Town of Bluff

Planning and Zoning Commission

Meeting Minutes for February 7, 2019 at 7:00pm

Attendees *(marked as bold)*

Bluff Town Council	Planning and Zoning	Advisory Board
Mayor Ann Leppenan	**Malyssa Egge**	**Wendy Smith**
~~Linda Sosa~~	**Amanda Podmore**	**Eileen Fjerstad**
~~Luanne Hook~~	**Sarah Burak**	**Deborah Westfall**
~~Jim Sayers~~	**Michael Haviken**	~~Jim Hook~~
~~Brant Murray~~	**Kristen Bushnell**	

Review of Previous Action Items

- ✓ Ann – Create a phone messaging system at the Community Center
- ☐ All – Set up Google Account (_____PZBluff@gmail.com)
- ☐ Commission – Complete Certification of Utah League of Cities and Towns online training

- ✓ Linda – Link to the Utah League of Cities and Towns Certification Course
- ✓ Kristen – Upload files onto new Google Drive account
- ☐ Amanda – Send Google Invite out for new drive
- ☐ Amanda & Kristen – Set up "Group" email list with verified accounts
- ✓ Amanda – Scan and upload Sunrise Engineering document
- ✓ Michael – Prepare presentation of International Zoning Code and Moratorium
- ✓ All – Prepare objective facts and evidence of moratorium
- ✓ Ann – Set up Skype meeting with Michael Bryant
- ✓ All – Review and revise "Town of Bluff General Plan" (Oct. 2018) for discussion
- ✓ All – Bring a laptop / device to the next meeting for live updates of General Plan
- ✓ Amanda – Bring connection cables for PC to television
- ✓ Amanda – Attend and report on Town Council Meeting

Agenda

7pm Welcome and Attendance

Due to the extent of meeting please keep comments to a minimum necessity and within 2-3 minutes.

Approval of Previous Meeting Minutes

Please review the previous meeting meetings for January 24th and 31st.

Amanda moves to accept previous minutes. Seconded by Malyssa. Unanimously passed.

Review of Previous Action Items

Update of Relevant Information from City Council Meeting

Town Council Update: due to the disconnection of Lyman Family Farms, notices have to be posted to State of Utah Governor's office by February

Town will approach the new commission to work on the Interlocal agreement which will address the building permit process.

About a 1,000 acres parcel has been applied for from STILA for a lease for renewable energy sources above Bluff on the bench.

Old Bluff Elementary school has been sought after for city offices.

Funding for roads has arrived thanks to Micheal Haviken.

7:10 Update of San Juan County plan on short term rentals, zoning and licenses (Ann)

Ann was able to find the past 8 years of the number of building permits requested through San Juan County. We have seen an increase in rental rooms around 75 rooms in town. Ann will send out a copy of the information.

Ann went to the SJ County Commissioners meeting where short term rentals and Air-B&B's used in the area. It was proposed that we start tracking the use of rentals.

Someone needs to talk to Natalie (who proposed the idea) to find out the grand picture of her mission. The vacation rentals will be looked at critically and rules will be applied.

Amanda will work with Natalie and plan to attend the February 19th is the next meeting and hopefully this will be on the agenda.

If we want to reduce/limit vacation rentals it must be regulated through our ordinances.

7:15 Google Documents Drive (Sarah)

Presentation on use of Google Documents shared file system

We will be using the Google Drive system to share information between the commissioners and advisory. Before leaving this evening we will make sure that everyone is set up and has access. Agenda's will be sent out via e-mail after each meeting on Thursday nights. If you have any additional items or would like modifications to the agenda, it is due to KristenPZBluff@gmail.com by Tuesday at 8pm.

It would be a good idea to download the files that are on the Google Drive to our own computer back up. If not entirely consistently, at least we would have most of our files collectively for reference. If anyone asks for the Planning & Zoning files we have a USB stick that can be given out to those requests for information.

7:20 General Plan Revisions – live update

Everyone will have access to edit the general plan document. Editing the document will change it for everyone. If you want to change the document it must be added as a "suggestion" then when the group meets we can go through those changes together and either accept or reject those changes. "Comments" can also be added with the document that can be resolved as a group collective. We will continue working on this together in the future.

We would like to have a deadline for the General Plan draft.

February 14th – complete and full draft, send draft to Michael Bryant

February 21st – review draft from Michael Bryant

February 28th – draft to Ann to send onward to Chris McAnany

Tuesday, March 5th – community hearing

Thursday, March 7th – Finalize General Plan proposal

Tuesday, March 12th – proposal Town Council by Sarah

7:50 Public Comments

There were no public comments.

Meeting adjournment was moved by Amanda and seconded by Malyssa. Passed unanimously.

8pm Working Session: International Building Code Background and Moratorium Considerations (Michael)

Michael presented the International Zoning Code (IZC). The book outlines the topics in the Table of Contents. It is suggested that we use the same vocabulary that is presented in the Terms (Chapter 2) in our ordinances and general plan. We were able to overview that table of contents. Specifics are addressed in the IZC such as view corridors, dark skies, height of buildings and signs, zone regulations, off-street parking, etc. When ordinances go into effect existing buildings must be grandfathered into the new ordinances. If there are legal issues with ADA access or previous building codes those legal constraints would be upheld.

Michael recommended that the code provided within the IZC be adopted directly from this document. We already have a draft set of Ordinances from the committee previously, before incorporation.

Jurisdiction is an issue that we need to keep in mind when going forward with the General Plan and Ordinances. We have approximately 16% of Bluff Boundary is private within our regulation, 37% is SITLA and 47% is federal. We do not have any jurisdiction between state or federal lands. If land becomes privately owned then it would fall under our jurisdiction at that time. If land is leased, the Town Council and Planning & Zoning would hoped to be considered.

Discussion Pro's and Con's of Moratorium and Legal Considerations and Boundaries

Michael would like for the Planning & Zoning Commission to put a moratorium on any future building permits.

The legal authority to pass a moratorium on building (page 143 on ULCT blue book) is suggested since it "would be a compelling public interest in doing so" and "the current area is unregulated" in a town that now has authority.

Michael would like to suggest a moratorium based on the "fact that the Town of Bluff has incorporated so that we can have a control over what happens in our town". This would give the Planning & Zoning Commission time to get our General Plan and Ordinances in place and give the Town Council some space with issues and problems arising almost weekly. It allows the town to legally exercise it's authority, that is a message that we need to send out to the County and State. Preservation of resources, specifically water, is a major consideration in the future

developments. There are examples for moratoriums from other towns that will be uploaded into Google Doc's.

We are looking at using the full extent of the law to place a moratorium for 6 months. It would apply to all structures and infrastructure that must obtain a building permit.

Wendy suggested that if we adopt the moratorium we also include requirements for Planned Unit Development (PUD).

Sarah suggested that we have the ability to write the moratorium in a manner that we would like to suggest. Ultimately, Town Council would have to adopt the moratorium to the town.

Malyssa suggested that the term "the current area is unregulated" that the area of town would then default to the County.

Kristen suggested that we proceed cautiously with the terms of "flexing our authority".

Wendy suggested that if we are able to get the Inter-local Agreement from February 19th, will we have enough time to implement the moratorium within a reasonable time period.

Amanda suggests that Michael Bryant look at the moratorium recommendation before it goes to Town Council. There are legal issues with the language used to allow for building from people who live, work and are engaged in our community versus outside interests.

Eileen suggested that we are accommodating to the individuals that are currently preparing for residential construction.

Building Permits are under the County.

Michael suggests that 6 months is not a big deal in the field of construction. As a newly incorporated town we want the breathing space to create the governance and order of our citizens within our boundaries.

Malyssa suggests that she is cautious of a conflict of interest and has made that well known. She would like to break down the meaning of "keep Bluff, Bluff". There are a lot of elusive values that have not been specified that needs to be addressed directly in the moratorium. Perhaps we can create a conditional use during the extent of the moratorium. For instance, how do we create the circumstances of conditional use.

Eileen suggested that the process for a building permit or bank loan is valuable as the need to follow and enforce the building codes.

Sarah suggested that we are fairly divided on the matter of implementing a moratorium and that there is not a consensus on moving forward with a draft of recommendation.

Michael suggested that it he is worried about people putting in building permits beyond our current infrastructure.

Timeline

- Come up with a draft.
- Review and finalize the draft together as a commission.
- Vote on the recommendation to Town Council.
- Propose to Town Council.

8:45 Additional Items to be added to Next Week's Agenda

Update from Michael for contact with Michael Bryant.

Update from Amanda for contact with Natalie Randall.

Amended Bylaws to the council on Planning & Zoning (Ann)

General Plan revisions – live updates to Google Document

Further discussion on moratorium (time limits and special considerations)

Action Items for Next Meeting

- Michael – Representative to Town Council meeting on Tuesday.
- Ann – Send out building permit requests history from 2010 to present.
- Amanda – Upload new resource files to Google Drive.
- Amanda – Contact and build relationship with Natalie Randall.
- Amanda – Plan to attend the County Commission meeting on February 19th.
- Michael & Amanda – Contact Michael Bryant and maintain relationship with Southeastern Association of Local Governments.
- All – Need to make revisions and suggestions on the General Plan in Google Drive.
- All – Continue to research the circumstances of a moratorium and review facts and legalities.

Request for additional or modifications to agenda items are due by 8pm each Tuesday to KristenPZBluff@gmail.com to be discussed at the next Thursday scheduled meeting.

Our next regular meeting date will be held at Cedar Hall on **Thursday, February 14th at 7:00pm**.