

Town of Bluff
Planning and Zoning Commission Special Meeting
Wednesday, March 24, 2022 - 6:00 pm
VIRTUAL - Bluff Community Center
190 North 3rd East, Bluff, Utah 84512

APPROVED

6:04pm Roll Call: Sarah Burak (Chair), Amanda Podmore, Marcia Hadenfeldt, Malysa Egge, Ed Dobson

Town Council Representative: Luanne Hook

Old Business

1. **Update on questions to legal counsel:** Podmore had not heard back from Chris Mcanany regarding the procedures to making changes to the Zoning Ordinance without another public hearing. Leppanen had cautioned Podmore that an additional public hearing may be cost prohibitive with mailers.

New Business

1. **Edits on Zoning Ordinance:**

Suggested changes to the ordinance that did not go through public hearing will be notated in a different color.

The commissioners discussed section 6.01.130 regarding density restrictions in the residential district and considered the comments received from the public hearing. Podmore noted septic requirements already provide a certain limitation regarding the number of dwellings on a specific area of land. Egge stated that a separate entity (the county) is the approving body for septic and wanted to ensure Planning and Zoning was comfortable with a separate entity enforcing the septic requirements, by which they would be overseeing the density issue. Burak recognized the comments regarding housing needs in the area and not wanting to overly limit building on lots. She also stated it would be important for land developers to ensure access if a lot was to be subdivided in the future. The commissioners agreed to remove the suggestions regarding density limits.

The commission reviewed the setback regulations in commercial zones. There was discussion regarding the potential for walking paths or trails and how a lesser setback may impact the walking trail plans. It was ultimately decided that the suggestion to reduce setbacks from 50' to 30' in commercial zones would be sent to the Town Council.

Next, the commissioners discussed when building permits are required, which triggers the need for a Land Use Clearance from P&Z (page 9 of the document). The commissioners decided to refer to San Juan County's requirements, which include remodels. The debate was whether changes to electrical or decorative remodeling should require a Land Use Clearance. Building permits through San Juan County are required for all new construction, before moving a trailer or prebuilt home onto a lot and for any additions or remodeling. The commissioners agreed to change the proposed language in the Zoning Ordinance to include a building permit is required for

“construction subject to inspections, as regulated by San Juan County”. The commissioners also added a definition for remodel.

Under section 6.01.090 Commercial C-1 District, the commissioners discussed whether they would be able to change “single-family dwellings” to “residential dwellings”. It was noted in other Zoning Codes for other towns, residential dwellings are not usually allowed in commercial districts, however, Bluff does not have the same issues and many of the residential districts are very close to commercial districts anyway.

“Residential Dwelling” was a newly added definition to the Zoning Ordinance which was reviewed during the public hearing. A “residential dwelling means a non-motorized physical structure for housing people constructed on site or delivered and installed on a permanent foundation and connected to approved utilities.” The commissioners were unsure whether changing “single-family dwelling” to “residential dwelling” in this section would need to be reviewed under a separate public hearing, since the definition had gone to public hearing. It was decided that the change would still be proposed to Town Council. The change was noted in a different color to distinguish that this particular suggestion had not been brought up in the public hearing.

Finally, the commissioners discussed the appropriate zones for kennels, and whether it would be appropriate to remove kennels from C-3, as had been suggested in the public comments. The commissioners agreed to leave the suggestion of having kennels in A-2 (which would allow kennels in A-2 and A-3), as well as suggest kennels be allowed in factory zones, even though factory zones are not currently in use.

Dobson noted Underdog would like to purchase Leah’s place (the lot across the street from Recapture Lodge), which is C-3 and stated they would insulate for sound. Hadenfeldt stated she did not feel comfortable addressing specific real estate transactions. The commissioners noted the area was C-3 currently, however Hoyt’s lot (which previously BARC had used as a kennel location) was C-2.

The commissioners confirmed removing kennels from C-3 would likely require an additional public hearing, as the change would be more restrictive.

Ultimately it was decided to suggest kennels be added to A-2 and factory zones. The commission will write to Town Council and suggest that in addition to the proposed changes, Town Council implement a kennel ordinance, license, and or permit which would require additional regulations for kennels in C-3 zones to address the concerns brought forth in the public hearing (specifically regarding noise).

Podmore made the motion to send a recommendation to Town Council to address animal kennels as a separate ordinance or license. Hadenfeldt seconded the motion. Burak – Aye, Podmore – Aye, Egge – Aye, Hadenfeldt – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously.

2. **Vote on Amendments:** Hadenfeldt asked Hook if Town Council was ready to receive the Zoning Ordinance recommendations? Hook confirmed Town Council had already placed the discussion on a work session and moved it back due to the recommendations not being ready.

Hadenfeldt made the motion to present Town Council with the recommendation for updating the Zoning Ordinance, as completed on March 24, 2022. Podmore seconded the motion. Burak – Aye, Podmore – Aye, Egge – Aye, Hadenfeldt – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously.

Podmore will send the form, the recommended changes to Zoning Ordinance, as well as the public comments and the two motions from this meeting to Town Council.

3. **Other:** The meeting agenda for the April 6, 2022 regular meeting was already addressed and will include the 2022 Goals. Egge confirmed prior meeting minutes were finalized and posted.

Dobson made the motion to adjourn the meeting. Hadenfeldt seconded the motion. Burak – Aye, Podmore – Aye, Egge – Aye, Hadenfeldt – Aye, Dobson – Aye. All in favor, none opposed. The motion passed unanimously. Meeting adjourned at 6:58pm.