

Town of Bluff
Planning and Zoning Commission Regular Meeting/Public Hearing
Wednesday, March 16, 2022 - 6:00 pm
VIRTUAL - Bluff Community Center
190 North 3rd East, Bluff, Utah 84512

APPROVED

6:00 Roll Call: Sarah Burak (Chair), Amanda Podmore, Marcia Hadenfeldt, Ed Dobson
(Malyssa Egge was excused from this meeting)
Town Council Representatives: Luanne Hook

Approval of minutes from 3/2/2022 regular meeting: Podmore made the motion to approve the regular meeting minutes from the March 2 meeting and Hadenfeldt seconded the motion.

Podmore stepped in as acting chair at 6:05pm

Dobson – Aye, Burak – Aye, Hadenfeldt – Aye, Podmore – Aye. Four in favor, none opposed. The motion passed unanimously. Hadenfeldt will place the meeting minutes in the approved folder.

Public Citizens to Be Heard: None at this time.

Old Business

- 1. Update from Town Council:** Hook shared updates regarding the Town Manager and P&Z Note Taker job postings and the Dark Skies Ordinance. Town Council will be reviewing the Animal and Dark Skies Ordinances during the upcoming work session. Ed Dobson was appointed to the San Juan County Planning and Zoning Commission, the YouTube channel for the town will be active by the April meetings, and the CDBG Grant for \$128K was awarded for the community center renovations including ADA accessible bathrooms, a permanent food pantry, and more. Light readings are being taken around town. A new resolution regarding alleys was drafted by the town lawyer and accepted by the Town Council and is now posted on the town website.

Hook clarified information regarding the Dark Skies Ordinance and the Dark Sky Community Designation. P&Z will not be responsible for any changes at this time, as the town is working with a consultant and there is a newly created committee. The first meeting of the new committee will take place on March 24th, and the committee will be working on compliance and enforcement. An ordinance must be in place for the town to receive the designation, and the town must prove they are actively measuring light readings and enforcing the ordinance in order to achieve the designation. The stay of enforcement for the ordinance is in place until June; however, new buildings must meet all requirements set forth in the ordinance.

Burak resumed Chair at 6:16pm

New Business

- 1. Land Use Clearances (Simpson):** Steve Simpson spoke on behalf of Friends of Cedar Mesa (FCM), as board member. Simpson/FCM had submitted a Land Use Clearance (LUC) for property currently owned by Nancy Sumner. FCM is interested in buying the property to renovate the interior of the current building on the lot into a duplex to house FCM employees. FCM has surveyed the property to minimize boundary/setback issues, and Powell has inspected the septic tank. Powell advised the septic is probably functional, approximately 1500 gallons, and the leach field is likely 4 lines, which Simpson included an estimated location in the map submitted. At this time, the Sumner did not want the septic tank to be excavated.

Podmore noted that procedurally, the P&Z Commission is not authorized to approve LUCs to any entity that is not the current landowner. In addition, she noted that it would be best to have a letter from the FCM board president authorizing Simpson to submit the forms on FCM's behalf. Finally, there is an issue regarding the Zoning Ordinance as it stands currently, which states that single family dwellings are allowed in commercial zones, but does not specify that other residential structures, including duplexes,

are allowed in the zone. Podmore stated that while it would be a disservice to the community to not allow a duplex like this in a commercial zone, the P&Z Commission is unable to approve a non-complying use.

Hadenfeldt agreed with Podmore's assessment and noted that while the change to the ordinance may be recommended to Town Council, P&Z is not able to say whether duplexes in C3 will be formally approved by the Town.

Simpson asked if the commission would be able to approve the application conditional upon receiving a letter from the board president, signatures from the current landowner, and San Juan County's information regarding the septic (the county sanitarian was not available prior to this time). Simpson noted that FCM is approaching the deadline to close on the property, and they are in the final stages of due diligence. The deadline will take place prior to the next P&Z meeting. Simpson also expressed that he foresees this situation coming up in the future; where a potential purchaser is seeking approval of a LUC prior to purchase to ensure the intended use will be approved.

Podmore had reached out to the town lawyer regarding the zoning code issue regarding residential types in C3 and had not yet heard back. Burak and the commissioners were able to confirm that because the LUC was for an intended remodel, that septic approval would not be needed by the P&Z Commission.

Hadenfeldt stated that the proposed edits to the Zoning Ordinance would not be for FCM, but it was brought to the attention of the commission because of the entity. All updates or changes are not for one entity, but to address the issue for all.

Dobson asked if it would be possible for FCM to submit a LUC for a single-family home, and then later submit a new LUC for the duplex. Simpson stated that because the due diligence deadline is approaching, FCM is most interested in understanding if a duplex will be allowed on the property. The commissioners discussed and agreed that the Zoning Ordinance would need to be updated in order to approve the request.

Hadenfeldt made the motion to deny the LUC from FCM based on non-compliance with the current Zoning Code. Dobson seconded the motion. Discussion with Simpson concluded with the commissioners asking Simpson to provide additional documentation including a letter from the board president and signatures from the current landowner. The P&Z commission will continue to work on the Zoning Ordinance in order to address the issues discussed. Burak – Aye, Podmore – Aye, Hadenfeldt – Aye, Dobson – Aye. Four in favor, none opposed. The Land Use Clearance submitted by Simpson on behalf of Friends of Cedar Mesa was denied.

Burak will contact Simpson via email with any updates or changes to keep him informed.

2. **Joe Hubbard-Tiny Homes at the mission LUC:** Reverend Joe Hubbard spoke on behalf of St. Christopher's Mission. Hubbard submitted an LUC for seven small houses. Hubbard has obtained the Property Tax Exemption and legal description; however, they were not included with the original application (the property was deeded in 1965 and much of the information has needed to be researched).

Hubbard answered questions and provided an overview of the project. The Mission would like to build seven tiny homes south of the old clinic to provide short-term housing to workers, as well as provide housing for unsheltered mothers and children. The buildings would each be 12 feet by 14 feet, have lofts, small kitchens and bathrooms and be able to accommodate up to two adults and two children or one adult and three children. The Mission's intention is to provide a community kitchen and bath area in the clinic once its renovated. The tiny home kits come from Texas and Hubbard provided example photos in the application, as well as proposed sites on the map.

The commissioners asked about the septic situation. Hubbard stated the plan is to tie into the existing septic system that services the clinic. They are in the process of getting the formal inspection completed by the county. In the case a new septic system is required to support the seven dwellings, Hubbard would submit a new application reflecting the changing plans.

Hubbard noted that there are plans to renovate existing buildings on the property, but those will require additional time and planning, as they are historic buildings, and the Mission is working with several groups to protect the buildings. An additional kitchen area would be relocated to the clinic. The intent is to repurpose the clinic space with an electric stove, and updates to the bathrooms already in place.

Podmore noted the commission could potentially conditionally approve the LUC with the Mission needing to provide the septic approval. Podmore also asked Hubbard to speak to electricity access, setbacks, and exterior lighting.

Hubbard will update the submitted map to include the water and electricity access, and the setbacks. He noted the old fence line south of the potential units is located approximately 50 yards from the road, and the units are another 15 yards to the north of the fence, so setbacks are not an issue. Hubbard confirmed the exterior lighting would meet dark sky compliance. The commissioners noted the photos submitted of the example units have lighting which would meet specifications. In addition, path lighting in the form of small solar lights is allowed.

Podmore made the motion to conditionally approve the Land Use Clearance submitted by Joe Hubbard, subject to receiving an updated map noting setbacks, electric access, water access, and subject to receiving the septic clearances from San Juan County. Hadenfeldt seconded the motion. Burak – Aye, Podmore – Aye, Dobson – Aye, Hadenfeldt – Aye. Four in favor, none opposed. The motion passed unanimously, and the Land Use Clearance was approved.

Burak will be able to a signed copy to Hubbard once the conditions have been met.

Due to time constraints, the commissioners agreed to hold a Special Meeting on Wednesday, March 23, 2022, at either 6 or 6:30pm. The start time and agenda will be posted officially.

3. Review Public Comments: Moved to homework

Burak noted most comments are related to kennels, density, setbacks, and which types of residences are allowed in other zones. Burak asked commissioners to review all comments and come to the Special Meeting ready to address edits.

The commissioners are also seeking guidance from the town lawyer regarding removing kennels from Zone C3, as it was not brought to the public hearing.

4. Edits on Zoning Ordinance – Moved to Special Meeting

5. Vote on Amendments – Moved to Special Meeting

6. Items for next agenda:

Special Meeting 3/26 – 6 or 6:30pm

Edit Zoning Ordinance

Vote on Amendments

April Regular Meeting

2022 Goals

7. Other: Dobson made the motion to adjourn. Hadenfeldt seconded the motion. Burak – Aye, Podmore – Aye, Hadenfeldt – Aye, Dobson – Aye. Four in favor, none opposed. Meeting adjourned at 7:19pm.