

Grand County Planning Commission Minutes

June 10, 2009

A regular meeting of the Grand County Planning Commission convened on the above date at 6:00 PM at the Grand Center, Conference Room #4.

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

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

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

The Chair asked the Commission if there were any conflicts of interest or ex parte communication that needed to be disclosed in regards to the agenda; there were none offered.

The Chair explained the process for the public hearings; staff will give their presentation, the applicant will get 5 minutes to make a presentation and the public will have 3 minutes to speak on the subject.

Public Hearing: Amendment to the Land Use Code defining 30 percent slopes, clarifying open space and common area, and identifying constrained lands. Staff read into the record the General Plan as amended to date, the Land Use Code as amended to date and the staff report with relevant information.

Staff explained that the Planning Commission has been reviewing the amendment since April; the staff report has outlined sections that had been considered for modification, there are no substantive changes. The purpose of the proposed amendment is to establish a method of measuring steep slopes and define how slopes classified within the land use code. The proposed amendment will enable greater flexibility with respect to project design and open space requirements while remaining consistent with the goals identified in the General Plan

The Chair opened the public hearing – with no comment from the audience the public hearing was closed.

The Chair called for a motion on the amendment.

Mike Duncan moved to forward a recommendation to the Council to adopt the proposed land use code amendment as submitted. Dave Stolfa seconded.

The Chair asked if there was discussion from the Commission. Commission discussed the following:

- p.1, D. Constrained Lands, reformat #3 and #4 showing changes in red.
- p. 2, #4 correct hardship to equal 10 percent
- p. 2 and 5, correct spelling to read “unmitigable”
- p.2, #4 remove the word “other” from “other impervious surfaces”
- p.4, 6.11.2 remove the word “substantially” from “shall substantially comply”

The chair asked if the motion would include the discussed change in the wording of the draft ordinance from 5% to 10% of sloped areas to be occupied by buildings or impervious area, Mike Duncan agreed to amend the motion to include the change, Dave Stolfa seconded. The Chair called for a vote; all voted in favor.

Sketch review of Overlook Road Commercial Condominium - This application is submitted by Ben Byrd. The Applicant proposes division of one acre into three condominium units for commercial use. A condominium is a specific type of property ownership where a unit of property (air space) is owned by an individual, while common parts of the property (such as the grounds and building) are owned jointly by all unit owners. A condominium owner's association will be formed to be responsible for the maintenance of all common areas.

The property is located on Overlook Road and is zoned Highway Commercial (HC). Surrounding properties to the north (K-Sue) and east (Mega Blue) are zoned HC; properties to the west and south are zoned Rural Residential.

The Commission had questions regarding the requirement for sidewalk, **curb and gutter, also additional road width**. The County Engineer expressed that to require sidewalks and additional road width on the existing road would necessitate moving of light poles, and may be hazardous due to the steepness of the existing roadway.

The Commission discussed with the applicant the current issue and the need for appropriate drainage. The applicant will work with the County Engineer and Road Supervisor to mitigate the existing problems.

Additionally the Commission recommended the following prior to proceeding to Preliminary Plat:

1. **ENGINEERING.** Review of retaining wall facilities and drainage report will be required as part of the preliminary plat submittal. Post development storm drainage flows shall not exceed predevelopment flows.
2. **ROADS.** Street improvements will need County Engineering and Road Supervisor review at Preliminary.
3. **UTILITIES.** Letters are needed from each utility providing a service commitment and commenting on the adequacy of proposed easements. All utilities must be installed underground.
4. **FIRE PROTECTION.** Review by the Building Official and the Fire Chief for compliance with applicable building and fire code requirements including the availability of adequate hydrants must be satisfactory to the Fire Chief.
5. **PROTECTIVE COVENANTS.** Covenant documents and the Homeowners Association draft documents will need to be reviewed by the County Attorney.

Approval of Minutes - The Commission accepted the May 27th, minutes with minor corrections.

Planning Department Updates – A presentation by DEQ will be on July 8

County Council Update – Gene Ciarus discussed the meeting of the air and water quality committee and what the Council is looking for in the committee and what is regulated by the State.

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

Adjournment: The meeting was adjourned at 6:50 P.M.