

Rockville Planning Commission
August 14, 2012
Rockville Community Center

1. **CALL TO ORDER AND ROLL CALL**– Chair Sharon Hatfield called the meeting to order at 7:00 p.m. The following members of the Rockville Planning Commission were present: Rob Snyder, Vivian Cropper, and Logan Hebner. Town Clerk Elaine Harris recorded the meeting.
2. **DECLARATION OF CONFLICTS OF INTEREST WITH AN AGENDA ITEM** – No conflicts were declared.
3. **PUBLIC COMMENT PERIOD** – There were no public comments.
4. **TABLED FROM THE JUNE 12, 2012 MEETING – DISCUSSION AND POSSIBLE RECOMMENDATION TO THE TOWN COUNCIL FOR APPROVAL OF PROPOSED AMENDMENTS TO CHAPTER 10 OF THE LAND USE CODE – OFF-STREET PARKING REQUIREMENTS – SPECIFICALLY 10.6, ADDRESSED AS A RESULT OF INPUT FROM THE APRIL 12, 2012 PUBLIC HEARING** – Chair Hatfield reviewed the procedure and history of the amendments. Vivian Cropper contacted UDOT, who confirmed that although State law does not permit parking on roadways, the roadway is defined as the portion of the road between the white lines. Parking is permitted along the shoulder. Chair Hatfield explained that the Town may adopt the UDOT regulation, or it may impose stricter standards. She noted that the Town has been unsuccessful in restricting parking along SR-9. She thinks the cars parked along the road could in some situations create a safety hazard. As a result, the proposed amendment would allow parking along the shoulders except where it creates a safety hazard. Chair Hatfield gave some examples of situations where parking along the shoulder would be hazardous.

Chair Hatfield also noted that, although the Town has prohibited overnight camping in vehicles parked along road shoulders, State law is silent on the subject and therefore does not prohibit it. She indicated that residents have complained about people camping in front of homes. She anticipates more campers along the shoulders as more camping areas are closed. Rob pointed out that enforcing a camping regulation may be difficult, but he supports the prohibition. Vivian does not think that camping along shoulders is a pervasive problem requiring regulation. Logan is more concerned about the overnight campers than he is about the people parking along the shoulders during the day.

The Commissioners discussed possible language for the ordinance. Chair Hatfield pointed out that the issue does not require another public hearing, as the Commission is making changes based on public input from the original public hearing of April 10, 2012.

5. **DISCUSSION AND POSSIBLE RECOMMENDATION TO THE TOWN COUNCIL TO APPROVE FOR PUBLIC HEARING PROPOSED REVISIONS TO SECTION 1.20 OF THE LAND USE CODE – NUISANCE AND ABATEMENT**– Chair Hatfield noted that agenda items 5 and 6 should be discussed together because they are related. She reported that the Town Council asked the Planning Commission to draft an ordinance addressing overgrown weeds. She also reminded the Commissioners that various comments had been made at the public hearing, including concerns that some residents kept old machinery for parts. Chair Hatfield clarified that the ordinance would not prohibit storing old machinery provided it was sheltered.

Chair Hatfield also indicated that allowing three months for weed removal seems too long if the weeds are creating a fire hazard. She suggested allowing two weeks for weed removal following written notification to the landowner. She reported that the Fire Marshal thinks it would be impractical for him to determine which properties are overgrown enough to constitute a fire hazard, therefore Chair Hatfield suggested changing the ordinance language to allow the Town to determine

whether an overgrown property constitutes a fire hazard. She reviewed the proposed language and placement of the amendment. She thinks it may be better, as the fire marshal suggests, to include the weed abatement language in the Nuisance and Abatement section (Section 1.20) of the Code, rather than in the Beautification section (Section 7.27). Vivian and Rob agreed.

The Commission discussed whether the ordinance would cover "yard art." Clerk Harris reminded them that a new public hearing must be held if the amendment is moved into Section 1.20.

6. **TABLED FROM THE JUNE 12, 2012 MEETING - DISCUSSION AND POSSIBLE RECOMMENDATION TO THE TOWN COUNCIL FOR APPROVAL OF PROPOSED AMENDMENTS TO SECTION 7.27 OF THE LAND USE CODE – BEAUTIFICATION – ADDRESSED AS A RESULT OF INPUT FROM THE APRIL 10, 2012 PUBLIC HEARING**

This item was addressed above under Item #5..

7. **TABLED FROM THE JUNE 12, 2012 MEETING – REVIEW AND CONSIDER REVISION OF SECTION 7.3 OF THE LAND USE CODE – SHORT-TERM RESIDENTIAL RENTAL REGULATIONS – REGARDING THE MINIMUM CONSECUTIVE DAYS FOR A RENTAL** – Chair Hatfield pointed out that there are at least two homes in Rockville that are advertised as available for nightly or weekly rentals. She recommended requiring a minimum rental term of sixty consecutive days, which is consistent with regional standards. She outlined Springdale's process for handling illegal short-term rentals.

The Commissioners discussed possible language for the ordinance. Rob noted that changing the minimum rental term to sixty days would interfere with month-to-month rentals. The Commissioners agreed to retain the thirty-day minimum rental term.

The proposed amendment will be set for public hearing.

8. **DISCUSSION AND ACTION REGARDING THE ANNUAL REVIEW OF CONDITIONAL USE PERMITS** – Chair Hatfield asked whether the Planning Commission would like to set conditional use permits for annual review. She reminded the Commission that all home occupations are conditional use permits. The Commissioners decided to review all business licenses for compliance each September as this would cover all residents holding conditional use and/or home occupation permits. Clerk Harris will provide the Commission with a list of permits and the associated conditions.

9. **APPROVAL OF THE MINUTES OF THE JUNE 12, 2012 REGULAR MEETING** - Rob Snyder **MOVED** to approve the minutes of the June 12, 2012 Regular Meeting, as written. Logan Hebner **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

10. **PLANNING COMMISSION ADMINISTRATIVE BUSINESS –**

Chair Hatfield asked for an update regarding the excavation and grading on the South Mesa. Vivian contacted the property owner, who explained that he had constructed a road up to his property in order to list it for sale. He understands that he cannot construct a home on the property and Vivian notified him that, in the future, he must obtain a permit to construct a road. She pointed out that the owner had actually excavated on other private properties in constructing this road.

In response to a question from Chair Hatfield, Rob explained his suggestion regarding potential donation of these illegally subdivided properties to the Town as a conservation easement. He thinks it would be appropriate given the ongoing problems caused as a result of the regular auctioning of these properties for back taxes. The Commissioners discussed the possibility.

Chair Hatfield also raised the issue of a local property for sale with a preexisting non-conforming structure. The structure, which has historically only been used as a guesthouse, cannot be rented if the property is sold. She noted, however, that prospective buyers often assume that they can rent it out. She suggested asking the property owners to clarify the situation to their realtor. The Commissioners discussed whether sending a letter would be appropriate considering the Multiple Housing Task Force is working on a general, rather than individual, solution for the problem. Chair Hatfield suggested writing a general letter or an article for the newspaper or Town newsletter. She agreed to write an article regarding secondary structures, and also regarding the Night Sky ordinance. The Commission discussed the terms of the Night Sky ordinance.

Chair Hatfield also indicated that Washington County now requires the County Treasurer to sign off on all subdivisions, prior to recording, indicating that the taxes have been paid on the proposed property division. As a result of the amendment, the Town's Code must be changed to reflect the new requirement. Vivian volunteered to review and address the issue.

Chair Hatfield reminded the Commissioners that the Planning Commission still has a vacancy. The Commissioners discussed various residents who may be willing and able to fill the seat. They also discussed upcoming changes to the Planning Commission.

Clerk Harris raised the issue of handling illegal subdivisions. Vivian reported that she has done some research regarding the issue, which she gave to Chair Hatfield. Clerk Harris also explained an e-mail from South Central Communications she forwarded to the Commissioners. Chair Hatfield suggested requesting additional information from the company.

11. **ADJOURNMENT**— Logan Hebner **MOVED** to adjourn. Rob Snyder **SECONDED** the motion. A roll call vote indicated all those present **VOTED** in favor of the motion.

The Planning Commission Meeting adjourned at 8:25 p.m.

Minutes prepared by:

Teri Forbes, Owner
T Forbes Group

APPROVED:


Sharon A. Hatfield
Planning Commission Chair/Vice Chair