

Town of Bluff

Planning and Zoning Commission

Minutes for November 7, 2019 at 7:00 pm

at the Bluff Community Center

190 North 3rd East, Bluff, Utah 84512

DRAFT

7:02 Roll Call

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

Advisory Council: Deborah Westfall

Town Council: Luanne Hook

Approval of meeting minutes from 10/24 - Egge motions to approve minutes from Oct. 24, Haviken seconds, Motion passes with 4 yes votes, Cantrell abstains.

Special Meeting 10/28 - Egge motions to approve minutes from Oct. 28th, Cantrell seconds, motion passes unanimously.

Public comment process and expectations - The Commission agreed that there were too many interruptions and debate at the Oct. 24th meeting. There is a discussion at the Town Council level of when public comment is appropriate. Burak says that significant public comment should be on the agenda and submitted to Chair by 5 pm on Tuesday. Burak will get more clarification as to when public comment should happen in a meeting with Town Council members. She reiterated that people must wait to be recognized by the Chair to speak.

Public Citizens to Be Heard - Kyna Mallery would like clarification on any changes to public comment. Mallery asked if public comment was allowed only if related to topics on the agenda. Mallery felt that public meetings on legislation should allow for public comment. She said the Commission should have public hearings before the ordinances are written.

Luanne Hook said there is a distinction between legislative and administrative actions on the agenda that the Council is getting clarification on. The lawyer told the Council that decisions on early feedback, not public clamor. Meetings considering ordinances are considered legislative content. It was suggested that the Commission have a hearing early on regarding short term nightly rentals before the ordinance is written. Burak said the Commission could support the Chair by not engaging with the public so they can be recognized by the Chair.

Podmore confirmed the animal ordinance is on the website. The Commission discussed changing public comment to the end of the meeting but decided it would best respect people's time to leave it at the beginning of the meeting.

Old Business

1. Update from Town Council - Hook attended a good training for public officials that she recommended for the Commission to watch online. Leppanen requested that the

Commission redo their open & public meetings act certification by the end of the year. The first meeting with Sunrise Engineering will happen soon. The interlocal agreement is still in the process of being updated. The Town is working on a business license form for the town. They have an upcoming work session on the 12th. The Table of Contents of the Zoning Ordinance can be fixed by Podmore without a public hearing. Town Council needs the recommendation form with the dark sky ordinance in order for it to be voted on. Burak will send the La Posada sign decision and dark sky ordinance to the Council. Tomorrow, Friday, Nov. 8th the Utah Tourism Council board is meeting at Bluff Dwellings at 10 am. Regarding building permits, Rick Meyers at the County will take everyone's and refers high-volume ones to the state.

2. Update and Approve sign application to include submission date - Podmore suggested that sign and building permit applications be received a set time in advance of meetings so they can be thoroughly approved. Haviken and Podmore will get together on the building permit application draft. The Commission decided that they will be due Friday at 5 pm before meetings and this may change in the future if meeting schedules are changed. Podmore will add this to the form.

New Business

3. Review building permits and site plan applications - There were no current sign or building permit applications. Haviken and Podmore have not yet met to discuss. Haviken determined that there are some conflicts between the Town's ordinance and the draft building permit application. A big component will be looking at the documentation that is required. According to Bev Smith, it is missing a cover letter. Bev Smith revamped the County's building permit application to fit Bluff. Burak will find a digital version to share.

Egge had several suggestions on the draft building permit application. On page 1 Egge had a question as to what documents are required for review. Her second question was should the Commission have a document attached to it stating its approval status; Haviken and Hook confirmed there will be a stamp. Egge had a question about page 2 on trusses. Egge suggested a font formatting change on the overall layout. Egge asked if there was a space on the document to indicate it was signed off by the Commission.

Haviken commented on the building permit issued to Desert Rose on September 5th. The Town Attorney is sending Desert Rose a letter saying they must comply with the town's ordinances.

4. Animal Ordinance review and discussion- Cantrell reminded the Commission that the ordinance does not purport to regulate small household animals except for animal welfare and nuisance. Cantrell said this is a capacity and enforcement issue. The Commission discussed whether or not to include dangerous dogs in the ordinance since they are regulated by the county. The title was changed to include domestic animals with the understanding that it would regulate only dangerous dogs, nuisance, and animal welfare. Next the Commission addressed the number of farm animals of the large and medium size in certain zones. Hook suggested these numbers would be

limiting for cowboys that come into town and want to temporarily corral their horses. The Commission decided to remove maximum numbers for commercial zones and only apply them in residential zones. The draft animal ordinance is ready for a public hearing. Haviken stated for the record that he supported requiring animal permits.

5. Off Street Parking Ordinance review and discussion - Haviken will work on a draft that includes a 5' pedestrian walkway. He suggested this can be applied where the business is using the right of way but he was unsure if this was possible on private property. He will look at past draft language on parking.
6. Air Rights and Drones review and discussion - Tabled
7. Set priority list for future ordinances, create assignments - The water tap ordinance has been delayed until 2020. Cantrell suggested the Commission focus on the short term nightly rentals. Westfall requested a complete list of short term nightly rentals in Bluff; Cantrell said the County is looking into it. Podmore can ask Natalie Randall. Westfall also asked if bed and breakfasts required approval from the health department.
8. Set schedule for discussing and completing Short Term Rental ordinance - Podmore said there would not be an opportunity to have a public hearing in November. In the meantime, Burak suggests reaching out to short term nightly rental operators in town to invite them to meetings in November. November 21st is the night when the Commission will focus on short term nightly rentals input. The Commission proposed a hearing on multiple ordinances on December 12th.
9. Additional Items to be added to the next meeting's agenda - Nov. 14th will focus on the building permit application revision and approval, Ed Dobson weed ordinance, and off-street parking.

8:30 **Adjourn** - Podmore motions to adjourn the meeting, Egge seconds, meeting adjourned at 8:47 pm.