

REGULAR PLANNING COMMISSION MEETING MINUTES
August 24, 2020

The Grand County Planning Commission held its regular meeting on the above date with all attendees participating remotely via Zoom.

YouTube recording of meeting can be viewed at

<https://www.youtube.com/watch?v=y33iNOr6Yqc>

Recordings archived at www.grandcountyutah.net/AgendaCenter

In attendance: Planning Commissioners Emily Campbell, Rachel Nelson, Bryon Walston, Robert O'Brien, Josie Kovash, Kevin Walker and Gerrish Willis. County Commission Liaison Jaylyn Hawks. Grand County Staff Mila Dunbar-Irwin and Olivia Holmes.

Commissioner Campbell officially calls the meeting to order at 4:03 pm

Citizens to be heard:

Mark Horwitz (1 min): Request PC recommends to the County Commission to include Ex Parte Communications in CC meeting agendas.

Reed Pendleton (3 min): Would like to know how overnight accommodations are going to be incorporated into the Small Area Plan Hwy 313/US 191. Would like campground developments and the use table to be addressed in the discussion today.

Ex Parte Communications and Conflict of Interest Disclosures:

No ex parte communications or disclosures from any Commissioners.

Approval of Meeting Minutes from August 10, 2020 Regular Meeting Minutes - Approved (7 min)

Discussion: None

Motion and Vote: Commissioner O'Brien moved to approve the minutes from the August 10, 2020 Planning Commission meeting. Commissioner Willis seconds. Motion passed 6-0 with Commissioners Walston, Nelson, Walker, O'Brien, Willis and Campbell voting aye. Commissioner Kovash was absent for this vote.

Discussion Item: Small Area Plan 313/191 (8 min)

Commissioner Campbell provided a recap of the Small Area Plan 313/191 presentation to CC. The planning tools presented and available to use are:

1. A vision for this area to guide development
2. Add or remove uses to current zones, potentially to resort special.
3. Consider a new zone for this area through a zoning map amendment or make it an overlay or a new zone.
4. Modify existing zones.

Review of Survey Results to Date: (13 min) Staff presents that there are no new trends in the survey.

Planning Tools: See above list. Staff presented code examples from other Counties that used overlay zones, such as a Scenic Resource Overlay, to protect community viewsheds. The overlays require high development standards to help mitigate disruption to the area. The overlay would have a strict boundary line. To move forward with this, PC must identify viewpoints from the highway and vistas to protect.

County Commission Workshop Agenda: (31 min) PC to summarize draft vision statement which will aim to define the significance of the gateway and state protection of specific viewpoints. Private properties rights versus community values will be addressed. PC's support of strict development standards will be expressed. The vision statement should also state what type of uses will be appropriate for this area. Staff will develop a draft language incorporating the above comments. Staff will also send the use table as a spreadsheet for the PC to comment on. PC may favor resort special as the underlying zone and further examine what uses should be permitted.

Discussion Item: Planning Projects (1 hr 2 min)

Commissioner Walker moved to postpone the discussion item to future considerations. Motion passed 7-0 Commissioners Walston, Nelson, Kovash, Walker, O'Brien, Willis and Campbell voting aye.

Citizens to be Heard: (1 hr 3 min)

Mark Horwitz (1 hr 3 min). Hopes that the County Commission will instate a pledge to uphold the constitution as a substitute to the pledge of allegiance and will address ex parte communications. The High Density Housing (HDH) is a mockery of the Land Use Code and damages property rights and the quality of neighborhoods.

Public Hearing: Grand County Land Use Code Updates

Discussion: (1 hr 8 min) See staff report for details.

The minimum lot size under 8 units per acre, in the density table, should be corrected from 0.13 to 0.125. The update to building permits in Article 4 will be postponed until further clarification on the expiration period is made. Section 9.2.5 states CC action shall be taken within a "30 day period or within a reasonable time thereafter." It is unclear what is meant by this timeline and further clarification is requested.

Public Hearing: (1 hr 23 min) None

Motion and Vote: (1 hr 24 min) Commissioner Walker moved to send a favorable recommendation to the County Commission to approve the proposed ordinance regarding Articles 4, 5, and 9 of the Grand County Land Use Code as per the drafts reviewed at this public hearing with the condition that Table 5.4.1.A corrects the minimum lot size from 0.13 acres to 0.125 acres and 4.7.8.F is omitted. Seconded by Commissioner O'Brien.

Discussion: (1 hr 30 min) Discussion ensues over whether it's appropriate to round the lot size up or down. It is determined that this matter is situational. Rounding up makes sense in the

cases of parking spaces, rounding down largely makes sense when addressing dwelling units and lot size.

Vote: (1 hr 30 min) Motion passed 7-0 with Commissioners Walston, Nelson, Kovash, Walker, O'Brien, Willis and Campbell voting aye.

(1 hr 32 min) Commissioner Walston exits meeting, states support for two remaining action items.

Action Item: All American Acres Lot 10 Preliminary Plat. 4401 Easy Street. Four lot subdivision and replat.

Discussion: (1 hr 33 min) See staff report for details.

No further discussion

Applicant Statement: None

Motion and Vote: (1 hr 35 min) Commissioner O'Brien moved to approve the preliminary plat for amendment one of lot 10 for All American Acres Subdivision located 4401 Easy Street, parcel number 02-0SAA-0010 conditional on the following: approval of maintenance agreement recorded with the final plat to provide the common ownership maintenance of the private access track. Seconded by Commissioner Nelson. Motion passed 6-0 with Commissioners, Nelson, Kovash, Walker, O'Brien, Willis and Campbell voting aye. Commissioner Walston was absent for this vote.

Action Item: Viewgate Terrace Phase 2 Preliminary Plat. 1248 S Hwy 191. 4 Lot HDHO (approve) Subdivision Preliminary Plat.

Discussion: (1 hr 37 min) See staff report for details.

Applicant Statement: Alan Melchior (1 hr 41 min). The apartment buildings will only be developed on the five acres directly behind the hotel. All units are part of multi-family residential complexes. They are all going to be apartments for Moab residents.

Motion and Vote: (1 hr 43 min) Commissioner O'Brien moved to approve the Viewgate Terrace Phase 2 Preliminary Plat for the parcel located at 1248 S Hwy 191 conditioned on the following: hydrological issues are reviewed by Bill Loflin at the developers expense and adequately addressed prior to the final plat; existing roadway improvements are addressed prior to the final plat; all conditions of ordinance 599 add notes to the plat designating HDHO Ordinance and deed restricted lots. Seconded by Commissioner Walker. Motion passed 6-0 with Commissioners, Nelson, Kovash, Walker, O'Brien, Willis and Campbell voting aye. Commissioner Walston was absent for this vote.

Future Considerations: (1 hr 45 min)

- Community Development applied for an AmeriCorps VISTA to share with Active Trails & Transportation and assist with open space planning. The intended start date is January 2021.
- PC should plan for a longer meeting at the end of September to address non conforming b&bs in the County, permitting Overnight Accomodations specific to outdoor education

and updates to the use table. Public comment on these matters should be requested and addressed at this meeting.

- The revised lighting ordinance no longer states that residents are not allowed to directly illuminate their neighbor's property. Commissioner Walker will propose an amendment to the new ordinance.
- The Small Area Plan Draft timeline will be delayed due to labor day. The workshop with CC will address a revised timeline for developing the plan.

Building Permit Review (2 hr 7 min)

- 6 Manufactured homes
- 5 Residential homes
- 1 Construction without a permit
- 2 Solar

County Commission Action Items (2 hr 9 min)

- Rancho Nuevo final plat was approved and building permits for all 8 units have been submitted.
- Bond release for Rim Village phase 5 was approved.

County Commission Update - Jaylyn Hawks (2 hr 10 min)

- CC renewed the mandatory face covering order with the health department through the end of the year.
- CC voted to amend the current form of government to a commission. It passed 7-0 and now complies with State Code. CC will now officially operate under a 7 person commission.
- There will be three questions on the ballot:
 - Shall we accept the studies council form of government?
 - Shall we decrease the number of commissioners to five?
 - Shall we have an all at-large commission?

Adjournment: (2 hr 18 min) Commissioner Walker moved to adjourn the meeting. Commissioner Nelson seconded. Motion passed 6-0 with Commissioners Nelson, Walker, O'Brien, Willis and Campbell voting aye. Commissioner Walston was absent for this vote. Meeting adjourned at 6:20pm.