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David Ure
Director

August 1, 2019

To All Interested Parties:

**RE: USU-Moab Campus Housing RFQ – Deadline Extension
& Additional Information regarding Overnight Accommodations**

The Submission Deadline for the USU-Moab RFQ Solicitation is extended to:
3:00pm Mountain Time on Friday September 6, 2019.

On July 23, 2019, the Moab City Council adopted Ordinance #2019-18 Removing Overnight Accommodations as a Use by Right for the Commercial C-1 Zone. Portions of the subject property in the RFQ are zoned Commercial C-1. The ordinance is attached for your information.

Multi-household Dwellings are still allowed as a permitted use with additional restrictions on access, garages/carports, landscaping, buffering, and recreational space.

While SITLA, does not necessarily envision a typical hotel or motel as part of the project, we are allowing for additional time for respondents to research this change to the zoning and to be able to respond in the RFQ appropriately what this change might mean to the development of the project.

If you have any additional questions please feel free to contact me at (801) 538-8170 or therold@utah.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Troy Herold', is written over a light blue horizontal line.

Troy Herold PLA, Project Manager
Planning & Development Group

CC: file

CITY OF MOAB ORDINANCE #2019-18

AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE REMOVING OVERNIGHT ACCOMMODATIONS AS A PERMITTED USE AND ALLOWING ESTABLISHED OVERNIGHT ACCOMMODATIONS TO REMAIN LEGAL USES IN THE C-1, C-2, C-3, C-4, RC, AND SAR ZONES; AMENDING SECTIONS 17.06 DEFINITIONS, 17.20, 17.21, 17.24, 17.27, 17.31, and 17.32

The following findings describe the intent and purpose of this ordinance:

- a. The City has enacted Title 17.00, Zoning, of the Moab Municipal Code (MMC), which governs land use and development within the City Limits. Text Amendments to the Moab Municipal Code are authorized pursuant to MMC § 17.04.070 and Utah Code Annotated 10-9a-503(1)(b) and (c).
- b. From time to time the City undertakes to revise its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts.
- c. The City has experienced rapid growth of Overnight Accommodations as a result of the growth of tourism in the region. Between 2010 and 2018 visitation to Arches National Park and Canyonlands National Park increased 60.1% and 58.9%, respectively, with Arches posting 1,663,557 visits, and Canyonlands posting 739,449 visits in 2018.¹
- d. Overnight Accommodations have displaced long term rental housing in Moab and are a contributing factor in the affordable housing shortage that exists in Moab.²
- e. The City desires that new zoning regulations be developed to result in new overnight accommodations that better reflect the long-term interests of the City.
- f. There is a finite supply of developable land within the City, and market conditions have resulted in Overnight Lodging uses being developed to the detriment of the development of other necessary uses, including retail, commercial, office, and housing uses.³
- g. The City has experienced an increase in traffic, congestion, noise, crowding, and related impacts associated with tourism and Overnight Lodging, and those impacts have affected the quality of life for Moab residents. The City recognizes that resident concerns are valid and justify changes to City zoning regulations.
- h. The City finds that there is good cause to make these text amendments. There have been fundamental changes to the City and to the zoning districts that are the subject of this ordinance. Current development impacts and the overall growth of overnight accommodations were not foreseen at the time many zoning classifications were adopted and, therefore, the zoning scheme requires modification to reflect current realities. This ordinance will facilitate a more diverse land use mix and provide important benefits for the development of affordable housing and other retail and commercial land uses.

¹ Source, National Park Service Official Visitation Statistics.

² Source, BAE Urban Economics, Moab/Grand County Nexus Study, Phases I and II, 2018.

³ See Id.

i. The United States Geological Survey is finalizing a draft report that includes findings from a recent multi-year study of the Moab area watershed. The study found that: a) safe yield of groundwater removal (the amount of water that can be removed without depleting aquifers) is less than previously estimated (11,000 to 13,000 acre/feet per year); b) water users in Grand County used and diverted 14,504 acre/feet of water in 2017; c) the amount and location of return flows into Mill Creek, Pack Creek, and the Colorado River must be studied; and d) data is lacking on actual diversions from private springs and wells. Given these findings, the City concludes that further study is warranted to assure that adequate water resources are available to serve anticipated future residential, commercial, and overnight lodging development.

j. This ordinance is consistent with the City's General Plan, which expresses a desire to preserve the quality of life in Moab, the availability of affordable housing, and a diverse, resilient local economy.

k. This ordinance is the product of a substantial public process and public outreach, including public hearings and forums facilitated by Landmark Design in conjunction with Grand County, and public hearing held before the City of Moab Planning Commission on June 27, 2019 at which members of the public expressed a desire that the City curtail Overnight Lodging growth.

l. While this text amendment precludes the development of new overnight accommodations, the City recognizes established Overnight Accommodations in the C-1, C-2, C-3, C-4, RC, and SAR Zones as legal uses as identified on the Existing Overnight Accommodations Map, which is attached as Exhibit 1 to this ordinance.

THEREFORE, LET IT BE ORDAINED THAT THE FOLLOWING AMENDMENTS BE ADOPTED:

SECTION 1: Amend Section 17.06.020 Definitions to add definitions for Overnight Accommodations and Established Overnight Accommodations as follows:

“Overnight Accommodations” means any short-term temporary living or sleeping place in which someone lives or stays for a period of time not to exceed thirty consecutive days. This includes hotels, motels, bed and breakfasts, townhomes, condominiums, RV Parks, and campgrounds located in an appropriate zone that allows short-term lodging.

“Overnight Accommodations, Established” means Overnight Accommodations that are recognized as existing legal uses and identified on the Established Overnight Accommodations Map.

SECTION 2: Remove Lodging, Bed and Breakfasts and any use that fits the definition of Overnight Accommodations as a permitted use in the C-1, C-2, C-3, C-4, RC, and SAR Zones by amending the following Code sections:

SECTION 2.1 Amend the C-1 Commercial Residential Zoning as follows:

17.20.020 Permitted uses and regulations.

A. *Permitted Uses.* The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Arts and crafts shop less than three thousand square feet.
2. Day care. Day care shall be permitted to operate subject to the following standards:
 - a. City of Moab business license is required.
 - b. A valid day care license or certificate as issued by the State of Utah is required.
 - c. Applicants for a City business license shall submit a conceptual site plan that indicates:
 - i. Ingress and egress to the property;
 - ii. Drop off/pick up areas;
 - iii. Traffic circulation;
 - iv. Off-street parking (single-household residence plus space for each FTE staff member);
 - v. Landscaping;
 - vi. Buffering or separation from dissimilar uses;
 - vii. Open space for older kids.
 - d. Compliance with all applicable City regulations regarding noise, odor and glare.
3. Eating establishments, excluding drive-in and drive-through services.
4. Financial institutions. Standards for drive-through windows for financial institutions:
 - a. The drive-through use shall not interfere with traffic circulation to and from the building site;
 - b. The drive-through use shall not hinder the use of available parking areas or access to parking areas;
 - c. The drive-through use shall utilize additional landscaping, berms, and/or fencing as required to serve as a buffer for light and/or noise;
 - d. Design features shall be incorporated for the sufficient protection of adjacent uses from adverse impacts including noise, vibration, smoke, fumes, gas, dust, odor, lighting, glare, traffic minimization or circulation, parking issues, or other undesirable or hazardous conditions;
 - e. Provisions for proper maintenance of the drive areas, lighting, signage, landscaping, etc., shall be provided;
 - f. The drive-through window shall be operated only during normal business hours;
 - g. The developer or proprietor must demonstrate that site impacts within the property as well as adjoining properties have been fully mitigated appropriate to the topography of the site. The review of impacts includes, at a minimum, slope retention, flood potential, and possible damage to riparian or hillside areas.

5. Funeral establishments.
6. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.
 - a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.
7. Greenhouses and nurseries.
8. Group homes.
 - a. Such homes must be licensed by the State of Utah.
 - b. All exterior aspects of a group home, including its scale and off-street parking configuration, shall conform with the requirements of the C-1 zone.
 - c. Such homes shall provide off-street parking pursuant to Sections 17.09.210 through 17.09.340.
9. Gymnasiums.
10. Home occupations subject to the requirements set forth in Section 5.80.050.
11. Hospitals.
12. Multi-household dwellings. Developments consisting of seven or more multi-household units shall be subject to the following additional requirements:
 - a. *Access*. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
 - b. *Parking*. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
 - c. *Garages or Carports*. If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
 - d. *Landscaping*. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
 - e. *Buffering*. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
 - f. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room (“rec room”) or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation.

THE BALANCE OF 17.20.020 REMAINS THE SAME

**SECTION 2.2 Amend the C-2 Commercial Residential Zone as follows: 17.21.020
Permitted uses and regulations.**

A. *Permitted Uses.* The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Arts and crafts shops.
2. Assembly of appliances from previously prepared parts (contained within a building).
3. Carpentry shops.
4. Convenience establishments that are less than three thousand square feet.
5. Day care. Day care shall be permitted to operate subject to the following standards:
 - a. City of Moab business license is required.
 - b. A valid day care license or certificate as issued by the State of Utah is required.
 - c. Applicants for a City business license shall submit a conceptual site plan that indicates:
 - i. Ingress and egress to the property;
 - ii. Drop off/pick up areas;
 - iii. Traffic circulation;
 - iv. Off-street parking (single-household residence plus space for each FTE staff member);
 - v. Landscaping;
 - vi. Buffering or separation from dissimilar uses;
 - vii. Open space for older kids.
 - d. Compliance with all applicable City regulations regarding noise, odor and glare.
6. Eating establishments less than two thousand square feet excluding drive-ins or drive-through services.
7. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.
 - a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.
8. Electrical appliance shops (wholesale).
9. Engraving and printing establishments.

10. Funeral establishments.
11. Greenhouses and nurseries.
12. Group homes.
 - a. Such homes must be licensed by the State of Utah.
 - b. All exterior aspects of a group home, including its scale and off-street parking configuration, shall conform with the requirements of the C-2 zone.
 - c. Such homes shall provide off-street parking pursuant to Sections 17.09.210 through 17.09.340.
13. Gymnasiums.
14. Home occupations subject to the requirements set forth in Section 5.80.050.
15. Hospitals.
16. Multi-household dwellings. Developments consisting of seven or more multi-household units shall be subject to the following additional requirements:
 - a. *Access.* Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
 - b. *Parking.* Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
 - c. *Garages or Carports.* If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
 - d. *Landscaping.* All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
 - e. *Buffering.* All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
 - f. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room (“rec room”) or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation.

THE BALANCE OF 17.21.020 REMAINS THE SAME AND WILL BE RENUMBERED

SECTION 2.3 Amend the C-3 Central Commercial Zone as follows:

17.24.020 Permitted uses and regulations.

A. *Permitted Uses.* The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Assembly of appliances from previously prepared parts.
2. Auto body and fender shops, auto painting.
3. Bars.
4. Day care.
5. Drive-through windows.
6. Dwellings above the ground floor of a nonresidential structure.
7. Eating establishments.
8. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.
 - a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.
9. Engraving and printing establishments.
10. Food truck parks.
11. Funeral establishments.
12. Ground floor dwellings for legally constituted housing authorities or legally recognized affordable housing nonprofit or land trust. Ground floor dwellings shall be allowed in the C-3 zone when all of the following exist:
 - a. The owner of the property is a legally constituted housing authority as recognized by the State of Utah, Grand County, or the City of Moab, or alternatively, the owner of the property is a legally recognized affordable housing nonprofit or land trust;
 - b. The dwellings are limited to affordable housing units, which shall be defined as housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent of the median gross income of Moab City or Grand County for households of the same size; and
 - c. No existing commercial or retail activities shall be displaced.

Ground floor dwellings permitted under the provisions of this chapter shall be exempt from the designated recreation area requirements of Section 17.09.670.

13. Ground floor employee dwellings. Dwellings and apartment houses are permitted on the ground floor only when constructed in conjunction with a commercial use. Such dwellings and apartment houses on the ground floor must adhere to the following standards:
 - a. The housing units shall be for employees of the business that operates the premises on which the employee housing units are built;
 - b. The housing units shall be located on the business property or on a directly adjacent property;

- c. Housing shall meet all residential standards of the International Building Code;
- d. The lease term shall be for a period of not less than thirty-one days;
- e. In no case shall employee housing be physically located in the front of a building, and where all ground floor building frontage is used exclusively for business related purposes and not housing ingress/egress;
- f. Employee housing may be allowed at a rate of up to twenty percent of the commercial structure; and
- g. Off-street parking shall be provided at a rate of 0.75 spaces/unit.
 - i. An exception to the required employee housing parking spaces may be granted by the Planning Commission if the applicant can show that more than sufficient parking exists for the commercial use.

14. Gymnasiums.

15. Historic dwelling. Dwellings that have or may have historical significance may apply for historic designation through the review process contained in Chapter 17.90. The dwelling must satisfy the review criteria and meet the standards included in that chapter.

16. Hospitals.

THE BALANCE OF 17.24.020 REMAINS THE SAME AND WILL BE RENUMBERED

SECTION 2.4 Amend the C-4 General Commercial Zone as follows:

17.27.020 Permitted uses and regulations.

A. *Permitted Uses.* The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Asphalt/concrete batching plant, temporary (not to exceed one calendar year). A temporary asphalt or concrete batching plant for producing asphalt or concrete products used in construction activities on the same or nearby sites is permitted subject to the following standards:

- a. The batching plant site shall comply with all applicable provisions of City, State and Federal laws.
- b. The batching plant shall not be located within six hundred feet of a residence.
- c. Hours of operation will be limited to Monday through Friday, seven a.m. to seven p.m.
- d. The batch plant may operate for up to six months, with a single renewal of a six-month time period permitted by the Zoning Administrator.
- e. No portion of the batch plant or its operation shall be located on a public street.
- f. The batch plant shall only furnish concrete, asphalt, or both, to a specific project. The placement of a temporary batching plant for a private project is restricted to the site of the project.

- g. The site must be clear of all equipment, material and debris upon completion.
 - h. All public improvements that are damaged during the operation of the temporary batching plant must be repaired or replaced within thirty days of completion of the project.
 - i. At termination and/or removal of the plant operation, the operator shall have the person responsible walk the site with the Building Official or his/her designee to verify the site meets City approval.
 - j. Compliance with all applicable City regulations regarding noise, dust, odor and glare.
2. Assembly of appliances from previously prepared parts.
 3. Auction houses.
 4. Auto body and fender shops, auto painting, welding and sheet metal shops.
 5. Bars.
 6. Caretaker dwellings.
 7. Day care.
 8. Dwellings above the ground floor of a nonresidential structure.
 9. Dwellings in the C-4 commercial zone. All dwellings, other than ground floor employee dwellings, on the ground floor shall be subject to the following requirements:
 - a. Minimum wall dimensions of the principal structure, excluding garage, shall be twenty-four feet.
 - b. All principal residential structures shall:
 - i. Be placed on a slab-on-grade or perimeter foundation as approved by the Building Department;
 - ii. Have a wood, brick or stucco exterior, or a material that looks similar to wood, brick or stucco;
 - iii. Have a minimum four to twelve roof pitch and a one-foot overhang (structures constructed in the traditional southwest Spanish style are exempt from this requirement);
 - iv. The combined total area of all primary, secondary, and accessory buildings on a lot may cover not more than seventy-five percent of the lot area;
 - v. Buffering is required in accordance with other provisions of this chapter;
 - vi. *Minimum Setbacks for Residential Structures in the C-4 Zone.*

Minimum Setbacks for Residential Structures in the C-4 Zone

Front yard	30 feet
Side yard	15 feet
Rear yard	20 feet

c. Multi-household dwellings of seven or more units shall be subject to the following additional requirements:

- i. *Access.* Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
- ii. *Parking.* Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
- iii. *Garages or Carports.* If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
- iv. *Landscaping.* All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
- v. *Buffering.* All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
- vi. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room (“rec room”) or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation.

10. Eating establishments.

11. Engraving and printing establishments.

12. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.

- a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.

13. Farm equipment sales.

14. Funeral establishments.

15. Ground floor employee dwellings. Employee dwellings on the ground floor of a nonresidential use must adhere to the following standards:

- a. The housing units shall be for employees of the business that operates the premises

on which the employee housing units are built;

b. The housing units shall be located on the business property or a directly adjacent property;

c. Housing shall meet all residential standards of the International Building Code;

d. Housing shall house employees for a period of not less than thirty-one days;

e. In no case shall employee housing be located in front of buildings and such units shall be located in the rear portion of commercial business structures;

f. Employee housing may be allowed at a rate of up to two units per ten thousand square feet of the floor area of the commercial structure and shall not exceed one thousand square feet per unit in size; and

g. Off-street parking shall be provided at a rate of 0.75 spaces/unit.

i. An exception to the required employee housing parking spaces may be granted by the Planning Commission if the applicant can show that more than sufficient parking exists for the commercial use.

16. Gymnasiums.

17. Hardware stores and lumber yards.

18. Historic dwelling. Dwellings that have or may have historical significance may apply for historic designation through the review process contained in Chapter 17.90. The dwelling must satisfy the review criteria and meet the standards included in that chapter.

19. Hospitals.

20. Laboratories, but not including activities which are hazardous by reason of explosion, fire, chemical, biochemical, or other danger.

21. Manufactured home sales. The following additional items shall be used during review of applications for this use in an effort to mitigate impacts from the sales of factory built structures: additional landscaping, berms, screening, fencing, increased setbacks, hours of operation, storm water management, compatibility in terms of appearance, architectural scale and features, site design and scope, the control of adverse impacts from noise, vibration, smoke, fumes, gas, dust, odor, lighting, glare, traffic minimization or circulation, parking, or other undesirable or hazardous conditions.

22. Manufacturing, compounding and processing.

23. Parking lots (commercial).

24. Places of worship. All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

a. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.

b. Noise, odor, and glare is contained on the property.

c. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping – Required) and 17.09.370 (Landscaping – Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

d. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.

e. Adequate parking for the intended use is provided.

25. Professional offices.

26. Public facilities.

27. Public and private research establishments.

28. Recreational vehicle park or campground. No new recreational vehicle parks or campgrounds are allowed. The following provisions are intended to manage existing recreational vehicle parks or campgrounds while minimizing land use conflicts and environmental degradation.

a. Trees and other landscaping serving as a buffer to other adjacent uses must surround the area for a minimum distance of fifteen feet. Landscaping shall be in accordance with the requirements of Section 17.09.360.

b. A solid decorative privacy wall or wooden privacy fence shall be constructed and maintained around the park perimeter.

c. A minimum separation of twenty feet shall be maintained between each RV unit.

d. Adequate sanitation facilities and ADA facilities shall be provided and maintained for the maximum number of units as per the International Building Code Appendices.

e. A minimum area of ten percent or two hundred square feet, whichever is greater, must be provided as open space for a playground and/or picnic area.

f. Traffic patterns within the park and ingress and egress from adjacent streets shall be designed to minimize congestion at all intersections.

g. Hours of operation shall be limited to six a.m. to ten p.m. for the office and other park facilities.

THE BALANCE OF 17.21.020 REMAINS THE SAME AND WILL BE RENUMBERED

SECTION 2.5 Amend the RC Resort Commercial Zone as follows:

17.31.020 Permitted uses and regulations.

A. *Permitted Uses.* The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Accessory buildings and uses;

2. Bars;
3. Caretaker or guard residence, accessory;
4. Custom personal services;
5. Eating establishments;
6. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.
 - a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.
7. Gasoline service station, subject to the supplementary regulations of Section 17.31.050(B);
8. General retail (indoors);
9. Multi-household dwellings;
10. Municipal facilities and services;
11. Office, business or professional;
12. One-household dwelling and accessory uses;
13. Outdoor recreational uses, commercial;
14. Outfitters and guide services and facilities;
15. No New Recreational vehicle/travel trailer parks are allowed. Established recreational vehicle/travel trailer parks as identified on the Existing Overnight Accommodations Map are considered legal conforming uses and shall be subject to the supplementary regulations of Section 17.31.050(C)
16. Single-household dwelling.
17. Two-household dwelling and accessory units.

B. Large-Scale Retail Prohibited – Large-Scale Commercial Uses Allowed. As defined in Chapter 17.80, large-scale retail development comprising a retail use in a single building in excess of thirty thousand square feet is not permitted in the resort commercial (RC) zoning district. Other uses permitted in this chapter which would constitute large-scale commercial development are permitted in the RC zoning district, subject to the criteria in Chapter 17.80. No new Overnight Accommodations are permitted. All other uses permitted in the RC district shall be subject to the remaining criteria of this chapter. (Ord. 19-13 § 19, 2019; Ord. 18-01 (part), 2018; Ord. 17-18 (part), 2017; Ord. 09-08, 2009)

SECTION 2.6 Amend the SAR Sensitive Area Resort Zone as follows:

17.32.010 Objectives and characteristics.

- A. The sensitive area resort zone [SAR Zone] has been established as a zone in which large-

scale master planned resort communities can be established in a more creative fashion than is possible under conventional zoning. At the same time, the SAR zone preserves the spectacular beauty and natural character of the surrounding landscapes.

B. The SAR zone is designed to facilitate development in harmony with the surrounding landscape, natural formations, and vegetation. The SAR zone allows developers to create resort communities, intermixing private residences, and commercial activities in accord with resort operations and activities. A major aspect of the SAR zone is preservation of the natural feel and look of the landscape, preservation of internal and external view sheds, and emphasis on pedestrian and nonmotorized transportation within the developments themselves.

C. Characteristics of the SAR zone include:

1. Promotion of large-scale master planned resort communities;
2. A mix of housing types including monthly rentals, employee/workforce housing, and private homes in a variety of dwelling types, including one-household dwellings, and multihousehold dwellings.;
3. Promotion of design concepts that minimize the disruption of ecological processes, thereby preserving the recreational and aesthetic character of the area;
4. Building form, massing, and coloring that complements, rather than contrasts with, the surrounding landscapes;
5. Building designs that present an appealing visual appearance;
6. A de-emphasis on automobile travel within the development;
7. Streets, parking areas and other automobile infrastructure that, to the extent practicable, are visually minimized;
8. Buildings clustered together and an abundance of pedestrian and nonmotorized trails;
9. Trail access from developments to nearby scenic and recreational areas;
10. Significant preservation of open space;
11. Preservation of existing topography by encouraging minimal excavation and site grading;
12. Retail businesses primarily providing goods and services to overnight guests and to development residents;
13. Special attention to limiting the effect of night lighting on surrounding areas and on the night sky. (Ord. 19-13 § 21 (part), 2019; Ord. 06-16 (part), 2006)

17.32.020 Use regulations.

A. *Permitted Uses.* Permitted uses include:

1. Residential:

Single-household dwellings;
Multihousehold dwellings;
Condominiums;
Live/work units;
Caretaker or guard residences;
Employee/workforce housing.

2. Established Overnight Accommodations. Established Overnight Accommodations, as defined in this Code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.

a. Established Overnight Accommodations will be allowed to make improvements to the property, so long as no new Overnight Accommodation units are proposed.

3. Recreational Vehicles/ Travel Trailer Parks: No New Recreational vehicle/travel trailer parks are allowed. Established recreational vehicle/travel trailer parks as identified on the Existing Overnight Accommodations Map are considered legal conforming uses and shall be subject to the supplementary regulations of Section 17.31.050(C).

4. Retail and Commercial:

Spas/personal care services;
Restaurants (indoor and outdoor seating);
Private clubs/taverns;
Conference facilities;
Recreational facilities (tennis courts, golf courses, stables, etc.);
Theaters (indoor);
Theaters (outdoor);
Recreational tour companies, outfitters and guide services;
Vehicle rental businesses (under five thousand square feet total floor space including outdoor storage);
Individual retail units (under five thousand square feet total floor space);
Grocery and convenience stores (under five thousand square feet total floor space);
Art/photo galleries;
Artisan/hand manufacturing;
Professional offices;

Home occupations;

Parking lots associated with permitted uses.

THE BALANCE OF 17.32.020 REMAINS THE SAME AND WILL BE RENUMBERED

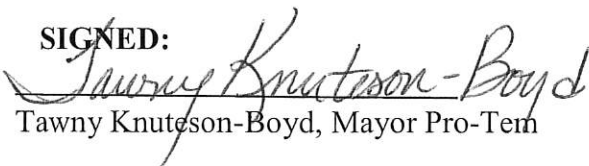
SECTION 3: Approving the Map exhibit for Established Overnight Accommodations for purposes of establishing legal existing Overnight Accommodations in the C-1, C-2, C-3, C-4, RC and SAR Zones (Exhibit 1):The City hereby approves the Established Overnight Accommodations Map, Exhibit A as an exhibit to this section.

SECTION 4: Directing City Staff to continue to work, without undue delays, on new zoning provisions to result in new overnight accommodations regulations that better reflect the long-term interests of the City: City staff shall continue to work, and shall promptly submit, amended regulations providing for performance standards for new overnight accommodations. Staff is directed to consider density and aesthetic criteria, landscaping, energy efficiency, buffering, the mixing of office, retail, and residential uses, water carrying capacity, existing infrastructure capacity, contribution to cumulative traffic, connectivity/contribution to non-motorized/micro vehicle transportation network, height and viewshed with future overnight accommodations development.

SECTION 5: Severability Clause: This ordinance shall be construed so as to be harmonious with Utah law. If any term, requirement, or provision of this ordinance shall be found to be invalid under applicable law it shall be stricken and the remainder of the ordinance shall be enforced without the offending term, requirement, or provision.


PASSED AND APPROVED by a majority of the City of Moab City Council at their regular meeting of July 23, 2019. This ordinance shall take effect immediately upon passage.

SIGNED:


Tawny Knuteson-Boyd, Mayor Pro-Tem

7/23/19
Date

ATTEST:


Sommar Johnson, City Recorder

Established Overnight Accommodations

