

Town of Bluff

Planning and Zoning Commission

Minutes for June 27, 2019 at 7:00pm

at the Bluff Community Center
190 North 3rd East, Bluff, Utah 84512
APPROVED

7:05 Roll Call

Commission: Sarah Burak, Amanda Podmore, Malysa Egge, Robin Cantrell, Michael Haviken (phone)

Advisors: Deborah Westfall

Town Council: Luanne Hook

Approval of meeting minutes from regular meeting 6/13 and work session 6/13

Podmore motions to approve minutes from 6/13 regular meeting with changes from Cantrell, Egge seconds, motion passes unanimously.

Burak motions to approve minutes from 6/13 work session, Cantrell seconds, motion passes with four votes, Egge abstains.

7:10 Citizens to be heard

Burak uses this time to update the Commission on maps. Podmore will meet with Mary Gillam Monday afternoon to answer specific questions on zoning maps.

Luanne Hook said that the public hearing on the General Plan will not include the zoning maps. This decision is based on a discussion between Ann Leppanen and the Town Attorney. A hearing on the zoning map will happen at a later date.

7:12 Old Business

1. Review of additional ordinance list (All)

Haviken asked about the need to address truck stops and Burak clarified that this is a need because there is no ordinance in the IZC. The Commission will discuss whether single-use plastics includes plastic bags. Burak and Egge detailed the ideas of infilling parcels and promoting the stacking function of structures, which the Commission supports so that the town does not become solely a linear, built-out town but that it takes advantage of previously disturbed ground and is an efficient town with multi-use structures. Haviken added that it will be hard to avoid a linear town because it already is. The USU study suggested Bluff can built out into a cross-shaped footprint.

The Commission added signs to the top priorities ordinance list and suggested tailoring the sign section of the IZC to fit Bluff's needs. Westfall commented via email that the language could be

tailored to prevent billboards on the Mission road. Haviken suggested the first part of the chapter could fit Bluff and then the Commission can discuss what commercial sign solutions, like banning billboards and dark sky sign ordinances, could work for Bluff.

Cantrell added that the Commission should reconsider what the IZC allows for nonconforming uses, in particular the damage clause.

2. Presentation of findings on additional ordinances (All)

Haviken presented on subdivisions. After looking at a number of Utah communities and Chapter 14 of the IZC, he learned that the sequence is: 1) developer creates a conceptual plat showing design; 2) Commission reviews density of subdivision, which can be 15% higher in density than the adjoining zones according to the IZC; 3) Commission reviews specific designations like height of the building, lot size; 4) then the Commission looks for open spaces, greenways that can be contributed to the public by the developer/owner; 5) signs and landscaping are reviewed by the Commission; 6) the Commission can suggest contributions by the owner or corporations like a roadway or pedestrian/bike path created to the town's specifications. The Town controls would be through permitting of excavation and building. The time period between the submission of the preliminary and final plat should be no more than one year. Haviken suggests parts of the IZC can be adopted and the Commission can add items specific to the town of Bluff, like lot size. Haviken did not find recommendations on lot size. The final water study and hydrological studies will be important in determining lot size.

A Planned Unit Development is different than a subdivision in that it can include mixed use and the plots are built out by the developer, whereas a subdivision allows for individual builders.

Egge presented on septic waste regulations and suggested the Commission look no further than the 2018 International Private Sewage Disposal Code. She recommended the Commission set minimum standards, like tank capacity. The International Code provided more detailed information than San Juan County Health Department, which uses the International Code from 2015. The Utah Department of Environmental Quality has levels of certification and Egge provided useful links for those. Egge clarified that driving over septic lines is not recommended.

The Commission discussed whether the Town has jurisdiction over septic since it doesn't have a health department, and discussed how Bluff can make things stricter, but not looser than state standards. This can make may greywater reuse difficult. Hook added that the DWQ does commercial regulations and the County does residential waste and water use.

A question to address is how to factor RVs into the table of tank requirements.

Previously existing septic systems would be grandfathered in but repairs and changes would likely need to be to code.

Eric Cook shared that with greywater use, it depends if the water is surface or subsurface. He suggested the Commission look at infiltrator shrouds to prevent roots from coming into septic systems. He also asked if the Commission was open to alternative plumbing systems, to which the Commission said yes. Eric Cook has information on alternative plumbing, like earthships by Michael Reynolds based in New Mexico. Burak added that Moab may also be looking at

alternative plumbing solutions. Subsurface greywater systems can be permitted in Utah, according to Burak.

Westfall emailed a draft resolution speaking to historic and archaeological resources. Archaeological resources are given the same level of consideration by the National Register for Historic Places as historic places. Seven properties in Bluff are listed in the National Register including 5 houses, the Bluff Historic District, and St. Christopher's Mission. Several contributing structures are in the Historic District. Getting a structure on the National Register makes an owner eligible for the historic tax credit, which allows owners to claim 20% of construction costs against their tax liability. Westfall added that it is hard to get owners to comply with strict historic building requirements like some big cities have, especially in such a remote town. A building has to be at least 50 years to be on the Register.

Westfall next talked about creating an overlay map of archaeological resources, to the extent appropriate by law, that would be kept and safeguarded by the Planning & Zoning Commission. This would allow the Commission to work with property owners on how to best manage archaeological sites on their property. This would have to be approved by the Antiquities Section of the Utah Division of State History. Westfall suggested the Commission look at the challenging topic of buried human remains, which are protected under three provisions of the Utah code.

Cantrell presented on animal ordinances. She suggested the Commission look at simpler solutions than the multi-page ordinances of other towns. Cantrell suggested additions to the draft Planning & Zoning Committee ordinances, including chickens and definitions. In the past, Mayor Leppanen suggested not getting into regulating dogs. Defining the nuisance is important if the regulations are kept looser. Eric Cook asked about regulations that would allow for larger herds of landscaping goats for weed management. Haviken suggested adding a solution for protecting animal welfare. The Commission discussed the issue of permitting animals, which would be a source of revenue but becomes an enforcement/capacity issue.

Podmore presented on Short Term Rental (STR) regulatory options. One question to address is whether RVs and mobile homes can be STRs. Podmore suggested regulations that would favor primary residents running STRs in residential areas. The Commission is in favor of tax requirements. There was a question about existing STR businesses being grandfathered in or having to adapt by a deadline. Westfall asked about putting a cap on the number of STRs in areas, for example the Bluff Historic Area which is saturated. Podmore said that some solutions include percentage of dwellings in an area, # of permits, or # of dwellings in an area but cautioned that these solutions require monitoring and enforcement. She suggested the Commission could start with the Bluff Historic District. Burak closed with the idea that this is an important business source in town and we should discuss it more.

8:25 New Business

3. Discussion and Recommendation for application and appellate body (All)

Burak suggests the Commission become the application body and the Council be the appellate body. This will be discussed further.

4. Oath of Office-updated form and signature (Burak)

These must be signed and notarized because of a small text change. Burak will bring them to the Town Work session tomorrow.

5. Joint work session with Town Council-last week of July (Burak)

Town Council would like to host a joint work session for the General Plan on Wednesday, July 3rd at 8:30-10:30 am.

6. Public Hearing and notices to property owners (Burak)

There was a concern about how to notice property owners. The Commission may be called upon for help with a mass mailing.

8:30 Additional Items to be added to Next Week's Agenda - tabled until tomorrow.

8:33 Egge motions to adjourn, Cantrell seconds, all in favor, meeting adjourns.