

MOAB CITY PLANNING COMMISSION MINUTES July 28, 2022

The Moab Planning Commission held its regularly scheduled meeting on the above date via electronic means with an anchor location at City Council chambers. Audio is archived at www.utah.gov/pmn and video is archived at www.youtube.com/watch?v=d23w8PIGFKQ.

Call to Order:

Planning Commission Chair Kya Marienfeld called the meeting to order at 6:03 p.m. Planning Commission Members Ruben Villalpando-Salas, Jessica O'Leary and Jill Tatton were in attendance. Commission Member Jeremy Lynch was absent. City Planner Cory Shurtleff, Assistant Planner Jessica Thacker, Planning and Zoning Administrator Anna Anklin, Sustainability VISTA Associate Richard Lory and City Council Liaison Luke Wojciechowski were also present, as well as two members of the public.

Citizens to be Heard: There were no Citizens to be Heard.

Approval of Minutes:

Commission Chair Marienfeld moved to approve Moab City Planning Commission Special Meeting Minutes from June 9, 2022. Commission Member Tatton seconded the motion. The motion passed 4-0 with Commission Members Villalpando-Salas, O'Leary, Marienfeld and Tatton voting aye.

Amended Bylaws—Approved

Presentation and Discussion: Commission Chair Marienfeld briefly described background for Proposed **Planning Resolution 06-2022**: a resolution amending the City Of Moab Planning Commission Bylaws to reduce the number of planning commissioners from seven (7) to five (5) members, update resolution number for Article 1, Section 1.1(d) - General Provisions regarding adopted rules of procedure for Planning Commission meetings, amend language to require the majority of the Planning Commission body for voting approval, and adjust minor formatting issues.

Motion and Vote: Commission Member Tatton moved to approve Moab Planning Commission **Planning Resolution 06-2022**, a resolution amending the City of Moab Planning Commission Bylaws to reduce the number of planning commissioners from seven (7) to five (5) members, update resolution number for Article 1, Section 1.1(d) – General Provisions regarding adopted rules of procedure for Planning Commission meetings, amend language to require the majority of the Planning Commission body for voting approval, and adjust minor formatting issues. Commission Member O'Leary seconded the motion. The motion passed 4-0 with Commission Members Villalpando-Salas, O'Leary, Marienfeld and Tatton voting aye.

Rules of Procedure—Approved

Presentation and Discussion: Planner Shurtleff explained the reason for the proposed resolution, including number of votes required to pass a motion with the reduced quorum. Commission Member Villalpando-Salas asked for clarification on the resolution number.

Motion and Vote: Commission Chair Marienfeld moved to approve Proposed **Planning Resolution 07-2022**: a resolution replacing **Planning Resolution 2018-01**, a resolution adopting rules of procedure for Planning Commission meetings, to remove language referring to closed session procedure and amend language to require the majority of the Planning Commission body for voting approval. Commission Member Villalpando-Salas seconded the motion. The motion passed 4-0 with Commission Members Villalpando-Salas, O'Leary, Marienfeld and Tatton voting aye.

2x3 Townhome and Condominium Project Level II Site Plan—Approved

Presentation and Discussion: Planning Director Shurtleff presented for consideration a Level II Site Plan application for property located at 175 S 300 E, Moab UT. Developer Kyle Kaiser attended. Shurtleff noted the proposal includes three-story buildings that have a maximum height of 30’2” and clarified the maximum allowed height is 30 feet and the Planning Department agreed to the height proposed in the plan. He described the project as a 21-unit development on a lot size just under one acre. He stated the plan includes 38 off-street parking spaces. Commission Member O’Leary asked if the project would be subject to the pending Active Employment Household (AEH) ordinance and Shurtleff explained that the postponement of the City Council’s adoption of the ordinance, due to imminent or pending litigation, resulted in a lapse in the requirement that developers provide a percentage of the units as Active Employment Units (AEUs). He clarified that this developer was not participating in the AEU program. Commission Chair Marienfeld pointed out to the developer that incentives would likely be part of the imminent ordinance. She asked Mr. Kaiser to describe his demographic goals and he explained his interest in providing eight upper-tier townhomes and 13 are small two bedroom condominiums that would be more attainable for the local community. Marienfeld requested a locals-only buy-in period such as was exercised at new residences on Kane Creek Boulevard. Kaiser indicated his interest in giving local residents a fighting chance. Commission Member Tatton expressed concern that Realtors and out-of-town buyers purchase units before they are listed for sale. She conveyed her hope that the proposed units could be made available to year-round members of the local workforce. City Council liaison Wojciechowski concurred. Discussion ensued regarding the differences between condominiums, townhomes and twin homes. Commission Member Villalpando-Salas pointed out condominiums are a more affordable ownership option.

Motion and Vote: Commission Member Villalpando-Salas moved for the City of Moab Planning Commission to conditionally approve the Level II Site Plan for the 2x3 Townhome and Condominium Project on property located at 175 S 300 E, Moab UT, with the following condition: 1. All comments shall be addressed to the satisfaction of the Moab City Engineer and Planning Director prior to building permit application approval. Comments include: a. the project will need a Condominium and Townhome plat. The application should include CC&R’s and HOA information according to state law; b. Resubmittal of a lighting plan indicating the changes required by the last DRT comment review which were: In response to the Applicant’s comment on Sheet A105 regarding parking lot safety lighting and permitted lumen count, it has been determined that several fixtures are considered exempt (safety-related) from lumen count. This allows for more parking safety related light fixtures to be installed. With the removal of eight (8) Landscape Lighting LED Horizontal Step Lights at 68 lumen per fixture and thirteen (13) Vex LED Outdoor Wall Sconces at 199 lumens per fixture, the Applicant has an additional 3,131 lumens to assign to recommended parking lot safety lighting minimums. Commission Member Tatton seconded the motion. The motion passed 4-0 with Commission Members Villalpando-Salas, O’Leary, Marienfeld and Tatton voting aye.

Future Land Use Code Amendments and City Initiatives—Discussion

Planning Director Shurtleff, VISTA Lory and Planning Administrator Anklin presented upcoming Planning Commission considerations for code amendments, including the Council’s adoption of the proposed AEH ordinance, landscaping, outdoor lighting, subdivisions, planned unit developments and code discrepancies. Discussion ensued regarding implementation of the Dark Skies ordinance and a proposal to deem noncompliant fixtures as legally nonconforming. Commission Chair Marienfeld suggested extending the compliance period, encouraging incentives and reimbursements and encouraging businesses to respect the community. She pointed out no business owners commented during the lengthy implementation period. Staff

pointed out the International Dark-Sky Association (IDA) promotes certification for communities but noted research shows most locales are noncompliant. Staff suggested lighting curfews. Also discussed was a proposal for long-term recreational vehicle parks to augment workforce housing. Anklin conveyed the need to update the City's Municipal Code to reflect the many changes implemented by the state legislature. Commission members brought up planned area developments, temporary housing ideas and zoning for open parcels of land in the City.

Adjournment: Commission Chair Marienfeld adjourned the meeting at 7:56 p.m.