GRAND COUNTY
Planning Commission
Tuesday, April 23, 2019
5:00 P.M. Regular Meeting
The Grand Center
182 N. 500 W., Moab, Utah
AND
City Hall
217 E. Center Street

<table>
<thead>
<tr>
<th>Type of Meeting:</th>
<th>Regular Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facilitator:</td>
<td>Gerrish Willis, Chair</td>
</tr>
<tr>
<td>Attendees:</td>
<td>Planning Commissioners, interested citizens, and staff</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Time</th>
<th>Item Description</th>
<th>Responsible Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>5:00 PM</td>
<td>Citizens to be heard</td>
<td>Chair</td>
</tr>
<tr>
<td>Regular Meeting</td>
<td>Proposed ordinance amending the High Density Housing (HDH) Overlay in order to clarify standards and procedures for development approvals and to correct an error in the adopted map.</td>
<td>Staff</td>
</tr>
<tr>
<td>Public Hearing Action Item</td>
<td>(Postponed to May 14, 2019) Sandstone Cottages High Density Housing (HDH) Overlay and Preliminary Plat applications</td>
<td>Staff</td>
</tr>
<tr>
<td>Action Item</td>
<td>Approval of the April 9, 2019 Meeting Minutes</td>
<td>Chair</td>
</tr>
<tr>
<td>Discussion Item</td>
<td>Future considerations</td>
<td>Chair &amp; Staff</td>
</tr>
<tr>
<td>Discussion Item</td>
<td>County Council Update – Terry Morse</td>
<td>Council Liaison</td>
</tr>
<tr>
<td>Discussion Item</td>
<td><strong>Move to City Hall at 217 East Center St., and join the Moab City planning commission and council</strong> Presentation from Landmark Design regarding preliminary policy options related to accommodations-based land uses.</td>
<td>Staff</td>
</tr>
</tbody>
</table>

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.
Title: Public Hearing to solicit public input on proposed amendments to the High Density Housing (HDH) Overlay Ordinance to clarify standards and procedures and to correct a presumed mapping error in the adopted map

Fiscal Impact: N/A

Presenter(s): Zacharia Levine, Community and Economic Development Director

Stated Motion:
I move to send a favorable recommendation to the County Council for adoption of the proposed ordinance amending the High Density Housing Overlay ordinance to clarify development review procedures and correct a presumed error on the associated boundaries map.

Staff Recommendation:
Approve.

Background:
On January 15, 2019, the Grand County Council adopted Ordinance 584 establishing the High Density Housing Overlay (HDHO) boundaries and associated standards of development.

Following adoption of Ordinance 584, the County Attorney and Community and Economic Development Office collaborated to clarify the development standards and review and approval procedures set forth in the ordinance. Staff will review the redlined changes to the previously adopted ordinance in the planning commission meeting.

In addition to the standards and procedures clarifications, staff believes the adopted map inadvertently and erroneously omitted two parcels from the HDH 15 district. The parcels are located near Jackson St. A record of mapping conversations related to the subject parcels is included for reference.

Attachment(s):
1. Proposed Ordinance Amending the HDHO Ordinance and repealing Ord. 584
2. Redlined version of code changes
3. Focus map on subject parcels
4. Record of conversation about subject parcels
GRAND COUNTY, UTAH
ORDINANCE ________ (2019)

ORDINANCE ADOPTING NEW CHAPTER 4.7 HIGH DENSITY HOUSING OVERLAY (HDHO) DISTRICTS TO THE GRAND COUNTY LAND USE CODE AND REPEALING ORDINANCE 584

WHEREAS, the purpose of this ordinance is to:

A. Encourage the development and availability of housing that is accessible and affordable to a broad range of households with varying income levels within the County;

B. Promote the County’s goal to add housing units to the County’s housing stock that may be owned or rented by households actively employed within the County;

C. Facilitate new development in a compact and orderly manner;

D. Minimize the impacts of new development on existing neighborhoods and residents within HDH districts;

E. Reduce the cost of constructing and maintaining infrastructure associated with new development;

F. Actualize the affordable housing goals and policies identified in the Grand County General Plan, which includes incentives for increasing density in strategically identified areas throughout the County;

WHEREAS, the County Council finds and determines:

A. The Moab Area, which includes the City of Moab, Town of Castle Valley, and unincorporated areas of Grand County, faces a serious housing problem that threatens its
economic security, quality of life, and environment. The extreme lack of access to affordable housing has a direct impact upon the health, safety, and welfare of residents of the County. While no single housing program will solve all of the Area’s needs, the High Density Housing (HDH) Overlay has been identified as one solution among a broader set of solutions;

B. Population in the Moab Area has increased rapidly, reflecting overall trends in the State of Utah. Between 2000 and 2017, the population in Grand County rose from 9,225 to 10,292, equivalent to a 11.6 percent increase, and similar to the Utah growth rate of 12.6 percent\(^1\). This rapid population increase is expected to continue, driving demand for housing. The fastest growing demographic is the population over the age of 65, followed by young adults between the ages of 18 to 24;

C. More homeownership and rental housing is to accommodate future growth. Between 2010 and 2017, the number of family and non-family households expanded, although non-family households experienced a somewhat higher rate of increase. This pace is expected to continue, which means more homeownership and rental housing will be needed;

D. Real estate prices have escalated across all residential product types. In 2017, the median sales price for a single-family home was $325,000, $352,000 for a townhouse, and $275,000 for a condominium. Between 2014 and 2017, the median price increased by 30 percent for townhomes, and 42 percent for single-family homes and condominiums;

E. Despite a high proportion of renter households (35 percent in Grand County\(^2\)), there is a limited inventory of multifamily apartments. Higher density workforce housing products that could be more affordable to the workforce, such as apartments and condominiums, must compete with visitor accommodations, such as hotels and nightly rental units, for land. The economics of visitor accommodations allow them to pay more for land, making

\(^1\) US Census Bureau 2010; ESRI 2017
\(^2\) Grand County Assured Housing Feasibility Study completed by BAE Urban Economics in 2018.
it difficult to build housing affordable to the workforce;

F. The area’s rapidly appreciating home prices has made housing out-of-reach for many working families. Housing costs have increased rapidly, substantially outpacing increases in household incomes. In general, no homes sold in 2017 were affordable to households earning up to 80 percent of Area Median Income, which is equivalent to a family of four earning $54,150 annually. Households at 100 percent of median income ($67,700 for a family of four) had limited homeownership options. Rental housing may be priced such that it is more within reach of moderate-income households, although there is a shortage of units available for rent.

G. Tourism-related industries are the fastest growing employment sector in Grand County, accounting for approximately 43% of all employment³. Employment in accommodation and food services account for one out of every three jobs in Grand County. The next largest industries are retail and arts, entertainment, and recreation;

H. Jobs in tourism-related industries tend to be relatively low-paying, with some positions offering only seasonal or part-time employment with limited wage growth. The 2017 median household income in Grand County ($46,070) was lower than the statewide median of $62,902⁴;

I. Because affordable housing is in short supply within the Moab Area, lower-income households may be forced to live in less than adequate housing, pay a disproportionate share of their incomes to live in adequate housing, or commute ever-increasing distances to their jobs from housing located outside the Moab Area. These circumstances harm the County’s ability to provide high levels of service, attain goals articulated in the General Plan, and preserve a high quality of life for residents;

³ Grand County Assured Housing Feasibility Study completed by BAE Urban Economics in 2018.
⁴ The 2017 median household income data is taken from ESRI. This is different from the HUD Area Median Family Income (HAMFI), which is based on a four-person family household and was $56,700 in 2017. The median household income described here accounts for all households of all different sizes, including non-family households.
J. State and federal funds for the construction of new affordable housing are insufficient to fully address the current and projected shortages of affordable housing within the County. While the County has repeatedly amended its Land Use Code (LUC) to spur additional housing development, the private market has not provided adequate housing opportunities to extremely low-, very low-, low-, and moderate-income households;

K. The HDH Overlay was developed over a two-year period that involved dozens of public meetings, workshops, open houses, and public hearings; Public input greatly informed the overlay regulations and map boundaries.

WHEREAS, the Planning Commission is statutorily responsible for making recommendations to the County Council regarding textual amendments to the LUC;

WHEREAS, the Grand County Planning Commission held a public hearing on September 25, 2018 to solicit public comment on draft high density housing overlay (HDHO) Ordinance No. 584 and recommended approval to the County Council;

WHEREAS, the Grand County Council held a public hearing on November 7, 2018 to solicit public comment on Ordinance No. 584 and voted to approve the same;

WHEREAS, the Grand County Council passed, adopted, and approved Ordinance No. 584 on January 15, 2019 establishing the High Density Housing Overlay Districts;

WHEREAS, Grand County has determined that certain provisions of Ordinance No. 584 require modification or clarification to best serves its purposes;

WHEREAS, the Grand County Planning Commission held a public hearing on ____, 2019 to solicit public comment this revised ordinance and recommended approval to the County Council; and,

WHEREAS, the Grand County Council held a public hearing on ____, 2019 to solicit public comment on this revised ordinance and voted to approve the same.

NOW, THEREFORE BE IT RESOLVED, Section 4.7 of the Grand County LUC shall read:
See attached Section 4.7 High Density Housing Overlay (HDHO) Districts in Appendix A.

PASSED, ADOPTED, AND APPROVED by Grand County Council in a regular public meeting on __________, 2019 by the following vote:

Those voting aye: ____________________________________________
Those voting nay: ____________________________________________
Those absent: _______________________________________________

ATTEST:      GRAND COUNTY COUNCIL

______________________________________     _________________________
Chris Baird, Clerk\Auditor                Evan Clapper, Chair

Appendix A
Section 4.7 High Density Housing Overlay Districts

Sections:

4.7.1 Purpose.
4.7.2 Applicability.
4.7.3 Definitions.
4.7.4 Permitted Uses.
4.7.5 Development Standards.
4.7.6 Assurance of Primary Residential Housing and Occupancy.
4.7.7 Development Incentives
4.7.8 Application of HDHO District to a Specific Parcel.
4.7.9 HDHO Development Plat and Site Plan Approval.
4.7.10 Expiration of High-Density Housing Ordinance.
4.7.11 Enforcement.
4.7.12 Repeal/Savings Clause

4.7.1 Purpose.

The High Density Housing Overlay Districts ("HDHO Districts") are designed to provide for modification of the otherwise applicable development standards of the underlying base district as specified in Articles 2 and 5 of the Grand County Code, in order to accomplish one or more of the following purposes:

A. Facilitating the provision of new housing units used for Primary Residential Occupancy by Actively Employed Households;

B. Achieving the goals of the housing element of the County’s General Plan;

C. Implementing the policies and goals of the housing element of the County’s General Plan;

D. Encouraging the development of new high quality housing units by assisting both the
public and private sector in making the provision of these units economically viable; and

E. Encouraging the provision of primary residential housing through the combination of multiple-family and single-family residential zoning districts within the County where the residential housing projects are determined to be feasible and are consistent with the County’s General Plan.

4.7.2 Applicability.

The regulations set forth in this Section may be applied to real property located within the HDHO Boundaries, as shown in Exhibit A, upon application to and approval by the County Council pursuant to the provisions herein.

4.7.3 Definitions.

A. “Active Employment Household” or “Actively Employed Household” means a household with at least one adult who meets one of the following criteria; provided, however, where there are unrelated individuals living together in one household, at least fifty percent (50%) of all the adults comprising the household shall meet one of the following criteria:

1. A full-time (aggregate of 30 hours of employment per week) employee of an entity or entities located within Grand County; or
2. An owner or owner’s representative of a business or entity with a primary place of business within Grand County; or
3. A full-time (aggregate of 30 hours of employment per week) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75% of their work/clients are based within Grand County; or
4. A person who is unable to work or does not have a work history required under subsections (1) through (3) above due to a Disability.
B. “Developer” means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks approval of an application for an HDHO Development.

C. “Development Agreement” means a contract between Grand County and a Developer or Subdivider, which is recorded as an encumbrance upon an HDHO Development to govern and control said HDHO Development hereunder. A Development Agreement shall run with the land and be binding upon the parties and their successors in title, as provided by its terms.

D. “High Density Housing Overlay District” or “HDHO District” means a zoning district that benefits from a higher density than that allowed under the existing underlying zoning designation, which attendant increased density encourages the provision of new housing units used for primary residential occupancy as further described in this Section.

E. “High Density Housing Overlay Development” or “HDHO Development” means a subdivision or site plan approved within an HDHO District in which at least eighty percent (80%) of the lots or units are restricted for Primary Residential Housing occupied by Actively Employed Households.

F. “High Density Housing Overlay Lot” or “HDHO Lot” is a Lot restricted for Primary Residential Housing occupied by Actively Employed Households that otherwise meet the requirements of this Section.

G. “HDHO Lots or Units” or “HDHO Lots and Units” shall refer to HDHO Lots and/or HDHO Units.
H. “High Density Housing Overlay Unit” or “HDHO Unit” is a dwelling unit restricted for Primary Residential Housing occupied by Actively Employed Households that otherwise meet the requirements of this Section.

I. “Household” means one (1) adult living alone, two (2) or more adults related to each other by blood, marriage, or another legally recognized relationship, or a maximum of five (5) unrelated adults residing in the same residence.

J. “Primary Resident” means an adult that meets the “Primary Residential Occupancy” requirement.

K. “Primary Residential Housing” or “Primary Residential Development” shall have the same meaning as “High Density Housing Development,” which terms may be used interchangeably throughout this Section.

L. “Primary Residential Occupancy” means the owner of record occupying the dwelling unit for a minimum of nine (9) months out of any twelve (12) month period or a renter occupying the dwelling unit through a lease term no shorter than six (6) months out of any twelve (12) month period.

M. “Subdivider” means any person creating a subdivision and offering lots for sale to the public.

4.7.4 Permitted Uses.
The following uses are permitted within an HDHO Development upon the County Council’s approval of application of an HDHO District to a specific parcel:

A. Residential developments at a density greater than normally permitted by the underlying zoning district as described in the table below, when the development provides a minimum of eighty percent (80%) of HDHO Lots or Units deed restricted for Primary Residential Occupancy for Actively Employed Households. HDHO Lots and Units may be owner-occupied or renter-occupied as long as the residents meet the occupancy and active employment requirements of Section 4.7.4.A. The maximum density (units/acre) limit shall be based on a calculation that includes all existing and all new units on the land area that is being included in the calculation. Residential development qualifying for greater density pursuant to the provisions of this ordinance shall be permitted to obtain such density by constructing residential housing types not otherwise allowed in the underlying zoning district. For example, multi-family units may be constructed in a single-family residential zone.

<table>
<thead>
<tr>
<th>High Density Housing (HDH) District</th>
<th>Maximum Density</th>
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<tbody>
<tr>
<td>HDH 35a</td>
<td>35 lots or units per acre</td>
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<tr>
<td>HDH 35b</td>
<td>35 lots or units per acre</td>
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<tr>
<td>HDH 25</td>
<td>25 lots or units per acre</td>
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<tr>
<td>HDH 15</td>
<td>15 lots or units per acre</td>
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<tr>
<td>HDH 10</td>
<td>10 lots or units per acre</td>
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<tr>
<td>HDH 5</td>
<td>5 lots or units per acre</td>
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</table>

B. Accessory uses or structures incidental to the principally permitted use pursuant to Section 3.3 of this Land Use Code. Any Accessory Dwelling Unit permitted under Section 3.3 in an HDHO Development shall meet the occupancy and active employment requirements of Section 4.7.4.A.
4.7.5 Development Standards.

A. Eligibility. In order to reduce costs associated with the development and construction of Primary Residential Housing, the property development standards set forth in Section 4.7.5.C are established for and shall apply to all HDHO Developments within the HDHO Districts upon approval of a site plan or preliminary plat approval.

B. Property Development Standards. The following development standards shall apply to HDHO Developments within the HDHO Districts:

1. General Design Standards. The development shall be designed and developed in a manner compatible with and complementary to existing and potential development in the immediate vicinity of the development site. Site planning on the perimeter shall provide for protection of the property from adverse surrounding influences and shall protect surrounding areas from potentially adverse influences from the property. To the greatest extent possible, the design of the development shall promote privacy for residents and neighbors, security, and use of passive solar heating and cooling through proper placement of walls, windows, and landscaping.

2. Minimum Design Standards. Minimum design standards are included to ensure a high degree of quality in the development of HDHO Lots and Units. The following design standards shall apply to a development that utilizes the density increases allowed by this Section.

   a. Sidewalks shall be installed along all street frontages where otherwise required by this LUC.

   b. Screening Requirements.

      1. Outdoor Storage Screening. All outdoor storage areas for materials, trash, mechanical equipment, vehicles, or other similar items shall follow the
standards outlined in Section 6.4.3.

2. Parking Lot Screening. Parking lot screening must be provided between an off-street parking area containing six (6) or more parking spaces and either 1) a different zoning district or 2) a public street, and shall:

a. Be provided within ten feet (10’) of the perimeter of the parking lot to be screened, except for parking lots adjacent to rain gardens/bio-retention systems, other landscape features, or where screening may negatively impact the traffic sight distance (as defined by the American Association of State Highway and Transportation Officials (AASHTO) and verified by the County Engineer);

b. Be not less than eighty percent (80%) opaque and be a minimum of three feet (3’) in height as measured from the highest finished adjacent grade of the parking area. When shrubs are used to provide the screen, such shrubs must be at least two feet (2’) tall at planting and anticipated to grow to at least three feet (3’) tall at maturity;

c. Not interfere with driver or pedestrian visibility for vehicles entering or exiting the premises;

d. Utilize plants found in Section 6.4.3.F, where required;

e. Consist of at least two (2) of the following:

   i. A compact hedge of evergreen or densely twigged deciduous shrubs spaced to ensure closure into a solid hedge at maturity.

   ii. A berm with plantings as described above.

   iii. Transit shelters, benches, bicycle racks, and similar features may be integrated as a part of the screen.
iv. Fencing may be integrated as part of the screen. All wood fencing shall be stained and sealed with a weatherproof product.

f. Be equipped with an irrigation system adequate for establishing and maintaining the plant materials within it.

c. Parking Island Design. Off-street parking areas with at least twenty-five (25) parking stalls shall contain interior landscaped islands. Such islands shall be bounded by a raised concrete curb, pervious curbing, or an approved equivalent and shall contain mulch to retain soil moisture. This provision shall not apply to parking structures. Landscaped parking lot islands shall:

1. Be located at the beginning and end of each parking row and shall contain a minimum of one hundred eighty (180) square feet and a minimum width of nine feet (9’);

2. Include at least one (1) tree per island;

3. Incorporate shrubs, perennials, and ornamental grasses, where required;

4. Be prepared with topsoil to a depth of two feet (2’) and improved to ensure adequate drainage, nutrient, and moisture retention levels for the establishment of plantings; and

5. Be equipped with an irrigation system adequate for establishing and maintaining the plant materials within it.

d. Building Exterior Façade Standards.

1. Exterior finishes may be of wood, masonry, stone, stucco, HDO board or other high quality material permitted by the building code, but shall not utilize
vinyl siding; cedar or wood shakes; highly reflective, shiny, or mirror-like materials; or exposed plywood or particle board.

2. Buildings shall utilize at least two (2) of the following design features to provide visual relief along the front of the residence:

   a. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bay windows
   b. Dormers.
   c. Gables.
   d. Recessed entries, a minimum of three (3) feet deep.
   e. Covered front porches.
   f. Cupolas.
   g. Architectural Pillars or Posts.
   h. Quoins.
   i. Corbeling on wall.
   j. Decorative lintel.
   k. Incorporation of brick or stone on at least 25% of front surface area.

e. Where HDHO units may be placed on the same lot as current or future temporary or short-term accommodations, dedicated HDHO units shall be clustered together so as to minimize the exposure of residents to temporary guests. In all other developments, where temporary or short-term accommodations units do not exist and cannot exist due to zoning restrictions, dedicated HDHO units shall be dispersed throughout the residential development.

f. Where there is a combination of commercial and residential uses, the commercial uses shall front along the highest road designation. Residential development shall be located behind commercial development or on upper floors above commercial development.
g. The County Council may waive, or modify, any, or all, of these requirements when the Council finds it is infeasible to comply due to physical or other constraints on the lot.

3. Minimum Building Site Area and Lot Width. There shall be no minimum building site area, minimum lot width, or maximum lot coverage requirements for individual lots or individual dwelling sites in a HDHO Development. However, the building site area lot widths, and lot coverage percentages shall be designated on a preliminary plat or site plan pursuant to Section 4.7.9 below.

4. Density. Overall density of site development within an HDHO District shall not exceed the limits established in Section 4.7.4.

5. Building Height

   a. Maximum building heights shall not exceed the limits defined in the underlying zone district except that buildings constructed in the HDHO 35b District shall not exceed four (4) stories or forty-two (42) feet in height.

   b. To the maximum extent possible, building heights and locations shall minimize shading and interruption of solar access to adjacent properties with existing residential structures or commercial agricultural operations.

   c. All structures shall conform to the Ridgeline Standards of Section 6.9.8.

   d. Structures built within an HDHO Development must comply with the setback and buffer requirements of the underlying zone. The maximum height of the building at the exterior wall shall be the greater of:

      1. 20 feet

      2. The building’s setback at that point
e. From the exterior wall, the building’s height may increase to its maximum height at a rate not greater than a 45° angle from the maximum allowable height of the exterior wall.
Examples of HDH Height-Compliant Structures

28' Max. Height Examples

35' Max. Height Examples

50' Max. Height Examples
6. Setbacks. The minimum setbacks from the lot line of the development shall be determined by the buffer requirements of Section 5.4.1.B and the compatibility standards of Section 6.10.

7. Parking.

   a. Number of spaces required

   1. For every single-family or two-family dwelling, there shall be provided at least two (2) off-street parking spaces for each unit. Parking spaces provided in a garage or carport may count towards the minimum requirement.

   2. For every attached multifamily dwelling, off-street parking spaces shall be provided in accordance with Section 6.1.4:

<table>
<thead>
<tr>
<th>Multi-family dwellings</th>
<th>Efficiency and one-bedroom</th>
<th>1.5 per dwelling unit</th>
</tr>
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<tbody>
<tr>
<td>Two-bedroom</td>
<td></td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>Three-bedroom and Larger</td>
<td></td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

   b. Parking design requirements

   1. Parking areas for single-family or two-family dwellings need not be paved.

   2. Parking areas for attached multifamily dwellings shall be subject to the off-street requirements outlined in Section 6.1.7.

   3. Uncovered surface parking may be permitted in the rear and side setbacks but is not permitted in the front or street-side setback.

   4. Garages, carports, and individual locking storage units are subject to the setback standards outlined in Section 5.4.1.

   5. Required spaces for multifamily developments equal to or greater than five units shall be covered in a carport or a garage except that for multifamily dwellings with four or fewer units, parking spaces can be uncovered.
8. Minimum Standards of Physical Condition. Each HDHO Unit is required to have and maintain those minimum standards of physical conditions set forth in Exhibit B - Minimum Standards.

9. Streets. All public streets within or abutting the proposed planned development shall be dedicated and improved to County specifications for the particular classification of street.

10. Signs. Signs shall be permitted only to the extent allowed under Section 6.5, Signs, and must be approved by the Planning and Zoning Administrator.

11. Construction Timing. The HDHO units shall be ready for occupancy no later than the date of the initial or temporary occupancy of any unrestricted units within the development or applicable phase thereof. If the unrestricted units are developed in phases, then the HDHO Units may be developed in proportion to the phasing of the unrestricted units. For example, for each unrestricted unit constructed at least four (4) HDHO Units shall be constructed.

4.7.6 Assurance of Primary Residential Housing and Occupancy.

A. General. HDHO Lots and Units shall be used for Primary Residential Housing for Actively Employed Households in perpetuity.

B. Development Agreement. The Developer or Subdivider shall enter into and record a Development Agreement encumbering the HDHO Development to ensure Primary Residential Occupancy by Actively Employed Households is maintained prior to prior to recordation of a final plat approved hereunder or issuance of a building permit for any unit within a site plan approved hereunder.

C. Deed Restriction. The following Deed Restriction shall be integrated into each deed of conveyance:
The Property shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity. The Property is further subject to the Development Agreement recorded in the real property records of Grand County, Utah on ____ (Date) at Entry No. ________.

Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval upon a violation or breach of this Deed Restriction by a record owner of any HDHO Lot or Unit in Grand County.

D. Enforcement. In addition to other remedies preserved herein, Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval upon a violation or breach of this Section by a record owner of any HDHO Lot or Unit in Grand County.

4.7.7 Development Incentives.

A. General. As a further inducement to the development of Primary Residential Housing beyond the relaxation and flexibility of development standards, the County, where appropriate, may also extend one or more Development Incentives to an HDHO Development, as set forth in Section 4.7.7.B, the selection of which shall depend on the quality, size, nature, and scope of the development being proposed. Incentives shall be targeted to improve the development design or to yield the greatest number of HDHO Units, so as to permit the County to meet its estimate of additional housing needs and the goals of the housing element of the County’s General Plan.
B. Additional Development Incentives. The County may also offer impact fee deferrals or waivers, property tax abatements, or direct financial contributions should the County Council determine that such incentives are warranted and in the best interest of the County.

4.7.8 Application of an HDHO District to a Specific Parcel.

A. Preapplication Conference. Prior to submission of an application requesting the County Council take legislative action to apply an HDHO District to a specific parcel(s) for an HDHO Development, the Developer or Subdivider shall meet with the Community and Economic Development Director or their designee(s), including other County staff deemed desirable or necessary by the Community and Economic Development Director, to discuss the procedures, standards, and regulations hereunder.

B. Application Procedure. A request for application of an HDHO District to a specific parcel(s) shall be reviewed and approved in accordance with the procedures of Section 9.2, Text and Zoning Map Amendments (Rezonings), and shall be considered to be a zoning map amendment.

C. Effect. Application of an HDHO District to a specific parcel is a discretionary legislative decision, even where a developer also presents a site plan or subdivision proposal that otherwise conforms to the applicable requirements of this Section. Further, application of an HDHO District to a specific parcel does not constitute site plan, preliminary plat, or final plat approval. Rather, application of an HDHO District to a specific parcel, in conjunction with the Development Agreement, shall be deemed approval of permission to develop under the standards of this Section.

D. Development Agreement. In addition to the requirements of Section 9.2.3, Application for Zoning Map Amendment, each HDHO District Application shall include a
Development Agreement wherein Developer or Subdivider agrees to comply with the occupancy and active employment requirements of Section 4.7.4.A.

1. Commitment to percentage of HDHO Lots or Units. The Development Agreement shall include a commitment to providing a specific percentage of units in the HDHO Development, including all existing and proposed lots or units that will be deed restricted as HDHO Lots or Units.

2. No Amendment. Once the County has approved the Development Agreement, its material terms and provisions, including the percentage of HDHO Lots or Units, may not be amended or modified without reapplication to the County.

3. Recordation. The Developer or Subdivider shall record the Development Agreement prior to recordation of a final plat approved hereunder or issuance of a building permit for any unit within a site plan approved hereunder.

E. Lapse of approval. The HDHO District approval shall automatically expire and be void unless the County approves and Developer records a final plat for the HDHO Development in accordance with Sections 4.7.9 and 9.5 within 24 months of the date of HDHO District approval.

F. Conflict. In the event of conflict between the provisions of Section 9.2 and this Section 4.7.8, this Section shall control.

4.7.9 HDHO Development Plat and Site Plan Approval.

A. Application Procedure. Review of an HDHO Development plat or site plan is an administrative decision, which shall follow the County’s prior legislative review and approval of application of an HDHO District to a specific parcel.

B. HDHO Development Preliminary Plat and Final Plat. Each Subdivider shall submit and
the County shall review a preliminary plat application and final plat application in accordance with Sections 9.4 and 9.5, Preliminary Plat and Final Plat, and this Section 4.7.

1. In addition to the requirements of Section 9.4.2 and 9.5.1, Submittal Requirements, each plat shall include:
   a. Designation of HDHO Lots in accordance with Section 4.7.4;
   
   b. Plat Notes that read:
      1. Each HDHO Lot is subject to the Development Agreement recorded in the real property records of Grand County, Utah on ______ (Date) at Entry No. ________ and the requirements of Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay.

    2. Each HDHO Lot shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity.

C. HDHO Development Site Plans. Each Developer of a mixed use or multifamily residential HDHO Development shall submit and the County shall review site plan applications in accordance with Section 9.17, Site Plan Review, and this Section 4.7.

1. In addition to the requirements of Section 9.17.3, Submittal Requirements, each site plan shall include:

   a. Designation of HDHO Units in accordance with Section 4.7.4;

   b. Site Plan Notes that read:

      1. Each HDHO Unit is subject to the Development Agreement recorded in the real property records of Grand County, Utah on ______ (Date) at Entry No. ________ and the requirements of Grand County Land Use Code, Section 4.7,
2. Each HDHO Unit shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity.

D. In the event of conflict between the provisions of Section 9.4, 9.5, or 9.17 and this Section 4.7.9, this Section shall control.

4.7.9 Expiration of High Density Housing Ordinance.

This ordinance shall automatically expire after three hundred (300) HDHO Lots or Units have been approved or after two (2) years, whichever occurs first. A record of the number and location of HDHO Lots and Units approved shall be kept on file within the Community and Economic Development Department at all times.

4.7.10 Enforcement.

A. Penalties for Violation. As more particularly set forth in Section 1.9, Penalties for Enforcement, any person, firm, entity, or corporation violating any provision or failing to comply with any provision of this Section shall be guilty of a Class C misdemeanor. Without limiting the generality of the foregoing, it shall also be a Class C misdemeanor for any person, firm, entity, or corporation to sell or rent to another person an affordable housing unit under this section at a price or rent exceeding the maximum allowed under this section or to sell or rent an affordable unit to a household not qualified under this section. It shall further be a Class C misdemeanor for any person, firm, entity, or corporation to provide false or materially incomplete information to the County or its designee or to a seller or lessor of an affordable housing unit to obtain occupancy of housing for which the person is not eligible.
B. Legal Action. In addition to the remedies set forth in Sections 1.9, the County may institute any appropriate legal actions or proceedings necessary to ensure compliance with this Section, including:

1. Actions to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval;

2. Actions to recover from any violator of this Section civil fines, restitution to prevent unjust enrichment, and/or enforcement costs, including attorney fees;

3. Actions to seek judicial enforcement of such fines, restitution and costs, including judgment liens and foreclosure; and

4. Any other appropriate action for unlawful detainer, injunctive relief or damages.

4.7.12 Repeal/Savings Clause

Ordinance No. 584, enacted January 15, 2019, is hereby repealed; provided, however, that Ordinance No. 584 shall remain in force to authorize the arrest, prosecution, conviction, and punishment of a person who violates Ordinance No. 584 prior to the Effective Date of this Ordinance.
Minimum Standards for Physical Conditions of High Density Housing Overlay (HDHO) Units

- Clean unit
- Carpets steam-cleaned two or three days prior to closing
- All scratches, holes, burned marks repaired in hardwood floors, linoleum, tile, and counter tops, etc.
- No broken or foggy windows
- All screens in windows (if screens were originally provided)
- All doors will be in working order with no holes
- All locks on doors will work
- All keys will be provided; e.g., door, mail box, garage
- All mechanical systems shall be in working order
- Walls paint ready
- Normal wear and tear on carpet; if carpet has holes, stains, etc., the carpet and padding shall be replaced or escrow funds at current market value per square foot for a comparable product shall be held at the time of closing to be used by the new buyer
- No leaks from plumbing fixtures
- Any safety hazard remedied prior to closing
- Satisfaction of radon issue if found at time of inspection
- All light fixtures shall be in working order
- All appliances that existed in the original Unit, remain and are in good working order and good condition

DEFINITIONS

- Clean Unit: All rooms will be cleaned as stated below:
  - Kitchen:
    - Range - Inner and outer services will be cleaned.
    - Range hood and Exhaust Fan
    - Refrigerator and Freezer - Inner and outer surfaces of refrigerator and freezer will be clean. Freezer will be defrosted.
• Cabinets and Countertops - Exterior and interior surfaces of cabinets and drawers will be clean. Door and drawer handles, if provided, shall be clean and in place.
• Sink and Garbage Disposal - Sink and plumbing fixtures will be clean. Garbage disposal must be in working order.
• Dishwasher - Must be in working order and inner and outer surfaces shall be clean.

- Blinds, Windows, Screens:
  • Mini-blinds, Venetian Blinds, Vertical Blinds, and Pull Shades - Will be clean.
  • Windows - All window surfaces, inside and outside of the window glass, shall be clean.
  • Screens - Screens will be clean and in place with no holes or tears.

- Closets: Closets, including floors, walls, hanger rod, shelves and doors, shall be clean.
- Light Fixtures: Light fixtures will be clean and shall have functioning bulbs/florescent tubes.
- Bathrooms:
  • Bathtub, Shower Walls, Sinks - Bathtubs, shower walls and sinks shall be clean.
  • Toilet and Water Closet - Water closets, toilet bowls and toilet seats will be clean. If the toilet seat is broken or peeling, the seat shall be replaced.
  • Tile - All tile and grout will be clean.
  • Mirrors and Medicine Cabinets - Mirrors and medicine cabinets shall be cleaned inside and out.
  • Shelves and/or Other Cabinetry - All other shelving or cabinetry shall be cleaned inside and out.

- Walls, Ceilings, Painted Doors and Baseboards: Painted surfaces must be cleaned with care to ensure the surface is clean without damaging the paint.
- Floors: Floor cleaning includes sweeping and mopping and could include stripping, waxing and buffing. Types of floor surfaces include bamboo and marmoleum.
- Interior Storage/Utility Rooms: Storage/utility rooms shall be cleaned. Properly cleaned storage/utility rooms will be free from odors, removable stains, grease marks or accumulations.
- Washer/Dryer - Must be in working order and inner and outer surfaces shall be clean
- Safety Hazard: Any item that provides a safety hazard shall be fixed. This would include, but is not limited to, exposed electrical wiring, satisfaction of any radon issue found, ventilation for gas hot water system, etc.
- Walls Paint-Ready: All holes shall be patched; all posters, pictures, etc., shall be removed from all walls; all nails, tacks, tape, etc., shall be removed from all walls; and all walls shall be clean and ready for the new buyer to paint. If wallpaper has been placed on the wall and in good condition, the wallpaper can
remain; if the wallpaper is peeling off, the wallpaper must be removed.

- **Windows:** If a window is broken, including the locking mechanism, the window shall be replaced. If the window has a fog residue in the inside, it shall be replaced.
GRAND COUNTY, UTAH
ORDINANCE ________ (2019)

ORDINANCE ADOPTING NEW CHAPTER 4.7 HIGH DENSITY HOUSING (HDH) OVERLAY (HDHO) DISTRICTS TO THE GRAND COUNTY LAND USE CODE AND REPEALING ORDINANCE 584

WHEREAS, the purpose of this ordinance is to:

A. Encourage the development and availability of housing that is accessible and affordable to a broad range of households with varying income levels within the County;

B. Promote the County’s goal to add housing units to the County’s housing stock that may be owned or rented by households actively employed within the County;

C. Facilitate new development in a compact and orderly manner;

D. Minimize the impacts of new development on existing neighborhoods and residents within HDH districts;

E. Reduce the cost of constructing and maintaining infrastructure associated with new development;

F. Actualize the affordable housing goals and policies identified in the Grand County General Plan, which includes incentives for increasing density in strategically identified areas throughout the County;

WHEREAS, the County Council finds and determines:

A. The Moab Area, which includes the City of Moab, Town of Castle Valley, and unincorporated areas of Grand County, faces a serious housing problem that threatens its
economic security, quality of life, and environment. The extreme lack of access to affordable housing has a direct impact upon the health, safety, and welfare of residents of the County. While no single housing program will solve all of the Area’s needs, the High Density Housing (HDH) Overlay has been identified as one solution among a broader set of solutions;

B. Population in the Moab Area has increased rapidly, reflecting overall trends in the State of Utah. Between 2000 and 2017, the population in Grand County rose from 9,225 to 10,292, equivalent to a 11.6 percent increase, and similar to the Utah growth rate of 12.6 percent\(^1\). This rapid population increase is expected to continue, driving demand for housing. The fastest growing demographic is the population over the age of 65, followed by young adults between the ages of 18 to 24;

C. More homeownership and rental housing will be needed to accommodate future growth. Between 2010 and 2017, the number of family and non-family households expanded, although non-family households experienced a somewhat higher rate of increase. This pace is expected to continue, which means more homeownership and rental housing will be needed;

D. Real estate prices have escalated across all residential product types. In 2017, the median sales price for a single-family home was $325,000, $352,000 for a townhouse, and $275,000 for a condominium. Between 2014 and 2017, the median price increased by 30 percent for townhomes, and 42 percent for single-family homes and condominiums;

E. Despite a high proportion of renter households (35 percent in Grand County\(^2\)), there is a limited inventory of multifamily apartments. Higher density workforce housing products that could be more affordable to the workforce, such as apartments and condominiums, must compete with visitor accommodations, such as hotels and nightly rental units, for

\(^1\) US Census Bureau 2010; ESRI 2017
\(^2\) Grand County Assured Housing Feasibility Study completed by BAE Urban Economics in 2018.
land. The economics of visitor accommodations allow them to pay more for land, making it difficult to build housing affordable to the workforce;

F. The area’s rapidly appreciating home prices has made housing out-of-reach for many working families. Housing costs have increased rapidly, substantially outpacing increases in household incomes. In general, no homes sold in 2017 were affordable to households earning up to 80 percent of Area Median Income, which is equivalent to a family of four earning $54,150 annually. Households at 100 percent of median income ($67,700 for a family of four) had limited homeownership options. Rental housing may be priced such that it is more within reach of moderate-income households, although there is a shortage of units available for rent.

G. Tourism-related industries are the fastest growing employment sector in Grand County, accounting for approximately 43% of all employment\(^3\). Employment in accommodation and food services account for one out of every three jobs in Grand County. The next largest industries are retail and arts, entertainment, and recreation;

H. Jobs in tourism-related industries tend to be relatively low-paying, with some positions offering only seasonal or part-time employment with limited wage growth. The 2017 median household income in Grand County ($46,070) was lower than the statewide median of $62,902\(^4\);

I. Because affordable housing is in short supply within the Moab Area, lower-income households may be forced to live in less than adequate housing, pay a disproportionate share of their incomes to live in adequate housing, or commute ever-increasing distances to their jobs from housing located outside the Moab Area. These circumstances harm the County’s ability to provide high levels of service, attain goals articulated in the General

\(^3\) Grand County Assured Housing Feasibility Study completed by BAE Urban Economics in 2018.
\(^4\) The 2017 median household income data is taken from ESRI. This is different from the HUD Area Median Family Income (HAMFI), which is based on a four-person family household and was $56,700 in 2017. The median household income described here accounts for all households of all different sizes, including non-family households.
Plan, and preserve a high quality of life for residents;

J. State and federal funds for the construction of new affordable housing are insufficient to fully address the current and projected shortages of affordable housing within the County. While the County has repeatedly amended its Land Use Code (LUC) to spur additional housing development, the private market has not provided adequate housing opportunities to extremely low-, very low-, low-, and moderate-income households;

K. The HDH Overlay was developed over a two-year period that involved dozens of public meetings, workshops, open houses, and public hearings; Public input greatly informed the overlay regulations and map boundaries.

WHEREAS, the Planning Commission is statutorily responsible for making recommendations to the County Council regarding textual amendments to the LUC;

WHEREAS, the Grand County Planning Commission held a public hearing on September 25, 2018 to solicit public comment on a draft high density housing (HDH) overlay Ordinance No. 584 and recommended approval to the County Council; and,

WHEREAS, the Grand County Council held a public hearing on November 7, 2018 to solicit public comment on a draft assured housing ordinance Ordinance No. 584 and voted to approve said the same;

WHEREAS, the Grand County Council passed, adopted, and approved Ordinance No. 584 on January 15, 2019 establishing the High Density Housing Overlay Districts;

WHEREAS, Grand County has determined that certain provisions of Ordinance No. 584 require modification or clarification to best serves its purposes;

WHEREAS, the Grand County Planning Commission held a public hearing on ______, 2019 to solicit public comment this revised ordinance and recommended approval to the County Council; and,

WHEREAS, the Grand County Council held a public hearing on ______, 2019 to solicit public comment
on this revised ordinance; and voted to approve the same.

NOW, THEREFORE BE IT RESOLVED, Section 4.7 of the Grand County LUC shall read:

See attached Section 4.7 High Density Housing (HDH) Overlay (HDHO) Districts in Appendix A.

PASSED, ADOPTED, AND APPROVED by Grand County Council in a regular public meeting on January 15, __________, 2019 by the following vote:

Those voting aye: ________________________________
Those voting nay: ________________________________
Those absent: ________________________________

ATTEST: GRAND COUNTY COUNCIL

_________________________________________________
Diana Carroll

__________________________
Chris Baird, Clerk\Auditor

__________________________
Evan Clapper, Chair
Appendix A

Section 4.7 High Density Housing (HDH) Overlay Districts

Article 4.7

HIGH DENSITY HOUSING (HDH) OVERLAY DISTRICT

Sections:

4.7.1 Purpose.
4.7.2 Applicability.
4.7.3 Definitions.
4.7.4 Uses permitted with a development agreement (Permitted Uses).
4.7.5 Development incentives (Standards).
4.7.6 Assurance of primary residential occupancy (Primary Residential Housing and Occupancy).
4.7.7 Special Needs-Emergency/Transitional Housing-Development Incentives
4.7.8 Pre-application procedure.
4.7.9 Application—Development plans and map required of HDHO District to a Specific Parcel.
4.7.9 HDHO Development Plat and Site Plan Approval.
4.7.10 Findings.
4.7.11 Effect—Expiration of High Density Housing Overlay approval.
4.7.12 Periodic Review of High-Density Housing Ordinance.
4.7.13 Expiration of High Density Housing Ordinance
4.7.14 Enforcement.
4.7.12 Repeal/Savings Clause

4.7.1 Purpose.

A. Grand County has established a High Density Housing Overlay (Districts (“HDHO”) district to facilitate Districts”) are designed to provide for modification of the otherwise applicable development standards of the underlying base district as specified in Articles 2 and 5 of the Grand County Code, in order to accomplish one or more of the following purposes:

A. Facilitating the provision of new housing units used for primary residential occupancyPrimary Residential Occupancy by actively employed households. The HDHO districts (See Map—Exhibit A) are intended to provide the opportunity and means for the County to meet its estimate of additional residential and workforce housing needs, to achieve Actively Employed Households;

B. Achieving the goals of the housing element of the County’s General Plan, and to implement;

C. Implementing the policies and goals of the housing element of the County’s General Plan;

D. These regulations are intended to encourage Encouraging the development of new
high quality housing units by assisting both the public and private sector in making the provision of these units economically viable, while providing assurances to the County that these units will maintain a high degree of quality and will remain financially accessible to residents and local area workers.; and

E. C. These regulations are further intended to encourage the provision of primary residential housing through the combination of the HDHO districts with multiple-family and single-family residential zoning districts within the County where the residential housing projects are determined to be feasible and are consistent with the County’s General Plan.

D. The HDHO is intended to:
—— 1. Provide a means of directing and simplifying the process for creating and maintaining primary residential housing.
—— 2. Provide a means of directing and simplifying the process for creating and maintaining affordable housing constructed to meet the Assured Housing requirements of Section 6.15.
—— 3. Provide incentives to developers, whether in new or rehabilitated housing, to maintain primary residential rental and ownership units in perpetuity.

4.7.2 Applicability.

The regulations set forth in this Article Section may be applied to specific sites meeting real property located within the following criteria:

A. The site is located HDHO Boundaries, as shown in one of Exhibit A, upon application to and approval by the High Density Housing (HDHO) districts; County Council pursuant to the provisions herein.

4.7.3 Definitions.

A. A. “Active Employment Household” or “Actively Employed Household” means a household with at least one person adult who meets one of the following criteria:
provided, however, where there are unrelated individuals living together in one household, at least fifty percent (50%) of all the adults comprising the household shall meet one of the following criteria:

1. (4) A full-time (aggregate of 30 hours of employment per week) employee of an entity or entities located within Grand County Boundaries; or

2. (2) An owner or owner’s representative of a business or entity with a primary place of business within Grand County Boundaries; or

3. (3) A full-time (aggregate of 30 hours of employment per week) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75% of their work/clients are based within Grand County Boundaries; or

4. (4) A person who is unable to work or does not have a work history required under subsections (1) through (3) above due to a Disability.

(5) Where there are unrelated individuals living together in one household, at least fifty percent (50%) of all the adults comprising the household shall meet the Active Employment requirement of this section.

B. “Developer” means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities, which seeks approval of an application for an HDHO Development.

C. “Development Agreement” means a contract between Grand County and a Developer or Subdivider, which is recorded as an encumbrance upon an HDHO Development to
govern and control said HDHO Development hereunder. A Development Agreement shall run with the land and be binding upon the parties and their successors in title, as provided by its terms.

D. “High Density Housing Overlay (District) or “HDHO)-district District” means a zoning district with its attendant increased density that applies in addition to an benefits from a higher density than that allowed under the existing underlying zoning designation where the County, which attendant increased density encourages the provision of new housing units used for primary residential occupancy as further described in this Article Section.

E. “High Density Housing Overlay (Development) or “HDHO)-development Development” means a subdivision or site plan that exists approved within an HDHO (overlay) district and complies with District in which at least eighty percent (80%) of the regulations of this section- lots or units are restricted for Primary Residential Housing occupied by Actively Employed Households.

F. “High Density Housing Overlay (Lot) or “HDHO)-unit Lot” is a Lot restricted for Primary Residential Housing occupied by Actively Employed Households that otherwise meet the requirements of this Section.

G. “HDHO Lots or Units” or “HDHO Lots and Units” shall refer to HDHO Lots and/or HDHO Units.

H. “High Density Housing Overlay Unit” or “HDHO Unit” is a dwelling unit restricted for Primary Residential Housing occupied by Actively Employed Households that is deed restricted to otherwise meet the requirements of this section of the Land Use Code Section.
I.  “Household” means one (1) person living alone, two (2) or more individuals related to each other by blood, marriage, or another legally recognized relationship, or a maximum of five (5) unrelated individuals residing in the same residence.

J.  “Primary Resident” means a household that meets the “Primary residential occupancy” requirement. (See Paragraph G. Below)

K.  “Primary residential housing” or “Primary residential development” shall have the same meaning as “High density housing development,” which terms may be used interchangeably throughout this Section.

L.  “Primary residential occupancy” means the owner of record occupying the dwelling unit for a minimum of nine (9) months out of any twelve (12) month period or a renter occupying the dwelling unit through a lease term no shorter than six (6) months out of any twelve (12) month period.

I.  “Special needs/transitional housing” means temporary housing that is made available to certain segments of the local population who face significant challenges in finding and retaining permanent housing. Special needs may include homelessness, substance abuse, domestic violence, or other similar needs.

M.  “Subdivider” means any person creating a subdivision and offering lots for sale to the public.
4.7.4 Permitted Uses permitted with a development agreement.

The following uses are permitted with the execution of a development agreement by within an HDHO Development upon the County and the developer. Council’s approval of application of an HDHO District to a specific parcel:

A. A. Residential developments at a density greater than normally permitted by the underlying zoning district as described in the table below, when the development provides a substantial level of housing units intended for primary residential occupancy by actively employed households. A substantial level is defined herein as a minimum of eighty percent (80%) of the units in the development being HDHO Lots or Units deed restricted to primary residential for Primary Residential Occupancy for Actively Employed Households. HDHO Lots and actively employed residents. Deed restricted units (HDHO units) Units may be owner-occupied or renter-occupied as long as the residents meet the requirements for primary residency occupancy and active employment requirements of Section 4.7.4.A. The maximum density (units/acre) limit shall be based on a calculation that includes all existing and all new units on the land area that is being included in the calculation. Residential development qualifying for greater density pursuant to the provisions of this ordinance shall be permitted to obtain such density by constructing residential housing types not otherwise allowed in the underlying zoning district. For example, multi-family units may be constructed in a single-family residential zone.

<table>
<thead>
<tr>
<th>High Density Housing (HDH) District</th>
<th>Maximum Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>HDH 35a</td>
<td>35 lots or units per acre</td>
</tr>
<tr>
<td>HDH 35b</td>
<td>35 lots or units per acre</td>
</tr>
<tr>
<td>HDH 25</td>
<td>25 lots or units per acre</td>
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<tr>
<td>HDH 15</td>
<td>15 lots or units per acre</td>
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<tr>
<td>HDH 10</td>
<td>10 lots or units per acre</td>
</tr>
<tr>
<td>HDH 5</td>
<td>5 lots or units per acre</td>
</tr>
</tbody>
</table>
B. B. Accessory uses or structures incidental to the principally permitted use pursuant to Section 3.3 of this Land Use Code. Any accessory dwelling unit permitted under Section 3.3 in an HDHO Development shall meet the occupancy and active employment requirements of subsection A of this Section 4.7.4.A.

4.7.5 Development incentives. Standards.

Eligibility. A. General. In order to reduce costs associated with the development and construction of primary residential housing, the property development standards set forth in subsection C of this section are established for the HDHO districts. These property development standards represent a relaxation of standards normally applied to development in the County and are established in order to facilitate and promote the development of primary residential housing in the County and shall be extended upon issuance of a site plan or preliminary plat approval. As a further inducement to the development of primary residential housing beyond the relaxation and flexibility of development standards, the County, where appropriate, may also extend one or more of the development incentives set forth in subsection D, the selection of which shall depend on the quality, size, nature, and scope of the development being proposed. Incentives shall be targeted to improve the development design or to yield the greatest number of HDHO units, so as to permit the County to meet its estimate of additional housing needs and the goals of the housing element of the County’s general plan. It is also the intent of the County to facilitate primary residential housing by encouraging developer involvement with the Moab Area Housing Task Force, Community Reinvestment Agencies, and other public and private entities concerned with the provision of primary residential housing and by cooperating with such entities.

A. B. Eligibility. Eligibility for In order to reduce costs associated with the development and construction of Primary Residential Housing, the property development standards set forth in subsection Section 4.7.5.C of this section require the developer to propose are established for and shall apply to all HDHO Developments within the HDHO Districts upon approval of a housing development containing at least eighty percent (80%)
primary restricted residential units occupied by actively employed households—site plan or preliminary plat approval.

B. Property Development Standards. The following development standards shall apply to HDHO units in Developments within the HDHO districts:

1. General Design Standards. The development shall be designed and developed in a manner compatible with and complementary to existing and potential development in the immediate vicinity of the development site. Site planning on the perimeter shall provide for protection of the property from adverse surrounding influences and shall protect surrounding areas from potentially adverse influences from the property. To the greatest extent possible, the design of the development shall promote privacy for residents and neighbors, security, and use of passive solar heating and cooling through proper placement of walls, windows, and landscaping.

2. Minimum Design Standards. Minimum design standards are included to ensure a high degree of quality in the development of HDHO units. Unless modified by the County Council, the Lots and Units. The following design standards shall apply to a development that utilizes the density increases allowed by this Article—Section.

a. Sidewalks shall be installed along all street frontages where otherwise required by this LUC.

b. Screening Requirements.

i. Outdoor Storage Screening. All outdoor storage areas for materials, trash, mechanical equipment, vehicles, or other similar items shall follow the standards outlined in Section 6.4.3.

ii. Parking Lot Screening. Parking lot screening must be provided between those portions of an off-street parking area containing six (6) or more parking spaces
and either 1) a different zoning district or 2) a public street, and shall be designed according to the following:

a. Parking lot screening must be provided within ten feet (10’) of the perimeter of the parking lot to be screened, except for parking lots adjacent to rain gardens/bio-retention systems, other landscape features, or where screening may negatively impact the traffic sight distance (as defined by the American Association of State Highway and Transportation Officials (AASHTO) and verified by the County Engineer);

b. Parking lot screening shall be not less than eighty percent (80%) opaque and be a minimum of three feet (3’) in height as measured from the highest finished adjacent grade of the parking area. When shrubs are used to provide the screen, such shrubs must be at least two feet (2’) tall at planting and anticipated to grow to at least three feet (3’) tall at maturity;

c. No landscaping or screening shall interfere with driver or pedestrian visibility for vehicles entering or exiting the premises;

d. Screening for a parking lot may be comprised of plants found in Section 6.4.3.F, where required;

e. Content: Parking lot screening must consist of at least two (2) of the following:

i. A compact hedge of evergreen or densely twigged deciduous shrubs spaced to ensure closure into a solid hedge at maturity;

ii. A berm with plantings as described above;

iii. Transit shelters, benches, bicycle racks, and similar features may be integrated as a part of the screen.
iv. Fencing may be integrated as part of the screen. All wood fencing shall be stained and sealed with a weatherproof product.

f. Be equipped with an irrigation system adequate for establishing and maintaining the plant materials within it.

iii. Parking Island Design. Off-street parking areas with at least twenty-five (25) parking stalls shall contain interior landscaped islands. Such islands shall be bounded by a raised concrete curb, pervious curbing, or an approved equivalent and shall contain mulch to retain soil moisture. This provision shall not apply to parking structures. The standards for landscaped parking lot islands are as follows:

a.1. Landscaped parking lot islands shall be required to be located at the beginning and end of each parking row and shall contain a minimum of one hundred eighty (180) square feet and a minimum width of nine feet (9’-);

b.2. A minimum of one (1) tree shall be provided for each island.

Shrubs

c.3. Incorporate shrubs, perennials or, and ornamental grass shall be incorporated in each landscaped island that does not contain a tree.

Grasses

d.4. Islands shall be prepared with topsoil to a depth of two feet (2’) and improved to ensure adequate drainage, nutrient, and moisture retention levels for the establishment of plantings.

e.5. All perimeter and interior landscaped areas in parking lots shall be equipped with an irrigation system adequate for establishing and maintaining the plant materials within it.
Building Exterior Façade Standards.

1. Exterior finishes may be of wood, masonry, stone, stucco, HDO board or other high quality material permitted by the building code, but shall not utilize vinyl siding; cedar or wood shakes; highly reflective, shiny, or mirror-like materials; or exposed plywood or particle board.

2. Buildings shall utilize at least two (2) of the following design features to provide visual relief along the front of the residence:
   a. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bay windows
   b. Dormers.
   c. Gables.
   d. Recessed entries, a minimum of three (3) feet deep.
   e. Covered front porches.
   f. Cupolas.
   g. Architectural Pillars or Posts.
   h. Quoins.
   i. Corbeling on wall.
   j. Decorative lintel.
   k. Incorporation of brick or stone on at least 25% of front surface area.

iii. Planning staff shall have the authority to waive this requirement when the building is not visible from adjacent properties or the public right-of-way.

Where HDHO units may be placed on the same lot as current or future temporary or short-term accommodations, dedicated HDHO units shall be clustered together so as to minimize the exposure of residents to temporary guests. In all other developments, where temporary or short-term accommodations units do not exist and cannot exist due to zoning restrictions, dedicated HDHO units shall be
dispersed throughout the residential development.

e. Where there is a combination of commercial and residential uses, the commercial uses shall front along the highest road designation. Residential development shall be located behind commercial development or on upper floors above commercial development.

f. The County Council may waive, or modify, any, or all, of these requirements when the Council finds it is infeasible to comply due to physical or other constraints on the lot.

3. Minimum Building Site Area and Lot Width. There shall be no minimum building site area, minimum lot width, or maximum lot coverage requirements for individual lots or individual dwelling sites in an HDHO district. However, the building site area lot widths, and lot coverage percentages shall be designated on a preliminary plat or site plan pursuant to Section 4.7.9.47 or preliminary plat pursuant to Section 9.4 approved by the Planning Commission below.

4. Density. Overall density of site development within an HDHO district shall not exceed the limits established in Section 6.14.040.4.7.

5. Building Height.

a. Maximum building heights shall not exceed the limits defined in the underlying zone district except that buildings constructed in the HDHO 35b district shall not exceed four (4) stories or forty-two (42) feet in height.

b. To the maximum extent possible, building heights and locations shall minimize shading and interruption of solar access to adjacent properties with existing residential structures or commercial agricultural operations.
c. All structures shall conform to the Ridgeline Standards of Section 6.9.8.

d. Structures built under the within an HDHO Development must comply with the setback and buffer requirements of the underlying zone. The maximum height of the building at the exterior wall shall be the greater of:

i. 20 feet

ii. The building’s setback at that point

e. From the exterior wall, the building’s height may increase to its maximum height at a rate not greater than a 45° angle from the maximum allowable height of the exterior wall.
Examples of HDH Height-Compliant Structures

28' Max. Height Examples

35' Max. Height Examples

50' Max. Height Examples
Examples of HDH Height-Compliant Structures

28' Max. Height Examples

35' Max. Height Examples

50' Max. Height Examples
6. Setbacks. The minimum setbacks from the lot line of the development shall be determined by the buffer requirements of Section 5.4.1.B and the compatibility standards of Section 6.10.

7. Parking.

i. a. Number of spaces required

a. 1. For every single-family or two-family dwelling, there shall be provided at least two (2) off-street parking spaces for each unit. Parking spaces provided in a garage or carport may count towards the minimum requirement.

b. 2. For every attached multifamily dwelling, off-street parking spaces shall be provided in accordance with Section 6.1.4:

<table>
<thead>
<tr>
<th>Multi-family dwellings</th>
<th>Efficiency and one-bedroom</th>
<th>1.5 per dwelling unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two-bedroom</td>
<td></td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td>Three-bedroom and Larger</td>
<td></td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

ii. b. Parking design requirements

c. 1. Parking areas for single-family or two-family dwellings need not be paved.

d. 2. Parking areas for attached multifamily dwellings shall be subject to the off-street requirements outlined in Section 6.1.7.

e. 3. Uncovered surface parking may be permitted in the rear and side setbacks but is not permitted in the front or street-side setback.

f. 4. Garages, carports, and individual locking storage units are subject to the setback standards outlined in Section 5.4.1.

g. 5. Required spaces for multifamily developments equal to or greater than five units shall be covered in a carport or a garage except that for multifamily dwellings with four or fewer units, parking spaces can be uncovered.
8. Minimum Standards of Physical Condition. Each HDHO unit is required to have and maintain those minimum standards of physical conditions set forth in Exhibit B - Minimum Standards.

9. Streets. All public streets within or abutting the proposed planned development shall be dedicated and improved to County specifications for the particular classification of street; all private streets shall meet fire code and access standards.

10. Signs. Signs shall be permitted only to the extent allowed under Section 6.5, Signs, and must be approved by the Planning and Zoning Administrator.

11. Construction Timing. The HDHO units shall be ready for occupancy no later than the date of the initial or temporary occupancy of any unrestricted units within the development or applicable phase thereof. If the unrestricted units are developed in phases, then the HDHO units may be developed in proportion to the phasing of the unrestricted units. For example, in an approved development that includes 100 units built in two 50-for each unrestricted unit phases the first phase must include at least 40 HDHO units. Units shall be constructed.

D. Additional Development Incentives. In addition to the relaxed and flexible development standards set forth in subsection C of this section, the County may offer other development incentives should the County Council determine that such incentives are warranted and in the best interest of the County. For example, the County may offer exceptions, waivers or modifications of other development standards that would otherwise inhibit density and achievement of affordable housing goals for the development site, including, but not limited to, placement of public works improvements. The County may also offer impact fee waivers, property tax abatements, or direct financial contributions.

4.7.6 Assurance of primary residency and occupancy. Primary Residential Housing and Occupancy.

A. General. HDHO units developed under this Article shall remain available to persons and
families who live and work in Grand County according to the standards set forth in Section 6.14.030. Lots and Units shall be used for Primary Residential Housing for Actively Employed Households in perpetuity.

B. Development Agreement. The developer or Subdivider shall be required to enter into and record a development agreement with the County in accordance with the standards set forth in this section. The development agreement shall encumber the HDHO Development to ensure primary residential occupancy by actively employed households is maintained prior to recordation of a final plat approved hereunder or issuance of a building permit for the applicable development. Each housing unit designated for primary restricted residential occupancy by an actively employed household shall be integrated into a site plan approved hereunder.

C. Deed Restriction. The following Deed Restriction shall also include a deed restriction attached to its title in accordance with the standards set forth in this section:

- The Property shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity. The Property is further subject to the Development Agreement recorded in the real property records of Grand County, Utah on (Date) at Entry No. .

- Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval upon a violation or breach of this Deed Restriction by a record owner of any HDHO Lot or Unit in Grand County.

D. Enforcement. In addition to other remedies preserved herein, Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval upon a violation or breach of this Deed Restriction by a record owner of any HDHO Lot or Unit in Grand County.
approval if the standards of this section are not met—upon a violation or breach of this Section by a record owner of any HDHO Lot or Unit in Grand County.

4.7.7 Development Incentives.

A. General. As a further inducement to the development of Primary Residential Housing beyond the relaxation and flexibility of development standards, the County, where appropriate, may also extend one or more Development Incentives to an HDHO Development, as set forth in Section 4.7.7.B, the selection of which shall depend on the quality, size, nature, and scope of the development being proposed. Incentives shall be targeted to improve the development design or to yield the greatest number of HDHO Units, so as to permit the County to meet its estimate of additional housing needs and the goals of the housing element of the County’s General Plan.

Additional Development Incentives. 4.7.7 Special Needs Emergency/Transitional Housing.

Pursuant to the applicable County codes, a developer may, at the sole discretion of the County and subject to certain requirements, satisfy a portion of its primary residential housing requirements by provisioning special needs/transitional housing units through either direct construction, land donation or the donation of existing units. There must be a quantified, demonstrated need for the emergency/transitional housing within the Grand County boundaries. The housing must be developed in collaboration with a federally recognized, 501(c)(3) nonprofit organization. The housing must satisfy all requirements of the applicable local, state and federal requirements. Given the unique and varying characteristics of the population to be served, the rents for special needs/transitional housing must be approved in advance by the County Council or its designee.

4.7.8 Pre-application procedure.

Prior to submitting an application for an HDHO district development, the applicant or prospective developer shall hold preliminary consultations with the Community and Economic
Development Director and other County staff as may be desirable, to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data. Such preliminary consultations should include information on potential federal, state, and local affordable housing funding availability, and program requirements in guaranteeing the development’s consistency with the objectives of this overlay district.

4.7.9 Application – Development plans and map required.

An application for an HDHO district development must be for a parcel or parcels of land that is under the control of the person, corporation, or entity proposing the development. The application shall meet all requirements of and include all submission materials required in connection with an application for preliminary plat or site plan approval and shall be submitted with the County’s standard application form. In addition to the foregoing, the application shall include the following:

A. The proposed means for assuring the continuing existence, maintenance and operation of the development as a primary residential housing project; and

B. Such other information as may be required by the Community and Economic Development Director to allow for a complete analysis and appraisal of the planned development.

4.7.10 Findings.

In approving a development with respect to which the high density housing district zone is applicable, the County Council, upon the recommendation of the Planning Commission, shall make the following findings to ensure that the application is appropriate to the purpose and the location:

A. The concessions granted for density and deviation from design standards, are commensurate with the level of primary residential occupancy provided by the development. Specifically, the greater the extent of concessions and incentives, the greater the level of primary residential occupancy.
B. The developer enters into a development agreement to maintain the occupancy and employment restrictions of the development specific to the requirements of the County and any funding sources with greater or longer occupancy requirements.

4.7.11 Effect of High Density Housing Overlay approval.

A. Not Approval of Final Plat

Approval of plans submitted in conjunction with an application for the High Density Housing Overlay shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat, compliance with all requirements of Section 4.7, and the development agreement required under Section 4.7.6.

B. Lapse of Approval

The High Density Housing Overlay regulations codified herein for a development project within an HDHO district shall be valid for a period of 24 months from the date of approval and the general terms and conditions under which the approval was granted will not be changed. The HDHOverlay approval shall be deemed voided unless a final plat approval is granted within the 24-month period or unless the 24-month period is extended by the County Council at the request of the developer.

B. The County may also offer impact fee deferrals or waivers, property tax abatements, or direct financial contributions should the County Council determine that such incentives are warranted and in the best interest of the County.

4.7.8 Application of an HDHO District to a Specific Parcel.

A. Preapplication Conference. Prior to submission of an application requesting the County Council take legislative action to apply an HDHO District to a specific parcel(s) for an HDHO Development, the Developer or Subdivider shall meet with the Community and
Economic Development Director or their designee(s), including other County staff deemed desirable or necessary by the Community and Economic Development Director, to discuss the procedures, standards, and regulations hereunder.

B. Application Procedure. A request for application of an HDHO District to a specific parcel(s) shall be reviewed and approved in accordance with the procedures of Section 9.2, Text and Zoning Map Amendments (Rezonings), and shall be considered to be a zoning map amendment.

C. Effect. Application of an HDHO District to a specific parcel is a discretionary legislative decision, even where a developer also presents a site plan or subdivision proposal that otherwise conforms to the applicable requirements of this Section. Further, application of an HDHO District to a specific parcel does not constitute site plan, preliminary plat, or final plat approval. Rather, application of an HDHO District to a specific parcel, in conjunction with the Development Agreement, shall be deemed approval of permission to develop under the standards of this Section.

D. Development Agreement. In addition to the requirements of Section 9.2.3, Application for Zoning Map Amendment, each HDHO District Application shall include a Development Agreement wherein Developer or Subdivider agrees to comply with the occupancy and active employment requirements of Section 4.7.4.A.

1. Commitment to percentage of HDHO Lots or Units. The Development Agreement shall include a commitment to providing a specific percentage of units in the HDHO Development, including all existing and proposed lots or units that will be deed restricted as HDHO Lots or Units.

2. No Amendment. Once the County has approved the Development Agreement, its material terms and provisions, including the percentage of HDHO Lots or Units, may not be amended or modified without reapplication to the County.
3. Recordation. The Developer or Subdivider shall record the Development Agreement prior to recordation of a final plat approved hereunder or issuance of a building permit for any unit within a site plan approved hereunder.

E. Lapse of approval. The HDHO District approval shall automatically expire and be void unless the County approves and Developer records a final plat for the HDHO Development in accordance with Sections 4.7.9 and 9.5 within 24 months of the date of HDHO District approval.

F. Conflict. In the event of conflict between the provisions of Section 9.2 and this Section 4.7.8, this Section shall control.

4.7.9 HDHO Development Plat and Site Plan Approval.

A. Application Procedure. Review of an HDHO Development plat or site plan is an administrative decision, which shall follow the County’s prior legislative review and approval of application of an HDHO District to a specific parcel.

B. HDHO Development Preliminary Plat and Final Plat. Each Subdivider shall submit and the County shall review a preliminary plat application and final plat application in accordance with Sections 9.4 and 9.5, Preliminary Plat and Final Plat, and this Section 4.7.

1. In addition to the requirements of Section 9.4.2 and 9.5.1, Submittal Requirements, each plat shall include:
   a. Designation of HDHO Lots in accordance with Section 4.7.4;
   
   b. Plat Notes that read:
      1. Each HDHO Lot is subject to the Development Agreement recorded in the real property records of Grand County, Utah on ______ (Date) at Entry No. ______ and the requirements of Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay.
2. Each HDHO Lot shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity.

C. HDHO Development Site Plans. Each Developer of a mixed use or multifamily residential HDHO Development shall submit and the County shall review site plan applications in accordance with Section 9.17, Site Plan Review, and this Section 4.7.

1. In addition to the requirements of Section 9.17.3, Submittal Requirements, each site plan shall include:

a. Designation of HDHO Units in accordance with Section 4.7.4;

b. Site Plan Notes that read:

1. Each HDHO Unit is subject to the Development Agreement recorded in the real property records of Grand County, Utah on ______ (Date) at Entry No. ______ and the requirements of Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay.

2. Each HDHO Unit shall be used for Primary Residential Housing for Actively Employed Households as required by Grand County Land Use Code, Section 4.7, High Density Overlay Districts Overlay, in perpetuity.

D. In the event of conflict between the provisions of Section 9.4, 9.5, or 9.17 and this Section 4.7.9, this Section shall control.

4.7.9

4.7.12 Expiration of High Density Housing Ordinance.

This ordinance shall automatically expire after three hundred (300) HDHO units.
have received certificates of occupancy or after two (2) years, whichever occurs first. A record of the number and location of HDHO units shall be kept on file within the Community and Economic Development Department at all times.

4.7.13.10 Enforcement.

A. It shall be a misdemeanor to violate any provision of this Article. Any person, firm, entity, or corporation failing to comply with any provision of this Article shall be guilty of a Class C misdemeanor. Without limiting the generality of the foregoing, it shall also be a Class C misdemeanor for any person, firm, entity, or corporation to sell or rent to another person a HDHO unit under this Article who does not meet the residency and occupancy requirements at a price or rent exceeding the maximum allowed under this Article section or to sell or rent a HDHO unit to a household not qualified under this Article section. It shall further be a Class C misdemeanor for any person, firm, entity, or corporation to provide false or materially incomplete information to the County or its designee or to a seller or lessor of a HDHO unit to obtain occupancy of housing for which the person is not eligible.

B. The Legal Action. In addition to the remedies set forth in Sections 1.9, the County may institute any appropriate legal actions or proceedings necessary to ensure compliance with this Article section, including: (i) actions to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval; (ii) actions to recover from any violator of this Article civil fines, restitution to prevent unjust enrichment from a violation of this Article, and/or enforcement costs, including attorney fees; (iii) eviction or foreclosure; and (iv) any other appropriate action for injunctive relief or damages. Failure of
any official or agency to fulfill the requirements of this Article shall not excuse any person, owner, household or other party from the requirements of this Article.
2. Actions to recover from any violator of this Section civil fines, restitution to prevent unjust enrichment, and/or enforcement costs, including attorney fees;

3. Actions to seek judicial enforcement of such fines, restitution and costs, including judgment liens and foreclosure; and

4. Any other appropriate action for unlawful detainer, injunctive relief or damages.

4.7.12 Repeal/Savings Clause

Ordinance No. 584, enacted January 15, 2019, is hereby repealed; provided, however, that Ordinance No. 584 shall remain in force to authorize the arrest, prosecution, conviction, and punishment of a person who violates Ordinance No. 584 prior to the Effective Date of this Ordinance.
Exhibit A to HDH District
High Density Housing Overlay Boundaries

Legend:
- HDH35
- HDH35b
- HDH25
- HDH15
- HDH10
- HDH5

Direction:
- North (N)

Scale:
- 0 to 2 Miles

Legend:
- Land use categories and their corresponding colors.
Exhibit B to HDH District

Minimum Standards for Physical Conditions of High Density Housing Overlay (HDHO) Units

- Clean unit
- Carpets steam-cleaned two or three days prior to closing
- All scratches, holes, burned marks repaired in hardwood floors, linoleum, tile, and counter tops, etc.
- No broken or foggy windows
- All screens in windows (if screens were originally provided)
- All doors will be in working order with no holes
- All locks on doors will work
- All keys will be provided; e.g., door, mail box, garage
- All mechanical systems shall be in working order
- Walls paint ready
- Normal wear and tear on carpet; if carpet has holes, stains, etc., the carpet and padding shall be replaced or escrow funds at current market value per square foot for a comparable product shall be held at the time of closing to be used by the new buyer
- No leaks from plumbing fixtures
- Any safety hazard remedied prior to closing
- Satisfaction of radon issue if found at time of inspection
- All light fixtures shall be in working order
- All appliances that existed in the original Unit, remain and are in good working order and good condition

DEFINITIONS

- Clean Unit: All rooms will be cleaned as stated below:
  - Kitchen:
    - Range - Inner and outer services will be cleaned.
    - Range hood and Exhaust Fan
    - Refrigerator and Freezer - Inner and outer surfaces of refrigerator and freezer will be clean. Freezer will be defrosted.
- **Cabinets and Countertops** - Exterior and interior surfaces of cabinets and drawers will be clean. Door and drawer handles, if provided, shall be clean and in place.
- **Sink and Garbage Disposal** - Sink and plumbing fixtures will be clean. Garbage disposal must be in working order.
- **Dishwasher** - Must be in working order and inner and outer surfaces shall be clean.

- **Blinds, Windows, Screens:**
  - Windows - All window surfaces, inside and outside of the window glass, shall be clean.
  - Screens - Screens will be clean and in place with no holes or tears.

- **Closets** - Closets, including floors, walls, hanger rod, shelves and doors, shall be clean.

- **Light Fixtures** - Light fixtures will be clean and shall have functioning bulbs/florescent tubes.

- **Bathrooms:**
  - Bathtub, Shower Walls, Sinks - Bathtubs, shower walls and sinks shall be clean.
  - Toilet and Water Closet - Water closets, toilet bowls and toilet seats will be clean. If the toilet seat is broken or peeling, the seat shall be replaced.
  - Tile - All tile and grout will be clean.
  - Mirrors and Medicine Cabinets - Mirrors and medicine cabinets shall be cleaned inside and out.
  - Shelves and/or Other Cabinetry - All other shelving or cabinetry shall be cleaned inside and out.

- **Walls, Ceilings, Painted Doors and Baseboards** - Painted surfaces must be cleaned with care to ensure the surface is clean without damaging the paint.

- **Floors** - Floor cleaning includes sweeping and mopping and could include stripping, waxing and buffing. Types of floor surfaces include bamboo and marmoleum.

- **Interior Storage/Utility Rooms** - Storage/utility rooms shall be cleaned. Properly cleaned storage/utility rooms will be free from odors, removable stains, grease marks or accumulations.

- **Washer/Dryer** - Must be in working order and inner and outer surfaces shall be clean.

- **Safety Hazard** - Any item that provides a safety hazard shall be fixed. This would include, but is not limited to, exposed electrical wiring, satisfaction of any radon issue found, ventilation for gas hot water system, etc.

- **Walls Paint-Ready** - All holes shall be patched; all posters, pictures, etc., shall be removed from all walls; all nails, tacks, tape, etc., shall be removed from all walls; and all walls shall be clean and ready for the new buyer to paint. If wallpaper has been placed on the wall and in good condition, the wallpaper can
remain; if the wallpaper is peeling off, the wallpaper must be removed.

- Windows: If a window is broken, including the locking mechanism, the window shall be replaced. If the window has a fog residue in the inside, it shall be replaced.
The previously included parcels on this block have been included, and at the highest density, since the 2017 open house

- May 10th PC meeting is first HDH map, with Jackson Street included
- First discussion of boundaries, as seen in minutes, is May 24th

Letter from Amy was received by email on November 5th, included in November 20th council packet, page 562-563

- Dec 4th packet, 167-168
- Dec 18th packet, 413-414
- Jan 2nd packet, 245-246

HDH/Assured Housing Workshop on Dec 4, mention of Edge Parcels on page 6 of packet, but Jackson Street parcels not specifically called out

The southern requested addition was included and called out on map for Dec 18 council meeting, among other map revisions

- No specific discussion of this area in meeting
- The revisions from this map were used for all staff work going forward

January 15th Meeting Minutes

- 1hr 41min - 2hr 2min is discussion with Mark Horowitz
- He asks whether the band along Jackson was created to accommodate Mike Bynum, allowing him to add on to it
- That idea is refuted by both sides of Jackson Street’s inclusion from the beginning in Spring of 2017.
- Justifications for original inclusion - Unbuilt/underbuilt parcels that are 1 block away from 191, and some of closest in county to downtown commercial core
  - After discussion among council on the impacts of the block of 4 included parcels, they were reduced from HDH35b to HDH15
November 1, 2018

Zacharia Levine
Community and Economic Development Director
Grand County

RE: High Density Housing Overlay District Boundary

Dear Zacharia,

This letter is to express our overall support of the proposed HDH Overlay District. Business Resolutions and its partners have a number of properties that could potentially benefit from the overlay. We do however have one concern with the boundary of the proposed HDH35b in the area of Jackson Street. There are four properties under joint ownership and only two of the four are currently proposed to be in the overlay. We respectfully request that the two properties listed below and shown on the attached map are included in the overlay. Only a portion of the 5.5 acre parcel can be developed due to steep slopes.

Parcel Number - 020070084
Address - 1212 S JACKSON
Area (acres) - 1.48

Parcel Number - 02MAY0010
Address - MADISON WAY 1267 S
Area (acres) - 5.50

This will give us the opportunity to design a more cohesive development on a larger tract of land; resulting in more housing units.

Sincerely,

[Signature]

Amy Weiser, Project Manager
Business Resolutions, LLC

Real Estate Resolutions, LLC - Business Resolutions, LLC - Resolutions Property Management, LLC
P.O. Box 99, Moab, UT 84532
A regular meeting of the Grand County Planning Commission convened on the above date at the Grand County Courthouse, 125 E. Center St., Moab, UT 84532

Members Absent: Gerrish Willis, Abby Scott
Staff Present: Zacharia Levine and Kenny Gordon
Council Liaison: Terry Morse

Meeting was called to order at 5:00 pm by Robert O’Brien.

Citizens to be heard: None
Ex Parte Communication: None

Action Items:
Riley’s Roost (Preliminary Plat)
Review and consider application materials provided related to the proposed Riley’s Roost (Preliminary Plat). Staff recommends the Planning Commission forward a favorable recommendation to the County Council.

Kevin Walker moves to approve the proposed Riley’s Roost preliminary plat. Seconded by Emily Campbell. All in favor. Motion carries.

Discussion Item:
Zacharia Levine provides updates on the ongoing moratorium discussion.

Review the recently adopted temporary land use regulation prohibiting new overnight accommodations developments in unincorporated Grand County for a period of six (6) months.

Approval of Minutes: March 12, 2019: Emily Campbell, motion approve the March 12, 2019 meeting minutes with suggestions. Seconded by Kevin Walker. Vote, all were unanimous, motion carries.

Future Considerations:

Community Development Department Update: None.

County Council Liaison report: None.

Adjournment: Motion to adjourn meeting, all were unanimous. Adjourned at 6:15 pm.