

**MOAB CITY PLANNING COMMISSION
WORKSHOP/MEETING MINUTES—DRAFT
JUNE 27, 2019**

The Moab Planning Commission held a workshop and a 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=bxS4xDAXiUo&t=8os>.

Planning Commission Chair Allison Brown called the workshop to order at 5:30 PM. Commission Members Brian Ballard, Jeanette Kopell, Kya Marienfeld, Becky Wells, Cory Shurtleff and Marianne Becnel were present. Staff present were Planning Director Nora Shepard and City Recorder Sommar Johnson. No members of the public or media were present.

Recommendation to City Council On Ordinance 2019-18, An Ordinance Amending The Moab Municipal Code To Remove Overnight Accommodations AS a Permitted Use In All Zones And Adding Provisions To Allow Established Overnight Accommodations:

Discussion: City Planner Shepard went over the existing Overnight Accommodations and provided a map showing where they were to assist in the discussion. The discussion centered around the overnight rental units that currently exist, those that were built to be overnight rentals, but are not yet licensed as such and those that non-conforming located residential zones. There was discussion about what to do for people who are currently living in their home but want to turn the home into a nightly rental at some time in the future, setting development standards and what restrictions, if any, could be put in place. Council requested that the Commission include a definition of the established overnight accommodations as they would like for the Commission to have a public hearing on the proposed Ordinance. Shepard explained that the City Manager and the City Attorney had said that the Commission could not do a Resolution, so if they want to take action they will need to do a Notice of Action, showed them what the form looked like and explained that they could fill it out at the end of the meeting should they decide to take action. The Commission will still forward the Ordinance to Council with either a positive or negative recommendation. Council also wished for the Commission to move forward without delay on developing an overlay zone or provisions for new overnight accommodations. Shepard recommended that the Commission set a target date of the end of the year to have something in place. She asked that the Commission provide guidance on the direction they want to go on development standards. Discussion followed regarding the definition of Overnight Accommodations. Marienfeld suggested that the definition should include, “something about it being either an existing structure or substantially in progress which covers all of the vested applications that were approved before the moratorium went into effect”. Shepard would also like to amend Section 2 of the Code to include “Established Overnight Accommodations as defined” so that doesn’t limit it to lodging and bed and breakfasts. Marienfeld said that would also have to have something about it being an existing legal use. Shepard said that she would come up with a definition based on their recommendations. Marienfeld also went through some grammatical errors that she had found in Code that will need to be corrected.

Commission Chair Brown recessed the workshop at 5:55 PM.

Planning Commission Chair Allison Brown called the regular meeting to order at 6:03 PM. Commission Members Brian Ballard, Jeanette Kopell, Kya Marienfeld, Becky Wells, Cory Shurtleff and Marianne Becnel were present. Staff present were Planning Director Nora Shepard and City Recorder Sommar Johnson. Fifty-six members of the public and media were present.

Citizens To Be Heard: There were no citizens to be heard.

Public Hearing And Ordinance 2019-18 Addressing Overnight Accommodations In Moab, AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE REMOVING OVERNIGHT ACCOMMODATIONS AS A PERMITTED USE AND ALLOWING ESTABLISHED OVERNIGHT ACCOMMODATIONS TO REMAIN LEGAL USES IN THE C-1, C-2, C-3, C-4, RC AND SAR ZONES; AMENDING SECTIONS 17.06 DEFINITIONS, 17.20, 17.21, 17.24, 17.27, 17.31 AND 17.32:

City Planner Shepard gave a brief presentation to inform the members of the public of what is being proposed with Ordinance and why. She also provided an agenda of how this process will move forward. The presentation a history of the proposed ordinance and next steps. Commission Chair Brown opened the Public Hearing at 6:24 PM. Shepard explained why the City is proposing this resolution:

- The City of Moab has experienced a surge in new nightly-rental-related development. New hotel and overnight accommodation developments are planned within the City in the near future.
- The City finds that increasing nightly rental development in the downtown area of the City in particular is forcing out other important land uses to the detriment of balanced community development.
- Existing land use requirements and market forces have not facilitated the development of a balanced mix of business types, residential inventory, and accommodations for visitors in the downtown core.
- There is a compelling countervailing public interest to assure that lodging uses are developed in a manner that compliments the other needs of the City and its residents. This ordinance is necessary to assure that the City can promptly develop ordinances and policies to achieve those ends.

While the moratorium is in place both the City and County Councils are not allowing any new nightly rentals in any zoning district. During this time, they are working to find a strategy to allow existing overnight accommodations to continue without making them non-conforming uses. Business licenses will continue to be required for all overnight accommodations but will not be used as a regulatory tool. Shepard explained what the proposed ordinance would do.

- Adds a definition for Overnight Accommodations
- Removes all Overnight Accommodation uses from the list of permitted uses in the C-1, C-2, C-3, C-4, RC and SAR zones
- Adds language in each of the zones that allows established Overnight Accommodations to remain as legal, conforming uses
- Adopts an Established Overnight Accommodations Map
- Directs the City Staff and Planning Commission to continue to work, without undue delays, on new zoning provisions to allow new overnight accommodations in some areas. The new provisions will better reflect the long-term interests of the City
- Overnight Accommodations that exist in the residential zones will be considered legal, nonconforming uses. No new Overnight Accommodations will be allowed in residential zones.

Shepard stated that in the last 48 hours she had received emails on this topic from John Gardner, Neal Clark, Emily Stock, Reader Emeril, Kirsten Peterson, Barbara Hicks, Nancy Orr, John and Jason Pronovost and Robert Lippman and they had forwarded on to the Commission.

Commission Chair Brown opened the Public Hearing at 6:24 PM and invited those who would like to speak to come forward as their names were called.

Liz Ballenger- "I'm Liz Ballenger and I'm a resident of Moab City and I'm speaking in opposition to allowing any additional overnight accommodations in the near future here in Moab. So, I guess that means against the ordinance that's currently written. I attended the County Planners meeting

a few weeks ago on this topic and shocked at what appeared to be a sudden and very vocal turnout from the developers and people who owned commercial land and are worried about having some restrictions put on what they can build there. Now, I'm not fortunate enough to own commercial land or to have grown up here or have had my family here for four generations and passed down land to me and I'm saddened by the comments of folks who are fortunate in these aspects and feel that their voices should carry more weight than residents who have, maybe only been a few years but cared very deeply about this place, the community and making Moab a great place to live, not just a place to make money. Having the voices of a few be heard above the rest is not a democracy so I'm asking you to remember all the comments from residents in opposition to overnight accommodations growth that you've already received, all the people that have stood up at various meetings before this, all the people who've written letters, signed petitions, for instance the online petition about a month ago that collected 650 signatures over the space of a weekend. I haven't heard of any petitions from citizens interested in having more hotels. If the question were put up for a vote allowing more overnight accommodations would certainly lose by a very wide margin, and what's nice about this issue is it seems like it's one that everyone is rallied around regardless of their political leanings which is particularly refreshing in these times of deep partisan divides in our national politics. Everyone I've talked to about this issue has felt the same way. Enough is enough. Unfortunately, what many don't realize is that regardless of what you all decide, more will still be coming. I've heard varying figures and you just tonight, 800 rooms, and what I understand is that's about a 30-38% increase in overnight accommodations. That's a lot. We should not allow any additional accommodations to be approved until we've had a change to assess the impacts from increased tourism that will follow these pod projects that in the pipeline but anyway, even if the overwhelming wishes of the majority of residents don't sway you, there are a myriad of other logical reasons to stop allowing overnight accommodations to be built at this time which have already been voiced in great detail and I'm not going to go into it because you outlined them in your very own moratorium language. What I will say is a couple that maybe you didn't mention. For one thing, even the tourists are beginning to complain. You know a few weeks ago, you probably saw a letter to the editor that called us an erector set gone mad. I found that one particularly entertaining." Commission Chair Brown told Ballinger that she was out of time. Ballinger said, "anyway, I just want to say we're potentially killing the Golden Goose here, and if we do experience a tourism slowdown, all the eggs we can put in one basket are going to rot badly. On the flip side, I haven't heard any logical arguments for why we need to allow additional overnight accommodations. Please continue to put on the brakes and stop runaway tourism in our town. Thank you."

Don Wiseman- "I'm a resident of Moab. I've been here full-time for the last three years. Previous to that I was back and forth. I'm a resident also of, for 36 years, of Sun Valley Idaho, a very similar town surrounded by public lands in a valley with limited land use. I. During that period of 30 years, I owned commercial property and I owned residential property. I still own property there. The piece of property I bought in 1989 went through various re-zones by the city and I lost what I felt were rights. I sold that piece of property two years ago, three years ago and I've got to say the re-zonings increased or stabilized my property values. Instead of having rampant development it was controlled, it was organized, and I benefitted from it. The one thing that I found that my property did not benefit from was being able to have affordable employees. Employees now drive up to two hours to come into that valley to work. It's expensive to have employees in that town and I'm slowly seeing the retail die off. You cannot be in business, buildings or for the people, and when people can't afford them, they don't move, they don't come. So, I would advise the Council, the City, Grand County. I think you're going in the right direction. You must gain some sort of sense of control, reassess where you're going and really think about, not just the property use, and don't be swayed by people trying to tell you they're going to lose benefits. So, I'll tell you, they'll be alright, but we need to discuss how we're going to take care of the people that will make this town work."

Jason Taylor- "Hello, my name is Jason Taylor. I'm not a fourth-generation Moab person. I've lived here about 25 years and I've had the opportunity to-over the years, own industrial land

commercial land residential land in this small town I have short-term renters, and I also have commercial properties in town. I have personal property in town that I have no desire or will put overnight rentals on. My worry is, is that with this that it limits what I can do with that land. It limits where I could go in the future. If we get to a point where, you know, where I'm located in downtown Moab, where we have too many burger joints or, you know, are we going to have a meeting in a couple weeks saying I can't have a burger joint there?, And there's, there's limited uses for these lands, or for these properties that have been designated for the uses for years and years, which is why I, why I purchased this property and so I would like to see that continue. And like I said, I do agree that we do have an overnight issue and stuff but I also know that a lot of people have a lot of money invested in these areas and they can't necessarily turn around and (unintelligible). Thank you."

Bryon Walston- "My name's Bryon Walston and I'd like to kind of agree with what Jason Taylor said right there and I'm an advocate for property rights and I feel like that, by restricting a right devalues the property somewhat, even though it might, in the future, though we don't know, it might increase in value, but I think the right to use, was sustained last week by the Supreme Court in the, you know, Federal Court, saying its equal to the first amendment and second amendment rights, as the property right is equal to that. And so, I just encourage you, and I disagree with, I heard many people say that the majority of the people is in favor of this, I think it's about 50-50, I think. I don't think the majority of the people is in favor of this. All my circle of friends and my acquaintances, I don't have a single one that's in favor of restricting property rights, and so I think, like you said, it depends on who your friends are who you're acquainted with, but we need controlled growth in the City, we do, and we need to modify, you know, maybe modify some of the ordinances, but I disagree with takin the right away from the people. Thank you."

Katherine Holyoak- "My name is Katherine Holyoak and I have been here 50 years. I didn't inherit four generations back, but I am one of 7%, which is apparently verified, there's only 7% of us that own land, and while I accept the fact that those who do not own property, have as much right to vote or to say what they feel, as I do, I still have a really hard time with my property rights being taken away from me. I currently am not within the zone of the City, but I am surrounded by City out on the big field with Maverick, and I would like to be able to see by children be able to develop that land when the time comes, if they want to. I don't intend to sell it at this in time. I like the green and the cow, but I just feel that, it is taking our rights away to some extent, and I'm concerned. I mean people that would want to buy, say my big field, if they were to put home or long-term, they would be in a commercial zone. They would also be in a taxing entity where they couldn't afford to live there. So, I'm kind of limited with that property for gas stations or, you know, restaurants or something like that, but it does limit my property rights. I have a hard time with that, and so even though I am really pulled, if you were to take half of the community, I think Bryon Walston's right, I don't think that one group outweighs the other one. I live on the highway and right now, every day, it feels like East Safari because I can hardly get onto highway 19. That's where I live, so I understand how bad that has gotten and I'm pulled because, even though I agree with the fact that there are too many overnight accommodations, I still believe in private property rights and that we should be able to have those. I just hope that whenever this rule and the think is lifted, that you know, and a new Council or Planning Commission will be able to say, yes, you can now do this with your land, whatever you'd like to do. I guess that's kind of my say. I just feel like that those who own property should have the right to use that in, I'm in your face kind of a thing, but you know to me, personal property rights should be just like that the First Amendment rights. So, thank you."

Jason Ramsdell- "Hello, I'm Jason Ramsdell, I live in the City, I own a house in the City and I also own a lot in Grand County. Thanks again for taking my comments. You know, there's a lot that has to do with the ordinance and there's a lot of legalese and all that and I want to just speak in general terms and kind of speak from my heart about this and we're already starting to hear a lot about property rights and I understand that concern about property rights, but a lot of times what that

comes down to is code for developers and developers trying to make money out of Moab and I understand that. It's a noble cause. I have entrepreneurial aspects and interests myself, but it is not sustainable. It cannot be sustained the way we are going with unchecked growth. So, that is one of my main comments, is that I understand property rights, I get that, but we could not continue with the unchecked growth. You know, what's missing from the conversation about property rights, or the property rights of others that don't have commercial land? I own a house in Moab. I own a lot in the County. I have property rights too, everyone in this room has property rights whether they own or rent, they're just as important. They have a lot to say. They have a lot to contribute in the town and so property rights on our side, is important that's often not listened to. You know, I want to talk about some of those rights real quickly. You know I have a right a calm and peaceful city and neighborhood. I have a right to be, to go into City Market and not be stampeded every hour of every day. I have a right to live in a peace street without UTV's ripping up and down and keep me up at all hours of the night. Those are my rights, even though I do not own commercial property, or I'm not a developer. And lastly, I've a right to into the wilderness and the solitude that we have around us and the public lands in Moab without being overrun by people, and all of those things I just mentioned, are in threat if we do not control and contain the unchecked development and overnight use and accommodations here in Moab. So, please limit and continue in the moratorium, at least let's get through this 38% increase and then see how we want to take the town. And the last thing is, moving the development to the north end of town is not acceptable either. You're just moving the development from the center of the town to the north side of town which has been proposed and is that the kind of billboard, is that the kind of thing we want people coming to visit our beautiful town and our environment to see? Rows upon rows upon rows of overnight accommodations? I think not. Thank you."

Kris Westrum- "My name is Kris Westrum. I won a home on Holyoak Lane and I live here year-round. I'd like to a moratorium on new hotels because there are already so many hotels, either half built or in the pipeline and I don't know how Moab is going to supply a labor force, water or other services to these large multi-story buildings. We're talking a lot of water use, a lot of bright lights all night long and minimum wage jobs. I'd like to see more low-income housing and more high-income jobs that provide living wages for the people who live here. Let's find other sources of revenue that stays here while providing better paying jobs for our residents. Thank you."

Zach Bastian- "Hi, my name is Zach Bastian. First of all, thank you all for doing what you do. It's a thankless job. I was born in Moab and I didn't inherit anything, but I do the Silver Stage Inn Hotel. I purchased it about a year and a half ago. So, you can imagine that I borrowed a lot of money to it. My concern is, I bought a very old building and I'm gonna need to rebuild it someday and when we changed our rights, as with property, and we proposed that we're gonna do an overlay after the fact, that's really scary. So, what guarantees do I have whenever we're going to change the overlay, we're gonna say you can continue to do this, but when you need to rebuild, what does that look like? I guess I'm more, I have more questions than answers and that's the only thing that concerns me, because I did grow up here and I've seen a lot of changes that I don't like as our town has grown. I mean, I think most residents in Moab, if you own commercial real estate or not, like Ms. Holyoak said, there are challenges with all the tourism that we had, also seen what happens when we didn't have tourism and how hard it was to make a living, and so it's a balancing act with having, you know, UTV's running by your house at night. I get it. It's frustrating and we have to figure out a way that's fair because we throw around the word developers and hotel owners it, but we forget that there are humans behind that that work hard, you know? I worked 90 hours a week for three years and my daughter had to watch me do it, and it's a sacrifice to be a business owner and to buy real estate, and I get that everyone has a voice and we just have to be mindful of how we go about that kind of stuff because it does affect people. It doesn't just affect developers. It's people that we're affecting with this. Anyways, I appreciate you for your time and thanks." Commission member stated, "to be clear, what is on the table now, you will, you would be able to redevelop your property. It would be a legal use within that zone."

Amy Weiser- “Hello, I’m Amy Weiser. I work with Business Resolutions and I’m here representing my employers and the properties that they own. I want to thank you for the opportunity to speak to this draft ordinance and accompanying map. We appreciate all of the hard work that you do and support the draft ordinance that secures existing overnight accommodations as a permitted use so as not to create the complexities and hardships created by non-conforming uses. We would like to request two changes to the draft map. I’ve got a map attached to the letter. One is a property adjacent to the Archway Inn. The owners have been working with the City to secure a lift station, a maintenance road, a sewer easement for a very large sewer drain line that’s going to serve a number of properties to the north end of town. So, they just asked for consideration for that piece of property. They’ve been planning a campground RV park there for a number of years. The other one is a property adjacent to the Ravens Rim Zip Line. Similar situation. They’ve been planning a campground RV park there and they’ve recently given the City a number of easements, maintenance roads, those kinds of things for a very large storm drain line that connects to the UDOT’s project, so there’s. We’re going to ask for consideration for those two pieces of property. Alternatively, they request that when it’s time for the future overnight accommodations overlay, that these two properties be considered. Thank you.”

Wayne Hoskisson- “Hello, my man’s Wayne Hoskinson and thank you for being on the Planning Commission. I did want to say that do support dropping overnight accommodations from all of those zones as you’ve done it. I am a little worried about the concept of the overlay zones and I think that the draft maps that I saw don’t really do what I would like to see done, but I do have some, some more generalized sort of comments, and one is that I don’t see anywhere in this ordinance about our general plan, that we just finished in 2017 that talks about preserving the small-town character of Moab and I think that’s, that was also the most received comment while we were developing that master plan. So, I think we need to make sure that we’re, we’re keeping our eye on that as you use to develop this plan in the future and, and the other thing. You know, as I was just looking at, as a sort of a comparison of Grand County and Washington County because we have very similar kinds of problems. Grand County has about 10,000 people, Washington has about 166,000 people. They get, and they’re getting about 4,317,000 visitors a year to Zion Park and they were getting about 2,700,000 in 2007. Right now, at Arches, we’re seeing about one and half million people and 2007 we were seeing about 860,000 people. In other words, se both places, we sort of doubled the number of visitation, but when you look at Grand County, that 164 visitors per resident and when you look at Washington County, it’s 26 visitors per resident. It’s quite different. Now, even if you look at just those sort of gateway communities to Zion National Park, and just the ones in Washington County, it still comes out to about 24,000 people, and if you extend that another ten miles beyond that, you’re still looking at about 100,000 people. So, it’s the impact of this kind of visitation is, you know, it’s dramatic when it’s so few it’s so few people being impacted. So, I think, not only do we need to look how we treat our visitors as.” His time was up so Commission Chair Brown told him that could submit those comments to them in writing if he chose to do so.

Shepard announced that the Commission would continue to take written comments via email or in writing after the Public Hearing.

Michael Johnson- “Hi, my name is Michael Johnson. I’ve lived here for seven years and I do have nightly rentals so I’m sort of part of the issue and I understand that. I’m not opposed to this ordinance, but I do have some questions. A couple of them have been answered by Nora already, but one, I’m a little concerned about the existing map. I know there’s units, I have a unit on Williams Way. I know there’s a number of units there that rent nightly, don’t show up as existing and I’m a little concerned that, you know, what, what does that mean, if they’re gonna be able to just come and get a business license and start doing nightly rental? And I don’t think that meets your ordinance. Also, I feel, as a commercial property owner, that this is reducing the value of our properties across the board and I think the reason it is, is that the properties are so expensive and

running out our other uses because this is a lucrative and harder to combat or compete with people on doing hotels and other commercial uses. I would like the Planning Commission, town Council, and the town to consider working with the County to look at lowering property assessments on commercial properties because we are looking at a loss. It seems fair if you're taking uses away, there should be a reflection of that, you know. I think all of you know, if you've owned commercial property, it went up substantially and I think it went up substantially because of this growth, and I think it's only fair and the community should support reducing that and paying it, paying for things in a different way. Thanks."

Russell Facente- "My name is Russell Facente. It is the job of the Planning Commission and the City Council to do what is best for the 6,000 plus residents of Moab. There's an overwhelming majority, 90% of the comments to the Landmark have said that there are enough hotels and enough overnight rentals and they do not want any more of the problem that comes with overnight rentals. It's evident in the face to face conversation online, community groups, in the newspaper and in comments and petitions to the City and County. For 700 plus signatures completely opposed to overnight rentals to be gathered in four days is unprecedented and the implications need to be understood by you. Thank you. There are two groups opposed, small condo owners and big hotel developers. Provisions are already carved out for existing OA and other small owners. Big developers already have their money and they have had years to see that the day would come that people of Moab would say enough is enough. Real estate is speculative. I own property in Moab. Yes, I would like the value to go up. It is my retirement plan, but it doesn't matter if I put my money in real estate, in the stock market, futures market or I bet on the Super Bowl. It is all a speculative investment and I could win or lose. This brings me to my next point. By removing OA's the commercial property is still very valuable for financial gain, but with items that our City can benefit from, restaurants, retail spaces, gyms and workout studios. An Indian restaurant built today, would have a line out the door. There is so much money left to be made with this ordinance that it's obvious who wants to make money with the community in mind and who puts greed above all else. You're hearing the same few voices in opposition over and over again. Your judgment is not to be decided on who is the loudest, who speaks the most often or who threatens a lawsuit. The County and the City have attorneys and other executive staff that are trained attorneys and they will help shape the regulations to avoid lawsuits that any actual merit. Frivolous lawsuits and threats of such are the first tool a rich bully will go for. Let them spend their money while you worry about the future and the character of, and well being of, our community. Another point. Property rights, just like the right to free speech and the right to firearms, is not without reasonable limits. I can't go yelling certain words in this public space and there's many other things that are limited even our constitutional rights. Thank you."

Travis Nauman- "Hi, my name is Travis Nauman. I really appreciate the opportunity to chat with you guys. I'm gonna kind of speak to you in plain terms as well. I generally am supportive of the direction of the ordinance. I think my concerns are more on thinking about long-term planning, particularly water and planning for water and planning for expansion. I think there's still some uncertainty about if there's room, even for growth that we kind of currently have in the dockets and those current, and there's some uncertainty with the current studies that are going on too, and I don't think that really, the time has been taken to digest this new information and also think about the fact that as we move forward this century, there's a high probability that our large supply will be shrinking because the vast majority of science is point towards climate change impacting our, this region in pretty negative way in that respect. So, I think where we're thinking about property rights, which I think it's super important to consider everybody's interests and, and, and make sure that everybody is treated fairly, especially with, you know existing rights. I think we also have to realize that property rights are contingent on the infrastructure and the carrying capacity of a place to support what is actually happening and I don't think we have that information yet, and I don't think. My concern about, kind of the language that, about opening up through careful planning in this overlay that's coming and I'm not. I haven't digested all the legalese of it, is that I think the stringent, there needs to be incredibly stringent standards for, for new applications for

housing that actually have to fit into a long-term, a long-term plan that accounts for not only the water infrastructure, but the infrastructure in general. And there's been a lot of comments about traffic. About what our infrastructure can, can handle as far as influx of tourism and this kind of explosion of tourism and I don't think we've addressed that issue either. I think that really needs to be addressed before we expand this already exploding market. And just a couple other points. Housing. I have a lot of friends that have problems getting housing. I've had problems hiring people because of housing multiple times, and these aren't for minimum wage jobs they're jobs that are considerably higher pay than that. And, and just overall quality of life. I don't, I don't like the direction that things are going. I like living in a small town. So, thanks. I appreciate your attention."

Kelli M. Quinn- "Thank you all for being here. My name is Kelly Quinn. I don't live in the City limits proper, but I'm surrounded by it. I live in the Hecla neighborhood, so it's pretty much the City. I'm gonna piggyback on a lot of what people had said already. I'm, I was, I'm supportive of the moratorium. I, it's only six months and I think that we, it was, we just started opening the can of worms and asking the right questions of the direction of our community and really understanding the impacts on the tourism. I think that those questions need to be answered before we allow more overnight rentals and I'm supportive of the City's new ordinance. I mean, we haven't even had a year to really understand the impacts. It was only six months and the number of overnight rentals, or accommodations, in the pipeline already is alarming and we need to really figure out the impact on those before we can move forward and that's all I have to say. Thank you."

Krehl Stgelmeier- "I am Krehl Stgelmeier. I live in Fruita, Colorado. So, about five years ago I bought a piece of property on 400 North 656 West. 400 North is surrounded by the Entrada development. It's all overnight rentals. I bought that piece because I come down here about every other weekend to mountain bike and we wanted a place to stay and we can't afford the cost of renting an overnight rental because they're expensive and I can't afford to buy a place and then leave it empty, so I bought that property to build a couple of units on the we could stay in and then rent when we're not there. It's surrounded by overnight rentals. It's currently not a good location for any other commercial use, so by taking that right from me, I now have a piece of property that I'm paying property tax on at a higher rate because of the value of it as an overnight rental property and I can't really use it. And so, I would just ask that as you're looking to limit this, to look at those small pieces of property like that, you know, and the size of impact of what I would do. I'm not a developer versus, you know, a hotel is nowhere near the same and so to consider small places like that. That would, would. I would greatly appreciate it. Thank you."

Mary Moran- "I'm Mary Moran and I'm gonna be short and sweet. First, I want to thank all of you for being on the Planning Commission and all the City Counsellors and everyone who's been working on this, because it is complex and difficult and thankless, and I like the general direction that you're going with the draft. I'm concerned about the potential overlays. I basically would like to stop all new overnight rentals, but you know. I know that's not entirely possible, perhaps, but with a 38% increase in the number of overnight rental rooms in the next few years, I think any. You know, we should wait a while. Like 38%, that should have happened over 20 years, not over two or three years. That's it. Thanks."

Carolyn Daily- "Thank you for this opportunity to address the Commission. My name's Carolyn Daily. I don't have a lot of details. I just have some heartfelt comments. I first came to live in Moab in November of 1987 when I came. I have been living in Durango and I wanted to move somewhere where I just didn't know anybody. So, I came here, and I went into the Co-op Food Store and I asked her, can I stay the night? And they said, 'oh just go up to Sand Flats. You throw down your sleeping bag.' Which I did. I went up there. The whole place was empty and I had it to myself. This was 32 years ago, and I'm dating myself now. In 1990, I left for six months. I live in Guatemala for six months. I came back. I couldn't find anything in Moab because while I was going in those six months, they had paved the Slick Rock Mountain Bike parking lot and they put

in 865 new beds of hotels. So, you'd go down Main Street. You couldn't find anything because all your landmarks are kind of hidden and, and screwed up. So, that was back then. That was a huge change that happened in 1990. I actually left and moved and lived in Guatemala and I returned in 2010 and now I'm a permanent resident here in Moab, and I just can't believe the changes. I don't know what the poor people do that were born and raised here but the changes. We came here envisioning a Moab that was like it was in 1990 we I lived here before and that was 10 years ago now. Even year by year, we've seen the onslaught of the tourism and the changes that causes and how it affects the quality of life for residents here. As Planners, you need to plan for the quality of life of your citizens and, and you know it's too much of a good thing. All the advertising that been done. I was flying back from Guatemala, and on the plan of United Airlines, there were two short clips. One was Hawaii, the other was Mountain Biking in Moab, on a plane from Guatemala, which is a third world country, and I was like, shocked. You know, it's like, this is too much, and I really feel the crisis of the lack of affordable housing here, I've been learning more about that, that is a real crisis and it's driven because the property values are jacked up, because you can get more for an overnight, nightly rental, and people cannot live here. People are living in their cars behind City Market. It's just shocking, and everyone. I just want to say, do we want this in the next 30 years? I mean, it's been 30 years, what's gonna happen in the next 30 years? Thank you."

Dennis Silva- "My name is Dennis Silva. I live on Highland Drive in the County. We have a rental property on Loveridge Drive. It's a long-term rental and I think all the points that have been made about the things that we should be concerned with before we move forward with any additional overnight rentals are extremely valid. Water infrastructure. I mean, I can't name them all. I move here for the countryside. I didn't move here for the City. I didn't move here for the hotels, or the restaurants, or the convention centers and I still have plenty of country to go see and thrive in it. It is what makes me thrive here, but I think if we can just take the time, and you can recommend to the City Council to accept this ordinance and pass it and give them the privilege to help our city develop the way that those elected officials who, I know I didn't vote for anybody in the City, but they represent 6000 people and they can make the decisions for us and how we develop and the the City Council Changes and it gets a different group of politicians, that group can make some decisions and the people who want to develop land. There's still a chance for them to develop land. I mean, all these ordinances can be changed again. Right now we have a plan that is trying to keep towns small. Like Wayne Hoskisson said, you know you have a vision that try and achieve, but I guess that's all. Thanks."

Solona Jade Sisco- "I'm in favor of this ordinance. What the community needs is a tourism industry that is both high-quality enjoyment for the tourists and also preserves the nature around us. In order to provide a high quality experience to the tourists, we need adequate housing for residents/employees to live in. With run-away overnight rentals development happening without the rest of the economy catching up, we could see our booming economy suffer a bust. When someone buys property, they should be aware that it is a financial risk. They should be aware that zoning laws and other ordinances are subject to change influencing what they can do with their property. I believe that we're all connected and that we should look beyond the individuals, to the community, to the ecosystem and the multi-generational big picture of our species. I think that when we own a material possession or a piece of land, we should think of ourselves as rinsing it. It just as much belongs, just as much as it belongs to the individual, it belongs to the earth and our species and we should act accordingly. Our individual lives are so fleeting. I'm in favor of five and then four. Once we have some good legislation drafted, we should allow some new overnight accommodation, but only with the highest-quality Living Building Challenge, or equivalent. Thank you."

Jeff Peck- "My name is Jeff Peck. I represent a builder that has been building stuff down here in Moab for a number years, helping people. I don't know if. I haven't heard anybody talk about this, but one of the things that has happened. Well, let me mention a couple of things. First, you guys passed an ordinance a while back. They said, if you're gonna do nightly rentals, then you have to,

have to pay a fine or have to build low-income housing to offset that. Remember that? Okay. Subsequently to that, we bought a sizable amount of property, thinking that we were going to build these nightly rentals and build some apartment complexes to offset it. That would more than offset what your ordinance said. No this is, this comes under a federal law. I don't know if you're even aware of it. Have you ever heard of Opportunity Zone? Better look it up. The federal government passes the law about Opportunity Zones outside of the city limits who have a number of Opportunity Zones that have been designated by the federal government and the state of Utah by the governor. Now, we invested into that property with the right to build nightly rentals the way it was zoned. That law requires us to spend that money and build within 30 months. We can't have a delay. It's not gonna work. It'd be like if you were entices to go to a bank and put your money in the bank. And by the way, once you put that money in, you have to pay a 6% penalty if you don't invest and build. And you're gonna tell me you're gonna take our property rights away? As a courtesy, you let us know that. As a courtesy, your letter said, we're gonna let you know they're gonna take away your rights. Think about that. I think each one of you got to think about, not just the all these people's rights, but everybody's got rights, okay? And if you're gonna set property zoning to be a certain way and entice people like the lady who said, 'yeah, I saw this advertisement clear down in Guatemala.' They come to Moab, and you guys did that. You advertise to get people here and people build to accommodate that, and now you've made and ordinance, previously, to help offset this low-income housing need that you have, and we're will to do it, and still are willing to build some apartment complexes to help that housing, okay? But, now you're going to say, now that we've put this money in, we can't take it out. By federal law we cannot take that money out. And if we don't invest it, we have a 6% penalty for every month the money is not invested. That's a lot of money. If you talk about the investment we've got in here, I think you need to consider it. Everybody wants to consider their rights. I want to you consider our rights, as well. Thank you."

There five citizens who submitted written comments, but did not wish to speak. Commission Chair Brown closed the Public Hearing at 7:13 PM. The Commission thanked all of the citizens for attending and sharing their opinions. Brown explained that as this was not posted on the agenda as an action item, the Commission could note whether or not they would forward the proposed ordinance to Council with a recommendation. The Commission will place this item on a special meeting agenda for action on July 3, 2019 at 6:00 PM. Shepard asked the Commission of they would like to provide her with some additional direction based on the comments receive.

Commission member Becnel asked to have access to the address of all the properties and condos that would affected before the next meeting. Brown requested that the list be sent to all of the commission members.

Commission member Marienfeld clarified that the Opportunity Zone that Citizen Peck had mentioned is a tax credit and it seem that he was saying that the builder had to opted into the program and that to continue to receive the tax credit, they need to follow through, It is not a federal law requiring a specific use of that property, it's a federal law requiring that they reinvest that tax credit into an allowed or incentivized use. The commission had extensive discussion regarding all of the comments they had received. The wants to have time to consider all options that people have been coming to them with and be able to do the right thing for both the community and for the business owners. They also want to keep the General Plan in mind while making their decision.

Action Item: There were no action items.

Future Agenda Items: There were no future agenda items

Adjournment: The meeting was adjourned at 7:38 PM.