

Grand County Planning Commission 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, 3) Specify the prohibition against tents and yurts, and 4) Remove the requirement to provide a shade/recreation structure.

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 with the removal of travel council review. 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. Travel Council review would also be eliminated. 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.