ADU Ordinance was to be considered at the February 8 City Council Meeting.

5. Adjournment.

The Planning Commission Meeting adjourned at 6:32 p.m.

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Pauline Matagi, Development Coordinator

Approved: March 15, 2023_____