

# *City of Green River*

460 East Main Street, Green River, Utah  
Planning Commission Minutes  
Regular Meeting  
Tuesday, May 18, 2021

**ATTENDING:** Kim McFarlane, Royd Hatt, Stephanie Crabtree and Kent Johnson; Employees, Conae Black, Citizens, JD Tyrrell, Chris Jones, Walt Maldonado, Chris Fowler  
**ABSENT:** Don Meadows

**CONDUCTING:** Chair, Royd Hatt, the meeting began at 7:02 p.m.

## **ORDER OF BUSINESS:**

1. Discuss/approve/deny request for zoning change. This is a request from Little Elliott Estates, LLC is to change the zoning on Parcel # 1-151-25 from R1 to R3. This parcel is north of the Park Crest Subdivision on Pirate Avenue. Conae Black said the site plans are showing 15 units. A representative from Little Elliott Estates stated they roughly laid it out with the idea that in the future they could potentially subdivide the property to allow for short term and long term rental houses. Conae Black said our codes only allow for one dwelling per lot so it would be best to subdivide. The Little Elliot representative thought that was only for the R1 zone because the R3 zone allows for multiple housing units. Conae Black explained that one dwelling per lot applies to all of the zones. A townhome, duplex or apartment complex is considered one dwelling even though it is for more than one family. She said that the Planning Commission can still move forward with the zoning change and conditional use permit application but the next step will be subdividing the property. Royd Hatt felt Little Elliot Estates zoning request fit right into the zoning change the Planning Commission made just south of this parcel. He and Kent Johnson both said they did not have a problem with the request. There was some discussion on the lot sizes for the different residential zones. The Little Elliot Estates said that is why he is confused because he thought the idea behind the R3 zone was to allow for multi units like apartments, condos, or two family units on one lot. Kent Johnson said you can put an apartment or townhouses but you can't put two houses on one lot. Conae Black said townhome, apartments or duplexes are all allowed within the R3 zone and explained that all of these house multiple families however each one is considered one dwelling. **MOTION:** Kent Johnson made a motion to approve Little Elliot Estates, LLC request to change the zone from R1 to R3 on Parcel # 1-151-25. Kim McFarlane seconded the motion. **VOTE:** Royd Hatt, Kent Johnson and Kim McFarlane voted aye. Stephanie Crabtree was not present for the vote.

2. Discuss/approve/deny Conditional Use Permit Application for Little Elliot Estates, LLC. A representative from Little Elliot Estates stated the intent of the development is to provide both short term and long term housing located on the site. They understand that a conditional use permit is required in order for them to have short term rentals on the site. They feel like they can provide a great opportunity for short term stays. They spend a lot of time down there and always appreciate the opportunity to stay in a bigger place. They feel like there is a need for more housing so they have added some long term rental homes into the plan. Royd Hatt said the plans show 11 short term dwellings and 6 long term dwellings. A representative from Little Elliot Estates stated that the plans the city has is very preliminary. The group has discussed other options. Conae Black said she likes the plan. She said the whole group came and spoke to her and asked a lot of questions. She apologized for the confusion on only allowing one dwelling per lot. They asked a lot of questions about development. One question was about the development of the road. They are planning on a gravel road and will be putting in all infrastructure improvements to the property. Royd Hatt asked if the sewer main would be sufficient. There was some discussion on capacity of the water and sewer lines. The Planning Commission called Public Works Director, Bryan Meadows and asked him if the water and sewer lines were sufficient to handle more development. Bryan Meadows said there was a six inch looped line and it would

be sufficient. The representatives for Little Elliot Estates explained their plans for shipping container homes and showed some examples. They said their goal is to have a nice inviting place to stay and live. Kent Johnson read through the review criteria for a conditional use permit.

**MOTION:** The following conditions were established.

According to Title 10-13A the application complies with all applicable provisions of this chapter, state and federal law. Title 3 of the City of Green River Codes a business license is required and shall be obtained. Title 10 Chapter 12 section 2: ZONING LOT; ONE DWELLING ALLOWED: Only one building which contains a dwelling shall be located and maintained on a zoning lot, as defined in section 10-2-1 of this title, except for dwellings within a planned unit development, manufactured home park or other large scale development as provided for in this title. Applicant shall subdivide Parcel # 1-151-25 according to Subdivision Regulations found in Title 11 of the City Codes.

According to 10-13-4C the use is not detrimental to the public health, safety and welfare. 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.

According to 10-13-4M no noise, dust, smoke, fumes, trespassing light and any other deleterious or adverse effects shall be allowed to permeate from the property. No vehicles shall be ridden on or around the property to create loud noise and stir up dust.

Stephanie Crabtree made a motion to approve the Conditional Use Permit for Little Elliot Estates, Inc. based on the above stated criteria and conditions. Kent Johnson seconded the motion. **VOTE:** Royd Hatt, Kent Johnson, Kim McFarlane and Stephanie Crabtree voted aye. The motion carried.

3. Minutes from February 16, 2021 regular meeting. **MOTION:** Royd Hatt made a motion to approve the minutes from February 16, 2021 regular meeting. Kent Johnson seconded the motion. Royd Hatt, Kent Johnson and Stephanie Crabtree voted aye. Kim McFarlane let the meeting. The motion carried.

4. Discussion on limiting short term rentals. The discussion was based upon what other small communities were doing. There are some communities who zone an area specifically for short term rentals. Another way is allowing for a certain percentage of short term rentals compared to the overall housing stock. Stephanie Crabtree said the Epicenter has a data base on the housing stock that should be updated but it is a good start. Royd Hatt thought the percentage base would be a good way to go and wanted to look into it further. There was discussion on the Transient Room Tax and Property taxes. Stephanie Crabtree said there is a secondary home property tax that is higher than if the home were the primary residence. Conae Black stated that the commercial water and sewer rates are not applied to the vacation rental homes. She has researched it out and the vacation rental homes use less water than a home used as the primary residence. Royd Hatt didn't think the commercial rates should apply to the vacation rental homes. He said we don't want to put these people out of business. Stephanie Crabtree felt differently. She said some of them are charging \$200 a night to stay in these homes and they should be able to afford the commercial water and sewer rates. Royd Hatt said they are paying for business license and are responsible for all of the taxes assessed to them. Stephanie Crabtree wished there was an in-between water and sewer rate assessed.

5. Adjourn. The meeting adjourned at 8:18 p.m.

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Royd Hatt, Chair

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Conae Black, City Recorder

Approved: June 22, 2021