

Memorandum

To: Councilmembers and Media
From: Mayor Joette Langianese
Date: 3/17/2022
Re: Special City Council Meeting

The City of Moab will hold a Special City Council Meeting on Thursday, March 31, 2022, at 6:00 p.m. at City Hall Council Chambers, 217 E. Center St., Moab, Utah. The purpose of this meeting will be:

1. Proposed Ordinance 2022-05: An Ordinance Amending the Moab Municipal Code R3/R4 Zones with an Active Employment Household Requirement

Public comment, briefing, and possible action



Mayor Joette Langianese

Moab City Council Agenda Item

Ordinance 2022-05: Active Employment Household Requirement

Meeting Date: March 31, 2022

Title: Consideration and Possible Approval of Moab City Ordinance #2022-05, An Ordinance Amending the Text of the Moab Municipal Code (MMC) Section 17.48 R-3 Multi-Household Residential Zone, and 17.51 R-4 Manufactured Housing Residential Zone, to add a Use Parameter Requirement to the Multi-Household Permitted Use, such that 42.5% of Units be Designated as Active Employment Units (AEU) to be Occupied by Qualified Active Employment Households (AEH).

Disposition: Briefing and Possible Action

Staff Presenter: Cory P. Shurtleff, Planning Director

Attachment(s):

- Exhibit 1: Ordinance #2022-05 032522 clean final
- Exhibit 2: Ordinance #2022-05 032422 redline final
- Exhibit 3: AEH Percentage Analysis BAE 032222
- Exhibit 4: AEH Ordinance #2022-05 Timeline

Options:

The City Council is being asked to discuss and consider approving Ordinance 2022-05. The options for action include:

1. **Approve** Ordinance 2022-05, without or without modifications; or
2. **Continue or Table** the item with specific direction to staff as to additional information that may be needed to make a decision or to make changes to the draft ordinance prior to action; or
3. **Deny** Ordinance 2022-05, giving specific findings for the decision.

Recommended Motion: I move that the Moab City Council Approve Ordinance #2022-05, An Ordinance Amending the Text of the Moab Municipal Code (MMC) Section 17.48 R-3 Multi-Household Residential Zone, and 17.51 R-4 Manufactured Housing Residential Zone, to add a Use Parameter Requirement to the Multi-Household Permitted Use, such that 42.5% of Units be Designated as Active Employment Units (AEU) to be Occupied by Qualified Active Employment Households (AEH).

Background:

City initiated Ordinance #2022-05, an Ordinance amending the text of the Moab Municipal Code (MMC) Sections 17.48 R-3 Multi-Household Residential Zone, and R-4 Manufactured Housing Residential Zone, to add a use parameter requirement to the Multi-Household permitted use, such that 42.5% of units be designated as Active Employment Units (AEU) to be Occupied by qualified Active Employment Households (AEH). This Ordinance is in response to City Resolution #33-2021, approved October 12, 2021, that initiated the Pending Ordinance Doctrine drafting period. The City has reviewed and discussed the drafting of this Ordinance in conformity with the expressed timeline shown in Exhibit 4. The City has coordinated with Snow Christensen & Martineau regarding legal review of the ordinance, and BAE Urban Economics to develop a formulation of data to identify a rational basis for the percentage requirement. The draft Ordinance 2022-05 has been discussed and reviewed by Planning Commission and City Council in compliance with the Development Code Amendment

standards and requirements. The Ordinance was presented for Public Hearing on March 24, 2022, then recommended by Planning Commission March 29, 2022, for City Council consideration of approval March 31, 2022.

Narrative/Summary:

It has been established that there is a clear community need for attainable local housing, and by extension workforce housing, ie. Active Employment Housing. This need has been made apparent by the increasing market rate of housing/rent, which is pricing out the local workforce from both rent and purchase options. This strain is currently causing shortages in local workforce, not just in Moab City, but in the whole Grand County area. This deficit of local workforce is affecting all businesses, including the essential services required for basic operation of community needs; including the sufficient staffing of the School District, Medical Services & the Hospital, and Municipal Services such as Law Enforcement.

This shortage/crisis is being exacerbated by the increased cost of construction, increased cost of living, removal and redevelopment of existing attainable housing properties into intentionally designed luxury or second home dwellings. Attainable local housing is in decline due to these conditions, while unattainable housing is increasing

A proposed solution to this specific issue, within the larger housing crisis, was to include a use parameter requirement for multi-household developments in the R-3/R-4 zones. The R-3 and R-4 zones have been distinguished as especially susceptible zones to the specific impacts of the inverse development of attainable housing, and because of the Multi-Household Dwelling permitted uses are situated best to address these problems regarding attainable workforce housing.

BAE Urban Economics consultants have developed a formulation of data to identify the workforce need of the community in relation to existing need and buildout need. The data represents development impact need as Moab moves forward and continues to develop, BAE has provided proof that with a 46% locally housed workforce (existing) (54% incommute from outside City Limit), 42.5% of the new homes built would be needed for workforce housing to sufficiently staff the newly generated workforce needs of the community.

The decreasing number of attainable homes and increasing number of unattainable homes, along with the existing and continued need for local workforce has created the need for municipal development code amendment. The formulation of data showing that 42.5% of new homes must be retained as local workforce to sufficiently employ the community provides the rational basis for a use parameter requirement. The ordinance proposes to ensure a percentage of attainable housing is being built in the most effective residential permitted use, in the most effective residential zones, to specifically address the proven need for local workforce, which is critical to the community operation of essential service. Without this use-parameter requirement it is reasonably debatable that the free-market trends would imminently remove attainable housing from the Moab community; and with no reasonably adjacent satellite communities from which to draw a workforce, this trend would effectively eliminate the workforce population needed to operate or maintain the essential service for the community to function. Based on the information provided by the data formulation, the Planning Staff recommendation would be to require the data supported percentage of 42.5% Active Employment Units on Multi-Household Developments in the R3 and R4 Zones.

**CITY OF MOAB, UTAH
ORDINANCE NO. 2022-05
AN ORDINANCE AMENDING THE TEXT OF THE MOAB
MUNICIPAL CODE (MMC) SECTIONS 17.48 R-3 MULTI-
HOUSEHOLD RESIDENTIAL ZONE, AND 17.51 R-4
MANUFACTURED HOUSING RESIDENTIAL ZONE, TO ADD A
USE PARAMETER REQUIREMENT TO THE MULTI-HOUSEHOLD
PERMITTED USE, SUCH THAT 42.5% OF UNITS BE DESIGNATED
AS ACTIVE EMPLOYMENT UNITS (AEU) TO BE OCCUPIED BY
QUALIFIED ACTIVE EMPLOYMENT HOUSEHOLDS (AEH)**

WHEREAS, the stock of workforce housing in Moab is being replaced by new townhomes and condominiums that are not attainable for workers employed in and around Moab who need housing, often because these new homes are being built for the second home market; and

WHEREAS, persons employed in and around Moab are unable to afford housing given current wage and housing trends; and

WHEREAS, the cost of housing has risen with median home prices having increased 22% from last year, from \$400,000 to \$490,000, which is unaffordable to most workers given the annual household median income of \$52,000; and

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

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

WHEREAS, the Moab City Planning Department has received applications or inquiries for numerous multi-household projects on parcels that currently contain attainable workforce housing that will be removed and replaced by higher-priced market-rate units that are unaffordable for the Moab area workforce; and

WHEREAS, there are many parcels in Moab that are underutilized and property owners are selling the properties to developers who intend to remove existing workforce housing units and replace them with units that are not attainable for workforce housing; and

WHEREAS, employers in and around Moab are unable to hire employees because of this lack of attainable workforce housing; and

WHEREAS, the City has adopted the 2016 Moab Area Affordable Housing Plan, the City and other agencies have implemented many of the Plan's

recommendations, and the City is in the process of reviewing additional barriers to the construction of housing in the community; and

WHEREAS, the City Council is in support of eliminating barriers to increasing the inventory of workforce housing; and

WHEREAS, from time to time the City undertakes revisions in its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts; and

WHEREAS, the Moab Municipal Code Chapter 17.04, Zoning Map Amendments and Text Amendments, permits the Zoning Text Amendment process to allow amendments to the use requirements within zoning districts; and

WHEREAS, in order to address the lack of attainable workforce housing, the Moab City Council formally initiated proceedings to amend the Moab Municipal Code Section 17.48 R-3 Multi-Household Residential Zone, and 17.51 R-4 Multi-Household Residential Zone, through Resolution #33-2021, approved October 12, 2021, to specifically evaluate the need for and the use parameters for requiring a percentage of Active Employment Household Unit occupancy in Multi-Household Developments; and

WHEREAS, the R-3 Multi-Household Residential Zone, and R-4 Manufactured Housing Residential Zone have been distinguished as especially susceptible zones to the specific impacts of the inverse development of attainable housing, and because of the Multi-Household Dwelling Permitted Use are situated best to address these problems regarding attainable workforce housing; and

WHEREAS, the City has also coordinated and contracted for research by BAE Urban Economics to analyze and determine the need for a particular percentage of designated Active Employment Units to be required as a permitted use parameter in the identified zoning districts in order to address the lack of attainable workforce housing; and

WHEREAS, the City finds that there is a compelling need for and public purpose for adopting this Ordinance due to the market conditions and other factors that are not supplying the needed numbers of workforce housing units for Moab; and

WHEREAS, this ordinance shall apply to all properties or developments within the zones affected; and

WHEREAS, the purpose of this ordinance is to regulate the uses of properties being developed to address the impacts of development on Moab's need for attainable workforce housing; and

WHEREAS, this ordinance is one of many strategies that have and are being considered by the City of Moab to address Moab's workforce housing need; and

NOW, THEREFORE BE IT ORDAINED that the Moab City Council hereby approves the Text Amendments as follows:

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council this 31st day of March 2022.

SECTION 1. AMENDMENTS TO MMC CHAPTER 17.06 DEFINITIONS ADDING OR MODIFYING DEFINITIONS OF:

- A. "Active employment household" or "actively employed household" or "AEH", means a household with at least one adult who meets one of the following criteria; provided, however, where there are unrelated individuals living together in one household, at least 50 percent of all the adults comprising the household shall meet one of the following criteria:
1. A full-time (aggregate of at least 30 hours of employment per week for a minimum of nine months per calendar year) employee of a business, or entity, or entities located within Grand County; or
 2. An owner of a business or entity with a primary place of business within Grand County; or
 3. A full-time (aggregate of 30 hours of employment per week for a minimum of nine months out of each calendar year) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75 percent of their billable hours are for clients or projects located within Grand County.
 4. A person who is unable to work or does not have a work history required under subsections F.1 through F.3 of this section due to a disability as defined by the state and federal Fair Housing Acts, ~~the~~ Americans with Disabilities Act or other applicable state or federal law;
 5. A family member of the owner of the property
 6. A retiree with a work history required under subsection 1 through 4 of this section for the five years prior to retirement.
- B. "Active Employment Unit" or "AEU", means a dwelling unit that is required to be occupied by a qualified Active Employment Household.
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**SECTION 2. AMEND CHAPTER 17.48 R-3 MULTI-HOUSEHOLD RESIDENTIAL
ZONE SECTION 17.48.020. PERMITTED USES AND REGULATIONS, AS
FOLLOWS:**

17.48.10. Objectives and characteristics

The objective in establishing the R-3 residential zone is to provide appropriate locations within the City for high density development, primarily occupied by full-time residents, and employees and owners of local businesses. In general, this zone is located in the central part of the City, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1 and R-2 zones.

17.48.020.

7. Multi-Household Dwellings.

- a. Developments consisting of three or more multi-household units shall be subject to the following requirements:
 - i. 42.5% of the units in a multi-household development shall be designated as Active Employment Units, as defined by MMC Chapter 17.06. definitions, and regulated per MMC Chapter 17.64. Active Employment Households
 - b. Developments consisting of seven or more multi-household 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.
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- 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.
 - vii. The allowed number of multi-household units shall be determined by Section 17.48.030.

**SECTION 3. AMEND CHAPTER 17.51 R-4 MANUFACTURED HOUSING
RESIDENTIAL ZONE SECTION 17.51.020. PERMITTED USES AND REGULATIONS,
AS FOLLOWS:**

17.51.10 Objectives and characteristics.

The objective in establishing the R-4 residential zone is to provide the most appropriate locations for mobile home parks, mobile home subdivisions, and conventional dwellings of other construction. The zone is characterized by open fields interspersed by well-maintained mobile home parks, mobile home subdivisions, and

other dwellings, all primarily occupied by full-time residents, and employees and owners of local businesses.

17.70.020.

8. Multi-Household Dwellings.

a. Developments consisting of three or more multi-household units shall be subject to the following requirements:

i. 42.5% of the units in a multi-household development shall be designated as Active Employment Units, as defined by MMC Chapter 17.06. definitions, and regulated per MMC Chapter 17.64. Active Employment Households

b. Developments consisting of seven or more multi-household 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.

vii. The allowed number of multi-household units shall be determined by Section 17.51.030.

SECTION 4. ADD CHAPTER 17.64 ACTIVE EMPLOYMENT HOUSEHOLDS, AS FOLLOWS:

17.64.010. Purpose.

Active Employment Household is a defined use parameter, meant to identify qualified workforce residents, whereby the permitted uses in zoning districts shall include a required designation for Active Employment Units as a part of a development or qualified occupancy of dwelling property.

17.64.020. General Standards.

- 1) Active Employment Households shall be regulated by this Chapter 17.64, in addition to the requirements defined in MMC Chapter 17.06 Definitions, for "Accessory Dwelling Unit, Type 1", and "Accessory Dwelling Unit, Type 2".
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2) Active Employment Households and Active Employment Units required as a use parameter for the permitted use of Multi-Household Dwelling developments shall be regulated as follows:

a) Not less than 42.5% of the number of dwellings approved for multi-household dwelling developments in the R-3 Multi-Household Residential Zone and R-4 Manufactured Housing Residential Zone shall be designated or deed restricted to be Active Employment Units.

a)i) Where the percentage of any required Active Employment Units in a multi-household dwelling development, as applied to the total number of units, results in a decimal, the number of required AEU's shall be rounded down.

b) Active Employment Units shall be:

i) Roughly proportional by number in type (e.g. studio, one bedroom, two bedroom...) and size (square footage) to the non-Active Employment Units; and

ii) Of a quality, both aesthetically and with respect to the standard construction, that is not materially different from the non-Active Employment Units.

c) The Active Employment Units shall be ready for occupancy no later than the date of the initial, or temporary occupancy of any non-Active Employment Units with the project or applicable phase thereof. If the non-Active Employment Units are developed in phases, then the Active Employment Units may be developed in proportion to the phasing of the non-Active Employment Units (e.g. not less than 42.5% of the units developed for occupancy in any phase shall be Active Employment Units).

d) Active Employment Units shall only be occupied by households who qualify as Active Employment Households.

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- e) Active Employment Units shall be occupied by Active Employment Households a minimum of nine (9) months per calendar year, of which do not need to be consecutive or held by the same occupant.
 - f) Active Employment Units shall not be occupied, rented, leased by Active Employment Households for less than ninety (90) consecutive days.

17.64.030 Submittal requirements and approval criteria.

1. Active Employment Unit Designation

- a. Active Employment Units shall be designated through one or more of the following:
 - i. AEU's shall be designated on Townhome or Condominium Plat for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Townhome or Condominium Plat Approval.
 - ii. AEU's shall be designation on Site Plan Approval materials for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Site Plan Approval.
 - iii. AEU's shall be designated on Building Permit Plan Approval for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Building Permit Plan Approval.
 - iv. AEU's shall be designated by Deed Restriction for Type 1 and Type 2 ADUs per MMC Chapter 17.70 Accessory Dwelling Units.
- b. Deed Restriction
 - i. A deed restriction must be filed with the Grand County Recorder's Office, which states:
 - 1. *"An approval for an Active Employment Unit was issued to _____, the current owner of this property on _____. The owner shall strictly adhere to the*



prohibition of the use of the Active Employment Unit as nightly or short-term rental. The lease period for an Active Employment Unit shall be a minimum of ninety (90) days.” Modified deed restriction language may be proposed by the City. In the occurrence that the MMC requirements and regulations change regarding this restriction, a Release of Deed Restriction, signed by the City, may remove this restriction.

2. *“An approval for an Active Employment Unit was issued to _____, the current owner of this property on _____. The owner, and or, occupant, shall strictly adhere to the Moab Municipal Code requirements and regulations for Active Employment Units and Active Employment Households” Modified deed restriction language may be proposed by the City. In the occurrence that the MMC requirements and regulations change regarding this restriction, a Release of Deed Restriction, signed by the City, may remove this restriction.*

ii. The Deed Restriction for a designated Active Employment Unit may be removed if the designated AEU is approved for re-designation with a qualifying unit through MMC 17.64.020.2.b.

2. Active Employment Household Qualification

a. Active Employment Households shall meet one of the following criteria:

- i. A full-time (aggregate of at least 30 hours of employment per week for a minimum of nine months per calendar year) employee of a business, or entity, or entities located within Grand County; or
 - ii. An owner of a business or entity with a primary place of business within Grand County; or
 - iii. A full-time (aggregate of 30 hours of employment per week for a minimum of nine months out of each calendar year) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75 percent of their billable hours are for clients or projects located within Grand County.
 - iv. A person who is unable to work or does not have a work history required under subsections 2.a.i through 2.a.iii of this section due to a
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disability as defined by the state and federal Fair Housing Acts, the Americans with Disabilities Act or other applicable state or federal law;

- v. A family member of the owner of the property
- vi. A retiree with a work history required under subsection 2.a.i through 2.a.iv of this section for the five years prior to retirement.

b. Active Employment Households shall verify qualifications through staff review and approval as part of applicable approval process; verification submittals may include:

- i. Verification of Occupancy
 - 1. Grand County Tax Roll Master Record of Ownership and Primary Residency
 - 2. Occupant Rent/Lease Agreement of not less than ninety (90) days.
- ii. Verification of qualified Active Employment Household
 - 1. Employee Verification Form
 - 2. Home Occupation Business License

17.64.040. Review procedures.

1. The Land Use Authority responsible for the type and process of development (e.g. Building Permit Approval, Site Plan Approval, Townhome Plat or Condominium Plat Approval), shall review and approve the congruity requirement for Active Employment Units with non-Active Employment Units referenced in MMC 17.64.020.2.b.

2. Prior to the preliminary or final plan or plat approvals for any project or phase of project, the Active Employment Units shall be identified and designated on the preliminary and final plan or plat for such projects or phases.

17.70.050 Enforcement.

In addition to any other legal or equitable remedies available to a municipality, the City may pursue enforcement and compliance for Active Employment Household Units in violation, or if the owner of the property violates any of the provisions of this section.

1. Violation

- a. The requirements and regulations set forth herein regulating the use and occupancy of the Active Employment Units shall run with the portion of land or designation of units constituting the required percentage or dedication of Active Employment Units of a Multi-Household development or Accessory Dwelling Unit:
 - i. The required designation of Active Employment Units shall extend for as long as the use parameter remains a requirement of the permitted use for compliance within the zone. The following conditions of violation will impose the following penalty:
 - (1) The designated property or property containing the Active Employment Unit will be in violation if the Active Employment Unit is occupied by any household that is not a qualified AEH, if, 30 days after written notice from the City, the AEU is not occupied by and AEH.
 - (2) The designated property or property containing the Active Employment Unit will be in violation if the AEU is not occupied by an AEH for a minimum of nine (9) months in any calendar year, allowing the AEU to be unoccupied for ninety (90) days, if, 30 days after notice from the City, the AEU is not occupied by an AEH.
 - (3) The designated property or property containing the Active Employment Unit will be in violation if the AEU is occupied, rented or leased, by an AEH, less than ninety (90) consecutive days, if, 30 days after notice from the City, the AEU is not occupied by an AEH.

(4) In the event of violation, penalties may be assessed by the City against the Active Employment Unit owner, as determined by the Moab Municipal Code Chapter 17.78. Zoning Violations--Penalties.

1) Process of Violation

- a) If the owner of the property violates any of the provisions of this Chapter, the City may peruse the violation for noncompliance in accordance with established processes outlined by Moab Municipal Code Chapter 17.78. Zoning Violations--Penalties.

PASSED by the City Council in a public meeting on _____ by the following
vote:

MOAB CITY COUNCIL:

Those voting aye: _____

Those voting nay: _____

Those abstaining: _____

Those absent: _____

Joette Langianese, Mayor

Date

ATTEST: _____

Sommar Johnson, Clerk/Recorder

**CITY OF MOAB, UTAH
ORDINANCE NO. 2022-05
AN ORDINANCE AMENDING THE TEXT OF THE MOAB
MUNICIPAL CODE (MMC) SECTIONS 17.48 R-3 MULTI-
HOUSEHOLD RESIDENTIAL ZONE, AND 17.51 R-4
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USE PARAMETER REQUIREMENT TO THE MULTI-HOUSEHOLD
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QUALIFIED ACTIVE EMPLOYMENT HOUSEHOLDS (AEH)**

WHEREAS, the stock of workforce housing in Moab is being replaced by new townhomes and condominiums that are not affordable-attainable for workers employed in and around Moab who need housing, often because these new homes are being built for the second home market; and

WHEREAS, persons employed in and around Moab are unable to afford housing given current wage and housing trends; and

WHEREAS, the cost of housing has risen with median home prices having increased 22% from last year, from \$400,000 to \$490,000, which is unaffordable to most workers given the annual household median income of \$52,000; and

WHEREAS, the lack of affordable-attainable housing can result in crowding, undesirable living conditions, lack of funds available for other basic needs, and a decrease in the quality of life for Moab workers and their families; and

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

WHEREAS, the Moab City Planning Department has received applications or inquiries for numerous multi-household projects on parcels that currently contain attainable workforce housing that will be removed and replaced by higher-priced market-rate units that are unaffordable for the Moab area workforce; and

WHEREAS, there are many parcels in Moab that are underutilized and property owners are selling the properties to developers who intend to remove existing workforce housing units and replace them with units that are not affordable-attainable for workforce housing; and

WHEREAS, employers in and around Moab are unable to hire employees because of this lack of affordable-attainable workforce housing; and

WHEREAS, the City has adopted the 2016 Moab Area Affordable Housing Plan, the City and other agencies have implemented many of the Plan's

recommendations, and the City is in the process of reviewing additional barriers to the construction of housing in the community; and

WHEREAS, the City Council is in support of eliminating barriers to increasing the inventory of workforce housing; and

WHEREAS, from time to time the City undertakes revisions in its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts; and

WHEREAS, the Moab Municipal Code Chapter 17.04, Zoning Map Amendments and Text Amendments, permits the Zoning Text Amendment process to allow amendments to the use requirements within zoning districts; and

WHEREAS, in order to address the lack of affordable-attainable workforce housing, the Moab City Council formally initiated proceedings to amend the Moab Municipal Code Section 17.48 R-3 Multi-Household Residential Zone, and 17.51 R-4 Multi- Household Residential Zone, through Resolution #33-2021, approved October 12, 2021, to specifically evaluate the need for and the use parameters for requiring a percentage of Active Employment Household Unit occupancy in Multi- Household Developments; and

WHEREAS, the R-3 Multi-Household Residential Zone, and R-4 Manufactured Housing Residential Zone have been distinguished as especially susceptible zones to the specific impacts of the inverse development of attainable housing, and because of the Multi-Household Dwelling Permitted Use are situated best to address these problems regarding attainable workforce housing; and

WHEREAS, the City has also coordinated and contracted for research by BAE Urban Economics to analyze and determine the need for a particular percentage of designated Active Employment Units to be required as a permitted use parameter in the identified zoning districts in order to address the lack of affordable-attainable workforce housing; and

WHEREAS, the City finds that there is a compelling need for and public purpose for adopting this Ordinance due to the market conditions and other factors that are not supplying the needed numbers of workforce-affordable housing units for Moab; and

WHEREAS, this ordinance shall apply to all properties or developments within the zones affected; and

WHEREAS, the purpose of this ordinance is to regulate the uses of properties being developed to address the impacts of development on Moab's need for affordableattainable workforce housing; and

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WHEREAS, this ordinance process is one of many strategies that have and are being considered by the City of Moab to address Moab's workforce housing need; and

NOW, THEREFORE BE IT ORDAINED that the Moab City Council hereby approves the Text Amendments as follows:

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council this ~~31st~~^{09th} day of March 2022.

SECTION 1. AMENDMENTS TO MMC CHAPTER 17.06 DEFINITIONS ADDING OR MODIFYING DEFINITIONS OF:

- A. "Active employment household" or "actively employed household" or "AEH", means a household with at least one adult who meets one of the following criteria; provided, however, where there are unrelated individuals living together in one household, at least 50 percent of all the adults comprising the household shall meet one of the following criteria:
1. A full-time (aggregate of at least 30 hours of employment per week for a minimum of nine months per calendar year) employee of a business, or entity, or entities located within Grand County; or
 2. An owner ~~or owner's representative~~ of a business or entity with a primary place of business within Grand County; or
 3. A full-time (aggregate of 30 hours of employment per week for a minimum of nine months out of each calendar year) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75 percent of their ~~work/billable hours are for~~ clients or projects are based located within Grand County and San Juan County.
 4. A person who is unable to work or does not have a work history required under subsections F.1 through F.3 of this section due to a disability as defined by the state and federal Fair Housing Acts; ~~the Americans with Disabilities Act or other applicable state or federal law;~~
 5. A family member of the owner of the property
 6. A retiree with a work history required under subsection 1 through 4 of this section for the five years prior to retirement.
- B. "Active Employment Unit" or "AEU", means a dwelling unit that is required to be occupied by a qualified Active Employment Household.
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SECTION 2. AMEND CHAPTER 17.48 R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONE SECTION 17.48.020. PERMITTED USES AND REGULATIONS, AS FOLLOWS:

17.48.10. Objectives and characteristics

The objective in establishing the R-3 residential zone is to provide appropriate locations within the City for high density development, primarily occupied by full-time residents, and employees and owners of local businesses. In general, this zone is located in the central part of the City, adjacent to commercial areas where the impact of vehicular travel and parking is consonant with adjacent use of land, and where multiple dwellings can best be supplied with necessary public facilities. This zone is characterized by more compact development and somewhat higher volumes of traffic than is characteristic of the R-1 and R-2 zones.

17.48.020.

7. Multi-Household Dwellings.

a. Developments consisting of three or more multi-household units shall be subject to the following 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. 0042.5% of the units in a multi-household development shall be designated as Active Employment Units, as defined by MMC Chapter 17.06. definitions, and regulated per MMC Chapter 17.64. Active Employment Households

b. Developments consisting of seven or more multi-household 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.

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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.

vii. The allowed number of multi-household units shall be determined by Section 17.48.030.

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**SECTION 3. AMEND CHAPTER 17.51 R-4 MANUFACTURED HOUSING
RESIDENTIAL ZONE SECTION 17.51.020. PERMITTED USES AND REGULATIONS,
AS FOLLOWS:**

17.51.10 Objectives and characteristics.

The objective in establishing the R-4 residential zone is to provide the most appropriate locations for mobile home parks, and mobile home subdivisions, along with and conventional dwellings of other construction. The zone is characterized by open fields interspersed by well-maintained mobile home parks, mobile home subdivisions, and

other types of dwellings, all primarily occupied by full-time residents, and employees and owners of local businesses.

17.70.020.

8. Multi-Household Dwellings.

a. Developments consisting of three or more multi-household units shall be subject to the following 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. 0042.5% of the units in a multi-household development shall be designated as Active Employment Units, as defined by MMC Chapter 17.06. definitions, and regulated per MMC Chapter 17.64. Active Employment Households~~

b. Developments consisting of seven or more multi-household 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.

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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.

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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.

iii-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.

iv-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.

v-vii. The allowed number of multi-household units shall be determined by Section 17.51.030.

SECTION 4. ADD CHAPTER 17.64 ACTIVE EMPLOYMENT HOUSEHOLDS, AS FOLLOWS:

17.64.010. Purpose.

Active Employment Household is a defined use parameter, meant to identify qualified workforce residents, whereby the permitted uses in zoning districts shall may include a required designation for Active Employment Units as a part of a development or qualified occupancy of dwelling property.

17.64.020. General Standards.

- 1) Active Employment Households shall be regulated by this Chapter 17.64, in addition to the requirements defined in MMC Chapter 17.06 Definitions, for "Accessory Dwelling Unit, Type 1", and "Accessory Dwelling Unit, Type 2".
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2) Active Employment Households and Active Employment Units required as a use parameter for the permitted use of Multi-Household Dwelling developments shall be regulated as follows:

a) Not less than ~~42.5%~~~~zerozero-percent (00%)~~ of the number of dwellings approved for multi-household dwelling developments in the R-3 Multi-Household Residential Zone and R-4 Manufactured Housing Residential Zone shall be designated or deed restricted to be Active Employment Units.

~~a) i) Where the percentage of any required Active Employment Units in a multi-household dwelling development, as applied to the total number of units, results in a decimal of 0.5 or higher, the number of required AEUs shall be rounded down/upward.~~

b) Active Employment Units shall be:

- i) Roughly proportional by number in type (e.g. studio, one bedroom, two bedroom...) and size (square footage) to the ~~non-Active Employment~~~~free-market~~ units; and
- ii) Of a quality, both aesthetically and with respect to the standard construction, that is not materially different from the ~~non-Active Employment~~~~free-market~~ units.

e) The Active Employment Units shall be ready for occupancy no later than the date of the initial, or temporary occupancy of any ~~non-Active Employment~~~~free-market~~ units with the project or applicable phase thereof. If the ~~non-Active Employment~~~~free-market~~ units are developed in phases, then the Active Employment Units may be developed in proportion to the phasing of the ~~non-Active Employment~~~~free-market~~ units (e.g. not less than ~~42.500%~~ of the units developed for occupancy in any phase shall be Active Employment Units).

d) Active Employment Units shall only be occupied by households who qualify as Active Employment Households.

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- e) Active Employment Units shall be occupied by Active Employment Households a minimum of nine (9) months per calendar year, of which do not need to be consecutive or held by the same occupant-in-total.
 - f) Active Employment Units shall not be occupied, rented, leased by Active Employment Households for less than ninety (90) consecutive days.

17.64.030 Submittal requirements and approval criteria.

1. Active Employment Unit Designation

- a. Active Employment Units shall be designated through one or more of the following:
 - i. AEU's shall be designated on Townhome or Condominium Plat for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Townhome or Condominium Plat Approval.
 - ii. AEU's shall be designation on Site Plan Approval materials for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Site Plan Approval.
 - iii. AEU's shall be designated on Building Permit Plan Approval for Multi-Household Developments in the R3 Multi-Household Residential Zone and R4 Manufactured Housing Residential Zone that require Building Permit Plan Approval.
 - iv. AEU's shall be designated by Deed Restriction for Type 1 and Type 2 ADUs per MMC Chapter 17.70 Accessory Dwelling Units.
- b. Deed Restriction
 - i. A deed restriction must be filed with the Grand County Recorder's Office, which states:
 - 1. *"An approval for an Active Employment Unit was issued to _____, the current owner of this property on _____. The owner shall strictly adhere to the*

prohibition of the use of the Active Employment Unit as nightly or short-term rental. The lease period for an Active Employment Unit shall be a minimum of ninety (90) days." Modified deed restriction language may be proposed by the City. In the occurrence that the MMC requirements and regulations change regarding this restriction, a Release of Deed Restriction, signed by the City, may remove this restriction.

2. "An approval for an Active Employment Unit was issued to _____, the current owner of this property on _____. The owner, and or, occupant, shall strictly adhere to the Moab Municipal Code requirements and regulations for Active Employment Units and Active Employment Households" Modified deed restriction language may be proposed by the City. In the occurrence that the MMC requirements and regulations change regarding this restriction, a Release of Deed Restriction, signed by the City, may remove this restriction.

ii. The Deed Restriction for a designated Active Employment Unit may be removed if the designated AEU is approved for re-designation with a qualifying unit through MMC 17.64.020.2.b.

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2. Active Employment Household Qualification

- a. Active Employment Households shall meet one of the following criteria:
- i. A full-time (aggregate of at least 30 hours of employment per week for a minimum of nine months per calendar year) employee of a business, or entity, or entities located within Grand County; or
 - ii. An owner ~~or owner's representative~~ of a business or entity with a primary place of business within Grand County; or
 - iii. A full-time (aggregate of 30 hours of employment per week for a minimum of nine months out of each calendar year) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of 75 percent of their ~~work/billable hours are for clients or projects are based located~~ within Grand County and San Juan County.
 - iv. A person who is unable to work or does not have a work history required under subsections 2.a.i through 2.a.iii of this section due to a
-

disability as defined by the state and federal Fair Housing Acts; the Americans with Disabilities Act or other applicable state or federal law;

- v. A family member of the owner of the property
- vi. A retiree with a work history required under subsection 2.a.i through 2.a.iv of this section for the five years prior to retirement.

b. Active Employment Households shall verify qualifications through staff review and approval as part of applicable approval process; verification submittals may include:

- i. Verification of Occupancy
 - 1. Grand County Tax Roll Master Record of Ownership and Primary Residency
 - 2. Occupant Rent/Lease Agreement of not less than ninety (90) days.
- ii. Verification of qualified Active Employment Household
 - 1. Employee Verification Form
 - 2. Home Occupation Business License

17.64.040. Review procedures.

1. The Land Use Authority responsible for the type and process of development (e.g. Building Permit Approval, Site Plan Approval, Townhome Plat or Condominium Plat Approval), shall review and approve at the proportionality congruity requirement for Active Employment Units with non-Active Employment Units referenced in MMC 17.64.020.2.b.

2. Prior to the preliminary or final plan or plat approvals for any project or phase of project, the Active Employment Units shall be identified and designated on the preliminary and final plan or plat for such projects or phases.

17.70.050 Enforcement.

In addition to any other legal or equitable remedies available to a municipality, ~~the City may pursue enforcement and compliance for a municipality may foreclose or hold a lien against a property that contains designated~~ Active Employment Household Units in violation, or if the owner of the property violates any of the provisions of this section.

1. Violation

- a. The requirements and regulations set forth herein regulating the use and occupancy of the Active Employment Units shall run with the portion of land or designation of units constituting the required percentage or dedication of Active Employment Units of a Multi-Household development or Accessory Dwelling Unit:
 - i. The required designation of Active Employment Units shall extend for as long as the use parameter remains a requirement of the permitted use for compliance within the zone. The following conditions of violation will impose the following penalty:
 - (1) The designated property or property containing the Active Employment Unit will be in violation if the Active Employment Unit is occupied by any household that is not a qualified AEH, if, 30 days after written notice from the City, the AEU is not occupied by an AEH.
 - (2) The designated property or property containing the Active Employment Unit will be in violation if the AEU is not occupied by an AEH for a minimum of nine (9) months in any calendar year, allowing the AEU to be unoccupied for ninety (90) days, if, 30 days after notice from the City, the AEU is not occupied by an AEH.
 - (3) The designated property or property containing the Active Employment Unit will be in violation if the AEU is occupied, rented or leased, by an AEH, less than ninety (90) consecutive days, if, 30 days after notice from the City, the AEU is not occupied by an AEH.

(4) In the event of violation, penalties may be assessed by the City against the Active Employment Unit owner, as determined by the Moab Municipal Code Chapter 17.78. Zoning Violations--Penalties, in the case of an amount, it may be equal to the number of days that the AEU is not occupied by an AEH multiplied by an approved rate by the City Council, commencing on the date of the City's written notice of default and continuing thereafter until the date that the default is cured. The City reserves the right to seek specific performance of the municipal code and judicial enforcement of the foregoing penalties, including seeking a judgement lien and foreclosure.

1) Process of Violation

- a) If the owner of the property violates any of the provisions of this Chapter, the City may peruse the violation for noncompliance in accordance with established processes outlined by Moab Municipal Code Chapter 17.78. Zoning Violations--Penalties. In addition to any other legal or equitable remedies, Moab City may hold a lien against a property that contains the Active Employment Unit if: as follows:
1. The City provides a written notice of violation
 2. The City holds a hearing and determines that the violation has occurred, if the owner files a timely written objection
 3. The owner fails to cure the violation within the time period prescribed in the written notice of violation
 4. The City provides a written notice of lien with the county recorder of the county in which the property is located. The written notice of violation shall
 - a. Describe the specific violation
 - b. Provide the owner of the Active Employment Unit a reasonable opportunity to cure the violation no less than 14 days after the day on which the City sends notice of violation, if the violation results from the owner renting or offering to rent the Active Employment Unit for a period of less than 30 consecutive days or no

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~~less than 30 days after the day on which the City sends the written notice of violation, for any other violation~~

~~e. State that if the owner of the property fails to cure the violation within the relevant time period, the City may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires~~

~~d. Notify the owner of the property that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and of the name and address of the municipal office where the owner may file the written objection to be mailed to the property's owner of record; any other individuals designated to receive notice in the owner's license or permit records~~

~~e. Posted on the property~~

~~f. The written notice of lien shall state that the property is subject to a lien, specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the property's owner of record; and any other individual designated to receive notice in the owner's license or permit record and be posted on the property;~~

~~5. If an owner of property files a written objection in accordance with Subsection the City shall:~~

~~a. hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under has occurred; and~~

~~b. notify the owner in writing of the date, time, and location of the hearing. The hearing notice shall be sent no less than 14 days before the day on which the hearing is held.~~

~~6. If an owner of property files a written objection the City may not record a lien until the City holds a hearing and determines that the specific violation has occurred.~~

~~7. If the City determines at the hearing that the specific violation has occurred, the City may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of~~

~~whether the hearing is held after the day on which the opportunity to cure the violation has expired.~~

~~8. If an owner cures a violation within the time period prescribed in the written notice of violation the City may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation.~~

~~9. A municipality that issues a permit or license to an owner of an Active Employment Unit to rent the unit to an Active Employment Household, or a building permit to an owner of a qualifying Active Employment Household development to create Active Employment Units, may record a notice in the office of the Grand County recorder. The notice shall include~~

~~a. A description of the AEU dwellings; and~~

~~b. A statement that the development contains designated AEU dwellings; and –~~

~~c. A statement that the AEU dwellings may only be used in accordance with the municipality's land use regulations.~~

~~d. The municipality/jurisdiction shall, upon recording the notice described, deliver a copy of the notice to the owner of the AEU dwelling.~~

PASSED by the City Council in a public meeting on _____ by the following vote:

MOAB CITY COUNCIL:

Those voting aye: _____

Those voting nay: _____

Those abstaining: _____

Those absent: _____

Joette Langianese, Mayor

Date

ATTEST: _____

Sommar Johnson, Clerk/Recorder

Table 1: Estimated Gross Buildout Capacity, City of Moab

Zoning District	Total Land Area		Assumed Capacity		Gross Buildout Capacity (a)	
	Acres	Square Feet	Residential (Sq. Ft. of Land Area per Unit)	Non-Residential (FAR)(b)	Residential (Units)	Non-Residential (Sq. Ft.)
A-2	15	636,847	217,800	n.a.	3	0
C-1	4	195,056	2,000	0.45	98	87,775
C-2	59	2,582,257	2,000	0.45	1,291	1,162,016
C-3	124	5,410,996	2,000	1.00	2,705	5,410,996
C-4	463	20,180,907	1,500	1.00	13,454	20,180,907
C-5	14	598,333	1,500	0.30	399	179,500
FC-1	60	2,607,614	n.a.	n.a.	0	0
I-1	27	1,190,787	n.a.	0.53	0	630,270
MH/RV-1	30	1,307,720	1,800	n.a.	727	0
R-1	5	237,927	10,000	n.a.	24	0
R-2	581	25,321,994	3,000	n.a.	8,441	0
R-3	159	6,905,491	2,000	n.a.	3,453	0
R-4	400	17,426,581	1,800	n.a.	9,681	0
RA-1	439	19,115,278	43,560	n.a.	439	0
RC	150	6,518,123	2,000	0.30	3,259	1,955,437
SAR	147	6,393,606	21,780	n.a.	294	0
Total, All	2,677	116,629,519			44,266	29,606,901

Note:

(a) Reflects the gross buildout potential of each zone assuming that the entire zone exclusively builds out as either residential or non-residential.

Sources: City of Moab; Decennial Census; BAE, 2022.

Table 2: Estimated Net Remaining Buildout Capacity, City of Moab

Zoning District	Gross Buildout Capacity (a)		Existing Development (b)		Adjusted Gross Buildout Capacity (c)		Existing Developed Land Area (b)		Remaining Capacity (d)	
	Residential (Units)	Non-Residential (Sq. Ft.)	Residential (Units)	Non-Residential (Sq. Ft.)	Residential (Units)	Non-Residential (Sq. Ft.)	Residential (Sq. Ft. of Land Area)	Non-Residential (Sq. Ft. of Land Area)	Residential (Units)	Non-Residential (Sq. Ft.)
A-2	3	0	1	0	3	0	160,517	0	2	0
C-1	98	87,775	0	327	98	87,775	0	147	0	87,448
C-2	1,291	1,162,016	59	49,214	1,291	1,162,016	118,405	22,146	0	1,112,802
C-3	2,705	5,410,996	128	971,761	2,705	5,410,996	255,805	971,761	0	4,439,235
C-4	13,454	20,180,907	32	541,287	13,454	20,180,907	48,641	541,287	744	17,739,980 (e)
C-5	399	179,500	29	36,598	399	179,500	44,219	10,979	68	128,281 (f)
FC-1	0	0	6	790	6	790	885,060	121,488	0	0
I-1	0	630,270	4	33,476	4	630,270	94,773	17,718	0	596,794
MH/RV-1	727	0	453	0	727	0	816,055	0	273	0
R-1	24	0	4	0	24	0	44,219	0	19	0
R-2	8,441	0	1,055	11,471	8,441	11,471	3,164,342	54,461	7,386	0
R-3	3,453	0	564	479,020	3,453	479,020	1,128,314	203,337	2,889	0
R-4	9,681	0	103	0	9,681	0	185,710	0	9,578	0
RA-1	439	0	58	3,608	439	3,608	2,536,164	212,611	381	0
RC	3,259	1,955,437	125	12,504	3,259	1,955,437	249,103	3,751	0	1,942,933
SAR	294	0	0	0	294	0	0	0	294	0
Total, All	44,266	29,606,901	2,622	2,140,056	44,276	30,101,790	9,731,328	2,159,686	21,634	26,047,473

Notes:

- (a) Reflects the gross buildout potential of each zone assuming that the entire zone exclusively builds out as either residential or commercial, as calculated on Table 1.
- (b) Based on data from Grand County, processed and provided by the City of Moab. Unit counts represent an allocation of the housing unit total reported in the Decennial Census by zoning district.
- (c) Represents an adjustment of the estimated gross buildout capacity to account for existing development.
- (d) Represents the adjusted gross buildout capacity, minus the existing developed land area.
- (e) The remaining non-residential development capacity in the C-4 zone is reduced by 1.9 million square feet due to the potential buildout of 744 residential units as part of the Hogan, Bynum, and SITLA developments.
- (f) The remaining non-residential development capacity in the C-5 zone is reduced by 14,621 square feet due to the potential buildout of 68 residential units as part of the Lost Springs development.

Sources: City of Moab; BAE, 2022.

Table 3: Share of the Remaining Development Capacity Needed to Accommodate Workforce Housing Demand Induced by Residential Buildout

Zoning District	Remaining Capacity (Units)(a)	Assumed Occupancy (b)		Induced Jobs Per 100 Units (c)	Induced Jobs (d)	Induced Worker Households (e)
		Full-Time	Part-Time			
A-2	2	2	0	38	0.8	0
C-1	0	0	0	n.a.	0	0
C-2	0	0	0	n.a.	0	0
C-3	0	0	0	n.a.	0	0
C-4	744	632	112	33	234	138
C-5	68	58	10	37	24	14
FC-1	0	0	0	n.a.	0	0
I-1	0	0	0	n.a.	0	0
MH/RV-1	273	232	41	30	78	46
R-1	19	16	3	38	7	4
R-2	7,386	6278	1,108	37	2,586	1,521
R-3	2,889	2455	434	30	826	486
R-4	9,578	8142	1,436	30	2,738	1,610
RA-1	381	324	57	38	139	82
RC	0	0	0	n.a.	0	0
SAR	294	250	44	38	107	63
Total, All	21,634	18,389	3,245			3,964

Share of Workforce Living Locally (f)			Share of Remaining Buildout Capacity (h)	
New Induced		Total (g)	Citywide	R-3/R-4
Percent	Number	Percent		
46%	1,823	46%	8.4%	14.6%
53%	2,092	50%	9.7%	16.8%
70%	2,761	60%	12.8%	22.1%
87%	3,431	70%	15.9%	27.5%
103%	4,100	80%	19.0%	32.9%

Note:

- (a) Represents the adjusted gross buildout capacity, minus the existing developed land area, as reported on Table 2.
- (b) Assumes that 85 percent of all housing units in Moab are occupied full-time and the remaining 15 percent are occupied part-time.
- (c) Based on the average induced employment per 100 units by unit type, as reported in the 2018 Assured Housing study.
- (d) Assumes that housing units that are not occupied full-time are occupied part-time at a rate of: 65%
- (e) Assumes that the average number of workers per household is: 1.7
- (f) Represents the number of active employment households that would need to be housed to maintain the identified share of the workforce that lives locally. According to the US Census Bureau's OnTheMap tool, roughly 46 percent of Moab's 2019 workforce lived in Moab while 54 percent commute in from outside the city.
- (g) Includes induced new and existing workforce households, including 2,731 existing workforce households and 1,256 existing workforce housing already living in Moab.
- (h) Represents the share of the remaining buildout capacity, both citywide and within the R-3 and R-4 zones exclusively, that would need to be set aside for active employment households to maintain the identified share of the workforce that lives locally.

Sources: City of Moab; U.S. Census; BAE, 2022.

Table 4: Share of the Remaining Development Capacity Needed to Accommodate Workforce Housing Demand Induced by Commercial Buildout

Zoning District	Remaining Capacity (Sq. Ft.)(a)	Sq. Ft. Per Employee	Jobs (b)	Induced Worker Households (c)
A-2	0	n.a.	0.0	0
C-1	87,448	350	250	150
C-2	1,112,802	710	1,567	920
C-3	4,439,235	710	6,252	3,680
C-4	17,739,980	900	19,711	11,590
C-5	128,281	350	367	220
FC-1	0	n.a.	0	0
I-1	596,794	2,000	298	180
MH/RV-1	0	n.a.	0	0
R-1	0	n.a.	0	0
R-2	0	n.a.	0	0
R-3	0	n.a.	0	0
R-4	0	n.a.	0	0
RA-1	0	n.a.	0	0
RC	1,942,933	350	5,551	3,270
SAR	0	n.a.	0	0
Total, All	26,047,473		33,997	20,010

Share of Workforce Living Locally (d)			Share of Remaining Buildout Capacity (f)	
New Induced		Total (e)	Citywide	R-3/R-4
Percent	Number	Percent		
46%	9,205	46%	42.5%	73.8%
51%	10,105	50%	46.7%	81.1%
62%	12,389	60%	57.3%	99.4%
73%	14,663	70%	67.8%	117.6%
85%	16,937	80%	78.3%	135.9%
96%	19,211	90%	88.8%	154.1%

Note:

- (a) Represents the adjusted gross buildout capacity, minus the existing developed land area, as reported on Table 2.
- (b) Based on the identified square footage at buildout multiplied by the associated employment density factor expressed as square feet per employee.
- (c) Assumes that the average number of workers per household is: 1.7
- (d) Represents the number of active employment households that would need to be housed to maintain the identified share of the workforce that lives locally. According to the US Census Bureau's OnTheMap tool, roughly 46 percent of Moab's 2019 workforce lived in Moab while 54 percent commute in from outside the city.
- (e) Includes induced new and existing workforce households, including 2,731 existing workforce households and 1,256 existing workforce housing already living in Moab.
- (f) Represents the share of the remaining buildout capacity, both citywide and within the R-3 and R-4 zones exclusively, that would need to be set aside for active employment households to maintain the identified share of the workforce that lives locally.

Sources: City of Moab; U.S. Census; BAE, 2022.

Last Track

CC Update	Feb	8
Workshop	Feb	10
PC Workshop Regular Meeting	Feb	24
Notice Newspaper	March	7
CC Workshop Regular Meeting	March	8
PC Workshop Regular Meeting	March	10
PH Notice Posted	March	10
PH Notice Posted	March	17
CC Workshop Regular Meeting + Special Public Comment Period	March	22
PH Notice Posted	March	24
PH + PC Workshop Regular Meeting + Special Public Comment Period	March	24
PC Special Meeting Recommendation + Special Public Comment Period	March	29
CC Special Meeting Final Approval + Special Public Comment Period	March	31
CC SM Final Approval Alternate Date	April	1
CC SM Backup Final Approval	April	5
CC SM Last Chance Final Approval	April	7
POD Closes	April	10