

MOAB CITY PLANNING COMMISSION MEETING

:: MINUTES: OCTOBER 23, 2018:

Members Present:	Wayne Hoskisson, Brian Ballard, Marianne Becnel, Kya Marienfeld, Allison Brown, Jeanette Kopell (Arrived at 5:24pm)
Members Absent:	Dave Cool
City Councilmembers:	None
City Staff:	Planning Director Jeff Reinhart, Development Services Coordinator Sommar Johnson, Senior Project Manager Tracy Dutson, Deputy Recorder I Stephanie Haycock
Members of the Public:	4

The Moab City Planning Commission held a workshop and special Planning Commission meeting on the above date in the Council Chambers of Moab City Offices, located at 217 East Center Street, Moab, Utah. Planning Commission Co-Chair Becnel called the workshop to order at 5:00pm.

1. Planning Commission Workshop – 5:00 pm – 5:45 pm

Ordinance 2018-19 – An ordinance amending the City of Moab Municipal Code by Adding a New Chapter 17.68 Planned Affordable Development (PAD)

Director Reinhart gave an overview of Resolution 14-2018 and wanted to go over some of the concerns/suggestions that were brought up in the public hearing and the previous conversation with the Commissioners. Director Reinhart stated that we already made the change for the definitions to be the same as HUD, he also talked about the word supersede having to be in there specifically stating it only applies to the PAD overlay. Commissioner Brown asked if the underlying zone has absolutely nothing to do with the PAD. Director Reinhart said that is correct, that the PAD would supersede any of the zone requirements. Commissioner Brown asked if anyone has a problem with putting an apartment complex in an R-2. Commissioner Marienfeld stated “no”, that is what the PAD is intended for. She stated that we still have the height restrictions and they would have to comply. She feels like this is a good compromise and the point of the PAD. Commissioner Becnel stated that with Moab City Council being an additional check on each individual project and Moab City Limits is not very big. Commissioner Ballard said his concern is the continuity, if we don’t have some continuity we will have a mess. Commissioner Becnel spoke to her idea of continuity is safety and efficiency. She was thinking about where we would want to put high density. Safe, walkable, residential area’s away from establishments serving alcohol based on her urban research. Development Services Coordinator Johnson said that it is possible to lose the continuity with two single family structures depending on what the Developer has in mind. Commissioner Becnel felt like Commissioner Ballard has a good point and it is the Planning Commission’s Responsibility to consider market rate, and what this is going to do to property owners and property value. There was discussion amongst the Commissioners regarding the visual appeal of a single story and a PAD going in. Development Services Coordinator Johnson said that we have put some significant affordability controls that we have put into the PAD. There was discussion about the affordability controls, also about when recommending this to the City Council we could put this as a condition/concern. Commissioner Brown asked if we could make a list of concerns that we could bring to City Council. There was discussion on why needing a mix of one, two, and three bedrooms was

placed in the PAD, it was agreed that it should stay in the PAD. The commissioners decided to make the and before the three bedrooms to or. The Planning Commission all agreed on staying with twenty percent on the number of units at Market Rate. Development Services Coordinator Johnson just reiterated that we are discussing the Public Comments that came in, in regard to the PAD. There was discussion about habitable space, Commissioner Becnel liked that the bathroom was now separate from the habitable space. Commissioner Marienfeld liked that the table was removed and that it was stated that it would be cross referenced to the Building Code. Commissioner Kopell spoke that you can enforce occupancy, yes it is complaint driven but it is common sense. If there is a problem with boarding houses or anything else nothing is going to be done unless someone complains about it. So there has to be some way of forcing occupancy. There was discussion on what qualifies as habitable space according to the International Building Code. It was decided that as long as the size is what is required in the Building Code then the table is okay to be removed. There was discussion on open space and it was decided by all Commissioners that the way it was written in Ordinance 2018-19 was good and should stay. Commissioner Becnel said she would like to see safe bicycle storage included in the PAD. There was discussion and it was agreed upon that they would be adding in the PAD that a lockable storage space big enough to fit an adult bicycle be added. There was no xeriscaping required in Ordinance 2018-19, but does allow that option. Planning Director Reinhart discussed that lot line adjustments have always gone before City Council. Commissioner Hoskisson said he did not think we require facilities to be in place before we do a final plat. Director Reinhart said they could do a bond for assurance on the improvements if needed. Proof of Compliance was already written into the PAD as time to time, The Commissioners decided that it should state every two years proof of compliance would be required for affordability measures.

Commissioner Kopell closed the workshop at 5:49pm.

The Special Planning Commission meeting was called to order at 5:49 pm

1. Action Item – Planning Resolution 14-2018

A Resolution Recommending to City Council Approval of Ordinance 2018-19 Amending the Moab Municipal Code with the Addition of a New Chapter 17.68, Planned Affordable Development (PAD)

Commissioner Becnel made a motion to approve Ordinance 14-2018 with the changes discussed in tonight’s workshop. Commissioner Marienfeld seconded the motion. There was no further discussion. The motion passed 6-0 Aye.

Commissioner Kopell adjourned the meeting at 5:51pm.

**JOINT MOAB CITY COUNCIL/PLANNING COMMISSION
MEETING**

:: MINUTES :: OCTOBER 23 , 2018 ::

Members Present: Wayne Hoskisson, Jeanette Kopell, Allison Brown, Brian Ballard, Marianne Becnel, and Kya Marienfeld

Members Absent: Dave Cool

City Councilmembers: Mayor Emily Niehaus, Rani Derasary, Mike Duncan, Kalen Jones, Tawny Knuteson-Boyd, Karen Guzman-Newton

Members Absent: None

City Staff: City Manager David Everitt, Assistant City Manager Joel Linares, Assistant City Manager/City Recorder Rachel Stenta, City Attorney Chris McAnany, City Engineer Chuck Williams, Senior Project Manager Tracy Dutson, Planning Director Jeff Reinhart, Development Services Coordinator Sommar Johnson, Public Works Director Pat Dean, Treasurer Chantel Lindsay, Records/Project Specialist Eve Tallman, and Sustainability Director Rosemarie Russo.

The Moab City Planning Commission held a joint City Council/Planning Commission workshop on the above date in the Council Chambers of Moab City Offices, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at <http://www.utah.gov/pmn/index.html> Mayor Emily Niehaus called the meeting to order at 6:00 pm.

Workshop: Mayor Niehaus called the workshop to order at 6:01 PM. The workshop consisted of a discussion regarding a PC recommendation on Planned Affordable Developments (PADs). The Mayor opened with a statement of thanks to the PC members for all their work. Kopell began with a request for questions from the Council. Brown confirmed that the PC had approved a motion earlier in the evening to forward the PAD to Council with recommended changes. Becnel requested a target percentage for workforce housing, and after discussion, Council confirmed that the aspirational goal of 100 percent of the Grand County workforce will be housed within Grand County is documented in an addendum to the General Plan. Brown and Ballard raised the issue of limiting profit on any given PAD, and discussed low-income requirements, deed restrictions and rent control. Marienfeld requested ways to prevent loopholes and City Attorney McAnany suggested language regarding prohibition of efforts to evade or change PAD agreements. Fifty-year Land Use Restrictions were discussed. Occupancy matters were deliberated as well as setbacks, height restrictions, massing, parapets and parking. Councilmember Derasary brought up a separate workshop to discuss matters regarding occupancy. Mayor Niehaus acknowledged four concerns of the PC regarding the PAD, including percentage of workforce to be housed within Grand County, deed restrictions, lending institution restrictions on minimum square footage, and lockable storage units in plan requirements. Councilmember Jones brought up the affordable housing ordinance and the November 5 meeting to discuss the PAD and workforce housing.

Regular Meeting:

(1:02 on recording)

Mayor Niehaus called the Regular City Council Meeting to order at 7:03 PM and led the Pledge of Allegiance. Thirty members of the public and media were present.

Approval of Minutes:

Councilmember Knuteson-Boyd moved to approve minutes from the September 25, October 2 and October 9, 2018 meetings. Councilmember Duncan seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Mayor and Council Reports: Mayor Niehaus reported on the Utah League of Cities and Towns (ULCT) board meeting she attended and outlined the agenda of the legislative policy committee. She explained potential state legislation which will affect local control of zoning and planning. She described a Census 2020 meeting she attended and also mentioned a new sign at Swanny City Park. She concluded with a mention of the visit to the City offices of the Daisy Girl Scouts.

Councilmember Derasary reported on a policy planning meeting of the Emergency Medical Services Special Services District board. She noted the Uranium Mill Tailings Remedial Action (UMTRA) site in Moab is hiring

ten people due to the increased funding secured by the efforts of Councilmember Knuteson-Boyd, County Council Chair Mary McGann and Joette Langianese.

Councilmember Duncan reported on the start of the new water measurement year. While the prior year, which ended at the start of October, was well below normal, the heavy rains in the new year put the Moab area at 450 percent of normal.

Councilmember Guzman-Newton reported the school board is considering development of the former Red Rock school property for affordable housing for teachers and others. She noted the governor visited the high school and she reported she also attended the Census 2020 meeting and she is the local lead. She stated the local response rate in the last census was 25 percent. Guzman-Newton concluded with a report that she attended the PC public hearing to hear comments on the PAD.

Councilmember Jones mentioned that Deb Barton resigned from her position at the Solid Waste district, which creates management challenges. He reported that rain briefly closed the Klondike landfill so trash was transported to San Juan county.

Administrative Report: City Manager Everitt reported there was a gas line rupture at the site of the 100 West infrastructure project. He said the Moab Police Department took the lead. Residents and hotel guests were evacuated, parents at the elementary school were notified, and the dangerous situation was dispatched quickly and everything worked well with no liability for the City. Everitt concluded with a mention of an upcoming meeting of the Southeast Utah Association of Local Governments and a meeting of the state transportation commission later in November.

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

Presentation:

(1:19 on recording)

Students of the Month: Mayor Niehaus presented the Mayor's Student of the Month Awards for October 2018 to Helen M. Knight Elementary School student Denis Cervantes and Moab Charter School student Elijah Coberly as well as the June Charter School Student of the Month Cyrus Ershadi. The Mayor acknowledged the financial sponsors, Mad Moose Events and Business Resolutions.

Old Business:

(1:26 on recording)

Walnut Lane Real Estate Closing—Approved

Discussion: Senior Project Manager Dutson presented a preliminary analysis of phases one and two of the proposed affordable housing project. He explained that phase one will involve the bond and financing to close on the real estate. He stated the first anticipated objective of the project was to preserve 39 affordable units, engage a property management company, and to develop an on-site relocation plan. He continued that the second phase, to ensue during 2019 and 2020, would likely cover the permitting process, on-site relocation, and construction of 80 to 100 affordable units. He explained financing goals and Councilmember Jones expressed his interest in highly efficient building construction. Discussion ensued regarding financing with Dutson and Alex Buxton of Zions Bank Public Finance division. The proposed loan rate would be 3.19 percent. Revenue mechanisms were discussed, as well as the appraisal on the real estate.

Motion and Vote: Councilmember Jones moved to approve **Resolution 49-2018**, a Resolution Authorizing the Expenditure not to exceed \$1,815,000 and the Execution of Financing and Closing Documents by the City Manager for the Acquisition of Real Property Located at 193 West Walnut Lane. Councilmember Knuteson-Boyd seconded the motion. In a roll call vote, the motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Bag Ban Communications Plan—Discussion

Council and Communication Director Church discussed outreach efforts including the upcoming Town Hall meeting. Private contributions for providing cloth bags to all students was brought up. Mayor Niehaus stated she would gather information. Councilmember Derasary asked for clarification regarding follow-up and talking points.

Budget Amendment—Approved

(2:37 on recording)

Discussion: City Manager Everitt presented a brief recap of progress to date, including a public hearing. Councilmember Guzman-Newton raised concerns about the proposed recruitment and retention pilot program for public safety employees. Everitt, Stenta and Linares explained the pilot program and the salary survey process, and councilmembers deliberated the topic. Councilmember Knuteson-Boyd expressed she was not thrilled about \$30,000 of funding for TrailMix but did not want to hold up the amendment of the budget due to individual line items. There was a question regarding the expense of a bike shade and it was explained that it was a minor expense. Everitt also explained some minor office improvements. Councilmember Derasary asked about revenue projections for the rest of the year and revisiting the budget later in the year.

Motion and Vote: Councilmember Jones moved to approve **Resolution #46-2018** – Amending the Fiscal Year 2018- 2019 Annual Budget. Councilmember Guzman-Newton seconded the motion. Councilmember Derasary stated her discomfort with the public safety recruitment and retention pilot program. In a roll call vote, the motion carried 4-1 aye, with Councilmembers Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye and Councilmember Derasary voting nay.

City Parks Policies—Discussion

(3:10 on recording)

The Mayor, Council and City Manager continued deliberation of revisions to the Parks Policies. Of concern to council members was language concerning economic benefits of Swanny Park special events and potential for reservable picnic tables at Swanny Park.

New Business:

Water Distribution and Storage Master Plan—Approved

Discussion: City Engineer Williams presented the plan. Councilmember Derasary asked about fire suppression requirements and Councilmember Jones brought up challenges to the location of the proposed new water tank. It was clarified that the location was tentative and Williams agreed to explore other locations that would provide similar water pressure advantages.

Motion and Vote: Councilmember Jones moved to approve **Resolution #40-2018** – Adopting City of Moab Water Distribution and Storage Master Plan. Councilmember Knuteson-Boyd seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Mill Creek Road West Construction Management—Approved

Discussion: City Engineer Williams explained the need for the construction management contract for the Mill Creek Road West/Utah State University (USU) infrastructure project and noted it was in the budget. Councilmember Jones brought up the high cost of the service and expressed concern about outsourcing jobs to other communities and suggested bringing this role in-house. Councilmember Duncan raised a concern about the closeness of the construction management firm with the contractor. Williams disagreed that this is an issue.

Motion and Vote: Councilmember Guzman-Newton moved to approve a Construction Management Services Contract for the Mill Creek Road West/USU Project with Civil Science Infrastructure for an amount not to exceed \$122,200. Councilmember Jones seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Approval of Bills: Councilmember Guzman-Newton moved to approve payment of bills against the City of Moab in the amount of \$560,219.90. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Adjournment: Councilmember Duncan moved to adjourn the meeting. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus adjourned the meeting at 9:06 PM.

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