

Meadow Town Planning & Zoning Meeting

January 9, 2024
Meadow Firehouse
7:00 p.m.

*****THESE MINUTES HAVE BEEN APPROVED *****

Attending: Commission chairman Andrew Flake, Commission member Rex Williams, Commission member Sarah Core, Secretary Monica Dearden/Chris Scott, Liaison to Town Council Justin Jensen, Lloyd Robison, Tony Cowley, Mark Cowley, Andee Holdaway, Jess Peterson, Lynn Bond, Jess Peterson.

Excused: Commission member Van Stott, Alternate Commission member Sean Kelly.

1. Opening Ceremonies (three-minute limit): Andrew welcomed all to the meeting and led the Pledge of Allegiance. Justin Jensen offered a prayer.

2. Review of minutes - 12/12/2023: The commission took a moment to look over the November minutes. Rex motioned to approve the minutes with no changes. Andrew seconds the motion. All were in favor.

3. Cross-Connection Ordinance: Andrew stated that he is Meadow Town's Water Operator. He mentioned that the State is trying to improve our awareness or our ability to prevent cross-connection. So that is, basically, water flowing backwards in a pipe from a household into the water main. That can bring contaminants in water. There are a few ways that could happen. I was requested to send in our town ordinance on cross-connections from an employee of the State of Utah. He looked at it and he had a couple of recommendations.

So, just to back up, I think our goal tonight is to do some high-level brainstorming on a couple of things, like with cross-connections and then with short- and long-term rentals. I think our goal tonight is to get some ideas, see what is required, and if there is anything that the public would like to address.

So now, back into the cross-section item, Andrew stated he had printed out the town's ordinance. It's really dry and I don't think we really need to go through it all tonight. He said he would pass them around to look at it and see what it is. Basically, it gives the town the authority to do an inspection. Let's say that there is a business that is required to have a back-flow preventer, the town has the authority to go look at it and do an inspection to make sure that it's up to code. So what I am passing around goes into detail into that and also talks about the requirements. He asked if he could put Mark on the spot or anyone else in the audience who may have a little more background in this

ordinance. Do you know if there was like a template that you got that from? Mark stated most of the ordinances came from Fillmore. Jess Peterson mentioned that the template for the water came from Chamberland, and they modified it as needed. He also stated that the big concern was mostly water troughs. Andrew said that it is still a big concern.

The state employee went through that and it has 99% of what we are supposed to have. There is a reference to a plumbing code he says that is out of date, which can be expected with it being put in there about ten years ago. So, the connections are coming with dual-check valves, which has been okayed by the state. Just as a side note, the state has also asked us to inform the public about how to prevent backflow. There's not really a whole lot that we need to do. Andrew stated that he is just going to put a flier in the post office and probably talk about it in the Town Council. Lloyd Robison made a suggestion to include the flier in the town's utility bills. Jess Peterson mentioned that the town is supposed to service a section at a time and to keep up with testing them. Andrew stated that the town is supposed to do a percentage of them per year. There's a lot of things we are supposed to be doing and we're just trying to get that going as the state is cracking down on it. So, the only part that pertains to Planning and Zoning is this ordinance. What the state employee recommends is that we go through it and compare it to the state requirements and then put together a draft and then send it to our attorney to look at it to make sure that it is not going to get us into any trouble. Andrew stated that he didn't know of anything else we need to do with this tonight. Andrew asked if there were any other comments about the cross-connection ordinance. Jess asked what the town was looking at with the inspection. Andrew stated they are in the town ordinances. Andrew said if it's a residential connection, they are looking for a dual-check valve in the meter setter. Andrew is going to gather information and see what percentage of setters have those. Rex wanted to know how many are installed now that we know about now. Andrew said that as far as residential the vast majority have it and I will work with Jordan when he starts reading meters on how to look at each of them. It is pretty easy to tell which ones do or don't have the dual-check valves. A commercial connection, or larger connections, are supposed to have a reduced pressure zone. It basically prevents back pressure and siphonage. Larger connections have more robust backflow prevention assemblies and Andrew is supposed to inspect them. A certified inspector needs to come to inspect the unit. This is the state's job and Andrew thought it was ten percent per year. Rex wondered what the cost per residential and business was. Any other comments or concerns. Justin Jensen asked if there was any pressurized irrigation in town. No, there is not, so the only way they could really cross-connect would be if we had a pressurized irrigation that inadvertently got connected to culinary and that would back feed that dirty water back into the drinking system. What about wells? Does anyone in town have a culinary and a secondary, or an old grandfathered, well that could have possibly been connected together and is still in use? So maybe look into those where those people have a well, they have for backup and you never know it could kick on at some point. If you turned off the system, the pressure goes down and the well kicks on then it back feeds it into the main system. There may be a few, but may be a good idea to look into them. Rex mentioned that he has been separated from the town water. Ron Burns has a well also.

4. Other business – Short- and Long-Term Rentals: Andrew stated this was brought up because we are aware that there is an Airbnb in town and we wanted to see what the town ordinances were and realized that there isn't much in the ordinances regarding short- and long-term rentals. Every Airbnb type business would be considered short-term with 30 days or under. Then long-term would be an apartment or a basement. Sarah Core stated, so an Airbnb is 30 days or shorter? Andrew stated that it is 30 days or less. Like I said this is brainstorming so I printed out Fillmore's short- and long-term rental ordinances, just to see what they do. Andrew was really impressed to see that they had a pretty good list of restrictions, just like we talked about over the last couple of meetings. We felt like it is definitely something that the town needs to stay in control of and needs to be able to control the types of restrictions. Just in case anyone is interested, this is in Chapter 14 of Fillmore City's ordinances. Andrew read over a few of their ordinances. Their definition of short-term rentals. Any rental which is leased out consecutively to the same tenant 30-days or more would not constitute a residential short-term rental. They do not include other lodging facilities, such as bed and breakfast facilities, which I think is just a larger group of people in the house or something. They do require a business license to run a short-term rental business and then they have the business license application and procedure. They are required to respond within 24 hours to complaints regarding the condition of the operation or conduct of occupants of the short-term rental. Taking remedial actions to resolve such complaints. Andrew said it was interesting; it shows that the owner of the Airbnb has to provide a response to any complaints that's given within 24 hours. There is no HOA to restrict the owner from using the residence as a short-term rental. Inspection: prior to licensure, the city shall conduct an on-site inspection to verify information on the application, safety, and each bedroom needs to have a smoke/carbon monoxide detector. There are license fees. Then it goes into more restrictions. A renter may not use a short-term rental for a purpose not incidental to no-law residential use. At no time may the tenants of a short-term rental violate state or municipal law concerning nuisances, noise, disturbing the peace. This one is important, maximum occupancy of a residential short-term rental shall be no more than two (2) guests per bedroom, plus four (4) guests per home. Signage: No outdoor advertising signs related to the rental dwelling shall be allowed on-site. License denials, suspensions, or revocation. A whole bunch of reasons why the city or town could deny licensing, for non-payment, not meeting qualifications, giving false or incomplete information, operating in a manner contrary to the conditions set forth, or failure to provide contact information.

A question was asked about parking. Andrew stated he didn't see anything about parking but that is something we could include in the ordinance.

Lloyd Robison asked if there was a room tax or some kind of benefit for the town. Sarah Core stated she didn't think there was a motel in the county. She thought they were in the city. Justin Jenson said that the Airbnb's that he has seen do have a city tax or a town tax. It could be something that Meadow can implement.

It was mentioned that they would like to see the ordinances from St. George. Andrew said, obviously this is just one perspective. We could certainly look at other ordinances. The question was asked, if it's an Airbnb, do they have to register with the state?

Andrew asked what other sources could we look at, to make sure that we have a thorough ordinance about this? Sarah mentioned St. George and Cedar City. Andrew said that they have a lot in place to keep restrictions to make sure it works, because it's so popular there. Lloyd Robison asked what does the County have in the way of ordinances for Airbnb's? Sarah said she would have to look it up, as she wasn't sure. It was mentioned that there are six or seven listings in Kanosh and two or three in Millard. Andrew said that apparently the state allows it. We will have to make sure that our ordinances do not contradict anything that the state or county that allows us to contradict. Sarah said she would pull the county's ordinances. So as far as our goal tonight is maybe we should compile a list of other sources to print out and have available for the next meeting maybe. That way we can just keep on going. I don't know what else we can do tonight other than just having other ordinances for us to look at. Sarah asked how do you enforce it? She also asked where do you file that they don't have a business license? Justin said you just have to get your lawyers involved. Have them send a cease-and-desist letter. Someone stated they had a gas leak in Monroe and had to have fire people come in and isolate it. It could happen anywhere. What I don't want to see is that the town be liable for stuff like that.

Andrew said that they would print out state code, county code, St. George code. Someone stated that if you are writing an ordinance you have to have a penalty section to it.

Andrew said he didn't mention anything about Fillmore's long-term rentals, but was much like the short-term rentals. Sarah mentioned that a business license needs to be required. Monica Deardon asked if renting your home is considered a business? Andrew read from Fillmore's ordinances: A business license, or regulatory business license shall be required from anyone who receives rental income from rental space, from living quarters, in the aforementioned properties.

Andrew asked if there was anything else for Planning and Zoning. Jess Peterson stated he was with Six Counties Association of Governments. I'm a community advisor and I cover Millard County. You're talking about that ordinance regarding short- and long-term rentals. Now that is something I can help with.

5. Adjourn: Andrew motioned to adjourn the meeting. Sarah seconded it. All were in favor.

B. Christine Scott/ Monica Dearden
Planning & Zoning Secretary