

City of Green River

460 East Main Street, Green River, Utah
Planning Commission
Regular Meeting
Tuesday May 17, 2022
7:00 p.m.

ATTENDING: Don Meadows, Royd Hatt, and Stephanie Crabtree; Employees, Julie Spadafora, David Wilson; Citizens, Chris Hinsch, Jerry Sandroni, Steve and Ruth Rapich, Patrick Danskey joined electronically

ABSENT: Kim McFarlane and Kent Johnson

CONDUCTING: Chair Royd Hatt, the meeting began at 7:14 p.m.

ORDER OF BUSINESS:

1. Discuss/approve/deny Conditional Use Permit application from Patrick Danskey. Patrick Danskey requested permission to use his property located at 560 S. Green River Blvd. as a short term rental. Patrick Danskey's plans are to get a business license after the conditional use permit is approved. Stephanie Crabtree read through the General Review Criteria found in 10-13-4 of the City Codes. **MOTION:** Royd Hatt made a motion to approve the Conditional Use Permit application from Patrick Danskey with the following conditions. 1. According to Title 3 of the City of Green River Codes, a Business License is required and shall be obtained. Register your business with the State of Utah for sales taxes. List your property as a residential secondary property with the county. Commercial water and sewer rates will be assessed. 2. The owner shall set an occupancy limit for the vacation rental houses and submit that on the business license application. This stipulation is for the renters of the house and not for those times the owners are using the house. 3. No vehicles shall be ridden on or around the property to create loud noise and stir up dust. Stephanie Crabtree seconded the motion. **VOTE:** Royd Hatt, Stephanie Crabtree and Don Meadows all voted aye. The motion carried.

2. Discuss/approve/deny Conditional Use Permit application from Ken Marz. Ken Marz requested permission to use his property located at 45 W. Cottonwood Drive as a short term rental. David Wilson confirmed, the city has received Ken Marz's business License. Stephanie Crabtree read through the General Review Criteria found in 10-13-4 of the City Codes. **MOTION:** Stephanie Crabtree made a motion to approve the conditional Use Permit application from Kent Marz with the following conditions. 1. According to Title 3 of the City of Green River Codes, a Business License is required and shall be obtained. Register your business with the State of Utah for sales taxes. List your property as a residential secondary property with the county. Commercial water and sewer rates will be assessed. 2. The owner shall set an occupancy limit for the vacation rental houses and submit that on the business license application. This stipulation is for the renters of the house and not for those times the owners are using the house. 3. No vehicles shall be ridden on or around the property to create loud noise and stir up dust. Royd Hatt seconded the motion. **VOTE:** Royd Hatt, Stephanie Crabtree, and Don Meadows all voted yes. The motion carries.

3. Discuss/approve/deny Conditional Use Permit application from Dale and Tina Jahn. Dale and Tina Jahn requested to use their property located at 325 East Tidwell Ave. as a short term rental. Stephanie Crabtree read through the General Review Criteria found in 10-13-4 of the City Codes. **MOTION:** Stephanie Crabtree made a motion to approve the Conditional Use Permit application from Dale and Tina Jahn with the following conditions. 1. According to Title 3 of the City of Green River Codes, a Business License is required and shall be obtained. Register your business with the State of Utah for sales taxes. List your property as a residential secondary property with the county. Commercial water and sewer rates will be assessed. 2. The owner shall set an occupancy limit for the vacation rental houses and submit that on the business license

application. This stipulation is for the renters of the house and not for those times the owners are using the house. 3. No vehicles shall be ridden on or around the property to create loud noise and stir up dust. Don Meadows seconded the motion. **VOTE:** Royd Hatt, Stephanie Crabtree and Don Meadows all voted aye. The motion carried.

4. Discuss/approve/deny requests for zoning change for Tim and LuRey Vetere, and Steve Rapich. Steve Rapich spoke to the Planning Commission board members, of the desire he has to change the zoning on the Birchwood Estates Subdivision, which was originally Agricultural land, at that time it was believed there would be a market for single wide trailers. They have long since decided, it was not the proper use for this land. He is asking to change the zoning from R1 to A1. Virgilio Mendez signed the original application to vacate the subdivision and Dennis Bailey still owns the lot east of his house, they are both aware of what is happening. They are also exchanging quick claim deeds with I Camp to clear up the property line discrepancies. Patrick Bailey built his house upon Steve Rapich's property, Steve Rapich has since deeded the land over to Dennis Bailey. The title company is providing quick claim deeds, hoping to clear things up with I Camp, as an exchange. **MOTION:** Royd Hatt made a motion to approve the zoning change for Steve Rapich. Stephanie Crabtree seconded the motion. **VOTE:** Royd Hatt, Stephanie Crabtree and Don Meadows all voted aye. The motion carried. A recommendation was made to hold a Public Hearing during the June 14, 2022 City Council Meeting.

Tim and LuRey Vetere would like to change the zoning on their property, located across the street from Ben Coomer's home on S. Elberta Street, from R1 to R3. This includes the parcels of property on South Farrer Street, to the Sheriff's Station as well. Royd Hatt commented, it would make sense to change the whole piece from R1 to R3. All surrounding property owners will be contacted. Stephanie Crabtree commented, that she was also looking into R1 right now and a possibility they could have a conditional use permit to allow for denser housing in R1. Right now R3 allows for denser housing. Stephanie Crabtree made a motion to approve the zoning change which, will encompass Plat Numbers 01-0154B-01-12, 01-015B-01-33, 1-154B-01-06, 01-154B-01-23, 01-154B-01-22, 01-154B-01-21, 01-154B-01-04, 01-154B-01-20, 01-154B-01-01, 01-154B-01-163, 01-154B-01-16, 01-154B-01-15, 01-154B-01-17 and 01-154B-01-14. **MOTION:** Stephanie Crabtree made a motion to approve the zoning changes from R1 Single –Family Residential to R3 Multi-Family Residential. Royd Hatt second the motion. **VOTE:** Royd Hatt, Stephanie Crabtree and Don Meadows all voted aye. The motion carried.

5. Discussion on accessory dwelling unit, tiny homes and short term rentals. Kent Johnson shared his thoughts by letter: Accessory Dwelling Units (ADU's) should only be in R-1 Zones, 10,000-foot minimum lot size, minimum of 400 square foot dwelling, maximum of 850 square foot, this is the minimum size of a primary residence, area minimum max is the dwelling area only, and doesn't include the garage, ADU's cannot be sold separately from primary residence, ADU's cannot be built or occupied prior to primary residence. ADU's must be a permanent structure, must include one off street parking area, owner must reside at either the ADU or primary resident. Stephanie Crabtree commented, on the minimum lot size in R3 is 600 square feet for an (ADU) accessory dwelling unit. She shared, they have continually had problems with the setbacks on ADU's, could they address each case individually? She disagrees with some of Kent Johnson's points. If you have a smaller lot and it falls into the Agriculture Zone, the setbacks are the same as the larger lots. Chris Hinsch asked, what rules would apply for the setbacks on a smaller lot? Rear set backs on A-1 is 30 feet, it is supposed to be Agriculture so they should be larger lots. Chris Hinsch's lot is .20 Acres. Stephanie Crabtree said, it doesn't make sense for a small lot to be stuck with the same setbacks as the larger lots. Chris Hinsch asked, if he could push the ADU to the back of his lot? Stephanie Crabtree answered, it depends on what is at the back of the lot. Royd Hatt commented, in the agriculture zone, there shouldn't be a structure. Stephanie Crabtree suggested, they should have a conditional use permit for smaller lots. Chris Hinsch commented, his lot is in an A-1 zone, and you must be in a R- 1 zone to build a ADU. Stephanie said, you need to build per size to what you can build for the zone your in. Chris Hinsch commented, they are looking to build a 500 or 600 square feet ADU. Stephanie Crabtree stated, the max is an 850 square foot building. Chris Hinsch said, if you build the 850 Max, then you

might as well build the primary residence. In an R-3 Zone the minimum size is 600 Square feet. Stephanie Crabtree commented, the side set backs are currently 6 feet and in an A-1 Zone the rear set back is 30 feet. Royd Hatt asked, can't there be a conditional use permit if it makes sense? Stephanie Crabtree suggested, maybe it makes the most sense to write in ADU's requirements are set within each zone rather than an ADU that is just general, not to exceed the maximum. Show the setback requirements with in the different zones, you will be restricted on your size depending what the lot size is. Chris Hinsch commented, in an A-1 the rear set back is 30 feet, with Agriculture they should be larger lots. The Planning & Zoning members asked to table an another discussion on the next Planning & Zoning meeting June 21, 2022 at 7:00 pm. Royd Hatt mentioned, he will be resigning from Planning and Zoning Chair after June, in order to pursue campaigning for his upcoming School Board position.

6. Discuss/approve/deny the March 15, 2022 regular minutes.

MOTION: Royd Hatt made a motion to approve the March 15, 2022 regular minutes. Stephanie Crabtree seconded the motion. **VOTE:** Royd Hatt, Stephanie Crabtree and Don Meadows voted aye. The motion carried.

7. Adjourn. The meeting was adjourned at 8:03 pm

Royd Hatt, Chair

Conae Black, City Recorder

Approved: August 16, 2022