

# Grand County Planning Commission Minutes

July 13, 2005

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Council Chambers of the Grand County Courthouse.

**Members Present:** Chair D.L. Taylor, Marcus LaFrance, Tom Shellenberger, Dave Everitt, and Charley Every. Dave Cozzens and Susie Harrington were excused.  
County liaison Judy Carmichael.

**Others Present:** Mary Hofhine and other concerned citizens, County Council Audrey Graham and Joette Langianese.

**The meeting was called to order at 6:00 PM** by the Chairman, D.L. Taylor.

**Approval of minutes:** Tom Shellenberger moved to approve the June 22, 2005 minutes as corrected, Marcus LaFrance seconded and all voted in favor.

## Public Hearing – Public Hearing

Blu Vista Casitas, LLC PUD, combined sketch and preliminary plat.

Presented by Rex Tanner. A 35.3 acre parcel requested to be sub divided into 41 lots, each for single family use. The property is located in a RR, Rural Residential District, a mandatory PUD district with a minimum lot area of 1 acre. The applicant is proposing a bonus density of 10 lots, density proposed exceeds the development rights allowed by the RR district. The western side of property is located in a shallow sheet flow of the 100 year flood plain and is designated as open space.

Developed properties will be priced between \$275 - \$400 thousand. Presentation for bonus density was due to the need for housing that is now at a premium that existing homeowners in Moab could move into (allowing new homeowners to purchase older and less expensive homes). To keep developed properties within Grand County which has existing Water and Sewage availability? That additional bonus homes will increase tax base and impact fees. That the acreage within the flood plain will be in keeping with the open space definition and that it is adjacent to open space of another PUD. That extras (curbing and trails) which are not required per PUD codes will be available. That project will in a round about way to address current affordable housing problem.

The Applicant is requesting bonus density of 10 in exchange for public benefit of 7.12 acres of open space, which includes a trail that connects to the existing trail to the north, limit of 24 feet for structures, will provide curb and gutter rather than dirt ditches, no dusk to dawn lighting; this will be accomplished through plat notes. The project will add to the tax base and the impact fee costs.

The following citizens commented on the development;

Mary Suarez, Lori Martin, Jack Campbell, Mike Suarez commented that the rural character of the valley would be impacted by the denser development, the developer has not provided an extraordinary public benefit, and there is a concern about the availability of water, which has not been demonstrated as of yet and will require future testing to establish. Also, commented that the development will not address the affordable housing problem.

Dan Pyatt, Rick McElhaney, and Jill Jacobson, thought the project was well thought out and will provide a benefit to the community.

The public hearing was closed and the Chairman asked the Commission for Comment;

D.L. Taylor stated that feels that if would help keep from forcing development into San Juan County, there isn't a solution to the problems that development in San Juan has caused without sewer in San Juan. The trail is important, but I don't know whether we could justify 10 extra lots.

Marcus LaFrance commented that Ms. Suarez had emailed him and asked the Commission to put a moratorium on bonus density until the Commission could address the problems. The Commission could request the Council to do it, but it would only be for 6 months and that may not be enough time for the water study to get finished.

The reference to an increase to the tax base and the impact fees; residential development creates more impact than it pays for the balance is picked up by commercial development. Impact fees are designed to be a wash – new development pays its own way.

Every project stands on its own merit and may or may not be influenced by other developments. There is a problem with the extraordinary public benefit and is a subjective term and needs to be considered. It is pretty clear that there needs to be significant public benefit.

The open space shown on the plat is in a flood plain and needs to be left open due to the designation. The connectivity you are proposing is for safety and access pursuant to the Land Use Code. We are not in a position, at this point, to decide what is extraordinary and what we consider appropriate.

Charley Every declared that the developer has shown some conceptual consideration for maintaining rural character. The open space next to the existing subdivision is important; the frustrating part is the additional density and what is extraordinary public benefit. The developer can make an argument that the added density is the extraordinary public benefit in consideration of the current needs. Charley then read from the LUC the extraordinary public benefit consideration for the audience, which says "for the purpose of this section, "extraordinary public benefit" shall include, but not be limited to, affordable housing projects and the provision of double the amount of otherwise required open space." Based on that definition you are not providing extraordinary public benefit, however, my perspective is that the extra lots are needed.

Tom Shellenberger – my perspective is when we talk about rural development, bigger lots don't make better neighborhoods. There is usually a small area for landscaping around the house and the rest is left for filling up with junk. I'm in favor of ½ acre lots the trail is a good thing and sees it as a benefit to the county, and the open space provides a visual benefit to the entire county. The struggle is to figure out how the county will benefit not just the developer, would compromise the density, 35 units on 35 acres.

Dave Everitt asked about the bonus density allowance on Valle del sol. That development was allowed 4 units of extra density. Rural character is another vague term, how is that interpreted? The combining of the process seems to cause some problems, this is a mandatory PUD which gives a little more flexibility and extraordinary would be to go beyond the standard. There is a process and would like to emphasize the step processes rather than rushing them through without the proper procedure in place.

D.L. stated that as a 5<sup>th</sup> generation cattle rancher he is a little prejudiced; any piece of land not growing grass or alfalfa is a waste of land. There is a problem with large lots it does not control growth, it just determines how much of a house you can build on a lot. He feels that the developer has demonstrated somewhat of a benefit to the community, but what "extraordinary" benefit he has provided hasn't been made. Personally feels that a portion of the bonus density should be given.

Discussion led to the intent of PUD, which is not to decide on subjective decisions, it is to provide non-traditional and innovative development, not a negotiation for density. The developer has provided some benefit, but not extraordinary.

Street connections are not a discretionary item the code requires the streets connect, except in unusual cases. The name of the road may cause confusion and would like to suggest changing the name. Utility easements may be allowed in the street rather than on the side and back of properties, this is discretionary to the Commission.

Tom Shellenberger moved to table for resubmitted at a later date based on density concerns discussed, Marcus LaFrance seconded and all voted in favor.

**Sketch Plan – Navajo Addition #1 – Subdivision of land on Carrol Drive – JD Norman applicant:**

This application is submitted Tim Keogh, on behalf of the owner JD Norman, (“Applicant”). The subject property consists of approximately 4.3 acres on Carroll Drive, and it is zoned RR, Rural Residential a mandatory PUD district. The applicant is requesting a waiver.

The Applicant proposes to develop the property with a total of 3 lots, each for single-family use, ranging in size from 1.3 to 1.6 acres. The minimum lot area in the RR District is one acre.

The RR zone district is a mandatory PUD district, the applicant has asked for a waiver of the requirement pursuant to the following:

1. The proposed lots are too small to be further subdivided.
2. The lots do not contain any cultivated agricultural land, public drinking water supply water sheds, floodplains and riparian habitats, slopes in excess of 30 percent or any significant geological, biological, and archeological sites that warrant protection.
3. Required improvements are in place, and no wavier or exemptions to the public improvement standards are being requested.

Carroll Drive is currently along the West and North boundaries and unimproved. The applicant proposes vacating those portions and running Carroll Drive through the subject property. Currently Carroll Drive has access on the East side of the proposed subdivision; the applicant proposes an easement to connect to Carroll Drive on Lot 3. All proposed roads will need to be public and dedicated to the County; the plat proposes dedication of an “easement” instead of the required “right-of-way.” Access to the proposed subdivision is on a private road. (Carroll Drive is not currently a dedicated County r-o-w).

Water and sewer service is to be provided by the Grand Water and Sewer Service Agency – no comment is available at the time of this writing. All other utilities shall be underground as well.

Fire hydrants will be placed per directions of the Fire Chief and a drainage plan will be provided per County requirements at preliminary.

Commission’s concerns were with the access road and building envelopes due to the natural terrain of the property.

Marcus LaFrance moved to table the decision pending the County Engineers review of the access problem and emergency turn around. David Everitt seconded and all voted in favor.

**Work Session**

Code Amendment – review of the MFR Zone District revisions; Staff included a bonus density allowance for an affordable housing addition. The Commission decided to remove that section and asked staff to schedule the public hearing for the first meeting in August.

Annual review of the General Plan – there are new amendments that will need to be included in the plan after the County gets the transportation plan finished, it will include the trails plan and the transportation plan.

**Adjournment:** D.L. Taylor adjourned the meeting at 9:30 p.m.