

Town of Bluff

Planning and Zoning Commission

MINUTES for December 5, 2019 at 7:00 pm

at the Bluff Community Center

190 North 3rd East, Bluff, Utah 84512

APPROVED

7:03 Roll Call

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

Advisory Council: Wendy Smith

Town Council: Jim Sayers, Ann Leppanen

Approval of meeting minutes from 11/21- Haviken motions to approve minutes from 11/21, Egge seconds, minutes unanimously approved.

Public Citizens to Be Heard- Ann Leppanen told the Commission great job.

Old Business

1. Update from Town Council - Leppanen is putting an item on the next Town Council agenda to formalize how documents are moved between the Commission to Town Council and how to keep Chris McAnany in the loop. Burak reminded the Commission to complete their certification before the end of the year. Sayers invited the Commission to attend two upcoming League of Cities and Towns meetings. Sayers recommends the January 4th date, which will be broadcast in Blanding, and asked that Commissioners and Advisors confirm as soon as possible with him via email. The Outdoor Lighting Ordinance was pushed to next Tuesday and will be preceded by a work session on Monday. Egge asked about when and how the Commission and Town Council begin talking about enforcement. Leppanen said enforcement should be a part of each ordinance and suggested running enforcement questions by Chris McAnany and reviewing the League of Cities and Towns information. Burak clarified that the Commission wants

more clarity on who can bring about the enforcement, like an officer. Egge requested the topic be addressed as a future meeting item.

2. Review and approve building permit application- The Commission decided to number permits “Year - ### - letter indicating commercial or residential.” Burak will work on a standard operating procedure for numbering permits. Haviken believes it was a mistake to not require site plans for residential builds because of the importance of seeing a site plan with where the building and ADUs are located. Burak will draft an email to Town Council and Chris McAnany to get more clarification on the matter. Smith agrees that site plans should be required for single-family dwellings. The Commission updated the document to require a drawing of building location that applies to all building if they do not require a site plan, per the Zoning Ordinance. There was confusion in semantics because the zoning ordinance uses the term “site plan” more broadly than is typical; the Commission will revisit this language in the zoning ordinance at a future date. Podmore motions to approve the building permit application and send it and the checklist to the town lawyer. Haviken seconds. Motion passes unanimously.

New Business

3. Review building permits and site plan applications - None received.
4. Review and discuss draft for Short Term Rental ordinance - Podmore drafted a structure for the ordinance. The purpose and intent capture the concerns the Commission has discussed. The Commission agreed on a definition of “short term rental.” The Commission agreed to revisit the question of tents. The Commission will address RVs separately. The Commission felt that ADUs could include a yurt or a tiny home if they have a waste system. The Commission discussed limiting the overall number of

short-term rentals in town and the number of short term rentals per acre. Cantrell will talk to Sosa for a better idea of how many short term rentals are currently operating in town. According to the USU study, there are 126 residences. Burak is wary of restrictions per neighborhood. The Commission created standards for a code of conduct and reviewed definitions.

5. Discussion of Barry Simpson's request and nonconforming uses - Barry Simpson provided a document with responses to questions sent by the Commission. Simpson said he would like an answer soon and he believed it is a good opportunity for Bluff, especially the future agricultural aspects of it. Cantrell does not see this as a change of use. Simpson clarified that it is currently being used to store, manufacture, and distribute sculpture and jewelry. There is a bathroom in the building and a septic system and HVAC. Simpson said the product is small and it is the same UPS truck that services the rest of town. Podmore does not see it as an expansion of the current use and suggested that any future expansion to a retail space or use of large shipping trucks would not be compliant and could be restricted through the new business license process established through the town. Egge agreed that the proposed use does not seem different than the current use as explained on the document provided by Simpson. Haviken does not agree that Primera's proposal is a continuation of the existing nonconforming use. Smith's concerns about HVAC and the legality of hemp were answered and she felt it will be a positive for the town. Egge reiterated that it is not the responsibility of the Commission to determine the question of legality. Burak clarified that the Commission is not approving CBD but determining whether or not the use is allowed. Podmore motioned that the Commission consider the change in business not a change in the existing nonconforming use and not require anything additional from Mr. and Mrs. Simpson at this time. Cantrell seconded.

Podmore, Egge, Cantrell, and Burak vote in favor, Haviken opposes. Haviken opposes because the Simpsons initially stated the structure was used to store restaurant equipment and Jamie occasionally made jewelry in it. That was the use when the town ordinance was enacted. Motion passes 4-1.

6. Off-Street Parking Ordinance review and discussion - tabled.
7. Review and discuss adding regulation of feral and roaming cats to Animal Ordinance Draft - tabled.
8. Additional Items to be added to the next meeting's agenda.

Adjourn - Podmore motions to adjourn meeting at 9:04 pm, Cantrell seconds, motion passes unanimously.