## Grand County Planning Commission

**Tuesday, June 25, 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**

**Action Item**  
Approval of the June 11, 2019 Meeting Minutes  
*Chair*

**Discussion Item**  
Citizens to be heard  
*Chair*

**Discussion Item**  
Ex Parte Communications  
*Chair*

**Discussion Item**  
Noticing Procedures  
*Staff*

**Discussion Item**  
Development Standards  
*Staff*

**Discussion Item**  
Future considerations  
*Chair & Staff*

**Discussion Item**  
County Council Update – Terry Morse  
*Council Liaison*

### Adjourn

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**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.
**STATED MOTION:**

N/A

**STAFF RECOMMENDATION:**

Review, Article 9.1 Common Procedure, from the Grand County Land Use Code.

**BACKGROUND:**

Planning Commissioners asked staff to begin examining the County’s noticing procedures for land use applications, resolutions, and ordinances. Questions about noticing procedures arose during the public hearing for amendments to the HDH ordinance, but they generally apply to noticing writ large.

**ATTACHMENT(s):**

- Grand County Land Use Code Article 9.1 Common Procedure
9.1 Common Procedure

9.1.1 Conformity with Land Use Code
Every official and employee of Grand County vested with the duty or authority to issue a permit or certificate shall not issue a permit or certificate for any use, building, or purpose that conflicts with any provision of this LUC. Any permit, approval, or certificate issued in conflict with the provisions of this LUC shall be null and void. [Ord. 546, 2016.]

9.1.2 Preapplication Conference
Prior to the submission of an application required by this LUC, a preapplication conference with the Zoning Administrator may be required as follows.

A. Preapplication Mandatory Conference
A mandatory preapplication conference with the Zoning Administrator to discuss procedures, standards, or regulations shall be required for:

1. Subdivision Sketch Plan;
2. Preliminary Plat;
3. Minor Subdivision Plat;
4. Recreational Subdivision;
   and
5. Conditional Use Permits;

B. Optional Conference
A preapplication conference is recommended for all other applications. Applicants are encouraged to attend an optional preapplication conference with the Zoning Administrator prior to submitting any application. (The preapplication conference provisions of this section do not apply where the application or action is initiated by the County Council or Commission.)

[Ord. 546, 2016.]
9.1.3 Minimum Submission Requirements
The following regulations shall apply to all applications.

A. Property Owner Endorsement
All applications shall include the name and signature of the current property owner of all property within the boundaries.

B. Preliminary Title Report
All applications required under this LUC shall include a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record affecting the subject property.

C. Forms and Content
Applications required under this LUC shall be submitted on forms, with any requested information and attachments and in such numbers as required by the Zoning Administrator. The Zoning Administrator shall have the authority to request any pertinent information required to ensure compliance with this LUC. Likewise, the Zoning Administrator may waive any submittal requirements deemed irrelevant in a given application.

D. Electronic Submission
Plats shall be prepared and submitted in digital format acceptable to the Zoning Administrator and compatible with the County’s geographic information system. Plats shall be submitted in the latest version of AutoCAD, or other format compatible with the County GIS as may be specified by the Zoning Administrator (currently preferred in State Plane Coordinates – Utah Central Zone or the Valley Coordinate System) with all measurements stated in feet.

E. Fees
   1. Filing fees shall be established periodically by resolution of the County Council commensurate with the level of service. Such fees may include all costs occasioned to the County, including publication of notices, public hearing, and review costs, planning and engineering, legal, and other professional review and inspection costs.
   2. All required fees shall be made payable to “Grand County.”
   3. All required fees shall be nonrefundable.

F. Vicinity Map
A vicinity map [which may be a USGS one inch equals 2,000 feet scale] shall locate the property
relative to surrounding areas.

[Ord. 546, 2016.]

9.1.4 Application
All applications shall be completed and submitted to the Zoning Administrator at least 30 days prior to any desired agenda date. An application shall not be considered as officially submitted until it has been found to be complete in accordance with Section 9.1.6. [Ord. 546, 2016.]

9.1.5 Summary of Land Use Authority
Land use authority for the respective land use review procedures is described below:

<table>
<thead>
<tr>
<th>SUMMARY OF LAND USE AUTHORITY</th>
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<tbody>
<tr>
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<tr>
<td>Interpretations of Text and Zoning Map</td>
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<td>Zoning Map (Rezonings) and Text Amendments</td>
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<td>Variances</td>
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The Grand County Land Use Code is current through Ordinance 580, passed November 7, 2018.
<table>
<thead>
<tr>
<th>Variances (in conjunction with Subdivision Review)</th>
<th>Hearing Officer</th>
<th>Section</th>
</tr>
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<tbody>
<tr>
<td>County Council</td>
<td>9.14</td>
<td></td>
</tr>
<tr>
<td>Sign Permits</td>
<td>Zoning Administrator</td>
<td>9.15</td>
</tr>
<tr>
<td>Temporary Use Permits</td>
<td>Zoning Administrator</td>
<td>9.16</td>
</tr>
<tr>
<td>Site Plan Reviews</td>
<td>Zoning Administrator</td>
<td>9.17</td>
</tr>
<tr>
<td>Zoning Development Permits</td>
<td>Zoning Administrator</td>
<td>9.18</td>
</tr>
<tr>
<td>Building Permits</td>
<td>Building Official</td>
<td>9.19</td>
</tr>
<tr>
<td>Certificates of Occupancy</td>
<td>Building Official</td>
<td>9.19</td>
</tr>
<tr>
<td>Overnight Accommodations/Short-term Rentals</td>
<td>Zoning Administrator</td>
<td>4.6</td>
</tr>
<tr>
<td>Bed and Breakfasts</td>
<td>Zoning Administrator</td>
<td>3.2.3</td>
</tr>
</tbody>
</table>

[Ord. 548, 2016; Ord. 546, 2016.]

9.1.6 Certification of Completeness
An application shall be considered submitted only after the Zoning Administrator certifies that it is complete, provided in the required form, includes all mandatory information and exhibits, and is accompanied by the applicable fee. A determination of application completeness shall be made by the official responsible for accepting the application within five working days of application filing. If an application is determined to be incomplete, the Zoning Administrator shall contact the applicant to explain the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 15 days, the application shall be considered withdrawn. [Ord. 546, 2016.]

9.1.7 Vested Development Rights
Complete applications shall be considered complete when the requirements in place at the time have been met and certified by the Zoning Administrator. However, such application shall be subject to pending amendments to the LUC that are initiated prior to such certification. [Ord. 546, 2016.]
9.1.8 Required Public Notices

A. Summary of Notice Requirements

Notice shall be required for development review as shown in the table below.

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<tr>
<th>Application Type</th>
<th>Published</th>
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<tbody>
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<td>Appeals of Administrative Decisions</td>
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<td>X</td>
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<tr>
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<td>X</td>
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<td>X</td>
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<tr>
<td>Zoning Map Amendments (Rezonings)</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Variances</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

B. Notice Requirements

All required public notices shall be accomplished in accordance with the following requirements:

1. Publication

The County shall cause notice of the public hearing to be given by publication in a newspaper of general circulation (with distribution of the notice to all other local news media without any requirement for publication) in Grand County not less than 10 calendar days prior to the hearing for the purpose of notifying the public of the time and place of such public hearing.

2. Mailing

As an alternative or complement to the above publication requirements, staff may mail notice of the public hearing not less than 10 days prior to the hearing to the recorded owner of each parcel within 500 feet in all directions of the property that is the subject of a land use application.

3. Posting

   a. The applicant shall post a sign, provided by the County, noticing the public hearing in a prominent and visible place within five feet of each property line with street frontage on the land area proposed for a rezoning, subdivision amendments, or conditional use with a
notice of the hearing at least 10 days prior to the hearing.

b. The County shall post notice on the official County and state public meeting notice websites.

C. Content of Notice

All published, posted, or mailed notices shall at a minimum state the time and place of such hearing and the nature of the subject to be considered, and the name, address, and phone number of the applicant.

[Ord. 546, 2016.]

9.1.9 Required Public Hearings
The following table summarizes the types of applications requiring public hearings and the review body responsible for conducting the hearing.

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[Ord. 546, 2016.]

9.1.10 Required Applicant Notices

A. Notice of Meetings and Hearings

1. The County shall provide written notice to each land use applicant of the date, time and place of each public meeting and public hearing at which the applicant’s application is to be considered.

2. All affected entities, including but not limited to school districts, utilities, special districts,
UDOT, and the AOG state planning coordinator shall be notified when considering the General Plan or amendments to the General Plan or multi-unit residential, commercial, industrial or subdivision approvals.

B. Notice of Decision

The Zoning Administrator shall provide a copy of the decision to the applicant by mail within 10 days of the final decision on each land use application.

[Ord. 546, 2016.]

9.1.11 Required Municipal Notice of Urban Development
Proposed residential development with more than 15 dwelling units and an average density greater than one residential unit per acre, or any proposed commercial development with a cost projection of greater than $750,000, that is in the municipality’s proposed annexation area is subject to municipal review according to the requirements of this section:

A. The County shall provide written notice to the municipality of the proposed development; and

B. Within 90 days after the County’s written notice of the proposed development, the municipality shall either:

1. Consent in writing to the development; or

2. Submit a written objection to the County’s approval of the proposed development.

C. Where the municipality chooses to submit a written objection, within a reasonable time after receiving said objection, the County shall respond in writing to the municipality’s objections and make a diligent attempt to reasonably reconcile said objections.

[Ord. 546, 2016.]

9.1.12 Simultaneous Processing of Applications
Whenever two or more forms of review and approval are required under this LUC, the applications for those development approvals may be processed simultaneously at the Zoning Administrator’s option and with the approval of the applicant. The simultaneous processing of applications shall be at the applicant’s risk. [Ord. 546, 2016.]
Article 9 Administration and Procedures

Sec. 9.1 Common Procedure

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<td>Sec. 9.2</td>
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<td>Planning Commission</td>
<td>Sec. 9.3</td>
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<tr>
<td>Preliminary Plat</td>
<td>County Council</td>
<td>Sec. 9.4</td>
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<td>Final Plat</td>
<td>County Council</td>
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<td>High Density Housing Overlay</td>
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B. Notice Requirements
All required public notices shall be accomplished in accordance with the following requirements:

1. Publication
   The County shall cause notice of the public hearing to be given by publication in a newspaper of general circulation (with distribution of the notice to all other local news media without any requirement for publication) in Grand County not less than 10 calendar days prior to the hearing for the purpose of notifying the public of the time and place of such public hearing.

2. Mailing
   As an alternative to the above publication requirements, the County may mail notice of the public hearing not less than 3 days prior to the hearing to the record owner of each parcel within 100 feet of the property that is the subject of a land use application.

3. Posting
   a. The Applicant shall post a sign, provided by the County, noticing the public hearing in a prominent place on the land area proposed for a rezoning with a notice of the hearing at least 10 days prior to the hearing.
   b. The County shall post notice in 3 public places or on the official County website.

C. Content of Notice
All published, posted, or mailed notices shall at a minimum state the time and place of such hearing and the nature of the subject to be considered, and the name, address, and phone number of the Applicant.

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   B. Within 90 days after the County’s written notice of the proposed development, the municipality
      shall either:
         1. Consent in writing to the development; or
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development approvals may be processed simultaneously at the Zoning Administrator’s option and with
the approval of the applicant. The simultaneous processing of applications shall be at the applicant’s risk.

Sec. 9.2 Text and Zoning Map Amendments (Rezonings)

9.2.1 General
Text and Zoning Map Amendments are discretionary legislative decisions. This is true even when a
proposed map amendment otherwise conforms to the applicable requirements of this code

9.2.2 Initiation of text amendment
Any person having a proprietary interest in any property may submit an application to the County Council
for a change or amendment to the provisions of this LUC, or the Planning Commission may on its own
motion or on request from the County Council, institute study and proposal for changes and amendments
in the public interest.

9.2.3 Application for Zoning Map Amendment
Any person having a proprietary interest in any property within Grand County, Utah, requesting a change
or amendment to the zoning classification of such property shall file 5 copies (neatly folded and ready for
mailing) of the application for such change or amendment with the Zoning Administrator. The application
shall be submitted at least 30 days prior to any desired agenda date and, at a minimum, shall include the
following information:

   A. The name, address, and telephone number of the Applicant shall be provided;
   B. The application shall clearly state the requested change or amendment and describe the
      property to be affected by such request by metes and bounds or by other legal description;
AGENDA SUMMARY
GRAND COUNTY PLANNING COMMISSION MEETING
June 25, 2019

TITLE: Discussing development standards related to new overnight accommodations developments in unincorporated Grand County.

FISCAL IMPACT: Unknown

PRESENTER(S): Community & Economic Development

PREPARED BY: Community & Economic Development

STATEMENT MOTION:
N/A – Discussion only

STAFF RECOMMENDATION:
Discussion only.

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.

In particular, Staff sees the need to clarify 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 (ie. 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.

BACKGROUND:
06/21/19
Follow this planning effort at [www.moabarealanduse.com](http://www.moabarealanduse.com).

*Note: The following section will serve as a running catalog of formal meeting discussions about the referenced Temporary Land Use Regulation (TLUR). It is provided in reverse chronological order so planning commissioners and members of the public can review the discussion as it evolves.

**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, Zacharia 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,

Zacharia Levine, AICP*
Community and Economic Development Director

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May 1, 2019:

Landmark Design, in coordination with 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, Zacharia 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, Zacharia noted Aspen’s integrated transportation and land use regulations and Tahoe’s regional cap on vehicle miles
traveled (VMT). Zacharia 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:

Zacharia 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.

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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, Zacharia’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. Zacharia will also attend the City Council meeting to ensure coordination between the City and County occurs as desired.

April 8-12, 2019:

Zacharia 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. Zacharia 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:

Zacharia 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:

Zacharia 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 Zacharia 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; 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

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 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.
6) **Development Standards**

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Comment [ZL1]: These have not been reviewed extensively by staff, the planning commission, council, or public prior to the 6/11 public hearing at planning commission.
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, 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 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-discriminable 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**
   Landscapes, 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 top 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 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.
6) **Development Standards**

- Part 1  General Requirements
- Part 2  Mixed Use Requirements
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**Comment [ZL1]:** 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:

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### Overnight Accommodation (OA) Overlay District

**As a modification to the official Zoning Map,** indicating the area or areas where the specific overlay district applies.

**The physical location and extents of the proposed overlay zone.**

### Legislative

- **Rezone and Zoning Map Change**
  - Planning Commission (recommendation to council)
  - Council (adoption)

### Application for Attaching Overnight Accommodation (OA) Overlay to a Specific Site, Property or Development

**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.

**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

### Legislative

- **Rezone and Zoning Map Change**
  - Planning Commission (recommendation to council)
  - Council (adoption)

### Development Agreement, Project Plan and/or Subdivision Plat

**As specific submittals and approvals specified in the applicable ordinances.**

**Specific project development requirements for development approval.**

### Administrative

- Staff and/or Planning Commission approval according to the specific terms and ordinance obligations

### 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.

Comment [ZL2]: Should reference existing Sections 3.2.3 D and M, incorporate standards into the below, and/or repeal and replace

06/21/19
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

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 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.

Part 3 Architecture, Density, Massing and Form
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.

2. **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-discriminable 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.
• 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**
Landslapes, trees and buffers shall be installed as detailed in this section and detailed elsewehere 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 Nurseymen.
- 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 is 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 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.