

Town of Bluff

Planning and Zoning Commission Regular Meeting Minutes

Wednesday October 2, 2024, at 6:00pm

VIRTUAL

190 North 3rd East, Bluff, Utah 84512

6:01 p.m. Roll Call

Chair Amanda Podmore, Vice-Chair Marcia Hadenfeldt, Ed Dobson, Brian Whitney

Malia Collins (Excused Absence)

Town Council Representative: Luanne Hook

Public Comment

There were no public comments made at this meeting.

Approval of August 7, 2024, Work Session Meeting Minutes

There were grammatical corrections and Commissioner Hadenfeldt motioned to approve the minutes for August 7th, 2024. Commissioner Dobson seconded. There was no discussion on the motion and Commissioners Dobson, Whitney, Hadenfeldt, and Podmore all voted in favor. The motion passed unanimously.

Approval of August 13, 2024, Special Meeting Minutes

The Commissioners clarified some language, then Commissioner Dobson motioned to approve the minutes as corrected, and Commissioner Whitney seconded. There was no discussion on the motion and Commissioners Hadenfeldt, Whitney, Dobson, and Podmore all voted in favor. The motion passed unanimously.

Approval of September 18, 2024, Work Session Meeting Minutes

The Commissioners updated information for the cancelled meeting. Commissioner Hadenfeldt moved to approve the minutes explaining the cancelled meeting, and Commissioner Dobson seconded. Podmore and Hadenfeldt expressed the reasoning for approving these records and Commissioners Dobson, Hadenfeldt, Whitney, and Podmore voted in favor. The motion passed unanimously.

Old Business

1. Update from Town Council

Council Member Hook stressed the main point of her report was to confirm the joint meeting between the Town Council and the Planning and Zoning Commission. Hook further reported on the activities of the Council that have occurred since the last Planning and Zoning meeting. Including but not limited to the updates to; the Cooperative Culture Center, airport overlay ordinance, strategic planning progress, the EMS breakfast, the Town's emergency manager, and the Town's intention to finalize an emergency generator grant application. Commissioner Hadenfeldt brought forward new information on the airport overlay ordinance and how it may change the joint meeting. Hook clarified the requirements of the overlay ordinance and affirmed that there may be new information to consider.

2. Update on RV Ordinance public hearing & joint session with Town Council

Commissioner Podmore confirmed attendance for the joint session with Town Council and how the public hearing may be approached concerning the RV ordinance and Subdivision ordinance.

3. Update on Noise Ordinance request from Town Council

There were several questions about what is specifically requested by the Town Council as there has been discussion on an animal ordinance being included in what is needed from the Commission. The Town is interested in including as much as possible to the agenda of the upcoming public hearings and Council Member Hook notified the Commission there would be further discussion on what is being requested from the Council at the joint meeting.

New Business:

4. Land Use Clearance Application

Steve Helgersson submitted a Land Use Clearance Application to be discussed in this meeting. Commissioner Hadenfeldt began the consideration of the LUC application by first asking for a procedural clarification around the "retroactive approval" that was being sought. There was discussion on the procedural implications of approving or denying an application of this type of Land Use Clearance and the type of precedence any decision may set. Amidst discussion

Commissioner Dobson motioned to approve this LUC and after clarifications Commissioner Hadenfeldt seconded the motion for discussion. Podmore informed the Commission that Steve Helgerson was notified of the meeting and time for consideration of his LUC as he was not present for application review. The Commissioners discussed the application and information provided and found nothing outstanding that would prevent approval. Hadenfeldt and Whitney both don't see any error with the LUC application but brought concern over the procedural precedents being set. There was discussion on what could be allowed by current ordinances and what is and is not included in those ordinances. The discussion centered on how procedurally the Commission could handle this situation and how the motion could be amended. Dobson refused to amend his motion, and a vote was called. Commissioner Dobson voted in favor, Commissioners Hadenfeldt and Podmore voted against, and Commissioner Whitney abstained. The motion failed. Subsequently, Hadenfeldt motioned to approve the land use submittal by Steve Helgerson pending approval for retroactive approval from our town attorney and Podmore seconded the motion. Whitney asked for clarification about what the motion is and Hadenfeldt explained that P&Z could let Helgerson know that the LUC is approved only after the town attorney said it was legal to do so. There was further discussion on what penalties were being assessed by the Town and Podmore rejected including those into the motion as they were out of the Commissions control. Hadenfeldt called for a vote and Commissioners Hadenfeldt, Dobson, Podmore, and Whitney voted in favor of the motion. The motion passed unanimously.

5. Review latest draft of the Subdivision Ordinance

Chair Podmore asked for the Commission's permission to invite the Hansen Representative to the next meeting, October 16th. None of the Commission objected and the discussion opened to the section of the Subdivision ordinance that the Hansen Consulting Group had not previously completed. The Commission moved through the document and discussed the level of applicability of each of the sections that had been added to the draft created by the Hansen Consulting Group. The Commission hopes to have the final changes to the draft done by the next meeting with the Hansen Group.

6. Items for next agenda

Chair Podmore plans to discuss Commissioner terms, Subdivision ordinance discussion and finalization, schedule of meetings next year, and penalties for retroactive Land Use clearance applications.

7. Other

There was no other business.

8. Motion to Adjourn

Commissioner Dobson motioned to adjourn, and Commissioner Hadenfeldt seconded. There was no discussion on the motion and Commissioners Podmore, Hadenfeldt, Collins, Dobson, and Whitney all voted in favor.

The motion to adjourn the meeting passed unanimously and the meeting adjourned at 7:10pm.