The Moab Planning Commission held its regular meeting on July 9, 2020 via a Zoom Meeting. 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=cTnO3ciGQQ4

The Moab Planning Commission Chair Kya Marienfeld called the meeting to order. In attendance were Planning Commission Chair Kya Marienfeld, Commission members Rubin Villalpando-Salas, Jessica O’Leary, Marianne Becnel, and Luke Wojciechowski. Commission Members, Becky Wells, and Brian Ballard were absent. Staff in attendance included Planning Director, Nora Shepard, Moab City Assistant Planner Cory Shurtleff, and Moab City Recorder Sommar Johnson.

Citizens to Be Heard:

There were no citizens to be heard.

3. Action Item:

3.1: Action Item - Review and Possible Recommendation to City Council of Ordinance #2020-12 Approving a Zoning Map Amendment for Property Owned by James Nelson, Located at 191 Walnut Lane Moab UT 84532, Amending the Split Zoned Parcel from R-2 Single-Household and Two-Household Residential Zone and R-4 Manufactured Housing Residential Zone, to Only R-4 Manufactured Housing Residential Zone; and Amending the City of Moab Official Zoning Map.

Assistant City Planner, Cory Shurtleff, started the discussion. He mentioned that this item was reviewed at the April 23rd Planning Commission Meeting, where it was continued. Shurtleff started the presentation. He gave a review of the information, noting the address discrepancy. He also noted that after the survey, the parcel size increased by 0.02 acres which altered the parcel size from 1.04 acres to 1.06 acres. In turn, this increase the rezoned portion of the property by 0.02, from 0.35 acres to 0.37 acres.

Shurtleff presented the recorded plat and pointed out the discrepancy from the previous plat. He presented a vicinity map showing the parcel and the surrounding zoning. He pointed out that off to left is C-2, to the north is R-2 and to the right is the City owned property of Walnut Lane that was recently rezoned to R-4. Shurtleff reviewed the narrative, stating that the intention of the rezone was to amend the split zone to a single zone. He continued with a brief background of this rezone. He asked for a discussion at this time.

Planning Commission Chair, Kya Marienfeld, went over the actions the Planning Commission could take. These included recommend a positive recommendation to the City Council with or without edits, a negative recommendation with specific findings supporting this recommendation, or continue or table this to a future meeting.

Motion and Vote:

Commission Member Becnel moved to forward a positive recommendation to the Moab City Council for Ordinance #2020-12 based on the findings required by Moab Municipal Code 17.04.060 Map Amendment Approval Criteria. Commission member O’Leary seconded the motion. The motion passed
5-0 with Commission members Marienfeld, Becnel, Villalpando-Salas, O’Leary, and Wojciechowski voting aye.

4. Future Agenda Items:
Planning Director, Nora Shepard, began explaining future items. This included a pre-application that was received for a site plan for the “old hospital site”. She stated that it would add multifamily units on the perimeter of the existing building, and this would be done in two phases. She added that the applicant would like to redevelop using some of the infrastructure and superstructure from the existing building and completely remodel it into apartment units that would be varied in size with the philosophy that the smaller units would be more affordable but at this time would not be deed restricted. She said that this pre-application was recently sent out to the Development Review Team. She stated that there may be some utility issues and mentioned that it will be a couple meetings before it will be ready to be presented to the Planning Commission.

Moving on, Shepard spoke about the Lion’s Back Development. She stated that they have a vested right to move forward based on the approval they received in 2008 and 2009. She went over the history of the project and the lawsuits that had surrounded the project. She stated that “we are back to the 2008 and 2009 approval”. Shepard added that staff would get back to the Planning Commission regarding this project in the form of a work session. She continued to say that platting will need to be done for each phase and this will have to go through a process. Shepard said that she and Lisa Church, Moab City Communications Director, will work to come up with Q&A sheets and press releases. Planning Commission Chair, Marienfeld, asked about public engagement and if there is something to still be decided or option regarding this project that the public could still engage on. Continuing she asked, “What are the things that are still up for consideration?”. Shepard answered that there is not much right now and went over the first phase of the casitas. She stated that this project already has approved trails plans, open space plan, and that there will probably be a work session that will go over what is vested and the path forward.

Shepard mentioned a smaller town home project on 300 E 100 S with 5 units. She stated that the Planning Commission will see this as a site plan approval. Assistant Planner, Cory Shurtleff added that there will be a two-lot minor subdivision as well which is probably an action by City Council.

Planning Commission Member, Becky Wells, joined the meeting during this discussion.

5. Discussion Item:
5.1: Continued Discussion on the Commercial Requirements for Overnight Accommodations in the RC Zone.
Shepard started by saying that this is a continuing discussion which had begun roughly a year and a half ago. She included in the Staff Report the background information as well as the latest proposed amendments to the Resort Commercial (RC) Zone. As of now, new overnight accommodations are not allowed in any zone within the City. Shepard explained that if a property was used as an overnight accommodation in the past or if it was built for this particular use, then the use can be continued. She continued saying that the City Council has directed the Planning Commission to look at a few specific items relating to the draft proposed amendments. She offered to show the Planning Commission Members
a power point presentation of the history. She purposed that the first discussion be about requiring and/or incentivize commercial uses that go “above and beyond” what would normally be seen in a hotel or lodging property. She clarified that this would only be applied to new hotels and motels in the RC zone.

She presented a section of the power point presentation from the public hearing in December of 2019 at this time. She stated that the RC zoning is located on the north side of town. The north side of town is made up of both RC and C-4 zones and the decision was made to start with the RC zoning as overnight accommodations were the purpose of this zone. She stated there has not been a lot of pressure about this right now, citing possible reasons for this; what is going on in the world, last year’s occupancy rates have dropped slightly (supply has caught up with demand), and the price of land has gone up. She said the allowances to be put in for hotels and motels are being looked at, under certain conditions. She spoke about a previous joint work session with the Planning Commission, which at that meeting there was not a quorum, but Shepard wanted to reaffirm the City Council’s commitment on moving forward on the overnight accommodation’s standards. She continued saying that the Council has directed that these standards be worked on and to specifically look at mixed use and encouraging commercial development (which are discussion items for this meeting), energy efficiencies requirements and if the proposal is feasible, additional clarifications on open and civic space, report numbers, and building and project size. The draft language was included in the staff report on pages 5 and 6. She cited that this talks about mixed use and building height, explaining why these two items are involved. She explained that the latest draft indicated that a minimum of 5% of the total of the square footage of an overnight accommodation had to be commercial use in the building, on site. She stated that this could be a restaurant, grab in go, etc. and that this is typical. She continued saying that it is structured that if a developer wanted have additional commercial uses (over the 5%) whether it be inside, on the site, or immediately adjacent to, that they could get additional square footage of overnight accommodations and an additional story of height. She clarified that the height currently purposed is two stories and the incentive would be three stories. She described what this scale would look like and compared it to the size of a large convenience store. She referenced questions for this meetings discussion on page 6 of the staff report. Shepard read through these questions at this time and spoke briefly about pervious discussions regarding these questions.

Shepard explained that the latest proposals regarding square footages from the Planning Commission and was recommended to the City Council were “a maximum base square footage of 20,000 square feet per building and 40,000 square feet for an entire parcel of overnight accommodations.” She spoke about what Grand County has approved and how they approved this using an overlay zone, saying that the City has decided to go a different route of explaining what is and is not allowed in each zone. She explained why this route was chosen. Shepard asked for comments and discussion at this time.

Planning Commission Member Wells, expressed that she felt the current proposals were good and that she liked the incentive of an additional story if more multiuse commercial space is provided. Planning Commission Chair, Marienfeld, agreed stating she like this idea in this zone, but she does not feel that it would be appropriate to apply it in some of the other zones. Marienfeld said that she thought that the City Council may have been opposed to three story buildings in general and asked if anyone thought this was the case. Shepard answered saying that “it was a little mixed”. Shepard said that in general the Council may prefer two stories but also feels that if a developer is giving the community something they want, then in some instances they would grant additional square footage. She added that she does not believe they (City Council) said “no” but that they would like the Planning Commission to review it and make a recommendation. Commission Member, O’Leary, asked Shepard to clarify that if a development has a
larger footprint and only two stories, would the incentive still apply. Shepard stated that it would and that it could potentially be a separate building on the same site. She added that some of the parcels are larger and could accommodate a hotel as well as another commercial use. Shepard said that she has talked to some of the developers and that they seem to like this idea as well, and there was some interest in this concept. Marienfeld said that there are certain areas where it makes sense to “be a little higher,” and mentioned a new overnight accommodation development north of town. Shepard stated that one of the development standards previously discussed was increasing the set back from the highway. Marienfeld spoke about requirements regarding solar and rooftop green space. She added that this is not just about preventing things we do not want but also about getting thing we do. Shepard explained that these regulations help manage a developer’s expectations.

Planning Commission Member, Wojciechowski asked “regarding the 5% commercial space, what triggers them being allowed to build extra housing above that 5%?” Shepard stated that she added something that states “in addition to commercial, the other incentive could be that they could build affordable housing above and beyond what they are already required under our requirement for affordable housing, under the WAHO (Workforce Assured Housing Ordinance).” She added that this already requires construction of units or a contribution to the Affordable Housing Fund and that most of the hotels developed since the WAHO has been in place, have chosen to put money in the Affordable Housing Fund. This may be looked at to incentivize more construction of affordable housing on site. She added that the City Council were “mixed” on this, stating that some of the Council feels that commercial is more important. She said that either could be done and she asked if the Planning Commission felt additional employee housing should be included as an incentive for additional square footage. Planning Commission Member, Becnel, stated that she does not feel that these developments should be any taller but that she is ok with going beyond the maximum square footage that is outlined. She added that she feels that housing is important, and it would be excellent to see housing on site. She asked if “we” have porosity to main street and the new back path, in consideration to where it is and what it will connect to. Continuing she cited a previous discussion regarding requirements for alternate forms of transportation that was removed, she asked that this be reconsidered. Shepard explained that currently the purposed standards states that the developer would have to provide a space and accommodation for a shuttle stop as well as on site bicycles to be available for their guests and secure bike storage. Shepard explained briefly why these requirements were written this way.

Shepard informed the Planning Commission Members that Utah Department of Transportation (UDOT) has funded a Regional Transportation Plan (RTP) for Moab and Spanish Valley. The result of this is that if the City were to request funding from UDOT for future projects, it must be included in the RTP. She continued to say that in the RTP “wish list” items will be included, for example shuttles and bike paths. She stated that UDOT generally will not fund an ongoing operation but there are some federal grants. If a project is in the RTP then we are eligible to receive various types of funding. Shepard added that this process will come to the public in the next few months.

Becnel stated that she is supportive of doing public business space in exchange for additional hotel rooms and that she feels it should be mandatory for developments to have business space but the Planning Commission should look at what this would look like, how big it is, where it is located on the site, and who would have access to it. This way the community ends up with things that are needed. Shepard spoke about some of hotel operators concerns regarding requiring commercial space inside the building, namely restaurant space.
Shepard asked what other members thought about the building height issue. She stated that as of now there is no visual analysis requirement and suggested possibly having the incentive be only additional square footage rather than an additional height. She pointed out an example of a hotel north of town that has been set lower with a frontage road as an example of things that could be recommended. She stated that she felt there are some cases where there is a possibility of allowing increased building height without it impacting the views tremendously. She talked about the “uphill side” of the street and different arguments of whether this should be considered on this side of the street. She asked how the Planning Commission felt of the possibility of three stories as an incentive. Planning Commission Member, Villalpando-Salas, stated that initially he was against the building height incentive, but he is in favor of not allowing additional height on the uphill side. Villalpando-Salas asked about when the maximum square footage was lowered from 60,000 square feet to 40,000 square feet. Shepard explained that this was lowered through Planning Commission discussions and what the discussion around it was as well as Grand County’s square footage requirements.

Shepard returned to Becnel’s question regarding porosity relating to the public. She stated there is some language in the proposed requirements but that it could be strengthened. She continued saying that since the highway widening project is happening, there is a better idea of where things will go. She spoke about requirements for civic space or contributions to a fund and ask whether the Planning Commission wanted to look at it more. Villalpando-Salas stated that he likes this idea. Shepard said that the tough part would be putting this into language and making it feasible. She spoke briefly about incentivizing or requiring public art. Villalpando-Salas asked about the defining process for public art. Shepard said that defining it would be tricky because art is subjective. She stated that we currently have a “pretty aggressive” public art program and we have a group to prioritize what they strive for.

O’Leary stated she agrees with everyone where the preference is two stories. She added that she would consider three stories under two conditions; one that the bottom is all commercial and two that the views are maintained. Shepard stated that there would certainly have to be something on the bottom, for example a check in desk. O’Leary clarified that if it were an additional building, she would like to see the bottom story all commercial and the top story or stories could be rooms.

Villalpando-Salas asked how you would “go about” additional square footing vs height because height is plus 50% of what you had. Shepard answered that one building can only be 20,000 square feet, so an additional story would be an additional 10,000 square feet. She said that the way it is drafted currently, is that you can get the additional story if you provide 10,000 square feet of commercial on site or in the building. Marienfeld stated that it seems it is a preference for everyone that it remain at two stories and that there needs to be a real incentive and make sure we are getting something if it is outside of the Planning Commission’s preference.

Wells asked how many developable parcels are left in the RC zone. Moab City Planning Assistant, Cory Shurtleff, stated that there are four vacant parcels and some potential redevelopment parcels. Wells stated that she thinks it is a good idea to offer an additional story, up to three stories, if they (the developer) are going to provide the first story as multiuse commercial. She added that “you could get creative,” for example saying that you can only have two stories unless you meet a certain set back, prior to the
floodplain. Wells asked if the whole first story would have to be multiuse commercial or could you also utilize this space for mechanical rooms, etc.

Shurtleff presented a map of the north end of town showing the RC zone, including vacant parcels and redevelopment. Shepard stated that the reason there is a two-acre minimum so that the parcels cannot be subdivide for two smaller hotels but if it is an existing lot of record under two acres, it would be allowed. She spoke about a parcel where the tramway is and a previous proposal. She said that there is a maximum of six developable parcels. Shurtleff added that an additional lot that is already developed has had activity and could possibly be sold for redevelopment. This could potentially be another one.

Becnel asked if there were any proposed incentives for another RV park or camping facility. Shepard stated that “we have not gotten there yet.” She spoke about what Grand County has done in terms of RV and Campgrounds. She added that many existing RV parks, in the City, are making improvements but they are not being allowed any additional hook up sites or spaces. She spoke about a developer who is purchasing many RV parks and what they are completing right now and possible future options for them.

Shepard asked what kind of commercial uses we need to incentivize. Multiple ideas were given, including the following: grocery stores, laundry mats, small retail, restaurants, seamstress, art studios, and doggy daycare. There was some discussion about the amount of rental businesses in the area which included discussion regarding incentives and what can be regulated as far as what businesses could be brought in. O’Leary stated that in return for the incentives given, we want to gain something as locals. Marienfeld gave examples of businesses she is aware who have had trouble finding spaces in the past. This included offices, salons, tattoo parlors, apothecaries, etc. Villalpando-Salas added chocolate factory to this list. Marienfeld stated that in the RC zone there is already regulations against “large box stores” and asked if there are any limits that can be placed on chain and non-chain businesses. Shepard answered that this is not possible but explained her experience with this in Park City, UT and limiting the maximum square footage for any one business. There was some discussion at this time regarding different ideas such a bagel shop. Becnel added that she feels there is a need for more daycares. Villalpando-Salas questioned putting daycares in the RC zone. Shepard stated that this use is not happening anywhere else and spoke about the issues surrounding it including property values. Wells said that she felt the most appropriate uses for the RC zones are restaurant, cafés, rental shops, retail, and laundry mats. Shepard stated that “we also don’t want to compete with Main Street.” Wells stated that she is thinking as far as what would reduce congestion. Villalpando-Salas added drive in coffee shops. Wells suggested a drive-in movie theater and trailer parking.

Villalpando-Salas asked what the use of the area across from Archway Inn. There was discussion about this as possible parking for larger vehicles. Shepard felt this would not be a big profit margin for developers. Wells stated that she felt adding it in with other uses where they could utilize all their property would be useful. Shepard agreed.

Villalpando-Salas, regarding the previous conversation about the percentage of commercial space required, stated that he thought 5% was “pretty small.” Shepard suggested that this percentage could be raised. This was clarified about what this would look like. Shepard suggested upping it to 10% and asked for thoughts about this. Becnel said that she felt if 10% is required, she would like the commercial spaces
to be situated so they are open to Main Street or the bike path to ensure that they are open to the public and not exclusively for guests of the overnight rentals.

Shepard stated that she intends to move forward, and she stated some other items such as energy efficiency that will need to be worked on. She spoke about financial issues and staffing issues. She added that “we will do what we can with the resources we have.” Shepard spoke about on-site meetings and her plans moving forward as far as telecommuting. City Recorder, Sommar Johnson, stated that she has the impression that the City Council is in no hurry to start in person meetings and the social distancing in the Council Chambers could be an issue.

Shepard asked for any other comments or questions. Villalpando-Salas asked about adding to the aesthetics and design. Shepard stated this can be scheduled for a work session. Wells asked for a previous spreadsheet be provided. Shepard agreed to provide this. There was some discussion of getting a template from this zone that can be used for C-2 and C-3 zones.

Adjournment: The meeting was adjourned at 7:24 PM.