

Minutes of the Bicknell Planning & Zoning Commission

Tuesday May 14, 2024 7:00 - 8:20 pm
Bicknell Town Hall, 64 West 100 North Bicknell UT

Welcome and Call to order @ 7:00: Ellen Anderson

Roll Call: Katie McDonald, Ellen Anderson,, Jim Dudleston, JaCee Johnson present.
Tony Jackson absent.

A motion was made by Katie McDonald to approve the March minutes. The motion was seconded by JaCee Johnson and unanimously approved.

The first item on the agenda is Business.

On May 21st is the R6 Growth Summit in Richfield. Ellen asked if anyone was going to be able to attend. Ellen, JaCee and Katie are not going to be able to make it. Jim said he was registered and will attend.

Next on the agenda is an information request on rezoning by Miguel Jimenez.

Miguel introduced himself and said that he had recently purchased 'Thing 1', a triplex just off HWY 24 on 1st South. He brought up the short term rental ordinance and wanted to see what the zoning was on that property. He mentioned that he understood the importance of good quality affordable housing here and throughout the state and was here tonight as a fact finding mission.

His thinking was to make one of the units (The studio apartment which is currently unoccupied) into a short term rental. The interest in this was not only to generate some additional income but to give him another place to stay as well as a place for friends and family when they visit. The other 2 units would remain long term rentals.

The first question was if the property was currently zoned commercial. Ellen told him that it was not.

He asked about maybe getting a variance or potentially extending the boundary of the commercial zone to include Main Street and also HWY 24.

Ellen brought up some problems with changing the one unit to short term. In looking at the Short Term Rental Ordinance, the subject property is not in the Commercial Zone so the first step would be a required rezoning. The second thing it would need is its own water meter and its own septic system. With the size of the property, it is doubtful that there is room for the septic system. Ellen stated that even if it were rezoned we would be unable to recommend approval as a short term rental because it doesn't meet the other requirements..

Miguel brought up the Building and Zoning Ordinances reference to commercial and residential zoning as well as provisions for multi-family dwellings in both zones. Jim stated that the ordinance states that you need a half acre for a duplex and a 3 or 4 unit structure needs a full acre. Jim stated that the subject property isn't big enough to meet the requirements for a duplex or for that matter any structure. It also doesn't meet setback requirements. There was also some discussion on the current septic system and if there was even room for an alternate septic to be installed should the existing one fail. Miguel stated that it was a very small property and that he didn't think so. Ellen stated that if you look at what a variance is available for, the property wouldn't qualify.

Katie said she was unsure why the ordinance required a 'separate septic' and what did that really mean? She asked Ellen if she had been involved in the writing of the ordinance and what the thought process was. Ellen explained that when they were looking at short term rentals and decided that they would only be allowed on Main Street, all of the houses on Main that could possibly be converted to short term rentals were very old and had either a cesspool or a very small/old septic. The idea was to ensure the short term rentals met current health department requirements.

Miguel stated that it sounded like it was not a good fit for the ordinances that are in place. He stated that it was not his intention to try to row upstream or go against the community in any way. He said he would go ahead and list the unoccupied unit as a long term rental and use the property as that. Miguel stated that he hasn't met anyone that hasn't been very welcoming to him and that he loved the community.

Next on the agenda is Ron Rock on behalf of Wayne Community Health Center:

Ron began by saying that they had the property adjacent to and West of the Health Center donated to them a few years back.

There is a Mental Health grant that has recently come up. The grant, if awarded, wouldn't happen until September. They just want to make sure the property is zoned correctly so if and when they get the grant, they would be ready to proceed. There are 2 options they are currently looking at: Remodeling the house on the current footprint or the Community Center matching the grant and going from the 1300 sq ft structure and extending it back to create a 2500 sq foot building.

Ellen stated that she had gone back in the minutes to 1974-1978. Currently the Health Center is in a residential/agricultural zone and has a conditional use permit allowing it to be used as a medical center. Just like the church or library or other public buildings, the clinic was never zoned commercial.

The feeling was that this could just be added to their existing property and fall under the same conditional use permit. After further discussion, it was decided that Ron should contact the Town and get a new conditional use permit application and submit it for approval. This would ensure the additional property was covered to be run as a Mental Health Clinic.

The next item on the agenda is a Conference call with The Planning Outpost to discuss the progress and plan for our new Subdivision Ordinance.

The call began with introductions of the Planning and Zoning members as well as Valerie Claussen and Fred Trunier from The Planning Outpost.

The Town retained Planning Outpost in April 2024 to assist with the adoption of new Subdivision ordinance that is compliant with SB 174 and HB 476.

Along with reviewing the Town Subdivision Ordinance for compliance, Planning Outpost will also provide: Process Flowcharts, Standard Operating Procedures, Process Checklist and Application.

Land use and zoning are not impacted by this change. A subdivision presented to the city must already comply with the underlying land use and zoning.

All subdivision approval must conform to a two-step administrative process:

Preliminary/Tentative application review - Within 30 business days, may conduct one public hearing.

Final Subdivision application review - Within 40 business days, Redlines can only be made on the first review cycle.

Scope of Work

Review subdivision ordinance against SB174 and HB476

Process flowcharts - Graphic depiction of workflow

Standard Operating Procedures - Written process procedures for internal staff

Process Checklist - Submittal checklist compliant with State Law

Application - Sample application for subdivision submittal

The last item on the agenda is the ADU application.

There are a few notes still on the draft. These changes need to be made:

Signature box on the top: we need a line for the Town Council to approve.

Signature to indicate fees have been paid.

A motion was made by Katie to approve the application with the noted changes. The motion was seconded by Jim. A roll call vote followed: JaCee yes, Katie yes, Ellen yes and Jim yes.

The meeting was adjourned.