Portage Planning and Zoning

Wednesday, July 3, 2019

Portage Town Hall

25880 N 9000 W Portage, Utah

Minutes

**Attendance**: Council Member Martina John, Norma Lasa, Darrell Bell, Chelsie Nelson, Trevor Siebert, Lisa Bingham

Katherine Munns; Town Clerk.

**Absent:** Cathe Runyan

**Visiting:** Ed Rogers, Council Member Tyson C. Nelson

**Call to Order - 6:00 PM**

**Opening Ceremony-**

**Pledge of Allegiance -** Darrell Bell

**Prayer -** Trevor Siebert

1. Review and approve minutes from May 1, 2019 Planning and Zoning. A few spelling errors were fixed.
2. **Motion to approve May 1, 2019, minutes with the changes discussed by Trevor Siebert. Seconded by Lisa Bingham. All aye votes. Motion Passed.**
3. 2. Ed Rogers variance- lot #08-040-0035. The lot is too small for the current zoning ordinance 104.2
4. Lisa Bingham pointed out that there used to be a house there and was there for a
5. very long time and what has been discussed in the past and agreed is that those lots that
6. used to have homes should be able to have a new home built there.
7. Martina John agreed.

Martina John pointed out that it is in commercial zone. It was meant to be changed but never did when the master plan was being made.

Lisa Bingham asked if we can give him a signed letter like we did for Leslie Hinzs?

Martina John, Yes. There needs to be a signed letter. It needs to be able to meet the set backs.

**Motion to grant Ed Rogers a variance for the land use of lot #08-040-0035 for residential property with the edition that the Mayor and Town council provides a letter granting the variance to section 104.2 by Lisa Bingham, seconded by Trevor Siebert. All aye. Motion passed.**

3. Martina John brought up that in the Water ordinance 2016 section 17, it talks about RVs and the length of stay and hooking up to the water system. It says that the longest that an RV can stay is no longer 31 days while hooked up to the water.

Lisa Bingham pointed out that that ordinance pertains to being hooked up to water. What about if they are self contained?

Martina John wanted everyone to go to the RV Resolution 2013-1 in the back of the ordinance.

Chelsie Nelson read the resolution out loud. In the resolution is states that an RV may stay 180 days move for 7 days then remain another 180 days. That is the concern of multiple members of the town and commission have. Chelsie Nelson believes that it should only be 31 days.

Lisa Bingham- If we change the length of stay from 180 days to 30 max for the whole year you will be shooting people in this town in the face. A few members in town have family visiting 6 months of the year.

Tyson Nelson pointed out that some towns and cities have a visitors permit. And since you are changing things why not change both the water ordinance and the RV ordinance to match and make it the way you want it?

Martina John - I like that idea.

Trevor Siebert - When it comes to water, do we want it to be 180 days?

Martina John, Norma Lasa - No

Lisa Bingham - What if it doesn’t go over the 40,000 gals. That you are already paying for?

Tyson Nelson - But if there are RVs in the winter there is no way to regulate that. You guys need to focus on the zoning and then worry about the water.

Lisa Bingham - Well I’m talking about water because it was brought up.

Martina John - there has been a lot of complaints about all the RVs around town

Lisa Bingham - A lot? How many? Who?

Martina John asked members of the commission to raise their hand if they don’t like the current RV resolution. Norma Lasa, Chelsie Nelson, Tyson Nelson and Martina raised their hands.

Lisa Bingham- I’m not talking about in this room. You said there have been a lot of complaints and I want to know how many.

Martina John I’m not going to name names.

Tyson Nelson there have been several complaints that have been brought to the attention of the Town Council. But I don’t have an exact number.

Trevor Siebert- Complaints that 180 day sis too long?

Martina John, Tyson Nelson-Yes

Martina John- The county says that an RV is not meant to be a permanent living structure.

Martina John- What we need to do is find a happy medium for the length of stay. Personally I think that 180 days is too long. If you are staying 180 days leaving for a week then staying another 180 days makes you a permanent resident.

Lisa Bingham - How will this change affect people that are staying in an RV while their house is being built?

Chelsie Nelson - that is a whole other ball game. You get a permit from the county.

Lisa Bingham - I would like to see people getting permits.

Tyson Nelson - Many towns and cities around Box Elder county do that. But it has to be able to meet all the requirements.

Trevor Siebert - I think that that permit pertains to people who are building a house but what about visitors at a permanent resident?

Norma Lasa pointed out that the Fire Chief in Town council said that you have to have a proper electrical hookup for an RV, that you can’t just run extension cords to the house. Even if someone is just coming for a visit.

Lisa Bingham - Personally I would like us to not start by flooring the gas but start with a permit. If someone is staying for 30 days or more come to the Town and get a permit, that way we know who is staying in town. And have requirements for them to follow.

Martina John - I think that that is opening the door for law suits. People are gonna do what they want.

Darrel Bell- If we give the requirements and they don’t follow them then the Town is liable if something happens like a fire. Add disclaimers.

Tyson Nelson - but who is going to make sure that they meet the requirements?

Lisa Bingham - well to Darrell point that if we give the information and they don’t follow it make sure that the town isn’t liable to a point.

Martina John - Maybe we can have them call the county to do the inspections.

Tyson Nelson was still concerned that there still could be law suits.

Lisa Bingham - Well we could make it so that the permit has to be self contained the entire time. No one wants to do that for 180 days.

Clerk Munns suggested people get permits and pay a fee for time after 30 days.

Trevor Siebert started writing ideas on the white board.

Chelsie Nelson suggested 30 days max, Lisa Bingham thought that that was too short and that the commission needed to find a middle ground like 90 days.

Suggestions and discuss of fees and how long RVs can stay went back and forth. One of the discussions is limiting the length of stay but the commission doesn’t want to discourage visiting.

A concern that Lisa Bingham kept bringing up is how do we issue these permits and how do we enforce these permits.

On anything that is decided the commission agreed that there needs to be disclaimers and regulations for the RVs to protect the town.

Tyson Nelson said that anything that is decided should be sent to the lawyer before it is enforced.

Lisa Bingham suggested that every 30 days you have to come and get a new permit until they reach the max that they commission decides.

Lisa Bingham, Clerk Munns agree that 180 days total for the whole calendar year.

Chelsie Nelson, Martina John and Norma Lasa thinks that 180 days is still too long. They think that 90 days is even pushing it.

Tyson Nelson suggested that starting with letting people of the town actually know what the rules are before we start charging fees. Just lower the max. See how it goes and then adjust.

Clerk Munns suggested that if people are coming to come get the free permit just to see who is there or even just put it outside with the disclaimers on it to cover the town. Allow each visitor 90 days.

**Motion to change resolution 2013-1 to read all occupied RVs visiting Portage can stay for a Max 90 days for the whole year as long as they have a free permit displayed on there RV. By Trevor Siebert, Seconded by Chelsie Nelson. Norma Lasa aye, Darrell Bell aye, Lisa Bingham nay. Motion Passed.**

**4.** Martina John - Where do we want to add the sensitive land map? What do you think of putting it in the Zoning section?

Lisa Bingham - Put it in 116 for a reference because it isn’t a requirement but its to just protect the town so that people know before they build.

**Motion to approve adding the sensitive land maps and verbiage to the Zoning section 116 and to the welcome packet by Lisa Bingham, seconded by Norma Lasa and Chelsie Nelson, all aye. Motion Passed.**

5. Clerk Munns talked to the sheriffs departments said that the only way the town can enforce fees from ordinances violations is through civil court. The county has fee information that we can reference. Give plenty of notice that the ordinances are going to start being enforced and give them time to get in line with the ordinances. The county will give ideas to which ordinances to start with.

6. Martina John - I have heard that there is possibly an apartment being made here is town in an existing house. I feel that our ordinances don’t have enough information on apartments.

Trevor Siebert - Add to the glossary apartments to planned unit to better clarify.

Martina John - just start thinking about it and we can talk about it in the future.

7. Stock water -Tyson Nelson - this isn’t a Planning and Zoning issue its a water issue and in Town council it was decided that Tyson and Cyndi take care of it.

**Motion to Adjourn by Trevor Siebert, seconded by Darrell Bell. All aye. Motion passed.**

Adjournment 8:05 pm

/S/Council Member /S/Katherine Munns; Town Clerk