

MOAB CITY PLANNING COMMISSION MINUTES
June 11, 2020

The Moab Planning Commission held its regular meeting on June 11, 2020, via-a Zoom Meeting. An audio recording of the evening meeting is archived at <https://www.utah.gov/pmn/index.html> and a video recording is archived at <https://www.youtube.com/watch?v=FJc49-AK9Eo>

The Moab Planning Commission Chair Kya Marienfeld called the meeting to order at 6:08 PM. In attendance were Planning Commission Chair Kya Marianela, Commission members Rubin Villalpando-Salas, Becky Wells, and Luke Wojciechowski. Commission Members Marianne Becnel, Jessica O’Leary, and Brian Ballard were absent. Staff in attendance included Moab City Assistant Planner Cory Shurtleff, Senior Project Manager Kaitlin Meyers, and Moab City Recorder Sommar Johnson.

Citizens to Be Heard:

There were no citizens to be heard.

Approval of Minutes:

There was no approval of minutes, at this time, due to lack of quorum.

4. Discussion Item:

4.1: Discussion Item - Staff Presentation - Updates on the Walnut Lane Project:

Planning Commission Chair, Kya Marienfeld, called on Senior Project Manager, Kaitlin Meyers, to begin the discussion.

Meyers stated that she wanted to update to the Planning Commission on the Walnut Lane Redevelopment Project. She made the Planning Commission aware that a firm, Architectural Squared, had been selected. She gave an overview of this process regarding the Request for Proposal (RFP) for master planning and pre-development services, which was published in December 2019 and closed on January 30, 2020. She stated that Moab City received ten bids for this proposal and a committee that included herself, Planning Director; Nora Shepard, Assistant City Planner; Cory Shurtleff, City Manager; Joel Linares, City Building Official; Barry Ellison, City Engineer; Chuck Williams and City Council Member; Mike Duncan was formed. This committee reviewed the ten applications and selected four for in-person interviews. Meyer’s went over reasons that Architectural Squared was selected, citing the ranking system from the interviews, and the completeness of their proposal. She cited other reasons including that they are a local firm, they had a lower bid with a high-quality proposal. Meyer’s expressed excitement to be moving forward with a team that is familiar with the project and that brought initiative ideas about public engagement. She stated that they (Architectural Squared) were selected in March and the Moab City Council approve this contract in late April. She spoke about the difficulty COVID-19 has brought concerning public engagement and weekly meetings regarding this project. She mentioned that they are going through phases of amending the Master Plan and waiting for a topographic survey from Red Desert to start moving forward with infrastructure challenges, namely stormwater. Meyer’s stated that stormwater is “one of the biggest question marks at this point” and that she has also been talking to the City Engineer, Chuck Williams, concerning the sewer issues and how to move forward. She mentioned that the City intended to use the Planned Affordable Development (PAD) Ordinance to develop this project but the parking requirements in the PAD are not feasible. Meyer’s said that she was happy to answer questions regarding this project and that she wanted to include the Planning Commission in this process.

No questions were asked at this time.

4.2 Discussion Item - Staff Presentation & Discussion - Planning Commission Review of Incremental Development Alliance Workshop Presented to City Council Link to Moab City Pre-Council Workshop

Presentation on May 26, 2020: <https://www.youtube.com/watch?v=u7d6vt6mqgs>

Planning Commission Chair, Kya Marienfeld, asked Assistant City Planner, Cory Shurtleff speak regarding this discussion item.

Shurtleff stated that Senior Project Manager, Kaitlin Meyers will be assisting in this discussion as she was the point person bringing this to Moab City. Shurtleff spoke briefly of the relevance to the Planning Commission. He asked Meyers to explain this in more detail.

Meyers stated that she partnered with the County as a joint City, County project to do a series of presentations to the public with the Incremental Development Alliance. She stated that it was planned to have “sessions, more specific conversations with elected officials, city and county planning staff, and with the public and local developers about how to better incentivize and support small scale developments in the Moab area.” This session was scheduled at the same time as the County Council’s Emergency Meeting regarding COVID-19. Meyer said that some of the sessions were “kind of overshadowed by everything that was happening in the world.” She continued saying that she has been working with the Director of this non-profit to reschedule sessions. She asked that the presentation be played and then discussions would continue. She stated the goal was to bring this before the Planning Commission so that the conversations can start about how to better incentivize small scale development. This would potentially include the creation of a Planned Affordable Development (PAD) Light for smaller projects or amending the City’s current PAD to better incentivize affordable housing.

Meyer’s asked that the video of the Moab City Pre-Council Workshop Presentation on May 26, 2020, to be played at this time. The following is the link to this presentation, <https://www.youtube.com/watch?v=u7d6vt6mqgs> and the link to the Moab City Pre-Council Workshop, https://moabcity.org/AgendaCenter/ViewFile/Minutes/_05262020-907.

The presentation was paused at 41:22 for a brief discussion. Planning Commission Member, Becky Wells, commented on the parking issues being discussed and her excitement for removing parking restrictions for housing and utilization of the roads as the parking requirements are a “huge barrier for people to have enough land, for the buildings, for it to financially make sense and have all the parking.” Planning Commission Chair, Kya Marienfeld added that this is also a barrier for the City, itself, to utilize the PAD. Marienfeld added that it doesn’t reflect how things are now, specifically that “not everyone has a car, period. A lot of people have more. I don’t think we’re going to have any more or less street parking issues.” Wells gave an example of Fourth East regarding the wider roads that could be utilized.

The presentation continued.

Following the presentation, Shurtleff asked Meyers to summarize the discussions and conclusions from the Moab City Council Meeting.

Meyers stated that Mayor Niehaus acknowledged, from her own experience, that parking is a huge limiting factor as well as acknowledging the impact that fire sprinklers and impact fees had on developments over one story. Meyers said that Council Member, Mike Duncan, had questions regarding the presenter's opinions on the PAD and that he spoke about parking, including the idea of on-street parking. She stated that Duncan pointed out the issues with the PAD, citing that more square footage is dedicated to parking than buildings and briefly mentioning the square footage requirements for the PAD. She said Duncan's opinion was that PAD projects would be good for twelve units and up but would be difficult to develop small projects. Meyers added that in her experience working on the Walnut Lane Project, the PAD is difficult for large projects as well. She asked to talk about the possibility of creating a smaller PAD ordinance. Continuing, she stated that the Council had a conversation about vacant parcels in the R3. Meyers pointed out that based on the numbers that were shared, most of the parcels in the R3 zone were developed but that they were underdeveloped. Meyer's indicated that overall Moab City Council gave the Planning Commission their blessing to start moving forward to look at these codes and work on improving them. Meyer's asked the Planning Commission for their thoughts and any questions they had.

Planning Commission Member, Becky Wells, stated that she thought the presentation was great and it is good to start the discussion. She asked if a search could be done by parcel size to identify where these parcels are. She continued, mentioning possibly looking at street widths, following those streets, and the possibility of making it, its own zone, or using an overlay. She added that if fewer parking requirements could be required on those street fronts then it could be made into its own zone. She gave examples of streets, including 400 East and 100 West, that could have a specific zone for properties that front those streets. This would include fewer parking requirements because the street could be utilized. Wells stated that clients, both in residential and commercial, felt parking is one of the major issues with developing within the city limits.

Shurtleff announced that he will be taking discussion notes to bring back to the Planning Department and hopefully create direction to move forward.

Planning Commission Chair, Kya Marienfeld, asked Meyers if it seemed as though the City Council was on board with the idea that parking was a very big issue and needs to be prioritized. Meyers stated that she feels they may be less focused on parking but added that at the next Moab City Council meeting Walnut Lane will be discussed, including the parking issues with the project.

Meyer's continued the earlier conversation by adding that she thought the overlay was a great idea but asked about a possible deed restriction with it, citing the City's overall goal for affordable housing. She asked if we would be tying two separate issues with parking and increasing density in the city. Wells explained that she feels that this is another issue with the PAD. The income requirements and deed restrictions that go along with it are too restrictive, she stated. Wells continued to say that she feels that the market should dictate what will be paid. She cited that from the presentation that you can see by the time you build and purchase the land that you cannot be very restrictive with it. Stating that she felt it would be better to start with less and once projects are going that something like that (deed restrictions) could possibly be implemented. Referring to the presentation, Wells clarified that rather than overlay she meant making it use-by-right because people do not want to speculate what they can do as that could be costly. She suggested that perhaps these areas where the streets are wider, it could be rezoned for a higher density housing zone.

Planning Commission Member, Rubin Villalpando-Salas, returned to the statement made earlier that the City's focus is not on parking. He asked what the City is looking at specifically from the presentation. Meyer's said that she would not want to speculate but by the context of the presentation and agenda, she felt that they were thinking more generally about small-scale developments. Meyer's said that parking was mentioned during the Moab City Council's discussion but there was not a lot of comments about the specifics. Shurtleff pointed to a specific statement in the presentation, "the path of least resistance" for developers is what the product is that is going into the community through the zoning. He asked if the type of housing being developed something that "we're" interested in and what are the issues with it, specifically. Villalpando-Salas stated that the path of least resistance would be looking at what is happening now and what we can make it with "our own direction." Shurtleff agreed.

Wells stated that her take away from previous meetings, where the PAD was attempting to be passed in R2 zones, was that the residents were upset about parking, too much density, and the height. She felt like parking was on the "forefront" of the resident's concerns. She continued saying that she is suggesting a higher density housing zone in areas that can support it. Marienfeld stated that this had been previously suggested but did not "gain much traction." She added that an overlay may be the best way to do that. Villalpando-Salas asked what streets specifically were being discussed. Marienfeld answered that less parking could be required on the east side of town and gave more specifics areas. Wells stated that she felt it should be a Use by Right and not an overlay process as she feels that it would have a better result. Marienfeld agreed adding that she thinks the "to do" list would include looking at the parking requirement zone by zone and recommend appropriate changes to Council. She cited a situation with a business in town that was having issues with parking and was almost unable to open as an example of the issues with parking requirements. She added that making it a Use by Right and when it comes to the PAD and having high-density be subject of the overlay. Villalpando-Salas asked for commercial if several public parking spaces were provided if the number of required parking spaces would go down. Marienfeld indicated that this was the parking issue. Wells stated that it needed to be changed for commercial zones as well.

Shurtleff brought up PAD light and the discussion that this would be drafted as a Use by Right. He asked the Planning Commission what their thoughts on this were. Villalpando-Salas likes this idea. Referring to previous comments from Wells, he stated that people want to know what they can do in these areas upfront. Wells asked for clarification about the overlay and how this would work. Shurtleff stated, "it wouldn't be necessarily an overlay in a sense of locationally driven mechanism, but it could be written as a tool or if you are going to apply this certain standard." Shurtleff explained further the balance of density vs benefit to the development and having the benefit match the risk. Meyer's followed up by saying that she has heard that people are not using the PAD because they can max out the density in the R3 already. She stated that creating a PAD Light and allowing on-street parking with it would make a big difference. She added that making it "by right" is a great idea. She spoke about the deed restriction differences in the PAD and Planned Unit Development (PUD). She suggested that making a PAD light with fewer deed restrictions and making it just for primary residency should be considered. Wells agreed, adding that the County has gotten a good response on their overlay. Shurtleff asked about the possibility of amending the PAD. He continued to say that the PAD has a significant set of challenges and it is the intent of Planning and Zoning to take a concept and have it produce the benefits needed for the City but have it also be practical. Wells stated she thought best to revise "what we have and take some stuff away." Meyer's spoke about previous conversations, questioned revising the PAD, and bettering the public outreach as one of the reasons the County was successful. She asked the Planning Commission's thoughts on creating two levels or tiers on the PAD. Villalpando-Salas stated that he liked this idea, saying that he especially liked having a "cut off that says after this point you are not using the PAD Light anymore." Wells pointed

out that parking requirements in the PAD dictates how many units you can get. Shurtleff added that parking is based on the number of bedrooms and compared this to the parking requirements in the R3. Marienfeld stated that she felt that the fact that the PAD requires more parking than the underlying zone shows it clearly needs to be changed. Marienfeld said that based on this discussion that some sort of new ordinance is more palatable than just making a slight change. Wells suggested taking the current PAD and removing income requirements and making the parking match current code as well as add that it is only for a primary residence. She also suggested making a PAD light that takes away the parking requirements as long as it fronts a street that is wider and possibly goes up to three stories. Marienfeld felt this was a good compromise. Shurtleff spoke about the affordability component and rather than removing it, recalculating it might be more palatable. Wells stated that if you are limiting it to residents than you are limiting it to the wages they receive. Marienfeld stated that her primary concern is the residency requirement and spoke briefly about the impacts of COVID on residents. She spoke about the presentation and how it was helpful to see things you would not know if you do not have a background in development. Meyer's added that the four-square diagram was enlightening and that the presenter pointed out thresholds for financing and building code standards. She asked for ideas for the threshold for the number of units of the PAD Light vs a PAD. Marienfeld asked Wojciechowski and Villalpando-Salas if they had any comments. Villalpando-Salas stated that he liked the idea of the overlay and the presentation. Wojciechowski said that he supports anything that we can do to help bring in housing and simplify the process. Villalpando-Salas asked about the process of a PAD Light. Shurtleff stated it would be a text and zoning amendment much like a zone change. He continued to say that it would be developing a new section of code and there would public hearings as well as work sessions between the Council and Planning Commission. Shurtleff referred to Meyer's questions regarding what threshold the Planning Commission Members were considering for a PAD Light. Meyer's spoke about some examples that were given and suggested that 12 units was a good number. Wells stated that we need to make the intention of this being on wider streets clear to people. Marienfeld stated they would entertain the threshold that planning staff came up with. Wojciechowski asked about the PAD and the parking requirements per bedroom. Meyer's explained this using the Walnut Lane development as an example saying that "between the R4 and the PAD, the PAD requires an additional 24 parking spaces compared to the R3." Wells asked if it could be up to the landlord or the developer if there is a parking space, or are you required to have a parking space for a rental. Shurtleff answered that he did not believe there was anything written in Utah State Code that would mandate a parking spot for a unit. Wells asked if there could be only one parking per unit instead of the per bedroom requirements. Marienfeld agreed this would be reasonable. City Recorder, Sommar Johnson, asked to speak and stated that she has had extensive work with a PAD and previously tried to go to one parking per unit, but the Council struggled with it. She gave some suggestions to the Planning Commission regarding getting a balance to help developers as well as our residents. Meyer's asked Johnson if she had any other comments. Johnson stated that the parking and height were the biggest struggles and she gave the Planning Commission some background of when the PAD was developed. Wells stated that when the PAD was being discussed there were fears and suggested that focus stays on areas with wider roads to calm some of those fears. Johnson comments that these options came up previously and said that parking has always been a struggle. Marienfeld stated that the fact that the City cannot make this work, it should be circled back to council. Johnson agreed. Meyer's asked the Planning Commission, as they are moving forward with the possible creation of a PAD Light and amending the PAD, would they want to keep it in the same zones or only allowing it certain parts of zones. Wells said that she feels it should not go by zone because it is random and that parcels and road widths should be looked at. Marienfeld agreed and stating, "I think it being out of the R2 entirely just makes no sense because the diversity of lots and street sizes in the R2 is about as wide as you can get." She stated that her highest priority would be to write the PAD in a way where the council would allow it

to apply in R2. She stated that this meeting has been very helpful and asked if anyone had anything more regarding this.

Villalpando-Salas asked if Walnut Lane had problems that would need to be addressed with having the PAD Light. Meyers said Walnut Lane would be a regular PAD and she stated that the parking is “biggest sticking point.” She stated that she wanted to talk with the Council about whether this project should wait for the City to go through the process to amend code before going through Walnut Lane’s master plan process or should Walnut Lane be developed just by the R4 zone. Villalpando-Salas asked about parking spots would be at Walnut Lane for the 80 units. Meyer’s stated that currently there are 126 but with the PAD 148 parking spaces would be required. Meyers stated they are also trying to create a buffer as far as building heights. Meyers stated that she appreciated everyone for the discussion. Shurtleff thanked everyone for their participation.

Marienfeld asked Shurtleff about future agenda items. Shurtleff said that the only item is the Nelson Court Rezone and gave a brief update. He also said the overnight accommodation discussion will be prepped at some point. Shurtleff and Johnson spoke briefly about the challenges of meeting in person and a path moving forward. Johnson explained all the challenges regarding COVID-19.

Marienfeld went back to Agenda Item 2.1 Approval of Minutes from May 14, 2020. Commission Member Wells moved to approved Agenda Item 2.1 Approval of Minutes from May 14, 2020. Commission member Wojciechowski seconded the motion. The motion passed 4-0 with Commission members Marienfeld, Wells, Villalpando-Salas, and Wojciechowski voting aye.

Adjournment: The meeting was adjourned at 7:55 PM.