

# Planning Commission

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JUNE 13, 2019

LAND USE

OVERNIGHT  
ACCOMMODATIONS

# Agenda

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1. Where we are in the process
2. Direction we are headed
3. How to deal with existing Overnight Accommodations
4. Discussion of proposed Overlay
5. Next Steps

# Process to Date

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- 180-day Temporary Land Use Regulation adopted by City Council on February 5, 2019
- Public Scoping Meetings held on March 26<sup>th</sup> and 27<sup>th</sup>
- Community Group outreach during April 2019
- Public Workshop on April 30, 2019 – Review of 5 alternatives
- Alternatives drafted
- May 7, 2019 Joint City/County Council Meeting
- Summary of Direction sent out on May 14, 2019
- Joint Work Session with CC and PC on May 23, 2019

# Where we are

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General consensus from joint CC/CC meetings

- Not allow any NEW OAs in any zoning district at this time
- Find a strategy to allow existing OAs to continue without making them non-conforming uses
- Business licenses will continue to be required for all OAs, but will not be used as a regulatory tool
- Proposed Overlay(s) need to be further refined before they are applied to any area to allow new OAs

# Existing Overnight Accommodations

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**Option 1:** No new OAs (new-builds or residential conversions). All existing uses become legal non-conforming uses, subject to the non-conforming use provisions

**Option 2:** Adopt an Existing OA Overlay (much simpler than the overlay zone for new OAs) and apply it to all existing OA projects in the C-2, C-3, C-4, RC and SAR zones. Show the overlay on the Zoning Map.

**Option 3:** Remove new OAs as a permitted use, and add new language in the existing C-2, C-3, C-4, RC and SAR zones to include the allowance for existing OAs to continue as legal uses and use a map or description of those areas within each existing zone

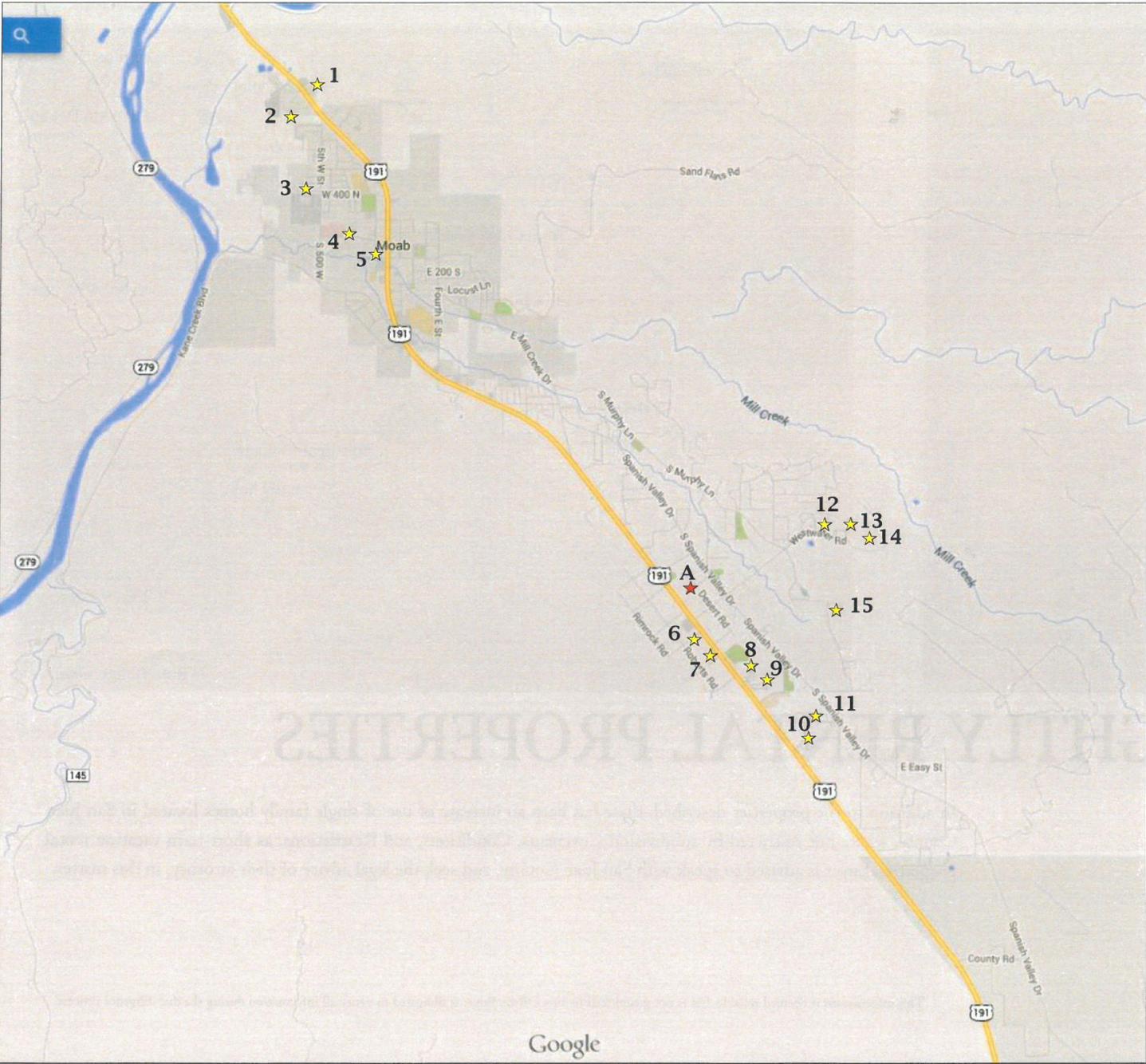
**Option 4:** Adopt an OA Overlay as generally outlined by Landmark and apply it only to the existing units at this time (the approach the County Planning Commission recommended to the County Council).

# MOAB'S NIGHTLY RENTAL PROPERTIES

- 1. Moab Springs Ranch *Two-story townhomes & condos*
- 2. Portal RV Resort *Three-story single family homes, and Motorcoach RV Pads*
- 3. Entrada at Moab *Two-story townhomes*
- 4. Cottonwoods at Williams Way *Single-level twin-homes*
- 5. Gonzo Inn *Condo-hotel*
- 6. Desert Wind *Two-story townhomes*
- 7. Redcliff Condos *Luxury apartment-style condos*
- 8. Southgate Village *Two-story townhomes*
- 9. Tierra del Sol *Single-level twin & single family homes*
- 10. Rim Village Vistas *Two-story townhomes*
- 11. Rim Village *Single-level townhomes*
- 12. Solano Vallejo *Two-story townhomes, near Golf Club*
- 13. Castillo De Las Rocas *Two-story townhomes, near Golf Club*
- 14. Puesta Del Sol *Two-story townhomes, near Golf Club*
- 15. Coyote Run *Two-story single family homes, near Golf Club*

## FUTURE DEVELOPMENTS

- A. Sage Creek at Moab *Luxury apartment-style condos*



# Non-Conforming Uses

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“Nonconforming use” means a use of land that:

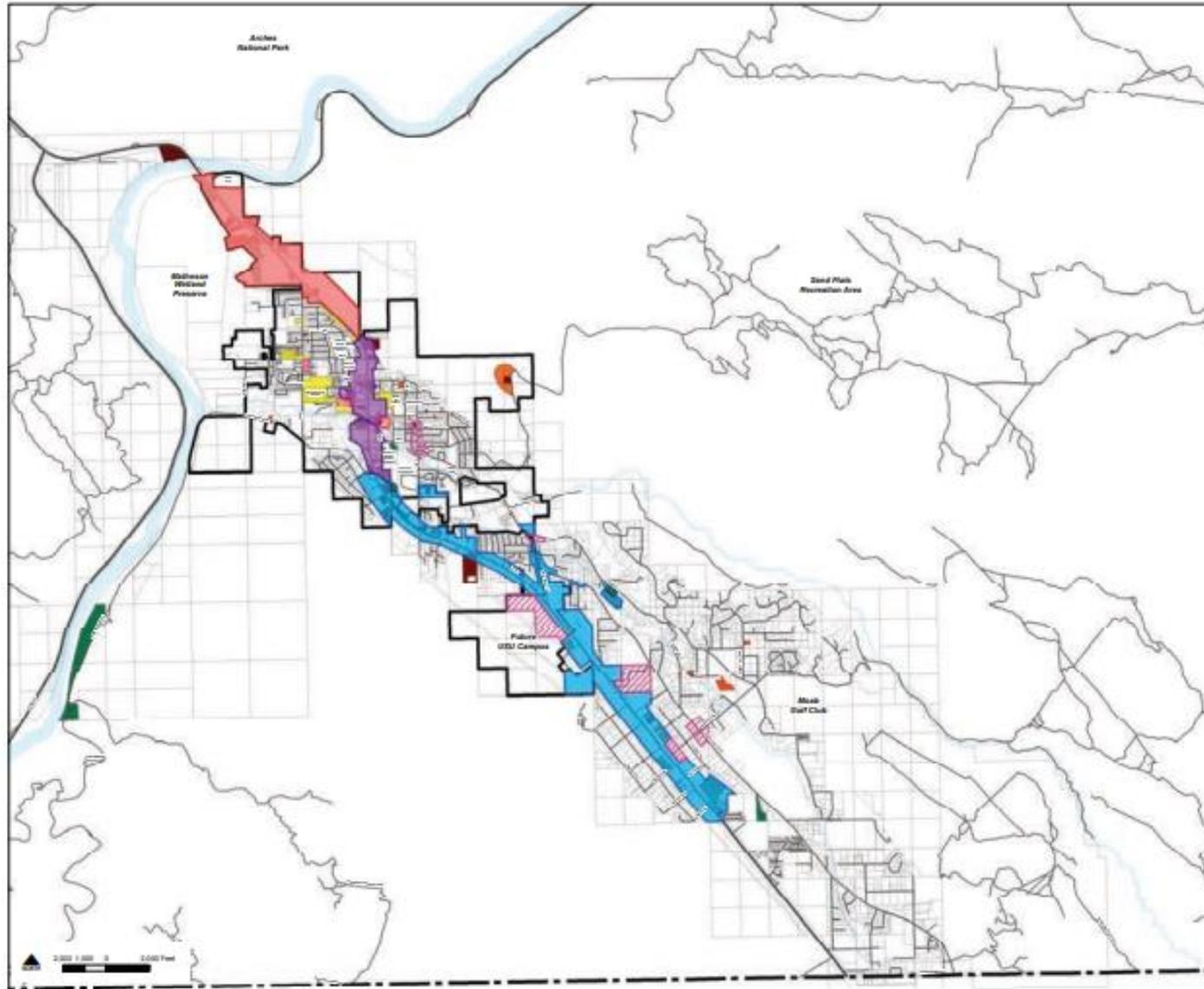
- Legally existed before its current land use designation;
- Has been maintained continuously since the time the land use ordinance governing the land changed; and
- Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.
- No Expansion
- Abandoned is use has been discontinued for a minimum of 1 year

# Overlay Districts

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- Overlay Districts are established to provide standards addressing unique circumstances or conditions affecting single sites where the development of such sites is of special public concern.
- Upon approval of special purpose district zoning, the special purpose district is overlain on the previous base district. Overlay districts are established to provide for certain additional requirements for properties located in one or more base zoning districts.
- In addition to the requirements of the underlying base zoning district, the provisions of the overlay district would also prevail in the areas so zoned.
- In certain areas two or more overlay districts may apply. In any such instance where there are conflicting provisions, the more stringent requirements shall apply.

# OVERNIGHT ACCOMMODATION PREFERRED ALTERNATIVE - DRAFT 05.03.19



## LEGEND

### Existing & Approved Overnight Accommodations

- Hotels
- B&Bs and short-term rentals
- RV parks and campgrounds

### Planning Areas

- North of Downtown
- Downtown Center (C-3)
- Downtown Edge (C-1/C-2)
- South of Downtown
- Proposed Community Nodes

## DESCRIPTION

### INTENT:

Focus more intense overnight accommodations north of downtown, permit properly scaled overnight accommodations downtown, and eliminate overnight accommodation south of downtown.

### DETAILS:

**NORTH OF DOWNTOWN (to the Colorado River):** Eliminate overnight accommodations as a use-by-right. Utilize overlay zones to establish higher performance standards addressing issues such as scale, massing, form, water and energy efficiency, and mixed use.

**DOWNTOWN AREA:** Eliminate overnight accommodations as a use-by-right in the Downtown Center. Existing use-by-rights to remain in the Downtown Edge areas. Utilize overlay zones to establish higher performance standards addressing issues such as scale, massing, form, water and energy efficiency, ground floor commercial, gathering areas and mixed use.

**SOUTH OF DOWNTOWN:** Eliminate overnight accommodations as a use-by-right.

**NORTH OF THE COLORADO RIVER, KANE CREEK BOULEVARD & THE HWY 128 CORRIDOR:**

Eliminate overnight accommodations as a use-by-right anywhere they are currently allowed north of Colorado River to edge of Arches National Park at the intersection of Hwy 313 and US 191, along Kane Creek Boulevard and along the Hwy 128 Corridor.

**COMMUNITY NODES:** Develop small area plans to determine the use, scale, massing and form of distinct community destinations. These should be distinct small-scale destinations that support community services and functions.

### REGULATORY TOOLS:

- Traditional Zoning
- Overlay Zones

As follow-up efforts once initial ordinance changes have been adopted:

- Form-based Codes
- Mandatory Mixed-Use Development
- Performance Standards
- Development Caps

# Drafted Overnight Accommodations Overlays

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- As drafted, do they adequately address appropriate standards for new OAs?
- If not, what additional standards should be included?
- Do we even need an overlay or should we just add standards to the applicable zones?

# Follow-up Zoning Changes

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## Follow-up with additional Zoning

- Mixed Use Zoning
- Additional Performance Standards for Overnight Accommodations
- Community Commercial Nodes
- Review of uses allowed in the C-4 and RC Zone and make changes to promote a variety of commercial uses

# Next Steps

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Public Hearing scheduled before the Planning Commission on June 27, 2019

Public Hearing scheduled with the City Council on July 9, 2019

Temporary Land Use Regulations expire on August 12, 2019