

Grand County Planning Commission Minutes

January 11, 2017

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, Rachel Nelson, Gerrish Willis, Bob O'Brien, Cricket Green, Abby Scott and Joe Kingsley.

Members Absent:

Staff Present: Mary Hofhine, Zacharia Levine

Council Liaison: Mary McGann - absent

Election of officers: Gerrish Willis moved to nominate Joe Kingsley as Vice Chair, and Dave Tubbs for Chair, both accepted the nomination. All voted in favor of the nomination.

The Chair convened the meeting at 6:00 pm.

Citizens to be Heard – there were none.

Public Hearing – Proposed rezone of property from Rural Residential, (RR) to Small lot Residential (SLR), located at 3552 Spanish Valley Drive.

Staff explained Amendments to the zoning map are legislative decisions. The State of Utah grants land use authorities the discretion to make zoning changes with guidance from their general plans, considerations of public health, safety and welfare, and changing community needs.

When making a motion and stating reasons for approval or denial the Commission should reference findings for Sec. 9.2.7 of the Land Use Code (LUC), Issues for Consideration, and consistency with the Future Land Use Plan.

This application is submitted by the property owners, Gary and Judy Carmichael and representatives, Dave and Danielle Pope (Applicants), who are seeking a rezone from Rural Residential (RR) to Small Lot Residential (SLR). The area proposed for rezone consists of 20 acres of vacant land located on Spanish Valley Drive, north of Rim Village. Surrounding properties are zoned RR (1 unit/acre) and MFR-PUD (2,200 square foot condominium sites). In 1998, at the time of approval, the MFR-PUD was designated as the R-3 zone district and eventually became Rim Village.

Land southeast of the Carmichael property was first classified as R-3 in the 1970s, permitting up to 1 residential unit per 2,200 square foot lot. Today, the R-3 zone district is classified as Small Lot Residential (SLR) with a base zone density of five (5) units per acre. A non-conforming, light industrial business, (Beeman Drilling) used for the storage of equipment is located north of the property in question.

The Rim Village rezone occurred in the 1970s, prior to the adoption of a Future Land Use Plan. During this period, properties were zoned according to existing, on-the-ground activities or based on anticipation of installing public sewer lines. Rim Village was developed in 1998 as a single-family mixed use condominium project with the density of 2,200 square feet per unit as allowed in the 1998 Land Use Code and associated zoning map.

To date, the majority of land in Spanish Valley south of Spanish Trail Road is zoned Rural Residential (RR), with the exception of Rim Village.

Article 3 of the land use code establishes uses permitted within each zone district. Single-, two-family and town house uses are permitted by right in both the existing (RR) and proposed (SLR) zone districts. The site's access will be Spanish Valley Drive, a major collector street. A rezone to SLR will additionally allow for the development of a manufactured home community by conditional use.

Article 5 establishes densities by zone district. Under the current RR zoning, the subject parcel would accommodate up to 1 unit per acre. The requested zone change to SLR would accommodate between 5 and 7.5 units per acre with any density increases above 5 units per acre requiring both open space and affordable housing. RR single-family standards are designed to accommodate low density, rural neighborhoods. SLR single-family standards will accommodate smaller lots and more compact development.

Through the adoption of the 2012 General Plan Update, Grand County adopted a Future Land Use Plan (FLUP) for the first time. The FLUP was the result of numerous public workshops and serves as an important long range planning tool for Grand County, Moab City, SITLA, and special service districts. Adherence to such documents helps enable local entities to ensure adequate availability of public services (e.g. law enforcement, fire, emergency services) and public facilities (e.g. water supply, sewer, roads, drainage). When considering an application to rezone, the Commission should consider consistency with the FLUP.

The FLUP designates specific areas within Grand County as appropriate for certain uses and growth. In particular, The FLUP calls for small lots and compact housing near Moab City with decreasing tiers of density and rural development patterns further out.

Staff didn't go through the issues for consideration as the information was presented in the report.

The Chair invited the applicant up for her presentation. Ms. Pope explained that their plan is to provide for much needed affordable housing and will need to get the zoning in order to accommodate the plan. The purchase of land is contingent on getting the rezone. Ms. Pope explained that there is a stubbed access from Rim Village to Meador Drive, which will go to the highway. The stub is a private road, but does connect to Meador.

Gerrish Willis asked if they were planning any overnight rentals, **as stated in the narrative provided with your application**. Ms. Pope explained a concept of rent to own, ownership, and mobile homes, **but no overnight rentals at this time**.

Joe Kingsley asked if there was a way to assure there wouldn't be any overnight rentals and or deed restrict housing. Staff explained once a zone is changed, any use that is permitted in the zone district will be permitted.

Bob Obrien commented on a plan with details. Staff explained that contract zoning is not allowed in the State of Utah.

Cricket Green explained that there are additional steps once the zone is changed, the planning of the parcel would include a more detailed plan.

The Chair opened the public hearing.

Ned Dalton, local citizen – commented that the County does need more workforce housing and is in favor of the rezone.

With no more comment, the Chair called for a motion.

Gerrish Willis moved to forward a denial for the rezone, based on the Future Land Use Plan as identified in the General Plan adopted in 2012, does not support the rezone in that area. Bob O'Brien seconded the motion.

Discussion – Gerrish Willis stated that he would like to update the General Plan before we rezone property that the current General Plan does not support.

The Chair called for a vote – Gerrish Willis, Rachel Nelson, Dave Tubbs, Bob O'Brien, and Abby Scott voted in favor of the motion, Cricket Green and Joe Kingsley voted against the motion. Motion carries.

The Chair closed the public hearing.

Public Meeting – Preliminary Plat Review for Watchman Estates, a 20 lot subdivision located on East Bench Road. Staff explained that this is an administrative process; the administrative decision must satisfy the requirements of the *Land Use Code, Section 7 Subdivision*.

This application is submitted by property owner Ned and Betty Dalton Trust (Applicants) Gary Blackburn is the owner representative. The subject property is zoned SLR, Small Lot Residential, includes a total of eight (8) acres. The property is located on East bench Road. The Applicant proposes division of the subject property into 20 residential lots. Surrounding properties are used for residential uses and zoned RR, Rural Residential.

All plats and subdivision of land must conform to *Article 7 Subdivision Standards*: Staff, including County Engineer, Road Department Supervisor, Grand Water and Sewer have reviewed the plans to the standards of the code and find that Watchman subdivision substantially meets the requirements of the Land Use Code and recommends approval

with the condition that the applicant continue to work with the County Engineer for final approval of engineered construction plans for roads and drainage prior to getting on the agenda for Council.

The Chair asked if there was discussion on the application. Being none, the Chair called for a motion.

Joe Kingsley moved to approve the approve Watchman Estates Preliminary Plat Subdivision, and to send a favorable recommendation to the County Council for Final Plat with the following condition:

- 1) The applicant will continue to work with the County Engineer for final approval of engineered construction plans for roads and drainage prior to getting on the agenda for Council approval.

Cricket Green seconded.

The Chair called for a vote; all voted in favor, motion carries.

Public Meeting – Preliminary Plat for Redstone Canyon, three lot subdivision located on Chapman Lane.

This application is submitted by property owner Red Stone Canyon, LLC, c/o Louis H. Callister (Applicant) T. Richard Davis is the owner representative. The subject property is zoned RR, Rural Residential, includes a total of 48.46 acres. The property is located on Chapman Lane. The Applicant proposes division of the subject property into three (3) residential lots. Surrounding properties are used for residential uses and zoned RR, Rural Residential.

The proposed subdivision proposes three (3) lots of ranging in size from a large 35.54 acre lot to a one acre lot; minimum required lot size is one acre. The applicant is anticipating, after the sale of the larger lot, that it will be further subdivided.

The subdivision will have one access off Chapman Lane and a cul-de-sac to two lots, with a dedicated a 56 foot wide ROW, but will be built at a private access tract in anticipation of further build out. Cul-de-sacs shall not exceed 1000 feet in length or serve more than 20 dwelling units. The County Engineer and Road Supervisor are currently reviewing the construction plans. No additional conveyance of Chapman Lane is needed.

The cul-de-sac will be less than 1,000 linear feet to an intersection and the turnaround diameter is 100 feet as required by county standards. The County Engineer is working with the applicants engineer to modify the construction plans to meet county standards.

The system of street must connect except in unusual cases. If the land is further subdivided, there may be need for connection to adjacent properties.

Sidewalks are not required in subdivisions of lots larger than half acres – all lots are larger than ½ acre.

A letter from GWSSA indicates preliminary approval for the availability of water and sewer service and easements. Rocky Mountain Power, Road Department and the Fire Department have provided signatures on the application signifying approval of service and adequate easements.

A Preliminary Drainage Report was approved by the County Engineer. The FEMA Floodplain Administrator has signed the application indicating review and approval for FEMA. Covenants Conditions and Restrictions (CC&R) will be recorded with the Final Plat and an HOA will be formed for maintenance of the drainage facility.

The Chair called for discussion on the project, being none, the Chair called for motion.

Joe Kingsley moved to approve Redstone Canyon Preliminary Plat Subdivision and to send a favorable recommendation to the County Council for Final Plat with the following conditions:

1. Continue to work with the County Engineer and Road Supervisor on final construction plans.
2. Provide HOA documents for maintenance of the private access tract and drainage facility.

Gerrish Willis seconded the motion.

The Chair called for discussion on the motion – being none, the Chair called for the vote.

All voted in favor, motion carries.

Public meeting – Red Sands Habitat, Conditional Use Permit for an RV park located on Red Sands Road.

This application is submitted by property owner and project developer, Mathew Niesen (Applicant). The subject site is zoned Highway Commercial (HC) and consists of approximately 0.67 acres. The Applicant is developing a small RV/campground with full-service sites located off Highway 191 on an approximately 20 foot access/utility easement. Surrounding properties are zoned HC and SLR and includes commercial and single-family residential uses.

The applicant is requesting a conditional use permit and site plan approval for a campground and recreational vehicle (RV) park (LUC Sec. 3.2.2.L). The proposed site plan provides for seven sites, each site will be 2,070 square foot sites to accommodate Park Model RV's permanently placed. Each site will accommodate one parking space as required, staff has requested additional parking. The 2,070 square foot site is large enough to accommodate the RV and at least two parking spaces.

Sec. 6.10 Compatibility Standard - The applicant's narrative states that there will be opaque screening with trees and shrubs, staff is requiring that screening on the back adjacent to the residential zones be an opaque fence for privacy for the residences adjacent to the commercial area.

Recreational vehicle/ camp parks are a conditional use in the HC zone district. The application complies with the use-specific standards developed for campgrounds found in Use Specific Standards 3.2.3L.

Commercial permits are also required to comply with Article 6 Site Plan and General Development standards, for parking, driveway and access, fences, signs, lighting, compatibility with adjacent zones, utilities, and drainage. This application has provided staff with all required information. The drainage report was sent to the County Engineer for review, he is working with the applicants engineer on compliance with the drainage.

A conditional use because of its unique characteristics or potential impacts may not be compatible in some areas or may be compatible only if certain conditions are required that reasonably mitigate said impacts.

1. Effect on Environment and 3. External Impacts

This site is HC zone district, with residential zoning on the east side of the property. The applicant shall provide a six foot high screening fence on the residential property line.

2. Compatible with Surrounding Area

The site is adjacent to residential areas. A policy of no outside burning and a noise curfew of 10:00 PM are advised.

4. Infrastructure Impacts Minimized

All utilities are available; a drainage report was sent to the County Engineer. The Moab Valley Fire Department has provided approval.

5. Consistent with the LUC and General Plan

The campground meets the use-specific standards outlined in the land use code. The location is within the commercial corridor as identified in the General Plan.

6. Parcel Size

No additional acreage is required.

The Chair asked the applicant if he would like to add anything to the presentation. The applicant gave a brief review of his plans.

The Chair called for a motion.

Robert O'Brien moved to send a favorable recommendation for Red Sands Habitation RV Park, Conditional Use with the following condition:

1. Applicant shall provide cut sheets for all exterior lighting to comply with Sec. 6.6 of the Grand County Land Use Code;
2. Due to the proximity to residential properties, a 6 foot high solid fence adjacent to the SLR zone district shall be installed and three policies shall be instituted:
 - a. No outside burning, and
 - b. Noise curfew of 10:00 p.m.
 - c. No parking on the interior roadway.

Joe Kingsley Seconded.

The Chair called for discussion on the motion – being none, the Chair called for the vote.

All voted in favor of the motion, motion carries.

Staff passed out information for a Planning Commission conference hosted by Envision Utah. It will be held at the USU building. Those that want to attend will be reimbursed by the County.

County Resource Management plan update – Staff explained that there will be a public workshop on February 8th.

2017 Work Plan – staff passed out a work plan and discussed with the Commission.

Approval of Minutes: The December 13, 2016, meeting minutes were approved with corrections.

Future Considerations: Nothing at this time.

Community Development Department Update: Updated the Commission on the CRMP.

Adjournment - meeting adjourned at 8:30 pm.