

Agenda

GRAND COUNTY Planning Commission

May 11, 2016
6:00 P.M. Regular Meeting
Grand County Courthouse
Council Chambers
125 E Center, Moab, Utah

Type of Meeting:	Regular Meeting
Facilitator:	Dave Tubbs, Chair
Attendees:	Planning Commissioners, interested citizens, and staff

6:00 PM

	Citizens to be heard	<i>Chair</i>
Public Hearings and possible Action Items	Public Hearing - RePlat application for Lot 18 All American Acres, a four lot split in the Rural Residential zone district. Located on the Heather Lane.	<i>Staff</i>
Action Item	Site Plan Review – a site plan review of Madeline Cottages hotel/motel located on Angel Rock Road in the Highway Commercial Zone District.	<i>Staff</i>
Workshop / Discussion	Proposed Land Use Code Amendments. 1) <i>Sec. 3.2.3 D. Bed and Breakfast</i> – Clarifying use and procedure. 2) <i>Sec. 5.4.1.B. Project Boundary Buffer</i> – relaxing the buffer zone set-back from residential properties. 3) <i>Sec. 6.10 A Compatibility Standard</i> – Reducing the set-backs to residential properties from commercial buildings. 4) <i>Sec. 10.2 Definitions</i> – Additional definitions for “Temporary Stay” related to Recreational Vehicles and overnight rental properties in residential neighborhoods. 5) <i>Sec. 3.3.2 D. Employee Housing, Accessory</i> – Allowance of RV sites, to the otherwise allowed commercial principal use for employees of the on-site business.	<i>Staff</i>
Action Item	Approval of April 27, 2016 Meeting Minutes	<i>Chair</i>
	Future Considerations	<i>Chair</i>
	Community Development Updates	<i>Staff</i>
	County Council Update – Mary McGann	<i>Council Liaison</i>
	ADJOURN	

DEFINITIONS:

Public hearing = a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public meeting = a meeting required to be open to the public pursuant to the requirements of Title 52, Chapter 4, Open and Public Meetings; the public may or may not be invited to participate.

Legislative act = action taken by the County Council or Planning Commission; amending ordinances, adopting general plan, Annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community.

Administrative act = action taken by the Planning Commission, County Council or staff interpreting ordinances and regulations, conditional uses, approving subdivision, site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code, whichever is stricter.



STAFF REPORT

MEETING DATE: May 11, 2016
TO: Grand County Planning Commission
FROM: Planning Staff
RE: Amended Plat of Lot 18 of All American Acres

RECOMMENDED MOTION

Move to forward a favorable recommendation to County Council for approval of the plat amendment of lot 18 of All American Acres subject to the following items be addressed prior to getting on the County Council

Agenda:

1. County Engineer's approval of the drainage waiver.

BACKGROUND

The Applicants, Alice and Greg McKennis, are requesting approval of a 4-lot subdivision in All American Acres (a platted subdivision). The subject property consists of approximately 5 acres and is zoned Rural Residential (RR) located at 4235 Heather Lane. The project is in compliance with the maximum density requirement of 1 unit per acre. Additionally, the project meets dimensional standards for single-family detached housing. Two lots are flag lots with a 20 foot access and not more than 250 foot in length. Lot 2 is improved with single-family dwelling unit and approved accessory uses, proposed Lots 1, 3, and 4 are vacant and currently irrigated agricultural land.

APPLICABLE LUC

Replats

Division of land within a platted subdivision shall be subject to the requirements of preliminary and final plat (LUC Sec. 9.9).

Preliminary Plat Review

The applicant submitted the following supporting materials:

- a) Boundary Lines and Bearings – *(on the plat)*
- b) Adjacent Subdivisions – *(property is located within All American Acres (a platted subdivision) and adjacent to White Horse subdivision)*
- c) Intersecting Streets – *(on the plat)*
- d) Proposed Streets, Alleys and Easements - *(on the plat)*
- e) Proposed Blocks, Lots and Parks - *(on the plat)*
- f) Contours - *(there are no topographical issues)*
- g) Subdivision Title and Planner - *(on the plat)*
- h) Dedicated Parks, Playgrounds and Other Public Uses – *(not applicable)*
- i) Scale, North Point - *(on the plat)*
- j) Drainage Report – *(County Engineer was provided a report, no response at this time)*
- k) Protective Covenants – *(not applicable)*
- l) Proposed Land Uses - *(on the plat)*
- m) Vicinity Map - *(provided)*
- n) Application Fee – *(paid)*
- o) Preliminary master plan *(not applicable)*

All plats and subdivision of land must conform to Article 7 Subdivision Standards:

Building Lots

Finding = Proposed Lots meet the dimensional requirements of the RR zone district for single-family housing / 1 acre minimum lot area. Lot 1 and 2 are flag lots and shall meet the following requirements: (1) has 20 ft. of frontage on a dedicated public street, (2) the "handle" portion of the lot is at least 20 ft. in width and not more than 250 ft. in length, and (3) the body of the lot meets the lot area and lot width requirements of the underlying RR zone. The plat will reflect compliance.

Streets

Finding = All have frontage on Heather Lane an existing County Road. Heather Lane is a 66 ft. County right-of-way. No additional frontage is required to be dedicated.

Sidewalks and Trails

Subdividers are required to build sidewalks in residential districts where the average lot size is greater than .5 acres.

Finding = The average lot size is greater than .5 acres. Sidewalks are not required

Easements

Finding = all necessary easements have been granted.

Drainage

Finding = The County Engineer has been provided the drainage plan and we are waiting on his report. necessary.

Street Lighting

Finding = Street lighting is not required.

Water and Sewer, Utilities, and Fire

Finding = The Applicant has provided utility signatures indicating adequate plat easements and continued commitment to serve and approval by the Fire Chief.

Final Plat Review

Final plats are required to display the following information:

- a) Control Points; Acres– (done)
- b) Boundary Lines and Bearings– (done)
- c) Streets – (done)
- d) Easements - (done)
- e) Lot and Block #- (done)
- f) Building Lines- (existing structures are illustrated on the plat)
- g) Monuments- (done)
- h) Adjacent Land– (done)
- i) Surveyors Certificate and Legal Description - (done)
- j) Approval Certification Block– (done)
- k) Title, scale, street intersections, plat id – (done)
- l) Dedication Certificate - (on the plat)

Payment for Installation Costs

Finding = All required improvements are already in place. Accordingly, a subdivision improvements agreement, cost estimate, and financial guarantee are not required. Additionally, the applicant is not proposing a Home Owners Association so there is not a required Covenants, Conditions, and Restrictions (CC&R) review.

CONCLUSION

Staff recommends approval of the minor subdivision and Plat Amendment of Lot 18 of All American Acres with conditions that the County Engineer approve the drainage waiver.

AMENDED PLAT OF LOT 18 OF ALL AMERICAN ACRES SUBDIVISION
IN SECTION 26,
TOWNSHIP 26 SOUTH, RANGE 22 EAST,
SALT LAKE BASE AND MERIDIAN

Surveyor's Certificate

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the state of Utah and that I hold license no. 7540504. I further certify that a land survey was made of the property described below, and have subdivided said tract of land into lots and streets hereafter to be known as AMENDED PLAT OF LOT 18 OF ALL AMERICAN ACRES SUBDIVISION and that same has been correctly surveyed and staked on the ground as shown on this plat.

Boundary Description

All of Lot 18, All American Acres Subdivision as recorded in the office of the Grand County Recorder, being more particularly described as follows: Beginning at the southwest corner of said Lot 18, said point being North 64°09'52" East 1461.81 feet from the West Quarter corner of Section 26, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and running thence North 0°38'30" West 673.65 feet to the northwest corner of said Lot 18; thence South 89°46'18" East 325.96 feet to the northeast corner of said Lot 18; thence South 0°38'30" East 674.88 feet to the southeast corner of said Lot 18; thence North 89°33'22" West 325.98 feet along the North right of way line of Heather Lane to the point of beginning.

Contains 219,759 sq. ft. OR 5.04 acres.

Date _____ Lucas Blake
License No. 7540504

OWNER'S DEDICATION

Know all men by these presents that _____, the _____ undersigned owner() of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as the

AMENDED PLAT OF LOT 18 OF ALL AMERICAN ACRES SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D., 2016.

ACKNOWLEDGMENT

ON THE _____ DAY OF _____, 2016 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____ IN SAID STATE OF UTAH, THE SIGNER() OF THE ABOVE OWNER'S DEDICATION, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES _____

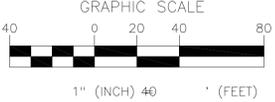
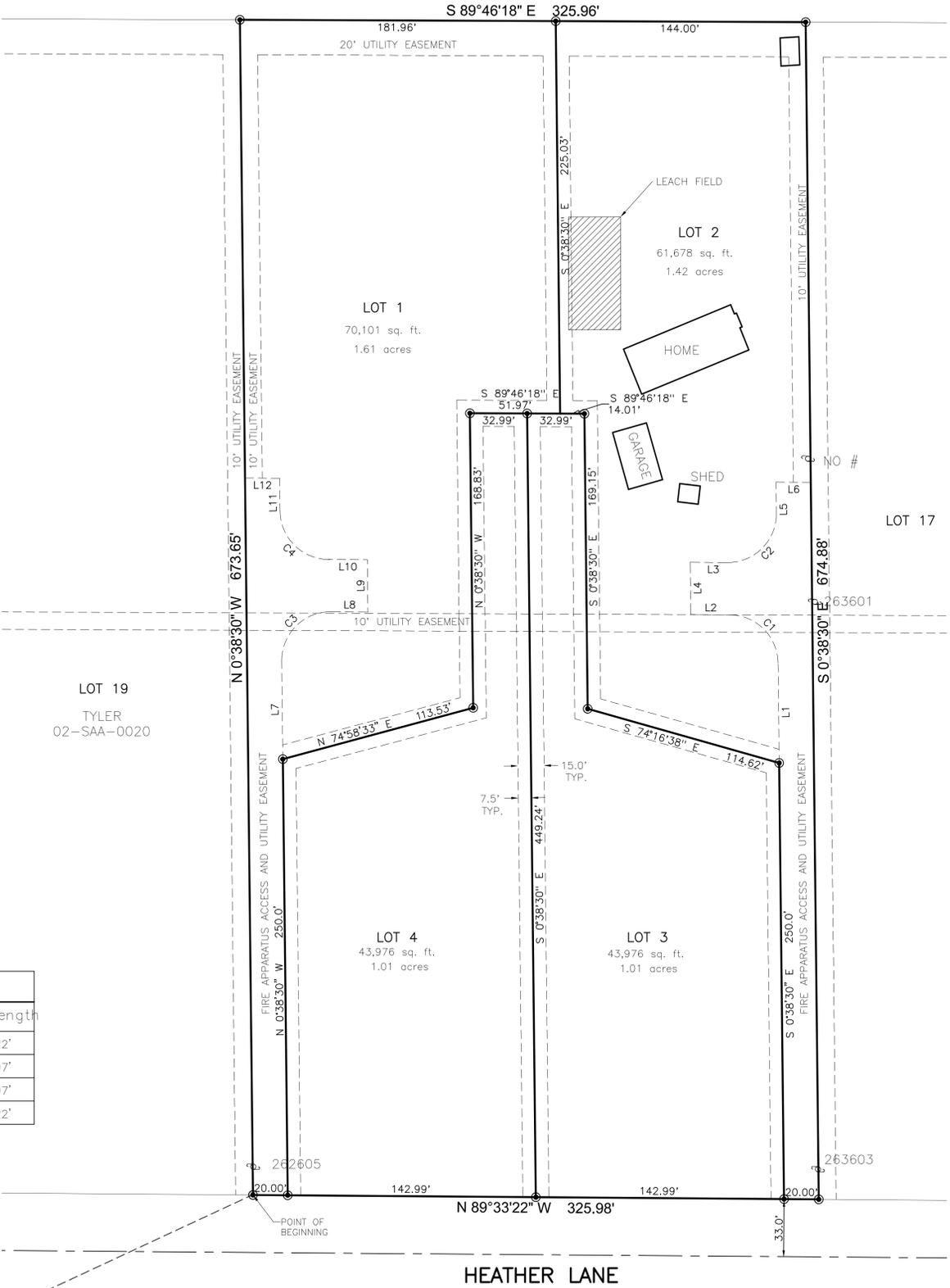
NOTARY PUBLIC RESIDING IN _____

Narrative:

The purpose of this re-plat is to divide the original Lot 18 of All American Acres Subdivision into four (4) new lots. The overall boundary of the four lots is the same as the original Lot 18 as shown hereon.

Line #	Direction	Length
L1	N 0°38'30" W	56.69'
L2	N 89°33'22" W	22.53'
L3	S 89°33'22" E	21.48'
L4	N 0°38'30" W	30.00'
L5	N 0°38'30" W	17.79'
L6	S 89°33'22" E	20.00'
L7	N 0°38'30" W	56.15'
L8	S 89°33'22" E	21.48'
L9	N 0°38'30" W	30.01'
L10	N 89°33'22" W	22.54'
L11	N 0°38'30" W	18.85'
L12	N 89°33'22" W	20.00'

Curve #	Radius	Length	Delta	Chord	Ch. length
C1	28.00'	43.45'	88°54'52"	N 45°05'56" W	39.22'
C2	28.00'	44.51'	91°05'08"	N 44°54'04" E	39.97'
C3	28.00'	44.51'	91°05'08"	N 44°54'04" E	39.97'
C4	28.00'	43.45'	88°54'52"	N 45°05'56" W	39.22'



- LEGEND**
- Existing Fire Hydrant
 - Property Corner
 - Section Corner Monument
 - Utility Easement around each lot as shown

WEST QUARTER CORNER SECTION 26, T26S, R22E, SLB&M (FOUND MONUMENT)

LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 26 SOUTH RANGE 22 EAST SALT LAKE BASE & MERIDIAN



Project	059-15
Date	3/4/16
Sheet	1 of 1

<p>COUNTY ENGINEERS APPROVAL</p> <p>APPROVED BY THE GRAND COUNTY ENGINEER THIS _____ DAY OF _____, 2016.</p>	<p>COUNTY COUNCIL APPROVAL</p> <p>PRESENTED TO THE GRAND COUNTY COUNCIL THIS _____ DAY OF _____, 2016.</p> <p>SUBDIVISION APPROVED.</p> <p>_____ COUNTY CLERK CHAIRMAN, GRAND COUNTY COUNCIL</p>	<p>COUNTY RECORDER NO.</p> <p>STATE OF UTAH, GRAND COUNTY, RECORDED AT THE REQUEST OF _____</p> <p>DATE _____ BOOK _____ PAGE _____ FEE _____</p> <p>_____ COUNTY RECORDER</p>
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Grand Water & Sewer Service Agency
3025 E Spanish Trail Rd ♦ PO Box 1046 ♦ Moab, Utah 84532
435-259-8121 ♦ 435-259-8122 fax

AGENCY MANAGER
Mark Sovine

OPERATING COMMITTEE
Dan Pyatt (President)
Gary Wilson (V
President)
Brian Backus
Mike Holyoak
Tom Stengel
Rex Tanner
Dale Weiss

FORMING BOARDS:

SVW&SID
Gary Wilson (Ch)
Tom Stengel (V.Ch)
Vacant (Treas)
Mike Holyoak (Clerk)
Dale Weiss

GCWCD
Dan Pyatt (Ch)
Jerry McNeely (V.Ch)
Brian Backus
Preston Paxman
Rex Tanner

GCSSWD
Gary Wilson (Ch)
Kyle Bailey
Mike Holyoak
Lynn Jackson
Rick Thompson

MEMORANDUM

TO: Mary Hoffine
FROM: Mark Sovine
SUBJECT: 4235 Heather Lane
DATE: January 28, 2016
CC: Greg McKennis

MCS

Mary,

GWSSA has reviewed the will serve request for 4235 Heather Lane and has available capacity for four new residential units.

The house located on Lot 3 is not connected to GWSSA water or sanitary sewer at this time. The property owner requested that the original home be allowed to remain on well and septic. GWSSA will refer to the County Sanitarian, Orion Roberts to make that determination. The house located on Lot 1 is already connected to GWSSA water and sewer.

Lot 2 shall connect via the new driveway west of Lot 4. Lots 4 and 5 will connect directly onto Heather Lane. Lot 3 will connect via the driveway to the east.

GWSSA will require no easements as a condition of approval for the amended plat.

1.01 acres

1.01 acres

HEATHER LANE

N 89°33'22" W 325.98'

142.99'

142.99'

33.0'

20.00'

S 0°38'30" E
FIRE APP

Phillip Mosher / *Checked* 4-15-16
North Valley Fire Dept.
[Signature]

- LEG
-  Existing
 -  Proper
 -  Septic
 -  Utility

COUNTY ENGINEERS APPROVAL

APPROVED BY THE GRAND COUNTY ENGINEER TH-

DAY OF _____, 2016



Questar Gas Company
2450 S Hwy 191
Moab, UT 84532

February 1, 2016

Greg McKennis
1270 Rd 240
Glenwood Springs, CO 81601

Dear Developer:

Re: Natural Gas Service Availability Letter

Natural gas can be made available to serve the future development located at 4235 Heather Lane in Moab, Utah when the following requirements are met:

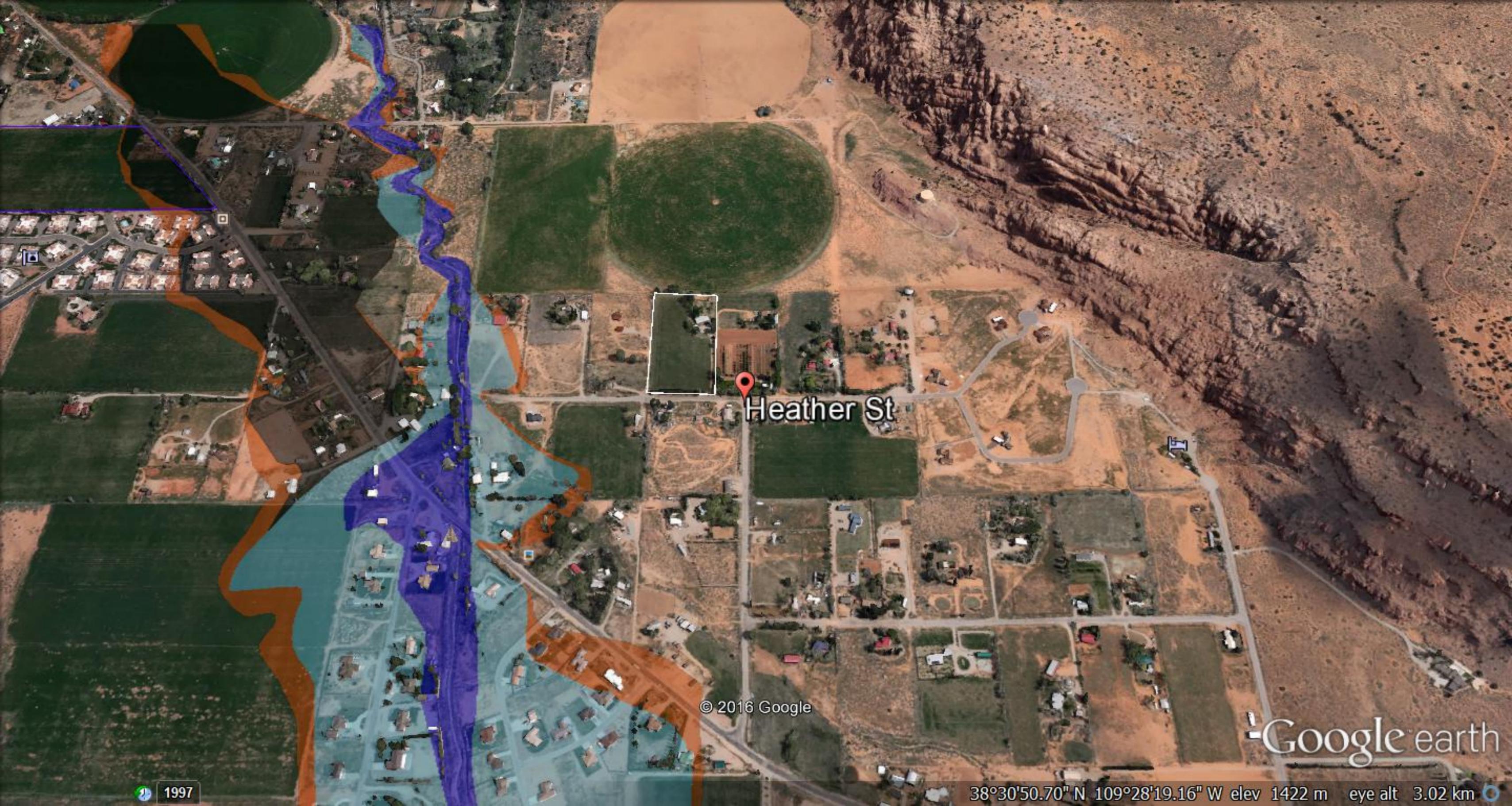
1. Developer provides plat maps, drawings, construction schedules, average size of homes, units, and/or buildings that will be served by natural gas, and any and all other relevant information regarding commercial and residential uses, including but no limited to, proposed natural gas appliances (number and type of appliances per unit, homes, building).
2. Review and analysis by Questar Gas' Engineering and/or Pre-Construction Department to determine load requirements. System reinforcement requirements and estimated costs to bring natural gas to the development.

Upon completion of Questar Gas' review of the development's natural gas requirements, agreements will be prepared, as necessary, for high pressure, intermediate high pressure and/or service line extensions required to serve the development. These service extensions must be paid in advance.

To accommodate your construction schedule and provide cost estimates to you, please contact Monica Skowbo, 435-719-2491 at your earliest convenience.

Sincerely,

Shelley Fenn
Manager, Eastern Region



Heather St

© 2016 Google

Google earth

1997

38°30'50.70" N 109°28'19.16" W elev 1422 m eye alt 3.02 km



STAFF REPORT

MEETING DATE: May 11, 2016
TO: Grand County Planning Commission
FROM: Community Development Department
SUBJECT: Site Plan review for Madeline Cottages in the HC zone district

STAFF RECOMMENDATION

Staff has reviewed the referenced application and recommends the following to be addressed before a building permit will be issued:

1. **Drainage Plan.** The County Engineer shall approve, in writing, the storm water drainage plan prior to building permit.
2. **Parking.** Move parking spaces out of the required front setback.
3. **Landscaping.** Landscaping will need to be in and irrigated prior to a Certificate of Occupancy.
4. **Lighting.** Lighting cut sheets will need to be provided at building permit.

Prior to the issuance of a zoning development or building permit for commercial or multi-family uses, LUC Sec. 9.17 requires that the site plan be reviewed and approved by Planning Commission: (staff comments are in italics)

- A. **Sec. 6.1.7 Parking**, each parking space shall be set back at least 15 feet beyond the front yard setback. Each space shall be 9 feet wide 20 feet long. *Parking needs are in compliance, there are parking spaces within the required setback.*
- B. **Sec. 6.10.E. Loading and refuse areas** – Refuse areas will be set back at least 20 feet from the lot line of property and shall be completely screened from view by opaque fence or wall that is at least one foot taller than the dumpster. *Shown on the site plan and complies with the standard.*
- C. **Driveways and access** – County road encroachment permit shall be required. *County Road permit is provided.*
- D. **Sidewalk or trail** – trails or sidewalks are required if the property is more than a mile from the city limits. *N/A.*
- E. **Sec. 6.10 1.E. Compatibility – buffer and screening** – LUC requires the plan to include a six (6) foot opaque screening adjacent to the residential zone or a lot with a residence or duplex use. *Site Plan illustrates a six foot high opaque fence on the east and southern parcel boundary. There is a single family home on the southwest boundary.*
- F. **Landscaping and screening** – Section 6.4 Landscaping and Screening – the LUC requires a front landscaping feature, landscaped as follows; *A landscaped strip is assumed in the front setback, but will need to be illustrated on the site plan.*

Sec. 6.4.3.e. Landscaping Standards. All undeveloped areas of the street yard of each lot or tract and the adjacent right-of-way shall be landscaped with trees, shrubs, grasses, ground cover or other organic and inorganic materials that create an attractive appearance in accordance with the requirements of this section. Smooth concrete or asphalt surfaces are not considered landscaping.

1. **Shrubs, trees and grasses.** Locally appropriate shrubs, trees and grasses shall be utilized in order to minimize the consumption of water
2. **Trees.** One tree with a minimum two (2) inch caliper shall be utilized per 1,000 sq. Ft., or fraction thereof (in no case closer than 35 feet apart) of required landscaped area; and
3. **Shrubs grasses, ground covers, and inorganic materials.** Any combination of low water use shrubs, grasses, ground covers, and inorganic materials may be used for the balance of the required landscaping at the discretion of the applicant.
4. **Irrigation.** All required landscaped areas shall be required to include an irrigation system as defined herein to insure the health and growth of the landscape. Where possible, irrigation systems shall utilize untreated, irrigation water instead of treated water.

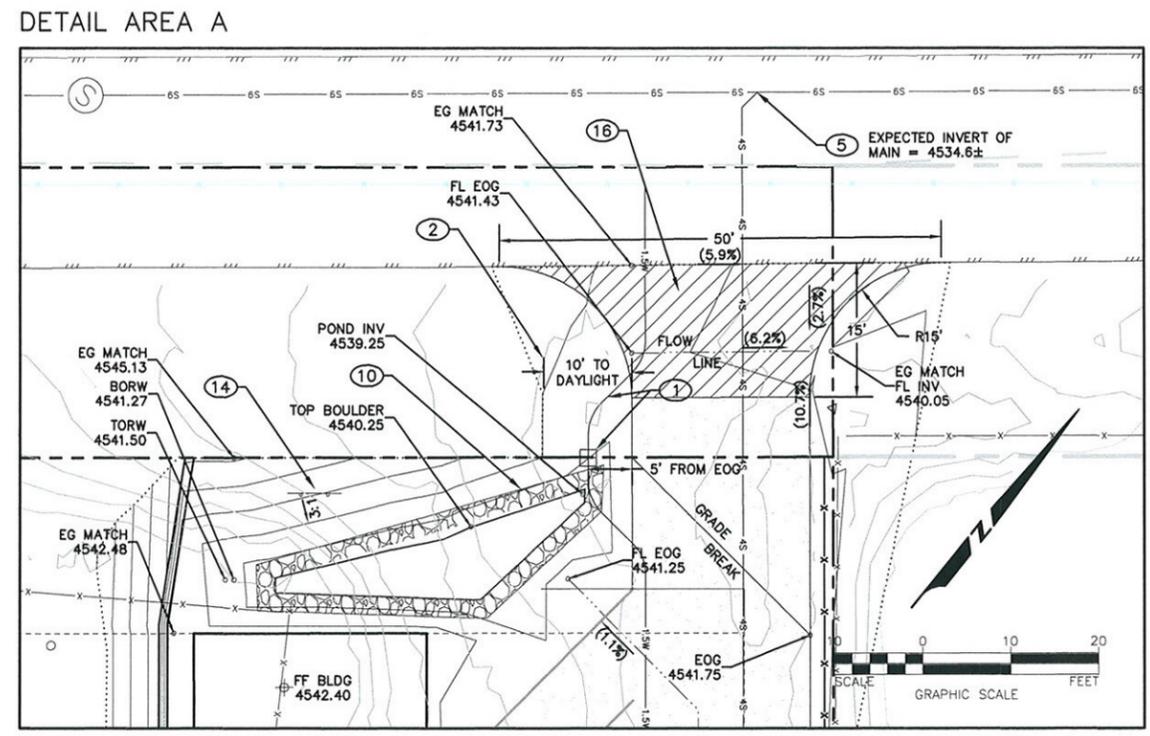
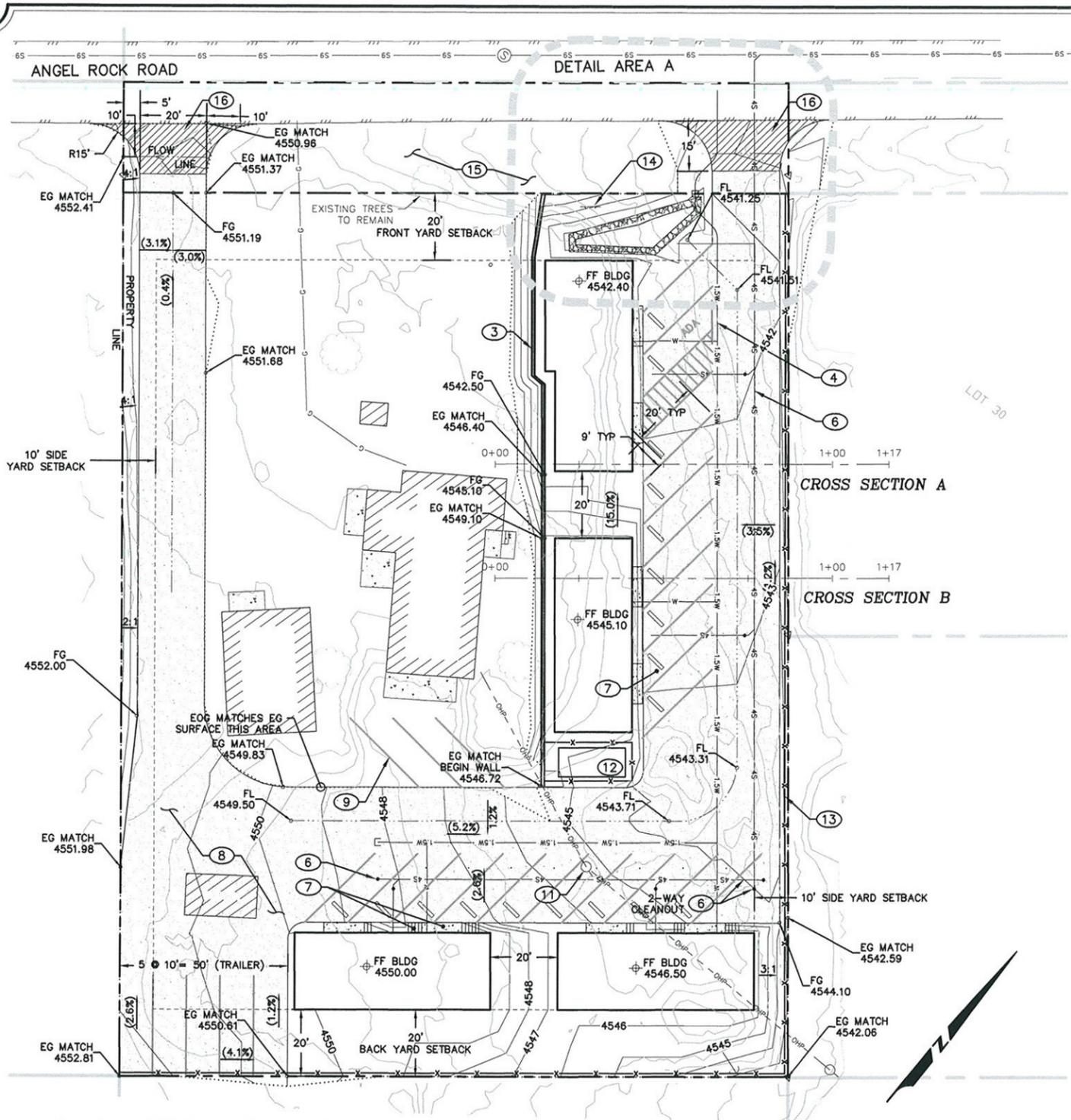
And;

Sec. 6.4.3.(4). Parking areas. The perimeter of all parking areas shall be screened to a minimum height of three (3) feet above the highest finished grade of the parking area. The minimum width of the landscaped street buffer from the street line to the parking area shall be 15 feet. Such screening may be accomplished by the use of plants, earth berms, walls or fences, or trees and shrubs in combination.

- G. **Locations and dimensions of structures and signs** - signage is subject to the requirements of Sec. 6.5. *Signage is proposed. Plan illustrates a 4X6 monument sign at the front entrance.*
- H. **Outdoor lighting** – lights shall meet the requirement of Sec. 6.6. *A lighting cut sheet will need to be provided and shall meet the requirement of the sec. 6.6 of the LUC.*
- I. **Drainage and floodplain** – Sec. 6.7 a drainage plan will be required in order to mitigate drainage if proposing more than 7,000 square foot of impervious area, or a natural drainage way is altered. *A drainage plan has been provided and sent to the contract engineer for review.*
- J. **General Site Planning Standards** – *no building permit will be issued until the County Engineer has reviewed and approved a drainage plan.*
- K. **Compatibility Standards** – Sec. 5.5.3 the minimum setback requirements are; 20 feet in the front, 10 feet on sides and 20 feet at the rear of the property. *Site plan demonstrates setbacks.*
- L. **Operational Performance Standards Sec. 6.12** – these are a continuing obligation of all uses; applicant should get a copy of the standards before issuance of a building permit.
- M. **Restricted use of commercial and industrial district parking areas.** No automobile trailers, boats, detached campers, junk vehicle or any other object that will render a parking space in a commercial or industrial district unusable according to the purpose of this section shall be parked or stored in off-street parking areas. Junk vehicles shall be defined as those that lack a current license or are wrecked and/or dismantled.
- N. **District standards** - The Highway Commercial District has specific district design standards include the following:
 - a. Utilize non-reflective siding materials on all wall facades; and
 - b. Utilize earth-tone colors on all structures to minimize contrast with surrounding landscape.

CONCLUSION:

- Please provide in the narrative the purposed uses of structures on the site plan, and
- electronic copies of the plans,
- Set-back of parking shall to demonstrated on the site plan,
- If new lighting is proposes cut sheets shall be provided,
- Check with the Building Code for required ADA parking spaces,
- Landscaping details shall be required, see requirements above,
- Engineering for the drainage has been sent to the County Engineer.

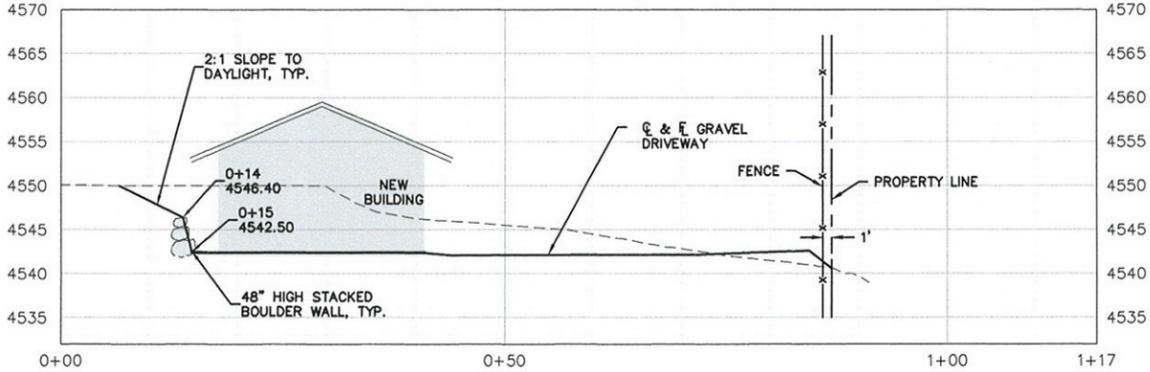


CONSTRUCTION KEYNOTES

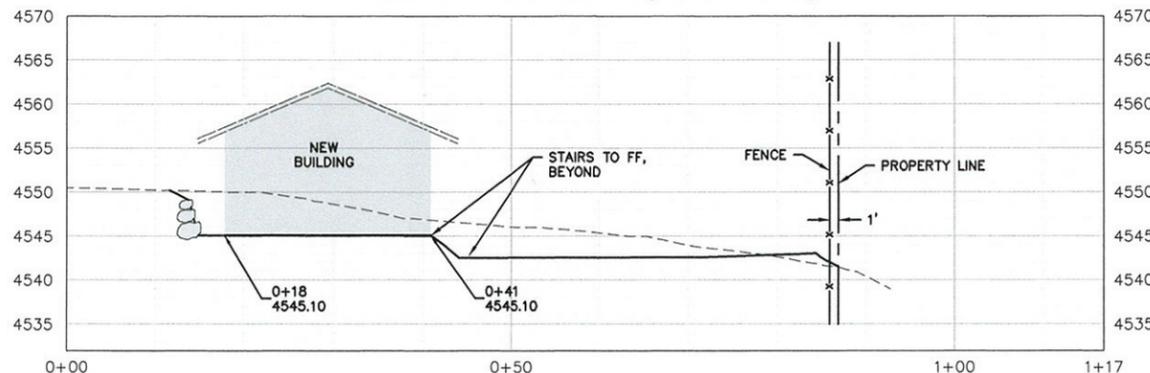
1. INSTALL MASTER WATER METER WITH 1.5" SERVICE LINE & HOT TAP TO MAIN PER WATER SERVICE PROVIDER REQUIREMENTS.
2. DAYLIGHT GRADING TO EXISTING SURFACE (TYP).
3. INSTALL 48" HIGH STACKED ROCK RETAINING WALL. DAYLIGHT 2:1 SLOPE ABOVE WALL TO EG. DIRECT SURFACE WATER ABOVE SLOPE AWAY FROM WALL.
4. PROVIDE 1.5" WATER SERVICE TO EACH UNIT.
5. INSTALL 4" SEWER SERVICE WITH TAP SADDLE TO 6" MAIN PER GWSA REQUIREMENTS. VERIFY INVERT ELEVATION PRIOR TO CONSTRUCTION.
6. CONTINUE 4" SDR-35 SEWER PIPE FROM R_L TO EACH BUILDING AT 2% MINIMUM GRADIENT. INCLUDE SEWER CLEANOUTS AS INDICATED.
7. INSTALL CONCRETE SIDEWALK AND STAIRS.
8. INSTALL TRAVEL DRIVE SURFACE.
9. PARKING STALLS.
10. INSTALL BOULDER (WALL) TO RETAIN 12" AT BOTTOM OF STORMWATER POND.
11. POLE TO BE REMOVED. COORDINATE WITH ROCKY MOUNTAIN POWER FOR SERVICE MODIFICATIONS.
12. CONSTRUCT DUMPSTER ENCLOSURE. SCREEN WITH 6' COMPLETELY OPAQUE WOODEN FENCE.
13. INSTALL 6" COMPLETELY OPAQUE WOODEN FENCE ALONG EASTERN AND SOUTHERN PARCEL BOUNDARIES.
14. INSTALL 4'x6' SIGN. COORDINATE WITH OWNER FOR LANGUAGE, MATERIALS, AND STYLE.
15. INSTALL LANDSCAPING PER GRAND COUNTY LAND USE CODE REQUIREMENTS (SECTION 6.4)
16. INSTALL 3" DEPTH ASPHALT APRON WITH A BEND RADIUS OF 15'.



- CROSS SECTION A PROFILE (0+00 TO 1+17) -



- CROSS SECTION B PROFILE (0+00 TO 1+17) -



GOFF ENGINEERING & SURVEYING, INC.
 126 ROCK POINT DRIVE SUITE A
 P.O. BOX 97 DURANGO, COLORADO 81302
 (970) 247-1705
 www.GoffEngineering.com

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**MADLINE COTTAGES
 SITE IMPROVEMENT PLANS**
 2741 ANGEL ROCK ROAD MOAB, UT 84532

Issue Record:
 PRELIMINARY 02-17-2018

Revisions:

Project Number: 15-172

Drawn by: TWE

Checked By: RSH

Sheet

C2.0
 IMPROVEMENT PLAN



© 2016 Google

Google earth

1997

38°31'52.76" N 109°30'30.93" W elev 1389 m eye alt 1.52 km

Grand County Bed & Breakfast Ordinance

General staff suggestions:

- Hold 1-2 community workshop to discuss the regulations surrounding B&Bs. County residents, realtors, B&B owners, property management companies, outfitters, local government staff, and others should be invited.
- Require a B&B land use permit in addition to a business license. Land use permits trigger “changes in use” that enable staff to revoke permits more easily than revoking business licenses.
- B&B regulations MUST be enforced. A code enforcement officer could oversee overnight rental regulations, general LUC regulations, and affordable housing deed restrictions.
- Create an amortization period for nonconforming B&Bs to come into compliance with current standards, as appropriate.

General staff questions:

- Should the County restrict B&Bs to the HC zone district and OAO properties?
- Should the County require applicants to provide a notice to adjacent property owners (within 100 ft. in all directions) of their intent to operate a B&B?
- Should the County increase the B&B permit fee to between \$250 and \$750 in lieu of a (illegal) retroactive commercial impact fee? A County business license only costs \$100 for a B&B.
- Should the County encourage GWSSA to charge commercial user rates for water and sewer in overnight accommodations (B&B and/or standard vacation rental)?
- Should the County create a minimum buffer distance between bed and breakfasts (in a subset of [small lot] zone districts)? Additionally, should the ordinance could B&Bs on cul-de-sacs and dead-end streets?
- Should the County create minimum lot dimensions for B&Bs, such as lot size and/or street frontage?
- Should the County prohibit construction solely for B&B uses? For instance, a structure within the City is not eligible for use as a B&B until 2 years after the Certificate of Occupancy is signed.

Draft changes:

3.2.3

D. Bed and Breakfast

Bed and breakfast establishments shall comply with the standards of this section:

1. Applicant shall submit a site plan drawn to scale and clearly show the location and dimensions of existing and proposed structures, parking, access ways including driveways, and outdoor lighting.

a. Bed and breakfast site plans shall be reviewed and approved by the building official, fire department, travel council, GWSSA, and health inspector.

3. Lodging and breakfast may be provided for temporary overnight occupants in no more than 5 separate bedrooms for compensation. Guests may only occupy rooms that are designated as bedrooms in the residential construction plan.

a. All guest rooms shall be located in the principal structure.

~~3. One (1) off-street parking space shall be provided per bedroom offered for use for temporary overnight accommodations, in addition to off-street parking otherwise required pursuant to Section 6.1, off-street parking standards;~~

~~3. There shall be a~~ A full-time, on-site resident manager shall reside in the principal structure.

4. Bed and breakfast facilities shall meet the minimum performance standards for off-street parking as specified in Section 6.1, including reasonably expected extraordinary parking demands.

a. On-street parking by bed and breakfast guests is expressly prohibited;

b. Driveways and other access ways to the principal structure do not satisfy the off-street parking requirements for bed and breakfast guests.

~~6. Structures shall not be altered in a way that changes their general residential appearance;~~

7. One (1) sign shall be allowed, in accordance with the requirements of Section 6.5, Signs, of this LUC;

~~8. Earth-tone colors shall be utilized that minimize contrast with the surrounding landscape.~~

8. A restricted use covenant, provided by the Community Development Department, shall be signed and recorded by the owner prior to issuance of a business license for a bed and breakfast.

9. The zoning administrator may revoke a bed and breakfast permit if it is determined that:

a. The applicant has misrepresented any material fact on his or her application, or supporting materials;

b. The bed and breakfast fails or ceases to comply with applicable standards, conditions or criteria for issuance of a permit;

c. The operation of the bed and breakfast violates any statute, law, ordinance or regulation; and/or

d. The operation of the bed and breakfast constitutes a nuisance or poses a real or potential threat to the health, safety or welfare of the public.

Section 5.4 Part I: Residential Districts

5.4.1 Residential Development Standards

B. Project Boundary Buffer

1. ~~Project boundary buffers are intended to provide a suitable transition between the proposed subdivision and adjacent development. Buffers are required along all sides of the proposed subdivision that share a boundary with a protected zone district, excluding arterial or collector streets. On each edge, the project boundary buffer shall be 20 feet or the proposed building height, whichever is greater. Perimeter compatibility is required along all perimeter project boundaries of all subdivisions to provide a suitable transition between the proposed subdivision and adjacent development. A project boundary buffer shall be provided along all project boundaries or portions of project boundaries, other than arterial or collector streets. This requirement shall be satisfied by either minimum lot size (buffer lots) or a buffer strip of open space. A single development may use different methods on different edges.~~
2. ~~Buffer lots shall be no smaller than (a) adjacent perimeter lots, or (b) the minimum project boundary buffer parcel size in accordance with the requirements of Section 5.4.1A, whichever is less.~~
3. ~~Buffer strips shall be dedicated as open space in accordance with the requirements of Section 6.11, Open Space and Common Area, and comply with the following requirements:~~
 - a. ~~The minimum width of the buffer strip shall be 50 feet; or~~
 - b. ~~The minimum width of the buffer strip may be reduced to 25 feet where a continuous, except as noted below, 6 foot high, split faced masonry wall (with foundation) is constructed in the buffer strip (setback at least 15 feet from the project boundary).~~
 - c. ~~Provide regular breaks in the wall for pedestrian connectivity.~~
 - d. ~~All buffer strips shall be landscaped in accordance with the requirements of Section 6.4, Landscaping and Screening.~~
- 3e. Buffer ~~strip~~ width shall be measured perpendicular to the property lines that define the project area.
4. ~~Development projects may include a mix of housing types as set forth in Section 3.1, Use Table, so long as the development complies with the maximum density requirement of the underlying base district (See Section 5.4.1A), and the most restrictive housing type dimensional standard (See Section 5.4.1).~~

Section 6.10 Compatibility Standards

6.10.1 Purpose

The compatibility standards of this section are intended to preserve and protect ~~single-family~~ residential uses and neighborhoods by ensuring that new development and redevelopment is compatible with the character of the area in which it is located.

A. Applicability

Compatibility standards shall apply to all multi-family residential and all nonresidential development when it occurs: ~~within 50 feet of the lot line of any property located in one (1) of the following protected zone districts (Protected Zone Districts): Single Family Residential (SLR), Large Lot Residential (LLR), or Rural Residential (RR).~~

~~1. Within 50 feet of the lot line of any property located in one (1) of the following protected zone districts (Protected Zone Districts): Single Family Residential SLR; or RR Rural Residential.~~

~~2. Across the street from or adjacent to a lot containing a single family or duplex use.~~

~~B. Exemptions~~

~~The following shall be exempt from compliance with the compatibility standards of this section:~~

~~1. Single Family or Duplex Uses~~

~~Structural alteration of existing building when such alteration does not increase the gross square footage or height of the building.~~

~~2. Building Setback and Height Standards~~

~~The following building setback and height standards shall apply to development that is subject to the compatibility standards of this section.~~

~~C. Building Setbacks—Side and Rear~~

~~On sites where the distance between side lot lines or between front and rear lot lines is 60 feet or less, no structure shall be erected within 10 feet of the lot line of property that is in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single family or duplex use. on sites where the distance between side lot lines or between front and rear lot lines is more than 60 feet or less, with more than 60 feet of lot width, the minimum setback from the lot line of property that is in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single family or duplex use shall be 10 feet, plus 2 additional feet of setback for each 10 additional feet of lot width or fraction thereof (beyond 60 feet). This provision shall not be interpreted as requiring a setback of more than 20 feet.~~

Lot Width (feet)—	Setback from Adjacent Lot Lines (feet)
0 to 60	10.0

60.01 to 70	12.0
70.01 to 80	14.0
80.01 to 90	16.0
90.01 to 100	18.0
More than 100	20.0

D. Building Height

~~No structure shall exceed 28 feet in height within 150 feet of the lot line of property that is in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use which is less than 28 feet in height.~~

Comment [ZL1]: Staff feels that protection of residences adjacent to the highway commercial zone, but 150 ft. is excessive. Until maximum building heights exceed 35 ft., 50 ft. should suffice.

BE. Buffer and Screening Standards

1. Nonresidential and multi-family residential development, including off-street parking areas associated with such development, shall be screened from property in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use. Such visual screening shall be accomplished through siting and layout, the use of opaque fences, vegetative buffers, and berm(s) or a combination of such techniques along the lot line that is adjacent to property in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use.

2. Mechanical equipment and outdoor storage shall be completely shielded from view of property in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use by an opaque fence or wall that is at least one (1) foot taller than the site feature being screened from view, provided that this provision shall not be interpreted as requiring screening fences or walls to be taller than 10 feet. Fences, walls and buffers must comply with all other applicable zoning requirements.

CF. Dumpsters and Solid Waste Receptacles Setbacks

Dumpster and solid waste receptacles shall be set back at least 20 feet from the lot line of property in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use. Dumpsters and receptacles shall be completely screened from view of adjacent property in a Protected Zone District pursuant to Section 6.10.1A, above, or that contains a single-family or duplex use by opaque fence or wall that is at least one (1) foot taller than the dumpster or solid waste receptacle.

Grand County Ordinances Related to Vacation Rentals & “Temporary Stays”

General staff comments:

Enforcement issues

Community impacts

General staff questions:

- Should Grand County implement an assured housing policy for high density residential structures in the HC zone district, knowing that any high density development is likely to be intended for overnight accommodations?

Draft changes:

Section 3.2.3 Commercial Use Standards

M. Residential Units Used for Overnight Accommodations

Residential units used for overnight accommodations shall comply with the following requirements:

1. An individual overnight accommodations permit shall be required for each dwelling unit rented for periods of less than 30 days.
2. An individual business license shall be required for each dwelling unit rented for time periods of less than 30 days.
3. Such units shall be managed by Utah-licensed property management agents or companies with a local, Grand County representative, and shall collect and pay all applicable taxes, including but not limited to, the Transient Room Tax (TRT).
4. Overnight accommodations shall meet the minimum performance standards for off-street parking as specified in Section 6.1, including reasonably expected extraordinary parking demands.

- a. On-street parking by bed and breakfast guests is expressly prohibited;
 - b. Driveways and other access ways to the principal structure do not satisfy the off-street parking requirements for bed and breakfast guests.
 - c. Additional off-street parking may be required as necessary to mitigate impacts on adjacent land uses and neighborhoods.
5. Properties used for overnight accommodations shall have direct access to an arterial or collector street.
6. Current contact information for property owners or management agencies or companies shall be posted in an accessible location outside such units or project.

Section 10.2 Definitions

Recreational Vehicle/Travel Trailer	A vehicular portable structure designed for temporary or short term occupancy (30 days or less) for travel, recreation, or vacation. Under no circumstances shall be used for residences – long or short term. Non-commercial uses of recreational vehicles (RV) or travel trailers shall be limited to seven (7) days.
Recreational Vehicle /Travel Trailer Park	A tract of land designed or being used to accommodate two or more recreational vehicles or travel trailers sites for rental.
Overnight Accommodation	Also known as a vacation rental or overnight rental, a dwelling unit permitted to provide an abiding place for individuals staying a minimum of one (1) night.
Temporary	Fewer than 30 continuous days unless further specified.

3.3.2. D. Employee Housing, Accessory

Accessory employee housing shall comply with the following standards:

1. Such housing shall be accessory to otherwise allowed nonresidential, principal uses.
2. Accessory employee housing shall be restricted in accordance with the requirements of Sec. 6.14.
3. Use of the employee housing by persons who are not so employed or for short-term accommodations shall be expressly prohibited.
4. Such housing shall not be sold separately.
5. Each employee housing unit shall be limited to 1200 square feet in area.

Additionally

Accessory employee housing may be accomplished with the addition of up to five (5) RV sites, to the otherwise allowed non-residential principal use, and shall comply with the following standards:

1. The use and occupancy of the RV sites is hereby limited exclusively to such employees who are employed by principle commercial use of the parcel; and.
2. using travel trailers, truck campers, small cabins (traditional KOA- style) for seasonal on site accommodations. No on-site tent camping;
3. Each RV/Travel Trailer space shall be at least 800 square feet;
4. Parking shall be provided adjacent to the RV/Travel Trailer site or available on the commercial lot as extraordinary parking, pursuant to parking requirements of this LUC;
5. Each space shall be served by public water and sewer; or
6. The site shall have a public water and sewer facility, (shower house); and
7. A community shade/recreation structure shall be provided for employees.