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CITY OF
MOAB
UTAH

Mayor: Emily S. Niehaus
Council: Tawny Knuteson-Boyd
Rani Derasary
Mike Duncan
Karen Guzman-Newton
Kalen Jones

Memorandum

To: Councilmembers and Media
From: Mayor Emily S. Niehaus
Date: 11/20/2019
Re: Special City Council Meeting

The City of Moab will hold a Special City Council Meeting on Friday, November 22, 2019 at 10:00 a.m. The purpose of this meeting will be:

1. Approval of Minutes:
 - a. November 12, 2019 – Regular City Council Meeting
 - b. November 18, 2019 – Special City Council Meeting
2. Proposed Ordinance 2019-30: An Ordinance Amending the City of Moab Municipal Code, Sections 17.21 C-2 Commercial Residential Zone and 17.31 RC Resort Commercial Zone to Allow New Overnight Accommodations, Subject to Revised Development Standards
 - **Discussion and review of Planning Commission recommendation**



Mayor Emily S. Niehaus

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

**MOAB CITY COUNCIL MINUTES--DRAFT
REGULAR CITY COUNCIL MEETING
November 12, 2019**

The Moab City Council held its regular meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street. An audio recording of the evening meeting is archived at: <https://www.utah.gov/pmn/index.html> and a video recording is archived at: <https://www.youtube.com/watch?v=7LJ3b8HPu2c&t=25s>.

Regular Meeting—Call to Order and Attendance:

Mayor Niehaus called the meeting to order at 7:01 PM and led the Pledge of Allegiance. In attendance were Councilmembers Rani Derasary, Mike Duncan, Tawny Knuteson-Boyd, Karen Guzman-Newton and Kalen Jones. Staff in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonsen, Communications and Engagement Manager Lisa Church, Planner Nora Shepard, Assistant Planner Cory Shurtleff, Building Inspector Barry Ellison, Senior Project Manager Kaitlin Myers, Police Chief Bret Edge, Finance Director Rachel Stenta, City Engineer Chuck Williams, Sustainability Director Rosemarie Russo and Deputy Recorder Joey Allred. Sixteen members of the public and media were present.

Approval of Minutes:

Councilmember Guzman-Newton moved to approve the minutes of the August 13, 2019 Regular City Council meeting, the October 8, 2019 Special Joint City Council/County Council meeting, the October 8, 2019 Regular City Council meeting minutes, the October 15, 2019 Emergency Joint Moab City Council/Grand County Council/Castle Valley Town Council meeting and the October 24, 2019 regular City Council meeting. Councilmember Knuteson-Boyd seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Mayor and Council Reports: Mayor Niehaus was invited to attend the Western Caucus Foundation event with Senator Mike Lee who worked with the foundation to bring the Caucus to Moab. She had the opportunity to hike in Arches with Senator Lee as well as Congressmen Rob Bishop and John Curtis. Afterward, she and some of the other Councilmembers sat at the roundtable where discussion of public lands continued. Many members of the community attended, and she was grateful to those that were respectful in their protest. She then had dinner with all of them at the Rustic Cowboy Policy Dinner and the speaker at the event was BLM Director William Perry Pendley. Her takeaway from that day's events was that the community and the state are quite divided on how they see management of federal lands. She met with Kerry with Desert West Office Supply and she wants to open up a larger conversation with the business owners who's back doors open onto the dirt lot and the idea of getting that back parking area organized as part of the dispersed parking plan and potentially a place to use UDOT funding. It was already on the list of areas of interest and has a drafted schematic plan. She had lunch with the Middle School Students of the Month, Emily Rutherford and Abby Jones, and congratulated them. She met with Adam Whittaker from the Red Cross who is interested in getting someone from Southeastern Utah to serve on his Board of Directors and she put it out to the Council in case any of them would like to serve as a Board Member for the Red Cross of Utah. She attended a Water Quality Board Meeting and it was the first time that the Board came to Moab for their meeting. At that meeting they toured the Watershed and talked about different projects. They then went to Dr. Roz McCann's house and looked at her

greywater system and later in the Board meeting they moved forward with the recommendation to change the rule to allow greywater systems in the State of Utah and to make them much easier and more functional. She gave a “big shout out” to Southeast Utah Health Department’s Environmental Health Director Orion Rogers as he was instrumental in pulling that together. She welcomed and attended the CIB meeting held on November 7th in Moab where they discussed how they are spending CIB funds. She attended the Veteran’s Day Celebration and is grateful to those who organized it and the students from the school. She thanked the staff who attended the Active Shooter Training earlier in the day as safety in the workplace is important.

Councilmember Derasary reported that she also attended the Roundtable with Senators Mike Lee and Lisa Murkowski. She attended the Western Rivers Open House on October 25th and encouraged anyone that is interested in employee housing to talk to them. On October 26th she attended the Moab Community Land Trust where you could go to learn more about the plans for the housing there and harvest native plants and soil crust. October 27th was the Day of the Dead celebration at the Multi-Cultural Center. She attended the Travel Council Town Hall ‘Do It Like a Moab Local’ campaign at Star Hall on October 28th. She attended the quarterly UMTRA meeting on October 29th. The federal budget is behind schedule and they are waiting for confirmation about whether they will receive their \$45,000,000 for next year as scheduled. There is a continuing resolution through November 21st. and they are waiting to see if that gets extended or if they get a budget. On November 2nd she attended Trunk or Treat on October 31st and said that the Police Department did a fun display. She retook the ULCT Land Use Academy of Utah Land Use 101 Training as she does every year. On November 4th she attended the League of Women Voters and the High School Debate Team debate on the Utah State Proposed Tax Restructuring and Reform and they did a fabulous job. She watched the County Council meeting on November 6th and part of that was their budget workshop. She received an EMS update email on November 6th that she forwarded to the rest of Council. EMS is moving forward with the new building on the top of 100 North. It will involve demolishing the existing building so EMS, Sand Flats, Trail Mix and the American Legion will be moving out of the building mid-February to mid-March and the American Legion will move into the new building with EMS. She attended a Canyonlands Health Care Special Service District meeting on November 7th. The District is working to figure out the budget to deal with the loss of mineral lease funds. The District is also trying to figure out how to fund the matching fund contribution to the DSH (Disproportionate Share Funds) that they have been providing to the hospital. DSH funds help our hospital provide care for patients who don’t have insurance, don’t qualify for Medicaid or are on Medicaid, so the hospital might be looking somewhere else in the community for the matching funds needed. The Film Commission did a fabulous job with their Moab Showdown on November 8th. She thanked staff for making the Active Shooter Training possible for today.

Councilmember Duncan thanked Public Works for fixing a curb for a resident who is blind. He encountered people doing Census stuff at the Folk Festival and wrote a letter to City Communications Director Church asking that Census information be put into some of the City’s media because they are actively seeking people to work for them in the Spring. It’s \$16/hour plus mileage. He said that he keeps getting approached by the church community about their water issues and wanted to know if there was a timeframe of when something might happen. He went to a Grand County Budget meeting that made him appreciate City Finance Director Stenta. He and Assistant Manager Castle participated in the Warming House Center. The Grand County Homeless Coordinating Committee has gotten the idea of putting the homeless citizens up in the Center Street Gym during the evening hours of on cold winter nights. Castle said that they were approached by members of the community who saw a need

and were wondering if the City was willing to pitch in and if the City is willing to allow people to spend the night sleeping in the gym, but they still have details to work out. Councilmember Duncan also went to the Film Commission Competition and hopes that it becomes an annual thing because it was a lot of fun. He attended the regular County Water Board meeting and they are facing issues with instrumenting their water tanks, pumps and wells. He also attended the Arroyo Crossing Community Land Trust Development where they talked about greywater systems, different species, how rain catchment systems work and many other ideas.

Councilmember Knuteson-Boyd reported that she attended the Public Lands Roundtable where she spoke with Senator Murkowski and talked about the City's Moratorium and the City's plans and "she called us radical and I was quite proud."

Councilmember Guzman-Newton also attended the US Senate Subcommittee on Public Lands, Forest and Mining. She participated in a Key Leaders Board Meeting at the School District. The purpose of the Boar is to guide the group to select one complex community issue to address in Grand County. Those involved with the group include Grand County Council members, Moab City, the Chief of Police, the Sheriff, Moab Regional Hospital, the Director of Work Force Services, USU, the Seventh Judicial District Court and the School District. The issue chosen that the group can get behind is a two-pronged approach to intergenerational poverty and she will present something to the Mayor and City Manager soon to see if the City would stand behind it offering funding, space or support for CIB funding in the future. The School District is behind what Moab Community Childcare is trying to accomplish, but they have a bigger goal of reaching 200 families. She announced that if anyone is interested in sharing the message with church congregation or group members about the Census information it would be welcome, that the information is important and confidential and over 200 years old. She invited anyone interested who would like to join the Censes to meet in the City Council Chambers at 11:00 a.m. on December 9th. The Grand County Library has applied for a \$20,000 grant to get locals counted for the Census 2020. She attended the Showdown and found that it was a fantastic mix of multi-generational locals to newbies and it was Awesome. She attended the Design Advisory Committee (DAC) for the Downtown Parking Structure where they talked about project size, goals and materials. There will be an Open House in the City Council Chambers from 5:00 p.m. to 7:00 p.m. on December 3rd

Councilmember Jones reported that he attended the Travel Council Sustainability Subcommittee discussion certification frameworks for encouraging and documenting sustainability in that sector. He attended the Moab Dark Sky's meeting where they reviewed a draft of a public focused plain-English brochure to communicate the intention and substance of the new codes. He met with some University of Utah Students studying tourism related fields to talk about the challenges and opportunities it creates. He attended a Housing Task Force meeting where they had a larger discussion of where they are at and possible next steps. He met with County Council Member McGann, the County Community and Economic Development Director Levine and a couple of Utah Clean Energy staff about HB 411 next steps and the possibility of the County joining the City in their efforts for assertive response to climate change. He also attended a Travel Council meeting and the DAC meeting mentioned by Councilmember Guzman-Newton and he encourages people to go to the Open House because the team working on the Parking Structure has some good ideas about how to make it a real asset to the community both aesthetically and functionally.

There was discussion of future meeting dates. Mayor Niehaus told Council that they were trying to add some dates to complete the work for 2019. Discussion followed. It was decided to

schedule a Special Meeting from 10:00 to noon on November 22nd, a Budget Work Session meeting from 10:00 a.m. to noon on December 6th and their Regular Meeting would remain on December 10th, noting that if they don't have Overnight Accommodations decided on and in order for the December 10th meeting, they will probably need to have a Special Meeting on December 16th.

Administrative Report: City Manager Linares reported that sewer rates would be on the next agenda, so staff is preparing the material for that. Board assignments had been on this agenda, but as it was so close to the election, it was pulled and can be placed on the next agenda or in January. The Moab City Water Reclamation Facility (WRF) was awarded the Wastewater Treatment Plant of the Year by the Rural Water Association of Utah and that is on top of Facility Superintendent and Chief Fosse being awarded Operator of the Year. The award is being given in Salt Lake next Thursday night. He thanked staff for the Moab Showdown. It was only supposed to be a one-time thing when they started, but he really hopes they do it again. He thanked the community for their participation and said that there were 10 teams and they were all local. The Turkey Trot will be on November 16th. He then asked Council if they would table the voting Canvas farther down the agenda as the County Clerk's Office requested more time to process the provisional ballots.

Police Chief Bret Edge reported the combat training property they use is owned by SITLA and he has tasked Sgt. Woodard and Sgt. Boots to assist with the clean-up of the property and they are moving ahead. Chief Edge has been with department for over 13 years and the Police Department has only been fully staffed for about 18 accumulative months during that time, but they have one officer in POST training who will graduate in December and another starting in January so they should be fully staffed. That will allow them to be more proactive than they have been in the past. However, even at full staff, it is not enough to do everything that they need and want to do. They have initiated a traffic study program focusing on neighborhood traffic issues. The mobile speed signs gather a lot of information, not just flashing when you are going over the limit. The department has them placed on Millcreek Dr., Kane Creek Dr., Mountain View Dr., 400 East and 300 South and they are seeing some success with it to see how much of an impact they are likely to make with enforcement of the traffic issues. The Department also just started a study on OHV's as there is a public perception that most of them are operating without proper equipment or registration. This study is to determine how many of them are truly operating without proper registration. Chief Edge said that his perception is that fewer of them are operating without proper registration than the general public feels that there are. The Department has dedicated almost 9 hours to this study thus far and counted 166 OHV's and only about 9% were unregistered. Something to note is that not all states issue license plates. Some states only issue a street legal sticker. Some of the other issues that the public brought up regarding OHV's are windshields and turn signals. Windshields not required if they have glasses or a helmet with a face shield and the turn signals on most modern machines are built into the brake lights, so they aren't seen unless they're activated. They will continue with this study as he doesn't believe that 166 units counted is enough for them to know if this is as big of issue as it is perceived to be. Councilmember Derasary brought up a citizen's request regarding speed and asked how many places they found an issue using the data gathering trailer. Chief Edge said that 300 South has a significant issue with speed, Mountain View has an issue with speed and speed is somewhat of an issue on Mill Creek. Chief Edge reported that the School District received grant funding to purchase seven portable radios for police, Active Shooter Training and school safety. All officers will be receiving detective training and there will be a report writing class. Patrol officers will investigate anything that is a Class B

misdeemeanor and below and the patrol officers will turn over anything that is a Class A misdemeanor or above to the Detectives for investigation.

City Manager Linares welcomed Laurie Simonson as the new in-house City Attorney.

Citizens to be Heard:

Solid Waste Special Service District Chair Evan Tyrrell gave a brief history of the Solid Waste District. Tyrrell addressed the Sustainability Action Plan. He said that the Solid Waste District is almost completely excluded from the plan and recycling was omitted. He is advocating that Solid Waste be included in the discussion. He sent an email to Council today advocating support for the plan. He thinks that the goals in the plan are quite optimistic but that they could be attained. He feels that there should be some additional consultation involved and a few of the items need to be re-evaluated. One thing that needs to be address is the growing waste streams. They saw a 42% increase in solid waste last year.

Charlotte Mates- restated her desire for a sustainability plan for transportation and shuttle services and wanted the Council to know that she had met someone at the Lobby Conference in Boulder, Colorado who converts busses into electric buses. She will get that information to Council.

Aaron Lindburg with Trail Mix was there to talk about the bike paths and advised Council not to change any rules yet as there is confusion on the BLM changing of the rules. E-bikes easily go 20 mph and he believes that it will become an issue. He thinks it's great that more people are using bikes for transportation but e-bikes on the paths could cause problems.

Trail Mix Board Chair Paul Spencer said that there has been a lot of confusion over e-bikes because of the media. He said that BLM is saying that "no motorized vehicles, means no motorized vehicles." BLM is still working on this issue, but the rule has not been passed. He asked that Council wait and then all of them work together, the City, County, BLM and Trail Mix on a set of regulations.

Shik Han was there for the Jeff Pillus Hillside Development. He said that wanted to make a couple of points as to the justification for the Hillside development. The development will be at the owner's expense and they will be adding 24 large vehicle parking spaces to the downtown area because the UDOT expansion is forcing the loss of 7 parking spots on Main Street that have been used for RV's and oversized rigs. He believes that this will be a good addition to the property, and he asked for Council's support for the approval of the Hillside Development.

Old Business:

Presentation and Acceptance of Fiscal Year 2018-2019 Annual Audit of the City of Moab

Discussion: Auditor Jon Haderlie and City Finance Director Stenta gave a brief presentation of his findings. There were no material findings but there are a couple of issues. He reported that the one written finding is that the Sewer Fund is over budget this year and stressed that Council should be receiving budget to actual reports periodically and consistently. He recommended that they review those reports and make sure that they are not coming to the point where they are spending money that they haven't properly budgeted for. The end of the

year is a good time to review all the funds. One issue that could potentially become a finding is that the Mill Creek fund went into a deficit net position this year of between \$15,000 and \$20,000 and the Water Fund went into a deficit unrestricted net position by about \$33,000. There is a lot of fund balance, but a lot of it is tied up in capital assets and there is about \$970,000 that is tied up in construction. To deal with that, the state just requires that in the upcoming year, the City budget should either reduce that by %5 of the revenue, or if it's a small enough amount that is less than the %5, they just eradicate that within the next year. If it was a large deficit, they would have to reduce %5 a year until it was gone. To prevent something of a finding next year, Larsen and Company's recommendation would be to budget for and eradicate those deficit net positions. Stenta reported that Sewer fund overages were due to operational costs as they were making educated guesses with the new facility. Stenta said that there were no long-term concerns and that the City will have a better idea of costs for that facility going forward.

Motion and Vote: Councilmember Jones moved to accept the Fiscal Year 2018-2019 Annual Audit of the City of Moab. Councilmember Duncan seconded the motion. The motion carried 5-0. Councilmembers Jones, Knuteson-Boyd, Derasary, Guzman-Newton, and Duncan voting aye.

Discussion of Draft Walnut Lane Apartments RFP:

Senior Project Manager Myers and Building Inspector Ellison gave an update on the Walnut Lane project and reminded them of the RFP/RFQ that went out earlier in the year. She said that they are in the process of rezoning to R-4 and will be going to the Planning Commission in December and hopes that it will go to Council for approval in January. Ellison received a bid for removing 6 additional trailers. The Solid Waste District and the Health Department have been very helpful as every trailer removed thus far has had some asbestos, but it has all be easily manageable to this point. The maintenance has been a problem, but repairs have been made to the trailers that will remain in the area for a little while longer. Ellison said that they will be going door to door through the neighborhood meeting and explaining what the City is doing and asking for the resident's input, as well as inviting residents to a neighborhood meeting in December. He said that part of the problem with this project is how to move the trailers out without making anyone homeless. There is an empty spot where they can start Phase 1, but there are some maintenance issues such as trees that need to be removed. The RFP was published in July and based on the responses it was more like an RFI or RFQ. The RFP was sent to 5 firms. Contract 1: Feasibility 64 units at or below 80% AMI and 16 market rate units with a design for 15 or more buildings constructed with a manufactured panel wall system and a range of bedroom sizes. Myers's impression with the RFP is that "there was a high emphasis on sustainability for redevelopment and the major theme through all if it was building to zero energy standards." Most of what they received was multifamily, high density projects and green sustainable projects. The proposals were broken into two contracts, one for feasibility schematic design phasing general evaluation of engineering and design. Myers would like to send the RFP out to more firms. Myers said that there are one or two trailers that need to be moved to allow for better fire access and some legal issues to work through. She said that they are asking for development teams. Their first step will be to build an apartment building to be able to move most of the families into the apartment building to allow for more space in later phases. They want to be able to move families into the apartment building while working on the rest of the property. The goal for the City is not to displace people. The development will a mix of housing and not will all be apartments. Myers changed the target population to PAD requirements as that only requires that 70% of the housing be deed restricted. Councilmember

Jones would like the team to give Council feedback letting them know what options are available as they move through this project. Councilmember Duncan would like to have the language clarified. Myers said that they are trying to make the language more flexible as the City is trying to balance affordability and sustainability and do it in a timely manner. Councilmember Duncan said that the goal is affordable housing and energy efficiency, but if it something needs to be sacrificed, he thinks they need to focus on affordability. Councilmember Derasary pointed out that part of what makes a unit affordable over time is energy efficiency. Linares said that everyone is trying to learn as they go to eventually be able to provide affordable and sustainable housing. There are currently 35 trailers on property, with 30-35 families on leases with the City, but possibly 46 families live there in all. Staff would like to make Walnut Lane a walkable community with foot paths, green space and shared spaces. There was extensive discussion regarding resident input on the type of units built and making it culturally appropriate and comfortable. Councilmember Guzman-Newton noted that it was a very disenfranchised community living in Walnut Lane and wanted to know how approaches have been made to try to get the resident's involvement. Linares said that the management company has hired a lot of the residents to do some of the clean up on the property and they have been working with the Multi- Cultural Center to help. Mayor Niehaus encouraged them to reach out to Deb Dull as Rocky Mountain Power is looking for projects.

Discussion of Draft Sustainability Action Plan

Discussion: Sustainability Director Russo stated that they have started a weatherization program with Clear Results, a subsidiary of Rocky Mountain Power and some Walnut Lane residents have already signed up. Clear Results is going to come down and weatherize 50 trailers and they will do pre 1976 trailers. Russo then presented the Action Plan and she thanked Lisa for all her work on the plan. The new version of the Sustainability Plan (Version 6) is out. Revisions include; add transportation strategies, incorporate strategies from the Mountain 2030 Conference, such as suggestions that are in "Drawdown" by Paul Hawken and some of the things from Dr. Goodall's education partnerships. Russo suggested participation in the 2030 Cohort that is helping cities to do inventories. She thinks that it would be good for the City to be part of the Cohort and she has reached out to the High School and USU so that students can learn how to do it and it will be successful planning for sustainability. She explained to Council what has happened since the last version of the Sustainability Action Plan. City Engineering has done a lot of work regarding biker safety and connectivity, the City participates in the National Bike Challenge and has been ranked 17 beating out Park City. She believes that shuttles and mass transportation is a little outside of this Plan. As of now the Plan is about being pedestrian and bike friendly, e-bikes and fleet transitions. She has been working with Enterprise to electrify rental vehicles. The Travel Council has a campaign about carless vacations as has been done in Orlando where they converted all their rental cars to electric vehicles. She wants to get more people to adopt electric vehicles. Russo also wants to work on a grant for a Pilot Project for a shuttle that would probably need to be done through a partnership with a private entity. She has met with City Fleet Manager Day regarding converting the City fleet's old vehicles to electric vehicles. She said that in the Long-Term the City needs to do a Transportation Master Plan. The City is doing little parts of it and that is the whole idea behind a 10-year Plan. Russo then presented the Mountain 2030 and said that she had read "Drawdown" and the City is already doing some aspect of nine of the book's top 10 goals toward sustainability. Next Steps include; approving the Sustainability Action Plan, implement projects identified and grand funded in 2019-2020, review the Solar Energy Innovation Network Roadmap and the Annual Sustainability Progress Update and Quality Control/Assurance Methodology Document. Mayor Niehaus thinks this a great step. However, she would like to look at greywater for all and not just 5,000 square feet and over now that the State of Utah has made it permissible and she feels that

the City can be more aggressive with Building Standards and energy efficiency. She also feels strongly about tourist and local transportation and the carbon footprint for that. Councilmember Jones would like to see visitor and resident transportation targets and specific building standards higher than baseline for the State of Utah. Councilmember Derasary asked if the mayor could provide language of changes she would like to see as needed next steps to have time to prioritize them and to have the information to study well before the budget. Councilmember Guzman-Newton pointed out page 4 6 that includes Russo's priorities for the next year's budget and asked how the budget had gone for last year. Russo said that she presented a budget last year, but most of the projects were covered by grants. She included a prioritized list of what she would like in the budget for next year in the packet. Councilmember Guzman-Newton noted that composting and recycling take the bulk of the funding that Russo is asking to have allocated for next year. Linares told Council that they already tentatively approved the draft plan, but that it had been brought back before the Council to see if there were any final changes Council wanted to make after some of the meetings that they had recently attended. This item will be placed on the next agenda for adoption.

New Business

Proposed Resolution 6s0-2019: A Resolution Adopting Vulnerability, Consequences, and Adaptation Planning (VCAPP) Recommendations

Discussion: City Water Conservation Advisory Board member and the Watershed Coordinator for Grand and San Juan Counties Arne Hultquist joined Russo for this discussion. Hultquist explained the two-part VCAP workshop that he attended. Part 1 was an assessment of expected changes in climate and what effects it will have on the area's water. Part 2 was an assessment of what strategies could be considered to mitigate the negative effects of climate change. He discussed the science regarding climate change and what can be done as a community. He went over the basic water budget precipitation and evaporation runoff. The draught year of 2018 saw 23% of normal runoff and the annual temperatures were about 2 degrees higher. On average Grand County will see a 5-degree Fahrenheit increase by 2050. The workshop went over a Moab specific model with significant change by 2035. He went on to explain the different percentages of the reduced annual flows that 5-degree warming will cause. Warming alone has an overall drying effect, the area will see reduced annual flows, which will provide the City with 83% of the water supply the City is currently experiencing by 2050. This warming will mean that the City will see the same amount of precipitation but higher temperatures. There will be less water supply due to evaptranspiration. The City will see the same precipitation but bigger storms, extreme events, heat waves, drought fires and flooding. If anyone would like to research this, they can look at the NOAA ATLAS-14 for Moab,

https://hdsc.nws.noaa.gov/hdsc,pfds/fpds_map_cont.html?bkmrk=ut . The Engineering and Planning departments are involved in helping to decide how to move forward. There was discussion about creating some incentives and a budget line item for residents to apply for grants for residents to incorporate "Slow the Flow" landscaping and other water conserving efforts and amending building codes to incorporate recommendations from VCAP.

Councilmember Duncan pointed out that this information is new, and he was hesitant to allocate funds to it at this time. Mayor Niehaus suggested amending two of the bullet points of the resolution to approve them without specific funds attached. She also suggested amending another bullet point and amend residential and commercial building codes to require all new buildings to install greywater valves so that they are greywater ready. The Water Conservation Board would like time to properly vet the greywater recommendations.

Motion and vote: Councilmember Knuteson-Boyd moved to table this action item.

Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Jones, Derasary, Duncan and Guzman-Newton voting aye.

Proposed Resolution 57-2019: A Resolution Adopting a Joint Cooperation Statement Between the City of Moab and Dominion Energy

Discussion: Russo stated that the City was approached by Dominion Energy asking to work with the City on some energy efficiency pilot programs and promote “Therm Wise”. Councilmember Derasary thanked Russo and asked if Dominion has entered into this type of agreement with other communities and the answer was that Moab would be the first.

Motion and vote: Councilmember Jones moved to Adopt **Resolution 57-2019** Entering Into a Joint Cooperation Statement Between the City of Moab and Dominion Energy. Councilmember Derasary seconded the motion. The motion passed 4-0 with Councilmembers Jones, Derasary, Duncan and Knuteson-Boyd voting aye. Councilmember Guzman-Newton recused herself.

Proposed Resolution 61-2019: A Resolution Confirming the Appointment of Rachel Stenta as the City Treasurer.

Discussion: Linares stated that the Treasurer position is required by state law and since the position of the Treasurer is within the Finance Department this appointment represents no significant change in duties for the Finance Director. The appointment will reflect minimal job duty additions and consequently no increase in compensation for the Finance Director.

Motion and Vote: Councilmember Knuteson-Boyd moved to approve **Resolution 61-2019** Confirming the Appointment of Rachel Stenta as the City Treasurer. Councilmember Duncan seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Duncan, Derasary, Guzman-Newton and Jones voting aye.

Proposed Resolution 56-2019: Approving a Hillside Development Permit for the Expansion of a Parking Lot for the Hampton Inn Located at 488 N. Main Street, Moab, UT, as Referred to City Council by the Planning Commission

Discussion: Planning Director Shepard presented that the Planning Commission forwarded a positive recommendation to Council for this Resolution and included a list of the criteria required for the parking lot with the conditions placed by the Commission. Those conditions include that they work with City Engineer on storm water and second and that the applicant submit additional information on the retaining wall system for the cut slope that will result from the removal of the hill. There was discussion by Council regarding concerns about setting a precedent for future such requests, the removal of the hill being an eyesore visible from Main Street, the condition of the soil on the cliffside and storm water drainage. Shepard said that such requests would be reviewed on a case by case basis. Engineer Williams joined her and explained the plans and how the retaining wall would work. It should not be visible from the street and will be landscaped and said that if the Engineering Department determines that it can't be done without causing problems, the developers will probably abandon the project.

Motion and Vote: Councilmember Derasary moved to approve **Resolution 56-2019:** Approving a Hillside Development Permit for the Expansion of a Parking Lot for the Hampton Inn Located at 488 N. Main Street, Moab, UT as Referred to City Council by the Planning Commission Subject to the Conditions of Approval. Councilmember Knuteson-Boyd seconded the motion. The motion passed 3-2 aye, with Councilmembers Derasary, Knuteson-Boyd and Guzman-Newton voting aye and Councilmembers Duncan and Jones voting nay.

Proposed Resolution 54-2019: Approving an Agreement Between City of Moab and Utah Department of Transportation for Stormwater Facility Maintenance Briefing and Possible Action

Discussion: There was no discussion.

Motion and vote: Councilmember Knuteson-Boyd moved to approve Resolution 54-2019 Approving an Agreement Between City of Moab and Utah Department of Transportation for Stormwater Facility Maintenance. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Guzman-Newton, Derasary, Duncan, and Jones voting aye.

Proposed Resolution 49-2019: Approving an Agreement Between City of Moab and Wang Organization for Wang Utility Construction

Discussion: Engineer Williams explained that this Resolution creates a 10-year recovery agreement to go in conjunction with Resolution 50-2019. This will allow Wang to be reimbursed if the project is completed under budget.

Motion and vote: Councilmember Knuteson-Boyd moved to approve Resolution 49-2019 Approving an Agreement Between City of Moab and Wang Organization for Utility Construction. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Jones, Derasary, Duncan and Guzman-Newton voting aye.

Proposed Resolution 50-2019: Approving an Agreement Between City of Moab and Utah Department of Transportation for Wang Utility Construction

Briefing and possible action

Discussion: Engineer Williams explained that this Resolution creates a pass through for Resolution 49-2019 will be beneficial for all parties.

Motion and vote: Councilmember Knuteson-Boyd moved to approve Resolution 49-2019 Approving an Agreement Between City of Moab and Utah Department of Transportation for Wang Utility Construction. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Jones, Derasary, Duncan and Guzman-Newton voting aye.

Proposed Resolution 62-2019: A Resolution of the Governing Body of the City of Moab Declaring Certain Property Owned by the City of Moab as Surplus

Briefing and possible action

Discussion: There was no discussion.

Motion and vote: Councilmember Derasary moved to Approve Surplus and Selling of a Belt Press to MSD Environmental Services Incorporated for the Current Offer \$50,000 and the Sale Go Directly to MSD Without Going to Auction. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Knutson-Boyd, Duncan, Guzman-Newton and Jones voting aye.

Proposed Resolution 58-2019: A Resolution Endorsing the Efforts of the City of Moab Economic Development to Renew the Utah Enterprise Zone in Moab

Briefing and possible action

Discussion: This was something that had been brought to the Mayor's attention by CPA Gordon Bay saying that this needed to be approved by Council for people in town to continue receiving this tax credit. Linares said that staff has completed the application, but it requires Council to pass a Resolution in support and for that Resolution and a copy of the minutes be included with it.

Motion and vote: Councilmember Guzman-Newton moved to Approve Resolution 58-2019 Endorsing the Efforts of the City of Moab Economic Development to Renew the Utah Enterprise Zone Program in Moab. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Guzman-Newton, Jones, Derasary, Duncan, and Knuteson-Boyd voting aye.

Canvass of the Moab Primary Election: The Canvassing of Votes from the Moab City Primary Election held on August 13, 2019. This is for the final audit, including those who voted absentee and provisional ballots

Discussion: Linares asked Council if they would table the voting canvass as the County Clerk's Office requested more time to process the provisional ballots. This agenda item was postponed.

Discussion regarding e-Bikes on paved pathways

Discussion and possible direction to staff

Discussion: Mayor Niehaus said that the City has received requests from e-Bike riders to consider allowing e-Bikes on the bike paths and staff needs to know whether or not Council is in support of gathering information to determine if there is a benefit in changing to follow the BLM standard. Linares stated that the federal funding granted to construct the paths stated that only non-motorized vehicles could be used on them. At that time e-Bikes were classified under federal law as motorized vehicles. The question is if the federal government is changing their definition to no longer include e-Bikes as motorized vehicles. Further Discussion ensued regarding the possibility of speed limits and other options. It was decided that Council would direct staff to investigate options and wait to see what changes BLM makes to their definitions, if any.

Approval of Bills: Councilmember Knuteson-Boyd moved approve the bills in the amount of \$1,236,936.73. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Knuteson-Boyd, Jones, Derasary, Duncan and Guzman-Newton voting aye.

Adjournment: Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Duncan seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus adjourned the meeting at 10:23 PM.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Sommar Johnson, City Recorder

**MOAB CITY COUNCIL MINUTES -- DRAFT
SPECIAL CITY COUNCIL MEETING
November 18, 2019**

Special Meeting & Attendance: The Moab City Council held a Special City Council Meeting on the above date in the City Chambers at the Moab City Center, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at www.utah.gov/pmn/index.html. A video recording is archived at: <https://www.youtube.com/watch?v=GNpKECaReCg>.

Mayor Pro Tem Tawny Knuteson-Boyd called the meeting to order at 12:34 PM. In attendance were Councilmembers Rani Derasary, and Karen Guzman-Newton. Also in attendance were City Recorder Sommar Johnson and Deputy City Recorder Joey Allred. No members of the public and media were also present.

Canvass of the Moab General Election: The Canvassing of Votes from the Moab City General Election held on November 5, 2019. This is for the final audit, including those who voted absent and provisional ballots.

City Recorder Sommar Johnson explained there were 47 provisional ballots cast of which 43 of those ballots were valid and included in the totals. She also indicated that 10 ballots were received after election day and 7 of those ballots were postmarked by November 4, 2019 so those ballots were also included in the total.

Motion and Vote: Councilmember Guzman-Newton moved to accept the tabulation of the 2019 Moab City General Election canvass results. Councilmember Derasary seconded the motion. The motion carried 3-0 aye.

Adjournment: Councilmember Derasary moved to adjourn the meeting. Councilmember Guzman-Newton seconded the motion. The motion carried 3-0 aye. Mayor Pro Tem Knuteson-Boyd adjourned the meeting at 12:35 PM.

Moab City Council Agenda Item
Meeting Date: November 22, 2019

Title: Discussion of Ordinance 2019-030: an ordinance amending the City of Moab Municipal Code, Sections 17.21 C-2 Commercial Residential Zone and the 17.31 RC Resort Commercial Zone to allow new Overnight Accommodations, subject to revised Development Standards.

Disposition: Report from Planning Commission and Discussion of Development Standards

Staff Presenter: Nora Shepard, AICP, Planning Director

Attachment(s):

Attachment 1: Planning Commission Staff Report with Attachments

Background/Summary:

Attached is the staff report and draft ordinance provisions to allow new Overnight Accommodations in the C-2 and RC Zones. The ordinance drafts include only the Development Standards. City staff is in the process of finalizing the actual ordinance for review by the Planning Commission and City Council.

Please review the attached materials and I will send along the “official” draft ordinance when it has been completed. The substance of the Code changes is outlined in the attached materials.

Moab Planning Commission Agenda Item

Meeting Date: November 21, 2019

Title: Planning Commission Public Hearing and possible action on Ordinance 2019-30, an ordinance amending the City of Moab Municipal Code, Sections 17.21 C-2 Commercial Residential Zone and the 17.31 RC Resort Commercial Zone to allow new Overnight Accommodations, subject to revised Development Standards.

Disposition: Public Hearing and possible recommendation to the City Council on proposed Development Standards for new Overnight Accommodations in the RC Resort Commercial and the C-2 Commercial-Residential Zone.

Staff Presenter: Nora Shepard, Planning Director

Attachments:

Exhibit A: Draft Ordinance 2019-18 (to be distributed at the meeting)

Exhibit B: Draft Development Standards in the RC Zone

Exhibit C: Draft Development Standards in the C-2 Zone

Background/Summary:

PC/CC Direction

As the result of the adoption of Ordinance 2019-18, the City Staff and Planning Commission have been tasked with drafting of Development Standards so that the City can, one again, accept applications for new Overnight Accommodations in the City. As discussed by the Planning Commission and City Council in a joint work session held on Tuesday, August 13, 2019, the Development Standards that need to be developed shall include:

- Energy Efficiency
- Density and Size
- Aesthetics
 - Height, bulk and scale
 - Façade Variation
 - Color and Materials
 - Viewshed
- Landscaping, buffering
- Mixed Use Requirements
- Water carrying capacity, existing infrastructure capacity
- Contribution to cumulative traffic, connectivity/contribution to non-motorized/micro vehicle transportation network

Where Are We in the Process?

The City and County are working together to develop consistent Development Standard for Overnight Accommodations. While there may be some differences, the goal is to have similar standards inside and outside the City boundaries

1 PC PH Draft Development Standards

11.15.2019

Nora Shepard

There have been numerous public meetings and work sessions to discuss and refine the proposed standards. Such meetings were held with the City Planning Commission and Council and with the County Planning Commission and Council.

Expectations

This effort to modify the regulation of Overnight Accommodations is ambitious. The goal at this time is to be able to accept new applications *somewhere* in Moab. There will be on-going work after the adoption of the Development Standards to include, but not be limited to:

- Development Standards for OAs in all commercial zones
- Standards for redevelopment, remodels and expansions
- Refinement of Standards based on the initial roll-out
- Revised landscape and irrigation standards

At this time, staff is proposing new developing standards for the RC Resort Commercial Zone and the C-2 Commercial-Residential Zone.

Zoning Approach:

Grand County - As we have previously discussed, the City and County have chosen similar but different approaches for regulating new Overnight Accommodations. The County has adopted Overnight Accommodation Overlays (OAO) for:

- Hotels and Motels
- RV Parks and Campgrounds
- Residential Overnight Accommodations

Once the Development Standards are added to the Overlay Districts, the County will consider applying the OAO to specific parcels based on a legislative (or rezone) process. Once the OAO is attached to a parcel or parcels, an application can be filed for a specific project.

City of Moab – Rather than using Overlay Zones, the City is proposing to include the new Development Standards as use specific requirements in each zone district where OAs will be allowed. This approach allows a property owner or applicant to be able to look at the Development Standards for Hotels and Motels (as an example) when they look up the zoning for a parcel. The Development Standards may be different for different zones, depending on the overall character of the zone.

The goal is that Development Standards will be adopted by the City and by the County separately, but that they as consistent as possible.

Status of the Code Revisions:

Staff has prepared a draft of the code amendments. The attached code provisions will be added to each Zone requirements. In addition to the new provisions, the existing

2 PC PH Draft Development Standards

11.15.2019

Nora Shepard

code language will be modified to include them. J

At this time, the staff is asking that the Planning Commission open the public hearing, receive comments, and review the draft standards. Planning Commission is also being asked to recommend the Code Amendments to the City Council. Additional clarifying detail (such as diagrams) will be finalized prior to review and approval by the City Council.

Description of Revised Development Standards:

In reviewing and revising the Development Standards, the staff considered the following:

Energy

- It is unlikely that a motel/hotel can practically meet net zero for their project. Net Zero means that the project generates as much energy as it uses. The Net Zero standard has been modified so that 80% of the energy needs are produced on site. The balance of the energy should be provided by purchasing renewable energy credits.
- Alternately, if a developer chooses to use an energy certification program such as Leeds or Community Building/Living Challenge, they would be able to do so.

Water

- A rainwater catchment system will be required and used on site for beneficial uses. The language of the Development Standard currently reads:
OA developments shall install the maximum feasible rainwater catchment system and use the water for beneficial on-site uses, such as reducing the use of culinary water for landscaping irrigation. If necessary, Applicant shall apply for water rights from the State of Utah Division of Water Rights to meet their maximum feasible catchment volume. Applicants will not be required to install systems that would generate more water than is needed to satisfy a development's outdoor water/landscaping irrigation needs.
- Maximum of 10% sod or non-native grass
- All new developments will have to use water-wise landscaping and/or xeriscape. In the future, the landscaping requirements in the MMC should be updated.
- Bioretention and bio-infiltration required (if the soil condition will allow it).

Transportation

OA Developments shall incorporate into their subdivision plat or site plan the following transportation infrastructure:

- Space to accommodate a transit or shuttle stop
- Covered, lockable bike storage at a rate of 1 space per 2 lodging units
- Active transportation and non-motorized trail easements dedicated to the public when identified in the Grand County Non-motorized Trails Master Plan or Moab City Trails Plan

As an alternative, OA developments could be required to provide a narrative and transportation solutions that will reduce projected vehicle trips below the ITE Trip Generation Manual by 20%.

Mixed Use, Civic Space, Open Space and Public Art Standards

The concept of civic space has been difficult to define. Staff recommends that there be flexibility on the civic/open space/mixed use to develop functional and usable areas that may be most appropriate for the location and zoning. For example, projects in the Resort Commercial (RC) may want to provide tourist related facilities, such as the open/civic space behind the Aarchway Inn. Projects in the C-2 would be required to provide some interface between the public and private realm, and could provide first floor commercial uses with a street presence.

After much discussion, it has been suggested that we concentrate requiring first floor mixed use requirement in the “in town” zones (C-2). One of the primary issues that prompted the changes for OAs is that much of the development that has occurred recently in our Commercial Zones has been in the form of OAs and that many commercial uses that benefit the residents and visitors are not being provided currently in Moab. Requiring mixed use for “in-town” OAs would help this situation. In addition, Landmark Design is working on creating code that encourages “commercial nodes” in Moab. That work will move forward as soon as we complete the Development Standards for OAs.

The strategy being discussed at this time is to require a % of a lot or building square footage that could be satisfied by providing on or more of the following:

- Usable open space or civic space for guests and residents of Moab
- Commercial Uses that provide services or goods tailored to visitors and residents.
- Community gardens or gardens for farm to table restaurants (in the RC Zone)
- Space for seasonal sales of produce and other similar items
- Restaurant open to the public
- Employee housing above and beyond what is required by the Assured Workforce Housing Code
- Installation or contribution to public art either on-site or elsewhere in Moab

Height

As discussed by the Planning Commission, height will vary by zone and location. Some of the properties on the west side of Hwy 191 could be allowed flexibility for additional height based on setbacks and views. The view of the Moab Rim is vital to maintain. Projects along Hwy 191 should be stepped so that the areas closest to the road be one-story with additional stories being stepped back. This is to avoid a “wall” along the highway. One strategy could be to allow 2 stories by right, with the ability to increase to 3 stories if:

- Additional affordable/employee/workforce housing above and beyond the amount required for Assured Workforce Housing; or
- Dedication of land to the City or other qualified entity for the purposes of building affordable/employee/workforce housing; or
- As a part of a master plan for the site that includes the overnight accommodation use as well as at least 20,000 square feet of commercial uses that provide goods or services for the community and open to the public. Examples include Day Care Centers, Drug Stores and Pharmacies, Grocery Stores, Open Markets and similar uses. This would be above and beyond the requirement for Mixed Use, Civic Space, Open Space. The commercial uses will not be counted toward the maximum square footage allowable for the Overnight Accommodation uses and may be in a separate structure.

Maximum Building/Project Size

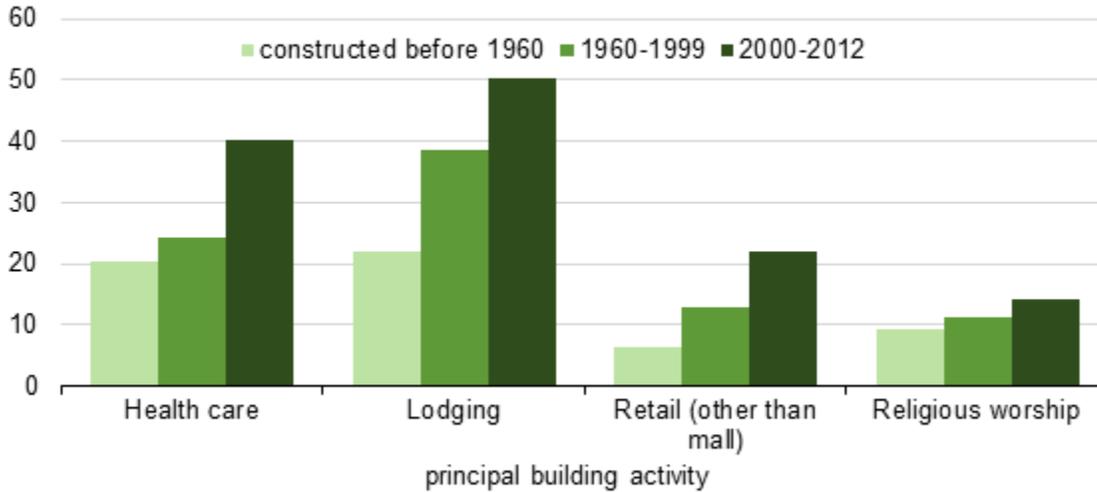
One of the issues that was raised during the initial public meetings on Overnight Accommodations had to do the size and scale of many of the new projects in Moab. In an effort to ensure that new overnight accommodations are compatible with the historic scale of Moab, the Planning Commission is recommending maximum building and project sizes. During this effort, the following research was done to compare sizes of existing and proposed development in Moab and Grand County:

Project	Total Square Footage (approximately)	# of rooms
Hyatt	74,160 sf (main building)	110 rooms
Homewood Suites	77,500 sf	96 rooms
Hampton Inn	46,000 sf	79 rooms
Sleep Inn	50,700 sf	87 rooms
Wingate	58,000 sf	120 rooms
Moab My Place	29,000 sf	64 rooms
La Quinta		100 rooms
HooDoo Hotel		115 rooms
World Mark	270,000 sf	152 units
Moab Rustic	14,500 sf	35 rooms
Apache	15,500 sf	35 rooms
Bowen	16,350 sf	41 rooms
Aarchway Inn	60,000 sf	97 rooms

There is research that shows that hotel rooms are getting smaller (info collected and provided by Mila Dunbar-Irwin, Community and Economic Development Specialist, Grand County, UT):

- Average hotel rooms are / have been 325 sf, but newer hotels are building at 200sf
- Average US hotel has 115 rooms and requires 48,000sf for the building
- Hotels have been getting bigger and bigger – looks like they used to be a little over 20,000 sf

Average building size by principal activity and vintage
thousand square feet



Source: U.S. Energy Information Administration, 2012 Commercial Buildings Energy Consumption Survey

It has been suggested that maximum building size for Overnight Accommodations be no more than 20,000sf with a maximum total project square footage 60,000 sf.

The Planning Commission generally supports some sort of metering in order to limit the “rate of change” and to make sure that we have adequate resources and infrastructure to accommodate new projects.

Site Development and Architectural Standards

The proposed standards are fairly common and are not generally difficult to achieve. The balance of getting good design vs cost must be considered. We want more aesthetically pleasing projects, but do not want to make the standards so onerous as to make it impossible for smaller businesses and local developers to move forward. The Code will include schematics to explain the required massing shifts. The standards discussed by the Planning Commission is included in the draft new language in the RC and C-2 Zones.

The attached new draft standards are attached for your review and comment.

**NEW DEVELOPMENT STANDARDS PROPOSED FOR THE C-2 ZONE
DRAFT 11.15.2019**

17.21.020.19 Overnight Accommodations, New

Notwithstanding other provisions of this title to the contrary, the following Development Standards shall apply to new Overnight Accommodations in the C-2 Commercial Residential Zone:

A. *Energy:*

1. OA Developments shall produce eighty percent (80%) of their energy needs on-site through solar, geothermal, or other renewable energy sources.
2. OA Developments are encouraged to purchase their remaining energy needs through renewable energy credits.
3. OA Development may meet this energy requirements by submitting a certification through the Green Building Challenge (Leed Gold or above), Living Building Challenge, Net Zero Building Certification, or other established industry standard.

B. *Water*

1. OA developments shall install the maximum feasible rainwater catchment system Applicant shall apply for water rights from the State of Utah Division of Water Rights to meet their maximum feasible catchment volume. Applicants will not be required to install systems that would generate more water than is needed to satisfy a development's outdoor water/landscaping irrigation needs.
2. OA developments shall have a maximum of 10% of their landscaped area covered in turf grass; OA Developments shall utilize water-wise and xeriscape landscaping design standards.
3. To the maximum extent possible, OA Developments shall utilize bio-retention and bio infiltration systems to manage storm water runoff, as soil conditions allow.

C. *Transportation*

1. OA Developments shall incorporate into their subdivision plat or site plan the following transportation infrastructure:
 - Space to accommodate a transit or shuttle stop
 - Covered, lockable bike storage at a rate of 1 space per 2 lodging units
 - Active transportation and non-motorized trail easements dedicated to the public when identified in the Grand County Non-motorized Trails Master Plan or Moab City Trails Plan
2. As an alternative, OA developments could be required to provide a narrative and transportation solutions that will reduce projected vehicle trips below the ITE Trip Generation Manual by 20%.

D. *Mixed Use, Civic Space, and Open Space Amenities*

1. All new overnight accommodations projects will are required to provide Commercial Uses on the first floor facing the street.
2. The first floor street frontage for all buildings containing new Overnight Accommodations must provide an interface between the public and private realm.
3. All new overnight accommodations projects are required to provide ___(amount) of Civic Space, Usable Open Space, Public Art, or space for outdoor markets, community gardens.
Need to define Civic Space and Usable Open Space.

E. Building Height

1. The maximum building height for Overnight accommodations shall be 2 stories and a maximum of 30 feet.
2. An additional story (3 stories and a maximum of 40 feet) of overnight accommodation uses may be allowed if the developer is willing to provide the following:
 - a. Additional affordable/employee/workforce housing above and beyond the amount required for Assured Workforce Housing. This would not replace the Assured Workforce Housing requirement but would be in addition to that. The additional units could be placed anywhere on the site; or
 - b. Dedication of land to the City or other qualified entity for the purposes of building affordable/employee/workforce housing

F. Maximum Building and Project Size

1. The maximum gross square footage of any building housing overnight accommodations shall be 20,000.
2. The maximum gross square footage of an overnight accommodation project shall be 60,000.

G. Site Configuration Will have examples

1. All development must fit the property – no mass grading or grading of a flat building envelope (building must step with terrain);
2. Stay out of wetlands, protect major vegetation (existing trees). Primary Uses must face the fronting roadway;
3. Primary uses must face the fronting street with a defined entrance fronting the roadway;
4. Ensure building scale, orientation, and design relates to the surrounding uses and streets;
5. Creates a cohesive visual identity and an attractive street scene;
6. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns;
7. Create a high-quality pedestrian environment;
8. Promote design environments built to human scale;.
9. Ensure delivery, trash, and loading facilities are located so as not to impede regular vehicular and pedestrian circulation and access routes; and
10. Ensure safe and efficient access between buildings and parking areas.

H. Building Design Will have examples

1. All multifamily residential buildings or structures 2,500 square feet or greater in gross floor area shall be composed of at least three visual building masses of differing heights and planes;
2. The first floor frontage of all new buildings that contain overnight accommodations will have massing and design features that are pedestrian in scale.
3. No façade or building wall shall exceed 60 linear feet. More than 5 ft shift in vertical and horizontal façade is required for each 30 linear feet;
4. Building design shall vary between vertical facade divisions and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material;
5. For uses located on the ground floor facing the primary fronting street, at least 70% of Ground Story Transparency is required measured floor to floor. Transparency is any glass in

windows and/or doors, including any mullions, that is highly transparent with low reflectance;

6. No rectangular area greater than 30% of a story's facade, as measured from floor to floor may be windowless, and no horizontal segment of a story's facade shall be greater than 15 feet in width can be windowless. An exception may be considered if the wall area is to be used as a mural (not a sign);
7. All facades of the proposed building must comply with the building design standards;
8. A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable Principal Entrance located on the primary street side of the principal building or buildings;
9. Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable. Parking shall be located to the side or rear of buildings;
10. Plastic or vinyl awnings are not permitted. Awning types and colors for each building face shall be coordinated
11. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood or other durable material.

I. Materials and Colors

1. Permitted primary building materials will include high quality, durable, natural materials such as stone, brick and adobe-type materials; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass, **architectural metal panels and cladding**. Other high quality synthetic materials may be approved as **details or accents for** a unified theme or design concept. Other durable materials will be considered as technologic improvements are made. Aside from solar panels or other infrastructure related to energy efficiency and water use/reuse, OA Developments shall utilize non-reflective materials.
2. OA Developments shall utilize earthtone colors that are complementary to the surrounding landscape and visual backdrops. Exceptions can be made for public art (not signs).

**NEW CODE LANGUAGE TO BE ADDED TO THE RC ZONE THAT DESCRIBES THE DEVELOPMENT STANDARDS FOR OVERNIGHT ACCOMMODATIONS.
DRAFT 11.15.2019**

17.31.060 Development Standards for Overnight Accommodations

Notwithstanding other provisions of this title to the contrary, the following supplementary regulations shall apply to new Overnight Accommodations in the RC, Resort Commercial District:

A. *Energy:*

1. OA Developments shall produce eighty percent (80%) of their energy needs on-site through solar, geothermal, or other renewable energy sources.
2. OA Developments are encouraged to purchase their remaining energy needs through renewable energy credits.
3. OA Development may meet this energy requirements by submitting a certification through the Green Building Challenge (Leed Gold or above), Living Building Challenge, Net Zero Building Certification, or other established industry standard.

B. *Water*

1. OA developments shall install the maximum feasible rainwater catchment system Applicant shall apply for water rights from the State of Utah Division of Water Rights to meet their maximum feasible catchment volume. Applicants will not be required to install systems that would generate more water than is needed to satisfy a development's outdoor water/landscaping irrigation needs.
2. OA developments shall have a maximum of 10% of their landscaped area covered in turf grass; OA Developments shall utilize water-wise and xeriscape landscaping design standards.
3. To the maximum extent possible, OA Developments shall utilize bio-retention and bio infiltration systems to manage storm water runoff, as soil conditions allow.

C. *Transportation*

1. OA Developments shall incorporate into their subdivision plat or site plan the following transportation infrastructure:
 - Space to accommodate a transit or shuttle stop
 - Covered, lockable bike storage at a rate of 1 space per 2 lodging units
 - Active transportation and non-motorized trail easements dedicated to the public when identified in the Grand County Non-motorized Trails Master Plan or Moab City Trails Plan
2. As an alternative, OA developments could be required to provide a narrative and transportation solutions that will reduce projected vehicle trips below the ITE Trip Generation Manual by 20%.

D. *Mixed Use, Civic Space, and Open Space Amenities*

1. All new overnight accommodations projects will be allowed to have 5% support commercial uses to serve the visitors and patrons of the accommodations.
2. All new overnight accommodations projects are required to provide ___(amount) of Civic Space, Usable Open Space, Public Art, additional commercial uses that serve the public or the visitors in the north end of the City, space for outdoor markets, community gardens.

Need to define Civic Space and Usable Open Space.

E. Building Height

1. The maximum building height for Overnight accommodations shall be 2 stories and a maximum of 30 feet.
2. An additional story (3 stories and a maximum of 40 feet) of overnight accommodation uses may be allowed if the developer is willing to provide the following:
 - a. Additional affordable/employee/workforce housing above and beyond the amount required for Assured Workforce Housing. This would not replace the Assured Workforce Housing requirement but would be in addition to that. The additional units could be placed anywhere on the site; or
 - b. Dedication of land to the City or other qualified entity for the purposes of building affordable/employee/workforce housing
 - c. Submit a master plan for the site that includes the overnight accommodation use as well as at least 20,000 square feet of commercial uses that provide goods or services for the community and open to the public. Examples include Day Care Centers, Drug Stores and Pharmacies, Grocery Stores, Open Markets and similar uses. This would be above and beyond the requirement for Mixed Use, Civic Space, Open Space. The commercial uses will not be counted toward the maximum square footage allowable for the Overnight Accommodation uses and may be in a separate structure.

F. Maximum Building and Project Size

1. The maximum gross square footage of any building housing overnight accommodations shall be 20,000.
2. The maximum gross square footage of an overnight accommodation project shall be 60,000.
3. If the developer chooses to develop commercial uses (over 5% of gross floor area) within a building or project, that project size could be increased by the gross square footage of the commercial use.

G. Site Configuration Will have examples

1. All development must fit the property – no mass grading or grading of a flat building envelope (building must step with terrain);
2. Stay out of wetlands, protect major vegetation (existing trees). Primary Uses must face the fronting roadway;
3. Primary uses must face the fronting street with a defined entrance fronting the roadway;
4. Ensure building scale, orientation, and design relates to the surrounding uses and streets;
5. Creates a cohesive visual identity and an attractive street scene;
6. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns;
7. Create a high-quality pedestrian environment;
8. Promote design environments built to human scale;
9. Ensure delivery, trash, and loading facilities are located so as not to impede regular vehicular and pedestrian circulation and access routes; and
10. Ensure safe and efficient access between buildings and parking areas.

H. Building Design **Will have examples**

1. All multifamily residential buildings or structures 2,500 square feet or greater in gross floor area shall be composed of at least three visual building masses of differing heights and planes;
2. No façade or building wall shall exceed 60 linear feet. More than 5 ft shift in vertical and horizontal façade is required for each 30 linear feet;
3. Building design shall vary between vertical facade divisions and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material;
4. All properties along Hwy 191 will include a single story element along the roadway. The second story must be set back at least 15 feet from the first story plane;
5. For uses located on the ground floor facing the primary fronting street, at least 30% of Ground Story Transparency is required measured floor to floor. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance;
6. No rectangular area greater than 30% of a story's facade, as measured from floor to floor may be windowless, and no horizontal segment of a story's facade shall be greater than 15 feet in width can be windowless. An exception may be considered if the wall area is to be used as a mural (not a sign);
7. All facades of the proposed building must comply with the building design standards;
8. A mix of entrance types may be utilized, aligned with the overarching architectural theme or concept. All buildings must have an easily-discernable Principal Entrance located on the primary street side of the principal building or buildings;
9. Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully-screened from view when unavoidable. Parking shall be located to the side or rear of buildings;
10. Plastic or vinyl awnings are not permitted. Awning types and colors for each building face shall be coordinated
11. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood or other durable material.

I. Materials and Colors

1. Permitted primary building materials will include high quality, durable, natural materials such as stone, brick and adobe-type materials; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass, **architectural metal panels and cladding**. Other high quality synthetic materials may be approved as **details or accents** for a unified theme or design concept. Other durable materials will be considered as technologic improvements are made. Aside from solar panels or other infrastructure related to energy efficiency and water use/reuse, OA Developments shall utilize non-reflective materials.
2. OA Developments shall utilize earthtone colors that are complementary to the surrounding landscape and visual backdrops. Exceptions can be made for public art (not signs).