

Grand County Planning Commission

February 24, 2020

A regular meeting of the Grand County Planning Commission convened on the above date at the Grand County Courthouse, 125 E. Center St., Moab, UT 84532

Members Present: Chair Abby Scott, Vice-Chair Emily Campbell, Bryon Walston, Rachel Nelson, Robert O'Brien, & Gerrish Willis (by phone), Kevin Walker (by phone).

Members Absent: N/A

Staff Present: Zacharia Levine, and Kenny Gordon, & Mila Dunbar-Irwin

Council Liaison: Jaylyn Hawks

Approval of Minutes: None

Citizens to be heard: None

Ex Parte Communication: None.

Discussion Items:

Troy Naylor, Possible Overnight Accommodations Overlay (OAO) application at or near 1991 S. Hwy. 191:

Zacharia Levine indicated that this discussion item was included in the agenda because a development team wanted informal, unofficial feedback on a potential OAO development application. Staff had not previously provided any staff-level review of the proposed OAO development. Given the legislative, discretionary nature of the application and its cost to produce and submit, the development team requested an opportunity to present their idea as a discussion item.

The development team representative, Steve Hopkins of Breckstrand & Associates, presented their proposal for an OAO development. Mr. Hopkins opened his presentation with a review of the projects his team has recently completed in the Moab Area. Mr. Hopkins presented a proposal for a mix of uses between Skyline Dr. and Plateau Dr. just east of US 191. The mix of uses includes roughly 80 apartment units and a similar amount of nightly rental condominium units. Mr. Hopkins provided his team's rationale behind their proposed mix of uses; he also explained his team's perspective that other, non-lodging commercial uses were not viable on the subject acreage.

Mr. Levine reviewed the process that OAO applications must follow and answered questions from planning commissioners related to various regulatory issues.

Planning commission discussed the relative merits of the application but did not provide any concrete direction to Mr. Hopkins and his development. Planning commissioners expressed concerns related to the following:

- Approvals for any new overnight rental developments
- The need for additional, non-lodging commercial uses in Grand County
- The need for more housing in Grand County
- Topography of the site

Mr. Levine expressed his concern that the developer had not incorporated any of staff's recommendations for possible amendments to their site plan, which also reflect the concerns raised by planning commissioners. In particular, Mr. Levine communicated his opinion that the mixed-use nature of the development did not meet the legislative intent of the OAO ordinance. However, Mr. Levine did express his awareness of the development team's need to create an economically viable project, the team's track record of quality developments in Grand County, and their ability to produce a development plan more in-line with the legislative intent of the OAO ordinance.

Action Items:

Amended I of Lot 10, All American Acres Subdivision:

Mr. Levine described the process that a replat must follow when it creates new lots within a platted subdivision. When this occurs, a developer must follow the steps associated with a full subdivision (preliminary and final plat approval). The Planning Commission is being asked to approve the preliminary plat. Each of the replats (called "Lot Amendments" of the platted lot number on the plat) in the February 24, 2020 agenda follows this procedure. The replats are all administrative in nature and only need to meet the standards of the subdivision to receive approval of their preliminary plats.

Mila Dunbar-Irwin presented the preliminary plat application noting that it met all Grand County standards except for the two issues noted in the agenda summary as suggestions for conditions of approval (e.g. sewer connection and drainage note on the plat).

Bob O'brien noted a discrepancy in percentages of impervious surface on the development application materials. Ms. Dunbar-Irwin confirmed but noted that the correct figures still fall within the acceptable parameters.

Emily Campbell moved to approve the replat and preliminary plat of Lot 10 within All American Acres subject to the following conditions:

- Applicant shall update the drainage related plat note as follows: "Lots 1 and 2 created by Amendment 1 of Lot 10 in the All American Acres Subdivision shall each be restricted to impervious surface area less than 15% of the respective lot or 7,000 square feet. If the owner of either Lot 1 or 2 applies for a land use or building permit that exceeds this restriction, the owner shall provide a drainage plan for the improvements in accordance with the requirements of Section 6.7 of the Grand County Land Use Code (Drainage Requirements) prior to the issuance of the land use or building permit."
- Applicant shall connect the existing residence to the Grand County Water and Sewer Service Agency infrastructure and provide an affidavit that said work has been completed prior to recordation of this final plat

Bob O'brien seconded the motion.

Gerrish Willis asked a question regarding required sewer connections. Mr. Levine confirmed that GWSSA requires all structures within 1,320 feet of an existing public sewer system connect to it.

Vote: 7-0 in favor of approval

Amended II of Lot 19, All American Acres Subdivision:

Ms. Dunbar-Irwin presented the preliminary plat application noting that it met all Grand County standards except for the issue noted in the agenda summary as a suggestion for condition of approval (e.g. drainage note on the plat).

Emily Campbell asked about staff's perspective on flag lots. Mr. Levine stated that staff has no bias against flag lots. They simply need to meet the standards of the LUC.

Bryon Walston moved to approve the replat and preliminary plat of Lot 19 within All American Acres subject to the following condition:

- Applicant shall update the drainage related plat note as follows: "Lots 1 and 2 created by Amendment 1 of Lot 10 in the All American Acres Subdivision shall each be restricted to impervious surface area less than 15% of the respective lot or 7,000 square feet. If the owner of either Lot 1 or 2 applies for a land use or building permit that exceeds this restriction, the owner shall provide a drainage plan for the improvements in accordance with the requirements of Section 6.7 of the Grand County Land Use Code (Drainage Requirements) prior to the issuance of the land use or building permit."

Bob O'brien seconded the motion.

Vote: 7-0 in favor of approval

All American Acres, Lot 26 amended:

Ms. Dunbar-Irwin present the preliminary plat application noting that it met all Grand County standards except for the issue noted in the agenda summary as a suggestion for condition of approval (e.g. drainage note on the plat).

Emily Campbell asked about staff's perspective on flag lots. Mr. Levine stated that staff has no bias against flag lots. They simply need to meet the standards of the LUC.

Bryon Walston moved to approve the replat and preliminary plat of Lot 19 within All American Acres subject to the following condition:

- Applicant shall update the drainage related plat note as follows: “Lots 1 and 2 created by Amendment 1 of Lot 10 in the All American Acres Subdivision shall each be restricted to impervious surface area less than 15% of the respective lot or 7,000 square feet. If the owner of either Lot 1 or 2 applies for a land use or building permit that exceeds this restriction, the owner shall provide a drainage plan for the improvements in accordance with the requirements of Section 6.7 of the Grand County Land Use Code (Drainage Requirements) prior to the issuance of the land use or building permit.”

Emily Campbell seconded the motion.

Vote: 7-0 in favor of approval

High Density Housing Overlay (HDHO) Discussion:

Mr. Levine provided an update on where Grand County stands in its approval of High Density Housing Overlay (HDHO) development applications in the context of the 300 deed-restricted unit-based sunset clause included in the HDHO ordinance. To date, Grand County has approved the equivalent of 270 deed-restricted HDHO units. However, Mr. Levine clarified that Grand County could not approve all three HDHO applications (and any others earlier in the development review pipeline) because they would cumulatively exceed the unit-based sunset clause. Mr. Levine encouraged planning commissioners to review each of the applications they will review on March 9, 2020 independently based on their own merits. He also acknowledged that it would be difficult to review and vote upon each independently because of the unit-based sunset clause. Planning commissioners asked questions about the current queue of HDHO applications, the origin of the unit-based sunset clause, and how they should approach the review of upcoming HDHO applications. Staff, planning commissioners, and Council Liaison Jaylyn Hawks discussed the logic behind the 300 unit sunset clause and what Council might do once reached. Mr. Levine clarified that staff was not advocating an increase to the sunset clause.

Future Considerations: Planning commission chair, Abby Scott, will provide a synopsis of planning commissioner thoughts on the general plan update at the March 9th or 23rd meeting.

Community Development Department Update: None.

County Council Liaison report: Jaylyn Hawks

Ms. Hawks provided the following updates:

- The County’s Human Resources Department is going to reorganize,
- The Old Spanish Trail Arena is going to build a playground, and
- Council Administrator In-training Chris Baird will be training his replacement for the County Clerk-Auditor, Quinn Hall.

Adjournment: Commissioner Emily Campbell motioned to adjourn the meeting. econded by Commissioner ???. Vote, unanimous. The meeting adjourned at 5:35 p.m.