

Grand County Planning Commission Minutes

March 11, 2009

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM in the Grand County Courthouse, Council Chambers.

Members Present: Interim Chair Jean Binyon, Ed Bridges, D.L. Taylor, Mike Duncan, Dave Stolfa, Kalen Jones and Dave Cozzens.
County liaison – Gene Ciarus.

Others Present: County staff Krissie Killooy, Mark Wright, and Mary Hofhine, and other concerned citizens.

The Interim Chair called the meeting to order at 6:00 PM and introduced the Commission and staff then requested that all cell phones be turned off.

Jean Binyon, interim Chair, opened up the nominations for Chair. Ed Bridges nominated Jean Binyon, D. L. Taylor seconded, with no other nominations Ms. Binyon was accepted by acclamation.

The Chair opened up nomination for Vice Chair. Dave Stolfa nominated Ed Bridges, D.L. Taylor seconded, with no other nominations Mr. Bridges was accepted by acclamation.

Public Hearing – Proposed Land Use Code Amendment defining 30 percent slopes and required open space. Staff read into record the General Plans as amended to date the Land Use Code as amended to date and supporting material in the staff report to the Commission.

Staff explained that constrained lands are sensitive areas subject to natural hazards. Cities and counties limit development in such areas to protect the integrity of the land and to prevent the loss of life and property. The Grand County Land Use Code (LUC) identifies the following constrained lands: slopes greater than 30 percent, jurisdictional wetlands, lands in the 100 year floodplain, public drinking water supply water sources, lands affected by un-mitigatable geo-hazards, riparian habitats, and archeological sites.

The LUC limits development in steep slopes areas via general site planning standards including building envelope and driveway restrictions, as well as open space requirements. Steep slopes are currently required to be set aside as permanent open space (5.4.2D). Staff is proposing a land use code amendment which would remove steep slopes from the primary open space requirement and instead require such areas to be identified on plats and permanently deed restricted from further development. The purpose for the proposed amendment is to promote more usable open space and to allow for greater flexibility in project design.

The Chair explained that there will be another public meeting due to the changes that have evolved from the amendment, which include Sec. 5.6, clarifying open space and common area Sec. 6.11 and identifying constrained lands, 5.4.D. These sections will need to be advertized and we will have a re-write of the report at the April 8, meeting.

The public hearing was opened by the Chair and explained that citizens will have 5 minutes to speak on the subject.

Tim Keogh – has concerns about what is primary open space and who determines that, also “scenic view sheds” what areas would qualify for that.

Rick Arnold – Attorney for Sorrel River Ranch. Stated that this is a complicated issue and the accomplished sections are good. The concerns are; can the deed restrict lands be held privately or are they common areas and also believes that steep slopes should be deed restricted to construction. This amendment puts most open space in a perpetual restriction and the Commission shouldn't get caught up in how the restriction is held as long as the benefit to the County is achieved.

Jack Campbell - Encouraged the Commission to get quality open space from development. Deed restrictions on private ground can be an argument for public benefit.

The Chair asked if the Commission had comments.

Dave Stolfa would like to have a way to protect the trees of significance on property and provide them in the open space.

The Chair closed the public hearing with no more comments from the public.

Dave Cozzens commented that buildings can be safely built on 30% slopes with engineering and questions the need for restricting building on steep slopes. Land owners have the right to put their land to use.

The Commission discussed the slopes issue at length and directed staff to provide a rewrite for the next public meeting.

Dave Cozzens moved to advertise for the following Land Use Code Amendment: (1) Section 5.6 steep slope measurement, (2) Section 5.4 constrained lands, and (3) Section 6.11 open space and common area. Dave Stolfa seconded and all voted in favor.

The Commission discussed the need for a workshop for orientation and decided to meet at 2:00 PM on the 8th of April, break at 4:00 and have the regular meeting at 6:00PM.

Approval of Minutes - The Commission asked that the February 25th minutes have more information regarding the code amendment.

County Council Update – Gene Ciarus had left earlier in the meeting.

With no other items on the Agenda the Chair called for adjournment.

Adjournment: The meeting was adjourned at 8:30 P.M.

Jean Binyon, Chair