

WALLSBURG TOWN PLANNING COMMISSION PUBLIC HEARING

March 25, 2025 7:00PM

1. Call to Order 7:06PM

a. Pledge Of Allegiance - Completed

b. Roll Call – Spencer Foster, Alisha O’Driscoll, Carrie Mecham, Trevor Pulham, Tammy Graham, Lucille O’Driscoll, John Hicken, Steve Jacques, Terri Eisel, Kent Payne

2. Public Comment

a. This is the public’s opportunity to ask questions and comment on the revisions to the Wallsburg Town Development Code in regards to adding a Short Term Rental policy and an Accessory Dwelling Unit Policy. Those with questions and comments, please come up to the table, state your name and address before making a comment, and speak loudly to assure comments are recorded properly.

Carrie Mecham: Hello Everyone! The Wallsburg Town Planning Commission has been working on some additions to the Wallsburg Town Development Code these past few weeks and would like to hear the public’s feedback in preparation to recommend these changes to the Wallsburg Town Council.

The first ordinance is for Short Term Rentals, it stipulates that Short Term Rentals (think less than 30 days, AirBnB, Vacation Rentals, etc) are not allowed in Wallsburg Town Limits. We feel this is important to Wallsburg Town because short-term rentals can impact the character and safety of our residential neighborhoods, strain local infrastructure, and reduce the availability of long-term housing for residents. As a small, close-knit community, preserving our rural feel and ensuring that housing remains available for full-time residents is a priority.

The next ordinance is for Accessory Dwelling Units, it stipulates that INTERNAL Accessory Units (think basement apartments, over-the-attached-garage apartments, etc) are allowed (per state code), and that EXTERNAL (think detached, barn, or shed apartments, etc) are not allowed in Wallsburg Town Limits. We feel this is important to Wallsburg Town because limiting accessory dwelling units to INTERNAL units helps manage growth in a way that protects the town’s rural character, minimizes potential impacts on roads, utilities, and services, and ensures that development aligns with state code and the capacity and vision of our community.

We have carefully reviewed and tailored these ordinances to benefit our small town and its citizens. We’d like to open the next portion of this meeting to comments from the public, please come up to the microphone and clearly state your name and address for the recording before beginning your comments.

Public Comments:

John Hicken (260 West Main Canyon Road) as far as accessory housing, that’s already been approved, meaning a basement apartment or how would that work? Tammy Graham explained that internal dwellings are approved, you’d just need to come to the planning commission for a building permit if you’re building out your basement. John Hicken asked about parking for tenants and how that works? Alisha O’Driscoll referenced in the code where it says that off street parking must be provided for all dwellings. John Hicken commented if that means per home or per family?

Carrie Mecham asked if this means you can’t have barns. Alisha O’Driscoll said you can build a barn, just not to have it as an apartment. Lucille ODriscoll commented that the discussion of barns was regarding the agricultural exemption, trying to keep people from wanting to use loopholes to not get a building permit for barns. Trevor Pulham commented that the State monitors the agricultural/farm exemption pretty strictly, and that eliminates several people that don’t qualify. There are very few people inside Town limits that meet the agricultural permit without having to do a full permit through the county and that’s not something we can circumvent as the Town. Terri Eisel commented that initially that agricultural exemption was broad, but since it has been abused by people using it to not get a permit, the State is clamping down on it.

Carrie Mecham called for additional comments.

Tammy Graham pointed out 5.2.11 regarding parking access says that each dwelling must have a minimum of two parking spaces. John Hicken asked to clarify if that is meant for single dwelling homes or accessory dwellings. Tammy Graham said for anything- you have to have two for a single family dwelling and four if you have an additional apartment. John Hicken asked about Short Term Rentals – do they have the same requirements as far as parking? If you have a short term rental and you invite a bunch of people for Sundance Film Festival, do you have to provide parking for all 30 people? Alisha O’Driscoll commented that’s a trick question because these ordinances state that Short Term Rentals are not allowed. Miscellaneous discussion and jokes made by all.

Kent Payne asked if Short Term Rentals means Air BnB's. The Planning Commission confirmed. Lucille O'Driscoll commented all of the reasons that the Planning Commission decided that no Short Term Rentals is a benefit to the Town. Kent Payne asked to clarify that the Planning Commission is against the Air Bnbs? The Planning Commission confirmed. Kent Payne said that he is glad that they aren't allowed. They are noisy, running up and down roads with ATV's, etc. Lucille O'Driscoll commented that those are several reasons that the Planning Commission decided against them.

Carrie Mecham called for additional comments. None heard.

3. Agenda Items:

a. Recommendation to the Wallsburg Town Council – Action Item

i. Vote to recommend the addition of Short Term Rentals and Accessory Dwelling Units policies to the Wallsburg Town Development Code to the Wallsburg Town Council or continue discussion of these policies to future meeting(s).

John Hicken asked could we just say there is no parking on the Town street? Terri Eisel commented that is already in place for the Town during snow removal. John Hicken commented that a lot of people like to park on the street and it could become a problem. Tammy Graham commented to ask about the houses that are already a parking problem now. John Hicken said it should apply to all and it should say you can't park on the street if you have an apartment in your house. You can't have your renter parking on the street interfering with others access. Trevor Pulham asked which homes don't have adequate parking? Alisha O'Driscoll commented that she doesn't think it's that these homes that choose to park on the road, not that they don't have room for parking. John Hicken commented that with rentals they should provide off street parking. Miscellaneous discussion, all agreed. If you are going to commercialize your property, you should have space or make space to get those cars off the street. An exception could be made for visitors. Lucille O'Driscoll commented that is in the code, that visitor parking is allowed on the road- for short times. John Hicken: do we have anyone in Town that is looking to commercialize their property and add an apartment? Lucille O'Driscoll commented that there are a few. Alisha O'Driscoll commented that as a reminder, it is State law to allow internal apartments, but not required to allow external apartments.

Motion: Trevor Pulham moves to recommend the addition of Short Term Rentals as written and Accessory Dwelling Unit ordinances to the Wallsburg Town Development Code to the Wallsburg Town Council with the adjustment of "providing sufficient off street parking for tenants of Accessory Dwelling Units".

Second: Lucille O'Driscoll Vote: Unanimous

4. Adjourn

Motion: Tammy Graham Second: Lucille O'Driscoll Vote: Unanimous

Time: 7:33PM

PLANNING COMMISSION MEETING

March 25, 2025 7:00PM

1. Call To Order 7:34PM

a. Roll Call: Spencer Foster, Alisha O'Driscoll, Carrie Mecham, Trevor Pulham, Tammy Graham, Lucille O'Driscoll, Terri Eisel

2. Upcoming ToDo List, Priority List – Information and Discussion Only

i. Catch up meeting to discuss revisions to Chapter 3, upcoming items, things to research, make a plan for development code revisions.

Spencer Foster – OPMA Training at April meeting.

Terri Eisel – Right Of Way encroachment because we are installing a stormwater drainage system in the near future as part of a grant.

Miscellaneous discussion regarding the stormwater drainage system. Adding encroaching on the right of way will be a big help with keeping that system working and not filling in ditches (which caused the drainage problems). If we are going to go to the expense of putting this system in, we need to put something in place about pulling culverts out or filling ditches, etc. Trevor Pulham asked if homeowners can seek approval to pipe them? Terri Eisel said yes, but the Town is going to do most of that. Carrie Mecham asked if this is already in the code, and Terri Eisel said yes.

Alisha O'Driscoll confirmed that it is in the code, but is very basic. It will be good to update that section to spell it all out and make it enforceable.

Terri Eisel agreed. Carrie Mecham asked if this could be done retroactively? Terri Eisel and Spencer Foster commented no. It would have to be moving forward. When the project comes through, the Town will have to put access back as it was or better. Trevor Pulham commented that it's hard and pointless to enforce retroactively. It will be good to put it in the code to enforce it going forward. Terri Eisel commented that things will be put back as they were or better during the project, but from then on, the homeowner can't mess with that. Trevor Pulham commented that there should be something about engineering and piping the ditches. Terri Eisel commented that a lot of it will be taken care of in the project. Terri Eisel commented that this project will be done with surveying and engineering and all done professionally, to protect the work that is being done it makes total sense to have something in place for people to leave it alone once it is there. Carrie Mecham asked for suggestions with wording. Terri Eisel said they will have more as the project gets going and will work through it as it goes. Trevor Pulham commented that if it is an easement, it will be put back how it was or better. Terri Eisel agreed.

Lucille O'Driscoll – Impact Fees. Alisha O'Driscoll commented that this might be a fun one. We need to do some digging with the County to see what they collect and what the Town is disbursed and go from there.

Spencer Foster commented that he will have to learn more about this as well because he has not heard of a county collecting impact fees for a Town before. Carrie Mecham asked about the specificity of Impact Fees being used. Spencer Foster commented that they are for very strict uses. Trevor Pulham commented that there should definitely be a road impact fee and use that right away to fill potholes- that will be very easy. Spencer Foster confirmed that they have to be used for specific reasons and spent within a certain timeframe- 6 years. We can do a training afterwards on how they are used and all of that. Trevor Pulham commented that would be for the Town Council.

Carrie Mecham asked Celeni Richins and Terri Eisel if the Town has a plat of the Town roads and easements. Celeni Richins commented that it was from 1997 and is what we have on record with the County. Carrie Mecham asked if the Planning Commission should work on that? Tammy Graham and Lucille O'Driscoll and Trevor Pulham commented that is a lot of researching. Carrie Mecham asked if a new survey would need to be done.

Everyone agreed that there is a lot of time and money that would need to go into that. Terri Eisel commented that it does need to be done, but maybe down the road. Lucille O'Driscoll asked if there was anyone in the Town that would want to do that as a side project. Recommendations of Justin Carlile and Chad Anderson. Miscellaneous discussion about platting a road map and the difficulties and costs that may arise and a recent road vacate that was court ordered and expansive and expensive.

Alisha O'Driscoll commented not to scare Spencer Foster (MAG) away with all of these scary stories. Terri commented that in order for it to be done right it would have to be hired out. Trevor Pulham said that it will have to be done over time and taking "x" amount of parcels per year and prioritize the areas that need it the most. All agreed.

Terri Eisel commented that there are less and less available building lots in Town and were moving into setting precedents. Celeni Richins commented for example that the Town is prioritizing water because of imminent requests and things going on. Prioritizing is very important. Terri Eisel agreed and recommended Justin Carlile again. Alisha O'Driscoll commented that we should get him back on planning commission. Everyone came back around to agree that prioritizing immediate needs will be the best.

Trevor Pulham asked if it would be best for the Town in certain circumstances to deed the vacated road to the Property Owner in exchange for the legal fees. It's a way to get away from some of the cost. Celeni Richins commented that the Council could consider that in certain cases, the tricky part is that it would set precedence. Trevor Pulham commented that with the cemetery, that right now if someone wanted to use the Town right of way through the cemetery they could. Celeni Richins said that the only holdout on that would be historical use. Trevor Pulham commented that it would be in the benefit of the homeowner to make it legal.

3. Commission Member Reports (questions, general discussion, assignments)

None heard.

4. Schedule Next Planning Commission Meeting

a. Schedule Next Meeting – Tuesday April 22nd 2025 7:00PM

b. Call for Agenda items for next Planning Commission Meeting –

OPMA Training, Alisha O'Driscoll and Spencer Foster will come back with comments on Impact Fees. Right of Way Encroachment.

5. Adjourn

Motion: Tammy Graham Second: Lucille O'Driscoll

Vote: Unanimous

Time: 8:09Pm