

Regular Planning Commission Meeting Meetings
April 27, 2020

A virtual meeting of the Grand County Planning Commission regular meeting was held on Zoom, the meeting URL address was <https://us02web.zoom.us/j/93303896541?pwd=M25WMEo3UjBwK0x1NFVYYUdGb3RYdz09> and call-in for the meeting ID was 933 0389 6541 with password: 010138

Regular Meeting Call to Order and Attendance: Chair Abby Scott called the meeting to order at 5:05 P.M. Planning Commissioners in attendance were Chair Abby Scott, Vice-Chair Emily Campbell, Bryon Walston, Rachel Nelson, Robert O'Brien, Gerrish Willis, and Kevin Walker. Staff in attendance included Zacharia Levine and Mila Dunbar-Irwin.

Citizens to be heard: None

Ex Parte Communications: None.

Action Item

Approval of Minutes: Commissioner Willis moved to approve minutes of the April 7, 2020 meeting with the assumption all corrections sent to planning staff were made. Commissioner Emily Campbell seconds this motion. Because the final draft of the minutes were inadvertently left out of the meeting packet, Commissioner Kevin Walker suggests waiting until a future meeting to vote so all may review the final minutes. Commissioner Willis withdraws previous motion. Commissioner Willis motions to postpone action on the April 7, 2020 meeting minutes until a future meeting. Commissioner Walker seconds this motion. Motion passes unanimously.

Public Hearings:

None

OK RV Park Overnight Accommodation Overlay (Adam Oris, Funstays LLC) at 3324 Spanish Valley Drive: See staff report for details.

Discussion: Staff clarifies that one other applicant uses RVs for employee housing and had to submit a deed restriction for this. Use for employee housing offers some concern because down the road there may be demand for these units from overnight guests. County Attorney is confident this restriction will be enforced, however this legal component is outside the scope of the planning office. There is an ordinance attached to the overlay and developers can only develop in accordance with that master plan. However, there is a possibility for a new masterplan to be developed. Both parcels are zoned residential and existing campground is a legal nonconforming use. Proposed employee units are not on the commercial parcel and can only be occupied using the OAO.

Public Hearing: Adam Oris states he was told they could possibly use the property for employee housing as an accessory use when they purchased it a year ago. He was unable to do so and is thus applying for the OAO. There will be an obvious fence line across the property

and they are happy to provide anything necessary to ensure it will be used for employee housing. Due to financial reasons they have chosen RVs over manufactured homes. Owners own several campgrounds in the area and one in Colorado. They would like to make OK Campground the headquarters and employees in the office will do many of the business operations, not just campground maintenance.

Christel Reynolds is owner of the property adjacent to the OK RV Campground and voices concern that this is not the best way to accommodate employee housing. The benefit is only for the owners and is not for Moab or the County. The owner bought the property for cheap because it is not commercial, but residential. Additionally the lot is not quiet due to OHV's present and campground maintenance. Ms. Reynolds believes the Planning Commission should not support this because it is bending the rules and there is no one that is going to enforce restrictions of the overlay.

Discussion: Commissioner Campbell asks if the intent is to have five spaces plus existing residence and will the existing residence be deed restricted? Mr. Levine confirms staff recommends the existing residence also be restricted, however, there are six RV spaces requested.

Motion: Commissioner Walston motions to approve with conditions that the applicant is required to report land use restrictions governing the employee housing component of the request and also the existing structure. Commissioner Walston modifies motion to send a favorable recommendation to the County Council with the condition as stated in the packet. Commissioner Campbell seconds this. Commissioner Walston encourages businesses in the community to provide housing.

Discussion: Commissioner Campbell raises discussion over the restriction of overnight rentals and if it is strict enough. Commissioner Scott states that the way employee housing is regulated, this would be adequate. Staff clarifies that there is room for more specific language regarding the restriction on overnight rental, but can work with the applicant to change this language.

Commissioner Campbell suggests amending the motion to specify the length of stay and full time versus short-term lodging for employees and asks for staff recommendations. Staff suggests applicant records the land use agreement specifying there will be no overnight rental for less than 30 days for anyone other than employees of Funstay, LLC. Staff will put this 30 day requirement in the agreement.

Conversation ensues around what is an appropriate way to provide employee housing in terms of upholding the code and pre-existing zones. Staff will discuss with the County Attorney about how the RV's would be occupied in the event the property is sold.

Vote: Motion fails 3-3 with Commissioners Walston, Campbell, and Scott voting aye and Willis, Nelson, O'Brien nay. Commissioner Walker abstains.

Willow Springs Overnight Accommodation Overlay (Reed Pendleton) at 13733 North Highway 191: See staff report for details.

Discussion: Commissioner Campbell questions whether it was discussed to zone the entire parcel or a portion of the parcel and if that was discussed? Mr. Levine confirms it was not.

Public Hearing: Owner Reed Pendleton voices that this is the only private parcel on the west side of the highway and conforms with existing developments. The campground is designed to be visually appealing and it is equipped with electric charging for electric vehicles. There is a need for this campground as campgrounds fill up fast and visitors want facilities, so they go to other counties. Mr. Pendleton is happy to conform with OA standards.

Mr. Pendleton confirms that the mix-use proposal is flexible to be mixed-use or open space and the mixed-use can incorporate many different ideas, including long-term housing and a grocery store. It is currently not included in the application because of uncertainty about what is preferred.

Chris Skarda, owner of Arches Hideaway expressed the opinion that visitation has increased and the location of this campground is the ideal location for visitors and keeps them out of the town. Mr. Skarda believes this is the type of use needed for this property and supports this application.

Michael Skarda with Namaste Rock, believes this development will be good for revitalizing this area.

Rachel Moody has been involved with this property for a couple years and supports it being a campground. This area is underserved and attracts illegal camping. It will help with a potential Utah Raptor State Park and serve the clientele in this area.

Conversation ensues around the politics and impact of approving more overnight accommodations. Not having a plan for the Highway 313 area and design standards creates concern for approving this development.

Motion: Commissioner Campbell motions to send a favorable recommendation to apply the OAO to Grand County Parcel number 04-0002-0038 located at 13733 North Highway 191. Commissioner Walston seconds this motions for the purpose of discussion.

Discussion: Direction is needed from County Council about how they feel about approving applications for the Highway 313 area given there is no solid plan for this area. Concern over the lack of plan for this area, amount of overnight accommodations in the county, and timeline for creating a plan is discussed.

Vote: The motion to send a favorable recommendation to apply the OAO to Grand County Parcel number 04-00020-0038 located at 13733 North Highway 191 fails 2-4 with

Commissioners Campbell and Walston voting aye and Commissioners Willis, Walker, O'Brien and Scott voting naye. Commissioner Nelson abstains.

DiscoPlex HDHO-5 Subdivision (Eric Plourde and Kara Stoner) at 2600 Desert Road: Ms. See staff report for details.

Commissioner Walker clarifies with staff that the total lot size is half acre. Commissioner Walker states that three lots on half acre makes a density of six lots per acre. Staff clarifies this was discussed and Applicant was entitled to 2.5 units per acre density that they could request approval for rounding up to three for a half acre. The eligibility zone for this area is HDHO-5

Staff clarifies states there is no prior precedence for rounding up the number of units in comparison to the acreage and there is room for clarification in the land use code. The reason for going up to 3 is because of the general layout of this development and to allow for three units. Commissioner Willis requests that if this motion passes, when staff presents this proposal to the CC that it is explained to them that the number of units was rounded up and that rounding may not be consistent with past staff recommendations. Approval of this does not meet or exceed the HDHO 300-unit cap.

Public Hearing: Applicant Eric Plourde emphasizes they are local builders and do high-performance homes. The model of this lot brings down the cost of these homes.

Resident Mike Huitt questions whether it will be rental property or homeowner and how much more traffic there will be on the dead end road? Otherwise, they are in favor of this plan. Mr. Plourde confirms the intention is to sell the units they are building, the back two units. The existing home will likely remain a long-term rental. Mr. Plourde is unsure about what this means for traffic.

Discussion: None

Motion: Commissioner Campbell motions to make a favorable recommendation to apply the HDHO-5 to the parcel located at 2600 Desert Road with the condition that the master plan is updated and drawn by a licensed surveyor prior to recordation. Commissioner O'Brien seconds this motion.

Discussion: Concern over the maximum allowed density is raise and Planning Commission requests consistency and clarity when rounding maximum allowed density.

Vote: Motion passes unanimously 7-0 with Commissioners Campbell, O'Brien, Willis, Nelson, Walker, Walston, and Scott voting aye.

Future Considerations: Commissioner Scott would like to prioritize an area plan for the Highway 313 area.

The County Council is still working on the General Plan update.

PC should come up with proposals that are have yes no or multiple-choice questions to get more direct answers from County Council. Commissioner Willis suggests that County Council puts Planning Commission discussion items earlier in the packet so that Council may have better discussion and provide more feedback or recommendations.

Commissioner Scott has accepted a part time position with the County and will begin working with the Community & Economic Development Office and will be resigning from the Planning Commission and as Chair. Vice Chair Commissioner Campbell is eligible for Chair and if she accepts then there is an opening for vice chair as well as a vacancy to be filled on the Planning Commission. Commissioner Scott will be working closely with Ms. Dunbar-Irwin to help with planning applications. There will be an ad in the paper this week advertising the vacancy in the Planning Commission.

Commissioner Willis will draft and present an affidavit that can be handed out to applicants to sign and have it notarized saying they have complied with the noticing requirements of the land use code.

Commissioner Campbell would like staff to ensure that north is facing up on the maps that go in packets. This may be resolved by rotating the map on the computer screen by hitting Command r on the keyboard.

County Council Liaison Report: Councilperson Hawks reports that she presented to the Council questions about OAO and the general plan update. Four council members responded to the general plan update. Councilperson Hawks says it would be safe to address the Highway 313 area plan as a priority as it came up in council members' comments. Mr. Levine states it is the Council's responsibility to initiate a plan update and define the scope of work for what this looks like. Staff recommends that Council focuses on limiting the general plan update to the most important funds and to utilize the money that was allocated to focus on a land use code review and rewrite to ensure that a general plan update is reflected in the land use code and avoid any mismatch. The Planning Commission and Council should identify priorities and then take these priorities to the public for feedback if desired, but not necessary.

The three land use items were voted on. Villa Mayor failed due to lack of a motion. The Hawks Subdivision HDHO was approved unanimously and Desert Storm Subdivision HDHO-5 was approved unanimously.

The City would like to put a RAP (recreation, art, and parks) tax on the ballot. In order to do this the County must pass a resolution saying the County does not intend to collect that tax. It is believed to be a .1% sales tax

New health orders are assumed to be official and public, following Governor Herbert's restrictive code orange. It is unclear whether the State order will take precedence over Grand County's order.

The County Council will have a special meeting on Thursday with an update from the health department and the hospital. Thursday's meeting will also address budget concerns.

Adjournment: Commissioner Walker motioned to adjourn the meeting. The motion was seconded by Commissioner Willis. The motion passed unanimously. The meeting adjourned at 8:14PM.