

GRAND COUNTY PLANNING COMMISSION

Monday, January 24, 2022

4:30 P.M. Regular Meeting

5:30 P.M. Joint Moab City PC and Grand County PC Meeting

****PLEASE NOTE: THIS MEETING WILL BE HELD VIRTUALLY****

Join via Zoom <https://us02web.zoom.us/j/84930753400> Meeting ID: **849 3075 3400**

Or call in to meeting: **(669) 900-6833** and when prompted, enter meeting ID

Send written comment to planning@grandcountyutah.net or call **435-259-1343**

Type of Meeting: Regular Planning Commission Meeting
Facilitator: Chair Emily Campbell
Attendees: Planning Commissioners, interested citizens, and staff

4:30 PM

- Call to Order *Chair*
- Citizens to be Heard – public comment opportunity for any item not listed as a public hearing
- Ex Parte Communications and Disclosures

Action Items (Administrative) 1) Approval of Meeting Minutes from January 10, 2022 *Chair*

Discussion Items 2) Review Planning Commission Bylaws *Chair*

- 3) County Commission Update *County Commission Liaison*
 - a) Commission meeting action items update

- 4) Future Considerations *Staff*
 - a) General Plan Update timeline and overview
 - b) Land Use Study – “scenarios” workshop coming soon
 - c) LUC updates – timeline

Public Hearings / Action Items (Legislative) 5) Anthony Ricco Rezone request RR to SLR for 2890 Spanish Valley Drive *Staff*

ADJOURN

Type of Meeting: Joint Moab City and Grand County Planning Commissions meeting
Facilitator: Chair Emily Campbell
Attendees: Moab City and Grand County Planning Commissioners, interested citizens, staff

5:30 PM

- Call to Order *Chair*
- Citizens to be Heard – public comment opportunity for any item not listed as a public hearing

Discussion Items

1. Consider adopting the Draft MOU
2. Discussion of regional plan, list of issues and potential priorities we want to collectively address
3. Communication going forward across bodies

*Chair***6:30 PM**

- Citizens to be Heard – public comment opportunity for any item not listed as a public hearing

*Chair***ADJOURN****DEFINITIONS:**

Public hearing = a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public meeting = a meeting required to be open to the public pursuant to the requirements of Title 52, Chapter 4, Open and Public Meetings; the public may or may not be invited to participate.

Legislative act = action taken by the County Council or Planning Commission; amending ordinances, adopting general plan, Annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community.

Administrative act = action taken by the Planning Commission, County Council or staff interpreting ordinances and regulations, conditional uses, approving subdivision, site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code, whichever is stricter.

Monday, January 10th, 2022
JOINT PC & CC WORKSHOP MEETING MINUTES 2:00pm
and
REGULAR PLANNING COMMISSION MEETING MINUTES at 4:30pm

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

YouTube recording of meeting can be viewed at https://youtu.be/D_aqSMIn2w Recordings archived at www.grandcountyutah.net/AgendaCenter

2:00pm General Plan Update Workshop

In Attendance:

Planning Commission Chair Emily Campbell, Planning Commissioner Robert O'Brien, Planning Commissioner Steve Evers, Planning Commissioner Planning Commissioner Anthony Mancuso, County Commissioner Sarah Stock, County Commissioner Kevin Walker, County Commissioner Evan Clapper, County Commissioner Jacques Hadler, County Commissioner Mary McGann, County Commission Chair, Gabriel Woytek, County Commission Liaison Trisha Heiden, Associate Planner, Elissa Martin, County Clerk Quinn Hall, Planner, Jenna Gorney, Planning Director, John Guenther

2:02pm - Citizens to be Heard

- Mark Horowitz - Overnight Accommodation permits vs Bed & Breakfast approved permits

Commission Member Disclosures: - None

General Plan Update review and feedback:

- 1) Overview and Timetable of GP
 - County Commission to formally Adopt Planning Documents as they come
 - Outreach occurred Nov 10th
 - Stakeholder Review in November/December
 - Add Changes/Updates to Plan then forward to Public Review
 - Penultimate draft submitted to County Commission
 - Public Outreach - March: Neighborhood Meetings
 - March 1st goal for adoption

- 2) Roundtable review of GP sections (each pair of commissioners and their respective sections in order of the document gave suggestions and provided edits)
 - A. Bob O'Brien/Mary McGann- Decision Making
 - Consider strategies for getting the public & NGOs involved in decision making
 - NGOs should be encouraged to sign up for GC connects to get updates

- Have annual community survey
- Open House/Open Session for community: meetings with Planning Commission and separately with County Commission a few times a year : current issue, upcoming concerns, get public feedback, and collect their concerns and issues
- Important to create strategies to get citizens involved: mailings, etc.

B. Sarah Stock/Bob O'Brien- Sustainability

- Missing: add some specificity for water conservation relevant to the Moab area.
- Take into consideration the possibility of requiring solar and rooftop collection of water on-site.
- Consideration of Climate Change
- We need a Water Committee at the County to look after our interests.
- Missing: County wide groundwater monitoring and having land development advanced accordingly based on availability
- Sarah - voluntary checklist for sustainable green development: maybe instead create code requiring
- Transportation - we should work on commuter transportation: bike trails and active transportation needs enhanced
- Composting as well as recycling could be added
- In Sustainable Neighborhood section: add "Safe Bike to School" routes goal and/or policy
- Incentivise green initiative or update code to require?

County Commission concerns/notes:

- Tradeoffs to consider: balancing growth goals of economic diversification with natural constraints such as water availability
- Low, medium, high, development scenarios to evaluate development bumping up against (water) resources
- We should be tracking how much water we are using in order to evaluate vested growth and projected growth (Water implications on a project to project basis)
- Water Consortium will help gather data and create a framework for policy, better understanding of demand vs data, and governance structure.

C. Steve Evers/Josie Kovash, Kevin Walker/Trish Hedin Land Use

- Some generic language included that are not specific to Count. Let's update.
- There has been an interest in community node development: economic practicality of that if you are not on Hwy 191?
- Much mention of the North Corridor: where is it exactly? Carefully describe boundaries or abandon that term.
- Concern: For ease, pull goals and policies out into a 2-3 page document instead of in the middle of the document
- Headings.. Various densities of residential zones are listed, Low, medium high: Are these meant to be prescriptive? JG: The Land Use analysis, Levels of Service will describe growth scenarios. Map will come later.

- 1 unit per acre vs 10 min walkability: juxtaposition
- higher density residential vs rural character (we need to see more location specific info)
- Will Plan have a future land use map? yes - levels of service
- Redundancy: Heritage and Culture - can one be removed?
- In past General Plans, the goals just get sited over and over again: Kevin added some additional goals

- Emily Campbell - examine how we speak of tourism as a priority
The document says we want to encourage hotels in neighborhood nodes, this is not our goal - we must put the needs of the residents first. Not to encourage hotels. Any place we discuss tourism as a priority it needs to be balanced by a focus on our residents. We should acknowledge the investment but prioritize the needs of residents

D. Emily Campbell/Evan Clapper Transportation

- Evaluate emerging uses: such as electric scooters, impacts of personal flying machines and protection from not only Truck uses and noise and air pollution
- Policy to maintain historic trails access
- Conflicts between uses an ongoing issue
- This section will be redrafted in June after the Transportation master plan is released in the same way that the Land Use analysis will update the LUC

E. Makeda Barkley/Tony Mancuso/Evan Clapper Infrastructure

- The locataction and statistics of infrastructure is fairly well documented as is

F. Tony Mancuso/Jacques Hadler Parks, Recreation, & Natural Areas

- Add climbing as we do have world class climbing and biking here - areas of special interest
- Consider closer evaluation of wetland management
- Tony - update language such as "shall, will be required to" in order to encourage cooperation and show support "will work with our partners to encourage..."
- It is important to include conversation regarding access to public lands in our local area as opposed to Federal Land Management and beef up language on local lands and trails
- Emphasis for County Parks & Recreation dept: touch on more as this would be very helpful - Parks and Rec master plan will be included as an implementation strategy later, addressing how to manage, govern, administer and pay for

G. Josie Kovash/Sarah Stock Environment

- Federal forest section - add in something about Grand County supporting prescribed burning and policy to support it.
- Indiginous area policy - add
- Add policy to encourage developers to maintain natural drainage and

- Rural & Urban forest : good
- We should also provide a policy to encourage animal migration and discourage fencing of entire lots.
- Section 4; Grand County's policy to utilize forest lands - it should be to not subdivide or to not encourage development because we have little fire support there.
- We should look at making some of these sustainability measures mandatory

H. Gabe Woytek/Emily Campbell Healthy Economy and Social Environment.

- Goal #1 too broad split into 3 so we can track and measure individually
- Business parks - emphasis on green development
- 11.5 1&2 - clarification - Health impact assessment
- 11.6 Inclusion - rewritten to capture: inclusive community is inclusive across all factors: demographics, cultural backgrounds, abilities, and financial abilities.
- Diverse and resilient economy goal - balance against natural amenities
- Reference to Tourism in this section as a natural location in the document for this topic
- Be sure to touch base with August in Econ Dev. dept.
- Balance between attracting new employees vs supporting existing residents
- New Business vs established tourism

I. Rick York/Mary McGann Public Safety

- Add cultural & gender sensitivity: LGBTQ community
- Add safety to roads, rails and trails
- Do we need a section on Search & Rescue SAR- should it be added as a category on its own or be included. Embedded might work best

J. Tony Mancuso/Gabe Woytek Culture

- Heritage - Historical Features - not a specific mention to supporting of strategic plan of the museum
- Include not just built but natural history that is celebrated
- 13.2 Arts Culture- tourism might not work in this section
- Policy 5: Ute Tribe discussion. Display that we are here to support their cultural resilience

K. Kevin Walker Financial Impacts

- Be sure to include Chris Baird in this conversation

Citizens Comment 4:05pm - None

Workshop adjours at 4:06

REGULAR PC Meeting

4:30pm Regular Meeting

In attendance:

Planning Commission Chair Emily Campbell, Commissioner Robert O'Brien, Commissioner Steve Evers, Commissioner Rick York, Commissioner Josie Kovash, Commissioner Anthony Mancuso, Planner, Jenna Gorney, Planning Director, John Guenther, Associate Planner, Elissa Martin, Commission Liaison, Trisha Hedin

Commissioner Makeda Barkley, Absent

Meeting called to order at 4:30 pm

Citizens to be Heard (outside of scheduled public hearings)

- None

General Business

- 3 open Commissioner seats were filled by Anthony Mancuso, Emily Campbell & Makeda Barkley
- Vote on Chair: Commissioner O'Brien nominates Emily Campbell, Steve Evers seconds
All in favor - all
- Vote on Vice Chair: Emily Campbell nominates Commissioner O'Brien as Co-Chair, Commissioner York seconds
All in favor - all
- Move to table Review of Bylaw Motioned by Commissioner Campbell seconded by Commissioner O'Brien
All in favor - all

Ex Parte Communication and Conflicts of Interest - None

Action Items: (Administrative)

- 1) Approval of meeting minutes from December 13th, 2021
Commissioner Evers moves, Commissioner O'Brien seconds. Motion passes unanimously.

Discussion items:

- 2) County Commission Update
 - Last meeting was appointing individuals to Boards & Commissions
 - Gabriel Woytek was appointed County Commission Chair
 - Jacques Hadler was appointed co-chair to the County Commission

Action Items:(Legislative)

- 3) LaSal Peaks Rezone Application for 4400 Spanish Valley Drive
Staff presents: Rural Residential to Small Lot Residential, 9 duplex lot, 20 SFD lots (38 total dwelling units)
Applicant comments

4:44pm Public Hearing / Public comment open 4:44pm

- Aaron Thompson - In support
- Preston Walston - In support
- Len Sorensen - Against
- Michelle Pesterson - Against
- Mitch Peterson - Against
- Cindy Peterson - Against

4:55pm Public Hearing closed

Elissa M - addressed a question on future applications and the precedent it would set. Yes. Rezoning of the property would likely set a precedent.

Motion by Commissioner O'Brien to send unfavorable recommendation for proposed rezone
Seconded by Commissioner Rick York

Discussion

All in favor of sending an unfavorable recommendation - 5

All opposed - 0

Abstaining - 1 Steve Evers

- 4) Viewgate Terrace Amended Development Agreement for Phase II Final Plat deadline extension

Staff Report

Applicant Comments - None

5:25 pm Public Hearing/Public Comment - Opened

- None

5:26pm public hearing closed

Motion by Commissioner Evers to send favorable recommendation

Seconded by Commissioner O'Brien

Discussion None

All in favor - 6

All opposed - 0

Planning & Zoning Updates

- 5) Spanish Valley Survey status update
 - Obtain bitly link for the survey for distribution

- 6) Land Use Code Updates

- Article 3 Use regulations - we are proposing updating General Business zone - specific retail categories need to be expanded
- Create Overlay district to assist in providing workforce housing in long term camp park, Suggestion to “Have plan to enforce to accompany a proposal for this. Josh or Christina”
- Accessory Dwelling Unit (ADU) update to become compliant with Utah State Code - internal ADU sq footage has no max, we could potentially allow reduced setbacks, potentially allow additional ADU’s mirroring the City’s update
- Manufactured Homes - needs updated for State Code (definitions for Modular & Manufactured homes)
- Article 3: Temporary Land Uses for Special Events
- Article 4: Updates to OAO section as previously discussed
- Developing a requirement to provide a certain % of affordable units in subdivisions

Future Considerations - update over email

- 7) Plan for Joint GC & MC Planning Commission mtg. Jan 24th the goal
- 8) Upcoming meetings and forums (Housing, Econ. Dev., Land Use Study)

Motion to Adjourn at 6:00 pm by Commissioner Steve Evers, Seconded by Commissioner O’Brien

Motion passes unanimously

RESOLUTION 3263 (2021)

A RESOLUTION OF THE GRAND COUNTY COMMISSION, STATE OF UTAH, AMENDING BYLAWS OF THE GRAND COUNTY PLANNING COMMISSION

WHEREAS, the Grand County Commission (County Commission) adopted Ordinance No. 472, dated June 6, 2008 establishing a process for the adoption of bylaws for Grand County Boards, Commissions and Committees; and

WHEREAS, pursuant to the provisions of 17-27a-301 and 17-27a-302 (renumbered from 17-27-2) Utah Code Annotated, 1953, as amended, the Board of County Commissioners were authorized and empowered to appointed an unpaid County Planning Commission; and

WHEREAS, the County Commission adopted a resolution on March 13, 1972 formally establishing the Grand County Planning Commission (Planning Commission); and

WHEREAS, the County Commission adopted the Land Use Code on January 4, 1999 via Ordinance No. 299 with Section 8.1 of the Land Use Code, "Planning and Zoning Commission;" and

WHEREAS, the County Commission adopted Ordinance Nos. 513 and 515 on February 19, 2013 amending Section 8.1 of the Land Use Code as well as Resolution No. 2998-2013 establishing bylaws; and

WHEREAS, the County Commission adopted Resolution 3206 on February 4, 2020 amending the Planning Commission Bylaws;

WHEREAS, the Planning Commission reviewed the subject bylaws in a public meeting on January 14, 2021 and forwarded a recommendation for approval of the minor amendments; and

WHEREAS, the Commission Administrator reviewed the proposed minor bylaws amendments of the Grand County Planning Commission, as required by Ordinance No. 472 to ensure that such bylaws do not conflict with Grand County ordinances or codes; and

WHEREAS, the Commission Administrator drafted further amendments to enable electronic meetings as per the Ordinances and Policies of the Grand County Commission, and to revise and clarify a prohibition on ex parte communications; and

WHEREAS, Ordinance No. 472 requires the Grand County Commission to approve bylaws by resolution to be maintained in the County Clerk's Office for purposes of historic recordkeeping and reference.

NOW THEREFORE, the Grand County Commission hereby resolves to formally approve, by resolution, the amended bylaws of the Grand County Planning Commission, attached as Exhibit A

APPROVED by the Grand County Commission in open session this 2nd day of March, 2021 by the following vote:

A YE: *Clapper, Hadler, Hedin, McGann, Stock, Walker, Woytek*

NAY: _____

ABSTAIN : _____


ABSENT:

ATTEST:



Quinn Hall
Grand County Clerk/Auditor

APPROVE:



Mary McGann
Grand County Commission Chair

EXHIBIT A

AMENDED BYLAWS OF THE GRAND COUNTY PLANNING
COMMISSION

GRAND COUNTY PLANNING COMMISSION BYLAWS

Grand County, Utah

ARTICLE I

Authority

The Grand County Planning Commission is authorized by the Utah Code Annotated 17-27a-301 and 17-27a-302 and by Grand County Ordinance 299 (1999), Section 8.1 of the Grand County Land Use Code. The Planning Commission exercises authority and assumes responsibilities delegated to it under these authorities.

ARTICLE II

General Provisions

II.1. Applicable State Statutes, County Ordinances, and Policies

The Grand County Planning Commission, hereinafter referred to as “the Commission,” shall be governed by State statutes and County ordinances and policies including the following:

- a. State statutes applying generally to public boards, members, and officials
- b. State statutes governing the activities of County Planning Commissions
- c. Grand County Ordinances and Resolutions
- d. The Grand County Land Use Code
- e. The bylaws of the Grand County Planning Commission as set forth herein. These bylaws are not adopted by Ordinance and do not have the force of law. They are advisory guidelines only. Consequently, should the Commission waive, suspend, or otherwise deviate from these bylaws during the course of a meeting, such deviation shall not be grounds for invalidating a hearing held during such meeting or any decisions made at such meeting.

II.2. Familiarity with State Statutes, County Ordinance and Resolutions, and Rules Affecting the Commission Upon taking office, all members of the Commission shall familiarize themselves with applicable statutes and rules, ordinances and resolutions, and while in office, shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Commission affairs.

ARTICLE III

Officers and Election

III.1. Officers

The Officers of the Commission shall be a Chairperson and Vice-chairperson.

III.2. Election

- a. The Chairperson and Vice-chairperson shall be elected as the first item of business at the first meeting of the year after the County Council appoints vacant seats. They shall serve for a term of one year or until their successors are elected. Their term shall start the meeting following the election.
- b. If the office of the Chairperson or Vice-Chairperson becomes vacant, the Commission shall elect a successor from its membership who shall serve the unexpired term of the predecessor.
- c. Nominations shall be by oral motion. At the close of nominations, the Commission shall vote by voice vote upon the names nominated for the office. If requested by the Chair, written ballots may be used for voting purposes.

III.3. Chair

The Chairperson has the following duties:

- a. The Chairperson presides at all meetings of the Planning Commission maintaining order and decorum, and insures that the procedures prescribed in the Grand County Land Use Code, Utah state code, and policies stated herein are followed.
- b. The Chairperson sets the agenda.
- c. The Chairperson may call special meetings at any time and in accordance with applicable state and County codes.
- d. The Chairperson may appoint up to three Commission members to serve on a committee as needed.
- e. The Chairperson shall inquire regarding potential conflicts of interest and ex parte communication, regarding agenda items, at the beginning of a public meeting or hearing.

III.4. Vice-chair

The Vice-chair performs the duties of the Chairperson in the absence of the Chairperson, or duties as delegated by the Chairperson. In the event of temporary absence of the Chairperson and Vice-chairperson, the remaining members present shall elect an acting Chairperson for that meeting.

ARTICLE IV Vacancies, Interviews, and Voting

IV.1. Vacancies

County staff shall notify the current Commission of those members whose terms will expire at the end of the calendar year. In cases where a vacancy is created during the middle of a board member's term (mid-term vacancy), County staff shall notify the Commission as soon as practically possible. County staff shall post a notice of Board vacancies, including mid-term vacancies, in a local newspaper of record.

IV.2. Candidate Interviews

The Commission shall interview qualified candidates and provide a recommendation

to the County Commission. At the start of each interview, candidates will be given three minutes to briefly introduce themselves and to provide relevant information as to background and experience. During the interview process Commissioners are encouraged to ask questions which verify a candidate's experience and eligibility of meeting requirements of service. Commissioners shall ask the same questions of each candidate. After responding to those questions, Commissioners may ask the applicant additional clarifying questions if necessary.

IV.3. Voting

The Commission shall vote upon the names of candidates in alphabetical order. Each Commissioner shall be entitled to one vote for each vacancy. Commissioners shall vote by voice or a raise of hands. If requested by the Chair, written ballots may be used for voting purposes.

Planning staff will tally the number of votes cast for each candidate and read this information back to the Commission. Planning Commission, by motion will forward this recommendation, including any findings, to the County Council for consideration.

IV.4. Recommendations to the County Commission

The Chairperson, or Planning staff as directed by the Chairperson, shall present the Commission's recommendation, including any findings, to the County Commission.

ARTICLE V Meetings and Organization

V.1. Open Meetings

All regular meetings, special meetings, workshops, and field trips of the Commission are open to the public and will be noticed in accordance with the requirements of The Open and Public Meetings Act.

V.2. Regular Meetings

Regular Commission meetings shall be twice a month unless there are mitigating circumstances, such as a lack of a quorum, lack of items to be discussed, holidays or other circumstances.

V.3. Annual Training

Commission members are required to attend an annual Open Meetings Training, as provided by Grand County or an online equivalent training. Commissioners are encouraged to attend the Citizen Planner Workshop, as conducted by the Utah League of Cities and Towns or other entity.

V.4. Special Meetings, Workshops, and Field Trips

Special meetings, workshops, and field trips for any purpose may be held at the call of the Chairperson or the Grand County Commission.

V.5. Agendas

Agendas shall be set at the direction of the Chairperson. Agendas for regular meetings shall be provided by staff to all members at least three days prior to the meeting.

V.6. Meeting Materials

Planning Department staff shall provide meeting materials to Commission members by 5:00PM the Friday before the Planning Commission meeting date unless extenuating circumstances exist. Meeting materials will be available for review by the public in the Planning Department at 125 East Center Street, Moab, UT 84532 and at the Grand County Library.

V.7. Written Citizen Comment

Any citizen wanting to submit written information to the Planning Commission for inclusion in the Planning Commission meeting materials packet shall provide written comments to the Planning Department by 5:00 PM the Wednesday before the Planning Commission meeting date. All documents, including electronically transmitted material, should be submitted directly to the Planning Department. Materials sent to individual Commission members will not be considered.

V.8. Minutes

The recording of minutes of all Commission meetings shall be the responsibility of Planning Department staff. In the event staff is absent from any meeting, the Planning Department may send a designee.

V.9. Rules of Order

In the event a question over procedures arises, Robert's Rules of Order shall prevail.

V.10. Voting

Commission members shall make a good faith effort to become knowledgeable on matters before the Commission. A quorum of the Commission shall consist of four members and the affirmative vote of at least four members in attendance shall be necessary to pass any motion.

V.11. Motion

All decisions of the Commission shall be made in a public meeting by motion, made and seconded, and by voice vote. Any Commissioner may make or second a motion. If there is any ambiguity on any vote or if the nature of the application or petition warrants, the Chairperson may conduct a roll call vote.

Motions should be supported by reason and include findings. The person making the motion is encouraged to state the reasons and finding(s) supporting the motion at the time the motion is made. Any conditions for approval must be stated in the motion. The motion may refer to the staff report for details of the conditions for approval if the person making the motion desires to do so.

V.12. Conduct During Public Meetings

During all meetings and hearings, persons providing testimony shall proceed without interruption except by members of the Commission at the discretion of the Chairperson. All comments, arguments, and pleadings shall be addressed to the Chairperson and there shall be no debate or argument between individuals in the audience. There shall be no debate or argument between individuals. The Chairperson shall maintain order and decorum, and, to that end may order removal of disorderly or disruptive persons.

Any member of the Commission, Counsel to the Commission, or the Commission staff, upon recognition by the Chairperson, may direct any questions to the applicant, witness, or any person speaking from the audience for the purpose of eliciting relevant facts. The Chairperson or Commission members may call for relevant facts from staff and make appropriate comments relevant to the matter.

V.13. Time Control

The Chairperson may control the time for debate on any issue. Care should be taken to insure fairness in the hearing process. Those speaking in support and opposed should have substantially equal time. The Chairperson may stop debate once he or she believes the issue has been adequately and fairly heard.

V.14. Citizen, Applicant, and Other Participation by Real-Time Telecommunication
Participation by Citizens, Applicants, and Others may be allowed by real-time telecommunication as per the current Ordinances and Policies established for such by the Grand County Commission.

V.15. Quorum: Means the minimum number of persons required to act as a body. A quorum requires 4 (four) Commission members whom must be present as per the current Ordinances and Policies established for such by the Grand County Commission.

V.16. Commissioner Participation by Real-Time Telecommunication

Planning Commissioner participation by real-time electronic means shall be permitted as per the current Ordinances and Policies established for such by the Grand County Commission.

V.17. Request to Withdraw or Amend Applications or Petitions

Upon request from the applicant, petitioner, or authorized agent, an application or petition may be withdrawn at any time before the Commission makes a decision on the same.

An applicant, petitioner or authorized agent may amend applications or petitions in any lawful manner on written request delivered to the Commission not less than 14 days prior to the scheduled public meeting. The purpose of this requirement is to assure that the amendment is properly evaluated and addressed in the staff report. In the event that an amendment to an application or petition is received less than 14 days before the public meeting addressing the same, the staff will orally report to the Commission at the public meeting the nature of the amendment. The Commission shall determine whether the nature of the amendment is such as to require reexamination by the County attorney or staff. If reexamination of the amendment is deemed necessary, the Commission may proceed with the hearing or may continue it to a future date until it has received sufficient information and analysis to make the appropriate findings and conclusions associated with the amended application or petition.

ARTICLE VI

Ethical Considerations

The following ethical principles shall guide the actions of the Commission and its members.

VI.1. Serve the Public Interest

The primary obligation of the Commission and each member is to serve the public interest.

VI.2. Support Citizen Participation in Planning

The Commission shall ensure a forum for meaningful citizen participation and expression in the planning process, and assist in the clarification of community goals, objectives and policies.

VI.3. Conflict of Interest

Planning Commission members shall adhere to Grand County policy as stated in Ordinance 462, or any subsequent amendment thereof, regarding conflicts of interest. A member with a conflict of interest shall be required to disclose such conflict prior to consideration of the matter by the Planning Commission. A member with a conflict of interest may not attempt to influence other members or appointed staff outside the meeting. A member with a conflict of interest shall be required to recuse herself or himself from participating in, commenting on, or voting on the matter in which such conflict exists.

VI.4. Ex Parte Communication / Ensure Full Disclosure at Public Meetings

A Planning Commissioner shall not have any ex parte discussions regarding any business before the Commission.

For the purpose of Planning Commission policy, ex parte discussions include any communication with Interested Parties of any issue coming before the Planning Commission outside of a public meeting, and prior to the Commission's final decision.

For the purposes of Planning Commission policy, Interested Parties shall mean applicants, representatives of applicants, investors, business partners, or any other party having a financial association with a land use application.

Any ex parte communications or information, unsolicited or otherwise, shall be disclosed in a public meeting.

VI.5. Maintain Public Impartiality

Commission members may seek information from other Commission members, the counsel to the Commission, staff serving the Commission, or the staff of other departments or agencies advising the Commission. Each member of the Commission has an ethical duty to avoid making public statements for or against the merits of any application before the Commission hearing is concluded and a decision or recommendation has been rendered.

VI.6. Faithful Attendance and Performance

Should circumstances arise where a Planning Commission member is unable to attend a scheduled meeting, the member shall be responsible for notifying the Chair or Planning Department staff as soon as possible. If circumstances prevent faithful attendance and performance of Planning Commission member duties, the member should resign from the Planning Commission.

ARTICLE VII Resignations and Removal of Membership

VII.1. Resignations

Any member of the Commission must submit a signed letter of resignation specifying the effective date on which the member's service will cease. The letter of resignation shall be submitted to the County Commission Office.

VII.2. Acceptance of Resignation

The County Commission shall accept resignation upon receipt thereof.

VII.3. Removal from Commission

Planning Commission may request the resignation of a member for reasons of attendance and/or ethical considerations. County Commission may remove a Commission member for cause prior to the expiration of the appointed term.

ARTICLE VIII Adoption, Review, and Amendment of Bylaws

VIII.1. Annual Review and Amendment

The bylaws will be reviewed by the Commission at the beginning of each calendar year. Amendments will be recommended to the County Commission for approval as per County Ordinance 472 (2008).

VIII.2. Waiving or Suspending Rules

A rule of procedure may be suspended or waived at any meeting by unanimous vote of the Commission members present unless such rule is set by state law or County ordinance.

Agenda Summary
GRAND COUNTY PLANNING COMMISSION
JANUARY 24th, 2022

AGENDA ITEM:

| | |
|-----------------------|--|
| TITLE: | Public Hearing to consider and solicit oral and written comment on a rezoning request proposing the application of the Small Lot Residential (SLR) Zoning District to property located at 2890 Spanish Valley Drive on Parcel No. 02-0022-0033 |
| FISCAL IMPACT: | Unknown fiscal impact |
| PRESENTER(S): | Elissa Martin, Associate Planner |

Prepared By:
ELISSA MARTIN
**GRAND COUNTY
 PLANNING &
 ZONING**

POSSIBLE MOTION :

I move to:
 Send a favorable/unfavorable recommendation to County Commission for the proposal to rezone property located at 2890 Spanish Valley Drive on Grand County Parcel No. 02-0022-0033

STAFF RECOMMENDATION: NEUTRAL

**FOR OFFICE USE
 ONLY:**

**Attorney
 Review:**

 N/A

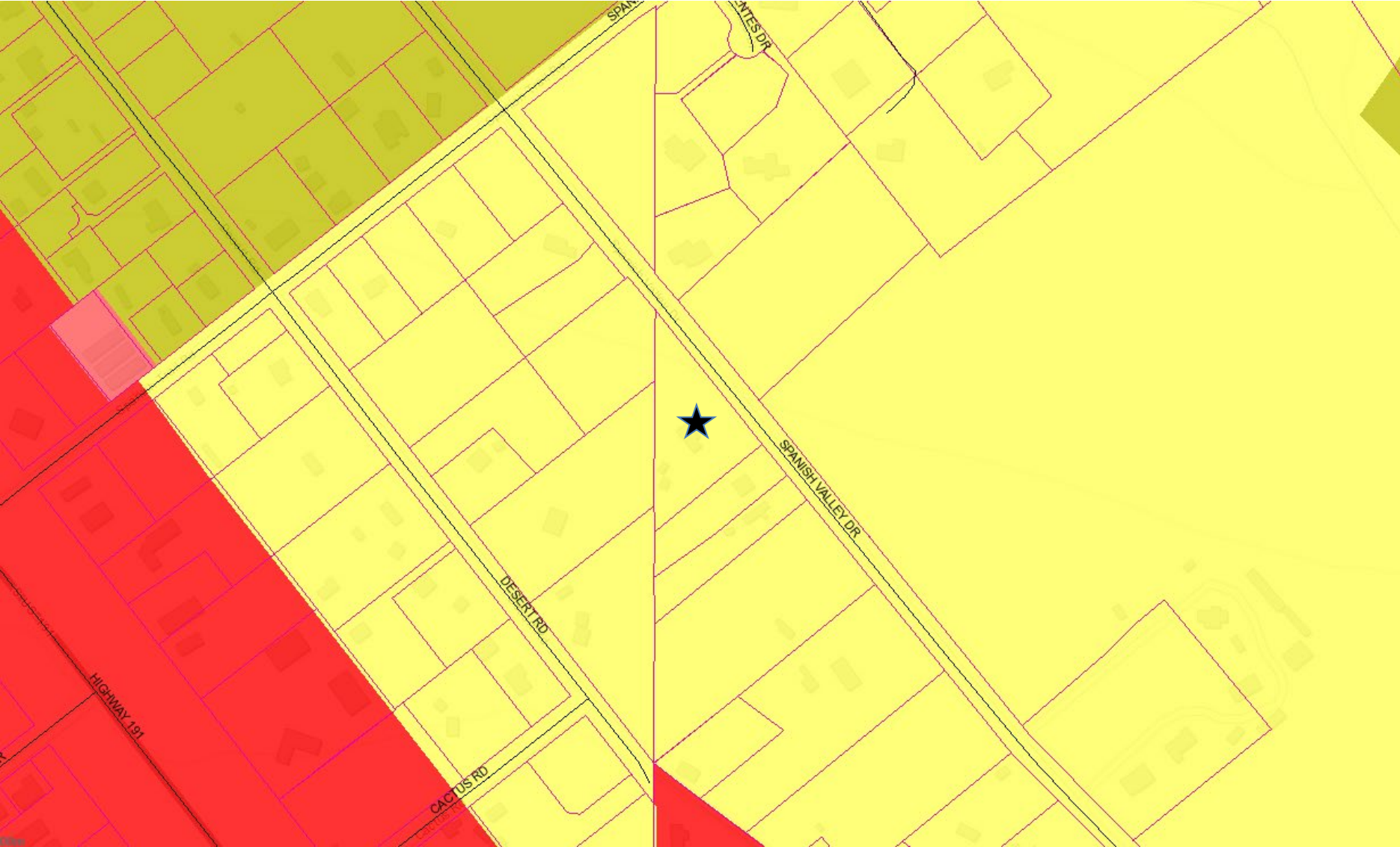
BACKGROUND

The property is currently zoned Rural Residential and accommodates one single family dwelling

ATTACHMENT(S):

1. Vicinity Map
2. Staff Report
3. Rezone Application Packet
 - a. Application (Upon Request)
 - b. Applicant Statement
 - c. Conceptual Site Plan
 - d. Boundary Survey
 - e. Tax Roll (Upon Request)
 - f. Title (Upon Request)

Vicinity Map





STAFF REPORT

PLANNING & ZONING DEPARTMENT

GRAND COUNTY, UTAH

DATE: January 24, 2022

TO: Grand County Planning Commission

SUBJECT: General Rezone Request (Rural Residential to Small Lot Residential - RR to SLR)

PROPERTY OWNER: Brittney Hodson

PROP. OWNER REP: Anthony Ricco

PROPERTY ADDRESS: 2890 Spanish Valley Drive, Parcel No. 02-0022-0033

SIZE OF PROPERTY: 2 acres

EXISTING ZONE: Rural Residential (RR)

EXISTING LAND USE: Vacant

ADJACENT ZONING AND LAND USE(S): Zones: Rural Residential (RR) Uses: Residential

APPLICATION TYPE

General Rezone Request

APPLICATION PROCEDURE

Decision Type: Legislative

Public Notices: Public Meeting at:

Planning Commission

County Council

Public Hearing at:

Planning Commission

County Commission

Attachments:

1. Rezone Application Packet
 - a. Application (Upon Request)
 - b. Applicant Statement
 - c. Conceptual Plan
 - d. Boundary Survey
 - e. Tax Roll (Upon Request)
 - f. Title (Upon Request)

SUMMARY OF REQUEST

The Applicant seeks to rezone the subject property from Rural Residential zoning to Small Lot Residential in preparation for later subdivision application.

PROPERTY HISTORY

Currently, one primary dwelling exists on the property.

SITE IMPROVEMENTS / ADDITIONS / CHANGES

The rezone request requires no current site plan improvements.

Later site improvements in connection to a proposed subdivision of the property will be in accordance with requirements of Article 6 (General Development Standards), Article 7 (Subdivision Standards) and Article 9 (Administration and Procedures) of the Grand County Land Use Code as well as Grand County Construction Standards.

I. Project Description

The application is for a General Rezone request to change the current Rural Residential (RR) zoning on a 2-acre parcel located on 2890 Spanish Valley Drive, to Small Lot Residential (SLR), which would allow for lot sizes with a minimum area of .20 acres.

II. Consistency with 2012 General Plan

The subject parcel is located within the Rural Residential Future Land Use Designation, Ridgeline Protection Overlay Area and on the immediate outskirts of the Rural Center area of the Future Land Use Map.

A. The Rural Residential future land use designation, calls for agriculture and single-family residential uses (1 dwelling unit per acre base density and up to 1.6 dwelling units per acre with a 50% open-space set-aside or fee in lieu and 25% affordable housing units or fee in-lieu). In order to encourage larger open space parcels that are valued by the community, a project in Rural Residential can achieve a gross density of up to 2 units per acre that includes (a) a 50% open space set-aside area totaling 40 or more contiguous acres or a fee-in-lieu, (b) has 25% affordable housing units or a fee-in-lieu, and (c) includes multi-modal options (pedestrian/bicycle, at minimum).

1. The proposed rezone request to Small Lot Residential at this location, would allow for higher density housing than originally envisioned in the 2012 General Plan. The future concept plan for the subject property proposes an average lot size of .20 acre, where the density under the current zone and future land use designation of RR calls for a minimum lot size of 1.0 acre, therefore SLR zoning is not consistent with the current General Plan in this regard.
2. It is anticipated though, that an increase in density may be envisioned for designated areas within Spanish Valley in the 2022 General Plan Update and Land Use Study, in order to address the present day housing shortage in the area.

B. The subject parcel is also located within the Ridgeline Protection Area Future Land Use Resource Overlay designation which encourages development where new structures,

buildings, fences, or walls are located so that they do not visually disrupt ridgelines as seen from specific public roads in Spanish Valley.

1. With a permitted height of 28' for principal structures within the Small Lot Residential zoning district, the proposed future land use would be consistent. The applicant proposes building designs that are no more than 2 stories and a design that has been restricted in order to maintain a line of sight to the surrounding rim walls as viewed from Spanish Valley Drive.
- C. The subject parcel is also located within the Rural Center Future Land Use designation which is intended to vary in size from 5 to 30 acres in total and promotes uses such as neighborhood scale retail, small businesses, local commercial, local tourism, on site renewable energy, and residential neighborhoods. Residential density of up to 3.2 units per acre is permitted if it includes (a) 50% open spaces set aside or fee-in-lieu, (b) 25% affordable housing units or fee in lieu, (c) multi-modal options, (pedestrian/bicycle, at a minimum), and (d) no more than ½ of total dwelling units are multi-family.
1. The proposed rezone would allow the owner to subdivide the 2-acre parcel according to the future concept plan, into 4 lots which would provide for 4 primary dwelling units (one existing and three future proposed) and 3 ADUs. The concept plan does not include a proposal for open space or affordable housing nor a plan for small retail or local commercial however the concept plan does propose an increase in residential density as compared to the current zoning designation of Rural Residential which meets the increase in density desired by the 2012 General Plan related to the Rural Center.

III. Conformance with Grand County Land Use Code (LUC)

- A. The Proposed rezone is in conformance with LUC Article 9, Administration and Procedure and article 9.2.2 - Application for Zoning Map or Text Amendment. in the following ways:
1. A complete application was submitted by the property owner's representative in accordance with provisions of the Grand County Land Use Code Article 9.2.2.
 2. The application was reviewed by the zoning administrator and deemed a complete application on December 8th, 2021, per article 9.2.2
- B. The Public Notice requirements were met for this Public Hearing in accordance with Utah State Code § 17-27a-205.
1. The property owner's representative placed one (1) poster on the property provided by the Planning and Zoning Department in a prominent and visible location on the subject property within five feet of the property line a minimum of 10 days before the Public Hearing.

2. The Planning & Zoning Department placed public notices in accordance with Utah State Code 17-27a-205 on the County website a minimum of 10 days before this hearing.
3. The Planning & Zoning Department placed public notices related to this Public Hearing according to Utah State Code 17-27a-205 on the Utah Public Notice website a minimum of 10 days before this hearing.

Brittney Hodson
Anthony Ricco

2890 Spanish Valley Dr
Moab, Ut 84532

786.333.3036

This application is for the rezoning of a parcel of land located at 2890 Spanish Valley Dr. Moab, Utah 84532. The lot is currently zoned R2 and the request is being made to zone to SLR. The purpose of this rezone is to allow the construction of rental housing for long-term local business employees. The need for long-term housing for local employees is self-evident in Moab, with many businesses struggling to maintain long-term employees due to a lack of long-term housing. The proposed rezone of the area helps address this issue. With the owners/investors sub-dividing their primary residential lot, the intention is to build long-term rental housing while maintaining a residential neighborhood that is a pleasure to live in. The surrounding areas are commercial use, campground, farm land, HDHO, and both small lot and rural residential. Additionally, the proposed Spanish Valley Drive Multi Use Path crosses directly in front of the lot.

The site proposed for building is currently an unused portion of the owners/investors two acre lot. The building plan has taken into consideration the proper setbacks on all sides, and the building design has been restricted to maintain line of sight to the surrounding rim walls from Spanish Valley Drive and the proposed Multiuse Path. The current two acre lot has all public utilities servicing the property, therefore no extension of public services will be required in the area.

Sec. 9.2.7 Issues for Consideration:

1. Was the existing zone for the property adopted in error?

No. At the time of adoption the current zoning matched the area use.

2. Has there been a change of character in the area (e.g. installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.)?

Yes. High density development was approved within 1000 feet of the project site: 4 acres at a density of 10 units per acre. The HDHO had also originally proposed a density of 20 units on the two acre project site. The Spanish Valley Multiuse Path is scheduled to pass directly in front of the project site, implying that the future of the area is planned to be higher density than the current rural residential.

3. Is there a need for the proposed use(s) within the area or community?

Yes. The necessity for long term housing in Grand County is one of the largest problems facing the city currently.

4. Will there be benefits derived by the community or area by granting the proposed rezoning?

A greater availability in long-term housing will help drive down housing costs in Grand County by helping the supply match the demand of Moab residents and long-term employees.

5. Is the proposal in conformance with the policies, intents and requirements of Grand County General Plan, specifically Chapter 4: Future Land Use Plan.

Yes. The building plan has taken into consideration the proper setbacks on all sides, and the building design has been restricted to maintain line of sight to the surrounding rim walls from Spanish Valley Drive and the proposed Multiuse Path.

The FLUP focuses on ridgelines viewed from major public rights of way: US Highway 191, State Road 128, Mill Creek Road, Spanish Valley Drive and La Sal Loop Road. Skylines and prominent ridgelines in the foreground that define the natural form of the landscape are the highest priority for protection.

6. Should the development be annexed to a city?

No.

7. Is the proposed density and intensity of use permitted in the proposed zoning district?

Yes.

8. Is the site suitable for rezoning based on a consideration of environmental and scenic quality impacts?

Yes.

9. Are the proposed uses compatible with the surrounding area or uses; will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?

Yes.

10. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?

Yes. All public utilities (water, sewer, electricity, trash, recycling, internet) are currently servicing the property, therefore no extension of public services will be required in the area.

MOAB HOMESTEAD LLC
2971 DESERT RD, Moab ut 84532

RIDGES KRISTIN
3600 S MAIN
SALT LAKE CITY UT 84115-0000

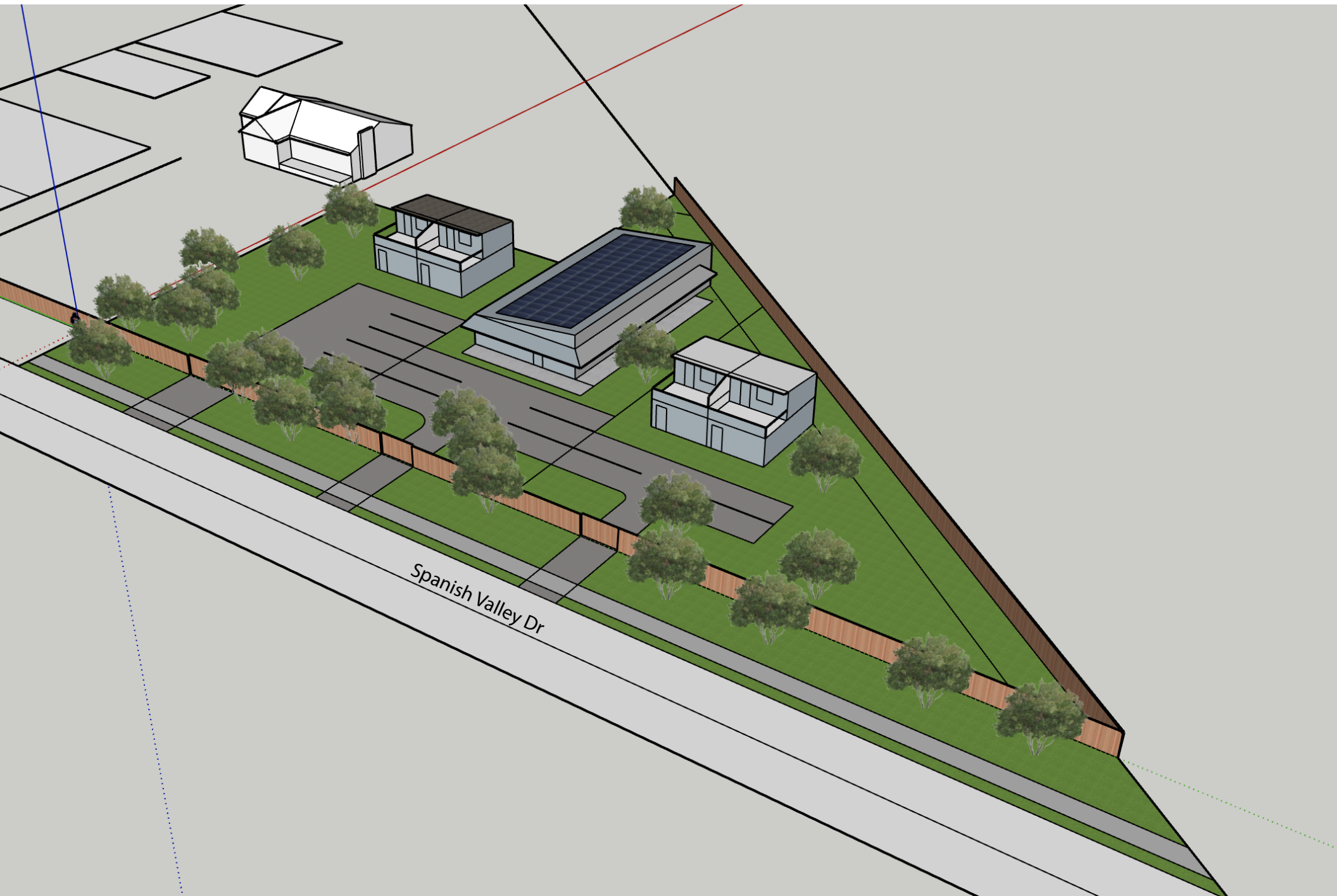
SCOVILL JENNIFER DEAN
2910 SPANISH VALLEY DR
MOAB UT 84532-0000

TAYLOR TIBBETTS TAMI DEANE
7724 BRILLIANT FOREST ST
LAS VEGAS NV 89131-0000

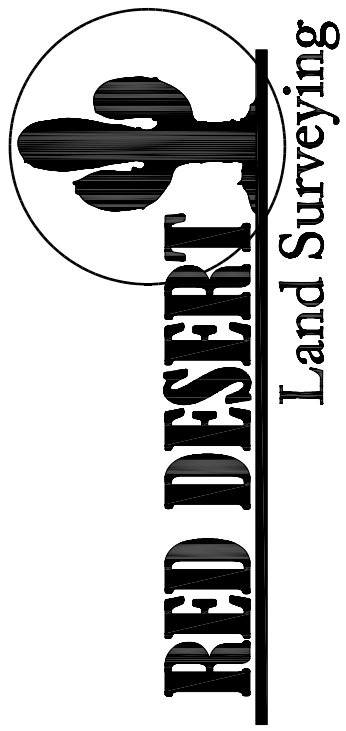
PETERSEN JEFFREY P
1757 NW ROLLING HILLS DR
CAMAS WA 98607-0000

CHURCH OF JESUS CHRIST OF LATT
50 E NORTH TEMPLE ST
22ND FLOOR RE: 517-2403
SALT LAKE CITY UT 84150-3620

GRUS LLC
867 E SIMPSON AVE
SALT LAKE CITY UT 84106-0000



Spanish Valley Dr



88 East Center Street
Moab, UT 84532
435.259.8171

STANDARD LEGEND

- POWERPOLE
- GUY WIRE
- RECORD DATA (R)
- MEASURED DATA (M)
- CALCULATED DATA (C)
- PROPERTY LINE
- EASEMENTS
- PROPERTY ADJOINING
- FENCE
- ASPHALT
- PROP. CORNER FOUND
- PROP. CORNER SET
- MAG NAIL FOUND
- MAG NAIL SET
- BLOCK CORNER
- SECTION MONUMENT

PROJECT TYPE:
BOUNDARY REZONE SURVEY

PROJECT ADDRESS:
2890 SPANISH VALLEY DRIVE
MOAB, UTAH 84532

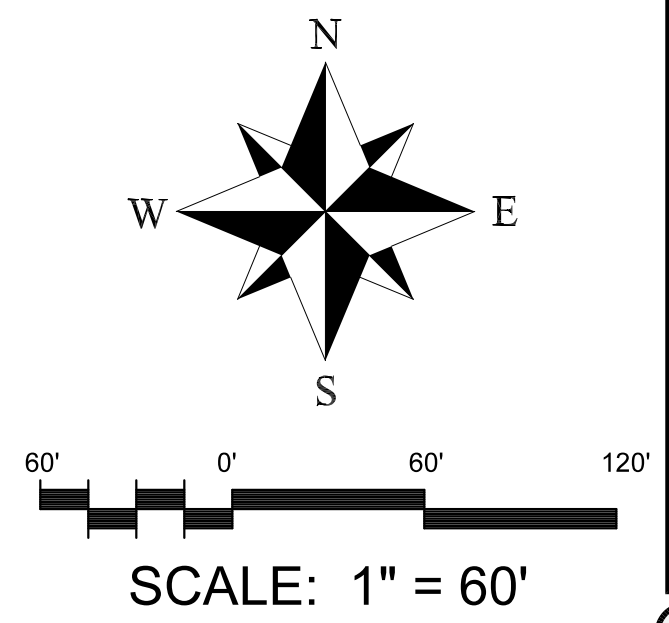
PROJECT LOCATION:
GRAND COUNTY, STATE OF UTAH

PREPARED FOR:
ANTHONY RICCO

DATE:
9/2/21

JOB NUMBER:
155-21

SHEET 1 OF 1



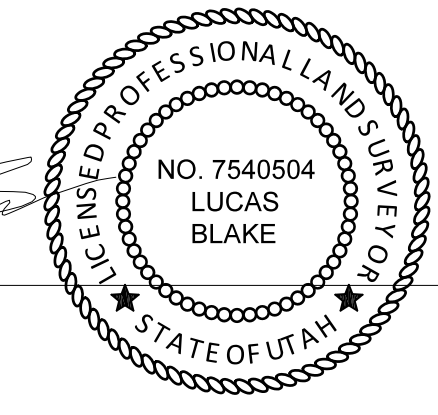
VICINITY MAP
NOT TO SCALE

BOUNDARY SURVEY
LOCATED IN THE NW QUARTER OF
SECTION 22, T26S, R22E, SLB&M

SURVEYOR'S CERTIFICATION

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that an engineering survey was made of the property described below, and the findings of that survey are as shown hereon.

Lucas Blake
License No. 7540504



Lucas Blake
Lucas Blake
License No. 7540504

9/4/21
DATE

LEGAL DESCRIPTION

BOOK. 909, PAGE. 838-839, ENTRY No. 539596

BEGINNING AT A POINT FROM WHENCE THE WEST QUARTER CORNER OF SECTION 22, T26S, R22E, SLBM, LIES SOUTH 00 DEG. 09' WEST A DISTANCE OF 425.6 FEET; THENCE RUNNING NORTH 00 DEG. 09' EAST 596.6 FEET ALONG THE WEST SECTION LINE OF SECTION 22, T26S, R22E, SLBM, THENCE SOUTH 38 DEG. 58' EAST 462.9 FEET, THENCE SOUTH 51 DEG. 02' WEST 376.4 FEET TO THE POINT OF BEGINNING.

EXCEPTING therefrom all oil, gas, and other minerals, that have been previously reserved or transferred in prior documents.

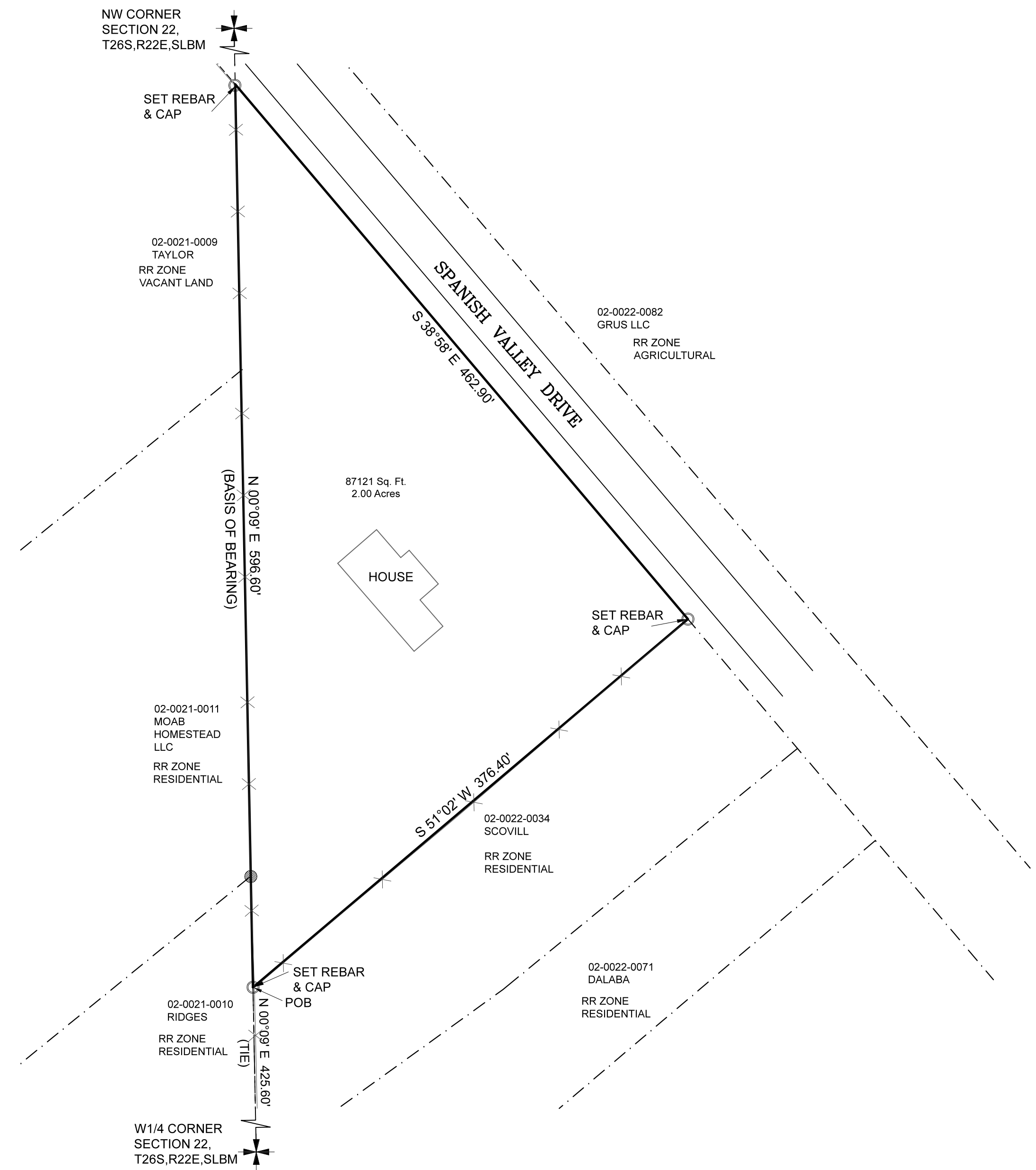
Tax Parcel No.: 02-0022-0033

SURVEYOR NOTES

THE BASIS OF BEARING IS N 00°09' E BETWEEN THE WEST QUARTER CORNER AND THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 26 SOUTH, RANGE 22 EAST, SALT LAKE BASE AND MERIDIAN.

THE INTENT OF THE SURVEY IS TO MONUMENT OR LOCATE ORIGINAL PROPERTY CORNERS. THE SURVEY WAS PERFORMED USING BEST LEGAL EVIDENCE OF OCCUPATION IMPROVEMENTS LOCATED ON THE GROUND, OUR RESEARCH AND SITE WORK HAS DETERMINED NOTES OF IMPORTANCE AS FOLLOWS;

- ?





Small lot residential

Moab KOA Holiday

Campground

Commercial

Shell gas station

Moab De Health Ce

HDHO applied

Commercial

proposed rezone

Spanish Valley Dr

Cemetary

Grand Water Sewer Services Agency

Pack Creek



2D

