

REGULAR PLANNING COMMISSION MEETING MINUTES
July 13th, 2020

The Grand County Planning Commission held its regular meeting on the above date with all attendees participating remotely via Zoom.

YouTube recording of meeting can be viewed at

www.youtube.com/c/GrandCountyUtahGovernment/videos

Audio recordings archived at www.grandcountyutah.net/AgendaCenter

In attendance: Planning Commissioners Emily Campbell, Rachel Nelson, Bryon Walston, Robert O'Brien, Kevin Walker and Gerrish Willis. County Council Liaison Jaylyn Hawks. Grand County Staff Mila Dunbar Irwin, Olivia Holmes and Abby Scott.

Commissioner Campbell officially calls the meeting to order at 4:04pm

Citizens to be heard (00:01:30 min)

Reed Pendleton: Requests clarification on the 313/191 public survey. Question 1, section a could be interpreted as downzoning the highway commercial and resort special zones currently in existence in that area. The specific uses section lists an incomplete selection of uses and it is unclear if additional uses listed in the code will be considered for this area.

Ex Parte Communications and Conflict of Interest Disclosures:

No ex parte communications or disclosures from any Commissioners.

Approval of Meeting Minutes from June 22, 2020 Regular Meeting Minutes - Approved (00:4:58 min)

Discussion: None

Motion and Vote: Commissioner O'Brien moved to approve the minutes from the June 22, 2020 Planning Commission meeting. Commissioner Walston seconds. Motion passed 6-0 with Commissioners Walston, Nelson, Walker, O'Brien, Willis and Campbell voting aye.

Action Item: Vacant Planning Commission Seat Interviews: Makeda Barkley, Steve Evers, Josie Kovash, Will Hansen (00:06:20 min)

Planning Commissioner Questions:

- Commissioner Campbell: What are the most prominent development issues currently in Grand County?
- Commissioner Walker: What are your thoughts about regulations in the city and county?
- Commissioner Walston: What is your vision for the community? Do you have time to serve?
- Commissioner Nelson: How do you see your role on the PC in terms of obtaining community feedback to guide development in Grand County?
- Commissioner O'Brien: What are your most relevant experiences for this position?

- Commissioner Willis: In making land management decisions there is often a tension between public interest and property rights. How would you deal with this tension between private property rights and public interest?

See audio record or YouTube recording for discussion and answers from applicants.

Makeda Barkely (00:06:20 min)

Steve Evers (00:25:40 min)

Josie Kovash (00:40:50 min)

Will Hansen (00:57:30 min)

Motion and Vote: (01:11:05min) *Commissioner O'Brien voted for Makeda Barkely.*

Commissioner Campbell voted for Steve Evers. Commissioners Walker and Nelson voted for Josie Kovash. Commissioners Willis and Walston voted for Will Hansen.

Commissioner Campbell calls a runoff vote between Josie Kovash and Will Hansen.

Commissioner Campbell, Walker, O'Brien, Nelson voted for Josie Kovash. Commissioner Willis and Walston voted for Will Hansen. The PC voted 4-2 to recommend Josie Kovash to fill the vacant Planning Commission position.

Citizens to be heard (01:15:25min)

None.

Public Hearing: Desert Mesa HDHO Subdivision Lot 2 Amended Application

Discussion: (01:16:32min) See staff report for details.

The property line is proposed to be adjusted to the fence, which would allow the three lots to be less than the .2 acres, which is smaller than the HDHO would allow. Staff believes that this was a good faith effort by the developer to work with the neighboring property and existing fenceline, which would deed a small piece of property to the neighbor and adjust the property line rather than move the existing fence to the existing property line.

Councilmember Jaylyn Hawks questions the footage on the lot and if the lot size is .6 acres prior to the right of way designation of 33 feet, making the lot size less than .6 acres. Staff clarifies that the motion should say 33 feet, where the total width is 66 feet. The .6 acreage is prior to the 33 foot right of way designation and the right of way designation does not count towards the developers acreage as the County needs the right of way.

Applicant Statement: (01:25:00min): Glent Lent. The best option was to work out the boundary line agreement with the neighbor behind the proposed development.

Public Hearing: (01:26:40min):

Abby Scott reads an email sent to Staff on behalf of residents of Desert Mesa (01:26:40min) requesting that PC does not recommend high density housing in the area due to concerns about noise, traffic and neighborhood character. Letter is signed by Nick and Monica Oldroyd, and young family (2620 Desert Road), Manuel and Ginger Torres (2630 Desert Road), John and Nancy Pickens (2620 Desert Road), James and Bonnie Grantham (2610 Desert Road), Larry and Teresa Crausman (2631 Desert Road), John Pickens (2741 Desert Road), and Carl and Christa Windsor (2450 Mesa Road).

Mila Dunbar-Irwin reads an email sent by Krista Windsorn (2450 Mesa Road) (01:28:50 min). She encourages PC to not allow high density in this area as it will disrupt the cohesiveness in the area and does not favor the surrounding lots and home owners.

Manual Torres (01:30:20 min) owns three acres in the area. The purpose of moving to this area is to have open space, not high density housing. The developer knew that the code was one dwelling per half acre and that should be honored for the residents currently living in that area.

Nick Oldroyd (01:32:50 min) does not believe the code should be changed to accommodate the development and allow higher density on a dead end street.

Applicant Response: Glen Lent (1:33:40 min) The development is for two extra units as they are already vested for one unit. All three units would be deed restricted and would provide housing for locals.

Staff states that the development is currently vested for one dwelling unit with potential for an ADU, and that this proposal would allow for 3 units, each with potential for ADU.

Motion and Vote: (01:35:20min) Commissioner Willis moved to send a favorable HDHO recommendation to the County Council on the Desert Mesa HDHO Subdivision Lot 2 Amended Application. Motion seconded by Commissioner O'Brien.

Discussion: (01:37:00min) Commissioner Willis states that this is a good area for high density however, he does not support creating a precedent of allowing development on lots smaller than the required minimum lot size. Commissioner Walker disagrees that the boundary line should be denied as developers should be incentivized for good faith, but that this is not a good area for HDHO and HDHO units could be better used closer to Moab City.

Vote: (01:46:13 min) Motion failed 5-1 with Commissioner O'brien voting aye and Commissioners Walston, Nelson, Walker, O'Brien, Willis and Campbell voting naye.

Public Hearing: Namaste Rock Rezone RG to SLR

Discussion: (01:49:00 min) See staff report for details.

No staff discussion.

Applicant Statement: Michael Skarda (01:50:00min) When purchased, this property was incorrectly labeled as zoned for Highway Commercial (HC), when it was actually Range & Grazing (RG). The property is adjacent to other HC land and is located in an area next to other zones that allow high density. This proposal is for long-term residential development. This rezone would allow five units per acre and is appropriate to have next to highway commercial.

Public Hearing: (01:58:25 min) None.

Mr. Skarda would like clarification as to why Staff does not recommend this development and requests further guidance.

Commissioner Campbell closes the public hearing and states the need to develop a Small Area Plan to guide proposed developments in the area. This is reflected in Staff's recommendation.

Motion and Vote: (02:05:12 min) Commissioner Walker moved to send an unfavorable recommendation to the County Council on the *Namaste Rock Rezone RG to SLR*. Motion seconded by Commissioner O'Brien.

Discussion: (02:06:11 min) Commissioner Walker states that the only appropriate rezone of this area is resort special as it aligns with past planning efforts. This area needs careful planning before further development is approved. Highway Commercial surrounding the proposed development is a result of poor planning and does not merit the rezone of the proposed development.

The Small Area Plan for 313/191 is intended to be approved and finalized by the end of 2020. This plan should include determination of appropriate density in this area.

Vote (02:15:25): Motion passed 6-0 with Commissioners Walston, Nelson, Walker, O'Brien, Willis and Campbell voting aye.

Discussion: Small Area Plan 313/191 (02:18:00min)

Discussion led by Commissioner Campbell

The Citizen Comment survey has been created on Survey Monkey and has a QR code. It is ready to be disseminated to the public once it is approved. The following changes will be made:

- Question one, section a to read “undeveloped parcels will remain range and grazing” to “undeveloped parcels will remain at their existing zoning, a mixture of ‘Range and Grazing’, ‘Resort Special,’ and ‘Highway Commercial.’”
- Question 2 will be changed to clarify the intent behind the specific use examples taken from the code table.
- Option J stating “Other tourist-oriented businesses (excluding lodging)” shall be removed from question two and replaced with “Other tourism related rentals and retail” and “Guide/outfitters” below UTV and Mountain bike rental.
- “Outdoor Education” and “Other” be added to the survey under question two.

A workshop with the County Council is likely to occur at 2:00pm on July 21st and last 1 to 1.5 hours. Prior to the workshop, Staff will provide a summary of past and existing applications in this area. The Planning Commission members will compile a list of stakeholders and send it to County Council.

County Council Action Items Report (02:51:30 min)

- Staff reports Peak View Phase 1 Plat was denied. There were disagreements between the developers and the County Attorney that were not worked out prior to the County Council meeting. Councilmember Hawks adds it was a strange circumstance and three conditions were agreed upon 1) Developer would build affordable housing units at the same time as the market rate units 2) The developer is only responsible for phase one of the bike path 3) The developer did not budge on drainage issues, and requested the County indemnify the resident that would be subject to the developer’s drainage. It failed as a 3-3 vote.
- Commissioner Campbell states that it may make sense to move the “County Council Action Items” section under “County Council Update.”
- Staff updates that due to COVID-19 budget cuts and related staffing issues, the County Attorney’s office has instituted a four week legal review on all land use decisions going

before the County Council, which has caused a delay in projects going before the County Council.

County Council Update - Jaylyn Hawks (03:00:45 min)

- There are 26 COVID-19 cases in Grand County. It has doubled in the past two weeks. County Council passed the face covering mandate requiring face coverings when a 6 foot distance can not be maintained in public.
- The Moab Area Watershed Partnership is meeting Wednesday, July 15th at 1:00PM. There will be a presentation by Mark Stillson on the third and final Grand County water monitoring at approximately 2:30PM.
- Electronics recycling is now every Saturday from 8-10. Household hazardous waste recycling has been postponed until September 7th.
- Seven County Infrastructure Coalition has submitted a \$7.5 million application for a molten salt lab and also submitted an application for the Book Cliffs Highway.
- There are many citizens of San Juan County that consider themselves part of the Grand County community and should be included when asked for board members within the community. Staff and Planning Commission will get an update on San Juan County's development plan and incorporate this into Grand County's planning efforts.

Recent Building Permit Review (03:09:07 min)

Future Considerations: (03:10:00 min)

- Commissioner Campbell requests consistency when noticing postponements in the packet.
- Commissioner Nelson requests the packets contain the addresses of the proposed developments. Staff will include addresses when available, and parcel numbers when addresses are not yet established.
- Scheduling a remote town hall meeting to discuss the Small Area Plan for 313/191 that could become an in-person event if it is safe to do so.
- Planning Commissioners will send motions to County Council in a manner that is consistent with Robert's Rules.

Adjournment: (03:21:45min) Commissioner Willis moved to adjourn the meeting. Commissioner Walker seconded. Motion passed 6-0 with Commissioners Walston, Nelson, Walker, O'Brien, Willis and Campbell voting aye. Meeting adjourned at 7:26 pm.