GRAND COUNTY
Planning Commission
Tuesday, June 11, 2019
5:00 P.M. Regular Meeting
Grand County Courthouse
Council Chambers
125 E. Center St., Moab, Utah

<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>

**Regular Meeting**

5:00 PM

<table>
<thead>
<tr>
<th>Action Item</th>
<th>Approval of the May 28, 2019 Meeting Minutes</th>
<th>Chair</th>
</tr>
</thead>
</table>

Discussion Item

Citizens to be heard | Chair |

Discussion Item

Ex Parte Communications | Chair |

Public Hearing Action Item

Starbuck Subdivision High Density Housing (HDH) Overlay and Preliminary Plat applications | Staff |

Public Hearing Action Item

Viewgate Terrace High Density Housing (HDH) Overlay application | Staff |

Public Hearing Action Item

A proposed ordinance amending/removing use rights from all zones and/or overnight accommodations overlay for new/additional overnight accommodations developments, including Table 3.1 (Uses), Section 3.2 Use-Specific Standards, and Section 4.6 Overnight Accommodations Overlay District. | Staff |

Presentation / Discussion Item

Development possibilities on Kane Creek Blvd. | Craig Weston |

Discussion Item

Future considerations | Chair & Staff |

Discussion Item

County Council Update – Terry Morse | Council Liaison |

**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.
May 28, 2019

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 Present:** Chair Gerrish Willis, Vice Chair Abby Scott, Christine “Cricket” Green, Kevin Walker, Emily Campbell, and Rachel Nelson.

**Members Absent:** Robert O’Brien

**Staff Present:** Kenny Gordon, Grand County Attorney Christina Sloan

**Council Liaison:** Terry Morse

Meeting was called to order at 5:00 pm by Chair Gerrish Willis.

**Approval of Minutes:** May 14, 2019: Kevin Walker, motion approve the May 14, 2019 meeting minutes. Seconded by Abby Scott. Vote, 5 for and 0 against (Christine Green abstaining).

**Citizens to be heard:** None

**Ex Parte Communication:** None

**Action Items:**

Review and consider application materials provided to the planning commission related to the application of the HDH35b overlay to the subject parcel.

Staff agrees with other Development Review Team members that it is premature to send a favorable recommendation for the HDH35b overlay. Multiple questions have arisen regarding the capacity of the subject parcel to accommodate the level of development contemplated and made possible by an HDH35b overlay. With that in mind, Staff believes the subject parcel is in an appropriate location to accommodate higher density multi-family residential development—it is near the commercial core of Moab City and the proposed USU Moab campus, and it offers immediate access to US 191.

Will Hansen: Explanation of layout. Density is not been finalized. Would like the assurance of the HDH overlay to continue with project.

Kevin Walker, inquired about the HDH only being applied to a portion of the parcel.

Kenny Gordon, the HDH would be applied to the entire parcel.

Christina Sloan, advised against applying the overlay to a portion of the parcel. Overlay would apply to the whole property, specifics would be addressed in the Development Agreement.

Emily Campbell, had some concerns about approving an HDH overlay without further design being done.

Will Hansen, we would like the assured that comes with the approval of the HDH overlay. Not all of the parcel will be developable.

Abby Scott, asked if the developer has an estimate of how many units they would be looking to add.

Will Hansen, between 80-120 units, wishing to maintain the beauty of the area.

Emily Campbell points out that 168 units were listed on the application.

Gerrish Willis, closes public hearing and asks for a motion.

Christine Green moves to send a favorable recommendation to the County Council for applying the High Density Housing Overlay (HDH35b) to the parcel located at 1248 S. Hwy. 191, subject to applicant continuing to work with County to resolve concerns from development review team.

Seconded by Abby Scott. Abby Scott also asks for some clarification on the HDH application procedure.

Staff and Christina Sloan offer some clarification. Plats are not required at the time of HDH application.

Vote, 1 for (Christine Green) and 5 against. Motion denied.

Emily Campbell, moves to postpone action on the Viewgate Terrace High Density Housing Overlay – HDH35b application until the applicant has addressed the development issues/questions raised by the County’s Development Review Team and until submission of revised development agreement and topo information.
Seconded by Kevin Walker. Vote, 5 for and 1 against (Christine Green). Motion carries.

Discussion Items:

TLUR Discussion
Review of overlays and nonconforming, noncompliant properties.
Discuss current ordinance material provided by Landmark Design and direct staff to share comments/requested changes with the consultant ahead of a scheduled June 11, 2019 public hearing. At that public hearing, the ordinance language should be in the County’s standard form and as close as possible to the ordinance planning commission wants to review and recommend.

Rachel Moody, legal nonconforming uses are a nightmare. Property values would be stripped from some individuals. Worries about individuals who have Highway Commercial property who may have had plans to build overnight rentals. Believes that extra notification should be sent via direct mail.

Will Hansen, dangerous for a legislative body to begin dictating value. Hotel owners are aware of the employee problems Moab is facing.

Terry Morse, water is the critical problem. Figure out what we can do to decrease the problem moving forward.

Gerrish Willis are we fine with 1) “Remove Overnight Accommodation (OA) uses from all zone districts as a principal use.” All were unanimous. Amending existing OAO Map.

2) “Address how to deal with existing overnight accommodation uses, including hotels/motels, condos/townhomes, bed & breakfasts, and campgrounds.” Gerrish Willis & Rachel Nelson agree with overlays for hotels/motels, and condo/townhomes. Campgrounds should be legal nonconforming uses. Commission split on campground overlays.

Noticing Procedures
Review, Article 9.1 Common Procedure, from the Grand County Land Use Code.
Postponed from last meeting.

Gerrish Willis HDH noticing should be similar to zone change noticing.

Review Bylaws.
Discussion of the bylaw changes from prior meetings. Updates related to electronic participation and quorum requirements.

Future Considerations:

Community Development Department Update: None.

County Council Liaison report:: Terry Morse

Adjournment: Motion to adjourn meeting, all were unanimous. Adjourned at 8:00 pm.
Agenda Summary
GRAND COUNTY PLANNING COMMISSION
June 11, 2019

| TITLE: | Starbuck subdivision (High Density Housing Overlay – HDHO 5 and Preliminary Plat) |
| FISCAL IMPACT: | N/A |
| PRESENTER(S): | Community and Economic Development Staff |

**STATED MOTION:**

Motion 1: Move to send a favorable recommendation to the County Council for applying the High Density Housing Overlay (HDHO – 5) to the parcel at 1991 Starbuck Lane.

Motion 2: Move to approve the proposed preliminary plat for Starbuck subdivision HDHO Development contingent upon the following:
   a) The County Council approves the development agreement committing developer to the deed restriction requirements of Section 4.7 and applies the HDHO-5 to the subject parcels;
   b) The developer’s final plat and building design standards comply with all other requirements of Section 4.7 – High Density Housing Overlay.

**STAFF RECOMMENDATION:**

Review and consider application materials provided to the planning commission related to the proposed Starbuck subdivision. Staff recommends a favorable recommendation for the HDH 5 Overlay to be applied to the subject parcel. Staff also recommends approval of the Preliminary Plat, contingent upon the statements included in Motion 2 above. Approval of the Preliminary Plat does not constitute legislative action applying the HDH overlay to the subject parcel. The applicant will be required to seek legislative approval of the High Density Housing (HDH) overlay in order for the conditional Preliminary Plat approval to be valid if it is granted by Planning Commission.

**BACKGROUND:**

See staff report attached and below.

The applicant is seeking a Preliminary Plat approval of the Starbuck subdivision HDHO Development from the Planning Commission, contingent upon the High Density Housing (HDH) Approval from the Grand County Council. Planning Commission shall make recommendations on the two items separately. First, a recommendation should be made as to the legislative application of the HDHO 5 to the subject parcel. Second, Planning Commission shall review the Preliminary Plat application for Starbuck subdivision. Planning Commission shall express its approval of the Preliminary Plat as conditional approval and state
the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.

**ATTACHMENT[s]:**
- Preliminary Plat Application
- High Density Housing Application
- Applicant Statement
- Preliminary Plat
- Drainage Plan
- Agency Approval Letters
- Survey
- Title Report
- Application Fee
DATE: Tuesday, June 11, 2019

TO: Grand County Planning Commission

SUBJECT: Starbuck subdivision High Density Housing Overlay (HDH35b) and preliminary plat

PROPERTY OWNER: Route 46, LLC – Tim Keogh

PROP. OWNER REP: Tim Keogh

ENGINEER: Richardson Engineering, Glen Richardson

PROPERTY ADDRESS: 1991 E. Starbuck Lane

SIZE OF PROPERTY: 0.52 acres

EXISTING ZONE: Large Lot Residential (LLR), HDH5

EXISTING LAND USE: Residential (vacant)

ADJACENT ZONING AND LAND USE(S): Large Lot Residential (LLR). The subject parcel is located within the HDH5 area.

APPLICATION TYPE
High Density Housing Overlay (HDH5) Preliminary Plat (HDH)

STAFF RECOMMENDATION: Approve

Comments (optional): Click or tap here to enter text.

APPLICATION PROCEDURE

Decision Type: Legislative

Public Notices: ☐ Public Meeting at:

☐ Planning Commission
☐ County Council

Public Hearing at:

☒ Planning Commission
☒ County Council

Attachments:

☐ Approval Letters
☒ Site Plan
☐ Landscape Plan
☒ Vicinity Map
☒ Legal Notice

☒ Legal Description
☒ Public Comments
☒ Agency Comments
☐ Response to Standards
☐ Other:

SUMMARY OF REQUEST

The subject property is a 0.52 acre lot located in the Large Lot Residential (LLR) zone at 1991 E. Starbuck Lane. The developer is requesting application of the HDH5 overlay to their parcel. If granted, the developer proposes a subdivision comprised of 2 new lots ranging from 10,102 SF to 12,330 SF. In effect, the developer is requesting to combine the legislative and administrative components of the HDH Overlay process, which is allowed by code and acceptable to staff.

SITE IMPROVEMENTS / ADDITIONS / CHANGES

The subdivision would extend power, water, and sewer service to each lot.
CONSIDERATIONS FOR APPROVAL, DENIAL, AND/OR POSTPONEMENT

Article 4.7 HIGH DENSITY HOUSING (HDH) OVERLAY DISTRICT

4.7.1 Purpose.

A. Grand County has established a High Density Housing Overlay (HDHO) district to facilitate the provision of new housing units used for primary 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 the goals of the housing element of the County’s General Plan, and to implement the policies and goals of the housing element of the County’s General Plan.

B. These regulations are intended to encourage the development of new 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.

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.

Staff believes the developer’s narrative and proposed preliminary plat meet the legislative intent of the High Density Housing Overlay. Staff recommends planning commission forward a favorable recommendation of the HDH Overlay application and preliminary plat approval conditioned upon the comments below (and specified in the stated motion of the Agenda Summary).

4.7.5(C)

C. Property Development Standards. The following development standards shall apply to HDHO units in 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.

Staff believes that the general design of the subdivision meets the above standards.

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 following design standards shall apply to a development that utilizes the density increases allowed by this Article.

Staff has reviewed the proposed preliminary plat for compliance with the following.

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

There currently is no sidewalk along Starbuck Lane and no sidewalk is required else where.

b. Screening Requirements
The developer is not proposing anything that would require screening.

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 a different zoning district or 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.

   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.

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 islands are as follows:

   a. Landscaped parking lot islands shall be required 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. A minimum of one tree shall be provided for each island.

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

   d. 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. 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.

c. Building Exterior Façade Standards.

*These standards are to be reviewed at the time a building permit is requested. They are administrative requirements for development within an HDH Overlay.*

i. 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.

ii. 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.

d. 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 a HDHO district development. However, the building site area lot widths, and lot coverage percentages shall be designated on a site plan pursuant to Section 9.17 or preliminary plat pursuant to Section 9.4 approved by the Planning Commission.

*Two (2) new lots one, 10,102 SF and the other 12,330 SF, are proposed.*


*The proposed two units are within the limits allowed by the HDH 5 district.*

5. Building Height.
These standards are to be reviewed at the time a building permit is requested.

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 HDHO 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.

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.

The preliminary plat complies with all standards of Section 6.10.

7. Parking.

The proposed lot sizes will require a minimum of two (2) parking spaces for each lot.

i. Number of spaces required

a. 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. 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>
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<td>1.75 per dwelling unit</td>
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<tr>
<td>Three-bedroom and Larger</td>
<td></td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

ii. Parking design requirements

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

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

e. Uncovered surface parking may be permitted in the rear and side setbacks but is not permitted in the front or street-side setback.
f. Garages, carports, and individual locking storage units are subject to the setback standards outlined in Section 5.4.1.

g. 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. A HDHO unit is required to have and maintain those minimum standards of physical conditions set forth in Exhibit B - Minimum Standards.

*These standards are to be reviewed at the time a building permit is requested, and included in the deed restrictions attached to each lot’s title.*

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.

*Starbuck Lane is a County owned and maintained road with adequate right-of-way width.*

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.

*The developer has not proposed signage to date.*

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-unit phases the first phase must include at least 40 HDHO units.

*Due to there only being two (2) lots proposed both will need to be deed restricted in accordance with Section 4.7.*

### Article 7 Subdivision Standards

Staff has reviewed the preliminary plat application for subdivision standards not specified within the HDH Overlay or addressed above. The following findings are pertinent to planning commission’s review of the preliminary plat.

**Lighting:** The developer has not submitted a street lighting plan, or exterior lighting plans for the individual structures. The street lighting plan will be required prior to final plat approval and the exterior lighting plans for individual structures will be required at the time building permit applications are reviewed.

**Utility Easements:** The developer will need to designate acceptable public utility easements on the final plat.

**Fire Protection:** The Fire Department has provided initial feedback on the plan and supports the general subdivision layout.

**Water and Sewer:** See GWSSA will-serve letter. Final design specifications will occur prior to final plat review.

### COMPATABILITY WITH GENERAL PLAN

The proposed subdivision is not explicitly supported by the general plan, but it is supported by the HDH Overlay ordinance adopted by the County Council in January 2019. Inasmuch as Council anticipates adding the HDH Overlay to the General Plan as an amendment or complement to the Future Land Use Plan, the proposed subdivision is supported.

### COMPATABILITY WITH LAND USE CODE (ZONING)

The subject property is zoned Large Lot Residential (LLR), and is in the HDH5 Overlay zone. The developer is seeking legislative approval of the High Density Housing Overlay being applied to the subject parcel. Once the HDH overlay is
applied, the proposed preliminary plat will need to comply with all standards in Sections 4.7 and Articles 5, 6, 7, and 9.

LAND USE CODE REFERENCE SECTIONS
Section 3.1 Use Table

<table>
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<tr>
<th>Principal Uses by Zoning District</th>
<th>Use Category</th>
<th>Specific Use</th>
<th>RESIDENTIAL</th>
<th>NONRESIDENTIAL</th>
<th>Use-Specific Standards</th>
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<td>LLR</td>
<td>RR</td>
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<td>All other group living</td>
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<tr>
<th>4.7.4A</th>
<th>High Density Housing (HDH) District</th>
<th>Maximum Density</th>
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<tr>
<td>HDH 35a</td>
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<td>HDH 35b</td>
<td>35 units per acre</td>
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<td>HDH 25</td>
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<td>HDH 15</td>
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<td>HDH 10</td>
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<tr>
<td>HDH 5</td>
<td>5 units per acre</td>
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4.7.6 Assurance of primary residency and occupancy.
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 4.7 in perpetuity. The developer shall be required to enter into a development agreement with the County to ensure primary residential occupancy by actively employed households is maintained prior to recordation of final plat or issuance of a building permit for the applicable development. Each housing unit designated for primary restricted residential occupancy by an actively employed household (an HDHO unit) shall also include a deed restriction attached to its title in accordance with the standards set forth in this section. Grand County reserves the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit,
The developer has submitted a development agreement to the County, which is currently under review by the County Attorney. Application of the HDH-5 Overlay to the subject parcel is contingent upon the County Attorney’s and Council’s approval of the development agreement. Because a preliminary plat approval is contingent upon application of the HDH-5 Overlay, the development agreement will be part of the County Council’s review, and approval or denial. If the HDH-5 Overlay is approved and the Applicant is permitted to develop under the HDHO standards (as per the preliminary plat), each deed restricted lot shall be designated on the plat prior to final plat approval and recordation. Further, each deed restricted lot shall include such restriction on its chain of title in perpetuity.

In order to meet the minimum 80% deed restriction ratio, both of the proposed lots will need to be restricted HDHO lots.

PROPERTY HISTORY
The parcel is undeveloped.
PRELIMINARY PLAT APPLICATION
Grand County Courthouse: 125 E. Center St. Moab, UT 84532; Phone: (435)259-1343

FOR OFFICE USE ONLY
Date of Submittal:__________
Preliminary Plat Processing Fees: $550.00 for first five (5) lots x $125.00 per lot for each lot in excess of five lots
Submittal Received by:______ Fee Paid:_______ Fees Received by:__________________________

CONTACT INFORMATION
Property owner: Route 46 LLC
Address: ________________________________________________________________
Phone: __________________ cell: __________________ fax: __________________
Email address: __________________

Engineer: Richardson Eng.
Address: 6745 W. Red Hawkly Place, Morano AZ 85656
Phone: __________________ cell: 435-260-1789 fax: __________________
Email address: gerekgr@gmail.com

Property owner representative: Tim Keaah
Address: ________________________________________________________________
Phone: __________________ cell: __________________ fax: __________________
Email address: __________________

PROJECT INFORMATION
Project name: Starbuck Minor Subd.
General location of the property: 1381 East Starbuck Lane
Size of the subject property: 0.51 acres Number of lots: 2
Surrounding land uses: Residential
Current Zoning: LLR district
REQUIRED – Each of the following agencies will review for their ability to serve the proposed development through adequate existing and future easements, or provide a letter with detailed requirements for the proposed development. Applicants are encouraged to consult each of the following agencies prior to submitting a development application. Grand County Community and Economic Development staff will request approval letters or signatures from each agency after a complete application is submitted.

Moab Valley Fire Department
Grand County Road Supervisor
Grand Water and Sewer Service Agency
Rocky Mountain Power
FEMA Floodplain Administrator

SUPPORTING MATERIALS

Preliminary Plat applications shall contain, at a minimum, the following supporting materials through the approval process according to the following submittal schedule:

1. **APPLICATION SUBMISSION.** Two complete sets of all supporting materials shall be submitted with this application. These complete sets should include one large (24” x 36”) set as well as one electronic copy. If the plans are not approved as submitted, two corrected large sets of plans, one small set of plans, and one electronic copy of plans shall be submitted that comply with the Zoning Administrator’s approval. The preliminary plat shall be considered officially filed after application review fees which are established by resolution of the County Council have been paid and after it is examined and found to be in general compliance with the provisions of these regulations by the Zoning Administrator.

2. **PRIOR TO MEETING.** Revised sets of plans shall be submitted prior to the application being placed on a Planning Commission/County Council meeting, including an electronic file.

3. **POST MEETING.** If the revised sets of plans are not approved as submitted two corrected sets of plans shall be submitted that comply with the Planning Commission’s approval.

Preliminary Plat. A Preliminary Plat drawing will be required which shows accurate alignments, boundaries and monuments as certified by a land surveyor registered in Utah. Preliminary Plats shall be prepared at a scale no smaller than one (1) inch equals two hundred (200) feet. Plats of large areas may be prepared on multiple, serially numbered sheets with match lines and an index map. The vicinity and index maps shall appear on the first of the serially numbered sheets. The following data shall be included on the Preliminary Plat:

- **Boundary Lines and Bearings.** Boundary lines, bearings, and distances sufficient to locate the exact area proposed for subdivision. At least one (1) subdivision corner shall be referenced to a survey (abstract) corner. The area, in acres, of the subdivision shall also be shown.

- **Adjacent Subdivisions.** The name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in dotted lines adjacent to the tract proposed for subdivisions in sufficient detail to show actually the existing lots, streets, alleys and other features that may influence the layout and development of the proposed subdivisions. Where adjacent land is not subdivided, the name of the owner of the adjacent tract shall be shown.

- **Intersecting Streets.** The angle of intersection of the centerline of all intersecting streets.

- **Proposed Streets, Alleys and Easements.** The names, location and widths of all streets, alleys and easements proposed for the subdivision, and all known rights-of-way and/or easements within or affecting the area to be subdivided.

- **Proposed Blocks, Lots and Parks.** The subdivision shall show all proposed streets and alleys, easements, blocks, lots, parks, etc., with principal dimensions.

- **Contours.** Existing topographic contours at 5 foot intervals and all easements or rights-of-way necessary for drainage within or without the boundaries of the addition.

- **Subdivision Title and Planner.** The title under which the proposed subdivision is to be recorded, the name of the owner and the name of the engineer or land planner who prepared the plat.
- **Dedicated Parks, Playgrounds and Other Public Uses.** Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses.

**Scale, North Point**

1. Scale, north point, date and other pertinent data
2. The scale of the preliminary plat may be at one (1) inch equals 200 feet.
3. Name, address and telephone number
4. Property owner’s name, address, and telephone number.
5. Proposed layout of utilities
6. A proposed preliminary layout of sanitary sewer and water lines to serve the subdivision.

- **Proposed Land Uses.** A designation of the proposed uses of land within the subdivision and any zoning amendments proposed to be requested.

- **Vicinity Map.** A vicinity map on a smaller scale showing the proposed subdivision and its relationship to the surrounding area and County limits.

☐ **Preliminary Master Plan.** If the proposed subdivision is a portion of a tract that is later to be subdivided, then a tentative master plan of the entire subdivision shall be submitted with the preliminary plat of the portion first to be subdivided. The master subdivision plan shall conform in all respects to the requirements of the preliminary plat; except, it may be on a scale of not more than one (1) inch to 100 feet, or other staff-approved scale.

☐ **Title Report.** A preliminary title report from a licensed title company listing or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property, and of the preliminary plat.

☐ **Drainage Plan.** A drainage plan prepared and stamped by a licensed engineer shall be submitted. The report shall contain a drainage map and a plan view of the overall storm water system. The grading, drainage, and erosion plan shall address the following issues: description of features and hydrological conditions; drainage basin and sub-basin; drainage facility design criteria; infrastructure design criteria; grading plan and erosion control. Specifically, the report shall contain at a minimum the following information:

- The existing roadways, drainage ways, vegetation and hydrological conditions of a ten (10) year twenty-four (24) hour event and a one hundred (100) year twenty-four (24) hour event.
- The major basin descriptions referencing all major drainage reports such as FEMA, major drainage planning reports, or flood insurance maps and the basin characteristics and planned land uses.
- The sub-basin description showing the historical drainage pattern and off-site drainage patterns both upstream and downstream of the property.
- A general discussion of how the proposed system conforms to existing drainage patterns and offsite upstream drainage will be collected to protect development.
- The water quality evaluation showing the water quality shall not be degraded from existing storm water quality including how solids are collected and not allowed to be discharge into downstream waters and how oils and greases are separated from stormwater.
- Maintenance plan and procedure for storm water system; thorough narrative of all charts, graphs, tables or other information included in the report describing how it effects the proposed development.
- Infrastructure design criteria showing the piping is sized to handle the peak intensity of the ten (10) year storm event; all detention basins are sized to handle one hundred (100) year storm while discharging at a maximum ten (10) year twenty-four (24) hour historical rate; a ten (10) foot traffic lane in both directions is maintained at all locations within the development; and that the roadway and infrastructure will handle a one hundred (100) year storm event without flooding homes or damaging public property.
- Grading plan showing: soil map depicting unique soil features such as collapsible soil, rock features, etc.; a grading plan showing all cut and fill areas within development including: the identification of slopes; fill and cut depths; and rock features within ten (10) feet of post grade soil surface.
- The grading plan shall also show how the grades will allow water to run off of lot areas without ponding and creating flooding problems for homes.
- Erosion control shall show: how erosion will be controlled during construction; explain and design such that construction debris and silts will not be collected by storm water system; show and design for all cut and fill slopes will not be eroded and how these areas will be re-vegetated.
☐ Covenants, Conditions, Restrictions. Draft of any protective covenants where the subdivider proposes to regulate land use or development standards in the subdivision.

☐ Application Fee. The process / filing fee of $550.00 for first 5 lots then $125.00 per lot over 5 shall be paid in full.

APPLICANT CERTIFICATION

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Grand County Land Use Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, Planning Commission, or County Council or appointed agent(s) of the County to enter the subject property to make any necessary inspections thereof.

Property Owner’s Signature: ______________________ Date: 4-30-19
HIGH DENSITY HOUSING (HDH) OVERLAY APPLICATION
Grand County Courthouse: 125 E. Center St. Moab, UT 84532; Phone: (435) 259-1343

FOR OFFICE USE ONLY
Date of Submittal: ______ Application Processing Fees: $500.00
Submittal Received by: ____ Amount Paid: ______ Fees Received by: ____________

APPLICANTS ARE STRONGLY ENCOURAGED TO READ THROUGH SECTION 4.7 OF THE GRAND COUNTY LAND USE CODE AND MEET WITH STAFF PRIOR TO SUBMITTING AN APPLICATION TO RECEIVE THE HIGH DENSITY HOUSING (HDH) OVERLAY. APPROVAL OF AN HDH OVERLAY APPLICATION DOES NOT CONSTITUTE A PRELIMINARY PLAT, FINAL PLAT, OR SITE PLAN APPROVAL.

CONTACT INFORMATION
Property owner: Route 46, LLC — Tim Keogh
Address: [Redacted]
Phone: [Redacted] cell: [Redacted] fax: [Redacted]
Email address: [Redacted]

Engineer (if applicable): Richardson Eng., Glen Richardson
Address: 6775 W. Red Hawk Place, Moab, AZ 85658
Phone: [Redacted] cell: 435-260-1789 fax: [Redacted]
Email address: gerengro@gmail.com

Property owner representative (if applicable): Tim Keogh
Address: [Redacted]
Phone: [Redacted] cell: [Redacted] fax: [Redacted]
Email address: [Redacted]

PROJECT INFORMATION
Project name: Starbucks Minor Judd
General location of the property: 1391 East Starbucks Lane
Underlying Zoning: UFR district
Surrounding land uses: Residential
Size of property: 0.52 acres
Number of lots/units proposed: 2 (for sale) ______ (for rent)
Number of deed restricted HDHO units proposed: 2 (for sale) ______ (for rent)
REQUIRED – Each of the following agencies will review for their ability to serve the proposed development through adequate existing and future easements, or provide a letter with detailed requirements for the proposed development. Applicants are encouraged to consult each of the following agencies prior to submitting a development application. Grand County Community and Economic Development staff will request approval letters or signatures from each agency after a complete application is submitted.

Moab Valley Fire Department
Grand County Road Supervisor
Grand Water and Sewer Service Agency
Rocky Mountain Power
FEMA Floodplain Administrator

SUPPORTING MATERIALS
Approvals of the High Density Housing (HDH) Overlay are considered legislative, discretionary decisions. They are reviewed in public hearings by the Planning Commission and County Council, with the County Council serving as the final land use authority (i.e. final decision-making authority). Approval of an HDH Overlay application DOES NOT constitute a preliminary plat, final plat, or site plan approval. HDH Overlay applications shall contain, at a minimum, the following supporting materials through the approval process according to the following submittal schedule:

☐ Survey. The applicant shall submit a certified survey of land area to be rezoned. Such survey map shall require at a minimum the following information:
  1. Subject land area acreage
  2. Adjacent uses and predominant uses in the vicinity
  3. Existing zoning designation of the subject property and surrounding properties.
  4. A vicinity map.

☐ Applicant Statement. A statement by the Applicant explaining how the proposed High Density Housing Development meets the legislative intent and established standards of Section 4.7 of the Grand County LUC. In making its determination, the County Council shall consider the recommendation of the Planning Commission, staff reports, and the written and oral testimony presented.

☐ Development Agreement. The Applicant shall provide and enter into a development agreement with the County establishing the proposed means for assuring the continuing existence, maintenance and operation of the HDH development in compliance with standards set forth in Section 4.7 of the Grand County LUC.

☐ Title Report. A preliminary title report from a licensed title company listing or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property, and of the preliminary plat.

☐ Covenants, Conditions, Restrictions. Draft of any protective covenants where the developer/subdivider proposes to regulate land use or development standards in the subdivision.
☐ **Taxes.** A statement from the County treasurer showing the status of all current taxes due on the parcel.

☐ **Surrounding Property Owners.** A list of surrounding property owners and their legal mailing addresses within 100 feet of the exterior boundary of the parcel proposed to be rezoned.

☐ **Posting.** The Applicant is responsible for posting a sign noticing the public hearings. The Community and Economic Development Department will provide the physical signs. The Applicant is responsible for wind and water proofing the sign as well as placing it in a prominent place within the front setback of each street to which the proposed subdivision fronts. The public hearing notices shall be posted at least 10 days prior to the public hearings and remain in place until the public hearing is completed.

☐ **Application Fee.** The process / filing fee of $500.00 shall be paid in full.

**APPLICANT CERTIFICATION**

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Grand County Land Use Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, or County appointed agent(s) of the County to enter the subject property to make any necessary inspections thereof.

Property Owner's Signature: [Signature] Date: 5/2/19

State of Utah  
) SS  
County of Grand  )

SUBSCRIBED AND SWORN to and before me this ____________ day of ________, 20_______
April 30, 2019

Mr. Kenny Gordon
Grand County P & Z Administrator
125 East Center St.
Moab, UT 84532

RE: Starbuck Subd pre plat

Dear Kenny,

Herewith please find the submittal for our subdivision of 1991 Starbuck Lane, a 0.52 acre vacant parcel, which we propose dividing into the two lots as depicted on the attached preliminary plat(s).

Our proposed subdivision will use the recently adopted High Density Housing overlay to accomplish two residential lots that will be restricted to buyers living and working in Moab, all as prescribed in the plan. The subject property lies within an area specified in the plan as up to five units per acre. Our parcel, slightly above 1/2 acres, thus qualifies for two units when rounded down from 2.5.

We are pleased to be able to assist in providing housing to workers here in Moab, both in the near term and for years into the future. Please make us aware of any additional information you may be in need of.

Regards,

[Signature]

Timothy M. Keogh
Route 46, LLC
NOTES
1. CONTINUOUS HEREIN FROM GRAND COUNTY L.C.S.
2. TITLE INFORMATION PROVIDED BY AMERICAN-OXYGEN TILCO (TILE NUMBER YARDS).
3. THE PROPERTY IS LOCATED IN THE GRAND COUNTY 1964 EDIC (TIL). THE BOUNDARIES OF
   CORNER LOT ARE SHOWN AS REFLECTED ON THIS PLAN.
4. ZONING FOR THE SUBJECT PROPERTY AND ALL SURROUNDING PROPERTIES IS GRAND COUNTY U.L.A.
5. THIS PROPERTY, AND ALL SURROUNDING PARCELS, ARE ZONED AND USED AS RESIDENTIAL.
6. TAXES ARE CURRENT FOR THE SUBJECT PROPERTY WITH TAXES FOR 2022 ACCORDING AND ONE IN 2023, 2024.

LEGAL DESCRIPTION
DESCRIPTION OF A PARCEL OF LAND WITHIN THE SE1/4 OF SECTION 17, T 26 S, R 22 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH BEARS N 89° 20' W 693.5 FT. FROM THE CENTER LINE CORNER OF SEC. 17, T 26 S, R 22 E, SLM, AND PROCEEDING THENCE N 89° 20' E 107.25 FT., THENCE SOUTH 200.0 FT., THEN N 89° 20' W 107.25 FT., THENCE NORTH 209.0 FT. TO THE POINT OF BEGINNING AND CONTAINING 0.515 ACRES, MORE OR LESS.
Preliminary Drainage Analysis
Straruck Subdivision

Scope of Project:

This document is presented as the Preliminary Drainage Analysis for a .52 acre property in Spanish Valley that is to be split into two lots. The subject property and the two proposed lots are illustrated on the attached drawing titled “Star buck Minor Subdivision”. The lots are identified as Lot 1 & Lot 2.

Project Narrative:

The drainage analysis for each lot was done with Hydrocad software using the standards set by the “Grand County Design Criteria for Drainage Studies Within Spanish Valley”.

- 100 year rainfall of 2.82" for 24 hours per the standard
- Runoff for the improved lots limited to .3 cfs per acre per the standard
  - equates to .07 cfs for Lot 1
  - equates to .08 cfs for Lot 2
- Runoff coefficient of .98 for impervious surfaces
- Runoff coefficient of .74 for grass area
- Lot sizes as noted on the subdivision drawing
- Anticipated impervious improvements of 3,000 sq. ft. fpr each lot

Results – Lot 1

A nine page Hydrocad report for Lot 1 follows this page.

Page number 7 of the report documents that the peak runoff occurs at 11.96 hours into the storm with a peak runoff of .49 cfs if not detained.

Page 8 documents that the rate of runoff can be reduced to .03 cfs via the creation of a detention basin having an 8’ x 10’ base, sloping sides with a 3 to 1 slope, a maximum pool depth of 2’, and a 1” diameter outflow pipe. The .03 output is below the required maximum of .07 cfs for Lot 1.

The basin design presented is for illustration only to show the approximate size of basin required. It can be modified as desired to fit the lot terrain and the location of the improvement on the property.
Results – Lot 2

A nine page Hydrocad report for Lot 2 follows the Lot 1 report..

Page number 7 of the report documents that the peak runoff occurs at 11.96 hours into the storm with a peak runoff of .56 cfs if not detained.

Page 8 documents that the rate of runoff can be reduced to .03 cfs via the creation of a detention basin having an 10’ x 10’ base, sloping sides with a 3 to 1 slope, a maximum pool depth of 2’, and a 1” diameter outflow pipe. The .03 output is below the required maximum of .08 cfs for Lot 2.

The basin design presented is for illustration only to show the approximate size of basin required. It can be modified as desired to fit the lot terrain and the location of the improvement on the property.

Certified by: Glen E. Richardson, P.E., Utah License 7976426-2202

Attachments:

1. Starbuck Minor Subdivision drawing
2. Hydrocad analysis report for Lot 1
3. Hydrocad analysis report for Lot 2
4. Spanish Valley Average Precipitation Intensity/Duration/Frequency data
1S

Starbuck Lot 1

3P

(new Pond)
### Starbuck Lot 1

Area Listing (all nodes)

<table>
<thead>
<tr>
<th>Area (acres)</th>
<th>CN</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.163</td>
<td>74</td>
<td>&gt;75% Grass cover, Good, HSG C (1S)</td>
</tr>
<tr>
<td>0.069</td>
<td>98</td>
<td>Impervious roof &amp; paving (1S)</td>
</tr>
<tr>
<td>0.232</td>
<td>81</td>
<td>TOTAL AREA</td>
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</tbody>
</table>
## Soil Listing (all nodes)

<table>
<thead>
<tr>
<th>Area (acres)</th>
<th>Soil Group</th>
<th>Subcatchment Numbers</th>
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<tbody>
<tr>
<td>0.000</td>
<td>HSG A</td>
<td></td>
</tr>
<tr>
<td>0.000</td>
<td>HSG B</td>
<td></td>
</tr>
<tr>
<td>0.163</td>
<td>HSG C</td>
<td>1S</td>
</tr>
<tr>
<td>0.000</td>
<td>HSG D</td>
<td></td>
</tr>
<tr>
<td>0.069</td>
<td>Other</td>
<td>1S</td>
</tr>
<tr>
<td>0.232</td>
<td>TOTAL AREA</td>
<td></td>
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## Ground Covers (all nodes)

<table>
<thead>
<tr>
<th>HSG-A (acres)</th>
<th>HSG-B (acres)</th>
<th>HSG-C (acres)</th>
<th>HSG-D (acres)</th>
<th>Other (acres)</th>
<th>Total (acres)</th>
<th>Ground Cover</th>
<th>Subcatchment Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.163</td>
<td>0.000</td>
<td>0.000</td>
<td>0.163</td>
<td>&gt;75% Grass cover, Good</td>
<td>1S</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
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<td>0.069</td>
<td>0.069</td>
<td>Impervious roof &amp; paving</td>
<td>1S</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.163</td>
<td>0.000</td>
<td>0.069</td>
<td>0.232</td>
<td>TOTAL AREA</td>
<td></td>
</tr>
</tbody>
</table>
### Pipe Listing (all nodes)

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<tr>
<th>Line#</th>
<th>Node</th>
<th>In-Invert (feet)</th>
<th>Out-Invert (feet)</th>
<th>Length (feet)</th>
<th>Slope (ft/ft)</th>
<th>n</th>
<th>Diam/Width (inches)</th>
<th>Height (inches)</th>
<th>Inside-Fill (inches)</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>3P</td>
<td>100.00</td>
<td>99.50</td>
<td>5.0</td>
<td>0.1000</td>
<td>0.011</td>
<td>1.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>
Starbuck Lot 1

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Starbuck Lot 1
Runoff Area=10,102 sf  29.70% Impervious  Runoff Depth>1.07"
Tc=5.0 min  CN=81  Runoff=0.49 cfs  0.021 af

Pond 3P: (new Pond)
Peak Elev=101.94' Storage=445 cf  Inflow=0.49 cfs  0.021 af
1.0" Round Culvert  n=0.011  L=5.0'  S=0.100 '"  Outflow=0.03 cfs  0.019 af

Total Runoff Area = 0.232 ac  Runoff Volume = 0.021 af  Average Runoff Depth = 1.07"
70.30% Pervious = 0.163 ac  29.70% Impervious = 0.069 ac
Summary for Subcatchment 1S: Starbuck Lot 1

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.49 cfs @ 11.96 hrs, Volume = 0.021 af, Depth > 1.07"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs
Type II 24-hr Rainfall = 2.82"

<table>
<thead>
<tr>
<th>Area (sf)</th>
<th>CN</th>
<th>Description</th>
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<tbody>
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<td>Impervious roof &amp; paving</td>
</tr>
<tr>
<td>10,102</td>
<td>81</td>
<td>Weighted Average</td>
</tr>
<tr>
<td>7,102</td>
<td></td>
<td>70.30% Pervious Area</td>
</tr>
<tr>
<td>3,000</td>
<td></td>
<td>29.70% Impervious Area</td>
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</table>

<table>
<thead>
<tr>
<th>Tc (min)</th>
<th>Length (feet)</th>
<th>Slope (ft/ft)</th>
<th>Velocity (ft/sec)</th>
<th>Capacity (cfs)</th>
<th>Description</th>
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<tbody>
<tr>
<td>5.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Direct Entry,</td>
</tr>
</tbody>
</table>

Subcatchment 1S: Starbuck Lot 1

Hydrograph

Type II 24-hr Rainfall = 2.82"
Runoff Area = 10,102 sf
Runoff Volume = 0.021 af
Runoff Depth > 1.07"
Tc = 5.0 min
CN = 81
Summary for Pond 3P: (new Pond)

Inflow Area = 0.232 ac, 29.70% Impervious, Inflow Depth > 1.07"
Inflow = 0.49 cfs @ 11.96 hrs, Volume= 0.021 af
Outflow = 0.03 cfs @ 12.89 hrs, Volume= 0.019 af, Atten= 94%, Lag= 55.9 min
Primary = 0.03 cfs @ 12.89 hrs, Volume= 0.019 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Peak Elev= 101.94' @ 12.89 hrs   Surf.Area= 424 sf   Storage= 445 cf

Plug-Flow detention time= 164.7 min calculated for 0.019 af (91% of inflow)
Center-of-Mass det. time= 133.7 min (930.1 - 796.4)

<table>
<thead>
<tr>
<th>Volume</th>
<th>Invert</th>
<th>Avail.Storage</th>
<th>Storage Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>100.00'</td>
<td>472 cf</td>
<td>8.00'W x 10.00'L x 2.00'H Prismatoid Z=3.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Device</th>
<th>Routing</th>
<th>Invert</th>
<th>Outlet Devices</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>Primary</td>
<td>100.00'</td>
<td>1.0&quot; Round Culvert L= 5.0' Ke= 0.700</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inlet / Outlet Invert= 100.00' / 99.50' S= 0.1000 '/' Cc= 0.900</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>n= 0.011, Flow Area= 0.01 sf</td>
</tr>
</tbody>
</table>

Primary OutFlow Max=0.03 cfs @ 12.89 hrs HW=101.94' (Free Discharge)
*1=Culvert (Barrel Controls 0.03 cfs @ 5.63 fps)

Pond 3P: (new Pond)

Hydrograph

Inflow Area=0.232 ac
Peak Elev=101.94'
Storage=445 cf

Round Culvert
n=0.011
L=5.0'
S=0.1000 '/'
1S
Starbuck Lot 2
3P
(new Pond)
### Area Listing (all nodes)

<table>
<thead>
<tr>
<th>Area (acres)</th>
<th>CN</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.210</td>
<td>74</td>
<td>&gt;75% Grass cover, Good, HSG C (1S)</td>
</tr>
<tr>
<td>0.069</td>
<td>98</td>
<td>Impervious roof &amp; paving (1S)</td>
</tr>
<tr>
<td>0.279</td>
<td>80</td>
<td>TOTAL AREA</td>
</tr>
</tbody>
</table>
# Soil Listing (all nodes)

<table>
<thead>
<tr>
<th>Area (acres)</th>
<th>Soil Group</th>
<th>Subcatchment Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.000</td>
<td>HSG A</td>
<td></td>
</tr>
<tr>
<td>0.000</td>
<td>HSG B</td>
<td></td>
</tr>
<tr>
<td>0.210</td>
<td>HSG C</td>
<td>1S</td>
</tr>
<tr>
<td>0.000</td>
<td>HSG D</td>
<td></td>
</tr>
<tr>
<td>0.069</td>
<td>Other</td>
<td>1S</td>
</tr>
<tr>
<td>0.279</td>
<td></td>
<td>TOTAL AREA</td>
</tr>
<tr>
<td></td>
<td>HSG-A (acres)</td>
<td>HSG-B (acres)</td>
</tr>
<tr>
<td>--------</td>
<td>---------------</td>
<td>---------------</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.210</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
<td>0.210</td>
</tr>
<tr>
<td>Line#</td>
<td>Node Number</td>
<td>In-Invert (feet)</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>------------------</td>
</tr>
<tr>
<td>1</td>
<td>3P</td>
<td>100.00</td>
</tr>
</tbody>
</table>
Starbuck Lot 2

Prepared by {enter your company name here}

Type II 24-hr Rainfall=2.82" 

HydroCAD® 10.00-24 s/n 10768 © 2018 HydroCAD Software Solutions LLC 

Page 6

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Starbuck Lot 2
Runoff Area=12,145 sf  24.70% Impervious  Runoff Depth>1.02"
Tc=5.0 min  CN=60  Runoff=0.56 cfs  0.024 af

Pond 3P: (new Pond)
Peak Elev=101.97'  Storage=523 cf  Inflow=0.56 cfs  0.024 af
1.0" Round Culvert  n=0.011  L=5.0'  S=0.1000 'f'  Outflow=0.03 cfs  0.020 af

Total Runoff Area = 0.279 ac  Runoff Volume = 0.024 af  Average Runoff Depth = 1.02"
75.30% Pervious = 0.210 ac  24.70% Impervious = 0.069 ac
Summary for Subcatchment 1S: Starbuck Lot 2

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.56 cfs @ 11.96 hrs, Volume = 0.024 af, Depth > 1.02"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs
Type II 24-hr Rainfall = 2.82"

<table>
<thead>
<tr>
<th>Area (sf)</th>
<th>CN</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,145</td>
<td>74</td>
<td>&gt;75% Grass cover, Good, HSG C</td>
</tr>
<tr>
<td>3,000</td>
<td>98</td>
<td>Impervious rooftop &amp; paving</td>
</tr>
<tr>
<td>12,145</td>
<td>80</td>
<td>Weighted Average</td>
</tr>
<tr>
<td>9,145</td>
<td></td>
<td>75.30% Pervious Area</td>
</tr>
<tr>
<td>3,000</td>
<td></td>
<td>24.70% Impervious Area</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tc</th>
<th>Length</th>
<th>Slope</th>
<th>Velocity</th>
<th>Capacity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Direct Entry,</td>
</tr>
</tbody>
</table>

Direct Entry,

Subcatchment 1S: Starbuck Lot 2

Hydrograph

Type II 24-hr Rainfall = 2.82"
Runoff Area = 12,145 sf
Runoff Volume = 0.024 af
Runoff Depth > 1.02"
Tc = 5.0 min
CN = 80
Summary for Pond 3P: (new Pond)

Inflow Area = 0.279 ac, 24.70% Impervious, Inflow Depth > 1.02"
Inflow = 0.56 cfs @ 11.96 hrs, Volume= 0.024 af
Outflow = 0.03 cfs @ 13.10 hrs, Volume= 0.020 af, Atten= 94%, Lag= 68.1 min
Primary = 0.03 cfs @ 13.10 hrs, Volume= 0.020 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Peak Elev= 101.97' @ 13.10 hrs Surf.Area= 477 sf Storage= 523 cf

Plug-Flow detention time= 189.2 min calculated for 0.020 af (83% of inflow)
Center-of-Mass det. time= 139.4 min (938.2 - 798.9)

<table>
<thead>
<tr>
<th>Volume</th>
<th>Invert</th>
<th>Avail.Storage</th>
<th>Storage Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1</td>
<td>100.00'</td>
<td>536 cf</td>
<td>10.00&quot;W x 10.00&quot;L x 2.00&quot;H Prismatoid Z=3.0</td>
</tr>
</tbody>
</table>

Device Routing Invert Outlet Devices

<table>
<thead>
<tr>
<th>#1</th>
<th>Primary</th>
<th>100.00'</th>
<th>1.0&quot; Round Culvert</th>
<th>L= 5.0'</th>
<th>Ke= 0.700</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inlet / Outlet Invert= 100.00' / 99.50' S= 0.1000 '/' Cc= 0.900</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>n= 0.011, Flow Area= 0.01 sf</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Primary OutFlow Max= 0.03 cfs @ 13.10 hrs HW= 101.97' (Free Discharge)
Culvert (Barrel Controls 0.03 cfs @ 5.67 fps)

Pond 3P: (new Pond)

Hydrograph

Inflow Area= 0.279 ac
Peak Elev= 101.97'
Storage= 523 cf

1.0"

Round Culvert
n= 0.011
L= 5.0'
S= 0.1000 '/'
Table 2-2: Spanish Valley Average Precipitation Depth/Duration/Frequency.

<table>
<thead>
<tr>
<th>ARI (years)</th>
<th>5 min</th>
<th>10 min</th>
<th>15 min</th>
<th>30 min</th>
<th>60 min</th>
<th>2 hr</th>
<th>3 hr</th>
<th>6 hr</th>
<th>12 hr</th>
<th>24 hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.11</td>
<td>0.17</td>
<td>0.21</td>
<td>0.28</td>
<td>0.35</td>
<td>0.43</td>
<td>0.48</td>
<td>0.60</td>
<td>0.74</td>
<td>0.93</td>
</tr>
<tr>
<td>2</td>
<td>0.14</td>
<td>0.22</td>
<td>0.27</td>
<td>0.36</td>
<td>0.44</td>
<td>0.55</td>
<td>0.60</td>
<td>0.75</td>
<td>0.93</td>
<td>1.17</td>
</tr>
<tr>
<td>5</td>
<td>0.19</td>
<td>0.29</td>
<td>0.36</td>
<td>0.49</td>
<td>0.60</td>
<td>0.73</td>
<td>0.79</td>
<td>0.95</td>
<td>1.16</td>
<td>1.47</td>
</tr>
<tr>
<td>10</td>
<td>0.24</td>
<td>0.36</td>
<td>0.45</td>
<td>0.60</td>
<td>0.75</td>
<td>0.91</td>
<td>0.96</td>
<td>1.13</td>
<td>1.36</td>
<td>1.74</td>
</tr>
<tr>
<td>25</td>
<td>0.31</td>
<td>0.47</td>
<td>0.59</td>
<td>0.79</td>
<td>0.98</td>
<td>1.21</td>
<td>1.24</td>
<td>1.41</td>
<td>1.65</td>
<td>2.13</td>
</tr>
<tr>
<td>50</td>
<td>0.37</td>
<td>0.57</td>
<td>0.71</td>
<td>0.95</td>
<td>1.18</td>
<td>1.48</td>
<td>1.52</td>
<td>1.65</td>
<td>1.90</td>
<td>2.45</td>
</tr>
<tr>
<td>100</td>
<td>0.45</td>
<td>0.69</td>
<td>0.85</td>
<td>1.14</td>
<td>1.42</td>
<td>1.81</td>
<td>1.85</td>
<td>1.95</td>
<td>2.17</td>
<td>2.82</td>
</tr>
</tbody>
</table>

Table 2-3: Spanish Valley Average Precipitation Intensity/Duration/Frequency.

<table>
<thead>
<tr>
<th>ARI (years)</th>
<th>5 min</th>
<th>10 min</th>
<th>15 min</th>
<th>30 min</th>
<th>60 min</th>
<th>2 hr</th>
<th>3 hr</th>
<th>6 hr</th>
<th>12 hr</th>
<th>24 hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1.34</td>
<td>1.01</td>
<td>0.83</td>
<td>0.57</td>
<td>0.35</td>
<td>0.22</td>
<td>0.16</td>
<td>0.10</td>
<td>0.06</td>
<td>0.04</td>
</tr>
<tr>
<td>2</td>
<td>1.71</td>
<td>1.29</td>
<td>1.07</td>
<td>0.72</td>
<td>0.44</td>
<td>0.27</td>
<td>0.20</td>
<td>0.12</td>
<td>0.08</td>
<td>0.05</td>
</tr>
<tr>
<td>5</td>
<td>2.30</td>
<td>1.74</td>
<td>1.44</td>
<td>0.97</td>
<td>0.60</td>
<td>0.37</td>
<td>0.26</td>
<td>0.16</td>
<td>0.10</td>
<td>0.06</td>
</tr>
<tr>
<td>10</td>
<td>2.82</td>
<td>2.16</td>
<td>1.79</td>
<td>1.21</td>
<td>0.75</td>
<td>0.45</td>
<td>0.32</td>
<td>0.19</td>
<td>0.11</td>
<td>0.07</td>
</tr>
<tr>
<td>25</td>
<td>3.72</td>
<td>2.83</td>
<td>2.34</td>
<td>1.58</td>
<td>0.98</td>
<td>0.60</td>
<td>0.41</td>
<td>0.24</td>
<td>0.14</td>
<td>0.09</td>
</tr>
<tr>
<td>50</td>
<td>4.47</td>
<td>3.41</td>
<td>2.82</td>
<td>1.90</td>
<td>1.18</td>
<td>0.74</td>
<td>0.51</td>
<td>0.28</td>
<td>0.16</td>
<td>0.10</td>
</tr>
<tr>
<td>100</td>
<td>5.40</td>
<td>4.12</td>
<td>3.40</td>
<td>2.29</td>
<td>1.42</td>
<td>0.90</td>
<td>0.62</td>
<td>0.32</td>
<td>0.18</td>
<td>0.12</td>
</tr>
</tbody>
</table>

2.5.1 Time of Concentration

Several different methods and equations may be used to determine the time of concentration of a watershed. Some equations, such as the NRCS lag equation, are calibrated for the entire watershed; whereas, other methods include the summation of the travel time for sheet flow, shallow concentrated flow, and open channel flow along the principal flow path. The designer shall select the appropriate methods and equations for the flow path and design approach used.

When computing the travel time along natural channels, the channel shall be approximated as trapezoidal. Values of Manning’s n to be used for natural channels and floodplains shall be obtained from Hydraulic Design Series No. 3 – Design Charts for Open Channel Flow. Note that the average slope for a natural stream shall exclude the influence of short drops or rapid flow sections. In natural alluvial streams, flow velocity does not exceed critical velocity except at control sections. These control sections are usually limited in extent and represented by riffles, cascades, and waterfalls. Within the Spanish Valley, these control sections can be identified by rock outcrops within the channels. After an initial analysis, it may be necessary to revise the Manning’s n and channel slope along the natural channel flow path to reduce the velocity to a maximum of critical velocity. The NRCS lag equation is not influenced by
Grand Water & Sewer Service Agency
3025 E Spanish Trail Rd. PO Box 1046 Moab, Utah 84532
435-259-8121 telephone 435-259-8122 fax

Request for Culinary Water and/or Sewer Service

Date: May 14, 2019

Property Owner: Route 46, LLC
Mailing Address: 1127 Bonita
City: Moab State: Utah Zip: 84532
Telephone: (435) 220-1135
E-mail: timkeoghco@gmail.com
Contact Person (if different): 
Contact Phone: 

Service Address: 1991 East Starbuck Ln.
Parcel Number: 020170163
Number of Units: 2
Expected Date of Completion: 11/1/2019

Requested Services: ☑ Water & Sewer ☐ Water Only ☐ Sewer Only
Project Type: ☑ Residential ☐ Commercial ☐ Industrial
Type of Business: 

Meter Size Requested: ☑ 5/8" x 3/4" ☐ 1" ☐ 1.5" ☐ 2" ☐ Other

Important Information:
~ Include Site Plan with request
~ Enclose fee per Agency Will Serve Policy
~ All connections shall be made in accordance with Agency Connection Procedures
~ See Agency Will Serve Policy for important expiration information and limitations.
~ See Agency Fee Schedule for applicable rates and fees

We will be installing an 8" line in Starbuck Lane 2019 fall.

Encroachment Permit Needed (circle one): YES NO
Easement Survey Needed (circle one): YES NO

GWSSA Use Only
Number of Pages: 

Approved: ☑ Yes ☐ No
Authorized Signature:
Date Paid: May 14, 2019
Amount Paid: $80.00
Check #: 1652
Account #: 135501
Letter Expiration Date: May 14, 2020

Will Serve Policy adopted 12/7/06, amended 5/6/07 and 12/8/11
LEGAL DESCRIPTION

DESCRIPTION OF A PARCEL OF LAND WITHIN THE SE1/4 OF SECTION 17, T 26 S, R 22 E, SL, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH BEARS N 89° 20' E 893.5 FT. FROM THE CENTER CORNER OF SEC. 17, T 26 S, R 22 E, SL, AND PROCEEDING THENCE N 89° 20' E 107.25 FT., THENCE SOUTH 209.0 FT., THENCE S 89° 20' W (RECORD=5° 89° 52' W) 107.25 FT., THENCE NORTH 209.0 FT. TO THE POINT OF BEGINNING AND CONTAINING 0.515 ACRES, MORE OR LESS.

SURVEYORS CERTIFICATE

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, HOLDING CERTIFICATE NO. 171004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE OWNER I HAVE PREPARED THE MAP AND LEGAL DESCRIPTION HEREON.

DATE: 4-19-19
TIMOTHY M. KEOGH

Keogh Land Surveying
45 East Center Street
Moab, Utah, 84532

A PlAT OF
PARCEL 02-0017-0163
1991 East Starbuck Lane,
In The SE1/4 Section 17, T 26 S, R 22 E, SL,
Grand County, Utah

PreParEd For
ROUTE 46, LLC.

Date: 4-19-19
Drawn By: TMK
Checked By: TMK

Scale: 1"=40'
F.B./# N/A
STARBUCK.DWG
April 15, 2019

Lenore Beeson  
Byrd & Co.  
Via email: Lenore@moabbyrdco.com  
Via email: info@moabbyrdco.com

Danette Johnson  
Moab Realty  
Via email: Danetteinmoab@aol.com

Re: File No. 11929  
Ross-Martinez and Martinez to Route 46 LLC  
1991 East Starbuck Lane, Moab, Utah 84532

Dear Folks:

In the above matter I attach the Commitment for Title Insurance that you requested. If you have any questions, or need additional copies of anything, please let us know. Renae will be the Escrow Officer for this file. She can be reached directly at the above Moab address or Renae@agtitle.com. We look forward to assisting you with your real estate transaction. Thanks for the order.

Very truly yours,

Glenna Oliver

Attachments
ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned by:

Authorized Countersignature

Anderson-Oliver Title Insurance Agency, Inc.
94 E. Grand Ave.
Moab, UT 84532
(435) 259-3000

Matt Morris
President and CEO

Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

This page is only a part of a 2018 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice, the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 11629
ALTA Commitment For Title Insurance 8-1-16 (4-2-18)
Page 1 of 3
COMMITTMENT CONDITIONS

1. DEFINITIONS
   (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
   (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insurred by the Policy.
   (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
   (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
   (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
   (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
   (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
   (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company’s liability and obligation is limited by and this Commitment is not valid without:
   (a) the Notice;
   (b) the Commitment to Issue Policy;
   (c) the Commitment Conditions;
   (d) Schedule A;
   (e) Schedule B, Part I - Requirements;
   (f) Schedule B, Part II - Exceptions; and
   (g) a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND
   The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY
   (a) The Company’s liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company’s delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured’s good faith reliance to:
      (i) comply with the Schedule B, Part I - Requirements;
      (ii) eliminate, with the Company’s written consent, any Schedule B, Part II - Exceptions; or
      (iii) acquire the Title or create the Mortgage covered by this Commitment.
   (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
   (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
(d) The Company’s liability shall not exceed the lesser of the Proposed Insured’s actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.

(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.

(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.

(g) In any event, the Company’s liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.

(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

(d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.

(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.

(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company’s only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company’s agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company’s agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is $2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWART TITLE GUARANTY COMPANY

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.
ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Transaction Identification Data for reference only:

Issuing Agent: Anderson-Oliver Title Insurance Agency, Inc.
Issuing Office: 94 E. Grand Ave., Moab, UT 84532
Issuing Office’s ALTA® Registry ID: N/A
Loan ID Number:
Commitment Number: 11929
Issuing Office File Number: 11929
Property Address: 1991 Starbuck Lane, Moab, UT 84532
Revision Number:

1. Commitment Date: April 04, 2019 at 8:00 A.M.

2. Policy to be issued: Proposed Policy Amount
   (a) ALTA Owner’s Policy Standard $149,000.00
   Premium: $846.00
   Proposed Insured: Route 46, LLC, a Utah limited liability company

   (b) ALTA Loan Policy Standard
   Proposed Insured:

3. The estate or interest in the Land described or referred to in this Commitment is:
   Fee Simple

4. The Title is, at the Commitment Date, vested in:
   Judy Martinez-Ross and Patrick Martinez, as joint tenants

5. The Land is described as follows:
   Grand County, Utah:

   Beginning at a corner on the North Line of the Southeast Quarter of Section 17, Township 26 South, Range 22 East, Salt Lake Base and Meridian, which bears North 89°12' East 696.5 feet from the Center Quarter Corner, said Section 17, (record is 626.5 feet West of the Northeast Corner of the Northwest Quarter of the Southeast Quarter, Section 17), and proceeding thence North 89°20 East 104.25 feet to a corner, thence South 219.4 feet to a corner, thence South 89°52' West 104.25 feet to a corner, thence North 218.0 feet to the point of beginning.

   ALSO beginning at a point which bears East 696.5 feet from the Center Quarter Corner, Section 17, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and proceeding thence South 209 feet, thence West 3.0 feet, thence North 209 feet, thence East 3.0 feet to the point of beginning.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 11929
ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)
Page 1 of 1
ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART I

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Requirements

File No.: 11929

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
Exceptions

File No.: 11929

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.

2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

3. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.

5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; ditch rights; (d) minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

7. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

8. Taxes for the year 2019 are accruing as a lien; not yet due and payable. Taxes for the year 2018 were paid in the amount of $859.41. NOTE: Land is currently being taxed as Vacant Land.

9. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice, the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 11929
UT ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)
Page 1 of 2
ALTA COMMITMENT FOR TITLE INSURANCE  
SCHEDULE B PART II  

 ISSUED BY  
STEWART TITLE GUARANTRY COMPANY  

Exceptions  

be leases, grants, exceptions or reservations of interests that are not listed.  

10. Rights of way for ditches or canals as reserved in the Patent dated June 10, 1914 and recorded November 2, 1914 as Entry No. 180918 in Book 3-B at Page 526.  

11. Claims, if any, of any portion of the property by the County Road.  

A judgment search was made in the following names and none were found of record except as noted above:  
Judy Martinez-Ross  
Patrick Martinez  
Route 46, LLC, a Utah limited liability company  

CHAIN OF TITLE:  

According to the Official Records, there have been no documents conveying the land described herein within a period of 24 months prior to the date of this commitment, except as follows: NONE  

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.  

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File No. 11929  
UT ALTA Commitment For Title Insurance Schedule 8-1-16 (4-2-18)  
Page 2 of 2
STG Privacy Notice
Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

<table>
<thead>
<tr>
<th>Reasons we can share your personal information.</th>
<th>Do we share</th>
<th>Can you limit this sharing?</th>
</tr>
</thead>
<tbody>
<tr>
<td>For our everyday business purposes—to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For our marketing purposes—to offer our products and services to you.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For joint marketing with other financial companies</td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td>For our affiliates' everyday business purposes—information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>For our affiliates' everyday business purposes—information about your creditworthiness.</td>
<td>No</td>
<td>We don't share</td>
</tr>
<tr>
<td>For our affiliates to market to you — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.</td>
<td>Yes</td>
<td>Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to <a href="mailto:optout@stewart.com">optout@stewart.com</a> or fax to 1-800-335-9691.</td>
</tr>
<tr>
<td>For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.</td>
<td>No</td>
<td>We don't share</td>
</tr>
</tbody>
</table>

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

<table>
<thead>
<tr>
<th>How often do the Stewart Title Companies notify me about their practices?</th>
<th>We must notify you about our sharing practices when you request a transaction.</th>
</tr>
</thead>
<tbody>
<tr>
<td>How do the Stewart Title Companies protect my personal information?</td>
<td>To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer file, and building safeguards.</td>
</tr>
<tr>
<td>How do the Stewart Title Companies collect my personal information?</td>
<td>We collect your personal information, for example, when you request insurance-related services; provide such information to us. We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</td>
</tr>
<tr>
<td>What sharing can I limit?</td>
<td>Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.</td>
</tr>
</tbody>
</table>

Contact us: If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056
STG Privacy Notice 2 (Rev 01/26/09) Independent Agencies and Unaffiliated Escrow Agents

WHAT DO/DOES THE Anderson-Oliver Title Insurance Agency, Inc. DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of Anderson-Oliver Title Insurance Agency, Inc., and its affiliates ("N/A"), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as Anderson-Oliver Title Insurance Agency, Inc., need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

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<td></td>
<td></td>
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<tr>
<td>For our marketing purposes—to offer our products and services to you.</td>
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</tr>
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<td>We don't share</td>
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We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

Sharing practices

How often do/does Anderson-Oliver Title Insurance Agency, Inc. notify me about their practices? We must notify you about our sharing practices when you request a transaction.

How do/does Anderson-Oliver Title Insurance Agency, Inc. protect my personal information? To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.

How do/does Anderson-Oliver Title Insurance Agency, Inc. collect my personal information? We collect your personal information, for example, when you
- request insurance-related services
- provide such information to us

We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.

What sharing can I limit? Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us If you have any questions about this privacy notice, please contact us at: Anderson-Oliver Title Insurance Agency, Inc., 94 E. Grand Ave., Moab, UT 84532
GRAND COUNTY CORPORATION
Tax Roll Master Record

Parcel: 02-0017-0163  Serial #:26-22-17-4.3.2  Entry: 530595
Name: MARTINEZ-ROSS JUDY
Address 1: 375 S MAIN ST 247
Address 2: __________________________
City State Zip: MOAB UT 84532-0000
Mortgage Co Status: Active

Property Address
Property Address
STARBUCK LN 1991 E
MOAB
84532-0000

Acres: 0.52

Year: 2019  District: 002 SPANISH VALLEY
0.010532

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<th>Interest</th>
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<td>(0871/0938)</td>
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<td>MARTINEZ PATRICK</td>
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<td>08/09/2018</td>
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<td>61,600</td>
<td>81,600</td>
<td>859.41</td>
</tr>
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<table>
<thead>
<tr>
<th>2019 Values &amp; Taxes</th>
<th>2018 Values &amp; Taxes</th>
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<tbody>
<tr>
<td>**ATTENTION !! **</td>
<td>Review Date</td>
</tr>
<tr>
<td>Tax Rates for 2019 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2019 are SUBJECT TO CHANGE!! (Using Proposed Tax Rate)</td>
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<table>
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<tr>
<th>2019 Taxes:</th>
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<td>Special Fees:</td>
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<td>Penalty:</td>
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<td>Abatements:</td>
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<td>Payments:</td>
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<tr>
<td>Amount Due:</td>
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</tr>
</tbody>
</table>

NO BACK TAXES!

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG AT A POINT WHICH BEARS N 89°20' E 696.5 FT FROM C¼ COR SEC 17 (REC = 626 FT W OF THE NE COR OF THE NW¼SE¼ SEC 17) T26S R22E SLBM & PROC N 89°20'E 104.25 FT; S 219.4 FT; S 89°52'W 104.25 FT; N 218.0 FT; POB 0.50 AC ** BEG AT A POINT WHICH BEARS E 696.5 FT (N 89°20' E 696.5 FT) FROM THE C¼ COR SEC 17 T26S R22E SLBM & PROC TH S 220 FT; TH W 3.0 FT; TH N 209 FT; TH E 3.0 FT TO POB & CONT 0.01 AC TOTAL 0.52 AC M-O-L

Page: 1 of 1
WARRANTY DEED

File Number: 11523

Robert R J Mohler, GRANTOR(S), whose address is 810 Noble Springs Road, Houston, TX 77062 hereby CONVEY(S) AND WARRANT(S) to Judy Martinez-Ross and Patrick Martinez, as joint tenants, GRANTEE(S) whose address is 375 South Main Street 247, Moab, UT 84532 for the sum of ($10.00) Ten Dollars and No Cents and other good and valuable considerations the following described tract of land in Grand County, State of Utah, to-wit:

Grand County, UTAH

Beginning at a corner on the North Line of the Southeast Quarter of Section 17, Township 26 South, Range 22 East, Salt Lake Base and Meridian, which bears North 89º20' East 696.5 feet from the Center Quarter Corner, said Section 17, (record is 626.5 feet West of the Northeast Corner of the Northwest Quarter of the Southeast Quarter, Section 17), and proceeding thence North 89º20 East 104.25 feet to a corner, thence South 219.4 feet to a corner, thence South 89º52' West 104.25 feet to a corner, thence North 218.0 feet to the point of beginning.

ALSO beginning at a point which bears East 696.5 feet from the Center Quarter Corner, Section 17, Township 26 South, Range 22 East, Salt Lake Base and Meridian, and proceeding thence South 209 feet, thence West 3.0 feet; thence North 209 feet, thence East 3.0 feet to the point of beginning.

SUBJECT to all easements and rights-of-way however evidenced.

Subject to easements, restrictions, and rights of way, however evidenced.

WITNESS the hand of said Grantor, this 8 day of August, 2018.

Robert R J Mohler

File No.: 11523
AO2 Warranty Deed
State of Texas) )ss.

County of ) Harris

On the ___ day of August, 2018, personally appeared before me, Robert R J Mohler, the signer(s) of the foregoing Warranty Deed who duly acknowledged before me that he/she/they executed the same.

[Signature]

Notary Public
My commission expires:
Residing in: Houston, Texas

GLORIA LANDA
Notary Public
STATE OF TEXAS
My Comm: Exp March 9, 2019

Ent 530595 Bk 0871 Pg 0939
Grand County  
125 East Center Street  
Moab UT 84532  
435-258-1321  

Receipt No: 8.024973  
May 2, 2019  

Starbuck App P&Z Fees  

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<th>Previous Balance:</th>
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<tr>
<td>Licenses &amp; Permits - Planning &amp; Z. Fees</td>
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<tr>
<td>10-3220-000-000 PLANNING &amp; Z. FEES</td>
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</tr>
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<td><strong>Total:</strong></td>
<td><strong>1,000.00</strong></td>
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<th>1,060.00</th>
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<tbody>
<tr>
<td>Total Applied:</td>
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<td>1,060.00</td>
</tr>
</tbody>
</table>

| Change Tendered: | .00 |

Duplicate Copy  

05/02/2019 3:27 PM
Keogh Prelim Plat

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Previous Balance</td>
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</tr>
<tr>
<td>Licenses &amp; Permits - Planning &amp; Z. Fees</td>
<td>50.00</td>
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<td>10-3220-000-000 PLANNING &amp; Z.FEES</td>
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<tr>
<td><strong>Total</strong></td>
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</table>

Check No: 1551  
Total Applied: 50.00

Change Tendered: .00

Duplicate Copy

05/06/2019 10:11 AM
### Agenda Summary

**GRAND COUNTY PLANNING COMMISSION**  
**June 11, 2019**

<table>
<thead>
<tr>
<th><strong>Title:</strong></th>
<th>Viewgate Terrace (High Density Housing Overlay – HDH35b)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fiscal Impact:</strong></td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Presenter(s):</strong></td>
<td>Community and Economic Development Staff</td>
</tr>
</tbody>
</table>

### Possible Motions:

Move to send a (favorable or unfavorable) recommendation to the County Council for applying the High Density Housing Overlay (HDH35b) to the parcel located at 1248 S. Hwy. 191.

### Staff Recommendation:

Review and consider application materials provided to the planning commission related to the application of the HDH35b overlay to the subject parcel.

Staff acknowledges the merit of multiple concerns that planning commissioners have raised to date, including:

- Infrastructure capacity,
- Slope,
- Drainage, and
- Development density.

Staff also acknowledges the subject parcel satisfies some of the core evaluation/decision criteria (i.e. planning principles) that have given way to the HDHO, including:

- Proximity to employment and commercial activity centers in downtown Moab and the future USU Moab campus
- Proximity to US-191 as a primary transportation corridor, and
- Proximity to higher intensity development (at least on the northeast side – Wingate Wyndham hotel)

In addition, Staff believes slope and drainage issues can/will be addressed as part of the development review process. At this stage, planning commissioners shall primarily determine if the subject parcel is appropriate for the development intensity proposed by the developer and voluntarily articulated in their development agreement.

### Background:

See staff report attached and below.

The applicant is seeking a High Density Housing Overlay (HDH35b) approval of the subject parcel from the County. A planning commission recommendation should be made as to the legislative application of the HDH35b to the subject parcel.
The applicant continues to work with Grand County to resolve the issue of surfacing ground water at this site. The County Engineer, in consultation with a geotechnical and hydrologic sub-consultant, has approved the developer’s plan for re-injecting the exposed spring water underground. The applicant has submitted these plans to the state for approval of the injection well.

Planning commission should ask for certainty that GWSSA and Moab Fire have the capacity to serve a development intensity the developer contemplates. Development review team members also raised concerns about drainage in general, road access through the hotel site under construction (it was not sized adequately to accommodate a high volume of vehicle trips in and out of the back portion of the lot), and easements.

**ATTACHMENT(s):**

- High Density Housing Application
- Applicant Statement
- Conceptual plan
- Conceptual plan with topo and 30% slopes shown
- Survey
- Title Report
- Development Agreement (revised from last meeting)
- Application Fee
STAFF REPORT
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
GRAND COUNTY, UTAH

DATE: Tuesday, June 11, 2019
TO: Grand County Planning Commission
SUBJECT: Viewgate Terrace High Density Housing Overlay (HDH35b)

PROPERTY OWNER: Viewgate Development LLC
PROP. OWNER REP: William Hansen
ENGINEER: Click or tap here to enter text.
PROPERTY ADDRESS: 1248 S. Hwy. 191
SIZE OF PROPERTY: 19.75 acres
EXISTING ZONE: Rural Residential (RR). Property is located in the boundary establishing eligibility for the HDHO35B
EXISTING LAND USE: Highway Commercial (Hotel under construction) / Rural Residential (vacant)
ADJACENT ZONING AND LAND USE(S): Rural Residential (RR) & Highway Commercial (HC). The subject parcel is located within the HDH35b area.

APPLICATION TYPE
High Density Housing Overlay (HDH35b)

STAFF RECOMMENDATION: Approve
Comments (optional): Click or tap here to enter text.

APPLICATION PROCEDURE
Decision Type: Legislative

Public Notices: ☐ Public Meeting at: ☒ Public Hearing at:
☐ Planning Commission ☐ Planning Commission
☐ County Council ☐ County Council

Attachments:
☐ Approval Letters ☒ Legal Description
☐ Site Plan ☐ Public Comments
☐ Landscape Plan ☐ Agency Comments
☒ Vicinity Map ☐ Response to Standards
☒ Legal Notice ☐ Other:

SUMMARY OF REQUEST
The subject property is a 19.75 acre lot located in the Rural Residential (RR) & Highway Commercial (HC) zones at 1248 S. Hwy. 191. The developer is requesting application of the HDH35b overlay to their parcel.

SITE IMPROVEMENTS / ADDITIONS / CHANGES
A Wyndham Wingate Hotel is currently under construction on the 2.8 acre portion of the subject parcel zoned Highway Commercial. Application of the HDH35b overlay would enable higher density development on the remaining, undeveloped portion of the parcel, which is 16.7 acres and currently zoned Rural Residential.
Article 4.7 HIGH DENSITY HOUSING (HDH) OVERLAY DISTRICT

4.7.1 Purpose.

A. Grand County has established a High Density Housing Overlay (HDHO) district to facilitate the provision of new housing units used for primary 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 the goals of the housing element of the County’s General Plan, and to implement the policies and goals of the housing element of the County’s General Plan.

B. These regulations are intended to encourage the development of new 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.

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.

   Staff believes the developer’s narrative and proposed layout meet the legislative intent of the High Density Housing Overlay. Staff recommends planning commission forward a favorable recommendation of the HDH Overlay application IF AND ONLY IF the County’s Development Review Team provide letters of support and confidence that the subject parcel could actually accommodate the development contemplated and made possible by a HDHO35b designation.

4.7.5(C)

C. Property Development Standards. The following development standards shall apply to HDHO units in the HDHO districts.

   The Applicant is not requesting preliminary plat approval, so any development plans submitted in conjunction with their HDHO application are for context and suggestion only. They may give the planning commission a sense of what the Developer is contemplating, but the Developer would not be subject to such plans if the overlay is attached. To the degree that the Applicant voluntarily includes maximum density and/or other site/subdivision planning in their recorded development agreement to the satisfaction of the county planning commission, council, and attorney, such elements may be viewed as development certainties/contractual commitments. With the above in mind, Staff has provided limited commentary on the items below.

   (Note that the CED Director and County Attorney are in the process of further amending the updated HDHO ordinance to reincorporate a requirement that HDHO applicants shall submit, and the Council shall approve and record, a master plan in association with their HDHO application. Like PUD overlay approvals, the master plan requirement will provide the County and community more certainty in core site planning/subdivision elements (general layout, density, setbacks, etc) at the time an HDHO is applied to a specific parcel.)

   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.

*The design of the development will be further evaluated at the time of Preliminary and Final Plat approval.*

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 following design standards shall apply to a development that utilizes the density increases allowed by this Article.

*These design standards will be evaluated at the time of granting a building permit, and at Preliminary and Final Plat approval.*

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

*This design standard will be evaluated at the time of Preliminary and Final Plat approval.*

b. Screening Requirements

*This design standard will be evaluated at the time of Preliminary and Final Plat approval.*

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 a different zoning district or 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.

   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.
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 islands are as follows:

   a. Landscaped parking lot islands shall be required 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. A minimum of one tree shall be provided for each island.

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

   d. 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. 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.

c. Building Exterior Façade Standards.

   These standards are to be reviewed at the time a building permit is requested. They are administrative requirements for development within an HDH Overlay.

   i. 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.

   ii. 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.

d. 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 a HDHO district development. However, the building site area lot widths, and lot coverage percentages shall be designated on a site plan pursuant to Section 9.17 or preliminary plat pursuant to Section 9.4 approved by the Planning Commission.

   *This design standard will be evaluated at the time of Preliminary and Final Plat approval.*


   *This will be evaluated at the time of Preliminary Plat. It is anticipated that this will not be an issue.*

5. Building Height.

   *These standards are to be reviewed at the time a building permit is requested. Because the developable portion of the subject parcel is currently zoned Rural Residential, any new development would be subject to the County’s Ridgeline Standards, which would limit the height of structures.*

   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 HDHO 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.

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.

   *A buffer area will be required on a portion of the east boundary between the Highway Commercial zone. The rest of the surrounding property is of the same zone. At the time of Preliminary Plat these standards will be further evaluated.*

7. Parking.

   *This will be determined at the time of Preliminary Plat.*

   i. Number of spaces required
a. 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. 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></td>
<td>Two-bedroom</td>
<td>1.75 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Three-bedroom and Larger</td>
<td>2.0 per dwelling unit</td>
</tr>
</tbody>
</table>

ii. Parking design requirements

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

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

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

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

g. 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. A HDHO unit is required to have and maintain those minimum standards of physical conditions set forth in Exhibit B - Minimum Standards.

These standards are to be reviewed at the time a building permit is requested, and included in the deed restrictions attached to each lot’s title.

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.

This standard will need to be meet with the Preliminary Plat application. Developer will need to work with County Engineer, Roads Department, and Fire Department to ensure that these standards are meet.

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.

The developer has not proposed signage to date.

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-unit phases the first phase must include at least 40 HDHO units.

The developer has not designated which lots will be deed restricted in accordance with Section 4.7 at this stage of
review, but will need to at the time of preliminary plat review, approval, and prior to recordation.

Article 7 Subdivision Standards

Staff has reviewed the development concept plan submitted to date for subdivision standards not specified within the HDH Overlay or addressed above.

Lighting: The developer has not submitted a street lighting plan, or exterior lighting plans for the individual structures. The street lighting plan will be required prior to final plat approval and the exterior lighting plans for individual structures will be required at the time building permit applications are reviewed.

Utility Easements: The developer will need to designate acceptable public utility easements on the final plat as per the requirements of GWSSA and Rocky Mountain Power.

Drainage and Drainage Easements: The developer will need to designate the drainage easement on the final plat as per final specifications from the County Engineer. The County Engineer, Road Supervisor, and CED Director have expressed concerns about drainage on the property, and the hotel development under construction has not yet entirely resolved the issue of surface spring flow created by the development.

Fire Protection: The Fire Department has not provided specific comments on the development concept plan submitted to date, but has expressed concerns about fire protection capabilities due to water availability and water pressure.

Water and Sewer: GWSSA has expressed concerns about their ability to serve additional development on this parcel under current infrastructure availability and capacity.

COMPATABILITY WITH GENERAL PLAN
The proposed subdivision is not explicitly supported by the general plan, but it is supported by the HDH Overlay ordinance adopted by the County Council in January 2019. Inasmuch as Council anticipates adding the HDH Overlay to the General Plan as an amendment or complement to the Future Land Use Plan, the proposed subdivision is supported.

COMPATABILITY WITH LAND USE CODE (ZONING)
The subject property is zoned Rural Residential (RR) and Highway Commercial (HC), and is in the HDH35b Overlay zone. The developer is seeking legislative approval of the High Density Housing Overlay being applied to the subject parcel. Once the HDH overlay is applied, the applicant will need to apply for preliminary plat and final plat approvals that comply with all standards in Sections 4.7 and Articles 5, 6, 7, and 9.

LAND USE CODE REFERENCE SECTIONS
Section 3.1 Use Table
4.7.4A High Density Housing (HDH) District

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Specific Use</th>
<th>HDH 35a</th>
<th>HDH 35b</th>
<th>HDH 25</th>
<th>HDH 15</th>
<th>HDH 10</th>
<th>HDH 5</th>
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</thead>
<tbody>
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<td>Residential</td>
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<td>P</td>
<td>P</td>
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</tr>
<tr>
<td></td>
<td>Alley-loaded house</td>
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<td>Townhouse</td>
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<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Dwelling, multi-family</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
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<td>Manufactured home</td>
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</tr>
<tr>
<td></td>
<td>Manufactured home community</td>
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<tr>
<td></td>
<td>Upper-story residential</td>
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<td>P</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>All other household living uses</td>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>

4.7.6 Assurance of primary residency and occupancy.

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 4.7 in perpetuity. The developer shall be required to enter into a development agreement with the County to ensure primary residential occupancy by actively employed households is maintained prior to recordation of final plat or issuance of a building permit for the applicable development. Each housing unit designated for primary restricted residential occupancy by an actively employed household (an HDHO unit) shall also include a deed restriction attached to its title in accordance with the standards set forth in this section. 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 if the standards of this section are not met.

The developer has submitted a revised development agreement to the County. Staff has submitted it for review by the County Attorney following Planning Commission review, which is currently under review by the County Attorney. If the HDH-
35b Overlay is approved and the Applicant is permitted to develop under the HDHO standards, each deed restricted lot or unit shall be designated on the plat prior to preliminary plat approval. Further, each deed restricted lot or unit shall include such restriction on its chain of title in perpetuity.

PROPERTY HISTORY
The parcel currently includes one hotel (under construction) and two residences.
HIGH DENSITY HOUSING (HDH) OVERLAY APPLICATION
Grand County Courthouse: 125 E. Center St. Moab, UT 84532; Phone: (435) 259-1343

FOR OFFICE USE ONLY
Date of Submittal: ________ Application Processing Fees: $500.00
Submittal Received by: ________ Amount Paid: ________ Fees Received by: ________

APPLICANTS ARE STRONGLY ENCOURAGED TO READ THROUGH SECTION 4.7 OF THE GRAND COUNTY LAND USE CODE AND MEET WITH STAFF PRIOR TO SUBMITTING AN APPLICATION TO RECEIVE THE HIGH DENSITY HOUSING (HDH) OVERLAY. APPROVAL OF AN HDH OVERLAY APPLICATION DOES NOT CONSTITUTE A PRELIMINARY PLAT, FINAL PLAT, OR SITE PLAN APPROVAL.

CONTACT INFORMATION
Property owner: Viewgate Development LLC
Address: 1248 S Hwy 191, Moab UT 84532
Phone: [REDACTED] cell: [REDACTED] fax: [REDACTED]
Email address: [REDACTED]

Engineer (if applicable): [REDACTED]
Address: [REDACTED]
Phone: [REDACTED] cell: [REDACTED] fax: [REDACTED]
Email address: [REDACTED]

Property owner representative (if applicable): William Hansen
Address: see above
Phone: [REDACTED] cell: [REDACTED] fax: [REDACTED]
Email address: [REDACTED]

PROJECT INFORMATION
Project name: Viewgate Terrace
General location of the property: South of Moab
Underlying Zoning: Rural Residential district
Surrounding land uses: Rural Residential, Commercial
Size of property: 16.7 acres
Number of lots/units proposed: ___ (for sale) 168 (for rent)
Number of deed restricted HDHO units proposed: ___ (for sale) 135 (for rent)
REQUIRED – Each of the following agencies will review for their ability to serve the proposed development through adequate existing and future easements, or provide a letter with detailed requirements for the proposed development. Applicants are encouraged to consult each of the following agencies prior to submitting a development application. Grand County Community and Economic Development staff will request approval letters or signatures from each agency after a complete application is submitted.

Moab Valley Fire Department
Grand County Road Supervisor
Grand Water and Sewer Service Agency
Rocky Mountain Power
FEMA Floodplain Administrator

SUPPORTING MATERIALS
Approvals of the High Density Housing (HDH) Overlay are considered legislative, discretionary decisions. They are reviewed in public hearings by the Planning Commission and County Council, with the County Council serving as the final land use authority (i.e., final decision-making authority). Approval of an HDH Overlay application DOES NOT constitute a preliminary plat, final plat, or site plan approval. HDH Overlay applications shall contain, at a minimum, the following supporting materials through the approval process according to the following submittal schedule:

☐ **Survey.** The applicant shall submit a certified survey of land area to be rezoned. Such survey map shall require at a minimum the following information:
  1. Subject land area acreage
  2. Adjacent uses and predominant uses in the vicinity
  3. Existing zoning designation of the subject property and surrounding properties.
  4. A vicinity map.

☐ **Applicant Statement.** A statement by the Applicant explaining how the proposed High Density Housing Development meets the legislative intent and established standards of Section 4.7 of the Grand County LUC. In making its determination, the County Council shall consider the recommendation of the Planning Commission, staff reports, and the written and oral testimony presented.

☐ **Development Agreement.** The Applicant shall provide and enter into a development agreement with the County establishing the proposed means for assuring the continuing existence, maintenance and operation of the HDH development in compliance with standards set forth in Section 4.7 of the Grand County LUC.

☐ **Title Report.** A preliminary title report from a licensed title company listing or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property, and of the preliminary plat.

☐ **Covenants, Conditions, Restrictions.** Draft of any protective covenants where the developer/subdivider proposes to regulate land use or development standards in the subdivision.
☐ Taxes. A statement from the County treasurer showing the status of all current taxes due on the parcel.

☐ Surrounding Property Owners. A list of surrounding property owners and their legal mailing addresses within 100 feet of the exterior boundary of the parcel proposed to be rezoned.

☐ Posting. The Applicant is responsible for posting a sign noticing the public hearings. The Community and Economic Development Department will provide the physical signs. The Applicant is responsible for wind and water proofing the sign as well as placing it in a prominent place within the front setback of each street to which the proposed subdivision fronts. The public hearing notices shall be posted at least 10 days prior to the public hearings and remain in place until the public hearing is completed.

☐ Application Fee. The process / filing fee of $500.00 shall be paid in full.

APPLICANT CERTIFICATION
I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete and accurate to the best of my knowledge. I certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Grand County may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Grand County Land Use Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I have reviewed and understand the section from the Consolidated Fee Schedule and hereby agree to comply with this resolution. I also agree to allow the Staff, or County appointed agent(s) of the County to enter the subject property to make any necessary inspections thereof.

Property Owner’s Signature: [Signature] Date: 9-29-17

State of Utah )
SS
County of Grand )

SUBSCRIBED AND SWORN to and before me this ________________ day of ________, 20________
High Density Housing Application Statement

Viewgate Development Property (Parcel 02-007-0090)

This application is being submitted for a High-Density Housing approval of approximately 16.7 acres located at 1248 S Hwy 191 in Moab Utah. The current zoning for this property consists of approximately 2.8 acres of Highway Commercial, with the remaining property zoned Rural Residential. It is the intent to have the HDH approval applied to the current Rural Residential zoning.

It has been extensively noted by multiple parties that the current housing situation in Grand County is difficult due to the majority of residential building focusing on either secondary residence, or overnight lodging. The study done by Grand County Planning and Zoning notes the unavailability of moderate to low income housing due to the cost of long term housing; both single and multiple family dwellings.

Additionally, it has been noted there are plans for Utah State University to construct a campus approximately 1 mile south of this parcel’s location. It is anticipated the population of this campus to be around 3500 students, many of which will need housing. The location of this parcel is ideal in that it will provide non highway access for some students who would choose to walk or bike the trails behind the parcel.

While the property is bordered to the west by a single parcel zoned rural residential, there is a substantial distance between dwellings and the parcel boundary. On the east boundary, there is a mix of highway commercial and rural residential bordering the current rural residential portion. The High-Density Housing would have minimal impact on surrounding properties.

The owners of the property are currently working with PEPG engineering in looking at plausible scenarios for utilizing the property in a both efficient and aesthetic manner. Likewise, PEPG engineering will be discussing and evaluating public service impact with the necessary entities.

In facilitating the High Density Housing use, it provides the opportunity to explore how the property might be utilized for both mixed use and mixed income scenarios according to overlay and HDH regulations. It is the intent of the developers to work closely with Grand County Planning and Zoning and Grand County Commission to facilitate a mutually beneficial project.
ALTA OWNER’S POLICY OF TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, STEWART TITLE GUARANTY COMPANY, a Texas corporation, (the “Company”) insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
   (a) A defect in the Title caused by
      (i) forgery, fraud, undue influence, duress, incompetency, incompetence, incapacity, or impersonation;
      (ii) failure of any person or Entity to have authorized a transfer or conveyance;
      (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
      (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
      (v) a document executed in a falsified, expired, or otherwise invalid power of attorney;
      (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
      (vii) a defective judicial or administrative proceeding,
   (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due and payable, but unpaid,
   (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term “encroachment” includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land,

3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
   (a) the occupancy, use, or enjoyment of the Land;
   (b) the character, dimensions, or location of any improvement erected on the Land;
   (c) the subdivision of land;
   (d) environmental protection
   if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without knowledge.

Countersigned by:

Authorized Ctersignature

Anderson-Oliver Title Insurance Agency, Inc.
94 E. Grand Ave.
Moab, UT 84532
(435) 259-3000
Agent ID: 440036

Matt Morris
President and CEO

Denise Carraux
Secretary

For coverage information or assistance resolving a complaint, call (800) 729-1902 or visit www.stewart.com. To make a claim, furnish written notice in accordance with Section 3 of the Conditions. For purposes of this form the Stewart Title logo featured above is the represented logo for the underwriter Stewart Title Guaranty Company.
COVERED RISKS (Continued)

9. Title being vested other than as stated in Schedule A or being defective
   (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy; or a transfer of all or any part of the Title to or by any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
   (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions, or location of any improvement erected on the Land;
   (iii) the subdivision of land;
   (iv) environmental protection; or
   the effect of any violation of those laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 3.

(b) Any governmental policy power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 3.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.

3. Defects, basis, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed, or agreed to by the Insured Client.

4. (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Client and not disclosed in writing to the Company by the Insured Client prior to the date the Insured Client became an Insured under this policy.
   (c) resulting in no loss or damage to the Insured Client.
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10);
   (e) resulting in loss or damage that would not have been sustained if the Insured Client had paid value for the Title.

4. Any claim by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A is:
   (a) a fraudulent conveyance or fraudulent transfer; or
   (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.

5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

(a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 6(b) or decreased by Sections 10 and 11 of these Conditions.

(b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.

(c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.

(d) "Insured": The Insured named in Schedule A.

(i) the term "Insured" also includes:
   (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
   (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
   (C) successors to an Insured by its conversion to another kind of Entity;
   (D) a grantee of an Insured under a deed delivered without payment of actual value consideration conveying the Title:
      (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured;
      (2) if the grantee wholly owns the named Insured;
      (3) if the grantee is wholly-owned by an affiliated Entity and the named Insured provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity;
      (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the
   (ii) to be timely; or
   (iii) to impair notice of its existence to a purchaser for value or to a judgment lien creditor.

(e) "Insured Client": An Insured claiming loss or damage.

(f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

(g) "Land": The land described in Schedule A, and all improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, or any right, title, interest, estate, or easement at abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.

(i) "Public Records": Records established under state statute at Date of Policy for the purpose of imprinting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(h), "Public Records" shall also include environmental protection laws filed in the records of the clerk of the United States District Court for the district where the Land is located.

(j) "Title": The estate or interest described in Schedule A.

(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

CONDITIONS

Insured named in Schedule A for estate planning purposes.

(i) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

(c) "Insured Client": An Insured claiming loss or damage.

(d) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

(e) "Land": The land described in Schedule A, and all improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, or any right, title, interest, estate, or easement at abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(f) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.

(i) "Public Records": Records established under state statute at Date of Policy for the purpose of imprinting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(h), "Public Records" shall also include environmental protection laws filed in the records of the clerk of the United States District Court for the district where the Land is located.

(j) "Title": The estate or interest described in Schedule A.

(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.
2. CONTINUATION OF INSURANCE
The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a mortgage or other lien on the Land, or as an insured by a purchase money Mortgage given to the Insurer.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT
The Insurer shall notify the Company promptly in writing in case of any litigation as set forth in Section 6(a) of these Conditions. (a) If case knowledge shall come to an Insured having notice of any claim of title or interest that is adverse to the Title as insured and that might cause loss or damage for which the Insured may be liable by virtue of this policy, or (b) if the Title as Insured is rejected as Unmarketable Title if the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS
In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defective, lost, damaged, or other material insured against by this policy that constitutes the basis of the loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS
(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation at any time any third party asserts a claim covered by this policy adverse to the insured. The obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object to reasonable counsel) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in defense of those causes of action that allege matters not insured against by this policy.
(b) The Company shall have the right, in addition to the options contained in Section 6(a) of these Conditions, in its own cost, to institute and prosecute any action or proceeding or to do any other act that, in its opinion, may be necessary or advisable to establish the Title as Insured or to prevent or mitigate loss or damage to the Insured. The Company may deny any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The Insured has the right to reject any action or proceeding, including any judgment or settlement, entered by the Insured. Any action taken by the Insured that is adverse to the Insured shall be at the Insured's expense.

6. DUTY OF INSURED CLAIMANT TO COOPERATE
(a) In all cases where this policy permits or requires the Company to cooperate or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the services of the Insured for this purpose. Whenever requested by the Company, the Insured at the Company's expense, shall give the Company all reasonable aid in (a) in securing evidence, obtaining witnesses, presenting or defending the action or proceeding, or effecting settlement, and (b) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the cooperation the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, protect, or continue any litigation, with respect to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, all such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, memos, diaries, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. If the Insured Claimant fails to submit to examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless provided by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS:
TERMINATION OF LIABILITY
In case of a demand under this policy, the Company shall have the following additional options.
(a) To Pay or Tender Payment of the Amount of Insurance. To pay or tender payment of the Amount of Insurance under this policy together or with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option, all liability and obligations of the Company under this policy other than to make the payment required under this subsection shall terminate, including any liability or obligation to defend, protect, or continue any litigation.
(b) To Pay or Otherwise Settle With Parties Other Than the Insured or WITH THE INSURED LIBRARIAN.
(i) to pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.
(ii) to pay or otherwise settle with the Insured Claimant the loss or damage under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

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8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual losses or damages sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of errors or omissions by the Insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of:

(i) the Amount of Insurance or
(ii) the difference between the value of the Title as insured and the total tax assessment against the Title at the time of the occurrence.

(b) If the Company discharges its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured:

(i) the Amount of Insurance shall be increased by 10%, and

(ii) the Insured Claimant shall have the right to have the loss or damage determined within 90 days after the date the claim was made by the Insured Claimant or 90 days after the date a written notice of the claim is sent and paid.

(c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Paragraph 6 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a) If the Company establishes the Title or rescinds the insured's interest, it shall pay all expenses incurred by the Insured Claimant in the process.

(b) The Insured Claimant shall not be liable for any loss or damage caused to the Insurer.

(c) In the event any provision of these Conditions is held to be invalid or unenforceable, other provisions shall remain in full force and effect.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under the policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy other than a Mortgage to which the Insured Claimant is a party and which is not a loan, not a purchase, not a lease, nor a purchase agreement.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been finally determined in accordance with these Conditions, the payments shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have satisfied and paid all claim under this policy, it shall be entitled to reimbursement from the Insured Claimant for any expenses incurred in such matter and the services of the Insured Claimant to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company.

(b) If requested by the Company, the Insured Claimant shall submit a claim to the Insured Claimant in the event of any claim under this policy and to use the services of the Insured Claimant to the extent of any loss, costs, attorneys' fees, and expenses paid by the Company.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy be submitted to arbitration pursuant to the rules of the American Land Title Association ("Rules"). Except as provided in the Rules, the decision shall be final and binding upon the parties.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy is limited to any endorsement included in the policy and the Insured and the Company shall have no liability for any loss or damage caused to the Insurer.

(b) Any amendment or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(c) Each endorsement to this policy issued at any time at the request of the Insured or at the request of any other person shall be deemed to have been made by the Insured.

(d) Any endorsement or modification of this policy shall include a notice to the Insured that the policy has been modified or extended.

16. ACTIONS IN JOINT NAME

Any suit or proceeding in any court shall be brought in the name of the Insured and the Insured Claimant shall be served with notice of such suit or proceeding.

17. CHOICE OF LAW AND FORUM

(a) This policy is governed by the laws of the State of Texas, and the jurisdiction of the courts of the State of Texas shall be exclusive for the disposition of all matters relating to this policy.

(b) Any suit or proceeding in any court shall be brought in the name of the Insured and the Insured Claimant shall be served with notice of such suit or proceeding.

18. NOTICES, WHERE SENT

Any notice of claim or any other notice or statement in writing required to be given to the Insured under this policy must be given to the Company at the address set forth in the policy.
Name and Address of Title Insurance Company: Stewart Title Guaranty Company
File No.: 10902 P.O. Box 2029, Houston, TX 77252
Address Reference: 1246 - 1248 South Highway 191, Moab, UT 84532 (For Company Reference Purposes Only)
Policy No.: C-0000-746272518

Amount of Insurance: $2,500,000.00
Date of Policy: February 15, 2018 at 1:09:45 PM

1. Name of Insured:
   - View Gate Development, LLC, a Utah limited liability company

2. The estate or interest in the Land that is insured by this policy is:
   - Fee Simple

3. Title is vested in:
   - View Gate Development, LLC, a Utah limited liability company

4. The Land referred to in this policy is described as follows:

   Grand County, Utah:

   Beginning at the South Quarter corner Section 7, T26S, R22E, SLM, thence West along said Section line 660.0 feet; thence Northwesterly to a point 1301.39 feet North and 1950.55 feet East of the Southwest corner Section 7, T26S, R22E, SLM; thence North 88°41' East 91.32 feet; thence North 69°45' East 177 feet; thence North 53°54' East 22.62 feet; thence North 63.05 feet to the South line of U.S. Highway 191 right-of-way; thence South 65°39' East along said Right-of-way to the East line of the Southeast 1/4 Southwest 1/4 Section 7, T26S, R22E, SLM, thence South along said 40 acre line to the point of beginning. (Parcel No. 02-0007-0098)
SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

6. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

7. Taxes for the year 2018 are accruing as a lien; not yet due and payable. Taxes for the year 2017 were paid in the amount of $3,996.22.

8. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.


10. Pipeline Easement dated September 7, 1984 between Albert Dan Holyoak and Laura Jean Holyoak, as Grantors and Spanish Valley Water and Sewer, as Grantees and recorded as Entry No. 405126 in Book 365 at page 34.

11. Storm Drainage Easement between A. Dan Holyoak and Jean F. Holyoak Family Trust as Grantors and Grand County, as Grantee, an easement of Utility for Storm Drainage recorded April 23, 2001 as Entry No. 453792 in Book 561 at page 46.

### SCHEDULE B


14. **TRUST DEED, ASSIGNMENT OF RENTS, SECURITY AGREEMENT AND FINANCING STATEMENT:**
   - **Dated:** February 14, 2018
   - **Amount:** $13,266,867.00
   - **Trustor:** View Gate Development LLC
   - **Trustee:** Cottonwood Title Insurance Agency, Inc.
   - **Beneficiary:** Sundance Debt Partners, LLC
   - **Recorded:** February 15, 2018
   - **Entry No.:** 529561
   - **Book/Page:** 885/246

15. **TRUST DEED:**
   - **Dated:** February 14, 2018
   - **Trustor:** View Gate Development LLC
   - **Trustee:** Cottonwood Title Insurance Agency, Inc.
   - **Amount:** $105,000.00
   - **Beneficiary:** Anasazi Realty, Inc.
   - **Recorded:** February 15, 2018
   - **Entry No.:** 529562
   - **Book/Page:** 885/262

16. **TRUST DEED:**
   - **Dated:** February 14, 2018
   - **Trustor:** View Gate Development LLC
   - **Trustee:** Cottonwood Title Insurance Agency, Inc.
   - **Amount:** $350,000.00
   - **Beneficiary:** Danview Holding, LLC
   - **Recorded:** February 15, 2018
   - **Entry No.:** 529563
   - **Book/Page:** 885/267

17. **SUBORDINATION AGREEMENT:**
   - **Dated:** February 14, 2018
   - **Debtor:** View Gate Development LLC
   - **Creditor:** Danview Holding, LLC and Anasazi Realty, Inc.
   - **Recorded:** February 15, 2018
   - **Entry No.:** 529564
   - **Book/Page:** 885/270

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**End of Exceptions**
GRAND COUNTY CORPORATION
Tax Roll Master Record

Parcel: 02-0007-0090 Serial #: 26-22-7-78 Entry: 528552
Name: VIEW GATE DEVELOPMENT LLC
C/o Name: Property Address
Address 1: 5442 SOUTH 900 EAST STE 531 S HWY 191 1248 & 1246 ADU
Address 2: UT 84117-0000 MOAB
City State Zip: SALT LAKE CITY UT 84117-0000
Mortgage Co: Acres: 19.71
Status: Active
Year: 2019 District: 002 SPANISH VALLEY

Owners Interest Entry Date of Filing Comment

VIEW GATE DEVELOPMENT LLC 528552 02/15/2018 (0865/0199)

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**** ATTENTION !! ****

Tax Rates for 2019 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2019 are SUBJECT TO CHANGE!! (Using Proposed Tax Rate)

2019 Taxes: 3,858.12
2018 Taxes: 3,858.12
Review Date: 04/13/2015

NO BACK TAXES!

Back Tax Summary

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NO BACK TAXES

GRAND COUNTY TREASURER / DEPUTY

signature

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG AT S1/4 COR SEC 7 T26S R22E; TH W ALONG SAID SEC LINE 680 FT; NELY TO A PT 1301.39 FT N AND 1960.55 FT E OF THE SW COR SEC 7; TH N 88°41' E 91.32 FT; TH N 89°45'E 177 FT; N 53°54'E 22.65 FT; N 63.08 FT TO S LINE U.S. HWY 160 R/W;
NOTICE TO TITLE COMPANY: SECTION 4 HEREIN REQUIRES EACH DEED OF CONVEYANCE TO INCLUDE THE DEED RESTRICTION SET FORTH IN SECTION 4.2

DEVELOPMENT AGREEMENT AND DEED RESTRICTION HIGH DENSITY HOUSING OVERLAY DISTRICT

Pursuant to Grand County Code Section 4.7

This DEVELOPMENT AGREEMENT AND DEED RESTRICTION (this “Agreement”) is made and entered into as of this 4th day of June, 2019 (the “Effective Date”) by and between Viewgate Development, a Utah limited liability company with its principal place of business located at 1248 S Hwy 191, Moab Utah (“Owner/Developer”), and Grand County, a political subdivision of the State of Utah (“County”).

Recitals
A. WHEREAS, Owner/Developer owns that certain property situated in Grand County, Utah, as more particularly described in Exhibit A [the “Property”], which is attached hereto and incorporated herein by this reference.

B. WHEREAS, Owner/Developer has requested Grand County to apply the High Density Housing Overlay District (the “HDHO District Application”) to the Property to take advantage of the Development Standards and other Development Incentives set forth in Section 4.7 of the Grand County Land Use Code (“Section 4.7”).

C. WHEREAS, the Grand County Council has, in the exercise of its legislative discretion and following all required public hearings, approved the application of the HDHO District to the Property pursuant to the terms and conditions herein and provided that no fewer than eighty percent (80%) of the units developed on the Property are deed restricted for Primary Residential Housing for Actively Employed Households, as defined in Section 4.7.3 of the Grand County Code (the “Code”).

D. WHEREAS, pursuant to the authority of Utah Code §17-27A-102(1)(b) and Section 4.7, as amended, the Parties desire to enter into this Agreement for the purpose of formalizing certain obligations of Owner/Developer with respect to the Property, and such other matters as the County and the Owner/Developer have agreed as particularly set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, including approval of the application of the HDHO District to the Property, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. DEFINITIONS. All terms herein shall have those meanings assigned in Section 4.7 of the Grand County Code (“Section 4.7”).
2. COVENANT TO COMPLY WITH SECTION 4.7. In consideration of the application of the HDHO District to the Property, and specifically the Development Standards set forth in Code Section 4.7.5, Owner/Developer hereby covenants and agrees to strictly comply with the provisions, duties, and obligations of Section 4.7, which provisions, duties, and obligations are integrated herein by this reference.

3. ADDITIONAL TERMS AND CONDITIONS.

3.1. Viewgate Development sets forth that the density of units intended to be completed on the available acreage, and according to Ground County building and land use codes, will not exceed 214 units.

3.2 Viewgate Development sets forth agreement to initialize the process for conveyance of easements pertaining to existing storm management structures, and necessary access to Grand County. This action will be a combined effort with the developer and the Grand County Road Department to identify a mutually beneficial access easement prior to final plat submittal.

3.3 Viewgate Development will execute previous verbal agreements with adjoining landowner pursuant to the County requirements for a 54’ right of way easement on the main access to the HDO properties prior to preliminary plat submittal.

4. DEED RESTRICTION.

4.1. At least eighty percent (80%) of all Lots or Units developed on the Property shall be deed restricted for Primary Residential Occupancy for Actively Employed Households, as designated on the Final Plat or Site Plan.

4.2. Each deed of conveyance for an HDHO Lot or Unit shall include the following Deed Restriction:

   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.

4.3. Each HDHO Unit is required to have and maintain those minimum standards of physical condition set forth in Exhibit B, Minimum Standards, to Section 4.7, which Minimum Standards are integrated herein by this reference.

   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 4.3 by a record owner of any HDHO Unit in Grand County.
4.4. Owner/Developer shall include the deed restriction contained in Section 4.2 and 4.3 above in each and every deed of original conveyance of an HDHO Lot, and each deed of conveyance thereafter shall include the same.

5. DEFAULT.

5.1. Violation or breach of any provision hereunder, or Section 4.7, shall constitute an Event of Default. Upon the occurrence of any Event of Default, the County shall provide written notice by certified mail, postage prepaid, to the defaulting owner at the address on file with the Grand County Assessor’s office, which notice shall be effective as of the date of deposit in the United States Mail. The defaulting owner shall have thirty (30) days to remedy the Event of Default, after which time the County may enforce all remedies available to it under this Agreement, Section 4.7, or Utah law including specific performance and monetary fines pursuant to Section 5.2 herein.

5.2. In the event an Event of Default is not cured under Section 5.1 above, fines in the amount of $50 per day shall accrue until the Event of Default is cured. The County reserves the right to seek judicial enforcement of these fines, including a judgment lien and foreclosure.

6. MISCELLANEOUS.

6.1. Owner/Developer hereby waives any defenses, rights or remedies that it might otherwise assert against the County in connection with: (i) the application of the rule against perpetuities to this Agreement; or (ii) any claim that the covenants in this Agreement recorded against the HDHO Lots and Units are not covenants running with the land upon the Property. This waiver shall be binding upon and inure to the benefit of the successor and assigns of the Owner/Developer and the County.

6.2. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law. If any provision of any of the foregoing Agreement shall be invalid or prohibited under applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions in this Agreement.

6.3. If any party shall take or defend against any action for any relief against another party arising out of this Agreement, the prevailing party in such action or defense shall be entitled to reimbursement by the other party for all costs including, but not limited to, reasonable attorneys’ fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs shall be deemed to have accrued upon the commencement of such action and/or defense and shall be paid whether or not such action or defense is prosecuted to judgment. Any judgment or order entered in such action or defense shall contain a specific provision providing for the recovery of attorneys’ fees and costs incurred in enforcing such judgment.

6.4. This Agreement shall be governed by and construed under Utah law.

6.5. Except as otherwise provided herein, the provisions and covenants contained herein shall inure to and be binding upon the heirs, successors, and assigns of the parties.
6.6. Paragraph or section headings within this Agreement are inserted solely for convenience of reference and are not intended to, and shall not, govern, limit or aid in the construction of any terms or provisions contained herein. Further, whenever the context so requires herein, the neuter and gender shall include any or all genders and vice versa and the use of the singular shall include the plural and vice versa.

6.7. This Agreement may be amended only upon written amendment executed by both Parties, recorded in the real property records of Grand County, Utah; provided, however, that all material terms and provisions, including the percentage of HDHO Lots or Units, may not be amended or modified without reapplication to the County.

6.8. This Agreement shall be recorded by Owner/Developer prior to recordation of a final plat or issuance of a building permit for any unit within a site plan approved hereunder, as required by Section 4.7.

IN WITNESS WHEREOF, this Agreement is effective as of the date first written above.

COUNTY: Grand County A political subdivision of the State of Utah

By: __________________________

Name: __________________________

ATTEST:

______________________________ County Clerk

______________________________ Chair, Grand County Council

Owner/Developer: _______________________

By: __________________________

Name: William Hansen

Title: Member

STATE OF UTAH )

ss

COUNTY OF GRAND )

On __5/04/2019__, William Hansen (name), as Member (title) of Viewpro Development (entity name), a Utah __LLC__ (entity type), appeared before me and acknowledged and swore to me that the foregoing Agreement was signed on behalf of Viewpro Development (entity name) by authority of its Articles of Organization [OR Incorporation] and Operating Agreement [OR Bylaws].

[Signature]

NOTARY PUBLIC
Viewgate Development

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04/29/2019 11:45 AM
AGENDA SUMMARY
GRAND COUNTY PLANNING COMMISSION MEETING
June 11, 2019

TITLE: Public Hearing: Soliciting oral and written comments on a proposed ordinance to remove overnight accommodations use rights from Use Table 3.1; to establish use-specific overnight accommodations overlay districts as a replacement to existing Section 4.6 Overnight Accommodations Overlay District; and, to apply the newly created use-specific overnight accommodations overlay districts to existing and vested projects in unincorporated Grand County.

FISCAL IMPACT: Unknown

PRESENTER(S): Zacharia Levine, Community & Economic Development Director

PREPARED BY: Zacharia Levine, Community & Economic Development Director

STATED MOTION:
I move to recommend approval of a proposed ordinance that will change the Grand County Land Use Code in the following ways:

- Repeal and replace Use Table 3.1: Remove overnight accommodations of all types as principal uses in all zone districts within Use Table 3.1
- Repeal and replace Section 4.6 Overnight Accommodations Overlay District: Establish use-specific overnight accommodations overlay districts for hotels/motels, campgrounds, and residential units used for overnight accommodations (condos/townhouses/single-family residences) with associated approval procedures and development standards (e.g. OA – Hotels/Motels; OA – Campgrounds; OA – Residential)
- Repeal and replace the Overnight Accommodations Overlay District map associated with existing Section 4.6 OAO Districts: Apply the use-specific overnight accommodations overlay districts to existing and vested projects of each use-type as per the maps presented in the ordinance exhibit

STAFF RECOMMENDATION:
Staff believes the stated motion and proposed land use code amendments accurately reflect the majority position of the planning commission, council, and residents of Grand County. Staff also believes the proposed amendments follow the policy logic and legislative intent that led to Ordinance 586 (temporary land use restriction, or moratorium, on new overnight accommodations) as well as the findings discovered over the months that followed. Lastly, staff acknowledges the need for ongoing long-range land use planning in Grand County. Staff will continue to support and facilitate conversations regarding the appropriate time, location, and nature of overnight accommodations development as well as the ways in which it relates to other land use needs, priorities, and community goals. The planning process should not end with the passage of the proposed ordinance.

Staff also notes that, as of June 6, 2019, the County Attorney had not fully reviewed and approved the proposed/draft ordinance as to content and form.

BACKGROUND:
Follow this planning effort at www.moabarealanduse.com.
June 4, 2019:

Councilmember Morse and CED Director Levine facilitated conversation regarding the current state of the moratorium planning process, including apparent policy decisions made to-date, remaining questions, and potential directives to Landmark. See Council packet dated June 4, 2019 for meeting materials (Councilmember Morse memo).

May 28, 2019:

CED Director Levine was not in attendance. P&Z Administrator Gordon and Chair Willis facilitated conversation in hopes of clarifying the following:

- Clarify that no new overnight accommodations of any type should be approved (or capable of being approved) in planning areas outside Spanish Valley, such as the US 191-SR 313 intersection, Elgin, Crescent Junction, Thompson Springs, or Cisco until residents of those communities ask the County to reconsider such a zoning change. In effect, this is accomplished by removing new Overnight Accommodations of any type from the zoning districts in those areas and not establishing any overlay districts that would establish eligibility for the right to conduct such uses.

- Clarify the redevelopment standards for existing and vested Overnight Accommodations developments.
  - Staff anticipates the County will extend/attach appropriate overlay designations to existing and vested OA developments in order to clearly indicate owners’ rights to operate as OAs.
  - Staff recommends the County establish distinct overlay districts to be applied to existing and vested projects by use type: OA – Hotels/Motels, OA – Campgrounds, and OA – Residential Structures (i.e. Condos/Townhomes).
    - Planning commission has indicated a desire to prohibit any expansion of existing uses and limit conversions of campgrounds to Condos or Hotels. At a minimum, Staff suggests the County explicitly say redevelopment that brings in new, otherwise permitted commercial activities (restaurants, retail, office, etc.) is allowed. Staff would interpret code to allow this by default, but recommends it be explicitly articulated.
    - Staff believes a small expansion of existing lodging should be permitted if new non-lodging uses are incorporated (i.e. Mixed-use), higher standards of development are met, or other public benefits are derived. The planning commission can use the “South Moab OA Overlay District” standards provided by Landmark Design as a starting place, with the addition of a mandatory mixed use development requirement.

May 21, 2019:

The County Council discussed the current status of Grand County’s moratorium planning efforts and affirmed the course of policy direction depicted below (as per the May 7 and 14 notes).

May 14, 2019:

The County planning commission, at its regularly scheduled meeting, discussed items 3, 4, and 5 from the letter included below, in the May 7th joint City-County meeting re-cap.

Planning commissioners conducted straw poll votes on items 3, 4, and 5 in my e-mail following the May 7th joint meeting. The results of those straw poll votes are below. They directed me to ask that you include the policies they represent in your draft ordinance.
#3 (How to deal with existing uses, and in the case of condos/townhomes, the entire developments)

- Condos/Townhomes: Attach the County’s existing Overnight Accommodations Overlay to existing and vested condo developments known to be primarily overnight rental developments. The OAO map is already applied to Rim Village MFR units, Puesta Del Sol MFR units, Tierra Del Sol, and Coyote Run (Moab Springs Ranch is now in the City). This would ensure that any current or future owners maintain their full legal right to operate a nightly rental out of their unit. At a minimum, the County would need to add Sage Creek (under construction), Red Cliffs Condos, and Desert Wind. The County will need a process for adding condo/townhome developments missed unintentionally.

- Campgrounds: Campgrounds will become legal non-conforming uses. If the Council doesn’t accept that, the planning commission would like to see a Campground Accommodations Overlay attached to existing campgrounds with a strict provision that prohibits conversion from a campground to a hotel/motel. Redevelopment that maintains the current number of lodging units but integrates otherwise permitted commercial uses would be allowed.

- Hotels: Hotels will become legal non-conforming uses. Redevelopment that maintains the current number of lodging units but integrates otherwise permitted commercial uses would be allowed.

#4 (How to regulate redevelopment)

- Planning commission only addressed this item to the extent it is covered above, in #3.

#5 (Should the County allow for any new ONRs, regardless of use type, in areas outside Spanish Valley?)

- No, or at least not until residents of those areas ask for such an allowance to be put back into the LUC.

May 7, 2019:

The purpose of holding a joint City-County meeting on May 7, 2019 is to clarify the core policy components Landmark Design will integrate into a draft ordinance, which will ultimately be presented to each jurisdiction’s planning commission and the public in the next phase of moratorium-related planning. Following the meeting, CED Director Levine submitted the following message summarizing his takeaways and remaining questions. See note at bottom regarding discussion items the Planning Commission should consider on May 14, 2019. I believed the e-mail accurately reflected the majority position of planning commissioners, council members, and the overwhelming majority of citizens who have engaged in the moratorium process to date. The e-mail noted that corrections were welcomed. If planning commissioners see different evidence, believe I mischaracterized either the results of the May 7th joint meeting or public sentiment, and/or want to see Landmark pursue a different course of action at this stage, the County needs to provide additional guidance to Landmark as soon as possible.

Hi Mark,

Thanks for participating in the joint City-County meeting yesterday. I thought it was productive. We were a bit rushed at the end, so I want to make sure we’re all on the same page as to the core elements of your initial ordinance drafts. Anyone on this e-mail should respond if they think corrections are needed.

1. New overnight lodging is removed from all base zone districts as a principal use.

2. The City Council will consider the creation of an overlay district in the north US 191 corridor and in downtown Moab. The overlay boundaries will dictate which properties are eligible to have the overlay applied in order to have the right to develop new overnight lodging.
   a. The County Council could decide to extend this overlay, if created, to include the parcels just north of the Colorado River (e.g. between the Springhill Suites and DOE UMTRA site)
b. Landmark will draft preliminary standards for the development of new overnight lodging in these potential overlay districts (if applied to eligible properties), including mandatory mixed-use, water and energy efficiency, and size/scale/form-based elements.
   i. I heard from at least one County Council member today that they would like to see these preliminary standards shared with the County as well. While there seems to be consensus that no new overnight lodging should be allowed until our community has reestablished a sense of balance, there may be some areas/nodes in the southern US 191 corridor that could actually be appropriate for new lodging units if, and only if, integrated into a mixed use development that met these yet-to-be-determined standards. Since Landmark will be working on these preliminary standards for the City’s potential overlay, the County will benefit from seeing them should the conversation come up in the future.

3. The City and County Councils will consider how to address existing overnight lodging uses, including hotels/motels, condos/townhomes, bed & breakfasts, and campgrounds.
   a. As I see it, there are three options to be worked out with each entity’s planning commission and council. Option 3 would be the least controversial, but it would likely ensure that such developments are sacrifice zones and, over time, completely convert to overnight lodging. Personally, I’m ok with that as it is pretty much the case already.
      i. Option 1: No new ONR licenses are granted (new-builds or residential conversions). All existing uses become legal non-conforming uses.
      ii. Option 2: No new ONR licenses granted as principal uses. Overlay districts are established that include known ONR developments such as Williams Way, Entrada, Red Cliffs Condos, etc. as eligible to have the overlay attached to their parcel. Existing uses become legal non-conforming uses. All property owners (of existing ONRs or future ONRs) are required to ask for the overlay to be applied to their properties in order to have the full legal right to have an ONR.
      iii. Option 3: Same as 2 except that the City and/or County create the overlay districts and apply them to all the lots/units in these known developments right out of the gate in order to establish certainty around the right to do overnight lodging now or in the future.

4. The City and County Councils need to determine how to address redevelopment of existing uses, whether they are in an overlay or not. If existing uses become legal non-conforming uses, the default limits on redevelopment is no expansion. Basically, redeveloped uses would be limited to what currently exists. However, I see a lot of value in allowing for redevelopment (with some expansion) as long as it meets some meaningful standards (like those being developed in item 2 above).

5. I’m adding this one because it really needs more explicit attention than it has been granted to date. The County Council will need to decide if it is open to any forms of new overnight lodging in the areas of US 191 and SR 313, Crescent Junction, Thompson Springs, or Cisco.

6. The City and County Councils are supportive of the community node concept (neighborhood scale mixed-use development). I would like to see a map that only shows the potential community node locations we have identified. However, most agree that we won’t be able to establish the planning principles, plans, regulations, and even incentives that will guide and facilitate these community nodes. This is a follow-up task.

As for me, I plan to discuss items 3, 4, and 5 with the County Planning Commission beginning next week so we can provide feedback to the County Council and Landmark while the draft ordinances are being written.

Regards,
May 1, 2019:

Landmark Design, in coordination with CED Director, Zacharia Levine, hosted a meeting of the advisory committee on May 1, 2019 following the previous night’s public open house/workshop. Most committee members attended the previous night’s meeting as well, so the group discussed primary takeaways regarding core policy and planning area concepts developed to date. The feedback generated from the public on April 30th and the advisory committee on May 1st will inform the discussions taking place on May 7, 2019 between the city and county councils. Following the May 7th meeting, Landmark Design will begin drafting ordinance language for the city and county to review and consider.

April 30, 2019:

Landmark Design, in coordination with the City, County, and sub-consultant LYRB, hosted a public open house/workshop. Materials for this meeting can be found on the project website: www.moabarealanduse.com. Between 80 and 100 individuals attended the meeting to learn about the planning efforts conducted to date, current findings related to public sentiment, initial policy concepts and planning areas, and to provide feedback for Landmark Design, City, and County officials. Landmark Design will use the feedback generated in this open house/workshop to present a narrower scope of potential policy concepts to the City and County councils on May 7, 2019.

April 23, 2019:

Landmark Design presented to the City planning commission and council. Although the County planning commission intended to participate in this presentation, scheduling conflicts prevented it. As a result, CED Director Levine presented the same PowerPoint slides to the County planning commission in their own meeting.

Landmark design presented their initial conception of different “policy packages” and generalized planning areas (e.g. “downtown,” “south of downtown,” and “north of downtown”). Planning commissioners discussed these initial policy concepts and directed staff to provide their feedback to Landmark Design. That feedback is provided below. Landmark used the feedback from City and County planning commissioners and City council members to update materials for the upcoming April 30, 2019 public meeting/workshop.

County planning commission feedback on Landmark Design’s initial policy package “spectrum”:

- In general, the County planning commission (PC) felt like the initial conception of a spectrum of packages is on the right track and reflects public sentiment.
- PC members (and staff) acknowledge that the boundaries of what constitutes “downtown,” “north of downtown” and “south of downtown” need to be fleshed out further. It may be the case that each of these areas needs further differentiation within them as well. Generally, the areas seem appropriate for differentiating development patterns and associated impacts/issues, but the City and County will need to work on the boundaries and respective policies in the mapping exercises coming up soon.
- The “extreme/strict regulations” actually could achieve the “no new overnight rental (ONR)” position many have advocated for as one end of the “spectrum” if overlay boundaries were drawn around existing developments only. More, some existing developments could be left out and turned into legal non-conforming uses.
On a related note, the PC and staff recommend changing the title of this package to exclude “extreme” as it communicates the wrong message. No new growth is also misleading because the growth limitations would be placed on new ONRs only. Growth in other forms/uses would still be allowed, and potentially even incentivized.

- The PC discussed the benefits of having tiers of the proposed ONR overlay that would allow for varying levels of development/redevelopment (like the County’s recently adopted HDHO districts). Some could allow for redevelopment of the same size or smaller, others the addition of co-located services (like new retail or restaurant space), some could allow for additional units, some could stricter form-based standards, etc.)
- Questions were raised as to whether or not packages 2 and 3 were different enough to effectively generate public feedback on their nuanced differences.
- These packages don’t explicitly address the area near Hwy 313 and US 191, Hwy 128, or Kane Creek Blvd. The areas need to be addressed. The County PC would like to prevent additional sprawl in lodging development in those areas, or at least significantly improve the regulations governing development in those areas.
- PC members (and staff) would like to see additional nuance in the commercial zoning that does not include ONRs. We need to zone for the economic diversification and development goals we have. There is interest in further incentivizing some commercial activities such that some incentives could make their way into the proposed ordinances, and some could/should be developed in separate but related policy conversations.
- The majority of PC members really want to see water related ordinances (water-efficient landscaping, LID/GI, and greywater ready buildings) included in all policy packages. There is a desire to see these ordinances apply to all new development, and not just new ONRs.
- PC members really support the notion of neighborhood scale, mixed use development areas (i.e. “community nodes”), but agree that the associated standards need to be addressed in follow-up planning efforts. Small area plans are needed for each “community node” because substantial work (and community engagement/public participation) is needed to get them right.
- PC members really want to see the lessons and insights gleaned from case studies (in accessible/bite-size language).
  - In addition to come comparable communities already identified, CED Director Levine noted Aspen’s integrated transportation and land use regulations and Tahoe’s regional cap on vehicle miles traveled (VMT). CED Director Levine also noted The Sonoran Institute and Lincoln Policy Institute have great resources/examples on integrated land use and water planning.

April 15 – 22, 2019:

Landmark Design spoke with individual City council members to receive direct feedback on individual’s concerns and the planning process. Findings from these conversations would help to inform initial policy development.

April 16, 2019:

CED Director Levine provided an update to the County Council on the moratorium process, initial findings related to the “zoning toolbox,” and upcoming steps (see text below). No substantive conversation followed regarding initial policy development.

Landmark Design, on behalf of the City and County, will host a public workshop on April 30, 2019 from 5-7pm at The Grand Center. The purpose of this workshop is to present the results of some case study analysis, findings from LYRB’s economic analyses (LYRB is a sub-consultant.), and preliminary ordinance concepts. A follow-up public workshop is tentatively planned for May 21, 2019.
Within the next week, Landmark will add to the project website at www.moabarealanduse.com the summary of public comments provided during the March 26 and 27 scoping meetings, CED Director Levine’s summary of comments from additional focus group meetings, any additional advisory committee meeting minutes, case study analyses, preliminary policy concepts, and other relevant material.

On April 23, 2019, CED staff will continue its presentation of potential zoning changes to the planning commission. CED Director Levine will also attend the City Council meeting to ensure coordination between the City and County occurs as desired.

April 8-12, 2019:

CED Director Levine facilitated four focus group meetings with multiple stakeholders representing a mix of local businesses: retail, restaurant, outfitters, professional services, real estate brokers, hotel developers/owners, high school students, and middle school students. CED Director Levine is in the process of summarizing the comments and perspectives shared during these focus group meetings.

April 9, 2019:

As part of its standing agenda item discussion, the planning commission talked about the TLUR and suggested preliminary ideas for regulatory changes. Planning commissioners raised the following questions and requests for research/analysis:

- How can/should the City and County differentiate between higher density and lower density lodging, hotels/motels and condominiums and campgrounds, and other scale dimensions?
- Where are neighborhood-scale commercial and mixed-use development nodes feasible? Where do they belong?
- There is support for the concept of performance-based zoning related to water use, energy efficiency, and indicators of need/benefit/capacity.
- There is support for public policies and budgetary expenditures that emphasize residents, community infrastructure, and quality of life (both related and unrelated to zoning regulations).
- The County should establish different regulations for lodging development in the peripheries of the Moab Valley. In some areas (Thompson, Cisco, etc.), lodging development is warranted. In others (north US-191 between Arches NP and Crescent Junction), lodging development may not be warranted.
- Two county council members in attendance suggested the County should, “start with the most restrictive regulations possible, and then work from there.”
- Planning commissioners acknowledge that many relevant planning efforts need to occur that require more time than is offered by the 180-day moratorium, and may not be zoning related changes, but that these efforts and ideas should be recorded. For example, transportation planning and elements of state and federal policies that influence the local economy.
- Some planning commissioners requested that Landmark Design include in their preliminary set of solutions the following elements: A new or modified version of the Overnight Accommodations Overlay; restriction of new lodging to the “north US 191 corridor; prohibition of new lodging elsewhere in the City and County; enhanced form-based standards that would regulate any new lodging development.

April 2, 2019:

Grand County hosted a joint planning commission-county council meeting on April 2, 2019 for three reasons. The first objective was to ensure members of each body were aware of where the County was at within the 180-day TLUR/moratorium timeline, what had occurred to date, and where the process would go next. The second
Objective was to ensure the planning commission and county council agreed upon next steps, staff activities, and information requests to Landmark Design and its sub-consultants. The third objective was to provide planning commissioners and council members an opportunity to float initial ideas for regulatory changes that could make their way into draft ordinances.

Highlights from the joint meeting included:

- Future meetings for the public should occur at neutral locations to avoid any resident confusion about which entity hosts the event.
- PC and CC members want to know what the regulatory boundaries are for changes to the LUC.
- PC and CC members have an interest in best practices gleaned from similar communities, in and out of Utah.
- PC and CC members agreed that different regulatory tools could and should be applied to different geographic areas.
- PC and CC members in attendance reached consensus that the “north US 191 corridor” (i.e. the north edge of downtown Moab to Arches NP) should be treated differently than the “south US 191 corridor” (i.e. the south edge of downtown Moab to the Grand-San Juan border). A planning commissioner suggested that new lodging establishments, if allowed, might be appropriate in the north corridor whereas more diverse, non-lodging commercial activities oriented more towards residents were more appropriate in the south corridor. The logic behind this recommendation was that little residential development currently exists in the north corridor and increasing levels of residential development is occurring in the southern reaches of Spanish Valley.
- Those in attendance expressed support for mixed-use development and the underlying principles of form-based codes, although there was concern about where mixed use development would be feasible, the time needed to develop form-based codes, and uncertainty in what they would look like.
- Conservation districts were identified as a way to protect certain areas from undesirable change or to preserve certain characteristics.
- PC and CC members in attendance seemed to reach consensus on the use of an overlay for accommodations developments, which would give the City and County more legislative discretion in approving or denying development applications. A planning commissioner recommended making development approvals contingent upon broader indicators of the need for and capacity to handle new lodging developments, especially for the edification of future legislative bodies.
- Special assessment taxing areas were identified as a possible mechanism for extracting more community benefits or value from lodging developments, although more research would be needed.
- Multiple PC and CC members noted the potential benefit of supporting nodes of neighborhood scale commercial development. More retail, office space, and small business development opportunities are needed.

March 26-27, 2019:

Landmark Design, the City, and the County hosted two open house sessions to generate citizen comments regarding accommodations-based development and land use planning in general within the Moab Valley. Landmark Design and CED Staff are currently in the process of collating and organizing the comments. Once finalized, the public will have an opportunity to comment on their accuracy, comprehensiveness, and any gaps.

March 19, 2019:

CED Director Levine provided a brief update to the county council on work related to the TLUR/moratorium and invited council members and the public to attend the open houses scheduled for March 26 (5-7pm) and March 27 (11:30am-1:30pm), both at City Hall.
March 13, 2019:

Landmark Design facilitated the first meeting of an advisory committee for the land use planning and moratorium work. The meeting agenda and minutes are attached.

March 12, 2019:

CED Director Levine presented to the planning commission a “zoning toolbox” to expand and frame the conversation around potential changes to Grand County’s regulatory environment for accommodations-based developments. The presentation is attached.

Representatives from multiple water stakeholder groups presented information to the planning commission regarding their groups’ position on water availability, quality, and distribution. The resources provided to the planning commission are attached. The objective of these presentations was to develop additional clarity on what is known and not known about the safe yield for annual water withdrawals from the Glen Canyon Aquifer, and where various groups have agreement or disagreement on estimates. The goal was not to generate consensus about the effective role of water in Grand County’s land use regulations at this time.

March 11, 2019:

The county council reviewed and approved the attached scope of work for utilizing Landmark Design to conduct land use planning and ordinance development related to accommodations-based development at a not-to-exceed amount of $19,000.

March 5, 2019:

A brief update was provided to the county council on how the planning commission and staff intend to proceed with the moratorium planning work. Council members were informed of the tentative schedule outlined below.

Council was also briefed on the potential to coordinate land use planning efforts with the City of Moab through a shared or complimentary contract with Landmark Design. The City of Moab had already contracted with Landmark to assist in the creation of a future land use element to be added to the City’s recently adopted general plan. As the City of Moab also passed a moratorium on new accommodations-based developments in early February, the City and County need to proceed along similar timelines. Council agreed in principal to the concept of coordinating planning efforts with the City with the idea that CED Director Levine, the County’s Community and Economic Development Director, would serve as the primary staff liaison for both jurisdictions. Because the final scope of work was not ready for review prior to the March 5, 2019 meeting, a special meeting was called for March 11, 2019 where the Council could review and take action on the proposed scope of work with Landmark Design.

February 26, 2019:

The planning commission agreed to the following tentative timeline:

March 12: PC meeting, Start at 4pm
- Request the following individuals provide reports on their agency’s or non-profit’s current knowledge of the availability, usage, quality, and distribution of water in the Moab Valley. Their reports should be five pages or less. Ideally, each individual will present their report highlights in about 5 minutes, and PC members will engage in Q&A to ensure clarity on what is known/not known and where there is agreement/disagreement.
- Staff will present to the PC a first pass at the County’s “zoning toolbox” as it pertains to accommodations-based uses
March 26: PC meeting, Start at 4pm, end at 5:30pm; 1st public scoping meeting, Start at 5:30pm
  - Public scoping meeting will be used to query the public for ideas on updating the County’s plans/codes

April 2: Joint PC-CC workshop. 12-3pm.
  - Report on PC’s initial positions/ideas
  - Report on findings from public scoping meeting
  - Ensure PC and CC are on the same page still

April to early May: work on zoning tools/solutions/packages

May 14: 2nd public scoping meeting: Start at 5:30pm
  - Present zoning preliminary alternatives to the public and generate feedback

June 11: Planning Commission Public Hearing for draft ordinance

June 18: Recommended ordinance presented to County Council as a discussion item

July 2: County Council first reading of draft ordinance in a public hearing

July 16: County Council votes on ordinance

**Note the public hearing dates at planning commission and county council represent the very last dates of regularly scheduled meetings to adopt changes to the land use code prior to the moratorium expiring.

February 19, 2019:

The county council reviewed the questions and comments noted in the section dated February 15, 2019 below, and provided the following response (in no particular order):

  - Pay particular attention to the whereas statements in the adopted ordinance, as these serve as the foundation for the TLUR and the issues Grand County needs to address.
  - Segment the geographic areas under consideration to north of the Colorado River and south of Moab City Limits. While Thompson Springs, Crescent Junction, and Elgin (Green River) are of interest and import to the County, primary consideration shall be given to the areas south of I-70.
  - Consider establishing a citizen working group to assist with the research, analysis, and recommendation process.
  - Consider identifying the full range of zoning tools available to the County in its regulation of accommodations-based developments. For example, the County could permit accommodations-based developments through an overlay (like the HDH overlay), implement stricter form-based, implement higher energy efficiency or environmental performance standards, require collocation of uses (i.e. mixed-use), create new zone districts, or use a host of other tools.
  - Consider the Council’s desire to provide for a mix of commercial uses available to both residents and visitors, and give particular consideration to the needs of small businesses serving residents and entrepreneurs furthering industry diversification in the area.
  - While coordination with the City is desired, proceed with the analysis and recommendation process as directed by the county council. County staff will consult with City staff and, when and where appropriate, advise the Councils on needed areas for coordination and collaboration.
  - The Council is interested in co-hosting open house and public participation events with the City of Moab when and where appropriate.
February 15, 2019:

As of February 15, 2019, staff and planning commissioners collectively developed the following list of questions and considerations. The intended use of this list is to gain additional clarity from the county council on desired next steps and pertinent issues related to the TLUR.

Key:
ZL = Zacharia Levine, CED Director
KG = Kenny Gordon, P&Z Administrator
TM = Terry Morse, CC Liaison
GW = Chair Gerrish Willis
AS = Vice Chair Abby Scott
RN = Rachel Nelson
RO = Robert O’Brien
EC = Emily Campbell
CG = Cricket Green
KW = Kevin Walker

ZL

1. How much lodging development does the County want and need?
2. Where should the County allow lodging development?
3. In what form should the County permit lodging development?
4. What is the role of lodging development within the larger Grand County economy?
5. What does the Planning Commission need from County Council (e.g. data, participation, direction, clarity, etc.)?
6. What role does the County Council want to play?
7. What can the County actually accomplish handle in six (6) months? What is a realistic scope of work/analysis?
8. How should the County PC, Council, and Staff coordinate with Moab City?
   1. Infrastructure: roads, water, sewer, etc.

KW:

ZL’s list of questions above looks great to me. Perhaps also

1. How does lodging development affect economic diversity in Grand County? (perhaps a sub question of ZL-Q4, above)

GW:

(I realize this is a long list and we need to spend some time winnowing down our issues and questions)

1. How will groundwater availability be affected by continued overnight accommodation construction if it continues at current rates of building and per capita use?
2. Are the economics of condo development such that if a permanent ban on overnight accommodations were enacted future condo construction demand would continue, but for long term occupancy instead of overnight rentals?
3. Are there sufficient land areas for light industrial and other commercial developments such as professional offices, stores, etc. outside the HC zone? I think this relates to Kevin’s bullet.
4. Are there examples of other resort communities that have banned or limited overnight accommodation development?
5. If it is decided that no use or zoning changes are warranted, how will this decision affect traffic congestion and wait lines in stores and restaurants? Is congestion quantifiable?
6. If it is decided that no use by right or zoning changes are necessary, what will be the effect of additional staffing needed to maintain and service future overnight accommodations on long-term housing affordability and availability?

7. I think Moab City might farm some of their analysis and data collection out to a consultant. Is there a consulting firm that the county could hire to assist with the analysis necessary to help the council decide on necessary zoning changes to address this issue? This relates to Z’s number 7.

8. Campgrounds are low density uses of land when compared to other overnight rentals. If a limit or ban of new overnight accommodations did not include new campgrounds, what effects would that have on land availability for long term housing and other commercial developments?

9. Some HC landowners expect to make windfall profits by developing or selling their property for overnight accommodations. How will a ban affect future land prices in the HC zone?

10. Would form based zoning improve diverse commercial development potential in the HC zone?

11. How appropriate and suitable are Cisco and Thompson for overnight accommodation development?

RN

• In regards to GW-Q2 above, is there a planning formula for determining how much commercial acreage (excluding overnight accommodations) should be allocated per capita (including seasonal visitors, whom I imagine would be counted as fraction of a full time resident)?
• In regards to GW-Q11 above, have there been any studies on water availability in Cisco and Thompson? Or is current data limited to the Moab Valley.
• In regards to GW-Q10 above, how would an application for development (including overnight accommodations) using form based codes play out from start to finish? For example we used increased height allowances, density, etc. to encourage development in the HD overlay areas. Form based seems like the exact opposite of this technique….so how does it work and is it even adoptable and practical?

AS:

2. What part of your constituency wants more lodging development? What types of lodging? Does any part of your constituency want more hotel development? Is the goal to restrict lodging (or just hotel/motels) as much as possible?

3. Would the Council like to see greater conditions put on lodging in areas where it will be permitted? What are the concerns that should be addressed with those conditions?

4. Does Council see a need to differentiate between types of lodging? For example, should campgrounds be considered separately?

5. Would the Council like to see greater restrictions on other types of non-residential use such as restaurants or automobile-related businesses?

6. Would the Council like to see greater restructuring of where non-residential zones exist and what is permitted in those zones, or address lodging only and leave other zone boundaries and descriptions as is?

7. What does the Council foresee as negative impacts from limiting hotels? Does the Council have any specifics about which impacts are most important or which impacts are most in need of mitigating?

8. What is the Council doing to reach out to the new San Juan County Commission or Planning Commission on this issue? Are there efforts at coordinating? Would the Council like to see meaningful involvement from San Juan County, or meaningful attempts to reach out to San Juan County Commissioners and Planning Commissioners? What type of coordination with San Juan County do we want to see, if any?

   1. Terry mentioned that there is will on the Council to be involved in this process and help the Planning Commission. If the County Council would like to see meaningful involvement from San Juan County, I think that this is an area where members of the County Council should take the lead and make the first attempts at reaching out, if this hasn’t been done already. I understand
that historically, San Juan County has been resistant to coordinating with Grand County, but it might be worth trying again.

9. How much should Planning Commission factor in the potential for increased traffic if lodging moves to San Juan County?

10. Do you see a need for changes to the zoning in outlying areas such as Crescent Junction & Thompson? Does it make sense to try to make those areas for attractive to hotel development? Has your constituency in outlying areas expressed desire for lodging development?

11. What degree of public involvement do you see being most beneficial? What are the ways that the County Council and Planning Commission should be reaching out to the public and encouraging public involvement?

12. Are there communities that have limited lodging development that we should look to as a guide?

RO

Great questions (above). In terms of Issues I think that this moratorium would not be in place except for the following:

1. The great pressure on housing for residents and affordable housing. Therefore we need to think about how overnight accommodations affect that issue. It would be nice to have some analysis here though I think we have some idea, we do not likely know the quantitative impact.

2. Crowding of everything is the second issue that people are likely to mention. Neighborhood streets and even 191 through town and on the edge of town. Markets, stores, eating establishments, favorite hiking places, and so on. This issue is certainly two pronged in terms of the tourist economy and the quality of life (outside of the economics).

3. Water is an issue often brought up. How many people can we have in the Spanish Valley area with climate change being a factor not often discussed?

4. Those are what I think are the main drivers of the moratorium, but please mention others. I likely will keep them in mind as we address this problem.

February 12, 2019:

The planning commission reviewed the directive and guide provided by the county council to initiate their planning efforts related to the TLUR. Planning commissioners asked questions of staff regarding the process. General conversation about the motivation and potential outcome of the TLUR occurred. With encouragement from staff, the planning commission compiled a list of questions to be shared with the county council for additional clarity in how to proceed with their analysis and development of a recommendation. The list of questions is provided above.

February 5, 2019:

County Council passed an ordinance enacting a temporary land use regulation prohibiting new land use permits for any land use associated with overnight accommodations, including hotels/motels, campgrounds, bed and breakfasts, condominiums and townhomes used for overnight accommodations, or any other land use associated with overnight accommodations. This temporary land use regulation does not apply to existing structures or vested development projects.

The County Council provided the following directive and guide to the Community and Economic Development staff and Planning Commission.

From the County Council:
DIRECTIVE AND GUIDE FOR COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT AND THE PLANNING AND ZONING COMMISSION

This document will serve to direct and guide the Community and Economic Development Department and the Planning and Zoning Commission in deliberations on the planning and regulation of future development in Grand County by locating and proposing appropriate zoning and/or rezoning of new development of the following Land Uses:

- All overnight rental accommodations, including but not limited to hotels, motels, condominiums, bed and breakfasts, apartments and bunk houses
- General retail and wholesale businesses
- Restaurants
- Light industry
- Automobile related businesses including ATV’s and OHV’s
- Other businesses which are appropriate for the economic benefit of the community

This should include considerations of:

- Where the respective uses should be located in the county
- A map of the placement of the uses that can be used to create the necessary zoning to ensure the intent of this moratorium is adhered to
- Attention given to a balance of services in locations that will serve the beneficial needs of the community
- Economic diversification
- Current essential needs

It is anticipated this study will result in legislative action being taken by the County Council on the recommendations of both the Community and Economic Development Department and the Planning and Zoning Commission once they have completed their evaluations and have put forth their conclusions.
Hello,

I was unable to attend the open houses in March, but have some comments and concerns to share with your group.

1. When you talk about urban infill, does that include the R2 zone in Moab even though the City Council voted to remove the R2 zone from the PAD ordinance?
2. If the R2 zone is to be included in any urban infill discussion, will you notify all the residents of the R2 zone of this intent and will you take into consideration our comments and concerns about infrastructure, roads, parking, and code enforcement?
3. Are you aware of the comments made by city officials and others portraying residents of R2 as greedy and fearful of “the other” and of change?
4. Has the city provided you with existing written comments received by them over the past several months from residents of R2?
5. As you formulate your plan, will you be able to articulate why the R2 zone must be included in the PAD ordinance when there are other zones whose intent and infrastructure was designed specifically for higher density construction?
6. Do you have any examples of other cities like Moab who have used urban infill in their existing residential zones?
7. Have you driven through the R2 zone in Moab to see the variety of homes that make up our neighborhoods?

Thank you for the time and effort you are putting forth to help Moab and Grand County develop a land use plan that reflects the vision of Moab’s residents and meets the needs of our changing community.

Thank you,

--

I own a nightly rental unit in Moab Entrada.

I believe the rights with existing nightly rentals should be protected as owner paid a premium for those rights and they are a critical element of the value.

I do think that Moab residents’ concerns about the town are often legitimate. One thing I have seen that has degraded the experience in town and in the surrounding back country is the noise from side by side and atvs that a street licensed. Moab PD should enforce a noise ordinance as many of the vehicles have modified exhausts and exceed EPA standards and likely state or municipal noise standards. Citing vehicles and letting visitors know of the noise enforcement would improve the experience for non-motorized visitors and residents.

Please note that these are the verbatim messages received since the workshop was held on April 30th through noon May 6th. It is anticipated that additional comments will be provided by the comment period deadline, which is end of the business day May 7th.
I also believe that Moab City should look at all zoning areas that are yet to be built and if they believe there is too much Hoyle and nightly rental raw land, they could look to convert some of those areas to commercial or high density residential to protect landowners and bend the curve if the sense is that there is too much nightly rental in the overall mix.

Also, residents should be told about the economic benefit of nightly rentals and the contributions to nightly rental taxes and consumer spending in local shops and restaurants. I’ll send a spreadsheet separately.

Here’s the model that shows just on nightly rental complex provides nearly $3M per year in economic benefit to Moab. We should find ways of getting the right land use mix over time and managing the externalities brought by guest with things like vehicle noise enforcement.

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http://www.budgetyourtrip.com/united-states-of-america/moab

How expensive is Moab?

- **Accommodation**
  - Hotel or hostel for one person | $82

- **Food**
  - Meals for one day | $30

- **Entertainment**
  - Entrance tickets, shows, etc. | $2.50

- **Tips and Handouts**
  - For guides or service providers | $25

- **Alcohol**
  - Drinks for one day | $53
I am writing to support continued nightly rentals in the Cottonwoods development on Williams Way, in the C-2 Zone. I am a seven year owner of a Cottonwoods Unit and reside there several months each year. My family and I have been regular visitors to Moab for over 40 years and decided to make Moab our second home, and ultimately our retirement home. However, I rely on nightly rentals to be able to afford the mortgage and expenses for this unit. Without the ability to rent I would regrettably be forced to sell the unit. Moreover, without the nightly rental option, re-sale value would be greatly diminished causing me considerable financial hardship.

I support efforts to better regulate the booming growth of Moab. However, I suggest looking at regulation on development going forward rather than reverse regulations in place, causing undue hardship to existing owners. Cottonwoods has been eligible for nightly rentals since it was built and I believe is an attractive rental due to its proximity to downtown. I have to believe it has been a reliable contributor to the economy.

Thank you for your consideration.

--

I am unable to attend the meeting tomorrow night. It is my understanding that you still have a willingness to collect comments.

I have lived full-time in Moab since 2011, tourist since 1999. I own a home. I work in the Real Estate industry and have a UT license (though I do not work as a sales agent); I am required by law to disclose that.

The comments are entirely my own, they are not representative of any organization or profession.

DENSITY - increased density DOES NOT equate to affordability unless we are careful to require it to do so. We can change our zoning laws to allow for 4 homes in a space where we now only allow 1, but if someone builds 4, $450,000 homes then we've accomplished nothing.

BUILD SMART - we have so very little private land - identify areas within the County and City that are suited to increased density (i.e., proximity to services, etc.) and focus on ways to "incentivize" affordable development on these sites. Example, the large acreage of flat, residentially-zoned private land along Powerhouse/Millcreek, owned by developers. How can we motivate those businessmen to develop affordable housing solutions here in a way that will be pleasing to the community?

LODGING MUST INCLUDE "OTHER" - hotels, motels, and nightly rental complexes should be required to also construct a square footage of area for retail, restaurant, or other. They are swallowing up all of the available land and making it such that nothing else can be built.

LODGING MUST INCLUDE HOUSING - hotels, motels, and nightly rental complexes should be required to construct, or pay into a fund (Land Trust), a set square footage of housing space per guest room/bedroom.
PARKING - we have grossly inadequate parking. Absurd that we allow flatbed trailers to clog residential neighborhoods. Vacation rentals, hotels/motels, RV parks - all must provide off-street parking for their guests including trailers. No trailer or RV parking on City streets.

OFF-ROAD - off road motorized vehicles which are not allowed to drive on I-70 should not be racing around on our streets. Trailer to the trail. Enough. They are noisy and dangerous.

LIMIT ZONES FOR LODGING - I can name 6-8 business ideas that are legitimate needs in Moab, to serve both locals and tourists alike. I cannot find ground to do any one of these things, it is too expensive because lodging development has driven the prices to absurd levels. Cut back the zones in which lodging development is allowed, to help ensure that some shred of our private lands will remain available for non-lodging development.

MAINTAIN OPEN LAND - developing every inch of ground is not the answer.

CONTINUE TO RESTRICT SHORT-TERM RENTALS - this needs to be done with utmost care, as a quick look at other States will show that if there's enough push-back, communities can lose their right to regulate this use. If any house could be a short-term rental, the vast majority of them WILL BE used for this. We'll lose our neighborhoods. We'll lose our rental housing for workers.

Thank you for your time,

--

To Whom it May Concern:

I am the owner of one of the Entrada townhomes and am writing in regard to the request for public comment regarding future land use and overnight accommodations in the Moab area. I live out of state so am unable to attend the planning meetings in person.

I decided in 2017 to purchase one of the Entrada townhomes because my family, friends and I love the Moab area so much. We had been visiting multiple times a year. The opportunity came up for me to own a beautiful home in an amazing place, and for my costs to be offset by rental income when not used by myself. I had researched the zoning rules at the time, and confirmed that the unit, in zone C2, would be eligible for short-term rentals.

I am obviously concerned about protecting the value of my investment as well as my ability to continue to offset the property/mortgage costs with rental income. I would estimate that, if short-term rentals were disallowed in the Entrada complex, the value of the property would almost immediately decrease by 30%. Such a change would be financially devastating to me and many others.

I have read through the community's concerns about rapid growth, the imbalance between long-term housing and short-term accommodations in the area, and affordable housing. My hope is that this can be addressed by limiting construction of new short-term units or restricting future applications for overnight lodging, thus grandfathering in existing homes that were purchased with the
expectation/understanding that short-term rentals would be allowed. This allowance should be made explicit in any legislation, and should be specific to a unit/property rather than a specific owner (such that if I made the decision to sell my home, a future owner would be able to continue short-term rentals on the unit).

I would also support using a portion of the taxes collected from overnight lodging to support affordable housing, rather than devoting these funds entirely to promotion of tourism.

I also believe any land-use planning should be done by the city of Moab and Grand County should be in coordination with San Juan County. Continuing to allow construction just south of town, in San Juan County, but restricting it in Moab, will continue to increase the problems associated with growth of visitation (traffic/noise/parking, etc.).

Thank you for your time and consideration.

Best regards,

--

Hello City Council,

As a member of this community, I want to express my concern about water use in Moab Valley as our small town continues to grow. Below are a few points for helping to ensure our community has access to clean water in the future:

- I am grateful for the moratorium on all new overnight accommodations. We must use this time to get an accurate and up-to-date water availability analysis of the valley in order to make sure we have sufficient supplies and do not create demand hardening.
- Before development continues, we need to create a specific number of remaining Equivalent Residential Connections (ERC’s) in order to determine what amount of growth is best for our community based on the actual amount of water we have. This should include having a buffer capacity for climate change, which we know is here and already affecting the Southwest’s water supply. The Order of the UT State Engineer approving the transfer of water rights into our watershed by the San Juan Spanish Valley Special Service District cites a study indicating the Colorado Plateau could experience up to a 30% reduction in runoff due to climate variability.
- “Adopt a green infrastructure ordinance for stormwater management to protect water quality, increase localized groundwater recharge and offset landscape irrigation through matching plantings with green infrastructure treatments.” A direct quote from the Moab City General Plan – Goal 4 Water Quality, Policy 1, Action step h. I for one want to support the city in meeting this goal, which supports our watershed and community resilience.
- While we are in this moratorium, I would love to see us set high standards for integrated water efficient landscape design and performance for all new development (including residential), while also promoting conservation by existing users.

Thank you for taking the time to read this. As we are talking about housing and development, we must not forget water. Without proper effort to conserve and protect our water resources, we put our entire community at risk.
Hello Moab and Landmark,

As the general manager of the largest property management company in Moab, Moab Property Management and Moab Property Group, I wanted to take the opportunity to express my thoughts on the land use policies currently being developed for Moab City and Grand County. We provide both long term housing and nightly rentals, in a near 50/50 mix, so we can provide a unique perspective into the growth of overnight rentals and the need for affordable housing. Finally, we have a full-service brokerage and can see how the decisions made on land use, specifically moratoriums and zoning changes, affect housing prices.

We have ~35 employees and fully understand the need for affordable housing for our staff. We are able to house our staff through a combination of apartments and houses with several roommates. As Moab continues to grow, we need to look at the models and examples set forth by cities that have already grown and figured out many of these issues. Simply put, Moab does not have enough apartments. So many of our workers that need affordable housing are stuck renting more expensive houses that have amenities that they don’t need or want, or can’t pay for. A great many of these workers are seasonal, and a house just doesn’t make sense for them to rent. We rent the apartments we manage usually before the previous tenant even vacates. And we always have a waiting list for our apartments. When people move to a larger or more developed city, they usually look for an apartment. When was the last time you heard of someone moving to Aspen or Park City seasonally, and hoping to rent a home? Our apartments on average rent for half the price of a home, and are affordable to most anyone.

Another item to address is the push to develop affordable housing in downtown Moab. Downtown has the highest pricing and least land availability. To continue with the earlier theme, you wouldn’t expect to rent an apartment in downtown Vail, or live on the strip in Las Vegas. Residents in these areas live in nearby Eagle Vail, or in the suburbs around Vegas. Property south of town, in the Spanish Valley area, is much more affordable and a much better place to develop affordable housing. I would suggest making it easier, and more advantageous for developers to put in apartments south of town. This could be done through incentives and partnerships. In fact, Moab Property Group would be interested in a project such as this.

One important item to note is that the recent attempts to curb overnight rentals and make housing more affordable, the sewer moratorium and the overnight rental moratorium, have had the exact opposite effect. As soon as those policies went into effect, we saw prices for existing homes go up immediately in value. As new supply was cut off, and demand continued to soar, the prices and values for anything existing shot up. Unless we are hit with a recession, or tourism to the area is greatly reduced, limiting new building will only drive up the cost of what is already built.

I would highly suggest a strategy of granting additional land rights to address the situation and staying away from stripping away property rights in the process. Stripping away property rights takes value away from land owners that had a reasonable expectation of use when they purchased the property, and opens up the city/county to expensive litigation. When the city made the move to remove overnight rentals from the C2 zone, which has since been rescinded, a very large group of land owners banded
together with the intention of filing a large lawsuit against the City. Thankfully this never came to fruition. We would all lose if these efforts all ended up being wasted on legal fees. When property owner’s purchased land in Commercial, General Business, or Highway Commercial Zones, they often paid 2-4 times the value of the property because of the zoning. Stripping this away would be akin to telling a Moab resident that the home they paid $350,000 for is now worth only $200,000 because zoning has changed and families are no longer allowed to live in that neighborhood. Many people, as evidenced in the meeting about the C2 zoning change, invested their life savings or planned their retirement around properties or land in these areas. Don’t take away rights and value; add it. Look at other zones and allow for the addition for apartments and affordable housing in appropriate areas. Look at the issue as a business would; a good investment. You wouldn’t build apartments by the beach in San Diego. Don’t build apartments/affordable housing in downtown Moab. Take advantage of the lower pricing and increasing growth in Spanish Valley.

Instead of looking to penalize types of growth that some may not like, ex. nightly rentals, I would look to incentivize types of growth that most can agree on. Taking a positive approach vs. a negative approach, like granting rights instead of stripping them, will win over more citizens, and make less enemies. If Grand county were to give incentives in the forms of tax credits, land grants, monetary contributions, etc. for the building of new apartments, that would greatly accelerate the development of affordable housing. I would suggest that funds for these incentives could be taken from TRT income. While those funds are currently locked to advertising, it appears that some changes may be coming to that. And, while controversial, I would support a reasonable amount of TRT be allocated to these programs/incentives. For citizens that see overnight rentals as a negative, that would be a direct benefit that they would see from the tourists coming to town. Again, Moab Property Group would be interested in participating in one of these programs should they become available.

I think it’s also important to bring up the idea of a bypass for trucks coming through Moab. Much of the traffic, noise, etc. that people complain about is not due to tourists or overnight rentals. Moab’s Main Street is a thoroughfare for trucking. Moab does not need, nor want, the business from the trucks coming through. And citizens and tourists don’t want that either. We’ve all experienced having dinner at a Moab Main Street patio and having to pause your conversation every time a semi-truck breaks or accelerates. There isn’t a single thing we could do to reduce traffic that would be more impactful than routing trucks outside of Main Street.

Finally, Moab is growing and we need to embrace and shape that. We have ‘problems’ that many other towns would love to have. MPM manages property in other states and participates quite a bit in the rental industry as a whole; and our problems are not unique. No matter where you go there is always a perceived housing crisis or shortage. We need to look at the positives that all the tourism and extra money they bring in provide to us, instead of looking at the downsides. We live in a beautiful area, and other many people want to share that with us. Not many places have that, and we are lucky to live here. We can find a balance between providing affordable housing in appropriate areas, not stripping away rights from our citizens, and allowing the town to grow and prosper organically.

Thank you,
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Any proposed land use regulation must consider that we need to have a liveable environment for the current residents. Traffic jams of the sort last Sunday are unacceptable. We do not have the infrastructure in place to accommodate such fast growth. Our surrounding public lands are being loved
to death, and consequently trashed. Noise and light pollution need to be curtailed. All of these outcomes are a consequence of too many people in too restricted an area.

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Dear Mr. Vlasic,

After all the public forums you’ve attended, I’m sure you are aware of the wishes of this community. Most want to see the growth of tourist accommodation (including campgrounds and RV parks) halted. Most feel that we have reached or exceeded capacity already. We have certainly reached capacity with the current infrastructure and resources needed to assure a quality experience for tourists. We have certainly reached a level of tourism that compromises our residents’ quality of life.

Our LUC needs to encourage the upgrading of infrastructure and the development of businesses that support our current level of tourism. Our roads need an upgrade and our downtown needs a by-pass. Our national parks need time to resolve overcrowding and access issues. We need more restaurants, more tour operators, more grocery stores, more housing for service workers, etc. Once we have dealt with these issues, and assured that visitors can have a safe, comfortable, quality experience, we can revisit the issue of more tourist accommodations.

No doubt many metropolitan citizens would not consider our community to be overly crowded, hectic, and noisy. However, the standard which needs to be applied in the Moab Area is not that of San Francisco, Denver, or even Salt Lake. This is a rural/small town community. Our citizens we are increasingly adamant about preserving the character of the Moab Area! We need to uphold the good planning principles of infill and compatibility. The current high-density overlay violates those principles.

The high-density overlay needs radical revision. There is little need for local densities that are more than double the housing densities of New York City! High density overlay use should be reserved for 100% affordable housing developments. Mid-rise and hi-rise buildings should be restricted to our future college campus.

Some will say that Grand County should build all the tourist lodging it can because San Juan County will build it if we don’t. We cannot dictate to SJC, but we can negotiate and influence them to cooperate with us in controlling growth in our valley. So. Spanish Valley will continue to depend on Grand County for provision of essential services for some time to come. We are in this together. If our leaders are willing to undertake the task, we may see more homes and fewer tourist accommodations being built in SJC.

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My observations:
It is especially important to avoid the pitfalls of segregating land use types. Creating monotypes of development can really create dead zones, which are not only unattractive, but also less safe. In addition, this approach can increase traffic problems. The movement for neo-traditional neighborhoods, also known as, New Urbanism, advocates promoting mixed land uses for maximum livability.
My suggestions:
Look at how other resort towns, such as, Telluride and Aspen and even Boulder (as a college town, it has some similar issues), manage their Venice problem and promote affordable housing.

From the toolbox, make use of an Inclusionary or Assured Housing Ordinance. Include how to manage Airbnbs along with hotels as you consider the tourism challenges.

Consider what we want to preserve, such as important view sheds and important landmarks, such as the scale of attractive streets. With regard to maintaining the look of our central streets, there is a notion of a reverse wedding cake approach to new development, i.e., place taller new development outside the smaller scale streets rather than permit tall developments on attractive streets with lower buildings.

Consider how we want things to look. That means bringing into use form-based codes (FBC), which are all about achieving this goal. With this zoning tool, you consider the scale and appearance of buildings in a district. While it is a fad/trend, this can also be a very helpful tool. As an example, Cincinnati has adopted form-based codes for its downtown.

My preferred option is a hybrid of Options 2 and 4 that slows the growth in overnight rentals, but still promotes mixed land uses.

Sincerely,

--

Hello -

I would like to provide input on the current moratorium and proposed changes to the Land Use Plan.

The City and County need to make changes very quickly, and very soon. The character and wonderful things about our town are being destroyed by too many tourists.

The land can’t handle it and the town cannot manage it well. We have traffic jams most of the year now, and the B&B’s, illegal rentals and very large out of town events encroach on our once quiet neighborhoods.

Housing is almost non-existent for the average person living here, and it is very frustrating to have so many out of town companies, corporations, and speculators taking over what little is left.

We need to put a stop to the out of control growth by extending the moratorium for a longer period of time - one, so we have more time to discuss and plan, and two, to prevent any more hotels and motels from building here.
There absolutely needs to be the option in the Land Use Plan that no more hotels or motels be built here. Monticello and Green River can take the overflow. The hotels are ruining this town and taking away precious land that could be used for local housing.

Most residents do not want to see any more hotels and motels going in. It is changing the character of the entire town, and benefits only the corporations that are building them. There is no benefit to the locals.

Enough is enough - this could have been prevented by careful planning a long time ago, so, it is crucial that this out of control development be stopped before this town loses its soul.

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Hi, I live at 4900 Sunny Acres Lane, which borders on the San Juan and Grand county line.

Obviously (to me) options 1 and 5 are out. Of the remaining options, I’m not sure where some of the tools mentioned in the community examples fall into. Specifically, the tool where development can be 'sent' or traded to another property. When selecting one of the more restrictive options limiting development (my preference), by adding in the trading of development options, you could help prevent the resentment from undeveloped/under-developed owners.

I would like to see that tool Incorporated. It sounds like a cap and trade market tool. Though the implementation would be complex, I'm hoping it might be a solution to help one of the more restrictive development options to be implemented. Also, in the example, it sounded like it was more for agencies to use. I would like to see something like that available for private lands owners. That way, developers like Randy Day could get behind a restrictive development option because they know they could essentially up-zone their projects by purchasing development rights from other Land owners. It's going to take a solution like that to get greedy developers to back a restrictive option, which would help everyone, I think.

Feel free to contact me.

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I support the option of no new nightly rentals. We are already over capacity now in almost all respects.

Two close friends, one an ex council person and one a current one, have or are planning on moving from Moab or out of the city. We are losing the heart and soul of our community. I moved here 25 years ago from the Roaring Fork Valley. I watched as Aspen became a town with one empty neighborhood after another during off season and then so jammed with cars and people during the high season that it could take an hour to get into or out of town and then there was no parking, exorbitant prices, tight reservations at restaurants, and one family after another moving down valley. I was director of Leadership ASPEN and most of our program participants worked in Aspen but lived down valley including the fire chief, police chief, head of the hospital etc. Eventually it became Leadership Roaring Fork as so many leaders lived in Carbondale or Basalt. If Moab continues at this pace, we will have more and more people moving from the city center to the county and to Green River and LaSal further contributing to traffic issues. We need a stop to TRT advertising, an imposition of a 6-month minimum
lease restriction on all rentals, and a permanent moratorium on all new overnight accommodations.

Thank you for the public meetings you have hosted! Requests for our input gives us hope that our opinions are heard and might make a difference.

My personal leaning regarding the five options is more towards numbers four and five, with higher emphasis on five. No further growth would be ideal, in my opinion, as I feel that we have reached and exceeded tourist saturation. I know that many say that this option will just push the growth down into SJC, but I think SJC growth is going to happen regardless of what we do in Grand County. The same rumor blazed through about eight years ago when Walmart made rumblings about locating here, and many said that if we didn’t snag them, they would just locate south of the county line. While that could be true, I don’t think that a fear-based approach to city planning makes sense. Same thing regarding the fear of increased property taxes - we are paying, either way; it’s a matter of what form our payments will take (more property tax, or further decrease in quality of life? Regret that the answer is likely “both.”)

My main objection to option four is that it sacrifices the north corridor into Moab. We have enough hotels for the level of tourism that we should be seeking ~ the excessive continued promotion needs to be curtailed through local control of TRT funds, which I realize you have no influence over. Even with the proposed highway 191 widening project, we are still doomed to long lines of vehicles coming into town - it’s just going to be four lanes of them instead of two; road widening doesn’t cut down on numbers, it just alters the configuration of the congestion. I doubt that concentrating hotels at the north side of town is going to cut down on through-traffic congestion in town; they will still be coming in for groceries, restaurants, gas, etc, and people on longer trips prefer to continue on down to the south rather than backtracking to the interstate, lured onward by Cedar Mesa, Monument Valley and other iconic destinations. Maybe a few of the SLC weekenders will avoid coming into town by bringing their own groceries, but I doubt that their numbers are sufficient enough to make a difference in town congestion.

My other objection to option four is that the form-based codes requirement is not included (although it reappears in option five - was that an oversight?)

So to recap, put me down as a vote for option 5, NO FURTHER GROWTH. Enough, already. We also need to quit turning long term rentals into nightly accommodations; our lower income residents have been pushed out of their housing by the greed of those fortunate enough to be landlords. I suppose one might view Moab's economy as booming, based on the number of service-based job opportunities, but the workers cannot afford to live here. We are turning into a commuter town, with the bedroom communities 25 - 65 miles away.

If you haven't seen it already, please watch the YouTube video taken on 28 April showing the gridlock on 500 West / Kane Creek Blvd from the highway intersection almost back to McDonald's: https://www.youtube.com/watch?feature=youtu.be&v=xwG1TQyo9Ug&app=desktop
Also of note is the recently released statistic that there are 2.4 visitors per resident on any day. How are we supposed to support that much influx? And where are they supposed to park their triple rigs? Utah state regs allow 65’ commercial rigs, and apparently regs are relaxed for private rigs (according to the Rzr forum, where one post mentions being ok’d by a UHP officer for his 79’ double-trailer rig, as it was being pulled by an RV which does not get included in total rig length.) Since a city lot is only 65’ wide, one tourist can manage to block two driveways by parking on the street. Please keep in mind that the majority of people who visit Moab are pulling trailers, so each tourist vehicle is taking up multiple parking spots.

Again, thanks for your efforts and requests for public input. Best of luck in meeting the moratorium deadline. Your recommendations greatly influence our future.

Regards,

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Dear Grand County Council, Moab City Council, city and county planners, and Landmark Consultants,

Thank you so much for all of your work on the current Moab Area Land Use planning project. It is difficult but so important. I’ve attended the two planning events with Landmark. Following are my comments.

I fully support option 5, called “No Growth” in Landmark planning documents. I think this title is quite misleading, and scared some people away from supporting it at the April 30 planning workshop. It is actually an option for no new overnight rentals, other than the 1100 or so new rooms already permitted but not yet built. It does not impact other types of growth, and in fact encourages other commercial, residential and community services growth. This was unclear, especially as the voluminous information on the growth options was not available to read before the workshop. I don’t think there were bad intentions, and I don’t want to look backwards, but I think it might have really skewed the opinions stated in the workshop. Everyone I’ve talked to in town thinks there are too many hotels, and that is without those already permitted and not built (which many people are not aware of). Traffic is horrid. Water use may be depleting our groundwater supply, but not all the information is in. I urge the Councils to not permit even one more overnight rental, whether hotel, motel, condo, campground, air b&b, or bed and breakfast. (And we need to stop advertising, but that may be a later discussion.)

Water availability is vital. Just how much water is used by overnight rentals, with showers, toilets, and landscaping, as well as sheets and blankets washed daily? We need to pause to more fully understand this and other factors relating to our water supply.

The compromises to option 5 that I would find most palatable would be to potentially allow very limited new overnight rentals sometime in the future. Because of the recent (and upcoming) overbuilding, I think there should be some number of years of no new overnight rental permits, perhaps with review of that policy every x number of years. The review could look at visitation trends, water supply, tourist impacts, traffic, etc., before deciding whether they would potentially allow some permits in the following years, until the next review.
I’m a little concerned about putting all new potential hotels on the north end of town. I don’t really understand that strategy. It does nothing to improve traffic where it is worst on the north end of town, all of those visitors in the hotels will drive to breakfast and dinner downtown anyway, and it makes an ugly entrance to town. This strategy will drive up land prices in that zone, so no one will start restaurants or any other business there, as overnight rentals are most lucrative.

If any future overnight rentals are eventually allowed, I would be in favor of prioritizing smaller campgrounds or motels with a limited number of units, which would encourage and support local ownership.

If option 5 is not adopted, at the least the current “use by right” must be eliminated, with any future overnight rental permits only allowed by vote of the city or county councils.

Thank you for considering my comments.

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No growth is a loaded term but there are already too many overnight spaces in this town and not enough long term housing.

Nate Greenberg - Local zipline guide

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Thank you so much for all of your work on the current Moab Area Land Use planning project, I support Option 5.

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Thank you, Grand County Council, Economic Development Office staff and Grand County Planning Commission for your work in this process. Thank you, Moab City Council and the Mayor and your planning staff for your work in this process as well. Thank you, Landmark Design for professional consultation.

The April 30th workshop may have helped gain the public’s perspective on future city/county overnight rental development. It may be biased considerably right now due to the heading on Option #5.

There are hundreds of additional rooms about to be started or completed soon. To me labeling option #5 as “No Growth” lead the public to perceive that option as rather radical and unreasonable. I don’t think it is at all. I hope #5 option could be presented differently in the future.

I don’t know how many overnight accommodation rooms will be completed soon or are already approved. However, I think when we are considering option #5 it should be clarified how many additional overnight accommodation rooms are already approved and how many residential and other commercial projects are approved.
I would hope in any newly adopted land use codes the city and county councils would be required to vote on any new overnight rental or hotel development proposal and the use by right in the commercial zone for hotels and overnight accommodations is changed.

If a version of option #4 were to be adopted the northern corridor commercial development could be limited to shops and restaurants, not new overnight accommodations. We could extend the walking traffic from the current downtown all the way to the river (wouldn't that be cool?), eliminate the overnight tractor trailer parking that occurs there now, and slow the traffic down immediately south of the Colorado River bridge. (A traffic bypass is being considered by UDOT for vehicles wishing to get around our slowed traffic through town; if this happens, we can be creative.)

As well, I hope the public will be made aware of the approximate additional water use that will occur with the current approved development (overnight accommodations and residential/commercial).

Thank you all very much. I am proud to have you as my representatives as staff, elected officials and commission members.

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Dear Landmark,

I attended the meeting Tuesday night and will comment more on the meeting format below, but want to advocate clearly for adoption of Option 5.

Option 5 has been titled 'No Growth' which is a very inaccurate and misleading title. Option 5 will still allow a 20% increase in overnight rental/hotel rooms due to those projects approved prior to the moratorium but have not yet broken ground.

Option 5 **does** encourage residential, commercial, and public growth that is beneficial for our county. This "No Growth" option should have a title something like 'slower growth' or 'responsible growth'.

Following are reasons why I & most people I have spoken with have chosen Option 5.

**Jobs**! We have enough low paying, low skilled hotel and overnight rental jobs. We do not need any more of these types of employment. Allowing more hotels and overnight rentals to be constructed creates more of these low paying jobs and inflates the cost of land as these huge out of town corporations can afford to pay big bucks to buy up Grand County's land.

We need a diversity of jobs that will only be created if we are encouraging and incentivizing new businesses and commercial ventures.

**Water, water, water**! We don't even know if we have enough water to sustainably support the growth currently occurring and the 20% increase in overnight rentals soon to hit Moab's market. Water studies are in the works and it's only responsible to delay any more growth until we know how much water we really have to **sustainably** use yearly. Overnight rentals/hotels use a tremendous amount of water. Our neighbor's B&B not only washes all sheets and towels after each visitor leaves, but they also wash all of the blankets. We need to quantify exactly how much water is used per hotel/B&B/overnight rental room and compare this with the available water. Again it's a matter of responsibility both for the environment and for all of us who already live here and are expecting to have clean, affordable water to
drink for the rest of our lives.

**Traffic and noise:** I'm sure you have seen the video that was taken of the exit last weekend. Traffic was backed up on 5th W. all the way to Saint Francis Church. At the same time, traffic on Main Street was backed up all the way to the south Maverick. And we want 20% more growth on top of that? And Options 1 through 4 allow even more overnight rental traffic on top of what's already too much? How is it that our little town with one main street and two side streets can handle this kind of traffic? We need to stop growth until we have a traffic plan. We need to stop growth until we have a parking plan.

With traffic comes noise and unfortunately we already have way too many Razor type vehicles zipping up and down our residential roads. The increase in noise is astounding already. I don't think we can tolerate much more without a significant degradation of quality of life.

If option 4.5 (as our small breakout group termed it) is chosen, it can only be chosen after clear restrictions on development in overlay zones are deeply discussed and approved. I strongly advocate that a 4.5 option would restrict all new not allow any new hotels/overnight rentals for a period of say five years. This allows time to determine the impacts of this yet to be seen/experienced 20% growth in new hotels/overnight rentals.

Again it would be responsible that Option 4.5 completely disallow any hotels/overnight rental growth until we have a water study completed and a clear understanding of how much water we have left that we want to allocate to more low income jobs. Growth must be limited until we have an idea of how to handle the increase in traffic. Growth must be limited until we have adequate parking to support all of the tourists visiting and allow for residents to access our downtown.

Restrictions for any new hotels/overnight rental construction will require a lot of discussion, research and foresight. We need time to create adequate new restrictions/zoning/incentivization

Height restrictions and density need to be considered.

Housing for employees must be a part of any new overlay restriction.

Fees, taxes, etc. must incentivize local ownership so that the money stays in our county. Projects should be favoring or only including small campgrounds and very small mom-and-pop hotels. Every time a huge corporation builds a big motel/overnight rental facility money goes out of our town and out of our state. We need to encourage local ownership for a strong local economy and community.

No matter what option is chosen **Use by Right** must be completely **eliminated.** All new overnight rental/hotels need to be subject to the review and approval of both city and county councils and planning commissions as appropriate.

Thank you for all of the effort and concern you are putting into this these decisions.

I'm grateful for the opportunity to have a voice.

PS I will send an email later about the format and process of the meeting Tuesday night. But want to get these comments in the mail to you as soon as possible.

Sincerely,
A permanent moratorium to stop or slow down growth. Limit the number of overnight accommodation units allowed. NO MORE HUGE HOTELS!

What residents want? We want to be sustainable. We have concerns about WATER USAGE, this is #1 and still not addressed.

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Respectfully,

My husband and I have lived at 282 Riversands Dr. for about 12 years now. We've watched the slow and steady growth for Moab occur. These last few years have been way over the top. The traffic, the noise from all the ATV's, the inability to walk into City Market and get the groceries we need, the concern about water resources have all detracted from what used to be a really nice community to live in.

This growth has been reckless, for example look how long it took to get an updated water treatment system. And what is the capacity of the water treatment system. The other day, I was smelling foul smells from it again, which makes me think it's already above capacity as it had been.

What about WATER. We are crazy to think we can go on like this and won't run into a water crisis in the coming decades.

The ATV's aren't even required to have noise restrictions....It's crazy.

Please, I Urge you No More Development!!

Sincerely,

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My vote would be for option 5 - no new overnight accommodations in or near Moab.

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Thanks for having the public-input meetings. I would like to make a couple of further comments.

First, I hope that community interests can be balanced with (cash) economy growth. Perhaps an ideal percentage could be developed. (And in fact ‘economy’ is defined as how a COMMUNITY manages its resources.) Let’s do that.

Say 30%-70%. Though percentages could be a bit tricky to determine. But just having the concept of a balance could be useful.

Next, the idea of concentrating any further overnight housing between the northern ‘edge’ of town and the river, makes sense to me on a number of levels. Of course there has been approval for a significant
amount of projects that have not broken ground yet. Where that development will happen is a great unknown to many of us. But you get the idea. Let’s concentrate it where it least effects the community.

Thanks,

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I appreciate the opportunity to comment on the land use planning options Landmark presented at the recent public workshop. Of these options, I prefer Option 5.

Despite being titled “No Growth,” Option 5 will still allow a 20% increase in overnight rental/hotel rooms due to those projects approved prior to the moratorium. This option does in fact allow growth, limiting only new projects that are tourist accommodations. It would encourage a more diversified economy with better paying jobs by making commercial space more readily available for a variety of businesses. It would also slow the rapid inflation of real estate prices, making housing more affordable for our residents and workers.

We need to put the brakes on until we see the effects of this projected 20% growth in tourist accommodations. Do we really have enough water to sustain even that? Until we see the results of the water study it is premature to permit even more growth. And what about traffic? We can’t even handle what we have (last Sunday’s gridlock, which spilled over onto residential streets, was unbelievable and intolerable!) Why set ourselves up for even more of this?

We need to stop increased growth until we know our water budget and have a realistic traffic plan. It would be reasonable to not allow any additional new hotels or overnight rentals for a period of 4 -5 years to see the impacts of a 20% growth in tourist accommodations. During this period the city and county need to develop zoning regulations/overlays that assure employee housing, a critical need for our community.

No matter which option is chosen, Use by Right should be completely eliminated. All new overnight rental/hotels need to be subject to the review and approval of city or county councils and planning commissions.

Thank you for considering my concerns.

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The other day, as I was waiting in a long line of cars to get into Arches, I thought back to the mid-1980s. Then, cows ran rampant in Arches – even though they were not supposed to. Sullen, slow-witted, and utterly un-charismatic, these silly animals shamelessly spoiled the scenery and brought in precious little financial gain. Such heartbreaking under-use of the land could not stand! As President of the Chamber of Phynance I felt it my sacred duty to transform this intolerable situation. So, the Chamber teamed up with various Ecomodernist groups to usher in a new era. Scenery – not grass – was to be consumed. Those pitiful bovines were sternly banished and replaced by an eager young Cash Cow. That Cash Cow has now grown and matured way beyond our wildest dreams. Visitation to Arches has beefed up beyond belief - and our bottom line has ballooned!!!

Now, tragically, there is talk of curtailing the perpetual augmentation of our profits by limiting visitation and development. Clearly, these proposals are guided by the outdated notion that our Cash Cow should graze on scenery in open pastures. What backward thinking! Arches National Park and Grand County
must evolve – must become a feed lot. Feed lots are far more efficient. Just go to Greeley and see for yourself how far the science of cramming mammals together has advanced. Enlightened Ecomodernists now know we can keep cramming more and more tourists into the area, indefinitely, indefatigably, and they in turn will keep cramming more and more cash into our exalted coffers!

As I continued waiting to get into the park, I also contemplated with supreme self-satisfaction the Cash Calves to which our industrial-tourism Cash Cow has given birth; the real estate Cash Cow, the Construction Cash Cow, and now, thanks to Ecomodernist selective breeding, a sleek, new, Fat-Cat Cash Cow; a hybrid, Feliobovinus dividendus. Now, if only those pesky, less than affluent locals would go the way of the heifers; if they would just sell their properties and quietly depart. Then their land could be properly developed; the valley could be filled to capacity, and then some, with a handsome hybrid herd of Ecomodernist mansions. That way Moab could triumphantly come into its own; could realize its divine destiny, could become the Cash Cow Capitol of the west.

Visions of grandeur began so clouding my mind that when I finally reached the Entrance Station I forgot to thank the Ranger there for kicking the heifers out of the park back in 1989.

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Dear council members, planning commission and Landmark planners:

First, thank you for wrestling with the difficult issues in developing an ordinance to address new overnight rentals in Moab (aka the hotel moratorium). I also appreciate you soliciting input from and listening to the ideas of Moab valley residents on these critical issues. I’m writing to express full support for “Option 5,” aka “no growth,” (which would be better named “no new overnight rentals,” to avoid scaring off support from people who may mistake this option for no economic growth, or growth of Moab in other respects.)

Option 5 is the only option that will begin to address the myriad concerns that the quite vocal majority of Moab valley residents have about our “runaway tourism/ tourist economy.” Allowing additional overnight rentals to be built at this time, ANYWHERE in the Moab Valley (including north of town or south of town) is NOT going to help. The occupants of those rentals will still drive into town and overrun the Moab infrastructure, parks, and public lands. They will still take away resources for other future development that supports a more diverse and sustainable economy—quite literally in the case of land and water resources. It is the use of our limited water supply for development of overnight rentals that worries me most—bringing in more tourists using water, flushing toilets, more linens washed daily, etc. Is this how we want our precious water to be used up? Before we even understand how much we really have??

What I’m hearing regarding the five options proposed is that most residents (including many of you!) prefer Option 5 but are worried about potential litigation from the state. So, you believe a more “realistic” option is needed. REALLY?? So, we’re willing to further sacrifice Moab and our community just in case we get sued? We’re going to continue allowing runaway tourism growth so the almighty state can further pimp us out to make money?? C’mon Moab, take a stand! What will future generations of Moabites think of us if we don’t? If we miss this one golden opportunity while we stand at this particular crossroad? Moab has never been afraid to be different in spite of the state it occupies. That’s why we held on to our unique form of government for so long! That’s why we passed a plastic bag ban, we’re passing dark sky ordinances, etc. That’s why I’ve been proud to live here! And I want to us to be able to
look at ourselves in the mirror and know we did everything we possibly could to change the trajectory of runaway tourism and improve the quality of life for Moab valley residents, before it’s too late. Council members, Planners, all: Please do what’s best for our community—focus only on this—and figure out a way to make Option 5 as bullet proof as possible. Don’t be influenced by the what if’s, maybe’s, and hypothetical reactions of our Great State of Utah. Moab Valley residents do not deserve to live with an option that is shaped by fear.

And obviously, Option 5 does not have to be forever—ordinances can be revisited and revised as times change. But if for whatever reason Option 5 is not selected, please at least put a ton more restrictions on the types of accommodations that can be built. For instance, buildings no greater than two stories, less than 100 rooms, etc. Or perhaps only allow development of overnight rentals by local residents (defined as those having lived here X years)? Just a crazy idea.

Again, thanks for your hard work on this, and for taking our ideas under consideration!

Sincerely,

P.S. If you haven’t already seen this video taken last weekend of the “Sunday exodus,” on Kane Creek backed up to the Aspen Road junction (near our house), please check it out—this video is worth a thousand words.

Enough (tourists) is enough!! We don’t need to keep growing the tourist economy!

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Moab Area Land Use Team –

I want to start by saying you are off to an awesome start! What you have already compiled in such a short time is very impressive. Thank you for all of your hard work.

After the meeting last week, I do have a few comments of input:

1. COMMUNITY COMMERCIAL DEVELOPMENT: I am very pleased that everyone I spoke with seemed to be on the same page about development for our community: housing (of course), local commercial, professional office space, etc. I am so glad that even those against overnight rental development were still on board with this.

2. OVERNIGHT DEVELOPMENT DISTRICTS: However, part of the comments that people have been mentioning is the impact tourists are having on our natural landscape. We have only limited opportunities for camping which forces people who come here to go off into the desert and make their own paths for camping. I think the only way to combat this very concerning issue is to be sure that we are keeping up with legal means of overnight accommodations for the people who are coming here. We can’t stop them from coming to our town, but we CAN help them to be responsible. As word continues to get out about how great it is to visit Moab, I worry that avoiding any future development will only exacerbate this issue.

3. CAMPGROUNDS: I DO think it is very important that we pinpoint particular areas for that kind of development. North of town seems like a very obvious choice that, when coupled with a public transportation option, could keep some number of tourist vehicles out of the city center. This does not, unfortunately, help with the camping issue. This may be a more palatable course of
overnight development for those against hotel growth. The area near the dinosaur museum seems like a good option for this type of overnight growth.

4. **TINY HOME COMMUNITIES:** Currently, these type of wheeled housing units, tiny homes, etc are only allowed in highway commercial / overnight zoning district. THIS is of the utmost importance. We must have the opportunity for small / tiny communities in residential districts. More so than anything else, I think this would be the most useful piece of change that could be made to our land use code. Also, adoption of IRC Appendix Q would greatly benefit this effort. [https://codes.iccsafe.org/content/IRC2018/appendix-q-tiny-houses](https://codes.iccsafe.org/content/IRC2018/appendix-q-tiny-houses)

I appreciate your help and thank you for including my thoughts in your analysis. Have a nice remainder of your weekend!

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In case my earlier comments were not specific enough... I prefer option 5- no new overnight rentals. I'm also in favor of curtailing special events, frankly. They seem to bring with them problems (already existing) on hyperdrive.

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Yesterday at 11:30 am I tried to get home from a hike in Seven Mile Canyon. I turned right at Denny's on 500 W and it. It was stop and go, backed up all the way back to Kane Creek Rd. I followed it south to Kane Creek Rd. and turned out toward Main St. but turned around when I got out there. Traffic on Main St. was backed up through town south thru the intersection. This is what has happened to the town I have chosen to make my home. There are three large hotels which will come on-stream in the next few months, and plans are approved for substantially more overnight occupancy.

We have received multiple notices asking us not to use our garbage disposal. Really? We are supposed to make further compromises on basic day-to-day home living stuff so that more business development can be done for hundreds more tourists who will take long showers each night. Really?

What are you people thinking?

During Jeep Safari, I was walking across the painted, protected, pedestrian crossway between the two stop signs in front of the store. I had to jump out of the way of a vehicle which did not stop for me. The driver got out and yelled at me "I had the right of way". When I pointed at the painted marks for the walkway, he got out of his vehicle and screamed at me "I'm going to kick your F$%ing ass." I'm a small business owner, own three properties in Moab (none of them overnight rentals, am a USMC vet, and I don't deserve this in the town where I have made my home.

Moab is now a bad place to live. My wife and I were at a pot-luck last night with 14 other friends, some who grew up here. We all got into a conversation about where should we go. It was a serious discussion. This conversation happens all the time now. Haven't you heard it?

Local government has done an awful job considering how to manage the high level of growth in town. There is disfunction everywhere.
I can't believe you are even considering any level of growth until past problems are resolved; most important is the construction of a bypass route through town.

Option 5 will continue to compromise us all, but it is the least worst option on the table right now. Are you so caught up on the process not to see what has happened to the quality of life for people who live and pay taxes here in Grand County?

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I'm writing to support Option 5- No Growth for future overnight development in Grand County. The number of overnight rental units/beds currently exceeds the community's carrying capacity for infrastructure and quality of life. Bold action is necessary to begin to manage the out-of-control development and tourism influx that is plaguing this community in all respects. Furthermore, due to the pricing of available commercial property based on development as overnight rentals, we're experiencing a dire lack of commercial property for use by new business and manufacturing. Curbing new overnight rentals will hopefully decrease the costs of commercial property and encourage investment/development of those properties for other business uses.

Thanks,

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Hi,

I'd like to provide some follow up comments to the April 30th workshop. Some of these comments/suggestions come from other community members I've spoken to since the workshop.

1) Trailer parking - Provide trailer lots at the north and south ends of town and limit trailer parking and excess sized vehicles to these lots.

2) If any new hotels are allowed, require them to be locally-owned and provide restaurants, employee housing and adequate parking.

3) Implement a Moab area license, kind of like a fishing license, to utilize Moab trails and surrounding lands that would then pay for additional resource staff - e.g. trailhead greeters/rangers (similar to Duck Creek Recreation Area). These greeters/rangers would explain the trail systems and rules and also ticket people for infractions.

4) Need for a focus on Moab being a livable city. Currently traffic, noise, pollution, crime, trash, off-road/off-trail damage and speeding are out of control, and services (EMS, search and rescue and law enforcement) infrastructure (e.g. roads) are stretched beyond capacity. People I've spoken to are weary of the number of people descending on Moab. They're tired of the traffic, of the clueless drivers, of the disrespect and damage to our trails from illegal, off-road use, people parking their trucks and trailers in angled parking, speeding, noise, etc. It's all too much and making Moab unlivable for many.

5) Currently I'm in favor of Option 5, until Moab gets a handle on the current, compounded negative impacts from excessive tourism, with the possibility of transitioning to some version of Option 4 but
with smaller, dispersed overlay zones for overnight accommodations. Also with Option 4, any overnight accommodations should be small scale/scale appropriate, form-based, and locally owned.

6) Allow commercial on the bottom story and residential above in commercial zones.

7) Consider offering incentives such as property tax rebates to residents for building (long-term) rental housing on their land.

8) Require B&Bs to be owner occupied.

9) Require new overnight accommodations to have onsite/local managers (physically available to address impacts to residential neighbors).

10) I know some folks would like to be able to make additional income by renting out a room in their house on Airbnb. If considering allowing Airbnb, take a look at Fairbnb, and restrict the allowance to one room per house and require the house be owner occupied.


Thanks for your efforts.

COMMENTS RECEIVED IN PERSON

Option #5 – One disadvantage that needs to be listed is that you run the risk of the State of Utah removing your regulation on short-term rentals in its entirety. This would be devastating to all of our neighborhoods

What is proposed for the Resort Special areas located at Highway 313/Highway 191

How does this affect city and county budgets? Because they need more funding for their budgets to maintain roads, bridges, parks, sidewalks, community centers, etc.

Please allow overnight rentals outside of Moab Valley. I live outside of the mapped area. We have very different problems. My adjacent single-family homes are abandoned. They would be much nicer and occupied if they were vacation rentals. We have had problems with the vacant houses having starving horses and abandoned dogs as well as broken windows and hording. Outside of the Moab Valley needs overnight rentals.
The title of the five options is misleading and has caused confusion, particularly Option 5. The five titles should be more clearly aligned with the intent of each. Very disappointed in this oversight.

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Greetings administrators and decision makers ~
Please accept and consider these comments regarding the matter of growth and planning, especially as related to the temporary moratoriums on new hotel construction. The issue is not simply one of overcrowding, but involves overstretched resources and irrational growth reaching well beyond measurable and observable carrying capacities of these resources and infrastructures, with associated, synergistic regional impacts, as noted herein:

1. Limited and decreasing water resources cannot sustain additional (even present) growth;
2. Traffic patterns are already at bottleneck conditions on 191 and through Moab, and 128 is becoming routinely, downright dangerous; the imperative need for a long-overdue Main Street bypass is implicated, with lesser-impact opportunities for such already foreclosed by the historic failure to act;
3. Regional congestion in parks, visitation and camping sites, the Colorado River, and the backcountry is rampant, adverse and even abhorrent and repulsive, as visitation levels continue to increase unabated;
4. Local and regional air pollution is increasing to unhealthy levels, despite Clean Air Act requirements respecting National Parks;
5. Noise pollution, especially in Moab, is extreme and unhealthy;
6. Local cost of living, associated with growth, continues to increase, and affordable employee housing cannot keep up with the need;
7. Overall quality of life for both residents and visitors is rapidly decreasing and becoming more stressful on many levels.

Moab City and Grand County have both the authority and obligation to to regulate growth as a legal matter of public health, safety and welfare, and as a practical matter of limited carrying capacities. I urge the councils to act affirmatively to take all legal and creative actions to limit,"stabilize," and even decrease growth rates and visitation levels, including actions to cap further development of hotels and rentals in the city and region. And closely related to this, stop funding the Moab Travel Council (or convert its message into an educational one), but increase (vastly) the TRT and find a way to direct those funds to mitigation of visitor and tourism impacts.
Indeed, there is no other choice for Moab to maintain any positive values and quality of life at all, than to seize this moment and creatively turn around the accelerating slide towards social, economic and environmental catastrophe.
Thank you for acting on the urgency of this matter.
Sincerely,
Robert Lippman
HC 64 Box 3208
Castle Valley, Ut
Hello!

I will be out of town, therefore, unable to meet with you during the open houses you are holding this week. I just wanted to pass on my 2 cent's worth.

I have lived in Moab for the better part of 45 years. I grew up here, graduated from GCHS, and returned after finishing college. The Moab (and Grand County) are no longer the places I grew up with, that's for sure! And, that's not necessarily a bad thing! Those years in the 70s & 80s were hard, people were leaving; businesses dried up, Moab residents didn't have money to care for their properties and houses - it wasn't great. Then industrial tourism happened in the 90s, and happened with a bang! People were quite happy that people were buying their homes and lots, and renting rooms more than just on Jeep Safari weekend. However, very, very little planning went into this sudden economic change that Moab and surrounding areas were experiencing. And that's what has lead to the issues we face today ... many people "got rich" and no one wants to see the end of that gravy train.

And that is not what needs to happen, either. But Greed is not a planning tool, and it has reigned supreme in the last several decades. We cannot move forward by continuing down the path we are on. **We must slow growth enough that people still want to recreate here, as well as want to live here.** We have a multitude of issues, from lack of water to no affordable housing & everything in-between. None of these pressing and real issues can be dealt with if some side boards aren't created, and the sooner the better. I do not know the answer, only that what we were doing until this moratorium happened wasn't working.

Unbridled hotel growth (by "hotel growth", I mean overnight accommodations of whatever sort) pushes out other economic interests Moab and the county might be able to develop. Those new huge hotels are being built where other business opportunities might have had a chance. We can't have economic diversity if there's no place left to diversify! Also, I'm quite concerned about water usage in this valley -- think of all the toilets flushed, and showers taken and pools filled -- the aquifers can only store so much for us to use.

I'd like to see a major leveling off of growth, not flat-lined or decreasing, but something more sustainable. Moab needs to hold onto what makes Moab, well, Moab!

Thank you for the opportunity to express myself.

Sincerely,
Aneth Wight

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To whom it may concern:

This is a letter of request that the area zoned R3 in Moab be considered to be an area that would allow short term rentals.

In 1989 I purchased a home in Moab and converted it into a bread and breakfast. It was called the Slickrock Inn. In 1991 I purchased a home on 300 South, next to Up the Creek Campground. I purchased the home because the area, was both business and residential and I wanted the option of being able to do short term rentals. For 12 years, one of our renters with a massage therapy license operated her massage business from our house. About 11 years ago we added on a small separate dwelling as an addition to the house, thinking we could now live in one unit and have short term rentals on the other side. We have not been able to move forward on this plan due to the current restrictions on this area, which now do not allow any overnight accommodations. Our plan had been to use that money to help with our children’s college funds/expenses.

We are asking that this area be re-evaluated and considered amenable to allow short term rentals. This neighborhood is a mixed use area. Next to us is Up the Creek campground. They have had nightly rentals in their camping area for many, many years. Across the street from us is part of the commercial operation for what used to be Moab’s trash and garbage business, owned by Bob Haks. One block down 200 East is Rancho Fandango Guest House. The Moab Charter School is at the east end of our block. We are located in a great spot to allow overnight rentals and right next to a business that has been doing this for a long time. This area appears to fit the definition of mixed use. Please take a look at the enclosed pictures.

Other options or ideas to consider would be to allow areas to do short term rentals for a certain amount of nights per year. For example one could be allowed to rent 3-4 times a year for no more than a week at a time, and one stay for 2 weeks per year. A community (Telluride) about 2.5 hours from Moab has these types of restrictions set up for their town. There are, of course taxes to be paid to the city and the county, and a notarized affidavit is completed by the property owner every year, certifying that they are complying with the rules.

We are hoping that the town of Moab will re-consider allowing short term rentals in the R3 zone. There can certainly be a compromise between the needs of a large hotel industry and the financial well being of individual long term property owners. We understand that the hotel industry lobbies heavily to restrict short term rentals. But hopefully there will be steps towards not continuing to be as restrictive as the rules currently are so everyone, including the town of Moab, can benefit.

Thank you,

Lissa Pack and Gordon Henriksen
218 East 300 South Moab Utah 84532
lpgh@animas.net
To All Concerned:

I am unable to attend either of the Open Houses in order to speak on the important topics to be discussed. Hopefully there will be a large group that will be there sharing their desires for a means to slow and diversify growth in Moab and Grand County.

Growth at this breakaway pace will more than likely forever (not just the next year or five) change the lives in this region:

1) the quiet of nature (which a lot of local residents desire) is now and will be massively interrupted by the unchecked increase of motorized vehicles
2) city, county and backcountry roads and trails will be even more impacted than they are today
3) infrastructure (energy, water, sewer, garbage, etc) will be negatively impacted and require major improvements
4) lack of year-round residential housing (for year-round residents) does and will continue to deter a healthy and diversified population
5) lack of non-service industry employment contributes to #4
6) lack of benefitted, living wage positions contributes to #4
7) local schools, medical facilities, non-tourism related businesses and services will suffer from rising costs to live in Moab
8) air quality, water quality and quantity are issues to be seriously dealt with against the number of potential consumers in the valley
9) damage to the quality of life in areas that we cannot yet imagine (foresight) is on the horizon.
10) LACK OF BALANCE IS OUR DILEMMA
We as a community are heading in the wrong direction. As a tourist destination we are heading in the wrong direction. If unbridled growth is allowed to continue as it has in the last 5 years neither Moab nor Grand County will be a good place to live or recreate. We are allowing local and out of town/state corporations and developers tell us what we need, if not what WE MUST do. As hard as it will be to say “no”, “no, not now” and “no, not ever”, we as a community must begin to make choices that benefit more of the bottom line for all and not just the financial bottom line. I trust that all of you will weigh carefully the pros and cons of runaway growth in this tourist heavy economy under which we are saddled. No one wants the balloon to bust. Please decide on ways whereby the balloon can stay comfortably in the air and be appealing to all.

Carol Mayer
444 Rosetree Ln
Moab

All,

I’ve lived and worked in Moab for 20 years. I came here for a job with the NPS and I’m now retired. I love living here and I don’t mind sharing the beautiful redrock desert with tourists. However, the increase in numbers of tourists has skyrocketed in the past few years at an alarming rate. As long as the number of hotels and overnight rentals continue to increase, even more people will come.

Nothing about our community can accommodate unlimited growth of tourism. Water, sewer and land resources are being strained and impacted. Residential housing is either unaffordable or unavailable. Trailhead parking areas are not large enough for all the vehicles, so they line the highway. Many of them lack restrooms, and human waste and toilet paper litter the ground. Arches National Park is unable to deal with the thousands of cars trying to get in, find a place to park, and the hiking trails are so busy one might just as well be walking on a sidewalk in downtown New York City. The quality of outdoor experiences in and health of our beautiful landscape is diminished by the all the people, vehicles, noise, garbage, scars from off-trail use and increase in weeds brought in from far away places. Traffic jams are unavoidable. The roar from OHV’s on residential streets makes it impossible to relax in one’s own backyard. From this local’s point of view, the situation is already beyond ridiculous. We don’t need more people coming to Moab.

The counter reasoning is that Moab locals rely on tourism for their livelihood. For many businesses, this is true. But we already have too many tourists. Many businesses are overwhelmed. Restaurants are backed up for hours at dinnertime.

Unchecked growth has been compared to cancer for a good reason. The host – Moab residents, our quality of life and the health of public lands surrounding us are being sacrificed for greedy out-of-town interests. This must stop.
Please put a stop to hotel and overnight accommodation construction.

Additionally, the “pre-approved” method of zoning must be reversed, with each proposal looked at by the local government individually. We cannot have hotels in the midst of residential areas.

Respectfully,

Sarah Topp
Moab, Utah

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I’m writing concerning the moratorium on overnight rentals.

Moab is a small town. We’ve got, what, seven or eight thousand people here. We have the infrastructure for seven or eight thousand people. We also have five to ten MILLION tourists here annually. We don’t have the infrastructure for this flood of people. It doesn’t take a rocket scientist to see something is wrong when there’s an hour long wait to get in or out of town daily.
Or when there’s a two hour waiting list at every restaurant in town. Or when City Market is consistently out of basic necessities on a daily basis. Or when we’re asked to fund a bigger sewage treatment plant because the poop generated here has to be hauled to Grand Junction. Or when an army of ATV’s races back and forth on residential streets on some important mission.
What the hell is going on here? Are people really so greedy as to be willing to sacrifice a fine quality of life for money? The town is full.
Open your eyes. This is not a desirable situation. I would be in favor of finding a way to REDUCE the number of people coming here. The greed for money in this town is disgusting.

Bruce Condie, 1449 Murphy Lane

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Hello

I attended the open house yesterday at city hall. I did not speak up in the room, so I wanted to follow up with an email.

I would like to see Moab’s overnight accommodation moratorium extended for 2 years. Personally I would like to see it permanent, but I know that will not work for a lot of people.

In 2 years, the community can take active steps to creating a plan, and implementing steps to creating more assured housing for Moab residents.

I and many of my fellow citizens are tired of seeing our beautiful community turn in to Disney World. Please stop issuing building permits for people who don’t live here. It seems that there will never be
enough overnight accommodation for the hordes of tourists, but if people can’t afford to live here, then who will work in the businesses who cater to the tourists?

Thank you

Jason Pronovost
Nichols Ln

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As I said before I support the moratorium on hotels, nightly rentals. We need to stop this runaway train, our way of life is being ruined we’re at over capacity. It’s insane what is happening to our community our home. It’s reckless it’s insane. Please stand strong on this please don’t allow anymore and stand strong against Sitla they will ruin us if we let them. The county needs to reign in the trt revenues & take control of what you by right can. Already town is insane & I am sad depressed heartbroken by what I’m experiencing. Enough is Enough.

Kiley Miller

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Hello Mark and LDI staff,

Thank-you for the opportunity to comment as you proceed in advising the city and county officials Moab on land use issues that affect the citizens of this community.

I have attached the comment document that I submitted in person at the 3/27/19 Open House. I have also included, in a separate attachment, the public comment emailed to the Moab City Council and staff previously, regarding the PAD overlay on Moab’s R2 zones, for your historical perspective. This was also a letter to the editor published in both local weekly newspapers.

Thank-you for your careful consideration of Moab’s R2 neighborhood residents’ concern with the high-density housing issue as you advise the Moab City Council on their future course of action.

As you can see, I have cc’d my husband, Scott Escott, Zacharia Levine and the Moab City Council.

Sincerely,
Sharon Hogan
598 Rosetree Lane
Moab, UT 84532

Moab Area Land Use Open House Comments March 27, 2019
My comment addresses the Landmark Design Project point #2: Multi-family housing, infill housing development, and redevelopment.
The Moab City Council publicly decided on March 12, 2019 to remove R2 zones from the Planned Affordable Development (PAD) proposal, which is high-density low-income housing developments
within Moab city limits, while testing the viability of the concept in an area of town already zoned for higher density. This was the correct decision for them to make as it abides by the #1 Housing Goal outlined in the City of Moab General Plan: “Implement a housing strategy that meets the needs of current residents, anticipates growth in housing demand, promotes a cohesive small-town environment and supports a high quality of life. Policy 1, Action Step a. Recognize the value and character of existing residential neighborhoods and encourage compatible development/redevelopment projects with existing neighborhoods and the underlying zoning.”

My concern is that the Landmark Design Project description language stating “infill housing development” and specifically Landmark Design’s current project titled “Moab Small Area Plans” are simply the use of different words to disguise the same concept of PAD in R2 neighborhoods. I am especially concerned that Landmark is moving ahead with the development of concepts and alternatives for their Small Area Plan on the end of East Center Street with meetings including East Center Street land owners, but excluding input from the adjoining property owners on Rosetree Lane, Hillside Drive, and 400 East, all of whom will be potentially affected by high-density development of this property. In fact, every concept/alternative published by Landmark after the exclusive meeting showed ingress/egress to this development from Rosetree Lane. The alleged first choice of Center Street landowners at this meeting was one of the concepts that did not use Center Street for access to this development. The impacts on the Rosetree Lane and Hillside residents would be far greater than the impact on the Center Street residents, due to both increased traffic and the location of the development abutting Rosetree Lane residential properties.

This should be a strong consideration by Landmark Design as part their involvement in determining Moab residents’ future quality of life. R2 (zoned) residents and landowners have chosen these neighborhoods over the years and generations because they provide and preserve, via zoning laws, the characteristics of relatively low-density havens for living in a busy resort town. These characteristics include friendly neighborhoods on quiet, safe streets within walking and biking distance of the city center and workplaces, an eclectic mix of small and medium sized single family homes with room for sunny gardens, yards where kids may play, lots of green and open space, room to store our campers, river boats, ORVs and other toys off-street. This is what we chose when we bought in to these neighborhoods, and this is what we trusted the City of Moab to preserve long-term with zoning laws. Subsidized high-density low-income housing developments may be necessary for local businesses that don’t pay their employees a living wage, but R2 neighborhoods are not the place for these. Those of us who have made the long-term commitment to own homes in Moab’s R2 neighborhoods and have chosen a lifestyle that makes R2 neighborhoods affordable for us should be recognized and supported by Landmark Design and the Moab City government in all current and future land use considerations.

Sharon Hogan and Scott Escott
598 Rosetree Lane, Moab

Editor,
Not Acceptable
After attending the Town Hall Meeting held by the Moab City Council on 12/11/18 concerning the proposed Planned Affordable Development (PAD) Ordinance 2018-19, I would like to warn my friends and neighbors about the unacceptable impact the PAD ordinance could have on all neighborhoods in Moab.
The PAD attempts to provide a solution to the affordable housing shortage in Moab by allowing drastically increased density throughout R2 zoned residential neighborhoods, disregarding previous zoning restrictions and current residents’ quality of life. I use the word drastically because the PAD would allow up to 40 units per acre to be built as affordable housing. This density means 40-160 people, 40-120 vehicles, and could easily quadruple the number of people living on a single street in the neighborhoods. The height of a building with 40 units is by itself hard to visualize when it is crammed on an acre lot considering the required parking spaces, ingress/egress roads and walkways would take up at least 1/3 of the available space. Current building height and setback restrictions would not apply.

Here is a very real example. There is a 3.5 acre lot between East Center Street and Rosetree Lane that is being considered for PAD. This could be developed into 140 units, housing 200 to 400 occupants, plus their guests, with 200 to 400 vehicles. The access to this lot would be near the east ends of these two narrow streets, adding 400 to 1000 trips daily in traffic to streets that now see 20 to 100 vehicle trips in a day. The building itself would be tall enough to eliminate views and block access to sunlight for gardens and solar panels during the day for current residents. The lights from the apartments and parking lots would dominate the night in these areas, eliminating darkness. Backyard and even indoor privacy in existing residences would be compromised or eliminated.

This large lot is an extreme example of the impact of a PAD on my neighborhood. But if PADs are approved for all R2 residential neighborhoods, as the ordinance intends, many current Moab residents could be facing a similar situation. Even if it is 10 units on a ¼ acre lot or 20 units on a ½ acre lot, the impacts are predictable and proportionate. Look around your neighborhood. How many lots could be absorbed into this project? How many tall apartment buildings and how much traffic would be added to your street?

Some would call those of us who already live in these neighborhoods elitist when we protest this so-called solution to the affordable housing shortage. First of all, I wouldn’t wish life in that type of housing on anyone. How can 40 units per acre be a solution to the “crowded, undesirable living conditions” that lower income folks are supposedly living in currently? The people that assume lower wage earners are desperate enough to consider this more desirable are the true elitists. Secondly, when I purchased my home in an R2 zone, decades ago, jobs were scarce and pay was extremely low. We came here with no money and had to work hard to make it, even with lower house prices at the time. We committed for the love of the place, community and quality of life. We have seen many of our friends, co-workers and neighbors make the same commitment even as both wages and home prices rise. We got no government assistance and expected none. We have earned the right to defend this quality of life.

Very concerned,
Scott Escott, Moab

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Input for the Moab City-Grand County land development discussion:

Water is the number one issue in the Moab Valley with regard to development. It is not an infinite resource. If we do not pay attention in years to come we could be facing disaster. The results of the water studies must be taken into consideration as future development ramps up. Drainage is also an issue both in the city and the county.
San Juan County must be included in these discussions, given that the county line is hard and fast. Light pollution is a very real issue that will adversely impact every one who lives in the valley, including future San Juan County residents. I would like to see San Juan County encouraged to consider a Night Sky in conjunction with Grand County ordinance ASAP before it’s too late.

I am encouraged that Moab City and Grand County are working together on land planning and future development. I would like to see the annexation of Grand County south of town to the county line into Moab City, or at the very least the creation of “greater Moab area city-county” as one entity. Soon enough we will be living in ONE metropolitan area. We are wasting time and money pursuing services for the citizens of this valley by taking a two-track approach to so many issues. Law Enforcement, Recreation, Water and Sewer, Transportation, Housing, etc. It is inefficient and expensive. I know this is far-reaching, but it can’t hurt to voice this idea. How do we start this discussion?

I believe that light pollution is taking a toll on our world-renowned night skies. How many visitors have come to our community and upon looking up into the sky at night marveled at the stars we take for granted? Many people around the world have never seen the stars at night! This is a drawing card for many visitors, and future home and business-owners to our area. In the past 30+ years I have witnessed the lights throughout the valley increase exponentially. It would be appropriate to place some restrictions on that lighting. Light your home. Light your yard. Shield lights from the sky and from neighbors and roadways. This does not seem like an unreasonable request to put in an ordinance with stiff consequences for non-compliance. Again San Juan County should be invited to participate in these actions.

Air quality is also in jeopardy as development surges ahead unchecked, and visitation to the area continues to increase exponentially. Dust and vehicular emissions have increased with development. Again San Juan County is a critical player in this issue.

Transportation will always be a stumbling block to affordable housing in the Moab Valley. As long as there is no public transportation out to Spanish Valley we need to push high density housing within the city limits. I know change is difficult in ANY neighborhood, but this is the reality where we are now, and it must be imposed upon citizens if necessary. We have a responsibility to provide reasonable housing for Moab’s working class. San Juan County’s role??

Please add me to your email notification list. Thank you.

Respectfully submitted,

Marcy Till

435-260-2739

moabmarcy@gmail.com
Also from Marcy Till:

Please keep the Spanish Valley Drive speed limit painfully low. This is one way we can preserve any semblance of neighborhoods and the rural character of the valley as more and more homes and businesses are built.

--

Dear Mark, Jennifer and others at Landmark Design,

My name is Mikenna Clokey and I attended the open house on 3/26/19 here in Moab. I had the opportunity to speak briefly at the meeting but figured my comments may be more concise via email.

I grew up in Moab, my family is here, I have lived here for decades and yet I find myself in the process of determining if this is a place I can remain for years into the future. I see this kind of planning as having direct bearing the direction Moab is headed and whether or not I continue to invest my life in this town.

When considering policy and developing a cohesive land use plan for Moab moving forward, there are several areas I want to express as important to me.

1) **Allocation of earned tourism dollars should include giving back to services and people that keep this town running, such as:**

   - **Affordable and available homes for Moab residents**, with diversity in neighborhoods and opportunities for people to put down roots here.
   - **An outreach education program about environmental stewardship and protection of our resources aimed at visitors.** This could include trail maintenance and monitoring during peak times of year in popular places.
   - **Adequate funding of essential services** such as the hospital and EMS, our school system, law enforcement and infrastructure.
   - **Tourism dollars giving back to vulnerable populations** within our community such as those served by our non-profit organizations

2) **Enforceable codes and standards for new development, both commercial and private, in the city and county, as well as working with San Juan county.** This includes:

   - **Water use restrictions** - Hotels cannot be permitted to build waterpark style swimming pools in our dry climate. New development needs to be forced to take our limited water supply into account.
   - **Light Restrictions** - it’s important to protect our dark skies and regulate use of excessively bright and invasive lighting systems. I would love to see Moab become an official dark sky community in the future.
   - Open spaces - while accounting for increased density in our city and county, it’s important to include mandatory open and green spaces within developing areas
   - **Set backs and height restrictions** to preserve viewsheds
   - **Requirements for large-scale development to give back** to the community in the ways mentioned above
3) Planning development in a way that allows Moab to remain accessible to a diversity of visitors and avoiding unintentionally elitist policy.

- We should avoid fees or restrictions that discourage or prohibit certain populations from staying here, moving here or visiting. Ideally Moab can become increasingly accessible to a diversified population of citizens and less focused only on those with the most money to spend.
- Public Transportation - transportation throughout the valley as well as to national parks would alleviate traffic and open up outdoor experiences for those who may not have the opportunity otherwise.

Thank you for the opportunity to have input in this process. I'll be watching for next steps and will remain involved as they are presented.

Best,
Mikenna Clokey
Moab, UT

--

Hope it’s ok. I’m going to just shoot you ideas as they come to me.
In agreement with the green community initiative
- encouraging social interactions
- improving community health and decreasing healthcare costs
- decreasing traffic
- decreasing need for increased parking spaces
- keeping Moab non-motorized commuter accessible
  (keeping me here as that is a HUGE reason we live here - being able to get around without a car)
How about an ordinance (or whatever the correct policy) that requires all new development to provide easement of a path to connect with the major non-motorized paths. A big problem with trying to connect paths is the access. If all new development had to at least provide easement, when funds become available the land and access would be available.

Thank you
Rita Rumrill

--

I attended a bit of a public meeting but all I heard was there must be a way to stop tourism, development, and this is not the place I want to live, no positive ideas on how to address what will not change and legally cannot change. The biggest issue in my opinion is nightly rentals in residential zones. This should have not have happened --- this must be limited to the ones approved. There should be rentals or hotels in commercial zones, highway 191 corridor etc., or new commercial zones. In my opinion, when the market is saturated investors will quit spending millions on new hotels, they do their homework and don’t make these investments without a reason.

It is apparent that most open spaces left that are currently in ag will go away, money will drive sales of this land, farming $100,000 + an acre land does not pan out if it is a real business, not a tax write off.
In filling and smaller lots are inevitable and make the water, sewer etc. more cost effective for all residents, although it will very soon not be a rural environment but a big subdivision in Spanish valley. Affordable housing is a big issue, but at some point we must realize not everyone who wants to live here will be able to afford it.

As with most resort towns near us people without means to live in $400,000 and up home or pay high rents live in a nearby communities (Green River/ Monticello) with lower housing costs and public transportation is used to make commuting affordable.

Water is always an issue, but in the words of the State water engineer Mark Stilson, the valley will run out of land before water due the access to the Colorado River, which could provide drinking water or irrigation. Is this expensive, yes, not a drop in the bucket compared to what St George is proposing to pump Colorado River water.

Gary Wilson   Gary@wfcommunications.net   435 259 8240

--

I originally came to Moab 19 years ago because of the quietness of the town and the beauty of the surrounding area. That has changed and not in a good way. With the advertising of Moab as a vacation destination and the building of hotels, motels and townhouses, the town is now overcrowded with tourists. I am not against tourism as it can bring money to the economy, but the developers are not putting the money back into the community and only see $ signs for their pockets.

With the masses of tourists and very little oversight of the backcountry, the land and the environment is being destroyed by Jeeps, ATV, Razors, etc. The trails are now being overused and the tourists with their lack of knowledge of the land are destroying them by not staying on established trails and multi-trailing which has destroyed the fragile vegetation.

As to building more hotels and multi-dwellings, we should say enough is enough. The cities infrastructure has not kept pace with the development and instead of using the money brought in by tourism, the city is putting the burden of costs on the existing taxpayers. We need to stop spending dollars on the tourism campaign and use the money to improve the city infrastructure and policing the backcountry.

I hope that the National Parks go to a reservation system as that may help reduce the overcrowding. The city should also help with reducing the overcrowding by limiting the amount of rooms available. As it is now, many of the hotels cannot staff their establishments, since service personnel cannot afford to live here. Homeowners are paying much more for basic services as well. The moratorium should be left in force.

Mark Curnutte

--

Hello folks, I am responding to the 180 day moratorium regarding the building of overnight rentals. I am in FULL support of this measure and believe it should be much longer. What we need is affordable housing for the people who live and work in this community. I fear that if
we do not address this issue as a number one priority we will end up with no work force, or one that is forced to commute large distances to get to work. That scenario has played out in other communities and the result creates a problem on an even larger scale. I encourage you to stand strong against the proliferation of nightly rentals, and yes...even second homes at this point.

Thank you for your time and efforts.

Sincerely, Anne Duri

--

Thank you for the opportunity to express my concerns about Moab area land use planning.

Moab’s ratio of tourist accommodations to homes for our actual residents and workers has grown seriously out of balance. Businesses and essential services (schools, police, teachers, nurses, etc.) have trouble hiring workers because housing is not available or affordable on the low wages offered by most service jobs. National hotel chains have jumped into the tourism boom and are building huge chain hotels that are irreparably altering the character of the Moab area and destroying the sense of community that we once enjoyed. Traffic jams, lack of parking and increased noise and air pollution plague downtown. Once quiet neighborhoods are threatened by the encroachment of overnight rentals. The amount of water available for this kind of continued growth is questionable.

Before the moratorium on new overnight accommodations expires, I hope a land use plan and zoning ordinances are put in place that will put more controls on new developments of this kind. This will not bring all growth to a halt, as there are several already permitted hotels being constructed. This can be done by removing the “use by right” from our current zoning, which gives a land owner pre-approval to build a hotel or other overnight accommodation. Instead, new overnight accommodations should require a vote by the city or county council.

We need to diversify our economy by encouraging business that are not tourism dependent (non-polluting ones – not more mining and drilling!) The proliferation of hotels and the escalating price of commercial real estate is making it hard for non-tourism businesses to find and afford space. The explosive growth of tourism is exacerbating the negative impacts on our surrounding public lands. There are long lines and crowding at our parks, and we are losing clean air, quiet, dark night skies, and wildlife habitat. Less aggressive advertising of the area and some limits on the numbers and types of special events permitted would help ease this pressure.

Please help us create a plan to rein in Grand County’s uncontrolled tourism growth, diversify our economy, and keep the Moab area a desirable place to live.

Thea Nordling
1996 Highland Drive
Moab UT

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The legal "use by right " needs to be eliminated. In general, all future overnight rentals should be eliminated. If this is arranged in such a way that there can be exceptions if approved by the City/County Council, that seems prudent.
Potential problems with the above, followed by possible solutions:
1) There are visitors coming who cannot find somewhere to stay. Quit permitting events during our busy season. Or only allow events smaller than a certain limit. Allow some existing events only if entry numbers are down-scaled. Encourage the Arches National Park reservation system, in case that actually does lower visitation numbers in Moab. Let the visitors learn that they need to reserve in advance or not come; give some motel/camping revenue to Green River/La Sal/ Monticello/Thompson Spring. Completely quit advertising Moab (we can always start advertising again if needed), and turn all marketing efforts to educating visitors in low-impact visitation. I realize this is difficult, but try to find a way to make this legal - Drop TRT taxes and call them something else?

2) Locals who have owned commercially zoned property in the Moab Valley for 100 years (or 2 years) and want to sell it for a hotel; they've been paying property taxes for 100 years (or 2 years) and give that as a reason that they should have this right. The property remains commercial property even without the possibility of building another hotel, and they can still sell it for other commercial interests. They do not have an automatic right to make the most amount of money possible, at the expense of the community whether they have lived here a long time or are an outside investor. If they've been paying property taxes for a long time, they have probably been using/benefiting from the property during that time, and likely have been using the benefits (schools, etc.) that property taxes incur.

3) Locals who own a home that they desire to convert to a bed and breakfast or overnight rental, for financial reasons. Homeowners do not have a right to do harm to their neighborhoods. One compromise legislated by some communities (for example, Austin, Texas) is to allow any homeowner to rent out their home short-term for up to two weeks per year. This can be quite lucrative if done during a big event, yet has relatively small impact on the neighborhood.

Miscellaneous visions of our community in future years:
There are noise requirements for all vehicles on our roads, so unless the technology has changed, there are no UTVs (razors) or noisy motorcycles on our streets.
There is at least one event-free weekend each month, including in the busy spring season.
The night-sky ordinance has successfully kept our night skies dark.
New construction always incorporates at least some aspects of passive solar construction, lowering energy consumption immensely. All contractors take this for granted, and have learned how much sense this makes. (There are no more new dwellings like the new twinhome on West Highland Drive with one tiny south window for two dwellings and lots of west windows to heat up both units.) Before disturbing soils and vegetation over more than a minimal area, a restoration plan is required, to avoid increasing dust in the valley. These can be simple, or more complicated, depending on size.

Thank you for the opportunity to comment. I sincerely thank city and county council members and planning commissions for initiating the moratorium and this planning effort, and for all of their research and efforts to make this community a better place to live.

Mary Moran
1991 Highland Drive
Moab
The completion of the USGS Spanish Valley Water Study in 2018 requires the revision of the Spanish Valley Water and Sewer Master Plan completed in 2017. The USGS Water Study significantly reduces the underground water available for future Spanish Valley development. San Juan County will probably not receive any further allocations of Spanish Valley ground water and will need millions of addition funds to develop an alternate water source from either the Colorado River or Kane Creek before water is available for commercial development.

Water Right 09-2349 allows San Juan County to pump 500-acre feet of water from their current well. Utah’s State Engineer stated in his approval of Water Right 09-2349 that future allocations were based on the assumption that 11,000-acre feet of water flowed under-ground from the Glen Canyon Aquifer through Spanish Valley into the Colorado River. The recently completed USGS Study found that there is almost no flow of underground water into the Colorado river.

In addition, the USGS study concluded that only approximately 6000-acre feet of water was available in the underground aquifer for future development by San Juan County, Grand County and Moab City. Since the Aquifer is over allocated by 200%, and Moab - Grand County have Water rights much older than San Juan County, the probability of San Juan county receiving additional water from the underground Glen Canyon Aquifer is very small. Utah is currently adjudication all water rights in Spanish Valley and final ownership of the 6000 ac-ft of water will not be determined for up to 5 years.

Water Right 09-2349 has sufficient water from the Colorado River or Kane Creek to complete all Phases of development in Spanish Valley. However, developing culinary water from either the Colorado River or Kane Creek will require millions of dollars above the current funds of 5.1Million.

The 500 ac-ft currently allocated to San Juan County will supply culinary water to the current residents and approximately 600 additional ERUs. The number of undeveloped residential lots current approved by the County is unknown, but probably exceeds 600.

The current residents in San Juan County are paying for the sewer and water infrastructure and the residents are entitled to the 500 ac-ft of available water.

A moratorium on commercial development in the Valley including Highway 191 is necessary until additional funds are available for development of the Colorado River or Kane Creek water. A moratorium is also necessary until the Utah Division of Water Rights determines who is entitled to the available underground water in the Glen Canyon Aquifer

William love
48 desert Solitaire Rd
Moab, Utah 84532
(San Juan County resident)

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I am writing to urge both Councils to make the hotel moratorium permanent. By every measure, we have exceeded our capacity to accommodate more tourists;
- constant UTV and other traffic noise
- stop and go traffic in and out of Moab
- lines at Arches regularly extending to Hwy 191 with an hour to hour and a half wait
- inability to turn left or cross the street without a stop light
- crowded grocery store aisles (made worse by displays impeding passing other shoppers)
- long waits at restaurants (and poorly paid chefs so food quality is often sub standard)
- inability to escape motorized noise in the back country (land, air, and water)
- massive destruction of fragile soil crust and consequent dust storms
- stores that cater to tourists which necessitates travel to GJ or SLC for many items
- lack of pleasant outdoor restaurants due to high volume of traffic passing by
- absence of bike lanes, public parking, and park shuttles to reduce the tourist impact
- low wages partially caused by some hotel owners who bring in foreign workers
- inability to attract workers due to the housing shortage made worse by each hotel built
- infrastructure overload (water, sewer, trash, as well as police, EMS, medical)
- "neighborhood" streets lined with trailers and overrun with vehicles of all sorts
- tourists numbers double or triple local residents on many weekends
- poor air quality
- increased light pollution at night and its negative affect on parks, people, and wildlife.

etc etc etc

Our Council members are well aware of all of these issues, and they need to be supported in their efforts to mitigate some of the damage to our community and to the psyche of its citizens. An open pipeline of more hotel tourists and overnight rentals will only hasten further destruction to our health, values, and lifestyles and make the job of the Councils that much harder.

Thank you.

Darcey Brown
2931 E. Bench Rd
Moab, UT 84532
435-259-6118
435-260-2373

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A few people in business do not speak for the whole community. Not everybody looks at Moab and sees dollar signs. We people that live in the neighborhoods cannot go into town without having to put up with noise, long lines, etc.

I’m sure you’ve seen the complaints, no need to go into the impact of MILLIONS of tourists on the town. What could be even worse is what is happening to the desert. You cannot go much of anywhere without finding trash or new tracks from motorized vehicles owned by people who have no respect for the land and don’t stay on designated routes. I’ve thought for some time that the “Powers That Be” could care less about what the people in the neighborhoods want or need, but if a well thought out plan or study, like this could be, was presented to the right people, perhaps something can be done to slow the degrading of the quality of life in this area. To this point, any of our elected officials have been unable to do so.

Respectfully,
Steve Brock
It’s about Carrying Capacity of our area—restaurants, roads, trails, parking lots, etc. And we’re past our carrying capacity.

I was lucky enough to be able to build my home here in Moab. I don’t see the same opportunities available to my friends. Hotels, motels and overnight rentals are popping up everywhere but not housing for residents.

We need to slow growth in the town before it gets out of control. Every year it gets worse, More hotels and condos replacing homes.

Main St. is crowded and overrun.

Moab and Grand County has too many tourist accommodations in proportion to places to house its essential workers and permanent residents. Our zoning needs to bring this back into balance if we are to be a viable community.

Our whole infrastructure and condition of surrounding public lands is surely impacted by too much tourism. It is time to:

- Pull back on advertising (they will still come)
- Focus on the needs of residents and affordable housing
- Diversify the kinds of businesses that support our economy without damaging our environment (I am not advocating mining and drilling)

I think that climate change should sit heavy on our minds. UTVs and Jeeps produce air pollutions that damages lungs and perpetuates climate change. We Should put an end to UTVs and Jeeps until we can get them in the form of electric vehicles powered by community solar.

Dispersed housing development leads to a much higher per person carbon footprint. Lower density housing means more cars driving further to get places. More driving means more money spent on roads. Low density means more money spent on infrastructure development for utilities, including electric, water, and solid waste.

Children are less happy growing up in suburbia. The fast driving cars of suburbia result in more children being run over by cars than a dense, walkable city. We could run public transit to Spanish Valley, but it would be more expensive per capita than shorter routes with denser housing. Higher density in R-2 is the best answer, not affordable housing in Spanish Valley. Spanish Valley to Moab and back is not bicycle friendly; hardly anyone is going to bicycle 400 to 500 feet of elevation gain to get to Spanish Valley.

Part of why I wanted to live here is because of the lack of sprawl. Amidst a nation-wide expansion of suburbia and white flight, Moab was restricted by topography. I realize that it was the natural surroundings more than people’s personalities that prevented sprawl here, but it gives us a golden opportunity to design and build a more pedestrian and bicycle friendly community.
My vision for the future:

- Either electric ATVs + Jeeps, or no ATvs or Jeeps
- Narrower Streets
- Safer Main Street for walking and bicycling
- Every restaurant composting
- Strawbale apartment buildings
- Denser housing near downtown
- Regenerate agriculture, and lots of permaculture/urban gardening
- More bike paths
- A public transit bus along 191 form Lazy Lizard to Arches, many stops along the way
- Public transit within Arches
- No sprawl into Spanish Valley
- Parking lots or garages at the ends of town where people’s cars can be parked, with them not driving much into town

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Are there any slow-growth ordinances currently in use by communities in Utah? Are these under siege at the State level? When we instituted impact fees in the 1990s there was controversy and pushback at the State level.

In terms of enacting any slow growth mechanism at the local level, is a citizens’ referendum allowable at the city level of government? A referendum would take pressure off the elected officials.

The State and resort city citizens view quality of life indicators differently.

The State views these as mainly economic and public safety period, with education also a consideration.

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- More green infrastructure is needed to mitigate flooding and overwhelming heat during summer months and provide biodiversity low/no water landscaping
- Employers taking responsibility for housing could alleviate some seasonal housing issues
- Code related to living in vans, RVs, etc. needs to be updated
- 4x4s on residential areas is a serious noise concern and disturbs residents; I’m not allowed to have roosters but 4x4s can go up and down the street from early morning until late at night!
- Safe, protected bike lanes for commuting in Moab; Moab to Spanish Valley, etc.
- Landlord abuses—absentee landlords in particular—affect too many people who work in the schools, non-profits, etc.
- Water limitations should inform development
- We need public transportation along Main Street, Mill Creek Dr., Spanish Valley Drive

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I think it’s very important to build a good working relationship with San Juan County Council and other entities so that there is a shared smart plan and vision that is sensible and not driven by money to address growth.
We also really need dark sky protection with a really good lighting ordinance!

We do need limits! Quality of life issues!!

Could you please review the following items from our current land use codes:

1. Height calculations: I think these should be revised to a more flexible standard.
2. Setbacks: These should be measured to exterior finish wall with additional dimensions for roof overhangs. These should relate to fire separation distances instead of current arbitrary, as currently written.
4. Tiny Homes: Please encourage adoption of a tiny home specific building code. We need the options to create tiny home long-term housing communities. Currently these would only be allowed in a commercial zone and deemed “campgrounds” by current zoning code.
5. Zoning Definitions Versus IBC/IRC/Building Code Definitions: Currently these have many places where they don’t match up or are in contention. It creates issues in the permitting process.

I am a local architect and happy to help with your efforts however I can.

As a short-term rental co-owner, I wanted to relay a common comment we hear from our clients: “What a great place you have here, but it’s too busy, too many people everywhere; In the parks, in the restaurants, driving, etc.”

Also, yesterday while collecting groceries at City Market for the Food Bank, an employee engaged me in conversation concerning about how much she worked. I asked why she worked so much. Her response was, “We are 29 employees short—and we can’t fill the jobs because we can’t find people who can make the financial numbers work. Wage vs. rent and/or buying a house.”

Please proceed with the New Hotel-Overnight Rental Moratorium for the following reasons:

1. There never will be enough help to meet the needs of the hotels already built, and it is pointless to bring new people in to work when we do not have housing for them.
2. Our water supply is finite and to add these further accommodations will create a greater demand than we should be expected to accommodate.
3. It is not good for us to have more “rooms” committed to accommodations and second homes than permanent residents. We are rapidly losing our identity as a viable community.
4. It seems very likely that in the not-to-distant future, our country’s economic status will experience a downturn. If and when that happens, a portion of the existing hotels will decide that staying in business is not in their best interests, leaving Moab with at least a few good-sized, empty buildings. That is demoralizing for any community, but especially one of our size.
Stop all future building of overnight accommodations, including hotels. There are too many.

There are many negative effects from a too-rapid growth in overnight accommodations, including:

- Exacerbating our problems with lack of economic diversity
- Driving up prices of commercial real estate
- Using up scare water resources
- Exacerbating our affordable housing problems
- Increasing the already-too-large impacts of visitors on our public lands
- Reducing the quality of life of Grand County residents (crowding, ORV noise, etc.)

Under our current zoning, hotels, etc. are pre-approved in many zones (i.e. they are a “use by right”). This means that if a land owner wants to build a hotel and meets current planning and zoning requirement, there is no legal way for the county or city to say no. One of the crucial issues for the upcoming zoning revisions should be to completely remove this “pre-approved” method of zoning. Instead, new overnight accommodations should require a vote by the city or county council. (In more technical language, new hotels would be allowed only when an overnight accommodation overlay zone was applied, and the application of that overlay zone would be a legislative rather than administrative decision, meaning the city/county council is free to say yes or no without fear of being overruled by a court.)

Many people consider the above to be a sensible and moderate solution. Others think removing all use-by-right hotel zoning is too extreme, but an argument against that is that the current number of hotels (and visitors) is already making residents unhappy, and in the next year or so projects already under way or in the permitting process before the moratorium will lead to a roughly 10% increase in overnight accommodations. Does it make sense to claim that a proposal that would lead to a 10% increase in a number that most people think is already too high is somehow not allowing enough future hotels?

--

I would like to see the city and county to use this moratorium time to create the Moab we want to see in 20 years time!!

Tourism is happening but we have a say in how it will be and what it will become. The feeling is a mish/mash and out of control. We can plan our future rather than we are victims to how it unfolds with no plan or foresight.

--

I am in strong favor of making the mortarium on hotel construction permanent and forever! We have enough already built and more in the pipeline that going to be built so I say set a limit—which we have already met and make it a permanent moratorium.

I’ve lived here 15 years, have bought property in town and am here for the small town feeling so let’s stop more development for visiting tourists!

Thank you for listening—I hope we can stop the breakneck development that is happening.

--
This is my 35<sup>th</sup> year moving from Boulder/Denver, Colorado and we have to act like somebody is thinking about the long range plan and master plan and dollars xxx the final answers.

Please, not visitors or residents feel like anyone is in charge.

--

I am a Castle Valley resident of 26 years. There have been many positive changes that have improved the quality of life in this area. BUT I believe there is too many people building for the tourist only and not consider the people that live here. We need to stop building hotels and focus on our community. Please no more building hotels, B+B, nightly rentals.

Need to ban UTV driving thru town or anywhere.

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I am concerned with too much development. Enough is enough. I would like to say no more hotels.

I am concerned about carrying capacity. I miss the small community feel. It feels like we are catering to tourists, business and big money.

I am concerned with water and the fact that we are not being responsible. We need to make bold moves to stop UTV noise.

It seems that businesses and money tend to win. People are power. Moab has an amazing community of people. Enough is enough. No matter how long one has lived here we should think about the greater good: community water, open space, sustainability. Not greed and money!

Also, the deer and animals have lived the longest in this valley. What rights do they get? People think they are a nuisance. That’s wrong.

If the city property owners have to recycle, it should be mandatory for hotels and commercial companies.

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The facilitator asked “What would you like Moab to be in 20 years?” My answer: Affordable; Livable; Diverse; Cooperative

I left a high-paying job in California because the quality of life (traffic, stress, long waits at restaurants) go worse each year. I chose to be somewhere rural in order to leave those problems behind. Yet now, from March through October, here they are.

I want us to no run out of water and not run out of patience with each other and with the tourists who fall in love with this place like we all did.

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- Is it possible to require hotels to include street level retail/restaurant space? Hotels Like Homewood Suite occupy hugely valuable Main St. street frontage without offering anything to Moab residents.
• I wish Main Street could be a more pedestrian-friendly space. Need more street crossings with signals like a City Market. 200 North and 400 North especially.
• Loosen up accessory dwelling unit rules to allow far more “low-hanging fruit” rental housing. A lot of residents are already doing this illegally, but it should be legalized and encouraged (within reason).
• Not sure how to mitigate residential impacts from tourist who haul enormous trailers into town and need to park them on residential streets. This seems to me to be an increasing trend and city regulations need to get ahead of it.
• Whether connected to the Arches capacity issues or not, Moab needs a free town shuttle bus running from Spanish Trail Road to Lions Park, at least. Can TRT money contribute to this sort of project?
• Those parking garages are definitely happening, right? I’m not thrilled about them, but hopefully they can raise money to support other useful city projects.

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• Extend the moratorium indefinitely
• Don’t allow hotels to tie into the Moab sewer system if the hotel will be built in San Juan County
• Try not to change the “feel” of existing neighborhoods
• In general, I feel like industrial-scale tourism is ruining the town. We are being pushed. I know I can move to Monticello for a step back in time, but I prefer to stay in Moab.

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I have several friends who have lived here for years and been very active in the community (council, nonprofits, small business owners, etc.), and they have recently sold their homes and moved out of state. UTV noise past one of their homes was the main reason one gave. Another felt Moab was no longer a small town and cited traffic and noise as a reason for moving.

I urge the City and County to make the moratorium on overnight accommodations permanent. I have lived here for 25 years and am saddened with all the changes; traffic, noise, pollution, destruction of soil crust, resource use, night sky light pollution, dust, poor air quality, long lines at restaurants, crowds at the City Market, on and on. It is not the same place and getting worse. Please – enough is enough!

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We are maxed out. We do not need any more overnight rentals. Please say no to additional hotels, AirBnb’s, etc.

We are losing our town and visitors are losing any quality of experience.

No more.

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The hotel developer in the Moab area have been allowed to build massive buildings which are out of character with our community. The profits from these business ventures do not stay in this community, rather they go back to investors in China, India, New York City, Salt Lake City and who knows where else. Yet these owners do not seem to care about the burden they are placing on the community, the lack of
adequate pay for their employees, the lack of their willingness to assist in creating affordable housing, and the seeming disregard they have for our resources. Enough is enough. We have enough overnight rental properties. The National Parks, rivers and landscape cannot support the number of visitors we have coming, let alone our quiet enjoyment of our community. Please create new zoning that drastically reduces any future overnight rentals in the greater Moab Valley.

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Thanks for this opportunity for public input. First of all, Michael and I applaud the City and County Councils’ decision for a moratorium on hotels. We are not against growth (we have been business owners in Moab), however, we do not support growth that is unchecked and unsustainable. We need to move forward with a new plan to ensure that there will be the resources (mainly water) for future generations. We need to start thinking of ourselves as custodians of our community, not just users of this land. Michael and I believe at this point the balance between the full-time community and the visiting community is out of whack. We are not sure it is doable, but a permanent moratorium on hotels is one solution that we agree with.

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Legally what to do:

- **Tax** the hell out of the tourist rentals. Use the money to improve Moab.
- With increased numbers of hotels and housing tracts, **TRAFFIC** will become unsupportable. More and better roads and transportation are required.
- **Expansion** will happen – put a lid on the RATE (%) of development.

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I’m old enough to have watch many town and county governments in their process of making decisions. I address this to all of your elected officials.

At some point in your gathering of input, you must make some hard decisions. You must look at the overall well-being of your community.

1. Suggest that you research other communities with growth issues and assess what has worked and not worked.
2. Take a viewpoint of looking into the future and seeing how we will fare the road with the decision you are making.
3. We’ve elected you and until we un-elect you, we trust you to make hard decisions – don’t be hesitant to take hard stands.

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Thank you for opening this up to residents. I feel that residents have been disregarded up to now with all of these issues. Our quality of life has been declining, alarmingly so in the past year or so. It’s all about growth, tourism, and developers driving what is happening. More, more, more. There has been no discussion of what is enough. We have a small valley here and cannot continue to accommodate it all. We don’t have space. Noise, which is increasing, just bounces off the canyon walls. There is not enough parking for existing businesses. And although studies have been done showing the limits of our
water, this has not been factored into this increasing development – including USU. Building taller structures is frightening, changing the viewshed and look of town entirely. New resorts are way out of scale for our town.

As a long-time resident, I am dismayed. Please SLOW DOWN development - let’s get a handle on what we really want and what can actually be supported here before more is permitted. I fully support the moratoriums.

What happened to the idea of developers creating affordable housing needed to run their businesses? Why are residents of quiet residential neighborhoods being made responsible for shoehorning in high density housing – with no parking?? Not okay.

Rather than opening R2 to such development, why not try one or two in R3 which is already a higher density?

And finally – what about setting some limits on growth? We cannot support this level of growth for long. People come here for a particular experience and very soon all they will get is a noisy, overcrowded madhouse with gridlock and no parking.

And those of us who actually live here will lose the semi-rural feel we came here for.
1. **Purpose of the Project**—Landmark Design outlined the project purpose and goals as follows:
   - Address the 180-day moratorium on new overnight accommodations
   - Address how overnight accommodations influence the Moab Area Affordable Housing Plan, infill housing development and redevelopment
   - Create land use policies and tools that address these and other land use challenges

2. **Project Timeline**—Ordinance recommendations are slated to be complete by the Landmark Design team in early June. Policy changes and related ordinance changes must be adopted by Moab and Grand County by the conclusion of 180-day moratorium period for each (August 2019).

3. **Summary of Public Involvement & Outreach**—Two Public Open Houses were held at the Moab City Hall on March 26th and 27th. The meetings were well-attended with 107 people signing in. In addition to these meetings, 51 written comments were received through April 2nd with several more comments received since. Additional outreach included meetings with the Grand County Planning Commission, Moab City Council, Moab high school/junior high school students, local business owners, non-motorized trail users and federal land management agencies.

4. **Economic Analysis**—Preliminary results of an economic analysis was presented by Lewis, Young, Robertson & Burningham (LYRB).

5. **Public Workshop Introduction**—An overview of draft Guiding Principles for the project, an updated Regulatory Toolbox and five Planning Options were briefly presented. Attendees were then broken into six groups of 8-10 people to discuss each scenario in more detail. Summaries and detailed notes from each group follow.

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**SUMMARY OF INPUT BY WORKSHOP GROUPS**

Once the presentation was complete, attendees were divided into six small groups ranging from 12 -15 people. The purpose was to review the five options in order to settle on a preferred direction. As part of this process the groups were also asked to review the Guiding Principles in order to determine whether or not they were aligned with the five options were aligned. The following is a summary of the results for each group.

**GROUP 1**

- Eliminated Options #1 and #5, no consensus decision on the other options
The group was split on the amount of regulation that was acceptable. Most favored strict performance standards and context-sensitive form-based codes while a minority wanted to reduce the regulatory burden.

There was broad consensus on:
- Mixed-use development
- The need for more neighborhood commercial
- Community nodes as a land use model
- Walkability, particularly downtown, in neighborhoods and around community nodes
- Human scale development

**GROUP 2**

- Eliminated Option #1
- Would support more lodging if there are greater limitations on scale, numbers of units and performance requirements; no consensus where lodging should be located.
- Need more specificity
- Option #5 – The “No Growth” title was confusing, as it was only meant to refer to overnight accommodations. This needs to be clarified so it is clear that the option would accommodate other types of commercial growth and development
- Support for form-based codes

**GROUP 3**

- Eliminated Options #1 and #2
- Option #3 – Okay with more restrictions on number of overnight accommodations; some support for Option #4
- Employee housing—needs to mandate adequate parking conditions, upkeep and livable conditions
- Water requirements/restrictions and knowing how much water is available and used by overnight accommodations is extremely important
- Height and other form-based restrictions should be part of the solution
- Desire incentives for local, small businesses and higher impact fees to developers
- Feel like Option #5 opens up too much attention from the state and litigation

**GROUP 4**

- Eliminated Option #1
- Mostly support Option #4; some support for Option #3
- Option #5 – concerned that state will step in if this is enacted, or that the demand will shift to San Juan County instead, resulting in no improvement related to congestion, etc.
- No development on Kane Creek
- Consideration of water needs is important/essential
- Broad support for mixed-use, especially in southern portions of Highway 191
- Scale of all commercial uses should be small – no big box development
- Increase environmental and aesthetic standards
- Mixed feelings about campgrounds/RV—feel like they are less invasive, but should still consider their impact to views, etc.
GROUP 5

- Eliminated Options #1 and #2
- Would like to pull form-based code from Option #3 into Option #4
- Concerned about the over-concentration of overnight accommodations in the northern section of Highway 191 as indicated in Option #4
- Encourage small-scale bed and breakfasts and locally-owned hotel operations
- Affordable housing—don’t want the need to provide affordable housing to get lost in this process

GROUP 6

- Eliminated Option #1
- Majority supported Option #5, while ensuring that other commercial growth still occurs in the affect areas; want to swing the pendulum back the other way and make corrections in the future to balance, if needed
- Option #4—like limits, but not that it’s concentrated
- Want more investment in downtown
- Individual overnight accommodation types should be addressed separately
- The top guiding principles are numbers 1, 2, 6, 8 – they are all focused on putting the community first

VERBATIM WORKSHOP GROUP NOTES

GROUP 1

- Nightly rentals are basically weekend rentals, monthly rentals are essentially yearly rentals; Missing product is 1-3 months rentals (seasonal, etc.)
- For the last 35 years, Moab has been pushed toward tourism because mineral exploration went away
- Employee housing doesn’t work in the real world, hard logistically and offers tenants little freedom (e.g. the company town)
- Need more information on the economic analysis
- Moab lacks 1000+ affordable housing units, this doesn’t address that need directly
- Don’t think we can stay at the status quo
- Need measured and controlled growth - entrepreneurial person can’t move here and we need to keep the vacancy rates low
- Need spaces reserved for other types of businesses
- Growth needs to be controlled, too much focus on nightly rentals being the source of the problem when it’s just a small part. What’s the real problem to address to solve the issue?
- Reason for problems is extreme growth in popularity of outdoor activities that weren’t always popular (mountain biking, ATVs, etc.)
• Participant likes Option #2 if downtown is developed smartly – Options #3 through #5 give existing hotels too much of an advantage
• Incentivize mixed use, enforce the existing rules (especially illegal overnight rentals) by increasing fines for violations, etc.
• Participant likes Option #2 with mixed use/form-based code requirement
• No one wanted Option #1
• Option #2 has strong support from real estate professionals
• Moab’s historic western downtown will be destroyed with form-based codes to keep downtown/Main Street - character, historical preservation, walkable, human scale
• As it exists, we have a scrape-and-rebuild town so it is possible to see downtown become unfriendly and unwalkable
• Pedestrian safety an issue
• Concerned with cookie-cutter form-based codes that could make things more bland
  o Form-based codes can be done with much more nuance, but they require lots of work and investing the appropriate amount of money to produce a quality code
• One participant felt that Moab doesn’t have a “cute” downtown with interesting buildings – not like little Colorado towns, for example
• Zoning on the north end of town is suburban in nature – it’s unwalkable
• Downtown area should stay human scale and the form-based code should extend to north of town to make that area appropriately scaled as well
• Some feared becoming like Sedona with a cute downtown and horrific traffic and long slowdowns; Need a by-pass road to accomplish this
• Need mixed use in north corridor and Spanish Valley
• Concern about over-regulation and unreasonably telling people what they can do with their land. Regulations cost money that is ultimately passed on to the person buying the house.
  o Example: Over $80,000 and 5 engineers/architects needed to address new regulations and the buildings still aren’t ready to be built. 4 buildings with identical floor plans were built previously for $30,000 less. The difference is passed on to the consumer. In the end, city and county regulations cost the consumer money.
• Discussion about development on the north vs. the south of downtown.
  o Competition between commercial uses is limiting development in San Juan County which is a good thing at this point
  o There are serious flaws with all hotels being located north of downtown with retail to the south. It is better to keep everything mixed use along the entire Highway 191 corridor.
• Options #3 and #4 make it really difficult for any downtown property owners
• Would like to see more continuity between Moab and Grand County
• Would like frontage roads to access businesses in Spanish Valley (similar to the plan adopted by San Juan County).
• Like the community nodes in Options #4 and #5.
• Lots of consensus on encouraging mixed use
• Overnight accommodations have already spread south to Spanish Valley
• There are certain times when the area experiences traffic extremes – Friday nights and Sundays
• How many more tourists can we accommodate without seeing drastic losses to quality of life?
• Discussion of Option #4:
  o We already regulate where overnight rentals can happen in residential zones, but we don’t exclude lodging from commercial zones. Option #4 would allow commercial zones to grow into themselves without competition from hotels
  o What businesses other than hotels/motels would locate in commercial zones in Spanish Valley if Option #4 were adopted? Is it still too expensive even then?
  o To have more economic diversity, we need more commercial zoning especially neighborhood commercial in key areas adjacent to residential zones
• One participant expressed the desire for local government to look at ways to simplify zoning and codes to make it easier to develop housing and other needed products
• Many felt Moab needs more density; Strong support for the county’s overlay related to this
• South corridor is already commercial 600’+ from the highway (KOA and rentals in Rim Village)
• Already 1,200 additional overnight accommodation units have been approved, but they haven’t been built yet
• Many felt there should be size limitations and mixed use requirements on hotels above a certain size. Some expressed concern that the market may not be able to handle mixed use everywhere and such requirements would be overly burdensome
• Many agreed that less overnight accommodation development would force other commercial uses as the next “highest and best use”
• Everyone agreed: development should be properly scaled, contain a mix of uses and there is a immediate need for more neighborhood commercial

GROUP 2

• Option #5 should be called “No Increased Overnight Rentals”
• Can growth be determined on a percentage basis? Percentage occupants, square footage, number of buildings would determine how much is allowed
• When discussing no additional overnight accommodations, there was concern about blending growth with existing neighborhoods; Want neighborhood preservation measures
• Participant asked what defines growth. Overnight rentals? Commercial? Housing?
• One participant was okay with neighborhood-scale commercial
• Some were okay with more hotels if assurances are made for community amenities (e.g. open space preservation)
• Participant stated that stress is coming from traffic, not hotels (Center Street and 100 South). No problem with having a business area as it exists currently – it’s the traffic volume and speed.
• Overnight rentals should have transportation and other mitigating factor requirements. If these exist, participant is okay with overnight rentals
• Commercial property owners already own land north of town
  o “This was never a ‘livable’ community”
  o Tourists could park on the edges and be shuttled into town
• Participant stated that there is no residential north of town already – tourists are coming in from the north from the National Parks so it should be allowed if taxes and impact fees are paid
• Participant wants small scale overnight accommodation developments (10-20 units) in the future
  o Purchasing commercial land is speculative and Moab shouldn’t be responsible for owners being able to use their land for whatever purpose they want
• Young people could afford to live here if they could operate limited overnight rentals to create income
  o Another participant agreed this could create affordable options
• Gradations of growth and no growth
  o All commercial development is competing with lodging development because of profitability. How do we allow this to happen?
• Commercial, existing land use could be used/allowed to build residential projects
• Majority of group agreed to eliminate Option #1, but there was one who felt the status quo was the fairest to property owners
• Participant asked if hotels are currently filling up. One data point says rentals decreased from 2017 to 2018. Hotel occupancy is **anecdotally** down.
• Discussion about Option #2
  o Is it legal to remove right to develop overnight rentals? We can make certain requirements to limit overnight accommodations with very restrictive regulations
• What do people like on the maps?
  o We expect more of future development
• Employees of hotels need places to live; This is already required of new hotels
• There was a consensus that more residential and neighborhood growth is desirable

**GROUP 3**

• AirBnbs should be included as bed and breakfasts
• Questions about Cisco and Elgin – would like planning efforts there as well
• Concern that the process is too contentious and that the State of Utah will try to intervene
• #1 concern is water
  o Nearing or at capacity
  o Need estimation of accommodations or resources
  o Need to know environmental impact before choosing overlay
  o Research what hotels, etc. currently use
  o Grey water usage
  o Would like to see estimate for water usage each option
• Parking is a big issue for residents in existing neighborhoods
  o Requirements in overlay zones need to include off-street parking and upkeep of property
• There need to be requirements or incentives for use of solar
• Landscaping requirement need to include the use of grey water and native plants
• Option #2 is already out of scale and issues with “stay and live” gives it a lower rating
• Option #3 should include a form-based code
• Discussion ended discussing an “Option #3.5”, depending on restrictions and the facts those restrictions are based on (need more facts/data to make a decision)

GROUP 4

• Option #1 is out
• No franchise hotels
• Love the idea of “no more growth” but concerns about going to San Juan County and the resulting traffic; Transit-hubs could help alleviate some of this
• North of downtown – mixed use and transition into town
  o Environmental concerns about development along wetlands; Would protect existing neighborhoods all the way down
  o What would be the State’s reaction to no longer allowing overnight accommodations?
  o Need corridor and landscaping buffer standards
  o Preserve aesthetics and views
  o “Put it all underground”
  o Adobe construction, green roofs, porous pavement, grey water recycling, etc.
• Not a huge issue with RVs – up the creek and older established ones are decent
• Support for parking lots and other places to park and store trailers, etc.
• Encourage mixed use, but concerned about state involvement
• No more hotels in Colorado River overlay area, but RVs okay?
• “Match scale of development” sounds scary
• Mixed use, ratio of mixed use to overnight rentals
• No big box stores
• Desire for small – limit size for all commercial to support local businesses
• Ban franchises
• Group didn’t feel that discussing the Guiding Principles was as important as discussing the various planning options laid out
• Mandatory STR and LTR, mixed use – don’t like overnight rentals embedded in residential neighborhoods, however.
• Some desire for no campgrounds north of town
• Key points:
  o Focusing development on the north side
  o Mixed use – especially in southern portion of 191
  o Other standards – aesthetic, size-scale and environmental
  o No more overnight accommodations downtown
  o North of town, camping over hotels?
  o Serious restrictions
  o Majority of group favored Option #4 with some prefers Options #2 and #3
  o Limit development along Kane Creek
  o Support for “no growth” but concerns about overflow into San Juan County and/or the state intervening
  o Eliminated Option #1
GROUP 5

- No more downtown
- Smaller, mixed use stuff
  - Match the scale of the neighborhood
  - Provide amenities to the neighborhood
- It really doesn’t feel like a community – it’s overrun
- No new hotels on northern section of Highway 191, open to it with an overlay
- If we stopped advertising, we wouldn’t need hotels
- “I’d rather pay property taxes than deal with tourists”
  - We’re paying for it one way or another
- If we don’t allow it at all, people with drives from San Juan County to Arches
- “Do any of these suggest demolishing the river bridge?”
- In favor of townhouses for residents.
- Hate fear-based planning, staking counties against each other for Walmart, hotels, etc.
- Pro form-based code, but want more restriction than Option #2
- One participant doesn’t like city’s current approach to AirBnbs
- “If we still allow some growth, we can control it” vs. it occurring in San Juan County
- Don’t agree with concentrating everything north of town - need to disperse more
- “Short-term rental allowance in residences is why we have our housing problem”
- All were pro-mandatory mixed use and performance standards.
- We’re never going to have less than a million visitors, need to plan to address this
- Controlled growth, but more than just North Highway 191 – bad for safety, walkability, all along Highway 191
- Need long-term RV parks
- We want more dispersed than Option #4, but smaller, more focused areas than Option #3
- For form-based codes
- If we do Option #5, we want to try to use existing more efficiently
- “We can’t be held hostage to the tourists”
- “People say tourists are paying their way, but they’re not”
- Some growth, reluctantly, should be allowed
- Pro small bed and breakfasts
- More community-centric overnight accommodations
  - Local-owned hotels, rather corporate chains – discourage large scale
- Summary:
  - Heavy restrictions – form-based code, mixed use
  - Concern about over-concentration on North Highway 191 with Option #4
  - Encourage small-scale bed and breakfasts and locally-owned hotel operations
  - Struck Options #1 and #2, working between Options #3, #4 and #5

GROUP 6
- No overnight accommodations downtown? But that creates transportation problems – keep shops downtown, add transportation options or mixed use
- Community node – some businesses now, could be more housing too; Group likes this approach
- Is “no growth” legal? Yes, can downzone a parcel.
- Concerns about water – carrying capacity means there are more limits than just space
- Sunset method for a period of “no” growth?
- Not fair to lump all overnight accommodations with hotels/millionaires
- Are hotels even at capacity?
- RV pads are maxed out, need more! Will drive costs up on the north end
- No hotels here, but campgrounds are okay in some areas; Same with bed and breakfast establishments
- Separate high-density accommodations from low density ones – split the small from the large
- RV parks – where people are living right now; Locals can’t expand businesses due to shortage of housing
- Gridlock already with 1,100 more in the pipeline
- Use-by-right vs. overlay? You can apply to build a hotel – more legislative
- Why only Moab Valley? Most urgent issue and there are other restrictions for the rest of the county like water/sewer/utilities
- We should not have these developments inadvertently
- 0 voted for Option #1
- 2 voted for Option #2
- 1 voted for Option #3
- 4 voted for Option #4 – hotels should be more diverse and the areas should be smaller and more of them, mixed use on the bottom floor
- 11 voted for Option #5
- Don’t like the wording of “No Growth”, prefer something like “No New Overnight Accommodations”
- Limit places for hotels, but spread those places out to the south too – small areas though
Moab Area Land Use
PUBLIC OPEN HOUSE + ADDITIONAL COMMENTS VIA EMAIL – SUMMARY OF COMMENTS
Moab City Center Building

Tuesday, March 26, 2019 5:00 to 7:00 p.m.
Wednesday, March 27, 2019 11:30 a.m. to 1:30 p.m.

TOTAL IN ATTENDANCE (those who signed in): 107 (57 on 3/26; 50 on 3/27)
Total Written Comments Received at Meetings: 25
Total Written Comments Received via Email (as of April 2, 2019): 26

The purpose of the open houses was to get a sense of residents’ current concerns and desires, particularly relating to the moratorium on overnight accommodations, as well as their concerns and desires for the future. The following summarizes key ideas heard at those meetings and input submitted via comment form and email (received as of April 2, 2019).

The purpose of this document is to capture the primary themes and sentiments expressed during the open house events. If you feel like there are any omissions or mischaracterizations of comments submitted to date, we encourage you to send or call us your feedback at moab@ldi-ut.com or 801.474.3300 (ask for Mark or Jenny).

Quality of Life

General:

• Moab has experienced significant growth in recent years, especially within the lodging and tourism sector. Many characterized this trend as too much, unwanted, and/or undesirable growth, and that it had fundamentally altered the community’s character. Many suggested the Moab Area no longer feels like the place and community they valued, identified a lack of balance in the growth that has occurred, and noted different ways in which their quality of life has diminished, especially in the last three to five years. It was relayed that residents, friends, and neighbors have been moving away or making plans to do so, because of these changes.

• It was suggested that Moab and Grand County should take advantage of current opportunities to “creatively turn around the accelerating slide towards social, economic and environmental catastrophe.”

• Strong desires to slow growth (in general, and in the lodging and tourism sector) to a level where people will still want to live and recreate here was expressed, with sustainable growth” and “smart growth” being used to describe this shift.

Community Character:

• There is a great desire (and vision) for Moab to be a place that is “more than tourism” (See “What would you like Moab to be in 20 years?” section below)
• There is a desire for the Moab Area to be comprised of a diverse population; Some expressed concerns about fees/restrictions/economic conditions that might discourage or prohibit certain populations from visiting or living in the Moab Area.

**Transit/Transportation:**

• Traffic and congestion have increased dramatically with growth/increased tourism; specific problem areas cited by residents included:
  - The north end of town where US 191 changes from two lanes to four,
  - Recently signaled intersections,
  - Left turns in the downtown core, and
  - Parking.

These transportation trends, including infrastructure deficiencies, are seen as an impact to resident’s quality of life and as a public safety issue.

• Regional transportation planning was identified as a need, with the following considerations being highlighted:
  - Bicycle- and pedestrian-friendly roadways
  - Curb cuts and dedicated lanes
  - Special attention to Spanish Valley Drive (particularly, its speed and impact to surrounding neighborhoods)
  - Carrying capacity and level of service studies
  - Public transportation and transit
  - Travel between the future USU Moab campus and downtown, as well as multi-family housing and employment issues
  - Future bedroom community development in nearby communities such as Monticello, Green River, and Thompson

• Parking was cited as a big concern. Specific circumstances described included:
  - Inadequate parking at homes where multiple people staying overnight or living, which often results in illegal parking or blockages of adjacent neighbors, and
  - Inadequate parking for different user groups (e.g. trucks and trailers).

• A need and desire for public transportation through the Valley and to the National Parks was communicated, particularly if significant amounts of residential development occurs in the southern reaches of the Valley; Public transportation may need to be considered from nearby communities such as Monticello and Green River, if rent/housing continues to become less affordable and workforce housing shifts to those areas.

• Some identified the need for more protected bike lanes as current bicycling conditions could be viewed as unsafe. Green infrastructure for stormwater management was cited as a potential use for establishing a buffer.

• The Moab Area has developed with relatively wide residential roads, and current standards also require wide roads to be constructed in new developments. Some recommended rethinking the road design standards and considering other beneficial uses in place of some roadway width and that development costs could be reduced by reducing road construction costs and land dedicated to roads instead of other uses.
Overcrowding:

- Many expressed the ratio of hotels, short-term rentals, and other overnight accommodations to permanent residences as severely unbalanced (too many overnight accommodations); They suggested that the current supply of accommodations is sufficient and wanted to see a limit put on building additional accommodations in favor of, or in addition to, putting more attention towards the needs of Moab residents.
- It was suggested that different overnight accommodations should be treated differently (e.g. hotels vs. RV campgrounds). One person mentioned there were not enough places to accommodate RVs in Moab. Others suggested that “out-of-town” owners/developers should be held to different development standards than “local” owners/developers. Yet another individual feels like City/County to treat nightly condos projects differently than hotel projects, citing that condos have greater opportunity to be more sustainable (use less water, hire local property management companies, etc).
- Multiple individuals reported anecdotes from tourists/visitors that overcrowding in Moab negatively impacted their experience and may not or will not return, with one of those individuals saying that a recent guest at their condo/rental said, “This is a great place you have here, but there are too many people. We may or may not come back.”
- A sentiment of special event fatigue was expressed. Many feel the number and size of events occurring in Moab has increased, and the season for events taking place has extended. They expressed a desire:
  - To see fewer events permitted,
  - Additional restrictions placed on events, and
  - Periods of time restricted from events, such as a certain number of no-event weekends even during peak seasons.
- The proposed Arches National Park reservation system was identified as a potentially beneficial change for slowing visitation.

Noise:

- Noise from UTVs and other motorized off-road vehicles was identified as another major concern. One resident stated, “City residents aren’t allowed to have roosters, yet UTVs are allowed at all hours of the day.”

Environmental Impacts

Water:

- Many expressed concern about having adequate water, especially with the amount of development/growth occurring; They expressed a desire to see greater coordination with San Juan County over this issue.
- Water consumption by tourists was specifically raised as a concern; Possible solutions offered were using water tokens to set limitations on time/amount of water consumed and regulating the size of pools that hotels can build.
- Others expressed that development/current activities/land use practices (grazing) impact the water sources and should be considered when planning for the future (e.g. the “dust on snow”
phenomenon is changing the hydrology of the Colorado River); It was mentioned that these activities also impact the local soils and that soil is also a non-renewable resource.

Landscape:

- It was noted that dispersed camping is taking a toll on the environment. Commenters suggested that overuse of the landscape is occurring, and questioned what the carrying capacity of the land. It was suggested that conversations between the local government and state/federal entities need to happen to minimize these impacts and come up with a solution.
- A feeling was expressed that public lands also have a “carrying capacity” and can’t take the current amount of people/use. For example, adding a second access point into and out of Arches NP might address traffic and auto congestion, but it does not increase the land’s carrying capacity.
- UTVs and other motorized off-road vehicles were reported to have greatly increased and encroached in both natural and residential areas the last few years. Commenters noted that the desert is delicate, and expressed concerns that the level of disturbance occurring could cause about “dust bowl” conditions.

Air Quality: Some communicated their experiences with and concerns about worsening air quality caused by grazing, development, and touristic activities in the area. They suggested the City and County need to record/track/mitigate before it becomes a bigger problem.

Light Pollution: Residents communicated a strong desire to protect dark skies in the area. They expressed concern about the impacts of development in San Juan County to the night sky and desire to see coordination between Grand and San Juan counties on the effort.

Wildlife Habitat: Reminders were expressed regarding the need to think about the impacts of development/tourism on wildlife and wildlife habitat.

Visitor Education: Many brought up a need, and potential, for spending less money on marketing/advertising Moab as a destination and spending more money on visitor education (e.g. how to limit impacts on and provide care for the area’s unique environment).

Regulation/Local Government/Planning

- Feelings were relayed that local government has not exercised enough will power in denying unwanted development or enforcing regulations on-the-books, and that up-zoning has occurred too often. The need to support local government officials as they make efforts to mitigate some of the “damage to our community” was also communicated.
- Many expressed a desire to see more regulation/controls put into place that would give elected officials far more discretion in determining which projects get approved and constructed, rather than “pre-approved” or “use by right” zoning that currently exists in commercial areas.
- Some observed that a lot of new construction has been/is out of scale for the town; In lieu of large hotels, commenters recommended only allowing smaller-scale hotels, inns or B&B’s and possibly requiring them to have street-level retail or restaurants and adjoining workforce housing.
• There was a desire by some to see zoning regulations in the City of Moab overhauled, specifically: consistency in height calculations, measuring setbacks and clarity in hillside development regulations.

• Some would like to see tiny homes allowed in residential housing areas, with a tiny home specific building code being instituted to make these a compatible use/viable housing option.

• There was a strong desire expressed for a permanent or lengthened moratorium to stop or slow down growth. Another common sentiment was the desire to limit the number of overnight accommodation units allowed.

• Many felt like development has happened without much thought to planning for the future or what residents want Moab to be. There was expressed that zoning could be a way to choose what you wanted. What is the end in mind? Do we want unlimited tourist growth or do we want to be sustainable? If you don’t build it, they won’t come. Zoning seems the best way to do that.

• Many residents commented on the need for more regulation in the future. Specific concerns/ideas suggested included:
  - **Design:** Create design guidelines or other mechanisms to give new construction a direction that cohesive and thoughtful.
  - **Viewsheds:** Look closely at implementing set backs and height restrictions to preserve valuable views of the canyon rims.
  - **“Old Town”:** Create an overlay that helps preserve the sense of history and place of Moab.
  - **Open Space:** As the area densifies, acquire open/green space acquired. There is currently a need for more pocket parks and community gathering spaces and open/green space could be mandated in new developments.
  - **Trails:** Require new developments to provide easements and connections for/to a non-motorized trails.
  - **Sustainable Architecture:** Require new construction to incorporate passive solar construction.
  - **Sustainable Practices:** Require low flush toilets and showers in all new and existing overnight accommodations; Require hotels and retail businesses to recycle.
  - **Vegetation/Soil Disturbance:** Require a restoration plan for the disturbance of any soils or vegetation.
  - **Noise:** Implement noise requirements on all roads and investigate implementing a no UTVs or noisy motorcycles policy on city streets.
  - **Parking:** Require adequate on-site parking for recreational vehicles/trailers for all overnight accommodations.

• There was a desire expressed to see incentives and more flexibility for desired uses and less incentives and flexibility for undesired uses (e.g. tourism-related businesses). It was suggested that new hotels could be required to include street-level retail or restaurant space.

• One individual expressed that County high density residential overlays don’t work in agricultural and existing residential areas and that existing road infrastructure cannot handle the increase in population.

• Some feel like the State and locals define a good “quality of life” differently and expressed a concern that State laws could potentially limit options that might work best for the Moab area.
One individual expressed a feeling that landlords in the area need to held more accountable; Conversely, another individual expressed a feeling that there are good landlords out there (nightly rental, specifically) and that these good landlords get “punished” with additional requirements and fees because of the actions of others.

A concern was expressed that if stricter restrictions occur in Grand County, developers will shift their attention to San Juan County. The amount of potential growth in San Juan County frightens some, particularly because San Juan County currently relies on Grand County for its emergency and sanitation services, and there was a desire expressed to see cooperation/planning between the two counties. One individual suggested that certain requirements could be required if/when development San Juan County is allowed to be serviced by Grand County Water and Sewer services, for example: the implementation of dark sky ordinance, lot size/density restrictions, limitation on large scale development and other commercial enterprises that don’t match the Grand County’s vision.

One individual expressed a desire for Grand County and Moab to work together/function as one “greater Moab area city-county”. They suggested that Grand County annex into Moab (south of Moab to the County line).

Several individuals articulated the likelihood that an economic slowdown is likely to come. One individual mentioned that the City/County should use any downturn to catch up and get significant planning completed.

Overnight Accommodations/Higher Density in Existing Residential Neighborhoods
Varied concerns and opinions were expressed regarding overnight accommodations in residential areas, including the following:

- Allow nightly rental and/or higher density developments in existing residential areas (R-2 zones) causes conflicts; Zoning has been too easily changed on a property by property basis in the past and they would like to zoning be used and enforced to protect existing residential neighborhoods.
- R-3 zones are already mixed-use zones; Overnight/short term rentals should be considered in those zones.
- Rather than outright ban, provide less restrictions on short-term rentals in residential areas; For example, consider limiting the number of weeks or times a year that a home can rented out (Telluride and Austin have both done that).

Economy

Many expressed a desire for greater local ownership or a direct benefit from tourism to the local community, rather than large corporate/“chain” businesses. Many feel like these large corporate businesses don’t offer fair wages or support the local community (e.g. donations of time/money) and that these large, national chain hotels are “irreparably altering” the physical character and sense of community in the Moab area. One individual expressed the desire to see any resident be able to open up a B&B with profits coming back into the community/to local residents rather than the profit to go to large chain hotels, and another suggested that permits to build new overnight accommodations only to be issued to people who live in the Moab area.
• There is a strong desire to diversify the types of businesses and economy in the Moab area, with a belief that this could help lower the area’s vulnerability during an economic recession.

• There was also a strong feeling that making money/a profit currently seems more important than other pressing issues, such as overcrowding, caring for local/natural resources, etc.; Specifically, there was disappointment expressed that the decision to implement reservation system at Arches—that is anticipated to solve some of the overcrowding/overuse issues—was put on hold because of concerns about the impact to local revenue. One individual put it this way, “Greed is not a planning tool and has reigned supreme in the last several decades.”

• Many feel like space for new commercial enterprises is very limited and that skyrocketing land prices have shut out desirable small entrepreneurial/creative/non-profit opportunities. With every hotel that comes in, they feel like valuable space for other needs disappears and, therefore, would like to see less hotels and more opportunities for other types of businesses.

• Several questions or ideas relating to assessing additional taxes/fees to control or manage unwanted overnight accommodations were expressed, including:
  o Can a local fee be assessed in addition to the state tourism tax?; Are there any additional taxes/impact fees to pay for the tourism-related impacts that could be used to improve conditions in community (for example, improve salaries for teachers, police officers, etc.)?
  o Do timeshares pay transient room tax?
  o Can hotel owners be assessed an additional fee/tax to mitigate for visitor/tourism impacts to infrastructure, EMS services, law enforcement, etc.? Can they be required to “give back” to the town in such ways as affordable housing, education/environmental stewardship programs, and assisting vulnerable populations?

• A few commenters talked of property taxes have increased dramatically for commercial properties. They feel that the increase to property taxes makes it harder to build a successful/profitable business.

• There was a strong desire for advertising of the area to either be stopped entirely or put on hold. One individual felt like advertising should at least be truthful/accurate and, in doing so, would say something like, “Come to Moab to wait in line and hear noise of Razors”. Others expressed a desire to see funding from advertisements promoting tourism shift to educating visitors on how to recreate responsibly/take better care of the land.

• One local business owner felt like as tourism has increased and hotel prices have gone up, there doesn’t seem to be a proportional increase in revenue for local retail businesses.

• Many feel that local businesses are overwhelmed by the amount of tourists, with specific examples including restaurants having long (2 hour) wait times at dinnertime and City Market not being able to keep the basic necessities stocked on their shelves.

Housing

• There was some support for higher density expressed, if that density was used for housing local residents.

• One individual mentioned that they would rather see affordable housing dispersed around town, than the south end of town grow.
• Many recognized that affordable housing and limited growth can’t happen without higher density. One individual mentioned that a conflict of desires exists in the area with many residents wanting to see more affordable housing, but not wanting that housing in their own “backyard”.
• A desire was expressed for impact fees waived for affordable housing.
• Several individuals mentioned that they would like to see employers provide housing for their employees. They related that there are many people living out of cars to survive/make ends meet and then they get fined for doing it. There is a great desire for change and solutions to this issue/problem, with one individual suggesting the provision of safe places for temporary workers to park and camp if they unable to afford housing.
• There was optimism expressed regarding the housing that is planned adjacent to the future USU campus. They relayed that there will be both student housing as well as housing for the larger community.
• There was also a fear expressed that some affordable housing is being acquired and flipped (sold at market-rate prices) to make a profit; This situation was specifically linked to those getting help from the Self-Help Housing program, a federal assistance program.
• Some expressed a feeling that the lack of residential housing for year-round residents deters a healthy and diversified population.

Employment

• There is an overwhelming agreement that tourism-related jobs do not pay enough for employees to find adequate housing in the area and many feel like their employers should be required to provide affordable housing options for their employees. One individual mentioned that they would like to see a minimum wage increase in Moab to help solve this issue.
• Many see the lack of affordable housing as a deterrent to attracting labor, high skill labor and essential services (teachers, police, nurses, etc.) in particular.
• There was an expression of not enough employees on multiple levels, with some feeling like the number of hotels are putting a strain on the overall available workforce in the area and others citing that employed people have to work long hours because there aren’t enough employees.

Growth

• There was expression by a fair amount of people that people live off of tourism in Moab. Some individuals felt like you can’t stop growth from happening and others that believe that market will monitor itself (e.g. developers won’t invest/build in an oversaturated market)
• A few individuals feel like a greater demand for hotels is a good sign and is much better than the lean times that used to exist with the feeling that that any new hotels should be allowed in the downtown and in commercial areas.
• One individual mentioned that Arches could open up the other end of the park to help facilitate the number of visitors they get, rather than limit/require reservations.
Re: This Planning Process

- One individual expressed the desire for the City/County to invite developers and pro-development residents to the table and get their input on the moratorium.
- Another individual thought it was important for the project team to reach out to the younger people working here, specifically those who want to stay and live here, but are currently working multiple jobs.
- One individual was overwhelmed by the amount of conflicting desires/needs in the community. When they asked “How are we going to solve it?” the Mayor of Moab responded that it wasn’t going to be solved from the top down, but that the community will solve it together.

Examples to Consider

There was a strong desire to look for possible solutions—specifically, smart and slow growth strategies—both inside and outside of the State of Utah. Specific places mentioned include:

- **Ashville, NC**: Limited nightly rentals/hotels
- **Telluride**: Stopped development and the town still continued to thrive
- **Gatlinburg, TN (Gateway to the Smoky Mountains)**: Engaged with state representatives to get things resolved
- **Park City, Dot Creek (Cedar City) and Kayenta & Ivins (St. George area)**: Potential local examples to look at

What would you like Moab to be in 20 years?

During one of the open house sessions the question “What would you like Moab to be in 20 years?” was asked. The following answers were vocalized in that meeting and comments received after.

- A walkable community
- A family-centered community with younger people/young families; One that isn’t dominated by tourists
- A place that is safe to bike
- A diverse economy; Employment opportunities for different skill sets
- More remote/tech employment opportunities
- Opportunities to build local businesses
- Improved internet/co-working spaces
- A constructed USU campus (more students and faculty)
- Well-funded schools and EM services; A hospital
- Improved road infrastructure
- Better law enforcement (enough to match the number tourists that come here)
- A place people want to live (not a strip of businesses like Las Vegas)
- Have a balance of hotel rooms with residential
- A focus on the natural world rather than restaurants, hotels, services, etc. (this may require charging more/would have an impact on affordability to the tourist)
- Parking lots or garages at both ends of town—to get people parked/out of their cars and create a more walking centered community
• Denser housing near downtown
• Narrower streets
• Permaculture/urban gardening opportunities; Restaurants that compost their food waste
• Public transit along Hwy 191 and to Arches; Also along Mill Creek Drive and Spanish Valley Drive
• More green infrastructure to mitigate flooding and overwhelming heat during the summer months
• Affordable; Livable; Diverse; Cooperative
Moab Area Land Use

PUBLIC OPEN HOUSE + ADDITIONAL COMMENTS VIA EMAIL – SUMMARY OF COMMENTS
Moab City Center Building

Tuesday, March 26, 2019 5:00 to 7:00 p.m.
Wednesday, March 27, 2019 11:30 a.m. to 1:30 p.m.

TOTAL IN ATTENDANCE (those who signed in): 107 (57 on 3/26; 50 on 3/27)
Total Written Comments Received at Meetings: 25
Total Written Comments Received via Email (as of April 2, 2019): 26

The purpose of the open houses was to get a sense of residents’ current concerns and desires, particularly relating to the moratorium on overnight accommodations, as well as their concerns and desires for the future. The following summarizes key ideas heard at those meetings and input submitted via comment form and email (received as of April 2, 2019).

The purpose of this document is to ensure that Landmark Design and City and County staff accurately captured the primary themes and sentiments expressed during the open house events. Citizens are strongly encouraged to inform Landmark Design of any omissions or mischaracterizations of comments submitted to date.

Quality of Life

General:

- Moab has experienced significant growth in recent years, especially within the lodging and tourism sector. Many commenters characterized this trend as too much, unwanted, and/or undesirable growth, and that it had fundamentally altered the community’s character. Many suggested the Moab Area no longer feels like the place and community they valued. Commenters identified a lack of balance in the growth that has occurred. Commenters also referenced different ways in which their quality of life has diminished, especially in the last three to five years. Because of these changes, commenters relayed that residents, friends, and neighbors have been moving away or making plans to do so, no longer feels like the same place; There is a lack of balance, the character of the town has changed, and quality of life has decreased; Residents/friends/neighbors are leaving, or considering leaving, because of these changes.

- Commenters suggested that Moab and Grand County should take advantage of current opportunities to Now is the time to seize the moment and “creatively turn around the accelerating slide towards social, economic and environmental catastrophe.”

- Commenters expressed strong desires to slow growth (in general, and in the lodging and tourism sector) to a level where Want to slow growth enough that people will still want to live and recreate here. Commenters used phrases such as.  “sustainable growth” and “smart growth” to describe this shift.
• Commenters expressed a desire for the Moab Area to be comprised of a diverse population; Some commenters expressed concerns about fees/restrictions/economic conditions that might discourage or prohibit certain populations from visiting or living in the Moab area.

Transit/Transportation:

• Traffic and congestion have increased dramatically with growth/increased tourism; specific problem areas cited by residents included bottlenecks on the north end of town, where US 191 changes from two lanes to four, recently signaled intersections, left turns in the downtown core, and parking. Commenters framed the transportation trends, including infrastructure deficiencies, as impacting their quality of life and as a public safety issue. Left turn signals are greatly needed.

• Commenters identified regional transportation planning as a need and highlighted the following should be considered:
  o bicycle- and pedestrian-friendly roadways
  o curb cuts and dedicated lanes
  o special attention to Spanish Valley Drive (particularly, its speed and impact to surrounding neighborhoods)
  o carrying capacity and level of service studies
  o public transportation and transit

• Comments cited parking as a big concern. Specific circumstances were described, including, e.g., multiple people staying overnight or living in a central house without adequate parking, which results in illegal parking or blockages of adjacent neighbors; inadequate parking for different user groups (e.g., trucks and trailers) they often park illegally or block neighbors in; There isn’t adequate parking of the right type (e.g., for truck/trailers).

• Commenters communicated the need and desire for public transportation through the valley and to the National Parks; Particularly if significant amounts of residential development occurs in the southern reaches of the Valley; housing is going to move to the Spanish Valley area; going to be affordable. Public transportation may need to be considered from nearby communities such as Monticello, Green River, and Thompson.

• Some comments identified the need for more protected bike lanes as current bicycling conditions could be viewed as unsafe. Green infrastructure for stormwater management was cited as a potential use for establishing a buffer. Could use green infrastructure to create the buffer.

• The Moab Area has developed with relatively wide residential roads, and current standards also require wide roads to be constructed in new developments. Commenters recommended rethinking Moab’s road design standards and considering other beneficial uses in place of some roadway width. Development costs could be reduced by reducing road construction costs and land dedicated to roads instead of other uses.
something more be done with that space? Things could be more affordable, just by reducing the space dedicated to roads/increasing space

Overcrowding:

- Many commenters characterized the ratio of hotels, short-term rentals, and other overnight accommodations to permanent residences as severely unbalanced. Commenters suggested that the current supply of accommodations is sufficient and that they wanted to see a limit put on building additional hotels/accommodations developments in favor of, or in addition to, putting more attention towards the needs of Moab residents.
- Commenters expressed a great desire (and vision) for Moab to be a place that is "more than tourism" (See “What would you like Moab to be in 20 years?” section below).
- One commenter suggested there were not enough places to accommodate RVs in Moab; others suggested that different overnight accommodations should be treated differently (e.g. hotels vs. RV campgrounds). (not all overnight rentals are the same; need to be treated/looked at separately)
- Multiple individuals reported anecdotes from tourists/visitors that overcrowding in Moab negatively impacted their experience and may not or will not return. Hearing from tourists, someone shared that a recent guest at their condo/rental said, "This is a great place you have here, but there are too many people. We may or may not come back."
- Commenters expressed a desire to see fewer events permitted, additional restrictions placed on events, and periods of time restricted to events, such as a certain number of no-event weekends during peak seasons. Events: There are too many events in Moab; Restrictions on the number of events allowed should be considered or making at least one event free weekend a month— even during the busy, spring season.
- The proposed Arches National Park reservation system was identified as a potentially beneficial change. Would like to see the reservations system at national parks.

Noise:

- Noise from UTVs and other motorized off-road vehicles is another major concern; Residents aren’t allowed to have roosters, yet UTVs are allowed at all hours of the day.

Environmental Impacts

Water:

- There is a lot of concern about having adequate water especially with the amount of development/growth occurring; Residents would like to see greater coordination with San Juan County over this issue.
- Development/current activities/land use practices (grazing) impact the water sources and should be considered in plans for the future (e.g. the “dust on snow” phenomenon is changing the hydrology of the Colorado River); Soil is also a non-renewable resource.
• Water consumption by tourists is a concern in particular; Possible solutions offered were using water tokens to set limitations on time/amount of water consumed and regulating the size of pools that hotels can build

Landscape:
• Dispersed camping is taking a toll on the environment; There is an overuse on the land; conversations between the local government and state/federal entities need to happen to minimize these impacts/come up with a solution
• The public lands can’t take the current amount of people/use; It has a “carrying capacity”; Putting a road through/opening up the other side of Arches won’t solve this
• UTVs and other motorized off-road vehicles have greatly increased/encroached in both natural and residential areas the last few years; The desert is delicate and too much disturbance could cause “dust bowl” conditions

Air Quality: There is a lot of dust that is getting kicked up into the air by activities and overgrazing; Needs to be recorded/tracked/mitigated before it becomes a bigger problem

Light Pollution: A real issue and adversely impacts the valley; Would like to see a combined effort between Grand and San Juan counties to implement a night sky ordinance

Wildlife Habitat: Need to think about the impact of development/tourism on wildlife and wildlife habitat

Education: Need less money put toward advertising and more toward education (how to take care of this unique, environmentally rich place and recreate responsibly)

Regulation/Local Government/Planning
• There is a feeling that there has been a “lack of will” by local government in the past (e.g. local government officials give up the fight against unwanted development and enforcement too easily); Upzoning has occurred too often; Residents need to support local government as they make efforts to mitigate some of the “damage to our community”
• Would like to see more regulation/controls to help determine what projects get constructed, rather than “pre-approved” or “use by right” method/situation that currently exists in commercial areas
• New construction is out of scale for the town; In lieu of large hotels, could only allow smaller-scale hotels or inns/b&B’s if they have street-level retail or restaurants and adjoining workforce housing
• City of Moab zoning could use an overhaul, specifically: consistency in height calculations, measuring setbacks and clarity in hillside development regulations; Would like to see tiny homes allowed in residential housing areas (a tiny home specific building code could be instituted to make these a compatible use/viable housing option)
• A strong desire for a permanent or lengthened moratorium to stop or slow down growth; Perhaps a limit on the number of units allowed
- Feel like development has happened without much thought to what residents want Moab to be (planning for the future). What is the end in mind? Do we want unlimited tourist growth or do we want to be sustainable? If you don’t build it, they won’t come. Zoning seems the best way to do that

- Would like to see more regulation in the future. Specific concerns/ideas include:
  - **Design**: Derive design guidelines or other mechanisms to give new construction a direction that cohesive and thoughtful
  - **Viewsheds**: Look closely at implementing set backs and height restrictions to preserve valuable views of the canyon rims
  - **“Old Town”**: Would like to see an overlay that helps preserve the sense of history and place of Moab
  - **Open Space**: As the area densifies, would like to see open/green space acquired; These could be mandated in new developments; There is already a need for more pocket parks; Parks/open space are community gathering spaces/help build community
  - **Trails**: Would like to see new development required to provide easements and connections for/to a non-motorized trails
  - **Sustainable Architecture**: Require new construction to incorporate passive solar construction
  - **Sustainable Practices**: Require low flush toilets and showers in all new and existing overnight accommodations; Require hotels and retail businesses to recycle
  - **Vegetation/Soil Disturbance**: Require a restoration plan for the disturbance of any soils or vegetation
  - **Noise**: Noise requirements on all roads. Look at implementing a no UTVs or noisy motorcycles policy on city streets
  - **Parking**: Require adequate on-site parking for recreational vehicles/trailers for all overnight accommodations.

- Would like to see incentives/more flexibility for desired uses (and less of those for undesired uses—e.g. tourism-related businesses); Could require hotels to include street-level retail or restaurant space

- County high density residential overlays don’t work in agricultural and existing residential areas; Existing road infrastructure can’t handle the increase in population

- Limitations at the State level are a concern; feel like the State and locals define a good “quality of life” differently

- **Landlords**: There is both a feeling that they need to be held more accountable and that there are good ones out there (nightly rental, specifically) that get “punished” with additional requirements and fees

- There is a concern that if stricter restrictions occur in Grand County, development will just move to San Juan County. The potential growth in San Juan County is frightening; Would like to see cooperation/planning between the two counties, particularly because San Juan County currently relies on Grand County for its emergency and sanitation services

- Would like to see Grand County annexed into Moab (south of Moab to the County line) or Grand County and Moab work together/function as one “greater Moab area city-county”
• Feels like certain requirements (e.g. implementation of dark sky ordinances, lot restrictions, limitation on large scale development, and other commercial enterprises that don’t work in concert with the Grand County vision) should be required if San Juan County development is allowed to hook into the Grand County Water and Sewer services
• An economic slowdown is likely to come; The city/county should use that time to catch up/get significant planning completed

Overnight Accommodations/Higher Density in Existing Residential Neighborhoods:
• Nightly rental/higher density developments in existing residential areas (R-2 zones) cause conflicts/problems; Zoning has been too easily changed on a property by property basis in the past; Would like to zoning be used and enforced to protect existing residential neighborhoods
• Feel like R-3 zones are already mixed-use zones and that overnight/short term rentals should be considered in those zones
• Would like to see less restrictions on short-term rentals in residential areas. Rather than outright ban, would like to consider options like limiting the number of weeks or times a year that a home can rented out (Telluride and Austin were cited as examples)

Economy
• Would like to see greater local-ownership and direct benefit to the local community (rather than large corporate/“chain” businesses); Would rather see any resident be able to open up a B&B and that money come back into the community than it go to large chain hotels; Don’t feel like these large corporate businesses offer fair wages or support the local community (donations of time/money); Would like building permits only to be issued to people who live in the Moab area; These large national chain hotels are “irreparably altering” the character and sense of community in the Moab area
• Need to diversify the types of businesses/economy in the Moab area; This could help lower the area’s vulnerability during a recession
• Making money/a profit currently seems more important than other issues (overcrowding, caring for the natural resources, etc.); e.g. the Arches reservation system (solving overcrowding issues) was put on hold because of concerns about it impacting local revenue; “Greed is not a planning tool and has reigned supreme in the last several decades.”
• Land prices have skyrocketed, shutting out small entrepreneurial/creative/non-profit opportunities; Space for new commercial is limited in general—Would like to see less hotels and more opportunities for these other types of businesses; Every hotel coming in feels like it is taking up valuable space for other needs
• Taxes/Fees:
  o Can a local fee be assessed in addition to the state tourism tax?; Would like to additional taxes/impact fees to pay for the impact to/go back into the local community (e.g. improve salaries for teachers, police officers, etc.)
  o Timeshares—Do they pay a transient room tax?
  o Would like hotel owners to pay their fair share and/or TRT taxes used to mitigate visitor/tourism impacts to infrastructure, EMS services, law enforcement, etc. Other
suggested ways to “giving back” to the town include: Affordable housing, education/environmental stewardship programs and assisting vulnerable populations.

- Regulation of land use often impacts property taxes making it harder for building a successful/profiting business; Property taxes have increased dramatically for commercial properties
- Advertising: Want it to stop OR to be truthful/accurate; e.g. “Come to Moab to wait in line and hear noise of Razors”; Would like to see funding shift from promoting tourism (e.g. Moab Travel Council) to educational efforts
- As hotel prices have gone up, there doesn’t seem to be a huge increase in revenue for local retail businesses
- Existing businesses are overwhelmed (e.g. restaurants are backed up at dinnertime; City Market can’t keep the basic necessities stocked on their shelves)

Housing

- Support for higher density, if for local residents
- Would rather see affordable housing dispersed around town, than the south end of town grow
- There is a conflict: residents want to see more affordable housing, but don’t want it in their own backyard; Affordability and limited growth can’t happen without higher density
- Would like to see impact fees waived for affordable housing
- Would like to see employers provide housing for their employees—there are a lot of people living out of cars to survive (and then they get fined for doing it); something needs to change
- Housing is coming with the USU campus development—There will be some student housing, some housing for the larger community
- There is a fear that some affordable housing is being acquired and then being flipped (to make money); Specifically, by those getting help from the Self-Help Housing program (a federal program)
- Lack of residential housing for year-round residents deters a healthy and diversified population
- Safe places for temporary workers to park and camp if unable to afford housing

Employment

- Tourism-related jobs are low paying; Housing costs are too high
- Would like to see a minimum wage increase in Moab
- Hotels are putting a strain on the overall available workforce; Would like to see these employers be required to provide affordable housing options for their employees
- Lack of affordable housing is a deterrent to attracting labor, high skill labor and essential services (teachers, police, nurses, etc.) in particular
- Employed people have to work long hours because there aren’t enough employees

Growth
People live off of tourism here; Growth will continue to happen and people will continue to make a living off of it.

The greater demand for hotels is a good sign; Much better than the lean times that used to exist.

Arches could open up the other end of the park, rather than limit/require reservations.

Where will the tourists go if overnight accommodations are not allowed to continue? Additional hotels should be allowed downtown and in commercial areas.

Belief that the market will monitor itself; Developers won’t invest/build in an oversaturated market.

Would like the City/County to treat nightly condos projects differently than hotel projects; Feels like condos have greater opportunity to be more sustainable (use less water, hire local property management companies, etc.)

Re: This Planning Process

Need to invite developers and pro-development residents to the table.

Would like the project team to reach out to the younger people working here—those who want to stay and live here but are currently working multiple jobs.

There are lots of conflicting desires/needs! How are we going to solve it? (Mayor Response: It isn’t going to be solved from the top down. We will solve it together.)

Examples to Consider

Would like this study to explore both smart and slow growth strategies being used in-state as well as alternatives currently not allowed by State laws.

Ashville, NC: Limited nightly rentals/hotels.

Telluride: Stopped development and the town still continued to thrive.

Gatlinburg, TN (Gateway to the Smoky Mountains): Engaged with state representatives to get things resolved.

Park City, Dot Creek (Cedar City) and Kayenta & Ivins (St. George area): Potential local examples to look at.

What would you like Moab to be in 20 years?

A walkable community.

A family-centered community with younger people/young families; One that isn’t dominated by tourists.

A place that is safe to bike.

A diverse economy; Employment opportunities for different skill sets.

More remote/tech employment opportunities.

Opportunities to build local businesses.

Improved internet/co-working spaces.

A constructed USU campus (more students and faculty).

Well-funded schools and EM services; A hospital.

Improved road infrastructure.
• Better law enforcement (enough to match the number tourists that come here)
• A place people want to live (not a strip of businesses like Las Vegas)
• Have a balance of hotel rooms with residential
• A focus on the natural world rather than restaurants, hotels, services, etc. (this may require charging more/would have an impact on affordability to the tourist)
• Parking lots or garages at both ends of town—to get people parked/out of their cars and create a more walking centered community
• Denser housing near downtown
• Narrower streets
• Permaculture/urban gardening opportunities; Restaurants that compost their food waste
• Public transit along Hwy 191 and to Arches; Also along Mill Creek Drive and Spanish Valley Drive
• More green infrastructure to mitigate flooding and overwhelming heat during the summer months
• Affordable; Livable; Diverse; Cooperative
The purpose of the meetings was to get a sense of residents’ current concerns/desires, particularly relating to the moratoriums, and their concerns/desires for the future. The following summarizes key ideas heard at those meetings as well as comments submitted via comment form and email (THESE HAVE NOT YET BEEN ADDED, ARE TO COME).

**Quality of Life**

- Moab has become the place that people don’t want to become (unwanted/undesirable growth); the character of the town has changed and quality of life has gone down; Residents/friends/neighbors are leaving or considering leaving because of these changes

**Transit/Transportation**

- Traffic congestion has increased dramatically with growth/ increased tourism; It bottle necks on the north end of town, is a public safety issue and a traffic study is needed
- Parking is a big concern; e.g. multiple people staying overnight or living in a central house without adequate parking—they often park illegally or block neighbors in; There isn’t adequate parking of the right type (e.g. for truck/trailers)
- Need public transportation; Particularly if housing in Spanish Valley is going to be affordable
- Need more protected bike lanes; could use green infrastructure to create the buffer
- Need to rethink Moab’s wide roads—Could something more be done with that space?; Things could be more affordable, just by reducing the space dedicated to roads/increasing space.

**Overcrowding**

- The amount of hotels/overnight accommodations to permanent residences is unbalanced; there are enough hotels, more attention needs to be put on Moab residents
- There is a great desire for Moab to be a place that is “more than tourism” (See “What would you like Moab to be in 20 years?” section below)
- There aren’t enough places to accommodate RVs in Moab (not all overnight rentals are the same; need to be treated/looked at separately)
- Hearing from tourists: “This is a great place you have here, but there are too many people. We may or may not come back.”
- Events: There are too many events in Moab; Restrictions on the number of events allowed should be considered

**Noise**
• Noise from UTVs is another major concern; Residents aren’t allowed to have roosters, yet UTVs are allowed at all hours of the day

Environmental Impacts

• Water:
  o There is a lot of concern about having adequate water especially with the amount of development/growth occurring; Residents would like to see greater coordination with San Juan County over this issue
  o Development/current activities/land use practices (grazing) impact the water sources and should be considered in plans for the future (e.g. dust is changing the hydrology of the Colorado River); Soil is also a non-renewable resource
  o Water consumption by tourists is a concern in particular; possible solutions offered were using water tokens to set limitations on time/amount of water consumed

• Landscape:
  o Dispersed camping is taking a toll on the environment; there is an overuse on the land; conversations between the local government and state/federal entities need to happen to minimize these impacts/come up with a solution
  o The public lands can’t take the current amount of people/use; it has a “carrying capacity”; putting a road through/opening up the other side of Arches won’t solve this
  o UTV’s have greatly increased/encroached in both natural and residential areas the last few years

• Air Quality: There is a lot of dust that is getting kicked up into the air by activities and overgrazing; needs to be recorded/tracked/mitigated before it becomes a problem

• Education: Need less money put toward advertising and more toward education (how to take care of this unique, environmentally rich place)

Regulation/Local Government/Planning

• There is a feeling that there has been a “lack of will” by local government in the past (e.g. local government officials give up the fight against unwanted development and enforcement too easily); Upzoning has occurred too often

• Would like to see the City Council take more of a role regulating/determining what projects are constructed

• Nightly rental/higher density developments in existing residential areas (R-2 zones) cause conflicts/problems; Zoning has been too easily changed on a property by property basis in the past; Would like to zoning be used and enforced to protect existing residential neighborhoods.

• Feel like development has happened without much thought to what people want Moab to be (planning for the future). What is the end in mind? Do we want unlimited tourist growth or do we want to be sustainable? If you don’t build it, they won’t come. Zoning seems the best way to do that.

• Would like to see more regulation of design in the future—to put Moab in a direction that cohesive and thoughtful.

• Would like to see incentives/more flexibility for desired uses (and less of those for undesired uses—e.g. tourism-related businesses).
• County high density residential overlays don’t work in agricultural and existing residential areas; existing road infrastructure can’t handle the increase in population
• Limitations at the State level are a concern; feel like the State and locals define a good “quality of life” differently
• Landlords—There is both a feeling that they need to be held more accountable and that there are good ones out there (nightly rental, specifically) that get “punished” with additional requirements and fees
• There is a concern that if stricter restrictions occur in Grand County, development will just move to San Juan County. The potential growth in San Juan County is frightening; would like to see cooperation/planning between the two counties, particularly because San Juan County currently relies on Grand County for its emergency and sanitation services
• An economic slowdown is likely to come; the city/county should use that time to catch up/get significant planning completed

Economy

• Would like to see greater local-ownership and direct benefit to the local community (rather than large corporate/“chain” businesses); Would rather see any resident be able to open up a B&B and that money come back into the community than it go to large chains; Don’t feel like these large corporate businesses offer fair wages or support the local community (donations of time/money)
• Making money/a profit seems more important than other issues (overcrowding, caring for the natural resources, etc.); e.g. the Arches reservation system (solving overcrowding issues) was put on hold because of concerns about it impacting local revenue
• Land prices have skyrocketed, shutting out small entrepreneurial/creative/non-profit opportunities; Space for new commercial is limited in general—Would like to see less hotels and more opportunities for these other types of businesses; Every hotel coming in feels like it is taking up valuable space for other needs
• Taxes/Fees
  o Can a local fee be assessed in addition to the state tourism tax?; Would like to additional taxes/impact fees to pay for the impact to/go back into the local community (e.g. improve salaries for teachers, police officers, etc.)
  o Timeshares—Do they pay a transient room tax?
  o Would like hotel owners to pay their fair share of implications to the infrastructure, services, etc.
• Regulation of land use often impacts property taxes making it harder for building a successful/profiting business; property taxes have increased dramatically for commercial properties
• Advertising – Want it to stop OR to be truthful/accurate; e.g. “Come to Moab to wait in line and hear noise of Razors”
• As hotel prices have gone up, there doesn’t seem to be a huge increase in revenue for local retail businesses
Housing

- Support for higher density, if for local residents
- Would rather see affordable housing dispersed around town, than the south end of town grow
- There is a conflict: residents want to see more affordable housing, but don’t want it in their own back yard; Affordability and limited growth can’t happen without higher density
- Would like to see impact fees waived for affordable housing
- Would like to see employers provide housing for their employees—there are a lot of people living out of cars to survive (and then they get fined for doing it); something needs to change
- Housing is coming with the USU campus development—There will be some student housing, some housing for the larger community
- There is a fear that some affordable housing is being acquired and then being flipped (to make money); Specifically, by those getting help from the Self-Help Housing program (a federal program)

Employment

- Tourism-related jobs are low paying; housing costs are too high
- Lack of affordable housing is a deterrent to attracting labor, high skill labor in particular
- Employed people have to work long hours because there aren’t enough employees
- Would like to see a minimum wage increase in Moab
- Hotels are putting a strain on the overall available workforce
- Lack of affordable housing is a deterrent to attracting labor, high skill labor in particular; Employed people have to work long hours because there aren’t enough employees

Growth

- People live off of tourism here; Growth will continue to happen and people will continue to make a living off of it
- The greater demand for hotels is a good sign; much better than the lean times that used to exist
- Arches could open up the other end of the park, rather than limit/require reservations
- Where will the tourists go if overnight accommodations are not allowed to continue?; Additional hotels should be allowed downtown and in commercial areas.

Re: This Planning Process

- Need to invite developers and pro-development residents to the table.
- Would like the project team to reach out to the younger people working here—those who want to stay and live here but are currently working multiple jobs
- There are lots of conflicting desires/needs! How are we going to solve it? (Mayor Response: It isn’t going to be solved from the top down. We will solve it together.)

Examples to Consider

- Would like this study to explore both smart and slow growth strategies being used in-state as well as alternatives currently not allowed by State laws
• Ashville, NC: Limited nightly rentals/hotels
• Telluride: Stopped development and the town still continued to thrive
• Gatlinburg, TN (Gateway to the Smoky Mountains): Engaged with state representatives to get things resolved
• Dot Creek (Cedar City) and Ivins (near St. George): Potential good examples to look at

What would you like Moab to be in 20 years?

• A walkable community
• A family-centered community with younger people/young families; one that isn’t dominated by tourists
• A place that is safe to bike
• A diverse economy; Employment opportunities for different skill sets
• More remote/tech employment opportunities
• Opportunities to build local businesses
• Improved internet/co-working spaces
• A constructed USU campus (more students and faculty)
• Well-funded schools and EM services; A hospital
• Improved road infrastructure
• Better law enforcement (enough to match the number tourists that come here)
• A place people want to live (not a strip of businesses like Las Vegas)
• Have a balance of hotel rooms with residential
• A focus on the natural world rather than restaurants, hotels, services, etc. (this may require charging more/would have an impact on affordability to the tourist)
Dear Landmark Design, Moab City Council, and Grand County Council,

I would like to give my input for the direction that the Land Use Plan takes during this much-needed moratorium (thank you!) We are Moab residents of 12 and 25 years and live and work in the community. My opinions are based on great love and pride for the heart of this community and a fierce desire to protect both our human community and our ecological community from getting completely drowned in unchecked development, which has already begun happening at a rate that is alarming to me.

I believe it is in the Moab Valley's best interest to draft a plan in the vision of option 5, the NO GROWTH option. Below I will outline my reasons:

1) "No Growth" is still growth! Even with this option, we will still see the momentum play out on already-slated projects, a roughly 20% additional increase of overnight lodging in Moab. More importantly, the "No Growth" option would transition the TYPE of growth promoted in Moab from accommodations, currently the most lucrative, to more needed development: restaurants, shops, small businesses, community development. By choosing this option, I believe we can continue to have economic growth which truly benefits the community and strengthens the core and quality of Moab, rather than just assist in getting higher visitation rates. We would begin to see much-needed economic diversity in non-lodging businesses, and can focus on creating incentives for small business owners who live and work in Moab.

2) Maybe we should take a cue from Venice. Existing rooms are filling up during the on-season. But perhaps, rather than indicating that we need more rooms, this is simply indicating that we are AT CAPACITY. There is only so much this town and this valley can accommodate, and as already stated, we can continue to economically grow in other aspects of our community, and strengthen the QUALITY of our tourist revenue rather than just focus on QUANTITY. In my experience working at a small restaurant in Moab, more visitors does not necessarily mean more money, just more stress. All over Moab, I see businesses, even City Market, maxed out on how many people they can provide service to. This creates an often miserable experience for visitors and a completely untenable experience for locals just trying to get through the day-to-day.

3) Our resources are finite! In addition to local businesses feeling at capacity, I have serious concerns about our natural resources being at capacity. We need to definitively and unequivocally understand the capacity of our watershed, and be completely confident that we have water to spare (and will continue to have water to spare!) before opening the possibility for more overnight accommodations. This too goes for air quality and waststream management. More dollars coming in with increased visitation has many hidden costs of the immense impacts that people on vacation, even the most conscientious people, have on local resources and infrastructure.

4) Our roads are finite. About 4 years ago, it felt like someone flipped a switch in Moab. Suddenly springtime means traffic jams and the new normal for locals is to not even think about venturing north of town during peak hours unless you want a Bay Area-style traffic jam on your way home. We need to focus on traffic management solutions, increasing pedestrian and bike-friendly people spaces, and establishing public transportation before thinking about adding more rooms and therefore more cars to town.
5) Quality of Life. I remember when you could find quiet in Moab! But the current amplitude of visitation has brought with it a constant hum of motors and activity that is increasingly impossible to escape as a resident of this valley. I moved here to get away from the woes of the city, and I know many others who are of the same mindset. What good is economic growth if none of us are enjoying it? By shifting focus from number of beds in town to creating green spaces and strengthening neighborhood hubs, we can take agency in maintaining a robust quality of life for locals, and by doing these things I guarantee we will also have the ability to provide visitors with greater quality of experience.

6) Overnight accommodations development is increasingly only going to benefit the already-wealthy. With hotel development, I have seen a marked shift from locally owned modest hotels to large-scale corporate chains. For smaller overnight rentals, the increasing disparity between local wages and real estate prices (the worst in Utah, as discussed in a recent KZMU news feature) means that future development even on the smaller scale will likely be only accessible to outside money, those who already have money, and second homeowners. Let’s redirect our development into small businesses that are more likely to be an option for working people in Moab, and make sure that commercial properties can be developed toward that potential, rather than bought up by the highest bidder, likely to be more corporate hotel chains. Small locally-owned businesses keep their money local. I am skeptical that revenue dollars from large hotel chains spend any time circulating in Moab before escaping this valley completely.

7) Finally, option 5 still holds potential for other options, but in choosing a less conservative option, we will never be able to revert to the "No Growth" option. This is simply the smartest approach at this point in time, and leaves room for the most available alternatives down the road. Moab can always crank things back to 11 in the future. But if we choose restraint at this crucial moment, we have the luxury to explore all the areas listed above, and take a full, measured look at all the realities of our valley. Sometimes a rapid is just to dicey to read-and-run while in motion. Sometimes the smartest thing to do is eddy out, get a still, long view at what lies ahead, and take the time to plot your course.

It is my hope that those guiding this process will have the prudence and courage to take this approach. I do believe the future of our community really hinges on what happens here.

Thank you for your time!

Mike Bassett and Kristen Hayes
542 Nichols LN
Moab, UT 84532
To whom it may concern,
I would like to see no more new overnight accommodations until the infrastructure in this town has room for growth. Affordable housing like apartment complexes needs to be a priority. Not everyone wants to purchase a home.
There needs to be more places to eat, the road widened so traffic isn't backed up leaving town for hours on busy weekends!
Sincerely,
Carol Hilgenfeld
Dear Sirs, I am writing in response to your options regarding growth in Moab. I support option 5 No Growth, at present. Until the highways, roads and other public infrastructure can meet our present needs, further growth will be nothing more than a blight on this community.

Presently traffic jams extending for miles routinely occur in this community, causing a headache for visitors as well as residents, and destroying the quality of life for both. Such traffic problems also cause a disruption of local businesses, as it is too difficult to get in and out of parking lots, and makes one inclined to avoid local businesses altogether. I have found that over the past twenty years, due to the increase in traffic, just getting to work in the morning is becoming progressively more difficult and occasionally dangerous.

Despite the findings of the recent study we do not have adequate parking for our local businesses. There is not much parking available on the main street, and the few off street public parking lots are inadequate. Frequently the parking lot is completely full in the Village Market in the evening. The City Market parking lot is also frequently full. Locals can accommodate by visiting these businesses early in the morning, but it affects quality of life for everyone, and again often local businesses are avoided due to lack of parking space.

I have talked to several individuals about the water supply in the valley and have received various opinions. Some individuals state that we have plenty of water and unimpeded growth is possible. Others state that we are nearing the maximum that our water supply can sustain. Until there is consensus on this issue it makes no sense to allow more growth. If we allow growth beyond that the water supply can sustain, the rationing that will occur will severely impact all residents and local businesses, and potentially create a catastrophe for this community.

Although this is outside of the purview of this committee, it is apparent that the local National Parks, etc. are being loved to death. The long line of cars attempting to get into the parks, the inability to find a parking space, once in the parks, and the hoards of people one meets in the park or at popular spots all are evidence of a rapidly declining experience for our visitors. If this continues our local tourist industry may eventually suffer due to the unmet expectations of our visitors. Until a plan can be established to address this issue, growth needs to be curtailed.

With all of the increase in population (permanent and transient) the city/county needs to ensure that there is adequate Fire, Public Safety, and EMS capabilities. To this end, more finances need to be directed to these departments.

To finance the improvements that we need for roads, water and other infrastructure the cost should be primarily borne by the companies that are profiting by it. Ergo taxes and fees on commercial enterprises should be commensurate with the impact that they have on our community, and not borne primarily by the residents in our community.

Thank you for your hard work to serve our community and your consideration of this message.
Hello,

I am a Moab resident of the past four years, and want to express my support for the "No Growth" option in the current future land use planning process. I am not intrinsically opposed to new hotels and overnight rentals moving into town, but I don't think it would be responsible for growth to continue until tourism-related impacts to our quality of life are adequately addressed.

I currently rent a room in a house on 500 W, and I would submit as evidence this video of the traffic congestion in town from a couple of weekends ago: https://www.youtube.com/watch?v=xwG1TQyo9Ug While I don't necessarily agree with all of the comments by the video's narrator, I think the traffic congestion is an illustrative example of how we have allowed the tourism industry to run roughshod over our neighborhoods. Until we can improve our infrastructure capacity, and work to mitigate these tourism impacts, I think we need to continue the hotel moratorium.

Thank you for facilitating a community discussion on this vital issue.

Warm regards,

-Robert Hollahan
567 N 500 W
Please NO MORE NEW GROWTH! The resources in this town can’t handle more overnight accommodations. Some Moab businesses can’t even find enough employees to run day to day because employees can’t find affordable places to live!

When it takes 3 hours of bumper to bumper traffic to leave town on a Sunday - we have too many people staying here.

Thanks,

Janet Holyoak
Hello,
I am writing to express support for vision 5 for Moab, the No Growth option. I have lived in Moab for 5 years now and am worried that the city will not be able to sustain its current rate of under regulated growth. Thank you,
Carolyn Conant
476 Juan Ct
Dear Landmark Designs and Councilmembers:

Thank you for engaging in this important process and for taking the time to slow things down and consider where we need to go at this point.

I think I have very little to add to points that have already been made to you, so I will be brief.

I am strongly for the, I believe it is the #5 option, which is to put a stop to new permitting save for those already grandfathered in - so I cast my vote for the most extreme measures to put a stop to the madness.

I am also for lengthening this process if need be. Our situation in Moab has reached a point that, I think most would agree, is so critical that any time spent holding up further development to work out the many ins and outs of the problem is very well spent. If there is any problem with extending or renewing the process, I encourage all involved to deal with that and make a strong case for giving it the time it needs.

I think that is crucial. Another thought that occurs to me is that there are other counties and cities in the state with similar problems. I think some cross-pollination is already occurring, and I would also encourage that. We are not the only ones dealing with the effects of too much advertising, too much growth, too much caving and kowtowing to corporate chains rather than supporting our own local business people and the like. I feel one of the solutions to this problem is to gear any plans Moab and Grand County make from here on in to what works best for local business people and citizens.

This process has only just begun. There is so much to take in.

Thank you for being willing - and go for the prize. No more overnight lodging granted until we get our #$%& together!

Sincerely

Nancy Kurtz

139 Arches Drive
Moab, Utah 84532

Nancy Kurtz
nancystarjive@gmail.com
435-259-0734

“There is a crack in everything, that’s how the light gets in.” - Leonard Cohen
Greetings to the City Council, County Council, and Landmark Design,

My name is Jessica Reilly-Moman, and I'm writing to support the "No Growth" Option 5.

I have been a resident of Moab for 18 years, with a hiatus from 2012-2017 to earn my Masters degree and conduct my PhD research with Energy and Resources Group at UC Berkeley. With my nonprofit organization, Klima International, based in Moab, I support development projects in climate resilience and sustainable tourism. My husband Josh and I built our strawbale house here in 2017, and plan to raise our 19-month-old daughter Vela in Moab.

I support Option 5 for the following reasons:

1. **Economic diversification**: If Moab is a farm, we're a sea of corn. This is great for right now: there's a huge demand for corn, and corn prices are high. It's tempting to want to plant more corn. However, if there is any disruption—whether economic or the health of the soil and crop—then the entire farm takes an enormous hit.

   I worked in tourism at the economic downturn in 2007-8, and I can still very palpably remember the fear, the quiet town, the struggle in the local economy, the struggle of individuals to make ends meet. Perhaps our unchecked hotel growth is and echo, a consequence, of these hard times. While I realize it's doubtful that Moab would experience that kind of downturn again in the near future, I would like to focus our efforts on the SOIL, or the PEOPLE in our community, and the entire farm, to support a more robust economy that can weather the next inevitable economic downturn.

   Specifically, Moab could prioritize a business-friendly climate with strategies used by other medium-sized communities to attract small businesses, starting with investments in diversified and modern infrastructure and workspaces, innovative housing funding and developments, and community designed around walkability and livability. Moab and Grand County can incentivize for and market to locally-owned businesses, restaurants, farmers, renewable energy generation, and industries.

   Back to the corn analogy: as a nation, we have tried monocropping. We've discovered that it requires heavy subsidies, toxic chemicals, and narrowing profit margins distributed to fewer and fewer people—and often those people are not the farmers themselves, but distant corporations. This land use has proved an extremely difficult situation from which to wrench free. Moab now has the opportunity to leave its historical precarious dance with an undiversified economy, from livestock to mining to tourism. Moab has this opportunity to be revolutionary in our thinking about development, and evolve from past lessons in boom or bust economies. Let's choose a diverse garden that can weather our weather.

2. **Water**: Moab's water comes from one place: the La Sal mountains, and specifically the snowpack. The La Sals have experienced a 60-80% reduction in snowpack in the last 50 years, with projected snowpack dwindling to levels of less than 10% of 1960 levels. Further development cannot take place without taking this into more serious consideration. Moab has recently discovered that it does not have has much water as previously
imagined--yet that message has not been marketed or distributed to the community. Moab has the opportunity to be proactive about our water and gain more time to develop more carefully with Option 5.

3. Quality of tourism experience: Our specific brand of tourism leans heavily on our landscape and keeping it pristine. We rely on that intangible feeling of openness, expansiveness, of the undiscovered when looking out across, or up from, a red canyon cradling an impossible green belly. Our viewscape, and even our soundscape, are arguably our most precious natural resources, and both of these have changed dramatically in the last 5 years. I would like to preserve these natural resources and the unique character of our visual and auditory experience not only for residents, but for the tourists who visit.

In addition, Moab can still capture some semblance of the quaint, small Western town character in and around our downtown area. We can use the Main street corridor to build out and emphasize this character, improving the experience for both visitors and residents. This is a win-win. However, additional hotels in this area are like a lose-lose: visitors and residents alike lose that character and charm that attracted both to spend time and money in our city's hub in the first place.

These local resources frequently go unacknowledged, and Moab will not know they're gone until visitation and home sales start to falter. Moab should be wary of the cruise ship, mass tourism experience, which is low dollar and externalizes profits, and instead opt for the small, authentic, carefully curated adventure travel experience--which attracts, at a minimum, visitors who spend 30-50% more per experience. This is not only quality of experience, but the direction of tourism as a whole. Moab must be strategic to stay ahead of this global trend.

4. First impressions are the only impression: This real estate slogan rings true for communities. How many scores of friends have told me that the were less than impressed when driving in to Moab? Most are shocked by the visual assault of chain hotels. If we choose Option 4, we doom our town to a painful introduction with a lack of forethought and imagination.

Why not make this entry corridor a showcase of thoughtful community development, with a backdrop of Moab's characteristic natural beauty? Restaurants mixed with affordable housing and existing hotels and RV parks could showcase our commitment to an equitable quality of life. Tourists and residents alike can experience authentic interactions with each other and the natural world. There is so much we can do with this space, instead of sacrificing this opportunity to make at least one entrance to our town thoughtful and fundamentally appealing.

5. Quality of life: I am happy to share the Moab valley with many more residents as our natural resources allow. However, careful planning is crucial in development, and Moab has not had the time fully consider the factors above, nor the actual specific timeline and actions to support specific visions, goals, and developments that could make Moab not only a natural wonder, but one of visionary city planning. Quality takes time.

I can imagine a Moab that serves the world as an example of community planning, a diversified economy, careful natural resource management, and unparalleled physical beauty alongside a tourism experience that makes each tourist feel special--because local workers feel that they are cared FOR by their economy and their elected officials, and in turn reflect this quality of care back to tourists. In this vision, local profits are returned directly to the local economy. And the quality of the industries, whether tourism or otherwise, supersedes the quantity. This also makes good economic sense.

6. The unintended consequences of permitted use: While I support the idea of the councils having more oversight, I can also imagine a council beholden to development interests for myriad reasons already on display in our political system. I am rightfully suspicious that, in the wrong hands, this feature can become a tool for campaign contributions and misuse of political power. If permitted use will exist, it must be beholden to a clear, transparent, and strict public process.
Finally, as a professional consultant, writer, and editor, who shares your values for honest communication, I hope that we can change the name of the "No Growth" option to "Refocused" or "Diversified" Growth. "No growth" in this case is a misnomer. It implies that no new hotels equals no economic growth, when in fact the opposite is true: if Moab is able to carefully and thoughtfully devote more energy to diversified economic expansion and the promotion of careful community planning, Option 5 is our best chance for SUSTAINABLE, longterm economic and community growth—not to mention well-being.

Thank you to all parties emailed here for providing public opportunities for learning and involvement, and for soliciting feedback. I look forward to your future planning and development.

Warmest regards,
Jessica Reilly-Moman

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Jessica Reilly-Moman
Klima International | Founder, Executive Director
klimainternational.org
jessica@klimainternational.org
+1 435.260.1511
Dear Council Members, Planning Commission and Landmark planners,

I’m writing in regards to the land use matter currently on high priority. Thank you for tackling this issue and providing thorough information on the proposals.

I would urge the vote for #5. As a citizen and business owner in the downtown corridor I firmly believe a complete halt on overnight development would be the healthiest decision for our city at this point. We are right on the verge of being completely inundated by the large box hotels. A chance for the rest of the areas of development and infrastructure to catch up would be not only greatly appreciated but also pertinent to the future sustainability of our city.

As someone who communicates with our visitors on a daily basis this feedback also comes from them. I am concerned that the over development of hotels in particular is going to turn around and cause more of a negative effect then good on our tourism industry. Visitors want to experience the authentic version of our town. They don’t want the real Moab to be swallowed by nationwide hotel chains steralizing the culture that is unique to us. Thousands of visitors have commented on this very thing.

My hope is that thru this process we are able to hold strong to our Moab culture while developing with authenticity and prioritizing our communities way of life.

Thank you to each of you for your efforts and consideration.

--
Rebecca McAllister
Moab Made
801.440.6836
Hello all person's interested!

I am a single father and a longtime Moab resident. I work and have worked in this service industry for 20 or so years. I have concerns about the future of our community.

The area will continue to see growth, this is not even a question anymore. What I would like to have all person's consider is this:

When an individual comes here and spends $400 a night at a Hilton or some other brand-name hotel, where did the actual profits go? A small portion stays, but where does the big chunk go?

If a person with a home in Moab is allowed to rent out a room or an area of their home to provide for this lodging need, then when we ask where did the money go, we actually know that it went right here! We could probably reconstruct where almost all of the dollars went..

The people of this town work the jobs that make all of this possible. We are the ones that are making huge profits possible for these businesses and large chains, and that is the free market and in most cases a beautiful thing.

But the actual people who ARE this town, the people who created and worked and loved this place for years are taking a backseat to this wonderful opportunity. We could be allowed to host more in our homes, we could be allowed to have a piece of this pie.

Not to the exclusion of the hotels, and not making every home a bed and breakfast. I would like to see an ability for some, possibly most home owners a chance to become business men and women, to become hosts, so people who come here meet a person and have an experience, instead of coming through on a sort of conveyor belt..

We desire to realize some the profits made on providing of these needs! But when relegated to the roles of maid, server, cook, driver, guide, all the support services etc, we find ourselves supporting the furtherance of someone else's dream, maybe someone that doesn't even live here, or in Utah, maybe even not this country.

The local government many years ago elected to have a big-box ordinance, because the thought of a Walmart here would have changed the character of our community...

In the years since the inception of the big-box ordinance, we have slowly scene the proliferation of many big box hotels!

So county government, I have this question for you?

Would one Walmart anywhere in this town have changed the character more than the 30 or so hotels??

This town has been rampantly overbuilt by these big box hotels. Can we agree that a portion of the future growth, the future lodging needs that will have to be provided by this town, can and should be provided by the people who live in this town? Those people, who will then benefit will upgrade their homes or buy a new car,
they will invest in landscaping, they will spend some of that money right here, and to the extent they improve their lives or their land or their position in life, we will all benefit as a community...

Thank you!

Daniel Wright
Dear Landmark Design, Moab City Council, and Grand County Council,

Moab is my chosen home. A beloved community nestled in a gorgeous valley at the foot of watergiving mountains. I have traveled all over the country and this is the place where I want to continue raising my family, volunteering, teaching, and growing.

These dreams are disturbed by over development, abuse of natural resources, and a cultural climate that is beginning to leak excellent people from our community because of these reasons and others.

Please help preserve our home. Option 5, No growth, is the best options for the Moab Valley.

We really should wait to make such big decisions until after the final USGS and independent water studies have been published. We are close to reaching water supply capacity and we need to proceed with extreme caution in permitting new large scale developments. With climate change, increasing water needs, and an unstable future, we must secure our water for the people who live in our community. Please make the wise choice to move towards a resilient community. Please choose option 5.

Thank you for your time and efforts for our community.

Best,

Claire Core
Dear Landmark Design, Moab City Council, and Grand County Council,

I would like to give my input for the direction that the Land Use Plan takes during this much-needed moratorium (THANK YOU!!). I am a Moab resident of 12 years, work for a small, locally owned company, have two children in middle school, and live near Swanny Park.

I draft this letter on the final eve that comments are due and draw heavily from an email written by my friend Josie Kavash — thanks Josie!!

My opinions are based on great love and pride for the heart of this community and a fierce desire to protect both our human community and our ecological community from getting completely drowned in unchecked development, which has already begun happening at a rate that is alarming to me.

I believe it is in the Moab Valley's best interest to draft a plan in the vision of OPTION 5, the NO GROWTH option. Below I will outline my reasons:

1) "No Growth" is still growth! Even with this option, we will still see the momentum play out on already-slated projects, a roughly 20% additional increase of overnight lodging in Moab. More importantly, the "No Growth" option would transition the TYPE of growth promoted in Moab from accommodations, currently the most lucrative, to more needed development: restaurants, shops, small businesses, community development. Buy choosing this option, I believe we can continue to have economic growth which truly benefits the community and strengthens the core and quality of Moab, rather than just assist in getting higher visitation rates. We would begin to see much-needed economic diversity in non-lodging businesses, and can focus on creating incentives for small business owners who live and work in Moab.

2) Maybe we should take a cue from Venice. Existing rooms are filling up during the on-season. But perhaps, rather than indicating that we need more rooms, this is simply indicating that we are AT CAPACITY. There is only so much this town and this valley can accommodate, and as already stated, we can continue to economically grow in other aspects of our community, and strengthen the QUALITY of our tourist revenue rather than just focus on QUANTITY. In my experience living and working in Moab, more visitors don’t necessarily bring more money, but they certainly bring more stress — for both residents and visitors. All over Moab, I see businesses, even City Market, maxed out on how many people they can provide service to. This creates an often miserable experience for visitors and a completely untenable experience for locals just trying to get through the day-to-day.

3) Our resources are finite! In addition to local businesses feeling at capacity, I have serious concerns about our natural resources being at capacity. We need to definitively and unequivocally understand the capacity of our watershed, and be completely confident that we have water to spare (and will continue to have water to spare!) before opening the possibility for more overnight accommodations. This too goes for air quality and wastestream management. More dollars coming in with increased visitation has many hidden costs of the immense impacts that people on vacation, even the most conscientious people, have on local resources and infrastructure.

4) Our roads are finite. About 4 years ago, it felt like someone flipped a switch in Moab. Suddenly springtime means traffic jams and the new normal for locals is to not even think about venturing north of town during peak hours unless
you want a Bay Area-style traffic jam on your way home. We need to focus on traffic management solutions, increasing pedestrian and bike-friendly people spaces, and establishing public transportation before thinking about adding more rooms and therefore more cars to town.

5) Quality of Life. I remember when you could find quiet in Moab! But the current amplitude of visitation has brought with it a constant hum of motors and activity that is increasingly impossible to escape as a resident of this valley. I moved here to get away from the woes of the city, and I know many others who are of the same mindset. What good is economic growth if none of us are enjoying it? By shifting focus from number of beds in town to creating green spaces and strengthening neighborhood hubs, we can take agency in maintaining a robust quality of life for locals, and by doing these things I guarantee we will also have the ability to provide visitors with greater quality of experience.

6) Overnight accommodations development is increasingly only going to benefit the already-wealthy. With hotel development, I have seen a marked shift from locally owned modest hotels to large-scale corporate chains. For smaller overnight rentals, the increasing disparity between local wages and real estate prices (the worst in Utah, as discussed in a recent KZMU news feature) means that future development even on the smaller scale will likely be only accessible to outside money, those who already have money, and second homeowners. Let’s redirect our development into small businesses that are more likely to be an option for working people in Moab, and make sure that commercial properties can be developed toward that potential, rather than bought up by the highest bidder, likely to be more corporate hotel chains. Small locally-owned businesses keep their money local. I am skeptical that revenue dollars from large hotel chains spend any time circulating in Moab before escaping this valley completely.

7) Finally, OPTION 5 still holds potential for other options, but in choosing a less conservative option, we will never be able to revert to the "No Growth" option. This is simply the smartest approach at this point in time, and leaves room for the most available alternatives down the road. Moab can always choose more growth in the future. But if we choose restraint at this crucial moment, we have the luxury to explore all the areas listed above, and take a full, measured look at all the realities of our valley. Sometimes the smartest thing to do is to pause, get still, and look at the long view of what lies ahead, and take the time to conscientiously plan our future.

It is my hope that those guiding this process will have the prudence and courage to take this approach. I do believe the future of our community really hinges on what happens here.

Thank you for your time!

Christy Calvin
187 Park Drive
Moab, Utah 84532
Sent from my iPhone
April 9th, 2019

Dear County Council,

I’m an artist living in the former ghost town of Cisco, Utah. I have been here for the past four years, slowly rehabilitating the town using found and salvaged materials. This past year, my two sisters and I have established a nonprofit artist in residency program, Home of the Brave. The goal is to host one artist in the fall, and one artist in the spring, every year. In addition to rebuilding the town, I have also been building an art studio for the resident to work out of.

In everything I build, I take care to honor the natural environment as well as the town’s history. This means compostable toilets, utilizing rainwater, and repurposing materials that have littered the ghost town for years. It’s important to me that I leave a small footprint and generate as little waste as possible.

My aim is to create something positive, unique, and beautiful that can be enjoyed by the surrounding communities and foster a shared pride in Utah’s historical heritage. Since my primary task has been working on the town, I short-term rent out a few small structures on my property to help generate income. I don’t make a lot of money on these, as there aren’t any amenities for guests and the spaces are tiny. But people are drawn here for the history and an off the beaten path experience. I’ve made a lot of friends out of visitors over the past few years, who’ve been interested and supportive of my project. It’s kept me going in more ways than one.

I’m writing to you as you’re considering making changes to the nightly rental policy in Spanish Valley. I understand concerns relating to nightly rentals in commercial areas, but I’m hoping you’ll consider how it will affect outlying areas like Cisco if the nightly rental policy is tightened.

Please understand that renting out these small structures on my property is the only thing that has allowed me to stay out here, and continue to work and live in the ghost town.

I would love to be a part of these continuing discussions going forward, as my livelihood and dreams of hosting artists in my town will be greatly affected by the decisions the County Council makes regarding nightly rentals.

Sincerely,

Eileen Muza
www.eileenmuza.org
Dear Zacharia Levine,

I attended the meeting Tuesday night and will comment more on the meeting format below, but want to advocate clearly for adoption of Option 5.

Option 5 has been titled 'No Growth' which is a very inaccurate and misleading title. Option 5 will still allow a 20% increase in overnight rental/hotel rooms due to those projects approved prior to the moratorium but have not yet broken ground. Option 5 does encourage residential, commercial, and public growth that is beneficial for our county. This "No Growth" option should have a title something like 'slower growth' or 'responsible growth'.

Following are reasons why I & most people I have spoken with have chosen Option 5.

**Jobs!** We have enough low paying, low skilled hotel and overnight rental jobs. We do not need any more of these types of employment. Allowing more hotels and overnight rentals to be constructed creates more of these low paying jobs and inflates the cost of land as these huge out of town corporations can afford to pay big bucks to buy up Grand County's land. We need a diversity of jobs that will only be created if we are encouraging and incentivizing new businesses and commercial ventures.

**Water, water, water!** We don't even know if we have enough water to sustainably support the growth currently occurring and the 20% increase in overnight rentals soon to hit Moab's market. Water studies are in the works and it's only responsible to delay any more growth until we know how much water we really have to sustainably use yearly. Overnight rentals/hotels use a tremendous amount of water. Our neighbor's B&B not only washes all sheets and towels after each visitor leaves, but they also wash all of the blankets. We need to quantify exactly how much water is used per hotel/B&B/overnight rental room and compare this with the available water. Again it's a matter of responsibility both for the environment and for all of us who already live here and are expecting to have clean, affordable water to drink for the rest of our lives.

**Traffic and noise:** I'm sure you have seen the video that was taken of the exit last weekend. Traffic was backed up on 5th W. all the way to Saint Francis Church. At the same time, traffic on Main Street was backed up all the way to the south Maverick. And we want 20% more growth on top of that? And Options 1 through 4 allow even more overnight rental traffic on top of what's already too much? How is it that our little town with one main street and two side streets can handle this kind of traffic? We need to stop growth until we have a traffic plan. We need to stop growth until we have a parking plan.

With traffic comes noise and unfortunately we already have way too many Razor type vehicles zipping up and down our residential roads. The increase in noise is astounding already. I don't think we can tolerate much more without a significant degradation of quality of life.

If option 4.5 (as our small breakout group termed it) is chosen, it can only be chosen after clear restrictions on development in overlay zones are deeply discussed and approved. I
strongly advocate that a 4.5 option would **not allow any new** hotels/overnight rentals for a period of perhaps five years. This allows time to determine the impacts of this yet to be seen/experienced 20% growth in new hotels/overnight rentals.

Again it would be responsible that Option 4.5 completely disallow any hotels/overnight rental growth until we have a water study completed and a clear understanding of how much water we have left that we want to allocate to more low income jobs. Growth must be limited until we have an idea of how to handle the increase in traffic. Growth must be limited until we have adequate parking to support all of the tourists visiting and allow for residents to access our downtown.

Restrictions for any new hotels/overnight rental construction will require a lot of discussion, research and foresight. We need time to create adequate new restrictions/zoning/incentivization. Height restrictions and density need to be considered. Housing for employees must be a part of any new overlay restriction. Fees, taxes, etc. must incentivize local ownership so that the money stays in our county. Projects should be favoring or only including small campgrounds and very small mom-and-pop hotels. Every time a huge corporation builds a big motel/overnight rental facility money goes out of our town and out of our state. We need to encourage local ownership for a strong local economy and community.

****No matter what option is chosen Use by Right must be completely eliminated. All new overnight rental/hotels need to be subject to the review and approval of both city and county councils and planning commissions as appropriate.

Thank you for all of the effort and concern you are putting into this these decisions. I'm grateful for the opportunity to have a voice.

Sincerely,
Lisa Paterson

Lisa Paterson Coaching
Gently Held, Deeply Seen
From: Brandy Bowmaster <brandyb@gmail.com>
Sent: Tuesday, May 07, 2019 7:42 AM
To: moab@ldi-ut.com
Cc: city-council@moabcity.org; Grand County Council <council@grandcountyutah.net>
Subject: comments about land use in Moab

I am writing in support of Option 5, no new overnight accommodations. Some are afraid of being too restrictive, but it makes sense to keep things as tight as we can while we have the chance. Once the floodgates have been opened again there is no going back. We can always loosen restrictions down the road as needed, but if we do nothing and applications for 10 more hotels come in as soon as the moratorium is lifted, what recourse will we have?

I would strongly argue that Option 5 is NOT a “no growth” option. This would allow for and incentivize growth of other aspects of the tourism economy besides accommodation (restaurants, gear stores, guiding businesses etc), and other parts of our economy that could serve the local community (daycares, office spaces, markets, etc). This would strengthen and diversify our local economy and help build a more diverse tax base that is less dependent on TRT revenue.

Currently the people who benefit the most from tourism dollars in Moab are the landowners, developers, investors (many from out of town) who already have the resources to build big hotels, but what about the rest of us who don’t have these huge resources? If we remove the option to make building overnight rentals and hotels the “highest and best use”, we are providing an opportunity for MORE people in our community to get a slice of this pie. We should restrict the ability to build hotels on all commercial properties so that other locals can have a greater opportunity to build their own small businesses, whether tourism based or not.

Also you can hardly say that option 5 is a “no growth” option when you look at the projects already underway that will lead to a 25% increase in accommodations, that is definitely growth! Using the “no growth” phrasing is misleading and should be corrected. Also these numbers of how many new hotels and rooms that are already in the works (over 1,000 new rooms!) should be made public through this process. Our community deserves to know what’s already coming, and this information is currently hard to find.

We have been told by local experts that we are maxing out our water resources. Why and to whom does it make sense in this case to build even more 100 room hotels?? How much water does one of these hotels use every day? And how does that compare to what other businesses might consume? What is our carrying capacity for this valley, and if we have reached it, why are we continuing to cram more people in?? These questions also apply to our other resources and infrastructure: roads, sewer, waste management, trails, etc.

Finally, many who choose to live here have chosen Moab for the quality of life our valley
provides: the landscape, the night sky, the small town feel, the well-loved institutions, the community. If we continue on a path of rampant “growth” we will be seriously undermining our own quality of life.
From: Grand County Council
To: Zacharia Levine; Curtis Wells; Evan Clapper; Greg Halliday; Jaylyn Hawks; Mary McGann; Rory Paxman; Terry Morse
Cc: Ruth Dillon
Subject: FW: Comments on Moab land use planning/ hotel moratorium
Date: Monday, May 6, 2019 3:46:52 PM

From: eballenger@juno.com <eballenger@juno.com>
Sent: Sunday, May 05, 2019 5:23 PM
To: moab@ldi-ut.com; city-council@moabcity.org; Grand County Council <council@grandcountyutah.net>
Subject: Comments on Moab land use planning/ hotel moratorium

Dear council members, planning commission and Landmark planners:

First, thank you for wrestling with the difficult issues in developing an ordinance to address new overnight rentals in Moab (aka the hotel moratorium). I also appreciate you soliciting input from and listening to the ideas of Moab valley residents on these critical issues. I’m writing to express full support for “Option 5,” aka “no growth,” (which would be better named “no new overnight rentals,” to avoid scaring off support from people who may mistake this option for no economic growth, or growth of Moab in other respects.) Option 5 is the only option that will begin to address the myriad concerns that the quite vocal majority of Moab valley residents have about our “runaway tourism/ tourist economy.” Allowing additional overnight rentals to be built at this time, ANYwhere in the Moab Valley (including north of town or south of town) is NOT going to help. The occupants of those rentals will still drive into town and overrun the Moab infrastructure, parks, and public lands. They will still take away resources for other future development that supports a more diverse and sustainable economy—quite literally in the case of land and water resources. It is the use of our limited water supply for development of overnight rentals that worries me most—bringing in more tourists using water, flushing toilets, more linens washed daily, etc. Is this how we want our precious water to be used up? Before we even understand how much we really have??:

What I’m hearing regarding the five options proposed is that most residents (including many of you!) prefer Option 5 but are worried about potential litigation from the state. So you believe a more “realistic” option is needed. REALLY?? So we’re willing to further sacrifice Moab and our community just in case we get sued? We’re going to continue allowing runaway tourism growth so the almighty state can further pimp us out to make money?? C’mon Moab, take a stand! What will future generations of Moabites think of us if we don’t? If we miss this one golden opportunity while we stand at this particular crossroad? Moab has never been afraid to be different in spite of the state it occupies. That’s why we held on to our unique form of government for so long! That’s why we passed a plastic bag ban, we’re passing dark sky ordinances, etc. That’s why I’ve been proud to live here! And I want to us to be able to look at ourselves in the mirror and know we did everything we possibly could to change the trajectory of runaway tourism and improve the quality of life for Moab valley residents, before it’s too late.

Council members, Planners, all: Please do what’s best for our community—focus only on this—and figure out a way to make Option 5 as bullet proof as possible. Don’t be influenced by
the what if’s, maybe’s, and hypothetical reactions of our Great State of Utah. Moab Valley residents do not deserve to live with an option that is shaped by fear.

And obviously, Option 5 does not have to be forever—ordinances can be revisited and revised as times change. But if for whatever reason Option 5 is not selected, please at least put a ton more restrictions on the types of accommodations that can be built. For instance, buildings no greater than two stories, less than 100 rooms, etc. Or perhaps only allow development of overnight rentals by local residents (defined as those having lived here X years)? Just a crazy idea.

Again, thanks for your hard work on this, and for taking our ideas under consideration!
Sincerely,
Liz Ballenger
437 Huntridge Dr.
Moab, UT

P.S. If you haven’t already seen this video taken last weekend of the “Sunday exodus,” on Kane Creek backed up to the Aspen Road junction (near our house), please check it out—this video is worth a thousand words. Enough (tourists) is enough!! We don’t need to keep growing the tourist economy!
https://www.youtube.com/watch?feature=youtu.be&v=xwG1TQyo9Ug&app=desktop

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Drink This Before Bed, Watch Your Body Fat Melt Like Crazy
medjournal.com-publish.net
http://thirdpartyoffers.juno.com/TGL3142/5ccf706ca15d5706c27c3st03duc

|----------|
From: Jeff Clapp <jefecapp@gmail.com>
Sent: Monday, May 06, 2019 6:57 AM
To: Grand County Council <council@grandcountyutah.net>
Subject: growth

Yesterday at 11:30 am I tried to get home from a hike in Seven Mile Canyon. I turned right at Denny's on 500 W and it. It was stop and go, backed up all the way back to Kane Creek Rd. I followed it south to Kane Creek Rd. and turned out toward Main St. but turned around when I got out there. Traffic on Main St. was backed up through town south thru the intersection. This is what has happened to the town I have chosen to make my home. There are three large hotels which will come on-stream in the next few months, and plans are approved for substantially more overnight occupancy.

We have received multiple notices asking us not to use our garbage disposal. Really? We are supposed to make further compromises on basic day-to-day home living stuff so that more business development can be done for hundreds more tourists who will take long showers each night. Really?

What are you people thinking?

During Jeep Safari, I was walking across the painted, protected, pedestrian crossway between the two stop signs in front of the store. I had to jump out of the way of a vehicle which did not stop for me. The driver got out and yelled at me "I had the right of way". When I pointed at the painted marks for the walkway, he got out of his vehicle and screamed at me "I'm going to kick your F$%ing ass." I'm a small business owner, own three properties in Moab (none of them overnight rentals, am a USMC vet, and I don't deserve this in the town where I have made my home.

Moab is now a bad place to live. My wife and I were at a pot-luck last night with 14 other friends, some who grew up here. We all got into a conversation about where should we go. It was a serious discussion. This conversation happens all the time now. Haven't you heard it?

Local government has done an awful job considering how to manage the high level of growth in town. There is disfunction everywhere. I can't believe you are even considering any level of growth until past problems are resolved; most important is the construction of a bypass route through town.
-----Original Message-----
From: Lou Irby <lou.irby@yahoo.com>
Sent: Saturday, May 04, 2019 1:13 PM
To: Grand County Council <council@grandcountyutah.net>
Subject: Hotel Development

I am in favor of Option 5 limited growth of hotel development in Moab. While tourists are our business, we also need to preserve a quality of life for our locals.
Thank you,
Lou Irby

Sent from my iPhone
-----Original Message-----
From: Grand County Council
Sent: Monday, April 1, 2019 9:59 AM
To: Curtis Wells; Evan Clapper; Greg Halliday; Jaylyn Hawks; Mary McGann; Rory Paxman; Terry Morse
Cc: Ruth Dillon; Tara Collins
Subject: FW: hotel moratorium- Landmark Design

-----Original Message-----
From: Darcey Brown <darceybbrown@gmail.com>
Sent: Saturday, March 30, 2019 2:48 PM
To: moab@ldi-ut.com
Cc: Grand County Council <council@grandcountyutah.net>; city-council@moabcity.org
Subject: hotel moratorium- Landmark Design

I am writing to urge both Councils to make the hotel moratorium permanent. By every measure, we have exceeded our capacity to accommodate more tourists;
- constant UTV and other traffic noise
- stop and go traffic in and out of Moab
- lines at Arches regularly extending to Hwy 191 with an hour to hour and a half wait
- inability to turn left or cross the street without a stop light
- crowded grocery store aisles (made worse by displays impeding passing other shoppers)
- long waits at restaurants (and poorly paid chefs so food quality is often sub standard)
- inability to escape motorized noise in the back country (land, air, and water)
- massive destruction of fragile soil crust and consequent dust storms
- stores that cater to tourists which necessitates travel to GJ or SLC for many items
- lack of pleasant outdoor restaurants due to high volume of traffic passing by
- absence of bike lanes, public parking, and park shuttles to reduce the tourist impact
- low wages partially caused by some hotel owners who bring in foreign workers
- inability to attract workers due to the housing shortage made worse by each hotel built
- infrastructure overload (water, sewer, trash, as well as police, EMS, medical)
- "neighborhood" streets lined with trailers and overrun with vehicles of all sorts
- tourists numbers double or triple local residents on many weekends
- poor air quality
- increased light pollution at night and its negative affect on parks, people, and wildlife.
etc etc etc

Our Council members are well aware of all of these issues, and they need to be supported in their efforts to mitigate some of the damage to our community and to the psyche of its citizens. An open pipeline of more hotel tourists and overnight rentals will only hasten further destruction to our health, values, and lifestyles and make the job of the Councils that much harder.

Thank you.

Darcey Brown
2931 E. Bench Rd
Moab, UT 84532
Dear Council Members,

To say we have a problem in Moab, is an understatement. The traffic jam that occurred during Car show weekend was insane. The inconvenience is one thing but what about the inability of emergency vehicles to navigate the jam.

I left for SLC that Sunday headed for IHC hospital and got caught in the jam on 5th West. I was transporting a sick husband and it was alarming how long we sat in traffic. Once we got to the light On Hwy 191 traffic started to move again.

I can’t imagine what our lives are going to be like when Hwy 191 is widened.

We do not need to advertise! Moab has been discovered and our quality of life is being impacted as well as our delicate desert environment. Please direct TRT to help mitigate the negatives created by the crowds of visitors. Bank TRT rather than spend it on more advertising.

Sincerely,
Barbara Hicks
514 Locust Ln
moab
435-260-1468
From: Thea Nordling <theakn@frontiernet.net>
Sent: Sunday, May 05, 2019 7:58 AM
To: moab@ldi-ut.com; city-council@moabcity.org; Grand County Council <council@grandcountyutah.net>
Subject: Land Use Plan Options

I appreciate the opportunity to comment on the land use planning options Landmark presented at the recent public workshop. Of these options, I prefer Option 5.

Despite being titled “No Growth,” Option 5 will still allow a 20% increase in overnight rental/hotel rooms due to those projects approved prior to the moratorium. This option does in fact allow growth, limiting only new projects that are tourist accommodations. It would encourage a more diversified economy with better paying jobs by making commercial space more readily available for a variety of businesses. It would also slow the rapid inflation of real estate prices, making housing more affordable for our residents and workers.

We need to put the brakes on until we see the effects of this projected 20% growth in tourist accommodations. Do we really have enough water to sustain even that? Until we see the results of the water study it is premature to permit even more growth. And what about traffic? We can’t even handle what we have (last Sunday’s gridlock, which spilled over onto residential streets, was unbelievable and intolerable!) Why set ourselves up for even more of this?

We need to stop increased growth until we know our water budget and have a realistic traffic plan. It would be reasonable to not allow any additional new hotels or overnight rentals for a period of 4 -5 years to see the impacts of a 20% growth in tourist accommodations. During this period the city and county need to develop zoning regulations/overlays that assure employee housing, a critical need for our community.

No matter which option is chosen, Use by Right should be completely eliminated. All new overnight rental/hotels need to be subject to the review and approval of city or county councils and planning commissions.

Thank you for considering my concerns.

Thea Nordling
1996 Highland Drive
Moab UT
After attending the land use planning workshop last week I just wanted to express my thoughts on the matter. I've lived in Moab for the last 2.5 years and definitely feel that the current situation with tourists and overnight accommodations isn't working. My first big thought is why does Moab need more overnight accommodations? It seems so busy and full of people everywhere, City Market, restaurants, National Parks...wherever you go you will find a crowd during the busy time of year (which I'm sure people have noticed is getting to be a larger portion of the year). In the summarized comments I think this one says it all:

• Multiple individuals reported anecdotes from tourists/visitors that overcrowding in Moab negatively impacted their experience and may not or will not return, with one of those individuals saying that a recent guest at their condo/rental said, “This is a great place you have here, but there are too many people. We may or may not come back.”

Adding more rooms doesn't add more infrastructure to handle more visitors. I also strongly agree with the idea of the land having a carrying capacity of visitation. Which in my opinion is reaching it's limits in certain high use areas. This topic is so nuanced and multifaceted I feel like I could write a novel about my concerns. Generally though I agreed with the majority of the ones already summarized and just want to highlight a few ideas:

1) I'm for having no growth in overnight accommodations (I realize this may not be feasible and seem to far a step to some, especially people making money in the tourist business) It's better for a smaller number of people to have a better visit to Moab than have a large number have a negative one...which is unavoidable if growth in tourism continues. Less is more.

2) As far as guiding principles go, the most important one to me by far is #6, To recognize limited resources available to the area. Whether that is land, water, delicate habitat to plants and animals or space to eat at Milt's. Determine whatever resource is most limited and plan growth around that. It is far easier to not do something than it is to undo it in the future.

3) An idea of how our typical ideas of economy are flawed from Bill McKibben's book Deep Economy that I think is worth thinking about: McKibben thinks we need another kind of bottom line that doesn't just measure profit, but also measures fulfillment and a sense of connection. He notes in his first chapter that two birds named More and Better used to roost together on the same tree branch. But these days, McKibben writes, Better has flown a few trees over to make her nest.

I don't know the history of what Moab has been like but it's certainly feels unbalanced now. It
is a great place to live and visit but I hope a plan to keep it that way (and fix some of our current issues) can be made. I look forward to hearing more about this topic in the future and especially hearing what the plan moving forward is.

Ryan Steenson
Dear Council Members, Planning Commission and Landmark planners:

I am writing to express my thoughts about the moratorium and development of new ordinances/overlays for creating a more thoughtful approach to overnight accommodations in the Moab area.

First, I would like to commend all of you for taking on this issue! It’s a difficult one, and has been put off so long that it’s been made even more difficult to deal with. Since it hasn’t been dealt with, the town is reeling from the consequences of a lack of planning and I’m happy to see steps being taken to remedy that.

I firmly believe that Option #5 is the only solution that works for what Moab is experiencing right now. There are so many reasons to institute Option 5, but primarily it’s water. We are in a desert with limited water, so must permit building accordingly, and it seems to me that the last 20 years of uncontrolled growth in overnight lodging has been more than enough. We must be smart about water use, and reining in hotel growth will help.

I was also very disappointed that in every other option, all growth was concentrated in the north corridor. That seems like the first place to halt development! There has been no effort to make that a “community” or part of Moab. All those folks must get into town to eat, shop, have a cup of coffee etc., adding to the traffic and parking problems in town. It seems like the perfect place to have employee or other “affordable” housing options, with one/some of your “community nodes” there.

If some type of lodging growth must be accommodated, it must be very restrictive. No more large 3-story box hotels—they need to be small businesses (not corporations). All must go through not only the planning commission but appropriate councils as well. No more “use by right.”

Thank you for considering my comments.

Aneth Wight
544 Taylor Ave
Moab
Thanks for having the public-input meetings. I would like to make a couple of further comments.

First, I hope that community interests can be balanced with (cash) economy growth. Perhaps an ideal percentage could be developed. (And in fact ‘economy’ is defined as how a COMMUNITY manages its resources.) Let’s do that.

Say 30%-70%. Though percentages could be a bit tricky to determine. But just having the concept of a balance could be useful.

Next, the idea of concentrating any further overnight housing between the northern ‘edge’ of town and the river, makes sense to me on a number of levels. Of course there has been approval for a significant amount of projects that have not broken ground yet. Where that development will happen is a great unknown to many of us. But you get the idea. Let’s concentrate it where it least effects the community.

Thanks,
Mary-Bartlett Tatsy Guild
Hello folks, I am responding to the 180 day moratorium regarding the building of overnight rentals. I am in FULL support of this measure and believe it should be much longer. What we need is affordable housing for the people who live and work in this community. I fear that if we do not address this issue as a number one priority we will end up with no work force, or one that is forced to commute large distances to get to work. That scenario has played out in other communities and the result creates a problem on an even larger scale.
I encourage you to stand strong against the proliferation of nightly rentals, and yes...even second homes at this point.
Thank you for your time and efforts.
Sincerely, Anne Duri
-----Original Message-----
From: karlajac@frontiernet.net <karlajac@frontiernet.net>
Sent: Monday, May 06, 2019 3:54 PM
To: Grand County Council <council@grandcountyutah.net>
Subject: Moab Land Use and Moratorium Issue

To: Grand County Council, Moab City Council, City and County Planners, and Landmark Consultants.

I have attended the two main public meetings that were held to provide information about the “Hotel Moratorium” and would like to add my views to the many others you have received on this subject.

I appreciate the extensive work that Landmark Consultants has done and wish that the option descriptions and maps had been available well in advance of this last meeting. Most everyone I have talked with who attended that meeting felt that the maps, in particular, were incomplete (many B &B’s were not shown, for example—particularly south of Moab and even in town) and most of us felt that the only options that really focused on Moab’s problems are Options 4 and 5. The time the planners spent on the other three was a wasted effort in my opinion—those didn’t address our concerns in any significant way.

I know that many who have or will offer responses to you have addressed the water and traffic concerns. Those are certainly of paramount importance. However, very few have brought up the real possibility that the high volume of visitors that Moab is currently experiencing will wane and we will wind up with some big, ugly, empty hotel buildings. Of course, the national parks will always be a draw, but unless the National Park Service is allowed to implement their proposed reservation plans for Arches NP, I am confident we will see a drop in their figures within just a few years. The concept of a shuttle system for Arches is neither practical nor desirable, and I think we are wasting our time studying its feasibility.

There is no way Moab needs even one more hotel, and our current system of approving B & B’s—even when the City KNOWS about them—is appalling. It is no wonder we have no affordable housing, when anyone (residents or out-of-town “entrepreneurs”) can buy up a modest home and turn it into a B & B. The old ordinance which required that B & B owners had to live on their property got tossed out along the way, as did the former requirement that home business (including B&B’s) had to provide a sheet with the approval of the six closest neighbors before getting a permit.

We have lost control of our city and county, and it will be an uphill battle to gain that back, but approving Option 5—with some appropriate modifications that aren’t designed to benefit the developers—would be a good start.

Respectfully,

Karla Hancock
45+ year resident and former Moab City mayor.
karlajac@frontiernet.net
667 McCormick
Moab, Utah 84532
435-259-5749
Z, I’m copying you too since this is about land use/dark skies/moratorium.

From: Grand County Council  
Sent: Monday, April 1, 2019 9:56 AM  
To: Curtis Wells; Evan Clapper; Greg Halliday; Jaylyn Hawks; Mary McGann; Rory Paxman; Terry Morse  
Cc: Ruth Dillon; Tara Collins  
Subject: FW: Moab Valley land use plan comments

From: Mary Moran <marymoran3333@gmail.com>  
Sent: Saturday, March 30, 2019 9:10 AM  
To: moab@ldi-ut.com  
Cc: city-council@moabcity.org; Grand County Council <council@grandcountyutah.net>  
Subject: Moab Valley land use plan comments

The legal "use by right " needs to be eliminated. In general, all future overnight rentals should be eliminated. If this is arranged in such a way that there can be exceptions if approved by the City/County Council, that seems prudent.

Potential problems with the above, followed by possible solutions:
1) There are visitors coming who cannot find somewhere to stay. Quit permitting events during our busy season. Or only allow events smaller than a certain limit. Allow some existing events only if entry numbers are down-scaled. Encourage the Arches National Park reservation system, in case that actually does lower visitation numbers in Moab. Let the visitors learn that they need to reserve in advance or not come; give some motel/camping revenue to Green River/La Sal/ Monticello/Thompson Spring. Completely quit advertising Moab (we can always start advertising again if needed), and turn all marketing efforts to educating visitors in low-impact visitation. I realize this is difficult, but try to find a way to make this legal - Drop TRT taxes and call them something else?

2) Locals who have owned commercially zoned property in the Moab Valley for 100 years (or 2 years) and want to sell it for a hotel; they've been paying property taxes for 100 years (or 2 years) and give that as a reason that they should have this right. The property remains commercial property even without the possibility of building another hotel, and they can still sell it for other commercial interests. They do not have an automatic right to make the most amount of money possible, at the expense of the community whether they have lived here a long time or are an outside investor. If they've been paying property taxes for a long time, they have probably been using/benefiting from the property during that time, and likely have been using the benefits (schools, etc.) that property taxes incur.

3) Locals who own a home that they desire to convert to a bed and breakfast or overnight rental, for financial reasons. Homeowners do not have a right to do harm to their neighborhoods. One compromise legislated by some communities (for example, Austin,
Texas) is to allow any homeowner to rent out their home short-term for up to two weeks per year. This can be quite lucrative if done during a big event, yet has relatively small impact on the neighborhood.

Miscellaneous visions of our community in future years:
There are noise requirements for all vehicles on our roads, so unless the technology has changed, there are no UTVs (razors) or noisy motorcycles on our streets. There is at least one event-free weekend each month, including in the busy spring season. The night-sky ordinance has successfully kept our night skies dark. New construction always incorporates at least some aspects of passive solar construction, lowering energy consumption immensely. All contractors take this for granted, and have learned how much sense this makes. (There are no more new dwellings like the new twinhome on West Highland Drive with one tiny south window for two dwellings and lots of west windows to heat up both units.)
Before disturbing soils and vegetation over more than a minimal area, a restoration plan is required, to avoid increasing dust in the valley. These can be simple, or more complicated, depending on size.

Thank you for the opportunity to comment. I sincerely thank city and county council members and planning commissions for initiating the moratorium and this planning effort, and for all of their research and efforts to make this community a better place to live.

Mary Moran
1991 Highland Drive
Moab
Comments regarding Moab’s Moratorium of new overnight accommodations:

Moab is a community in crisis, with residents in an uproar over the overwhelming impacts of tourism. Escalation of this reaction from locals has really occurred within the last 2-3 years and the rate at which these reactions are intensifying is alarming. Many really long-term residents, even some of those born here are now feeling pressured to leave a community they once relished. This is not only sad; it is appalling. Issues that are impacting locals will also start to impact the best of our visitors (i.e. those contributing most to the community economically, behaving respectfully, etc.), and likely drive them away.

Issues that come with increased tourism such as noise, lower safety on roads, etc. need to be dealt with separately. In the meantime, the lack of resources and services to support significant growth of the overnight accommodations, a segment of the economy that serves just a few, must be addressed now with this moratorium. Limited resources include (a) water and (b) space for future development of services that will serve a greater portion of the community.

We don’t yet know the level of impacts from future overnight accommodations that have already been approved and I would argue that for this reason, a complete moratorium (option 5) is in order, at least for 2-3 years, a period as long as it took for living in Moab to become barely tolerable. We can always revisit this decision at a future time, once we have a better idea of how much more growth we can allow.

My biggest concerns now include:

(a) traffic flow on the north end of town, south of the bridge,

(b) traffic safety on Hwy 191 on the south end of the County for residents in the high-density overlay zone on the west side of the highway

For both of these areas, I believe we need a frontage road, with traffic lights where the frontage road accesses Hwy 191. While I gather that UDOT is slated to start the widening project this summer, this may not be enough to prevent traffic backing up, particularly as people make left turns across traffic into the new developments. It may be too late to add the new timeshare complex under construction to the frontage road between Holiday Inn and Aarchway, but this would be a place to start.

In summary, although we may already have permanently impacted quality of life in Moab, we need to extend the moratorium (Option 5) and give us time to gain control over tourism impacts.

Thank you,
Tamsin McCormick
1841 S Highland Drive,
Moab UT 84532
Respectfully,

My husband and I have lived at 282 Riversands Dr. for about 12 years now. We've watched the slow and steady growth for Moab occur. These last few years have been way over the top. The traffic, the noise from all the ATV's, the inability to walk into City Market and get the groceries we need, the concern about water resources have all detracted from what used to be a really nice community to live in.

This growth has been wreckless, for example look how long it took to get an updated water treatment system. And what is the capacity of the water treatment system. The other day, I was smelling foul smells from it again, which makes me think it's already above capacity as it had been.

What about WATER. We are crazy to think we can go on like this and won't run into a water crisis in the coming decades.

The ATV's aren't even required to have noise restrictions....It's crazy.

Please I Urg you No More Development!!

Sincerely,
Beth Malloy
Dear Council Members. I would like to formally request you look into the option of BANKING TRT FUNDS until such time as we can resolve our challenges with overwhelmed infrastructure.

If you haven't seen this video, please view it. I do not subscribe to the comments made by those filming this traffic jam. However, it is important documentation of a serious problem.

https://www.youtube.com/watch?v=xwG1TQyo9Ug

Thanks for your consideration of this suggestion.

Bo Kolb
3649 Kerby Lane
Spanish Valley
The completion of the USGS Spanish Valley Water Study in 2018 requires the revision of the Spanish Valley Water and Sewer Master Plan completed in 2017. The USGS Water Study significantly reduces the underground water available for future Spanish Valley development. San Juan County will probably not receive any further allocations of Spanish Valley ground water and will need millions of addition funds to develop an alternate water source from either the Colorado River or Kane Creek before water is available for commercial development.

Water Right 09-2349 allows San Juan County to pump 500-acre feet of water from their current well. Utah’s State Engineer stated in his approval of Water Right 09-2349 that future allocations were based on the assumption that 11,000-acre feet of water flowed under- ground from the Glen Canyon Aquifer through Spanish Valley into the Colorado River. The recently completed USGS Study found that there is almost no flow of underground water into the Colorado river.

In addition, the USGS study concluded that only approximately 6000-acre feet of water was available in the underground aquifer for future development by San Juan County, Grand County and Moab City. Since the Aquifer is over allocated by 200%, and Moab - Grand County have Water rights much older than San Juan county receiving additional water from the underground Glen Canyon Aquifer is very small. Utah is currently adjudication all water rights in Spanish Valley and final ownership of the 6000 ac-ft of water will not be determined for up to 5 years.

Water Right 09-2349 has sufficient water from the Colorado River or Kane Creek to complete all Phases of development in Spanish Valley. However, developing culinary water from either the Colorado River or Kane Creek will require millions of dollars above the current funds of
5.1 Million.

The 500 ac-ft currently allocated to San Juan County will supply culinary water to the current residents and approximately 600 additional ERUs. The number of undeveloped residential lots currently approved by the County is unknown, but probably exceeds 600.

The current residents in San Juan County are paying for the sewer and water infrastructure and the residents are entitled to the 500 ac-ft of available water.

A moratorium on commercial development in the Valley including Highway 191 is necessary until additional funds are available for development of the Colorado River or Kane Creek water. A moratorium is also necessary until the Utah Division of Water Rights determines who is entitled to the available underground water in the Glen Canyon Aquifer.

William love

48 desert Solitaire Rd

Moab, Utah 84532
Hello Grand County Council members,

As a member of this community, I want to express my concern about water use in Grand County as our small town continues to grow. Below are a few points for helping to ensure our community has access to clean water in the future:

- I am grateful for the moratorium on all new overnight accommodations. We must use this time to get an accurate and up-to-date water availability analysis of the valley in order to make sure we have sufficient supplies and do not create demand hardening.
- Before development continues, we need to create a specific number of remaining Equivalent Residential Connections (ERC’s) in order to determine what amount of growth is best for our community based on the actual amount of water we have. This should include having a buffer capacity for climate change, which we know is here and already affecting the southwest's water supply. The Order of the UT State Engineer approving the transfer of water rights into our watershed by the San Juan Spanish Valley Special Service District cites a study indicating the Colorado Plateau could experience up to a 30% reduction in runoff due to climate variability.
- “Adopt a green infrastructure ordinance for stormwater management to protect water quality, increase localized groundwater recharge and offset landscape irrigation through matching plantings with green infrastructure treatments.” A direct quote from the Moab City General Plan – Goal 4 Water Quality, Policy 1, Action step h. I would love to see something similar adopted by Grand County.
- While we are in this moratorium, I would love to see us set high standards for integrated water efficient landscape design and performance for all new development (including residential), while also promoting conservation by existing users.

Thank you for taking the time to read this and service. As we are talking about housing and development, we must not forget water. Without proper effort to conserve and protect our water resources, we put our entire community at risk.

Sincerely,
Cali B.

--
Cali Bulmash
201-923-7785
www.calibeerad.com
Dear Grand County Council, Moab City Council

I am writing about the “five options” presented by Landmark Design regarding overnight lodging. I support option 5. Moab should entirely stop new overnight lodging for a period of time. That time limit should be 2 or more years, and then reassessed. At the absolute minimum, “use by right” and/or “permitted use” should absolutely be eliminated in favor of some strict approval process regarding location, type of buildings, tourism growth rate, population, land availability, and affordable housing space. Also, Option 4 is a terrible idea to allow new overnight accommodations only in the north part of town which will result in a (more) hideous overbuilt area as the entrance to our town.

Thank you,

Jason Ramsdell

Moab Resident
Huntridge Drive, Moab, Utah
Mr. Mark Vlasic, AICP, ASLA, LEED Green Associate
Landmark Design
850 South 400 West, Studio 104
Salt Lake City, Utah 84101

RE: Moab Development

Dear Mr. Vlasic:

I represent Mr. JJ Wang and his business organizations. I suspect that you are aware that Mr. Wang has been a long time resident and business owner in the Moab area and has made significant investments in Moab. Mr. Wang’s development have greatly assisted in the development of Moab’s infrastructure.

As a long time, resident Mr. Wang has sought to balance development so that the natural beauty and the lifestyle of the area residents are not adversely impacted. Mr. Wang has continually put the interests of the community in the forefront of his business endeavors. I am personally aware of occasions where Mr. Wang has forgone opportunities for development that he did not believe were in the best interest of the Moab area. I would be happy to ask Mr. Wang for permission to discuss these with you if you feel it would be helpful.

I am informed that you are associated with an Advisory Committee that will make recommendations concerning future development within Moab. The residents of Moab have an expectation that the current lifestyle and development opportunities of the area will be maintained. I suggest that Moab has a duty to the world community. Undoubtedly, Moab is an international destination, and Mr. Wang, along with other residents and business owners in Moab, want to make sure its unique beauty can be enjoyed by many.

The issue is balancing lifestyle with the obligation to make sure the area can be appreciated by people from around the world. Mr. Wang has rightfully concluded that a balance can be reached by responsibly addressing the highest and best economic use of the area which is accommodating tourism. Mr. Wang does not believe that this will be accomplished by a moratorium of tourist related development. Not only would this be a selfish effort, but it would economically harm Moab.

I will not propose a solution, but I will be so bold as to suggest that this issue should include long time, responsible residents and developers such as Mr. Wang.
Should you have any questions or concerns or require additional information, please contact me. Thank you.

Sincerely,

ROBERT W. HUGHES

RWH:jsc
I'm Bill Foreman. I've lived in the area for just about 30 years. I got to the open house a little late and didn't get up to comment, so I will now.

What I see is a lot of out of town investors planning to make money by encouraging more people to come to this place by building resorts, motels, RV parks, etc. They don't have to live with the consequences. We do.

When I notice the hoards of visitors in town and think that the numbers will only increase, I keep flashing on images I've seen of Japanese subways. Men are hired, wearing white gloves, to push as many people as possible into subway cars before the doors can close. A subway ride like that might be interesting, once, but we're looking at Moab being a subway car most of the year. That's not my idea of a quality experience for the visitors or us.

We need to stop hyping this place, bringing in more people than can be accommodated already.
May 8, 2019

Mayor Emily Niehaus  
Moab City Council 
Grand County Council  
Mark Vlastic, Landmark Design  
Zacharia Levine, Grand County

RE: Moab Area Land Use Plan

Dear Mayor Niehaus et al.,

On April 30th we attended the open house on the five (5) Options being considered by the City and the County. We understood that written comments could be submitted through May 7, 2019. On May 7th a sixth option appeared on Landmark’s website and there was a joint City/County Council meeting, all before the deadline date for comments was over. We own or manage properties in both the City and the County that will be affected by the options both Councils directed Landmark to draft ordinances for. We respectfully submit the following comments and observations based upon the results of the joint Council meeting.

As both residents of this community and commercial developers we continue to believe that there should be continued focus on the commercial downtown core as both a gathering place for the community and as the commercial center of Moab. We are in full support of UDOT’s promise to study and work cooperatively to provide a truck bypass to remove large semi-trucks from Main Street Moab. When - not if - this is accomplished it will allow downtown to flourish and truly be a place for locals and tourists.

South of Downtown - USU Moab Campus - At the close of yesterday’s joint meeting it appeared that both Councils are considering removing lodging as a use by right in all areas south of downtown. As owners of property adjacent to the new USU Moab campus, and across the highway, we feel it’s important to consider overnight lodging in close vicinity to the campus so that professors, potential students and parents have a place to stay within walking distance of the campus. We hope that the Council’s will consider allowing some form of overnight lodging in this area.

Downtown - It was unclear at the close of yesterday’s joint meeting what the City Council is considering for downtown. We support an overlay downtown that will allow overnight accommodations with higher performance standards.

We would also like to request that the proposed commercial node for downtown include the property on the north east corner of 100 West and Center Street. At the moment the property is a dirt parking lot and commercial structures currently leased by Westside Tattoo, Forget Me Knot Flowers, and Atomic Hair. We have been in discussions with the City for a few years about doing a mixed-use commercial development with a community gathering space on this
property. We respectfully ask that the commercial node proposed at the terminus of Center Street be expanded to include this property. It is adjacent to the planned parking garage and will provide a natural extension of Main Street to 100 West.

North of Downtown – All properties with Hwy 191 frontage that are already commercially zoned should be included in the proposed overlay. There was some discussion that only the properties already zoned RC should be included but RC is not the only zone that currently allows lodging; C-2 and C-3 also allow lodging. We know you care about this community and its future, and we appreciate the opportunity to comment.

Sincerely,

Michael H. Bynum
Hello Mark and LDI staff,

Thank-you for the opportunity to comment as you proceed in advising the city and county officials Moab on land use issues that affect the citizens of this community.

I have attached the comment document that I submitted in person at the 3/27/19 Open House. I have also included, in a separate attachment, the public comment emailed to the Moab City Council and staff previously, regarding the PAD overlay on Moab's R2 zones, for your historical perspective. This was also a letter to the editor published in both local weekly newspapers.

Thank-you for your careful consideration of Moab's R2 neighborhood residents' concern with the high-density housing issue as you advise the Moab City Council on their future course of action.

As you can see, I have cc’d my husband, Scott Escott, Zacharia Levine and the Moab City Council.

Sincerely,
Sharon Hogan
598 Rosetree Lane
Moab, UT  84532
Jenny,

I can't attend the next public open house on the Moab Land Use Plan, but I wanted to provide some additional comments that I don't see represented in what you have received so far.

Note that I am the Grand County Attorney, but these comments are my personal opinion and mine alone. I am not making these comments on behalf of the County.

I have been a small business owner in Moab since 2007; and, through my private law practice, I have represented other small business owners for those 12 years.

Small business has been pushed out of downtown for a while now because we can't compete with crazy land prices that are driven by overnight rentals. By small business, I both all of the following: 1) professional services like my own business that mostly cater to locals; 2) retail and restaurant businesses that provide services to both locals and tourists; and 3) small overnight lodging establishments that house tourists. All of these small businesses are locally owned, and they are also important to diversifying the economy in Moab.

For these reasons, I'd like to see this planning effort prioritize and protect small business growth in Moab. In my opinion, this mean we continue to keep small overnight lodging establishments in the Code as transitional buffer zones from general commercial to residential - although I think the size of those small overnight lodging establishments could be reduced from the current 10 units to 4-6 units.

I'm also interested in see a business enterprise overlay zone downtown that would prohibit all further overnight rentals so that small business may grow. The idea that I've been floating with business owners and the City (prior administrations) is that the overlay zone would be placed over the entirety of 100 S, Center Street, 100 N, and 400 E that would prohibit further overnight accommodations of any type. 100 W may be appropriate to include as well.

This would be controversial sure, and I'm one of those property owners on 100 W that would be affected, but it would be a giant leap forward for small business and local growth in Moab.

Thanks,
Christina Sloan
All,

I’ve lived and worked in Moab for 20 years. I came here for a job with the NPS and I’m now retired. I love living here and I don’t mind sharing the beautiful redrock desert with tourists. However, the increase in numbers of tourists has skyrocketed in the past few years at an alarming rate. As long as the number of hotels and overnight rentals continue to increase, even more people will come.

Nothing about our community can accommodate unlimited growth of tourism. Water, sewer and land resources are being strained and impacted. Residential housing is either unaffordable or unavailable. Trailhead parking areas are not large enough for all the vehicles, so they line the highway. Many of them lack restrooms, and human waste and toilet paper litter the ground. Arches National Park is unable to deal with the thousands of cars trying to get in, find a place to park, and the hiking trails are so busy one might just as well be walking on a sidewalk in downtown New York City. The quality of outdoor experiences in and health of our beautiful landscape is diminished by all the people, vehicles, noise, garbage, scars from off-trail use and increase in weeds brought in from far away places. Traffic jams are unavoidable. The roar from OHV’s on residential streets makes it impossible to relax in one’s own backyard. From this local’s point of view, the situation is already beyond ridiculous. We don’t need more people coming to Moab.

The counter reasoning is that Moab locals rely on tourism for their livelihood. For many businesses, this is true. But we already have too many tourists. Many businesses are overwhelmed. Restaurants are backed up for hours at dinnertime.

Unchecked growth has been compared to cancer for a good reason. The host – Moab residents, our quality of life and the health of public lands surrounding us are being sacrificed for greedy out-of-town interests. This must stop.

Please put a stop to hotel and overnight accommodation construction.

Additionally, the “pre-approved” method of zoning must be reversed, with each proposal looked at by the local government individually. We cannot have hotels in the midst of residential areas.

Respectfully,

Sarah Topp
Moab, Utah
As I said before I support the moratorium on hotels, nightly rentals. We need to stop this runaway train, our way of life is being ruined we’re at over capacity. It’s insane what is happening to our community our home. It’s reckless it’s insane. Please stand strong on this please don’t allow anymore and stand strong against Sitla they will ruin us if we let them. The county needs to reign in the trt revenues & take control of what you by right can. Already town is insane & I am sad depressed heartbroken by what I’m experiencing. Enough is Enough.

Kiley Miller

🌍
I implore the council to pass the most restrictive over night rental policy. You've heard from the citizenry, we've been shouting from the roof tops NO MORE hotels, nightly rentals, campgrounds, b&b's. We've got to much as it is and we can't take anymore. I read that theres almost 900 rooms vested in the city that haven't even been built yet and almost 600 in the county, Enough! What the Hell, we are becoming a prostituted area thats willing to exploit the entire place for money. What we've become is shameful and ugly. So no ONR use by right, no ONR overlay districts, campgrounds cannot convert to condos or hotels, small hotels can't convert into big hotels. My head is spinning with the shitshow this valley has become and the future looks bleak if we continue to allow all of this growth for tourism. It must stop, we are destroying our home and hugely impacting the lands surrounding us.
The county needs to reign in the TRT and use the advertising money to educate people and I don't mean fluff videos about utv's like the travel council created, I mean real education because our beautiful landscapes are being destroyed.

NO more No more, please. Our hearts are broken Enough is Enough.

Kiley Miller
21+ year resident of this valley
I would like to urge that you choose option number 5, no growth. This spring has proven that our infrastructure is sub par. Specifically the main road in and out of town. I would like to see a second highway or bypass put in that went around Moab. This would helpful for people passing through on business and not stopping to play here. Secondly, South of the river bridge just paythe light where 4 lanes choke down to 2 is the stupidest thing I've ever seen. Please make the whole stretch 4 lanes. Spanish valley drive could also use sidewalks for safer biking.

Thank you for your time and considering my request.

Jessica Dunn
Long time resident of 33 years.
From: Lori Ryerson <lori@focalocity.ca>
Sent: Sunday, May 19, 2019 3:57 PM
To: Ruth Dillon <rdillon@grandcountyutah.net>; Grand County Council <council@grandcountyutah.net>

Subject: Moab tourism / overnight accommodation building permits

Dear Ms. Dillon: I have included “Council” on this email, but want to ensure that this email gets included before Tuesday’s Grand County council meeting.

Dear Grand County Council:

In April of 2016, I came to Moab for the first time. As a travel and landscape photographer, Utah is high on the list of beautiful landscapes. I recall the long weekend lineups to get into Arches Park, lineups that often went all the way back into town. I was surprised to see so much car traffic, but it was still relatively manageable.

Fast Forward: April 26-May 3 in Moab, 2019: I arrived on the Friday afternoon of the vintage car show. As I came in from Grand Junction, I was astonished by the volume of traffic headed towards Moab. I had taken the 128 south to meet up with the 191 into town. It took me almost an hour to get from that light to the Moab Valley Inn at the south end of Moab. The traffic was horrible, and the noise – oh, my goodness, THE NOISE. This is Moab, this place is a gateway to several of nature’s most stunning geological wonders, and you cannot hear yourself think. I felt like I wanted to cry, I felt like my ears were being assaulted by the noise of the traffic. Trying to go anywhere was impossible, and trying to get into any restaurant just for a single seat – almost impossible (I finally got something about 9 pm).

As I drove into town, I couldn’t quite get my bearings. The place that I left 3 years ago bore no resemblance to this string of hotels down the main drag of Moab. What had happened? How had a place as beautiful as Moab ALLOWED this kind of overbuilding to be done?

Council members: every local Moab resident I spoke with during my week in your city told me how disturbed they were with these changes. Local people, without exception, told me about the high cost of living there, many talked about holding multiple jobs in order to pay their living expenses. Many told me about not even spending their money in town, that they prefer to drive to the Colorado border in order to be able to afford groceries, etc.

On the Friday morning, I went up to Corona Arch area. The picture I have attached shows you what I saw. And this was in no way unusual this time; every camping ground I passed all throughout my trip this year was overcrowded. The local Moab infrastructure is so overloaded that I fear for your town accepting any more contracts, I fear that the good intentions of increasing tourism will cause yet another beautiful place on this earth to be “loved to death”. I have seen it in Joshua Tree, I have seen it in Iceland, it is starting to happen to Greenland, it is happening right here in my own home province of Ontario in Canada.
Please, Council, I implore you: put a moratorium on new contracts, until the town has had at least 3-5 years of working through the current massive levels of change. Take the time to assess the damage by tourism, by unbridled building and ensure that you protect the stunning gifts that your area has been given by the forces of Mother Nature.

Thank you for taking the time to read my concerns.

Respectfully yours,
Lori Ryerson

Lori Ryerson
Photographer
416-488-0722
Toronto, Canada

Website: www.focalocity.ca
Facebook: www.facebook.com/focalocity
Instagram/Twitter: @focalocity

UPCOMING EVENTS:

June 1-2       Riverdale Art Walk, Jimmie Simpson Park, Queen St. E., Toronto BOOTH E-10
June 8-9       Rosedale Art Fair, Scrivener Square (Summerhill LCBO), Toronto
June 22        Junction Summer Solstice, Art Tour Collective Art Market, Dundas & Keele, Toronto
July 12-14     Toronto Outdoor Art Fair, Nathan Phillips Square, Toronto City Hall BOOTH 155, ZONE A

You can also find my work at:
Art Gallery of Hamilton Art Sales & Services www.artgalleryofhamilton.com
Partial Gallery (Toronto) www.partial.gallery
Petroff Gallery (Toronto) www.petroffgallery.com

(Note: Outside of shows, viewings are available by appointment; feel free to call or email to set something up.)

Member, Ontario Society of Artists
May 2, 2019

Dear Grand County Council, Moab City Council, city and county planners, and Landmark Consultants,

Thank you so much for all of your work on the current Moab Area Land Use planning project. It is difficult but so important. I’ve attended the two planning events with Landmark. Following are my comments.

I fully support option 5, called “No Growth” in Landmark planning documents. I think this title is quite misleading, and scared some people away from supporting it at the April 30 planning workshop. It is actually an option for no new overnight rentals, other than the 1100 or so new rooms already permitted but not yet built. It does not impact other types of growth, and in fact encourages other commercial, residential and community services growth. This was unclear, especially as the voluminous information on the growth options was not available to read before the workshop. I don’t think there were bad intentions, and I don’t want to look backwards, but I think it might have really skewed the opinions stated in the workshop. Everyone I’ve talked to in town thinks there are too many hotels, and that is without those already permitted and not built (which many people are not aware of). Traffic is horrid. Water use may be depleting our groundwater supply, but not all the information is in. I urge the Councils to not permit even one more overnight rental, whether hotel, motel, condo, campground, air b&b, or bed and breakfast. (And we need to stop advertising, but that may be a later discussion.)

Water availability is vital. Just how much water is used by overnight rentals, with showers, toilets, and landscaping, as well as sheets and blankets washed daily? We need to pause to more fully understand this and other factors relating to our water supply.

The compromises to option 5 that I would find most palatable would be to potentially allow very limited new overnight rentals sometime in the future. Because of the recent (and upcoming) overbuilding, I think there should be some number of years of no new overnight rental permits, perhaps with review of that policy every x number of years. The review could look at visitation trends, water supply, tourist impacts, traffic, etc., before deciding whether they would potentially allow some permits in the following years, until the next review.

I’m a little concerned about putting all new potential hotels on the north end of town. I don’t really understand that strategy. It does nothing to improve traffic where it is worst on the north end of town, all of those visitors in the hotels will drive to breakfast and dinner downtown anyway, and it makes an ugly entrance to town. This strategy will drive up land prices in that zone, so no one will start restaurants or any other business there, as overnight rentals are most lucrative.

If any future overnight rentals are eventually allowed, I would be in favor of prioritizing smaller campgrounds or motels with a limited number of units, which would encourage and support local ownership.

If option 5 is not adopted, at the least the current “use by right” must be eliminated, with any future overnight rental permits only allowed by vote of the city or county councils.

Thank you for considering my comments.

Mary Moran
Highland Drive, Moab
Thank you so much for all of your work on the current Moab Area Land Use planning project, I support Option 5.

Kiley Miller

🌍
Hi,

With almost 1200 more rooms in the pipeline, I believe that there is wide consensus that we are at our visitor maximum for now. I urge you to support removing hotels, b&bs and other short-term rentals from all zones when the moratorium expires, at least until our infrastructure catches-up with our success, we develop solutions for some of the pressing problems now facing us and our community catches its breath. It will always be possible to open the subject again and consider allowing new short-term rental development in selected areas. However, if we continue to allow such development in any zone, once a project has started the permitting process it cannot be stopped.

Thank you for your consideration.
Bob Greenberg
James D. McClanahan

From: Grand County Council
Sent: Tuesday, May 14, 2019 4:49 PM
To: Curtis Wells; Evan Clapper; Greg Halliday; Jaylyn Hawks; Mary McGann; Rory Paxman; Terry Morse
Cc: Zacharia Levine; Chris Baird; Christina Sloan; Ruth Dillon; Tara Collins
Subject: FW: Moratorium...

From: Brett Sutteer <bsutteer@yahoo.com>
Sent: Tuesday, May 14, 2019 11:53 AM
To: City-Council@moabcity.org; moab@ldi-ut.com; Grand County Council <council@grandcountyutah.net>
Subject: Moratorium...

Dear Planning Commission Members, City & County Council Members and Landmark Design planners,

I would like to thank you all for participating in this process to understand the needs & desires of our community. As a long term resident and business owner in the tourism industry I strongly feel we need to extend the moratorium on the construction of nightly rentals. Ushering in ever larger and more expensive structures seemingly every few months has created a MASSIVE footprint on our town with many complex ramifications for everyone living and vacationing here. With each additional large project our community is on the hook to provide that business with numerous services and resources that are in finite supply. In the past couple of decades we needed these types of developments, these jobs, and the money it brought to the community. It allowed Moab to evolve into a great small city that I'm proud to be a part of. Yet I feel we're now past the point of diminishing returns. With lodging already being such a huge component of our local economy I see the trickle-down from any new large (or small) developments adding little benefit to our community while only adding more headaches. We have an infrastructure imbalance. If we don't act aggressively now the result we Moab residents will further experience are: higher living expenses, more chaos with traffic, pollution, noise, dust, and other stressors; and these negative qualities will also be seen and experienced to a more noticeable degree by the visitors.

Every time I drive north of town past the Motel 6 I acknowledge how nice it is to have an open field where my view to the portal has largely remained unchanged from my arrival to this area 34 years ago. I've begun to rely too heavily on the notion that it might not get turned into another big parking lot surrounding another shiny structure to further remove the landscape from those of us--locals and tourists alike--who came here to be IN that landscape. Maintaining a quality of life experience in this area requires protecting the rusty clues to Moab's historical character--boom & bust. Therefore I support Landmarks' Option 5 of No Growth until our community can better perceive how to manage the many problems I mentioned above. After that deep breath of air, an eventual segue towards other sensible options would follow as we steer our community away from allowing the reckless sprint to pave every last chunk of dirt in the Moab valley.

Again, thank you for your consideration,
Brett Sutteer  
Owner  
Moab Cliffs & Canyons, Inc.
To Whom it may concern,

I writing this in regards to the prospective changes the county and city are contemplating in restricting Overnight rental/ motel or growth in the area of development. I believe Moab has a huge issue with affordable housing. We all know that. Relaxing zoning rules and encouraging development of housing projects with maybe some additional incentives will help in that area. We do have some relief in the future but it take some time to build the units.

We should not take away vested property rights from property owners citizens of our community and state. Restricting right of overnight development does nothing for the affordable housing. Motel and overnight rental are not the bad guys here. Every Aspect of the tourism Industry from the Gas stations, grocery stores to the Tour companies and to the Parks, add to the housing crisis. Our community will end up in Law Suits and negative controversy if you pass the restriction on new Motels including overnight rental developments. This would cause a price increase of the existing built facilities and a price decrease or a taking, in the empty or vacant commercial land values. We live in a free market system or society. The basic principle of economic "The law of supply and demand " works well in our system. We need to encourage more housing by taking away some restrictive zoning standards and regulation and not add more rules and regulations. By putting a crunch on new Motels does not help the lower end of affordable housing developments. Moab has the reputation among most developers of being the hardest city in the state of Utah to develop. This has been stated to me many times over the last few years. I am against any restriction of property rights including any down zoning of rights. There is a conceptual view in the community of "us verse them" towards our elected county and city officials. This is caused by them (the council people) not listening to all the people but only to those in their progressive circles. We have create this situation in which we are in now by advertising to the world "Come to Beautiful Moab and enjoy". We are in a housing crisis. Let not make the situation worse by taking rights from the people and causing more strife in the lives of our people. There are many things that could be done to solve this crisis. I applaud the Overlay zone and the PAD ordinances. These are a good start. Projects like the 41 acres for development of the Arroyo Crossing will help with around 300 affordable homes. Help these projects go forth smoothly and in an efficient timely manner. Lets work with the developers not make them mad at us.

Bryon Walston Moab Premier Properties broker owner
In a recent National Public Radio KZMU story by Molly Marcello on TRT spending, she detailed the following statistics:

“Per a Legislative Audit there are 10,400 people living Grand County and 3 million visitors per year, equaling 2.4 tourists for every permanent resident.”

My unofficial research in February of this year showed the city and county have approximately 3900 units devoted to nightly rentals with another 1030 in various stages of construction from permit to near completion. An interesting fact never mentioned is that a “unit” can house an amazing amount of people...1-12 usually. Even if we average the capacity of a “unit” at five, the 3900 units that are already in business can house 19,500 visitors. Adding an average of five visitors to each of the future short term rental units, means an additional 5,150 folks that can visit the Grand County side of the valley for a total of 24,650 PER NIGHT. I have no idea how the current 3 million visitors are actually calculated but if we do not throw our weight behind Landmark’s Option 5 - NO OVERNIGHT RENTAL GROWTH to be presented to the city and county councils, we will, in the not too distant future, wish for the good ‘ole days of only 2.4 more visitors than each and every one of us living in this valley.

If we do not stop building overnight rentals, the hope of creating a balance between a tourist based economy and those services aimed at stabilizing a healthy financial system for local residents will never happen because:

1) Overnight rentals are a much bigger bang for the property owners’ and developers’ bucks than building commercial suites/buildings for dry cleaners, dentists, day care centers and other non-tourist aimed products and services.

2) Instead of concentrating our efforts on the creation of a) non-tourist centered jobs with living wages and b) affordable homes for those worker to buy or rent, we will continue just importing workers from outside the city, state and/or country to fill all the additional low wage jobs it will take to service the increased tourist load and providing them with “bunkhouse” style living to get the most workers into the least space.

3) Traffic, parking, crowded eateries and grocery stores, law enforcement shortages, National Park overcrowding, amusement park-like congestion on our famous trails, noise, pollution, etc., will make life not worth living here any more.

Carol Mayer
444 Rosetree Ln
Hello all,

I believe the City of Moab and Grand County should adopt option #5, the no growth model with a focus on developing community nodes. We desperately need more community services, and we simply do not need more accommodations for tourists. Several hotels, the massive conference center in town, and the USU campus are already in the pipeline. Any additional growth would suffocate our City/County and further push locals away from the idea of establishing a sustainable, engaged community. We can adapt to tourism in different ways.

Our advertising through the Travel Council should be focused on reducing impact on our area and educating tourists about cryptobiotic soil, water scarcity, and other delicate aspects of our unique environment. Continuing to build any more accommodations, even if they are limited to a particular area, is not a priority for me as a 25 year old considering staying in Moab long term if the tourism doesn't continue to drown the character of our community.

Thank you for all of the hard work you all are doing! It warms my heart to know that the City and County do really care about the voices in our community.

Best,

--

Stephanie D. Hamborsky

2019 Red Rock Street Festival Coordinator
Resiliency Hub Board Member
Moab Pride Steering Committee Member

Call/text (281) 793-6688
Comments on the Moab Area Land Use Plan

Growth in Moab is deceptive. Our resident population is growing slowly but aspects of our economy do not follow that growth. We are experiencing a large rate of growth in short term rentals and this distorts our community in many ways. For background we need to keep in mind the Moab General Plan which states,

"While the City is growing, there is an increasing desire to keep our small-town atmosphere. The people that live here choose to reside here because of the amenities of the area. The character of Moab is also important to people looking to relocate in the area. Preserving small-town values is of the highest priority for many Moab residents, and anything that affects local neighborhoods or Moab's atmosphere has heightened importance to those who live in the community."

Additionally a goal of our General Plan states, "Maintain Moab's small town character." Moab also recognizes the need for economic sustainability by stating the elements for a good general plan which includes, "Element 2 - Environmental Sustainability Outlines the role of the City in addressing impacts on the environment and the quality of life for current and future residents."

The presentation by Landmark Design noted that construction of overnight lodging continues because the demand continues to increase. Currently this is true but it is the result of a taxpayer funded drive to increase the number of visitors. Yet current experience also indicates that the growth negatively impacts our community. I have personally experienced this with stop-and-go traffic starting near the Potash Road when returning to Moab more than once this year. With my brother and his family we experienced a thirty minute wait time to enter Arches NP. I have exited US 191 at 500 West to avoid traffic jams on Main Street with varying levels of success.

As part of this land use plan we should also consider the relationship of Moab and Grand County with Arches NP. Both of our governments should be an active partner in helping Arches NP maintain its purposes. The Organic Act for the National Park Service gives the following direction to the NPS.

"The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

Anyone who has visited Arches NP multiple times over several decades cannot ignore the changes that have happened within the Park. Values such as solitude or even minimal presence of others has largely disappeared in the last twenty years. Yet we continue to advertise Delicate Arch with photographs showing no one there. Parking lots have increased in size yet parking can be difficult to find at times. Personally I would love to have kept my first experience at Arches around sixty years ago the same for current visitors. I feel we have in fact seen the opposite of "unimpaired for the
enjoyment of future generations." Perhaps we cannot return to the past but we have no good reason to continue the trend away from a natural landscape to an increasingly crowded landscape.

Visitors now experience traffic jams, long waiting lines to enter Arches, long wait times to get into restaurants, and crowded sidewalks.

In 1958 John Kenneth Galbraith published The Affluent Society. For this long we have known that our economic growth has not resulted from the meeting of needs for survival and wellbeing but rather the satisfaction of manufactured or created needs. In our unfortunate situation we have created the desire to visit the Mighty Five, our most prominent National Parks. Our success created problems many did not anticipate. In stead of damping the process of attracting visitors we doubled down on pushing for increased tourism. We have done this with tax dollars. We have a kind of socialized tourist industry. I sense in some a feeling of powerlessness in the face of this ever increasing and impactful industry. Our local newspapers headline the problems frequently. We do not need to continue manufacturing an ever increasing level of visitation.

Our community needs to bring some control to our destiny. While cannot prohibit visitors we do not need to press for ever more visitors. We are distorting our community in a single direction which makes living here more expensive and more difficult.

In reviewing the options presented by Landmark Design the fifth option seems clearly the one that could stop the economic distortion towards what is likely unsustainable. The forth option with a small overlay zone on the north end of Moab could be helpful. Overlay zones are one tool that could be useful to keep visitation within reasonable bounds.

There are other tools available.

Size of overnight rentals could be restricted by height codes, number of rooms constructed, and restrictions on the number of rooms in a structure with requirements for open space and landscaping.

We also need to make sure our lighting code is adequate to retain our dark skies.

Our community should create event free weekends perhaps as often as each month. Preference should be given to locally organized events. Depending on the kind of event the number of participants may need to be restricted. Events with a long history of local organizing should be recognized and accommodated.

Please forward my comments to the Grand County Planning Commission.

Wayne Y Hoskisson
PO Box 14
Moab, UT 84532
(435) 260-9045
wyh@xmission.com
To Whom It May Concern:

We are writing to express our concern about policy changes that are being considered regarding overnight accommodation options in Moab City and Grand County.

We strongly believe that Moab City policy must be different than the policy governing areas in Grand County that fall outside of Moab. While we recognize the need to amend existing policy in Moab, property within Grand County that is outside of Moab is significantly different in circumstance. Any changes in Grand County policy need to be evaluated and considered independent of Moab City.

As natives of this region, we appreciate the conservation efforts that have been and are being made in Grand County. With that said we believe the rights of property owners within Grand County must be protected to the greatest extent possible. We expect that any change in policy be done only to remedy existing problems. Certainly, policy that restricts property rights, regardless of degree, must not be made based on speculation of potential problems.

Overnight accommodation in Grand County, in general, benefits Grand County, chiefly Moab. Rather than aligning all of Grand County overnight accommodation with Moab City policy, perhaps we should consider policy that will encourage property owners outside of Moab to support overnight accommodation thus lessening the current negative impact taking place in Moab while ensuring the positive impact of tourism on Grand County continues.

Sincerely,

Dale and Linda Harris
(435) 559-0536
-----Original Message-----
From: Dan Kent <earthnut6@gmail.com>
Sent: Friday, May 17, 2019 5:15 PM
To: Grand County Council <council@grandcountyutah.net>
Subject: URGENT

Apologies for the hastiness here, because i so appreciate those of you willing to take action to defend our town from the onslaught of corporatized industrial tourism, if we can...

I work in the backcountry documenting threatened and endangered species (35 years now). It has never been a sadder time to live in Moab as i watch the expanding circle of impacts from ignorant and/or insensitive people destroying our fragile and beautiful canyons at an exponentially increasing rate. We need immediate triage, something even Curtis Wells was publicly recognizing before his chain got jerked by his filthy rich masters, or whatever... still time for you to do good, Curtis!

I agree we need to diversify the economy, which is why i got out of tourism back in 1989 when i saw what it would do to the canyons- not to mention our town, which is more of a corporate controlled, non-resident town servicing tourists and the rich with low-wage, undocumented labor.

A town of servants to the frolicking rich is what we are becoming. Last chance to be brave and bold and take serious action to STOP THE ADVERTISING AND MOTEL OWNER driven wasting of my home town!

YOU GUYS are who we've been waiting for! Now is the moment to take the heat from the State and the poser out of town rip-off artists like Colin Fryer and just say no to more tourists!!! Not that our economy will be free of them- just higher value, with a filter, please! People don’t get to see the Sistine Chapel if they aren’t willing to follow the rules and minimize their impact. No better way to do that then by

- stopping advertising by redirecting or refusing TRT’s
- outlawing off-road rec vehicles from our town (and, ultimately, public lands!)
- CAPPING OVERNIGHT ACCOMODATIONS, the way option 5 spells out.

I personally want our small rural town back and want to go much more extreme, banning all renters and sellers of side by sides and keep them off our streets, as they are in most places, but anyone with a brain can see Moab has totally lost it in pursuit of tourist bucks.

MONEY IS THE PROBLEM. We have plenty of it, but thinly distributed in low wage jobs and siphoned off by Maverick, Hilton, et.al.
Please, keep Moab a real town, not a fake, over-run, corporate caricature of itself, like Park City, Springdale, Vail, Aspen, Telluride, Breckenridge. There is nothing like Moab. You must defend it if you want it to exist. I will be happy to see my tax dollars, lots of them, defending your decisions to defend our town. We are under assault, by the State, by SITLA, by Fryer and his ilk, by corporate accomodations and mororized recreation. Believe me, from a backcountry perspective, Moab’s tourism plague is metastasizing. We have to be bold and fight those destroying and Disnifying the experience if we want a home worth living in!
Thank you for having vision and going big!

Dan Kent
Begin forwarded message:

From: "dee gulledge' via City Council" <city-council@moabcity.org>
Subject: Option 5
Date: May 7, 2019 at 1:33:08 PM MDT
To: city-council@moabcity.org
Reply-To: deegull@icloud.com

I do not have anything enlightning to add to this educational process that has not already been said! Given the congestion of the last four weeks, I would like to encourage option number five. I Believe it is imperative that we develop a plan to improve our infrastructure before we commit to any more nightly rental accommodations of any classification. I am aware that option 5 may seem improbable and unconventional, but drastic times take drastic solutions. Make moab unconventional!

dee gulledge
1084 North Kayenta Dr.
Moab

--
You received this message because you are subscribed to the Google Groups "City Council" group.
To unsubscribe from this group and stop receiving emails from it, send an email to city-
council+unsubscribe@moabcity.org.
To post to this group, send email to city-council@moabcity.org.
To view this discussion on the web visit https://groups.google.com/a/moabcity.org/d/msgid/city-
council/1CD218AD-0467-4923-B096-5B322D5A81AD%40icloud.com.
Thank you Grand County Council, Economic Development Office staff and Grand County Planning Commission for your work in this process.
Thank you Moab City Council and the Mayor and your planning staff for your work in this process as well.
Thank you Landmark Design for professional consultation.

The April 30th workshop may have helped gain the public's perspective on future city/county overnight rental development. It may be biased considerably right now due to the heading on Option #5.

There are hundreds of additional rooms about to be started or completed soon. To me labeling option #5 as "No Growth" lead the public to perceive that option as rather radical and unreasonable. I don't think it is at all. I hope #5 option could be presented differently in the future.

I don't know how many overnight accommodation rooms will be completed soon or are already approved. However I think when we are considering option #5 it should be clarified how many additional overnight accommodation rooms are already approved and how many residential and other commercial projects are approved.

I would hope in any newly adopted land use codes the city and county councils would be required to vote on any new overnight rental or hotel development proposal and the use by right in the commercial zone for hotels and overnight accommodations is changed.

If a version of option #4 were to be adopted the northern corridor commercial development could be limited to shops and restaurants, not new overnight accommodations. We could extend the walking traffic from the current downtown all the way to the river (wouldn't that be cool?), eliminate the overnight tractor trailer parking that occurs there now, and slow the traffic down immediately south of the Colorado River bridge. (A traffic bypass is being considered by UDOT for vehicles wishing to get around our slowed traffic through town; if this happens, we can be creative.)

As well, I hope the public will be made aware of the approximate additional water use that will occur with the current approved development(overnight accommodations and residential/commercial).

Thank you all very much. I am proud to have you as my representatives as staff, elected officials and commission members.

Dennis Silva
dennissilva99@gmail.com
Can you put this into the comments folder?

Best,

Zacharia Levine
Community and Economic Development Director
Grand County, UT
435-259-1371
zlevine@grandcountyutah.net
125 E. Center St.
Moab, UT 84532

From: Nora Shepard <nshepard@moabcity.org>
Sent: Tuesday, May 7, 2019 1:23 PM
To: Zacharia Levine <zlevine@grandcountyutah.net>; David Everitt <deveritt@moabcity.org>
Subject: Fwd: Online Form Submittal: E-mail Us - Planning

I just got this today. Passing it along.

Nora Shepard, AICP
Planning Director
City of Moab
217 E. Center St.
Moab, UT 84532
(435) 259-5129

---------- Forwarded message ----------
From: noreply@civicplus.com <noreply@civicplus.com>
Date: Tue, May 7, 2019 at 12:56 PM
Subject: Online Form Submittal: E-mail Us - Planning
To: <planner@moabcity.org>, <compliance@moabcity.org>, <inspections@moabcity.org>

If you are having problems viewing this HTML email, click to view a Text version.

E-mail Us - Planning

Please type your comments on the Moab Area Land Use Plan Growth in Moab is deceptive. Our resident population is growing slowly but aspects of our economy do not follow that growth. We are experiencing a large rate of growth in short term rentals and this distorts our community in
many ways. For background we need to keep in mind the Moab General Plan which states, "While the City is growing, there is an increasing desire to keep our small-town atmosphere. The people that live here choose to reside here because of the amenities of the area. The character of Moab is also important to people looking to relocate in the area. Preserving small-town values is of the highest priority for many Moab residents, and anything that affects local neighborhoods or Moab's atmosphere has heightened importance to those who live in the community." Additionally a goal of our General Plan states, "Maintain Moab's small town character." Moab also recognizes a the need for economic sustainability by stating the elements for a good general plan which includes, "Element 2 - Environmental Sustainability Outlines the role of the City in addressing impacts on the environment and the quality of life for current and future residents." The presentation by Landmark Design noted that construction of overnight lodging continues because the demand continues to increase. Currently this is true but it is the result of a taxpayer funded drive to increase the number of visitors. Yet current experience also indicates that the growth negatively impacts our community. I have personally experienced this with stop-and-go traffic starting starting near the Potash Road when returning to Moab more than once this year. With my brother and his family we experienced a thirty minute wait time to enter Arches NP. I have exited US 191 at 500 West to avoid traffic jams on Main Street with varying levels of success. As part of this land use plan we should also consider the relationship of Moab and Grand County with Arches NP. Both of our governments should be an active partner in helping Arches NP maintain its purposes. The Organic Act for the National Park Service gives the following direction to the NPS. "The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." Anyone who has visited Arches NP multiple times over several decades cannot ignore the changes that have happened within the Park. Values such as solitude or even minimal presence of others has largely disappeared in the last twenty years. Yet we continue to advertise Delicate Arch with photographs showing no one there. Parking lots have increased in size yet parking can be difficult to find at times. Personally I would love to have kept my first experience at Arches around sixty years ago the same for current visitors. I feel we have in fact seen the opposite of "unimpaired for the enjoyment of future generations." Perhaps we cannot return to the past but we have no good reason to continue the trend away from a natural landscape to an increasingly crowded landscape. Visitors now experience traffic jams, long waiting lines to enter Arches, long wait times to get into restaurants, and crowded sidewalks. In 1958 John Kenneth Galbraith published The Affluent Society. For this long we have known that our economic growth has not resulted from the meeting of needs for survival and wellbeing but rather the satisfaction of manufactured or created needs. In our unfortunate situation we have created the desire to visit the Mighty Five, our most prominent National Parks. Our success created problems many did not anticipate. In stead of damping the process of attracting visitors we doubled down on pushing for increased tourism. We have done this with tax dollars. We have a kind of socialized tourist industry. I sense in some a feeling of powerlessness in the face of this ever increasing and impactful industry. Our local newspapers headline the problems frequently. We do not need to continue manufacturing an ever increasing level of visitation. Our community needs to bring some control to our destiny. While cannot prohibit visitors we do not need to press for ever more visitors. We are distorting our community in a single direction which makes living here more expensive and more difficult. In reviewing the options presented by Landmark Design the fifth option seems clearly the one that could stop the economic distortion towards what is likely unsustainable. The forth option with a small
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Send an e-mail to:*

( ) Mona Pompili
( ) Barry Ellison

(X)Nora Shepar

Please enter your email address.*

wyh@xmission.com

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:
http://moabcity.org/Admin/FormHistory.aspx?SID=833

The following form was submitted via your website: E-mail Us - Planning

Please type your question or comment here::

Comments on the Moab Area Land Use Plan

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I would like to send a copy of my comments on the Moab Area Land Use Plan to you and the Planning Commission. How can I do that?

Send an e-mail to:: Nora Shepard

Please enter your email address.: wyh@xmission.com

Additional Information:
Form submitted on: 5/7/2019 12:56:53 PM
Dear Moab Leaders,

My wife and I own a residential lot just north of Old City Park on Solar Terrace. Currently there is no structure on the property, but we hope to build our future home there within the next year or so. We plan to live in Moab year round, now that we are both retired. We've been visiting Moab for a number of decades (myself, since 1978) and have seen how things have changed over the years. Unfortunately, we would have to agree that in general, the changes have not been positive. We thought we should express our feelings about the future course of the city, since we are planning on being future full-time residents and will have to live with the consequences of your impending decisions for the rest of our lives.

First, when you're in a hole, the first thing to do is to stop digging. The current situation that Moab finds itself in is the result of the overwhelming success of its advertising campaign. Stop advertising southern Utah! By this point, word of mouth will continue to bring in additional visitors. Advertising just turbo charges the influx. Stop it!

Second, there should not be anymore overnight residential accommodations. Right now there are three overnight residential accommodations within a quarter mile of our future home. And this area is supposed to be residential! If someone wants to rent out their home to others, it should not be for less than three months; better yet, six months. Something of this nature could conceivably alleviate some of the housing shortages that plague seasonal workers trying to find a place to stay.

Third, there should not be anymore new hotels, RV parks, or campgrounds built in Moab. We believe a more practical approach to house the ever-increasing number of visitors is have new hotels, motels, RV parks, and campgrounds built at Crescent Junction. There is plenty of land there to accommodate this growth, unlike in Moab. This solution is a win/win approach for everyone. These newly built accommodations would still fill with the tourists that visit Moab. They would also receive additional business from people who are just passing through on I-70. Crescent Junction is close enough that people can still drive into Moab. As an additional bonus, it's even closer to Green River, Utah. This could bring additional money and business to Green River, providing economic stimulus to that town. This would alleviate some of the congestion in Moab. With new accommodations at Crescent Junction, it's a good bet that restaurants would follow suit. Again alleviating some of the congestion in Moab at dining establishments.
Furthermore, logistics might be practical that a shuttle service could be initiated between Crescent Junction and Moab, thus diminishing the necessity for visitors to drive into town. Once again, alleviating congestion.

We believe that this solution is a good fit for the community of Moab, as well as that of Green River. It would free up some housing for the residents of Moab. It would increase the accommodations for the visitors (albeit, not in town) and it will alleviate some of the congestion by creating a new hub of activity by I-70.

We hope that you give our suggestions serious consideration. Moab is a beautiful place! We shouldn't allow it to get ruined by no holds barred development. Although we can't change the past, we do have the power to change the future. Please do the right thing. Thank you!

Sincerely,

Future residents of Moab,

Peter & Cathy Panizzutti

8103 Stone Road
Independence, Ohio 44131

216 906-9304

1mtsclimb@gmail.com
To All Concerned:

I am unable to attend either of the Open Houses in order to speak on the important topics to be discussed. Hopefully there will be a large group that will be there sharing their desires for a means to slow and diversify growth in Moab and Grand County.

Growth at this breakaway pace will more than likely forever (not just the next year or five) change the lives in this region:

1) the quiet of nature (which a lot of local residents desire) is now and will be massively interrupted by the unchecked increase of motorized vehicles
2) city, county and backcountry roads and trails will be even more impacted than they are today
3) infrastructure (energy, water, sewer, garbage, etc) will be negatively impacted and require major improvements
4) lack of year-round residential housing (for year-round residents) does and will continue to deter a healthy and diversified population
5) lack of non-service industry employment contributes to #4
6) lack of benefitted, living wage positions contributes to #4
7) local schools, medical facilities, non-tourism related businesses and services will suffer from rising costs to live in Moab
8) air quality, water quality and quantity are issues to be seriously dealt with against the number of potential consumers in the valley
9) damage to the quality of life in areas that we cannot yet imagine (foresight) is on the horizon.
10) LACK OF BALANCE IS OUR DILEMMA

We as a community are heading in the wrong direction. As a tourist destination we are heading in the wrong direction. If unbridled growth is allowed to continue as it has in the last 5 years neither Moab nor Grand County will be a good place to live or recreate. We are allowing local and out of town/state corporations and developers tell us what we need, if not what WE MUST do. As hard as it will be to say “no”, “no, not now” and “no, not ever”, we as a community must begin to make choices that benefit more of the bottom line for all and not just the financial bottom line. I trust that all of you will weigh carefully the pros and cons of runaway growth in this tourist heavy economy under which we are saddled. No one wants the balloon to bust. Please decide on ways whereby the balloon can stay comfortably in the air and be appealing to all.

Carol Mayer
444 Rosetree Ln
Moab
Hello All,

I come to you as a strong advocate for affordable housing, housing solutions, protection of residential zones, as well as a fair minded business woman, an advocate for small business, a long term expert in Moab’s commercial/downtown district - especially mixed use, entrepreneurial growth, and compromise. I thank you for taking the time to consider my comments.

Has the City, County and Landmark put together the existing and entitled/vested nightly lodging units onto a map? I believe this map is vital to the conversation and I would really like to see it in a map form. I have attached a map we use in my Real Estate brokerage to educate consumers on where nightly rentals are allowed. This map is covering the nightly rental townhome complexes, not the few small homes and few small complexes that are scattered and not typically represented in our sales market.

When Grand County removed nightly lodging from the residential zones in 2008, they created an overlay for the complexes that had a majority of rentals (versus full-time residences) - these rentals started in the late 1990’s. These complexes include Rim Village, Coyote Run, Solano Vallejo, Puesta del Sol, etc. I understand the dire need to curb further lodging developments, but I find it fair compromise to allow these developments to continue with their historic zoning.

I would also like to personally encourage the allowance of the complexes in the City with current over-night lodging use (such as Moab Springs Ranch, Entrada, Cottonwoods at Williams Way, etc., in addition to the above) to have quiet enjoyment of the over-night lodging zoning as entire complexes, rather as spot-zones or grandfathered individual units. I believe the complexes should be equal rather than disparaging values from one unit to the next.

I have a personal interest in the Cottonwoods at Williams Way. My small rental business is incredibly important to me, my daughter and our future in Moab. The majority of these rental townhomes throughout the City and County are small businesses - for locals and second homeowners alike. There are so many human beings with financial plans and small businesses that would suffer from losing their businesses. I would like to remove the talk of sun-setting the grandfathered rentals from the conversation completely. It is not logical to assume that sun-setting the grandfathered units will create local housing, in reality, it will create a real estate market crash with a loss of a multitude of jobs, businesses and tax revenue.

Please make wise policy decisions that will not jeopardize our precious local control and regulation on short term rentals.

I request that this correspondence be forwarded to all City and County Planning Commission members.

With respect, Rachel Moody

Rachel Moody, Realtor, CRS, ABR, SRS
Principal Broker/Owner
From: Zacharia Levine [mailto:zlevine@grandcountyutah.net]
Sent: Friday, May 03, 2019 9:17 AM
To: Rachel Moody <rachel@moabreco.com>
Subject: FW: Approved Overnight Accommodations

You asked for info on vested development projects in the lodging sector. Let me know if you have questions after looking at the below e-mail I sent to the economic sub-consultant.

Best,

Zacharia Levine, AICP*
Community and Economic Development Director
Grand County, UT
435-259-1371
zlevine@grandcountyutah.net
www.grandcountyutah.net

*American Institute of Certified Planners (AICP)

This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system. Please note that correspondence with any government body, including Grand County Council and Staff, can be subject to disclosure under the Government Records Access and Management Act (Utah’s version of the Freedom of Information Act).

From: Zacharia Levine
Sent: Wednesday, May 1, 2019 5:26 PM
To: David Everitt <deveritt@moabcity.org>
Subject: Fwd: Approved Overnight Accommodations

Sent from my Samsung Galaxy smartphone.

-------- Original message --------
From: Zacharia Levine <zlevine@grandcountyutah.net>
Date: 4/29/19 2:03 PM (GMT-07:00)
To: Teresa Pinkal <teresa@lewisyoung.com>
Cc: JD McClanahan <jdmclanahan@grandcountyutah.net>, Kaitlin Myers <kmyers@grandcountyutah.net>
Subject: RE: Approved Overnight Accommodations

Teresa –

Take a look at the below and let me know if you are clear on it. We can talk quickly this afternoon to ensure you’re clear.

Here is the information from the Travel Council as of January 29, 2019 (inclusive of City and County, but not all vested but unfinished units):
Hotel rooms (This figure includes the HooDoo, but none of the other vested hotels within City limits) 2586
Overnight Rentals (does not include Property Management) 127
Property Management ONR 350
Guest Houses 45
Private RV Spots 787

In addition to the above, the following is true for unincorporated Grand County. You will need to consult the City of Moab to get a current snapshot of development activity within City Limits (ie. Vested but unbuilt units)

- Red Cliffs Condos – An additional 12 unit building was recently completed and a C/O granted on each unit.
  - The CED office has not signed off on STR land use permits or business licenses yet, but the owner/developer has the paperwork in-hand as of this week.. It is unclear how many units will request approval and licensure for use as STRs, but and almost all other RCC units are currently used as STRs.
- Sage Creek Condos – 108 units (under construction)
  - As with the above, it is unclear how many units will request approval and licensure for use as STRs, but the CED office expects the vast majority to submit requests.
- Rim Vista/Village – An additional 50 or so STRs will come online soon (vested, development approved and under construction in phases)
- Wyndham Wingate Hotel – 120 rooms (under construction)
- Seven Mile RV Park – 60 new RV sites (vested – application submitted)
- Kane Creek Campground – 32 new RV sites (vested – application submitted)
- Hotel adjacent to Dowd Flats RV Park – 82 rooms proposed (vested – site plan submitted but not yet approved)
- Radisson Hotel (at former Knutsons property) – 100 rooms proposed (vested – site plan submitted but not yet approved)
- Ballard RV Park expansion (Thompson Springs) – 35 RV sites (approved, under construction)

STR Helper shows that Grand County had 390 approved listings for overnight accommodations as of January 30, 2019. This does not include listings within City Limits. Our office no longer has direct access to those numbers, and we haven’t yet received a response from STR Helper or the City. Note the 390 figure is not in addition to the figures Elaine provided, which do include lodging within City Limits. You will need to speak with David Everitt, Sommar Johnston, and/or Mona Pompilli for the specific number of STRs on record within City Limits. Elaine’s figures also provide a more granular look at what types of accommodations are offered. However, neither of us have provided the number of rooms (or beds, for that matter) in each of the non-hotel/motel accommodations. For instance, one AirBnB could have 4 bedrooms and accommodate 8-10 people.

Best,

Zacharia Levine, AICP*
Community and Economic Development Director
Grand County, UT
435-259-1371
zlevine@grandcountyutah.net
Zacharia,  

I hope you are well. Can you provide the approximate number of hotel rooms that are currently approved or under construction? Also, you mentioned your software system tracks the overnight rental properties. Based on the business license data for the county, I see 231 licenses designated as short term rental, rental and overnight rental. Is this representative of the overnight accommodations that are not hotels, campsites and bed and breakfasts?  

Thank you,  
Teresa  

Teresa Pinkal  
ANALYST | LEWIS YOUNG ROBERTSON & BURNINGHAM INC.  
41 NORTH RIO GRANDE, SUITE 101, SALT LAKE CITY, UT 84101  
Office 801.596.0700
Hi

Can you add this to the list and add a news item that it was updated today?

Mark

Sent from my iPhone

Begin forwarded message:

From: R Macfarlane <robert.c.macfarlane@gmail.com>
Date: May 23, 2019 at 12:34:49 MDT
To: City Council <city-council@moabcity.org>, markv@ldi-ut.com, mayor@moabcity.org
Subject: Feedback on Nightly Rental Zoning

All,

Moab is struggling to find the right balance between tourism and townspeople and I feel your pain when I visit during peak season.

As an owner of a nightly rental in the C2 zone I want to share some perspective and encourage you to leave this downtown C2 zoning as is. The Entrada Complex on 400 North and ~600 West has been built over the past several year and was completed in 2018. The 45 units were built and marketed as units owner could enjoy and then rent out as nightly rentals. The land for the complex and the units were expensive on a per foot basis because of the rights for overnight rental that they came with.

I now want to share a true cautionary story about the state of Utah that I personally learned the last year. I am a resident of Draper and we have a terrible gravel pit that has been attempting to expand in a windy area of Draper right near hundreds of thousands of residents right in the fastest growing part of the state. Their dust is silica and is a known and well documented carcinogen and it contributes to overall poor air quality on the Wasatch Front. I worked with others residents to lobby our City Council to oppose mining expansion and to increase regulations. The City acted in 2018 and then in the latest legislative session the mining companies immediately struck back with HB288 which limited local oversight and put the power back to the state and to the mining companies. I personally fought HB288 and went to hearings and lobbied against it on health and science based reasons and we could not stop it.  [https://www.ksl.com/article/46530019/infrastructure-bill-passes-prompts-concern-among-draper-residents](https://www.ksl.com/article/46530019/infrastructure-bill-passes-prompts-concern-among-draper-residents) Draper City ended up in a weakened position because of their approach, even when facts justified their actions.
I would caution Moab to not over-reach on private property rights in C2. I think the recently built Entrada Complex is an area in particular where diminishing the zoning rights or moving it to legal non-conforming use would be readily challenged by the State. I would recommend that for the recently built Entrada complex, that you leave the C2 nightly rental rights as is.

I wish you luck in managing future growth and putting planning in place to allow Moab to grow into the current housing mix that has been created to date.

Regards,
Bob Macfarlane
801-319-0097
From: Sue Dalton <realestate.suedalton@gmail.com>
Sent: Thursday, May 23, 2019 4:51 PM
To: Zacharia Levine; jlinares@moabcity.org; city-council@moabcity.org; Grand County Council
Subject: Overnight Accommodations

Please share this will all involved in the decision making process (City and County)
Hello Everyone,

I am a concerned citizen and multiple small business owner in the Moab community. My husband and our family have been in the Moab valley for over 4 generations and we have seen a lot of change in this valley, mostly good, but some of the current proposed changes could be detrimental to citizens and small business in the future. My concern is the "taking" of private property rights. Some of the citizens of the community weren't here or don't remember when Moab was basically a drab ghost town when the uranium mines shut down. You couldn't even give away homes, business were closing and it was a pretty undesirable place. With the tourism industry, the town has flourished. The City and County benefit from the TRT and property tax and if the right to do nightly rentals is taken away, it will be a huge ding in the economy and in the tax revenue to our community. It seems like the citizens who want to stop all nightly rentals, tourism and to go back to the 1990's are people who have moved here in the last 10-15 years and now they want to shut the gates so no one else can come to Moab and build a future in a great community.

When nightly rentals were removed from the residential zones and put in commercial zone the County created an overlay for the complexes that had a majority of rentals versus full time residences. These include Rim Village, Rim Vistas, Coyote Run, Solano Vallejo, Puesta del Sol, Redcliff Condos, Southgate Villaige, Tierra Del Sol, Desert Wind, etc. in the County and Moab Springs Ranch, Entrada, Cottonwoods on Williams Way, etc in the City. I think it is only fair that these continue to be allowed to do nightly rentals along with those B&B's and current nightly rentals that are "Grandfathered" in. I am concerned about the talk of "sun-setting" the grandfathered rentals and those in complexes where nightly rentals are now allowed. People have invested in Moab with their hard earned cash. (I am not talking about the big money motels. These are individuals and families who have mortgages to pay. They bring money into the community through the TRT tax, property tax, and employing people to clean, do maintenance, electricians, plumbers, contractors, etc. I am a strong advocate for affordable housing, and housing solutions. I have 3 rentals that I lease at an affordable rate to try to help in a small way. You should not take away vested property rights from property owners and members of our community. We live in a free market society, which is one of the coveted principles that our country was founded upon. If you restrict and do away with nightly rentals I fear it will have economic impacts to our community that can not be reversed. Moab has been discovered! What is to stop people from investing in San Juan County. They will still have to go through Moab, impact traffic and our roads, use our services, but San Juan Co will get the tax benefits and the revenue. The market will correct itself. It always comes back to supply and demand...the basic economic principle. I would encourage you to tread carefully on private property rights. We don't want the state to come down and take over control of our community because you have pushed the boundary on taking away rights.

Respectfully yours,

Sue Dalton
435-260-8090, cell
NO to permitting any more overnight rentals!
Tourist crowding in Moab and the surrounding country is ruining the quality of life for us that live here.
Respectfully,
Sue deVall
259-3663
From: Sylvia Bentley <sylviaabentley@gmail.com>
Sent: Tuesday, April 23, 2019 12:28 AM
To: Grand County Council <council@grandcountyutah.net>
Subject: Thoughts on the PAD

When I think about this community, I don’t imagine it in 5 years or 10 years. I imagine it in 40 years and 50 years. That’s the unique vision that that someone in my age range can share on an issue like affordable housing. Affordable housing is one of the greatest concerns for my generation—younger people facing wage stagnation in a booming economy. It is also vital in order to have a diverse, thriving, and vibrant population of local residents. Beyond that, it secures and establishes a base and a home for community-involved and driven citizens that will keep Moab thriving, not just five or even ten years down the line, but for decades to come.

When it comes down to it, residents in the R-2 zone have the place they want to live for the rest of their lives. They have the comfort and the stability to keep things “as is” without having to reckon with the uncertain future that most people my age are reckoning with. They bought their homes when it was affordable, or they’ve had the same home in their family for generations. All of that is changing, not just in Moab, but around the United States. Young people are facing a runaway housing market. Where our parents and grandparents could buy a home and get higher education with a reasonable income, we are stacked with piles of crippling student debt. We need an $80,000 down payment just to get a foot in the door of a double wide trailer, and in the meantime, the income we earn for the labor we do hasn’t budged. It is very clear that in a destination town like Moab, we can’t rely on the free market to keep homes affordable. Affordable housing is not a welfare program for people below the poverty line. Affordable housing impacts the blue-collar working class trying to raise a family. It affects any resident in this town that is currently working three jobs and paying $1,200 a month to rent a two bed, one bath.

Moab is a destination town, but we have the unique opportunity to make it a destination not just for recreational tourists, but also for a wide range of professionals. We can attract teachers, nurses, daycare workers, artists, scientists, volunteers, students, guides, and rangers. However, first and foremost, they must have a place they can live. If Moab continues on the path it is on, its current primary residences will be bought by people with the means and become 2nd and 3rd homes. As the economy continues to drive up the price of homes and properties, more locals will sell, and more out-of-towners will buy because no one that actually lives here can afford to. The very concept of “neighborhood” that we’re all fighting to preserve will disappear. Only businesses that can afford to house their employees will have a steady workforce. And likely these employees will live “bunkhouse” style because their employers have no incentive or option to provide otherwise. These issues already exist in Moab, and doing nothing about it will also do nothing to solve it.

But, as a local born and raised in this little town, the thing that I foresee which saddens me most is the loss of community. As housing gets more and more difficult to obtain for the normal working class, the number of transient
workers will also increase. They can’t afford to live here or invest here, so they won’t. They’ll work here seasonally, and leave, as many already do. These people may care for Moab, but the backbone of our community is the citizens that have decided to make Moab their home. Moab is not their 2nd or 3rd choice for a couple of months a year, but their 1st choice year round. These are the individuals that build community, and it is community that makes Moab resilient and a wonderful place to live. It’s the community that fights for public lands, that works in non-profits, that educates our children, that starts new businesses, that enriches our lives. It is community that is intimately and fundamentally tied to a unique and remarkable place that must be protected now more than ever. Right now a large portion of that community lives in R-2 zones, but at the rate things are going, that will not always be the case.

So I urge you, if you are retired or comfortably own your home, to think about Moab in the decades to come. What will happen when your children sell your house and some Colorado Aspen neurosurgeon buys it to use a couple months a year? Will it matter then if there was a higher density overlay a few years back that built apartments—apartments that now house families and professionals? Change is inevitable. We have the opportunity to direct that change. People who love this town, who care about its future, and who are already intrinsically tied to the community, need the chance to be able to live here. Higher density is one of the ways they can be afforded that chance. They deserve the opportunity to make Moab their home just as you have done and my family did years ago. Moab has always appealed to the self-starters, the risk-takers, the prospectors, and the pioneers. But times have changed, and the people working hardest have no homestead to show for it. We have the chance to support and welcome the citizens who will make Moab their home, help stabilize a seasonal economy, and augment and foster community. But if we measure the wealth of that community by the average wealth of its citizens, we are merely selling our home to the highest bidder.

Kind Regards,

Sylvia Bentley
To Landmark Designs,

I am a born and raised Moab local, and over the years I have watched my hometown change remarkably. Notably in the last few, the amount of hotels along the 191 corridor is particularly striking. I'm writing this email to express my concern about the unprecedented growth in overnight rentals which has been temporarily suspended by the moratorium, and to express support for the "no growth" option to continue, until a more sustainable, comprehensive, and diversified economic model can be adopted.

First, I don't feel that "no growth" is an accurate description. Primarily because over 1,000 more rooms are approved to be added to the nightly rental pool. This is over a 20% increase compared to what we already have, so it's not as if the growth in the lodging sector will be stopped cold. If the council chooses to adopt a no growth model for the time being, it will be much easier to permit growth again further down the line. At this point, it seems very unclear to me how many hotel rooms Moab actually needs, and letting the free market be the sole determiner of this number and letting it play out in that way seems short-sighted. As a community, we can see where we stand after the new rooms are built, and decide the needs of the town at that point.

I firmly believe that the quantity of services in this town needs to be diversified, not only to improve the quality of life for local residents, but also for tourists visiting a town that simply cannot keep up with the demands for food, entertainment and other services. I believe that local government policy can nudge the economy towards diversification by incentivising other types of businesses. I also believe that potential developers will consider other forms of businesses once nightly rentals are taken off the table because of the economic potential of the town. So "no growth" really is a misnomer; it's more like "diversified growth."

Thank you for taking the time to read my comments and concerns.
Sylvia Bentley
Dear Advisory Committee,

I am out of town for work next week and unfortunately will not be able to attend the public workshop or advisory committee meetings.

I would like to recommend 3 water related ordinances that I hope the City and County will find useful and worth pursuing.

1. Water Efficient Landscape Ordinance. There is a model ordinance available as a starting point and San Juan County is considering adopting a version of the model for the southern Spanish valley. This model is a great start, and needs a few tweaks to ensure Performance in regards to water efficiency. I like that SJ has limited turf to 10% of landscaped area or 1,000 square feet and recommend this be included in Moab/Grand County ordinances. I am working on some additional language, based on similar ordinances in Colorado and California, that will help with making sure landscapes perform to the standard and achieve the desired outcome.

2. Low Impact Development (LID) Ordinance. LID, also known as green infrastructure (GI), uses a distributed approach to stormwater management and seeks to match sources of runoff with landscaped areas that can benefit from the water (off-setting some of the need for supplemental irrigation). The Moab General Plan contains a goal to pass such an ordinance and the City has installed a GI project at the MARC and is planning to include GI in the 100 South street improvement projects. There are many jurisdictions around the southwest and country that have this type of ordinance in place.

3. Graywater Ready Building Ordinance. All new construction should be plumbed for the option of re-using graywater for irrigation. The Southeast Utah Health Dept. has been successfully advocating for state-wide changes to the graywater code that will allow for simpler, gravity based systems to be installed. Moab City has this as a water strategy in the Sustainability Plan. There is a model ordinance from California that could be adapted to our needs.

I am available to help work on specific language for all/any of these, and am also happy to give a presentation of examples from other communities if that would be helpful. Please provide any guidance on how we may want to proceed with these.

I know water is just one of the many current issues to be discussed, and I hope that we can make some progress on this front.

Thank you,

Jeff Adams
On Tue, 23 Apr 2019 10:51:10 -0600, Jenny Hale wrote:

Advisory Committee,

We would like to invite you attend the next Advisory Committee meeting on Wednesday, May 1st from 8:30-10:30 am in the County Courthouse/Council Chambers.

The meeting will follow the Public Workshop which will be held on Tuesday, April 30, 2019 from 5:00-7:00 p.m. at the Grand Center (182 North 500 West, Moab, Utah). In addition to reviewing the materials presented at the Public Workshop—1) ordinance and zoning options, 2) local and national case studies, and 3) economic and market analyses for the local area, and 4) preliminary land use concepts (focused on overnight accommodations) for the public to provide input/feedback on—we will also be discussing what we heard from the public and seeking to determine a preferred direction.

We hope to see you all there!

Jenny

Jennifer Hale, PLA, ASLA
Landmark Design
850 South 400 West Studio 104
Salt Lake City, Utah 84101
801.474.3300
www.ldi-ut.com
Thank you Grand County Council, Economic Development Office staff and Grand County Planning Commission for your work in this process.
Thank you Moab City Council and the Mayor and your planning staff for your work in this process as well. Thank you Landmark Design for professional consultation.

The April 30th workshop may have helped gain the public's perspective on future city/county overnight rental development. It may be biased considerably right now due to the heading on Option #5.

There are hundreds of additional rooms about to be started or completed soon. To me labeling option #5 as "No Growth" lead the public to perceive that option as rather radical and unreasonable. I don't think it is at all. I hope #5 option could be presented differently in the future.

I don't know how many overnight accommodation rooms will be completed soon or are already approved. However I think when we are considering option #5 it should be clarified how many additional overnight accommodation rooms are already approved and how many residential and other commercial projects are approved.

I would hope in any newly adopted land use codes the city and county councils would be required to vote on any new overnight rental or hotel development proposal and the use by right in the commercial zone for hotels and overnight accommodations is changed.

If a version of option #4 were to be adopted the northern corridor commercial development could be limited to shops and restaurants, not new overnight accommodations. We could extend the walking traffic from the current downtown all the way to the river (wouldn't that be cool?), eliminate the overnight tractor trailer parking that occurs there now, and slow the traffic down immediately south of the Colorado River bridge. (A traffic bypass is being considered by UDOT for vehicles wishing to get around our slowed traffic through town; if this happens, we can be creative.)

As well, I hope the public will be made aware of the approximate additional water use that will occur with the current approved development(overnight accommodations and residential/commercial).

Thank you all very much. I am proud to have you as my representatives as staff, elected officials and commission members.

Dennis Silva
dennissilva99@gmail.com
Dear Landmark Design,

I am writing to emphasize my desire for no more growth in Moab!! We have hit a tipping point here, and the result is disastrous for locals, and often not so enjoyable for tourists, as well.

This is, in my opinion, the most beautiful spot in the world, and one could not expect it to stay untouched by tourism. But a threshold has been surpassed, and I am not alone in my cry for "enough is enough"!!

I have lived in Moab for over 22 years. I am raising my children here, and have been a local small business owner for 15. For most of this time, I have been madly in love with Moab and didn't want to be anywhere else. In the last year or two I have thought about leaving. The impact of the Mighty 5 campaign, the mega advertising with TRT monies & UTVs being street legal has changed the feel of this town (for most of the year).

I speak to a lot of people on a day to day basis at my boutique. People are grumbling...and it's not just locals. We have signs on the outskirts of town that say "Moab. Again and Again", but tourists are not going to return if they get stuck in traffic coming into town, pay over $250/night to stay at a sub par hotel, wait for over an hour for a meal, get gridlocked going into Arches, and then stuck in traffic again trying to leave town! So many times this year already, I've had a tourist ask me "What is going on?" (and not during an event weekend). This winter I heard from many, many tourists that they will only come to Moab in the winter now. And I spoke to many, many locals who said they only shop downtown in the winter now because navigating downtown much of the year is a nightmare. Locals have joked about not taking left hand turns during the season for years...but now it's becoming dangerous.

There are enough places for people to stay here! We don't need any more! We don't need more people with more vehicles. It's taxing our infrastructure, our traffic, our water supply, our fragile desert.... The overcrowding of Moab produces an unenjoyable experience for tourists, and a major downturn in quality of life for residents. It's loud.....almost everywhere...almost all of the time. It's crazy (I liken Moab these days to Disney world meets Mad Max). It's hard to enjoy the natural beauty and amazing hiking, with the constant hum of motors.

In addition to no more hotels, I would say that we need to use our TRT monies differently. Can we save them for a time when they might be more helpful? (Moab and social media advertises itself. The word is out. We don't need more help with advertising!) Can we use them to teach tourists about our fragile ecosystem,and to encourage them that people actually live here (and we'd like to keep it nice)? If we cap the growth at the rooms already available (plus the ones in the works), we will still get plenty of visitors. It's time to focus on the people who make up this community, while also providing a better quality experience for our guests. Packing more people and vehicles into this small community will not benefit anyone.

Thank you for your time & consideration.

~Sarah
Dear Grand County Council, Moab City Council, and Landmark Consultants,

I so appreciate the job you all do and thank you for the moratorium and for engaging with the community to figure out how to best chart the course for Moab and Spanish Valley over the next few decades!

I am writing to say that I fully support option 5, called "No Growth" in the Landmark Planning documents. I believe we have reached our limit here in Moab for hotels and nightly rentals and the signs are all around us. Not only is our infrastructure overloaded, our public lands overrun, but we are gambling on an unknown water supply in the face of climate change and predictions of long-term drought. It is the use of our limited water supply for development of overnight rentals or hotels that worries me most and it is the WATER supply that should be the primary data point that you draw on when making your decision. Do we have the water now and into the future (in the face of depleted aquifers) to support X number of flushing toilets per day, X number of loads of linens and other laundry washed per day, X number of showers per day? It seems like poor planning to build first and then find out what we can support with our aquifers later.

After water, I think you should make your decision based on the quality of life for the majority of Moab residents. The majority of whom do not see their pay go up with the increased traffic but who do see their streets overcrowded, their favorite places overrun, their neighborhood character degraded, their grocery store shelves depleted, who can't find quiet in their own backyard or even inside their house with their windows open.

If option 5 is not adopted, at least the current “use by right” zoning must be eliminated, with any future overnight rental permits only allowed by vote of the city or county councils.

Thank you for considering my comments.

Sincerely,

Amy
From: amanda wilson <amandarose05@hotmail.com>
Sent: Tuesday, May 07, 2019 12:50 PM
To: moab@ldi-ut.com; Grand County Council; city-council@moabcity.org
Subject: Moab Land Use-No Growth

I would prefer to not have much growth in Moab. I realize that is unrealistic however so very controlled growth with a focus on residents quality of life would be preferred.

Stop advertising our small town. We have enough growth without it.

Listen to your residents, not the money to be made by a few.

Amanda Wilson
1379 Arnel Lane
Moab, Ut 84532
James D. McClanahan

From: Bruce Condie <fastfossil@ureach.com>
Sent: Tuesday, March 26, 2019 6:21 PM
To: moab@ldi-ut.com
Cc: city-council@moabcity.org; Grand County Council
Subject: mORITORUM ON OVERNIGHT RENTALS

I'm writing concerning the moratorium on overnight rentals.

Moab is a small town. We've got, what, seven or eight thousand people here. We have the infrastructure for seven or eight thousand people.

We also have five to ten MILLION tourists here annually. We don't have the infrastructure for this flood of people. It doesn't take a rocket scientist to see something is wrong when there's an hour long wait to get in or out of town daily. Or when there's a two hour waiting list at every restaurant in town. Or when City Market is consistently out of basic necessities on a daily basis. Or when we're asked to fund a bigger sewage treatment plant because the poop generated here has to be hauled to Grand Junction. Or when an army of ATV's races back and forth on residential streets on some important mission.

What the hell is going on here? Are people really so greedy as to be willing to sacrifice a fine quality of life for money? The town is full.

Open your eyes. This is not a desirable situation. I would be in favor of finding a way to REDUCE the number of people coming here. The greed for money in this town is disgusting.

Bruce Condie, 1449 Murphy Lane
Mr. Levine:

Having visited your area numerous times in the past few years and having an outsiders perspective I thought I would offer you my observations:

First off Moab itself is a lovely small town with a unique vibe and friendly atmosphere that is worth trying to maintain, the surrounding area and amenities are outstanding for a wide variety of recreational types and my observation is that users generally respect each other and the natural environment and efforts should be reboubled to ensure this remains. I have noticed more unauthorized tracks and a significant number of nighttime users out in the sand flats area this year, you could use more enforcement mechanisms in this regard.

I have observed in resort towns there are a number of trends that you should try to curtail before they get too big a foothold, large corporate ownership; this trend tends to sanitize and remove locals from the culture except as food servers and "help" it also drives up prices and will ruin the character of your community. Rising prices -un-affordable accommodations, I see this beginning to happen already and has made big problems in a number of ski resort towns and perhaps you could get some ideas from those locals to avoid some of their mistakes, you may want to involve your planning and engineering staff.

I wish you the best of luck in balancing the needs of so many locals and visitors for the benefit of your community.

Bill Watson
I do not have anything enlightening to add to this educational process that has not already been said! Given the congestion of the last four weeks, I would like to encourage option number five. I believe it is imperative that we develop a plan to improve our infrastructure before we commit to any more nightly rental accommodations of any classification. I am aware that option 5 may seem improbable and unconventional, but drastic times take drastic solutions. Make Moab unconventional!

deegull
1084 North Kayenta Dr.
Moab
Dear Council Members, Planning Commission, and Landmark Planners,

I am writing as an educator, parent, and professional who has long been involved in community health to ask you to vote for very strict controls on growth (#4) or no growth (#5). The number of businesses and amount of resources devoted to people who simply pass through this area has already diffused our community culture. A town center is healthy when it's a place we can go to socialize with friends from other neighborhoods, keep track of each other's kids, and provide friendship to our elderly. Sadly, it seems that Moab has been drowning under this tourist development ideation. Our conversations used to include the concept of diversification--let's leave room for other options. It's time to build quality over quantity.

Thank you for all of your hard work and genuine efforts.

Pippa Thomas
Moab
My comment addresses the Landmark Design Project point #2: Multi-family housing, infill housing development, and redevelopment.

The Moab City Council publicly decided on March 12, 2019 to remove R2 zones from the Planned Affordable Development (PAD) proposal, which is high-density low-income housing developments within Moab city limits, while testing the viability of the concept in an area of town already zoned for higher density. This was the correct decision for them to make as it abides by the #1 Housing Goal outlined in the City of Moab General Plan: “Implement a housing strategy that meets the needs of current residents, anticipates growth in housing demand, promotes a cohesive small-town environment and supports a high quality of life. Policy 1, Action Step a. Recognize the value and character of existing residential neighborhoods and encourage compatible development/redevelopment projects with existing neighborhoods and the underlying zoning.”

My concern is that the Landmark Design Project description language stating “infill housing development” and specifically Landmark Design’s current project titled “Moab Small Area Plans” are simply the use of different words to disguise the same concept of PAD in R2 neighborhoods. I am especially concerned that Landmark is moving ahead with the development of concepts and alternatives for their Small Area Plan on the end of East Center Street with meetings including East Center Street land owners, but excluding input from the adjoining property owners on Rosetree Lane, Hillside Drive, and 400 East, all of whom will be potentially affected by high-density development of this property. In fact, every concept/alternative published by Landmark after the exclusive meeting showed ingress/egress to this development from Rosetree Lane. The alleged first choice of Center Street landowners at this meeting was one of the concepts that did not use Center Street for access to this development. The impacts on the Rosetree Lane and Hillside residents would be far greater than the impact on the Center Street residents, due to both increased traffic and the location of the development abutting Rosetree Lane residential properties.

This should be a strong consideration by Landmark Design as part their involvement in determining Moab residents’ future quality of life. R2 (zoned) residents and landowners have chosen these neighborhoods over the years and generations because they provide and preserve, via zoning laws, the characteristics of relatively low-density havens for living in a busy resort town. These characteristics include friendly neighborhoods on quiet, safe streets within walking and biking distance of the city center and workplaces, an eclectic mix of small and medium sized single family homes with room for sunny gardens, yards where kids may play, lots of green and open space, room to store our campers, river boats, ORVs and other toys off-street. This is what we chose when we bought in to these neighborhoods, and this is what we trusted the City of Moab to preserve long-term with zoning laws. Subsidized high-density low-income housing developments may be necessary for local businesses that don’t pay their employees a living wage, but R2 neighborhoods are not the place for these. Those of us who have made the long-term commitment to own homes in Moab’s R2 neighborhoods and have chosen a lifestyle that makes R2 neighborhoods affordable for us should be recognized and supported by Landmark Design and the Moab City government in all current and future land use considerations.

Sharon Hogan and Scott Escott
598 Rosetree Lane, Moab
Editor,

Not Acceptable

After attending the Town Hall Meeting held by the Moab City Council on 12/11/18 concerning the proposed Planned Affordable Development (PAD) Ordinance 2018-19, I would like to warn my friends and neighbors about the unacceptable impact the PAD ordinance could have on all neighborhoods in Moab.

The PAD attempts to provide a solution to the affordable housing shortage in Moab by allowing drastically increased density throughout R2 zoned residential neighborhoods, disregarding previous zoning restrictions and current residents’ quality of life. I use the word drastically because the PAD would allow up to 40 units per acre to be built as affordable housing. This density means 40-160 people, 40-120 vehicles, and could easily quadruple the number of people living on a single street in the neighborhoods. The height of a building with 40 units is by itself hard to visualize when it is crammed on an acre lot considering the required parking spaces, ingress/egress roads and walkways would take up at least 1/3 of the available space. Current building height and setback restrictions would not apply.

Here is a very real example. There is a 3.5 acre lot between East Center Street and Rosetree Lane that is being considered for PAD. This could be developed into 140 units, housing 200 to 400 occupants, plus their guests, with 200 to 400 vehicles. The access to this lot would be near the east ends of these two narrow streets, adding 400 to 1000 trips daily in traffic to streets that now see 20 to 100 vehicle trips in a day. The building itself would be tall enough to eliminate views and block access to sunlight for gardens and solar panels during the day for current residents. The lights from the apartments and parking lots would dominate the night in these areas, eliminating darkness. Backyard and even indoor privacy in existing residences would be compromised or eliminated.

This large lot is an extreme example of the impact of a PAD on my neighborhood. But if PADs are approved for all R2 residential neighborhoods, as the ordinance intends, many current Moab residents could be facing a similar situation. Even if it is 10 units on a ¼ acre lot or 20 units on a ½ acre lot, the impacts are predictable and proportionate. Look around your neighborhood. How many lots could be absorbed into this project? How many tall apartment buildings and how much traffic would be added to your street?

Some would call those of us who already live in these neighborhoods elitist when we protest this so-called solution to the affordable housing shortage. First of all, I wouldn’t wish life in that type of housing on anyone. How can 40 units per acre be a solution to the “crowded, undesirable living conditions” that lower income folks are supposedly living in currently? The people that assume lower wage earners are desperate enough to consider this more desirable are the true elitists. Secondly, when I purchased my home in an R2 zone, decades ago, jobs were scarce and pay was extremely low. We came here with no money and had to work hard to make it, even with lower house prices at the time. We committed for the love of the place, community and quality of life. We have seen many of our friends, co-workers and neighbors make the same commitment even as both wages and home prices rise. We got no government assistance and expected none. We have earned the right to defend this quality of life.

Very concerned,

Scott Escott, Moab
Dear Grand County Council,

Please consider these suggestions on The Moratorium and County Growth in general. Grand County citizens want to see the growth in tourism stop and stabilize. Upgrades are needed to assure a quality experience for visitors and a quality of life for residents. Our roads need an upgrade and our downtown needs a by-pass. Our National Park Service needs time to resolve overcrowding and access issues. We need more businesses to service visitors (ex. restaurants). We need housing for service workers. Until these issues are resolved it would be foolhardy to continue to expedite tourist growth. We can tweak our LUC and let zoning do some of the work for us. However, without the support and commitment of this body, that effort will likely be inadequate. I want to ask for 5 specific forms of support:

1. **Hold the Line:** Do not allow an appeals process to become a “go-around” to obtain building permits for tourist accommodations.

2. **Coordinate and Negotiate with San Juan County:** Use Grand County’s leverage to convince SJC to build more residences and less tourist accommodation. We are all in this boat together. SJC depends on Grand County for many essential services. It behooves them to consider our requests!!

3. **Start Building:** Invest in “Social Housing”. Stop trying to incentivize commercial development of affordable housing. Use income from your Assured Housing ordinance, use or sell County Real Estate. Partner with other Govt. Agencies/ Non-Profits and build. Commercial developers will never have the commitment to the community that is required to harmonize high density affordable housing with existing neighborhoods.

4. **Revise High Density Overlay:** The average housing density of New York City is 18 units/acre. San Francisco is 13/acre. Midvale, UT. (Greatest average density in Salt Lake County) is 4/acre. Our Overlay offers densities of 35 units/acre; 25 units/acre; 15 units/acre; 10 units/acre; and 5 units/acre. The sunset clause in this ordinance cites 300 units (“certified”). Since the Arroyo Crossing Project will satisfy that number, maybe it’s time for an early sundown. Metropolitan densities in this community should be restricted to affordable housing developments ONLY. Approving these densities for commercial housing developments (deed restricted or not) is a betrayal of the public trust and your responsibility to existing neighborhoods. We do need housing for our “essential workers”: teachers, law enforcement, nurses, etc. So let’s make them eligible for actual affordable housing. A waiver of the income requirements covering certain classes of workers would do the trick.

5. **Move Back to Center:** Social Justice applies to all. Balance your concerns for seasonal workers/affordable housing with concern for existing neighborhoods and year round residents.

   Maybe it’s time for an actual public referendum on the “urbanization of Grand County”. Put it on the ballot & let the people vote! Then when the special interest groups loudly protest against limits to growth, you will have a defense that cannot be shouted down.

Thank-you for your time & service to this community.

Bo & Ken Kolb

3649 Kerby Lane
Moab Area Land Use

PUBLIC OPEN HOUSE + ADDITIONAL COMMENTS VIA EMAIL – SUMMARY OF COMMENTS
Moab City Center Building

Tuesday, March 26, 2019 5:00 to 7:00 p.m.
Wednesday, March 27, 2019 11:30 a.m. to 1:30 p.m.

TOTAL IN ATTENDANCE (those who signed in): 107 (57 on 3/26; 50 on 3/27)
Total Written Comments Received at Meetings: 25
Total Written Comments Received via Email (as of April 2, 2019): 26

The purpose of the open houses was to get a sense of residents’ current concerns and desires, particularly relating to the moratorium on overnight accommodations, as well as their concerns and desires for the future. The following summarizes key ideas heard at those meetings and input submitted via comment form and email (received as of April 2, 2019).

The purpose of this document is to capture the primary themes and sentiments expressed during the open house events. If you feel like there are any omissions or mischaracterizations of comments submitted to date, we encourage you to send or call us your feedback at moab@ldi-ut.com or 801.474.3300 (ask for Mark or Jenny).

Quality of Life

General:

- Moab has experienced significant growth in recent years, especially within the lodging and tourism sector. Many characterized this trend as too much, unwanted, and/or undesirable growth, and that it had fundamentally altered the community’s character. Many suggested the Moab Area no longer feels like the place and community they valued, identified a lack of balance in the growth that has occurred, and noted different ways in which their quality of life has diminished, especially in the last three to five years. It was relayed that residents, friends, and neighbors have been moving away or making plans to do so, because of these changes.
- It was suggested that Moab and Grand County should take advantage of current opportunities to “creatively turn around the accelerating slide towards social, economic and environmental catastrophe.”
- Strong desires to slow growth (in general, and in the lodging and tourism sector) to a level where people will still want to live and recreate here was expressed, with sustainable growth” and “smart growth” being used to describe this shift.

Community Character:

- There is a great desire (and vision) for Moab to be a place that is “more than tourism” (See “What would you like Moab to be in 20 years?” section below)
• There is a desire for the Moab Area to be comprised of a diverse population; Some expressed concerns about fees/restrictions/economic conditions that might discourage or prohibit certain populations from visiting or living in the Moab Area.

Transit/Transportation:

• Traffic and congestion have increased dramatically with growth/increased tourism; specific problem areas cited by residents included:
  o The north end of town where US 191 changes from two lanes to four,
  o Recently signaled intersections,
  o Left turns in the downtown core, and
  o Parking.

These transportation trends, including infrastructure deficiencies, are seen as an impact to resident’s quality of life and as a public safety issue.

• Regional transportation planning was identified as a need, with the following considerations being highlighted:
  o Bicycle- and pedestrian-friendly roadways
  o Curb cuts and dedicated lanes
  o Special attention to Spanish Valley Drive (particularly, its speed and impact to surrounding neighborhoods)
  o Carrying capacity and level of service studies
  o Public transportation and transit
  o Travel between the future USU Moab campus and downtown, as well as multi-family housing and employment issues
  o Future bedroom community development in nearby communities such as Monticello, Green River, and Thompson

• Parking was cited as a big concern. Specific circumstances described included:
  o Inadequate parking at homes where multiple people staying overnight or living, which often results in illegal parking or blockages of adjacent neighbors, and
  o Inadequate parking for different user groups (e.g. trucks and trailers).

• A need and desire for public transportation through the Valley and to the National Parks was communicated, particularly if significant amounts of residential development occurs in the southern reaches of the Valley; Public transportation may need to be considered from nearby communities such as Monticello and Green River, if rent/housing continues to become less affordable and workforce housing shifts to those areas.

• Some identified the need for more protected bike lanes as current bicycling conditions could be viewed as unsafe. Green infrastructure for stormwater management was cited as a potential use for establishing a buffer.

• The Moab Area has developed with relatively wide residential roads, and current standards also require wide roads to be constructed in new developments. Some recommended rethinking the road design standards and considering other beneficial uses in place of some roadway width and that development costs could be reduced by reducing road construction costs and land dedicated to roads instead of other uses.
**Overcrowding:**

- Many expressed the ratio of hotels, short-term rentals, and other overnight accommodations to permanent residences as severely unbalanced (too many overnight accommodations); They suggested that the current supply of accommodations is sufficient and wanted to see a limit put on building additional accommodations in favor of, or in addition to, putting more attention towards the needs of Moab residents.
- It was suggested that different overnight accommodations should be treated differently (e.g. hotels vs. RV campgrounds). One person mentioned there were not enough places to accommodate RVs in Moab. Others suggested that “out-of-town” owners/developers should be held to different development standards than “local” owners/developers. Yet another individual feels like City/County to treat nightly condos projects differently than hotel projects, citing that condos have greater opportunity to be more sustainable (use less water, hire local property management companies, etc).
- Multiple individuals reported anecdotes from tourists/visitors that overcrowding in Moab negatively impacted their experience and may not or will not return, with one of those individuals saying that a recent guest at their condo/rental said, “This is a great place you have here, but there are too many people. We may or may not come back.”
- A sentiment of special event fatigue was expressed. Many feel the number and size of events occurring in Moab has increased, and the season for events taking place has extended. They expressed a desire:
  - To see fewer events permitted,
  - Additional restrictions placed on events, and
  - Periods of time restricted from events, such as a certain number of no-event weekends even during peak seasons.
- The proposed Arches National Park reservation system was identified as a potentially beneficial change for slowing visitation.

**Noise:**

- Noise from UTVs and other motorized off-road vehicles was identified as another major concern. One resident stated, “City residents aren’t allowed to have roosters, yet UTVs are allowed at all hours of the day.”

**Environmental Impacts**

**Water:**

- Many expressed concern about having adequate water, especially with the amount of development/growth occurring; They expressed a desire to see greater coordination with San Juan County over this issue.
- Water consumption by tourists was specifically raised as a concern; Possible solutions offered were using water tokens to set limitations on time/amount of water consumed and regulating the size of pools that hotels can build.
- Others expressed that development/current activities/land use practices (grazing) impact the water sources and should be considered when planning for the future (e.g. the “dust on snow”
phenomenon is changing the hydrology of the Colorado River); It was mentioned that these activities also impact the local soils and that soil is also a non-renewable resource.

Landscape:

- It was noted that dispersed camping is taking a toll on the environment. Commenters suggested that overuse of the landscape is occurring, and questioned what the carrying capacity of the land. It was suggested that conversations between the local government and state/federal entities need to happen to minimize these impacts and come up with a solution.
- A feeling was expressed that public lands also have a “carrying capacity” and can’t take the current amount of people/use. For example, adding a second access point into and out of Arches NP might address traffic and auto congestion, but it does not increase the land’s carrying capacity.
- UTVs and other motorized off-road vehicles were reported to have greatly increased and encroached in both natural and residential areas the last few years. Commenters noted that the desert is delicate, and expressed concerns that the level of disturbance occurring could cause about “dust bowl” conditions.

Air Quality: Some communicated their experiences with and concerns about worsening air quality caused by grazing, development, and touristic activities in the area. They suggested the City and County need to record/track/mitigate before it becomes a bigger problem.

Light Pollution: Residents communicated a strong desire to protect dark skies in the area. They expressed concern about the impacts of development in San Juan County to the night sky and desire to see coordination between Grand and San Juan counties on the effort.

Wildlife Habitat: Reminders were expressed regarding the need to think about the impacts of development/tourism on wildlife and wildlife habitat.

Visitor Education: Many brought up a need, and potential, for spending less money on marketing/advertising Moab as a destination and spending more money on visitor education (e.g. how to limit impacts on and provide care for the area’s unique environment).

Regulation/Local Government/Planning

- Feelings were relayed that local government has not exercised enough will power in denying unwanted development or enforcing regulations on-the-books, and that up-zoning has occurred too often. The need to support local government officials as they make efforts to mitigate some of the “damage to our community” was also communicated.
- Many expressed a desire to see more regulation/controls put into place that would give elected officials far more discretion in determining which projects get approved and constructed, rather than “pre-approved” or “use by right” zoning that currently exists in commercial areas.
- Some observed that a lot of new construction has been/is out of scale for the town; In lieu of large hotels, commenters recommended only allowing smaller-scale hotels, inns or B&B’s and possibly requiring them to have street-level retail or restaurants and adjoining workforce housing.
There was a desire by some to see zoning regulations in the City of Moab overhauled, specifically: consistency in height calculations, measuring setbacks and clarity in hillside development regulations.

Some would like to see tiny homes allowed in residential housing areas, with a tiny home specific building code being instituted to make these a compatible use/viable housing option.

There was a strong desire expressed for a permanent or lengthened moratorium to stop or slow down growth. Another common sentiment was the desire to limit the number of overnight accommodation units allowed.

Many felt like development has happened without much thought to planning for the future or what residents want Moab to be. There was expressed that zoning could be a way to choose what you wanted What is the end in mind? Do we want unlimited tourist growth or do we want to be sustainable? If you don’t build it, they won’t come. Zoning seems the best way to do that

Many residents commented on the need for more regulation in the future. Specific concerns/ideas suggested included:

- **Design**: Create design guidelines or other mechanisms to give new construction a direction that cohesive and thoughtful.
- **Viewsheds**: Look closely at implementing set backs and height restrictions to preserve valuable views of the canyon rims.
- **“Old Town”**: Create an overlay that helps preserve the sense of history and place of Moab.
- **Open Space**: As the area densifies, acquire open/green space acquired. There is currently a need for more pocket parks and community gathering spaces and open/green space could be mandated in new developments.
- **Trails**: Require new developments to provide easements and connections for/to a non-motorized trails.
- **Sustainable Architecture**: Require new construction to incorporate passive solar construction.
- **Sustainable Practices**: Require low flush toilets and showers in all new and existing overnight accommodations; Require hotels and retail businesses to recycle.
- **Vegetation/Soil Disturbance**: Require a restoration plan for the disturbance of any soils or vegetation.
- **Noise**: Implement noise requirements on all roads and investigate implementing a no UTVs or noisy motorcycles policy on city streets.
- **Parking**: Require adequate on-site parking for recreational vehicles/trailers for all overnight accommodations.

There was a desire expressed to see incentives and more flexibility for desired uses and less incentives and flexibility for undesired uses (e.g. tourism-related businesses). It was suggested that new hotels could be required to include street-level retail or restaurant space.

One individual expressed that County high density residential overlays don’t work in agricultural and existing residential areas and that existing road infrastructure cannot handle the increase in population.

Some feel like the State and locals define a good “quality of life” differently and expressed a concern that State laws could potentially limit options that might work best for the Moab area.
• One individual expressed a feeling that landlords in the area need to be held more accountable; Conversely, another individual expressed a feeling that there are good landlords out there (nightly rental, specifically) and that these good landlords get “punished” with additional requirements and fees because of the actions of others.

• A concern was expressed that if stricter restrictions occur in Grand County, developers will shift their attention to San Juan County. The amount of potential growth in San Juan County frightens some, particularly because San Juan County currently relies on Grand County for its emergency and sanitation services, and there was a desire expressed to see cooperation/planning between the two counties. One individual suggested that certain requirements could be required if/when development San Juan County is allowed to be serviced by Grand County Water and Sewer services, for example: the implementation of dark sky ordinance, lot size/density restrictions, limitation on large scale development and other commercial enterprises that don’t match the Grand County’s vision.

• One individual expressed a desire for Grand County and Moab to work together/function as one “greater Moab area city-county”. They suggested that Grand County annex into Moab (south of Moab to the County line).

• Several individuals articulated the likelihood that an economic slowdown is likely to come. One individual mentioned that the City/County should use any downturn to catch up and get significant planning completed.

Overnight Accommodations/Higher Density in Existing Residential Neighborhoods
Varied concerns and opinions were expressed regarding overnight accommodations in residential areas, including the following:

• Allow nightly rental and/or higher density developments in existing residential areas (R-2 zones) causes conflicts; Zoning has been too easily changed on a property by property basis in the past and they would like to zoning be used and enforced to protect existing residential neighborhoods.

• R-3 zones are already mixed-use zones; Overnight/short term rentals should be considered in those zones.

• Rather than outright ban, provide less restrictions on short-term rentals in residential areas; For example, consider limiting the number of weeks or times a year that a home can rented out (Telluride and Austin have both done that).

Economy

• Many expressed a desire for greater local ownership or a direct benefit from tourism to the local community, rather than large corporate/“chain” businesses. Many feel like these large corporate businesses don’t offer fair wages or support the local community (e.g. donations of time/money) and that these large, national chain hotels are “irreparably altering” the physical character and sense of community in the Moab area. One individual expressed the desire to see any resident be able to open up a B&B with profits coming back into the community/to local residents rather than the profit to go to large chain hotels, and another suggested that permits to build new overnight accommodations only to be issued to people who live in the Moab area.
• There is a strong desire to diversify the types of businesses and economy in the Moab area, with a belief that this could help lower the area’s vulnerability during an economic recession.

• There was also a strong feeling that making money/a profit currently seems more important than other pressing issues, such as overcrowding, caring for local/natural resources, etc.; Specifically, there was disappointment expressed that the decision to implement reservation system at Arches—that is anticipated to solve some of the overcrowding/overuse issues—was put on hold because of concerns about the impact to local revenue. One individual put it this way, “Greed is not a planning tool and has reigned supreme in the last several decades.”

• Many feel like space for new commercial enterprises is very limited and that skyrocketing land prices have shut out desirable small entrepreneurial/creative/non-profit opportunities. With every hotel that comes in, they feel like valuable space for other needs disappears and, therefore, would like to see less hotels and more opportunities for other types of businesses.

• Several questions or ideas relating to assessing additional taxes/fees to control or manage unwanted overnight accommodations were expressed, including:
  o Can a local fee be assessed in addition to the state tourism tax?; Are there any additional taxes/impact fees to pay for the tourism-related impacts that could be used to improve conditions in community (for example, improve salaries for teachers, police officers, etc.)?
  o Do timeshares pay transient room tax?
  o Can hotel owners be assessed an additional fee/tax to mitigate for visitor/tourism impacts to infrastructure, EMS services, law enforcement, etc.? Can they be required to “give back” to the town in such ways as affordable housing, education/environmental stewardship programs, and assisting vulnerable populations?

• A few commenters talked of property taxes have increased dramatically for commercial properties. They feel that the increase to property taxes makes it harder to build a successful/profitable business.

• There was a strong desire for advertising of the area to either be stopped entirely or put on hold. One individual felt like advertising should at least be truthful/accurate and, in doing so, would say something like, “Come to Moab to wait in line and hear noise of Razors”. Others expressed a desire to see funding from advertisements promoting tourism shift to educating visitors on how to recreate responsibly/take better care of the land.

• One local business owner felt like as tourism has increased and hotel prices have gone up, there doesn’t seem to be a proportional increase in revenue for local retail businesses.

• Many feel that local businesses are overwhelmed by the amount of tourists, with specific examples including restaurants having long (2 hour) wait times at dinnertime and City Market not being able to keep the basic necessities stocked on their shelves.

**Housing**

• There was some support for higher density expressed, if that density was used for housing local residents.

• One individual mentioned that they would rather see affordable housing dispersed around town, than the south end of town grow.
• Many recognized that affordable housing and limited growth can’t happen without higher density. One individual mentioned that a conflict of desires exists in the area with many residents wanting to see more affordable housing, but not wanting that housing in their own “backyard”.

• A desire was expressed for impact fees waived for affordable housing.

• Several individuals mentioned that they would like to see employers provide housing for their employees. They related that there are many people living out of cars to survive/make ends meet and then they get fined for doing it. There is a great desire for change and solutions to this issue/problem, with one individual suggesting the provision of safe places for temporary workers to park and camp if they unable to afford housing.

• There was optimism expressed regarding the housing that is planned adjacent to the future USU campus. They relayed that there will be both student housing as well as housing for the larger community.

• There was also a fear expressed that some affordable housing is being acquired and flipped (sold at market-rate prices) to make a profit; This situation was specifically linked to those getting help from the Self-Help Housing program, a federal assistance program.

• Some expressed a feeling that the lack of residential housing for year-round residents deters a healthy and diversified population.

**Employment**

• There is an overwhelming agreement that tourism-related jobs do not pay enough for employees to find adequate housing in the area and many feel like their employers should be required to provide affordable housing options for their employees. One individual mentioned that they would like to see a minimum wage increase in Moab to help solve this issue.

• Many see the lack of affordable housing as a deterrent to attracting labor, high skill labor and essential services (teachers, police, nurses, etc.) in particular.

• There was an expression of not enough employees on multiple levels, with some feeling like the number of hotels are putting a strain on the overall available workforce in the area and others citing that employed people have to work long hours because there aren’t enough employees.

**Growth**

• There was expression by a fair amount of people that people live off of tourism in Moab. Some individuals felt like you can’t stop growth from happening and others that believe that market will monitor itself (e.g. developers won’t invest/build in an oversaturated market)

• A few individuals feel like a greater demand for hotels is a good sign and is much better than the lean times that used to exist with the feeling that that any new hotels should be allowed in the downtown and in commercial areas.

• One individual mentioned that Arches could open up the other end of the park to help facilitate the number of visitors they get, rather than limit/require reservations.
Re: This Planning Process

- One individual expressed the desire for the City/County to invite developers and pro-development residents to the table and get their input on the moratorium.
- Another individual thought it was important for the project team to reach out to the younger people working here, specifically those who want to stay and live here, but are currently working multiple jobs.
- One individual was overwhelmed by the amount of conflicting desires/needs in the community. When they asked “How are we going to solve it?” the Mayor of Moab responded that it wasn’t going to be solved from the top down, but that the community will solve it together.

Examples to Consider

There was a strong desire to look for possible solutions—specifically, smart and slow growth strategies—both inside and outside of the State of Utah. Specific places mentioned include:

- **Ashville, NC**: Limited nightly rentals/hotels
- **Telluride**: Stopped development and the town still continued to thrive
- **Gatlinburg, TN (Gateway to the Smoky Mountains)**: Engaged with state representatives to get things resolved
- **Park City, Dot Creek (Cedar City) and Kayenta & Ivins (St. George area)**: Potential local examples to look at

What would you like Moab to be in 20 years?

During one of the open house sessions the question “What would you like Moab to be in 20 years?” was asked. The following answers were vocalized in that meeting and comments received after.

- A walkable community
- A family-centered community with younger people/young families; One that isn’t dominated by tourists
- A place that is safe to bike
- A diverse economy; Employment opportunities for different skill sets
- More remote/tech employment opportunities
- Opportunities to build local businesses
- Improved internet/co-working spaces
- A constructed USU campus (more students and faculty)
- Well-funded schools and EM services; A hospital
- Improved road infrastructure
- Better law enforcement (enough to match the number tourists that come here)
- A place people want to live (not a strip of businesses like Las Vegas)
- Have a balance of hotel rooms with residential
- A focus on the natural world rather than restaurants, hotels, services, etc. (this may require charging more/would have an impact on affordability to the tourist)
- Parking lots or garages at both ends of town—to get people parked/out of their cars and create a more walking centered community
• Denser housing near downtown
• Narrower streets
• Permaculture/urban gardening opportunities; Restaurants that compost their food waste
• Public transit along Hwy 191 and to Arches; Also along Mill Creek Drive and Spanish Valley Drive
• More green infrastructure to mitigate flooding and overwhelming heat during the summer months
• Affordable; Livable; Diverse; Cooperative
Summary of Stakeholder Comments Provided in Focus Group Meetings Held April 8-11, April 30, and May 6, 2019

Facilitator: Zacharia Levine, Grand County Community and Economic Development Director

Comments provided by clients and staff of the Moab Valley Multicultural Center (MVMC): Service workers, business owners, staff

- “When I moved here 23 years ago, nothing was open November through March. It was hard if you didn’t save your money, but it was quiet.”
- “There are 10,000 people living here, but we all work two or more jobs; it is like we need a 20,000 person or larger community to fill the workforce needs. Our workers are stressed.”
- Moab needs more housing opportunities.
  - “Nothing is available, and it is very difficult for non-native speakers to be accepted in rental housing. I know so many families that are living four, even five, families in a single trailer.”
  - “Can the City and County incentivize more ADU development?”
- Overcrowding, due to the lack of supply (and perhaps even more than cost) of housing, is a huge and common problem. It leads to all sorts of other community challenges, and I am especially concerned about its effects on children.”
  - Overcrowding negatively affects family life
  - Overcrowding leads to a loss in privacy, often times sanitation issues, and prevents children from having routines.
  - “It creates chaos in the household. Kids can’t thrive in chaos.”
  - “Because of crime, abuse, and natural disasters (e.g. fire) stemming from overcrowding, more and more of our ‘clients’ are living in their vehicles (or on people’s floors) for increasingly extended periods of time. It used to be a few weeks to a month; it is now, on average, six months.”
    - “This is severely affecting people’s kids. This is the most heartbreaking part of our housing crisis.”
    - “When a family is displaced and living in their car or on another family’s couch, where do the kids sleep? They don’t have beds.”
- The lack of housing in Moab is causing displacement of residents and preventing people who want to move and work here from staying.
  - “Moab has a lot of jobs. People from all over want to come here and work. But, they get here and cannot stay. I am about to lose two employees next week because they cannot find housing.”
  - “I know many people who are leaving Moab because they can’t find housing. These are good people who work hard.”
  - “We have too many jobs and not enough housing.”
  - Many Native American individuals and families have tried to come to Moab, live and work here, but have not been able to stay. Many struggle with the cultural differences, job challenges, and housing.
• Most people who leave go to larger employment markets with easier/cheaper housing, especially in Colorado. Only a small number move to surrounding areas in the region and commute.
  o “We don’t like to commute because it is a legal concern. Some people cannot drive due to their immigration status. Others are fearful even if they can drive.”
  o It was noted that if workforce housing is primarily built in the southern stretches of Spanish Valley, the City and County really need to have public transit because many service workers will not or cannot drive.
• Because of the jobs-housing imbalance and the competition among employers for a limited supply of employees, some service sector workers are making much higher wages now.
  o “Some housekeepers are now making $20/hr. But, only the bigger companies can pay those wages, so it is negatively impacting the smaller, family-owned businesses.”
  o “Because the bigger hotels can pay higher wages, seasonal workers have much less loyalty to their employers. I have a huge problem because of seasonal employee turnover.”
    ▪ There is tension between long-time residents/workers who care about their employers and their community and short-term/seasonal workers who have little loyalty or concern for Moab.
    ▪ “I see work ethics going down because employees know they can find work with other employers if needed.”
  o “I like the higher wages, of course, but I prefer tranquility and comfortable working environments. I don’t want to chase the dollar. I want to work hard, have a comfortable life, and a peaceful neighborhood.”
• Landlord treatment of non-native speakers can be (and often is) terrible.
  o Simply getting information from landlords/property managers is challenging. They don’t return phone calls or respond to inquiries, even when MVMC staff is serving as the point of contact.
  o Basic transactions, including rental application processing, is super challenging.
  o For residents without immigration status, finding rental housing is nearly impossible.
    ▪ Participants really like the Walnut Ln development idea being led by the City of Moab, but have concerns about documentation requirements
• When asked what the participants liked about Moab, the following qualities were identified
  o Small town feel
  o Relatively low crime rates
  o Acceptance of different cultures and languages
  o Relatively little emphasis on immigration status – a feeling of safety and acceptance
  o Easy to commute/not a lot of driving needed to get to work
• When asked about their general sentiments of growth and what they wanted to see in Moab, participants said:
  o “No more hotels!”
  o “We should not grow any further until our city systems can handle more growth.”
  o “I am most concerned about crime. If we grow, I don’t want Moab to have more crime. We need to work towards tranquility.”
“Are we prepared to keep crime down as Moab’s visitation grows? Especially crime from tourists towards residents, and also tourists towards the environment.”
  - “We need more child care in Moab. How can the City and County incentivize more child care, financially and otherwise?”
  - “We need to help small businesses.”
  - “Teenagers need safe spaces.”
  - “Residents need more public spaces. Can the City help to make the land outside the MVMC more like a public plaza

Comments provided by citizens at the local Veterans Affairs: Six veterans who have lived in Moab for between 30 and 72 years

- “It is a shame that we did not, and are not, capping growth.”
- “I don’t have a problem with the number of people who are here...I think it’s great...but we should be screaming locally and at UDOT to get the traffic fixed. We have so many infrastructure issues that need to be solved given how many people are now living here and visiting.”
- “We don’t have nearly enough housing. Low-income, affordable housing. Every administration has talked about housing...housing, housing, housing...but they haven’t done anything about it.”
- “Rotary Park is amazing. I love it. Kudos to the City for taking care of Rotary Park.”
- “We don’t want to see any more hotels. We’re ok with more housing if it is affordable.”
- “We need more stores that sell what locals need. We all go to Grand Junction at least once a month. We buy everything we need, have a nice lunch, and fill up on gas. That’s it. This town used to have stores that sold stuff people need on a daily basis. Now, it’s all for tourists.”
- “Food prices here are a rip-off. Everyone in this town is chasing a buck. There is way too much greed.”
- “We need to invest in public services. We need a full-time fire department. New development should be paying more for our public services – they should be buying things like new fire trucks.”
- “Hotels need to pay more for infrastructure and services.”
- “We should incentivize small, locally-owned businesses, especially those focused on locals.”
- Should the City or County approve more hotels?
  - The unanimous answer was no. However, the group said this shouldn’t be the case forever. It is possible that in the future, with a more balanced community system, that additional lodging and visitation growth could be welcomed.
- Many participants criticized the prioritization of community projects and policies, especially within the municipal budget. References were made to excessive salaries and dollars going to things other than critical infrastructure needs.
- All participants expressed a strong interest in bringing back long-running community events such as the State Fair. A comment was made that the City should not evaluate long-running community parades such as the Homecoming Parade on the basis of cost when it allows other events oriented towards tourists to occur and create community impacts. Many participants lamented the loss of community events and the growth of events for tourists.
“We need more focus on residents. The City and County commissioners need to stop focusing on the dollar. It’s greed. They need to focus on residents.”

“New hotels should be required to have restaurants. I’m sick and tired of having to compete for a seat in our restaurants.”

“I commend you for coming to talk with us. No one has ever done that before. We don’t go to public meetings because they are hard for us. Thank you for coming here. I hope someone does this again.”

Comments provided by high school students: 9th and 12th grade (~15 students selected by teacher/principal)

- Some students reported that they walk downtown because they don’t have cars and have few other options for leisure, although they reported mixed views of the business and attractiveness of downtown. Other students said they avoid downtown at all cost because the activity and traffic levels are too intense.
- Students expressed appreciation for Swanny City Park and Rotary Park.
- Students suggested that restaurants were too busy and too expensive.
  - “Moab needs more restaurants. Tourists need to sleep, but they also need to eat.”
- Students expressed a desire for more night life activity for young adults and more free common areas, such as public plazas.
- “There are too many hotels, and they keep building more. I don’t like it.”
- “Hotels are allowed to be built in the wrong places. For example, the new hotel downtown across from Arches Thai could have been housing and small shops for locals.”
- “We have to travel to Grand Junction for a lot of the things we need to buy because most of our shops are only for tourists.”
- The amount of water hotels use is crazy.”
- “The City and County need to invest in Main St. We need to prevent back-ups at Arches National Park. We need better infrastructure.”
- Students noted that hotels continue to be built but there aren’t enough people to work at them. The people who do work at them earn relatively low wages.
- Students reported a desire to see more locally owned shops because they support the Moab community (and larger corporate companies do not).
- Graduating seniors in the group indicated that they couldn’t stay in Moab long-term because there aren’t any higher paying jobs and it is expensive to live in Moab. The wages are too low and the only options are in tourism and service sectors.
- With respect to design or form-based elements of new hotel construction, students suggested the following:
  - No more big block and huge hotels (structural form and scale)
  - New hotels should blend in with landscape (structural form, materials, colors)
  - “Hotels shouldn’t be an eyesore, like the Wyndham hotel under construction”
• Hotels should be required to put in underground parking to keep the ground level better for people walking and biking
• Hotels should have to invest in the Moab community

• Students suggested the City needs better biking infrastructure
• Students liked the idea of mixed-use development in the City, so long as adequate parking or minimal traffic was included. Students communicated the need for smaller living spaces for single people.
• Students talked a lot about “community vibe” or community character
  o Special events influence community vibe. Some events (e.g. car show, arts festival, music festival) enhance community vibe. Others detract from it (e.g. competitive sporting events).
    ▪ Students expressed a desire to see the City and County exercise more discretion in special event approvals. “We should be much more selective.”
    ▪ “How do we keep events that start out for locals geared towards locals, such as the summer concert series? It seems that over time events just become about tourists.”
  o Students expressed a desire to see more cultural and ethnic diversity in Moab and Moab’s special events, but noted that cost of living was a barrier to achieving this goal.
  o Hotels change the character of Moab. They privatize space and create a divide between visitors and residents.
    ▪ “Hotels change the vibe of town because the space within them is not for anyone except their guests. The general public is not allowed. Each new hotel means more space that is unavailable to residents.”
  o “We feel disconnected from the town because our community and economy are so oriented towards tourists. As it grows...as more hotels are built and more tourists visit...Moab feels less like home and more like other people’s playground. We need to prioritize the feeling of home. People working 2-3 jobs don’t have the time, energy, or resources to attend local events or community gatherings even if they want to.”

Comments provided by middle school students: 7th grade (6 students selected by principal)

• When asked about their general perceptions of Moab, students said,
  o “There is not much to do in Moab for teenagers/young people because all the activities are for tourists. They are expensive and not for us.”
  o “We need public transportation so it is easier for us to get around. Traffic is so terrible that we can’t even complete our daily tasks. Parking is terrible.”
  o The students communicated that Moab’s scenery is beautiful, but it is not enough to satisfy their needs for extracurricular activities, or to balance out the cost of living in the area.
  o “Moab is for tourists. We need to fortify our town and invest in it for locals.”
  o “There aren’t enough workers because people are leaving Moab since it is a tourist town and too expensive.”
  o Students agreed there are not enough restaurants in Moab
• “We want more open space with shade. We love the Moab Parkway.”
• “We need more hangout places.”
- The students expressed a desire to have the ability/option to work. Some wanted to work in order to have spending money, others wanted to be able to support their families.”
- Students communicated a desire to see dark skies protected.
- When asked about their opinions of increased density and development in the downtown area, student responses were:
  o “We’re not into seeing taller buildings if they block our views of the canyon walls.”
  o Students suggested that visitors come to Moab for the scenery and landscapes, so building a downtown that is similar to the urbanized areas from which people come diminished Moab’s attractiveness/uniqueness. They also suggested that Moab’s scenery is integral to its community character and identity.
    ▪ “Scenery is Moab. If we take away the scenery, we take away Moab.”
- When asked about the ways Moab is changing over time and development trends in general, students said,
  o “Growth is good, but we need to dial it back because our small town cannot handle it. We don’t have enough people and our infrastructure is old.”
  o “We think Moab is too much for the tourists.”
  o Students suggested that Moab/Grand need to fix all the potholes around town if we are to grown.
  o “We just need to slow down.”
  o “Moab is expensive for visitors and residents, but visitors have so much more money than us.”
  o “The RV parks are low quality.”
  o “You can’t thrive, or even survive, in Moab. We want to work in order to save money so we can move elsewhere.”
  o “Moab is a trap. People can’t make enough money to live here, or enough to leave.”
  o “Growing up in a tourist town, you learn to hate it. I don’t want to live in a tourist town.”
  o “A lot of my friends have had to leave because it’s too expensive for their families to stay here.”
  o “Growing up in Moab, you become so aware of costs. Cost of housing, cost of food, and cost of clothing...everything. When I think of other places I might live someday, I mostly think about their costs of living.”
  o “We can’t stand what Moab is becoming. If you didn’t buy land a long time ago, or have land passed down from your grandparents, it’s impossible to live here.”
- Regarding downtown Moab and Main St., a student said, “We like Main St. because of all the small shops, especially the local shops. We like a small town feel.”
  o “We don’t want a Wal-Mart because that will destroy our small, local shops.”
  o “Everything here is low-quality and underdeveloped, but way over-priced.”
  o “We need more local shops. More services and shops for locals. Less corporate.”
    ▪ “We like places like KZMU, Wabi Sabi, Moonflower, Wicked Brew, and The Rave’n Image.”
    ▪ “We need more clothing and appliance stores that locals can afford.”
Students had many recommendations for how Moab and Grand should prioritize policies and budgets (in addition to what was noted above)
  o In relation to their desires for space that is oriented to young people and the ability to work, students suggested the City and County support the creation of a “Kid-café,” which has comfortable seating/hang-out space, creative space, food/drink options, etc. The “Kid-café” should be within walking distance of the schools
  o “We need to capitalize on our small town, homely feel.”
  o “We should emphasize quality over quantity.”
    ▪ Fewer and smaller hotels, and AirBnBs/Bed and Breakfasts, would do a better job of giving tourists a close-up look at local culture than big box hotels
  o Students’ top solutions included:
    ▪ Affordable housing
    ▪ Slowing down growth
    ▪ Creating entertainment for kids
    ▪ Improving roads
    ▪ Allowing fewer hotels
    ▪ Creating more and different job opportunities (esp. for young people)

Comments provided by local business owners: retail, restaurant, outfitter, professional services, real estate, hotel/hospitality, general development

Focus Group 1: Broker, Restaurateur, Hotel Owner

- There will be increased interest in developing hotels in Moab/Grand County because it is so easy to develop hotels here. The hotel development industry knows this – our zoning regulations are minimal and impact fees hardly reflect the real costs of impacts. Customer demand will increase, which may justify more hotel/motel rooms. However, occupancy rates will probably fall yet hotel developers will still try to build.
  o The City and County should require more from hotel developers in terms of form (not just finish).
- Participants communicated a willingness/acceptance of growth management policies, such as capping the amount of new lodging development that approved each year.
  o “Slower growth could be good in order to let us catch-up in areas like housing and infrastructure.”
  o “We can’t stop growth, but we need more control over it.”
- Growth is very much a function of marketing and advertising Moab, and that needs to be addressed
  o “We are at a point where maybe we do need to stop advertising. We can’t handle any more tourists. We’re at capacity, for now at least.”
- Moab does not have enough restaurants. When visitors come here and need to wait 1-2 hours for mid-grade restaurants, that negatively impacts their experience.
- Moab does not have enough retail space, restaurant space, medical office space, or places for mechanics shops that serve both residents and tourists, such as ATV/UTV/bike shops. One local
A real estate broker indicated that small business entrepreneurs represent very little, if any, of their client base now because it is so difficult to find space for new start-ups.

- Entrepreneurs need space!

- **Some areas that deserve attention as potential mixed-use development nodes include:**
  - West end of Center St.
  - 400 North and 500 West
  - East Center St. and 400 East
  - Mill Creek Dr. and 400 East
  - Mill Creek Dr. and Powerhouse Ln.
  - 100 South and 100 East

- **Many hotels are reporting flat or diminished occupancy and/or revenue in 2018 and a slow start to the 2019 season.**

- **Nightly rental owners have seen diminishing returns since 2016/’17**

- **Most, if not all, employers are struggling with employee attraction and retention.** Employee housing is an area where the City and County need to continue focusing efforts.
  - A local broker suggested the County’s housing policy efforts will begin to pay big dividends in the coming years.
    - *The news and early indicators (e.g. road construction) of USU Moab coming online is increasing interest in multi-family development because developers see a solution to having multiple months of vacancy that results from seasonal employment*
  - Employees are stressed out. As a result, they are more likely to provide poor customer service.
    - Some larger employers are paying better wages and even providing benefits, but that is not easy for most of the smaller employers in Moab

- **The City and County need to invest in more alternative transportation infrastructure**

- **The County should protect the mixed-use development potential around Spanish Trail Rd and US 191 as well as Resource Blvd. and Spanish Valley Dr.**

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**Focus Group 2: Retailers (tourist and non-tourist specific), Brokers, Restaurateurs, Professional Services; Outfitters**

- **Communities that Landmark should study: Jackons, WY; Stapleton, CO; Bentonville AR**

- **In the public domain, negative comments greatly outnumber positive comments regarding tourism development.** Even though some people may support tourism development, they don’t speak out as much.

- **The nexus between housing availability/affordability and employee attraction/retention is resulting in significantly diminished customer service and customer experience**

- **Moab now has a nationwide reputation of what NOT to become...what to avoid**

- **Business representatives are interested in diverting a greater proportion of tourist dollars to quality of life infrastructure and amenities, including housing.**
  - TRT conversation but also other sources.
• A lot of privately held land is undeveloped and/or underdeveloped. What can the City and County do to incentivized necessary and beneficial development on such lands.
• All participants strongly agreed that Moab/Grand County do not need additional lodging.
  o However, more commercial development is needed because the pressure on a limited number of businesses is resulting in poor customer service.
  o Some suggested that residents should be given more opportunity to do short-term rentals in their homes as a way of spreading tourism revenue to a larger number of people in Moab
• One business owner expressed frustration that increases in commercial property taxes are forcing them to consider profit generating activities that are not actually in their business or personal goals/interests in order to cover the increases in their property taxes.
• Multiple business owners reported that there are not enough incentives for building workforce housing
• Business owners communicated a desire for managed growth, increased investment in developing the downtown environment.
  o Some communicated the need for a bypass in order to support walkability and bike friendly streets
  o When one business owner suggested the creation of a “walking district,” others agreed
• There was a comment about the difference between unit counts and room/occupant counts. One hotel unit might accommodate 2-3 guests, but one condo or ONR unit might accommodate 10-15.
• There was discussion surrounding the appropriateness of building a downtown parking garage in the context of rapidly changing transportation technology and the need to shift focus from private automobiles to public transit
• Participants discussed the pros and cons of spreading the downtown experience beyond the existing CBD, but consensus did not emerge
• Business owners expressed a desire to see local legislators and state representatives change the TRT formula to allow for more money to go towards growth issues such as workforce housing
• It was suggested that new hotel approvals could/should be a function of workforce availability
• Multiple people complained about noise. Business owners, residents, and many visitors want peace and quiet.
• “It is just too easy to develop hotels here. And, there is a big disconnect between hotel developers’ evaluation of the development opportunity (i.e. profitability) and WHY visitors are coming to Moab.”
• “We need to re-establish our reputation from a place where anything goes to a place where excellence is expected. For instance, come to Moab and leave your car at your hotel...it is very easy.”
• There were a couple recommendations that Moab/Grand better accommodate non-traditional housing opportunities, like tiny home communities, long-term visitor areas, etc.
  o Examples provided were Washington, Texas, and Colorado (tiny home communities), and San Diego (camping is allowed constitutionally because the City isn’t doing enough to provide for affordable housing opportunities).
Comments provided during the April 9, 2019 Trail Mix Committee meeting: Representatives of different non-motorized trail user groups and federal land management agencies

- One member noted that three couples who are friends have moved away from Moab or are currently making plans to do so because of recent growth trends in visitation and motorized recreation activity in the Area.
- One member has observed that businesses all over town have “Help Wanted” signs due to the high costs of housing for employees. The member shared his experience from two years prior. After returning to Moab from a short time away, he could not find a room to rent for less than $600 despite having grown up in the community and possessing a large network.
- Trail Mix members believed that high housing costs and increasing employment opportunities have contributed to a significant uptick in longer term camping on public lands near Moab. Many individuals cannot afford housing, so they live in various vehicle types in temporary locations on public lands and commute into town, adding to traffic, parking, and environmental degradation.
- One member suggested the biking community in its entirety, including shops, outfitters, and resident-users agreed that Moab has enough tourists, should not try to attract any more, and would benefit from fewer special events.
- Another member pointed out that many residents have made inaccurate statements, perhaps due to bias or misinformation, about the current level of trail damage throughout the county, noting that trail damage has decreased in many areas due to the efforts of Trail Mix and land management areas. Nevertheless, maintaining high quality trail networks requires more money and staffing.
- BLM and USFS representatives reported a significant uptick in the number of negative reviews and/or complaints received from visitors having poor experiences due to overcrowding on public lands. In particular, the Willow Springs area is generating a lot of complaints.
- The BLM representative suggested that visitor expectations have changed over the years, but they are not being satisfied.
- The USFS representative confirmed that workforce dispersion due to housing costs is affecting forest service lands in the La Sal Mountains. The USFS has had to put more resources to monitoring campers who try to stay beyond the 14-day limit.
- The group suggested that Grand County consider developing “Long-Term Visitor Areas (LTVAs)” similar to what Arizona has created. These areas could accommodate seasonal workers who are not capable of competing for limited traditional housing stock in Moab.
- An event organizer indicated that hotels have seen occupancy rates drop because event participants have reacted negatively to local hotels charging excessive rates or requiring two-night minimums. Some hotels have changed their rate offerings, eliminated minimum stay requirements, and collaborated with the organizer, and as a result, those hotels have reached full occupancy during event weekends.
GRAND COUNTY, UTAH
ORDINANCE ________ (2019)

ORDINANCE REPEALING AND REPLACING OVERNIGHT ACCOMMODATIONS USE RIGHTS IN USE TABLE 3.1 AND SECTION 4.6 OVERNIGHT ACCOMMODATIONS OVERLAY DISTRICT IN THE GRAND COUNTY LAND USE CODE (AND REPEALING ORDINANCE ____)

WHEREAS, the Grand County Council (County Council) adopted the Grand County General Plan Update (General Plan) on February 7, 2012 with Resolution No. 2976;

WHEREAS, the County Council adopted the Grand County Land Use Code (Land Use Code) on January 4, 1999 with Ordinance No. 299, adopted significant amendments to it on February 19, 2008 with Ordinance No. 468, and has since amended it with additional ordinances for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

WHEREAS, the County Council adopted a temporary land use restriction prohibiting the review and approval of new overnight accommodations developments on February 5, 2019 with Ordinance 586;

WHEREAS, following the passage of Ordinance 586, the County conducted an extensive research and public planning process to understand the issues and questions surrounding overnight accommodations development noted in Ordinance 586 as well as market trends, implications of current zoning standards, community impacts, infrastructure and public service impacts, and resident support for new approvals of overnight accommodations;

WHEREAS, the County’s findings from the above planning process informed the land use code amendments to be implemented by this ordinance;

WHEREAS, the purpose of this ordinance is to support the health, safety, and welfare of Grand
County residents by appropriately regulating overnight accommodations developments in the County;

WHEREAS, the purpose of this ordinance is to remove all overnight accommodations use types from all base zoning districts, establish use-specific overnight accommodations overlays, and immediately apply the appropriate use-specific overnight accommodations overlays to existing and vested projects;

WHEREAS, the Planning Commission is statutorily responsible for making recommendations to the County Council regarding textual and mapping amendments to the LUC and accompanying zoning map;

WHEREAS, the Grand County Planning Commission held a public hearing on June 11, 2019 to solicit public comment on draft changes to the use overnight accommodations use rights in Use Table 3.1, Section 4.6 Overnight Accommodations Overlay standards, and associated Overnight Accommodations Overlay District map(s), and recommended approval to the County Council;

WHEREAS, the Grand County Council held a public hearing on July 2, 2019 to solicit public comment on Ordinance No. 584 and voted to approve the same;

NOW, THEREFORE BE IT RESOLVED, Sections 3.1 and 4.6 of the Grand County LUC shall read:

(See Exhibit A)

PASSED, ADOPTED, AND APPROVED by Grand County Council in a regular public meeting on July 16, 2019 by the following vote:

Those voting aye: __________________________

Those voting nay: __________________________

Those absent: __________________________

ATTEST: GRAND COUNTY COUNCIL
Insert Exhibits (Use Table 3.1; New Section 4.6 and Subsections: OA-Hotels/Motels; OA-Campgrounds; OA-Residential; Maps associated with each use-specific OA)
### Table 3.1 Uses by Zoning District

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Specific Use</th>
<th>Residential (3.4)</th>
<th>Business (3.4)</th>
<th>Heavy Industrial (3.4)</th>
<th>Commercial (3.4.9)</th>
<th>General Industrial (3.4.9)</th>
<th>Recreational (3.4.9)</th>
<th>Institutional (3.4.9)</th>
<th>Community (3.4.9)</th>
<th>Noncommercial (3.4.9)</th>
<th>Landscape (3.4.9)</th>
<th>Service (3.4.9)</th>
<th>Conservation (3.4.9)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td><strong>Overnight Accommodations</strong>&lt;br&gt;Bed and breakfast&lt;br&gt;Dude ranch or destination resort&lt;br&gt;Hotel or motel&lt;br&gt;Recreational vehicle parks and campgrounds&lt;br&gt;Residential units used for overnight accommodation&lt;br&gt;All other overnight accommodation uses</td>
<td><strong>Permitted by right (P)</strong></td>
<td><strong>Conditional Use Permit Required (C)</strong></td>
<td><strong>Not Permitted</strong></td>
<td><strong>Permitted by right (P)</strong></td>
<td><strong>Conditional Use Permit Required (C)</strong></td>
<td><strong>Permitted by right (P)</strong></td>
<td><strong>Conditional Use Permit Required (C)</strong></td>
<td><strong>Not Permitted</strong></td>
<td><strong>Permitted by right (P)</strong></td>
<td><strong>Conditional Use Permit Required (C)</strong></td>
<td><strong>Not Permitted</strong></td>
<td><strong>Permitted by right (P)</strong></td>
</tr>
</tbody>
</table>

(Use-specific standards and descriptions of Use Categories are provided in 3.2 and 3.4, respectively.)

Key: P = Permitted by right  C = Conditional Use Permit Required  ___ = Not Permitted
Grand County Overnight Accommodation Overlay Ordinance: OA – Campground

Table of Contents

1) **Purpose of Overlay Districts**
2) **Purpose and Intent of the OA - Campground Overnight Accommodation Overlay District**
3) **Approval Procedures**
4) **Identification on Zoning Maps**
5) **Site Master Plan Required**
6) **Development Standards**

<table>
<thead>
<tr>
<th>Part</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Requirements</td>
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<tr>
<td>2</td>
<td>Mixed Use Requirements</td>
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<td>3</td>
<td>Campground Layout and Site Design Requirements</td>
</tr>
<tr>
<td>4</td>
<td>Open Space</td>
</tr>
<tr>
<td>5</td>
<td>Landscape Standards</td>
</tr>
</tbody>
</table>

**Comment [ZL1]:** 1 exists already in the LUC. 2-5 will be the same (?) for each use-specific OA. As such, it seems like these sections should replace the existing Section 4.6, with each use-specific OA development standards and associated map being its own subsection of Section 4.6.

**Comment [ZL2]:** These have not been reviewed extensively by staff, the planning commission, council, or public prior to the 6/11 public hearing at planning commission. See comment below on existing use-specific development standards for campgrounds.
1) Purpose of Overlay Districts
Overlay Districts are established to provide standards addressing unique circumstances or conditions affecting single sites where the development of such sites is of special public concern. Upon approval of special purpose district zoning, the special purpose district replaces the previous base district. Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.

In addition to the requirements of the underlying base zoning district, the provisions of the overlay district would also prevail in the areas so zoned.

In certain areas two or more overlay districts may apply. In any such instance where there are conflicting provisions, the more stringent requirements shall apply.

2) Purpose and Intent of the OA - Campground Overnight Accommodation Overlay District
Overnight accommodations are an important element of the existing community and the Grand County economy. Unfortunately, an imbalance between such uses and other desired community has emerged in recent years, requiring an adjustment in policy to ensure the number of campgrounds are aligned with other essential and desirable uses in the region.

The OA - Campground Overnight Accommodation Overlay District is an overlay district for existing and vested overnight residential developments. The purpose of the overlay district is to ensure that existing and campgrounds are designed and developed in a manner that address the impacts and the increased service needs they generate. The OA – Campground Overnight Accommodation Overlay District should be applied to all existing and vested overnight campground developments to ensure that new and redeveloped projects result in tangible community benefits through the application of creative design, the incorporation and support for mixed uses both on-site and elsewhere in the community, and through the provision and support for public uses and spaces to help regain a more balanced community structure.

Existing campgrounds may expand existing uses and provide mixed uses as part of approved plans, but shall not be allowed to add or convert existing uses to other types of overnight accommodations such as hotels, motels and overnight residential uses.

3) Approval Procedures
A three-step planning and approval process is required as summarized in the following table:

Comment [ZL3]: Staff is not certain that PC or CC member support this clause.
<table>
<thead>
<tr>
<th>APPLICATION</th>
<th>IMPLEMENTATION</th>
<th>WHAT IS ADDRESSSED?</th>
<th>APPROVAL LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overnight Accommodation (OA) Overlay District (Rezone)</td>
<td>As a modification to the official Zoning Map, indicating the area or areas where the specific overlay district applies</td>
<td>The physical location and extents of the proposed overlay zone</td>
<td>Legislative (Rezone and Zoning Map Change)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Planning Commission (recommendation to council)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Council (adoption)</td>
</tr>
<tr>
<td>Application for Attaching Overnight Accommodation (OA) Overlay to a Specific Site, Property or Development</td>
<td>As a modification to the official Zoning Map and Zoning Ordinance, indicating the specific location of the application site and the terms upon which it will be developed</td>
<td>Land area to be rezoned and general terms upon which it is approved, including but not limited to the following:  - Proposed primary uses  - Number of rooms/units  - Design and development conditions  - Special conditions and requirements  - Other uses and development requirements</td>
<td>Legislative (Rezone and Zoning Map Change)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Planning Commission (recommendation to council)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Council (adoption)</td>
</tr>
<tr>
<td>Development Agreement, Project Plan and/or Subdivision Plat</td>
<td>As specific submittals and approvals specified in the applicable ordinances</td>
<td>Specific project development requirements for development approval.</td>
<td>Administrative</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Staff and/or Planning Commission approval according to the specific terms and ordinance obligations</td>
</tr>
</tbody>
</table>

4) Identification on Zoning Maps
Approved OA – Campground overnight accommodation overlay districts and developments shall be indicated on the official Zoning Map.

5) Site Master Plan Required
In approving an Overnight Accommodation development in accordance with this section, a site master plan shall be prepared and submitted for consideration by the council for approval. The master plan shall clearly indicate the purpose and details of the project, including technical facts and a clear description of how the proposed development provides benefits to the greater Moab region in Grand County as compared to development carried out in accordance with the otherwise applicable zoning and development regulations. More specifically, the master plan shall include at a minimum the following:
a) **A statement** by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations.

b) **A map and description of sensitive lands** within the or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:
   - Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);
   - Floodplains and riparian habitats;
   - Slopes in excess of 30 percent; and
   - Significant geological, biological, and archeological sites.

c) **Identification of site planning features and a description of how they will be addressed** to promote seamless transition between on-site uses and the surrounding site conditions.

d) A description of the beneficial public services and goods the project provides to the community. This should include a community benefit concept description, and specific documentation of the proposed types, amounts, locations and relationships of compatible uses provided within the development that provide beneficial public services and goods to the community. Examples of such uses may include mixed uses, residential uses, office, commercial and civic uses, public open space, and indoor/outdoor gathering spaces.

e) Documentation of the specific utilities and infrastructure that are designed and installed to conserve limited natural resources such as water. Examples include preparation of a water use master plan for the project, the incorporation of gray-water re-use systems, implementation of water conserving landscapes, installation of real-time water monitoring systems, the incorporation of water-efficient fixtures and the incorporation of state-of-the art dark-sky friendly lighting systems.

f) A narrative and graphic presentation of the development documenting and presenting the proposed development and land uses by:
   - Gross acreage;
   - Total project density and/or square footage for all uses proposed for the project (including overnight accommodations) per gross acre;
   - Total number of overnight accommodation units;
   - Overnight accommodation unit density expressed as a per-acre ratio;
   - Total number and type of on-site employee and affordable housing units;
   - Common area and private open space acreage;
   - Total number of parking spaces required and provided, including bicycle parking;
   - Parking, service and loading area acreage/spaces;
   - Project Floor Area Ratio (FAR);
   - Public open space and similar publicly-accessible feature acreage;
   - Descriptions and graphic representations suitable for conveying the overall development character and proposed architectural style of the proposed development; and
The relationship of the proposed development to existing development in the area, along the highway and to significant natural and built features in the area.

g) **Traffic Study** prepared by a licensed transportation planner or traffic engineer, documenting project traffic generation, impacts (including traffic noise) and proposed mitigations and modifications.

h) **Site Plan** prepared in accordance with the requirements of the County and the Development Standards specific to this section shall be approved and filed with the findings of fact as part of the approval. The site plan shall indicate at a minimum all major roads, site access roads, parking and service areas, trails and trail connections, major utilities, existing and proposed land uses, common area, public open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads.

i) **A statement of how the proposed development is consistent with the General Plan**, including specific reference to Overnight Accommodation (OA) policies; and

j) **Other relevant information** that will support the application or as otherwise requested by Grand County staff.

6) **Development Standards**

Part 1  General Requirements

1. **Applicability**
The following are general development standards applicable in the OA – Campground Overnight Accommodation Overlay District. The general development requirements of the underlying zone shall apply unless otherwise indicated.

2. **Density and Heights**
Maximum density and heights shall be no greater than that permitted in the underlying zone district.

3. **Affordable Housing**
Required in accordance with the affordable housing requirements of the Grand County.

4. **Lots**
- **Typical Lot Dimensions.** All lots of record shall be developed to meet established standards.
- **Lot Layout and Configuration.** All lots shall front a public street unless otherwise approved.
- **Lot Shape.** To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.

5. **Lot Configuration**
Primary uses should face the fronting roadway and configured in a fashion that responds to the specific site context, sensitively addressing natural site conditions such as slope, topography and preservation of major trees and vegetation areas. The intent is to
carefully incorporate new development in a manner that fits the character and form of the surrounding area, resulting in a holistic design well-suited to the site. Pedestrian and cycling amenities such as sidewalks, trails, dedicated corridors and similar features should be coordinated with the needs of vehicles, resulting in holistic, safe and attractive circulation solutions.

6. **Lot Access**

The flow and speed of vehicles on state and county roads present challenges for providing direct access to residential projects and for creating a walkable/bikeable street environment in the surrounding area. The use of small access roads, slip roads, alleys and other appropriate access ways from the sides and rear of properties is encouraged for providing access.

7. **General Open Space Requirements**

The following are requirements for provision of civic open space.

- Developments over 5 acres are required to provide a minimum of 5% total lot area as publicly-accessible civic open space. Developer shall work with Grand County to determine the appropriate location and design of proposed open spaces.
- For developments under 5 acres, impact fees and other funding mechanisms will be used to ensure adequate open space is provided in the district.

8. **Streets and Access Roads**

General Requirements.

- Address all modes of travel, including pedestrian traffic, bicycle, transit and vehicular traffic.
- Address all features of the access road and public road right-of-way, including sidewalks, traffic lanes, bicycle lanes and medians.
- Provide adequate access for vehicles, pedestrians and cyclists.
- Create access roads that are appropriate for their context and use that encourage travel at appropriate volumes and speeds.
- Create streets and access roads that reduce storm water runoff quantity and improve the quality of storm water runoff.
- Follow design specifications and standards defined by Grand County.
- Variations from otherwise required road design standards may be approved where it is demonstrated that such exceptions will not be detrimental to the public health, safety and general welfare.

9. **Road Design Standards**

Variations from otherwise required road design standards may be approved where the applicant demonstrates that such exceptions will not be detrimental to the public health, safety and general welfare.
10. **Bicycle Facilities**
   Bicycle accommodations should be provided as determined by Public Works.

11. **Storm Water Management**
   Incorporation of storm water management best practices, including Low-impact Development (LID) techniques within the access road right-of-way and parking design is required. Examples include incorporating drainage swales, slotted curbs, sub-surface sumps and French drains; and the use of permeable paving in parking areas.

**Part 2  Mixed Use Requirements**

1. **General Conditions**
   All developments applying the OA – Residential Overnight Accommodation Overlay District must provide a significant mix of residential, commercial, retail, office, civic and similar uses to offset the impacts of OA - Residential projects.

   A minimum of 5% of the floor area dedicated to the primary overnight residential use shall be dedicated to mixed uses. The required mixed uses may be designed and developed on-site or financially-supported/developed by the applicant elsewhere in the general vicinity of the proposed project, upon approval by Grand County.

2. **Applicability**
   The following are general mixed-use requirements applicable in the OA – Residential Overnight Accommodation Overlay District. The specific amount, type and location of mixed-uses will be negotiated and approved as part of the application process.

3. **Design and Evaluation Criteria**
   The following are general conditions that will result with a successful mixed-use development.

   A. Incorporates imaginative site and building design with a compatible mixture of land uses that encourage pedestrian, bicycle and other multi-modal access to the proposed development;

   B. Applies sensitive land use and site design that avoids the incompatible land uses and impacts to sensitive lands and natural systems;

   C. Mitigates impacts that the project creates with respect to transportation, traffic, noise, public utilities, open space, recreation, public facilities and services, site circulation, solid waste disposal and recycling, water, sewer, storm drain and similar systems;

   D. Protects and preserves the natural environment to the maximum extent possible, including but not limited to avoiding sensitive lands, preserving natural features such
as mature trees, vegetation stands and geologic features, conserving water to the
greatest degree possible, protecting the water quality of the regional watershed,
meditating storm water and floods, and protecting sensitive and critical natural
lands and the protection of viewsheds.

E. Preserves and/or creates public open space and outdoor meeting places for the
enjoyment of the Grand County residents, employees of businesses located within
the valley, and the general public;

F. Provides publicly-accessible plazas, commons, greens, parks or civic buildings or
spaces s for social activity and assembly for the community;

G. Incorporates a mix of affordable housing types and ownership patterns suitable for
the specific project;

H. Includes uses that provide employment opportunities and under-provided goods
and services;

I. Provides a balanced mix of uses that minimize the necessity for utilization of
personal automobiles on a daily basis;

J. Provides high-quality architectural and site design that is harmonious with the local
context and adjacent uses;

K. Incorporates well-designed and laid-out access roads, parking lots, trails and
pathways that are specifically designed for the convenience and safety of
pedestrians and cyclists as well as for meeting the needs of vehicles; and

L. The provision of clustered development to preserve open space and preserving
critical viewsheds while still achieving an appropriate overall density for region.

4. Mixed Use Development Standards
All development and design standards described in this chapter and elsewhere in the
code shall apply, in addition to the following mixed-use specific standards:

• Generally-acceptable Uses: commercial, recreational, retail, civic and open space

• Location of Uses: mixed uses such as commercial shops, offices and civic uses shall
be located on the ground floor adjacent to the street frontage or in an otherwise
prominent and visually-discernable location. Overnight residential to be provided in
all other locations; and

• Pedestrian-oriented Design Required: direct access to pedestrian-oriented services is
required to promote pedestrian/bicycle uses in the development area.
The following are the general physical characteristics of OA – Campground mixed uses, located within the overlay district.

**General**
- Each building or structure can house a variety of uses depending on the design concept and functional requirements of each development.
- All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
- Attached accessory structures are considered part of the principal structure.
- Detached accessory structures are permitted and shall comply with all setbacks.
- Detached accessory structures are not permitted in the front yard.
- Detached accessory structures shall be located behind the principal structure in the rear yard.
- Detached accessory structures shall not exceed the height of the principal structure.

**Building Siting**
- More than one principal mixed use structure is permitted on a lot.
- All setback areas not covered by a building or parking must contain either landscape, patio space, public open space, or a sidewalk/trail.

**Building Height**
- See existing zone for minimum and maximum height limitations and requirements.
- See existing zone for minimum and maximum setback requirements.
- Non-residential ground story uses must have a minimum interior height of 12’ and a maximum of 14’ to facilitate mixed uses.

**Building Layout and Configuration**
- Mixed uses such as commercial shops, offices and civic uses shall be located on the ground floor in a prominent and visually-discernable location. Overnight residential to be provided in all other locations within mixed-use structures.
- Parking may be located within a building or as part of well-landscaped and buffered parking lots.

**Street View Requirements**
- Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable.
- Blank Wall Limitations are required on all facades facing the primary street dedicated to mixed uses.
- No rectangular area greater than 30% of a story’s facade, as measured from floor to floor may be windowless, and no horizontal segment of a story’s facade greater than 10 feet in width may be windowless, unless otherwise approved.
A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable principal entrance located on the primary street side of the principal building.

Street Entrances – the minimum number and maximum spacing between entrances on the ground floor building facade with street frontage with a clear development design theme or concept is required.

Additional Design Requirements
The following guidelines outline district design guidelines that affect the layout of the campground for creating district cohesiveness.

- Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
- Permitted primary building materials will include high quality, durable, natural materials such as brick and stone; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass. Other high quality synthetic materials may be approved as part of a unified theme or design concept.
- Secondary Facade Materials are limited to details and accents. Examples include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim; and exterior architectural metal panels and cladding.
- Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- Acceptable Roof Materials include 300 pound or better, dimensional asphalt composite shingles, metal tiles or standing seam, slate, and ceramic tile. Other roof materials may be considered for approval.
- Color - main building colors shall be complementary to the site, the surrounding landscape and visual backdrops.
- Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used throughout the district.
- Windows - all upper story windows of overnight accommodation, mixed use and associated buildings shall be recessed and double hung.
- Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated.
- If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood.
- Balconies shall be a minimum of six feet deep and five feet wide.
- Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- Drive-through structures and uses are not allowed.
Part 3 Campground Layout and Design Requirements
The following design requirements shall be applied in conjunction with established Grand County commercial campground design requirements. While they address campground planning and site development considerations such as density, setbacks, buffers, landscaping, parking and roadway design, it is equally important that projects of this nature meet health and safety requirements, which are often addressed in separate county and state regulations as follows:

- Water Supply
- Wastewater Disposal Requirements
- Required Plumbing - Modern Camps
- Required Plumbing - Semi-Developed Camps
- Required Plumbing - Day Use Areas
- Operation and Maintenance
- Food Service
- Solid Wastes
- Swimming Pools
- Inspections and Investigations
- Closing or Restricting of Camps or Sites

1. Campground Site Design
Recreational vehicles, travel trailers, campgrounds and cabins parks shall be designed by a qualified architect, landscape architect, engineer, professional land use planner, or team of one or more such professionals. As a minimum, approved plans are to be 'stamped' with the seal of authority of the primary designer. Determination of qualifications of any such required professional individuals or firms, shall be made by the Grand County Planning and Zoning Commission and/or County Commission.

2. Campground Density
Campgrounds should maintain the natural qualities of the site they are located. Sites and units should be clustered together in a manner that forms a discernible place while maintaining a sense of openness and connection with the surrounding landscape and setting. Sites should also be aligned with health and safety standards when wells and septic systems are utilized.

Since each development will impact local or county septic saturation rates, maximum densities should be established that match local condition and needs, as required in Grand County engineering/groundwater protection requirements. Typical rural residential density requirements should range from .20 to .50 units per acre.

3. Health, Safety, Sanitation and Other Considerations
- All campground developments should meet the requirements of Utah Administrative Code R392-301, ‘Recreational Vehicle Park Sanitation”. These should be coordinated with local, county and state health and engineering officials as
required by each jurisdiction. Each development should provide adequate water
supply hookup equipped with approved backflow prevention devices.

- Each campground development should provide for adequate waste disposal,
  including the provision of a sanitary dumping station for users of the park.
- Unless a public waste-water system is available and required, the Department of
  Water Quality (DEQ) and local/county health department shall determine the
- Each development accommodation unit shall be provided with an electrical service
  of appropriate voltage. Electrical service should meet commercial campground
  standards, installed underground to each site or pad in compliance with applicable
  codes, and designed and installed by licensed electrical engineers and electricians.
- Each development should provide a communal solid-waste receptacle area or areas.
  Containers should be fitted with tight fitting lids so as to prevent refuse from
  scattering and screened from public view through the use of fences or walls and a
  closable gate. Construction of the screen should be approved as part of the
  conditional use application.
- Ingress and egress to each camp unit shall meet the requirements of the
  International Fire Code, Chapter 503 Sections 5.1.1 and the National Fire Protection
  Association 1194.
- A landscape plan should be submitted and approved in conjunction with issuance of
  a Building Permit. Since site conditions vary, the landscape design should ensure the
  site fits in with the setting. Grand County water-wise landscape design concepts are
  required.
- In order to ensure wildfire and fire suppression can be facilitated in the layout of the
  campground, all hardscape and plant materials within 50’ of a structure must be
  ascertained to meet fire suppression design standards.
- All exterior boundaries of the development site should be designed to ensure the
  site fits in with the surrounding. In general, setbacks ranging from 50 to 100 feet
  should be established to ensure this goal is met. As part of the Conditional Use
  Permit and Building Permit process, buffers, setbacks, fences and other exterior
  screens and treatments should be reviewed and approved.
- Each individual tent or accommodation unit shall have adequate space to
  accommodate the tent or structure and ensure fire and other requirements are met.
  In general, each site should have an area of not less than 2,000 square feet.
- Each individual tent or accommodation site should have adequate space to
  accommodate the desired structure or tent.
- Maintaining adequate distance between accommodation structures is essential for
  health, safety and aesthetic reasons. A minimum distance of 10’ is required.
- Individual site walls or fences, if required, should generally not exceed three (3) feet
  in height.
- If vehicular access to individual tents and structures is anticipated, sufficient space
  should be provided to facilitate parking, loading, or maneuvering.
• Streets and access ways shall be at least twenty-four (24) feet wide to facilitate vehicular movements. As illustrated in the accompanying diagram, on-street and other parking should only be allowed in dedicated parking stalls, lanes and lots, which do not include the minimum street width be provided as indicated in the accompanying diagram:

![Diagram showing street and parking space dimensions](image)

• If tents and other facilities are located away from streets, trails at least 12’ in width should be provided as part of a looped trail system whenever possible. If dead-end trails are unavoidable, hammerhead, cul-de-sac or "Y" turnarounds should be provided at the terminus to accommodate emergency vehicle access.

• Streets should generally consist of packed earth or road base, depending on specific design requirements and site conditions. Paved roads should also be considered, depending on specific design requirements.

• A grading and drainage master plan should be prepared by a licensed engineer, architect or landscape architect.

• Lighting should be provided to adopted Grand County 'night sky' requirements.

• Office, restaurant, laundry, store and similar facilities should meet the design requirements for mixed-use structures described in the preceding section.

• Restrooms, including toilet, showers, and lavatories should generally be provided to conveniently and adequately serve the needs of each development.

• All utility distribution facilities, including electrical, gas, water, sewer and communication, should be placed underground.

• Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other necessary appurtenances to such underground facilities may be placed above ground and screened.

• There shall be no open storage of personal belongings within a travel trailer site, nor shall there be an accessory building, shed, or cabinet placed upon or erected upon individual sites within the development.
• Fuel tanks for the development should be located in a screened portion of the site at least 100-feet from the nearest tent or structure.
• CO/smoke detectors, fire extinguishers and similar safety equipment shall be provided in a manner similar to motels and hotels.
• Heating stoves and similar heating/cooling units should only be permitted if they meet local fire and Co2 emission standards.

4. Other Design and Development Considerations
• Foundations - typical campground foundations include structural timber decks and concrete slab. All foundations should be designed and installed to provide positive drainage away from the structure as part of an integrated grading/storm water design for the site.
• Tent Fabrics - vary according to the specific structure selected. Examples include cotton (canvas), vinyl and polyester blends. These are typically welded and sealed. Tent material selection should be meet anticipated use and lifespan requirements.
• Fire Resistance - structures should be certified to meet local flame resistance standards. Many states and the US Government have adopted the Industrial Fabric Association Tent Spec CPAI-84 Federal Government as the fire rating standard.
• National Fire Protection Association 1144 methodologies should apply for assessing wildland fire ignition hazards around existing structures and for requirements for new construction to reduce the potential of structure ignition from wildland fires.
• Snow Loads - structures should be engineered for a ground snow load calculation. In areas with snow where winter season use is not anticipated, structures should be dismantled and stored between activity occupancy.
• Wind – tent structures should be selected and designed to withstand anticipated winds. Typical standards are to withstand 95 m.p.h. and 105 m.p.h. wind resistance, which is based on an industry-standard 3-second gust test.
• Falling Trees - campgrounds located in treed areas should be sited in a manner to ensure that tents and buildings are not within fall-zones of surrounding trees. Solid-frame structures are superior for such situations. All units should be engineered to meet a minimum 2,000 bending test to withstand potential falling trees.
• Weather - all exposed fabric and structural elements should be treated to be water repellant and mildew/mold/ultraviolet resistant. Properly ventilated and maintained tents can reduce the likelihood that mold and mildew will occur.
• Campground installation - industry-standards should be used for installing and dismantling structures. Building, licensing and occupancy permits should be secured prior to use. Only licensed and bonded contractors should be hired for site work, utilities and infrastructure, plumbing, heating and electrical installations. Structures should be inspected and maintained periodically to ensure foundation remains functional, that the structures are sound and heaters/coolers and similar equipment are fully-operational. Only high-quality, commercial-grade structures and related amenities should be utilized for structures intended for commercial rent and/or public use.
Part 4 Open Space

To provide open space as an amenity that promotes physical and environmental health to project users and the community at large. A primary function is to provide access to a variety of active and passive open space types. The selection of appropriate open spaces will vary according to the specific context (urban/rural/natural) and setting (near a road, adjacent to a river, etc.) of each campground development.

1. General Requirements

Developments over 5-acres are required to provide a minimum of 5% total lot size as publicly-accessible and usable civic open space. Developer shall work with Grand County to determine the best and most appropriate location of open space. For parcels under 5 acres, impact fees and other funding will be used as mechanisms to ensure adequate open space is provided.

All open space provided shall comply with one of the Open Space Types that follow:

- Plaza – a formal, medium-scale (1.5 acre or less) gathering place for civic, social, and commercial purposes. May contain a greater amount of impervious coverage than other open space types. Special features, such as fountains and public art installations, are encouraged.
- Square - a medium-scale (1 to 2 acre) open space to gather for civic, social and commercial purposes. Squares are rectilinear in shape and are bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.
- Public Green or Meeting Place – an informal, medium scale (0.25 to 2.0 acre) park with active or passive recreation amenities for neighborhood residents within walking distance; mainly fronted by streets.
- Pocket Park – a small-scale (.5 to 1.5 acre) open space, that is primarily designed to accommodate a range of active and passive recreation and gathering space uses, primarily local neighbors and residents within walking distance.
- Local and Neighborhood Parks – medium to large (3-acre to 10 acre) informal parks that accommodate both active and passive recreational amenities for local residents and the larger community. Parks have primarily natural plantings and are frequently formed around an existing natural feature such as a water body or stands of trees.
- Natural Open Space of Greenway – long and linear open spaces that enhance connectivity between the campground, adjacent open spaces and other uses on-site and in the vicinity of the campground. Greenways often follow a natural feature, such as a river, stream, ravine, or man-made feature, such as a vehicular right-of-way. A greenway may border other open space types.

Part 5 Landscape Standards

The landscape standards outlined in this section are designed to meet the following set of goals.
• To provide suitable outdoor settings;
• To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
• To provide responsible and environmentally-appropriate green spaces and infrastructure through the use of water efficient landscape design techniques, tools and standards.
• To shade large expanses of pavement and reduce the urban heat island effect.

1. **Applicability**
   Landscapes, trees and buffers shall be installed as detailed in this section and detailed elsewhere in the development code.

2. **Preservation of Existing Site Characteristics and Acknowledgement of Setting**
   For sites located in rural and natural locations, the focus should be on preserving the natural landscape, fitting the campground onto the existing site, minimizing impacts and destruction of the site as a result of development and operations, and minimizing the use of mechanical landscape interventions such as irrigation systems to the greatest degree possible.

3. **Water Efficient Landscaping**
   Refer to specific Grand County landscape regulations regarding water efficient landscaping requirements.

4. **General Installation Requirements**
The installation of landscaping shall adhere to the following standards.
• **National and Regional Standards.** Best management practices and procedures according to the nationally and regionally accepted standards shall be practiced. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.
• **Maintenance and Protection -** all landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
• **Installation -** landscaping shall be fully installed prior to the issuance of a certificate of completeness.
• **Condition of Landscape Materials shall be:**
• **Healthy and hardy with a good root system.**
• **Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.**
• **Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.**
• **Appropriate for the conditions of the site, including slope, water table, and soil type.**
• Protected from damage by grates, pavers, or other measures.
• Plants that will not cause a nuisance or have negative impacts on an adjacent property.
• Species native or naturalized to Grand County region, whenever possible.
• Minimal use or no use of lawns, turf and similar water-craving landscapes is required.

4. Irrigation Systems
Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.
• All irrigation systems shall be designed to minimize the use of water, as detailed in the Grand County water-conserving landscape ordinance. The use of drip, emitter, bubbler and other water-conserving irrigation systems are required.

5. Landscape Maintenance
All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.
• All required landscape shall be maintained to adhere to all requirements of this ordinance.
• Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.
• Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.
• Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.
• Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
• Tree topping is not permitted.

6. Street Trees and Streetscape Design
Provide trees and design streets to create an appropriate entry experience into the site and to support wayfinding within it. Naturalistic campgrounds should utilize a naturalistic design approach, while urban and rural settings should utilize more formal approaches. For sites where trees are not prevalent or are difficult to support without extensive watering, street trees should be avoided.

A consistent streetscape design shall be submitted for approval for all public streets adjacent to the development. At a minimum, the submittal shall include the following:
  o Street Trees meeting the minimum requirements shall be included in the streetscape design, with details related to tree pits, tree planting to meet landscape requirements.
o Tree Locations indicated by type, size and general planting technique.
o Sidewalk Pavement Design - paving materials and pattern shall be established for each street type.
o Street Furnishings such as benches, seat walls, planters, fences, trash receptacles and bicycle racks shall be specified and quantities and locations listed for each street type.
o Landscape Design – professionally-prepared landscape construction documents shall be provided for all landscape bed areas, planter areas, and tree wells.
o Lighting Design - pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet adopted night sky lighting requirements.
o Identity Elements - other elements designed to establish the identity of each project, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

7. Frontage, Side and Rear Buffers
The purpose of frontage buffers is to lessen the visual impact of vehicular areas visible from the street. Side and rear buffers minimize the impact that the campground may have on neighboring zones and districts. These should be part of a professionally-designed, water-efficient planting design that is engaging, beautiful and appropriate for the specific setting and context. Plants should include a range of native perennials, decorative grasses and small shrubs as appropriate for reducing the visual impact of vehicular areas visible from the street while also meeting Grand County Water Efficient Landscaping requirements.

8. Interior Parking Lot Landscape
The intent is to provide shade, minimize paving and associated storm water runoff, and improve the aesthetic look of parking lots. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 sf thereafter in locations where trees are naturally-occurring and can be maintained without major technical inputs, as determined by Grand County.

Provide trees and design interior parking lots to create an appropriately shaded parking area. Naturalistic campgrounds should utilize a naturalistic design approach, while urban and rural settings should utilize more formal approaches. For sites where trees are not prevalent or are difficult to support without extensive watering, street trees should be avoided.

• In areas where the inclusion of trees is warranted, each parking space must be located within 50’ of a tree planted within parking lot interior. Minimum of 1 shade tree must be planted within parking lot interior or within 4’ of parking lot’s edge for every 3 parking spaces. Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy.
Shade Structure Requirements - attractive and well-designed shade structures should be considered an acceptable alternative for meeting the tree shade goal for up to 50% of the interior parking lot requirements.
Grand County Overnight Accommodation Overlay Ordinance: OA – Hotel/Motel

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Comment [ZL1]: 1 exists already in the LUC. 2-5 will be the same (?) for each use-specific OA. As such, it seems like these sections should replace the existing Section 4.6, with each use-specific OA development standards and associated map being its own subsection of Section 4.6.

Comment [ZL2]: These have not been reviewed extensively by staff, the planning commission, council, or public prior to the 6/11 public hearing at planning commission.
1) **Purpose of Overlay Districts**
Overlay Districts are established to provide standards addressing unique circumstances or conditions affecting single sites where the development of such sites is of special public concern. Upon approval of special purpose district zoning, the special purpose district replaces the previous base district. Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.

In addition to the requirements of the underlying base zoning district, the provisions of the overlay district would also prevail in the areas so zoned.

In certain areas two or more overlay districts may apply. In any such instance where there are conflicting provisions, the more stringent requirements shall apply.

2) **Purpose and Intent of the OA-Hotel/Motel Overnight Accommodation Overlay District**
Overnight accommodations are an important element of the existing community and the Grand County economy. Unfortunately, an imbalance between such uses and other desired community has emerged in recent years, requiring an adjustment in policy to ensure the number of hotels and motels are aligned with other essential and desirable uses in the region.

The OA-Hotel/Motel Overnight Accommodation Overlay District is an overlay district for existing and vested Hotel and Motel developments. The purpose of the overlay district is to ensure that existing and future hotels and motels are designed and developed in a manner that address the impacts and the increased service needs they generate. The OA-Hotel/Motel Overnight Accommodation Overlay District should be applied to all existing and vested hotel/motel properties to ensure that new and redeveloped projects result in tangible community benefits through the application of creative design, the incorporation and support for mixed uses both on-site and elsewhere in the community, and through the provision and support for public uses and spaces to help regain a more balanced community structure.

3) **Approval Procedures**
A three-step planning and approval process is required as summarized in the following table:

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<th>IMPLEMENTATION</th>
<th>WHAT IS ADDRESSED?</th>
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<td>As a modification to the official Zoning Map, indicating the area or areas where the specific overlay district applies</td>
<td>The physical location and extents of the proposed overlay zone</td>
<td>Legislative (Rezone and Zoning Map Change)</td>
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<tr>
<td>(Rezone)</td>
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<td>Planning Commission (recommendation to council)</td>
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Grand County Overnight Accommodation Overlay Ordinance: OA – Hotel/Motel

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• Design and development conditions  
• Special conditions and requirements  
• Other uses and development requirements | • Planning Commission (recommendation to council)  
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<td>As specific submittals and approvals specified in the applicable ordinances</td>
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4) Identification on Zoning Maps
Approved OA-Hotel/Motel overnight accommodation overlay districts and developments shall be indicated on the official Zoning Map.

5) Site Master Plan Required
In approving an Overnight Accommodation development in accordance with this section, a site master plan shall be prepared and submitted for consideration by the council for approval. The master plan shall clearly indicate the purpose and details of the project, including technical facts and a clear description of how the proposed development provides benefits to the greater Moab region in Grand County as compared to development carried out in accordance with the otherwise applicable zoning and development regulations. More specifically, the master plan shall include at a minimum the following:

a) A statement by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations.

b) A map and description of sensitive lands within the or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:
   - Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);
   - Floodplains and riparian habitats;
   - Slopes in excess of 30 percent; and
   - Significant geological, biological, and archeological sites.
c) Identification of site planning features and a description of how they will be addressed to promote seamless transition between on-site uses and the surrounding site conditions.

d) A description of the beneficial public services and goods the project provides to the community. This should include a community benefit concept description, and specific documentation of the proposed types, amounts, locations and relationships of compatible uses provided within the development that provide beneficial public services and goods to the community. Examples of such uses may include mixed uses, residential, office, commercial and civic uses, public open space, and indoor/outdoor gathering spaces.

e) Documentation of the specific utilities and infrastructure that are designed and installed to conserve limited natural resources such as water. Examples include preparation of a water use master plan for the project, the incorporation of gray-water re-use systems, implementation of water conserving landscapes, installation of real-time water monitoring systems, the incorporation of water-efficient fixtures and the incorporation of state-of-the-art dark-sky friendly lighting systems.

f) A narrative and graphic presentation of the development documenting and presenting the proposed development and land uses by:
- Gross acreage;
- Total project density and/or square footage for all uses proposed for the project (including overnight accommodations) per gross acre;
- Total number of overnight accommodation units;
- Overnight accommodation unit density expressed as a per-acre ratio;
- Total number and type of on-site employee and affordable housing units;
- Common area and private open space acreage;
- Total number of parking spaces required and provided, including bicycle parking;
- Parking, service and loading area acreage/spaces;
- Project Floor Area Ratio (FAR);
- Public open space and similar publicly-accessible feature acreage;
- Descriptions and graphic representations suitable for conveying the overall development character and proposed architectural style of the proposed development; and
- The relationship of the proposed development to existing development in the area, along the highway and to significant natural and built features in the area.

g) A Traffic Study prepared by a licensed transportation planner or traffic engineer, documenting project traffic generation, impacts (including traffic noise) and proposed mitigations and modifications.

h) A Site Plan prepared in accordance with the requirements of the County and the Development Standards specific to this section shall be approved and filed with the findings of fact as part of the approval. The site plan shall indicate at a minimum all major roads, site access roads, parking and service areas, trails and trail connections, major utilities, existing and proposed land uses, common area, open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads.
i) A statement of how the proposed development is consistent with the General Plan, including specific reference to Overnight Accommodation (OA) policies; and
j) Other relevant information that will support the application or as otherwise requested by County staff.

6) Development Standards

Part 1 General Requirements

1. Applicability
   The following are general development standards applicable in the OA-Hotel/Motel Overnight Accommodation Overlay District. The general development requirements of the underlying zone shall apply unless otherwise indicated.

2. Density and Heights
   Maximum density and heights shall be no greater than that permitted in the underlying zone district.

3. Affordable Housing
   Required in accordance with the affordable housing requirements of the County.

4. Lots
   • Typical Lot Dimensions. All lots of record shall be developed to meet established standards.
   • Typical Lot Configuration. All lots shall front a public street unless otherwise approved.
   • Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.

5. Lot Configuration
   Primary uses should face the fronting roadway and configured in a fashion that responds to the context, including natural site conditions such as slope and topography. The intent is to carefully incorporate new development in a manner that fits the established character and form of the surrounding area, resulting in a unified appearance. Pedestrian and cycling amenities such as sidewalks, trails, dedicated corridors and similar features should be provided in a manner is coordinated with the needs of vehicles, resulting in holistic, safe and attractive circulation solutions.

6. Lot Access
   For Developments fronting US-191
   The traffic and speed of vehicles on this roadway presents challenges for providing direct access to projects and for creating a walkable/bikeable street environment in the surrounding area. Since existing development patterns include a mix of commercial uses close to the highway and residential uses nearby, the use of small access roads, slip
roads, alleys and other appropriate access ways from the sides and rear of properties is encouraged when possible.

**For Developments fronting all other roads**
The use of small access roads, alleys and other appropriate access ways from the fronting road and/or from the sides and rear of properties is encouraged.

7. **General Open Space Requirements**
The following are requirements for provision of civic open space.
- Developments over 5 acres are required to provide a minimum of 5% total lot area as publicly-accessible civic open space. Developer shall work with County to determine the appropriate location and design of proposed open spaces.
- For developments under 5 acres, impact fees and other funding mechanisms will be used to ensure adequate open space is provided in the district.

8. **Streets and Access Roads**

**General Requirements.**
- Address all modes of travel, including pedestrian traffic, bicycle, transit and vehicular traffic.
- Address all features of the access road and public road right-of-way, including sidewalks, traffic lanes, bicycle lanes and medians.
- Provide adequate access for vehicles, pedestrians and cyclists.
- Create access roads that are appropriate for their context and use that encourage travel at appropriate volumes and speeds.
- Create streets and access roads that reduce storm water runoff quantity and improve the quality of storm water runoff.
- Follow design specifications and standards defined by County Public Works.
- Variations from otherwise required road design standards may be approved where it is demonstrated that such exceptions will not be detrimental to the public health, safety and general welfare.

9. **Road Design Standards**
Variation from otherwise required road design standards may be approved where the applicant demonstrates that such exceptions will not be detrimental to the public health, safety and general welfare.

10. **Bicycle Facilities**
Bicycle accommodations should be provided as determined by Public Works.

11. **Storm Water Management**
Incorporation of storm water management best practices, including Low-impact Development (LID) techniques within the access road right-of-way and parking design is
required. Examples include incorporating drainage swales, slotted curbs, sub-surface sumps and French drains; and the use of permeable paving in parking areas.

Part 2  Mixed Use Requirements

1. General Conditions
   All developments applying the OA-Hotel/Motel Overnight Accommodation Overlay District must provide a significant mix of residential, commercial, retail, office, civic and similar uses to offset the impacts of hotel/motel projects.

   A minimum of 30% of the space dedicated to the primary hotel/motel floor area shall be dedicated to mixed uses other than the primary hotel/motel use. The required mixed uses may be designed and developed on-site or elsewhere in the general vicinity of the proposed development.

2. Applicability
   The following are general mixed-use requirements applicable in the OA-Hotel/Motel Overnight Accommodation Overlay District. The specific amount, type and location of mixed-uses will be negotiated and approved as part of the application process.

3. Design and Evaluation Criteria
   The following are general conditions that will result with a successful mixed-use development.

   A. Incorporates imaginative site and building design with a compatible mixture of land uses that encourage pedestrian, bicycle and other multi-modal access to the proposed development;

   B. Applies sensitive land use and site design that avoids the creation of incompatible land uses;

   C. Mitigates impacts that the project creates with respect to transportation, traffic, noise, public utilities, open space, recreation, public facilities and services, site circulation, solid waste disposal and recycling, water, sewer, storm drain and similar systems;

   D. Protects and preserves the natural environment to the maximum extent possible, including but not limited to conserving water to the greatest degree possible, protecting the water quality of the regional watershed, mitigating storm water and floods, and protecting sensitive and critical natural lands and the protection of viewsheds.
E. Preserves and/or creates open space and outdoor meeting places for the enjoyment of the Grand County residents, employees of businesses located within the valley, and the general public;

F. Provides publicly-accessible plazas, commons, greens, parks or civic buildings or spaces s for social activity and assembly for the community;

G. Incorporates a mix of affordable housing types and ownership patterns;

H. Includes uses that provide employment opportunities and under-provided goods and services;

I. Provides a balanced mix of uses that minimize the necessity for utilization of personal automobiles on a daily basis;

J. Provides high-quality architectural and site design that is harmonious with the local context and adjacent uses;

K. Incorporates well-designed and laid-out access roads, parking lots, trails and pathways that are specifically designed for the convenience and safety of pedestrians and cyclists as well as for meeting the needs of vehicles; and

L. The provision of clustered development to preserve open space and preserving critical viewsheds while still achieving an appropriate overall density for region.

4. **Mixed Use Development Standards**

All development and design standards described in this chapter and elsewhere in the code shall apply, in addition to the following mixed-use specific standards:

A. Generally-acceptable Uses: residential, commercial, recreational, retail, civic and open space

B. Location of Uses: commercial shops, offices and civic uses shall be located on the ground floor adjacent to the street frontage, with hotel/motel and residential uses provided in all other locations; and

C. Pedestrian-oriented Design Required: direct access to pedestrian-oriented services is required to promote pedestrian/bicycle uses in the development area.

**Part 3 Architecture, Density, Massing and Form**

1. **General Conditions**

   The following are the general physical characteristics of OA-Hotel/Motel uses, including associated mixed uses, within the overlay district.
Each building or structure can house a variety of uses depending on the design concept and functional requirements of each development.

All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.

Attached accessory structures are considered part of the principal structure.

Detached accessory structures are permitted and shall comply with all setbacks except the following:

- Detached accessory structures are not permitted in the front yard.
- Detached accessory structures shall be located behind the principal structure in the rear yard.
- Detached accessory structures shall not exceed the height of the principal structure.

3 Building Siting

- More than one principal structure permitted on a lot.
- All setback areas not covered by a building or parking must contain either landscape, patio space, public open space, or a sidewalk/trail.

3. Building Height

- See existing zone for minimum and maximum height limitations and requirements.
- See existing zone for minimum and maximum setback requirements.
- Ground stories uses facing the primary street must have a minimum interior height of 12’ and a maximum of 14’ to facilitate the incorporation of mixed uses.

4. Building Layout and Configuration

- Ground stories facing the primary street must be occupied by uses other than overnight accommodations. Examples include retail, recreation, commercial, office and civic uses.
- Parking may be located within a building or as part of well-landscaped and buffered parking lots.

5. Street View Requirements

- For uses located on the ground floor facing the primary fronting street(s), 60% Minimum Ground Story Transparency is required, measured floor to floor. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
- Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable.
- Blank Wall Limitations are required on all facades facing the primary street. No rectangular area greater than 30% of a story’s facade, as measured from floor to floor may be windowless, and no horizontal segment of a story’s facade greater than 10 feet in width may be windowless, unless otherwise approved.
A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable Principal Entrance located on the primary street side of the principal building.

Street Entrances – the minimum number and maximum spacing between entrances on the ground floor building facade with street frontage to match a clear development design theme or concept is required.

Vertical Facade Divisions - the use of a vertically oriented expression lines or form to divide the facade into increments that enhance the design concept are required. Acceptable elements may include columns, pilasters, scoring lines and other continuous vertical features at least 1.5” in width.

Horizontal Facade Divisions - the use of significant shifts in the façade every 45’ at minimum to divide portions of the façade into horizontal divisions. Major dividing elements should be integral to the architectural layout and form of the structure, with minor delineations encouraged through the uses of expressions lines in the form of cornices, belt courses, string courses, or other continuous horizontal divisions.

Part 4 Additional Design Requirements
The following outlines the district design guidelines that affect a building’s appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

1. Materials and Color
   - Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
   - Permitted primary building materials will include high quality, durable, natural materials such as brick and stone; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass. Other high quality synthetic materials may be approved as part of a unified theme or design concept.
   - Secondary Facade Materials are limited to details and accents. Examples include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim; and exterior architectural metal panels and cladding.
   - Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
   - Acceptable Roof Materials include 300 pound or better, dimensional asphalt composite shingles, metal tiles or standing seam, slate, and ceramic tile. Other roof materials may be considered for approval.
   - Color - main building colors shall be complementary to existing buildings in the area, the surrounding landscape and visual backdrops.
   - Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used throughout the district.
2. Windows, Awnings, and Shutters
   • Windows - all upper story windows of overnight accommodation, mixed use and associated buildings shall be recessed and double hung.
   • Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated.
   • If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood.

3. Balconies
   • Balconies shall be a minimum of six feet deep and five feet wide.
   • Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
   • A maximum of 40% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4. Treatments at Terminal Vistas
   • When a street terminates at a parcel, the front or corner side of a building or a significant landscape feature, whether fronting a Primary Street or not, shall terminate the view.

5. Building Variety
   Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following:
   • The proportion of recesses and projections.
   • The location of the entrance and window placement, unless storefronts are utilized.
   • Roof type, plane, or material, unless otherwise stated in the Building Type requirements.

6. Drive-through Uses
   • Drive-through structures and uses are not allowed.

Part 5 Open Space

To provide open space as an amenity that promotes physical and environmental health to project uses and the community, with a primary function of providing access to a variety of active and passive open space types.

1. General Requirements
   Developments over 5 acres are required to provide a minimum of 5% total lot size as publicly-accessible and usable civic open space. Developer shall work with Grand County to determine the best and most appropriate location of open space. For parcels under 5
acres, impact fees and other funding will be used as mechanisms to ensure adequate open space is provided.

All open space provided shall comply with one of the Open Space Types that follow:

- Plaza – a formal, medium-scale (0.5 to 1.5 acre) gathering place for civic, social, and commercial purposes. May contain a greater amount of impervious coverage than other open space types. Special features, such as fountains and public art installations, are encouraged.
- Square - a medium-scale (1 to 2 acre) open space to gather for civic, social and commercial purposes. Squares are rectilinear in shape and are bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.
- Green – an informal, medium scale (0.25 to 2.0 acre) park with active or passive recreation amenities for neighborhood residents within walking distance; mainly fronted by streets.
- Pocket Park – a small-scale (.5 to 1.5 acre) open space, that is primarily designed to accommodate a range of active and passive recreation and gathering space uses, primarily local neighbors and residents within walking distance.
- Local and Neighborhood Parks – medium to large (3-acre to 10 acre) informal parks that accommodate both active and passive recreational amenities for local residents and the larger community. Parks have primarily natural plantings and are frequently formed around an existing natural feature such as a water body or stands of trees.
- Greenway – long and linear open spaces that serve to enhance connectivity between open space types and other uses. Greenways often follow a natural feature, such as a river, stream, ravine, or man-made feature, such as a vehicular right-of-way. A greenway may border other open space types.

Part 6 Landscape Standards
The landscape standards outlined in this section are designed to meet the following set of goals.
- To provide suitable outdoor settings;
- To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
- To provide responsible and environmentally-appropriate green spaces and infrastructure through the use of water efficient landscape design techniques, tools and standards.
- To shade large expanses of pavement and reduce the urban heat island effect.

1. Applicability
Landsapes, trees and buffers shall be installed as detailed in this section and detailed elsewhere in the county code.

2. Water Efficient Landscaping
Refer to specific Grand County landscape regulations regarding water efficient landscaping requirements.

3. **General Installation Requirements**
The installation of landscaping shall adhere to the following standards.
- National and Regional Standards. Best management practices and procedures according to the nationally and regionally accepted standards shall be practiced. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.
- Maintenance and Protection - all landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
- Installation – landscaping shall be fully installed prior to the issuance of a certificate of completeness.
- Condition of Landscape Materials shall be:
  - Healthy and hardy with a good root system.
  - Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.
  - Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.
  - Appropriate for the conditions of the site, including slope, water table, and soil type.
  - Protected from damage by grates, pavers, or other measures.
  - Plants that will not cause a nuisance or have negative impacts on an adjacent property.
  - Species native or naturalized to Grand County region, whenever possible.
  - Minimal use or no use of lawns, turf and similar water-craving landscapes is required.

4. **Irrigation Systems**
Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.
- All irrigation systems shall be designed to minimize the use of water, as detailed in the Grand County water-conserving landscape ordinance. The use of drip, emitter, bubbler and other water-conserving irrigation systems are required.

5. **Landscape Maintenance**
All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.
- All required landscape shall be maintained to adhere to all requirements of this ordinance.
• Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.
• Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.
• Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.
• Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
• Tree topping is not permitted.

6. Street Trees and Streetscape Design
The intent is to line all new streets with a consistent and appropriate planting of trees, pavement design, and identity to establish tree canopy for environmental benefit and a sense of identity for all new streets.

• Streetscape Design Submittal – a consistent streetscape design shall be submitted for approval for all public streets adjacent to the development. At a minimum, the submittal shall include the following:
  o Street Trees meeting the minimum requirements shall be included in the streetscape design, with details related to tree pits, tree planting to meet landscape requirements.
  o Tree Locations indicated by type, size and general planting technique.
  o Sidewalk Pavement Design - paving materials and pattern shall be established for each street type.
  o Street Furnishings such as benches, seat walls, planters, fences, trash receptacles and bicycle racks shall be specified and quantities and locations listed for each street type.
  o Landscape Design – professionally-prepared landscape construction documents shall be provided for all landscape bed areas, planter areas, and tree wells.
  o Lighting - pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet adopted night sky lighting requirements.
  o Identity Elements - other elements designed to establish the identity of each project, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

7. Frontage, Side and Rear Buffers
The purpose of frontage buffers is to lessen the visual impact of vehicular areas visible from the street. Side and rear buffers minimize the impact that the Overnight Accommodation development may have on neighboring zones and districts. These should include a professionally-designed, water-efficient planting design that is engaging, beautiful and appropriate for the specific setting and context. Plants should include a range of
perennials, decorative grasses and small shrubs as appropriate for reducing the visual impact of vehicular areas visible from the street while also meeting Grand County Water Efficient Landscaping requirements.

8. **Interior Parking Lot Landscape**
The intent is to provide shade, minimize paving and associated storm water runoff, and improve the aesthetic look of parking lots. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 sf thereafter.

- Each parking space must be located within 50' of a tree planted within parking lot interior. Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot’s edge for every 3 parking spaces.
- Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy. Shade Structure Requirements
- Attractive and well-designed shade structures should be considered an acceptable alternative for meeting the tree shade goal for up to 50% of the interior parking lot requirements.

**Part 7 Parking Requirements**
The parking standards outlined in this section are in addition to currently established standards for the hotel/motel development, and should meet the following goals:

- Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.
- Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning subdistricts.
- Provide specifications for vehicular site access.

1. **General Requirements**

- Off-street parking spaces shall be provided in conformance with established site design requirements.
- Required Accessible Parking - parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in the state Accessibility Code, including quantity, size, location, and accessibility. Required Bicycle Parking.
- Bicycle Parking areas required as described below.

2. **Mixed-Use Parking Reductions**
The following reductions may be applied depending on the amount and specific mix of uses.

- Shared Vehicular Parking - an arrangement in which two or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements. Through review of the site plan, up to 100% of the parking required may be waived.
• In order to approve a shared parking arrangement, it is must be proved that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

3. **Bicycle Parking Design**

Bicycle parking shall be designed and located as follows.

• Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.

• An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.

• A minimum of two feet shall be provided beside each parked bicycle to allows access. This access may be shared by adjacent bicycles.

• Racks shall be installed a minimum of two feet from any wall or other obstruction. Bicycle parking should be located within 50 feet of the entrance of the use.

• Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.

• Racks and Structures shall be provided for each unprotected parking space and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.
Grand County Overnight Accommodation Overlay Ordinance: OA – Residential

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- Part 2  Mixed Use Requirements
- Part 3  Architecture, Density, Massing and Form
- Part 4  Additional Design Requirements
- Part 5  Open Space
- Part 6  Landscape Standards
- Part 7  Parking Requirements

Comment [ZL1]: 1 exists already in the LUC. 2-5 will be the same (?) for each use-specific OA. As such, it seems like these sections should replace the existing Section 4.6, with each use-specific OA development standards and associated map being its own subsection of Section 4.6.

Comment [ZL2]: These have not been reviewed extensively by staff, the planning commission, council, or public prior to the 6/11 public hearing at planning commission. See comment below on existing use-specific development standards for residential units used for OA and Bed and Breakfasts.
1) Purpose of Overlay Districts
Overlay Districts are established to provide standards addressing unique circumstances or conditions affecting single sites where the development of such sites is of special public concern. Upon approval of special purpose district zoning, the special purpose district replaces the previous base district. Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.

In addition to the requirements of the underlying base zoning district, the provisions of the overlay district would also prevail in the areas so zoned.

In certain areas two or more overlay districts may apply. In any such instance where there are conflicting provisions, the more stringent requirements shall apply.

2) Purpose and Intent of the OA - Residential Overnight Accommodation Overlay District
Overnight accommodations are an important element of the existing community and the Grand County economy. Unfortunately, an imbalance between such uses and other desired community has emerged in recent years, requiring an adjustment in policy to ensure the number of hotels and motels are aligned with other essential and desirable uses in the region.

The OA - Residential Overnight Accommodation Overlay District is an overlay district for existing and vested overnight residential developments. The purpose of the overlay district is to ensure that existing and future hotels and motels are designed and developed in a manner that address the impacts and the increased service needs they generate. The OA – Residential Overnight Accommodation Overlay District should be applied to all existing and vested overnight residential developments to ensure that new and redeveloped projects result in tangible community benefits through the application of creative design, the incorporation and support for mixed uses both on-site and elsewhere in the community, and through the provision and support for public uses and spaces to help regain a more balanced community structure.

3) Approval Procedures
A three-step planning and approval process is required as summarized in the following table:
### Grand County Overnight Accommodation Overlay Ordinance: OA - Residential

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<tr>
<td><strong>Development Agreement, Project Plan and/or Subdivision Plat</strong></td>
<td><strong>As specific submittals and approvals specified in the applicable ordinances</strong></td>
<td><strong>Specific project development requirements for development approval.</strong></td>
<td><strong>Administrative</strong></td>
</tr>
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<td></td>
<td><strong>Staff and/or Planning Commission approval according to the specific terms and ordinance obligations</strong></td>
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</tbody>
</table>

### 4) Identification on Zoning Maps

Approved OA – *Residential* overnight accommodation overlay districts and developments shall be indicated on the official Zoning Map.

### 5) Site Master Plan Required

In approving an Overnight Accommodation development in accordance with this section, a site master plan shall be prepared and submitted for consideration by the council for approval. The master plan shall clearly indicate the purpose and details of the project, including technical facts and a clear description of how the proposed development provides benefits to the greater Moab region in Grand County as compared to development carried out in accordance with the otherwise applicable zoning and development regulations. More specifically, the master plan shall include at a minimum the following:

a) **A statement** by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations.

b) **A map and description of sensitive lands** within the or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:
• Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);
• Floodplains and riparian habitats;
• Slopes in excess of 30 percent; and
• Significant geological, biological, and archeological sites.

c) Identification of **site planning features and a description of how they will be addressed** to promote seamless transition between on-site uses and the surrounding site conditions.

d) A description of the **beneficial public services and goods the project provides** to the community. This should include a community benefit concept description, and specific documentation of the proposed types, amounts, locations and relationships of compatible uses provided within the development that provide beneficial public services and goods to the community. Examples of such uses may include mixed uses, residential, office, commercial and civic uses, public open space, and indoor/outdoor gathering spaces.

e) Documentation of the **specific utilities and infrastructure** that are designed and installed to conserve limited natural resources such as water. Examples include preparation of a water use master plan for the project, the incorporation of gray-water re-use systems, implementation of water conserving landscapes, installation of real-time water monitoring systems, the incorporation of water-efficient fixtures and the incorporation of state-of-the art dark-sky friendly lighting systems.

f) A **narrative and graphic presentation of the development** documenting and presenting the proposed development and land uses by:
• Gross acreage;
• Total project density and/or square footage for all uses proposed for the project (including overnight accommodations) per gross acre;
• Total number of overnight accommodation units;
• Overnight accommodation unit density expressed as a per-acre ratio;
• Total number and type of on-site employee and affordable housing units;
• Common area and private open space acreage;
• Total number of parking spaces required and provided, including bicycle parking;
• Parking, service and loading area acreage/spaces;
• Project Floor Area Ratio (FAR);
• Public open space and similar publicly-accessible feature acreage;
• Descriptions and graphic representations suitable for conveying the overall development character and proposed architectural style of the proposed development; and
• The relationship of the proposed development to existing development in the area, along the highway and to significant natural and built features in the area.

g) A **Traffic Study** prepared by a licensed transportation planner or traffic engineer, documenting project traffic generation, impacts (including traffic noise) and proposed mitigations and modifications.
h) A Site Plan prepared in accordance with the requirements of the County and the Development Standards specific to this section shall be approved and filed with the findings of fact as part of the approval. The site plan shall indicate at a minimum all major roads, site access roads, parking and service areas, trails and trail connections, major utilities, existing and proposed land uses, common area, open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads.

i) A statement of how the proposed development is consistent with the General Plan, including specific reference to Overnight Accommodation (OA) policies; and

j) Other relevant information that will support the application or as otherwise requested by County staff.

6) **Development Standards**

**Part 1  General Requirements**

1. **Applicability**
   The following are general development standards applicable in the OA – Residential Overnight Accommodation Overlay District. The general development requirements of the underlying zone shall apply unless otherwise indicated.

2. **Density and Heights**
   Maximum density and heights shall be no greater than that permitted in the underlying zone district.

3. **Affordable Housing**
   Required in accordance with the affordable housing requirements of the Grand County.

4. **Lots**
   - Typical Lot Dimensions. All lots of record shall be developed to meet established standards.
   - Typical Lot Configuration. All lots shall front a public street unless otherwise approved.
   - Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.

5. **Lot Configuration**
   Primary uses should face the fronting roadway and configured in a fashion that responds to the context, including natural site conditions such as slope and topography. The intent is to carefully incorporate new development in a manner that fits the established character and form of the surrounding area, resulting in a unified appearance. Pedestrian and cycling amenities such as sidewalks, trails, dedicated corridors and similar features should be provided in a manner is coordinated with the needs of vehicles, resulting in holistic, safe and attractive circulation solutions.
6. Lot Access

For Developments fronting US-191
The traffic and speed of vehicles on this roadway presents challenges for providing direct access to residential projects and for creating a walkable/bikeable street environment in the surrounding area. Since existing development patterns include a mix of commercial uses adjacent to the highway with residential uses nearby, the use of small access roads, slip roads, alleys and other appropriate access ways from the sides and rear of properties is encouraged when possible.

For Developments fronting all other roads
The use of small access roads, alleys and other appropriate access ways from the fronting road and/or from the sides and rear of properties is required.

7. General Open Space Requirements
The following are requirements for provision of civic open space.
- Developments over 5 acres are required to provide a minimum of 5% total lot area as publicly-accessible civic open space. Developer shall work with Grand County to determine the appropriate location and design of proposed open spaces.
- For developments under 5 acres, impact fees and other funding mechanisms will be used to ensure adequate open space is provided in the district.

8. Streets and Access Roads

General Requirements.
- Address all modes of travel, including pedestrian traffic, bicycle, transit and vehicular traffic.
- Address all features of the access road and public road right-of-way, including sidewalks, traffic lanes, bicycle lanes and medians.
- Provide adequate access for vehicles, pedestrians and cyclists.
- Create access roads that are appropriate for their context and use that encourage travel at appropriate volumes and speeds.
- Create streets and access roads that reduce storm water runoff quantity and improve the quality of storm water runoff.
- Follow design specifications and standards defined by County Public Works.
- Variations from otherwise required road design standards may be approved where it is demonstrated that such exceptions will not be detrimental to the public health, safety and general welfare.

9. Road Design Standards
Variation from otherwise required road design standards may be approved where the applicant demonstrates that such exceptions will not be detrimental to the public health, safety and general welfare.
10. **Bicycle Facilities**
   Bicycle accommodations should be provided as determined by Public Works.

11. **Storm Water Management**
   Incorporation of storm water management best practices, including Low-impact Development (LID) techniques within the access road right-of-way and parking design is required. Examples include incorporating drainage swales, slotted curbs, sub-surface sumps and French drains; and the use of permeable paving in parking areas.

**Part 2 Mixed Use Requirements**

1. **General Conditions**
   All developments applying the OA – Residential Overnight Accommodation Overlay District must provide a significant mix of residential, commercial, retail, office, civic and similar uses to offset the impacts of OA - Residential projects.

   A minimum of 10% of the floor area dedicated to the primary overnight residential use shall be dedicated to mixed uses. The required mixed uses may be designed and developed on-site or financially-supported/developed by the applicant elsewhere in the general vicinity of the proposed project, upon approval by grand County.

2. **Applicability**
   The following are general mixed-use requirements applicable in the OA – Residential Overnight Accommodation Overlay District. The specific amount, type and location of mixed-uses will be negotiated and approved as part of the application process.

3. **Design and Evaluation Criteria**
   The following are general conditions that will result with a successful mixed-use development.

   A. Incorporates imaginative site and building design with a compatible mixture of land uses that encourage pedestrian, bicycle and other multi-modal access to the proposed development;

   B. Applies sensitive land use and site design that avoids the creation of incompatible land uses;

   C. Mitigates impacts that the project creates with respect to transportation, traffic, noise, public utilities, open space, recreation, public facilities and services, site circulation, solid waste disposal and recycling, water, sewer, storm drain and similar systems;

   D. Protects and preserves the natural environment to the maximum extent possible, including but not limited to conserving water to the greatest degree possible,
protecting the water quality of the regional watershed, mediating storm water and floods, and protecting sensitive and critical natural lands and the protection of viewsheds.

E. Preserves and/or creates open space and outdoor meeting places for the enjoyment of the Grand County residents, employees of businesses located within the valley, and the general public;

F. Provides publicly-accessible plazas, commons, greens, parks or civic buildings or spaces for social activity and assembly for the community;

G. Incorporates a mix of affordable housing types and ownership patterns;

H. Includes uses that provide employment opportunities and under-provided goods and services;

I. Provides a balanced mix of uses that minimize the necessity for utilization of personal automobiles on a daily basis;

J. Provides high-quality architectural and site design that is harmonious with the local context and adjacent uses;

K. Incorporates well-designed and laid-out access roads, parking lots, trails and pathways that are specifically designed for the convenience and safety of pedestrians and cyclists as well as for meeting the needs of vehicles; and

L. The provision of clustered development to preserve open space and preserving critical viewsheds while still achieving an appropriate overall density for region.

4. Mixed Use Development Standards
All development and design standards described in this chapter and elsewhere in the code shall apply, in addition to the following mixed-use specific standards:

• Generally-acceptable Uses: commercial, recreational, retail, civic and open space

• Location of Uses: mixed uses such as commercial shops, offices and civic uses shall be located on the ground floor adjacent to the street frontage or in an otherwise prominent and visually-discernable location. Overnight residential to be provided in all other locations; and

• Pedestrian-oriented Design Required: direct access to pedestrian-oriented services is required to promote pedestrian/bicycle uses in the development area.
1. **General Conditions**
   The following are the general physical characteristics of OA – Residential uses, including associated mixed uses, within the overlay district.
   - Each building or structure can house a variety of uses depending on the design concept and functional requirements of each development.
   - All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
   - Attached accessory structures are considered part of the principal structure.
   - Detached accessory structures are permitted and shall comply with all setbacks except the following:
     - Detached accessory structures are not permitted in the front yard.
     - Detached accessory structures shall be located behind the principal structure in the rear yard.
     - Detached accessory structures shall not exceed the height of the principal structure.

3. **Building Siting**
   - More than one principal structure permitted on a lot.
   - All setback areas not covered by a building or parking must contain either landscape, patio space, public open space, or a sidewalk/trail.

3. **Building Height**
   - See existing zone for minimum and maximum height limitations and requirements.
   - See existing zone for minimum and maximum setback requirements.
   - Non-residential ground story uses must have a minimum interior height of 12’ and a maximum of 14’ to facilitate mixed uses.

4. **Building Layout and Configuration**
   - Mixed uses such as commercial shops, offices and civic uses shall be located on the ground floor adjacent to the street frontage or in an otherwise prominent and visually-discernable location. Overnight residential to be provided in all other locations.
   - Parking may be located within a building or as part of well-landscaped and buffered parking lots.

5. **Street View Requirements**
   - For uses located on the ground floor facing the primary fronting street(s), 60% Minimum Ground Story Transparency is required, measured floor to floor. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
   - Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable.
• Blank Wall Limitations are required on all facades facing the primary street dedicated to mixed uses.
• No rectangular area greater than 30% of a story’s facade, as measured from floor to floor may be windowless, and no horizontal segment of a story’s facade greater than 10 feet in width may be windowless, unless otherwise approved.
• A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable principal entrance located on the primary street side of the principal building.
• Street Entrances – the minimum number and maximum spacing between entrances on the ground floor building facade with street frontage with a clear development design theme or concept is required.
• Vertical Facade Divisions - the use of a vertically oriented expression lines or form to divide the facade into increments that enhance the design concept are required. Acceptable elements may include columns, pilasters, scoring lines and other continuous vertical features at least 1.5” in width.
• Horizontal Facade Divisions - the use of significant shifts in the façade every 45’ at minimum to divide portions of the façade into horizontal divisions. Major dividing elements should be integral to the architectural layout and form of the structure, with minor delineations encouraged through the uses of expressions lines in the form of cornices, belt courses, string courses, or other continuous horizontal divisions.

Part 4 Additional Design Requirements
The following outlines the district design guidelines that affect a building’s appearance and district cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

1. Materials and Color
• Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
• Permitted primary building materials will include high quality, durable, natural materials such as brick and stone; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass. Other high quality synthetic materials may be approved as part of a unified theme or design concept.
• Secondary Facade Materials are limited to details and accents. Examples include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim; and exterior architectural metal panels and cladding.
• Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
• Acceptable Roof Materials include 300 pound or better, dimensional asphalt composite shingles, metal tiles or standing seam, slate, and ceramic tile. Other roof materials may be considered for approval.
Grand County Overnight Accommodation Overlay Ordinance: OA - Residential

- Color - main building colors shall be complementary to existing buildings in the area, the surrounding landscape and visual backdrops.
- Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used throughout the district.

2. Windows, Awnings, and Shutters
- Windows - all upper story windows of overnight accommodation, mixed use and associated buildings shall be recessed and double hung.
- Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated.
- If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood.

3. Balconies
- Balconies shall be a minimum of six feet deep and five feet wide.
- Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- A maximum of 40% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4. Treatments at Terminal Vistas
- When a street terminates at a parcel, the front or corner side of a building or a significant landscape feature, whether fronting a Primary Street or not, shall terminate the view.

5. Building Variety
Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following:
- The proportion of recesses and projections.
- The location of the entrance and window placement, unless storefronts are utilized.
- Roof type, plane, or material, unless otherwise stated in the Building Type requirements.

6. Drive-through Uses
- Drive-through structures and uses are not allowed.

Part 5 Open Space
To provide open space as an amenity that promotes physical and environmental health to project users and the community at large. A primary function is to provide access to a variety of active and passive open space types.
1. **General Requirements**

Developments over 5-acres are required to provide a minimum of 5% total lot size as publicly-accessible and usable civic open space. Developer shall work with Grand County to determine the best and most appropriate location of open space. For parcels under 5 acres, impact fees and other funding will be used as mechanisms to ensure adequate open space is provided.

All open space provided shall comply with one of the Open Space Types that follow:

- **Plaza** – a formal, medium-scale (1.5 acre or less) gathering place for civic, social, and commercial purposes. May contain a greater amount of impervious coverage than other open space types. Special features, such as fountains and public art installations, are encouraged.
- **Square** - a medium-scale (1 to 2 acre) open space to gather for civic, social and commercial purposes. Squares are rectilinear in shape and are bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.
- **Green** – an informal, medium scale (0.25 to 2.0 acre) park with active or passive recreation amenities for neighborhood residents within walking distance; mainly fronted by streets.
- **Pocket Park** – a small-scale (.5 to 1.5 acre) open space, that is primarily designed to accommodate a range of active and passive recreation and gathering space uses, primarily local neighbors and residents within walking distance.
- **Local and Neighborhood Parks** – medium to large (3-acre to 10 acre) informal parks that accommodate both active and passive recreational amenities for local residents and the larger community. Parks have primarily natural plantings and are frequently formed around an existing natural feature such as a water body or stands of trees.
- **Greenway** – long and linear open spaces that serve to enhance connectivity between open space types and other uses. Greenways often follow a natural feature, such as a river, stream, ravine, or man-made feature, such as a vehicular right-of-way. A greenway may border other open space types.

**Part 6  Landscape Standards**

The landscape standards outlined in this section are designed to meet the following set of goals.

- To provide suitable outdoor settings;
- To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
- To provide responsible and environmentally-appropriate green spaces and infrastructure through the use of water efficient landscape design techniques, tools and standards.
- To shade large expanses of pavement and reduce the urban heat island effect.
1. Applicability
   Landscapes, trees and buffers shall be installed as detailed in this section and detailed elsewhere in the development code.

2. Water Efficient Landscaping
   Refer to specific Grand County landscape regulations regarding water efficient landscaping requirements.

3. General Installation Requirements
   The installation of landscaping shall adhere to the following standards.
   - National and Regional Standards. Best management practices and procedures according to the nationally and regionally accepted standards shall be practiced. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurseriesmen.
   - Maintenance and Protection - all landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
   - Installation – landscaping shall be fully installed prior to the issuance of a certificate of completeness.
   - Condition of Landscape Materials shall be:
     - Healthy and hardy with a good root system.
     - Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.
     - Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.
     - Appropriate for the conditions of the site, including slope, water table, and soil type.
     - Protected from damage by grates, pavers, or other measures.
     - Plants that will not cause a nuisance or have negative impacts on an adjacent property.
     - Species native or naturalized to Grand County region, whenever possible.
     - Minimal use or no use of lawns, turf and similar water-craving landscapes is required.

4. Irrigation Systems
   Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.
   - All irrigation systems shall be designed to minimize the use of water, as detailed in the Grand County water-conserving landscape ordinance. The use of drip, emitter, bubbler and other water-conserving irrigation systems are required,
5. **Landscape Maintenance**

All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

- All required landscape shall be maintained to adhere to all requirements of this ordinance.
- Replacing Unhealthy Landscaping. Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.
- Maintenance Responsibility. The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.
- Maintain Quality and Quantity. Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.
- Fences and Other Barriers. Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
- Tree topping is not permitted.

6. **Street Trees and Streetscape Design**

The intent is to line all new streets with a consistent and appropriate planting of trees, pavement design, and identity to establish tree canopy for environmental benefit and a sense of identity for all new streets.

- Streetscape Design Submittal – a consistent streetscape design shall be submitted for approval for all public streets adjacent to the development. At a minimum, the submittal shall include the following:
  - Street Trees meeting the minimum requirements shall be included in the streetscape design, with details related to tree pits, tree planting to meet landscape requirements.
  - Tree Locations indicated by type, size and general planting technique.
  - Sidewalk Pavement Design - paving materials and pattern shall be established for each street type.
  - Street Furnishings such as benches, seat walls, planters, fences, trash receptacles and bicycle racks shall be specified and quantities and locations listed for each street type.
  - Landscape Design – professionally-prepared landscape construction documents shall be provided for all landscape bed areas, planter areas, and tree wells.
  - Lighting - pedestrian and vehicular lighting shall be specified and locations and quantities noted. All lighting shall meet adopted night sky lighting requirements.
  - Identity Elements - other elements designed to establish the identity of each project, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.
7. **Frontage, Side and Rear Buffers**

The purpose of frontage buffers is to lessen the visual impact of vehicular areas visible from the street. Side and rear buffers minimize the impact that the Overnight Accommodation development may have on neighboring zones and districts. These should include a professionally-designed, water-efficient planting design that is engaging, beautiful and appropriate for the specific setting and context. Plants should include a range of perennials, decorative grasses and small shrubs as appropriate for reducing the visual impact of vehicular areas visible from the street while also meeting Grand County Water Efficient Landscaping requirements.

8. **Interior Parking Lot Landscape**

The intent is to provide shade, minimize paving and associated storm water runoff, and improve the aesthetic look of parking lots. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650 sf thereafter.

- Each parking space must be located within 50’ of a tree planted within parking lot interior. Minimum of 1 shade tree must be planted within parking lot interior or within 4’ of parking lot’s edge for every 3 parking spaces.
- Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy. Shade Structure Requirements
- Attractive and well-designed shade structures should be considered an acceptable alternative for meeting the tree shade goal for up to 50% of the interior parking lot requirements.

**Part 7 Parking Requirements**

The parking standards outlined in this section are in addition to currently established county standards, and should meet the following goals:

- Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.
- Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning subdistricts.
- Provide specifications for vehicular site access.

1. **General Requirements**

- Off-street parking spaces shall be provided in conformance with established site design requirements.
- Required Accessible Parking - parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in the state Accessibility Code, including quantity, size, location, and accessibility. Required Bicycle Parking.
- Bicycle Parking areas required as described below.
2. **Mixed-Use Parking Reductions**  
The following reductions may be applied depending on the amount and specific mix of uses.

- **Shared Vehicular Parking** - an arrangement in which two or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements. Through review of the site plan, up to 100% of the parking required may be waived.
- In order to approve a shared parking arrangement, it must be demonstrated that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

3. **Bicycle Parking Design**  
Bicycle parking shall be provided in conformance with established site design requirements, with the following additional requirements:

- Designed and located as follows.
- Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.
- An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.
- A minimum of two feet shall be provided beside each parked bicycle to allow access. This access may be shared by adjacent bicycles.
- Racks shall be installed a minimum of two feet from any wall or other obstruction. Bicycle parking should be located within 50 feet of the entrance of the use.
- Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
- Racks and Structures shall be provided for each unprotected parking space and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.
You are receiving this notice as the owner of record of a parcel in the unincorporated area of Grand County, Utah that is either commercially zoned or included in the Overnight Accommodations Overlay. It is being sent to you as a courtesy and to demonstrate Grand County’s commitment to informing property owners of potential changes to their commercial use rights. The subject of this notice has been covered extensively in local periodicals and public advertisements, and all other required formal noticing steps have been followed.

Grand County is considering changes to its land use code that may limit your rights to develop new overnight accommodations. These changes may include removing overnight accommodations as a use by right, which will affect new overnight accommodations only. In such an event, existing and legally vested projects will be allowed to continue operating.

If you have not followed this policy conversation, you may visit www.moabarealanduse.com to see process and project related materials. You may also review past meeting packets for Grand County Planning Commission and Council meetings at www.grandcountyutah.net. Please also note the upcoming meeting dates below.

Scheduled meetings as of June 1, 2019 are as follows (All meetings take place at 125 E. Center St, Moab, UT 84532):

**June 11, 2019 at 5:00 p.m.** (or later) – Public Hearing, Grand County Planning Commission. The Planning Commission will hear public comment and vote to forward a formal recommendation to the Council regarding proposed changes.

**June 18, 2019 at 4:00 p.m.** (or later) – Discussion, Grand County Council. The Council will review and discuss the Planning Commission’s recommendation.

**July 2, 2019 at 4:00 p.m.** (or later) – Public Hearing, Grand County Council. The Council will hear public comment and discuss the Planning Commission’s recommendation.

**July 16, 2019 at 4:00 p.m.** (or later) – Public Meeting, Grand County Council. The Council will vote on an ordinance amending overnight accommodations use rights in the County land use code.

*Oral public comment will be accepted during each public hearing, and may be accepted during discussions. Written public comment may be submitted any time to council@grandcountyutah.net.*
GRAND COUNTY, UTAH
ORDINANCE 586 (2019)

APPROVING A TEMPORARY LAND USE REGULATION PROHIBITING NEW LAND USE
APPLICATIONS OR PERMITS FOR OVERNIGHT ACCOMMODATIONS, INCLUDING
HOTELS/MOTELS, CAMPGROUNDS, BED AND BREAKFASTS, CONDOMINIUMS AND
TOWNHOMES USED FOR OVERNIGHT ACCOMMODATIONS, OR ANY OTHER USES
ASSOCIATED WITH OVERNIGHT ACCOMMODATIONS FOR A PERIOD OF SIX (6) MONTHS

WHEREAS, the Grand County Land Use Code currently permits overnight accommodations in multiple zone
districts and the Overnight Accommodations Overlay (OAO), as further described in Section 3.1 (below):

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<thead>
<tr>
<th>Use Category</th>
<th>Specific Use</th>
<th>RESIDENTIAL</th>
<th>NONRESIDENTIAL</th>
<th>Use-Specific Standards</th>
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<td>NC GB RC RS HC LI HI</td>
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<td>Hotel or motel</td>
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<td>All other overnight accommodation uses</td>
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WHEREAS, Utah Code 17-27a-504(1)(a) states:

“A county legislative body may, without prior consideration of or recommendation from the planning commission,
enact an ordinance establishing a temporary land use regulation for any part or all of the area within the county
if:
(i) The legislative body makes a finding of compelling, countervailing public interest; or
(ii) The area is unregulated.”

WHEREAS, Grand County has, in recent years, received and approved a significant number of new permit
applications for hotels/motels, campground and RV parks, condominiums and townhomes used for overnight
accommodations, and bed and breakfasts;

WHEREAS, Grand County recently commissioned BAE Urban Economics to complete a Nexus Analysis in
conjunction with its exploration of an Assured Housing Ordinance, and this study verified and quantified the
nexus between new lodging related development and increased demand for below market rate housing;

WHEREAS, the median sales price for all housing unit types in Grand County increased $115,000 (51%) between 2013 and 2018, at least in part, because of demand for residential units used as overnight
accommodations whereas average wages only increased $3,204 per year (1.1%) over the same time period;
WHEREAS, the United States Geological Survey is finalizing a report that includes findings from a recently completed multiyear groundwater study of the Moab Area Watershed, which found that safe yield for the Area is less than previously estimated (About 11-13,000 acre-feet per year rather than 18-22,000 acre-feet per year), and Grand County anticipates the need for a multi-agency, intergovernmental groundwater management plan;

WHEREAS, lodging related development results in water usage that greatly diminishes available and financially viable water resources for residents;

WHEREAS, Grand County budgets for law enforcement, search and rescue, and emergency medical services, increased forty-six percent (46%) between 2015 and 2019, fifteen (15%) between 2014 and 2018, and one hundred thirty percent (130%) between 2014 and 2018, respectively, as a result, at least in part, of increased tourism impacts;

WHEREAS, the local office of the Department of Workforce Services has reported a significant increase in the number of private sector service jobs remaining unfilled because of the increase in accommodations and tourism without a proportional increase in service workers who can find or afford housing in Grand County. The same office recently informed the County that 328 jobs across all sectors were currently posted and more than 250 had been posted for more than 30 days;

WHEREAS, the County is in the process of adopting and updating multiple planning documents and land use ordinances related to future land use and affordable housing, including a High Density Housing (HDH) Overlay and the housing element of its general plan, and processing permit applications for additional overnight accommodations undermines the purpose of the County’s planning process;

WHEREAS, the County is in the process of evaluating current local economic conditions and opportunities for economic diversification, and processing permit applications for additional overnight accommodations undermines the purpose of the County’s economic development efforts;

WHEREAS, overnight accommodations developments have the potential of significantly increasing the number of people utilizing the infrastructure and public services in Grand County;

WHEREAS, significant increases in the number of people utilizing Grand County’s infrastructure and public service systems creates undue stress on these systems;

WHEREAS, Grand County has received an increase in the number of complaints regarding the impacts of overnight accommodations developments on the County’s infrastructure, public services, housing market, economy, general quality of life, and environment;

WHEREAS, it is in the best interest of Grand County and its citizens if the County passes a temporary land use regulation which halts new permits for overnight accommodations;

WHEREAS, the Grand County Planning Commission and County Council need time to review and amend, if needed, overnight accommodations regulations prior to approving any new permits for overnight accommodations in any zone district;

NOW, THEREFORE, THE COUNTY COUNCIL ENACTS THE FOLLOWING:

1. **Temporary Land Use Regulation.** Except as expressly provided in Section 3, no new applications or permits for overnight accommodations, including hotels/motels, campgrounds, bed and breakfasts, condominiums and townhomes used for overnight accommodations, or any other land use associated with overnight accommodations, shall be approved in any zone district upon the Effective Date, as defined in Section 2.

2. **Effective Date and Duration.** This ordinance shall take effect immediately upon passage ("Effective Date") and shall continue for six (6) months, following which it shall automatically expire with no further action of the County Council.
3. **Exceptions.** The County acknowledges that a number of "persons," including entities, within Grand County have procured land use entitlements (including land use approvals and building permits) for the construction of overnight accommodations, including hotels/motels, campgrounds, bed and breakfasts, condominiums and townhomes used for overnight accommodations (which shall include condominiums and townhomes located in a district in which overnight accommodations is a permitted use by right), or submitted land use applications that have been deemed complete, as of the Effective Date. In an effort to avoid hardship to those who have relied in good faith upon existing County regulations, such persons described above who have procured land use entitlements or who have submitted land use applications deemed complete by the County shall be excluded from the applicability of this ordinance. In every case, such persons shall still be required to obtain land use permits and business licenses for said overnight accommodations before such use commences.

4. **Conflict.** This ordinance shall supersede and take precedence over any conflicting ordinances or policies of Grand County.

5. **Severability.** If any provision of this ordinance shall be found invalid by a court with jurisdiction, the provisions shall be severed and the remainder of the ordinance shall be enforced without the severed provision.

**PASSED, ADOPTED, AND APPROVED** by the Grand County Council in open session this February 5, 2019 by the following vote:

**Those voting aye:** Halliday, Hawks, McGann, Wells, Clapper, Morse

**Those voting nay:**

**Those absent:** Paxman

**ATTEST:**

Chris Baird, Clerk/Auditor

Evan Clapper, Chair

Grand County Council
<table>
<thead>
<tr>
<th>Development</th>
<th>Total Constructed Units</th>
<th>Constructed, ONR</th>
<th>Constructed, not yet ONR</th>
<th>Vested, not yet Constructed</th>
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<tr>
<td>Rim Village</td>
<td>208</td>
<td>144</td>
<td>64</td>
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<tr>
<td>Red Cliffs</td>
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<td>Desert Wind</td>
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<td>Southgate</td>
<td>28</td>
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<tr>
<td>Tierra del Sol</td>
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<td>Coyote Run</td>
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<td>Radisson Hotel (at former Knutsons property)</td>
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<td>Ballard RV Park expansion (Thompson Springs)</td>
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<td>Prana/Radcliffe Hotel</td>
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<td><strong>4525</strong></td>
<td><strong>156</strong></td>
<td><strong>1600</strong></td>
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*84 units have not yet received final plat approval

Table missing Moab City projects constructed and not yet ONR (eg. Units in Entrada, Cottonwood Condos not currently ONR)

Disclaimer - All data is accurate to the best knowledge of Grand County Community and Economic Development as of May 17, 2019.
Notice Content

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Grand County Planning Commission will hold a Public Hearing on Tuesday, June 11, 2019 at 5:00 p.m. in the Council Chambers of the Grand County Courthouse, located at 125 East Center, Moab, Utah. The purpose of this hearing is to solicit input on the following:

A proposed ordinance amending/removing use rights from all zones and/or the overnight accommodations overlay for new/additional overnight accommodations developments, including Table 3.1 (Uses), Section 3.2 Use-Specific Standards, and Section 4.6 Overnight Accommodations Overlay District.

Published in The Times-Independent, Moab, Utah, May 30 and June 6, 2019.