

**Grand County Planning Commission
Minutes
- Corrected -**

February 8, 2006

A regular meeting of the Grand County Planning Commission convened on the above date at 5:30 PM in the Council Chambers of the Grand County Courthouse.

Members Present: D.L. Taylor, Marcus LaFrance, Dave Cozzens, Tom Shellenberger, Ed Bridges, Charley Every, and Jean Binyon.
County liaison - Judy Carmichael was excused.

Others Present: Richard Grice, Mary Hofhine and other concerned citizens.

The meeting was called to order at 5:30 PM by the Chair, Marcus LaFrance and expressed the public hearing policy of process. All applicants on the agenda will be allowed 10 minutes to present their project, all other who would like to speak regarding the application will have 3 minutes and the applicant will have an additional 5 minutes at the end of the hearing for further deliberation.

Approval of minutes: D.L. Taylor moved to approve the minutes as corrected, Dave Cozzens seconded and all voted in favor.

Public Hearing – Estados Puentes Preliminary Plat, Ed Bridges Applicant: Staff read into the record the Land Use Code as amended to date, the General Plan as amended to date and the staff's memo of today's date, Ed Bridges recused himself and left the meeting room.

This preliminary subdivision plat application is submitted by Tim Keogh on behalf of Ed Bridges (Applicant). The Applicant proposes division of 6.3 acres into 5 lots, with a minimum lot size of 1.02 acres – proposed Lot 5 currently is improved with a single-family dwelling. If approved, each of the subdivision lots will be eligible for single-family development. Two (2) of the proposed lots will be "flag lots," as described in Sec. 5.2.5. The subject property is zoned RR, Rural Residential, which has a minimum lot size of one (1) acre.

The main issue is the road; the entrance is a cul-de-sac and does not meet the needed parameters of the county standards. A note that outdoor lighting shall meet the required standards of the Land Use Code and recommend that the applicant reiterate this in the private covenants.

Easements are not provided as required along all lot lines; the Commission may waive the requirement "where other definite and assured provisions are made for service access consistent with an adequate for the uses proposed".

Tim Keogh made an argument that the curb, gutter, and sidewalk would be inappropriate for the area and that other projects were not required to have the curb and gutter along Spanish Valley Drive.

Connectivity was not founded for the adjacent properties to the North and East, but there was discussion of connectivity needed to the property on the corner owned by the Cemetery.

Tom Shellenberger moved to recommend approval to the County Council subject to the following conditions;

1. Correct the radius diameter and adjust the location of the road and cul-de-sac as required by the Road Standards.
2. Approve the requested waiver of the requirement for utility easements along side and rear lot lines.
3. Approve a requested waiver of Mandatory PUD requirements applicable to the RR District, based on a finding that the subject property qualifies for the waiver described in LUC, Sec. 3.22.2.
4. Dedicate right-of-way for collectors as required by Grand Construction Standards, waiving the parallel requirement for curb, gutter and sidewalks.

5. With respect to the connectivity requirements of Sec. 5.3.3, the Commission finds that the site constitutes an unusual case and, as such, it merits waiver of the connectivity requirement.
6. Note that all outdoor lighting must be shielded pursuant to Sec. 4.7.

D.L. Taylor seconded and all voted in favor.

Public Hearing – Tierra del Sol Preliminary Plat; Dan Pyatt applicant: Staff read into the record the Land Use Code as amended to date, the General Plan as amended to date and the staff's memo of today's date.

This application proposed division of 10 acres of land into 42 lots, each for development with duplex-like dwellings, more accurately described as attached single-family units located on individual lots that share a common wall and along the lot line, providing the fee-simple ownership.

The site plan includes the required 20 percent open space, additionally the site plan includes common area improved with an accessory RV parking area for the use of the residents, a club house with parking – neither of these common facilities are included in the open space calculations. An HOA will be formed to be responsible for maintenance of open space and common area.

A wood/masonry fence is proposed around the perimeter of the entire project.

Outdoor lighting will be shielded as required. A complete landscaping and screening plan is included, which complies with the applicable standards. Further the applicant has arranged for use of Ken's Lake water for irrigation purposes, thus avoiding use of expensive treated water.

Richard Grice further commented that this is an excellent example of what can be achieved under the new PUD ordinance, and a creative use of the site. This project is exemplary in that it is the most complete and professional submittal that County Planning has ever received.

The Chair opened the public hearing – the applicant made a brief presentation by explaining that he has had a conference with UDOT on the road and will comply with road requirements.

Opened to public comment – Audrey Graham asked for clarification of the road circulation regarding the arena. The applicant assured her that he plans on providing access to the arena through the subdivision, not only will there be a road that is accessible but there will be a trail.

Ed Bridges had concerns regarding off street parking and the duplexes. He was assured that the applicant fully complies with the standards of the code.

The Chair called for the motion.

Ed Bridges moved to recommend approval to the County Council with the following conditions:

1. Address County Engineers concerns about overflow drainage into the Arena area.
2. Resolve the responsibility for the construction of the Minor Collector Street, including sidewalks along both sides.
3. Obtain and comply with UDOT access permit requirements for the construction of the Minor Collector off the Highway.
4. Outdoor lighting shall comply with the requirements of Sec. 4.6 of the Grand County Land Use Code.

Seconded by Dave Cozzens and all voted in favor.

Public Hearing – Day Star Academy – Amended Conditional Use application for a school campus located in Castleton, Jerry Harris applicant. Staff read into the record the Land Use Code as amended to date, the General Plan as amended to date and the staff's memo with the date of July 31, 2006 date (obvious typo).

This application is submitted by Jerry Harris, President of the DayStar Adventist Academy (Applicant), The Applicant requests approval of an amended Use-on-review Permit for expansion of Academy facility on its 300-acre property in Castle Valley. The subject property is zoned RG, Range and Grazing, as more specifically described in the Grand County Land Use Code. Specific expansion plans include construction of the following new facilities over the next 10 years:

1. A girl's dorm, with attached dean's apartment;
2. Boys Dorm, with attached Dean's apartment;

3. (Private) RV park for guests and volunteers – not open to the public;
4. Staff housing;
5. Grand gateway – an elaborate entrance gate;
6. Church building, 4,000 square feet, with worship space and classrooms.

The Commission previously determined that the DayStar Academy and its combination of uses is best classified as a “(private) school”, which is a use allowed by Conditional Use Permit in the RG District.

All new uses, except for the gate structure, are proposed to be located well away from the external property boundaries, thus minimizing off-site impacts. Staff notes that the DayStar Academy is a nonprofit, institutional use serving a regional community. Absent objections or suggestions for conditions from surrounding property owners and residents, we take no exception to approval of the requested permit for expansion.

The Chair opened the public hearing.

Jack Campbell complimented the school as a good neighbor, as did Mr. Colin Fryer.

The Commission had some minor concerns for the RV Park, but was assured it would be exclusively for the school. Jean had questions about the lighting of the sign. The school is in a RG zone district and will need to follow the sign regulations in the Land Use Code.

The Chair called for a motion.

Dave Cozzens moved to recommend approval to the County Council of the DayStar Academy Conditional Use Permit for a “school” with accessory uses on the Applicant’s property in Castle Valley as illustrated on the site plan and identified as DayStar Adventist Academy DbA Castle Valley Farms; and recommend the repeal of all prior use on review and or conditional use permits for this project.

Seconded by Tom Shellenberger and all voted in favor.

Public Hearing – Waste Management Ordinance, Land Use Code Amendment. Staff read into the record the Land Use Code as amended to date, the General Plan as amended to date.

The Planning Commission has reviewed this at their last meeting and staff has included the changes as recommended. Other minor changes were made.

The Chair opened the public hearing – with no comments the public hearing was closed.

The Chair entertained a motion; Tom Shellenberger moved to recommend approval to the County Council, Jean Binyon seconded and all voted in favor.

Public Hearing – Land Use Code Amendment – Dude Ranch Amendment: Staff read into the record the Land Use Code as amended to date, the General Plan as amended to date. Staff explained that the changes made were as requested by the Commission to accommodate the Red Cliffs Ranches signs as follows;

- (15) Signs serving such uses shall comply with the requirements of Sec. 4.5, Signs; provided, however, that:
 - (a) Maximum allowable signage, defined as the aggregate total square footage of signs on-site, shall be as determined by the Planning Commission up to a maximum of 192 square feet, provided that no individual sign shall be larger than 92 square feet;
 - (b) Such maximum allowable signage shall in all cases be the minimum necessary to provide reasonable identification of the principle use(s) otherwise allowed on-site; and
 - (c) Signs that are not visible from off-site shall not be considered in the maximum allowable signage.

These changes allow signage for a Dude Ranch to be the maximum allowed signage in the commercial district along highway 191 in the commercial corridor.

Jack Campbell commented on the large amount of allowed signage of the proposed Dude Ranch, currently this would be the only one on a scenic highway not a commercial corridor the size of the signs would be with 30 feet of the edge of the road. In the HC, zone district most of the signs are at least 50 feet off the highway. Mr. Campbell also commented that Mr. Fryer’s signs are tasteful and in keeping with his development, but this ordinance would allow a Dude Ranch any where in the County and each development would be allowed 192

square foot of signage designed to the developers needs.

Mr. Fryer stated that he needs the signs for his business and would like the Commission to consider his request.

Mike Binyon commented that Hwy. 128 is the most scenic road in the state and there are only two businesses on this roads and he doesn't feel the need for 192 foot of signage is necessary.

The pubic hearing was closed by the Chair and opened up to the Commission for comment.

Charley Every made a comment relating to Colin's property, but it is not specific to Red Cliff's but using it as an example. The HC zone allows 192 square feet per business and would allow for one sign for each business; so the aggregate amount would be much larger in the HC zone district. This is not a county wide ordinance; it only applies to Dude Ranches and Destination Resorts and right now there are only tow of them in the County.

Dave Cozzens stated "that there are many people irritated by commercial enterprise and I think that the tax base is being enhanced by it and there isn't anything undesirable about either of the Dude Ranches on the river road".

D.L. Taylor said as an example he has had relatives drive by and notice the winter rates and pulled in had dinner and spent the night rather than drive all the way up to his ranch, so the signs do catch the eye of passer by's.

Tom Shellenberger asked if the Commission would consider specifying one sided signs and it would cut the sign down by half, that way they would be parallel to the road.

Ed Bridges stated that it does say aggregate and it already cuts down on the size.

Marcus LaFrance stated that the ordinance will be County wide and will apply to any proposal that comes before the County as a Dude Ranch or Destination Resort; it isn't only for the two existing businesses.

Richard Grice stated that in isolating one particular use and to create a sign standard for that one particular use isn't ideal and wouldn't normally recommend it except that it was clear that the commission wanted to approve what was on the property and drafted this as narrow precedence as possible. The pint of signage is to compete with other signs; I don't think that signs this large on the river road are necessary; identification signs are all that are necessary.

Marcus LaFrance agrees with Richard's statement. A good sign ordinance would have all the criteria disc used, distance to roads; length of right of way, height would slide with the distance to the road.

Staff made changes to clarify the maximum signage, as discussed by Commission.

Tom Shellenberger moved to send the amended ordinance to the County Council with their recommendation of approval. Dave Cozzens seconded, D.L. Taylor, Tom Shellenberger, Dave Cozzens, Charley Every, Ed Bridges, voted aye. Jean Binyon and Marcus LaFrance opposed.

Worksession

Use Standard amendments – the Commission made further revisions to the drafted amendment and will continue next meeting.

Adjournment: Marcus LaFrance adjourned the meeting at 8:00 PM.

Marcus LaFrance, Chairman

