

Grand County Planning Commission

August 13, 2019

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 Gerrish Willis, Vice Chair Abby Scott, Robert O'Brien, Christine "Cricket" Green, Kevin Walker, Emily Campbell, and Rachel Nelson (left the meeting at 7:30 pm).

Members Absent:

Staff Present: Zacharia Levine, Olivia Holmes and Kenny Gordon

Council Liaison: County Council Vice Chair Terry Morse

Approval of Minutes: June 11, 2019. Chair Willis made several suggestions to meeting minutes. Minutes to be revised and brought back at a later meeting.

June 25, 2019. Commissioner Campbell moved to approve the minutes from June 25, 2019. Seconded by Commissioner Nelson. Vote: 5 for, 0 against with 1 abstention (Commissioner Green). Motion carries.

Citizens to be heard: None.

Ex Parte Communication: None.

Action Items:

Art & Terri Hines Rezone:

Review and consider application materials provided to the planning commission related to the proposed Art & Terri Hines Rezone.

The subject parcel is too small to subdivide into two lots under the LLR zone district. The subject parcel, however, is included in the HDHO-15 District. The Applicant has been informed of their ability to seek an HDH overlay, which they initially sought to utilize. The Applicant expressed concern about the lack of protection for retirees in the HDHO ordinance originally adopted, however, that provision has been corrected. It is unclear why the Applicant no longer seeks to utilize the HDHO. Additionally, a rezone to SLR would result in a single parcel (aka "island") zoned SLR surrounded by many parcels zoned LLR.

Applicant is requesting to rezone a 0.75 acre parcel of land from Large Lot Residential (LLR) to Small Lot Residential (SLR). The property is vacant and the applicant would like divide the lot into two lots, one being 0.50 acres and the other 0.25 acres. The Small Lot Residential (SLR) zone would allow for the desired lot sizes.

Commissioner Campbell enquired about staff's discussion with the applicants regarding the HDH Overlay. Kenny Gordon provided some explanation. Chair Willis enquired about environmental impacts. Staff provided some explanation. Zacharia Levine provided some further clarification on terms and the rezone request.

Chair Willis opens the public hearing.

Applicant Art Hines and Brad Hines present.

Chair Willis as for public comment, with none Chair Willis closes public hearing.

Commissioner Campbell moved to table the proposed Hines Rezone (31:30 on audio recording).

Commissioner Green moved to forward a favorable recommendation of the Art & Terri Hines Rezone from Large Lot Residential (LLR) to Small Lot Residential (SLR) to the Grand County Council (32:50 on audio recording). Seconded by Vice Chair Scott. Discussion: Commissioner Green requests information about a full build out under the HDHO application. Zacharia Levine clarifies that that would not be required. Chair Willis, and Commissioner Walker make statements about the rezone request. Vice Chair Scott asked about the maximum numbers available with the HDHO. Zacharia Levine states that we have not reached the cap. Vote: 1 for (Commissioner Green), 5 against. Motion fails. Commissioner Campbell moved to send an unfavorable recommendation of the Art & Terri Hines Rezone from Large Lot Residential (LLR) to Small Lot Residential (SLR) to the Grand County Council (41:35 on the audio recording). Seconded by Commissioner Walker. Discussion. Vote: 5 for, 1 against (Commissioner Green). Motion carries.

Buzzard's Belly Rezone:

Review and consider application materials provided to the planning commission related to the proposed Buzzard's Belly Rezone. Staff recommends the planning commission move to forward a favorable recommendation to the Grand County Council.

Applicant is requesting to rezone a 0.52 acre parcel of land from Range & Grazing to Neighborhood Commercial (NC). The property is the site of an old general store that has been unutilized and the applicant would like to re-open the store. Due to the store not being in use for a period longer than six (6) months and also since the current zoning of Range & Grazing does not allow for a general store the request of Neighborhood Commercial (NC) zoning has been made. The Neighborhood Commercial (NC) zone would allow for stores selling, home, business goods including alcoholic beverages, convenience goods, dry goods, tobacco and related products.

Commissioner Green moved to forward a favorable recommendation of the Buzzard's Belly Rezone to the Grand County Council (55:55 on the audio recording). Seconded by Commissioner Campbell. Discussion. Vote: 6 for, 0 against. Motion carries.

Namaste Rock Rezone:

Review and consider application materials provided to the planning commission related to the proposed Namaste Rock Rezone.

Applicant is requesting to rezone a 24.03 acre parcel of land from Range & Grazing to Highway Commercial (HC). The property is currently the site of a single residence. To accommodate a desired density and type of housing development, the Applicant is requesting a rezone to the Highway Commercial (HC) zone.

Commissioner Campbell asked about applicants claim that at one time the parcel was zoned Highway Commercial (HC). Zacharia Levine explained about zoning needing to be verified.

Applicant Michael Skarda presented.

Chair Willis requests any public comment.

-Paul Morris, adjacent property owner, expressed desire to develop in this area.

Chair Willis closes public hearing.

Commissioner Green moved to forward a favorable recommendation of the Namaste Rock Rezone to the Grand County Council (1:21:35 on the audio recording). Seconded by Commissioner Campbell. Discussion.

Commissioner Green for development in this area to alleviate some pressure to town. Commissioner Campbell agrees with Green. Vice Chair Scott agrees. Commissioner Walker express opposition, one reason being view shed. Chair Willis concerns about standards in this North Corridor.

Vote: 3 for (Green, Campbell, & Scott), 3 against (Nelson, Willis, & Walker). Motion fails.

Commissioner Walker moved to forward an unfavorable recommendation of the Namaste Rock Rezone to the Grand County Council (1:41:20 on the audio recording). Seconded by Commissioner Nelson. Discussion.

Commissioner Nelson expressed some concern for development in this area. Commissioner Walker would like to have standards in place prior to development in this area.

Vote: 3 for (Nelson, Willis, & Walker), 3 against (Green, Campbell, & Scott). Motion fails.

Chair Willis calls for a five minute break.

Murphy Flats HDHO Application:

Review and consider application materials provided to the planning commission related to the application of the HDHO-15 overlay to the subject parcel.

At this stage, planning commissioners shall primarily determine if the subject parcel is appropriate for the development intensity proposed by the developer. Planning commissioners shall also review the proposed master plan for conformance with the HDHO ordinance and compatibility with the surrounding area.

The subject property is a 1.46 acre lot located in the Rural Residential (RR) zone at 1183 Murphy Lane. The developer is requesting application of the HDHO-15 to their parcel.

Commissioner Walker asked about the steep slopes requirement. Kenny Gordon explains that the development meets the steep slope requirement. Commissioner Green commented on the access easement. Commissioner Campbell asked about parking spaces provided. Zacharia Levine explains that the staff report reflected accurate parking numbers.

Chair Willis opens public hearing.

Applicant Courtney Kizer and Steve Evers present.

Chair Willis opens meeting to public comment.

- Steve Evers is favorable of this development.
- Joe Kingsley was favorable to this development.
- Diane Allen was favorable to this development. Expressed concern about drainage.
- Melva Morre concerned about this development.
- Shelly Dyke concerned about street lights and sale of their property.
- Sheri Griffith favorable to this development.
- Dave Bierschied would provide needed housing.
- Chris Benson approves of the subdivision.

Chair Willis closes the public hearing.

Commissioner Campbell moved to send a favorable recommendation to the County Council for applying the High Density Housing Overlay (HDHO-15) to the parcel located at 1183 Murphy Lane and its associated master plan (2:41:18 on the audio recording) Seconded by Vice Chair Scott. Discussion.

Commissioner Campbell brings up parking issues, believes there may be some need for some give and take. Vice Chair Scott road easement would need to be worked out at a later time, also the drainage. Zacharia Levine may be helpful to acknowledge some of these concerns. Chair Willis suggest the same as Levine. Commissioner Walker in favor of showing some flexibility with roads and parking. Commissioner Green more comfortable if plat showed the access.

Commissioner Campbell moved to amend motion to send a favorable recommendation to the County Council for applying the High Density Housing Overlay (HDHO-15) to the parcel located at 1183 Murphy Lane and its associated master plan with the following conditions: 1) the applicant show legal access to Murphy Lane, 2) insurance from the fire department the this plan meets there standards, and 3) insurance from the road department that this plan could meet County standards (2:56:40 on the audio recording). Seconded by Vice Chair Scott. Discussion. Commissioner Green will staff look into these issues? Zacharia Levine we will. Vote (amended motion): 4 for (Campbell, Scott, Green, and Walker), 1 against (Willis). Motion carries (Nelson left the meeting at 7:30 pm).

Commissioner Walker moved to amend motion to send a favorable recommendation to the County Council for applying the High Density Housing Overlay (HDHO-15) to the parcel located at 1183 Murphy Lane and its associated master plan with the following conditions: 1) the applicant show legal access to Murphy Lane, 2) insurance from the fire department the this plan meets there standards, and 3) insurance from the road department that this plan could meet County standards 4) pedestrian right-of-way to access land north of property (3:00:30 on the audio recording). Seconded by Vice Chair Scott. Discussion. Commissioner Walker thinks an easement to access lands north of subdivision is reasonable at this time. Chair Willis expressed some concern about liability. Commissioner Green thinks it would be a burden on property owner.

Vote (2nd amended motion): 2 (Walker & Scott) for, 3 (Green, Willis, & Campbell) against. Motion fails.

Vote (original motion): 4 for (Campbell, Scott, Green, & Walker), 1 against (Willis). Motion carries

Discussion Items: Planning Commission discusses the cap on HDH units and related.

Future Considerations:

Community Development Department Update:

County Council Liaison report::

Adjournment: Move to adjourn, unanimous. Meeting adjourned at 8:46 pm.