

**MINUTES OF A REGULAR PLEASANT VIEW CITY  
PLANNING COMMISSION MEETING HELD  
MARCH 7, 2024**

[Planning Commission Meeting \(youtube.com\)](https://www.youtube.com/watch?v=...)

**MEMBERS PRESENT**

Andy Nef  
Dean Stokes  
Jeff Bolingbroke  
Julie Farr  
Manya Stolrow  
David Gossner  
Sean Wilkinson

**STAFF PRESENT**

Amy Mabey, City Administrator  
Brandon Bell, Planning and Zoning Administrator  
Tammy Eveson, Planning Technical Assistant

**VISITORS**

Jordan Cullimore, Lead Attorney for the Office of the State Office of the Property Rights Ombudsman

**MINUTES PREPARED BY:**

Brooke Smith, MMC  
March 8, 2024

**MINUTES APPROVED:**

Final

Commission Chair, Andy Nef, called the meeting to order at 6 pm

**1. CALL TO ORDER**

- a. **Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought. (Commissioner David Gossner)**
- b. **Declaration of Conflicts of Interest.**

Call to Order

Commissioner Nef called the meeting to order. It was noted that Commissioner Farr joined the meeting electronically.

Pledge of Allegiance and Opening Prayer, Reading or Expression of Thought

The meeting commenced with the Pledge of Allegiance, followed by an opening prayer by Commissioner Gossner. The prayer expressed gratitude for the opportunity to gather as citizens and for the blessings of the community and the beautiful weather. The commissioner also thanked city administrators for their efforts in running the city and prayed for guidance in the decisions to be made.

Declaration of Conflicts of Interest

No declarations of conflicts of interest were made during the meeting.

**2. MEETING MINUTES APPROVAL**

**Consideration for approval of meeting minutes for the December 7, 2023, January 4, 2024, and February 1, 2024 meetings**

There was a consideration for the approval of meeting minutes from past meetings dated December 7, 2023, January 4, 2024, and February 1, 2024. A correction was mentioned that Commissioner Cotter was not in attendance at the December meeting, and he would be removed from that list. No other changes were requested.

MOTION

<p>A motion was made to accept the minutes with the exception of adjustments for corrected attendance. The motion was seconded and approved by a voice vote.</p>
<p><b>3. ADMINISTRATIVE ITEMS</b></p>
<p><b>a) Election of Commission Leadership for 2024 Calendar Year – Commission Chair and Vice Chair</b></p>
<p>The election of Commission leadership for the 2024 calendar year took place with nominations for the positions of Commission Chair and Vice Chair.</p> <p>Discussion opened on the nomination process.</p> <p><u>NOMINATION FOR CHAIR</u></p> <p>Commissioner Farr made a motion to nominate Andy Nef as the chairman for the next year, which was seconded by Commissioner Wilkinson.</p> <p>After confirming the commission's regular meeting schedule for 2024, with a few exceptions due to holidays, the vote for chair took place. Andy Nef was unanimously voted as chairman.</p> <p><u>NOMINATION FOR VICE CHAIR</u></p> <p>Commissioner Farr said she appreciated the opportunity to serve as vice chair and learn, but opened it up to others who may want the position. She noted there were some ongoing matters she wouldn't mind finishing up, but couldn't commit to being fully involved after the next year or two.</p> <p>A motion was made by Commissioner Wilkinson to nominate Commissioner Farr as vice chair for 2024. This motion was seconded. Julie Farr was unanimous voted as vice chair.</p> <p>The new chair and vice chair expressed appreciation for the support of the commission as they prepared to take on their leadership roles in the coming year.</p>
<p><b>b) Land Use Training by Jordan Cullimore, Lead Attorney, Office of the State Property Rights Ombudsman</b></p>
<p>The meeting began with Brandon Bell, the Pleasant View City Planner, introducing Jordan Cullimore from the Office of the Property Rights Ombudsman. Bell explained that the Ombudsman's office plays a unique role in helping avoid litigation between cities and property owners in the state. Cities or owners can request opinions and mediation from the office to resolve disputes or get clarity on legal requirements before issues escalate. He noted Jordan presents regularly at conferences to educate on land use law principles.</p> <p>Jordan began by explaining the role of their office as a neutral, independent state agency that has been operating since the 1990s. He explained the role of his office in providing advisory opinions, training, and mediating disputes related to land use and property rights issues.</p> <p>Cullimore outlined the three primary functions of the Ombudsman's office: providing training, offering advisory opinions and dispute resolution services, and facilitating mediation, particularly in eminent domain cases. The presentation centered on covering several key topics:</p> <ul style="list-style-type: none"> <li>● Legislative vs. Administrative Decisions - He explained the difference, standards of</li> </ul>

review, and importance of following established ordinances for administrative decisions once applications are submitted.

- Conditional Use Permits - Jordan discussed how reasonable conditions can be imposed to mitigate anticipated detrimental impacts, as long as the evidence is documented.
- Exactions - Requirements that developers offset their development's impacts were covered, including the legal tests of rough proportionality and essential nexus.
- Vested Rights - Jordan explained when development rights vest after an application is submitted, and the limited exceptions involving pending ordinances or compelling public interests.

Throughout the presentation, commissioners asked clarifying questions. Other topics like public noticing, short-term rentals, accessory dwelling units, vested rights exceptions, and development agreements were also discussed.

Jordan emphasized the importance of following established ordinances, properly documenting evidence for decisions, and allowing legislative processes for amending ordinances and development agreements to reflect public interests.

**4. REMARKS FROM COMMISSIONERS AND/OR STAFF**

At the end of the meeting, Commissioners offered their remarks which included public announcements of upcoming city events such as Founder's Day and an open house for the senior center. Additionally, staff introductions were made for a new team member who would be assisting with planning technical support.

The discussion highlighted the new additions to public amenities, such as pickleball courts and the ongoing progress with various city projects.

**5. ADJOURNMENT**

The meeting was adjourned with no further items discussed.