CITY OF MOAB, TOWN OF CASTLE VALLEY, AND GRAND COUNTY, UTAH
RESOLUTION NO. 13-2018

RESOLUTION TO MAINTAIN LOCAL ZONING AUTHORITY OVER SHORT-TERM RENTAL USES

WHEREAS, the Grand County, Moab City and Castle Valley Town Councils (herein “the Councils”) have each adopted their own General Plans;

WHEREAS, the Councils have each adopted Land Use Code for the purpose of regulating land use, subdivision and development in accordance with their respective General Plans;

WHEREAS, the Councils are charged with enacting policies that protect the health, safety, and welfare of their citizens;

WHEREAS, the Councils agree that local authority in the application of zoning regulations is necessary to protect the health, safety, and welfare of their citizens;

WHEREAS, the Governor of Utah on a visit with the City and County Councils in Moab October 4, 2017 expressed support for local zoning control;

WHEREAS, the Councils recognize that short-term rentals (herein “STRs”) that conform with local zoning can benefit communities;

WHEREAS, the Councils also acknowledge: that every community is unique; that local government by virtue of being closest to its constituents can be most responsive to their needs; and that local control is important in deciding how and where uses like STRs fit in a community - rather than applying a one-size-fits-all approach to all of Utah;

WHEREAS, the Land Use Code in Moab City and Grand County indeed allows for STRs in specific zones, and the Town of Castle Valley allows rentals when greater than 25 days;

WHEREAS, the 2017 Moab Area Affordable Housing Plan indicates that 30% of housing units in Grand County are either STRs or second homes;

WHEREAS, resort communities including Moab, Castle Valley and Grand County have also experienced negative impacts from STRs, particularly in residentially zoned neighborhoods;

WHEREAS, such impacts include but are not limited to: a decrease in affordable and residential housing (as STRs convert housing to a more profitable commercial use, they can outcompete residential uses, displace long-term tenants, and put the long term viability of communities at risk); erosion of neighborhood attributes (eg commercialization of residential zones, a more transient population); increased noise; refuse; unresponsive owners or managers; speeding, parking conflicts and other traffic concerns;

WHEREAS, the Councils thus agree that the operation of STRs has the potential to adversely affect the health, safety, and welfare of their citizens, the integrity of neighborhoods in their jurisdictions, and the overall quality of life in their communities;
WHEREAS, the Senator and two Representatives representing Grand County have asked for a joint resolution confirming the Councils’ agreement on this matter;

WHEREAS, the Councils endeavor to make clear and certain to the Utah Legislature and State Leadership their position on this matter;

WHEREAS, the passing of HB 253 in 2017 has benefited illegal STRs while making it more expensive and labor-intensive for communities to hold them accountable;

WHEREAS, the Councils have heard and considered all evidence and testimony presented in regard to the maintenance of local zoning authority with respect to all forms of STR uses (both owner-occupied and non-owner-occupied); and

WHEREAS, the Grand County, Moab City and Castle Valley Town Councils considered this item in public meetings held respectively on February 6, 2018, February 12, 2018 and February 7, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Grand County Council, Moab City Council and Castle Valley Town Council that they do hereby approve this resolution calling upon the State of Utah:

1) To allow local governments to regulate local land use including short-term rentals.

2) To rescind HB 253 which the legislature passed last session (February 2017) prohibiting enforcement of restrictions on short-term rentals through the use of internet advertisement.

APPROVED by the Moab City Council, Castle Valley Town Council and Grand County Council in open session this ___ , day of ______ 2018, this ____ , day of ______ 2018, and this ____ day of ______ 2018, respectively by the following votes

City of Moab

Those voting aye: __________________________________________________________

Those voting nay: _________________________________________________________

Those absent: ___________________________________________________________

Town of Castle Valley

Those voting aye: _________________________________________________________

Those voting nay: _________________________________________________________

Those absent: ___________________________________________________________

Grand County

Those voting aye: _________________________________________________________
Those voting nay: ____________________________________________
Those absent: ____________________________________________

ATTEST:  

[Signature]
Rachel Stenta, Recorder

City of Moab

[Signature]
Emily Niehaus, Mayor

ATTEST:  

[Signature]
Jocelyn Buck, Clerk

Town of Castle Valley

[Signature]
Jazmine Duncan, Mayor

ATTEST:  

[Signature]
Diana Carroll, Clerk/Auditor

Grand County

[Signature]
Mary McGann, Council Chair