

City of Green River

460 East Main Street, Green River, Utah
Planning Commission Minutes
Regular Meeting
Tuesday, November 23, 2021

ATTENDING: Kim McFarlane joined electronically, Royd Hatt, Stephanie Crabtree and Kent Johnson; Council Member; Employees, Conae Black, from the Association of Governments Michael Bryant, Citizens, Christine Monroe, Joni Pace
ABSENT: Don Meadows

CONDUCTING: Chair, Royd Hatt, the meeting began at 7:01 p.m.

ORDER OF BUSINESS:

1. Discuss/approve/deny Conditional Use Permit from Christine Monroe. Christine Monroe said she would like to buy the Mason and Eastern Star building which is located at 55 North Broadway. It is 1,500 square feet. It has a full kitchen, bath and an open area. Her intent is to convert it to a two bedroom and 1 ½ bath single-family dwelling. She would like to live there permanently. The Planning Commission went through the Conditional Use General Review Criteria, 10-13-4 A – M. This building is located within the C-1 zone. On the north side is a structure that has been approved for a Conditional Use Permit by the City Planning Commission for housing and on the south side is a vacant commercial building that has historically been used as a bank. After review of the General Criteria the Planning Commission determined that no conditions needed to be set. **MOTION:** Kent Johnson made a motion to approve Christine Monroe's request to convert the building located at 55 North Broadway as a single-family dwelling. She has demonstrated that all of the concerns have been met through the General Review Criteria found in 10-13-4 A – M and no conditions were set. Royd Hatt seconded the motion. **VOTE:** Royd Hatt, Kent Johnson, Kim McFarlane and Stephanie Crabtree voted aye. The motion carried.

2. Discuss/approve/deny Conditional Use Permit from Patrick Dansky. Patrick Dansky, who is located at 560 South Green River Blvd, is requesting that his property be used as a short term rental vacation home. Conae Black pointed out that his application is incomplete. **MOTION:** Kent Johnson made a motion to table this until a more complete application with more detail is submitted and he can be present to answer questions. Kim McFarlane seconded the motion. **VOTE:** Royd Hatt, Kent Johnson, Kim McFarlane and Stephanie Crabtree voted aye. The motion carried.

3. Review Civil Plans and Landscaping Plans for Maverik gas station. A set of plans was provided to the Planning Commission. Conae Black said she was really impressed with the design of the ingress and egress. They are also adding a turning lane in Main Street. Parking is also well thought out. Everything seemed to be in order and well designed.

4. Review last month's discussion. Conae Black said some of the discussion was adding a section in the Conditional Uses ordinance that just addresses short term rental vacation homes. Another point of discussion was to review the commercial ordinance and mark it up to decide where changes should be made. Michael Bryant said many municipalities like to put commercial uses in as conditional to have more control. Conditional uses to not prohibit the use but it does help mitigate the detrimental effects. If a conditional use is listed in a zone, then you have to allow if they can meet those reasonable conditions. You really wouldn't need to read the whole chapter but you should look at the use matrix and decide what should be permitted or conditionally permitted. He said that we also talked about the role of the Planning Commission and roles of the Board of Adjustment. He shared a powers and duties matrix that could be very useful and adopted into the ordinance. He would advise to get rid of the Board of Adjustment and

either have an Appeal Authority or a Hearing Officer that could hear appeals and/or variances. Kent Johnson and Kim McFarlane said because appeals or variances are infrequent they talked about having the city attorney. Conae Black said she would contact the city attorney and discuss this with him. She said there have been very few variances and never in the 20 plus years she has been employed by the city has there been an appeal. She was concerned about the cost of an attorney addressing a variance because they can take several hours of their time. Kent Johnson asked if the zoning administrator could address a variance. Michael Bryant said no, because the zoning administrator approves or denies a zoning request. Kent Johnson asked who else within the frame that is established would be authorized to hear a variance? Could a Council Member be designated to do that? Michael Bryant said it depends on who's powers and duties are what. From what he understands Conae Black is the zoning administrator so guesses that the zoning administrator could be the variance officer because Conae Black does not make any other land use decisions that would affect the property owner. Perhaps if Conae Black had some influence on a decision other than advisory or staff, then maybe it could go to a different individual or a different body. What he is saying you can have more than one variance committee or variance officer. Kim McFarlane asked if the Code Enforcement Officer could act as a variance officer also. Michael Bryant said it can anyone whom the city designates that role to. Michael Bryant said they need to be at least knowledgeable enough on the ordinances that they could make an informed decision based upon those same five criteria for a variance. It is up to how that is written into the code. Conae Black said another point of discussion was setbacks for corner lots. She said it may be a good idea to take a field trip and look at some of the developed corner lots. A lot of times the setbacks are determined by the width of the road and the speed limit on the road. There was more discussion on the size of the setback. It was felt that the R-3 zone could have smaller setbacks. Michael Bryant said maybe it could read that the setback could be reduced to such-and-such minimum provided it doesn't impede with the sight triangle. That way it could be handled on a case by case basis. It could be written into the individual zoning codes such as the sight triangle is this, the setback is this, but the setback may be reduced if it is not impeding with the sight triangle on that given location. The Planning Commission liked that idea. Kent Johnson said they could even narrow that down to a minimum sight triangle based upon each speed limit. Conae Black said we could include drawings into the ordinance. The final point of discussion was updating the General Plan. Michael Bryant recommended that the Planning Commission complete all of these assignments and tasks before we start on that.

5. Adjourn. The meeting adjourned at 7:52 p.m.

Royd Hatt, Chair

Conae Black, City Recorder

Approved: January 18, 2022