

**GRAND COUNTY, UTAH**  
**RESOLUTION NO. \_\_\_\_\_(2022)**

**INITIATING PROCEEDINGS TO AMEND THE GRAND COUNTY LAND USE CODE  
TO REQUIRE NEW DEVELOPMENTS TO PROVIDE A PERCENTAGE OF  
WORKFORCE HOUSING (OR FEES IN LIEU)**

**WHEREAS**, Utah Code § 17-27a-102 enables a county to enact all ordinances, resolutions, and rules and various forms of land use controls and development agreements that the county considers necessary or appropriate for the use and development of land within the unincorporated area of the county;

**WHEREAS**, Utah Code § 17-27a-403 requires that local jurisdictions implement a General Plan update to include a moderate income housing element that provides a realistic opportunity to meet the need for additional moderate income housing within the next five years, selects three or more moderate income housing strategies described in Subsection (2)(b) for implementation, and includes an implementation plan;

**WHEREAS**, the previously named Grand County Council adopted the Grand County Land Use Code (“LUC”) on January 4, 1999 with Ordinance No. 299, as amended, for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

**WHEREAS**, from time to time the County adopts ordinances to modify its LUC and zoning map to improve the quality and order of land development and align the LUC with changing community conditions, public review noticing procedures, state law, contemporary planning concepts and streamlining land use reviews and permits;

**WHEREAS**, Utah Code § 17-27a-508 provides that an applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays all application fees, unless: a) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or b) in the manner provided by local ordinance and before the applicant submits the application, the county formally initiates proceedings to amend the county's land use regulations in a manner that would prohibit approval of the application as submitted, and no more than 180

days have passed since the county initiated the proceedings;

**WHEREAS**, the County adopted the 2017 Moab Area Affordable Housing Plan, and has collaborated with partner agencies to implement many of the Plan's recommendations, and the County is in the process of reviewing additional barriers to the development of workforce and affordable housing in the community;

**WHEREAS**, the County partnered with the City of Moab in 2018 to conduct the Moab Area Assured Housing economic feasibility report and economic nexus analysis which formed the basis for a LUC update, establishing Section 6.14 Affordable Housing and 6.15 Assured Housing sections of the code;

**WHEREAS**, the cost of housing has become increasingly unaffordable, as the median home listing price was \$792,000 in June 2022, trending up 85.5% year-over-year<sup>1</sup>, and the median home sales price as of May 2022 is \$694,000<sup>2</sup>, which is unattainable by the annual household median income of \$52,000;

**WHEREAS**, of approximately 4,576 residential units in the County and City combined, 25% of those are second homes, and the market value of secondary residences is almost double the market value of primary residences, according to County Tax Assessor data;

**WHEREAS**, one of the most significant causes for the increase in the market value of homes in Grand County is the purchasing of second homes by non-locals or institutional investors who do not live or work in Grand County and can therefore afford to outbid the average local resident and drive up the market value of homes;

**WHEREAS**, the Grand County Planning & Zoning Department has received numerous applications or inquiries for rezones on property that would result in higher-finish market units, or homes for the secondary market that are unaffordable for the Grand County workforce;

**WHEREAS**, there are many parcels in Grand County that are underutilized and entitled through current zoning for subdivision and such properties are at risk of being sold to developers who intend to subdivide the land and sell market-rate units that are not attainable by our local workforce;

**WHEREAS**, out of 293 known rental units (excluding senior housing) in the Moab Valley, only seven (7) are currently available to rent, and out of those, five are 3-bedroom homes averaging a rental rate of \$4,000/month, and currently there are at least 50 residents on waitlists for various apartment complexes<sup>3</sup>;

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<sup>1</sup> Utah Association of Realtors

<sup>2</sup> Utah Association of Realtors. Local Market Updates by County. (May 2022)

**WHEREAS**, the supply of rental units available for workforce housing are at an all-time low;

**WHEREAS**, the Moab Valley Multicultural Center reports the number of people they serve who meet HUD homeless program definitions for homelessness diversion, emergency shelter, homelessness prevention, rapid re-housing, and drop-in services is 165 adults and 98 children YTD;

**WHEREAS**, the lack of attainable housing can result in homelessness, undesirable living conditions, lack of funds available for other basic needs, and a decrease in the quality of life for Grand County workers and their families;

**WHEREAS**, according to a survey conducted by the Grand County Economic Development Department in 2021, 82% of employers reported the lack of attainable housing limited their ability to fully staff their company, and 65% reported having lost employees due to the housing shortage<sup>4</sup>;

**WHEREAS**, many employers in Grand County are unable to hire and retain employees because of the lack of attainable workforce housing;

**WHEREAS**, the County has initiated an update to the Assured Housing Economic Nexus Analysis to study the nexus between new development and increased demand for workforce housing;

**WHEREAS**, this process is one of many strategies being considered by the County to address the community's workforce housing and affordable housing needs; and

**WHEREAS**, the County is actively pursuing programs to incentivize the provision of affordable housing and workforce housing by partnering with various County departments and local organizations, such as the Grand County Economic Development Department, the Housing Authority of Southeast Utah, and the Moab Area Community Land Trust;

**NOW, THEREFORE BE IT RESOLVED** that the Grand County Commission hereby formally initiate proceedings to amend Articles 6, 7, and 9 of the Grand County Land Use Code ("LUC"), including but not limited to: LUC Article 7 Subdivision Standards, Section 6.14 Affordable Housing, Section 6.15 Assured Housing, Section 9.2 Text and Zoning Map Amendments, Section 9.16 Site Plan Review to require workforce housing (or fees in lieu) for all new land use applications with the following exceptions: Minor Subdivisions and any land use application for the primary purpose of providing public education; non-profit churches;

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<sup>3</sup> Moabhousing.com and Zillow

<sup>4</sup> Grand County Economic Development Department, Moab Area Employee Housing Survey (2021)

childcare; small business employing 5 or fewer employees; housing for Actively Employed Households as defined in LUC Section 4.7; housing for Low Income Households, Very Low Income Households, or Extremely Low Income Households as defined in LUC Section 6.15; or Affordable Housing as defined in LUC Article 10.

**APPROVED** by Grand County Commission in a regular public meeting on July 19, 2022 by the following vote:

*Those voting aye:* \_\_\_\_\_

*Those voting nay:* \_\_\_\_\_

*Those absent:* \_\_\_\_\_

**Grand County Commission:**

**ATTEST:**

\_\_\_\_\_  
Jacques Hadler, Chair

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Gabriel Woytek, Clerk/Auditor