

**GRAND COUNTY**  
**Planning Commission**  
**Monday, May 9, 2022**  
**4:30 P.M. Regular Meeting**

**\*\*PLEASE NOTE: THIS MEETING WILL BE HELD VIRTUALLY\*\***

**REGULAR PC MEETING:**

Join via Zoom <https://us02web.zoom.us/j/84930753400> Meeting ID: **849 3075 3400**

Or call in to meeting: **(669) 900-6833** and when prompted, enter meeting ID

Send written comment to [planning@grandcountyutah.net](mailto:planning@grandcountyutah.net) or call 435-259-1368.

**Type of Meeting:** Regular PC Meeting

**Facilitator:** Chair Emily Campbell

**Attendees:** Planning Commissioners, interested citizens, and staff

**4:30 PM**

Regular Meeting

- Call to Order
- Citizens to be Heard – public comment opportunity for any item not listed as a public hearing *Chair*
- Ex Parte Communications and Disclosures

**Action Item**  
 (Administrative) 1) Approval of Meeting Minutes from April 25, 2022 *Chair*

**Discussion Items** 2) County Commission Update *County Commission Liaison*  
 a) Commission meeting action items update

3) Debrief on Public Open house workshops *Staff*  
 4) General Plan public hearing date closes May 11th

5) Status of code updates to allow long-term camparks & temporary seasonal camping permit for workforce *Staff*

**Action Item**  
 (Public Hearing) 6) Red Rock Development PUD rezone request *Staff*

**Future Considerations**

7) ADU code update is in legal review, hoping to bring to PC public hearing on May 23rd *Staff*

**5:30 PM**

Citizens to be Heard – public comment opportunity for any item not listed as a public hearing

**ADJOURN**

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**DEFINITIONS:**

**Public hearing** = a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

**Public meeting**= a meeting required to be open to the public pursuant to the requirements of Title 52, Chapter 4, Open and Public Meetings; the public may or may not be invited to participate.

**Legislative act** = action taken by the County Council or Planning Commission; amending ordinances, adopting general plan, Annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community.

**Administrative act** = action taken by the Planning Commission, County Council or staff interpreting ordinances and regulations, conditional uses, approving subdivision, site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code, whichever is stricter.

**JOINT PLANNING COMMISSION & COUNTY COMMISSION WORKSHOP**  
**Monday, April 11th, 2022 at 2:30pm**

The Grand County Planning Commission held its regular meeting on the above date, with attendees participating in person and remotely via Zoom  
<https://us02web.zoom.us/j/84930753400> Meeting ID: 849 3075 3400

YouTube recording of the meeting can be viewed at [https://youtu.be/D\\_aqSMIIn2w](https://youtu.be/D_aqSMIIn2w) Recordings archived at [www.grandcountyutah.net/AgendaCenter](http://www.grandcountyutah.net/AgendaCenter).

In attendance:

Planning Commission Chair Emily Campbell, Planning Commissioner Makeda Barkley, Planning Commissioner Steve Evers, Planning Commissioner Anthony Mancuso,

County Commissioner Trisha Hedin, County Commissioner Sarah Stock, County Commissioner Kevin Walker, County Commissioner Evan Clapper, County Commissioner Mary McGann, County Commissioner Jacques Hadler, Commissioner Josie Kovash, Chris Baird County Strategic Development Director, Clerk Auditor Gabriel Woytek, Associate County Administrator Quinn Hall

Planning Director John Guenther, Associate Planner Elissa Martin, Planner Jenna Gorney, SCJ Consultant Bill Grimes, Vista Lauren Booker, Josh Green Code Compliance, Mallory Nassau, Rachel Bradley Planner SCJ Alliance

Absent

Planning Commissioner Bob O'Brien, absent  
Planning Commissioner Rick York, absent

Commissioner Campbell calls the meeting to order at 2:32 pm

**Citizens to be Heard (outside of scheduled public hearings) - None**  
**Ex Parte Communication and Conflicts of Interest - None**

**Joint PC & CC Workshop**

**Land Use Analysis:**

Bill Grimes and John Guenther Reviewed: Agenda, and Background.  
Bill Grimes reviewed the Grand County Context and discussion of Conditions that exist vs. choices that can be made regarding future land use. "How we got to where we are."

Please visit the agenda or the Youtube recording for a full review of the slideshow.

AGENDA

- 1) Status & Public Outreach - Review of outcomes from March 3rd worksheet that was distributed at the Public Meeting What do you envision vs what is likely to happen
- 2) Scenarios (assumptions & methods) scenario based planning anticipates surprises, by expecting different outcomes and testing different variables
  - Aligning policy in the first 5 years (Implementing and monitoring)
- 3) Data & Feedback (Interviews, Factbook, workshops)
  - Factbook - what is our point of beginning and then also understand what the variables may that affect our community so that we may articulate possible changes.
    - 10 main variables exist. They can also be looked at as indicators. These are things that the community cannot control such as water scarcity, population, fuel costs and access to technology
    - 3 scenarios were developed based on these possible factors, then 3 approaches to land use were created, based on those possible scenarios. "How do we manage land use in response to what we see in each of these scenarios?"
    - Reconciling:
      - The future we expect
      - The future we want
      - Then creating policies to help close that gap while taking the constraints into consideration

#### 4) Location and Neighborhood Planning Next Steps

This is an evaluation of the future that people expect vs what the people want is different. How to make policy recommendations to close that gap. What's likely to happen may be different than what people want to happen. "Conditions that exist vs. Choices"

Preferred Scenario: Most people who partook in the exercise chose scenario A or C: Moab Centered or Village Centered growth and development

#### Nodes of Development

1. Spanish Valley Development: A more rural suburban pattern of development
2. Mill Creek Node: office institution, university, industrial/light manufacturing, more cosmopolitan
3. Spanish Trail Node: Village/Neighborhood -- compact village center, smaller node

Roadway and interchanges will certainly be evaluated and coordinated with UDOT in order to accommodate these development types:

1. Thompson Springs Node; An outpost type of node, an amount of independence while providing services to locals. Taking advantage of Interstate 70 to assist in development., all while taking the availability of water into consideration. Maintaining Character
2. Castle Valley: Trading post style

### LOS (Levels of Service) and Tiered Service Areas

Tier 3 - Water and Sewer: Moab & Fringe, Spanish Valley w/in sewer service area

Tier 2 - Water: Spanish Valley w/in water service area

Tier 1 - Rural: Cisco, Airport/Moab Giants, Balance of Unincorporated county

### Policy & Zoning Implications

191 Corridor & Split Zonings: higher intensity development, integrating a variety housing types

Overlays - goal to integrate these into the Land Use Code

Transportation design - Frontage Roads and interchange access

Housing Type - possible design guidelines

### Neighborhood Planning

Wednesday & Thursday April 27th & 28th

Millcreek & Spanish Trail areas will see the greatest change

### Discussion:

Mary McGann: Has Castle Valley weighed in?

Bill Grimes: Goal is not to impose new land use on Castle Valley but instead guide development. They are pleased with current development in Castle Valley, most likely not wishing for change.

Emily Campbell: Discussion about the characteristics of the various existing nodes.

John Guenther: Deliverables yet to come

1. Land Use descriptors: Mixed use, residential, service commercial, service industrial
2. Levels of service

Evan Clapper: Split Zoning is still a big concern. Buffers or transitional zoning between commercial uses and residential neighborhoods along the southern corridor is a high priority. Include some mixed use around the Holyoak area to allow for smaller businesses.

Bill Grimes: West side more abrupt transition due to geographic limitations  
East side a more gradual transition due to available land  
The proposed frontage roads will be an important factor here.

Kevin Walker: Interested in the implication of these issues on the Land Use Code. Consider these discussions early to allow time to adjust and edit.

Hwy 191 and the South Corridor are important. Also important - where do we expect to increase residential density. We should be sure to include Castle Valley and hearing what they have to say. Discussions about Thompson may be premature. 191 & Millcreek and Spanish Trail are the areas of highest importance at this time. Affordable & Workforce housing needs to be taken into consideration. Planning residential while using incentives and meeting State Legislature requirements. Density of underlying base zoning needs to be low enough to make incentives most beneficial.

Sarah Stock: Castle Valley Residents have historically weighed the convenience of retail and services in the community vs. being able to tolerate the tourism that will come with that. They have continuously voiced their disinterest in any commercial development in Castle Valley, even for a small grocery. Development in that area would benefit Tourism and not necessarily the residents. The removal of this node should be taken into consideration based on that community's desire to remain residential.

Bill Grimes: Any change should be a positive one in that area.

Sarah Stock: Focus on increased access to Moab amenities and services, including better transportation options for Castle Valley residents instead of adding commercial there.

Tony Mancuso: Professor Valley area - is subject to state and federal land use planning. We want to make sure that whatever plan we publish is consistent with the pre-existing Authoritative Land Use plans. We don't want to find out that the Plan is inconsistent with the law.

Trish Heidin: We need to keep in mind that the commercial node vision may not precipitate the way we envision. Once we apply commercial zoning to a property, it is out of our hands. Agree that the Thompson vision is premature. Density overlays are important so that the Commission can make informed data driven decisions

Josie Kovash: Important to understand what people want vs what people expect. We really want to plan for the vision as opposed to narrowing that focus to only the reality. Regarding Spanish Valley - it seems like it is *the* space to expand development but the overwhelming response from the community is No. The trend doesn't have to be the solution. Climate change and water scenarios will actually dictate everything regardless of our vision. How do we bridge the gap between what people want and the very real parameters and market economics dictate? In adding density, design is key.

John Guenther: Density doesn't have to be an ugly word. Land use strategies and services have to be in place that includes good design guidelines and a proper evaluation of where that density should go. Strategies and policies are crucial here.

Bill Grimes: Where the expectation and the aspiration meet: that is where the policy lies

Emily Campbell: the solution to a need doesn't have to be building the services on site, it could be getting people to those services or goods. Consider developing public transportation. When does the conversation shift from building to getting people to what they need? Bring people to the services instead of bringing services to the people.

John Guenther: Limitations with San Juan in water and services. Currently in collaboration

Steve Evers: Encouraged by prospect of a general business land use/zoning being created and embedding some of the HDHO uses within the actual zoning with the goal of solving challenges of the HDHO as it was. Advocate for more residential in the highway corridor.

Tony Mancuso: existing planning might inform how development works in the Castle Valley/Professor area. Focus on transportation before building more brick and mortar.

Bill Grimes wrap up: what we heard today will advance our conversations on Wednesday and Thursday. Understanding the nuance is important in the various locations such as Professor Valley and regarding transportation. The nodal strategy is at its core a transport oriented strategy.

**4:00pm: Citizens to be Heard** (public comment opportunity for any item not listed as a public hearing)

Brian Huntings – Red Cliffs: We have no intention of developing anything commercial. We are here today to clear up rumors. The current owners have put the Red Cliffs into a trust and they want to keep it rural and pretty much the same as it is. The only plan is to enhance the Museum. Workforce housing and transportation in the 128 corridor is hugely important to us.

**Adjournment** 4:00 pm

Motioned by Commissioner Hadler

Seconded by Commissioner

All in favor - all

**REGULAR PLANNING COMMISSION MEETING  
AT 4:30PM**

Commissioner Campbell calls the meeting to order at 4:32 pm

In attendance:

Commissioner Steve Evers, Commissioner Makeda Barkley, Commissioner Emily Campbell, Commissioner Rick York, Commissioner Anthony Mancuso, County Commission liaison Trisha Heidin, Associate Planner Elissa Martin, Planning Director John Guenther, Planner Jenna Gorney

Citizens to be Heard – public comment opportunity for any item not listed as a public hearing - NONE

Ex Parte Communications and Disclosures - NONE

Action Item

1. Approval of meeting minutes from April 11th, 2022

Commissioner York moves to approve.

Commissioner Barkley seconds

All in favor - all

Approved

2) County Commission Update - Trisha Heidin

- At April 19th meeting: first water informational meeting with Mark Stilson
- Colorado River Advisory Council Meeting- Mark Stilson Facilitated that Grand County will have a representative on that Council
- Discussed disposal of real properties in San Juan County - just going through the process to know how. Can we utilize that money on other parcels to advance affordable housing if desired?
- Water exchange : Pack Creek waters with Colorado river water rights

Tony Mancuso: Be cautious when considering a water exchange of Pack Creek with Colorado. Colorado water rights are very important

### 3) Article 3.3.2 Accessory Dwellings code update draft language

Please review the agenda packet and YouTube for full notes on suggested Use Specific Standards language for ADUs

Consider:

- Review Height and setback requirements for 2 story ADU or garage with 2nd floor ADU: consider the option of permitting these on larger lots or by increasing setbacks
- Restrict heights of ADUs on smaller lots (SLR, MFR)?
- Adjusting measurement of these units to - increasing the square footage allowance to 1200 sq ft but changing the measurement of these units to the exterior footprint of the structure as opposed to measuring the interior living space
- Add Restriction to require units to be deed restricted for workforce housing
- Carefully consider State code language requiring the allowance of an internal ADU when an EADU already exist
- Deed restriction already exists to verify only use as long term rentals - change to include these 4 things:
  - Restrict rental periods to minimum of 90 days: currently 30 days
  - Not condominiumized
  - Not for commercial use
  - Workforce housing (in some instances)

Anthony Mancuso: Incentivize and regulate the ADUs in a positive way. This ADU use is a great stop gap. ADUs are a great alternative for seasonal and workforce housing that provides respect.

Steve Evers: This is a great way for the middle class to build wealth with their dwellings in the middle of a housing crisis.

Emily Campbell: Consider the cost prohibitive nature of constructing permanent structures on a property as opposed to allowing trailers as ADU

Trisha Hedin: Infrastructure is important. Hook-ups should be required. GWSSA needs to know how much water is being used.

Emily Campbell: We need to be sure to maintain a standard of living. Staff to revise this draft to include recognition of a nonpermanent standard so long as standard of life is maintained. Being sure to ensure standard of living is important.

Staff Directive: Revise existing draft and definition of ADU to allow non-permanent structures provided infrastructure is in place in order to provide standardization

Rick York: differentiate between mobile home and more permanent housing by way of skirting, wheels off, design requirements, providing utilities, etc.

Tony Mancuso - Expanding ADUs to non-permanent facilities - regardless it needs to meet Health and Building standards. Flush toilets, running water and hook-ups to ensure that residents don't have to be dependent on their landlord to empty their blackwater tank.

Steve Evers: Non-permanent doesn't fit in this section. It should fit in the camping section.

John Guenther: A park Model does not meet the construction codes. Maybe consider a Seasonal Use Non-permanent ADU instead.

ADUs and the evolution of that to include non-permanent dwelling types.

Orion Rogers- Health Department:

- 2 classifications for the Health department for these types of structures: Recreational vehicle sanitation rule - based on dependent and independent facilities/infrastructure:
  - has or needs bathroom facilities (bath houses)
    - Independent: tanks and all fully self-contained
    - Dependent: Bath House etc.
- Recreational
- Non-Permanent structures should not be lumped in with permanent as the building code varies too much between the two.
- Other options available: Castle Valley has a good model as a Temporary Dwelling permit. - allowed to use the RV on personal property but must be re-evaluated every 2 years: They have to come to the Health department for signature and we ensure they have a sewage disposal plan - access to water.
- Ideally, they will always have a sewer hook up, well or water access. If that is not an option, alternatively, they will provide a copy of a Contact with septic pumping company, holding tank option.
- Possible issue: definitions: Building Code, energy code (Yurts, tents, RV's) Consider classifications of "Temporary Dwelling Units"
- Maybe consider 1-2 year Temporary permit

Rick York: Maybe 1st time 1 year permit, then 2 year permit thereafter

Orion Rogers: onsite inspection may not be needed each time provided cooperation with the Building Department

Emily Campbell: Is there a limit to the number of RVs permitted to be used for this purpose on a property.

Orion Rogers: That can be written into code. Emery County is also looking at options like this. Contact Emery County for common code standards.

Steve Evers: Temporary Housing use seems appropriate as opposed to "camping". This type of housing does not fit neatly into other categories.

Review of options, consider allowing private commercial property owners a particular number of these types of non-permanent housing units.

Orion Rogers: Board of Health has defined minimum housing standards that includes requirements such as how many cubic feet of air is needed.

Brief explanation of the difference between Modular vs manufactured, mobile home, trailer

RV: isn't built to building code or HUD standard

Manufactured: comes in on wheels and is built to HUD standards

Mobile home: same as manufactured, built to HUD standard

Modular home: is built to building code standards in pieces. Inspected by a third party, brought in and placed.

Park Model: are no different than an RV - not built to a standard - a little cabin

4) Addressing the illegal camping situation: brainstorm session:

#### Options

- Sticker designation to verify local or visitor use by way of paystub or verification of student school registry: 2-3 months valid. (Not a permanent solution to housing, more a parking solution)
- Local Parking pass for residents
- Designated Parking areas for vanlifers who telecommute – access to wi-fi, bathrooms
- Incentivize seasonal workers to establish residency (car registration)
- Kiosks for a permit at a park center
- Allure of Van life is the lack of expenses.
- Create an RV park on public land, subsidized by grant funding. Charge fee for needed infrastructure.

Do we want to direct staff to explore splitting the definition of campground: keep OAO but also add a campground that could be owned by another agency but restrict it to workforce use.

Employers that want to provide this for their employees: Will vary seasonally. They want to provide this to stabilize their workforce. Employers want to be compliant.

- Expand existing workforce housing permitted on commercial properties to include this option.

Be sure to consider a public option and not just private in order to accommodate remote workers.

If we were to consider allowing this: this can't be a tent city. We need to ensure Health Standards. A publicly subsidized version of this would need to be Board driven like an NGO. It should prioritize the greatest need. Application and vetting process.

- Under Permit & Design requirements should we be considering non-permanent structure as a use here...or there appear to be other ways to address this without adopting into code. Temporary dwelling permit.

#### Continue... Illegal Camping brainstorm: Mobile Dwellings and Vanlifers

- Vanlifers are the only user group that we do not currently regulate
- Parking has an impact on our infrastructure
- Identify which user group the various vehicles fit into (Resident vs tourist)
- Temporary Zone designation for visiting user class: move this use out of neighborhoods, enforcement
- SITLA lands should be considered for transient uses
- Temporary permitting designated with a sticker or parking permit
- Those permits could potentially be issued to those with children enrolled in school or with current pay stub: recognize the holes in that: retired individuals
- When registering vehicles give (sticker) to residents for free
  - This would reduce enforcement with law enforcement
- Recognize that this is a parking issue and should be dealt with as parking enforcement
- Maybe this should be dealt with as a parking issue and not as a n illegal land use: may not be within the purview of the Planning Commission but this is providing a tool
- Paid parking could be a very valuable tool here
- Incentivizing seasonal workers to register and establish residency in this way would allow Grand County to collect valuable data on residency.
- Sticker these permits in the same way that colleges do.
- We provide services to these uses so its important to include them
- Understand that a paid parking location for these uses may not be utilized because the allure of this lifestyle is to not have to pay for these types of things
- If infrastructure is provided at these camp parks or parking facilities, that infrastructure has to be paid for. How to balance that fee so that the facility is utilized but also being affordable enough for that demographic

Direction to staff:

Explore the Several Questions on the table:

Parking: Vanlifers

Split definition of campground

OAO (existing overlay)

Long Term workforce camp park

Employee workforce temp housing: but consider allowing various types, tent, car, RV

Anthony Mancuso: There is a lot of private interest in this (long term camp park). A mosaic of a competitive version of this should exist. Public and Private: Existing Non-profits and Board driven entities could team up to accomplish building a campground facility. This should be need driven. Industry groups could be working together within themselves in order to not focus this as a government program.

There is a lot of private interest in this so start with private sector version of this

Consider using existing available county property for this employee housing use: Property on Murphy lane.

Elissa Martin: currently, the developing language is establishing that the Long Term Camp Park Use will

- Allow a private property owner to develop this park
- Deed restricted for workforce housing
- Hooked up to all utilities

The OAO campground standards allow RV's or a KOA style cabin... we should include a mix of these diff types of dwelling units/campsites. Not pigeonhole to one type of dwelling unit in the park including vans provided a bath house is available.

Makeda Barkley: Can we instill safeguards or incentives to the employer in an effort to keep the employer and employee maintaining a separation of work/life balance.

#### Playback:

- ADU draft language forwarded - we will review tract changes at next meeting
- Urgency here based on State Code
- Staff will develop the Temporary Dwelling Unit permits and Parking enforcement options further
- Identify Various User Groups:
  - Resident User Group
  - Visiting User Group

Rick York - consider allocating some of the transient room tax to help development. Potentially on SITLA lands

#### Future Considerations

6) Public Open House on Future Land Use April 27th & 28th

- Wednesday at GWSSA 4-6pm
- Thursday at Grand Center 4-6pm
- Bill Grimes will present scenario planning
- Listening session on local ideas and concerns

7) Scope of work from BAE

- Scope has been forwarded. Currently in review
- Will bring to a future meeting for review

The County lacks data helpful for creation of codes and enforcement of various housing user groups- better recommendation and more informed decisions would come with more data:  
Design a survey to collect information on the transient population in Moab.

Could a volunteer do these surveys? Maybe a graduate student would want to take on as Master's project. Check with USU.

Adjournment 6:18pm

Motioned by Commissioner York

Seconded by Commissioner Barkley

All in favor - all



# STAFF REPORT

## PLANNING & ZONING DEPARTMENT

**DATE:** Thursday, May 05, 2022

**TO:** Grand County Commission

**SUBJECT:** Workforce housing

**RESPECTFULLY SUBMITTED:** Elissa Martin, Planner

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**STAFF RECOMMENDTION:** Review the below items for discussion and draft code and provide feedback to staff.

**SUMMARY:** P&Z has met with representatives and residents who are camping on private property (in violation of County code), to get feedback on possible solutions to address the lack of affordable seasonal workforce housing in Grand County. Two solutions have come to light:

1. An immediate code update to allow for a “Temporary Dwelling Permit” that would establish health and safety standards on properties where illegal camping is occurring (draft permit standards are in the works but not ready for review).
2. A subsequent ordinance that would establish an overlay zone for “Alternative Dwellings” (Description and draft code below)

### **Alternative dwelling overlay zone for long term or seasonal rentals for local workforce –**

An Alternative Dwelling Overlay (ADO) district would be processed as a rezone request. An ADO would allow a variety of dwelling types on a property including, Koa-Style cabins or tiny homes, modular homes, RV’s or travel trailers and camper vans /trucks.

### **Key development standards and possible sticking points:**

1. ADO developments will be deed restricted for workforce housing and dwelling sites shall be restricted to a minimum occupancy period of 90 days (or maybe less?)
2. ADO’s would be issued a permit /license to operate in order to track compliance
3. How do we enforce compliance? HASU’s capacity for tracking may already be maxed out with their existing responsibilities tracking HDHO units.

4. To incentivize this type of development and keep the rental prices low, consider allowing owner to rent out vacant spots overnight during off season? maybe allow a certain percentage of sites be reserved for overnight rental?
2. Building department: All sites stubbed for utilities, including water and sewer, unless shared service buildings are provided (bathhouse, potable water supply)
  - a. Allow composting toilets?
3. For camper vans or other vehicles that are not self-contained (do not have bathrooms) a shared bathroom must be constructed.
4. Outdoor kitchen area, hot water, dish washing area?
5. For ADO's with 10 or more dwellings, buffering required?
6. Density: 2 dwellings per 0.25 acre, or 8 dwellings per 1 acre
7. Minimum lot size: 0.25 acre
8. Maximum 32 dwellings (minimum 4-acre lot)

# DRAFT CODE

**Disclaimer:** This draft code is in its infancy, and will only be a starting point to begin developing standards for ADO's. Do not mistake any of the language in this draft code as being vetted for accuracy or consistency with local or state laws. This is a conversation piece at this point.

## Alternative Dwelling Overlay District

### 4.6.1 Purpose

The Alternative Dwelling (ADO) Overlay District is intended to designate areas within which RV's, Koa-style cabins or tiny homes, modular homes, and camper vans are permitted for use as long-term rentals (more than 90 days). Alternative style dwellings, while part of the Grand County economy and tradition, are not appropriate in all zone districts and parts of the County. ADO Districts should be applied only to parcel(s) planned for or historically used primarily for such use and activity, accessible directly by an arterial or collector street, and where appropriate and compatible with adjacent land uses and neighborhoods.

The ADO District standards ensure that Alternative Dwelling developments are designed in a manner that addresses the impacts and the increased service needs they generate, including but not limited to traffic, natural resources (e.g., land and water), sewerage, law enforcement, and emergency medical services. The ADO Districts will provide much needed designated workforce housing, which in turn, supports local businesses and the local economy. All ADO developments shall be deed restricted for workforce housing, and will be monitored with great care to prevent their use as overnight rentals.

### 4.6.2 Applicability

The regulations set forth in this section may be applied to real property located within the ADO boundaries shown on Exhibit A to the ordinance codified in this section upon application to and approval by the County Commission pursuant to the provisions herein.

When approving or denying an ADO District application, the Commission shall consider and make findings related to the impact of the proposed development on:

1. Adjacent properties and neighborhoods;
2. The workforce housing supply

Upon approval, and subject to all applicable zoning regulations, the development agreement and master plan shall control development of the applicable real property.

### 4.6.3 Identification on Zoning Maps

Approved ADO Districts and developments shall be indicated on the official Zoning Map.

#### **4.6.4 Allowed Uses**

Uses allowed in the ADO Districts shall be as specified in the underlying base district together with permissible Alternative Dwellings occupied for time periods of more than 90 days. Accordingly, Alternative Dwellings developments shall be allowed to incorporate new residential and commercial uses otherwise allowed by the underlying base district.

#### **4.6.5 Development Standards in ADO Districts**

Unless otherwise specified below, all development in an ADO District shall comply with the development standards of the underlying zoning district and this Section \_\_\_\_

##### **A. Water & Wastewater**

1. ADO developments shall be served by public water and sewer facilities. Each dwelling site shall have hookups to water and sewer, otherwise a bath house must be provided for shared use.
  - a. Primitive sites without water and sewer hookups shall be served by a shared bathhouse located within 200 feet of the site. \_\_\_\_ toilets and \_\_\_\_ showers shall be provided per \_\_\_\_ primitive site.
2. Potable Water supply \_\_\_\_\_
2. ADO developments shall include greywater reuse systems for all shared or group shower or laundry facilities and use the greywater for beneficial on-site uses such as reducing the use of culinary water for landscaping irrigation.
3. ADO developments shall utilize drought-resistant, water-wise, and xeriscape landscaping design principles. Turf grass may not exceed 10 percent of the landscaped area or 3,000 square feet, whichever is less.
4. To the maximum extent possible, ADO developments shall utilize bio-retention and bio-infiltration systems to manage storm water runoff.

##### **B. Other Utilities**

1. All dwelling sites shall have electric and gas stubbed to the site, except primitive sites.

##### **C. Open Space and Common Space**

1. ADO developments shall incorporate into their site plan usable, functional open space together with a public access easement at the following levels:
  - a. Zero to one acre: five percent; all contiguous.

- b. One to two acres: 10 percent; at least half contiguous.
- c. Two to five acres: 15 percent; minimum 7,500 square feet of contiguous.
- d. Five or more acres: 25 percent; minimum 7,500 square feet of contiguous.

#### **D. Height, Density and Scale**

- 1. The minimum lot size for ADO's is 0.25 acre.
- 2. Up to 2 dwelling sites per every 0.25 acre are permitted in ADO's, up to 32 sites.
- 2. Dwelling sites required area:
  - a. RV, travel trailers sites shall be a minimum of \_\_\_\_\_ sq. ft and no larger than 1,000 sq.ft.
  - b. KOA style cabins, tiny homes, modular home sites shall be a minimum of \_\_\_\_\_ sq. ft and no larger than 1,200 sq.ft
  - c. Primitive sites shall be a minimum of \_\_\_\_\_ sq.ft. and no larger than \_\_\_\_\_ sq.ft.
- 3. Each dwelling site shall be at least 30 feet in width
- 4. All dwellings shall not exceed \_\_\_\_\_ sq. ft. measured from the exterior walls.
- 5. Dwellings may be constructed to the maximum height allowed by the underlying zone district.
- 6. ADO developments shall be subject to the ridgeline standards in Section [6.9.8](#).

#### **E. Site Configuration**

- 1. Dwelling sites shall be oriented south facing to the greatest extent possible, to maximize the energy saving benefits of passive solar design.
- 2. Setbacks and maximum lot coverage shall be consistent with the underlying zone.
- 2. ADO developments shall implement design features that create an appealing and active interface with the fronting roadway. Bathhouses or other accessory structures shall not front the roadway.
- 2. All development must fit the topography of the property (building that steps with terrain). No mass grading or grading of a flat building envelope is permitted.
- 3. Additional off-street parking may be required as necessary to mitigate impacts on adjacent land uses and neighborhoods as determined by the Zoning Administrator and County Engineer.

## **F. Dwelling Design**

1. RV's, motorhomes and travel trailers, vans and truck campers \_\_\_\_\_
2. Koa style cabins, tiny homes, pre-fab or modular homes \_\_\_\_\_
3. Primitive sites must provide a concrete slab for parking or tent use and shade either in the form of tree cover or a permanently constructed shade structure.
4. Air conditioning units and similar mechanical requirements should be avoided on rooftop locations, and fully screened from view when unavoidable
5. Plastic or vinyl awnings are not permitted. Awnings must be of solar stabilized materials.
6. 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.

## **G. Materials and Colors**

1. Structures on site shall be constructed of durable primary materials such as stone, brick and adobe-type materials; wood lap siding; fiber cement board lapped, shingled, or panel; metal siding; glass; or engineered stone.
2. Aside from solar panels or other infrastructure related to energy efficiency and water use/reuse, ADO developments shall utilize nonreflective materials.

## **H. Landscaping**

1. The County may require landscaping and screening pursuant to the provisions of Section [6.4](#), Landscaping and Screening; and
2. One tree of a species suitable for the area shall be provided for each two spaces, and shall be located in close proximity to those spaces. (Existing trees on the site may be used to satisfy this requirement.)

### **4.6.6 Use and Occupancy Standards**

All principal and accessory structures in an ADO development shall comply with the following use and occupancy requirements.

- A. Alternative Dwelling developments shall be occupied by actively employed households, as defined in section \_\_\_\_\_

- B.** Dwelling sites that are not in demand between the months of November – February may be rented on a nightly basis (less than 30 days), with a land use permit issued by the Planning & Zoning Department, and a County approved business license. At any point, if the site is deemed necessary by the Housing Authority of Southeast Utah (HASU) for workforce housing, it must be made available for long-term lease (more than 30 days).

#### **4.6.7 ADO District Application**

**A. Preapplication Conference.** Prior to submission of an ADO District application, as defined in this section, the developer shall meet with the Planning and Zoning department, to discuss the procedures, standards, and regulations hereunder. Uses allowed in the ADO Districts shall comply with the use-specific standards of Article [3](#) and development standards of [Articles 6 and 7](#).

**B. Procedure.** An ADO District application shall be reviewed and approved in accordance with the procedures of Section [9.2](#), Text and Zoning Map Amendments (Rezoning), and shall be considered to be a Zoning Map amendment.

**C. Application.** A developer shall submit an ADO District application with the information contained in Section [9.2.3](#) together with a development agreement and master plan as follows:

1. The development agreement shall include the following information:
  - a. Legal description of the property;
  - b. A statement describing the proposed development of the property by gross acre; number of units, common area and open space acreage, and other related development features as proposed by the developer or requested by the County;
  - c. All other required components of the development agreement outlined in Section \_\_\_\_ workforce housing requirements; and
2. The master plan shall include the following information:
  - a. Legal description of the property;
  - b. Identification of all proposed land uses including dwelling types intended for each proposed site, and any non-residential uses;
  - c. Number and location of dwelling sites to be developed on the property;
  - d. Identification of site planning features designed to ensure compatibility and a seamless transition between proposed Alternative Dwellings development and surrounding neighborhoods or site conditions;

e. Identification of sensitive lands within or adjacent to the proposed development and how they will be addressed, including but not necessarily limited to the following:

- (1) Public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation);
- (2) Floodplains and riparian habitats;
- (3) Slopes in excess of 30 percent; and
- (4) Significant geological, biological, and archaeological sites;

f. Location of specific utilities and infrastructure that are designed and installed to conserve limited natural resources such as water. Examples include the incorporation of gray-water reuse systems, implementation of water conserving landscapes, installation of real-time water monitoring systems, and the incorporation of water-efficient fixtures;

g. A narrative that includes:

**D. Recordation.** The developer shall record the development agreement and master plan in the real property records of Grand County, Utah, prior to issuance of a building permit for any unit within a site plan approved hereunder. Once approved, the development agreement and master plan may not be amended or modified without reapplication to the County.

**E. Effect.** Review and consideration of an ADO District application is a discretionary legislative decision. Further, approval of an ADO District application does not constitute site plan, preliminary plat, or final plat approval. Rather, such approval shall be deemed approval of permission to develop under the standards of this section and the master plan.

**F. Lapse of Approval.** The ADO District approval shall automatically expire and be void unless

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**G. Conflict.** In the event of conflict between the provisions of Section [9.2](#) and this Section [4.6.7](#), this section shall control.

**R392. Health, Disease Control and Prevention, Environmental Services.**

**R392-301. Recreational Vehicle Park Sanitation.**

**R392-301-1. Authority and Purpose.**

(1) This rule is authorized under Sections 26-1-5, 26-1-30(9), 26-1-30(23), 26-7-1, and 26-15-2.

(2) This rule establishes minimum standards for the sanitation, operation, and maintenance of a recreational vehicle park, as defined by this rule, and provides for the prevention and control of health hazards associated with a recreational vehicle park that are likely to affect individuals dwelling temporarily therein including risk factors contributing to injury, sickness, death, and disability.

**R392-301-2. Applicability.**

This rule applies to any person who owns or operates a recreational vehicle park, unless specifically exempted by this rule. This rule applies to the repair, maintenance, use, operation, and occupancy of recreational vehicle parks designed, intended for use, or otherwise used for temporary human habitation.

**R392-301-3. Definitions.**

For the purposes of this rule, the following terms, phrases, and words shall have the meanings herein expressed:

(1) "Building Code" means International Building Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

(2) "Dependent recreational vehicle" means a recreational vehicle that is dependent upon a service building for toilet facilities, hand washing facilities, or shower or bathing facilities, and is not designed for connection to water, sewer, or electrical utilities.

(3) "Imminent health hazard" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that can cause infection, disease transmission, vermin infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death.

(4) "Independent recreational vehicle" means a recreational vehicle equipped with electrical appliances, a water-flush toilet, and a sink and bath or shower which, to be functional, may require connection to outside electrical, water, and sewer utilities.

(5) "Local health officer" means the health officer of the local health department having jurisdiction, or a designated representative.

(6) "Operator" means a person responsible for managing or operating a recreational vehicle park.

(7) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire Codes Act.

(8) "Recreational vehicle" means a vehicular unit, other than a mobile home or tiny house, designed as a temporary dwelling for travel, recreational and vacation use, which is either driven or is mounted on or pulled by another vehicle, including: travel trailer, camp trailer, fifth-wheel trailer, folding tent trailer, truck camper, or motorhome.

(9) "Recreational vehicle park" or "RV park" means any site, tract or parcel of land on which facilities have been developed to provide temporary living quarters for two or more recreational vehicles. Such a park may be developed or owned by a private, public or non-profit organization catering to the public or restricted to the organizational or institutional members and their guests only.

(10) "Sanitary dump station" means a facility designed:

(a) in accordance with requirements set by Plumbing Code and the Utah Department of Environmental Quality, Division of Water Quality;

(b) to receive the discharge of wastewater from any holding tank or similar device installed in any recreational vehicle; and

(c) to discharge the contents, in an acceptable manner, to an approved wastewater disposal or treatment system.

(11) "Service building" means a structure within a recreational vehicle park that contains toilet, hand sink, and bathing facilities. It may also include laundry facilities, a vending area, or other service type facilities for RV park occupant use.

(12) "Tiny house", for the purposes of this rule, means a dwelling that is 400 square feet or less in floor area, constructed on a chassis with wheels. A tiny house is not a park model recreational vehicle as defined in 41-1a-101 or any other recreational vehicle type as defined in this rule.

(13) "Wastewater" means discharges from all plumbing facilities including rest rooms, kitchen, and laundry fixtures either separately or in combination.

#### **R392-301-4. General.**

(1)(a) This rule does not require a construction change in any portion of a RV park if the park was in compliance with the law in effect at the time the park was constructed, except as in Subsection R392-301-4(1)(b).

(b) The local health officer may require construction changes if it is determined the RV park or portion thereof

contains an imminent health hazard.

(2) The operator shall carry out the provisions of this rule.

(3) Severability - If any provision of this rule or its application to any person or circumstance is declared invalid, the application of such provision to other persons or circumstances, and the remainder of this rule, shall not be affected thereby.

(4) The operator shall comply with all applicable building, zoning, electrical, health, fire codes and all local ordinances.

(5) The operator shall provide the local health officer with contact information for a park representative who can be available to communicate with the local health officer during all days and times that the RV park is occupied in the event of an imminent health hazard or emergency.

(6) A recreational vehicle park operator or agent shall select or construct a location for the facility that will provide adequate surface drainage. The operator shall make a reasonable effort to locate the facility away from any known existing public health nuisance.

(7) When an operator accommodates dependent recreational vehicles or tents, the operator shall construct and maintain a service building according to the requirements of Section R392-301-7.

(8) A recreational vehicle or a tiny house may be allowed in a RV Park only when:

(a) a data plate or permanent label is attached to the structure that includes:

(i) name of the manufacturer;

(ii) serial number or vehicle identification number (VIN) of the unit;

(iii) date of manufacture; and

(iv) a statement that the unit is designed and manufactured to NFPA 1192 or ANSI A119.5 standards; and when

(b) it has been certified by the Recreational Vehicle Industry Association; or

(c) it has been inspected by a qualified third-party inspection company and certified to be in compliance with the standards in NFPA 1192 or ANSI A119.5.

(9) An electrical installation in a RV park shall comply with Utah Code Title 15A.

#### **R392-301-5. Water Supply.**

(1) Potable water supply systems for use by recreational vehicle park occupants shall be designed, installed, and operated according to the requirements set forth by:

(a) Plumbing Code;

(b) The Utah Department of Environmental Quality, Division

of Drinking Water under Title R309; and

(c) Local health department regulations.

(2) The operator shall provide potable water to each site designed and intended for recreational vehicle use.

(a) This provision may be modified with approval by the local health officer if a service building is provided as in Subsection R392-301-4(7).

(b) Where individual water connections are not provided to sites, common-use water faucets shall be accessible to RV park occupants, and located not more than 300 feet from any site. A threaded spigot is prohibited on any such common-use water faucet providing potable water to a site.

(c) The operator shall design and construct the area immediately around a common-use water faucet (i.e. spigot) to promote surface drainage by using a constructed drain system such as a gravel pit, subsurface drywell, French drain, or seepage trench. The operator shall prevent water in this area from flowing into traffic areas and surface waters, or from pooling, standing, or becoming stagnant. This requirement does not apply to water connections in individual sites.

(d) The operator shall protect water systems against the hazards of cross-connection, backflow, and interior surface contamination of attached hoses.

(3) In any recreational vehicle park or portion thereof where it is not feasible to pipe potable water into the area, an alternate supply of potable water may be permitted upon approval of the local health officer.

#### **R392-301-6. Wastewater.**

(1) All wastewater shall be discharged to a public sanitary sewer system whenever practicable.

(a) Sewer systems for use by recreational vehicle park occupants shall be designed, installed, and operated according to the requirements set forth by:

(i) Plumbing Code;

(ii) The Utah Department of Environmental Quality, Division of Water Quality under Title R317;

(iii) local health department regulations; and

(iv) the local sewer district having jurisdiction.

(b) Where connection to a public sewer is not available, wastewater shall be discharged into an approved wastewater disposal system meeting the requirements of Title R317, Environmental Quality, Water Quality, and local health department regulations.

(c) The operator shall submit all required plans for the construction or alteration of a wastewater disposal system in accordance with Title R317 prior to commencing construction or

alteration.

(2) The operator shall provide a sanitary dump station unless all sites are connected to an approved sewer system. Unless a local health officer approves other means, the operator shall design and construct the sanitary dump station to include the following:

(a) Easy ingress and egress from a service road for recreational vehicles and located not less than 50 feet from any site;

(b) The sewage inlet surrounded by a curbed concrete apron or trough of at least three feet by three feet, sloped to the inlet, and provided with a suitable hinged cover milled to fit tight;

(c) A means for flushing with pressurized water the immediate area and the recreational vehicle wastewater holding tank(s).

(3) If the operator makes sewer service available to each designated site designed and intended to accommodate independent recreational vehicles, the operator shall design, install, operate, and maintain individual connections to the sewer system according to the requirements set by:

(a) Plumbing Code;

(b) the Utah Department of Environmental Quality, Division of Water Quality;

(c) local health department regulations; and

(d) local sewer district having jurisdiction.

(4) When the operator makes sewer service available to an individual site, that sewer connection is not subject to the requirements of Subsection R392-301-6(2).

(5) The operator shall provide tight-fitting covers for all sewer risers.

(6) A trap is prohibited between the sewer riser and sewer lateral.

(7) The connection and connecting line between the recreational vehicle drain outlet and the sewer riser shall be watertight and self-draining.

(8) The rim of the sewer riser shall extend not more than 4 inches above adjacent ground surface elevations. Surface drainage shall be directed away from the sewer riser.

(9) The operator shall prohibit dependent recreational vehicles and tents in a recreational vehicle park unless effective means are provided to collect and contain dishwashing, bathing or other liquid waste material and to properly dispose of these wastes by means approved by the local health officer.

(10) If the operator provides laundering facilities, the equipment shall discharge wastewater as required in Subsection R392-301-6(1).

**R392-301-7. Service Building.**

(1) All structures used in a recreational vehicle park shall be of permanent construction, meeting the requirements of Building Code.

(2) Each recreational vehicle park in which sites are set aside for dependent recreational vehicles or tents, as in R392-301-4(7), shall be provided with a service building or buildings for the use of park occupants.

(3) Service buildings shall meet the following requirements:

(a) Except as provided in Subsection R392-301-7(3)(b)(i), separate toilet rooms within the service building shall be provided for each sex. These rooms shall be distinctly marked "for men" and "for women" by signs printed in English, or marked with easily understood pictures or symbols.

(b) Each service building shall have one toilet, one hand sink, and one bath fixture for each sex for each 15 sites set aside in Subsection R392-301-4(7), or fraction thereof.

(i) Where a toilet room will be occupied by no more than one person at a time, can be locked from the inside, and contains at least one toilet, separate toilet rooms for each sex need not be provided.

(c) A service building shall be located not less than 15 feet and not more than 500 feet from any site designated for dependent recreational vehicles.

(d) A service building shall be provided with adequate light, heat and ventilation.

(e) A service building shall be properly maintained clean and shall be constructed of smooth, moisture resistant finish materials to withstand frequent washing and cleaning.

(4) The operator shall maintain each service building in a clean and sanitary condition.

(5) Clean individual disposable towels shall be provided near handwashing sinks. Alternate hand drying methods approved by the local health officer may be substituted for individual disposable towels.

(6) The operator shall provide soap and waste receptacles with lids in each service building.

(7) For each toilet room within a service building, the operator shall provide:

(a) toilet tissue in suitable dispensers; and

(b) at least one solid, easily cleanable, covered waste receptacle for the collection of solid waste; or

(c) at least one solid, easily cleanable, uncovered waste receptacle and a sanitary napkin receptacle.

**R392-301-8. Operation and Maintenance.**

(1) The operator shall maintain all buildings, rooms, and equipment, including furnishings and equipment in RV park areas, and the grounds surrounding them in a clean and operable condition, free of litter and debris.

(2) Where electric power is available, service buildings shall be equipped with outside lighting to indicate the location and entrance doorways of each.

(3) Where necessary, all reasonable means shall be employed to eliminate or control infestations of vermin, vectors, or pests within all parts of a RV park. This shall include approved screening or other approved control of outside openings in structures intended for occupancy.

(4) The operator shall maintain interior roads and parking areas in a manner that prevents harborage for vermin.

**R392-301-9. Food Service.**

When food service is provided for RV park occupants, food service, storage, and preparation shall comply with the FDA Model Food Code as incorporated and amended in Rule R392-100 and local health department regulations.

**R392-301-10. Solid Wastes.**

(1) The operator shall provide adequate containers to prevent the accumulation of solid waste in the RV park.

(2) Solid waste generated at a RV park or picnic area shall be stored in a leak-proof, non-absorbent container, which shall be kept covered with a tight-fitting lid.

(3) All solid wastes shall be disposed with sufficient frequency and in such a manner as to prevent insect breeding, rodent harborage, or a public health nuisance.

**R392-301-11. Swimming Pools.**

The operator shall comply with Rule R392-302, Design, Construction, and Operation of Public Pools as well as other local health department regulations for all pools or spas made available to RV park occupants or staff.

**R392-301-12. Inspections and Investigations.**

(1)(a) Upon presenting proper identification, the operator shall permit the local health officer to enter upon the premises of a recreational vehicle park to perform inspections, investigations, reviews, and other actions as necessary to ensure compliance with Rule R392-301.

(b) The local health officer may not enter an occupied recreational vehicle without the express permission of the occupant except when a warrant is issued to a duly authorized public safety officer which authorizes the local health officer to

enter, or when the operator and the local health officer determine that there exists an imminent risk to the life, health, or safety of the occupant.

**R392-301-13. Closing or Restricting Use of Recreational Vehicle Parks or Sites.**

(1) If a local health officer deems a recreational vehicle park, site, space, or portion thereof to be an imminent health hazard, the park, site, or space may be closed or its use may be restricted, as determined by the local health officer.

(2) The operator shall restrict public access to the impacted area of any recreational vehicle park, site, or space closed or restricted to use by a local health officer within a reasonable time as ordered by the local health officer.

(3) It shall be unlawful for an operator to allow the public to utilize any recreational vehicle park, unit, space, or portion thereof that has been deemed unfit for use until written approval of the local health officer is given.

**KEY: public health, recreation areas, RV parks, recreational vehicles**

**Date of Enactment or Last Substantive Amendment: September 10, 2018**

**Notice of Continuation: November 8, 2016**

**Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-1-30(9); 26-1-30(23); 26-7-1; 26-15-2**

**R392. Health, Disease Control and Prevention, Environmental Services.**

**R392-300. Recreation Camp Sanitation.**

**R392-300-1. Authority and Purpose.**

(1) This rule is authorized under Sections 26-1-5, 26-1-30(23), and 26-15-2.

(2) This rule establishes definitions; sets standards for health and welfare of individuals and for the prevention of the spread of disease in or from a recreational camp.

**R392-300-2. Applicability.**

This rule applies to any person who owns or operates a camp in Utah, unless specifically exempted. This rule applies to the repair, maintenance, use, operation, and occupancy of camps or campsites designed, intended for use, or otherwise used for temporary human habitation in Utah. This rule does not apply to primitive or backcountry camping.

**R392-300-3. Definitions.**

For the purposes of this rule, the following terms, phrases, and words shall have the meanings herein expressed:

(1) "Camp" means any day-use area, primitive camp, modern camp, semi-developed, or semi-primitive campground.

(2) "Day-use area" means an area in which human occupation is limited specifically to day use, and does not include overnight sleeping accommodations. A day-use area may include any parcel or tract of land designated as a recreation park, picnic grounds, or recreational area located within the confines of an organized recreation camp.

(3) "Local health officer" means the health officer of the local health department having jurisdiction, or designated representative.

(4) "Modern camp" means a campground of two or more campsites accessible by any type of vehicular traffic, and having permanent buildings for sleeping, a potable water supply under pressure, and food service facilities. Modern camps may be operated on a seasonal or short-term basis, and may include privately owned campgrounds such as youth camps, boy or girl scout camps, mixed-age group camps, summer camps, athletic camps, family group camps, or camps that are operated and maintained under the guidance, supervision or auspices of religious, public and private educational, and community service organizations.

(5) "Operator" means a person with ownership or overall responsibility for managing or operating a camp in the State of Utah.

(6) "Plumbing Code" means International Plumbing Code as incorporated and amended in Title 15A, State Construction and Fire

Codes Act.

(7) "Primitive" or "Back-country" means camping in a completely naturalized wilderness location that is in no way preconditioned for camping, and where no services or amenities are provided to the camper.

(8) "Service building" means a permanent structure located within a camp that contains toilet, hand sink, or bathing facilities for use by recreation camp occupants.

(9) "Semi-developed" means a campground of two or more campsites where potable water services are made available. These campsites are accessible by any type of vehicular traffic and are not furnished with permanent sleeping or culinary buildings. Roads, trails and campsites are defined, basic facilities (toilets or privies, tables, fire pits or tent pads) are provided. These camps include state forest campgrounds, privately owned campgrounds, and youth camps.

(10) "Semi-primitive" means a campground where potable water services are not available. Rudimentary facilities including vault privies or earthen pit privies and fire pits are present.

(11) "Wastewater" means discharges from all plumbing facilities including, rest rooms, kitchen, and laundry fixtures either separately or in combination.

#### **R392-300-4. General.**

(1) This rule does not require a construction change in any portion of a camp if the camp was in compliance with the law in effect at the time the camp was constructed, except as in R392-300-4(1)(a).

(a) The local health officer may require construction changes if it is determined the camp or portion thereof is dangerous, unsafe, unsanitary, or a nuisance or menace to life, health, or property.

(2) The operator shall carry out the provisions of this rule.

(3) Severability - If any provision of this code, or its application to any person or circumstance is declared invalid, the application of such provision to other person or circumstances, and the remainder of this code, shall not be affected thereby.

(4) The operator shall comply with all applicable building, zoning, electrical, health, fire codes and all local ordinances.

(5) Campsites, including day-use areas, shall be constructed to provide adequate surface drainage, and shall be isolated from any existing or potential public health hazard or nuisance.

#### **R392-300-5. Water Supply.**

(1) Potable water supply systems for use by public lodging occupants shall be designed, installed, and operated according to

the requirements set forth by:

- (a) Plumbing Code;
  - (b) The Utah Department of Environmental Quality, Division of Drinking Water under Title R309; and
  - (c) local health department regulations.
- (2) The operator shall ensure that each day-use area and modern or semi-developed camp is provided with potable water.
- (a) Where individual water connections are not provided to camp sites, common-use water faucets shall be accessible to camp occupants, and located not more than 300 feet from any camp site.
  - (b) A threaded spigot is prohibited on any water faucet providing potable water to a camp.
  - (c) The operator shall ensure that the area immediately around a water faucet (i.e. spigot) is designed to promote surface drainage by using a constructed drain system such as a gravel pit, subsurface drywell, French drain, or seepage trench. The operator shall prevent water in this area from flowing into traffic areas and surface waters, or from pooling, standing, or becoming stagnant.
- (3) The operator may be required to sample water systems operated on a seasonal basis for bacteriologic analysis, as determined by the local health officer.
- (4) When a semi-primitive camp is provided with potable water, the operator shall comply with all requirements of R392-300-5.

**R392-300-6. Wastewater Disposal Requirements.**

- (1) The operator shall make sewer service available to any modern camp or semi-developed camp.
- (2) Sewer systems for use by camp occupants shall be designed, installed, and operated according to the requirements set forth by:
- (a) Plumbing Code;
  - (b) The Utah Department of Environmental Quality, Division of Water Quality under Title R317; and
  - (c) local health department regulations.
- (3) All wastewater shall be discharged to a public sanitary sewer system whenever practicable.
- (a) Where connection to a public sewer is not practicable, wastewater shall be discharged into an approved wastewater disposal system meeting the requirements of Title R317, Environmental Quality, Water Quality, and local health department regulations.
  - (b) The operator shall submit all required plans for the construction or alteration of a wastewater disposal system in accordance with Title R317 prior to commencing construction or alteration.

(4) Sanitary vault privies or earthen pit privies shall be located, constructed, and maintained according to the requirements of Rule R317-560 and local health department regulation in such a manner that:

- (a) users do not contact waste matter deposited;
- (b) access to the privy interior or vault is minimized for flies, insects, rats, and other animals;
- (c) surface or ground water cannot enter the vault or pit, either as runoff or as flood water;
- (d) the waste material in the privy cannot contaminate a water supply, stream, or body of water; and
- (e) odors are minimized both inside and outside the privy structure.

(5) The operator shall take measures to ensure that campers do not defecate or urinate or otherwise dispose of human waste except at designated privies or toilet facilities.

**R392-300-7. Required Plumbing - Modern Camps.**

(1) The minimum plumbing fixtures to be provided for modern camps shall be based on 50 percent of the total number of occupants being male and 50 percent being female, except where the camp is used exclusively by one gender, and shall be calculated from Table I.

(a) Showers and sinks shall be provided with hot and cold potable water.

TABLE I  
Required Minimum Plumbing Fixtures For Modern Camps

Plumbing Fixtures	Ratio of Plumbing Fixtures For Number of Camp Occupants		
	Males	Females	Both Sexes
Toilets	1:40*	1:25*	--
Sinks	1:35*	1:35*	
Showers	1:35*	1:35*	
Drinking			
Fountains	--	--	1:300*
Service Sink	--	--	1 per service building
Potable Water Faucet	--	--	1 per service building

\*Or fraction thereof

(2) Sinks shall be located either in the same room as toilets, or immediately adjacent to the service building.

(3) Urinals may be substituted for up to half of the

required number of toilets for males, provided the urinal is installed in addition to a toilet at the same location.

(4) Service buildings shall be located not less than 15 feet and not more than 300 feet from any living and camping spaces served, unless integrated into a permanent building at a modern camp.

(5) Soap and toilet tissue in suitable dispensers and waste receptacles with lids shall be provided in each service building.

(6) Clean individual disposable towels shall be provided at each sink. Alternate hand drying methods approved by the local health officer may be substituted for individual disposable towels.

(7) The operator shall maintain each service building in a clean and sanitary condition.

**R392-300-8. Required Plumbing -- Semi-Developed Camps.**

(1) For semi-developed camps, the minimum plumbing fixtures to be provided shall be based on the number of sites, according to Table II.

(a) The operator shall calculate the minimum required number of fixtures according to Table II.

TABLE II  
Required Minimum Plumbing Fixtures for Semi-Developed  
Camps

Plumbing Fixtures	Ratio of Plumbing Fixtures Per Number of Camp Sites
Toilets or vault privies	1:15*
Potable Water Faucet	1:15*

\*Or fraction thereof

**R392-300-9. Required Plumbing -- Day Use Areas.**

The minimum plumbing fixtures to be provided for day use areas shall be calculated from Table III.

TABLE III  
Required Minimum Plumbing Fixtures for Day Use Areas

Plumbing Fixtures	Ratio of Plumbing Fixtures Per Number of Day Use Sites
Toilets or vault privies	1:15*
Potable Water Faucet	1:15*

\*Or fraction thereof

**R392-300-10. Operation and Maintenance.**

(1) When tents, or permanent or semi-permanent buildings are provided by the operator, they shall:

- (a) be of sound construction;
- (b) assure adequate protection against the weather;
- (c) include essential facilities to permit maintenance in a clean and operable condition;
- (d) include openable windows or mechanical ventilation; and
- (e) provide adequate storage for personal belongings.

(2) In open bay type sleeping areas containing four or more beds, the operator shall separate beds by a horizontal distance of at least five feet, reducible to three feet if beds are alternated head to foot, except in the case of double stacked bunks, which shall have a minimum horizontal separation of six feet under all circumstances. If partitions are utilized to preclude face-to-face exposure between beds, spacing requirements may be modified to a minimum separation distance of three feet between adjacent beds upon approval of the local health officer.

(3) (a) Each provided bed, bunk, or cot shall be maintained in a sanitary condition.

(b) Mattresses, mattress covers, quilts, blankets, pillows, pillowcases, sheets, bedcovers, and other bedding shall be kept clean and in good repair.

(c) A sheet shall be provided for each bed, and shall be large enough to cover the top and all four sides of the mattress.

(d) A pillowcase shall be provided for each supplied pillow.

(e) Supplied bedding shall be replaced with clean linen, including sheets and pillowcases, before new occupant use.

(4) All buildings, rooms, and equipment, including furnishings and equipment in camping areas, and the grounds surrounding them shall be maintained in a clean and operable condition.

(5) Where electric power is available, service buildings shall be provided with outside lighting to indicate the location and entrance doorways of each.

(6) Where necessary, all reasonable means shall be employed to eliminate or control infestations of vermin, vectors, or pests within all parts of any camp. This shall include approved screening or other approved control of outside openings in structures intended for occupancy or food service facilities.

(7) Each modern camp shall be equipped with at least a 24-unit ANSI compliant first aid kit. The operator shall ensure that each first aid kit is:

- (a) properly stocked;
- (b) readily accessible; and

(c) conveniently located in critical areas.

(8) The operator of a camp with onsite staff shall employ at least one individual who is adequately trained to render first aid. This individual should possess at least a certificate of completion of the Basic First Aid Course as presented by the American National Red Cross or its equivalent.

**R392-300-11. Food Service.**

When food service is provided for camp occupants, food service, storage, and preparation shall comply with the FDA Model Food Code as incorporated and amended in R392-100 and local health department regulations.

**R392-300-12. Solid Wastes.**

(1) The operator shall provide adequate containers to prevent the accumulation of solid waste in the camp.

(2) Solid waste generated at a camp or picnic area shall be stored in a leak-proof, non-absorbent container, which shall be kept covered with a tight-fitting lid.

(3) All solid wastes shall be disposed with sufficient frequency and in such a manner as to prevent insect breeding, rodent harborage, or a public health nuisance.

**R392-300-13. Swimming Pool.**

The operator shall comply with Rule R392-302, Design, Construction, and Operation of Public Pools as well as other local health department regulations for all pools or spas made available to camp occupants or staff.

**R392-300-14. Inspections and Investigations.**

(1)(a) Upon presenting proper identification, the operator shall permit a local health officer to enter upon the premises of a camp to perform inspections, investigations, reviews, and other actions as necessary to ensure compliance with Rule R392-300.

(b) The local health officer may not enter an occupied tent or other structure designed or intended for temporary human habitation without the express permission of the occupant except when a warrant is issued to a duly authorized public safety officer which authorizes the local health officer to enter, or when the operator and the local health officer determine that there exists an imminent risk to the life, health, or safety of the occupant.

**R392-300-15. Closing or Restricting of Camps or Sites.**

(1) If a local health officer deems a camp, campsite, or portion thereof to be an imminent risk to the life, health, or safety of the public, the area may be closed or its use may be

restricted, as determined by the local health officer.

(2) Within a reasonable time as ordered by the local health officer, the operator shall restrict public access to the impacted area of any camp, campsite, or portion thereof that has been closed or restricted to use by a local health officer.

(3) It shall be unlawful for an operator to allow any person to occupy a camp or campsite that has been deemed unfit for human habitation until written approval of the local health officer is given.

**KEY: camp, campground, public health, recreation areas**

**Date of Enactment or Last Substantive Amendment: March 26, 2018**

**Notice of Continuation: November 8, 2016**

**Authorizing, and Implemented or Interpreted Law: 26-15-2**

**Agenda Summary**  
**GRAND COUNTY PLANNING COMMISSION**  
**May 9, 2022**

<b>TITLE:</b>	Public hearing to consider an ordinance approving a Planned Unit Development to 73 acres on Parcel No.s 02-0014-0020, 02-0014-0018 and 02-0014-0013 located at property along Westwater Drive and Steel Bender Trail
<b>FISCAL IMPACT:</b>	
<b>PRESENTER(S):</b>	Elissa Martin, Associate Planner

**Prepared By:**  
*ELISSA MARTIN*  
**GRAND COUNTY  
 PLANNING &  
 ZONING**

**FOR OFFICE USE  
 ONLY:**

**Attorney  
 Review:**

Pending

**POSSIBLE MOTION :**

I move to:

Send a favorable/unfavorable recommendation to County Commission regarding the proposal for a Planned Unit Development with associated Master Plan and Development Agreement for the 73 acres of land commonly known as Parcel No.s 02-0014-0020, 02-0014-0018 and 02-0014-0013 located at 2140 Steelbender Trail, 3890 Westwater Drive, and 3870 Westwater Drive in Moab, Utah.

This recommendation is based on the proposed development’s ability to meet the purpose and intent of the Planned Unit Development overlay district as described in Land Use Code Section 4.4.1 Purpose and Intent.

**1) 4.4.1. Purpose and Intent**

- A. Promote flexibility in the siting of structures so as to preserve and take advantage of the site’s unique, natural, resource or scenic features and to avoid or mitigate any hazardous area;
- B. Provide density bonus incentives in the interest of creating affordable housing and beneficial open space;
- C. Encourage more efficient use of land and public streets, utilities, and governmental services;
- D. Promote a clustering development pattern in the interest of preserving rural character;
- E. Preserve open space for the benefit of residents of developments and the community;
- F. Achieve a compatible land use relationship with surrounding areas; and
- G. Promote greater variety in the type and design of buildings and thereby improving the character and quality of new development.

**STAFF RECOMMENDATION: NEUTRAL**

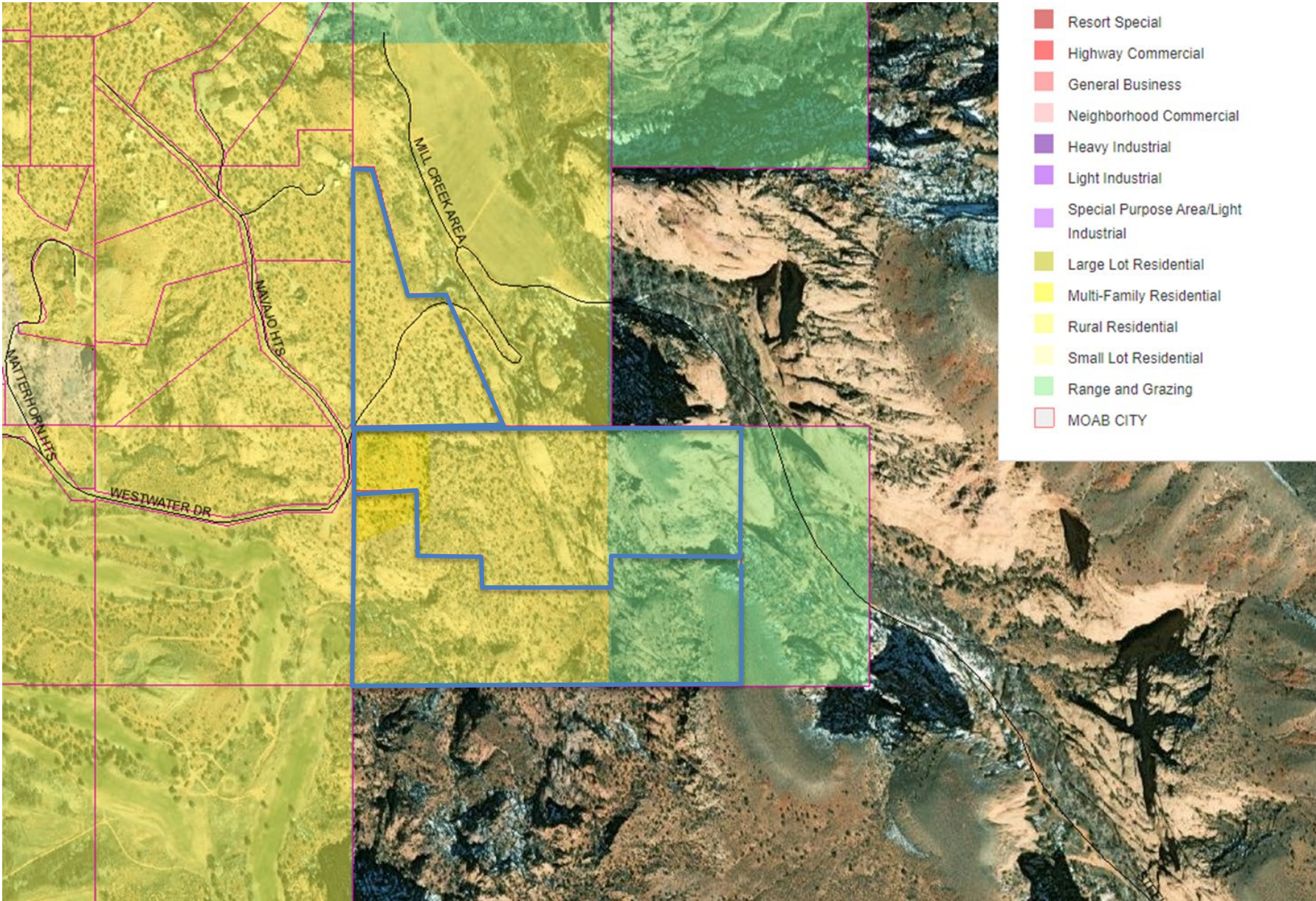
**BACKGROUND**

The subject parcels are currently undeveloped residential land zoned Rural Residential, Multi-Family Residential and Range and Grazing.

**ATTACHMENT(S):**

1. Staff Report
2. Rezone Application Information
  - a. Boundary Survey/Vicinity map
  - b. Master Plan
  - c. Master Plan Narrative
  - d. Title (Available Upon Request)
  - e. Tax Roll (Available Upon Request)
  - f. Application (Online Submittal: info available upon request)

# Vicinity Map





# STAFF REPORT

## PLANNING & ZONING DEPARTMENT

### GRAND COUNTY, UTAH

**DATE:** April 25, 2022

**TO:** Grand County Planning Commission

**SUBJECT:** Red Rock Development, Planned Unit Development Rezone Request

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**PROPERTY OWNER:** Red Rock Development Group, LLC

**PROP. OWNER REP:** Nicholas Kanaan

**PROPERTY ADDRESS:** 2140 Steel Bender Trail (Parcel No. 02-0014-0020)  
3890 Westwater Drive (Parcel No. 02-0014-0018)  
3870 Westwater Drive (Parcel No. 02-0014-0013)

**SIZE OF PROPERTY:** 73 acres

**EXISTING ZONE:** Range & Grazing (RG), Rural Residential (RR), Multi-Family Residential (MFR)

**EXISTING LAND USE:** Undeveloped

**ADJACENT ZONING AND LAND USE(S):** Zones: Rural Residential (RR), Range & Grazing (RG) Uses: Residential, Vacant, Moab Golf Course

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#### APPLICATION TYPE

Rezone Request: Planned Unit Development

#### APPLICATION PROCEDURE

*Decision Type:* Legislative

*Public Notices:*  Public Meeting at:

Planning Commission

County Commission

Public Hearing at:

Planning Commission

County Commission

Attachments:

1. Boundary Survey
2. Master Plan
3. Master Plan Narrative
4. Title (Available Upon Request)
5. Tax Roll (Available Upon Request)
6. Application (Online submittal: info available upon request)

#### SUMMARY OF REQUEST

The Applicant is requesting a Planned Unit Development rezone for the property located at 2140 Steel Bender Trail, and 3890 and 3870 Westwater Drive. This request would allow development of 54 lots ranging in size from .21 acres to .86 acres for construction of Single Family Dwellings. Proposed

recreational facilities include a Pickle ball area, sand volleyball, basketball, cornhole, horseshoes, bocce ball courts, a yoga pavilion, shade pergola, pool and clubhouse.

The PUD will allow residential density to be clustered on the lower/flatter portions of the site, away from the viewshed of the roads and valley below, while preserving approximately 35% (25 acres) of the property on the upper elevations as open space.

### **PROPERTY HISTORY**

The subject parcels are located adjacent to the Moab Golf Course and have acted as the entrance corridor to the Steelbender Safari off Highway Trail as well as other walking trails. This area also overlooks the Mill Creek Canyon.

### **SITE IMPROVEMENTS / ADDITIONS / CHANGES**

No site improvements are required at this time for a Planned Unit Development to be applied to a property however later site improvements in connection to the subdivision of the 54 lots, the required road improvements throughout the development, and construction of the recreational facilities will be in accordance with requirements of Article 3 (Use Regulations), Article 5 (Lot Design Standards), Article 6 (General Development Standards), and Article 9 (Administration and Procedures) of the Grand County Land Use Code as well as Grand County Construction Standards and the International Building Code.

## **I. ISSUES FOR CONSIDERATION**

### **A. Conformance with Grand County Land Use Code (LUC)**

#### **4.1.2 Special Purpose and Overlay Districts**

Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.

#### **1) 4.4 PUD – Planned Unit Development**

The -PUD, Planned Unit Development is an overlay district designed to provide for modification of the otherwise applicable dimensional and density standards of the underlying base district as specified in Article 5, Lot Design Standards, in order to accomplish one or more of the following purposes:

- A. Promote flexibility in the siting of structures so as to preserve and take advantage of the site's unique, natural, resource or scenic features and to avoid or mitigate any hazardous area;
- B. Provide density bonus incentives in the interest of creating affordable housing and beneficial open space;
- C. Encourage more efficient use of land and public streets, utilities, and governmental services;

- D. Promote a clustering development pattern in the interest of preserving rural character;
- E. Preserve open space for the benefit of residents of developments and the community;
- F. Achieve a compatible land use relationship with surrounding areas; and
- G. Promote greater variety in the type and design of buildings and thereby improving the character and quality of new development.

The proposed PUD meets the overall net density requirements of the base zoning districts and the intent of a PUD as described above. The development proposes a configuration of lots which allows for open space and the preservation of the viewshed by clustering the permitted density.

**a) 4.4.11 PUD Master Plan Requirement**

In approving a -PUD district development in accordance with this section, the County Commission shall require a master plan of the development. A comparison of the proposed development with the standards of underlying zoning district and a statement by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations;

- A. A statement by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations;
- B. Identification of lands that include public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation); floodplains and riparian habitats; slopes in excess of 30 percent, and significant geological, biological, and archeological sites (not all of these will apply to every parcel);
- C. Identification of site planning features designed to ensure compatibility between on-site residential and nonresidential uses, and with the surrounding neighborhood and land uses;
- D. A narrative addressing the proposed development explaining and tabulating the land uses by gross acre, number of dwelling units by housing type, residential density and/or square footage of non-residential uses per gross acre, common area and open space acreage, potential traffic generation, overall character and architectural style, the relationship of the

proposed development to existing development in the area and other related development features;

E. A site plan prepared in accordance with the requirements of Section 9.17 shall be approved and filed with the findings of fact as part of the approval; including but not limited to, major roads, trails and trail connections, major utilities, existing and proposed land uses, common area, open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads;

F. Dimensional standards to be modified within the -PUD district relative to the underlying base district standards;

G. A statement of how the proposed development is consistent with the General Plan; and

H. Other relevant information as may be requested by the Zoning Administrator.

The applicant has submitted a Master Plan and Master Plan narrative that meets all of the requirements per LUC section 4.4.11.

## 2) 4.5 **WSPO Water Source Protection Overlay**

The -WSPO, Water Source Protection Overlay District is an overlay district intended to protect ground water and the recharge basin for current and future public, culinary water supplies in Grand County. To this end, the -WSPO district shall be applied to recharge areas designated according to U.S. EPA Sole Source Aquifer recharge area and approved by the Utah Division of Drinking Water, or other resource specific study approved by the state engineer. Land uses within the -WSPO district are strictly limited and subject to conditions designed to prevent chemical or pathogen contamination of culinary water supplies

a) Applicants proposing development within the WSPO shall comply with the District Standards as set forth in LUC section 4.5.

A. A hydrological study may be required as a condition of any land use and/or development approvals, where such land use and/or development could reasonable harm culinary water supplies;

B. Animals and animal units may be restricted or prohibited in the -WSPO district as necessary to protect the underlying aquifer and to ensure compliance with the Drinking Water Source Protection Rules of the Drinking Water Division of the State of Utah; animal feeding operations exceeding one animal unit per 10 acres are prohibited;

C. All development shall be setback at least 100 feet from the normal high water line of springs, streams and major drainage ways;

D. No onsite wastewater disposal systems (i.e., septic systems) or wells shall be permitted, unless the applicant demonstrates to the satisfaction of the County that the risks to water quality are reasonably mitigated;

E. No underground storage tanks used to store hazardous substances shall be permitted;

F. All sewer mains and service lines shall be constructed in accordance with State of Utah, Division of Drinking Water Rule R309-515-6(4); all sewer mains shall be accepted by the applicable service provider for ongoing operation and maintenance;

G. All stormwater runoff from developed roads and lots shall receive water quality treatment prior to entering the stormwater system; provision shall be made for the ongoing maintenance and repair of all stormwater facilities be stipulated (See also Section 6.7, Drainage);

H. Development in the –WSPO district shall be subject to the County approval of a site specific construction practices plan that addresses such items as spill mitigations, handling of equipment lubricants and fuels, construction trash collection, etc.;

I. Construction plans shall include a construction stormwater pollution prevention plan that addresses temporary controls to be employed during construction activities; and

J. Protective covenants be adopted that serve to discourage the use of household herbicides, pesticides, and fertilizers with an explanation about Water Source Protection.

K. Additional conditions may be established at the time of development approval as necessary to accomplish the purposes of the –WSPO district.

L. Alternative Compliance

a) Because this development lies within the City of Moab's Drinking Water Source Protection Zone (Glen Canyon Aquifer) designated as a WSPO as described above, the applicant will be required to comply with state statutes regarding these protection zones. This includes the submission and approval of a Drinking Water Source Protection Plan (during Civil Plan Approval: Final Plat Subdivision) which will be reviewed by the City of Moab Engineer as well as the County Engineer. The submission and review of this document will verify compliance with the above requirements and identify and concerns with the proposed development as related to the Water Protection Area.

Regarding utilities: The proposed utility systems will be designed in accordance with the Glen Canyon Aquifer by using sealed utility technologies described as acceptable in the Water Source Protection Plan and tying into the GWWSA sewer system that runs along Westwater Road. The development will not utilize individual wells or on-lot septic systems.

Significant historic drainages are to remain and drainage from roads and parking areas is to be pre-treated before release. Impervious surfaces are minimized by clustering development to minimize long roads and utility systems high on the hillside.

The applicant will not be using any septic systems or leach fields. There will be no industrial or commercial enterprise on the land. Furthermore, all units will be landscaped with xeriscape principles to reduce irrigation, water usage, erosion, and drainage issues.

The City and County Engineers have determined that the initial layout of the development is acceptable. Final approval will be pending civil and other supplemental plan review.

#### **5.4.1. D. Constrained Lands**

a) Per Land Use Code section 5.4.1. D (2), the proposed development is classified as Constrained Lands as it is located in the City of Moab “public drinking water supply source” (Glen Canyon Aquifer).

b) Per LUC section 5.4.1. D (1), as an area classified as Constrained Lands, the density allowance for the development is required to be reduced by 50% the allowance of the underlying zoning district.

Density Chart for the development showing such density reduction calculations:

PROJECT SUMMARY TABLE:	
TOTAL ACREAGE:	73.00 ACRES
ZONE RR:	48.29 ACRES
ZONE RG:	20.00ACRES
ZONE MFR:	4.71 ACRES
CONSTRAINED LANDS*:	73.00 ACRES
ALLOWABLE DENSITY:	
MFR: 8 UNITS/ACRE=	37.68 UNITS
RR: 1 UNIT/ACRE=	48.29 UNITS
RG: .2 UNIT/ACRE=	4 UNITS
TOTAL=	89.97 UNITS
*CONSTRAINED LANDS:	50% DENSITY REDUCTION
TOTAL=	45 UNITS
OPEN SPACE	
DENSITY BONUS:	20% OPEN SPACE DENSITY BONUS
TOTAL OPEN SPACE:	25.46 ACRES
PERCENT OPEN SPACE:	35%
TOTAL UNITS W/BONUS=	54 UNITS
PROPOSED UNITS:	13 TOWNHOMES 37 SINGLE FAMILY LOTS 4 LUXURTY SINGLE FAMILY LOTS 54 TOTAL UNITS
*THE PROJECT IS LOCATED WITHIN THE THE CITY OF MOAB DRINKING WATER SOURCE PROTECTION (DWSP) ZONES 2-4, AND 10 AS DEFINED IN THE MOAB CITY SPRINGS AND WELLS (MCSW) STUDY	

c) Per LUC section 5.4.1. D (2) Constrained lands are also identified as those lands with natural slope of 30% or greater.

1) Those areas will be identified at the Preliminary and Final Subdivision Plat and will remain unoccupied by buildings or impervious surfaces. 50% density reduction accounted for.

**4.4.10 Open Space, Density Bonus Incentives**

A density bonus of up to 20 percent may be approved at the discretion of Planning Commission for projects providing 20 percent or more open space.

Beneficial open space eligible for the density bonus shall provide the following:

B. Open space that promotes access to public lands, connections to existing or planned trails, and riparian and historic trail corridors. Such open space shall be freely accessible to the general public, and clearly identified by on-site signage. Trails shall be constructed in accordance with Section 7.4 and maintained by the mandatory homeowners association in accordance with Section 9.6.

The applicant is asking for an open space density bonus of 20% based on their commitment to designate >20% of land to open space preservation and public enjoyment. The Master Plan designates open space intended to provide public access to existing trails and significant geological sites on the property such as the “Gunsight Tower” or “Golf Tee Tower” on the ridgeline.

### **Open Space requirements**

#### 6.11.2 Open Space Standards

All land proposed for dedication or as open space shall substantially comply with the following standards:

A. The open space shall not be devoted to use as streets, roads, parking or driveways.

B. The open space shall be left in its natural or undisturbed state, or properly planned and landscaped according to approved plans; provided, however that such lands may be used for storm water management, agricultural use, gardens, parks, playgrounds, sidewalks, non-motorized pathways and trails, and other similar non-roofed recreational facilities.

C. The minimum width for any required open space shall be 50 feet (exceptions may be granted for items such as trail easements, mid-block crossings, linear parks/medians, when their purpose is consistent with the intent of the general plan and this subsection).

D. At least 60 percent of the required open space shall be in a contiguous tract. For the purposes of this subsection, contiguous shall include any open space bisected by a residential street (including a residential collector), provided that:

1. A pedestrian crosswalk is constructed to provide access to the open space on both sides of the street; and

2. The rights-of-way area is not included in the calculation of minimum open space required.

E. The open space shall adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.

F. The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe, convenient access to the open space (i.e. Mid-block connections in logical locations). No lot within the subdivision shall be further than a 1,200 foot radius from the required open space. This radius shall be measured in a straight line, without regard for street, sidewalk or trail connections to the open space.

G. At least 25 percent of the open space shall be made accessible with trails, passive recreational uses or other similar improvements. Trails shall be developed in accordance with Section 7.4, sidewalks and trails, and provide for neighborhood and connector corridors.

The proposed open space meets the requirements above.

## **B. Consistency with 2012 General Plan**

A. Per Section 4.4 of the 2012 General Plan, the subject property is located within the Range, Resource and Recreation area of the Future Land Use Plan Designations Map.

The Future Land Use designation of Range, Resource and Recreation encourages development that is consistent with residential densities that range from one dwelling per five acres up to one dwelling per three acres with a 50% open-space set-aside or fee-in-lieu and 25% affordable housing units or fee-in-lieu. In addition to residential uses this designation includes recreation/resort development, agriculture and development/extraction of natural resources.

1. The Red Rock Development PUD does not meet the intent of the Range, Resource, and Recreation land use designation as it proposes more density than is the described goal and does not provide 50% open space or 25% affordable housing. The proposed PUD plans 1.35 units per acre, where the Future Land Use designation calls for one dwelling per five acres up to one dwelling per three acres with a with a with a 50% open-space set-aside and 25% affordable housing. The proposed PUD plans for 35% open space set-aside and no affordable housing.

B. Per Section 4.4 of the 2012 General Plan, the subject parcel is located within the Rural Residential future area of the Future Land Use Plan Designation Map.

The Future Land Use Designation of Rural Residential calls for agriculture and single-family residential uses (1 dwelling unit per acre base density and up to 1.6 dwelling units per acre with a 50% open-space set-aside or fee in lieu and 25% affordable housing units or fee in-lieu). In order to encourage larger open space parcels that are valued by the community, a project in Rural Residential can achieve a gross density of up to 2 units per acre that includes (a) a 50% open space set-aside area totaling 40 or more contiguous acres or a fee-in-lieu, (b) has 25% affordable housing units or a fee-in-lieu, and (c) includes multi-modal options (pedestrian/bicycle, at minimum).

1. The proposed Planned Unit Development request at this location would allow for the prescribed density envisioned in the 2012 General Plan at 1.35 units per acre but proposes less open space, at 35%.

Envisioned by 2012 GP: 1-1.6 units per acre/50% open space/25% Affordable Housing  
Proposed by the PUD: 1.35 units per acre/35% open space/0% Affordable Housing

2. The proposed Planned Unit Development does not propose Affordable Housing within the development.

## **CONSISTENCY WITH LUC ARTICLE 9 ADMINISTRATION AND PROCEDURES**

A. The Proposed rezone is in conformance with LUC Article 9, Administration and Procedure and article 9.2.2 - Application for Zoning Map or Text Amendment and Article 4.4 PUD, Planned Unit development, in the following ways:

1. A complete application was submitted by the property owner's representative in accordance with provisions of the Grand County Land Use Code Article 9.1.3, 9.2.2 and 4.4.
2. The application was reviewed by the zoning administrator and deemed a complete application on January 26, 2022, per article 9.2.2

B. The Public Notice requirements were met for this Public Hearing in accordance with Utah State Code § 17-27a-205.

1. The property owner placed one (2) posters on the property provided by the Planning and Zoning Department in a prominent and visible location on the subject property within five feet of the property line a minimum of 10 days before the Public Hearing.
2. The Planning & Zoning Department placed public notices in accordance with Utah State Code 17-27a-205 on the County website a minimum of 10 days before this hearing.
3. The Planning & Zoning Department placed public notices related to this Public Hearing according to Utah State Code 17-27a-205 on the Utah Public Notice website a minimum of 10 days before this hearing.

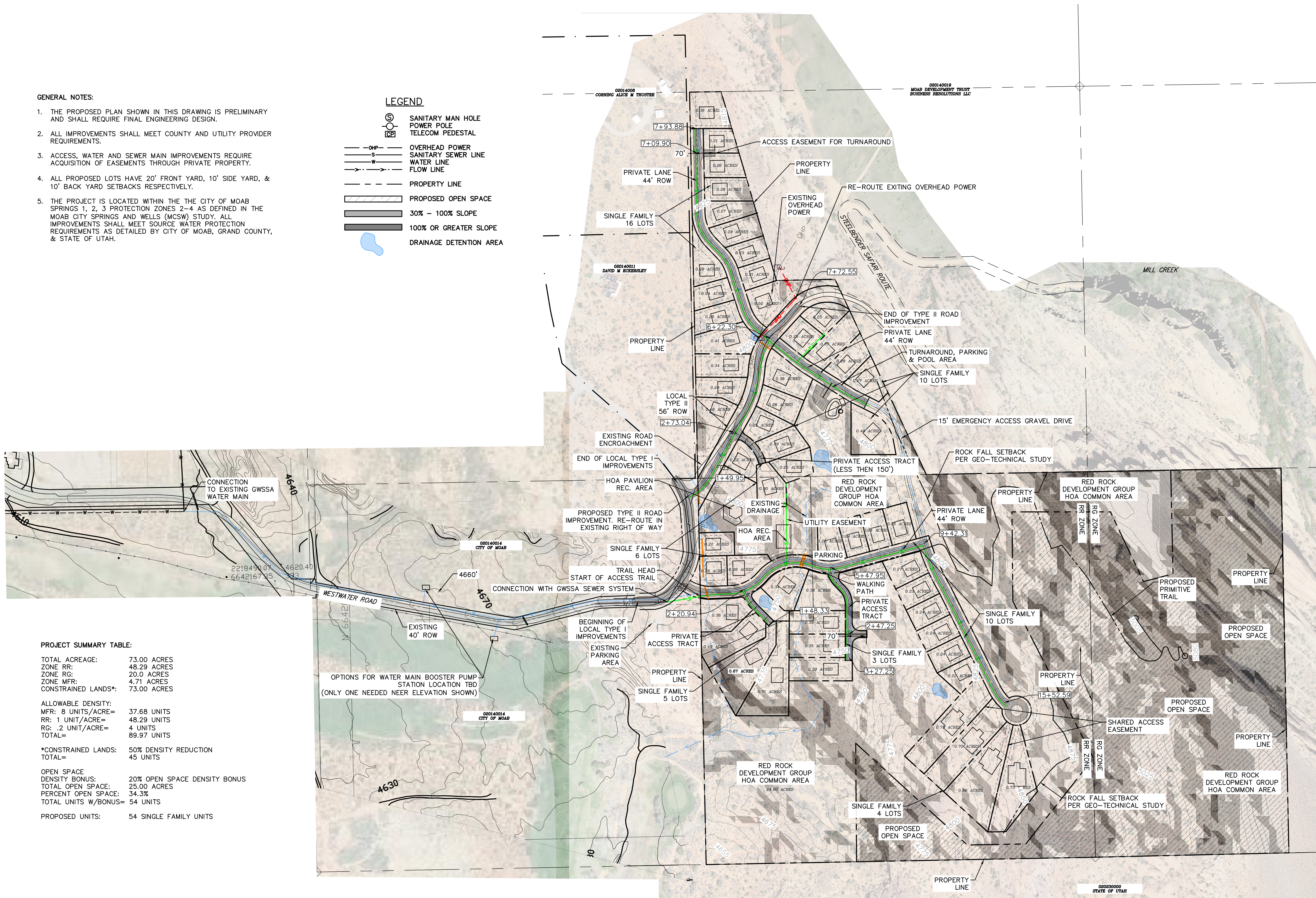


**GENERAL NOTES:**

1. THE PROPOSED PLAN SHOWN IN THIS DRAWING IS PRELIMINARY AND SHALL REQUIRE FINAL ENGINEERING DESIGN.
2. ALL IMPROVEMENTS SHALL MEET COUNTY AND UTILITY PROVIDER REQUIREMENTS.
3. ACCESS, WATER AND SEWER MAIN IMPROVEMENTS REQUIRE ACQUISITION OF EASEMENTS THROUGH PRIVATE PROPERTY.
4. ALL PROPOSED LOTS HAVE 20' FRONT YARD, 10' SIDE YARD, & 10' BACK YARD SETBACKS RESPECTIVELY.
5. THE PROJECT IS LOCATED WITHIN THE THE CITY OF MOAB SPRINGS 1, 2, 3 PROTECTION ZONES 2-4 AS DEFINED IN THE MOAB CITY SPRINGS AND WELLS (MCSW) STUDY. ALL IMPROVEMENTS SHALL MEET SOURCE WATER PROTECTION REQUIREMENTS AS DETAILED BY CITY OF MOAB, GRAND COUNTY, & STATE OF UTAH.

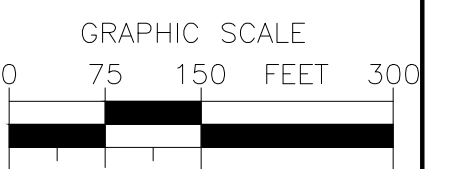
**LEGEND**

- SANITARY MAN HOLE
- POWER POLE
- TELECOM PEDESTAL
- OVERHEAD POWER
- SANITARY SEWER LINE
- WATER LINE
- FLOW LINE
- PROPERTY LINE
- PROPOSED OPEN SPACE
- 30% - 100% SLOPE
- 100% OR GREATER SLOPE
- DRAINAGE DETENTION AREA



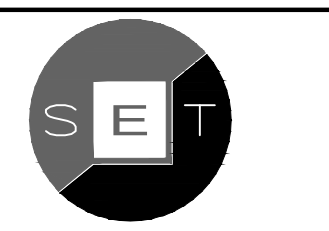
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DENSITY BONUS:	20% OPEN SPACE DENSITY BONUS
TOTAL OPEN SPACE:	25.00 ACRES
PERCENT OPEN SPACE:	34.3%
TOTAL UNITS W/BONUS=	54 UNITS
PROPOSED UNITS:	54 SINGLE FAMILY UNITS



Revisions:	DESCRIPTION
#	DATE

**RED ROCK DEVELOPMENT  
MASTER PLAN  
GRAND COUNTY, UTAH**



ENGINEERING LLC  
1309 E. 3rd Ave., #206  
Durango, CO 81301  
970-403-5088

**PLAN NO.  
C100**

Sheet 1 of 1  
Project: 2021-019  
Date: 4/29/2022  
Drawn By: ORP  
Checked By: JAG

**FOR REVIEW ONLY  
NOT FOR  
CONSTRUCTION**

Planning & Zoning Department  
Grand County, UT  
435-259-1343 ext. 1  
jgorney@grandcountyutah.net

Dear Planning & Zoning Department of Grand County:

Please consider this Application to Grand County for our Planned Unit Development (PUD) Rezone for properties located at 2140 Steelbender Trail (parcel 02-0014-0020), 3890 Westwater Drive (parcel 02-0014-0018) and 3870 Westwater Drive (parcel 02-0014-0013) in Grand County, Utah.

Attached with this application are:

1. 9.2.2. C. - a preliminary title report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements and judgments of record that affect the title to the subject property
2. 9.2.2. D. - A statement from the County Treasurer showing the status of all current taxes due on said parcel
3. 9.2.2. D. - Certified boundary survey of land area to be rezoned, along with an indication of the existing zoning, predominant existing uses, and existing zoning designations within 100 feet in all directions of the boundary of the land area to be rezoned
  - a. See Attachment A & B
4. 9.2.2. G. - A statement by the applicant explaining the rationale for the rezoning request relative to the issues for consideration imposed by Section 9.2.5 (below)

RedRock Development Group is requesting a rezoning for the consideration of our PUD plans for residential development of our 75 acres of land on Steelbender Rd. The 73 acre property is comprised of three lots and three different zoning districts as follows:

- Multi-family residential – 4.71 ac
- Range Grazing – 20 ac
- Rural residential – 48 ac

The entire property is considered constrained lands because it is within the Drinking Water Source Protection Zone. Therefore, all densities are reduced by 50%. The proposed PUD will allow the density to be clustered on the lower/flatter portions of the site which is away from the viewshed of the roads and valley below, while preserving >20% of the property in the upper elevations as open space for the public to enjoy.

Specifically, without a PUD, development of rural residential land with 1 unit per acre would considerably blight the viewshed with numerous homes dotting the hillside. We believe the viewshed of the hillside will remain predominantly unchanged in a way that would otherwise be impactful if developed in a “right by zoning” manner. Instead the PUD process will allow housing to be concentrated along the roadside and at lower elevations. Concentrating density on the lower and flatter portions of the property will reduce impact on the land, reduce erosion and hard surface drainage issues. Additionally, no homes or formal development is proposed on the higher elevations that are visible from the valley – in fact, 35 of the 54 home sites (65%) will be

obscured from the view of the city below. Open space is to be dedicated on the higher elevations and public access to trails will be provided between the existing gravel parking lot and the trail system in order for the public to access the raw desert landscape, geographic tower features, and Fremont Indian petroglyph panels on the land.

There are unique qualities to our land that we feel should be shared with the public and preserved with open space designation. Our property has towering sandstone formations, specifically “Gunsight Tower” or “Golf Tee Tower” which is occasionally visited by the community (currently by trespassing through our land). If you choose to scramble to the top, or alternatively, hike up to the adjacent plateau high points – you will be greeted with 360 views of Moab & Spanish valley on one side, and Millcreek canyon on the other. We have also found two separate petroglyph panels from the Fremont Indians on our land that (to our knowledge) is unknown to the public, which we would like to make available by a new trail system. We believe we can provide a great trail system for people and their pets to walk and enjoy. We would like to preserve the precious attributes of our land for the public by creating open space designation and a public trail system to secure access for the future as well.

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### **9.2.5 Issue for Consideration: General Rezoning**

**A. Was the existing zone for the property adopted in error?**

- a. No

**B. Has there been a change of character in the area (e.g., installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.)?**

- a. Moab has experienced significant growth in the past several years with an increasing demand for housing options. Navajo Heights to the north is a single family home development and multi-family homes have been developed on the north side of the golf course, west of the proposed project. This PUD is aimed at preserving the more visible areas of the property in perpetuity.

**C. Is there a need for the proposed use(s) within the area or community?**

- a. Yes. We are trying to help meet the housing needs of Moab / Grand County by providing a total of 54 single family home sites. We understand that there is a current push to slow development but believe that tasteful development preserving public trail systems, open space and access is a responsible compromise between these competing interests.

**D. Will there be benefits derived by the community or area by granting the proposed rezoning?**

- a. This PUD is being designed in a way that benefits the general public as well as the residents. For those that choose to call this development home, it will provide communal space for gathering and recreational activities: Recreational area (e.g. Pickleball, sand volleyball, basketball, cornhole, horseshoes, & bocce ball courts & grassy field), a yoga pavilion, shade pergola, pool and clubhouse (all of which will have open public access except the pool/clubhouse). For the general public

we have designed the development to minimize impact on the viewshed, minimize impact on the land, and will be retaining a minimum of >20% of the land for open space preservation. Furthermore we will be creating public trails to access the sandstone “Gunsight Tower” or “Golf Tee Tower” and two Fremont Indian Petroglyph Panels.

**E. Is the proposal in conformance with the policies, intents and requirements of Grand County General Plan, specifically the plan’s zoning map amendment guidelines (see pages 44-48 of the Grand County General Plan)?**

- a. Yes, the plan is aligned with the General Plan. Specifically, the proposed utility systems are designed in accordance with the Glen Canyon Aquifer by using sealed utility technologies described as acceptable in the Water Source Protection Plan. The development will not utilize individual wells or on-lot septic systems. Significant historic drainages are to remain and drainage from roads and parking areas is to be pre-treated before release. Impervious surfaces are minimized by clustering development to minimize long roads and utility systems high on the hillside. Architectural designs to reduce energy demands are being developed to maximize efficiency and on-site power generation.

**F. Should the development be annexed to a city?**

- a. The site is not in reasonable proximity to the city or city controlled utilities.

**G. Is the proposed density and intensity of use permitted in the proposed zoning district?**

- a. Yes. The total acreage for the 3 plots is 73.00 acres (12.65, 30.11, 30.26). The Zoning is partially Multifamily Residential (4.71 acres with density of 8 units/acre = 37.68 Units), Range Grazing (20 acres with density of 0.2 units/acre = 4 Units) and the remainder is Rural Residential (48.29 acres with density of 1 unit/acre = 48.29 Units). The total density allowed thus is 89.97 units (37.68 + 48.29 + 4), however, the entire property is considered constrained lands as it is within the City of Moab Drinking Water Source Protection (DWSP) Zones 2-4 & 10 as defined in the Moab City Springs and Wells (MCSW) study. This results in a 50% reduction in the allowable density, reducing the units from 90 to 45 units. We are asking for an open space density bonus of 20% based on our commitment to designate >20% of our land to open space preservation and public enjoyment. This would increase the density of 45 by 20% = 54 units. See summary below:

<b>PROJECT SUMMARY TABLE:</b>	
TOTAL ACREAGE:	73.00 ACRES
ZONE RR:	48.29 ACRES
ZONE RG:	20.00ACRES
ZONE MFR:	4.71 ACRES
CONSTRAINED LANDS*:	73.00 ACRES
ALLOWABLE DENSITY:	
MFR: 8 UNITS/ACRE=	37.68 UNITS
RR: 1 UNIT/ACRE=	48.29 UNITS
RG: .2 UNIT/ACRE=	4 UNITS
TOTAL=	89.97 UNITS
*CONSTRAINED LANDS:	50% DENSITY REDUCTION
TOTAL=	45 UNITS
OPEN SPACE	
DENSITY BONUS:	20% OPEN SPACE DENSITY BONUS
TOTAL OPEN SPACE:	25.46 ACRES
PERCENT OPEN SPACE:	35%
TOTAL UNITS W/BONUS=	54 UNITS
PROPOSED UNITS:	13 TOWNHOMES 37 SINGLE FAMILY LOTS 4 LUXURTY SINGLE FAMILY LOTS 54 TOTAL UNITS
*THE PROJECT IS LOCATED WITHIN THE THE CITY OF MOAB DRINKING WATER SOURCE PROTECTION (DWSP) ZONES 2–4, AND 10 AS DEFINED IN THE MOAB CITY SPRINGS AND WELLS (MCSW) STUDY	

**H. Is the site suitable for rezoning based on a consideration of environmental and scenic quality impacts?**

- a. Yes. There will be no significant change in the major viewshed, hilltops will remain undeveloped, the silhouettes of the mountains unchanged. Environmental considerations are considered and this land doesn't constitute wetlands, riparian zones, or other ecologically important land. There are no endangered plant or animal species within the land that we are aware of. And we are planning on keeping a minimum of >20% raw and dedicated to open space preservation. Finally, we will be xeriscaping all units to reduce irrigation, water usage, erosion, and drainage issues.

**I. Are the proposed uses compatible with the surrounding area or uses; will there be adverse impacts; and/or can any adverse impacts be adequately mitigated?**

- a. The proposal is consistent with surrounding land uses and possible adverse impacts are carefully mitigated. The property lies within the City of Moab Drinking Water Source Protection (DWSP) Zones 2-4 & 10 as defined in the Moab City Springs and Wells (MCSW) study. We will be taking strict measures to avoid any contamination of public water. Specifically, we will be using sealed sewer systems connected to all units and tying into the GWWSA sewer system that runs along Westwater Road. We will not be using any septic systems or leach fields. There will be no industrial or commercial enterprise on the land. Furthermore, all units will be landscaped with xeriscape principles to reduce irrigation, water usage, erosion, and drainage issues.
- J. Are adequate public facilities and services available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended? Is the applicant willing to pay for the extension of public facilities and services necessary to serve the proposed development?**
- a. Power & Sewer Utilities are available on site along Westwater Road. Water will need to be obtained from the nearest GWSSA water main approximately 2,000 ft away on Westwater Road with new pipe trenched and installed, along with a required water main booster pump (at 4660' +/- 10' elevation) in order to obtain appropriate residential water pressure at the higher elevation bench development. The proposed utility plans have been discussed with and generally acceptable to GWSSA.
- K. Does the proposed change constitute “spot zoning”?**
- a. The proposed plan is consistent with surrounding land uses while respecting public access and open space.

#### **5. 4.4.11 Master Plan Requirement**

In approving a -PUD district development in accordance with this section, the County Commission shall require a master plan of the development. A comparison of the proposed development with the standards of underlying zoning district and a statement by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations;

See the attached Master Plan with additional clarification provided below.

- A. A statement by the applicant describing how the proposed development provides greater benefits to the County than would a development carried out in accordance with otherwise applicable zoning and development regulations;**
  - a. Please see answer 9.2.2 D (above)
- B. Identification of lands that include public drinking water supply watersheds (recharge areas for the aquifer in the Glen Canyon formation); floodplains and riparian habitats; slopes in excess of 30 percent, and significant geological, biological, and archeological sites (not all of these will apply to every parcel);**

- a. Public drinking water wells are located on the adjacent property owned by the City of Moab where the golf course is currently operating. There are no floodplains, riparian habitats, or significant biological sites. We do not have an archeological site, but have found 2 Fremont Indian petroglyph panels. (see image below). The only significant geological site on the property is known as “Gunsight Tower” or “Golf Tee Tower” on the ridgeline which is also depicted below.



**C. Identification of site planning features designed to ensure compatibility between on-site residential and nonresidential uses, and with the surrounding neighborhood and land uses;**

- a. Onsite residential uses include 54 residential homes, communal space for gathering and recreational activities including a recreational area (Pickleball, sand volleyball, basketball, cornhole, horseshoes, & bocce ball courts & grassy field), a yoga pavilion, shade pergola, pool and clubhouse. Non-residential use open to the public includes retaining a large percentage of the land for open space preservation (>20%) and creating public trails to access several points of interest

on the land: sandstone “Gunsight Tower” or “Golf Tee Tower” and two Freemont Indian Petroglyph Panels.

**D. A narrative addressing the proposed development explaining and tabulating the land uses by gross acre, number of dwelling units by housing type, residential density and/or square footage of non-residential uses per gross acre, common area and open space acreage, potential traffic generation, overall character and architectural style, the relationship of the proposed development to existing development in the area and other related development features;**

- a. The total land of the combined 3 plots is 73.00 acres, of which 4.71 acres is designated MFR, 20 acres being Range Grazing, and the remaining 48.29 being RR. 54 single family homes will occupy a total of approximately 40 acres. A minimum of 20% will be designated open space. All single family homes will have 0.25 – 3.0 acre lots.
- b. Given an additional 54 homes, the traffic generation can be calculated averaging 3.16 trips per household per day (Recreational homes)= 168 trips along Westwater road. A total of 28 homes will also need to use a small portion of Steelbender Safari Route where it branches off of Westwater Rd, equaling 89 trips per day. This amount of traffic will require type II road improvement of that portion of Steelbender Safari Road to meet county standards.
- c. The single family residential lots will be sold as empty lots and the future HOA will have architectural standards and review controls to maintain consistency.

**E. A site plan prepared in accordance with the requirements of Section 9.17 shall be approved and filed with the findings of fact as part of the approval; including but not limited to, major roads, trails and trail connections, major utilities, existing and proposed land uses, common area, open space, landscaping plan, a conceptual drainage plan and entrance locations on existing roads;**

- a. See Attachment C

**F. Dimensional standards to be modified within the -PUD district relative to the underlying base district standards;**

- a. We are requesting dimensional changes of the lot sizes and setbacks. We are proposing that all lots have a 20’ front yard setbacks and 10’ side and rear yard setbacks. We are also proposing a range of lot sizes from .21 acres to .86 acres.

**G. A statement of how the proposed development is consistent with the General Plan; and**

- a. This response is copied from section 9.2.5, E a above. The plan is aligned with the General Plan. Specifically, the proposed utility systems are designed in accordance with the Glen Canyon Aquifer by using sealed utility technologies described as acceptable in the Water Source Protection Plan. The development will not utilize individual wells or on-lot septic systems. Significant historic drainages are to remain and drainage from roads and parking areas is to be pre-treated before release. Impervious surfaces are minimized by clustering development to minimize long roads and utility systems high on the hillside. Architectural designs to reduce energy demands are being developed to maximize efficiency and on-site power generation.

## H. Other relevant information as may be requested by the Zoning Administrator.

### 6. Additional sections to include in your narrative:

#### - Information related to LUC section 4.5 WSPO – Water Source Protection Overlay District regarding balancing Drainage and aquifer impacts and the plan to meet the district standards described in section 4.5.

- a. Given the property lies within the City of Moab Drinking Water Source Protection (DWSP) Zones 2-4 & 10 as defined in the Moab City Springs and Wells (MCSW) study, we will be taking strict measures to avoid any contamination of public water. Specifically, we will be using sealed sewer systems connected to all units and tying into the GWWSA sewer system that runs along Westwater Road. We will not be using any septic systems or leach fields. There will be no industrial or commercial enterprise on the land. Furthermore, all units will be landscaped with xeriscape principles to reduce irrigation, water usage, erosion, and drainage issues.
- b. We will formalize a DWSP plan and include it in the CC&R's of the HOA management of the development. Specifically it will address the following potential contamination sources (PCS):
  - I. - Roadways: Hydrocarbons from leaking fluids, de-icing salts, and chemicals, and transport of hazardous materials. In Moab, the low traffic volumes, infrequent rains, and rare snowfalls mean that this possible contamination threat is extremely small, and that this threat should only be considered on roadways with significantly more traffic than this development.
  - II. - Sewer System: Sewer systems counter this threat by collecting all wastewater and transporting it to a centralized wastewater treatment facility. However, improperly installed and/or damaged sewer systems can leak, and if that leak is large enough it could affect the aquifer. This threat is quite small, and miles of sewer lines already exist in DWSP zones, some over 30 years in age without any known contamination events or measurable effect. Properly installed sewer system would adequately control this potential contamination source. We will ensure proper construction of mains, service connections, manholes, and pumping stations -- built with appropriate materials to ensure proper connections and eliminate leaking, leaching, or seepage.
  - III. - Residential landscaping: Landscaping of green lawns and yards may utilize herbicide, pesticide, and fertilizer which can seep into the groundwater. HOA will limit the green space to HOA maintained areas only and individual residences will only be allowed a limited amount of lawn or greenspace. Instead all homes will be encouraged to have xeriscaped landscaping. Only approved pesticides, herbicides, and fertilizers will be allowed by the HOA. Of note, the Moab golf course is one of the heaviest user of these products and is itself in the DWSP zone as the location of the wells for the municipal drinking water source. They have been maintaining their greenspaces without water contamination for many years without event.

- IV. - Car Washing: Washing vehicles can produce contaminants such as hydrocarbons from oils & greases, organic compounds from solvents and other cleaning products. The HOA will not allow residents or guests to wash their cars in their driveways. Instead, there are multiple car wash businesses in Moab where the residents can wash their vehicles.

**- Narrative describing constrained lands**

- a. The entire property is considered constrained lands as it is within the City of Moab Drinking Water Source Protection (DWSP) Zones 2-4 & 10 as defined in the Moab City Springs and Wells (MCSW) study. This results in a 50% reduction in the allowable density, thus reducing the units from 90 to 45 units.

**- A section describing your density bonus request.**

There are some very unique qualities to our land that we feel should be shared with the public and preserved with open space designation. Our property has towering sandstone formations, specifically “Gunsight Tower” or “Golf Tee Tower” which is occasionally visited by the community (currently by trespassing through our land). We have also found two separate petroglyph panels from the Fremont Indians on our land that (to our knowledge) is unknown to the public. The surrounding hillside is raw and rugged with beautiful sandstone walls, which makes a great trail system for people and their pets to walk and enjoy. We would like to preserve these attributes for the public by creating open space designation, and creating a public trail system to access these natural amenities. The trail system will be marked with appropriate signage, well maintained with HOA oversight, and built to accommodate the general public. There is parking on Moab City land adjacent to our property, and we will also include extra overflow parking on our land to accommodate public use as needed. We request that a density bonus be granted in order to afford public access to these unique locations on our land. Furthermore we are willing to designate greater than 20% of our land to open space. This open space will help preserve the hillside viewshed, keep the dessert landscape raw, reduce further development on the land, reduce water consumption, and minimize erosion

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**Geotechnical Analysis:** Findings from the rockfall hazard assessment indicate the proposed development can be constructed near rock fall zones RF 1, RF 3, and RF 4 provided a catchment area of at least 30 feet is maintained. (our master plan does indeed have >30 feet separation from the rock fins depicted in RF 1, 3, & 4) Development downslope of rock fall zone RF 2 is not recommended without active and passive measures implemented. (our master plan has no development below RF 2)

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**TRAFFIC ANALYSIS** of 54 units considered single family fully occupied residences calculated with 9.44 AverageDailyTrips / unit (Peak AM of 41 & PeakPM of 54) = 510 ADT's. The native traffic counted thurs/friday March 24/25 was 300 ADTs. With an expected 3% growth rate at 10 years we calculate 912 ADT's. This is a conservative estimate, as we would expect many of these homes to be recreational homes, nonetheless we use this conservative number for sizing and determining the appropriate right of way road improvements. It is worth noting that it is very likely that there will be at least 33% of the units purchased as recreational homes which reduces the ADT for those homes by 66%, and thus the calculated traffic would be closer to 398 ADT's.

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Elissa Martin <emartin@grandcountyutah.net>

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## **[Planning] Deny Red Rock Development Group Plan**

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**Darcey Brown** <darceybbrown@gmail.com>  
To: planning@grandcountyutah.net

Thu, May 5, 2022 at 7:01 PM

Please do not approve a PUD or zoning change request from Red Rock Development Group. Much of the land is inappropriate for houses with very uneven topography with sheer rock faces, gullies, fins, and slick rock. Many of the proposed homes sites are located above the City water supply and the aquifer recharge area. Recently Utah Open Lands placed a conservation easement on two properties below and to the south of the proposed development. The easement document sites proximity to and protection of the City Water supply, scenic red rock vistas, and a wildlife corridor from Pack Creek to Mill Creek. Those conservation values would be impacted by the development. I urge you to deny the requested zoning change for the above reasons. Thank you.

Darcey Brown  
2931 E. Bench Rd  
Moab, UT 84532



Elissa Martin <emartin@grandcountyutah.net>

## [Planning] Development Above golf course by Randy Day

William Love <william.e.love75@gmail.com>

Thu, May 5, 2022 at 7:52 PM

To: Elissa Martin <emartin@grandcountyutah.net>

Cc: chuck williams <cwilliams@moabcity.org>, Moab City <city-council@moabcity.org>, jgorney@grandcountyutah.net, John Guenther <jguenther@grandcountyutah.net>

The protection zones numbers 2,3 for the City's wells and springs are one zone. This is due to the high fractures in the sandstone. This means the development must meet all the state's requirements for zone 2. This is not evident by looking at the map of the zones. The information has been a small comment and can be missed.

Bill love

Comments from County on Rand Days development.

Bill love

----- Forwarded message -----

From: **Elissa Martin** <emartin@grandcountyutah.net>

Date: Thu, May 5, 2022 at 8:56 AM

Subject: Re: [Planning] Development Above golf course by Randy Day

To: William Love <william.e.love75@gmail.com>

Cc: chuck williams <cwilliams@moabcity.org>, Moab City <city-council@moabcity.org>, <jgorney@grandcountyutah.net>, John Guenther <jguenther@grandcountyutah.net>

Hi Bill,

Thanks for your letter and concerns. You are referring to the Red Rock Development / Steelbender PUD which will be considered at a Planning Commission public hearing this Monday, the 9th, via zoom. We have sent the plans over to Chuck for his comments and he has weighed in. This development would be within the spring protection zone and within the well protection zone, which means the developer will need to comply with state statutes regarding these protection zones. The applicant has been made aware of this.

Kind regards,

Elissa



**Elissa Martin**

Associate Planner

Grand County - 435-259-1343

[emartin@grandcountyutah.net](mailto:emartin@grandcountyutah.net)

125 East Center St. Moab, UT 84532

On Wed, May 4, 2022 at 7:55 PM William Love <william.e.love75@gmail.com> wrote:

Randy Day is asking for a zone change of property I believe is just above and behind the golf course and City water wells and springs. I am not sure if this is the same piece of land that they tried to develop 15 or so years ago as I only learned about the development today.

The City was very concerned about the prior development 15 years ago due to:

1. Dynamite was going to be used to build roads above the golf course and foundations for houses. The City was concerned that the blasting would damage the flow of the city springs. The end result was only saws could be used to cut the rock.
2. Sewage in the lower Mill Creek area was a big concern. I don't remember the final decision.

I repeat this PUD may be completely different than the last one and I have not reviewed the total project for details.

I feel the City should look into the details of this development.

Bill Love

<https://www.grandcountyutah.net/civicalerts.aspx?AID=307>



Elissa Martin <emartin@grandcountyutah.net>

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## [Planning] Red Rock Development Group PUD Rezone request

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**Dave Focardi** <datawrangler81@gmail.com>  
To: [planning@grandcountyutah.net](mailto:planning@grandcountyutah.net)

Thu, May 5, 2022 at 8:20 PM

I've lived in Moab since 1993 and have done many walks in that neighborhood and am quite familiar with the area, and have probably 'trespassed' as mentioned in the Rezone request.

I want to point out that the numbers of units used for calculations are disingenuous. First of all, one unit per acre is impossible in that terrain. Anyone buying that parcel would know that going into it. Only someone who bought with the intention of trying to change the zoning after purchase would think otherwise.

Perhaps a more reasonable determination of allowable units could be done using buildable land area as a starting point.

If this goes through, be sure that public access is guaranteed as stated, and not left to mere goodwill of the developers.

I would suggest sending this back to the developers asking for a reassessment of their numbers, as well as questions about how they intend for water and sewer to be handled. If that information is available to the public, I have not been able to find it.

Dave Focardi  
[4900 Sunny Acres Ln, Moab, UT 84532](#)  
435-260-1975



Elissa Martin <emartin@grandcountyutah.net>

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## [Planning] Red Rock Development

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**Carol Mayer** <mtwcarol440@gmail.com>  
To: planning@grandcountyutah.net

Thu, May 5, 2022 at 3:17 PM

Esteemed Planners,

One look at what is happening in the Lionsback area should remind you, and everyone in the community/county what developments in the pristine and rocky desert REALLY looks like. No matter the pretty pictures that are painted, the huge destruction to provide infrastructure, streets, house pads, etc in order to create a new neighborhood of very expensive second homes and high end overnight accommodations absolutely can not be made easier for development by allowing a zone change. In fact, additional restrictions need to be put in place for any type of development occurring in terrain (rocky slopes, canyons and drainages) such as is this.

Thank you for your important service to Grand County.

Carol Mayer  
444 Rosetree  
Moab



Elissa Martin <emartin@grandcountyutah.net>

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## [Planning] Steel bender/ Hidden Valley zone change request

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'Marisa Silverman' via Planning2 <planning@grandcountyutah.net>

Sun, May 8, 2022 at 2:30 PM

Reply-To: Marisa Silverman <marisasilverman@me.com>

To: planning@grandcountyutah.net

Hello to all Grand County Commissioners,

As a resident of Navajo Heights and Moab Property opener since 2002, I am against this rezoning proposal request made by Red Rock Developers. Below are my experiences and thoughts on why this should NEVER be considered.

1.) We are in the midst of the most aggressive real estate markets in any of our lifetimes. The mass migration of "tourists" and second home owners to secure homes in our resort towns has become unbearable. The STR market has killed our housing for local working families to try and enjoy any sort of life as resort workers/ small business owners. The cheating that is going on with the STR's is egregious, and almost unstoppable without citizens policing each other, which with a good taxpayer paid local government should not be happening.

2.) This probably should have been number one. We are in the midst of a severe drought due to over population of the West and obviously, Climate Change. To change zoning for this mass scale type of project is completely irresponsible, the amount of resources it'll take to develop this many houses and then sustain them with running water and electricity again is irresponsible and an obscene request.

3.) Moab has lost it's ability to manage our outdoor recreation experiences and land due to mass tourism brought on by the paradigm shift in the housing market that allowed runaway STR's. Our valley does not need to add to this in anyway shape or form. The "it's good for the economy" "it brings business" are dead and gone arguments. When you can't house employees or find workers who want to work in the tourist industry that argument is baseless. We also must admit our outdoor spaces, trails and special historical site are being damaged and over-run by some inexperienced outdoorsman and woman. I have watched closely since 1988 the development of trails has over crowded our beloved backyards, it's heartbreaking.

4.) Most local development teams are doing the bidding of much bigger companies. By using a local person they can more easily secure these types of changes and then sell the projects to industrial developers whom have ZERO interest in the lives and living of the actual people who live in our resorts and near these mass scale developments. The argument of "we won't have to see the eyesore a few houses creates" to what we will have to experience in traffic and pollution of all sorts is just maddening. If this were to happen the commissioners must lay out some serious rules to prevent this or we will end up like ASPEN. Look up the Gorsuch House debacle, and that one went to a city wide vote and we got taken.

I know how tempting these developments are, the tax base increase is drool worthy but let's keep moab livable and a place to raise families and enjoy for future generations.

Please consider voting against the re-zoning, you wont be sorry when your'e trying to enjoy a hike in Mill Creek or any of the trails around his area.

Thank you for your consideration,

Marisa Silverman

Sent from my iPad



Elissa Martin <emartin@grandcountyutah.net>

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## [Planning] Red Rock proposal

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Mary Moran <marymoran3333@gmail.com>  
To: planning@grandcountyutah.net

Sun, May 8, 2022 at 5:32 PM

Concerning the proposed Red Rock Development/Steelbender PUD and zoning change, above the Right Hand of Mill Creek:

Grand County's Land Use Code limits housing density where "constrained lands" exist on a property. I suggest the constrained lands, including steeper slopes, archeological sites, and aquifer recharge areas be examined very carefully, and all limitations applied. I am familiar with the area, and find it difficult to believe that there is space for as many houses as proposed if the constrained lands limitations are followed.

I understand that this development contains three parcels with different zoning. If constrained land rules are followed on the RR and R&G zoned parcels, and these rules are also applied to the smaller MFR parcel, would the number of homes allowed be as high as proposed?

The county has no obligation to increase the zoning on any of the properties, and indeed it would seem inappropriate in this area. The area is a water recharge area, and is also close to Mill Creek. Is there a plan for controlling invasive plants? The land disturbance, to create level spots for houses in this sloping terrain, will be enormous, which is just what most invasive plants prefer. I am concerned about yet more new and abundant invasive weeds spreading down Mill Creek, and ultimately into the Colorado River. They aren't just a nuisance; they impact our native birds, pollinators, and other wildlife, and they decrease biodiversity.

Frankly, we really do not need more expensive houses, usually second homes, in this community. These houses require workers to clean the houses and maintain their landscaping; where will such people live with our current affordable housing crisis?

Please deny this proposal. It does NOT represent a benefit to our community; quite the opposite.

But I know you must follow laws and ordinances. Thank you for your difficult work.

Sincerely,  
Mary Moran and Dennis Silva  
[1991 Highland Dr](#)  
[Moab, UT 84532](#)



Jenna Gorney <jgorney@grandcountyutah.net>

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## [Planning] RE: Proposed Redrock Development -- Westwater Drive @ SteelBender

1 message

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**Michael Balabuch** <mikebalabuch@gmail.com>  
To: planning@grandcountyutah.net

Mon, May 9, 2022 at 8:31 AM

Having reviewed the Proposed REDROCK DEVELOPMENT MASTER PLAN and WEBSITE, I am appalled by the hubris of the large development in this pristine area of Grand County.

My concerns and questions include:

- > How can such a large development be permitted on that uncorrupted site? (Too many homes on small lots in a primitive, natural and iconic area.)
- > What about petroglyph preservation and access?
- > Insured hiking trails for public access?
- > How will our valuable watershed be protected?
- > How will the development affect Moab's "Dark Sky" efforts?
- > How will the increased traffic impact Westwater Drive, existing neighborhoods, and the roundabout (traffic circle)— as well as "downhill" Spanish Trail, Spanish Valley and the 191 intersections?

Thank you for the attention given those matters.

Sincerely,

Michael Balabuch  
[2891 E Bench Rd](#)  
[Moab UT 84532](#)



Jenna Gorney <jgorney@grandcountyutah.net>

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## [Planning] Zoning change request by Red Rock Development Group

1 message

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**Thea Nordling** <theakn@frontiernet.net>  
To: planning@grandcountyutah.net

Mon, May 9, 2022 at 8:21 AM

Dear Planning Commissioners,

I am concerned about the request by Red Rock Development Group for a zoning change on 74 acres above the golf course on constrained land. Where is the water for 54 new residences going to come from? Would this project be granted water that we may not even have? Is this property located on the recharge source of our aquifer? Have the 50 percent protection zones been appropriately calculated and included in the constrained lands acreage?

Please consider these questions before approving this project, which would likely benefit only the developers and second home owners who could afford to buy houses in this highly scenic area. The County must make protecting the quantity and quality of our water, a vital and finite resource for all our residents, its highest priority.

Thank you for hearing my concerns,

Thea Nordling, Spanish Valley resident



Elissa Martin <emartin@grandcountyutah.net>

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## [Planning] Red Rock Development Rezone and PUD

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lonepine@sopris.net <lonepine@sopris.net>  
Reply-To: lonepine@sopris.net  
To: planning@grandcountyutah.net

Sun, May 8, 2022 at 3:13 PM

Dear Planning and Commissioners,

The proposed rezone and PUD by Red Rock Development on E. Bench Road should not be approved. Approval will increase the numbers of homes which can be built in this rural residential area with all of resulting negative impacts (traffic, noise, pollution, etc.) these additional homes will bring. Red Rock Development should work within the existing zoning requirements.

Please deny this rezoning request.

Thank you for your time and consideration,

Vincent Partyka  
[1735 S. Highland Drive](#)  
Moab, UT 84532

9 May 2022

Grand County Planning Commission  
planning@utahgrandcounty.net

Re: WESTWATER/ STEELBENDER Red Rock Development Group

I have several concerns with the proposed development.

Page 48, Consistency with General Plan: The proposed PUD does **NOT** meet the intent of the land use designation, which calls for a up to one dwelling per 3 acres with 50% open space and 25% affordable housing for those acres R&G and maximum of 2 units per acre with 50% open space and 25% affordable housing for RR. **Red Rock Development is proposing 1.35 units per acre, 35% open space (or, maybe, "> 20% open space", depending on what you read where) and 0% affordable housing.** This is higher density and considerably less open space and affordable housing than envisioned by the General Plan.

Nor is the proposal in any way consistent with surrounding land uses. There ARE homes nearby, but not at anywhere near the density being proposed here. Surrounding lands with houses are much larger lots.

Is Red Rock Development actually building these dwellings, or are they just selling the individual parcels? If the latter, what is estimated anticipated selling price for the smallest lots? Are any of these units reserved for affordable housing?

Who is paying for the necessary infrastructure for sewer, water and roads? As this development sits on top of city drinking water watershed the costs for sewer, especially, should be a lot higher than for a normal development. Will water pipes be above ground to mitigate problems from digging into the ground? Are the streets public streets? Is there on-street parking allowed?

I'm having trouble envisioning even putting in foundations into that terrain without potentially damaging watershed.

Page 42: The purpose of a PUD is to accomplish one or more of a list of requirements including: "Promote a clustering development pattern in the interest of preserving rural character." I don't think there is one accepted definition of "rural character", but I truly doubt anyone looking at the master plan for Red Rock Development would identify it as having it. It is a perfect picture of "suburbia". 54 lots, most of them around 1/4 acre, could hardly be called "rural". Page 59: Are lot sizes 0.25 to 3.0 acre lots or .21 acres to .86 acres?

Page 54: The response to the question on the application to P&Z "Is there a need for the proposed use(s) within the area or community?", was "Yes. We are trying to help meet the housing needs of Moab/Grand County by providing a total of 54 single family home sites."

Then, on Page 61, Traffic Analysis: Analysis was done based on 54 units, with the caveat "It is worth noting that it is very likely that there will be at least 33% of the units purchased as recreation homes ..." Red Rock Development is NOT offering 54 single family home sites to meet the housing needs for people of Grand County. They are offering however many lots are not purchased by those who wish second homes here.

Regarding traffic analysis, Does traffic pattern take into account the number of construction vehicles that will be driving into and out of the development?

Question: Are the townhomes considered a single or multiple residence? If a townhome has 3 units, is that counted as 1 or 3 in the calculation of 54 lots?

Density Bonus Request: "Constrained Lands" demand density required to be reduced by 50%. I would assume that the building constraints in important watersheds are enacted to reduce the possibility of damage to that watershed. I don't believe 20% more housing should be allowed as a density bonus; in fact, I would assume closer density would tend to cause more damage. In any case a great portion of that open space is basically unbuildable.

A density bonus is not necessary to afford public access, and part of the PUD requirement is to leave open space. The applicant is already offering less open space (and NO affordable housing).

I am especially concerned about contamination of the watershed. Every possible mitigation must be taken, and liability for damage should be severe.

Page 56 "We will be xeriscaping all units to reduce irrigation, water usage, erosion, and drainage issues." Who is "we"? Will Red rock Development Group be doing the actual landscaping of these lots? Who is overseeing?

Page 60 Sewer System. "We will ensure proper construction of mains, service connections, ..." Is Red Rock Development installing the infrastructure? Who is overseeing?

There are many more issues, many of which I assume will be addressed at today's meeting. This proposal needs a lot of modifications.

Karen Robinson  
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