

BIG WATER PLANNING AND ZONING

Big Water Town Hall

60 Aaron Burr, Big Water, Utah 84741

APPROVED MINUTES

6:00 PM WORK SESSION

7:00 PM MEETING

Monday, October 7, 2024

WORK SESSION 6:00 P.M

1.Call to Order: @ 6:22 PM Present: Nicole Wood, Jenni Johnson, Tyler Sharp (by phone) and Robert Wilkes arrived at 6:41 pm; Absent: Wryht Short

2.Discuss Meeting Agenda Items – Katie explained by phone that the cross section was about the road master plan. They wanted input about road with and greenery, for the future for future developers. Talked about having a member of Planning and Zoning at the meetings. They also attached the map of a proposed dedicated trails. It is in the very beginning stages, for examples the rock formations by our town that could have a trail developed for it.

Ryker Steglich is here to explain the subdivision draft. He says everything that is in the updated version of the subdivision draft is required by the state and there isn't much leeway in the requirements that the municipality has to require of developers coming in. This has to be updated by the municipality by December 31, 2024. Most of the red line you see in this draft, come from the state, there isn't a lot of leeway. What this does is it requires municipalities to have certain requirements when developers come in. the municipality then has a certain number of days to review the application and because of Big Water's size that would be 40 business days to review and get it back to the owner. This process can be repeated up to 4 times. They then move it off the approving body for denial. The draft also removes the Town Council from the subdivision process. The Planning Commission can review a preliminary plat. They cannot vote on the final plat. One public hearing is required but can be changed if necessary. He went over expirations dates in the draft. Allows the town to accept electronic copies. The developer still has to go through the same process for zoning for the area. Set a public hearing for November for the subdivision ordinance. Discussed 14.22 and let us know that it is an optional update. It is for a simple subdivision for under 10 lots.

The commission discussed having a \$2000 base escrow fee and discussed what an appropriate fee would be. They will move to old business will continue to discuss it. Discussed the annexation policy. They need more time to review the draft and want to set up a special meeting just for the annexation policy.

3.Adjourn – @ 7:24pm

MEETING 7:00 P.M.

1. CALL TO ORDER – @ 7:24 PM

2. ROLL CALL – Present: Nicole Wood, Jenni Johnson, Tyler Sharp (by phone) and Robert Wilkes; Absent: Wryht Short

3. APPROVAL OR AMENDMENT OF AGENDA- Motion to approve made by Jenni and seconded by Nicole. All in favor.

4. APPROVAL OF SEPTEMBER 9, 2024, MINUTES– Motion to approve made by Jenni and seconded by Tyler. All in favor.

5. CONFLICT STATEMENT – None

6. ADMINISTRATOR COMMENTS – We have 2 building permits pending. We have been working on compliance. We met with the justice court in Kanab for enforcement. Eventually you will see the outcome.

7. CITIZEN COMMENTS –

Tom Reneau: Question on the update to the subdivision draft. Is the red what the law requires? Yes. Another section, are we requiring curbs and gutters for new subdivisions: Also, are we requiring sanitary sewers, storm drains, sub drains, manholes, clean outs, natural gas, cable television, streetlights and any other utility that the town may require? So, does this mean that all new subdivisions with public or private streets are going to be required to fulfill these requirements here in red?

Council: Yes, I would think so. This means going forward all new subdivisions would be required to follow these requirements; and when it applies.

Jim Lybarger: My question is the streetlights. We are a dark skies place and is this town is going to request streetlights.? Council: Yes, they must be the hooded downward facing lights. Jim: Where I live the lights shine on toward my house and light up the whole thing. It is like the new light up sign for the RV park. It is on all the time. I drove through at midnight, and it was still on. If it was timed to be turned off that would be okay.

8. OLD BUSINESS

a) Discussion and Possible Action on Special Events Permit and Ordinance / Temporary Use Permit– Tabled

b) Discussion and Possible Action on Amending Off Street Parking spaces – Tabled

c) Discussion and Possible Action on Definitions – Tabled

d) Discussion and Possible Action on Commercial/Industrial/Mixed Use– Tabled

e) Discussion and Possible Action on Amending Table of Uses– Tabled

f) Discussion and Possible Action on Land Use Ordinance– Tabled

g) Discussion and Possible Action on Signs Ordinance– Tabled

h) Discussion and Possible Action on Timeshare and Camp Resort Act – Tabled

9. NEW BUSINESS–

a) Discussion and Possible Action on Amending STR Permit Application and change verbiage about annual renewals for fire inspections in the code– Motion made by Nicole to approve the changes, which are, on the second page of the application where it says “must pass an annual Big Water fire inspections” we will change that to “must pass every 5 years Big Water fire inspections” and on the third page it will state “all business licenses in Big Water Town must be in compliance with applicable fire codes and regulations at all times. All the short-term rental permits covered under the business license are required to pass a fire inspection every 5 years.” We will also be changing under

15.40.060 effective date and terms of permit, number 3 paragraph 2, “STR applications will require a nonrefundable annual permit fee per unit of \$250 paid in full at the time the application is submitted. A fee of \$25 fire inspection fee and/or any subsequent inspection will be at the owner’s expense. Application shall be subject to an annual review of inspection and the renewal fee of \$250 or revocation upon review.” Those will be the changes. Jenni seconds those changes. All in favor.

b) Discussion and Possible Action on First Draft of Subdivision Ordinance (Ryker Steglich) – Motion made by Jenni to approve the changes made during the work session to Ryker that he is going to change them and forward them onto Town Council on the first draft of the subdivision ordinance. Nicole seconds. All in favor.

c) Discussion on Annexation Policy Plan to review and evaluate first draft annexation plan, explore potential revisions, and assess the impact of annexation on community development, infrastructure, and public services– Tabled and set up a special meeting to go over further.

d) Discussion and Possible Action on Dedicated Trails– Tabled

e) Discussion and Possible Action Cross Section/Right of Way Road Planning– Tabled

f) Discussion and Possible Action on Requiring an Escrow Fee for Demolition Permits– Tabled

10. FINAL CITIZEN COMMENTS– Tom Reneau: This is part of the annexation plan. Is there a map of the areas that you are looking at annexing? Denise Wood: Not yet. We are looking at areas that we could possibly annex in. That is as far as we are.

Tom: Is that available to look at? Board: We are going to change it after our special meeting, then it will be available to look at. We do not have anything set up yet, so that is what the special meeting will be about and then one will be available.

Tom: The special meeting will have what kind of prior notice? Board: 24-hour notice. Tom: Prior notice, I’m sure that is legal and everything but is it problematic because of your notification system of putting it on the website with no notice, that is a surprise. There was a midday meeting earlier this year between the Town Council and Planning and Zoning and there was no citizen comments made, implying there were no citizens there. I wasn’t made aware of it until after the fact. Nobody knew about it. The explanation for the meeting was that it was difficult to get everyone together. Which is valid. But the meeting being at midday is problematic. Unless someone is checking the website every day or going into the post office and seeing it posted every day.

Board: Are you part of the Utah Public Notice website? Tom: No. Board: If you get on the Utah Public Notice website, you can subscribe to the Big Water Town Council, Planning and Zoning and all those things, and as soon as something is posted it sends you an email. Also, the meeting you referenced was only a work session. No decisions were made.

Tom: with all due respect it is still problematic to have meetings in the middle of the day, I will speak for myself. Please take that into consideration.

11. FINAL COMMENTS– The commission planned the public hearing for zoning code 15.40.060 for the little bit of verbiage to be changed. It was scheduled for the next meeting.

12. ADJOURNMENT– Motion to adjourn made by Jenni. Seconded by Nicole. All in favor at 7:49 PM