

Agenda

GRAND COUNTY Planning Commission

July 27, 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 *Chair*

Workshop **Assured Housing Discussion** *Staff*
Code Amendment Discussion

Action Item Approval of June 22, 2016 Meeting Minutes *Chair*

Future Considerations *Chair*

Community Development Updates *Staff*

County Council Update – Mary McGann *Council Liaison*

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: July 27, 2016
TO: Grand County Planning Commission
FROM: Planning Staff
SUBJECT: **Public Hearing** - Land Use Code Amendment

STAFF RECOMMENDATION

Suggested Motion

Move to forward a recommendation for approval of an amendment to the Land Use Code Sec. 9.17 Site Plan Review.

BACKGROUND

Currently the Land Use Code requires site plan review approval by the Planning Commission. Site plans are administrative and as long as the applicant meets the requirements of the code a site plan may be approved. Review by the Planning Commission becomes redundant and additional time constraint on the applicant.

DRAFT LANGUAGE

Draft changes:

Sec. 9.17 Site Plan Review

9.17.1 Applicability

Prior to the issuance of a zoning development permit or building permit for any commercial or multi-family development in any zone district, ~~there a site plan~~ shall be submitted to the [Planning Commission Community Development Department](#) for ~~its~~ approval. ~~of a site plan.~~

9.17.2 Purpose

~~The purpose for Site Plan Review is to assist the building inspector with zoning review, which must be accomplished prior to the issuance of a zoning development permit and building permit. In this one-step review, the Planning Commission Zoning Administrator~~ reviews proposed developments for conformance with the General Development Standards of Article 6, and applicable zoning requirements of this LUC.

9.19.3 Submission Requirements

The developer or owner shall submit the site plan drawn to an acceptable scale and with adequate copies. The scale and number of copies shall be that deemed necessary by the Zoning Administrator. The site plan shall include the following:

- A. Parking, loading, and refuse areas;
- B. Access ways, including points of ingress, egress;
- C. Sidewalks and trails;
- D. Fences and walls;
- E. Location and dimensions of structures and signs;
- F. Location and type of outdoor lighting;
- G. Typical elevations of such buildings;
- H. Landscaping and screening;
- I. Topography;

- J. Specific areas proposed for specific types of land use;
- K. Lots or plots;
- L. Any areas with slopes in excess of 30 percent;
- M. Any areas in a natural drainage or the 100 year floodplain;
- N. Existing and proposed easements, areas proposed for public dedication; and
- O. Building footprint(s), water and sewer lines, easements and drainage improvements in Digital Format; if available. Digital information shall be provided in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator (currently preferred in State Plane Coordinates - Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet.

9.17.4 Action of Commission

- A. ~~The Planning Commission Zoning Administrator consideration~~ shall ~~consider include~~ the General Development Standards of Article 6, ~~and~~ the requirements of the underlying zone district, ~~and other aspect deemed by the County Planning and Zoning Commission necessary to consider in the interest of promoting the purposes of this LUC.~~
- B. In the approval or disapproval of the site plan, the ~~Planning Commission Zoning Administrator~~ shall not be authorized to waive or vary conditions and requirements contained in this LUC.
- C. Building permits in conformance with site plan. It shall be unlawful to issue a building permit prior to the approval of the site plan by the ~~Planning Commission Zoning Administrator~~. No building permit shall be issued except in conformity with the approved site plan or in accordance with authorized minor changes, ~~including all conditions of approval applied by the Planning Commission.~~

9.17.5 Minor Changes

Subsequent to approval of a site plan, minor changes may be authorized by the Zoning Administrator when such minor changes will not cause any of the following to occur:

- A. A change in the character of the development;
- B. An increase in the intensity of use;
- C. A reduction in the originally approved separations between buildings;
- D. An increase in the external effects, including that of outdoor lighting, on adjacent property;
- E. A reduction in the originally approved setbacks from property lines;
- F. An increase in the problems of circulation, safety and utilities;
- G. An increase in the height of such buildings;
- H. An increase of more than 20 percent or a 1,000 square feet, whichever is less, in ground coverage by structures;
- I. A reduction in the off-street parking;
- J. A change in the subject, size, lighting or orientation of originally approved signs; or
- K. A decrease in the percentage of landscaping required.

Grand County Planning Commission

--DRAFT/UNAPPROVED--

Minutes

June 22, 2016

A regular meeting of the Grand County Planning Commission convened on the above date in the Grand County Courthouse, 125 East Center.

Members Present: Dave Tubbs, Joe Kingsley, Gerrish Willis, Cricket Green, Bob O'Brien, Mike Duncan, and Ryan McCandless.

Members Absent:

Staff Present: Mary Hofhine, Zacharia Levine

Council Liaison:

The Vice Chair convened the meeting at 6:00 pm and asked that all cell phones be turned off or silenced. The Chair arrived at 6:15 pm to preside over the meeting.

Citizens to be Heard –

Cindy Pickett addressed the Commission regarding a code violation in her neighborhood, All American Acres. Ms. Pickett provided a letter to the Commission, which she read aloud and discussed the need to improve code enforcement in throughout the County. Zacharia Levine informed Ms. Pickett of the County's progress in establishing a code enforcement protocol. Discussion followed.

Public Hearing – Rim Village Vista Planned Unit Development (PUD) Phase V.

PUD subdivisions require a public hearing at Planning Commission and County Council for preliminary plat approval. Phase V of the PUD conforms to the County's standards for setbacks, density, open space, common area dedications, road dimensions, utility infrastructure, and drainage. The staff report indicates the Applicant, Mr. Chuck Henderson, must continue complying with the County Engineer's conditions of approval.

Gerrish Willis requested that staff place all preliminary plats on 11"x17" sized paper for easier review.

The Chair opened the public hearing. There were no comments, so the Chair closed the public hearing.

Joe Kingsley moved to forward a favorable recommendation to the County Council subject to ongoing compliance with the conditions listed in the Grand County Engineer's approval letter.

Ryan McCandless seconded the motion. All Commissioners voted in favor, and the motion passed.

Public Hearing– Amending Section 3.3.2D Employee Housing

Staff initiated a code amendment to expand the allowance of on-site employee housing on commercially zoned parcels. Current regulations allow for on-site employee housing that meets the International Residential Code (IRC). Proposed amendments would allow for up to five (5) RV/Campground style sites in order to accommodate seasonal workers in non-IRC compliant structures.

Commissioners discussed the need to regulate the employee housing structures to some degree. Referencing draft language from another jurisdiction, Zacharia Levine suggested adding the requirement that all units had to meet the ANSI and NFPA standards at a minimum.

The Chair opened the public hearing. Mark Horowitz, a County resident, spoke in favor of allowing tents and yurts for on-site employee housing. Various Commissioners expressed concern about allowing tents and yurts in the absence of any construction standards. The Chair closed the public hearing.

Mike Duncan moved to forward a favorable recommendation to the County Council with the following amendments:

1) Specify RV as a permitted structure, 2) Add the ANSI and NFPA standards requirement, and 3) Specify the prohibition against tents and yurts.

Joe Kingsley seconded the motion. All Commissioners voted in favor, and the motion passed.

Public Hearing– Amending Section 3.2.3D Bed & Breakfast

Staff initiated a code amendment to address the adverse impacts of bed and breakfast uses on neighborhoods, add several specifications, require a land use permit (in addition to a business license), and create a \$500 land use application fee for both bed and breakfasts and overnight rentals.

The Chair opened the public hearing. Mark Horowitz expressed concern about the following amendments and how they would impact him personally: 1) Travel Council review of B&B permits would be unnecessary and awkward due to competition with its members, 2) The 300 ft. proposed buffer between B&B properties, 3) Prohibiting on-street parking by guests, and 4) Costs associated with the land use permit. The Chair closed the public meeting.

Gerrish Willis moved to forward a favorable recommendation to the County Council. Ryan McCandless seconded the motion.

Mike Duncan submitted a substitute motion, which removed the 300 ft. buffer requirement. Cricket Green seconded the motion. The motion failed 1-6 with Mike Duncan voting in favor.

Mike Duncan submitted a second substitute motion, modifying the 300 ft. buffer requirement between property lines to be 300 ft. between principal residential structures. Joe Kingsley seconded the motion. The motion passed 6-1, with Ryan McCandless voting against.

Public Hearing– Amending Sections 5.4.1 and 6.10

Staff initiated a code amendment that would facilitate greater land use efficiency by reducing the buffer requirement between a proposed subdivision in a higher density zoning district and existing residential parcels in a lower density zoning district. Additionally, staff removed from the compatibility standards of section 6.10 a height limitation of 28' (instead of 35') for multifamily or commercial properties adjacent to SLR, LLR, or RR parcels, or those with an existing residential unit.

Commissioners discussed the importance of solar access and preventing the “looming effect” of new, higher buildings on existing properties. Commissioners discussed the need to include a buffer based on the proposed building height rather than a buffer that is consistent regardless of height.

Bob O'Brien moved to forward a favorable recommendation to the County Council with the following amendment: Single Family Residential (SFR) would be changed to read Small Lot Residential (SLR) to correct a typo.

Ryan McCandless seconded the motion. Joe Kingsley and Mike Duncan voted against the motion; all others voted in favor. The motion passed 5-2.

Public Hearing– Amending Section 10.2 Definition of Recreational Vehicle (RV)/Travel Trailer

Staff initiated a change to the definition of RV/Travel Trailer to clarify the permitted and unpermitted uses of such structures. Currently, such structures may not be used as accessory dwelling units (ADU). However, such structures are occupied by many residents on private property throughout the County, or used temporarily by friends or family guests.

Planning Commission directed staff to work further on the recommended changes. Specifically, Planning Commission requested the policy oriented amendments to be removed from the definitions section and to further explore the possibility of permitting year-round occupancy in non-IRC compliant structures on private property.

Approval of Minutes. The May 23, 2016 minutes were approved with one minor correction. Dedicate on page 2 is to be changed to dedicated.

Community Development Department Update:

Zacharia Levine indicated that staff would be bringing an amendment to Section 9.17 Site Plan Review to eliminate Planning Commission review of site plans for commercial properties and multifamily housing.

Zacharia updated the Commission on efforts related to affordable housing and the state-mandated County Resource Management Plan (CRMP) process.

County Council Liaison report: Ms.McGann was not in attendance.

Adjournment - meeting adjourned at 9:00 pm.