

Planning and Zoning Commission Regular Meeting Minutes - APPROVED

Thursday, April 3, 2025

6:01 pm Roll Call: Amanda Podmore (Chair), Marcia Hadenfeldt, Malia Collins, Brian Whitney, Gary Haws; Town Council Representative: Luanne Hook

Public Comment: N/A

Approval of minutes from 3/6/2025: Hadenfeldt added clarification under “Other” as “Hadenfeldt expressed appreciation for the County P&Z Administrator and Assistant Attorney during the recent Land Use, Development and Management Ordinance community workshops and, in response to a public comment made at the county meeting in Bluff, emphasized that P&Z works under state mandates and the General Plan developed by the community.”

Collins made the motion to approve the minutes as edited from March 6, 2025, Whitney seconded. Five in favor, none opposed. Motion passed unanimously.

Old Business

- 1. Town Council update:** Hook provided updates regarding the building department and the master fee schedule, including building permitting fees and inspections. Documents are posted on the website, including applications and forms. Information was also shared regarding the proposed updates to the old highway through east Bluff, airport lease, CIB list, loss of EPA grant, off street parking ordinance has been indefinitely tabled.

There was discussion regarding the Land Use Clearance process and fees. At this time, there are still fees being assessed for LUCs. The building department will be covering the inspections and building permitting only. The LUCs will still be covered by P&Z. There was some confusion regarding needing both a Land Use Clearance permit and a building permit. At this time P&Z will still issue the LUCs while the town is developing the building department. P&Z indicated that they did not want to have the applicant duplicate the work to do both a LUC and a building permit.

Whitney asked why the master fee schedule required a public hearing, but the building code ordinance did not require a public hearing. Hook and Hadenfeldt answered that the building department was an administrative function vs. a legislative change. Podmore added that budget, fiduciary, and land use issues must go to public hearing.

- 2. Update from building department:** Hadenfeldt asked for the definition of “conditioned space.” Hook clarified that conditioned space is inside a home as opposed to a deck or patio. Hadenfeldt asked about the building permit checklist indicating that a LUC approval requires a letter. Podmore stated that she would send the signed and approved LUC or “approved land use clearance if necessary.”

Haws wanted to know about the requirements for permitting for repairs. Podmore suggested updating the flow chart for users regarding what does or does not require a permit.

There were also questions about exemptions. Hook indicated that Kristen Bushnell and Erin Nelson worked to simplify the ordinance that was passed, but that there should be a link to the Utah Building Code regulations.

3. **RV ordinance update:** Podmore has not received any feedback from the town's attorney at this point. Collins asked about mobile homes in the residential district and the density guidelines. Collins referenced the Town of Bluff matrix that did not have a maximum density. She asked if the purpose of the language in the mobile home section was to set density. Hadenfeldt indicated that, yes, the language would set a density of six mobile homes per acre in a residential restriction. There was discussion as to whether it should be recommended to set density in this specific area, since no other ordinance regulates density. Podmore said that they should review this area after receiving feedback from town legal counsel.
4. **PZ Bylaws update:** Podmore shared that there was a minor miscommunication regarding what P&Z sent on to town council. There was a comment in the document about appeals to an application; Podmore suggested removing that section, as it would not be applicable to bylaws, but instead it should be part of an ordinance. Town council will need to review this section again for approval.

Hook said that the bylaws were approved in the last meeting.

The commissioners adjusted the LUC application to be the next agenda item to keep the applicants from having to wait..

Land Use Clearance for McDermott solar installation: Hadenfeldt asked about setbacks, as the application indicated "setbacks will be met," but it was not clear on the drawing. Patrick McDermott was on the meeting and stated that the panels would be at least thirty feet back from the property line and added that the drawing of the lot did not indicate the correct property lines. Hadenfeldt asked why the diagrams were incorrect. The application had a satellite view diagram, and McDermott confirmed they can provide a corrected drawing. Haws asked about the ten-foot setback on the south side, as well as confusion about the property line on the east. McDermott will have the contractor send in an updated diagram to ensure adherence to the setbacks.

Collins made the motion to approve the Land Use Clearance with the caveat that the applicant provide updated documentation indicating the setbacks will be at least fifteen feet from the property line on the sides and that the drawings correctly reflect the property boundaries. Hadenfeldt seconded the motion. All in favor, none opposed. Motion passed unanimously.

Hadenfeldt will be acting chair to sign the paperwork once the updated diagrams are received. McDermott will also get the payment for the LUC to the town manager.

5. Report on enforcement spreadsheet from Commissioners & discussion:

Moved to work session and will ask Mayor Leppanen for guidance.

There was a question about what “Bluff Municipal Code” means. Hadenfeldt indicated that the complete set of ordinances that have been passed would be called the “Bluff Municipal Code.” There are some ordinances that reference other parts of the codification (ordinance codes). There is confusion regarding what is referenced.

6. Idling ordinance update: Town Council is going to review this in their next work session.

7. Next steps on solar energy ordinance: Podmore has started a draft, based on other templates. There was discussion as to whether the ordinance would solely focus on solar or if it would focus on other renewable energy, including wind. Hadenfeldt indicated that she would want to include “renewable,” not just solar. Collins and Podmore will both look at the drafted document prior to review by the rest of the commission.

New Business

8. Land Use Clearance for McDermott solar installation: covered above

9. “Airport Overlay” as required by Utah Code 72-10-403: The Hansen Group who worked on the Subdivision Ordinance update can be contracted to develop an airport overlay. The commissioners indicated that they would want the Hansen Group to move forward on this.

Collins asked if the town’s existing ordinance regarding where aviation facilities are allowed would be reviewed by the group. Hook said that, no, the airport overlay is different from what was passed by the town council. The Utah code requirement is going to regulate building height in relation to airports, and other regulations. The overlay should be straightforward since it is passed down from the state.

Podmore indicated that the Hansen Group has done the airport overlays for other municipalities already.

10. Review of General Plan for Compliance: Podmore suggested that the Hansen Group should do the free review of the General Plan, and then P&Z can decide whether to do the work in house or have the Town hire Hansen Group. Podmore will send a letter to Mayor Leppanen.

11. Window replacement building permit question: There was a question about whether the windows being replaced at the Scrup House would require a building permit. The Permit Technician said that it would require a permit. Haws said that he was doing research about wall envelopes and that this particular home would be much older and should not need a building permit. Podmore said that moving forward, these types of questions should go to the building department, as P&Z would not have the authority.

Hadenfeldt indicated that P&Z should not second guess the answers, as the building department is the administrative arm, but if someone can show that something is not necessary, the town does not have an exact appeals process. Podmore will get clarification regarding the process.

Hadenfeldt stated that residents may be confused because there have been county requirements for a long time, but people did not necessarily know they had to comply with those regulations. Now that the town is working on the building code in town, it is coming to front of mind.

12. Items for next agenda:

- RV Ordinance
- Enforcement
- Idling Ordinance
- Solar/Renewable energy ordinance
- Building Department clarifications

13. Other: Collins made the motion to adjourn the meeting, Hadenfeldt seconded the motion.

Meeting adjourned at 7:13 PM.