Town of Bluff

Planning and Zoning Commission

Minutes for May 23rd, 2019 at 7:00pm
at the Bluff Community Center
190 North 3rd East, Bluff, Utah 84512
DRAFT

7:04 Roll Call:
Commission: Sarah Burak, Amanda Podmore, MIchael Haviken
Advisory Council: Deborah Westfall, Eileen Fjerstad Town Council: Luanne Hook, Jim Sayers

Approval of Regular Meeting Minutes from May 16th: Burak suggests change from "district" to "division" in reference to the IZC. Motion to approve minutes from May 16th and approve amended minutes from May 9th tabled until next meeting on May 30th.

7:10 Citizens to be heard

Mary Gillam has emailed Burak about maps and those concerns will be addressed next week. After Gillam added the importance that Kristen Bushnell share mapping data with the Commission, Burak confirmed that the data has been handed off to her. Currently no one on the Commission has the skills or program to use the data and Burak will work with the Council to find someone, possibly in a paid capacity, to finish the zoning maps. Haviken does not want the data to be turned over to the Council until the Commission is done with the maps. Sayers is comfortable with the Commission holding on to the data, supports a clean transition, and is pursuing some options for completing the maps, like through USU or hiring someone like Gillam. Gillam is willing to look at the data to see if it works with her software.

7:20 Old Business

1. Update from Town Council (Burak): Hook reports that they had a joint meeting with the BSA to work on transfers of property, rights. There will be a public hearing on May 29th at 7:00 pm on whether the BSA should transfer water and infrastructure to the Town.
2. Update on Signage meeting (Haviken): Haviken and Linda Sosa went to the meeting that Natalie Randall hosted. The county is seeking to host a uniform signage plan with goals including enhancing visitor experiences, and they have sought proposals from designers with a budget of $50,000. They expect the plan to be in place by the end of 2019 and implemented in 2020. There will be opportunities for the public to have input.
3. Discussion of a recommendation form for submitting P&Z recommendations to Town Council (Burak, Podmore): Burak would like to make a rough draft and likes Fjerstad's suggestion of adding a "for office use only" section for the form. Town Council has requested a document to follow an oral recommendation when Burak presents to them on an action taken by P&Z or when something is requested of the Town Council by P&Z. Podmore will present a draft for the next meeting. The Commission clarified that the Planning and Zoning Agenda Request Form has a section to document what action was taken by the Commission.

7:45 New Business:

4. Review Zoning Map and label Divisions within zones: Haviken motions to give Mary Gillam the data from Kristen Bushnell to review, Podmore seconds. Motion passes 3-0. Burak clarifies that she wants to safeguard the data so it was decided to have Gillam copy the data so the ownership of the thumb drive is protected. Podmore will release the data to Gillam. This work will be *pro bono* since Gillam uses a volunteer ESRI license.

   The Commission did not discuss zoning further because the maps were unavailable so this was tabled until next week.

5. International Zoning Code Presentations of Chapters 10, 13 (Burak, Haviken, Fjerstad): Haviken reported on the Sign Chapter 10, which is the longest in the IZC. Sign dimensions are based on lot sizes. The code regulates whether signs are allowed in right-of-ways. Certain signs are exempted from regulations, like memorials or works of art. Burak added that it would be worthwhile to pursue dark sky regulations in relation to signs. Moab also has a long sign code and has dark sky ordinances to make signs dark-sky friendly. There is a dark-sky standard that Burak will try to find. Podmore asked if Haviken could clarify whether he thought the signage ordinances were too strict or not strict enough; he added that it was complex and some did not fit the nature of our small town and should be adapted. Burak added that dark-sky regulations will make signs more restrictive.

   Fjerstad on Chapter 13 on Planned Unit Developments: a PUD is something that applies to a large tract of land that is owned by one entity. It can be anywhere within the boundaries of the town and in any zone. The intent of applying a PUD designation is that a) the developer intends to plan the entire area as one development and b) the intent is to work with a certified urban planner. The plan would be recommended for or against by the Commission and could be adopted by the Town Council. Fjerstad added that in her experience, PUDs come to the Commission in stages. The intent is to encourage desirable development, flexibility in design, and to accomplish a well-balanced, aesthetically-pleasing, and economically viable development in town. In practice, the size of a PUD can vary from as small as 2 acres to several hundred. A PUD may require a zoning change. Preservation of open spaces can be down through a park/pathway system or through the establishment of an HOA-like system. Landscaping and signs are included in the Master Plan for the PUD. There are certain things a Town can require of a PUD, like dedication of land for public purposes, schools, required safety devices, and more. Haviken added that it can specify density, which Fjerstad agrees would be important for the Commission to look at in general.

6. Discussion of nightly rentals ordinance: Burak suggest we talk about what we would like to see in the town since the town already has many. Fjerstad shared Silverton's ordinances, which are very strict. Haviken clarified the definition is 29-days or less and the Commission would need to add to the final ordinance definitions since it is not included in the IZC. He added that this can help us maintain the rurality of the town. Hook reported there are at least 20 in town on AirBNB and VRBO.

   Sayers shared that New Orleans has a policy that allows short-term nightly rentals that

are adjacent to or in the same dwelling as a full-time resident. This prevents buyers that live elsewhere from purchasing a house just for short-term rentals. Fjerstad said Silverton allows a certain percentage per zone and requires a license that is non-transferrable, a sales tax license, a nightly lodging fee, and annual inspections by the fire department and town code enforcer. That inspection determines how many people can be allowed in each house.

Westfall thanked Sayers for the recommendation of the neighboring full-time resident requirement. She said East Bluff has more short-term nightly rentals than west Bluff. She is very concerned about the availability of housing for people who want to live here full time and be a part of the community and suggested the Commission work to keep housing available.

Sayers added that Park City, Moab, and Spanish Valley have problems with short-term nightly rentals. Podmore echoed the sentiments of others and suggested the Commission consider what is enforceable, the number of parking spaces and quiet hours. Burak stated Bluff already has the problem of limited housing availability.

The main things the Commission is considering are the definition of 29 days or less, the requirement of a license, and that the owner need to be a full-time resident nearby. The Commission discussed how difficult it is to define "full-time resident." Podmore suggested that the requirement be changed to the owner or manager being present. Burak shared how that can be restrictive to the owner. Fjerstad suggested a revenue-making solution to affordable housing like a surtax on part-time residences.

Burak opened up the discussion about next steps so Podmore suggested at the next meeting that the Commission make a list of all gaps and necessary changes in ordinances and have formal or informal feedback from the Council. Haviken and Sayers agreed that the feedback is important but should be informal because of the expedited timeline. Sayers said the Council has put its faith in the Commission and is pleased with its work.

Haviken motions to accept the definitions of the 2018 International Zoning Code, Burak seconds, motion passes 3-0.

For homework, the Commission should look at each chapter and consider changes that may need to occur. Burak asks each Commissioner to prepared with these gaps and issues that each Commissioner is passionate about. The Commission agreed to go chapter by chapter of the IZC and adapt the IZC to fit Bluff.

7. Discussion of change to meeting time (day and/or) for the summer: Before making a change, Burak will research if there are restrictions as to how early a public meeting can be held. Haviken suggests the Commission hold more working sessions.

8:25 Additional Items to be added to Next Week's Agenda

8:37 Haviken motions to adjourn, Burak seconds, motion passes unanimously 3-0.