

GRAND COUNTY
Planning Commission
Monday, July 11, 2022
4:30 P.M. Regular Meeting

****PLEASE NOTE: THIS MEETING WILL BE HELD IN PERSON & VIRTUALLY****

REGULAR PC MEETING:

IN PERSON: County Commission Chambers 125 E. Center St. Moab, UT

VIRTUAL: 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 435-259-1368.

Type of Meeting: Regular PC Meeting

Facilitator: Chair Emily Campbell

Attendees: Planning Commissioners, interested citizens, and staff

4:30 PM

Regular Meeting

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

Action Items: 1) Approval of Meeting Minutes from June 27, 2022 *Chair*
(Administrative)

Discussion Items: **Discussion**
2) County Commission Update *County Commission Liaison*
a) Commission meeting action items update

Staff Updates

- 3) Housing nexus study RFP was posted 7/7 – submission deadline is 7/22
- 4) Meeting with City Planning staff to discuss future working group – any thoughts on the make-up of this group, meeting frequency, initial items for discussion? *Staff*

Staff Reports

- 5) Long Term Campark – staff report *Staff*
- 6) Future Land Use Descriptions – updated version

Future Considerations

- 7) Future Land Use DRAFT Maps for review at next PC mtg *Staff*

8) Current zoning districts and permitted uses – staff report
at next PC meeting to discuss potential changes to the
Use Table, modifications to zoning districts to align with
Future Land Use Descriptions

5:30 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.

REGULAR PLANNING COMMISSION MEETING MINUTES
Monday, June 27th, 2022 at 4:30pm

The Grand County Planning Commission held its regular meeting on the above date, with attendees participating in person and remotely via Zoom
<https://us02web.zoom.us/j/84930753400> Meeting ID: 849 3075 3400

YouTube recording of the meeting can be viewed at https://youtu.be/D_aqSMIIIn2w Recordings archived at www.grandcountyutah.net/AgendaCenter.

In attendance:

Commission Chair Emily Campbell, Commissioner Steve Evers, Commissioner Tony Mancuso, Commissioner Rick York, Commissioner Aaron Lindberg, County Commission Liaison Trisha Hedin, Planning Director Elissa Martin, Planner Jenna Gorney

Absent

Commissioner Makeda Barkley
Commissioner Bob O'Brien

Commission Chair Emily Campbell calls the meeting to order at 4:34pm

Citizens to be Heard (outside of scheduled public hearings)

- None

Ex Parte Communication and Conflicts of Interest - None

Action Items (Administrative):

1. Approval of meeting minutes from June 13th, 2022

Commissioner Mancuso moves to approve the minutes.

Commission Evers seconds

All in favor - all

Approved

Discussion items:

2. County Commission update (3:33) - Commission Liaison Trisha Hedin

- Workshop on Noise strategies & HB180
- Boat Ramp Grant Passed
- Final Plat for Desert Sol - passed
- Tin Roof Cabin Resort OAO - passed
- Thompson Cafe General Rezone - passed
- Kane Creek Preservation & Development was denied Sanitary Sewer Service

3. Economic Development Board - PC Representative (8:35)

Commissioner Campbell has been serving as PC representative to the Economic Diversification Advisory board.

Previously 2 groups/Boards existed in the realm of Economic Diversification. They are now consolidated with a common goal.

A Planning Commissioner shall be appointed as a representative to serve on that Board through the calendar year

- Commissioner Evers nominated Emily Campbell
- Seconded by Commissioner Rick York
- No alternate recommendations were made
- Motion on the table to appoint Emily Campbell from the Grand County Planning Commission as the representative to the Economic Diversification Board through December 2022

All in Favor - All
Any Opposed - None

Land Use Code updates in Process - Background (12:15)

ADU's - coming into compliance with State Code, this update is ready to go, but we are holding off spending any more time on this until the Long Term Campark is adopted. Temporary Use – Film Production, Flea Markets, seasonal outdoor sales Temporary/ Emergency Housing. This section needs a little more work, but is close. Again, it is being put on hold until the Long Term Campark code update is finished.

4. Temporary Dwelling Permit - Status (15:10)

- Options for camping on property (seasonal employees) without providing hookups to sewer and water utilities were discussed at the Land Use Steering Committee meeting this week. The committee noted that monitoring for sanitation violations would be challenging.
- Another option was discussed (this was the preferred path for Building & Health Department) - voluntary compliance agreement being extended while we get the long term campark Code in place. The Long Term Campark would require the construction of infrastructure. Which would mean property owners developing Long Term Camparks will be subject to impact and development fees.
- Was discussed that the County already allows individuals to reside on their property in a temporary dwelling for up to one year while their home is being built or until a CO is issued. They must have a building permit approved for the primary residence prior to living on their property in an RV or trailer. But, because the LUC explicitly prohibits camping on private property, there may be the need to modify that language to include exceptions, in order to be consistent with building code and state code.
- 5 Employee housing (RV) sites are already permitted on a lot with an approved commercial use (with a permit). Many businesses do not take advantage of this and we want to encourage employers to use this path to provide on-site employee housing. It may also be beneficial to look at allowing more than 5 RV sites on larger parcels. Staff is going to look into ways we can scale the number of RV sites to the parcel as another code update.

- The State already allows persons to live in temporary dwellings for emergency situations, but again we may want to make mention of this “exception” to our rule in the LUC regarding illegal camping on private property.
- It is worth noting that some businesses are creating situations that don't align with existing County code that permit these uses in other ways, then shifting the burden 100% to the County to rectify.
- The County is always willing to work with residents and employers to create housing, these solutions may provide for some more creative means to do so.
- We may want to add an exception to the code to allow for these instances we already permit as described above because the LUC explicitly states that there is no camping permitted outside of designated sites
- Next Steps: Steering Committee meeting for Long Term Campark including representatives from County Commission, attorney's office and planning commission to join in the discussion
- The goal of these updates is not to create a problem down the road and instead create a solid path forward now that includes stability and security for seasonal workers.

5. OAO current & future build out map & policy statement (38:05)

- 760 rooms still to be constructed that have already been approved (some in the City, Some in County)
- 2 - 3 main properties with the remainder of the buildout

6. Deed restriction for local housing Rules & Regulations (50:22)

- Commission Review the Definition of Qualified Household - we may want to look at defining the qualifications of locals to include not just workforce but other categories of locals that are currently left out: seniors, homemakers, etc.
- We may want to look at incentivizing deed restriction of properties outside of the HDHO Program - based on Vail model
- Staff will look to include Laura Harris from HASU at the next PC meeting to lend some additional insight regarding the HDHO Rules and Regulations document. Laura's role at HASU is qualifying households for the HDHO Units
- Commissioner Evers: having experience developing Murphy Flats HDHO he found that there has been an issue with trying to get local workforce into the units: there is a fear of potential loss of job/ lapse of employment (3 months), injury - An adjustment to the definition of qualified households could consider that anyone could own the unit but the occupant needs to be local workforce housing.

Could potentially lease it out but still own the unit? Occupancy is more important than ownership for the community however we need to balance that with concerns of out of state people occupying those homes meant for locals - the latter is less likely but possible. Enforcement of this is very challenging however.

- A discussion ensued regarding the above option in relation to out of town investors overtaking the rental market and then rising rental prices that would be at a level unreasonable for the local workforce. This is happening in other communities and we need to be cognizant to do whatever possible to avoid this.

- Commissioner Campbell: "I am open to extending ownership only if the State is willing to work with us on rent caps" (to keep the local units affordable). "I am also not comfortable with someone who owns more than 1 unit in these cases".
- Commissioner Evers: I think it's important to note that people find risk in investing in these HDHO units so, if we find that an Ordinance that was written is not being utilized, I believe that it prompts the question "Should it be revisited"
- Commissioner Campbell: HDHO Qualification options should include in the definition - those that work and retire in Grand County, full time homemaker or caretaker who can prove their status (may not receive income), Resident students, 1st level relative, unemployed but continued residency.

Future Considerations (1:20:30)

Addition: How can we expand housing options knowing that even the current options (ADUs) are expensive

- Tiny Homes, Manufactured Homes, Kits. Manufactured homes doesn't always mean putting a trailer on a lot
- Current LUC minimum lot size for Manufactured home communities is 4 acres. Possibly bring that minimum down to 1 acre or $\frac{1}{2}$ acre to make that type of development more accessible
- Instead of permitting per unit, consider permitting unit number based on size of lot, availability of infrastructure

7. Future land Use Draft Maps for review at next PC meeting (1:24:00)

- Slated to be received by next meeting
- Maps will be presented with the Land Use Descriptions for full picture

Addition: Revisit requirements around justification for public hearings and for recommendation actions

- Not being a legislative body like County Commission PC is not held to the same standard
- Planning Director will plan an open training session to revisit Robert's Rules

Adjournment 6:02 pm

Motioned by Commissioner York

Seconded by Commissioner Evers

All in favor - all

Agenda Summary

GRAND COUNTY PLANNING COMMISSION

July 11, 2022

TITLE:	Long Term Campark discussion
FISCAL IMPACT:	N/A
PRESENTER(S):	Elissa, Planning & Zoning Staff

Prepared By:

ELISSA MARTIN

GRAND COUNTY

PLANNING & ZONING

FOR OFFICE USE ONLY:

Attorney Review:

N/A

SUMMARY: A long term campark would allow a variety of dwelling types on a property, including Koa-Style cabins or tiny homes, modular homes, RVs or travel trailers and camper vans /trucks. Currently County code allows businesses to designate up to 5 RV sites for employees onsite (on the same property that the business exists on). Many businesses have not taken advantage of this to date, some say it is because they do not have space left on their property to designate for employee housing. Through the long term campark path, an employer may opt to build employee housing off-site, for their full time and/or seasonal employees. Also, if a property owner so chooses, individual sites could be condominiumized and sold separately, leased long term or intermittently to seasonal workers who may come and go.

STAFF RECOMMENDTION: Review the below key development standards and sticking points and provide feedback in preparation for the Land Use Steering Committee Meeting this week, where we will be finalizing the language.



STAFF REPORT

PLANNING & ZONING DEPARTMENT

DATE: Monday, July 11, 2022

TO: Grand County Planning Commission

SUBJECT: Long Term Campark discussion

RESPECTFULLY SUBMITTED: Elissa Martin, Planner

SUMMARY: P&Z staff will be meeting with the Land Use Steering Committee to workshop and finalize the language for the long term campark code update. Staff is requesting feedback on the following key development standards and sticking points in preparation for that workshop.

Key development standards and possible sticking points:

1. Should long term camparks be permitted through a rezone, as an overlay district like the OAO is currently? Or should they be permitted by a Conditional Use Permit in certain zones?
 - a. The Overlay district allows much more discretion in approving or not approving long term camparks, as it is a legislative decision. It also allows the County to enter into a Development Agreement which provides more control over development standards, including even design standards. But, once it is approved for a particular property it is basically permanent – if there are issues with the development or unintended consequences, the County cannot take away the zoning designation.
 - b. A CUP can be limited to certain zones, but the conditions upon which the CUP may be approved must be very robust and address every potential impact, as it is an administrative decision, meaning if the property owner can meet all the conditions, the County must approve it. One of the conditions in a CUP can be that the property is monitored on an annual basis, and if any of the original conditions are no longer being met, the County can revoke the CUP.
2. Long term camparks will be strictly prohibited from being used as nightly rentals through a deed restriction program which may include the following:
 - a. Long Term Camparks may be occupied by a seasonal worker for less than 30 days with proof of employment by local Grand County biz (think of river guides who leave for weeks at a time and then need a home base for a few nights).
 - b. Long Term Camparks shall be restricted for occupancy by a “local resident” for a minimum period of at least 60 consecutive days – so far we’ve come up with the following criteria for qualifying a “local resident”:
 - i. child enrolled in daycare or school, resident students

- ii. proof of employment in Grand County within the last x number of years, either currently employed or unemployed or retired.
 - iii. Full time homemaker or caretaker who can prove their status (may not receive income)
 - iv. 1st level relative to local resident
- ii. registered to vote in Grand County

c. How do we enforce compliance?

- i. Laura at HASU has indicated she would have capacity to take on additional tracking of deed restricted properties, especially with potential new tracking software they may be investing in.
- ii. Long term camparks would be issued a permit/license in order to track compliance
- iii. HASU has employer verification forms (filled out by employer) and require paystubs from the last month of employment

3. All sites stubbed for utilities, including water and sewer, unless shared service buildings are provided (bathhouse, potable water supply)

- a. If sites are developed with no connections to utilities, communal space must be provided that includes service for a kitchen and toilet facilities, as well as electricity, gas.
- b. Can we allow composting toilets in place of connecting to sewer?

4. Density: Minimum lot size: 0.25 acre – max 2 dwellings, or 8 dwellings per 1 acre and on up to 32 dwellings max on a 4 acre lot.

5. Other development criteria currently in the draft language:

- a. Dwelling sites shall be oriented south facing to the greatest extent possible, to maximize the energy saving benefits of passive solar design.
- b. One off-street parking space per dwelling site is required to mitigate impacts on adjacent land uses and neighborhoods.
- c. One tree of a species suitable for the area shall be provided for each two spaces, and shall be located in close proximity to those spaces. (Existing trees on the site may be used to satisfy this requirement.)
- d. Long term camparks shall incorporate into their site plan usable, functional common open space such as a pocket park, playground, or a usable landscaped area accessible to the residents.

Future Land Use Descriptions

Place holder