

Town of Bluff
Planning and Zoning Commission Work Session
Minutes for Wednesday, Oct. 14, 2020 5:00 pm

VIRTUAL - Bluff Community Center
190th 3rd East, Bluff, Utah 84512
APPROVED

5:01 Roll Call: Commission Members: Amanda Podmore (Acting Chair), Michael Haviken, Maylssa Egge, Robin Cantrell, Sarah Burak; Town Council: Luanne Hook; Advisory Council: Deborah Westfall

Public Citizens to Be Heard:

Michael Haviken provided public comment and feedback regarding the Noise Ordinance as it is currently written. A resident of East Bluff, Haviken stated he disagreed with the ordinance providing 14 hours (summer) and 12 hours (winter) of noise allowance for construction workers, whereas citizens and neighbors only get 10 hours. Haviken conveyed he felt that there should be at least one day per week designated for no construction noise, and also asked that construction noise cease by 6pm, all days of the week.

Maylssa Egge: She shared that she had heard during a budget discussion via the Town Council, that town funds are often tied to a single sector: tourism. She asked for The Commission to consider how they can assist in diversifying the income sectors. She suggested The Commission and Town look at the possible formation of a separate committee to review economics and work culture, or review how the Town and Planning and Zoning Commission can incentivize small businesses and new businesses to consider Bluff as a successful business location.

Michael Haviken, in agreement with Egge, noted with the addition of fiber optic cable, businesses could be enticed to come to town. He also mentioned how Main Street will encourage people to get out of their cars and shop.

Deborah Westfall via Chat: "One way P&Z could help would be to continue to encourage long-term rentals for people coming into Bluff with the idea of setting up a small business that is not tied to tourism?"

Sarah Burak noted that the Town Council wanted to set up a joint session between Town Council and Planning and Zoning to discuss RVs.

Old Business

1. Review draft noise ordinance

Egge began the discussion asking if The Commission needed to review and revise the process in which they review ordinances. Podmore added that it could be beneficial to perform a full read through prior to the vote. Egge also mentioned possibly having a completely fresh set of eyes review the ordinances separately to provide feedback regarding clarity. Discussion was held around an advisory board member performing this duty. While a solution was not reached, the commission members agreed that additional advisors were needed, as Debbie Westfall was shouldering all of the work.

Burak brought up the concern of enforcement of ordinances. The Commission discussed where the responsibility of enforcement lay, whether it be with the Town Council or to another entity (contracted with the Town of Blanding for example). Haviken and Burak noted during a discussion with the Town, the Mayor indicated ultimately, enforcement would rest on Town Council. However, The Commission agreed that enforcement, or at least examples and lines of enforcement, be written into the ordinances.

Deep discussion was had regarding how the Noise Ordinance should be objectively measured. It was noted that the general public would have a difficult time identifying specific decibel levels. Podmore added that there are apps that can measure decibels. The Commission discussed who would be responsible for enforcement and measurements and suggested a Town Council Member or Planning and Zoning Commission Member could be dispatched to the site of an infraction to measure decibels.

Discussion was also held around where the measurements would take place from: property line, on the site of the noise, etc. Podmore also noted in regard to legality, and standardization, decibels should be used as the official measurement. Other communities specifically utilize decibels, as well.

In order to make decibel measurements more accessible to the general public, Egge will research an example conversion chart of decibels to common sounds.

Barking dogs were also discussed, with The Commission stating that barking dogs specifically would be addressed as a decibel concern (Noise Ordinance), whereas aggressive and dangerous animals will be addressed in the Animal Ordinance.

Advisor Comment from Deborah Westfall in Google Hangout Chat:

"I like the idea of separating noise created by machines (decibels) from noise created by animals (barking dogs)."

Town Council Comment from Luanne Hook in Google Hangout Chat:

"My understanding is that if it's on our ordinances, the sheriff's office can respond. We have an interlocal agreement with them."

Egge asked for the document to better define "nuisance", as it seemed to blend with "disturbance" later in the document.

Haviken will research the wording used in the General Plan regarding “quality of life” to ensure sameness across the documents, and to convey a positive attitude in the Noise Ordinance

Advisor Comment from Deborah Westfall in Google Hangout Chat:

“I like Michael's suggestion about including a sentence from the General Plan, as a form of "enabling language," as one way of supporting enforcement.”

Podmore asked that the Noise Ordinance be broken into two separate ordinances: Noise Ordinance and Idling Vehicle Ordinance. Egge will separate the two, and The Commission agreed that certain sections are applicable to both ordinances, and would need to be included in both. The Idling Vehicles Ordinance will focus on noise and air quality issues, and focus on large semi-trucks. Jake breaks will stay in the Noise Ordinance.

The construction section was edited to make the wording more concise and readable.

Thorough discussion was held by The Commission regarding construction and construction noise. Haviken expressed concerns with the length of time designated for construction noise, and stated that excessive hours were incongruent with Bluff's small-town values. Egge and Cantrell noted that temperature must be a consideration during the summer months. The commission members had differing views on whether they had been impacted by construction noise. Ultimately, The Commission agreed in regard to the Noise Ordinance, only construction noise should be monitored and enforced. Therefore, negligible noise activities could be performed outside of the Noise Ordinance hours.

While there was discussion about removing “construction” and focusing solely on noise nuisances, Podmore noted that The Town has been receiving specific complaints regarding construction. The Commission also wanted to acknowledge that contractors can be difficult to obtain in Bluff, but that it is common practice to limit construction noise in other towns.

Town Council Comment from Luanne Hook, in Google Hangout Chat:
6pm shut-off would maybe be a good compromise.

Egge proposed that the ordinance remove the winter and summer hours and dates, and instead say something such as 7am-7pm or “Daylight Hours.” She also noted that it is beneficial to provide as much time as possible for construction workers, and in reality, construction rarely just shuts down at a certain time.

Podmore proposed Construction Noise be limited to 8am to 6pm on weekends, and 7am to 7pm during the week, year-round. The Commission closed this discussion, but noted this will be a topic that could come up again in the future, and during public comment.

The section regarding construction complying with other town ordinances was removed from the document.

Podmore thanked The Commission for the good discussion and problem solving. The Commission agreed to table the discussion on the Animal Ordinance for a future meeting.

~~2. Review draft animal ordinance Tabled~~

New Business

3. Other

The Commission discussed the public comment from Malysa Egge's regarding fostering a good environment for (new) business owners in Bluff. They agreed that it would be beneficial to diversify for the sake of the town. Egge shared that other communities have performed surveys to ask what types of businesses the citizens would like to see. She also noted that other potential diversification could come from decentralizing county, state, and regional offices, promoting Bluff for telecommuting for larger organizations.

Egge noted that the Planning and Zoning Commission is more focused on land use, and this issue would be tied to Planning and Zoning, but would need to involve others. The Commission agreed to pose the idea during a joint Town Council/Planning and Zoning meeting, and added it to the agenda. They also noted that if a new committee was formed, it would be beneficial to have a Planning and Zoning Committee Member on the new committee.

The joint meeting will also need to have discussion regarding RVs. The Commission will propose the date of November 18th at 5:30 PM for a joint meeting, as it backs up to a regularly scheduled P&Z meeting. Podmore will bring this to the Town Council.

Next week's agenda (October 21) will include revisiting the Animal Ordinance, Idling Ordinance, and Noise Ordinance.

The Commission agreed that Public Hearing Dates should not yet be discussed, as the ordinances are still being revised.

Haviken made the motion to adjourn the meeting. Cantrell seconded. Burak aye, Haviken aye, Cantrell aye, Egge aye, Podmore aye, none opposed. Meeting adjourned at 6:03 PM.