

# City of Ashton Minutes Planning and Zoning Commission

**Thursday, May 18, 2023  
7:00 p.m.**

**In Attendance:** Dallas Hill, John Finley, Danya Liebert and Rosie Owens.

**Also, in attendance:** Administrator Bowersox and Amy Trujillo.

Chairman Hill welcomed everyone and opened the meeting at 7:02 pm

## **1. Approve Minutes from April 20, 2023: ACTION ITEM**

Commissioner Liebert made a motion to approve the minutes as submitted. Commissioner Owens seconded the motion. The motion passed unanimously.

Each speaker will be allowed a maximum of 3 minutes unless repeat testimony is requested by the P & Z Commission

## **2. Administrator's Report – Sara Bowersox**

Administrator Bowersox reported that since the last meeting she has received an application for a house addition and one for a new house. After the properties are marked, she will check the setbacks. If the setbacks are acceptable then the building inspector, Blake Bowman, will go over the plans to make sure they meet the building code. She has had a few inquiries about building processes but nothing concrete. She informed the commission that they could potentially have a public hearing on a zone change next month. If the application is turned in next week, then there will be time to get the notice in the newspaper for June. The commission asked the administrator if she could get them the information of where they could find zone change procedures in the code. The administrator told the commission that they could be put in an awkward position when the public corners them somewhere and wants to talk about a particular issue with planning and zoning. If it is a site-specific issue, then they cannot have any conversation with them. Even if it is not a site-specific issue they need to think about where the conversation is going and ask the person to ask the administrator to put the subject on the agenda so that they can discuss it. The administrator has a book called The Citizens Planning Series. The Planning Commissioners Guide. It has a lot of information that would be helpful for the commission. The commission could borrow the one that she has. It may be possible for the city to buy a few copies for the commission to check out.

## **3. Next Steps for Changes to Impact Area Zone – Sara Bowersox ACTION ITEM**

The administrator told the commission that in their packet they had a copy of the letter that she sent off to the county planning and zoning. The letter states that the city is interested in changing the zone along highway 47 and highway 32 from Low Density Residential to Highway Commercial because that is what makes the most sense. Because it is in the county, we must follow their process. The next step might be a public hearing with the county. The commission asked if the county would have to look at it and

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approve it first and to keep them posted. The administrator replied that the county would have to look at it first and that she would keep them posted.

#### **4. Next Steps for Setback Exception for Disability Access: ACTION ITEM**

Chairman Hill asked Administrator Bowersox to lead the discussion. She told the commission that the draft exception that is in the packet is not the updated one and she retrieved the updated draft from her office. The commission read over the updated draft. The administrator informed the commission that after the last meeting she added the wording "or the adjacent properties" to where the disability ramp may not encroach. She also added that the administrator may waive the renewal requirement depending on the situation. She has sent the update to the city attorney and he was alright with the wording. She then told the commission that most of the Fair Housing Act is written for the actual housing provider. It does include municipalities and how they may need to modify some of their policies. People have to follow the code, but the municipality can only deny a request for a reasonable accommodation permit when it puts an undue hardship on the entity that's being asked. It can be denied if it fundamentally alters the process in the way the municipality does things. The administrator thinks the renewal waiver meets the FHA intent that each situation be handled independently. Chairman Hill had submitted suggestions of what he would like to have in the code. The administrator informed the commission that a lot of what the chairman wanted was already in the code. The commission went over other previous suggestions including the verbiage of least intrusive option necessary. The administrator will talk to the city attorney to get his take on that suggestion. The commission would like to add that the permit is only good for the applicant that applied. If the house sells or is rented out, then the permit is not valid. The commission asked what the renewal process looked like from an administrative standpoint and if there was a fee or cost with it. The administrator does not think that an extra fee can be charged. She wants the process to be as easy as it can be for the homeowner and the city. She also explained to the commission that if everything goes well the commission could hold a public hearing on it in July. If the commission approved it then it could be recommended to the city council in August. If the commission wanted to hold a special meeting earlier than June 1, 2023, then they could possibly have the public hearing in June.

#### **5. Comprehensive Plan Updates**

Administrator Bowersox reminded the commission that in previous meetings they have received Comprehensive Plan information. Recently there has been a change to the city code Community Core Zone which will also need to be changed in the Comprehensive Plan. Some changes that might be considered is do they want more flexibility in the residential zones, differentiate between light and heavy industrial, define a Gateway Zone on the corner of Highway 20 and 47, add the word hotel to the Highway Commercial Zone, does the city need any additional zones for schools, government, churches, open space and parks. Does the city still need a Conditional Use Permit. The administrator would like to add that new development has to continue the alley pattern along with the existing requirement to continue the road grid pattern. She also suggested that each commission member take a zone from the Comprehensive Plan and see what they think the future for that zone is. Commissioner Owens will take the Community Core Zone, Commissioner Liebert will take the Industrial Zone, Commissioner Finley will take the Highway Commercial Zone and Commissioner Hill will take the Residential Zones. The commission asked Administrator Bowersox to contact commissioner Howell and ask her to look into the possibility of adding an institutional and open space zone.

**Commissioner Owens made a motion to adjourn. Commissioner Liebert seconded the motion. Motion passed unanimously.**