

GRAND COUNTY PLANNING COMMISSION

Monday, February 14, 2022

4:30 P.M. Regular Meeting

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

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 or call 435-259-1343

Type of Meeting: Regular Planning Commission Meeting
Facilitator: Chair Emily Campbell
Attendees: Planning Commissioners, interested citizens, and staff

4:30 PM

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

Action Items (Administrative) 1) Approval of Meeting Minutes from January 24, 2022 *Chair*

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

- 3) Staff Updates *Staff*
- a) Spanish Valley Survey results to date (Laura)
 - b) LUC Updates – progress and revised timeline (Elissa)
 - i) Housing
 - ii) Water
 - iii) OAO
 - c) Land Use Study Scenarios – to be presented at joint workshop Feb 15th (John)

Public Hearings / Action Items (Legislative) 4) John Corkery Rezone request from RG to GB for historic commercial property in Thompson Springs *Staff*
5) Tin Roof OAO- Campground/RV rezone request for Parcel No. 04-0025-0059 (La Sal Mountain Area)

Discussion Items 6) Future Considerations *Staff*
a) Status of HDHO expansion
b) Land Use Public Open house moved to March 3rd, Star Court from 4pm - 7pm
c) Econ Dev Master Plan

5:30 PM

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

Chair

ADJOURN

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 PC & CM
REGULAR PLANNING COMMISSION MEETING MINUTES
Monday, January 24th, 2022 at 4:30pm**

The Grand County Planning Commission held its regular meeting on the above date, as well as a joint Planning Commission meeting with the City of Moab with attendees participating remotely via Zoom.

YouTube recording of meeting can be viewed at <https://us02web.zoom.us/j/84930753400>
Recordings archived at www.grandcountyutah.net/AgendaCenter

4:30pm Grand County Regular Meeting call to order

In Attendance:

Commission Chair Emily Campbell, Commissioner Robert O'Brien, Commissioner Josie Kovash, Commissioner Rick York, Commissioner Makeda Barkley, County Commission Liaison Trisha Heiden, Associate Planner, Elissa Martin, Planner, Jenna Gorney, Planning Director, John Guenther

4:30pm - Citizens to be Heard

- None

Ex Parte Communication and Disclosures: - None

1. Approval of Meeting Minutes from January 10, 2022

Motioned by Commissioner O'Brien, Seconded by Commissioner York
Unanimously approved

2. Review Planning Commission Bylaws

- No Edits

3. County Commission Update - Action Items

- Mask Mandate - County no longer has the authority to initiate. The directive of health department is needed
- Rihanna Medina gave presentation on local homelessness committee
- Campground proposed in San Juan County in Millcreek up to 100 campers. No sewage program proposed - it was tabled until further investigation by the Division of Drinking Water and the Health Department

Discussion: from a planning perspective is there anything we can do to create requirements for the developer to avoid unhoused ppl; longer relocation notice? Maybe addressed within the Social Master Plan within the General Plan? Create tools to address. Require employee housing for subdivision and developments of any size? Deed restriction for developments of any size?

The Commission would like to see an aggressive plan to start with that includes State law and best practices as a baseline.

Josh Green: Title 5 update

- Change time of doing sound testing that currently would be held during the Nov/Dec holiday
- End of Feb suggested due to New fleet at that time
- Instead of testing of every single machine - testing 1 machine of like make model, and year. (A representative vehicle from that fleet to test).
- It is not prudent for tour companies to modify the exhaust because any change to the muffler voids the warranty.
- An Affidavit would be signed at the beginning of the year - "Machines are tested: and that if they alter anything they must advise Grand County"
- Logo requirement to change: Logo on each side and whip flag with unique ID issued by Clerk's office
- Some adjustments need to be made - size of whip flag needs to be added
- Testing will begin once passed, business licenses will move forward. They receive a Certificate of Compliance
- Discussion around the identifier

Motioned by Commissioner Campbell to send letter to County Commission recommending that in addition to new Title 5 language also require a decal on both sides of the vehicle

Makeda seconds

In favor - all

- Question for future consideration taking into account the burden on County enforcement staff to test vehicle sound compliance: are there any third party entities that can do the testing at the cost of the rental companies? When Utah drivers used to need vehicle inspections, the onus was on the car owners to pay a business that could provide that. Could that logic apply here?
4. Future Considerations - Tabled
- a) General Plan Update timeline and overview
 - b) Land Use Study - "scenarios" workshop coming soon
 - c) LUC updates - timeline
Article 3 & 4 being drafted based on the last staff report. Article 6 & 7 edits will occur at a later stage

Motion by Commissioner O'Brien to table staff updates and future considerations, Seconded by Commissioner Kovash, Unanimously approved

Public Hearings/Action Items

5. Anthony Ricco Rezone Request

Staff Presented - See Staff Report in Agenda for Details
Applicant Statement - Anthony Ricco And Brittney Hodson

Public Hearing 5:14pm: Public Comment
- None

Hearing closed 5:16pm

Motioned by Commissioner O'Brien to send an unfavorable recommendation to County Commission for the rezone of the subject property to Small Lot Residential
Seconded by Josie Kovash

Discussion:

- Without deed restriction or affordable housing or open space: not comfortable recommending
- Commissioner Kovash - before doing spot zoning let us await results of the General Plan - Potentially an extension of HDHO is a better route to approve these types of requests once expanded

All in favor - 5, All opposed - 0, Absent - 2

Elissa - Suggestion to move application forward with the voluntary deed restriction
Additional:

- Straw poll - Interest in directing staff to address Co. Commission to revisit HDHO Ordinance?
- Agree - All

Adjournment at 5:32

5:35pm Grand County - City of Moab Joint Planning Commission Meeting called to order

In Attendance:

Commission Chair Emily Campbell, Commissioner Robert O'Brien, Commissioner Josie Kovash, Commissioner Rick York, Commissioner Makeda Barkley, County Commission Liaison Trisha Heiden, Associate Planner, Elissa Martin, Planner, Jenna Gorney, Planning Director, John Guenther

Moab Commission Chair Kya Marienfield, Moab Commissioner Brityn Ballard, Moab Commissioner Rueben Villalpando-Salas, Cory Shurtleff, Moab City Planner

5:36 Citizens to be Heard - None

Discussion Items

Current City issues as presented by Moab Commissioner Marienfield

- Updating Land Use Code
- Updating Density
 - Local occupancy requirement for developers: if max density is developed on a lot then developer to address housing concerns

Current County issues as represented by Planning Director John Guenther

- Land Use Analysis - to be completed
- General Plan currently out for public comment
- Unified Transportation Master Plan in the works: Joint City/County
- Land Use Open House scheduled for February 17th, 2022
- Currently working cooperatively with City to tackle Dark Skies
- Economic Development master Plan in the works
- Draft MOU with the City could be a great starting point for quarterly meetings:

How frequently should we meet jointly:

- City meetings 2nd and 4th Thursday of each month
- Suggestion of Quarterly joint workshop with option for more frequently
- Bi-Annually due to the amount of tasks facing each body.

Discussion - is the MOU as drafted too much or too formal

Moab Commissioner Marienfield - not too formal - expectations and parameters

- Purpose is to think about regional planning
- To include Goals and Workplans
- "We support intergovernmental agreements"
- "Multi Jurisdictional approach to planning"
- Nothing included is intended to modify previous agreements

Efforts to reach out to San Juan?: - Water Consortium, Streets projects, Commissioners

Discussion of Regional Plan, list of issues and potential priorities we want to collectively address

- Outline common workplans , state parks, national parks, SITLA. Grand County could start drafting a workplan for the next meeting including dark skies, transportation, infrastructure, housing, public safety, finance
- Dark Sky implementation: Moab City: discussion previously about municipalities assisting with compliance
- John Guenther: workgroup has met once, shall meet again in 3 weeks, then out to the public.
- Technology, facilities and street, retroactivity, procedures, incentives

- County Commissioner Campbell: Overnight Accommodation expansion: timeline for the City?
 - City has drafted implementation. Amendments have been worked on - no current timeline to re-implement OAs currently. No net new units permitted
- Grand County: we would like to work with you to explore community value clause that we have never defined - look at needs of community to identify potential 'community values'
- Water uses and sustainable practices
- Grand County: grant application submitted last week for water monitoring currently working with Mark Stilson, Water Consortium, on a monthly basis GWSSA, San Juan, City, SITLA meeting currently - where are the needs?
- Instead of focusing all efforts on obtaining resources - focus on conservation efforts
- Both/combo - conservation and commitment not to develop against that bank
- We need a Grand County water committee like the City has
- Coordinate water conservation measures with City
- City of Moab: will be a land use update to their landscaping code
- Communal cross boundary drainage - stormwater master plan: is this a component of what Mila is working on? Recharge into storm drains
- Chris Baird is working on Grants for stormwater mitigation
- County also committed money to stormwater mitigation
- Boat Ramp: Towns Boat Ramp: Lion's Park

Review of discussion topics:

- Form subcommittees and find time to chat and coordinate
- Bi-Annual meeting schedule - next during City Schedule
- Stay close on ongoing planning
- Water sustainability
- Dark Skies
- Boundaries and stormwater
- Redevelopment standards and expansion of OAO
- Have staff keep us aligned via email - ongoing planning, timelines

6:33 workshop ends

6:40pm Motion by Commissioner O'Brien to Adjourn, Seconded by Commissioner Barkley
All in favor - All



Spanish Valley Survey

SURVEY RESPONSE REPORT

11 January 2022 - 09 February 2022

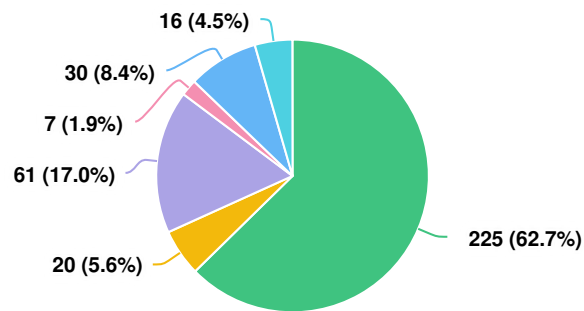
PROJECT NAME:
Community Surveys



SURVEY QUESTIONS



Q1 Are you:



Question options

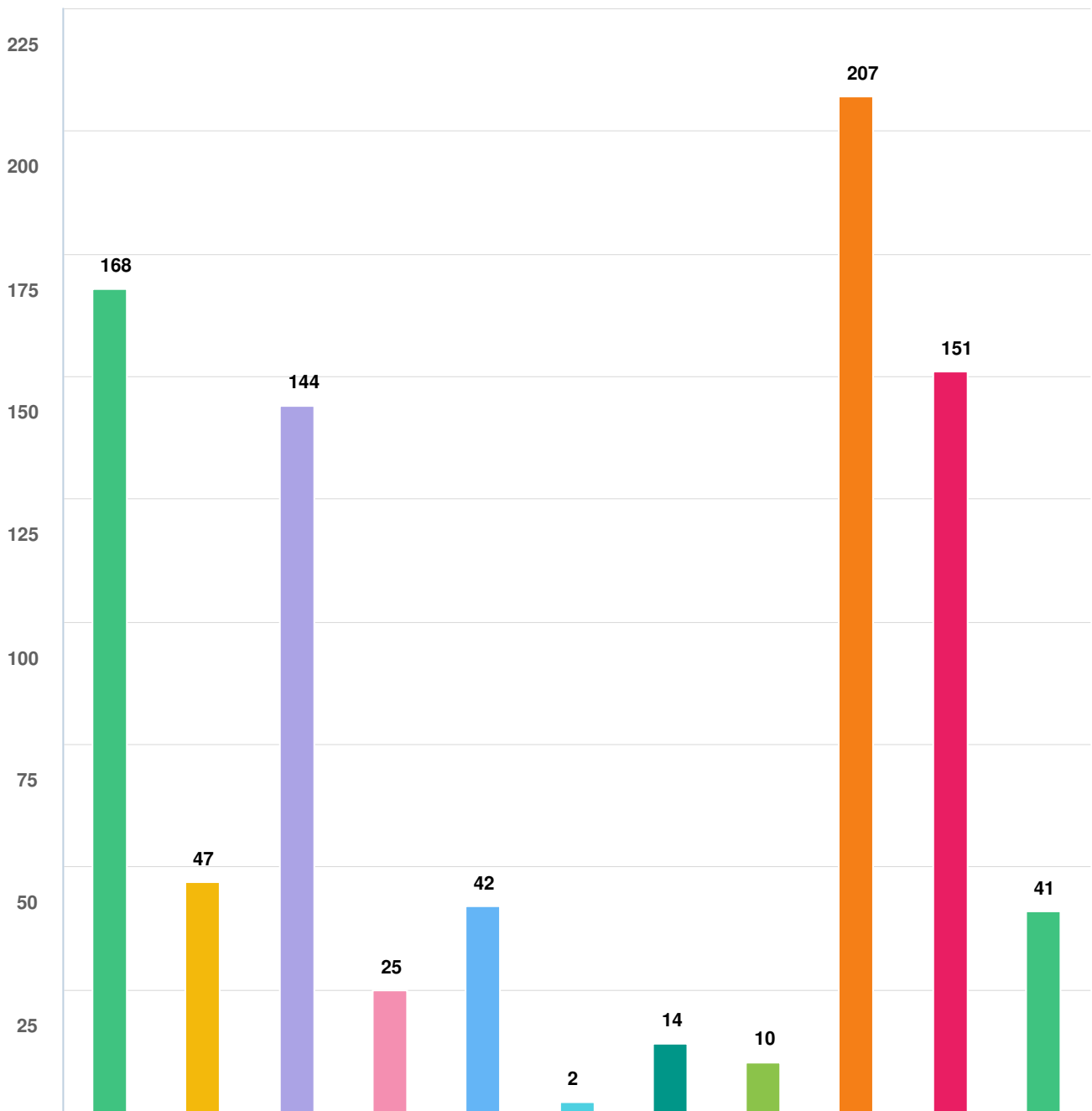
- A full time resident of Spanish Valley in Grand County
- A full time resident of Spanish Valley in San Juan County
- A part-time resident of Spanish Valley in Grand County
- A part-time resident of Spanish Valley in San Juan County
- A resident of Grand County but not a resident of Spanish Valley
- Not a resident of Grand County or San Juan County

Mandatory Question (359 response(s))

Question type: Radio Button Question



Q2 Check all of the boxes that apply to you:



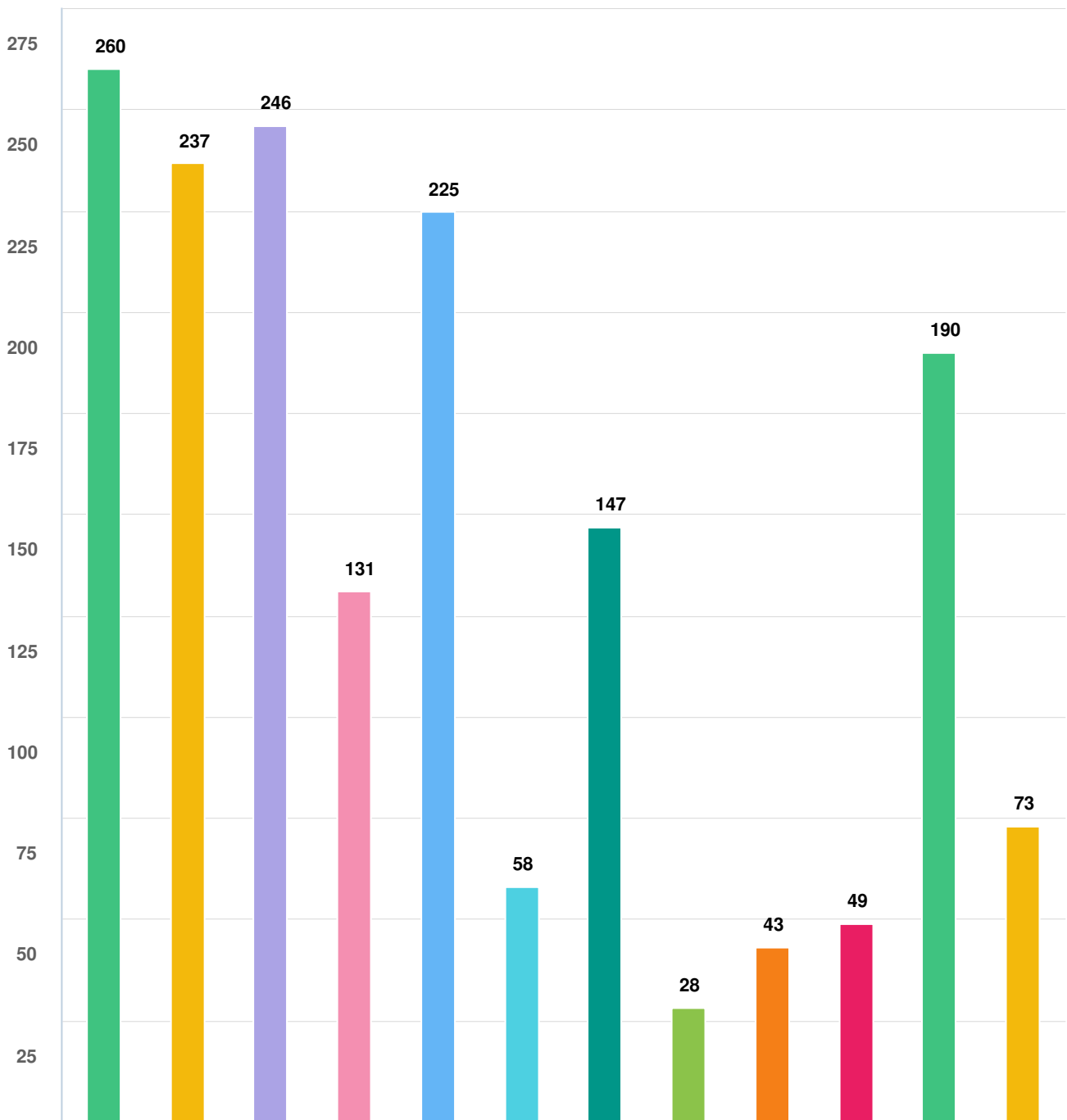
Question options

- I am working full time ● I am working part-time or seasonally ● I am retired ● I am working more than full time
- I am working multiple jobs ● I am unemployed or seeking work ● I am a full time homemaker
- I am a renter in Spanish Valley ● I am a homeowner in Spanish Valley ● Spanish Valley is my primary residence
- I have a vacation home in Spanish Valley

Mandatory Question (359 response(s))
 Question type: Checkbox Question



Q3 Why have you chosen to live in Spanish Valley? Check all that apply:



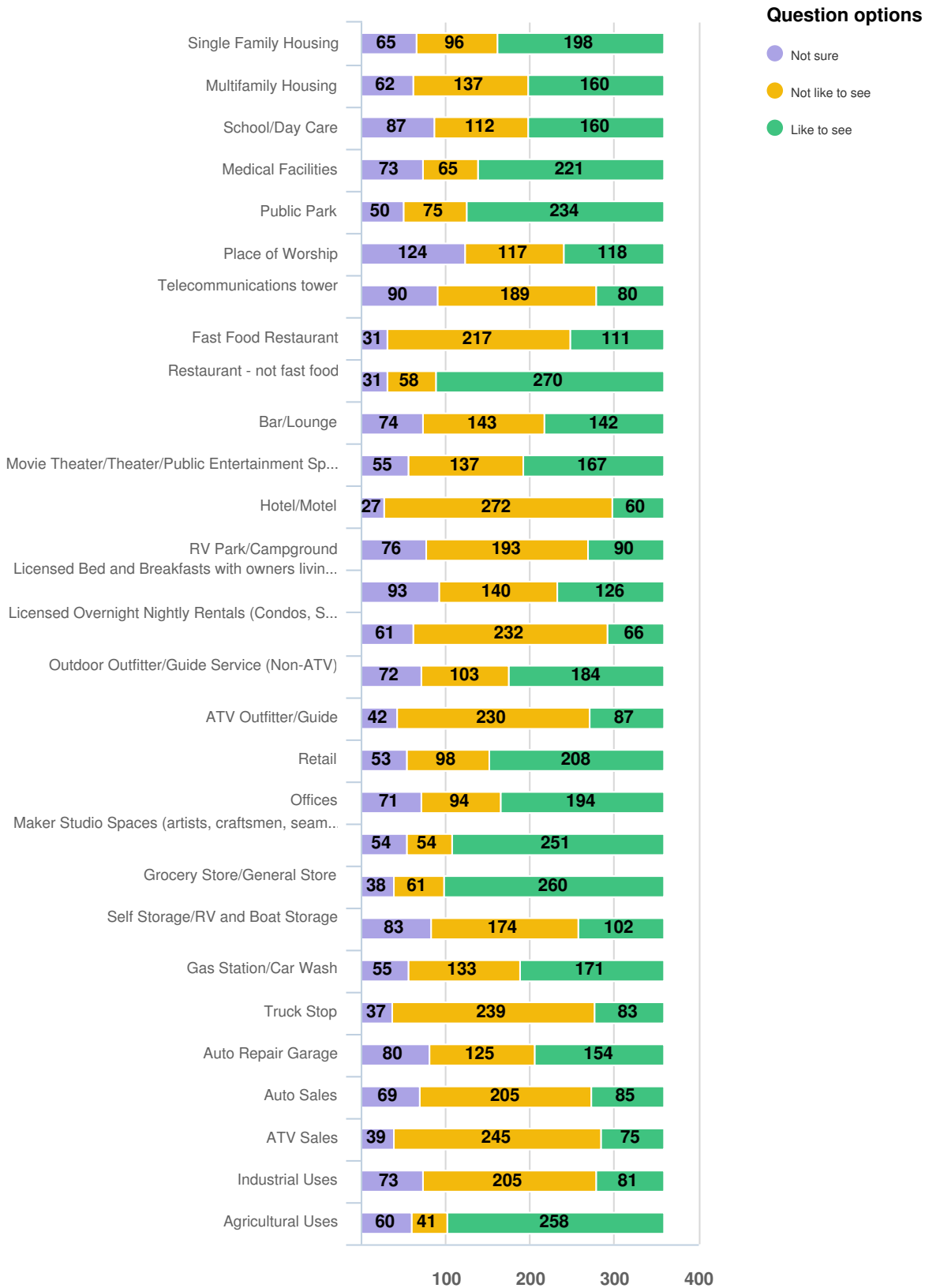
Question options

- Peace and Quiet ● Privacy to enjoy my property ● Rural environment ● Wildlife ● Dark Skies
- Less expensive housing ● Safety/low crime ● Financial opportunities ● Nearness to family members/property
- Easy commute to work ● Less traffic noise ● Other (please specify)

Mandatory Question (359 response(s))
Question type: Checkbox Question



Q4 What types of uses would you like to see or not like to see in the Highway 191 Corridor?
 The Highway 191 Corridor is every parcel that touches Highway 191, plus any parcels behind those that are zoned Highway Commercial (HC) and General Business (G...

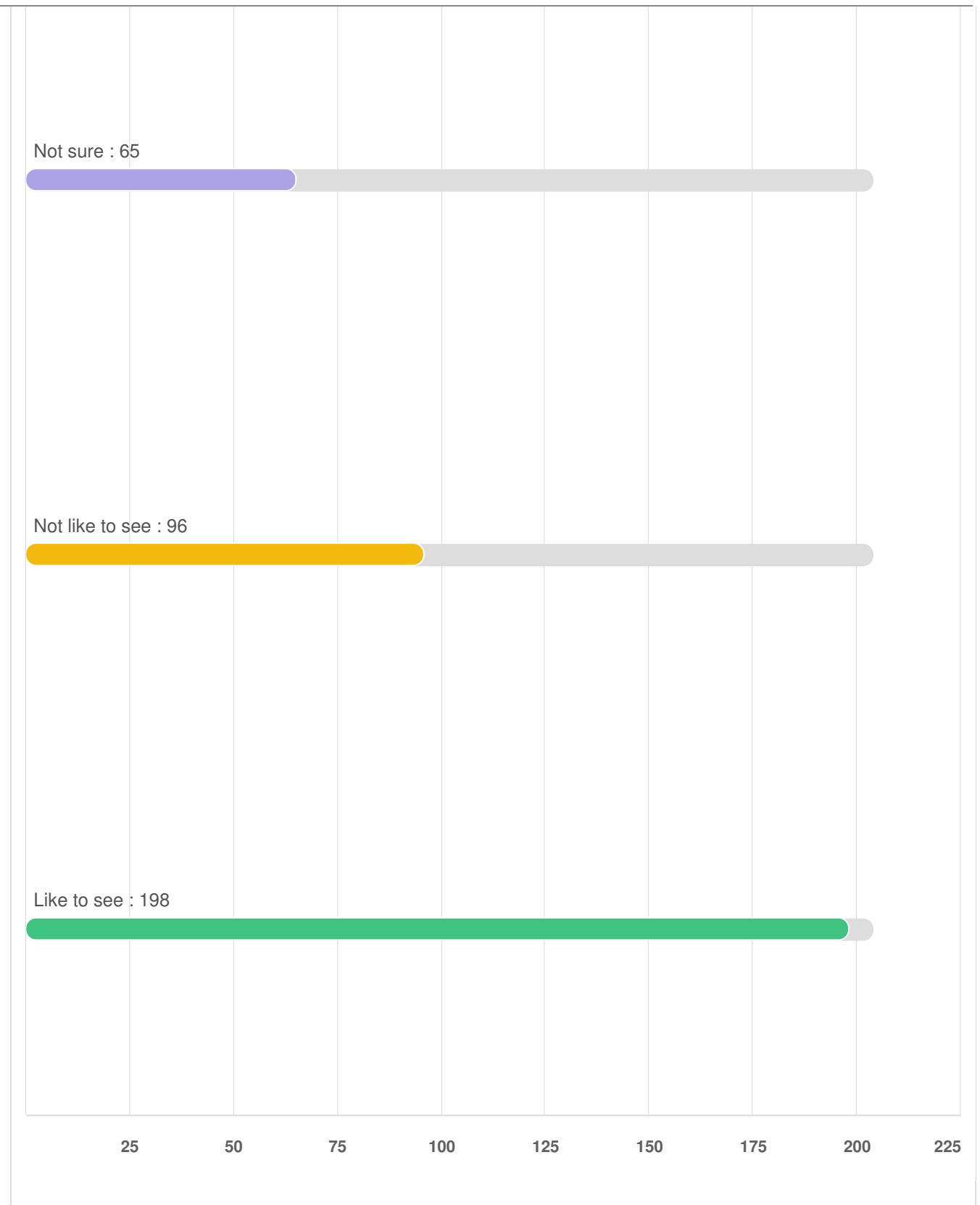


Mandatory Question (359 response(s))
 Question type: Likert Question



Q4 | What types of uses would you like to see or not like to see in the Highway 191 Corridor? The Highway 191 Corridor is every parcel that touches Highway 191, plus any parcels behind those that are zoned Highway Commercial (HC) and General Business (G...

Single Family Housing





Multifamily Housing

Not sure : 62



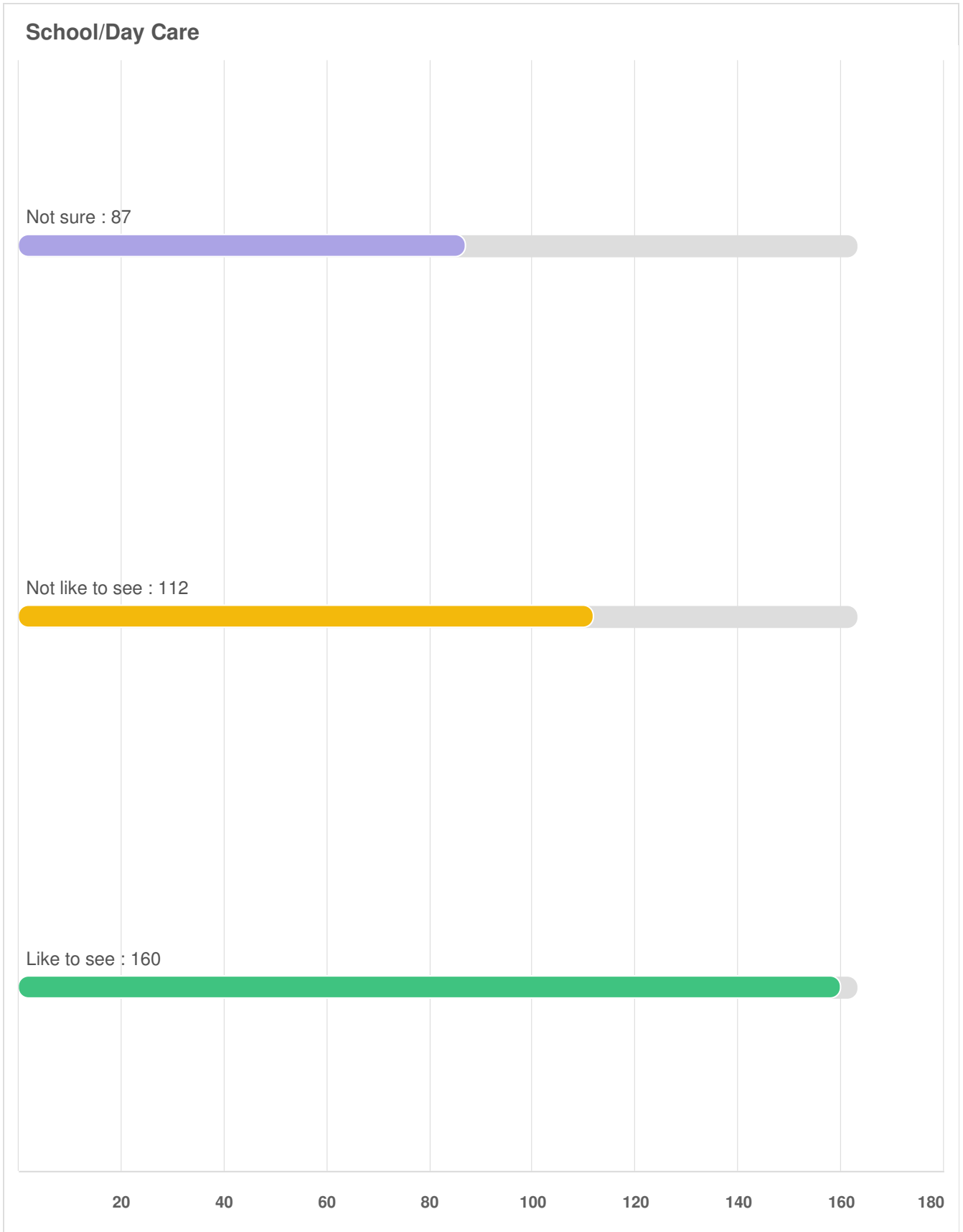
Not like to see : 137



Like to see : 160



20 40 60 80 100 120 140 160 180





Medical Facilities

Not sure : 73



Not like to see : 65



Like to see : 221



25 50 75 100 125 150 175 200 225 250



Public Park

Not sure : 50



Not like to see : 75



Like to see : 234



25 50 75 100 125 150 175 200 225 250



Place of Worship

Not sure : 124



Not like to see : 117



Like to see : 118



10 20 30 40 50 60 70 80 90 100 110 120 130 140



Telecommunications tower

Not sure : 90



Not like to see : 189



Like to see : 80



25 50 75 100 125 150 175 200



Fast Food Restaurant

Not sure : 31



Not like to see : 217



Like to see : 111



25 50 75 100 125 150 175 200 225 250



Restaurant - not fast food

Not sure : 31



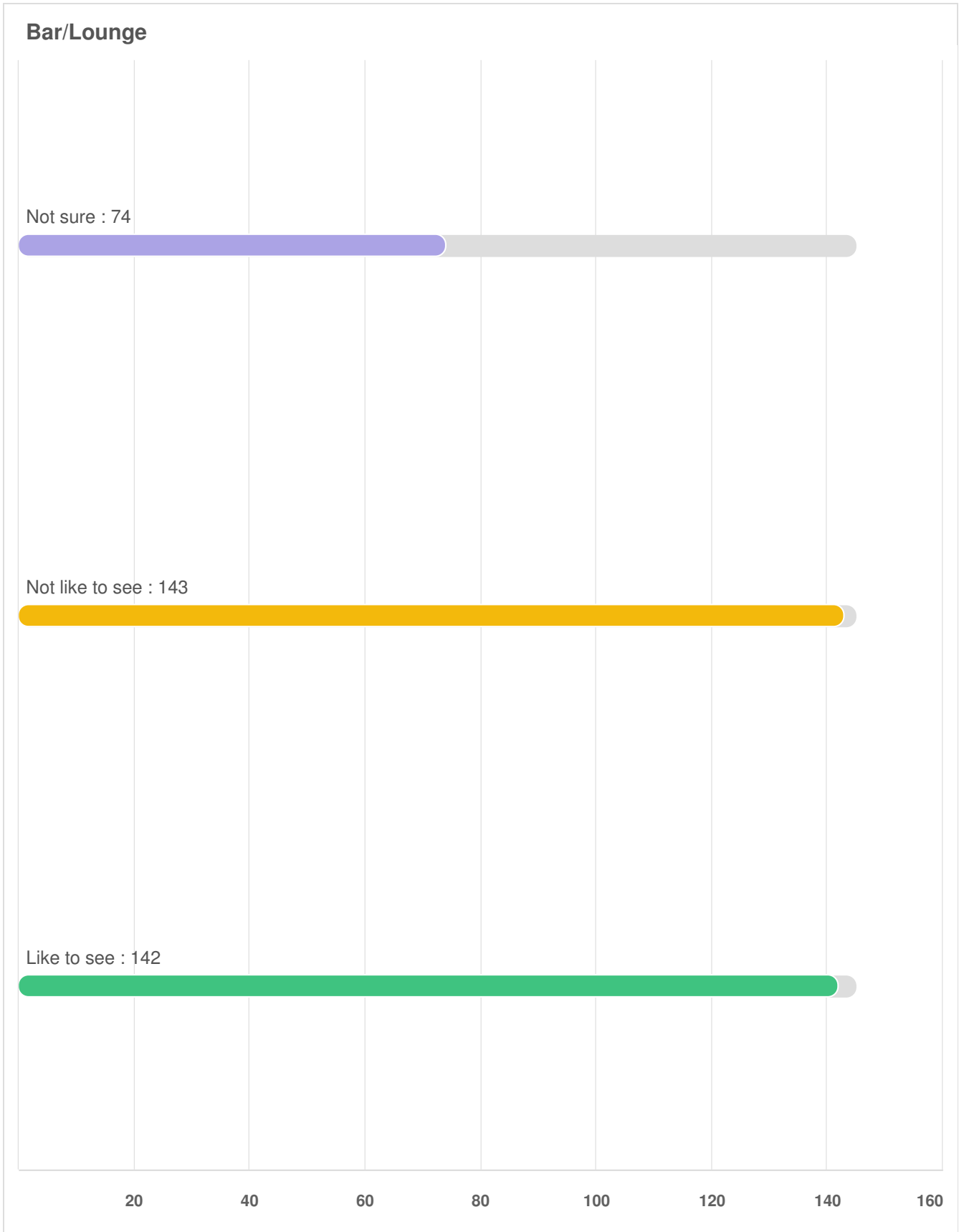
Not like to see : 58



Like to see : 270



25 50 75 100 125 150 175 200 225 250 275 300





Movie Theater/Theater/Public Entertainment Space

Not sure : 55



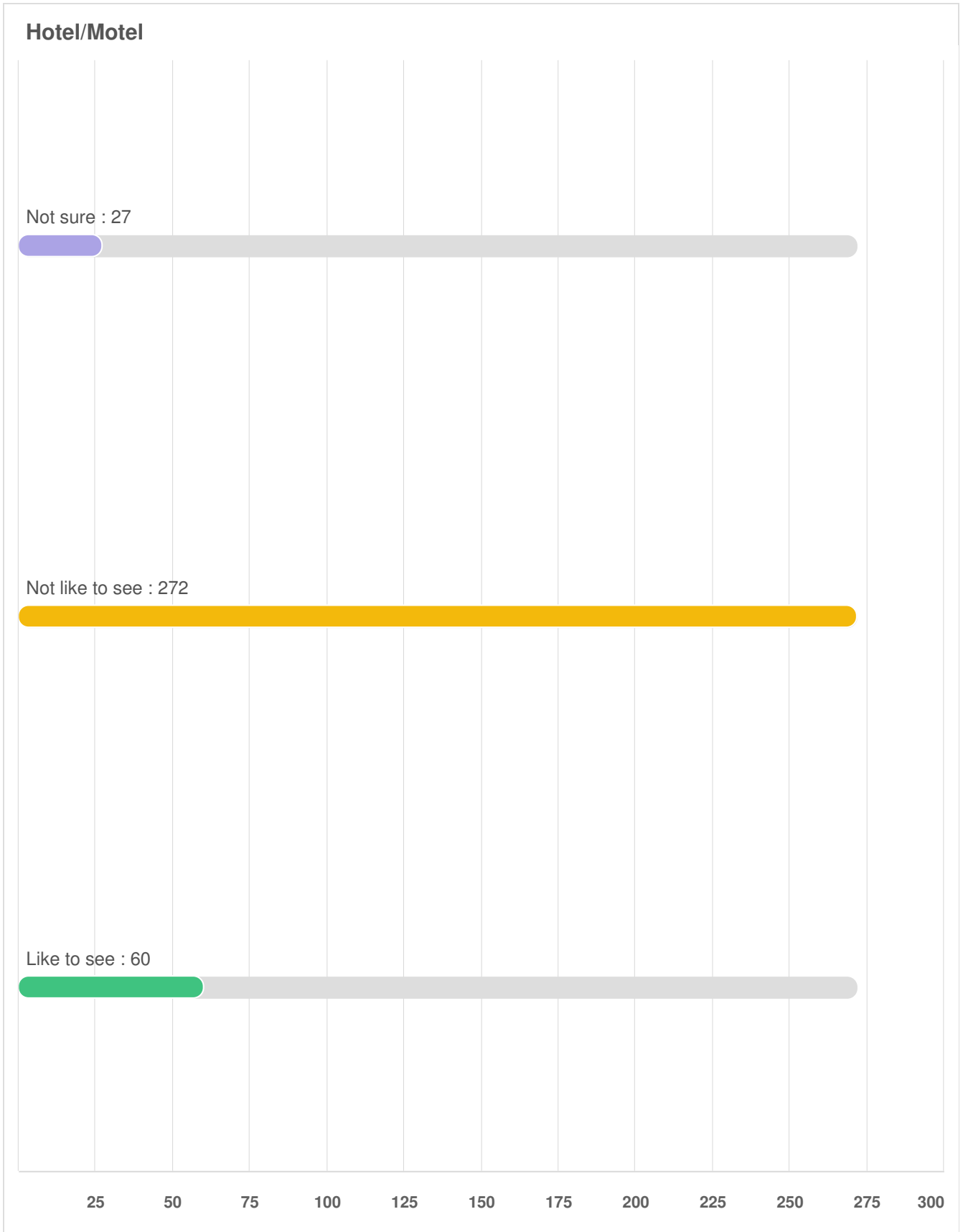
Not like to see : 137



Like to see : 167



20 40 60 80 100 120 140 160 180





RV Park/Campground

Not sure : 76



Not like to see : 193



Like to see : 90



25 50 75 100 125 150 175 200 225



Licensed Bed and Breakfasts with owners living on site

Not sure : 93



Not like to see : 140



Like to see : 126



20 40 60 80 100 120 140 160



Licensed Overnight Nightly Rentals (Condos, Single Family Residences, etc.) in which an owner is not required to live on site





Outdoor Outfitter/Guide Service (Non-ATV)

Not sure : 72



Not like to see : 103



Like to see : 184



20 40 60 80 100 120 140 160 180 200



ATV Outfitter/Guide

Not sure : 42



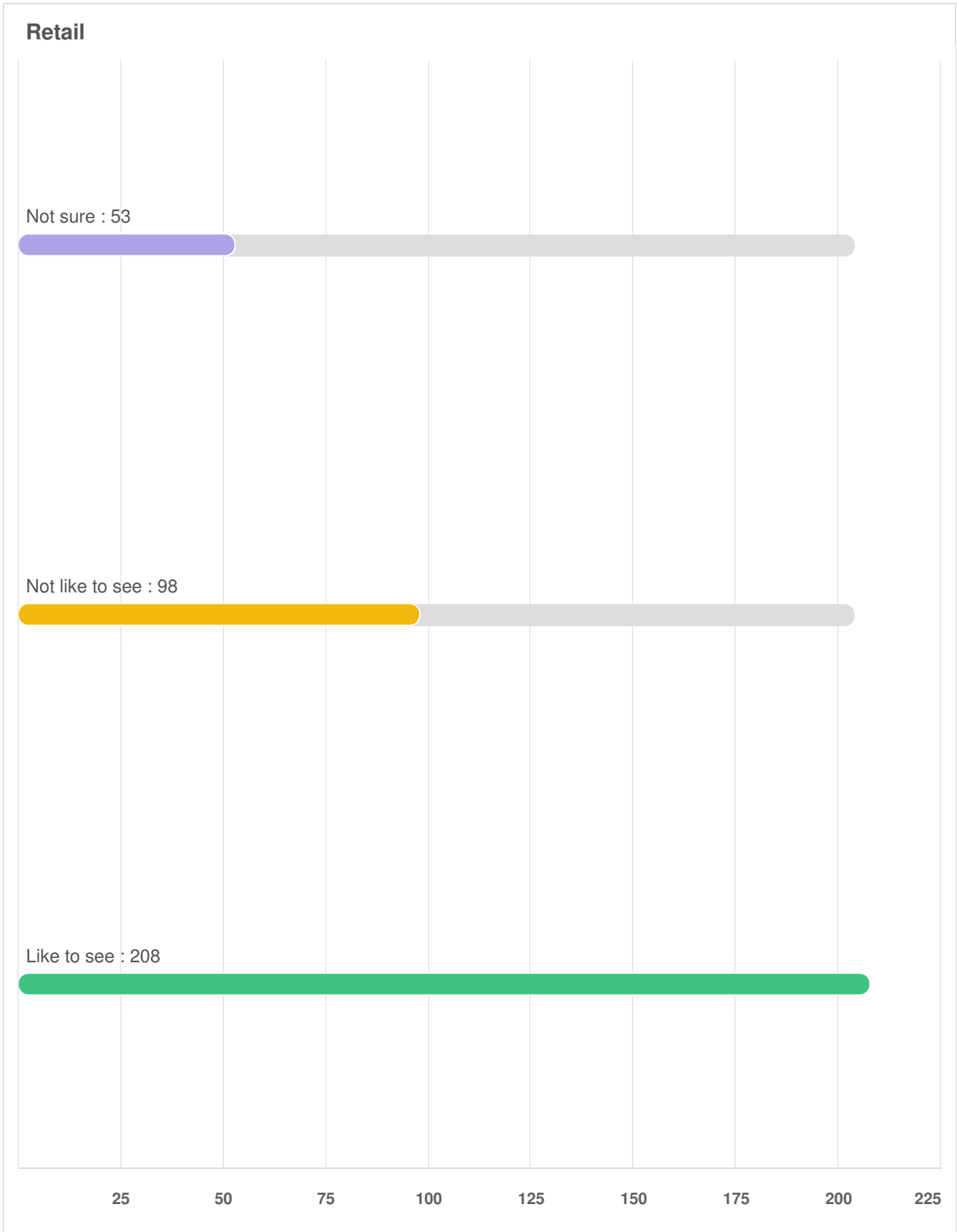
Not like to see : 230



Like to see : 87



25 50 75 100 125 150 175 200 225 250





Offices

Not sure : 71



Not like to see : 94



Like to see : 194



25 50 75 100 125 150 175 200 225



Maker Studio Spaces (artists, craftsmen, seamstress, etc.)

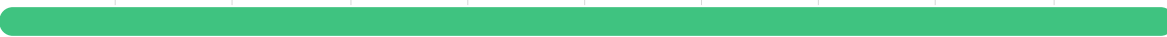
Not sure : 54



Not like to see : 54



Like to see : 251



25 50 75 100 125 150 175 200 225 250 275



Grocery Store/General Store

Not sure : 38



Not like to see : 61



Like to see : 260



25 50 75 100 125 150 175 200 225 250 275



Self Storage/RV and Boat Storage

Not sure : 83



Not like to see : 174



Like to see : 102



20 40 60 80 100 120 140 160 180 200



Gas Station/Car Wash

Not sure : 55



Not like to see : 133



Like to see : 171



20 40 60 80 100 120 140 160 180



Truck Stop

Not sure : 37



Not like to see : 239



Like to see : 83



25 50 75 100 125 150 175 200 225 250 275



Auto Repair Garage

Not sure : 80



Not like to see : 125



Like to see : 154



20 40 60 80 100 120 140 160 180



Auto Sales

Not sure : 69



Not like to see : 205



Like to see : 85



25 50 75 100 125 150 175 200 225



ATV Sales

Not sure : 39



Not like to see : 245



Like to see : 75



25 50 75 100 125 150 175 200 225 250 275



Industrial Uses

Not sure : 73



Not like to see : 205



Like to see : 81



25 50 75 100 125 150 175 200 225



Agricultural Uses

Not sure : 60



Not like to see : 41



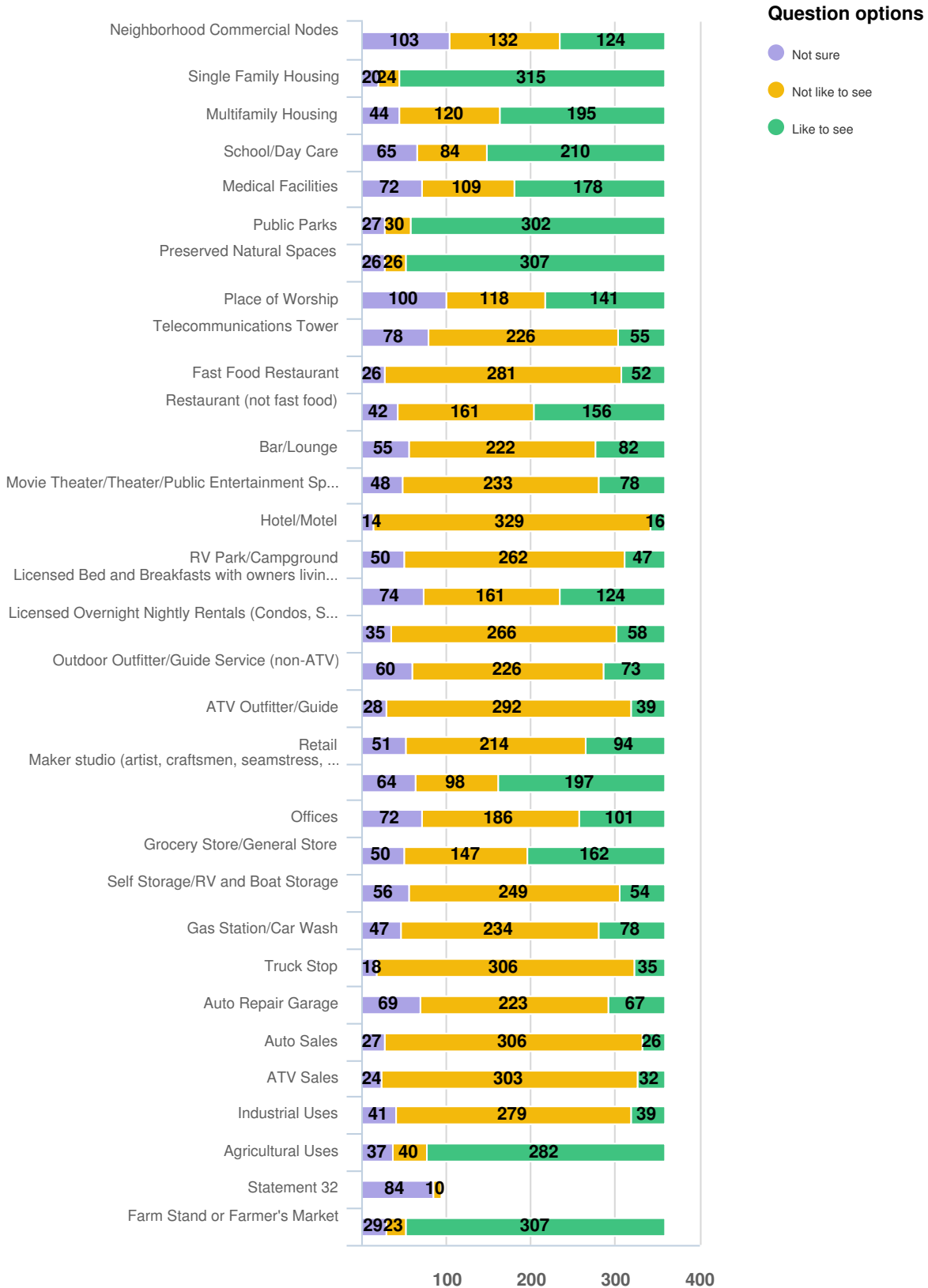
Like to see : 258



25 50 75 100 125 150 175 200 225 250 275



Q5 What types of uses would you like to see or not like to see in areas of Spanish Valley outside of the Highway 191 Corridor? Please check one answer for each item.



Mandatory Question (359 response(s))
 Question type: Likert Question



Q5 | What types of uses would you like to see or not like to see in areas of Spanish Valley outside of the Highway 191 Corridor? Please check one answer for each item.

Neighborhood Commercial Nodes

Not sure : 103



Not like to see : 132

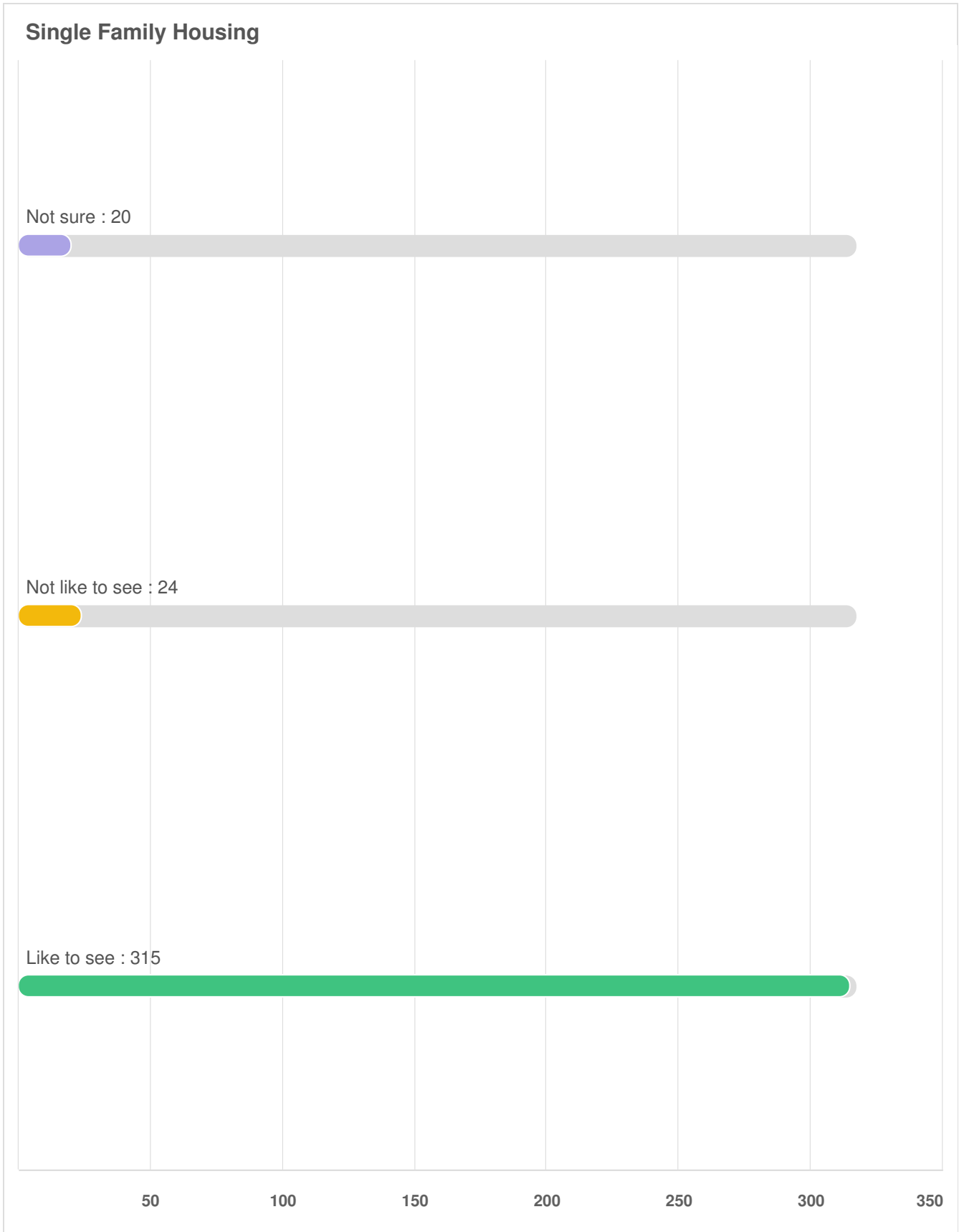


Like to see : 124



20 40 60 80 100 120 140







Multifamily Housing

Not sure : 44



Not like to see : 120



Like to see : 195



25 50 75 100 125 150 175 200 225



School/Day Care

Not sure : 65



Not like to see : 84



Like to see : 210



25 50 75 100 125 150 175 200 225



Medical Facilities

Not sure : 72



Not like to see : 109



Like to see : 178



20 40 60 80 100 120 140 160 180 200



Public Parks

Not sure : 27



Not like to see : 30



Like to see : 302



25 50 75 100 125 150 175 200 225 250 275 300 325



Preserved Natural Spaces

Not sure : 26



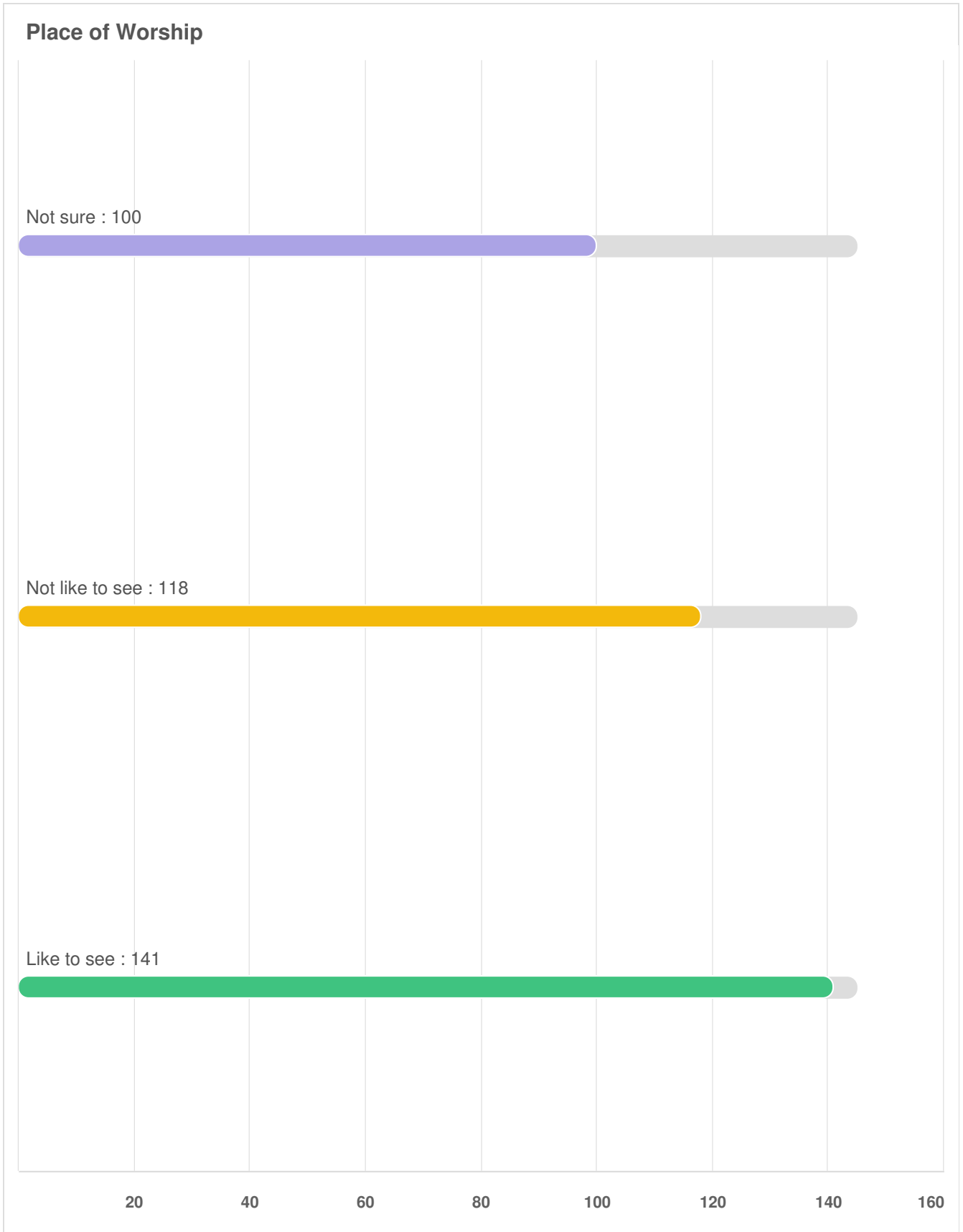
Not like to see : 26



Like to see : 307



25 50 75 100 125 150 175 200 225 250 275 300 325





Telecommunications Tower

Not sure : 78



Not like to see : 226



Like to see : 55



25 50 75 100 125 150 175 200 225 250



Fast Food Restaurant

Not sure : 26



Not like to see : 281



Like to see : 52



25 50 75 100 125 150 175 200 225 250 275 300



Restaurant (not fast food)

Not sure : 42



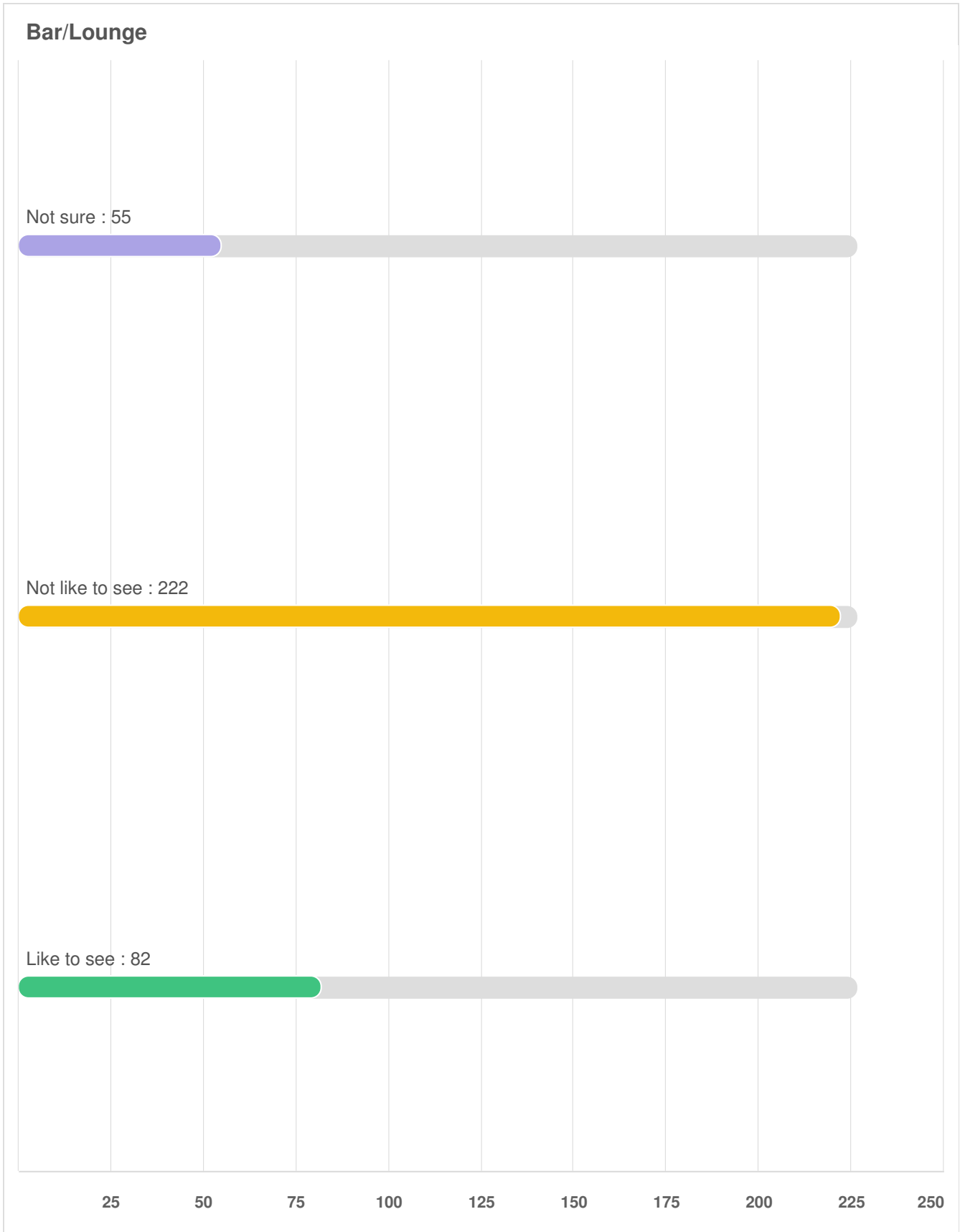
Not like to see : 161



Like to see : 156



20 40 60 80 100 120 140 160 180





Movie Theater/Theater/Public Entertainment Space

Not sure : 48



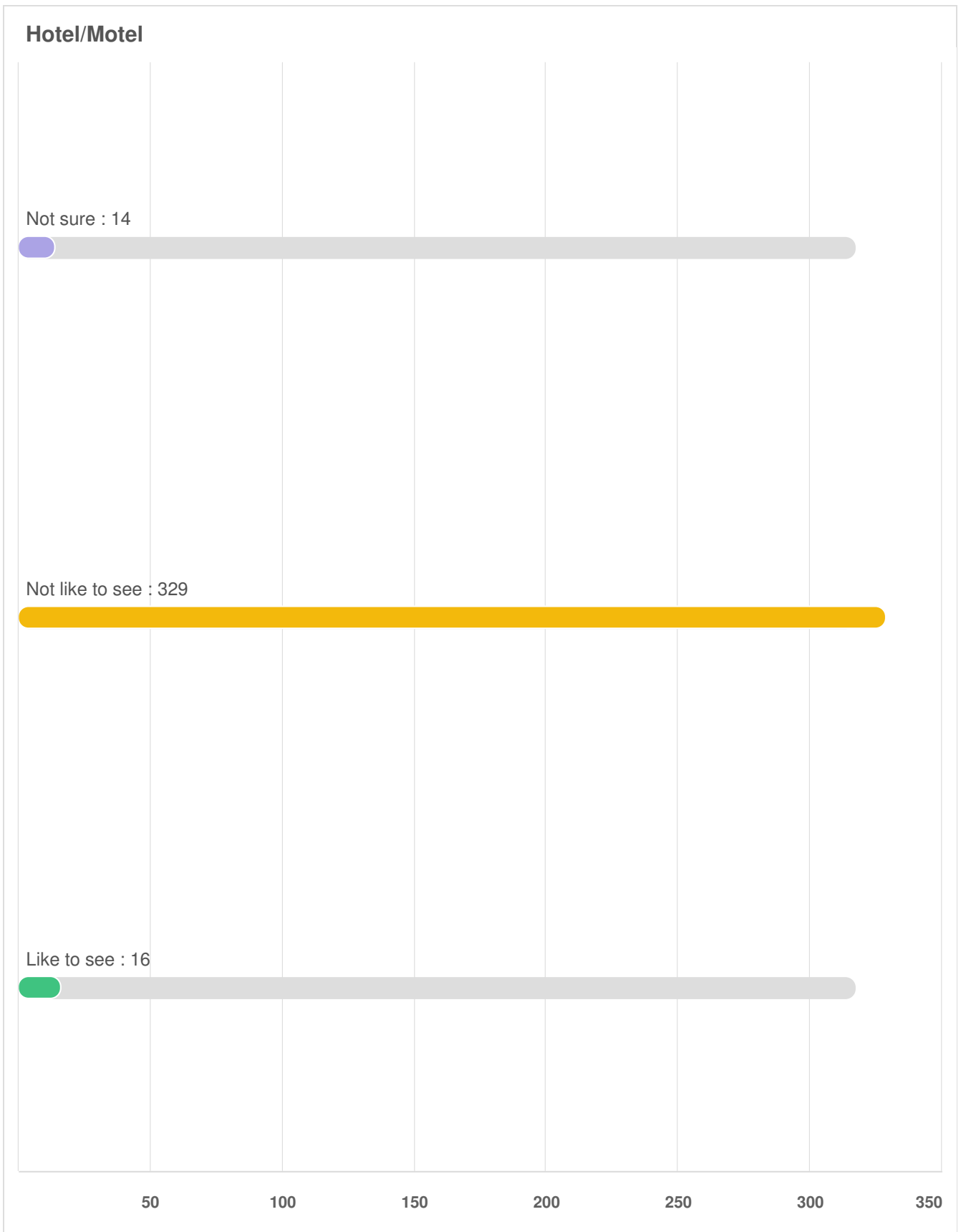
Not like to see : 233

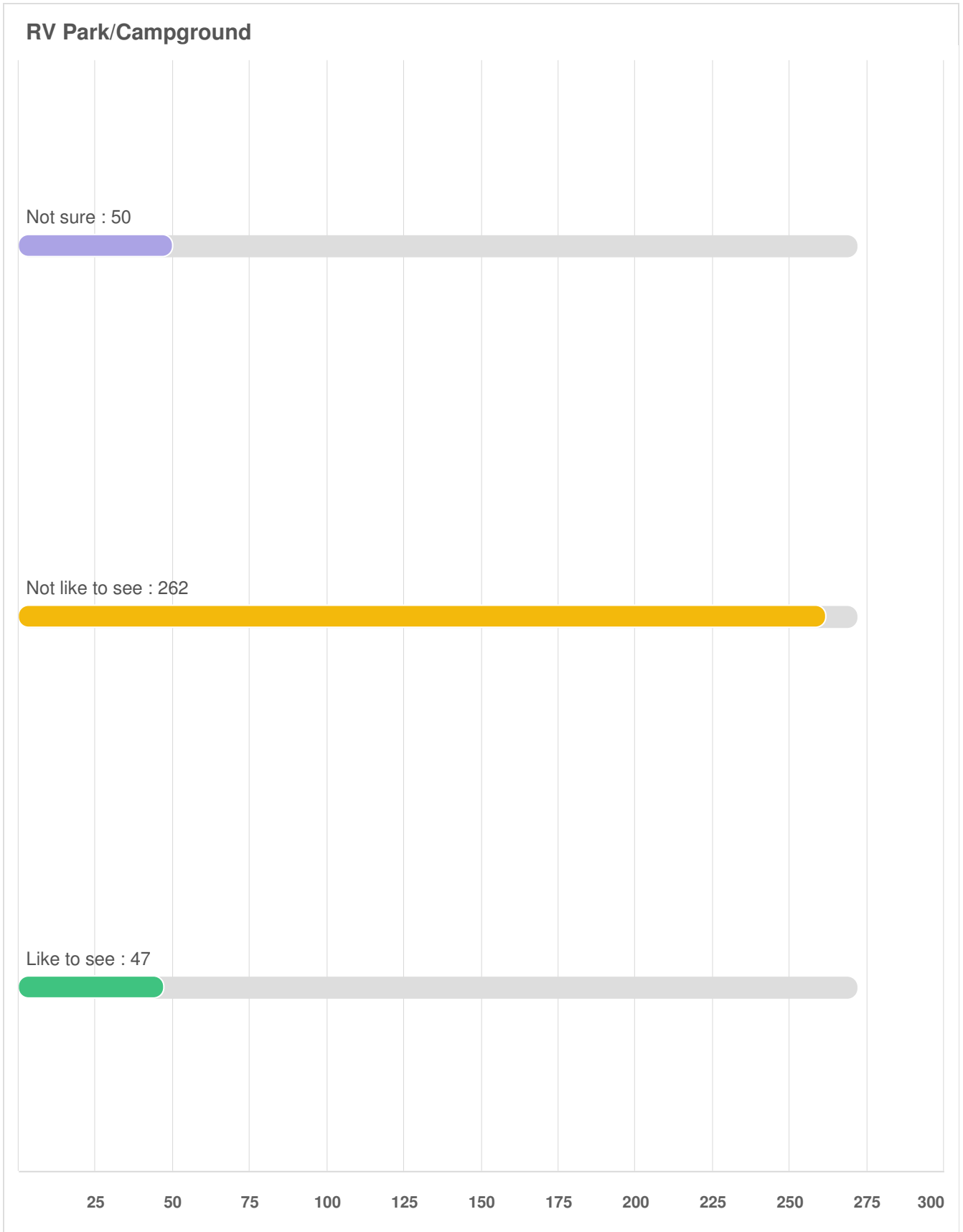


Like to see : 78



25 50 75 100 125 150 175 200 225 250







Licensed Bed and Breakfasts with owners living on site

Not sure : 74



Not like to see : 161



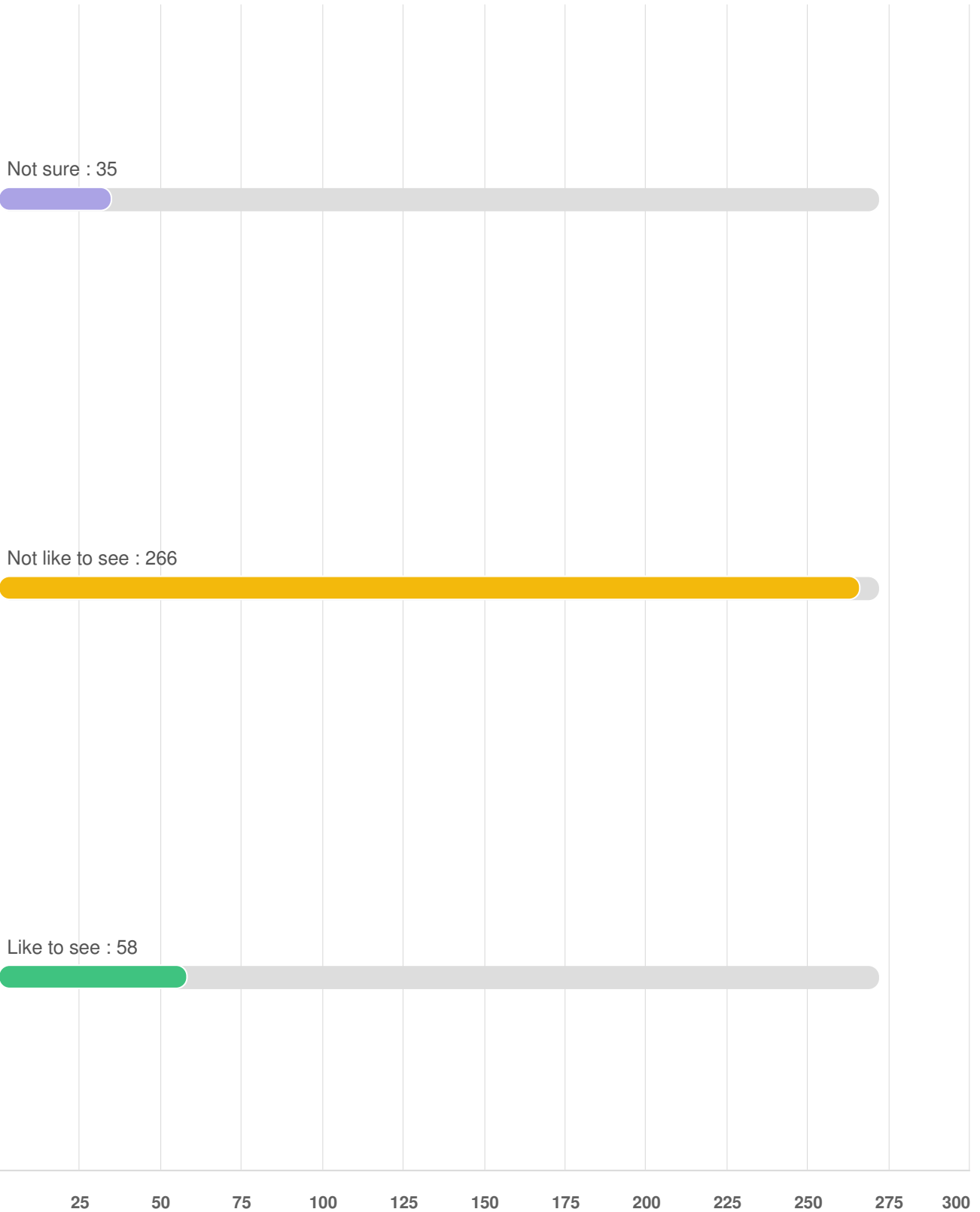
Like to see : 124



20 40 60 80 100 120 140 160 180



Licensed Overnight Nightly Rentals (Condos, Single Family Residences, etc.) in which an owner is not required to live on site





Outdoor Outfitter/Guide Service (non-ATV)

Not sure : 60



Not like to see : 226



Like to see : 73



25 50 75 100 125 150 175 200 225 250



ATV Outfitter/Guide

Not sure : 28



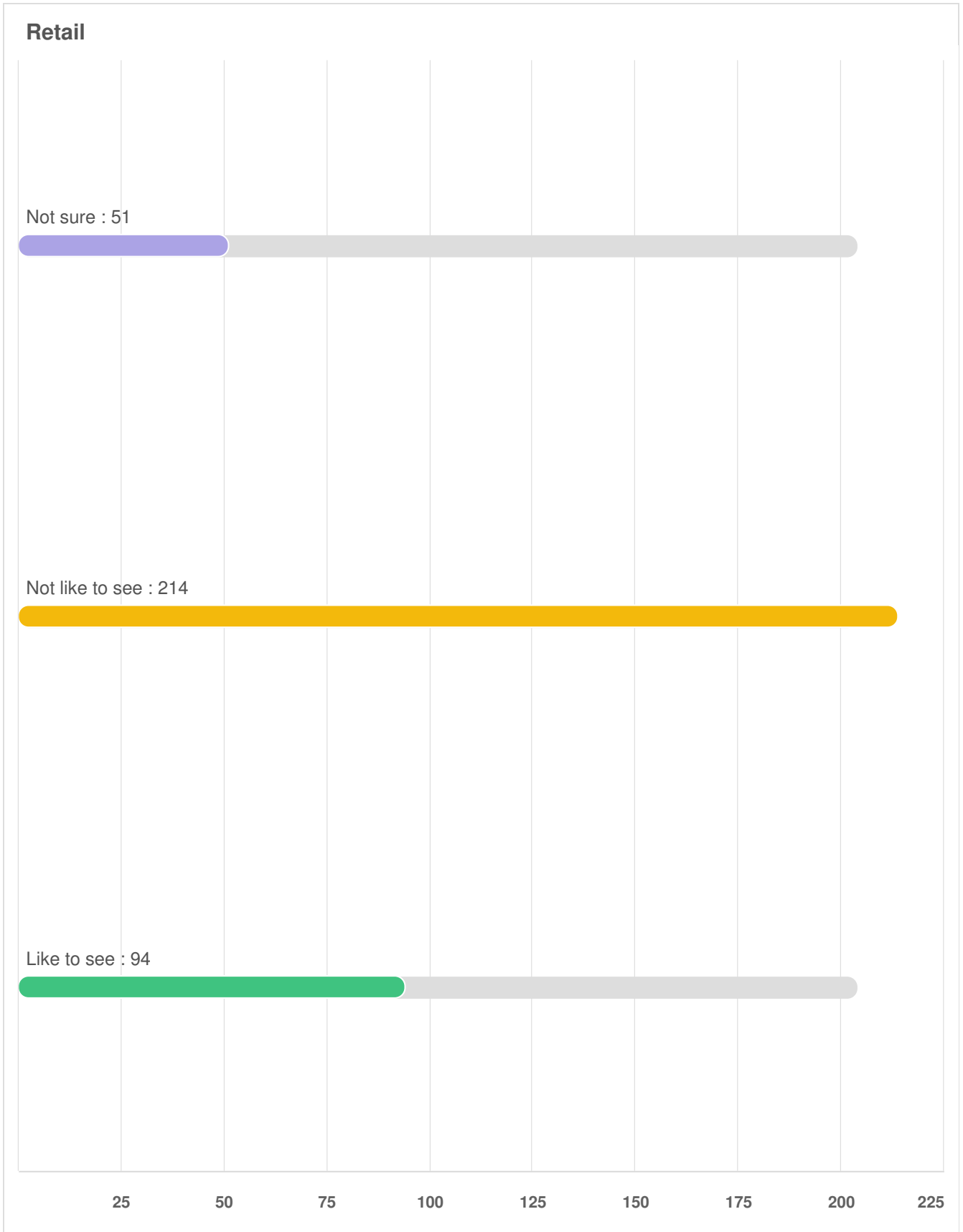
Not like to see : 292



Like to see : 39



25 50 75 100 125 150 175 200 225 250 275 300 325





Maker studio (artist, craftsmen, seamstress, etc.)

Not sure : 64



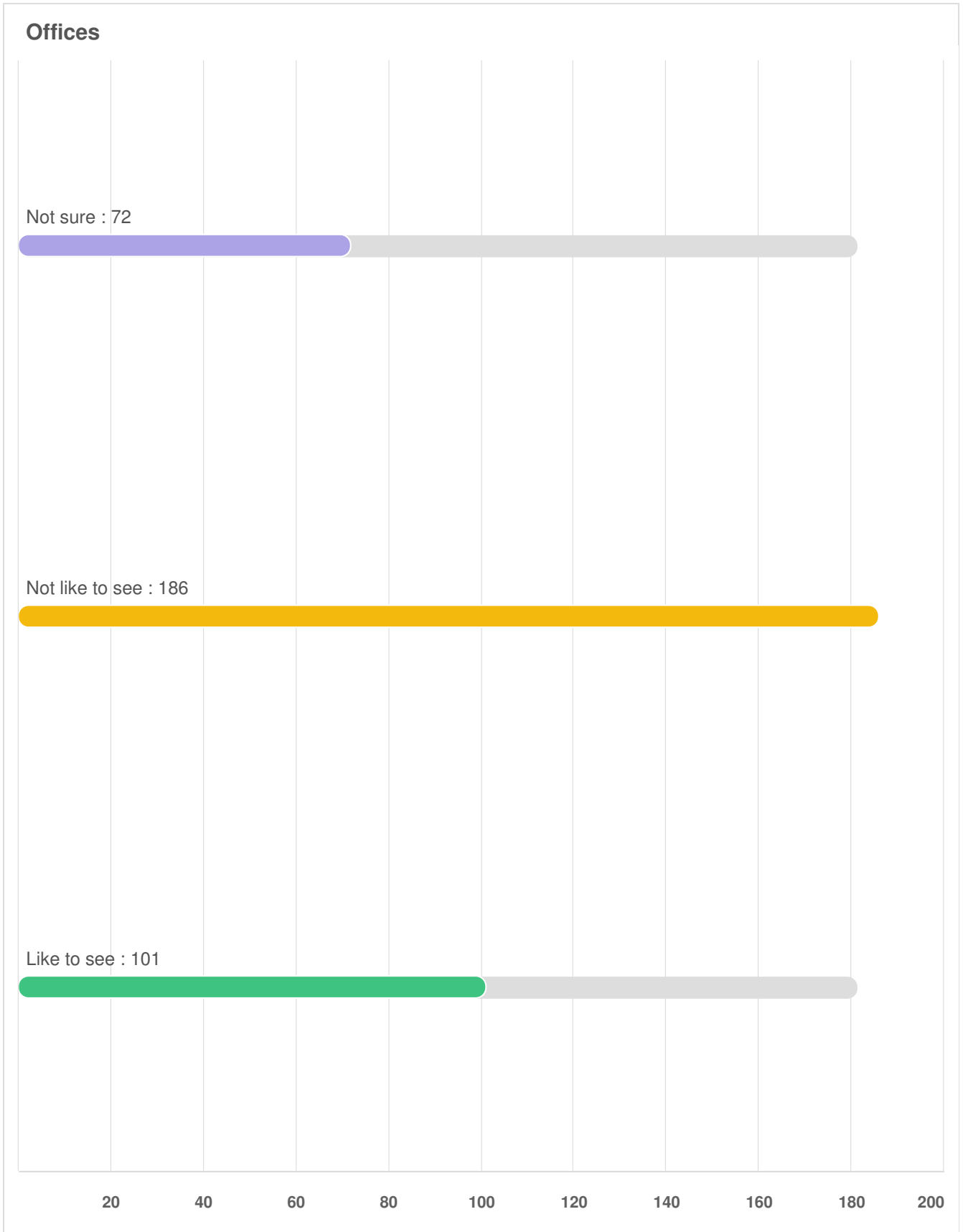
Not like to see : 98



Like to see : 197



25 50 75 100 125 150 175 200 225





Grocery Store/General Store

Not sure : 50



Not like to see : 147



Like to see : 162



20 40 60 80 100 120 140 160 180



Self Storage/RV and Boat Storage

Not sure : 56



Not like to see : 249



Like to see : 54



25 50 75 100 125 150 175 200 225 250 275



Gas Station/Car Wash

Not sure : 47



Not like to see : 234



Like to see : 78



25 50 75 100 125 150 175 200 225 250



Truck Stop

Not sure : 18



Not like to see : 306



Like to see : 35



25 50 75 100 125 150 175 200 225 250 275 300 325



Auto Repair Garage

Not sure : 69



Not like to see : 223



Like to see : 67



25 50 75 100 125 150 175 200 225 250



Auto Sales

Not sure : 27



Not like to see : 306



Like to see : 26



25 50 75 100 125 150 175 200 225 250 275 300 325



ATV Sales

Not sure : 24



Not like to see : 303



Like to see : 32



25 50 75 100 125 150 175 200 225 250 275 300 325



Industrial Uses

Not sure : 41



Not like to see : 279



Like to see : 39



25 50 75 100 125 150 175 200 225 250 275 300



Agricultural Uses

Not sure : 37



Not like to see : 40



Like to see : 282



25 50 75 100 125 150 175 200 225 250 275 300



Statement 32

Not sure : 84



Not like to see : 10



Like to see : 0



10 20 30 40 50 60 70 80 90



Farm Stand or Farmer's Market

Not sure : 29



Not like to see : 23



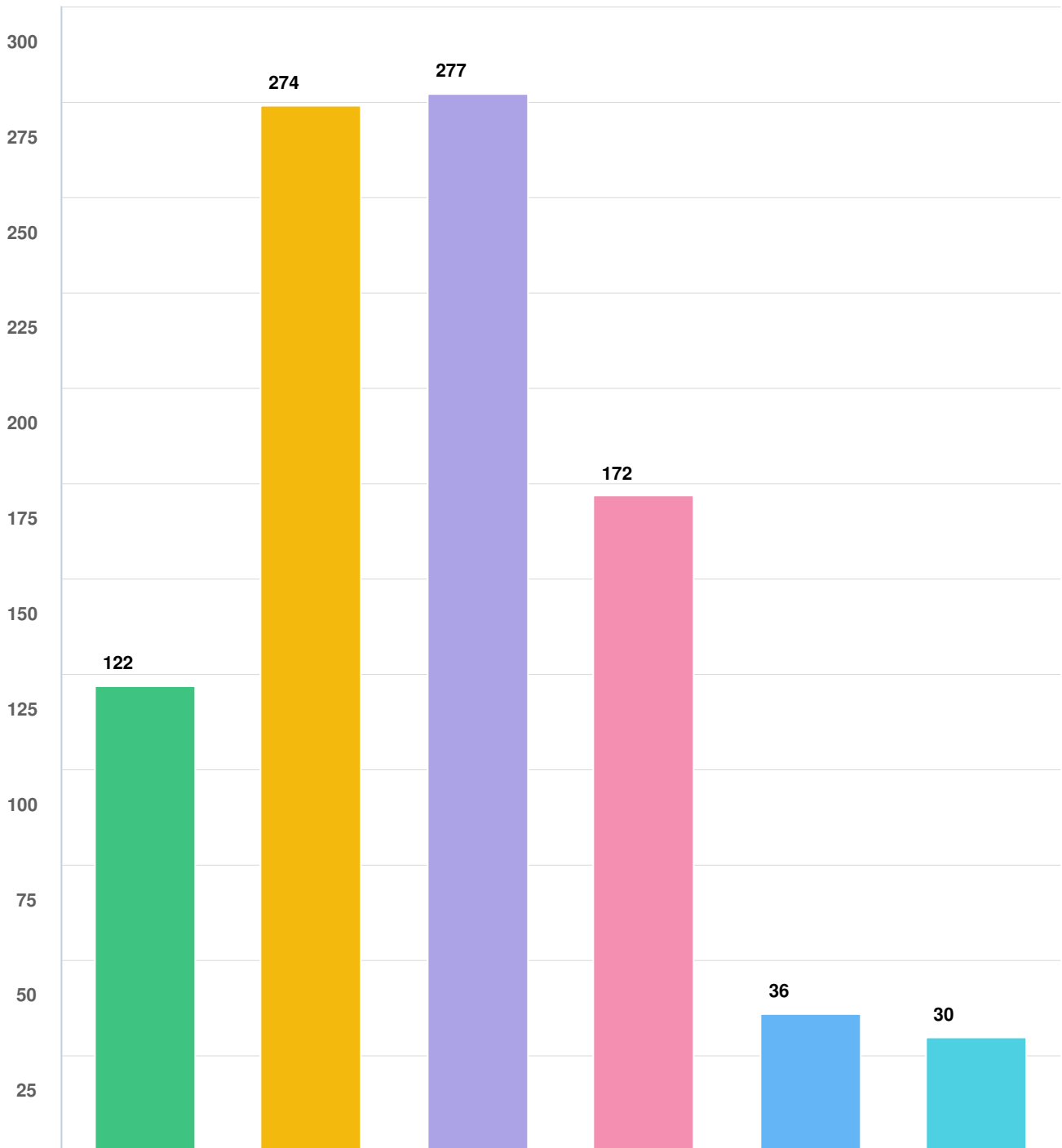
Like to see : 307



25 50 75 100 125 150 175 200 225 250 275 300 325



Q6 What type of transportation improvements would you like to see in Spanish Valley?
Please check all that apply.



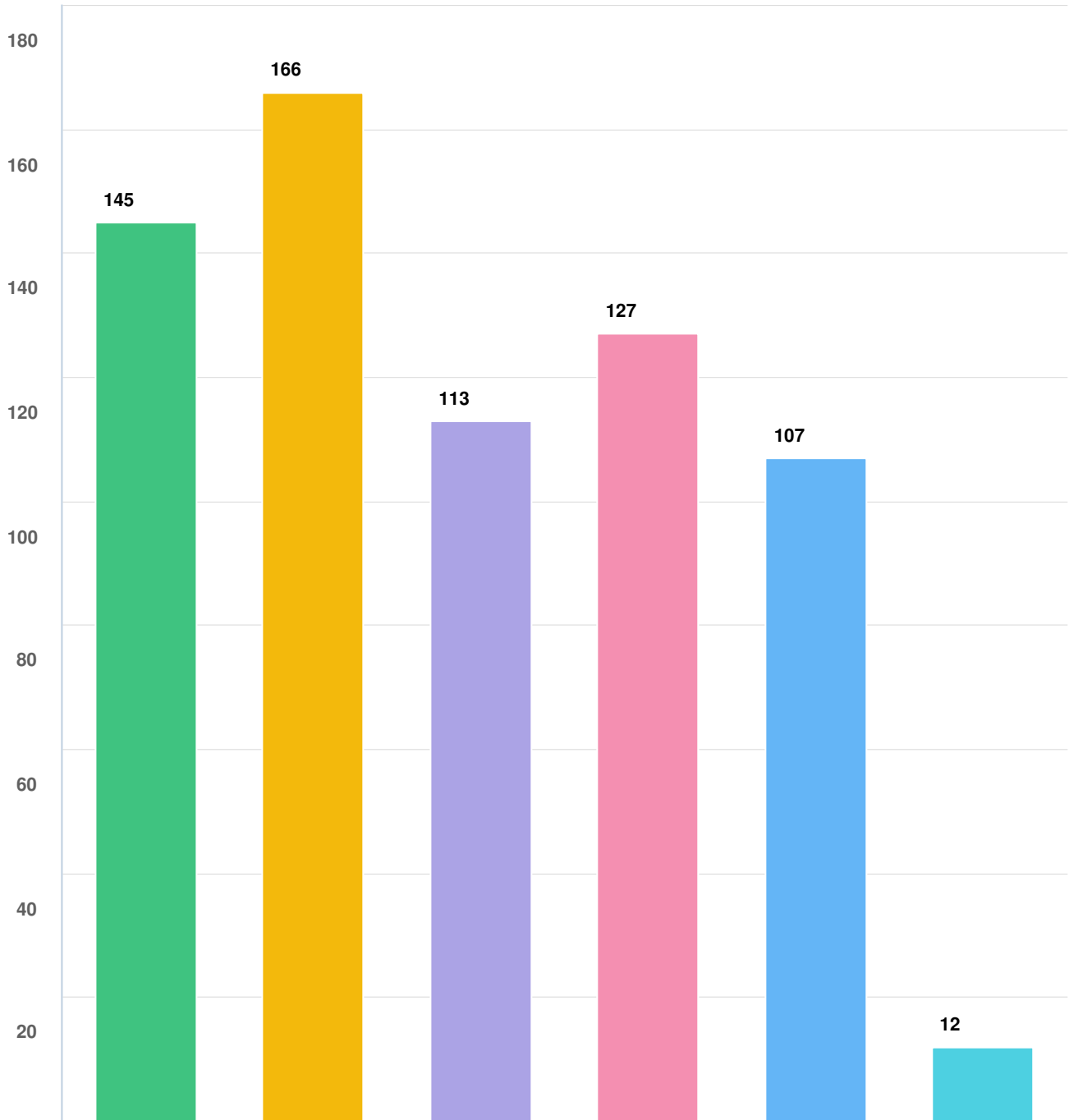
Question options

- Other transportation services (please specify):
- I would not like to see any transportation improvements in Spanish Valley
- Van Service (for the elderly and others)
- Bike Trails
- Walking Trails
- Bus Service

Mandatory Question (359 response(s))
Question type: Checkbox Question



Q7 If you support seeing some small areas of commercial development (commercial nodes) or expanding such areas in Spanish Valley, which of the following areas would you like to see such businesses? Please select as many as you would like, and refer to...



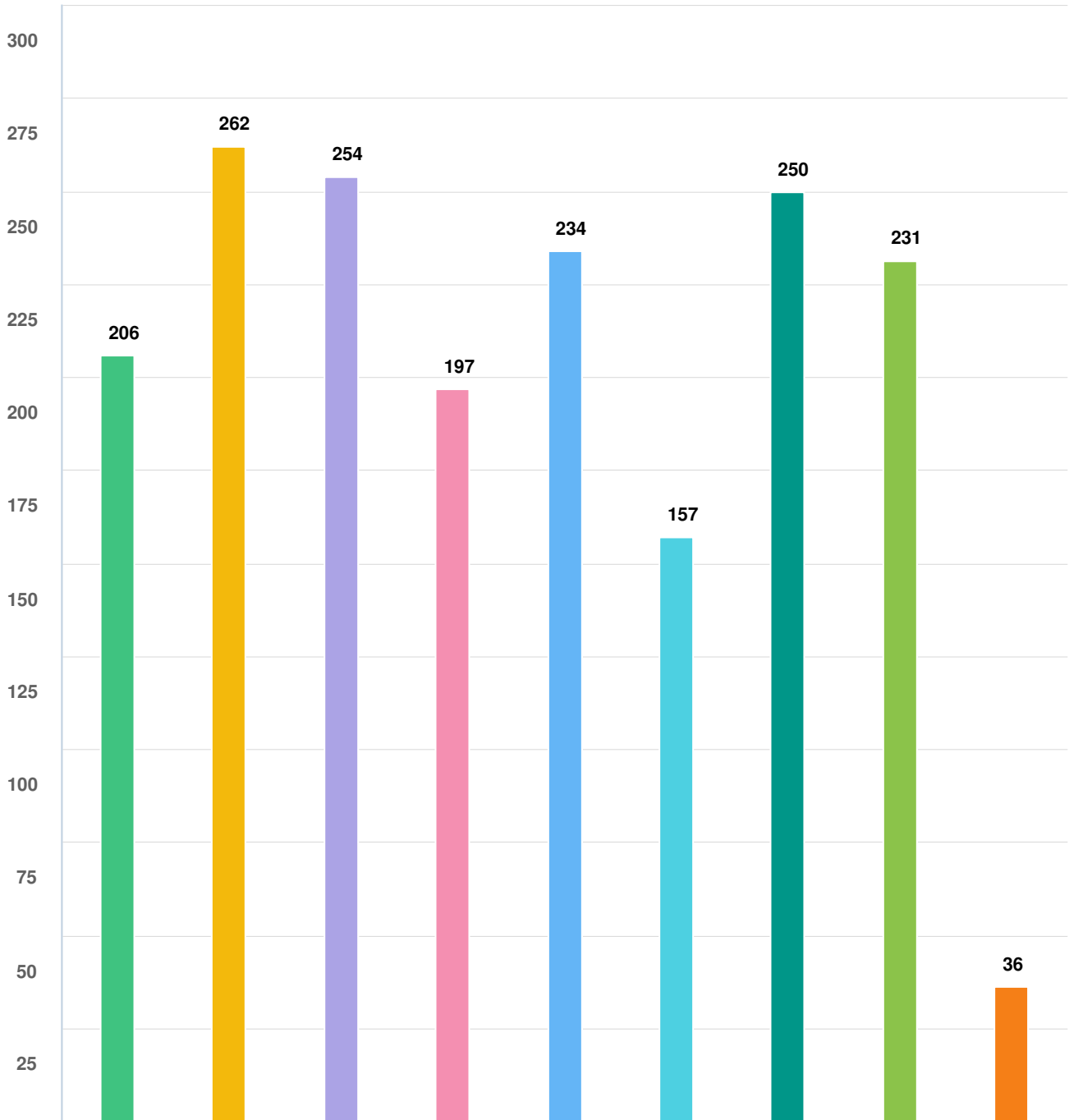
Question options

- Other areas of commercial nodes (please specify)
- I do not wish to see any new commercial development in Spanish Valley
- Option 4; Stocks Drive and US Highway-191
- Option 3; Lemon Lane and US Highway-191
- Option 2; Spanish Trail Road and US Highway-191
- Option 1; Bonnie's Way and US Highway-191

Mandatory Question (359 response(s))
 Question type: Checkbox Question



Q8 Are there trails or public land access points in your neighborhood that are important to you? Please check all of the boxes that are relevant, or write in more answers. See the Trails Map included:



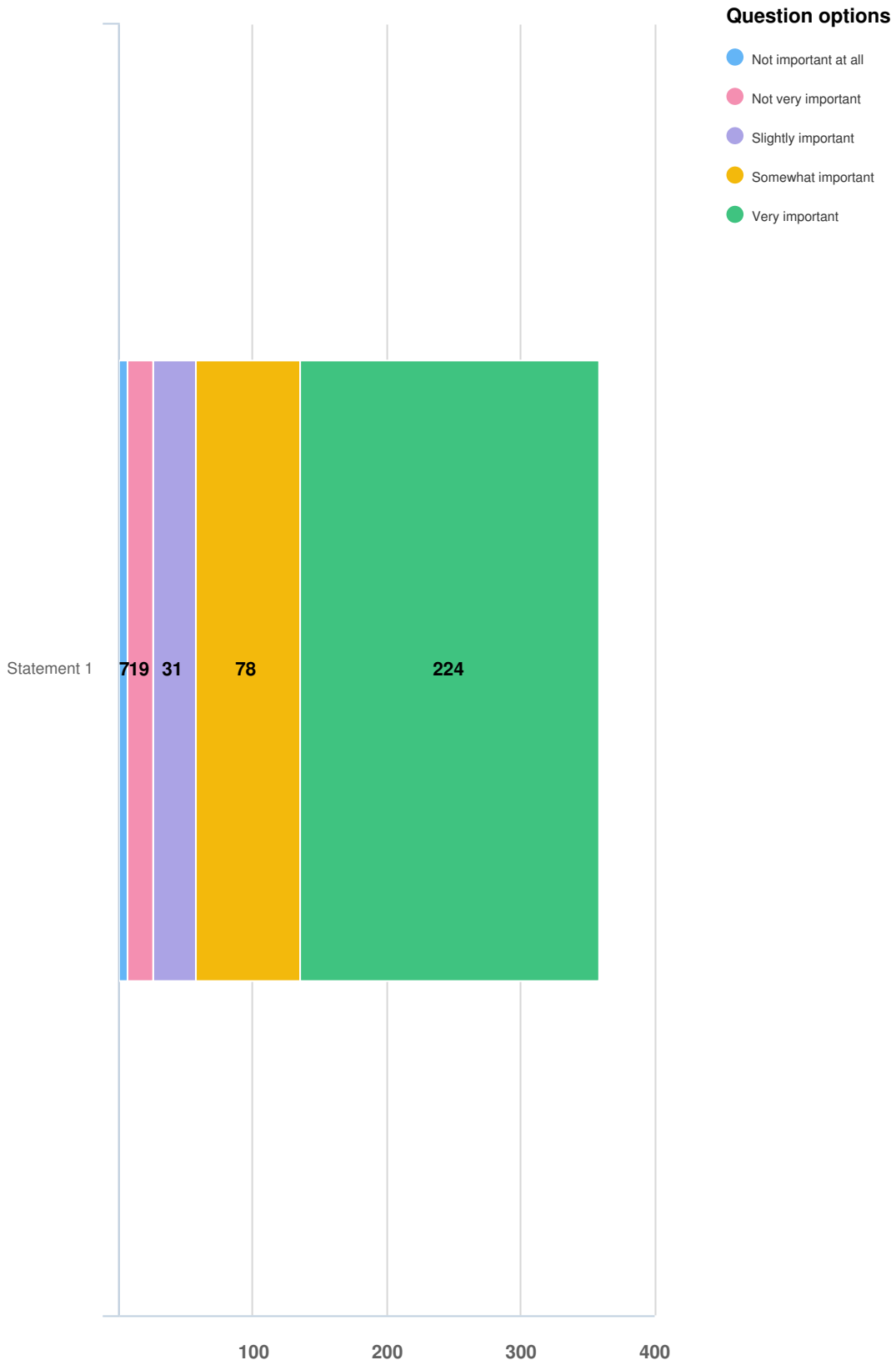
Question options

- Other Spanish Valley trails or public lands access areas (please specify)
 ● Faux Falls Trail
● Kens' Lake Loop Trail
- Red Rock Horse Trail
 ● Johnson's Up on Top Trails
● Navajo Heights Connector Trail
● Mill Creek Rim Trail
- Hidden Valley Trail
 ● Pipedream Trail

Optional question (322 response(s), 37 skipped)
 Question type: Checkbox Question



Q9 How important is the preservation of Spanish Valley's Agricultural/Ranch Land Use?

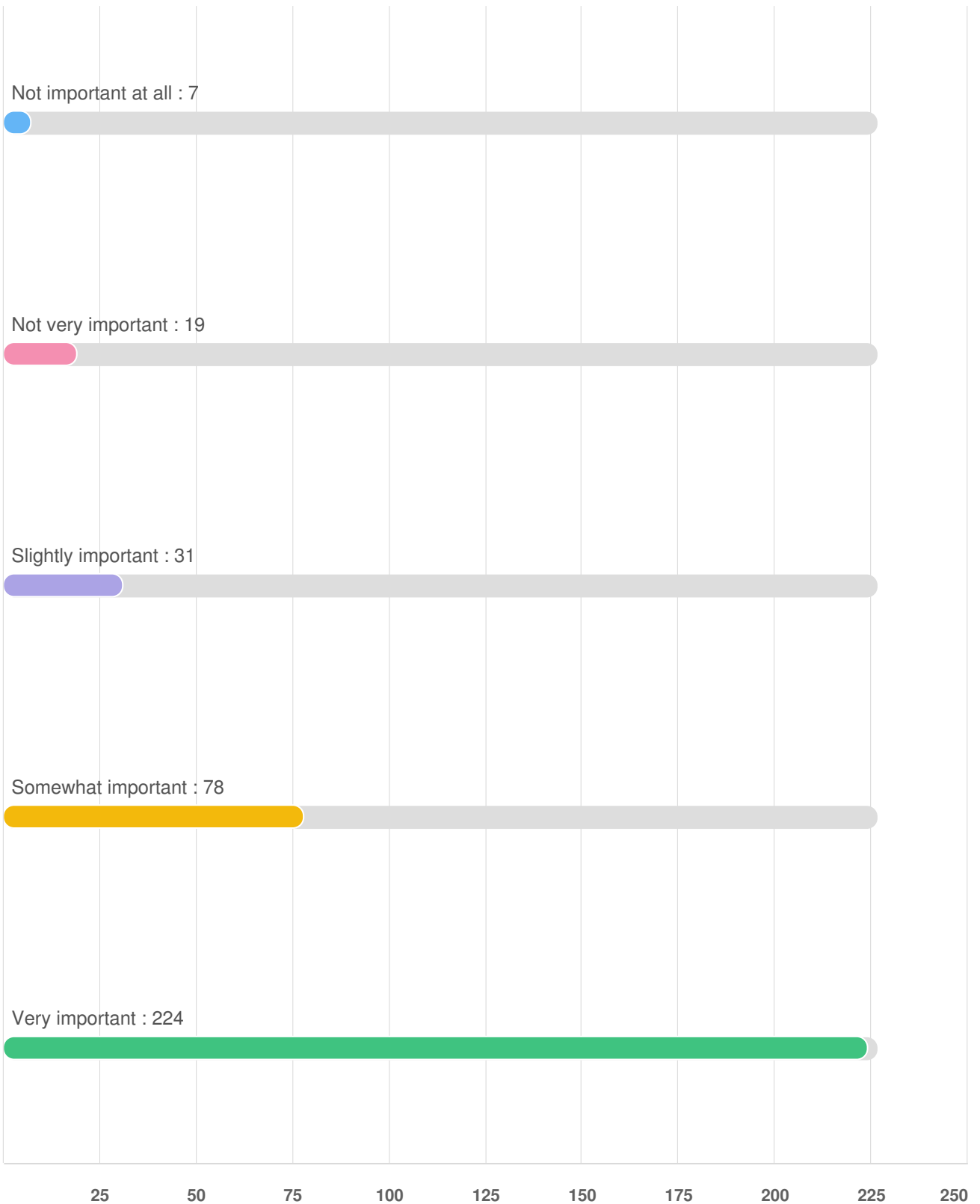


Mandatory Question (359 response(s))
Question type: Likert Question



Q9 | How important is the preservation of Spanish Valley's Agricultural/Ranch Land Use?

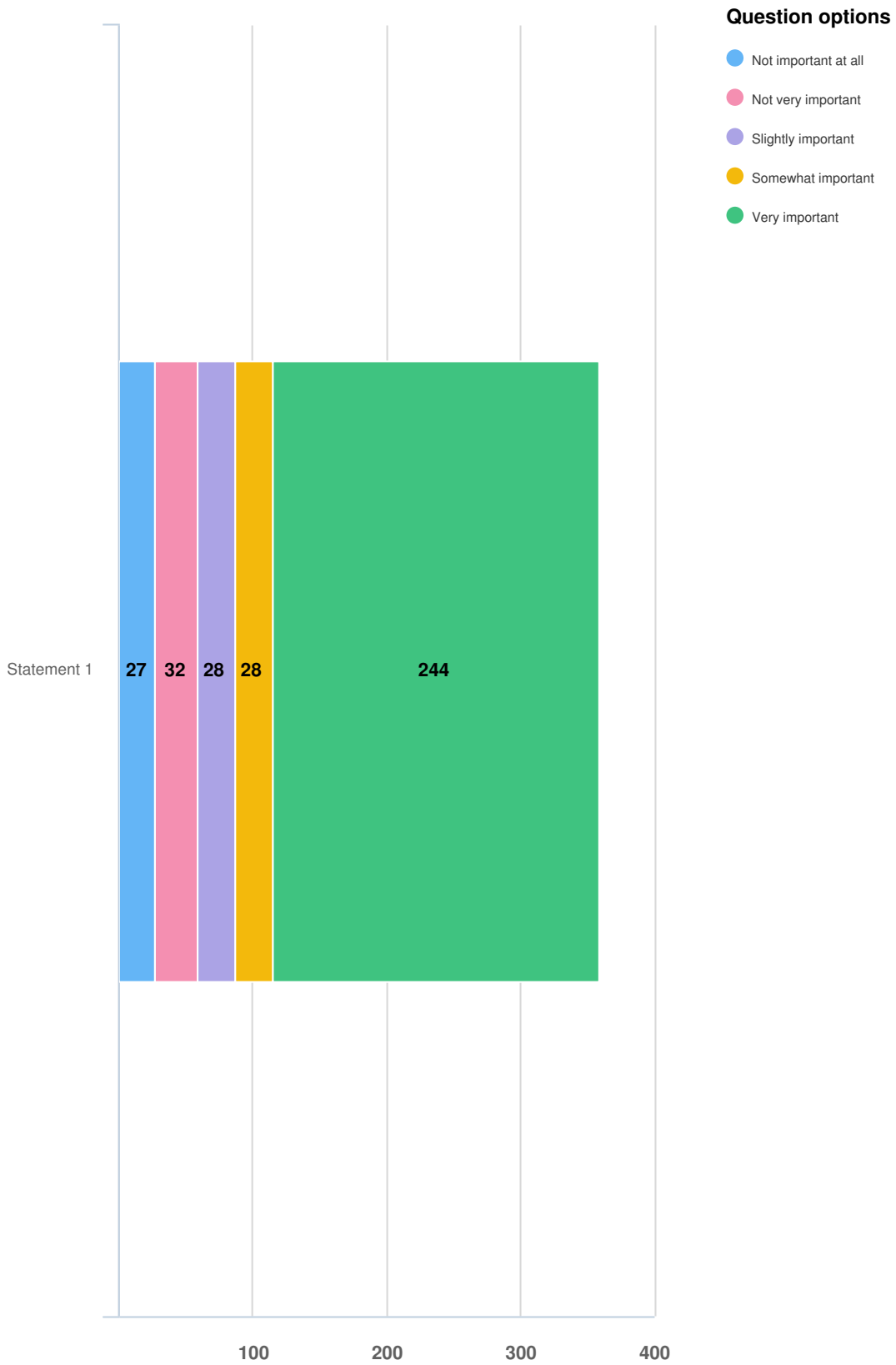
Statement 1







Q10 | How important is it to reduce ATV noise in your neighborhood and on Spanish Valley roads?

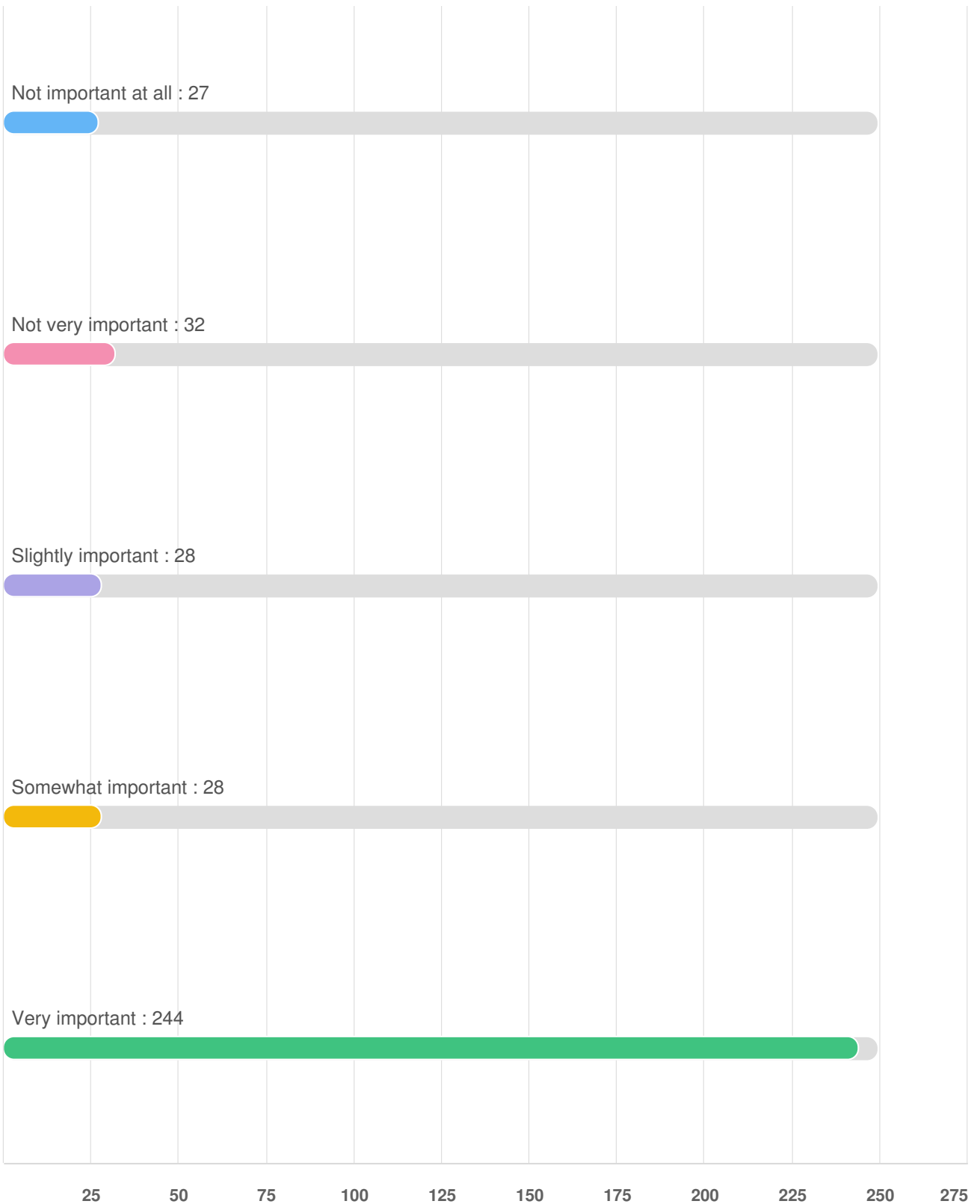


Mandatory Question (359 response(s))
Question type: Likert Question



Q10 | How important is it to reduce ATV noise in your neighborhood and on Spanish Valley roads?

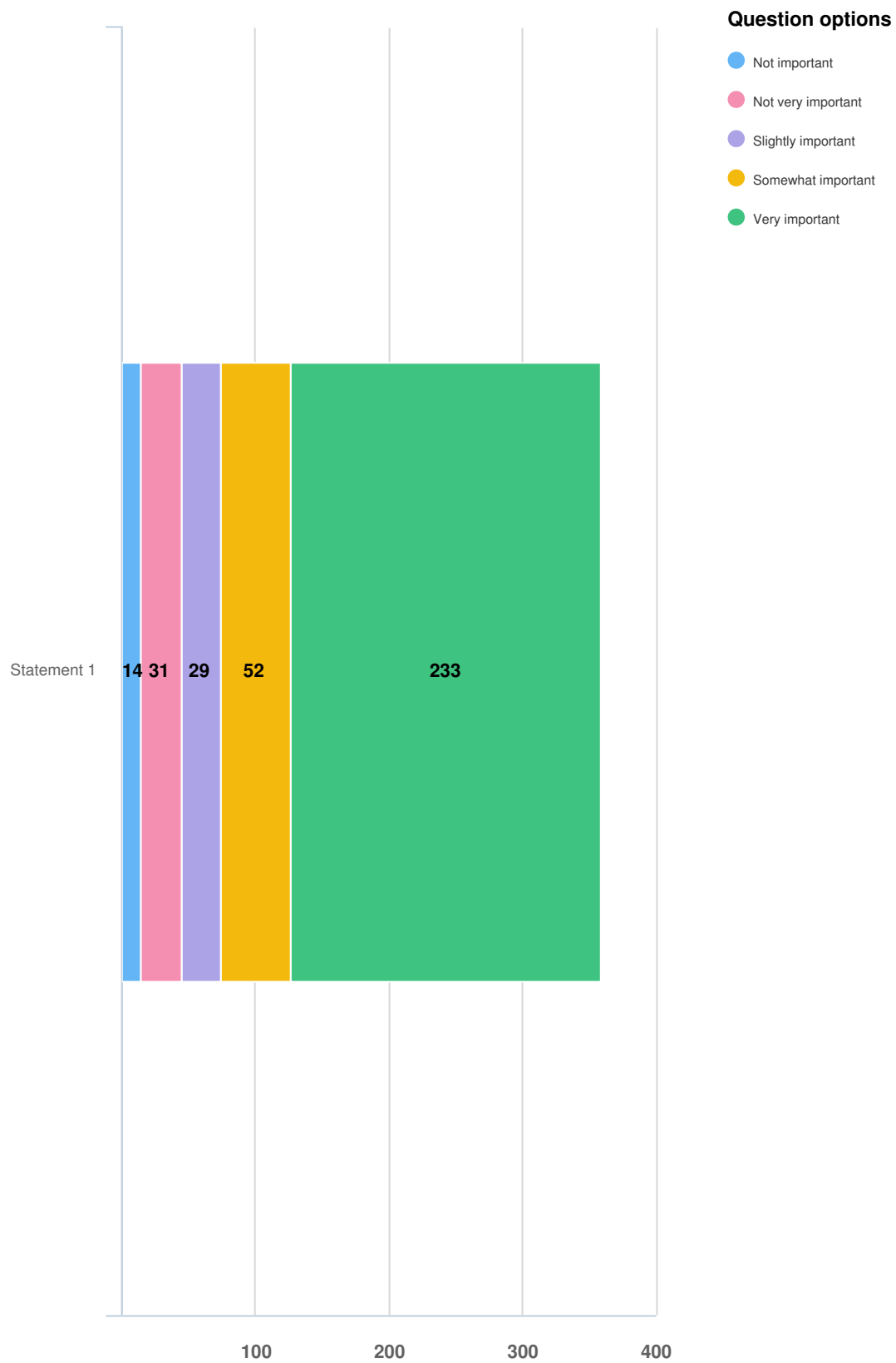
Statement 1







Q11 How important is it to reduce illegal camping in your neighborhood and Spanish Valley?

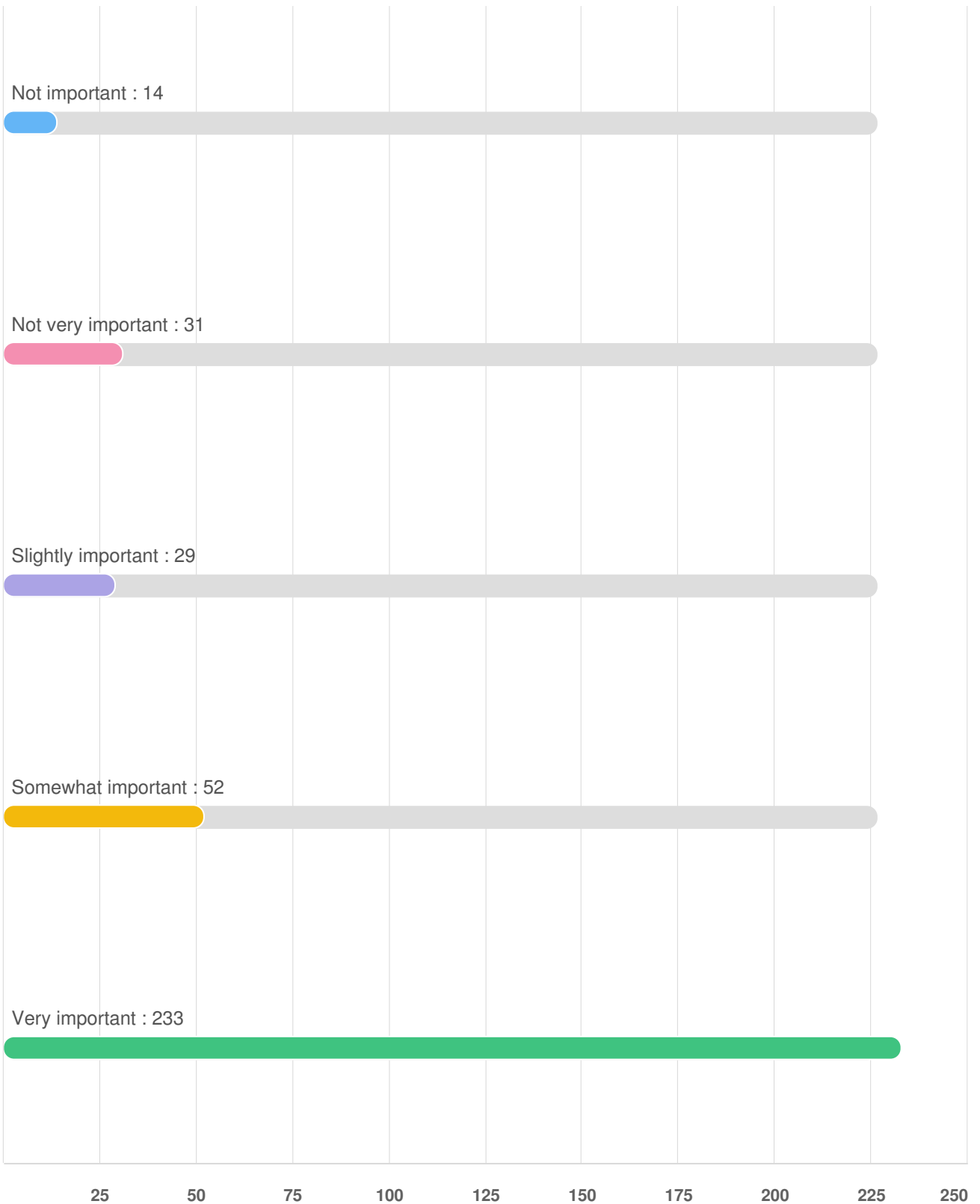


Mandatory Question (359 response(s))
Question type: Likert Question



Q11 | How important is it to reduce illegal camping in your neighborhood and Spanish Valley?

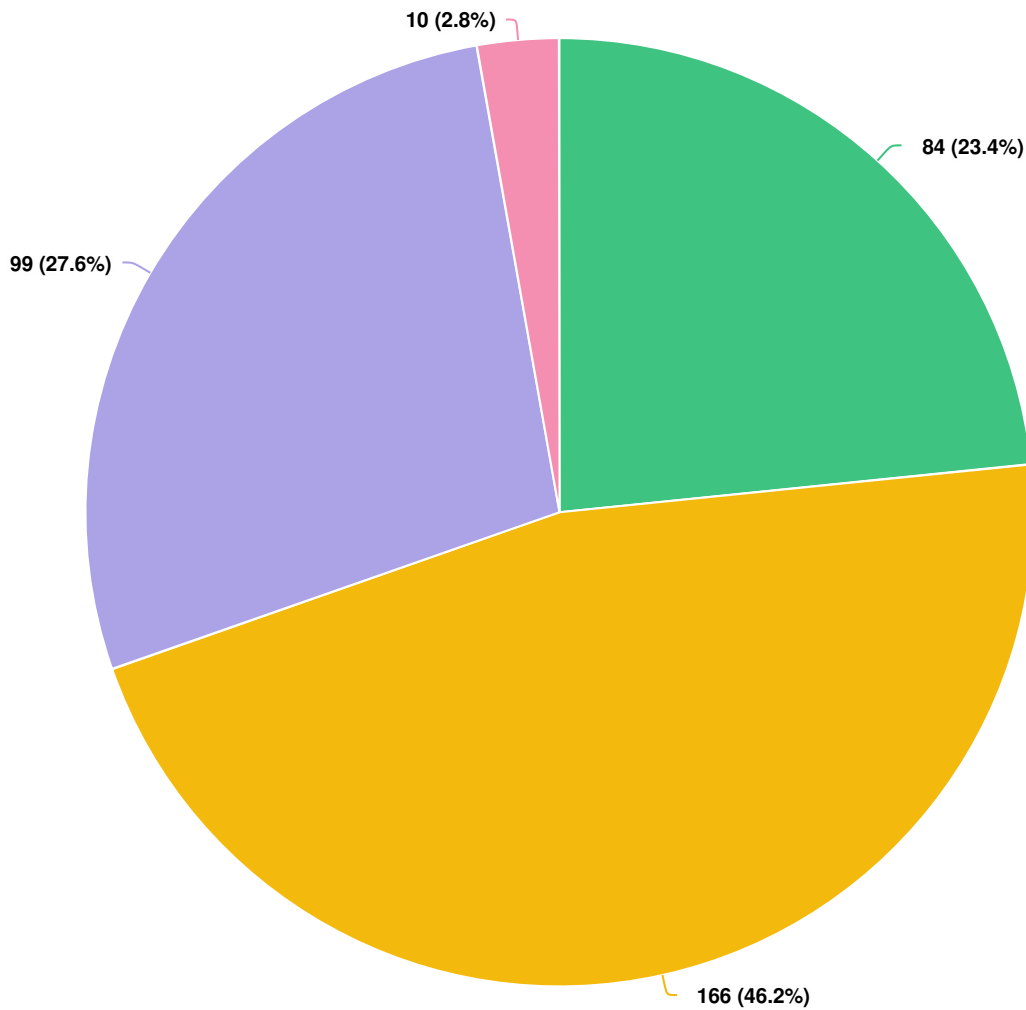
Statement 1







Q12 | Do you think there should be a way for people to legally live in RVs as Accessory Dwellings in your neighborhood and Spanish Valley?



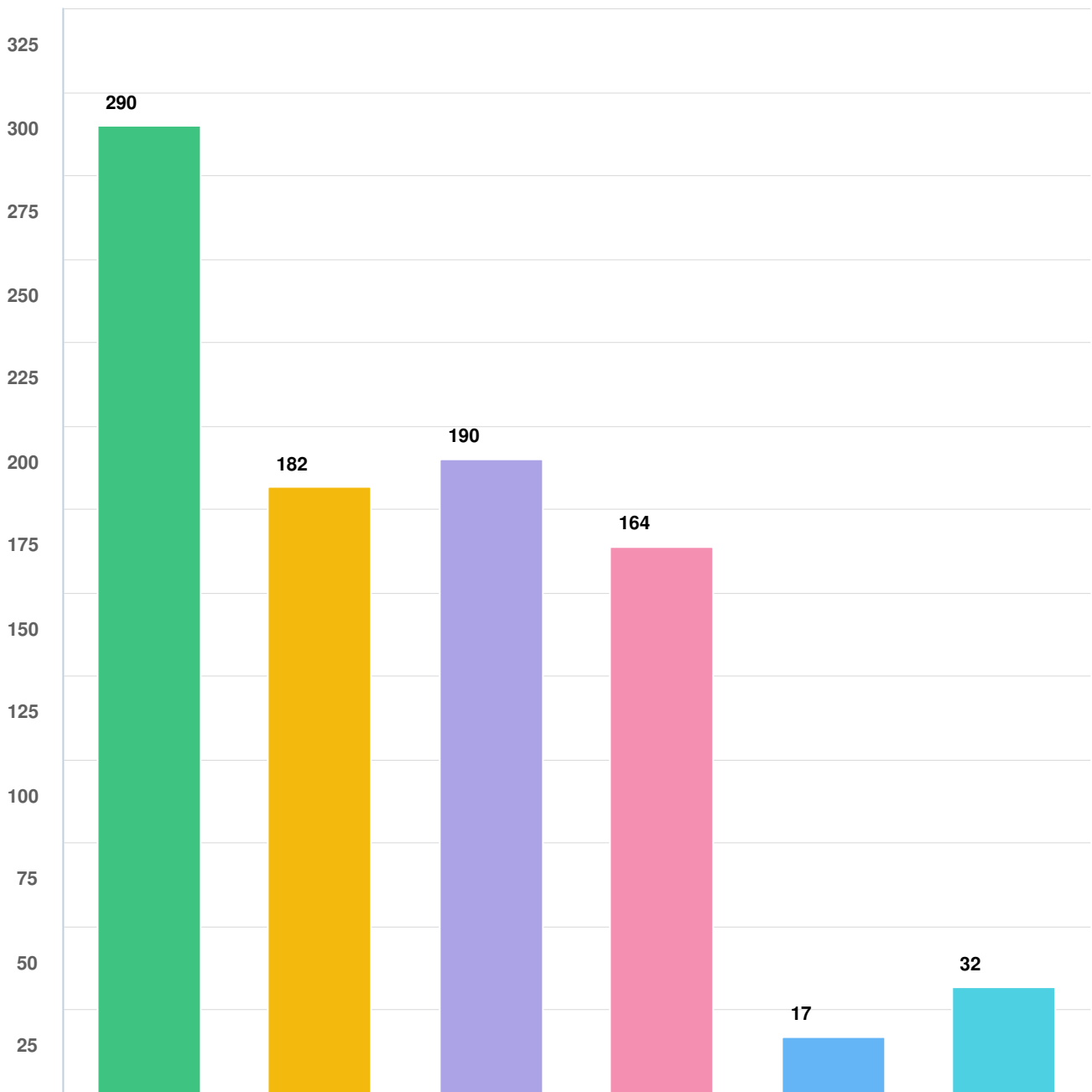
Question options

- Other (please specify)
- I would like to learn more about this issue before deciding
- No
- Yes

Mandatory Question (359 response(s))
Question type: Radio Button Question



Q13 What types of water conservation measures do you support? Check all that apply:



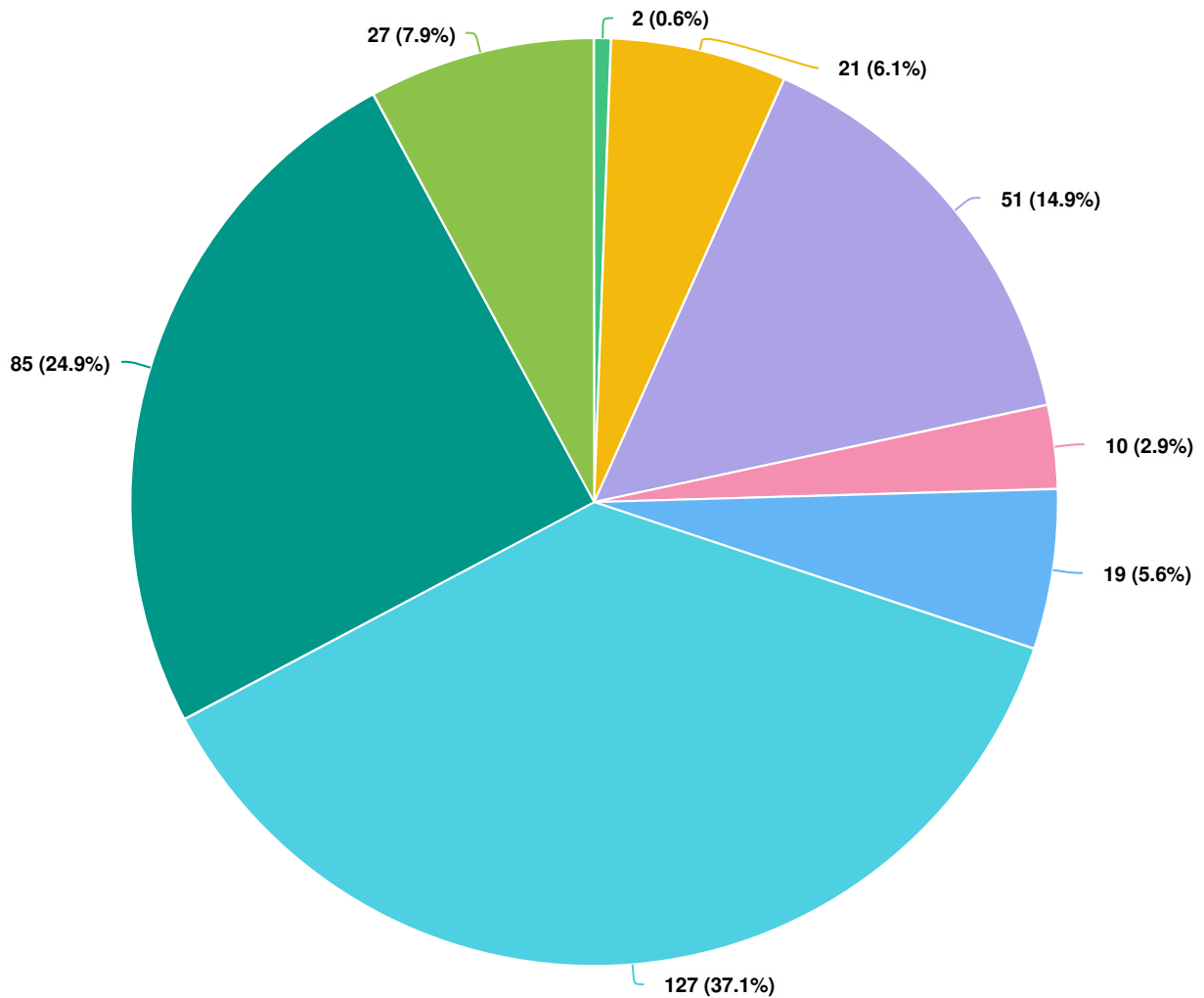
Question options

- Other (please specify)
- I do not support any water conservation measures
- Require water conservation infrastructure such as grey water systems in all new construction
- Charging heavy water users at a higher rate
- A County ordinance that requires water wise landscaping
- Considering the availability of water as a factor in approving new developments so that Grand County could only approve new development if there is enough water to serve that development

*Mandatory Question (359 response(s))
Question type: Checkbox Question*



Q14 | What is your highest degree or level of education you have completed?



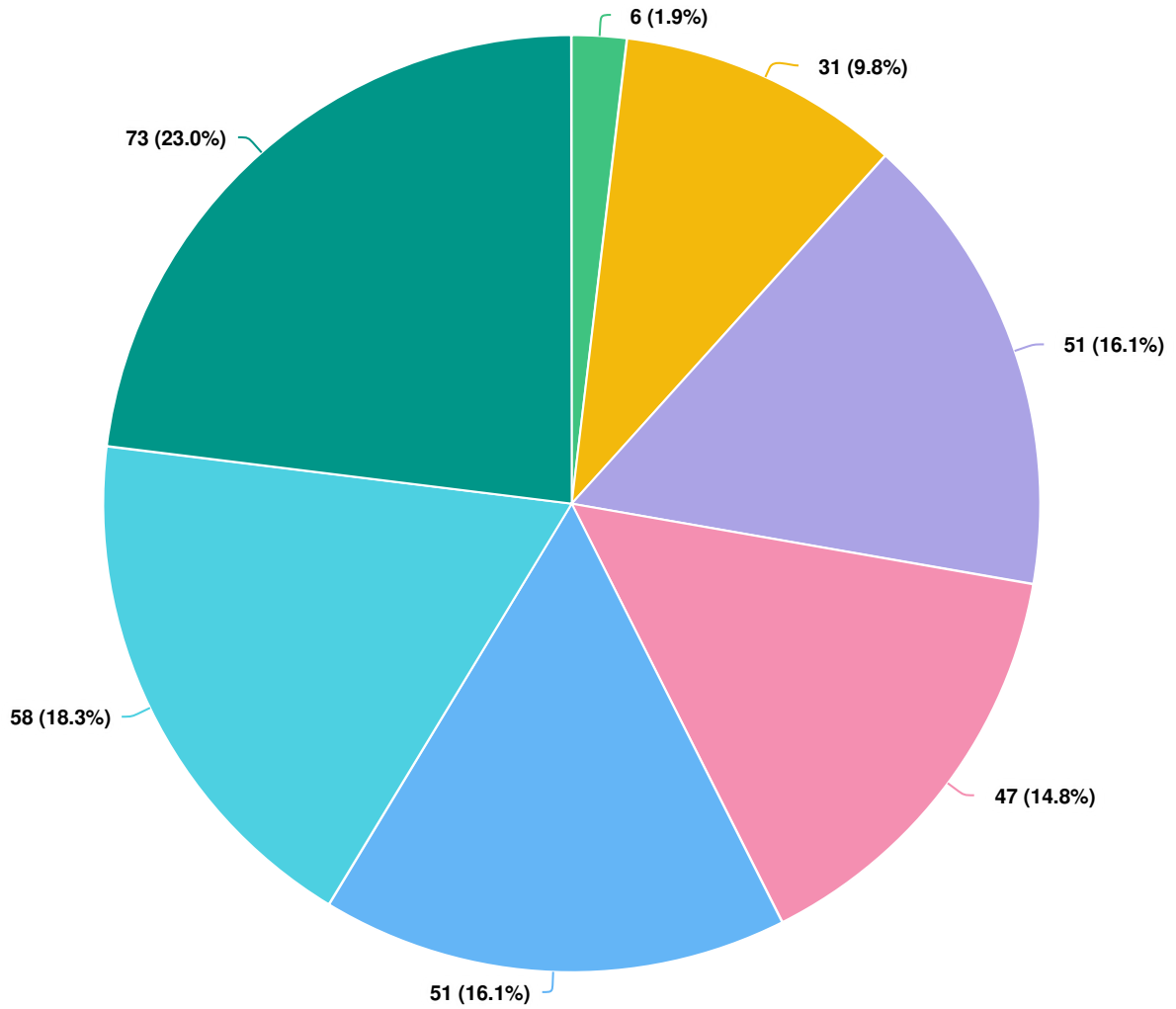
Question options

- Doctorate degree
 ● Master's degree
 ● Bachelor's degree
 ● Associate degree
- Trade/technical/vocational training
 ● Some college credit; no degree
- High school diploma, graduating or equivalent (i.e. GED)
 ● Some high school, no diploma

Optional question (342 response(s), 17 skipped)
 Question type: Radio Button Question



Q15 What is your current annual household income level?



Question options

- Greater than \$150,000/year
- \$100,000 - \$150,000/year
- \$80,000 - \$100,000/year
- \$60,000 - \$80,000/year
- \$40,000 - \$60,000/year
- \$20,000 - \$40,000/year
- Less than \$20,000/year

Optional question (317 response(s), 42 skipped)
Question type: Radio Button Question

Agenda Summary GRAND COUNTY PLANNING COMMISSION February 14, 2022 AGENDA ITEM: 3(B)	
TITLE:	Progress report on LUC updates and proposed new timeline
FISCAL IMPACT:	N/A
PRESENTER(S):	Planning & Zoning Staff

Prepared By:
ELISSA MARTIN
 GRAND COUNTY
 PLANNING & ZONING

FOR OFFICE USE ONLY:
Attorney Review:

 N/A

LUC Updates 2022

LANGUAGE CURRENTLY BEING DRAFTED:

- 1) Article 3 Use Regulations
 - a) **Section 3.2.1 Manufactured Homes** – updates per Utah state code requirements
 - b) **Section 3.3.2 ADU’s** – updates per Utah state code requirements, also potentially include allowance for more than one ADU on parcels larger than or equal to 0.5 acre (or minimum 1 acre lot), in the form of an internal or attached ADU.
 - c) **Section 3.3.3 Standards for Temporary Uses** – update to include regulations for special permits
- 2) Article 4 Special Purpose Overlay Districts
 - a) **Establish new overlay district for emergency workforce housing**, Using the original HDHO eligible parcels layer? Seeking direction around impacts/benefits of camparks, tiny homes, and multi-family.
 - b) **Section 4.6 OAO** – cleaning up language regarding the master plan and narrative requirements. For Campground/RV districts: explicitly require public benefits with a range of specific options like a Conservation Easement (for outlying areas), or dedicated park or public space (for urban areas)
- 3) Article 6 General Development Standards
 - a) **Section 6.15 Assured Housing** – updating to include campgrounds, also modifying the thresholds for exactions on Single Family Dwellings, as well as the method for calculating the value of the home. MAY NEED TO PROVIDE NEXUS

Affordable Housing requirement for subdivisions – either an update in Article 6 or Article 7 Subdivision or both. Using 2018 Nexus Study or possible update that data in order to provide justification for exaction.

Revised TIMELINE:

February 22nd General Plan /Land Use Steering Committee meeting.

- Review proposed changes (draft language) including progress on updating Nexus study

February 28th – Discussion at Planning Commission

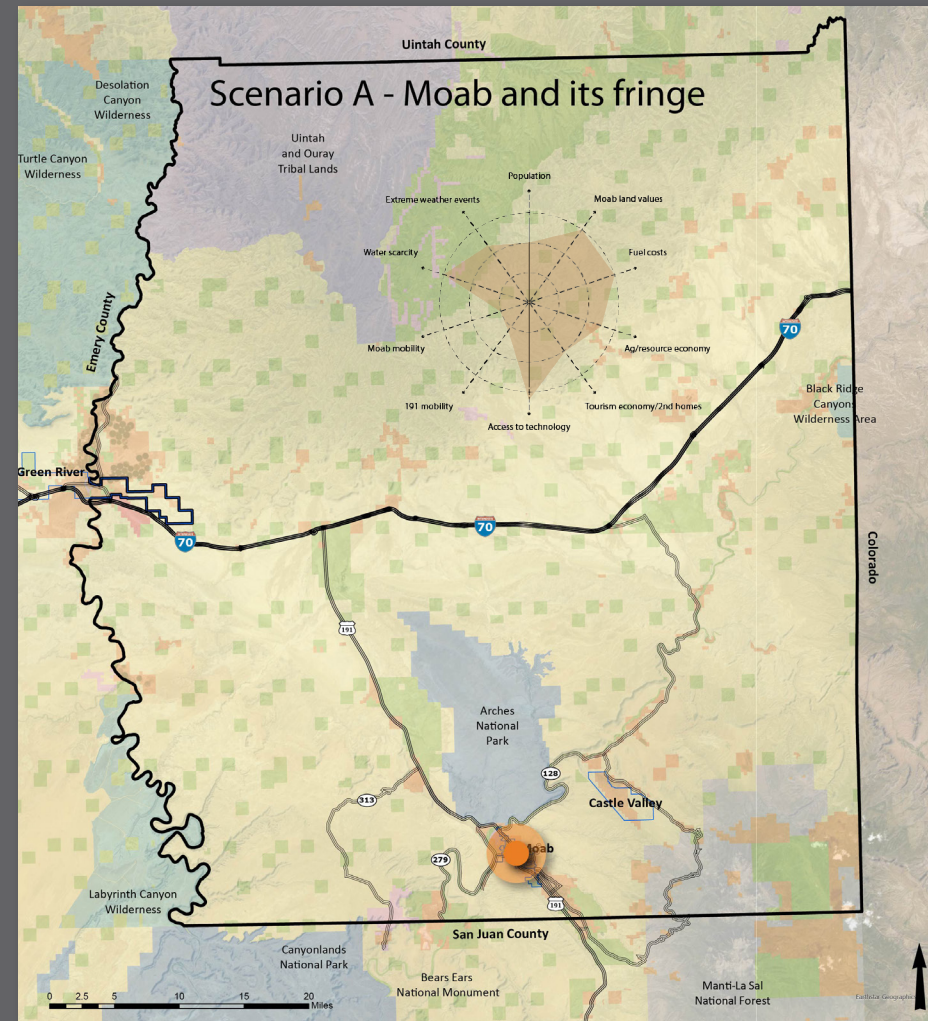
March 1st – Discussion at County Commission

. . . . Work on revisions based on feedback from both bodies, legal review

March 14th/15th: Present final drafts to PC and CC

Scenario A: Moab & Its Fringe

This scenario concentrates future growth within Moab and in those areas already characterized by urban development. It implements a “**Grow up, not out**” philosophy, tailored to fit the metro area and acknowledge existing infrastructure investment and programmed projects. It recognizes that much of Spanish Valley is already platted, but prioritizes investing in water and transportation infrastructure for projects near the center of Moab’s urban area.



Advantages

- Greater services efficiency
- More transportation alternatives
- Reinforced urban/rural edge

Drawbacks

- Increased land values in and near city
- Constrained land use choices
- Land use compatibility concerns
- Reliance on housing assistance

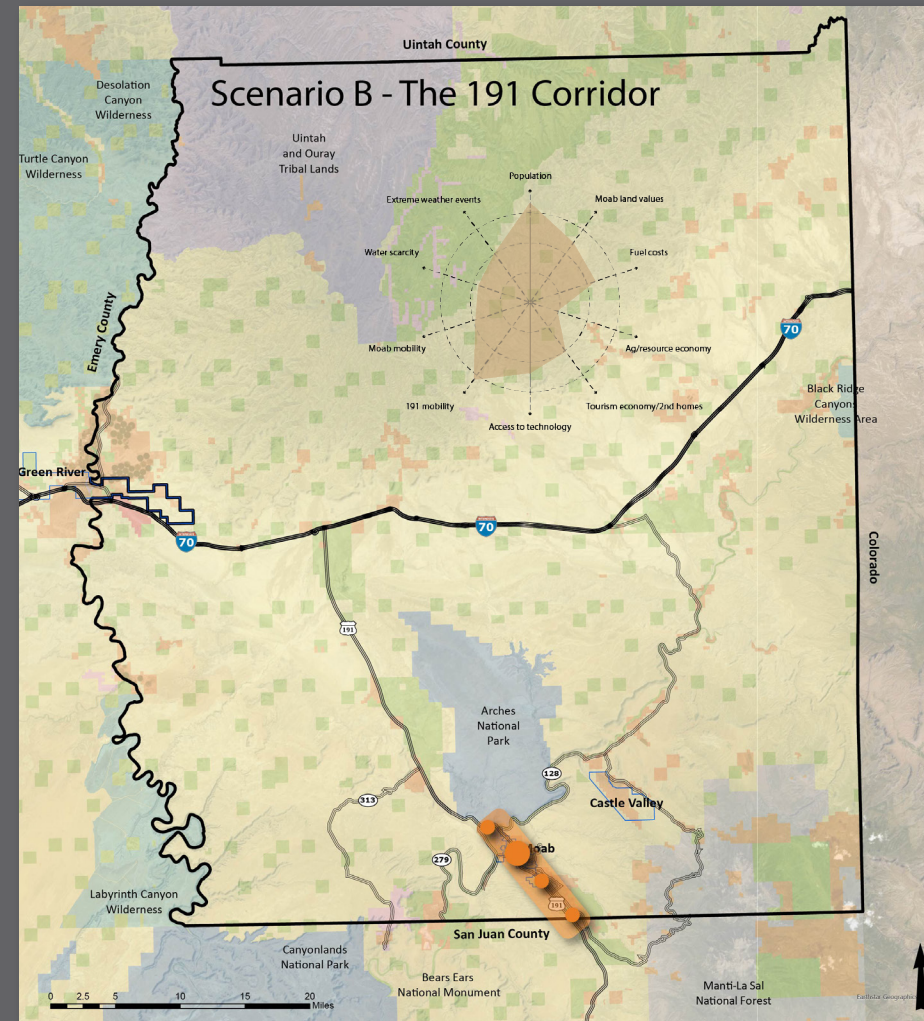
Service Implications

- Uses and builds on existing transportation infrastructure, including the possibility of public transportation
- Uses existing utility infrastructure, with efficiencies for system design, cost, and delivery

Scenario B: 191 Corridor Nodes & Neighborhoods

This scenario anticipates continued development in Spanish Valley, but organizes incremental urbanization with a pattern of “**nodes and neighborhoods**” (with Moab being the largest). The 191 corridor would define areas of highest intensity, with nodes appearing at prominent intersections and providing a compact arrangement of local services.

This scenario presumes (and facilitates) growth that continues south, linking northern San Juan County to Moab with continued urbanization along 191. This tends to reflect existing development patterns, emphasizing increased intensity at significant highway and arterial street intersections and creating smaller, identity-rich, neighborhood-scale centers that serve local shopping, services, and employment needs.



Advantages

- Greater services efficiency
- Some transportation alternatives
- Enhances housing choices
- Reinforces urban/rural edge

Drawbacks

- Limits next generation land use choices
- Compatibility concerns
- Moab’s prominence diminished

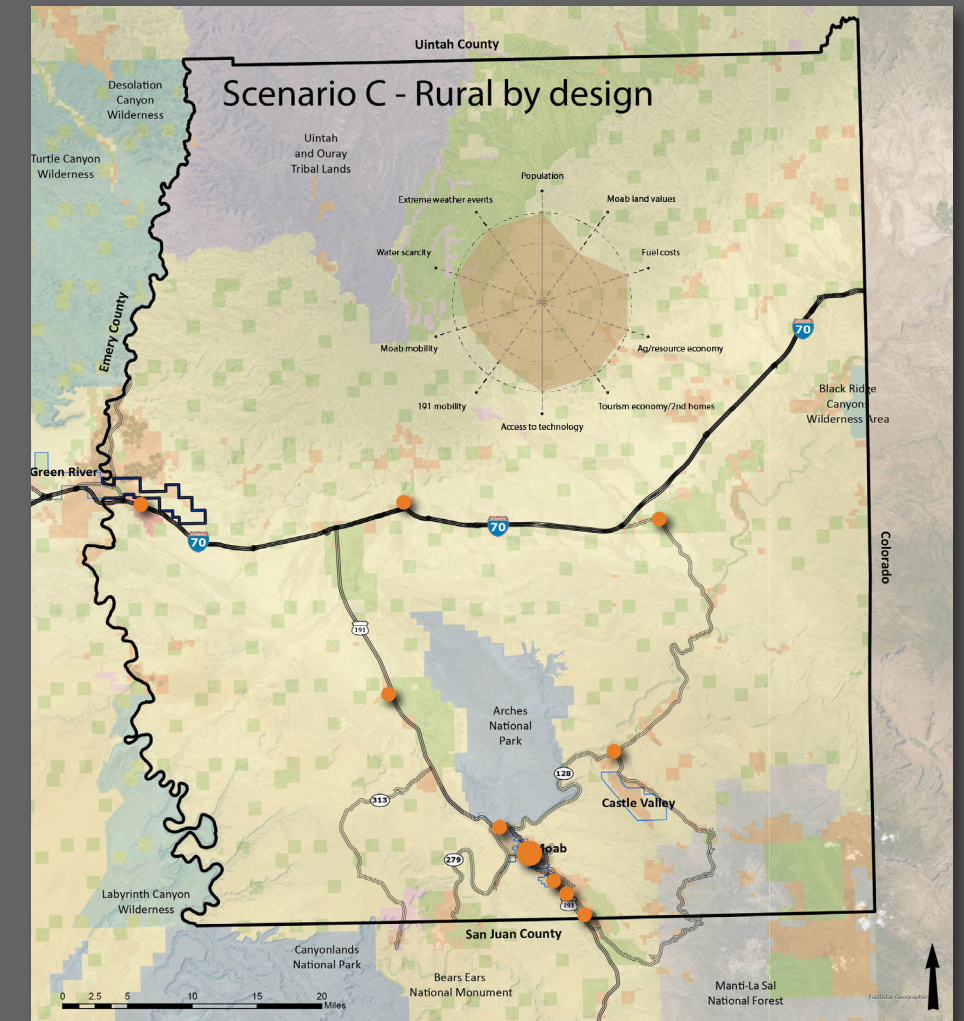
Service Implications

- Uses and builds on existing transportation infrastructure, including the possibility of public transportation
- Uses existing utility infrastructure, with efficiencies for system design, cost, and delivery

Scenario C: Rural by Design

This scenario also anticipates development in Spanish Valley, but organizes it in ways to facilitate and encourage **rural lifestyles**. It values farming as a critical component of local land use, economic diversity, and community character, aligning development in ways sensitive to the valley’s rural essence.

This scenario also reaches further north, applying this same community type to land near Canyonlands Airport, Thompson Springs, and Cisco. It recognizes these other places as completely different than Spanish Valley, but provides opportunities for each to adapt a “rural by design” approach. This scenario promotes development patterns typified by residential, commercial, industrial, or institutional development **gathered in clusters**, surrounded by open land.



Advantages

- Clustered services and new systems
- More transportation alternatives
- Maximized land use/housing diversity
- Enhanced community identities

Drawbacks

- Tenuous market support today
- Reliance on 191 corridor
- Moab’s prominence diminished

Service Implications

- Uses and builds on existing transportation infrastructure, facilitating public transportation and non-motorized travel
- Concentrates existing utility infrastructure and consolidates new systems, with efficiencies for system design, cost, and delivery



Dear Committee Member:

As you're aware, the Grand County General Plan provides a diverse set of policies, coordinated in support of an overall vision. But as new challenges emerge, it's important to revisit the plan's policies, considering how land use patterns may help address those challenges. This worksheet asks you to evaluate three land use diagrams or "scenarios," identifying how each may address community goals, issues and needs – and how they might shape land use policies for the updated General Plan.

Since (developable) land and water resources in Grand County are scarce, the scenarios are fairly simple, proposing strategies differing in spatial and qualitative ways. Each describes associated trade-offs, promises and consequences, largely reflecting objectives drawn from the general plan's vision.

Despite their differences, the scenarios share the following similarities:

- Each recognizes that arid conditions favor development in areas served by water systems or have access to reliable wells.
- Each addresses the County's composite constraints, directing development toward areas with fewer vulnerable or hazardous conditions.
- Each avoids locating development on publicly-owned land.
- To varying degrees, each favors more compact growth patterns over more dispersed ones, consistent with overall general planning policy.
- Each facilitates access to recreation areas and national or state parks.
- Each honors historic community identities.
- In differing ways, all balance land use and transportation planning objectives, recognizing their interdependence.
- All support the region's economic and fiscal resiliency, suggesting development patterns most easily supported within the county's service and institutional contexts.

As simple diagrams, we're offering these scenarios to foster discussion, providing a spatial context for what the plan now expresses in words. With your help, we can then evaluate how policy objectives – land use and otherwise – might evolve to benefit the long-term future of Grand County residents.

Please take a few moments to get familiar with each scenario as you consider the questions included here. **Thanks again for your service!**

Sincerely,

John Guenther
Planning and Zoning Director, Grand County UT

Basic Questions

Consider the scenarios on the other side of this worksheet to answer the questions below. For reference, the orange dots on the scenario diagrams represent concentrated areas of development. Orange shading indicates a more suburban, semi-rural pattern.

Q1 - At first blush, which scenario appears to be the best fit for Grand County's future?

Q2 - Why did you select this scenario? What are some of the characteristics that best serve community needs?

Q3 - How can your preferred scenario be made even better?

Q4 - What aspects of the other scenarios do you consider attractive for Grand County?

Let's Evaluate

Take a look at the table below and indicate how you'd expect each scenario to perform regarding the listed criteria, using a scale where **1 = "Least optimal"** and **5 = "Most optimal."** Note we've provided a "Consultant's Take" column for comparison purposes. Your responses may very well differ from ours. **Extra credit:** add your thoughts in the "Why" column!

Criterion	Scenario A (Moab/fringe)		Scenario B (191 corridor)		Scenario C (Rural design)		Why?
	Your Take	Consultant's Take	Your Take	Consultant's Take	Your Take	Consultant's Take	
1. Economic vitality		3		4		4	
2. Economic diversity		3		4		4	
3. Fiscal sustainability		4		2		4	
4. Environmental sensitivity		4		2		4	
5. Water conservation		5		2		4	
6. Housing affordability		1		4		4	
7. Transportation options		4		1		5	
8. Community feel		4		2		4	
9. Cultural sensitivity		4		4		4	

Agenda Summary
GRAND COUNTY PLANNING COMMISSION
FEBRUARY 14th, 2022

AGENDA ITEM:

TITLE:	Public hearing to consider and solicit oral and written comment on a request to rezone the property located at 75 W. Old Hwy 6 & 50, Thompson Springs: Parcel No. 07-0021-0105 from Range & Grazing to General Business.
FISCAL IMPACT:	
PRESENTER(S):	Elissa Martin, Associate Planner

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

**FOR OFFICE USE
 ONLY:**

**Attorney
 Review:**

 N/A

POSSIBLE MOTION :

I move to:
 Send a favorable/unfavorable recommendation to County Commission for the proposal to rezone property located at 75 W. Old Highway 6 & 50 in Thompson Springs on Grand County parcel No. 07-0021-0105 to the General Business (GB) zoning district.

STAFF RECOMMENDATION: NEUTRAL

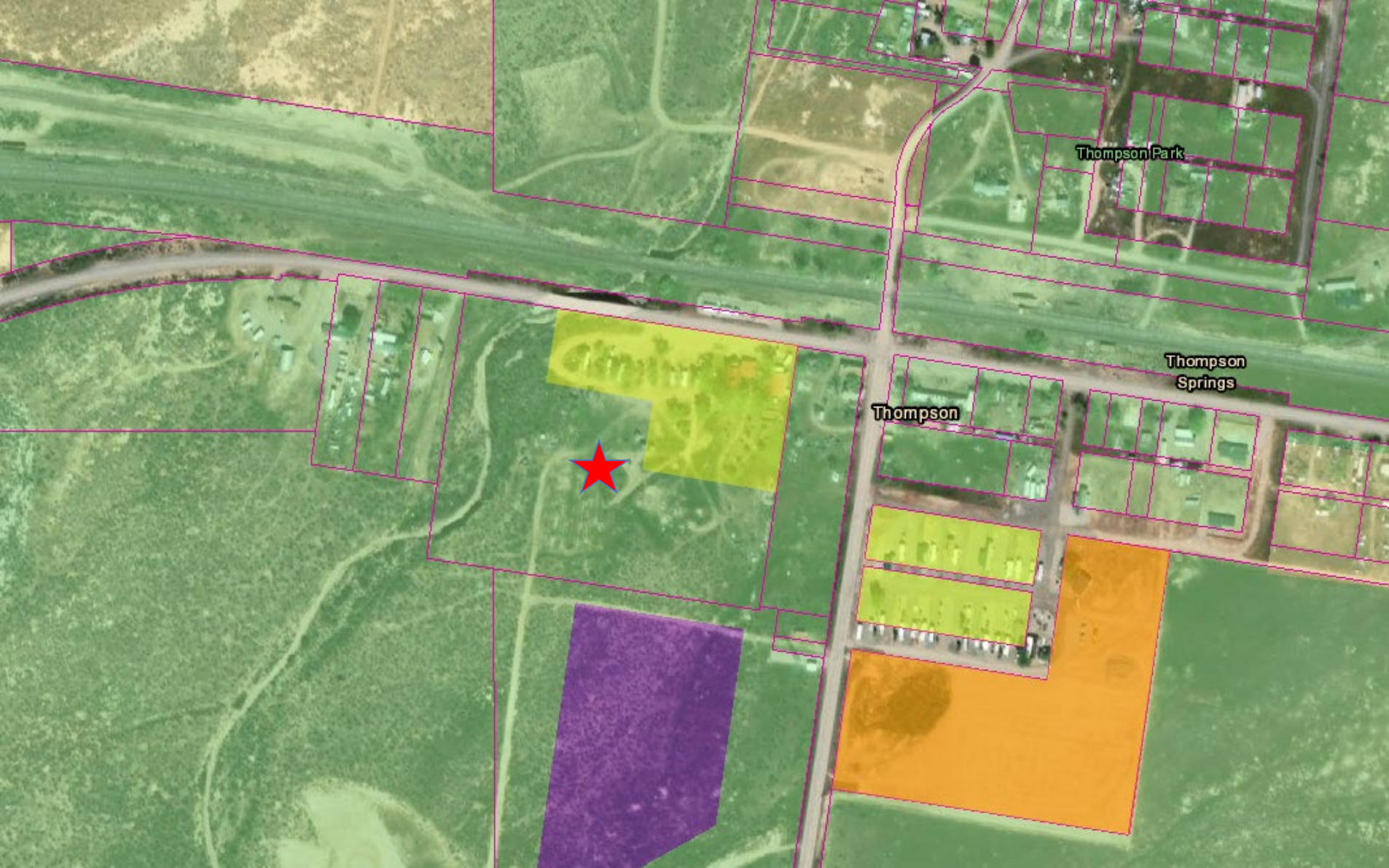
BACKGROUND

The property was historically used for commercial purposes. It is currently zoned Range & Grazing with an RV/Campground - Overnight Accommodation Overlay (OAO) at the north east corner of the property that encompasses the existing Desert Moon Bed & Breakfast, and Campground/RV Park.

ATTACHMENT(S):

1. Staff Report
2. Rezone Application Packet
 - a. Boundary Survey
 - b. Applicant Statement
 - c. Thompson Special Service District Will Serve letter & Water Availability Statement
 - d. Title (Available Upon Request)
 - e. Tax Roll (Available Upon Request)
 - f. Warranty Deed (Available Upon Request)
 - g. Application (Online submittal: available upon request)

Vicinity Map





STAFF REPORT

PLANNING & ZONING DEPARTMENT

GRAND COUNTY, UTAH

DATE: February 1, 2022

TO: Grand County Planning Commission

SUBJECT: Desert Moon General Rezone Request - Range & Grazing (RG) to General Business (GB)

PROPERTY OWNER: John Corkery Ripley & Bridget Ann Adams

PROP. OWNER REP: John Ripley Corkery

PROPERTY ADDRESS: 75 W. Old Highway 6 & 50, Thompson Spring, Parcel No. 07-0021-0105

SIZE OF PROPERTY: 10.99 acres

EXISTING ZONE: Range & Grazing (RG), OAO-Campground/RV

EXISTING LAND USE: Residence, Bed & Breakfast, 10 site Campground/RV Park

ADJACENT ZONING AND LAND USE(S): Zones: Range & Grazing (RG) Uses: Residential, Vacant, & RV Park

APPLICATION TYPE

General Rezone Request

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. Applicant Statement
3. Thompson Special Service District Will Serve letter & Water Availability Statement
4. Title (Available Upon Request)
5. Tax Roll (Available Upon Request)
6. Warranty Deed (Available Upon Request)
7. Application (Online submittal: info available upon request)

SUMMARY OF REQUEST

The Applicants seeks to rezone property in Thompson Springs from Range & Grazing to General Business in order to more accurately reflect the historical, present and future desired commercial land uses, including mixed uses.

PROPERTY HISTORY

The subject parcel is located adjacent to the main business intersection in the Town of Thompson Springs and was historically used for commercial purposes, including the historic hotel / RV park and the old Cactus Cabaret. The property currently consists of an existing Bed & Breakfast with 5 rooms for overnight use as well as a Campground/RV park consisting of 10 RV sites. The owner's residence is also on site.

SITE IMPROVEMENTS / ADDITIONS / CHANGES

The rezone request requires no current site plan improvements.

Later site improvements in connection to proposed additions of various mixed commercial uses on the property and updates to existing structures 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. Project Description

The application is for a General Rezone request to change the current Range & Grazing (RG) zoning on a 10.99-acre parcel located on 75 W. Old Highway 6 & 50 in Thompson Springs, to General Business (GB), which would allow for an array of mixed commercial uses at the property. The future proposed land uses include the addition of 5 employee housing units, small neighborhood retail, personal services (tattoo shop), an artist creator space, an indoor venue space and a small restaurant area.

II. 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 proposed rezone request to General Business is consistent with the intent of the Range, Resource and Recreation future land use in that the future proposed uses at the subject property are intended to give a retreat/resort-like feel to the development by adding a venue space, artists creator space, tattoo shop, restaurant and retail to the already existing Campground/RV Park and Bed & Breakfast

B. The subject parcel is also located within the Rural Center Future Land Use Plan Designation Map

The Future Land Use designation of Rural Center is intended to vary in size from 5 to 30 acres in total and promotes uses such as neighborhood scale retail, small businesses, local

commercial, local tourism, on site renewable energy, and residential neighborhoods. Residential density of up to 3.2 units per acre is permitted if it includes (a) 50% open spaces set aside or fee-in-lieu, (b) 25% affordable housing units or fee in lieu, (c) multi-modal options, (pedestrian/bicycle, at a minimum), and (d) no more than ½ of total dwelling units are multi-family.

1. Proposed future land uses would be consistent with the “Rural Center” Future Land Use Map designation by providing a variety of commercial uses that promote local tourism, small business and local commercial.

III. Future Land Use Analysis for Thompson Springs

- A. It should also be noted that the Thompson Springs area is anticipated to be evaluated for a broad rezone based on the outcome of the Land Use Analysis that is scheduled to be completed in the summer of 2022. As a result, the city center of Thompson Springs will likely be envisioned to be a commercial hub for the community and prompt rezoning to General Business or similar.

IV. Water Resources

- A. Due to the current water deficit facing the Thompson Springs Special Service District, a development moratorium is in effect at the time of this application. Therefore, the Planning and Zoning department is requesting a water demand analysis for property owners requesting rezones in Thompson Springs.
 1. While not a requirement of a rezone application, because of the current availability of water resources in the area, the applicant has provided a water analysis for the subject property. The submitted analysis demonstrates an existing water account which supports current and future proposed uses based on state regulation guidelines for peak water usage for each existing and proposed use.
 - a. Development of future proposed uses at the subject property have been discussed with the applicant and will be evaluated in full detail against the Land Use Code and International Business code at Site Plan Review and Building Permit Review.

V. Conformance with Grand County Land Use Code (LUC)

- 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. 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 9.2.2.
 2. The application was reviewed by the zoning administrator and deemed a complete application on January 14, 2022, per article 9.2.2

B. 9.2.5 Issues for Consideration

In making its determination, the Planning Commission and the County Commission shall consider staff reports, written and oral testimony presented, and the following criteria:

- i. *Was the existing zone for the property adopted in error?*
It may have been the case that the Range and Grazing zone was designated in error, as historically and presently the land use is commercial.
- ii. *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.)?*
The Thompson Springs area is undergoing many changes as of late, including a replat of the entire town to improve street design and the general layout of lots. A land use analysis is slated for the summer of 2022 to evaluate zoning for the entire town. Historically, Thompson experienced a boom and a bust, and is now on the upswing of that, showing signs of being a viable commercial and residential node (of course within limitations of water availability) outside of the Moab valley and just off a major Interstate freeway.
- iii. *Is there a need for the proposed use(s) within the area or community?*
As this is a very subjective question, staff will remain neutral in regard to the need for the proposed use.
- iv. *Will there be benefits derived by the community or area by granting the proposed rezoning?*
The community may gain the benefits of revitalization, as the rezone may encourage renovation of rundown structures, and general cleanup of the area. The rezone will also provide local retail services, including a restaurant and a venue for gathering and entertainment.
- v. *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)?*
(see above section on consistency with the General Plan)
- vi. *Should the development be annexed to a city?*
No, the subject property is not within the City's future annexation boundary.
- vii. *Is the proposed density and intensity of use permitted in the proposed zoning district?*
The proposed uses of mixed-use commercial, would be permitted in the proposed zoning district of General Business.
- viii. *Is the site suitable for rezoning based on a consideration of environmental and scenic quality impacts?*
The site is suitable for the rezoning to GB as it is located in the historic commercial district of Thompson Springs, and is currently used for commercial purposes. With the rezoning of the property, the owner will be allowed to renovate and improve the scenic quality of the area.

- ix. *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?*

The proposed uses are compatible with surrounding properties, being in the historic commercial center of Thompson Springs. Adverse impacts may include an increase in visitor traffic and increase in water demand. Should the owner propose to intensify commercial uses to the point where traffic becomes a concern, the Planning & Zoning department may request a traffic study at the time of Site Plan review for proposed commercial uses. Currently the TSSD regulates development in relation to water demand, which sufficiently mitigates the impact that this development would have on water.

- x. *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?*

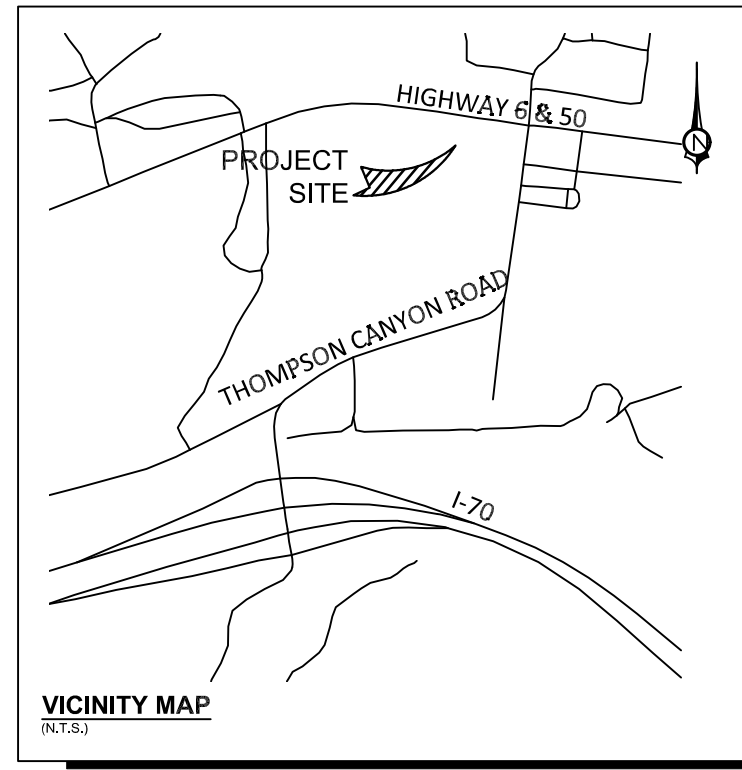
Rocky Mountain Power and Dominion Energy serve parcels in Thompson Springs and have provided will-serve letters. The TSSD has also provided a will-serve letter for the proposed rezone.

- xi. *Does the proposed change constitute "spot zoning"?*

The subject parcel is surrounded by Range and Grazing, but also adjacent to Light Industrial and across the street from Highway Commercial.

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

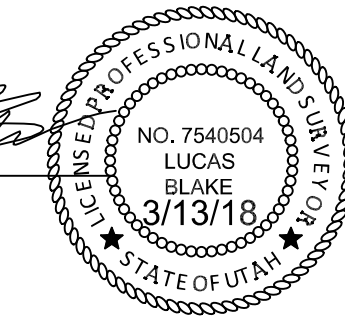
1. The property owner placed one (1) poster on the property provided by the Planning and Zoning Department in a prominent and visible location on the subject property within five feet of the property line a minimum of 10 days before the Public Hearing.
2. The Planning & Zoning Department placed public 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.



SURVEYOR'S CERTIFICATE

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that a land survey was made of the property described below, and the findings of that survey are as shown hereon.

Lucas Blake
License No. 7540504



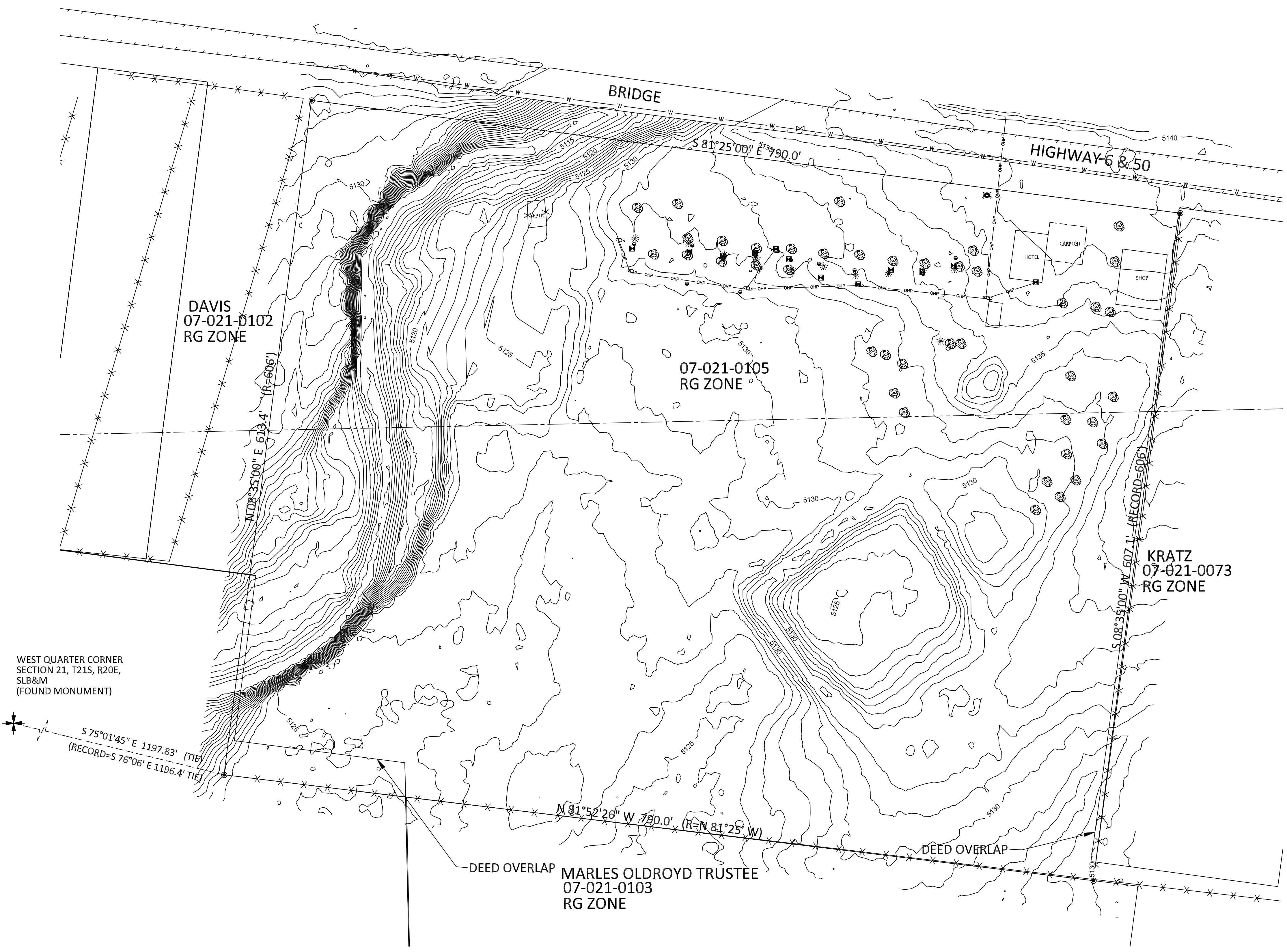
BOUNDARY DESCRIPTION

Beginning S 76°06' E 1196.4 ft from W 1/4 corner Section 21, T21S, R20E, thence N 08°35' E 606 ft, thence S 81°25' E 790 ft; thence S 08°35' W 606 ft, thence N 81°25' W 790 ft to point of beginning.

NARRATIVE

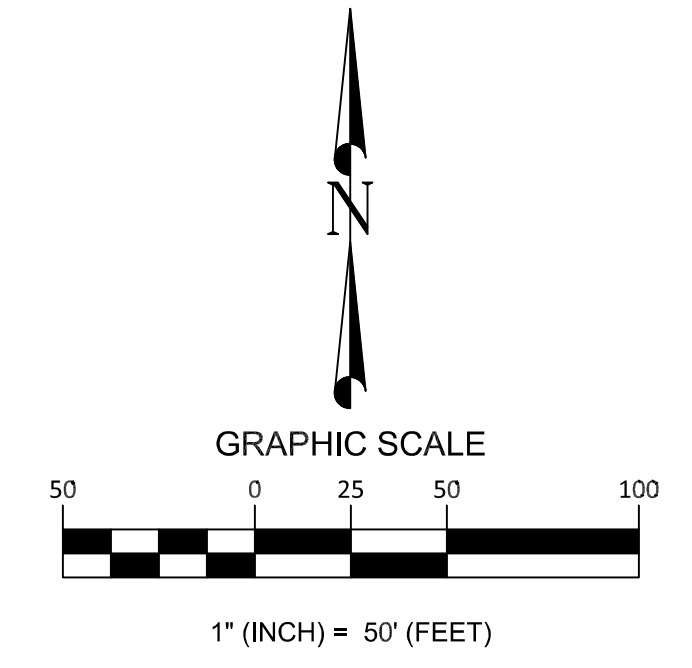
The Basis of Bearings is S 89°58'37" W between the W 1/4 corner and the center corner of Section 21, Township 21 South, Range 20 East, Salt Lake Base and Meridian.

The purpose of this survey is to retrace and monument the boundary of the above described property according to the official records and the location of pertinent existing improvements located on the ground.



LEGEND

	Power Pole		Flag Pole		Storm Inlet (Square)		Fence Line
	Power Pole w/Light		Well Head		Storm Inlet (Round)		Edge Of Asphalt
	Light Pole		Satellite Dish		Catch Basin		Gas Line
	Guy Wire		Tower		Storm Pipe		Storm Drain Line
	Ground Light		Water Valve		Sanitary Clean Out		Sanitary Sewer Line
	Electric Manhole		Fire Hydrant		Gas Valve		Water Line
	Telephone Manhole		Water Meter		Gas Manhole		Overhead Power Line
	Telephone Pedestal		Sprinkler Head		Gas Meter		Direction Arrow
	Electric Meter		Tree (Size As Noted)		Water Manhole		Quarter Section Corner
	Cable Box		Pine Tree		Sanitary Sewer Manhole		Section Corner Monument
	Air Conditioner Unit		Brass Cap Monument		Storm Drain Manhole		
	Railroad Signals		Found Property Corner		Street Sign		
	Property Corner		Handicap Parking				
	Test Pit						



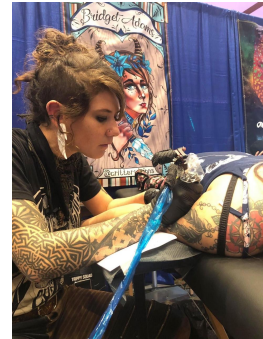
LOCATED IN THE WEST HALF OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 20 EAST, SALT LAKE BASE AND MERIDIAN

BOUNDARY SURVEY
75 WEST OLD HIGWAY 6 & 50
THOMPSON, UTAH
JOHN LINES



30 South 100 East
Mojab, UT 84632
435.258.8171

Project	033-18
Date	3/13/18
Sheet	OF



Desert Moon Rezone Applicant Statement

The Desert Moon Hotel and RV Park was purchased by John Ripley Corkery IV, RN and Bridget Adams in July of 2020. The couple met working on scenic set designs for films and experiential theme stage environments for fairs and festivals. Bridget, who is an amazing tattoo artist and painter is in the process of transforming the beat up old Desert Moon Bed and Breakfast, campground, and RV park into a unique piece of art in which every room, nook, and cranny will be finished with a stylistic theme. If allowed to move forward the owners plan to turn the Desert Moon into a full fledged retreat center capable of hosting weddings, workshops, and special catered events.

John who is an entrepreneurial RN has not only helped several of the townsfolk with their medical issues but has also become the chairman of the Thompson Special Service District Water Board and has worked diligently to create the space, provide the resources, and lay the groundwork to seed various new businesses and trade work for Thompson Springs at the Desert Moon. The Desert Spoon Food Trailer restaurant is a great example. The seeds have also been planted for an auto shop, a trading post, a tattoo shop, the continuation of the transformation of the Desert Moon into a fully functioning retreat center, and a maker space featuring welding, wood working, and a concrete 3d printer.

Combined, Bridget and John have a large network of extremely talented youthful associates of whom they are continuously recruiting to come help operate the Desert Moon and Desert Spoon and hence help Thompson Springs to flourish. Having experience managing these types of businesses before the couple is also well versed in vetting out the bad apples and dealing with difficult situations.

Desert Moon Hotel and RV Park - Rezone Applicant Statement

At this point, in order to continue to grow the various businesses the couple needs to rezone the Desert Moon property to allow for the necessary infrastructure to be renovated or newly constructed. When purchased the commercial property had 2 water taps and 8 ERU's of water, or 120,000 gallons allotted per month. Despite having the necessary water to move forward with their proposed developments, John and Bridget are extremely conscious of their water usage and plan to be as conservative as possible with this precious resource.

The couple is passionate not only about the Desert Moon but also in helping the town of Thompson Springs find more water and become the cute, unique, and boutique town that it has the potential to be. John and Bridget have made the commitment to be a major part of the Thompson Springs and Grand County team and in return are asking that the county commission grant them highway commercial zoning status for the Desert Moon property to help make their dreams come true.

Applicant Statement Questions and Answers Section

1. Was the existing zone for the property adopted in error? We do believe that the existing zone for the property was adopted in error. This is because the property sits right off of the main business intersection in the town of Thompson Springs. The train station used to exist across the street, the neighboring property is the Thompson Cafe, on the other side of the main intersection is the old Thompson Motel and the Ballard RV Park. The Desert Moon property has been operating as a hotel and RV park for over 90 years and the Cactus Cabaret operated in the 1990's. It does not make sense that the property was rezoned to a zone that does not accommodate the businesses that exist on it. Generally speaking it does not make sense that the properties which make up the main intersection in Thompson Springs were rezoned range and graze when the town slowed down. From the density standpoint of range and graze which is one home for every 5 acres clashes with the fact that many of the other home lots that exist in Thompson that are also zoned range and graze when they should not be. The Ballard RV Park was recently zoned highway commercial, and we feel that the Desert Moon property should have the same opportunity to rezone especially since the current zoning does not seem to make sense.

2. 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.)? Yes recently the Ballard RV Park was rezoned to highway commercial. Also in the past 2 years there has been significant growth and interest in developing Thompson Springs. To be specific:

-The Thompson Cafe is under new ownership and is currently being renovated to open as soon as possible. .

-Ballard RV Park recently doubled in size from 30 RV sites to 60 RV sites.

-Grand County is planning to annex the Thompson Springs Fire House

-Private property owners are looking to subdivide

-Several new private parties have purchased properties and are looking to or are already building homes and/or businesses

Desert Moon Hotel and RV Park - Rezone Applicant Statement

-The TSSD has a new water board that is aggressively pursuing new water sources and enacting conservatory policies and billing procedures

3. Is there a need for the proposed use(s) within the area or community? Yes, currently there is no retreat center, auto shop, maker space, medical clinic, tattoo parlor, dance/performance/yoga class studios, trading post, or indoor dining restaurant facilities in Thompson Springs. These businesses will help the town to grow and flourish.

4. Will there be benefits derived by the community or area by granting the proposed rezoning? Yes, if the rezoning is granted it will allow for the development of a retreat center, auto shop, tattoo parlor, trading post, maker space, dance/performance/yoga class studio, and indoor dining restaurant facility. All of these businesses will help to provide much needed jobs, basic necessities, arts and crafts, auto repair, and entertainment to a small town that is in desperate need of such amenities.

5. Is the proposal in conformance with the policies, intents and requirements of Grand County General Plan, specifically Chapter 4: Future Land Use Plan. 1. Open Space/Riparian Area 2. Figure 4.1 listed General Business as "A highly accessible and visible land base for business in the unincorporated county." This is directly on line with what we are trying to accomplish at the Desert Moon. 3. In regards to the compact development patterns mentioned in the Grand County General Plan, the Desert Moon property central location in Thompson Springs makes it an ideal location for a General Business Zone as in the future it will provide easy centralized access for residents to walk or bike to its location. 4. Thompson Springs has been designated a "Rural Center" in the Grand County General Plan. However the small town currently lacks the basic businesses needed to make it a true "Rural Center". With a Highway Commercial zoning and the businesses that the Desert Moon owners plan to bring to life, Thompson Springs could truly become a Rural Center that the Grand County General Plan wishes it to be. 5. Desert Moon Development will spur growth in Thompson Springs which is located in an ideal location right off I-70. This will help centralize new development to decrease VMT easing burden on difficult to maintain county roads. 6. Development of the Desert Moon property goes along with the Grand County General Plan "Vision" in Chapter 3 and more specifically "Strategies D and F" in Chapter 3.2.

6. Should the development be annexed to a city? The population of Thompson Springs is not large enough for the community to be considered a town. However with a little growth and population increase the community can register for township and the Desert Moon development would be within the boundaries of the town.

7. Is the proposed density and intensity of use permitted in the proposed zoning district? Yes highway commercial zoning would permit the proposed density and intensity of use.

8. Is the site suitable for rezoning based on a consideration of environmental and scenic quality impacts? Yes due to the long lasting business history on the property the new environmental impact would be minimal. Also the property is surrounded by a railroad, radio tower, utility

Desert Moon Hotel and RV Park - Rezone Applicant Statement

buildings, another RV park, and other old run down buildings. The proposed development and historic building updates would likely only improve the scenic quality of the area. On another note, the West border of the Desert Moon property is the only border shared with a residential home property. A large wash area makes up the West side of the Desert Moon property and will be kept environmentally intact as a greenspace zone, perfectly providing a significant buffer between the commercial nature of the Desert Moon and its Westword residential neighbor.

9. 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? Yes, being in the heart of Thompson Springs right off of the main intersection the proposed business uses make good sense in the natural growth of an old town being redeveloped. The proposed businesses will help to bring more interest into the town and attract other business owners to move in and develop as well. The proposed uses will lead to more traffic in the area but with proper planning increased traffic can easily be controlled.

10. 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? Fire protection, power, internet services, cellular service, and well maintained road/railway infrastructure is readily available in the town of Thompson Springs. The TSSD and thus Thompson Springs has been calculated to be at a water deficit (which is in the process of being contested) and no new water accounts are being sold at this current time. However the Desert Moon property was purchased with 8 ERU's (120,000 gallons of water a month), which is enough water to accommodate the proposed Desert Moon growth and development without any new water connections or accounts needing to be installed or created. Therefore there are ample public utilities and infrastructure to allow for the requested rezone and proposed uses on the Desert Moon property.



Thompson Special Service District

101 Fire Station Lane, Thompson Springs, UT 84540

Thompson Special Service District

Will Serve Letter

To whom it may concern,

The owners of the Desert Moon Hotel and RV Park have presented their development plans to the TSSD Board. The board has run water usage calculations for the Desert Moon phase 1 development plan proposal as per the State of Utah's Department of Drinking Water calculation tables R309-510-1 and R309-510-2 that can be located at <https://documents.deq.utah.gov/drinking-water/rules/DDW-2017-004422.pdf>

Using the State guidelines, the board has found that the peak demand amount of water necessary for the Desert Moon proposed phase 1 development plans fits within the Desert Moon's current allotted water capacity. Furthermore, we have secured a commitment from the Desert Moon owners that if their water usage consistently exceeds their allotted amount that they will need to decrease their business operation capacity until their water usage falls within their 8 ERU capacity.

Below is the will serve motion that was passed on the TSSD in the January 12th, 2022 meeting.

The Desert Moon has 8 ERUS at 15,000 gallons per month each = 120,000 gallons per month = 4000 GPD capacity. The Desert Moon owners are looking to move forward with Phase 1 development projects that do not require more water capacity than the resort is using or currently has. In order to allow the Desert Moon to move forward with these developments the TSSD has voted with majority to provide a will serve letter to Grand County Planning and Zoning both showing the Desert Moon water calculations fall within their current capacity and also allowing the Desert Moon ownership to move forward with their phase 1 development plans due to their pledge to stay within their allotted water capacity. (See Calculations below Desert Moon Ownership Statement).

Statement from the Desert Moon Ownership

In hopes of creating more of a retreat style experience, the Desert Moon Hotel and RV Park has been working with architects, engineers, and contractors to put together plans and be awarded permits from Grand County for several development projects. The projects are listed out below with Phase 1 and Phase 2 designations. We are hoping to do the Phase 1 projects now as we have the water to do so, but wait until we are able to get more water to do the phase 2 items.



Thompson Special Service District

101 Fire Station Lane, Thompson Springs, UT 84540

1. Phase 1 - Replace the 50 year old septic system. The health department has voiced concern over our antiquated septic system failing and potentially shutting down our business. As such we have been working with a civil engineer to develop plans for a new septic system. These plans have been finished and sent to the State of Utah for their approval. This new septic system will provide enough capacity for both Phase 1 and Phase 2 projects at the Desert Moon.

2. Phase 1 - Revamp of Desert Moon Irrigation system. Installation of new drip line irrigation system for trees - The old Desert Moon irrigation system uses a lot of water especially since it is old and constantly breaking and leaking and thus wasting water. As part of Phase 1 we plan to install a new drip line system with water timers to avoid leaks and save water. We also plan to install a rainwater catchment systems and grey water reuse system to lessen the irrigation water needs.

3. Phase 1 - Build a Maker Space/Repair Garage. With the Maker Space and Repair Garage we essentially want to build a permanent structure to alleviate our current temporary structures that house our wood/metal/concrete working and auto repair setups. The 6 persons currently working on wood/metal/concrete/repair would move their current operations into this building. This building would not be used for commercial purposes until phase 2. **Phase 2** - We plan to make the building a commercial Auto Shop and install a bathroom with toilet/sink/shower in the building

4. Phase 1 - Renovate the existing old dancehall structure to be a functional multi-use building. Phase 1 will include renovating the existing building, and bringing it up to code to act as the indoor dining area for the Desert Spoon food trailer kitchen, Desert Moon guest lounge, and a tattoo artist studio space for Desert Moon owner Bridget Adams.

Phase 2 will include an 18x36ft building addition/extension to create a trading post, adding a sprinkler system to increase the gathering capacity to allow for special events like weddings and birthdays.

5. Phase 1 - Create and relocate 10 employees to employee housing lots. In an effort to clean up the park and make more green space for guests to hang out in in the main area, as part of Phase 1 we are proposing to create 5 employee housing lots with rv septic/water/power hookups to move our employees to. Currently our employees are living very close to camping/RV spaces and we want to change that to make our guests' experiences better. In **Phase 2** we plan to change these lots from RV spaces to employee housing buildings.

6. Phase 1 - Renovate existing bathhouse facilities to better accommodate guests. Our current park bathhouse building is poorly designed with the sink/shower/toilet setups all in the same rooms. We would like to add sperations to these items and add two showers so that our guests don't have to wait in long lines to use the bathrooms.

7. Phase 2 - Add both Long Term and OAO Capacity - As part of Phase 2 Development the Desert Moon would like to add both Long Term and OAO capacity with more RV sites, rental cabins, and campsites. We understand that this will take more water, so we will revisit those plans if and when more water becomes available. **Will need more water capacity.**

**Thompson Special Service District
HC11 Box 400010
Thompson Springs UT 84540**

To Whom it my concern:

The Desert Moon Hotel Resort, LLC,

Has 8 ERU's that they are billed for each month.
That they have had for over 5 years.

Thank you
Thompson Springs Special Dist.

Secretary
Lori Bell

Lori J. Bell
12/6/21



UTAH ASSOCIATION OF SPECIAL DISTRICTS

Thompson Special Service District

101 Fire Station Lane, Thompson Springs, UT 84540

8. Phase 2 - Create a spa experience area with sauna, steam room, hot tubs, cool tubs. To increase our guest experience we hope to build a spa area attraction. **Will need more water capacity.**

Desert Moon Water Calculations

The Desert Moon has 8 ERUS at 15,000 gallons per month each ERU = 120,000 gallons per month = **4000 GPD capacity.**

As per State Regulation Guidelines the current/proposed Desert Moon Peak Water Usage Calculation is listed below:

5 Bed and Breakfast Rooms - 150 GPD each = 750 GPD

10 RV Sites - 100 GPD each = 1000 GPD

10 "Boarding House" Employees - 50 GPD each = 500 GPD

5 - 2 Person Campsites with flush toilets - 20 GPD per person = 200 GPD

20 Restaurant Seats - 35 GPD each = 700 GPD

30 Single Service Customers = 60 GPD

Wood/Metal/Concrete/Auto Temp Workshop Spaces - 6 person 15 GPD each = 90 GPD

Tattoo Studio Chair (equivalent to hairdresser chair) = 50 GPD

Total = 3,350 GPD, leaving 650 GPD for irrigation, that's 1.3 ERU's for the new water conserving irrigation system.

Desert Moon Ownership Pledge

The Desert Moon Ownership pledges to keep their water usage within their allotted 8 ERUs with the understanding that if they do not they will have to sacrifice some of their business water capacity until they are in conformity.

If Grand County Planning and Zoning has any questions in regards to this Will Serve Letter please feel free to reach out.

Regards,

Jenna Talbott

TSSD Board Member

435-260-7204

weekdayionysus@gmail.com

Agenda Summary
GRAND COUNTY PLANNING COMMISSION
FEBRUARY 14th, 2022

AGENDA ITEM:

TITLE:	Public hearing to consider and solicit oral and written comment on a request to apply the Overnight Accommodations Overlay-Campground district to Parcel No. 04-0025-0059, within the Southwest Quarter of Section 29, T25S, R25E, SLBM, T25S, R25E, SLBM (La Sal Mountain area), for the Tin Roof Cabin Resort.
FISCAL IMPACT:	N//A
PRESENTER(S):	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 approve the Overnight Accommodations Overlay–Campground rezone and associated Master Plan for Grand County Parcel No. 04-0025-0059, located in the La Sal Mountain area.

STAFF RECOMMENDATION: NEUTRAL

The applicant proposes designing a low impact, remote, resort with no more than 12 cabin sites proposed within a relatively small development footprint, leaving the majority of the 378 acres as wilderness and ranch lands.

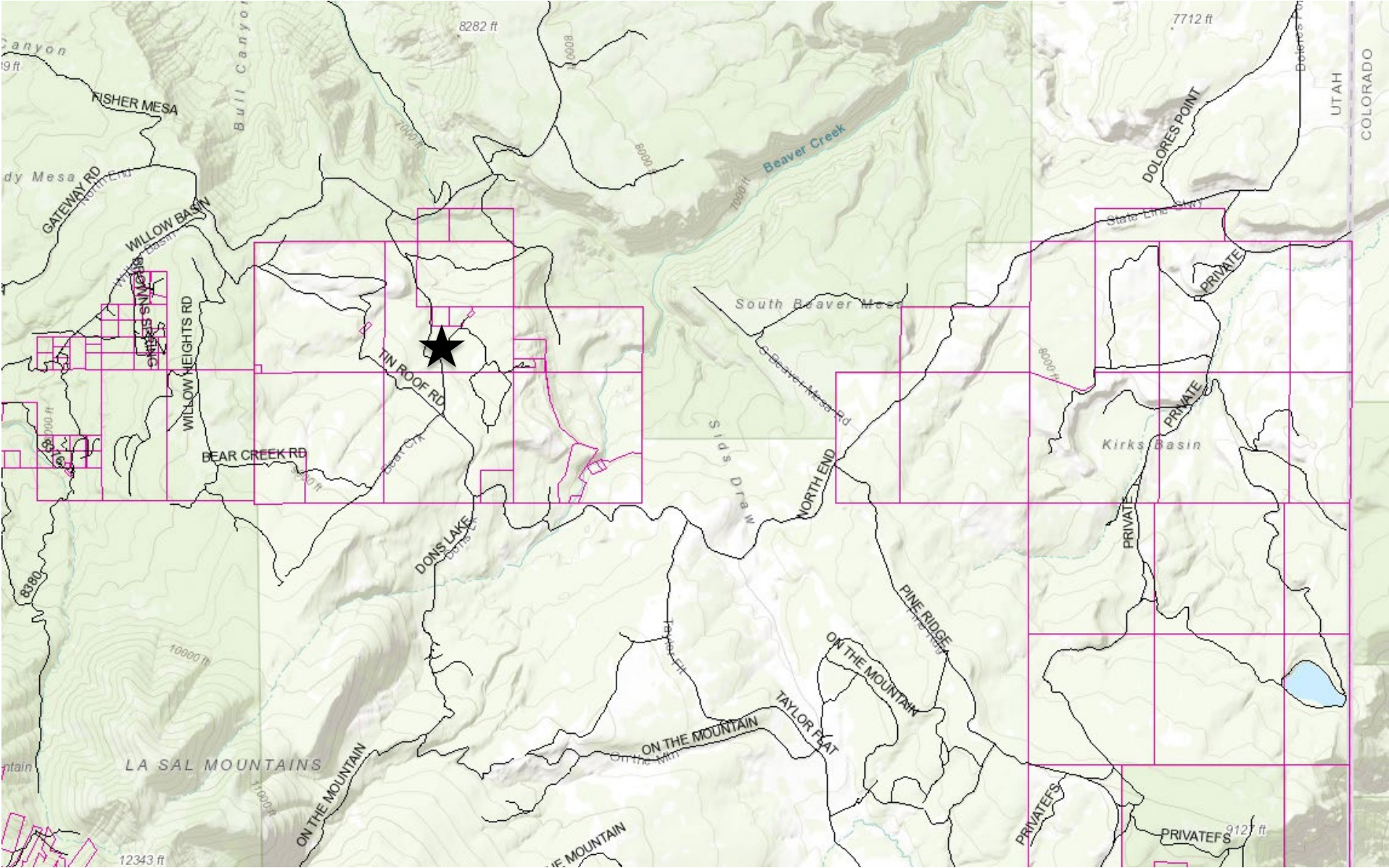
BACKGROUND

The property has historically been ranch lands within the La Sal Mountains and is zoned Range & Grazing. The proposed location for the 12 cabins is approximately one mile from Hidden Lake.

ATTACHMENT(S):

1. Vicinity Map
2. Staff Report
3. Master Plan
4. Applicant Statement & Master Plan Narrative
5. Development Agreement
6. Boundary Survey (Available Upon Request)
7. OAO Application (Available Upon Request)

Vicinity Map





STAFF REPORT

PLANNING & ZONING DEPARTMENT

GRAND COUNTY, UTAH

DATE: February 14th, 2022

TO: Grand County Planning Commission

SUBJECT: Tin Roof Cabin Resort Overnight Accommodation Overlay (OAO) – Campground Application

PROPERTY OWNER: Jick Taylor, V

PROP. OWNER REP: Tim Keogh

PROPERTY ADDRESS: 7495 E Gateway Rd/ Parcel No. 04-0025-0059

SIZE OF PROPERTY: 373.83 Acres

EXISTING ZONE: Range & Grazing

EXISTING LAND USE: Ranch Lands

ADJACENT ZONING AND LAND USE(S): Zones: Range & Grazing (RG), undeveloped ranch lands

APPLICATION TYPE

Overnight Accommodation Overlay (OAO) - Campground

APPLICATION PROCEDURE

Decision Type: Legislative

Public Notices: Public Meeting at:

Planning Commission

County Council

Public Hearing at:

Planning Commission

County Commission

Attachments:

1. Rezone Applicant Packet
 - a. Applicant Statement per section 9.2.5 (Rezoning Issues for Consideration)
 - b. Master Plan
 - c. Master Plan narrative
 - d. Development Agreement

SUMMARY OF REQUEST

This is a request for the OAO-Campground District to be applied to Parcel 04-0025-0059 for the purpose of developing a seasonal, remote, 12 cabin resort in the La Sal Mountain area that will support 1 full time employee and 1 part time employee.

All noticing requirements were met for this application.

PROPERTY HISTORY

The property is zoned Range and Grazing and has historically consisted of wilderness and vast ranch lands.

SITE IMPROVEMENTS / ADDITIONS / CHANGES

The project includes a 1,000 ft. access road through the development that ends at an emergency turn around at the north end of the property. Each of the 12 cabins would be accessed via a 20' wide approach driveway coming from the left and right of the access road. An engineered septic system will be designed to collect wastewater from each cabin and deliver the wastewater to a leech field at the north end of the property. Potable water will be hauled and stored in a cistern to be delivered via buried pipe to each cabin.

COMPATIBILITY WITH GRAND COUNTY GENERAL PLAN AND LAND USE CODE

Consistency with General Plan

The North East La Sal mountain area is located within the Range, Resource and Recreation Future Land Use Designation in the 2012 General Plan, which calls for residential densities ranging 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.

- a. The proposed OAO-Campground District for a 12 cabin seasonal resort is consistent with the 2012 General Plan as it fits within the future land use described as Range, Resource and Recreation, being a "recreation/resort" development.

Conformance with Grand County Land Use Code (LUC)

The Proposed development is in conformance with LUC Article 9, Administration and Procedure and Article 4.6.7 - OAO District Application in the following ways:

- a. The applicant submitted documents and plans for review and approval, per requirements in LUC article 9.1.3 Minimum Submission Requirements and article 4.6.7- OAO District Application.
- b. The application was reviewed by the zoning administrator and deemed a complete application on January 12, 2022, per article 9.1.3 and 4.6.7.

Per article 2.7.1 Purpose, the Range and Grazing (RG) District is designed to accommodate agricultural and agriculture-related, and low density residential development uses in those parts of the county with limited public services.

- a. The proposed development is not a permitted use within Range and Grazing, therefore the application for OAO-Campground has been submitted to allow for the proposed use.

The Proposed development complies with LUC Article 4.6.1, Purpose in the following ways:
-OAO Districts should be applied only to parcel(s) planned 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 -OAO Districts ensure that overnight accommodations are designed and developed in a manner that addresses the impacts and the increased service needs they generate, including but not limited to traffic,

employee housing, natural resources (e.g., land and water), sewerage, law enforcement, and emergency medical services. The -OAO Districts also ensure that Grand County maintains a healthy amount of developable commercial land and mix of commercial uses that support a diverse economy. The-OAO Districts should be applied to ensure that new and redeveloped projects result in tangible community benefits through the application of creative design, the incorporation and support for mixed uses both on site and elsewhere in the community, and through the provision and support for public uses and spaces to provide a balanced community structure.

- a. The Tin Roof Resort development meets one of the three provisions of Article **4.6.1. Purpose**. While the property has not historically been used for recreation and camping, the proposed development is likely compatible with the adjacent land uses due to its remote and secluded nature. The site however is not directly accessed by an arterial or collector street. It should be noted though that the scale of the campground, being only 12 cabins, may not warrant the need for direct access in the same way that a large RV park or hotel would. The applicant conducted an unofficial traffic study and determined that each cabin at full capacity would generate approximately 4 trips per day.
- b. The Tin Roof Resort offsets its impacts on infrastructure by being an energy efficient and resource efficient project. The concept plan includes the property owner as one of the two employees and the property owner intends to accommodate the housing needs of himself and the additional employee at his ranch headquarters located at Hidden Lake thus demonstrating the provision of employee housing.
- c. While the proposed development does offer creative design, it does not propose mixed uses on site or elsewhere in the community.

The Tin Roof Resort development is consistent with the LUC article **4.6.4 Allowed Uses**, which states, existing overnight accommodations developments shall not be allowed to expand the number of spaces, lots, or units for which they were originally approved to use as overnight accommodations.

- a. The Tin Roof Cabin Resort Master Plan identifies 12 overnight accommodation units, which shall not be exceeded even in the event of future subdivision, per the Development Agreement which will be recorded in the real property records of Grand County.

The Tin Roof Cabin Resort development is substantially consistent with LUC Article **4.6.5 Design Standards** in -OAO Districts.

Energy- A grid-tied solar array is proposed to offset the power draw from the grid for the low energy lighting (LED). Thus, the project will have very low impact on the electrical grid

Water - Potable water will be hauled and stored in a cistern and delivered via buried pipe to each of the cabins. The applicant hopes to develop on site potable water in the future.

Transportation - No transit or shuttle stop is delineated on the site plan as there is no existing or proposed public transit to the area as the subject property is located within the La Sal mountain area. There are no EV charging stations proposed in the application. It is not anticipated however, that the proposed development will generate enough trips to warrant the need for transportation solutions

Mixed Use (assured Housing requirement) - OAO Campgrounds are not required to provide assured housing at this time.

Open Space – The Tin Roof Resort Master Plan illustrates the relatively small development footprint of 17.44 acres, which allows for the majority of the land within the 373 acre parcel be preserved as open space.

Height - The development will not exceed height standards for the Range and Grazing zone. The project site is not within a protected viewshed district

Density & Scale - This proposal includes 12 standard cabin units, well under the 60 maximum units for OAO Campground Districts.

Site Configuration – The property consists of gentle grades amidst native Ponderosa pine with groves of Gambrel Oak and wild grasses and flowers.

Building Designs. Summary of Structures and facilities:

- 12 Standard Cabins: Each about 336 sq. ft. on a single level and will include one bed, a bathroom, a kitchenette, a sitting area and a small outdoor covered porch area.

Materials & Colors - will be of rustic territorial design, utilizing rusty metal and wood siding products and rusty metal roofing.

The requirements in Article **4.6.6 Use and Occupancy Standards**, shall be met at Site Plan Approval.

CONSIDERATIONS FOR APPROVAL, DENIAL, AND/OR POSTPONEMENT

4.6.2 Applicability: When approving or denying an -OAO District application, the Commission shall consider and make findings related to the impact of the proposed development on Grand County’s effort to achieve or maintain a balanced ratio of mixed uses in the County, including residential, lodging, and commercial uses; and in determining what constitutes a balanced ratio of mixed uses, the County Commission shall consider the following factors:

- a. Grand County’s present-day conditions produce a development ratio of 1.7 overnight accommodation units to one primary residential unit, three points above the early 2019 ratio of 1.4, which is considered the baseline for considering approval of new OAO districts.
- b. According to the County Treasurer’s database, there are currently 3,372 primary dwelling units in Grand County (including the City) and 5,414 overnight rental units (10/2021).
- c. There currently does not exist data demonstrating carrying capacity analyses nor are there additional studies specific to Grand County in relation to considering OAO District Approval.

The Tin Roof Cabin Resort development has been reviewed against the considerations of interest in Section **4.6.7C.2.g(1)**, with regard to impacts and benefits to Grand County, as follows:

(1) Impacts and Benefits

Economic diversification: The Tin Roof Resort promotes small scale remote recreation; and while it may not necessarily enhance economic diversification within Grand County, it does provide a lighter alternative to typical overnight accommodations, such as hotels, RV parks, and STR’s in residential zones.

Job creation: The development will not have a large impact on job creation, but will provide one or two employment opportunities.

Increased wages: The development is not expected to affect wages in Grand County.

Community aesthetics: As the project site is very remote, community aesthetics will not be affected. The Tin Roof Resort is designed to not visible from the adjacent County Road nor from any other location in the County.

Civic and open space. The Tin Roof Resort will be developed within a modest footprint, preserving the majority of the 373-acre parcel as undisturbed open space. Civic space will not be created or affected.

County infrastructure such as roads, water, sewer, and stormwater. The project will not impact County infrastructure, and will create a minimal draw on resources as a seasonal resort that utilizes solar power. An engineered septic system and leech field will manage onsite wastewater and potable water will be hauled in and stored for use at the cabins as needed.

Public services such as law enforcement and emergency medical services. The minimal runoff created from the roof structures is to be captured via gutters, into rain barrels and used for fire protection if needed. The 70' turnaround at the end of the access driveway will allow for emergency vehicles to maneuver onto and off of the property if needed. Emergency services will be impacted, due to the site's remote location and relative distance from the nearest Emergency dispatch station.

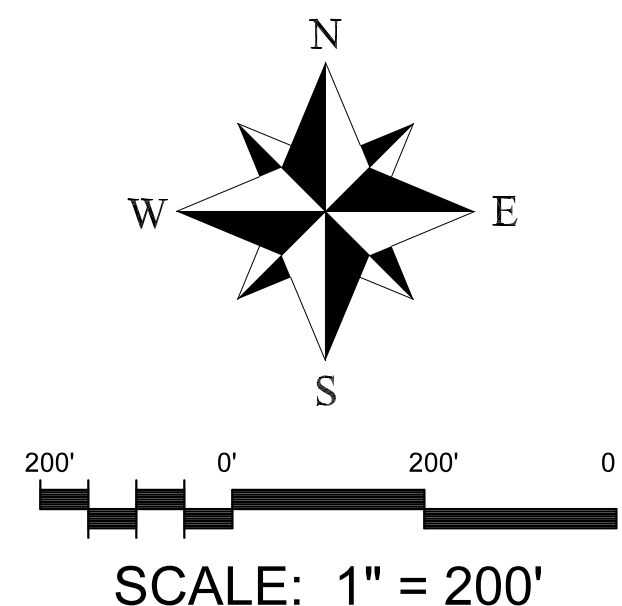
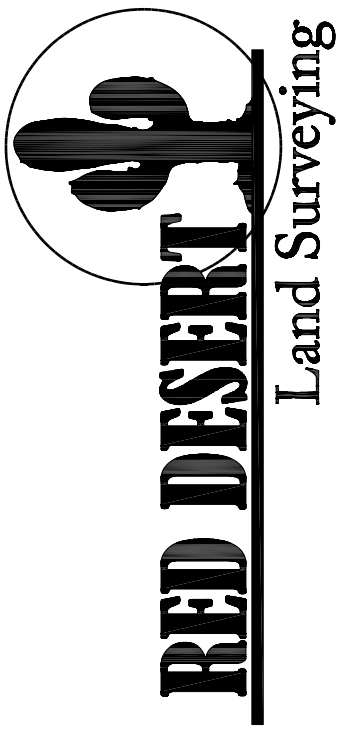
Traffic, in quantity and circulation. Due to the relatively small number of overnight rental units and the remote location of the site, traffic will not be an issue of concern. An unofficial observation of traffic at the development site determined that each cabin at full capacity would generate 4 trips per day.

Water resources, in quantity and quality. Potable water will be hauled and stored in a cistern and delivered via buried pipe to each of the cabins. The applicant hopes to develop on site potable water in the future.

Housing demand. The owner proposes to accommodate the housing needs of himself and the additional employee at the ranch headquarters located at Hidden Lake in an effort to avoid the need for such employee(s) to travel to Moab for housing.

Crowding or congestion in national parks and other nearby public lands. The Tin Roof Development is intended to provide for visitors who desire to spend time primarily in the La Sal Mountain region as opposed to crowded national parks and other areas of Grand County. The target patrons are thought to be visitors that want to avoid the congestion of Moab and the Parks. This development will provide visitors a place to spend time in the quiet alpenes of the La Sals while also giving them easy access to tens of thousands of acres of public lands upon which to recreate.

STAFF RECOMMENDATION: Neutral



LOCATED IN THE SW QUARTER OF SECTION 29, T25S, R25E, SLB&M

VICINITY MAP
NOT TO SCALE

BOUNDARY REZONE SURVEY

SURVEYOR'S CERTIFICATION

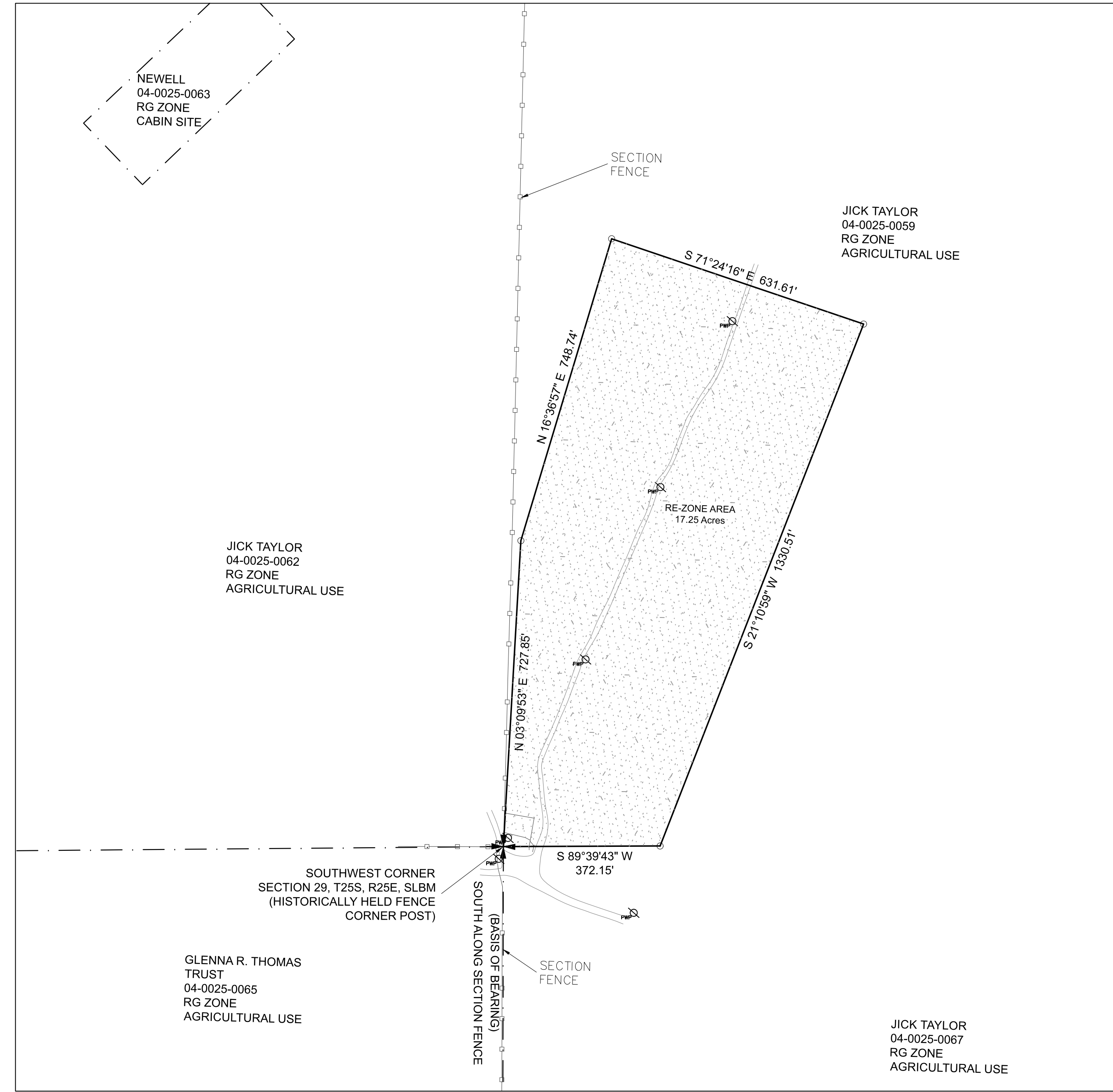
I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that an engineering survey was made of the property described below, and the findings of that survey are as shown hereon.

Lucas Blake
License No. 7540504

88 East Center Street
Moab, UT 84532
435.259.8171

STANDARD LEGEND

<ul style="list-style-type: none"> POWERPOLE GUY WIRE RECORD DATA MEASURED DATA CALCULATED DATA 	<ul style="list-style-type: none"> REZONE BOUNDARY EASEMENTS PROPERTY ADJOINING FENCE
<ul style="list-style-type: none"> PROP. CORNER FOUND PROP. CORNER SET MAG NAIL FOUND MAG NAIL SET BLOCK CORNER SECTION MONUMENT 	



Lucas Blake
License No. 7540504

DATE

REZONE AREA LEGAL DESCRIPTION

A parcel of land for rezoning purposes, located within the Southwest Quarter of Section 29, T25S, R25E, SLBM, being more particularly described as:

Beginning at a the Southwest corner of Section 29, Township 25 South, Range 25 East, Salt Lake Base and Meridian, and proceeding thence North 03°09'53" East 727.85 feet; thence North 16°36'57" East 748.74 feet; thence South 71°24'16" East 631.61 feet; thence South 21°10'59" West 1330.51 feet; thence South 89°39'43" West 372.15 feet to the point of beginning, having an area of 17.25 acres.

(Basis of bearing is South along the Section fence that divides Section 31 & 32, T25S, R25E, SLBM)

SURVEYOR NOTES

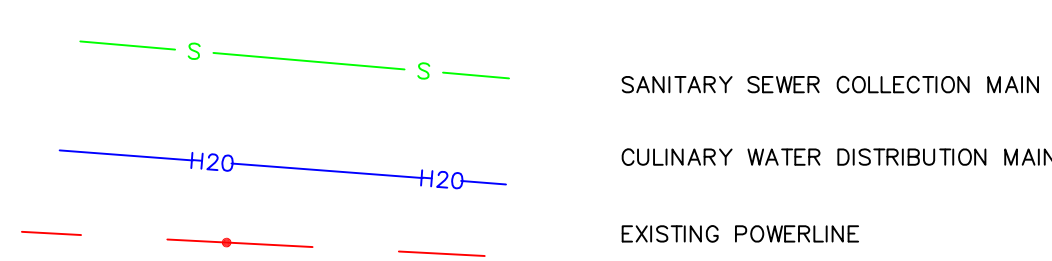
THE BASIS OF BEARING IS SOUTH BETWEEN THE NW CORNER AND THE SW CORNER OF SECTION 32, TOWNSHIP 25 SOUTH, RANGE 25 EAST, SALT LAKE BASE AND MERIDIAN.

THE INTENT OF THE SURVEY IS TO MONUMENT OR LOCATE ORIGINAL PROPERTY CORNERS. THE SURVEY WAS PERFORMED USING BEST LEGAL EVIDENCE OF OCCUPATION IMPROVEMENTS LOCATED ON THE GROUND. OUR RESEARCH AND SITE WORK HAS DETERMINED NOTES OF IMPORTANCE AS FOLLOWS;

1. FENCE LINE HAS BEEN HELD FOR THE BASIS OF BEARING SECTION LINES AS NO MONUMENTS LOCATED.
2. THE SURVEY IS TO DESCRIBE A PORTION OF THE JICK TAYLOR LANDS FOR A COUNTY REZONE APPLICATION.

PROJECT TYPE: REZONE BOUNDARY SURVEY
PROJECT ADDRESS: TIN CUP AREA LA SAL MOUNTAINS
PROJECT LOCATION: GRAND COUNTY, STATE OF UTAH
PREPARED FOR: JICK TAYLOR
DATE: 8/31/21
JOB NUMBER: 149-21
SHEET 1 OF 1

LEGEND

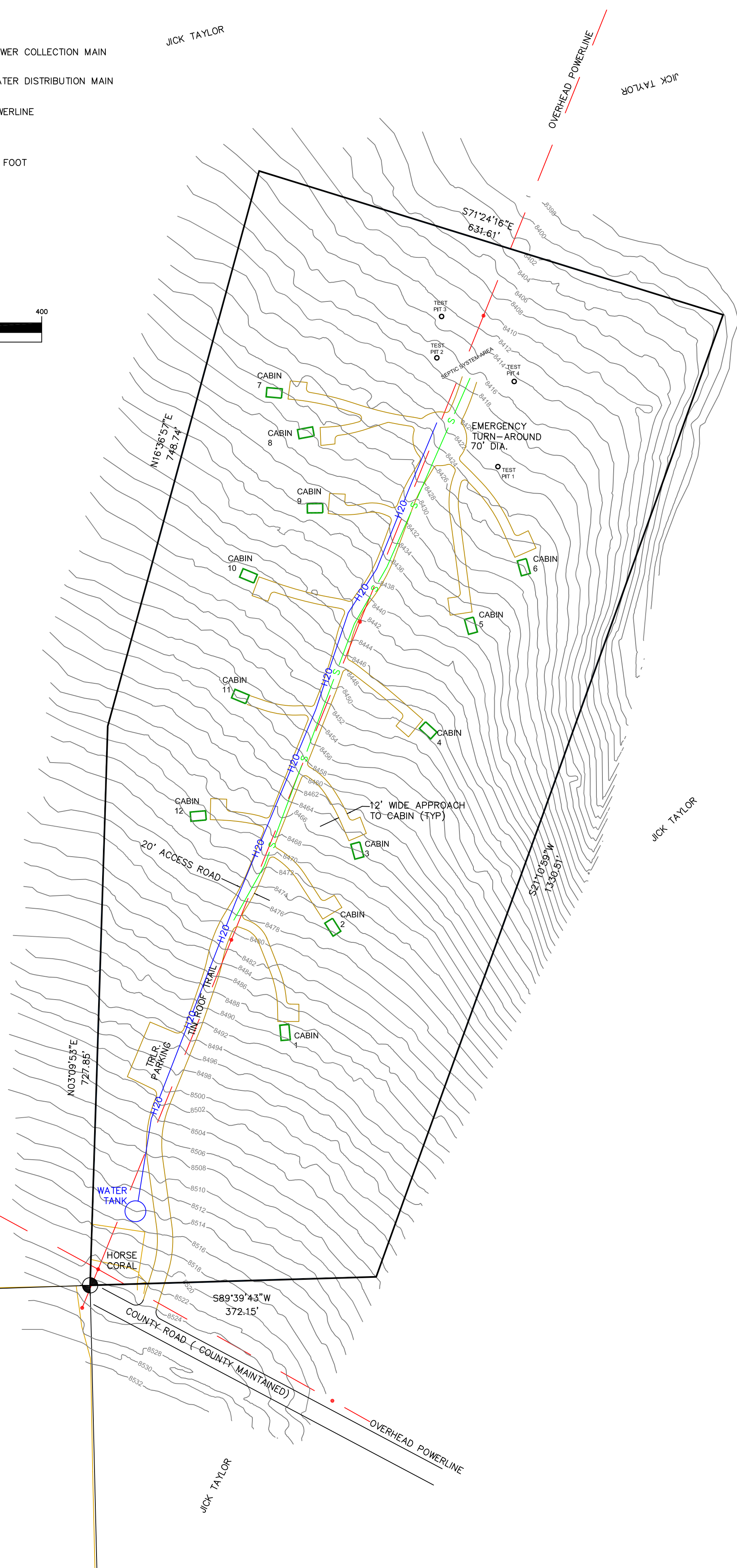


CONTOUR INTERVAL IS 2 FOOT

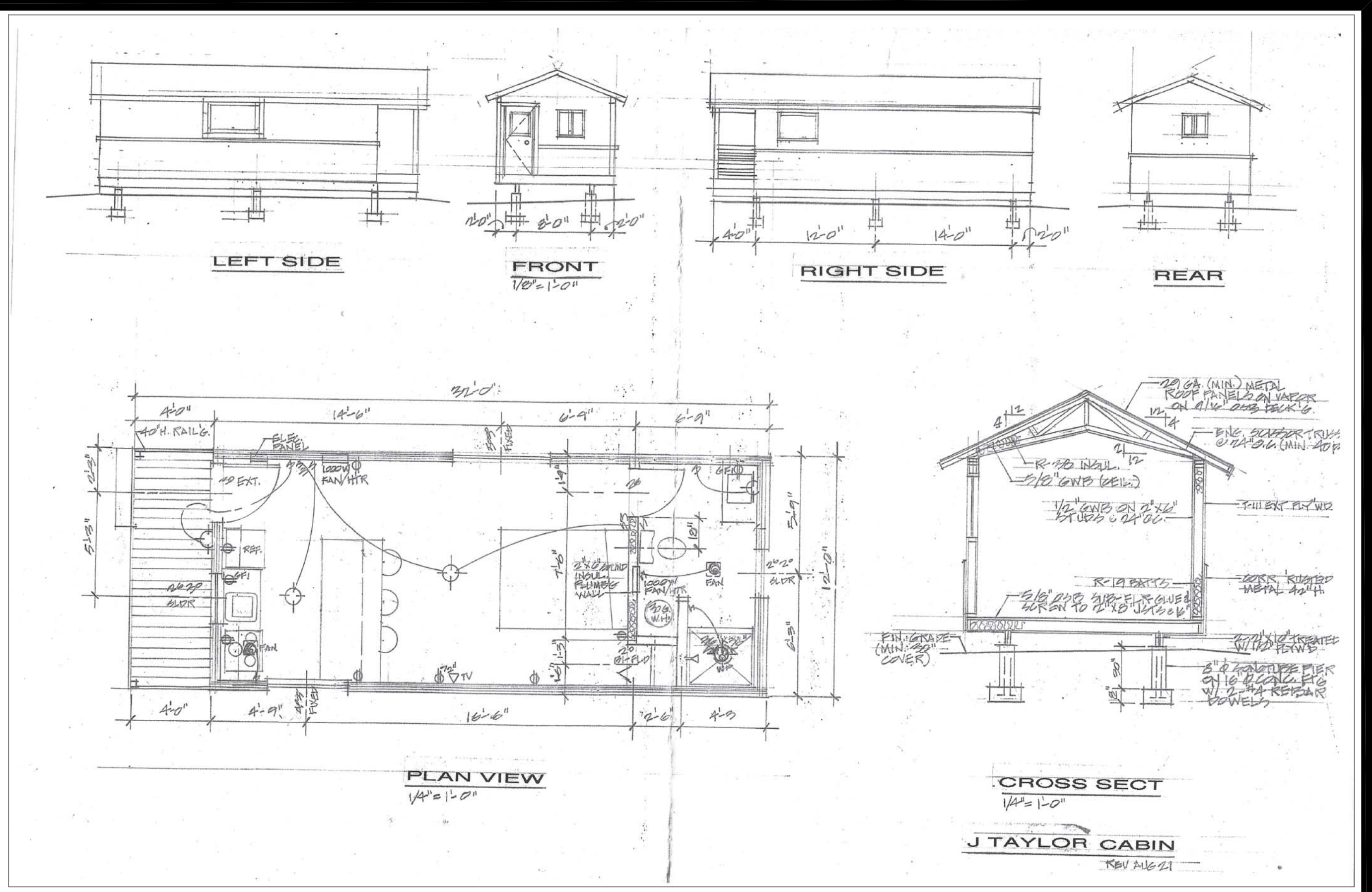
GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



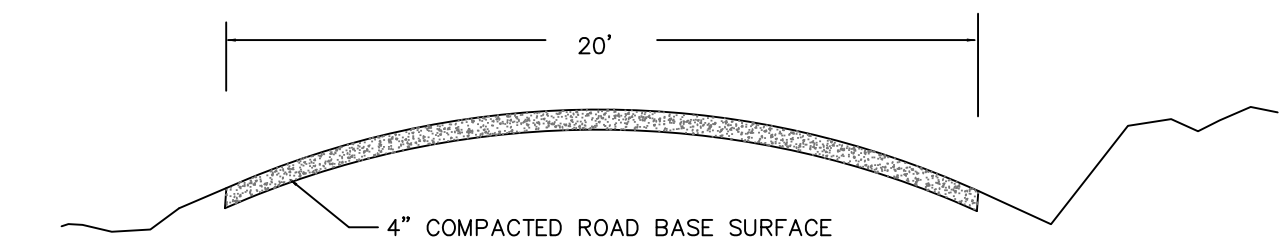
CABIN PLAN



DEVELOPMENT NOTES

1. ALL EXTERIOR LIGHTING SHALL BE SHADED SUCH THAT TRESPASS OF LIGHT IS AVOIDED. ALL LIGHTING SHALL BE LOWER ENERGY USE LED FIXTURES.
2. EMERGENCY TURN-AROUND SHALL REMAIN FREE OF PARKING SUCH THAT ALL TRAFFIC CAN FREELY PASS.
3. PLUMBING FIXTURES WITHIN THE UNITS SHALL BE OF LOW-FLOW WATER USE. AS WELL, THESE LANDS RECEIVE ADEQUATE STORM WATERS TO KEEP THE FLORA AND FAUNA OF THE ALPINE SURROUNDINGS HEALTHY. NO ADDITIONAL PLANTS ARE BEING PROPOSED THAT WOULD BE A DRAW ON THE WATER NEEDS OF THE DEVELOPMENT. GUESTS WILL BE ADVISED TO CONSERVE CULINARY WATER. APPROVED PUBLIC DRINKING WATER SOURCES WILL BE UTILIZED TO FILL THE UNDERGROUND STORAGE OF APPROXIMATELY 2400 GALLONS.
4. A DEFENSIBLE SPACE FOR FIRE PROTECTION SHALL BE MAINTAINED AROUND EACH OF THE UNITS. NATIVE SHRUBS AND TREES SHALL BE THINNED SUCH THAT WILDFIRE DANGERS ARE KEPT TO A MINIMUM.
5. BY DEFINITION, NONE OF THE PROPOSED DEVELOPMENT AND/OR ADJACENT LANDS, ARE "SENSITIVE LANDS".
6. THE DEVELOPMENT WILL BE EASILY ACCESSIBLE TO EMERGENCY PUBLIC SERVICES (LAW ENFORCEMENT AND AND EMERGENCY MEDICAL), NOT UNLIKE PUBLIC LANDS IN GRAND COUNTY. IF NEEDED, ROOM IS AVAILABLE FOR EMERGENCY HELICOPTER LANDING ON-SITE.

TIN ROOF TRAIL TYPICAL SECTION

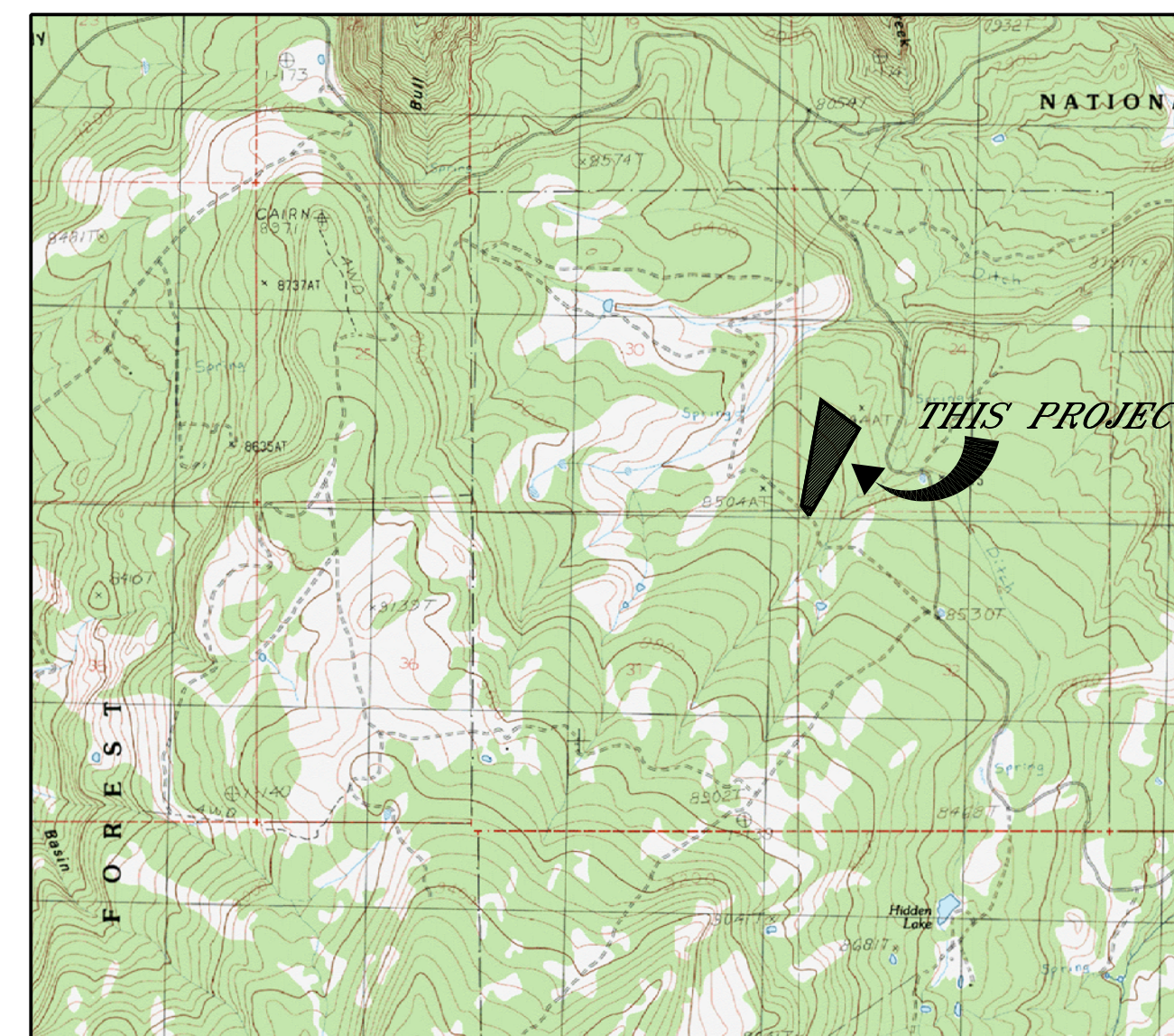


A MASTER PLAN OF
TIN ROOF CABIN RESORT

WITHIN THE SW1/4 OF SECTION 29,
T 25 S, R 25 E, SLBM,
GRAND COUNTY, UTAH

JICK TAYLOR, OWNER/DEVELOPER
P.O. BOX J
MOAB, UTAH 84532
435-260-2405

PREPARED BY
TIM KEOGH
435-220-1135
NOVEMBER 30, 2021



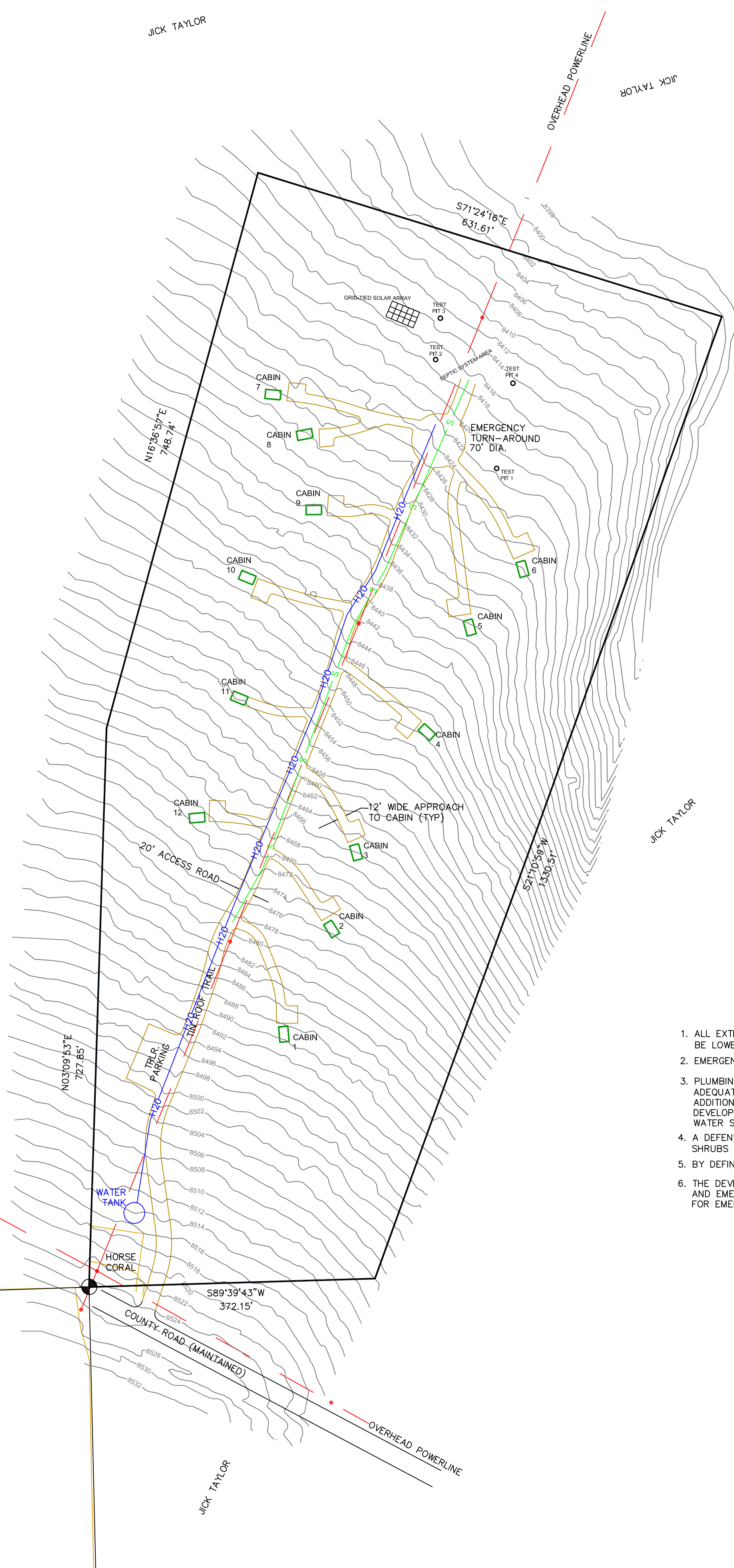
AREA MAP

LEGAL DESCRIPTION

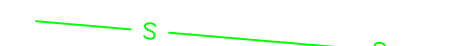


A PARCEL OF LAND FOR REZONING PURPOSES, LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 29, T25S, R25E, SLBM, BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 25 SOUTH, RANGE 25 EAST, SALT LAKE BASE AND MERIDIAN, AND PROCEEDING THENCE NORTH 03°09'53" EAST 727.85 FEET, THENCE NORTH 16°36'57" EAST 748.74 FT., THENCE SOUTH 71°24'16" EAST 631.61 FEET, THENCE SOUTH 21°10'59" WEST 1330.51 FEET, THENCE SOUTH 89°39'43" WEST 372.15 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 17.25 ACRES.

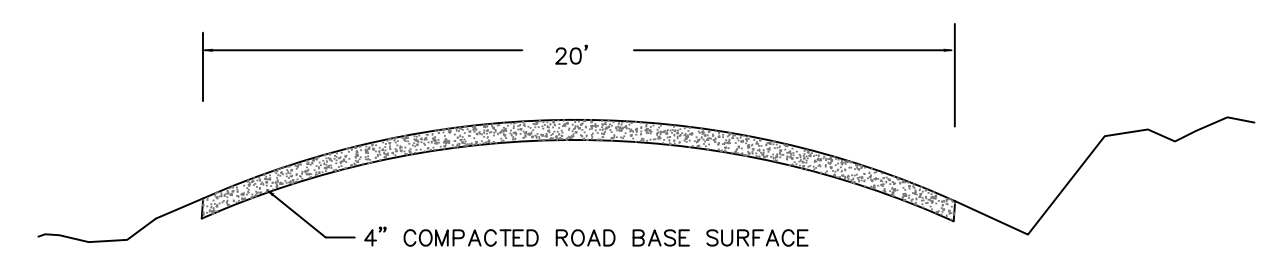
(BASIS OF BEARING IS SOUTH ALONG THE SECTION FENCE THAT DIVIDES SECTION 31 & 32, T25S, R25E, SLBM)



LEGEND

-  SANITARY SEWER COLLECTION MAIN
-  CULINARY WATER DISTRIBUTION MAIN
-  EXISTING POWERLINE
- CONTOUR INTERVAL IS 2 FOOT

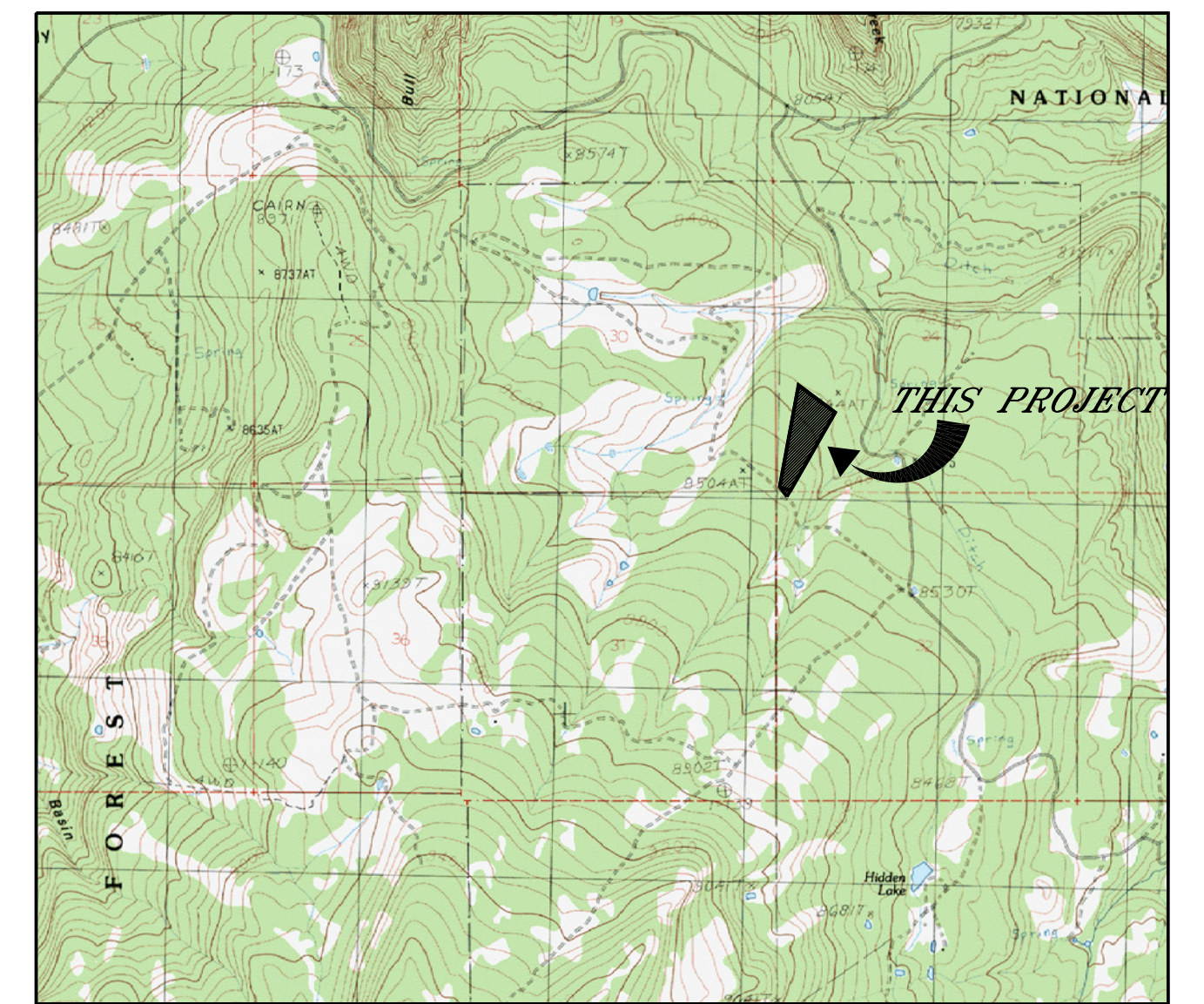
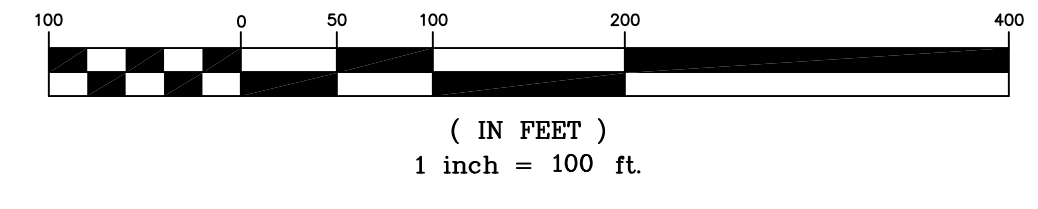
TIN ROOF TRAIL TYPICAL SECTION



DEVELOPMENT NOTES

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GRAPHIC SCALE



AREA MAP

A CONCEPTUAL SITE PLAN OF
TIN ROOF CABIN RESORT

WITHIN THE SW1/4 OF SECTION 29,
T 25 S, R 25 E, SLBM,
GRAND COUNTY, UTAH

JICK TAYLOR, OWNER/DEVELOPER
P.O. BOX J
MOAB, UTAH 84532
435-260-2405

PREPARED BY
TIM KEOGH
435-220-1135
NOVEMBER 30, 2021

NARRATIVE

TIN ROOF RESORT

The proposed Tin Roof Resort seeks approval of an Overnight Accommodations Overlay (OAO) for a Recreational Vehicle Campground (LUC 4.6.6, Section C). The proposal is for 12 Guest Cabins on a parcel of 17.25 acres within the Taylor Ranch of some 1600 acres. The development is within the Southwest Quarter of Section 29, T25S, R25E, SLBM, T25S, R25E, SLBM, described as follows:

Beginning at the Southwest Corner of Section 29, T25S, R25E, SLBM, and proceeding thence N 03°09'53"E 727.85 ft., thence N 16°36'57"E 748.74 ft., thence S 71°24'16"E 631.61 ft., thence S 21°10'59"W 1330.51 ft., thence S 89°39'43"W 327.15 ft. to the point of beginning, having an area of 17.25 acres.

The project is generally located approximately a mile NNW of Hidden Lake in the La Sal Mountains. The 12 cabins, occupying 17.25 acres, results in a project density of 1 unit per 1.44 acres. The development would fall in the midst of the owners' vast open spaces ranch lands. The 17.25 acres consists of scattered Ponderosa pine with groves of Gambrel Oak and native alpine flora, fauna and ground cover consisting of wild grasses and flowers. It is unlikely these units will be seen from the adjacent county road much less from anywhere else. The applicant desires to accomplish a remote, private development where guests can enjoy the solitude and the recreational amenities that abound in the area absent the thousands of visitors present in Moab.

The cabins, to be used seasonally, will be of rustic territorial design, utilizing rusty metal and wood siding products and rusty metal roofing. The cabins will be some 336 square feet with one bed, a bathroom, a kitchenette and a sitting area. Bicycles can be secured under the front covered porch. The guests' vehicle will be parked in front of the unit in a graveled area adequate for parking and turning around.

A grid-tied solar array is proposed to offset the power draw from the grid for the low energy lighting (LED). Thus the project will have very low impact on the electrical grid. Wastewater will be collected and delivered to an engineered septic system where a tank will collect the solids and water will be returned to the groundwater via the engineered leach field. This campground is in the beaver basin water shed that drains to the Delores River at the Utah-Colorado state line. As the contours depict, the ground is flat and on an even grade dropping to the Northeast. The minimal runoff created from the roof structures is to be captured via gutters, into rain barrels and used for fire protection. Roads, driveways and parking areas will be gravel thereby allowing for percolation into the ground and avoiding new quantities of runoff.

Potable water will be hauled and stored in a cistern and delivered via buried pipe to each of the cabins. The applicant hopes to develop on site potable water in the future.

Access to the development is via Highway 128 to Castle Valley, passing through Castle Valley via the road to Gateway (County Roads 96 and 85), leaving Road 85 just North of Hidden Lake and taking an unnamed County Class B Road NW approximately ½ mile to its terminus. In time, the owner hopes to

draw the bulk of outdoor recreation seekers from western Colorado with primary access via Gateway. Over a Friday and Saturday in August, for ten hours each day, traffic was observed from the resort site. In those two days, 9 vehicles came down the road and turned around upon realizing it was a dead-end route. It is anticipated that each cabin, at full occupancy, would generate 4 trips per day, resulting in 48 trips, or approximately 1 trip every 10 minutes in the daylight hours. The proposed use should result in little to no impact on the transportation network.

This development will create one fulltime job and one part time job. The applicant, having taken up full time residency at his ranch headquarters, will fill the fulltime position and will employ another person, possibly a family member or camp host, to fill the part time position. The owner proposes to accommodate the housing needs of the part time staff at his ranch headquarters near Hidden Lake. Both employees would be available for information, cleaning, grounds maintenance, etc. The applicant hopes that by creating these [TK1] jobs, he negates the need for these individuals to commute to Moab daily for employment.

The guests staying at the resort are typically there because they don't want to be in Moab among the crowds frequenting the local attractions. The resort is their destination. These guests will be bike riding, sightseeing, fishing and creating none of the negative impacts that are often voiced by the residents in Moab. These lodging units should be an ideal development when considering public good and the lack of adverse impacts to the local population.

In summary, the development will partially fill a need in Grand County by providing for visitors that desire to spend time on the La Sal Mountains and not in the other busy and congested areas of Grand County. These are the visitors that want to avoid Moab, the Parks and the sometimes many thousands of other visitors already here. This development will provide for that visitor a place to spend time in the quiet alpine surrounds of the La Sals while also giving them easy access to tens of thousands of acres of public lands upon which to recreate, and at the same time, causing minimal impacts on Grand Counties infrastructure of roads, water, storm drainage, and emergency services. The project will provide new employment, it will provide tax dollars from ranching lands that were previously contributing next to nothing to the county coffers, it will provide some relief to the impacts of public lands camping, and above all, leave its guests with memories of an enjoyable visit to Grand County.

9.2.5 ISSUES FOR CONSIDERATION OF APPROVAL FOR OVERNIGHT ACCOMMODATION OVERLAY (OAO)

TIN ROOF RESORT

A: Was the existing zone adopted in Error?

The underlying RG Zone was not adopted in error nearly 50 years ago, but substantial changes have occurred since. With visitation at the national parks having increased over 700% and recreational uses of public lands increasing even more in that timeframe, Moab is in need of new options for accommodating the large numbers of new visitors to the area. The few lodging establishments catering to La Sal Mountain visitors are, like all OAC venues, experiencing capacity numbers. The area where this development is proposed, the North end, has no lodging accommodations available.

B: Has there been a change of character in the area?

Yes. Radical increases to visitation have occurred since the RG Zone was adopted. When adopted, the biggest influx to the La Sal Mountains happened during the deer hunt. The mountains now experience bicyclists, climbers, fisherman, auto-touring, motorcyclists, hikers, hunters, and campers in numbers of increase comparable to the increases experienced in Moab proper.

C: Is there a need for the proposed use within the area or community?

Yes. The increased number of visitors, as noted above, have put pressure on the public lands. The proposed development will provide an opportunity for visitors to get away from the crowds present in the populated areas of Grand County and enjoy an alpine experience different from the activities in town or the deserts surrounding.

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

Yes. Substantial increases in property taxes will be collected when this property is no longer in Greenbelt. As well, like most new business developments, there will be job opportunities for a few people as well as relieving pressure on the public lands in the area. Again, this area currently has No lodging venues or even developed camp sites.

E: Is the proposal in conformance with the Grand County General Plan?

Yes.

F: Should the development be annexed to a city?

No. The nearest corporate boundaries are ten plus miles distant.

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

Yes.

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

Yes. Environmental impacts will be negated by installation of sanitary sewer services and culinary drinking supply. Because this proposal is a wooded island well within the bounds of the owners many hundreds of acres, it is in an area out of view of anyone on far or near public lands.

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?

Yes, the proposed use is very compatible with the adjacent ranching and grazing uses and adverse impacts are unforeseen.

K: Are adequate public facilities and services available to serve the development?

Yes. Power is on-site, water and sanitary sewer will be provided, and maintained public roads accessing the land are adequate for the slight traffic increases that this development will bring.

TIN ROOF RESORT
DEVELOPMENT AGREEMENT
OVERNIGHT ACCOMMODATIONS OVERLAY DISTRICT
Pursuant to Grand County Code Section 4.6

This DEVELOPMENT AGREEMENT (this “**Agreement**”) is made and entered into as of this ____ day of _____ 2022 (the “**Effective Date**”) by and between Jick Taylor, with its principal place of business located at 200 South Beaver Basin, Grand County, Utah (“**Owner/Developer**”), and Grand County, a political subdivision of the State of Utah (“**County**”).

Recitals

- A. WHEREAS, Owner/Developer owns that certain property situated in Grand County, Utah, as more particularly described as follows:

Beginning at the SW Corner of Section 29, T25S, R25E, SLBM, and proceeding thence N 03°09’53”E 727.85 ft., thence N 16°36’57”E 748.74, thence S 71°24’16”E 631.61 ft., thence S 21°10’59”W 1330.51 ft., thence S89°39’43”W 372.15 ft. to the point of beginning and containing 17.25 acres.

- B. WHEREAS, Owner/Developer has requested Grand County to apply the Overnight Accommodations Overlay District (the “**OAO District Application**”) to the Property pursuant to Section 4.6 of the Grand County Land Use Code (the “**Code**”).
- C. WHEREAS, the Grand County Council has, in the exercise of its legislative discretion and following all required public hearings, approved the OAO District Application pursuant to the terms and conditions herein.
- D. WHEREAS, pursuant to the authority of Utah Code §17-27A-102(1)(b) and Section 4.6, as amended, the Parties desire to enter into this Agreement for the purpose of formalizing certain obligations of Owner/Developer with respect to the Property, and such other matters as the County and the Owner/Developer have agreed as particularly set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, including approval of the OAO District Application to the Property, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **DEFINITIONS.** Unless otherwise defined herein, all capitalized terms used in this Agreement shall have those meanings assigned in Section 4.6 of the Code.

2. **COVENANT TO COMPLY WITH CODE.** Upon approval of the OAO-RV/Campground district, up to 12 overnight camping sites may be developed on the Property. In consideration of the application of the OAO District to the Property, and specifically the Development Standards set forth in Code Section 4.6.6, Owner/Developer hereby covenants and agrees to strictly comply with the provisions, duties, and obligations of Section 4.6 of the Code, which provisions, duties, and obligations are integrated herein by this reference.
3. **DEFAULT.**
 - 3.1. Violation or breach of any provision of this Agreement or Section 4.6 of the Code, as amended, shall constitute a Default. The County may enforce a Default and impose penalties under the provisions of Sections 1.8 and 1.9 of the Code, as amended.
 - 3.2. In the event of a Default, the COUNTY hereby reserves all of its remedies under this Agreement, the Code, and Utah law, including the right to revoke, deny or suspend any permit, including a land development permit, conditional use permit, building permit, certificate of occupancy, or discretionary approval; recover from any violator of this section civil fines, restitution to prevent unjust enrichment, and/or enforcement costs, including attorney fees, under the Code or Title 1 of the Grand County General Ordinances; and seek judicial enforcement of such fines, restitution and costs, including judgment liens and foreclosure, or any other appropriate action for unlawful detainer, injunctive relief or damages.
4. **MISCELLANEOUS.**
 - 4.1. Owner/Developer hereby waives any defenses, rights or remedies that it might otherwise assert against the County in connection with: (i) the application of the rule against perpetuities to this Agreement; or (ii) any claim that the covenants in this Agreement recorded against the Property are not covenants running with the land upon the Property. This waiver shall be binding upon and inure to the benefit of the successor and assigns of the Owner/Developer and the County.
 - 4.2. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law. If any provision of any of the foregoing Agreement shall be invalid or prohibited under applicable law, such provisions shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provisions in this Agreement.
 - 4.3. If any party shall take or defend against any action for any relief against another party arising out of this Agreement, the prevailing party in such action or defense shall be entitled to reimbursement by the other party for all costs including, but not limited to, reasonable attorneys' fees and court costs incurred by the prevailing party in such action or defense and/or enforcing any judgment granted therein, all of which costs shall be deemed to have accrued upon the commencement of such action and/or defense and shall be paid whether or not such action or defense is prosecuted to

judgment. Any judgment or order entered in such action or defense shall contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.

- 4.4. This Agreement shall be governed by and construed under Utah law.
- 4.5. Except as otherwise provided herein, the provisions and covenants contained herein shall inure to and be binding upon the heirs, successors, and assigns of the parties.
- 4.6. Paragraph or section headings within this Agreement are inserted solely for convenience of reference and are not intended to, and shall not, govern, limit or aid in the construction of any terms or provisions contained herein. Further, whenever the context so requires herein, the neuter and gender shall include any or all genders and vice versa and the use of the singular shall include the plural and vice versa.
- 4.7. Except for legislative changes of Section 4.6 of the Code which are incorporated herein, this Agreement may be amended only upon written amendment executed by both Parties, recorded in the real property records of Grand County, Utah; provided, however, that all material terms and provisions may not be amended or modified without reapplication to the County.
- 4.8. This Agreement shall be recorded by Owner/Developer prior to recordation of a final plat or issuance of a building permit for any structure within a site plan approved hereunder, as required by Section 4.6 of the Code.

IN WITNESS WHEREOF, this Agreement is effective as of the date first written above.

COUNTY: Grand County
A political subdivision of the State of Utah

Mary McGann,
Chair, Grand County Commission

STATE OF UTAH)
) ss
COUNTY OF GRAND)

On December ____, 2021, Mary McGann as Chair of the Grand County Commission, a Utah political subdivision, appeared before me and acknowledged and swore to me that the foregoing Amended and Restated Development Agreement was signed on behalf of Grand County by authority of its Policies and Procedures and Utah law.

NOTARY PUBLIC

Owner/Developer:

STATE OF UTAH)
) ss
COUNTY OF GRAND)

Name: Jick Taylor
Title: Property owner, Ranch Operator

On, **December** ____ 2022, Jick Taylor, property owner, personally appeared before me and acknowledged the foregoing Development Agreement.

NOTARY PUBLIC

Legal Description

Beginning at the SW Corner of Section 29, T25S, R25E, SLBM, and proceeding thence N 03°09'53"E 727.85 ft., thence N 16°36'57"E 748.74, thence S 71°24'16"E 631.61 ft., thence S 21°10'59"W 1330.51 ft., thence S89°39'43"W 372.15 ft. to the point of beginning and containing 17.25 acres.