

# Town of Bluff

Planning and Zoning Commission

**Minutes for Wednesday, January 15 at 6:30 pm**

at the Bluff Community Center

190 North 3<sup>rd</sup> East, Bluff, Utah 84512

APPROVED

## **6:36 Roll Call**

Roll Call: Sarah Burak, Robin Cantrell, Malysa Egge, Amanda Podmore, Michael Haviken (phone). Wendy Smith (advisor), Deborah Westfall (advisor); Luanne Hook (Town Council).

Approval of meeting minutes from 12/19 - Podmore asked for clarification on the Hadenfeldt decision and an update on the document for tracking decisions that go to the Town Council. Egge motions to approve minutes, Cantrell seconds, Votes: Egge yes, Cantrell yes, Burak yes, Haviken yes, Podmore abstains. Motion passes.

Public Citizens to Be Heard - Curtis Yanito (business owner in Bluff) is looking to upgrade his business. He is interested in building a restaurant and hotel on his parcel, which is a little over an acre. He had questions about the zone, building code, and permit process. The Commission confirmed his parcel is zoned C-3, and it allows hotels and restaurants. The Commission told Mr. Yanito that the permit process was not yet finalized, but he will need to go to the Commission first for approval and then the County will approve the permit. The Commission told Yanito there was no plan for a sewage system in the town. The Commission directed Yanito to the Bluff website for ordinances and the County website for their building permit.

Denny Bellson would like to know if he can have a drive-up window business, like a burrito place. Brant Murray had indicated a concern about drive-up windows in the past but there is currently no ordinance prohibiting a drive-up window. It would need to be in an appropriate zone. His property is zoned residential. Burak said he could request a zone change that would be decided by the Town Council.

## **Old Business**

1. Update from Town Council - Podmore reported that the Town is looking for clarification on alleys and who owns and manages the cemetery district, Podmore gave an update on proposed oil and gas drilling on BLM lands 5 miles north of Bluff, the Council is considering the question of allowing alcohol at Community Center, the Council is interested in sending Commissioners to the APAUT conference in Moab in February. Egge, Haviken, Podmore, Cantrell and Smith are interested and will let Podmore know by Friday.
2. Update on building permit application/land use clearance and vote to approve land clearance - Podmore rewrote the building permit to be a draft land-use clearance application but has not received feedback from Chris. There is a version in the Google Drive. Haviken reiterated his

concern that not one person has the authority to sign off on a land use clearance, which is how the Inter-Local Agreement is currently written. Podmore and Burak said that the process will be sure to clarify the steps and that the land use clearance must be reviewed by the whole Commission. Podmore also said that Chris McAnany responded to Haviken's concern about the site plan requirement and McAnany said that Haviken makes a good point that there is a detailed process for site plan but a "site plan lite" is lacking, which the Land Use Clearance will employ. The Commission will schedule a special meeting to finalize and approve the Land Use Clearance. The Commission will clarify with Scott Burton if they need to update the County's forms for the Town of Bluff.

3. Review and discuss draft for Short Term Rental ordinance - The Commission reviewed the latest draft. The Commission decided not to require a fire department inspection but require other checks. The Commission discussed a limit to short term rentals and will come up with a percentage based on the number of houses. The USU study said Bluff had 164 houses in 2019 and at the time of their study, 4% were airbnbs. A limit of 20 houses would be about 12%, or a 50% increase on current numbers. The Commission will research what other towns have decided for percentage caps for comparison. Eileen Fjerstad may have suggestions. Bellson asked about ADA compliant smoke detectors. For homework, the Commission is asked to review the draft for a vote at the next meeting.
4. Review and discuss draft for Off-Street Parking ordinance - Podmore motions to move items 4 and 5 to the end of the agenda. Burak seconds. The Commission will look to vote on the parking and animal ordinances at the next meeting then send it to the attorney and host a public hearing.
5. Review and discuss draft for Animal ordinance - Tabled.

Bellson is worried about the lagoons near Recapture Wash where oil and gas related products are being dumped and about oil going into the groundwater. The operator, Montezuma Walls, told Bellson it was a 10-year lease. Burak said this concern could be addressed to the Town Council, though it is outside of town boundaries.

### **New Business**

6. Review building permits and site plan applications - Nothing for review.
7. Vote for Chair and Vice Chair for 2020 term - Haviken motions to nominate Burak as Chair, Egge seconds. Egge yes, Cantrell yes, Burak yes, Haviken yes, Podmore yes. Motion passes unanimously. Egge motions to nominate Podmore as Vice Chair, Cantrell seconds, Egge yes, Cantrell yes, Burak yes, Haviken yes, Podmore yes. Motion passes unanimously.
8. Create roster for commission member information and terms - Egge created a document. Haviken and Cantrell are on a 14-month term and Burak, Podmore, and Egge are on a 3 year and 2-month term. For homework, all Commissioners should add their contact information.

9. Schedule joint meeting with Town Council - The Commission will try for Feb. 5, 6, or 12th. Burak will email the Town Council.

10. Review and vote on updated P&Z bylaws - The Bylaws require 7 days of review before the bylaws can be voted on. These changes are based on a joint meeting from fall 2019. The proposed changes include temporary approved leave, allowing the Commission to recommend Advisory Council members, clarifying how a conflict of interest is disclosed and voting when there is a conflict of interest, and clarification on term limits. Cantrell brought up a good question about approved absence. For homework, the Commission will review.

11. Other - Hook recommended sending the draft ordinances to the attorney after public hearing.

12. Additional Items to be added to the next meeting's agenda - Burak drafted an agenda.

**8:34** Podmore motions to adjourn meeting, Egge seconds, Egge yes, Cantrell yes, Burak yes, Haviken yes, Podmore yes. Motion passes unanimously.