



*ENHANCING OUR VIBRANT COMMUNITY AND IMPROVING OUR QUALITY OF LIFE*

**November 9, 2023**  
**Planning Commission Meeting 6:00 p.m.**

City Council Chambers  
217 East Center Street  
Moab, Utah 84532

1. 6:00 P.M. Call To Order

2. Citizens To Be Heard

To have your comments considered for the Citizens to Be Heard portion of the electronic meeting, please fill out the form found here:

[HTTPS://DOCS.GOOGLE.COM/FORMS/D/E/1FAIPQLSECP3KYU0F\\_F8J6J5ROFAEUPTNKW938GR8DVGWEOJJH-AQFNQA/VIEWFORM?VC=0&C=0&W=1](https://docs.google.com/forms/d/e/1FAIPQLSECP3KYU0F_F8J6J5ROFAEUPTNKW938GR8DVGWEOJJH-AQFNQA/VIEWFORM?VC=0&C=0&W=1)

You must submit your comments by 5:00 pm on the day of the meeting. Please limit your comments to 400 words

3. Approval Of Minutes

**November 2, 2023, Special Meeting**

Documents:

[MIN-PC-2023-11-02 DRAFT 110923.PDF](#)

4. Public Hearing

- 4.1. Public Hearing And Consideration Of Adoption Of Resolution 26-2023: A Resolution To Adopt The 2023 Moab Area Affordable Housing Plan Update, As Prepared By The Moab Area Affordable Housing Task Force, Updating Appendix A Of The City Of Moab General Plan.

**Public hearing and possible action**

Documents:

[DRAFT RESOLUTION 26-2023 MAAHP PC AGENDA SUMMARY 110923.PDF](#)

[EXHIBIT 1 DRAFT RESOLUTION 26-2023 MAAHP UPDATE 110923.PDF](#)

[EXHIBIT 2 DRAFT 2023 MAAHP UPDATE 110923.PDF](#)

[EXHIBIT 3 DRAFT RESOLUTION 26-2023 MAAHP PH NOTICE ON 103023 FOR 110923.PDF](#)

- 4.2. Public Hearing And Consideration Of Approval Of Moab City Ordinance 2023-14: An Ordinance Amending The Text Of The Moab Municipal Code (MMC), To Include Additional Regulations Required Through The International Dark Sky Association Certification And Resolve Outstanding Discrepancies Within The Existing Regulations.

**Public hearing and possible action**

Documents:

[MOAB OUTDOOR LIGHTING ORDINANCE MOLO UPDATE PUBLIC HEARING PC AGENDA SUMMARY](#)

110923.PDF  
EXHIBIT 1 DRAFT ORDINANCE 2023-14 MOLO UPDATE 110923.PDF  
EXHIBIT 2 DRAFT MOLO 2023-14 REDLINE 110923.PDF  
EXHIBIT 3 DRAFT MOLO 2023-14 CLEAN 110923.PDF  
EXHIBIT 4 CITY OF MOAB OUTDOOR LIGHTING ORDINANCE 2019-03 101223.PDF  
EXHIBIT 5 DRAFT ORDINANCE OUTDOOR LIGHTING CODE AMENDMENTS REDLINE 092922 CPS  
101223.PDF  
EXHIBIT 6 DRAFT ORDINANCE 2023-14 MOLO UPDATE CONSOLIDATED AMENDMENTS 110923.PDF  
EXHIBIT 7 DRAFT ORDINANCE 2023-14 MOLO PH NOTICE ON 103023 FOR 110923.PDF

5. Action Item

- 5.1. Consideration Of Adoption Of Resolution 28-2023: A Resolution To Adopt The 2023 Sustainability Action Plan  
**Briefing and possible action**

Documents:

SUSTAINABILITY ACTION PLAN PC AGENDA SUMMARY 110923.PDF  
EXHIBIT 1 DRAFT RESOLUTION 28-2023 SUSTAINABILITY ACTION PLAN 110923.PDF  
EXHIBIT 2 SUSTAINABILITY PLAN SUMMARY 110923.PDF

- 5.2. Consideration Of Approval Of The 2023 RCOG City Of Moab Dispersed Parking Amenities Letter Of Support  
**Briefing and possible action**

Documents:

EXHIBIT 1 MOAB\_RCOG\_DISPERSED PARKING\_PC LETTER OF SUPPORT.PDF  
RCOG LOS PC AGENDA SUMMARY 110923.PDF

6. Future Agenda Items

7. Adjournment

**Special Accommodations:**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Check our website for updates at: [www.moabcity.org](http://www.moabcity.org)

**MOAB CITY PLANNING COMMISSION MINUTES—DRAFT  
SPECIAL MEETING  
November 2, 2023**

The Moab City Planning Commission held a special meeting on the above date in Council chambers. Audio is archived at [www.utah.gov/pmn](http://www.utah.gov/pmn) and video is at [www.youtube.com/watch?v=w9BEhYzokMo](http://www.youtube.com/watch?v=w9BEhYzokMo).

**Call to Order:** Planning Commission Chair Kya Marienfeld called the meeting to order at 6:05 p.m. Commission Members Jill Tatton, Machael Layton and Carolyn Conant attended. City Planning Director Cory Shurtleff, Planning Administrator Anna Anglin, Assistant Planner Bryce Rogers, Community Development Director Michael Black, Sustainability Director Alexi Lamm, Parks, Recreation and Trails Director Brianna Bowker, City Council liaison Luke Wojciechowski and one member of the public also attended.

**Public Comments:** There were no public comments.

**Approval of Minutes:** Commission Member Conant moved to approve the minutes of the regular Planning Commission meeting of October 12, 2023. Commission Member Tatton seconded the motion. The motion passed with Commission Members Marienfeld, Tatton, Conant and Layton voting aye.

**Public Hearing on Water Efficient Landscaping Ordinance:** Commission Chair Marienfeld opened a public hearing at 6:09 p.m. regarding Moab City **Ordinance 2023-15** amending the Water Efficient Landscaping Ordinance. There were no comments and Commission Chair Marienfeld later closed the public hearing at 7:32 p.m.

**Parks and Recreation Master Plan Recommendation to Council—Approved**

**Presentation and Discussion:** Commission Chair Marienfeld referred to two comment letters received about the draft Parks Master Plan. She summarized the letters by stating they were in favor of keeping the Center Street ballfields with existing uses and adding new fields as well as new indoor facilities. Former Parks, Recreation and Trails Director Annie McVey and consultant Steve Duh participated in the discussion. Duh gave an overview of progress on the drafting of the master plan, including highlights from public outreach and the purpose of the plan. He said it would give City departments a ten-year functional guide for strategy and capital projects. He said a recent community garnered more than 900 responses and four were in Spanish. He highlighted survey results, stating 96 percent of respondents value parks and recreation and 75 percent were satisfied with the City's parks and open spaces. He said the top reasons given for not visiting parks included crowding, vanlifers, parking issues, and park maintenance issues. Highest identified needs, he said, included trails, shade, playgrounds and a water park. He said there was strong interest in adult classes and youth activities. He identified conditions at park sites and Americans with Disabilities Act (ADA) compliance as problems. Duh stated the goals of the plan are to design and develop high quality parks with a diverse suite of arts and activities, and to develop bike and pedestrian corridors, with public involvement and appropriate administration, management and funding. The key projects presented were an upgrade to the skate park, diversification of the ballpark area, upgrades to Old City Park, addition of splash pads, art and pickleball courts, extension of the Mill Creek Parkway and integration with the Unified Transportation Master Plan. An aquatics center upgrade was mentioned as part of an overall \$22 million capital improvement plan.

A City Council workshop to discuss the parks plan was announced for November 14 with potential approval by Council on December 12. Commission Member Layton asked about parking issues and vanlifers referenced in the action plan. Planning Director Shurtleff stated it might inform code compliance matters. Commission Chair Marienfeld brought up concerns about diversification of the ball fields. She stated her interest in making upgrades to existing uses at the ballfields. She also mentioned the prioritization of ADA upgrades. Use of the Recreation Arts and Trails (RAP) tax was discussed and

Marienfeld suggested the whole amount of collected RAP tax monies could be set aside for master plan projects in some years. Commission Member Conant asked about working with the County and multiple collaborating agencies were referenced as partners, including TrailMix, the Old Spanish Trail Arena, and federal land agencies. Commission Member Tatton asked about a formula for determining which activities get funding and space. During a discussion about construction of a splash pad, Marienfeld reiterated her interest in prioritizing existing facilities. Commission Member Conant asked about water use at the golf course. It was explained the City leases the land but does not operate the golf course, and one-third of all residential water is used at the golf course. Commission Member Tatton brought up the mention of other land including school grounds and other public land in the plan. She stated she was opposed to including the school property in the inventory of lands. It was explained the property was included because of the potential for public use outside of school hours and that such use was managed under an interlocal agreement (ILA). Commission Chair Marienfeld brought up future park space upon redevelopment of the tailing pile area. Commission Member Conant asked about a rate analysis for facilities. She also asked about the relationship between the sustainability action plan, the parks plan and the City's water efficiency goals. She suggested elements of the plan involving water need to include these references.

**Motions, Discussion and Votes:** Commission Member Tatton moved to forward a positive recommendation to City Council for the 2023 Moab Parks Master Plan with modifications removing references to school district properties. Commission Chair Marienfeld seconded the motion. Tatton reiterated her opposition to including schools and gave examples of conflicts between school staff, students and members of the public on school grounds. Marienfeld expressed her interpretation to be that the school properties were included in the available stock of open space. Community Development Director Black explained it was common for schools to be included in such plans as available after hours to the public. Arts, Recreation and Trails Director Bowker brought up the ILA and suggested feedback concerning the open campus and negative interactions between students and the public using the pickleball courts should be addressed to the Council and the school board. She also mentioned an oversight committee for the ILA. Black suggested adding a preamble to the parks master plan regarding the school properties and the ILA. Planning Director Shurtleff mentioned it is an enforcement issue. Councilmember Wojciechowski suggested reaching out to the school district as a concerned citizen. The motion failed unanimously. Commission Chair Marienfeld moved that the City of Moab Planning Commission forward a positive recommendation to City Council on the adoption of the Moab Parks and Recreation Master Plan with the modification that a preamble be added regarding the applicability of existing interlocal agreements that would supersede anything in the parks master plan in reference to property that is not city-owned, including Grand County School District property. Commission Member Layton seconded the motion. The motion passed unanimously.

### ***Water-Efficient Landscaping Ordinance Update—Approved***

**Presentation and Discussion:** Planning Administrator Anglin presented a continuation of the October 12 discussion of affected ordinance sections being considered. She pointed out the clarification that water features with a waterfall of greater than four feet would require a wind shutoff valve.

**Motion and Vote:** Commission Member Tatton moved that the City of Moab Planning Commission forward a positive recommendation to City Council on Moab City **Ordinance 2023-15**, an ordinance amending the text of Moab Municipal Code to resolve and remove referencing discrepancies from prior existing landscaping code locations and refine water feature wind shut off requirements. Commission Member Conant seconded the motion. The motion passed unanimously.

### ***Outdoor Lighting Dark Sky Ordinance Update—Workshop***

**Presentation and Discussion:** Planning Director Shurtleff explained the effort to update supplementary requirements to the existing outdoor lighting ordinance. He explained efforts to clarify and enforce nuisance lighting, legal nonconforming fixtures and an extension of the amortization deadline. He went over proposed exemptions for emergency and safety lighting, temporary outdoor lighting with a 10:00 p.m. curfew, holiday lighting and special event exemptions. Shurtleff presented

information regarding a direct illumination definition, shielded fixtures, light trespass, spill light, and lumen limits for properties. He said spotlights were the most commonly complained about. He sought feedback from the Commission regarding a light budget model versus a prescriptive model regarding total light output from properties. He said bistro lights, which are temporary strings of lights often used on outdoor patios, to be potentially noncompliant and difficult to enforce. Commission members expressed their support for bistro lights. Discussion ensued regarding required versus aesthetic outdoor lighting, light color and lumen intensity and the planning approval process. Commission members concurred with the suggestion to extend the amortization schedule for six years. Marienfeld suggested nuisance lighting would be managed in the short term. Shurtleff explained that non-conforming fixtures must be brought into compliance or be disabled. More discussion followed concerning small development accommodations, signage, light budget versus prescriptive methods, the exception process and variances. Sustainability Director Lamm stated the prescriptive method made sense.

***Future Agenda Items:***

Planning Director Shurtleff announced upcoming public hearings for ordinance amendments regarding outdoor lighting and the affordable housing plan.

***Adjournment:*** Commission Chair Marienfeld adjourned the meeting at 8:50 p.m.

**Moab Planning Commission Agenda Item**  
**2023 Moab Area Affordable Housing Plan Update: Public Hearing**  
Meeting Date: November 9, 2023

**Title:** Public Hearing and possible action Resolution 26-2023, A Resolution to adopt the 2023 Moab Area Affordable Housing Plan Update, as prepared by the Moab Area Housing Task Force, updating Appendix A of the City of Moab General Plan.

**Disposition:** Public hearing and possible action

**Staff:** Cory P. Shurtleff, Planning Director

**Presenter:** Laura Harris, Kaitlin Myers, Noelle Gignoux

**Attachment(s):**

Exhibit 1: Draft Resolution 26-2023 MAAHP Update 110923

Exhibit 2: Draft MAAHP 110923

Exhibit 3: Draft Resolution 26-2023 MAAHP PH Notice on 103023 for 110923

**Options:**

1. Positive Recommendation with or without modifications; or
2. Continue action on the item and give specific direction to the applicant and staff as to additional information needed;  
or
3. Negative Recommendation to the City Council.

**Motion for Recommendation:**

I move that the City of Moab Planning Commission forward a positive recommendation to City Council on the adoption of the 2023 Moab Area Affordable Housing Plan.

**Background:**

Addressing the lack of affordable housing stock has been a visible priority for Grand County and Moab City for many years, and the continuously increasing demand and strain that this has put on the community is extremely apparent. The City and County created its first Affordable Housing Plan in 2009 and was updated in 2017 as local community and economic factors evolve. This Plan is often referenced by local entities seeking state and federal funds for affordable housing developments, and it serves as a guide to elected officials as they craft housing policies and projects to benefit the community. The Moab Area Housing Task Force (MAHTF) was established in 2009 as a result of the original Plan and is a voluntary body of community members and local government representatives that lobbies for fair housing opportunities for every resident of the Moab area. The MAHTF targets policies and programs that address the decline of housing affordability and availability. The Task Force meets monthly, includes broad representation from the community, and serves as a driving force in the

affordable housing arena, including publishing regular updates to the Moab Area Affordable Housing Plan.

The Moab Area Affordable Housing Plan was updated and adopted by both City and County officials in 2017, the Moab Area Housing Task Force and local government bodies identified a need in late 2021 to provide updated information regarding the current housing status to the community. This 2023 update explores the current demographic and employment characteristics of the Moab area, as well as its housing stock, risks to housing, and future housing needs. The analysis of this information will instruct decisions and policies within the City and County for the next five years, with targeted housing goals spanning to the year 2030.

**CITY OF MOAB RESOLUTION #26-2023**

**A RESOLUTION TO ADOPT THE 2023 MOAB AREA AFFORDABLE HOUSING PLAN UPDATE, AS PREPARED BY THE MOAB AREA HOUSING TASK FORCE, UPDATING APPENDIX A OF THE CITY OF MOAB GENERAL PLAN.**

**WHEREAS**, the Moab City Council adopted the General Plan as amended, by resolution on January 8, 2002, to provide an official statement of goals and policies for the future development of Moab City; and

**WHEREAS**, the General Plan, Section 5, Subsection II, Affordable Housing, establishes that the City shall support efforts to develop affordable housing and especially the efforts of the Housing Authority of Southeastern Utah (HASU), to meet the needs of low to moderate-income families and individuals; and

**WHEREAS**, in 2006, the City of Moab, Grand County and HASU established that an affordable housing issue existed within Grand County and initiated a joint proposal to fund and jointly pursue the creation of a community-wide affordable housing plan; and

**WHEREAS**, the City of Moab, Grand County, and HASU created the Interlocal Housing Task Force, to develop the Grand County and City of Moab Housing Study and Affordable Housing Plan; and

**WHEREAS**, the need for an update to the Affordable Housing Plan is required by state law and the Task Force has diligently drafted a 2023 Moab Area Affordable Housing Plan Update to further update the 2016 MAAHP to:

Review the effectiveness of the community's past and present affordable housing efforts;

Identify local housing barriers/impediments/incentives;

Recommend potential strategies to meet the affordable housing need;

Encourage cooperation between Grand County, the City of Moab, and HASU to develop a specific Action Plan; and

**WHEREAS**, the Planning Commission, following Public Hearing, reviewed and recommended adoption of Moab City Resolution #26-2023, during a regularly scheduled meeting held November 9, 2023; and

**NOW, THEREFORE BE IT RESOLVED** that the Moab City Council hereby approve Moab City Resolution #26-2023, adopting the 2023 Moab Area Affordable Housing Plan Update, as prepared by the Moab Area Housing Task Force, updating Appendix A of the City of Moab General as follows:

**PASSED AND APPROVED** in open Council by a majority vote of the Governing Body of Moab

City Council this

14th day of November 2023

MOAB AREA  
**HOUSING**  
TASK FORCE

# 2023 MOAB AREA AFFORDABLE HOUSING PLAN

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Prepared by the Moab Area Housing Task Force

MOAB AREA AFFORDABLE HOUSING PLAN



# INTRODUCTION

Housing is the backbone of every community. Housing has direct and indirect links to all aspects of community and economic development and serves as the foundation for a high quality of life. The Moab Area needs an adequate and accessible supply of housing for residents and employees in order to sustain its reputation as a world-class destination and a great community in which individuals and families can live, work, and play. To that end, this housing plan shall guide future policy-making, budgeting, and programmatic development at various levels of local government.

## Background

Housing affordability has become a primary challenge for communities across the country. Regardless of size, location, economic profile, or political character, demand for affordable housing has never exceeded supply by such a large degree, as supported by the data presented in this plan. The imbalance is exacerbated in gateway and natural amenities-rich communities throughout the American West. Although Moab is not alone in trying to overcome the housing challenge, it must find solutions appropriate to the local context.

Addressing the lack of affordable housing stock has been a visible priority for Grand County and Moab City for many years, and the continuously increasing demand and strain that this has put on the community is extremely apparent. The City and County created its first Affordable Housing Plan in 2009 and was updated in 2017 as local community and economic factors evolve. This Plan is often referenced by local entities seeking state and federal funds for affordable housing developments, and it serves as a guide to elected officials as they craft housing policies and projects to benefit the community.

The Moab Area Housing Task Force (MAHTF) was established in 2009 as a result of the original Plan and is a voluntary body of community members and local government representatives that lobbies for fair housing opportunities for every resident of the Moab area. The MAHTF targets policies and programs that address the decline of housing affordability and availability. The Task Force meets monthly, includes broad representation from the community, and serves as a driving force in the affordable housing arena, including publishing regular updates to the Moab Area Affordable Housing Plan.

## 2023 Housing Plan

Though the Moab Area Affordable Housing Plan was updated and adopted by both City and County officials in 2017, the Moab Area Housing Task Force and local government bodies identified a need in late 2021 to provide updated information regarding the current housing status to the community.

The Moab community has changed drastically once again since the 2017 plan. A multitude of economic and community factors have continued to amplify Moab's housing crisis, including, but not limited to, the economic effects of COVID-19, the continuing rise of second homeownership, inflating real estate prices, the rise of vehicle dwelling and other alternative, transient lifestyles, and increasing inflation.

There is no silver bullet to solve Moab's housing crisis, and various forms of action must be taken, as referenced in this plan, to rectify this collective issue. The updated information in this document is intended to inform the Moab area's policymakers, community leaders, developers, and residents of the current housing strains, and it provides a suite of actions and solutions recommended by the Moab Housing Task Force to address these challenges.

This 2023 update explores the current demographic and employment characteristics of the Moab area, as well as its housing stock, risks to housing, and future housing needs. The analysis of this information will instruct decisions and policies within the City and County for the next five years, with targeted housing goals spanning to the year 2030.

## Community Involvement

Vocal activism for local housing efforts and policies have been present throughout Moab for many years. Just as local government officials and staff host interactive workshops, town halls, and public meetings to engage and inform the public about a new legislative housing policy, so has the MAHTF engaged elected officials, housing specialists, local developers, employers and their employees, and community residents in preparing this Plan.

The following are direct actions the MAHTF have employed to engage the community in developing this plan:

- Conducting a Moab employer housing survey at the 2022 Canyonlands Business Summit to gauge the impact of the current housing environment on local businesses and employers. See 'Workforce Housing - Housing Needs Analysis' section for qualitative results.
- Reviewing the Action Plan (p. 49) and designating Moab's affordable housing priorities through workshops with both City and County Planning Commissions.
- Soliciting public feedback on the Action Plan at the Moab Housing Fair, held in December 2022.



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# HOUSING TERMINOLOGY

Affordable housing involves many federal, state, and local agencies, programs, budgets, and stakeholders, each with their own housing vernacular. The following is a list of common terms used in the

**Accessory Dwelling Unit (ADU) --** A secondary and typically smaller dwelling unit built on a parcel with a primary dwelling unit. These are sometimes referred to as “mother-in-law” apartments. ADUs can be ‘attached’, ‘detached’, or ‘interior’ to the primary dwelling unit.

**Adjusted Gross Income (AGI) --** Gross income minus adjustments to income.

**Affordable Housing --** Federal and State policies consider housing to be affordable when housing costs consume no more than 30 percent of gross annual household income; this standard particularly applies to households earning less than 80 percent of Area Median Income. Rental housing costs include rent, water, gas, and electric payments. Ownership housing costs include mortgage, taxes, insurance, water, sewer, gas, electric payments and homeowner association fees. Some federal policies consider housing to be affordable when the gross household income remaining after all housing costs are paid is sufficient to cover other essential expenditures such as food, clothing, healthcare, transportation, and childcare. This alternative definition of affordable housing is referred to as residual income.

**Affordability Gap --** A term that generally refers to the difference between the amount that a household could afford to pay for housing without spending more than thirty percent of its income and the actual average cost of housing expenses and. This figure is typically computed for households earning the Area Median Income.

**Area Median Income (AMI) --** Also, Area Median Family Income (MFI) -- The income level of households in a community where half the households of the same size earn more than the AMI and half earn less than the AMI. Each year the federal government designates the AMI for a community for households of 1-8 people, using a family of four as the baseline. Many affordable housing programs use AMI to determine household eligibility. In 2022, the AMI for a household of four in Grand County is \$70,600 per year (HUD). \* The State of Utah deviates slightly from national income limit standards, classifying households with

a gross median income of 80% AMI as “Moderate Income,” rather than “Low Income,” per national standards, which are depicted above.

**Assured Housing -- Also, Inclusionary Zoning or Fair-Share Housing --** A set of policies that requires new development to include affordable housing. Private housing developers may be required to build deed-restricted affordable housing as a percentage of or in addition to market rate housing. A community may adopt assured housing policies to meet a variety of community goals including economic integration and targeted development. Often, development incentives are utilized to offset the reduced profit associated with construction of deed-restricted units. Private commercial or non-residential developers may be provided several compliance alternatives including on-site construction, off-site construction, land dedications, fee-in lieu, or others.

**Attainable Housing --** A term with multiple meanings that generally refers to housing that is affordable to a household earning between 80 percent (80%) and 120 percent (120%) of AMI.

**Chronic Homelessness --** Occurs when an unaccompanied homeless adult (18 years or older) with a physical or mental disability has either been continuously homeless for one year or more OR has had at least four separate occasions of homelessness in the past three years, where the combined occasions total a length of time of at least 12 months.

**Community Land Trust (CLT) --** A non-profit organization recognized by the U.S. Department of Housing and Urban Development [HUD]. A CLT acquires land through purchase or donation, then allows housing units to be built on the land through ground leases. By removing the cost of land acquisition and restricting occupancy to income eligible households, the CLT reduces the overall cost of construction. This helps keep the housing units affordable.

**Community Housing Development Organization (CHDO) --** A non-profit organization recognized by HUD. A CHDO develops and/or operates affordable

housing projects. A CHDO can access a wider range of public and private financing than other non-profit organizations or government agencies.

**Cost-burdened --** Households paying more than 30 percent (30%) of gross annual household income are considered cost-burdened.

**CROWN Program --** An affordable home lease-to-purchase program funded by low income housing tax credits available through the Utah Housing Corporation to qualifying families earning up to 60 percent of AMI. After the expiration of the 15 year compliance period, the tenants occupying the home have the option of purchasing the home for an amount equal to the unpaid balance of the financing sources plus a portion of the original equity invested. Program includes training in personal finance, home maintenance, and repair.

**Deed Restrictions --** Part of the deed to a property, restrictions can impose purchase or rental eligibility requirements, limit the price at which a property can be sold, or limit the rental rate an owner may charge. Deed restrictions help keep properties affordable over time.

**Density Bonus --** Density bonuses allow developers to increase the number of housing units they may build on a parcel above what is normally allowed in the zone. In exchange, the developer deed-restricts a percentage of the units so they remain affordable to income-eligible households over time.

**Development Code Barrier Reduction or Elimination --** Modification of local housing development codes to improve land use and reduce housing costs. Many communities are examining local zoning rules to ascertain if there are regulations (excessive setbacks, height limits, road widths, density restrictions, etc.) that make it difficult to build both market rate and affordable housing. Doubling Up -- More than one household living in the same housing unit. In some instances, more than two households may live in the same housing unit. In the context of this document, the authors refer to multiple households living together out of necessity more than choice.

**Employer Assisted Housing Program --** In some communities, businesses or government agencies attract and retain key employees by helping them find and pay for housing. Sometimes the help

comes in the form of low- or no-interest loans, forgivable loans, or down payment assistance. Employers can develop their own individual programs or join with other employers to pool their money into one fund.

**Essential Housing -- Also, Workforce Housing**

-- A term used to describe housing available to a class of individuals often viewed as vital community service providers, such as police officers, firefighters, teachers, nurses, and others. In the Moab Area, service industry employees are also viewed as essential service providers.

**Fair Market Rent (FMR) --** Rent level guidelines for the Housing Choice Voucher Program established by HUD for each county in the United States.

**Fast-Track Development Process --** An expedited project approval process for developments with affordable housing units. Reducing review time can often reduce housing costs. May include "front of the line" policies for reviewing projects.

**Fee Deferrals or Waivers --** The fees charged to new construction adds to the cost of an affordable housing project. In some instances local government will allow developers to pay the fees at a later time (fee deferral) or, in some cases, pay the fees for the developer (fee waiver) in order to lower the cost of construction. In all cases, local government should acknowledge that impacts are still created, but the manner in which they are accounted for is adjusted.

**Household Income --** The combined gross income of all residents in a household. Income includes wages and salaries, unemployment insurance, disability payments, and child support. Household residents do not have to be related to the householder for their earnings to be considered part of household income.

**Housing Quality Standards --** Building safety standards units must meet to qualify for participation in the Housing Choice Voucher Program and other state rental assistance programs.

**Housing Rehabilitation Programs --** Low interest loans or grants available to low-income property owners and tenants to repair, improve, or modernize their dwellings or to remove health and safety problems.

**Housing Trust Fund --** A community may collect public and private funding that can be used to subsidize affordable housing projects in that community.

**HUD --** United States Department of Housing and Urban Development.

**Imminent Risk of Homelessness --** Meaning that homelessness is likely within 30 days.

**Inclusionary Zoning --** See Assured Housing

**Income Eligible Households --** Each affordable housing program defines the income range for households that are eligible to participate in that program.

**Infill Development --** The process of developing vacant or underutilized parcels of land within existing urban areas that are already largely developed.

**Land Banking --** A strategy for identifying and securing lots and undeveloped tracts of land to support future affordable housing development. When referring to private land holdings, land banking may refer to investment strategy where property owners choose not to develop housing, suppress supply, and achieve a higher return on investment later.

**Literal Homelessness --** 1. Individuals and families who lack a fixed, regular, and adequate nighttime residence, including a subset for an individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or a place not meant for human habitation immediately before entering that institution 2. Individuals and families who will imminently lose their primary nighttime residence 3. Unaccompanied youth and families with children and youth who are defined as homeless under other federal statutes who do not otherwise qualify as homeless under this definition 4. Individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member.

**Local Match --** A local contribution of actual or in-kind funds required to “match” or leverage Federal, State, and other funding. Local matches reflect

local commitment to the creation of affordable housing units.

**Low-income --** Household income between 30 percent and 50 percent of Area Median Income as defined by HUD.

**Manufactured Home --** A factory-built, single family structure designed for long-term occupancy that meets the Federal Manufactured Home Construction and Safety Standards of 1976 42 U.S.C. Sec. 5401, commonly known as the HUD (U.S. Department of Housing and Urban Development) Code. Such houses are delivered on permanently attached axles and wheels and are frequently referred to as “modular” when constructed in more than one building section.

**Mobile Home Conversion from Rental to Resident Ownership --** As land prices increase, there is often financial pressure on mobile home park owners to close the parks and convert the properties to more profitable uses. Residents of mobile home parks sometimes can, with help from government agencies and non-profit groups, purchase the mobile home parks they live in, thereby preserving the park for affordable housing use.

**Mobile Home Park Loans --** The State of Utah and various non-profit affordable housing organizations provide low-interest loans to residents of mobile home parks to purchase the parks.

**Moderate-income --** Household income between 50 percent and 80 percent of Area Median Income as defined by HUD.

**Mobile Home --** A residential dwelling fabricated in an off-site manufacturing facility designed to be a permanent residence, and built prior to the enforcement of the Federal Manufactured Home Construction and Safety Standards beginning June 15, 1976.

**Modular Home --** A structure intended for long-term residential use and manufactured in an offsite facility in accordance with the International Building Code (IBC), or the International Residential Code (IRC). This housing type is produced in one or more building sections and do not have permanent, attached axels and wheels.

**Mutual Self Help Housing Program** -- A federally funded rural "sweat-equity" home ownership program through the USDA for low-income families. A group of families collectively construct their homes supervised by a non-profit housing developer. Families contribute at least 65 percent (65%) of home construction labor to the overall project. They also obtain a low interest USDA-502 loan in tandem with participating in the Mutual Self Help program.

**Overlay Zone** -- A special zoning district that may encompass one or more underlying zones and imposes additional requirements beyond the regulations for development in the underlying zone(s). Overlay zones deal with special situations that are not necessarily appropriate for a specific zoning district or that apply to several districts. For example, a provision of an Affordable Housing Overlay Zone that covers one or more zones might require that tracts above a specified acreage that are proposed for higher density development would also include a percentage of affordable or low-income housing units.

**Payroll Wage** -- The gross pay an employee receives for a given amount of time worked, typically hourly, weekly, monthly, or yearly. Gross refers to the pay an employee would receive before withholdings are made for such things as taxes, contributions, and savings plans.

**Public Private Partnerships** -- Partnerships between local governments, non-profit housing organizations, and the private sector established to meet local affordable housing needs by bringing additional resources and skills to the process.

**Real Estate Transfer Assessment (Voluntary)** -- Fees assessed when real estate properties are sold. These fees are then used to subsidize affordable housing programs.

**Severely Cost-burdened** -- Households paying more than 50 percent (50%) of gross annual household income are considered severely cost-burdened.

**Situational Homelessness** -- individuals are referred to as "situationally" or "temporarily" homeless, which generally means that their state of being without a home is temporary and can

be resolved as a specific situation in their life is addressed.

**Subsidized Housing** -- Housing sold or rented at below market values due to government or private contributions.

**Tax Abatement on Residential Construction and Rehabilitation Improvements** -- Incentive to construct affordable housing or improve existing residential properties through tax relief or elimination. The increase in property tax assessed value generated by residential construction or home improvements is not taxed for a number of years, or the taxable amount is reduced by a certain percentage. Taxes associated with the assessed value before the construction or improvements take place are still collected.

**Tiny Home** -- An umbrella term that describes housing units under 400 sq. ft. in size. While an approved primary residence or ADU may be classified as a tiny home based on square footage, the term often refers to housing units built for temporary occupancy and that do not meet the IBC, IRC, or HUD construction standards.

**Transfer of Development Rights (TDR)** -- The removal of the right to develop or build, expressed in dwelling units per acre or floor area, from property in one zoning district, and the transfer of that right to land in another district where the transfer is permitted. The transfer may be made by the sale or exchange of all or a part of the permitted density of one parcel to another.

**USDA** -- United States Department of Agriculture.

**Vacancy Rate** -- In this report, vacancy rate refers to the percentage of all housing units that are not currently inhabited by full-time occupants. A vacant unit may be one which is entirely occupied by persons who have a usual residence elsewhere. New units not yet occupied are classified as vacant housing units if construction has reached a point where all exterior windows and doors are installed and final usable floors are in place.

**Very Low-income** -- Household income below 30 percent of Area Median Income as defined by HUD.

## KEY FINDINGS

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- In 2022, the Grand County Area Median Income (AMI) for a family of four was \$70,600.
- The average annual wage in 2021 for all employees in Grand County was \$40,056.
- 57% of all jobs in Grand County are tourism-related.
- In 2021, 14.8% of the Grand County population, or approximately 1,419 people, were living in poverty.
- 59% of the total housing stock in Grand County consists of single-family units.
- In 2022, there were 582 housing units with occupancy restrictions, 289 of which are currently income-restricted rental units, 220 of which were income-restricted at the time of construction, and 73 of which are permanently deed-restricted based on primary residency and/or income.
- 82.8% of the total Grand County housing stock is occupied, while 17.2% (890 homes) remain vacant.
- In 2023, 67.8% of Grand County homes were primary residences, while 32.2% were secondary residences.
- Out of 90 surveyed Grand County employers, 76.7% reported having lost employees due to the housing shortage, and 88.9% have experienced some or considerable difficulty fully staffing their companies and growing their business due to the lack of affordable workforce housing.
- Land and housing prices are sharply increasing, reaching an average home value of \$494,537 in 2021. This price has been rising at an average rate of 10.56% each year between 2015 and 2021. In 2022, the median sale price rose to \$625,000.
- According to 2021 data, a household must make an annual income of \$147,746 in order to afford to purchase a home in Grand County.
- In 2021, 36% of the County's total households are cost-burdened, meaning they spend more than 30% of their total income on housing expenses; of households that make less than \$50,000 annually, 65% are cost-burdened, and 50% of all households that rent are also cost-burdened.
- In 2021, 19.3% of Grand County's total housing stock consisted of Short-Term Rentals.
- By 2030, 949 new housing units will be needed. By 2050, this demand will rise to 3,728 new units.
  - Of these new units, 74% must cater to households with an annual income of less than \$75,000, with the highest demand being for households that make less than \$25,000 annually (24%).
  - Demand for new rental units accounts for 27% of the total new units needed, while owner-occupied units account for 55%. The final 18% of new housing stock will likely remain vacant, consistent with current trends.

# DEMOGRAPHIC OVERVIEW

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Understanding the recent trends of Grand County's population, income and employment compilation is critical to provide context to Grand County's housing realities.

## Key Takeaways

- In 2021, the population of Grand County was 9,630, within which Moab City's population contributed 5,329, or 55%, of this total. The county has grown at an average rate of 0.43% per year between 2016 and 2021.
- In 2022, the Grand County Area Median Income (AMI) for a family of four was \$70,600.
- The average annual wage in 2021 for all employees in Grand County was \$40,056.
- 57% of all jobs in Grand County are tourism-related.
- In 2021, 14.8% of the Grand County population, or approximately 1,419 people, were living in poverty. This is in comparison to 11.6% of the US population living in poverty.
- The seasonal workforce in Grand County contributed an average of 2,226 additional individuals to the population, for a portion of the year, between 2018-2021.
- In 2022, an average of 57 individuals reported homelessness each month, with an average of 28 individuals reported being literally homeless and 24 individuals being at risk of homelessness.
- The COVID-19 pandemic exacerbated the existing housing crisis as tourism halted momentarily and then spiked dramatically, corresponding to an increase in second-homeownership.

## Population and Households

Population and household formation are two of the most important indicators of housing demand over time. In Grand County, the full-time population as indicated in census data may provide inaccurate information of housing demand. As a note, Moab City is the largest municipality and only County seat. Seasonal employment, transient residents, undocumented workers, and enormous spikes in temporary populations from tourism lead to consistent underestimates of the population and, subsequently, housing demand in the Moab area.

**Grand County Age Structure, 2021**

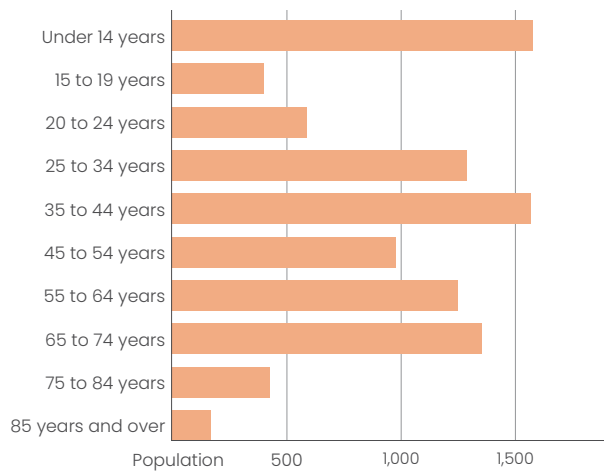


Chart 1. Grand County Age Structure, 2021  
DATA SOURCE: US CENSUS ACS 5-YEAR ESTIMATES, 2021

In 2021:

- Grand County’s full-time resident population grew at an average of 0.57% per year between 2015 and 2020, and then saw a decrease in population by 0.40% between 2020 and 2021. Decreasing population has not occurred in over 10 years in Grand County. Overall, the average growth rate is slowing down; the 2000s saw an average annual growth rate of 1.0% and the 1990s saw a 2.6% average annual growth rate.
- The City of Moab constitutes approximately 55.3% of the entire Grand County population.
- The average household size in Grand County has been sustained at an average of 2.20 persons per household.
- Assuming an average household size of 2.20 persons and a decrease in population between 2020 and 2021, Grand County lost an average of 17 households.
- The median age of Grand County residents is 40.8, slightly higher than the national median age of 38.5.
- The Grand County Population skews strongly towards the 20 - 45 year old population and the 65 - 69 year old population which is reflective of the young, tourism-adjacent workforce and a growing retiree population.

Sources: US Census Bureau; Grand County Building Department; Grand County Clerk/Auditor

## Population and Household Estimates

Population and Households	2016	2017	2018	2019	2020	2021
Moab City Population	5,196 55.1%	5,232 54.8%	5,259 54.7%	5,268 54.6%	5,366 55.5%	5,329 55.3%
Non-Moab County Population	4,232 44.9%	4,312 45.2%	4,357 45.3%	4,372 45.4%	4,303 44.5%	4,301 44.7%
Total Grand County Population	9,428	9,544	9,616	9,640	9,669	9,630
Population Change	0.43%	1.23%	0.75%	0.25%	0.30%	-0.40%
Total Housing Units	5,063	5,224	5,329	5,440	5,554	5,161
% Increase in Units	1.36%	3.18%	2.01%	2.08%	2.10%	-7.08%
Occupied Housing Units	3,820 75.4%	3,873 74.1%	4,006 75.2%	4,191 77.0%	4,442 80.0%	4,271 82.8%
Vacant Housing Units	1,243 24.6%	1,351 25.9%	1,323 24.8%	1,249 23.0%	1,112 20.0%	890 17.2%
Owner-Occupied Units	2,658 69.6%	2,710 70.0%	2,593 64.7%	2,730 65.1%	2,912 65.6%	2,770 64.9%
Renter-Occupied Units	1,162 30.4%	1,163 30.0%	1,413 35.3%	1,461 34.9%	1,530 34.4%	1,501 35.1%
Average Household Size	2.47	2.46	2.40	2.30	2.18	2.25
Poverty Rate	17.0%	12.7%	8.40%	9.10%	14%	14.8%

Table 1. Full-Time Population and Household Estimates  
DATA SOURCE: US DECENNIAL CENSUS DATA (2021)

## Income, Wages, and Employment

The annual income of Grand County residents directly affects the affordability, accessibility, and stability of the local housing market. Like many rural western gateway communities, Grand County’s employment sectors lean heavily on tourism-related and service-industry jobs, which are high in demand but are generally unable to provide sufficient incomes to keep up with the current housing prices; many of these jobs also tend to be part-time, seasonal, and lack benefits. Only a select few employment sectors provide wages sufficient to make housing affordable.

The discrepancy between wages offered by local employers and annual household income cause strains on the demand for affordable housing in Grand County. **A wage is the payment one receives for hours worked and is included as a portion of a household’s annual income; income is all money collected by a household, including sources such as child support, Social Security Income (SSI), bonuses, investments, dividends, gifts, interest, and other non wage-based revenues.**

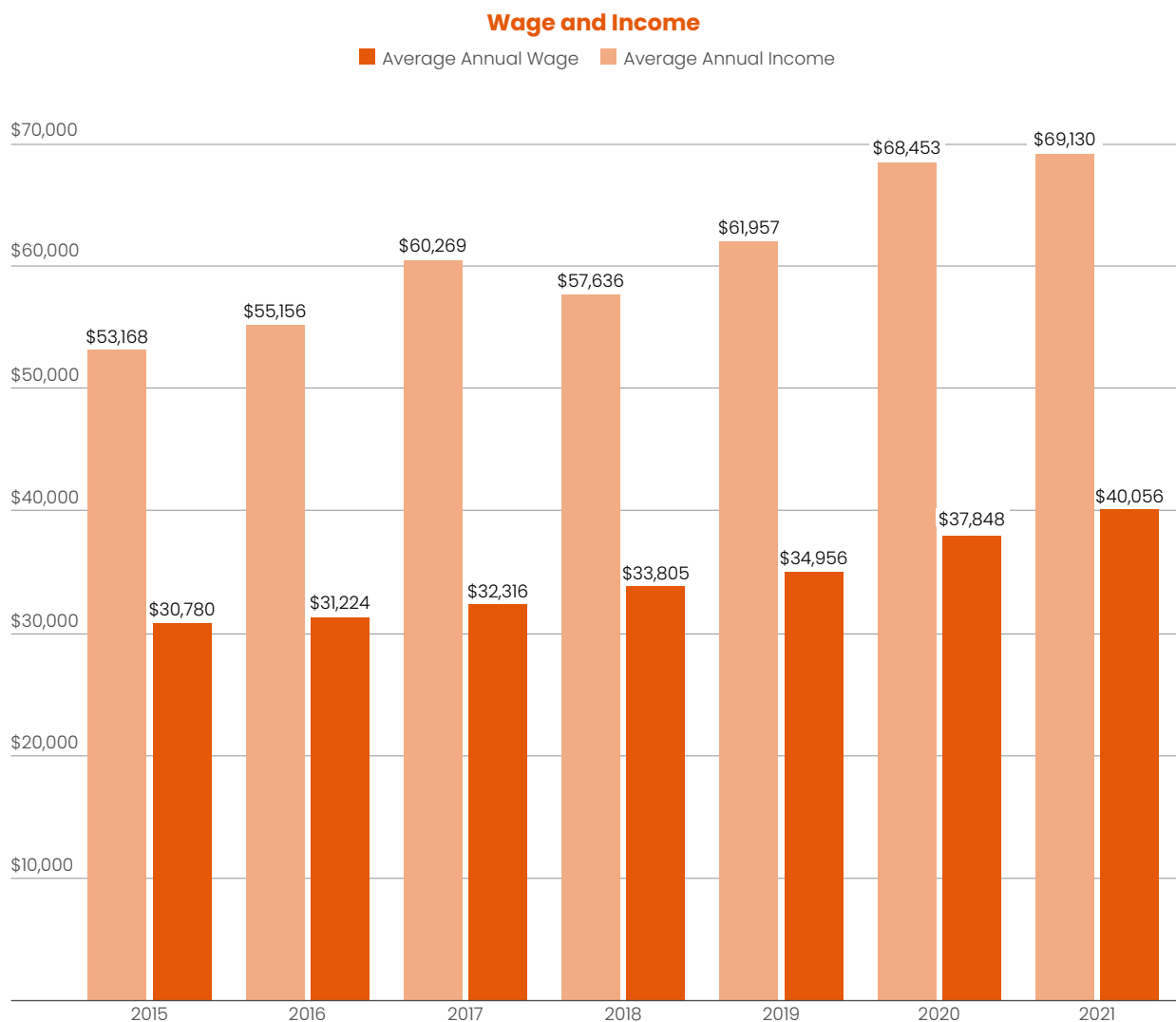


Chart 2. Difference between Average Annual Wage and Income in Grand County  
 DATA SOURCES: UTAH DEPARTMENT OF WORKFORCE SERVICES, US CENSUS ACS 5-YEAR ESTIMATES

Between 2015 and 2021, the average annual wage and the average annual household income both increased in Grand County. However, the average annual income increased at a slightly faster rate than wages, which is demonstrated by the increase in the difference between the two, from \$22,388 in 2015 to \$29,074 in 2021. This trend could be attributed to an influx of residents who earn an income from investments, other non-wage sources, or those who work remote jobs and earn higher, non-local wages.

### Household Income

In 2022, the Area Median Income (AMI) for a household of four in Grand County was \$70,600 per year, which is a significant increase from \$56,700 in 2017. Many affordable housing programs use AMI to determine household eligibility, broken down into “low income,” “very low income,” and “extremely low income” categories. Household income suggests how accessible different housing options are to Grand County residents. See Table 2, below, for the 2022 Grand County AMI breakdown.

**2022 Area Median Income**

Number of people in Household	1	2	3	4	5	6	7	8
30% limit - extremely low income	\$17,400	\$19,900	\$23,030	\$27,750	\$32,470	\$37,190	\$41,910	\$46,630
50% limit - very low income	\$29,050	\$33,200	\$37,350	\$41,450	\$44,800	\$48,100	\$51,400	\$54,750
80% limit - low income	\$46,450	\$53,050	\$59,700	\$66,300	\$71,650	\$76,950	\$82,250	\$87,550
100% AMI	\$70,600							

Table 2. Area Median Income, Grand County, UT, 2022  
 DATA SOURCE: US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (2022)

### Grand County Household Income Distribution

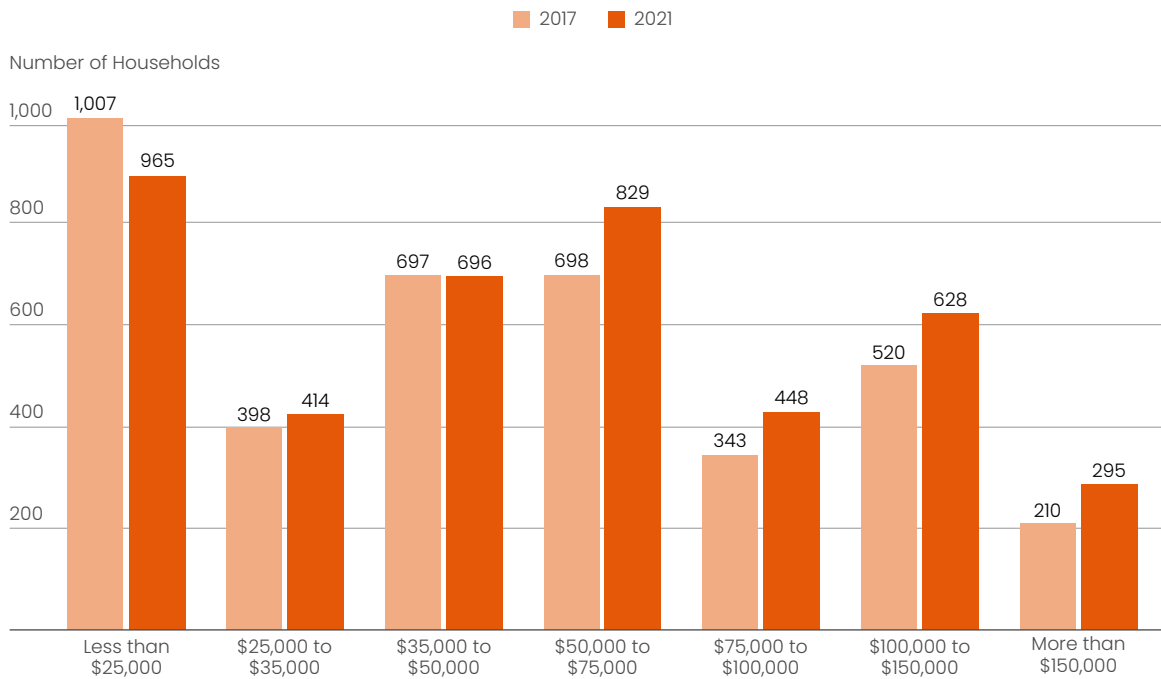


Chart 3. Grand County Household Income Distribution, 2017 and 2021  
 DATA SOURCE: US CENSUS

Throughout almost all income brackets, Grand County households are earning higher incomes in 2021 than in 2017. However, the number of households with incomes between \$50,000-\$150,000 have increased most significantly between 2017 and 2021, with a 19% increase in the number of households earning between \$50,000 - \$75,000, and a 31% increase in the number of households earning between \$75,000 - \$100,000. Most significantly is the increase of the number of households earning more than \$150,000 annually. This income bracket saw an increase of 40%! This mirrors the overall trend that Grand County has seen of new household growth largely being

made up of second homeowners and retirees who tend to bring higher annual incomes to the area. Further, 48% of Grand County households earn annual incomes below \$50,000 per year, meaning that nearly half of all households are living below the Area Median Income.

The data demonstrates that households earning annual income above \$75,000, though only making up 30% of the households in Grand County, contribute heavily to the Area Median Income being \$70,600, perhaps skewing this value upwards while not truly reflecting the majority of the households in Grand County.

### Household Wages

According to the Utah Department of Workforce Services, there were an average of 6,403 employees in Grand County in 2021, and the average annual wage for all employees was \$40,056. Highlighted in the table below, tourism-related industries account for 57% of all jobs in the county and average an annual wage of \$32,719. Tourism-related industries include Retail Trade, Real Estate and Rental and Leasing, Arts, Entertainment, and Recreation, and Accommodation and Food Services.

#### Grand County Employment Information 2021

Industry	Average Employment	Number of employers	Payroll	Average Monthly Wage	Average Annual Wage	Hourly Rate	% of Labor Force
<b>All Industries</b>	<b>6403</b>	<b>648</b>	<b>\$256,517,407</b>	<b>\$3,338</b>	<b>\$40,056</b>	<b>\$19.26</b>	<b>100.0%</b>
<b>Tourism-Related Industries*</b>	<b>3649</b>	<b>277</b>	<b>\$119,372,617</b>	<b>\$2,727</b>	<b>\$32,719</b>	<b>\$15.73</b>	<b>57.0%</b>
Mining	77	7	\$6,792,353	\$7,375	\$88,500	\$42.55	1.2%
Utilities	36	6	\$3,046,099	\$7,100	\$85,200	\$40.96	0.6%
Construction	360	73	\$15,782,483	\$3,658	\$43,896	\$21.10	5.6%
Manufacturing	111	12	\$5,838,727	\$4,403	\$52,836	\$25.40	1.7%
Wholesale Trade	93	15	\$4,388,674	\$3,933	\$47,196	\$22.69	1.5%
Retail Trade	869	86	\$28,355,796	\$2,720	\$32,640	\$15.69	13.6%
Transportation and Warehousing	175	25	\$6,883,002	\$3,287	\$39,444	\$18.96	2.7%
Information	57	12	\$2,023,321	\$2,971	\$35,652	\$17.14	0.9%
Finance and Insurance	70	15	\$3,986,764	\$4,729	\$56,748	\$27.28	1.1%
Real Estate and Rental and Leasing	175	44	\$6,133,950	\$2,917	\$35,004	\$16.83	2.7%
Professional Scientific & Technical Svc	203	53	\$11,171,428	\$4,592	\$55,104	\$26.49	3.2%
Admin., Support, Waste Mgmt, Remediation	198	30	\$6,411,303	\$2,695	\$32,340	\$15.55	3.1%
Education Services	312	17	\$12,418,963	\$3,616	\$43,392	\$20.86	4.9%
Health Care and Social Assistance	484	38	\$27,837,943	\$4,793	\$57,516	\$27.65	7.6%
Arts, Entertainment, and Recreation	556	37	\$18,798,474	\$2,819	\$33,828	\$16.26	8.7%
Accommodation and Food Services	2049	110	\$66,084,397	\$2,688	\$32,256	\$15.51	32.0%
Other Services (except Public Admin.)	78	28	\$3,056,441	\$3,286	\$39,432	\$18.96	1.2%
Public Administration	495	39	\$27,192,724	\$4,576	\$54,912	\$26.40	7.7%

Table 3. Grand County Employment Information, 2021  
DATA SOURCE: UTAH DEPARTMENT OF WORKFORCE SERVICES (2021)

#### Average Employment Over Time

Year	Grand County					State of Utah	
	Average Employment	Establishments	Payroll	Average Monthly Wage	Average Annual Wage	Average Monthly Wage	Average Annual Wage
2015	5,252	551	\$161,636,535	\$2,565	\$30,780	\$3,621	\$43,452
2016	5,405	550	\$168,764,075	\$2,602	\$31,224	\$3,705	\$44,460
2017	5,641	556	\$182,256,504	\$2,693	\$32,316	\$3,810	\$45,720
2018	5,899	586	\$199,423,391	\$2,817	\$33,804	\$3,969	\$47,628
2019	6,089	605	\$212,804,919	\$2,913	\$34,956	\$4,135	\$49,620
2020	5,686	616	\$215,196,546	\$3,154	\$37,848	\$4,491	\$53,892
2021	6,403	648	\$256,517,407	\$3,338	\$40,056	\$4,745	\$56,940
% change 2015 - 2021	21.92%	17.60%	58.70%	30.14%		31.04%	

Table 4. Employment Trends (2015 - 2021)  
DATA SOURCE: UTAH DEPARTMENT OF WORKFORCE SERVICES

### Household Wages continued

Since 2012, both wages in Grand County and inflation (measured by Consumer Price Index for the Western United States region) have been rising. Chart 4 demonstrates how wages have been largely rising at a faster rate than inflation, indicating a net increase of wealth in Grand County. Wage data for 2022 is not yet available, but may indicate a shift in this trend as inflation in 2022 rose at a record rate of 8.01%—it is unclear if wages also rose at a similar rate.

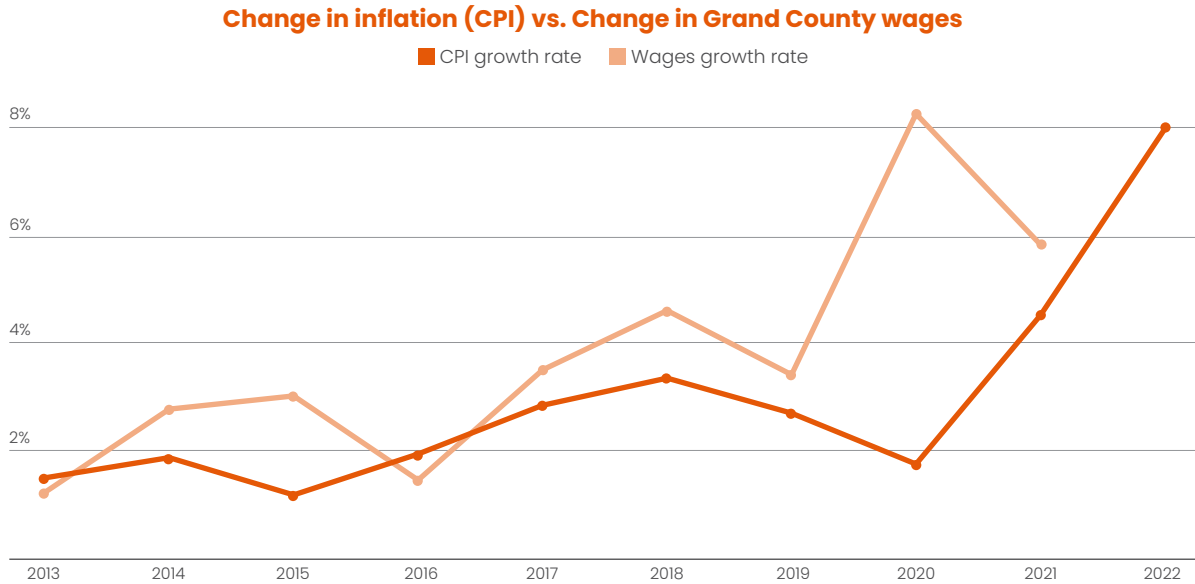


Chart 4. Change in Inflation in the Western US Compared with Change in Grand County Wages  
 DATA SOURCE: US BUREAU OF LABOR STATISTICS, UTAH DEPARTMENT OF WORKFORCE SERVICES

#### Data Analysis:

- The average number of nonagricultural jobs in Grand County increased by 21.9% between 2015 and 2021 as the economy continued to expand. Job growth was most concentrated in the following industries:
  - Manufacturing: 146.7%
  - Transportation and Warehousing: 82.3%
  - Professional, Scientific & Technical Services: 69.2%
  - Real Estate and Rental and Leasing: 62%
- Between 2015 and 2021, the average annual wage increased by 30.14% from \$30,780 to \$40,059.
- In 2021, Grand County’s average monthly wage was \$3,338, which is \$1,407 less than the state average.
- In 2020, Grand County’s median household income ranked the ninth lowest out of 29 counties in the state of Utah.
- In 2021, 14.8% of the Grand County population, or approximately 1,419 people, were living in poverty, and 22.6% of all households made less than \$25,000 in yearly income, which was a decrease from 26% in 2017.

## Seasonal Employment

While difficult to track, the number of seasonal workers in the Moab area can be estimated by comparing the highest and lowest monthly nonagricultural job counts from the Utah Department of Workforce Services. Between 2018 and 2021, but excluding the year 2020 due to COVID-19 pandemic-induced employment abnormalities, Grand County experienced the lowest number of nonagricultural jobs each January and the highest number of nonagricultural jobs each June. An average of these seasonal differences indicates that the seasonal workforce in Grand County has included approximately 2,226 jobs over the past several years.

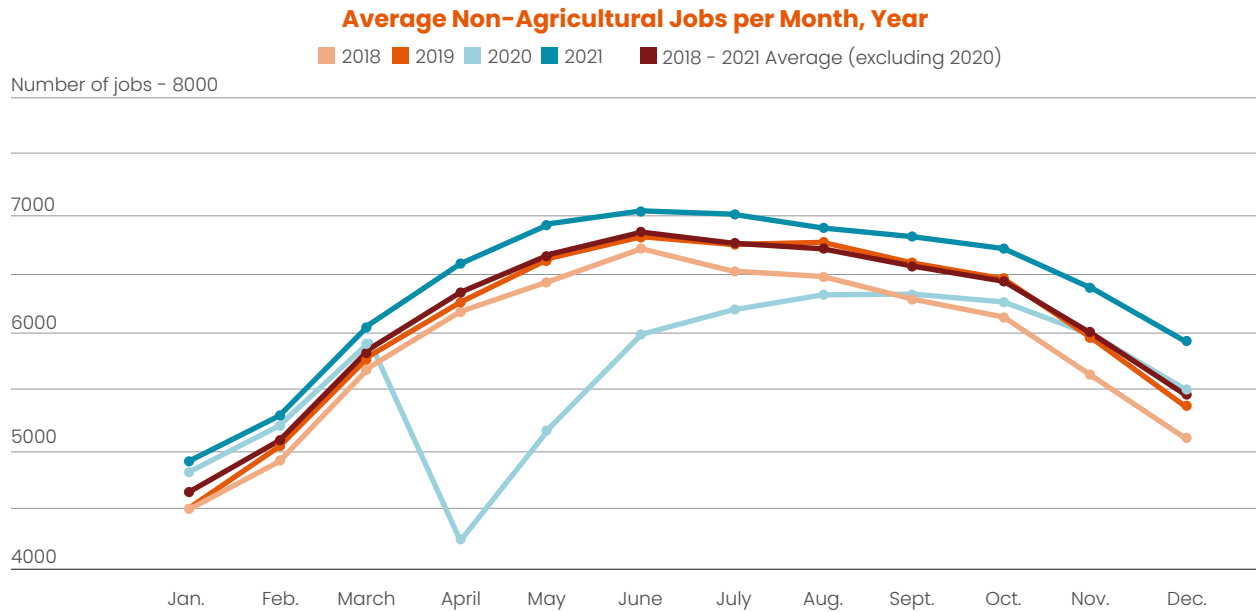


Chart 5. Number of Non Agricultural Jobs per Month Per Year  
 DATA SOURCE: UTAH DEPARTMENT OF WORKFORCE SERVICES (2018 - 2021)

## At-Risk Populations

While a lack of affordable housing impacts all parts of the community, there are certain demographics who are at higher risk than others. These groups include: single-parent households—especially those with a single female householder—seniors and those living on fixed incomes, undocumented people, those without valid identification or social security numbers, those who suffer from substance use disorder or mental illness, experience domestic violence, and homelessness, and—specifically to Moab—those working in the tourism, hospitality, and service industry who are more likely to be housing insecure.

The Grand County Local Homeless Council defines homelessness according to the HEARTH Act and includes individuals and families who do not have a fixed, regular, and adequate nighttime residence, those who will imminently lose their primary nighttime residence within 30 days without intervention, and those who are fleeing or attempting to flee dangerous, violent or life-threatening conditions<sup>1</sup>. Homelessness is often broken up into “literal homelessness” and “imminent homelessness”

In 2022, a monthly average of 57 individuals received homelessness-related services from the Moab Valley Multicultural Center, 50% of which reported being “literally” homeless at the time, while 83% were experiencing homelessness temporarily or “situationally.” Of these total individuals, a monthly average of 26% reported mental illness, 34% reported active substance use disorder, and 23% reported surviving domestic violence within the past 12 months. A monthly average of 21% were youth and 8% were classified as being chronically homeless—defined as 12 months of continual literal homelessness, or a cumulative 12 months of homelessness over three years.

Safe, attainable, and affordable housing fosters both individual and community health, increasing the opportunity for resiliency for all members of the community, especially the above at-risk populations.

Sources: Grand County Local Homeless Council, Moab Valley Multicultural Center

## COVID-19 Pandemic Impacts

The COVID-19 pandemic caused drastic economic turmoil in Grand County due to the abrupt halt of tourism during the spring months of 2020, followed by a sharp increase in tourism during the second half of 2020 and all of 2021. Strained businesses, particularly those in the accommodation and food services, retail, and entertainment and recreation industries, were forced to let go of many of their employees in March and rehire by June to keep pace with tourists returning to the community.

During the pandemic, domestic visitation increased due to international travel restrictions, causing an unprecedented increase in tourism locally; by September 2020, total employment in Grand County rebounded and far exceeded pre-pandemic employment levels. Despite the many pandemic-induced economic challenges, some industries—such as Professional, Scientific, and Technical Services; Administrative and Support Services; and Public Administration—saw an increase in jobs (though notably, Real Estate and Rental Leasing saw a decrease), and many industries experienced significant wage increases in Grand County due to increased demand for additional employees.

Additionally, the “Zoom Boom”—a phenomenon in which professionals work fully remotely for their business which allows them to relocate anywhere in the country—is causing disruption in the employment and real estate markets. Over the past several years, Moab has become a destination for many remote-working professionals because of the numerous recreational and environmental opportunities. The impacts of this remote-working professional influx are being unveiled as the average income of the Moab area is increasing disproportionately to the local economy and the demand for housing is increasingly outpacing the supply.

Sources: Utah Department of Workforce Services

<sup>1</sup> See full HEARTH act definition of Homelessness in the Housing Terminology sections of this plan.

# HOUSING STOCK OVERVIEW

Housing stock and occupancy trends play into the availability of housing availability for local Grand County residents.

## Key Takeaways

- In 2021, there were 5,161 total housing units in Grand County.
- 59% of the total housing stock in Grand County consists of single-family units.
- In 2022, there were 582 housing units with occupancy restrictions, 289 of which are currently income-restricted rental units, 220 of which were income-restricted at the time of construction, and 73 of which are permanently deed-restricted based on primary residency and/or income.
- The age of housing stock is trending newer due to the increase of residential construction. Still, however, there is a large amount of the stock dated from the 1980s and earlier.
- In 2023, 67.8% of Grand County homes were primary residences, while 32.2% were secondary residences.
- Moab City and Grand County residential construction saw significant increases between 2015 and 2017 with over 150 new units constructed; since then, there have been over 100 newly constructed units on record every year.
- Many Grand County residents live in non-traditional housing, such as vehicles, recreational vehicles (RVs), mobile homes, tiny homes, yurts, or camping, either by choice or necessity.



Construction of Wingate Village townhomes in Spanish Valley, 2020.

## Composition of the Housing Supply

### Structure Type

Grand County's housing stock is generally homogenous, consisting primarily of single-family units that make up 59% of the residential market in 2021. This tends to limit housing availability because of its lower density on the land which results in fewer households per acre. There are minimal options for attached multi-family units or townhomes. As seen in the 'Housing Units by Type' chart, '1-Unit Attached' reflects attached ADUs, '2 to 4 Units' include duplexes, twinhomes or townhomes, '5 to 19 Units' include townhomes or multifamily dwellings, and '20 or More Units' are multifamily complexes.

Greater diversity of housing types has begun to be more heavily explored, as the community has shown demand for apartment buildings, townhomes, and manufactured homes. Additionally, a relatively high proportion of the housing stock consists of mobile and modular homes. This housing type is discussed at greater length in this section.

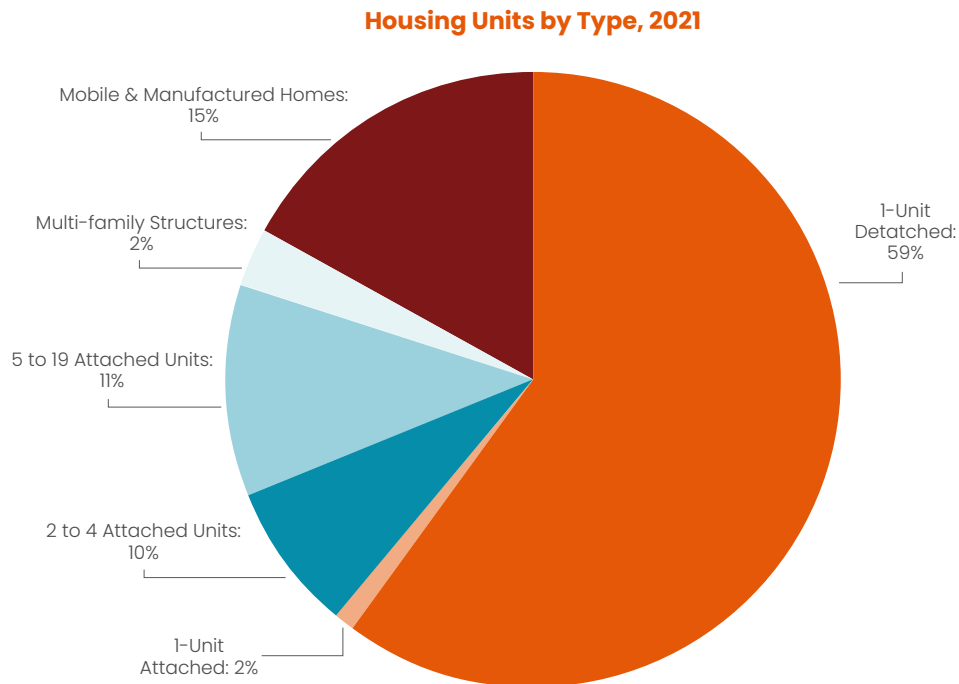


Chart 6. Housing Units by Type (2021)  
DATA SOURCE: US CENSUS ACS 5-YEAR ESTIMATES (2021)

### Age of Housing Inventory

The age of a housing unit may serve as an indicator of high maintenance costs, which increases total housing costs for owners and renters, and older properties are more depreciated in value than newer ones, causing a wider discrepancy in the housing market. It is an obvious marker of when the majority of housing construction in the area occurred. Further, aging units have worse energy efficiency which drives up monthly utility costs, and repairs or replacements are costly. Of all housing units in Grand County in 2021, 41% were constructed prior to 1980 – a decrease from 62% in 2015.

According to the US Census 2021 ACS 5-Year Estimates, 15% of all Grand County housing units were mobile or manufactured homes. Structures built before 1976 are referred to as mobile homes. These mobile homes were built to very

poor construction standards and today would not be considered acceptable. Banks will not provide loans for mobile home units, which makes an entire class of housing units almost non-transferable. Mobile homes built before 1976 are considered a liability and are unable to receive loans for repairs.

It is difficult to estimate the number of pre-1976 mobile homes in Moab as the County and City do not have year-built data for units in which their owners are renting lots in mobile home parks. However, of the 160 manufactured homes surveyed on owned lots, 36.87% pre-dated 1976 (Community Rebuilds & Eleanor Grosse, 2021). There are likely many more dilapidated mobile homes on rented park lots, leaving a significant portion of owners unable to gain equity or improve their housing conditions.

**Age of Grand County Housing Units, 2021**

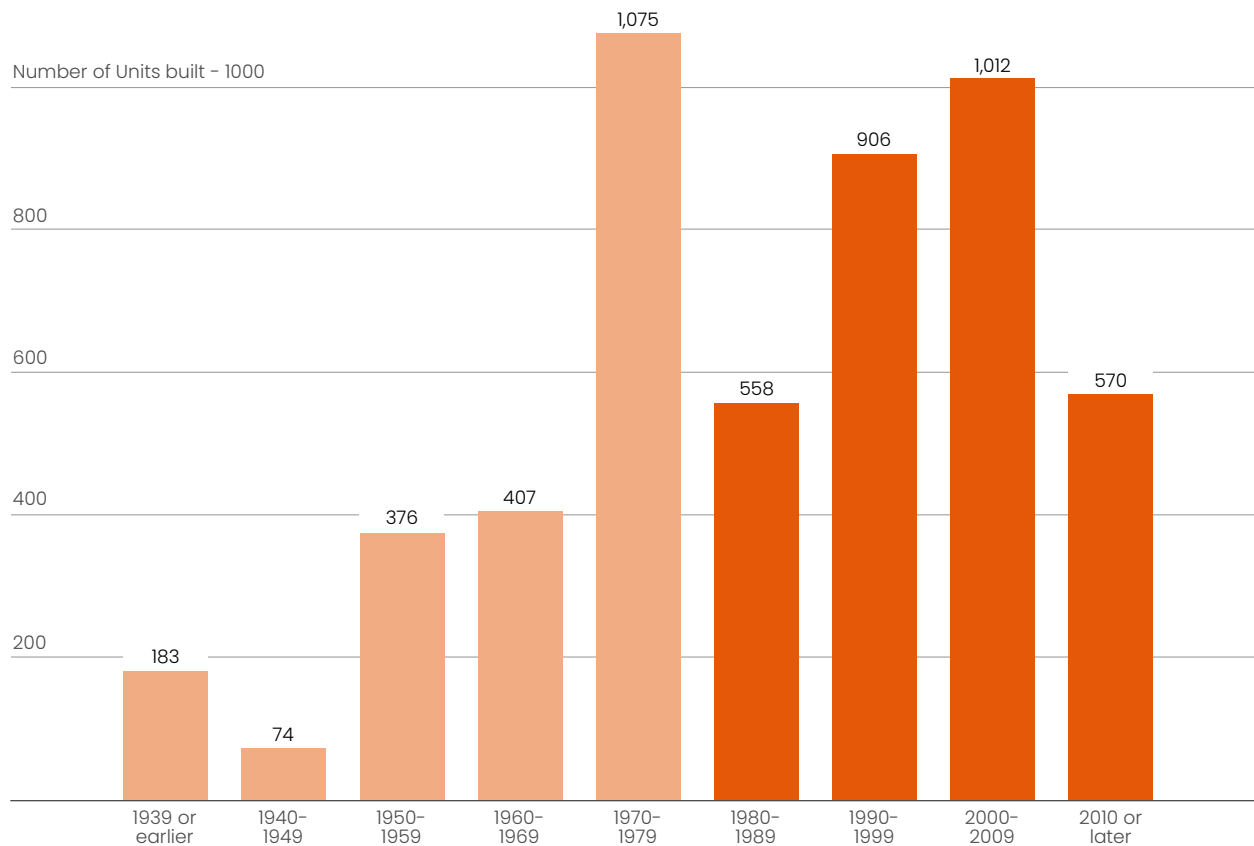


Chart 7. Age of Grand County Housing Units (2021)  
DATA SOURCE: US CENSUS, 2021

## Occupancy and Residency

One way to gauge who owns and/or lives in Moab area homes is to review the breakdown of primary and secondary residency rates in Grand County. According to Utah State Tax Commission regulations, for a home to be considered a primary residence, the owner(s) of the property must spend at least 183 consecutive days (of a calendar year) in the residence. Additionally, USTC requires that homeowners pay income taxes in Utah (using the local property address for state and federal income taxes), are registered to vote in the county that they are requesting the exemption in, have all vehicles registered in that county, and are employed in that county, in order to qualify for primary residential exemption. Homes that are not primary residences are considered secondary residences, unless they are used as long-term rental units and the owner can demonstrate that the unit is the primary residence of the tenant.

As primary and secondary residences are taxed at different rates—a primary residence is taxed at 55% of the home’s value, as opposed to 100% for secondary residences—Grand County Master Tax Records for 2023 indicate that an estimated 67.8% of the area’s residential housing stock are primary residences, while 32.2% are secondary residences<sup>2</sup>.

Due to the nature of the Moab area’s high tourism rates, it is likely that the secondary residences reported by the Assessor’s office are used as short-term vacation rentals for visitors or second homes for inconsistent periods throughout the year and are otherwise vacant. Higher rates of secondary residency and vacancy cause a strain on the overall supply of housing units for local residents.

Another metric for understanding the occupancy of Grand County homes is the vacancy rate. In 2021, the US Census recorded a vacancy rate of 17.2%, meaning that approximately 890 homes do not have full-time residents or are inhabited by people who have primary residences elsewhere. This vacancy rate is higher than the state average vacancy rate (10%) but lower than other resort communities like Summit County, Utah (39%), of which Park City is the county seat. Of the remaining 4,271 occupied units in Grand County in 2021, 64.9% were occupied by homeowners, while the remaining 35.1% were occupied by renters.

Sources: Utah Realtors Association, Housing and Urban Development Fair Market Rent, US Census Bureau, Zillow Home Value Index, Grand County Assessor’s Office Master Tax Records 2023.

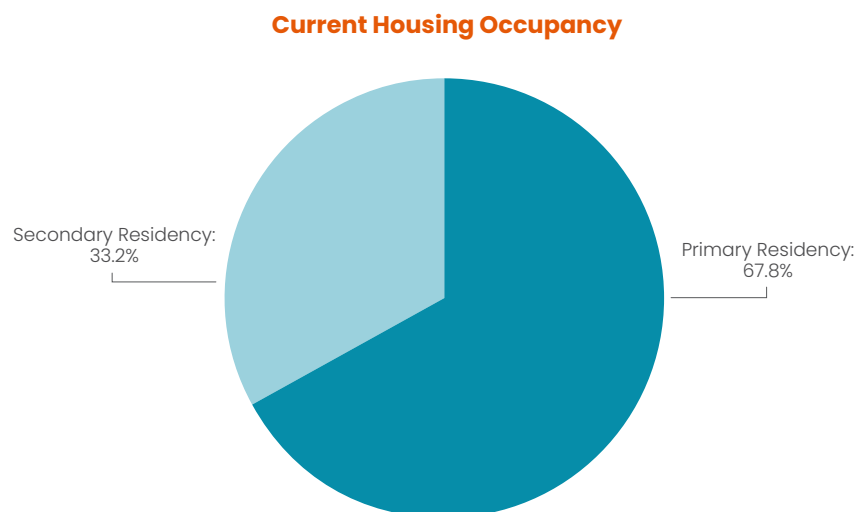


Chart 8. Current Housing Occupancy (2021)  
DATA SOURCE: US CENSUS ACS 5-YEAR ESTIMATES (2021)

<sup>2</sup> Some small clerical errors may exist in this residency reporting – for example, a primary dwelling and an ADU may be counted only as one property in the tax records.

### Income or Occupancy Restricted Properties in Moab

Other than the availability of private market rentals in which landlords choose to keep their monthly rents ‘affordable’, there are a number of public affordable housing options, both single family homes and multifamily developments. These are made permanently affordable in a number of ways, including deed restrictions, subsidies, and their development through low income housing tax credits. However, waitlists remain lengthy, with wait times as long as 2 to 3 years. The qualifications required to live in public affordable properties vary per unit and development, but are generally based on monthly income.

Some affordable housing units in the Moab area are permanently affordable throughout their lifespan, while others are only required to be affordable at the time of construction and through its first owner. Some development projects, such as the USDA Mutual Self Help Program<sup>3</sup> homes before 2017 did not have deed restrictions placed on them yet. Because the MSH program inherently serves low and very-low income individuals, we know that at the time of construction the unit was affordable. However, with no deed restriction in place, there was no mechanism to ensure that primary residency or affordability was carried on with the units in the event of ownership changes.

One way to ensure permanent affordability or primary residency in Moab homes is to implement

deed restrictions, a legal mechanism that is placed on individual units, both rental units and owned, that remain with the property throughout time and ownership changes. The Moab area incorporates deed restrictions at all of the public affordable, income-based properties as well as some single family units for primary residency. Though there are not many, they exist for the targeted efforts by both Moab City and Grand County to ensure that the housing stock is protected for the local workforce. Examples of these types of deed restrictions include primary residency deed restrictions, in which the occupant must be actively employed in Grand County, and income based deed restrictions, where the occupant must fall below a specific annual income amount.

Moab has seen an increase in the number of affordable, income-restricted, and deed restricted rental properties in the last few years. In 2017, there were a total of 394 affordable housing units in Moab—meaning income restricted, or deed restricted for residency. As of December 2022, there were a total of 582 units with occupancy restrictions—a 48% increase from 2017. Of those 582 housing units, 289 are currently income-restricted rental units, 220 were income-restricted at the time of construction, and 73 are permanently deed-restricted based on primary residency and/ or income.

**Grand County Income and Occupancy Restricted Units**

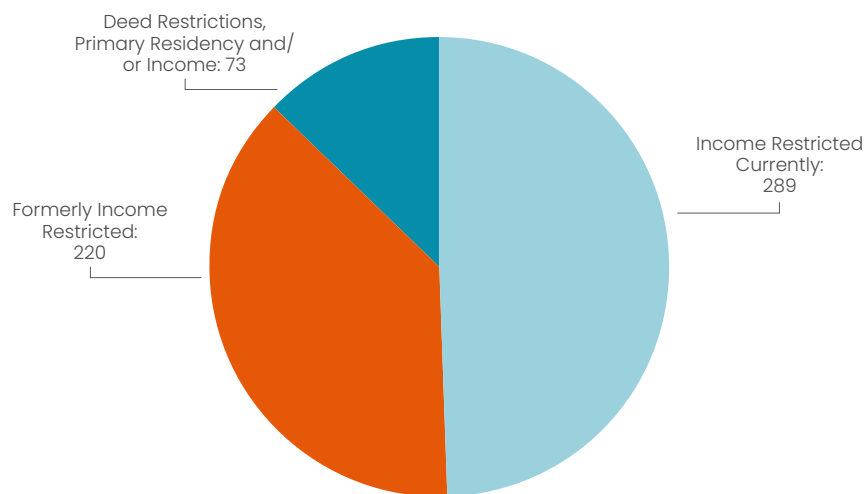


Chart 9: Grand County Income and Occupancy Restricted Units (2022)  
 DATA SOURCE: HOUSING AUTHORITY OF SOUTHEASTERN UTAH, GRAND COUNTY PLANNING DEPARTMENT

<sup>3</sup> See Housing Efforts to Date for more information on the Mutual Self Help program.

## Income and Occupancy Restricted Units

Development	Developer /Owner	# of Units	Year Built	Occupancy Type	Type of Deed Restriction
Archway Village Apartments	Syringa Properties	19	1985 (fully remodeled in 2014)	Renter	Income limits
Arroyo Crossing <sup>4</sup>	Community Rebuilds, HASU, TLC	17 <sup>5</sup>	Began 2021, Ongoing	Owner	Primary residency and Income Restricted Deed Restrictions
Aspen Cove	Interact	10	2015	Renter	Currently Income Restricted
Cinema Court	HASU/Sellers Group (Property Manager)	60	2012	Renter	Currently Income Restricted
CROWN at Desert Wind	HASU	5	2013	Renter	Income restriction ends in 2028
CROWN at Sage Valley	HASU	8	1998	Owner	Income restriction expired in 2013
CROWN at Rim Hill	HASU	8	2005	Owner	Income restriction expired in 2020
HDHO units	Various Owners and Developers	15	Began 2021, Ongoing	Owner	Primary Residency Deed Restriction
Huntridge Apartments	Syringa Properties	24	2004 remodel	Renter	Currently Income Restricted
Kane Creek Apartments	Syringa Properties	36	1993	Renter	Currently Income Restricted
MAPS	HASU/Sellers Group (Property Manager)	36	2020	Renter	Currently Income Restricted
Mutual Self-Help (MSH) without Deed Restrictions	HASU and Community Rebuilds	204	Was ongoing; completed 2019 and 2017, respectively	Owner	Formerly Income Restricted
Ridgeview Apartments	Four Corners Community Behavioral Health	6	1994	Renter	Currently Income Restricted
Rockridge Senior Housing	Community Housing Services, Inc.	35	1996	Renter	Currently Income Restricted
Single Family Straw bale	Community Rebuilds	30	Began 2017, Ongoing	Owner	Primary Residency Deed Restriction
The Virginian Apartments	HASU	28	1979	Renter	Currently Income Restricted
The Willows	Interact	8	2015	Renter	Currently Income Restricted
Wingate Village (MSH)	HASU	11	2020	Owner	Primary Residency Deed Restriction
Wingate Village (Townhomes)	HASU/Sellers Group (Property Manager)	22	2021	Renter	Currently Income Restricted

**TOTAL: 582 (2022)**

**73 total deed-restricted homes (primary residence and/or income), 289 currently income-restricted units, 220 formerly income-restricted units**

Table 5. Deed Restricted Rental Properties to Date (2022)  
DATA SOURCES: HOUSING AUTHORITY OF SOUTHEASTERN UTAH, GRAND COUNTY PLANNING DEPARTMENT

<sup>4</sup>As of 2022, Arroyo Crossing is the only subdivision that allows privately-owned, income-restricted deed restrictions due to it being a County-recognized Planned Unit Development with affordability restrictions.

<sup>5</sup>Note that the total income-restricted units of Arroyo Crossing, as of 2022, have only been developed by HASU and Community Rebuilds - these number of units would be duplicated within other programs so they are not included in their respective developer's total.

### Upcoming Deed Restricted Units

Development	Developer /Owner	# of Units	Estimated Year of Development	Occupancy Type	Type of Deed Restriction
HDHO Units	Various Owners and Developers	238	2023-2026	Owner & Renter	Primary Residency Deed Restriction
Arroyo Crossing	Various Owners and Developers	283	2023-2028	Owner & Renter	Primary residency and Income Restricted Deed Restrictions
Moab City Actively Employed Household H developments	Various Owners and Developers	222	2023-continuously; no sunset restrictions for this ordinance	Owner & Renter	Primary Residency Deed Restriction

**TOTAL: 743**

**743 total primary residence deed-restricted units, 283 income-restricted units**

Table 6. Upcoming Deed Restricted Rental Properties (2023)  
DATA SOURCES: HOUSING AUTHORITY OF SOUTHEASTERN UTAH, GRAND COUNTY AND MOAB CITY PLANNING DEPARTMENTS

## Housing and Land Prices

Tracking land and housing prices is central to understanding local housing markets. As prices fluctuate, opportunities and constraints also change. The prices for developable land and finished construction have increased steadily since 2000, with variability year-to-year. Key statistics provided below indicate the upward trend of Moab's housing market, which makes housing less and less affordable to lower and middle income households. The market for raw land has also increased markedly, which makes development more expensive and unit sales and rental prices increase as developers pass the costs onto end users. One snapshot of land prices in Grand County in May 2023 reported the average cost of land being \$561,584 per acre<sup>6</sup>.

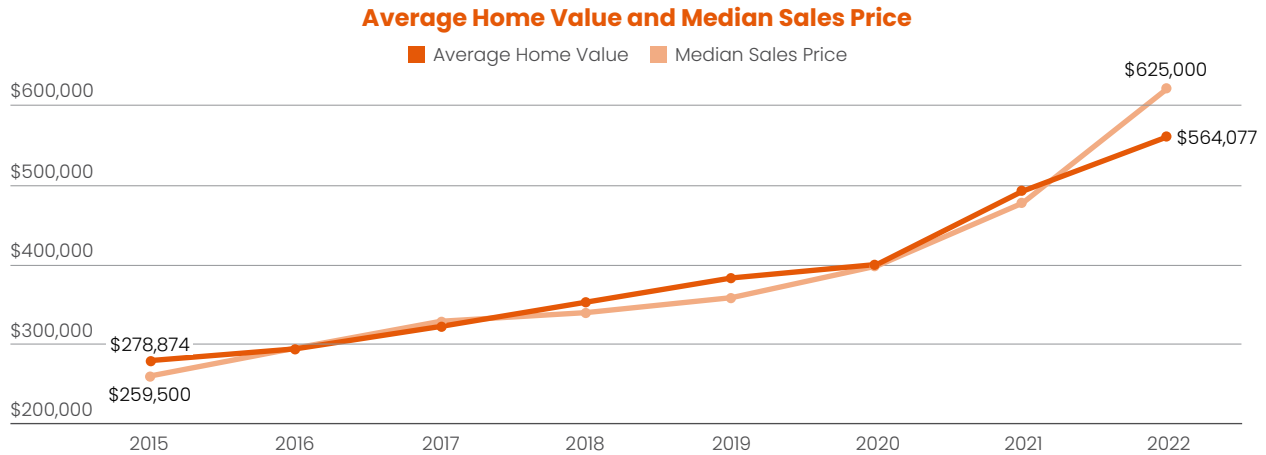


Chart 10. Average Home Value and Median Sales Prices, (2015 - 2022)  
DATA SOURCE: UTAH REALTORS ASSOCIATION, ZILLOW HOME VALUE INDEX

### Data Analysis:

In 2022,

- 121 home sales were closed.
- The median home sales price was \$625,000, a 30% increase from the previous year, and \$115,000 higher than the median home sales price in the state of Utah (\$510,000).
- Between 2015 and 2022, the median home sales price increased a total of 162%, at an average rate of 18% each year. However, the years 2020–2022 saw the largest jump in percentage, with an average increase of 22%.
- The average home value in Grand County was \$564,077, a 14% increase from the previous year, and \$49,894 higher than average home value in the state of Utah (\$514,183).
- Between 2015 and 2022, the average home value increased a total of 102%, at an average rate of 10.74% each year. The highest rate of home value increase occurred during the 2020–2022 period, in which home values increased by 35.4%.

2021 Housing Costs:

- The median monthly housing cost for homeowners with a mortgage was \$1,367, while

the median monthly cost for homeowners without a mortgage was \$360.

- The median monthly gross rental price for occupied rental units in Grand County, not including monthly utilities, was \$926, according to US Census estimates.

In 2022, the HUD 3 bedroom Fair Market Rental Rate, which is used as the national baseline rental value, was \$1,182 for Grand County; however, realistic monthly rental prices in Grand County for a 3 bedroom home are generally being seen between \$2,200–2,800.

Also seen nationally, the COVID-19 pandemic drastically halted the housing market in 2020, but then further accelerated prices and demand when the market saw dipping interest rates that were historically low. However, since early 2022, interest rates have risen significantly and the market has seen home purchases declining. In Moab, the stimulated market and increase of luxury properties continue to be contributing factors to this jump in home list prices.

Sources: Utah Realtors Association, Zillow Home Value Index, US Census Bureau

<sup>6</sup> Based on Grand County Planning & Zoning Department Housing Continuum May 25th 2023 Snapshot.

## Housing Construction Trends

Housing construction is the primary indicator of changes in supply. Between 2014 and 2022, approximately 841 new residential housing units were constructed in Grand County, which includes the unincorporated County, City of Moab, and Town of Castle Valley<sup>7</sup>. The majority of residential construction continues to take place in the unincorporated area of Grand County. Most significantly, the years of 2017, 2018, and 2021 saw significant jumps in residential construction, with between 100 and 130 units built each year. Further, as seen from the declining number of aged housing units, larger quantities of new home construction are replacing dilapidated and older units on private land. Construction rates dropped in 2020, largely because of the COVID-19 pandemic

and related supply-chain issues. Higher costs of construction also dictates that home prices and rents will likely be out of reach for most local workers. In total, the years 2014 - 2022 saw an average of 93 residential units constructed each year in all of Grand County, with an average of 33 units completed each year in Moab City, and an average of 60 units completed each year in the unincorporated County.

Increased construction activity in Grand County can largely be explained by benefiting from a combination of historically low interest rates, an expanding local economy with more visitors, interested second homeowners from out of town areas, and investors.

### Grand County and Moab City New Residential Units 2014-2022

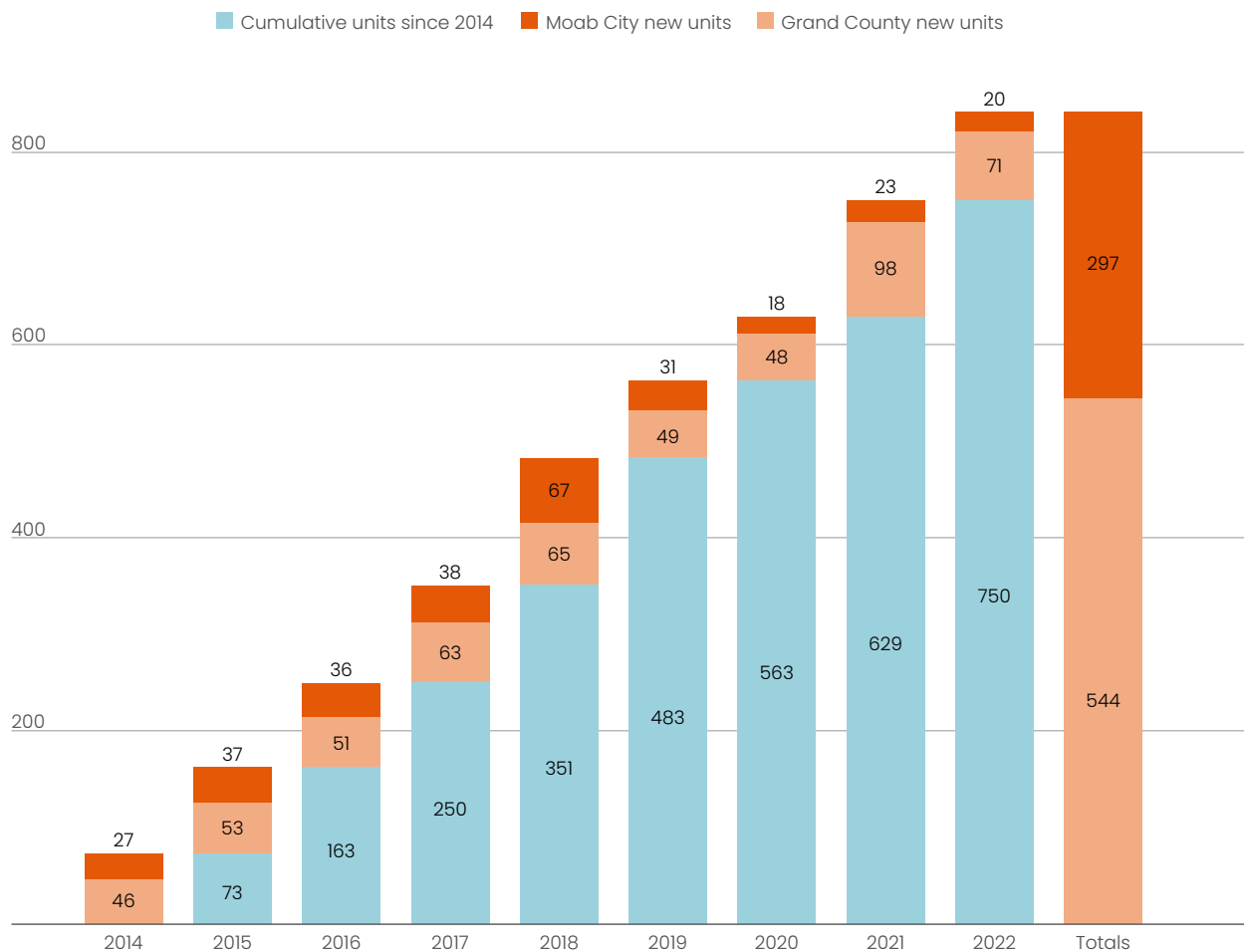


Chart 11. Cumulative Number of Units Built Since 2014 in Grand County & Moab City  
 DATA SOURCES: GRAND COUNTY BUILDING DEPARTMENT, MOAB CITY BUILDING DEPARTMENT

<sup>7</sup> Housing construction data was collected from the Grand County Building Department and Moab City Building Department, using Certificate of Occupancy letter date as the metric for housing unit completion.

### Accessory Dwelling Units

A type of residential development growing in popularity both in Moab City and Grand County are Accessory Dwelling Units (ADUs), which are secondary and typically smaller homes built on the same lot as, or connected to, a primary home. Since 2015, 55 ADUs have been completed in Grand County; 20 in Moab City and 35 in unincorporated

Grand County and Castle Valley. ADUs are dwellings of less than 1,200 square feet and are one method of increasing housing stock by allowing increased density and residential infill on already existing residential lots. Due to their small size, ADUs are often more affordable to build, maintain, and rent.

**Grand County and Moab City ADU Construction 2015–2022**

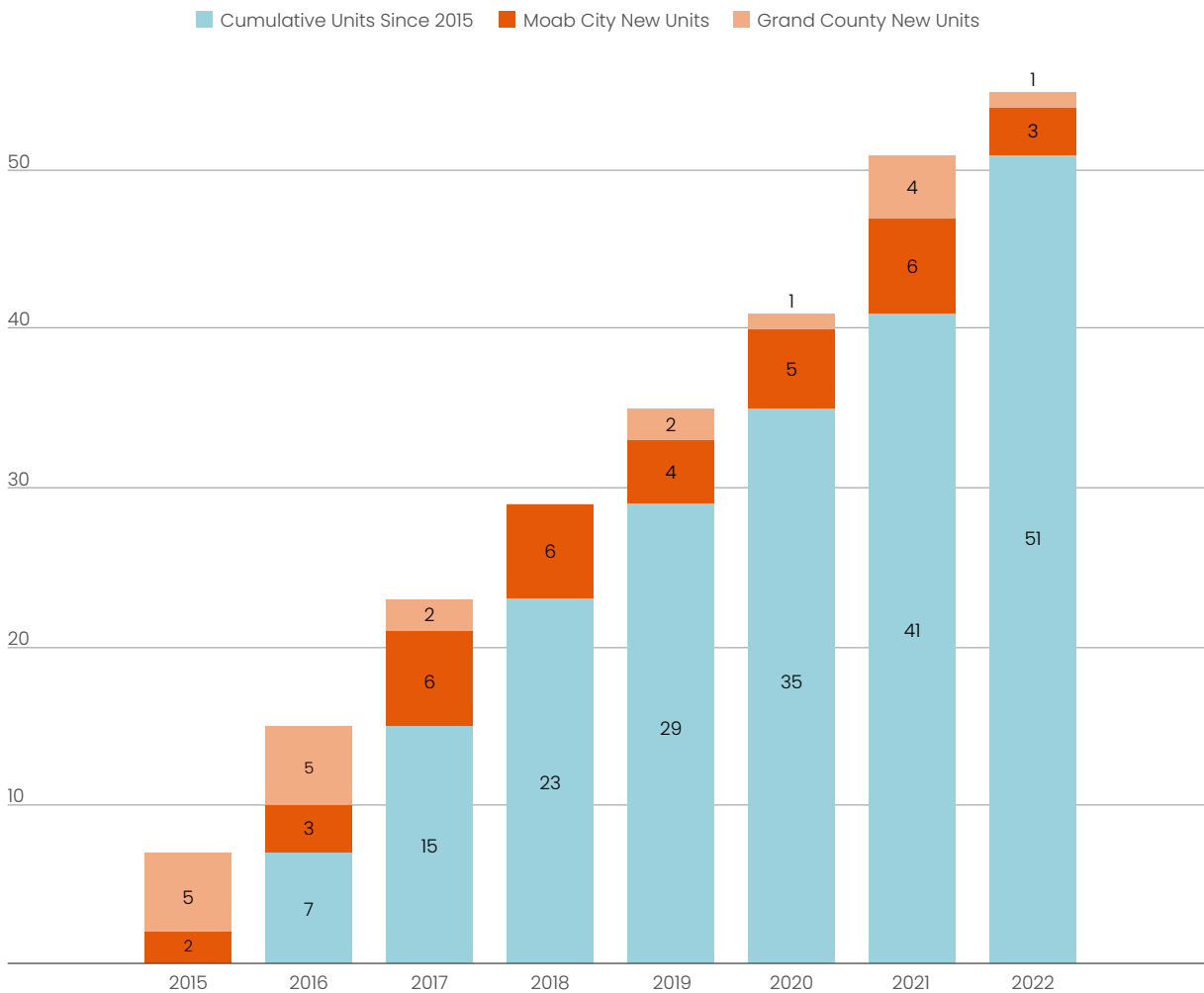


Chart 12. Grand County and Moab City ADU Construction 2015 - 2022  
 DATA SOURCES: US CENSUS BUREAU; GRAND COUNTY BUILDING DEPARTMENT; MOAB CITY BUILDING DEPARTMENT; MULTIPLE LISTING SERVICE

## Non-Traditional Housing

Non-Traditional housing in Moab is not new—seasonal workers and recreational guides have been relying on alternative living situations such as RVs, vehicles, tiny homes, mobile homes, yurts, or tent camping for many years. However, due to the mounting difficulties of obtaining housing, non-traditional housing has become a reality for many local residents, whether they live here short-term or year-round. It is important to take these forms of housing into account as notable, real situations for a number of working residents—even though, by legal definition, an individual relying on non-traditional housing often means that they are technically homeless.

### Non-traditional housing data

- According to the 2021 Census, mobile homes constitute 15% (781 units) of Grand County's total housing stock.
- In 2022, an average of 57 individuals received homelessness or housing services each month from the Moab Valley Multicultural Center.
- Of these individuals, an average of 11 (20%) reported experiencing literal homelessness, 3 (5%) reported chronic homelessness, and 26 (46%) reported situational homelessness, while an average of 17 (30%) individuals reported being at imminent risk of homelessness each month<sup>8</sup>.

### Further reasoning for living in non-traditional housing stems from the following:

- Seasonal workers living in Moab for part of the year working in tourism-based industries often struggle to find readily available, affordable, and seasonal housing, especially as tourism-based industries tend to pay lower wages than non-tourism-based industries as seen in Table 3.
- Non-traditional housing may not have any monthly rental costs, providing more long-term stability for low income individuals.
  - Non-traditional housing provides a short-term housing option, especially for seasonal employees and/or guides who spend many days in the field, as well as year-round employees who move to the Moab area before securing housing.
  - Very limited affordable housing options in general!

### The current housing environment in Moab poses challenges to non-traditional housing due to the following:

- Camping and vehicle dwelling is illegal in much of Grand County. Both Grand County and the City of Moab have articles written in their codes that make camping or trailer-dwelling on any private property other than established campgrounds illegal.

Mobile Home Park	# of Lots
Grand Oasis	337
Walnut Lane Mobile Home Lot	27
Pack Creek Mobile Home Estates	30
Williams Way Trailer Park	44
Nelson Mobile Home Park	13
Parkside Trailer Court	19
Contractor's Roost	22 long term RV sites
<b>Total</b>	<b>492</b>

Table 7. Grand County Mobile Home Parks and Lots  
DATA SOURCES: GRAND COUNTY LOCAL HOMELESSNESS COUNCIL,  
MOAB VALLEY MULTICULTURAL CENTER

- Due to these restrictions, many residents must resort to driving many miles out of the valley and onto public lands, where short-term dispersed camping is allowed.
- Safety and sanitation is a concern for these individuals living in mobile alternative dwellings – many may not have access to clean hygienic areas such as kitchens or restrooms, and a lack of dedicated space for this dwelling type increases illegal dumping, litter, and contamination of surrounding public lands
- There are several legal, established non-traditional housing rental options in town, but these places typically have little to no vacancy and often have very long waiting lists.
- Multiple mobile home parks were redeveloped and have expanded between 2008 and 2022. However, many have shut down after being sold to developers who plan to redevelop them into other kinds of developments. As of 2021, nine parks provided a total of approximately 540 available lots, most of which remained entirely occupied. Many of the area's mobile home parks have occupants who own their dwelling, and then pay a reasonable monthly rental price for the lot itself that the dwelling sits upon. Mobile home parks, while dwindling in numbers, provide an affordable source of housing for locals.

<sup>8</sup> The number captured is likely less than the accurate number of homeless individuals, especially including those relying on non-traditional housing. Homelessness also varies by time of year, with spring through fall having the most non-traditional housing users.

# HOUSING EFFORTS TO DATE

## Key Takeaways

- Grand County and The City of Moab have adopted additional policies and implemented housing initiatives to increase the supply of affordable housing since the last Housing Plan Update in 2017, such as the Alternative Dwelling and High Density Housing Overlay ordinances and the Actively Employed Household ordinance, respectively.
- Community organizations such as the Housing Authority of Southeastern Utah (HASU), Community Rebuilds, and the Moab Area Community Land Trust (MACLT) have developed 73 permanently deed-restricted affordable housing units as of 2022 and continue to increase their capacity to deliver a range of affordable housing types and units.
- Other efforts to provide emergency and transitional housing are led by various non-profit organizations, such as the Moab Valley Multicultural Center, which provides community support and resources for emergency housing or rental assistance, Seekhaven, which supports individuals experiencing domestic violence, Moab Solutions, which supports individuals experiencing homelessness, and the Grand County Local Homeless Council.

## Local Government Affordable Housing Strategies

### Moab City

The City of Moab has developed and adopted a series of new affordable housing policies over the last five years.

**Actively Employed Household Ordinance** — In summer 2022, Moab City passed the Active Employment Household Ordinance (AEH), which states that 33% of all new multi-unit (3+) developments in the R-3 and R-4 zones must be deed restricted for occupancy by Grand County residents with local employment. R-3 and R-4 zones within Moab City are multi-family and manufactured housing zones where the permitted density is high relative to the current development. These zones are experiencing redevelopment of the current stock of mostly detached single family homes. Much of this redevelopment is multi-family which, with the set aside dictated by the AEH, will lead to an increased housing inventory for locals who are currently in need of housing stock options. Traditional low income housing is based on limiting occupancy to certain income levels and capping appreciation, and is often applied to a small percentage of new development. The AEH is innovative in that it is less market manipulative, as it only limits occupancy based on employment location, and has a relatively higher set aside fraction.

**Assured Workforce Housing Ordinance** – In 2018 the City, in partnership with Grand County, studied the nexus between new demand for

affordable housing and new development. The City concluded that lodging development was causing demand for affordable housing units, and that there is a deficit of housing units available for occupancy by persons employed in tourism-related occupations. Based on the results of market data, the City adopted an ordinance requiring new lodging development to construct affordable housing units or pay a fee in lieu of construction for the purpose of offsetting the impacts from that type of development.

**Planned Affordable Development** – In 2019, after several years of work, the City adopted this new development type (PAD). The purpose was to provide a voluntary pathway for developers to include a significant fraction (70–80%) of deed restricted affordable housing in new development, by granting incentives in the form of additional density, and no minimum lot size. The density is unlimited, but still within the other constraints dictated by the City code (e.g. setbacks, height limits, etc). PAD is available for use in the higher density R-3 and R-4 zones, and most commercial zones.

**Walnut Lane** – In 2018, the City purchased a 37-unit trailer park, with the intention of providing existing residents with upgraded housing options and to add units to address the City's housing needs. This is the City's first foray into affordable housing development. Although the project has

### Moab City (cont.)

run into a few substantial setbacks, the initiative demonstrates a clear effort on the part of the City to improve and expand affordable housing options within Moab. This project, called Walnut Lane, is currently being reexamined with the potential of a public/private development partnership.

As of April 2023, the City Council motioned to approve to move forward with a pre-development contract with a private developer for the project. This partnership will continue to be explored. If completed, Walnut Lane would provide 80 multi-family units, most for affordable rent prices.

**Accessory Dwelling Units** – The City has allowed accessory dwelling units (ADUs) in most residential zones for many years. In 2021 it revised and expanded the ADU code, in part in response to State mandates, with the intention of facilitating the creation of ADUs, and increasing the likelihood that they would increase workforce housing. Owner occupancy on a lot with an ADU was added as a requirement of some ADU types. A deed restriction against short term renting (less than 30 days) of ADUs was added. A new category of internal ADU (iADU) was defined, created by separating a second living unit in an existing detached home. iADUs may not be rented for a period of less than three months. iADUs are further incentivised via an

option to use modified building code standards for the separation of the units which reduce construction difficulty. Setbacks for detached (“external”) ADUs not exceeding 20’ in height were reduced.

**City Employee Housing** – The small inventory of affordable and market rate housing available at any given time has become an obstacle for City employee recruitment. While the City favors qualified local candidates, recruits for higher level and law enforcement positions are often relocating to Moab. New hires have struggled to find housing after being offered a job. The City has leased a house and purchased a duplex to provide transitional housing for new employees, increase the retention rate, and provide more consistent services through inevitable employee turnover.

**Outside Entity Support** – The City has provided consistent funding to local entities such as those listed in Emergency and Transitional Housing Efforts (below), which provide services to some of the most at-risk populations, which are, or at significant risk of, being un-housed.

## Grand County

In 2022, the County Commission and the Planning Commission prioritized housing issues, developing a list of the top three housing-related initiatives to pursue, and began executing the work plan through policy changes and planning.

The Planning and Zoning office is currently working on updating the General Plan Land Use Element, which includes drafting a new Future Land Use Map (FLUM) to replace the 2012 FLUM. The updated FLUM emphasizes addressing the lack of housing opportunities across the entire housing affordability continuum, specifically with regard to multifamily, higher density housing. Five workshops were held in 2022 and 2023 to gather public input on future land use designations and preferences for where higher density or mixed use developments could be considered.

**Alternative Dwelling Overlay** – In late 2022, the County Commission adopted an ordinance approving the Alternative Dwelling Overlay (ADO) pilot program, a tool that aims to increase long-term rental opportunities for the local workforce who live in non-traditional housing situations, including residing in campervans, trailers, RVs or tiny homes—either out of choice or necessity. This style of residence is historically common in the Moab area, but has received little permanent designation. This overlay is an effective tool to provide stable, safe, and hygienic long-term rental options for the many local workers who already

rely on nontraditional housing in Grand County while working and living here, especially seasonally. The first 150 units are being developed by various land owners with individual water and sewer hookups, and initial lots will be available for long-term local workers in the fall of 2023.

**High Density Housing Overlay** – Still in progress of unit development, the High Density Housing Overlay (HDHO) is a voluntary rezone that was offered by Grand County in certain designated zones that were vetted for potential higher density. This overlay serves as an incentive for developers, in which they receive higher density allowances in rural zones in exchange for 80% of their units to be owner-occupancy deed restricted for working Grand County residents, defined as Actively Employed Households. This is a twofold approach to achieving more workforce housing; the overlay allows for more units in generally rural zoning, as well as limiting the sale and occupancy of the units specifically for the local community. As of early 2023, the effectiveness of this overlay is yet to be determined; only about 40 of the anticipated 300 units are currently occupied. The ordinance has been met with litigation, necessitating change to the language, delays due to COVID, and staff turnover which all contribute to its slow start. Further, discussions have begun to redefine an Actively Employed Household, in order to optimize the use of this ordinance for the local community.

## Affordable Housing Construction and Availability

### **Moab Area Community Land Trust (MACLT) –**

MACLT is a local non-profit community land trust that is developing permanently affordable housing for Moab residents. A community land trust such as MACLT is a shared equity housing model in which the non-profit retains permanent ownership over the land, signing 99-year renewable ground leases with each homeowner, and the homeowner owns the improvements on the land outright (but not the land itself). This model allows the nonprofit to utilize resale formulas and other restrictions to ensure permanent affordability for generations to come and retains public subsidy infused at the initial development or purchase of the unit.

In 2018, MACLT received a donation of 43 acres of raw land in Spanish Valley to develop its first project, the Arroyo Crossing subdivision. Once complete, Arroyo Crossing will host 300 units composed of single-family homes, apartments, duplexes, townhomes, cottages, and neighborhood commercial amenities. All units at the subdivision are deed restricted for households who live and work in the Moab area, do not own other real property, and earn at or below 120% of the Area Median Income; at least 50% of the units are restricted to households that earn under 80% of the Area Median Income.

Arroyo Crossing is a unique project in the Moab area because it leverages donated land, New Market Tax Credits, and grant funding from Grand County to provide deeply subsidized lots to developers such as Community Rebuilds and the

Housing Authority of Southeastern Utah; in return, developers further leverage subsidy programs such as the USDA Mutual Self Help program, Low-Income Housing Tax Credits, or other sources to create truly affordable units for Moab residents. It is an inspirational example of a public-private partnership, efficient stacking of public subsidy to develop low-cost homes, permanent subsidy retention, and collaboration amongst many local and regional partners.

**Community Rebuilds (CR) –** This affordable housing non-profit organization utilizes 502-direct loans for homeowners and 523 grants for organization funding, both administered by the USDA to construct modest and affordable single-family homes with an emphasis on healthy, sustainable, and high-performance building techniques. The Mutual Self-Help program in which CR utilizes is funded through the USDA 523 grant, and homeowners are able to participate in this homeownership program using USDA 502-direct loans. The 502 loans enable eligible households to contribute “sweat equity” towards the construction of their homes in exchange for low-interest rates, loan repayment subsidies, and home equity. At the end of 2022, CR has constructed 48 affordable homes in Grand County since beginning building in 2010. Beginning in 2017, CR has created and implemented primary residency deed restrictions on newly constructed homes. Deed restrictions are critical for preserving long-term housing affordability.

## Affordable Housing Construction and Availability (cont.)

### Housing Authority of Southeastern Utah (HASU)

– This organization oversees various affordable housing development programs such as Mutual Self Help (MSH) program and CROWN Rent to Own housing. HASU has developed three affordable housing complexes in Moab using Low Income Housing Tax Credits, totaling 108 units of townhomes and apartments; Cinema Court Apartments, Wingate Village Townhomes, and MAPS Senior Living Center. Additionally, Grand County was awarded a \$300,000 grant in the spring of 2022 which has been put towards a new 32-unit affordable housing apartment complex that HASU is developing at Arroyo Crossing, also using LIHTC funds. HASU has produced the greatest number of housing units of affordable housing in Grand and San Juan Counties since its inception in 1994. As of January 2023, 160 homes have been constructed through HASU's Mutual Self Help program.

The Housing Authority of Southeastern Utah also administers Section 8 vouchers, which is a federal governmental assistance program that helps very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Applicant households must earn 50% or less than the county's Area Median Income and the voucher functions as a housing subsidy that is paid to the landlord directly on behalf of the participating family, while the family then only pays up to 30% of their monthly income in rent.

The HUD Fair Market Rent (FMR) Values (see table below) are used to establish the Section 8 rental vouchers; for example in 2022, the FMR for a one-bedroom home was \$632, and for a three-bedroom home was \$1,182. Very few units in Grand County are available for rent at rates that enable the usage of Section 8 vouchers, making it challenging for program participants to find and secure housing, even if they qualify for the vouchers.

Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
\$568	\$632	\$832	\$1,182	\$1,383

Table 8. HUD Fair Market Rents by Unit Bedrooms for Grand County, 2022  
DATA SOURCE: DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 2022

## Emergency and Transitional Housing Efforts

In addition to the well-documented housing crisis and low inventory of affordable housing, there is also a lack of emergency shelter and transitional housing in Moab and the surrounding areas. This is exacerbated by rising social crises that intersect with housing instability, such as substance use disorder, domestic violence, and mental health disorders, among other factors.

Currently, Moab does not have a homeless shelter.

**Seekhaven Family Crisis and Resource Center** has an eight-person emergency shelter available to female and adolescents who have experienced domestic violence and/or sexual assault within the past 30 days. Offsite shelter is available to males in emergency domestic violence situations. Individuals must be screened for eligibility before being approved for emergency shelter.

- In 2022, Seekhaven provided 109 emergency shelter stays between 90 people (42 of which were children).
  - Total of 3085 shelter nights
- In 2022, Seekhaven provided \$106,733 in transition assistance.

Other short-term, emergency services in Moab include the **Moab Valley Multicultural Center (MVMC)**, which often has resources for emergency housing or rental assistance in the form of hotel/motel vouchers provided by the State Office of Homeless Services and the Wells Fargo Foundation. MVMC also provides drop-in services for people experiencing homelessness, including hygiene items, clothing vouchers, food, and case management.

**Moab Solutions** is a non-profit organization that provides services for individuals experiencing homelessness or at risk of homelessness while also promoting environmental stewardship and zero waste practices. They run an emergency needs fund, assist and mediate on calls with local law enforcement, work with MVMC and other area nonprofits to provide emergency housing and support when possible, and conduct street-level outreach to work with members of local encampments to keep their spaces clean and help them attain treatment, housing, or a greater sense of stability.

In order to take on the housing crisis and address homelessness in Moab, the **Grand County Local Homeless Council (LHC)** was created in 2005.

In 2019, the LHC became better established within the community and better aligned with State goals and requirements. Its mission is to connect individuals to services to better address homelessness in our community. Its strategic goals are to: increase the inventory of emergency, short-term, and transitional housing; create a community-wide protocol for Coordinated Entry; and increase awareness, funding, and participation in solutions for homelessness in Grand County.

Composed of over 40 members of the community and growing, as of 2022, the LHC has:

- Approved homeless set-aside units at the planned HASU multi-family apartments coming 2024 at Arroyo Crossing.
- Conducted personal meetings with local lodging partners to establish MOUs for emergency shelter.
- Created and maintained an updated list of the nearest shelters in Colorado, Salt Lake City, and St. George areas.
- Initiated Project SOL (Safe Outdoor Living), a community stock of items crucial to living outdoors safely when housing and shelter are not available.
- Established a community-wide protocol for Coordinated Entry to increase and standardize data collection on the number of people who are experiencing or at-risk of homelessness. Five participating community organizations report their data on a monthly basis.
- Conduct annual Point-in-Time (PIT) counts on behalf of the federal government to better gauge the number of people experiencing homelessness at any one time.
- Worked with the Moab Area Housing Task Force to establish a housing resource website, [www.moabhousing.com](http://www.moabhousing.com), to serve as a one stop shop for housing availability and resources for housing crises.
- Identified partnerships and liaisons with community-wide housing efforts including the Moab Area Community Land Trust (MACLT) and the Moab Area Housing Task Force (MAHTF).

# HOUSING NEEDS ANALYSIS

The housing challenge in Grand County is a compound of multiple factors. On one axis, the relative affordability of housing for locals in Moab is shrinking due to Grand County's household income remaining low and stagnant, yet housing costs rising due to external market demands. On another axis, the condition and availability of the existing housing supply is limited and cannot keep pace with local needs for lower-cost housing options, nor outside market demands. The imbalances of these factors will continue to be exacerbated by climate change, and restrictive land use and zoning regulation will have drastic impacts on the availability and affordability of workforce housing. Even more challenging is securing stable housing for at-risk populations. This section outlines the ways in which these factors are contributing to the housing crisis, and concludes with estimates for future housing needs in the community generated by a model based on current population and development trends.

## Key Takeaways

- Out of 90 surveyed Grand County employers, 76.7% reported having lost employees due to the housing shortage, and 88.9% have experienced some or considerable difficulty fully staffing their companies and growing their business due to the lack of affordable workforce housing.
- Land and housing prices are sharply increasing, reaching an average home value of \$494,537 in 2021. This price has been rising at an average rate of 10.56% each year between 2015 and 2021. In 2022, the median sale price rose to \$625,000.
- According to 2021 data, a household must make an annual income of \$147,746 in order to afford to purchase a home in Grand County. The current average income of a Grand County individual is \$40,056.
- In 2021, 36% of the County's total households were cost-burdened, meaning they spent more than 30% of their total income on housing expenses; of households that make less than \$50,000 annually, 65% were cost-burdened, and 50% of all households that rent their home were cost-burdened.
- In 2021, 19.3% of Grand County's total housing stock consisted of Short-Term Rentals.
- Housing inventory and development in Grand County are impacted by environmental and climatic constraints, including water availability, flooding, extreme heat, and wildfires.
- According to the Housing Needs Projections model:
  - By 2030, 949 new housing units will be needed. By 2050, this demand will rise to 3,728 new units.
  - Of these new units, 74% must cater to households with an annual income of less than \$75,000, with the highest demand being for households that make less than \$25,000 annually (24%).
  - Demand for new rental units accounts for 27% of the total new units needed, while owner-occupied units account for 55%. The final 18% of new housing stock will likely remain vacant, consistent with current trends.

## Workforce Housing

Hotels, commercial campgrounds, recreational outfitters, restaurants, and retail stores create the largest block of demand for seasonal workforce housing. Businesses in these tourism-related industries have experienced the greatest challenges in employee recruitment and retention due to the lack of affordable housing, and their employees are often at elevated risk of housing insecurity and homelessness. However, in recent years, employers outside of the tourism industry have also been facing the difficulty of employee retention, housing insecurity, and business growth due to lack of housing options.

In 2022, the Moab Area Housing Task Force conducted a county-wide survey to gain insight into the top concerns and needs for area employers in terms of housing for the viability of their employees and businesses. Surveys were distributed through the Chamber of Commerce network in February and November of 2022, and in total received 90 responses. Respondents included hotels, recreation outfitters, non-profit organizations, retail, restaurants, healthcare, and others—all of which represent a broad range of

full-time, part-time, seasonal, and year-round employees. The results of this survey reinforce the link between the necessity of workforce housing and economic development.

As a result of the stresses from the lack of employee housing, employers are beginning to invest in creating their own housing options for employees through a variety of avenues, including: renting out homes, building shared housing, or providing housing stipends to offset the expenses of the limited housing market. Clearly, there is an undeniable link between housing and economic development. The need for workforce housing is now impacting all Moab area employees—not just in the tourism-based industry—such as those working in the local government, first responders, teachers, public lands workers, scientists and more, limiting some of the potential for business and economic growth throughout the community.

Sources: Moab Area Housing Task Force, Moab Chamber of Commerce

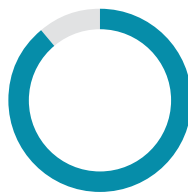
### Data Analysis:

- 69 out of 90 surveyed employers (76.7%) reported having lost employees due to the housing shortage.
- 80 out of 90 surveyed employers (88.9%) have experienced some or considerable difficulty fully staffing their companies and growing their business due to the lack of affordable workforce housing.
- 71 out of 90 surveyed employers (78.9%) have faced some or considerable issues with the amount of time it takes for employees to secure housing.



**76.7%**

of employers lost employees due to the housing crisis



**88.9%**

of employers have experienced some or considerable difficulty fully staffing their companies



**78.9%**

of employers have faced some or considerable issues with the amount of time it takes to secure housing

- Approximately one quarter of surveyed employers provide some form of housing for their employees, however only a select few house all of their employees.
- Respondents indicated that in the past, seasonal staff have lived primarily in shared housing with friends or family, tents or vehicle camping, or in RV parks.
- The majority of respondents indicated interest in developing or renting workforce housing units for their employees. The most popular forms of potential workforce housing units were apartments, tiny homes, and RV parks. Other ideas included dormitory-style housing, on-site housing, and bunkhouses.

## Affordability Gap

An affordability gap is the difference between the average sales or rental price of a home in the area and the actual amount that a household can afford, without spending more than 30% of their monthly gross income on housing costs. The affordability gap is critical to examine when discussing the lack of attainable housing, being that the gap is especially pronounced in Grand County. This is in large part due to low wages which limit homeownership options or market rate rentals for many households. High market housing costs also continue to widen the affordability gap.

	2015	2019	2021
<b>Average Annual Worker Wage</b>	<b>\$30,780</b>	<b>\$34,956</b>	<b>\$40,056</b>
Average Hourly Rate	\$14.80	\$16.81	\$19.26
<b>Median Home Value</b>	<b>\$278,874</b>	<b>\$384,121</b>	<b>\$494,537</b>
Affordable Hourly Wage	\$36.54	\$48.27	\$71.03
# Workers Req. to be Affordable	2.47	2.87	3.69
% of income spent on housing based on average worker wage	74%	86%	111%
<b>HUD Fair Market Rental Rate (3BR)<sup>1</sup></b>	<b>\$1,115</b>	<b>\$1,112</b>	<b>\$1,159</b>
Affordable Hourly Wage (HUD)	\$21.44	\$21.38	\$22.29
# Workers Req. to be Affordable (HUD)	1.45	1.27	1.16
% of income spent on housing based on average worker wage	43%	38%	35%
<b>What's for Rent Wednesday<sup>2</sup> Average (3 BR) rental rate</b>	<b>N/A</b>	<b>N/A</b>	<b>\$2,125</b>
Affordable Hourly Wage (WFRW)			\$40.85
# Workers Req. to be Affordable (WFRW)			2.12
% of income spent on housing based on average worker wage			64%

Table 9. Wages and Housing Costs for a Grand County Worker, 2015-2021  
DATA SOURCES: US CENSUS BUREAU, UTAH DEPARTMENT OF WORKFORCE SERVICES, HOUSING AUTHORITY OF SOUTHEASTERN UTAH

<sup>1</sup> HUD Fair Market Rates "represent the cost to rent a moderately-priced dwelling unit in the local housing market," and are calculated by the federal entity using various statistics and models of similar-sized rural towns. However, due to the unique resort-nature of Moab, the fair market rate calculated by HUD is not reflective of Moab's situation.

<sup>2</sup> What's for Rent Wednesday is a public document maintained by the Housing Authority of Southeastern Utah, which compiles private rental listings available in the Moab area. Listings above a specific price point, which would be considered unsustainable for many community members and users of this document, are not included in the weekly posting. So, while it does not reflect all of the rental availability in Moab, it creates a gauge of general market rental rates.

### Affordability Gap (cont.)

Affordable hourly wages are calculated based on the median home value of that year and assumes a 30-year mortgage with a 10% down payment, 2% PMI, and interest rate reflective of that year. Additionally, this calculation assumes \$1,000 in annual property tax, \$600 in property insurance, and \$1,800 in annual utilities. For 2021, the annual affordable ownership wage was \$147,746, based on a median home value of \$494,537 and a 6% interest rate. Assuming that an individual works 40 hours a week and 52 weeks a year, they must make at least \$71.03 per hour to single-handedly be able to afford to purchase a house and ensure

that housing costs account for no more than 30% of their total income.

In addition to the steep but realistic monthly rental costs above, the supply of long-term units in Grand County is limited. Lack of supply leaves households with the burden of higher rental costs than they can reasonably afford for long periods of time. This is coupled with households' limited ability to find a rental unit that fits all needs and desires of a household for optimal safety, stability and comfort.

### Data Analysis:

- Based on the 2021 average annual wage and median home values, a household would need more than three full-time workers (3.69) contributing to housing costs in order to make homeownership affordable.
- The median home price value has increased by \$215,663 between 2015 and 2021; a 77% increase.
- More than one full-time worker (1.16) contributing to rental costs is needed in order to afford to rent a three-bedroom apartment at HUD Fair Market Rate—a rate which is generally less expensive than actual rental costs in the Moab area.
- Projections from the Housing Authority's What's For Rent Wednesday document identify that a household must make over \$40 per hour in order to afford the average three bedroom rental property in Grand County.

### Actual vs. Affordable Homeownership Hourly Wages

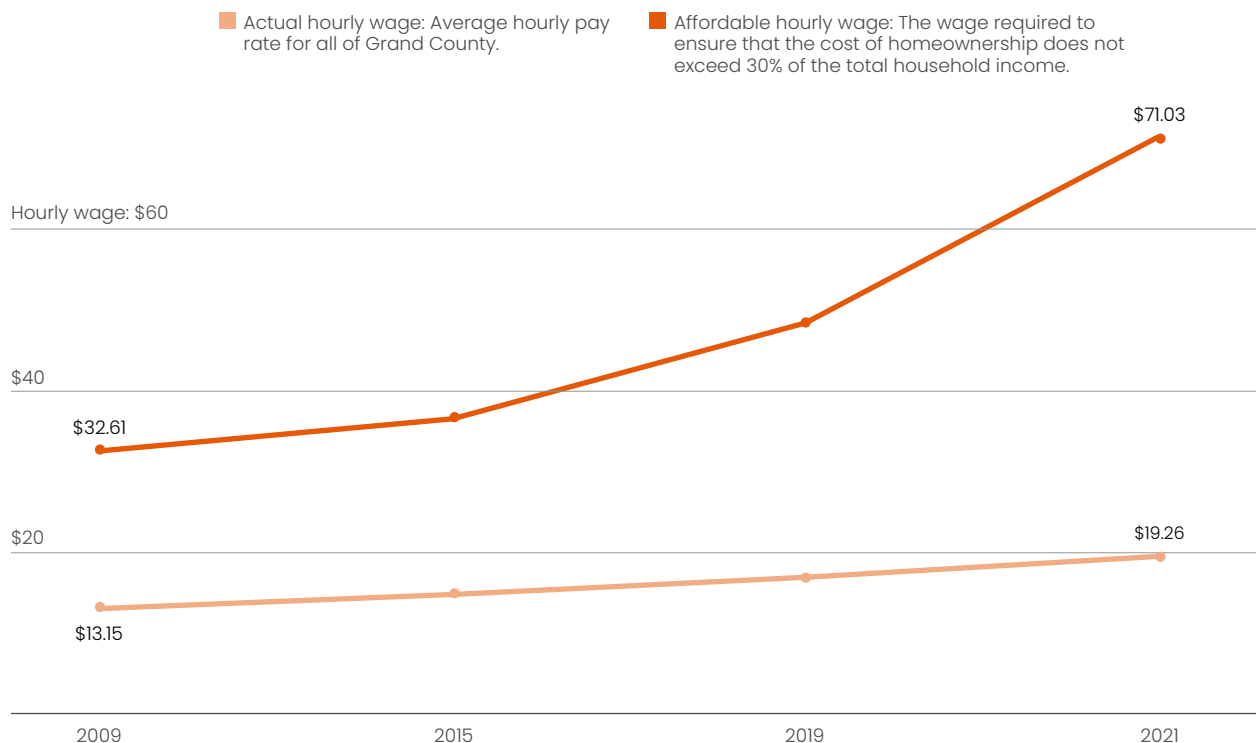


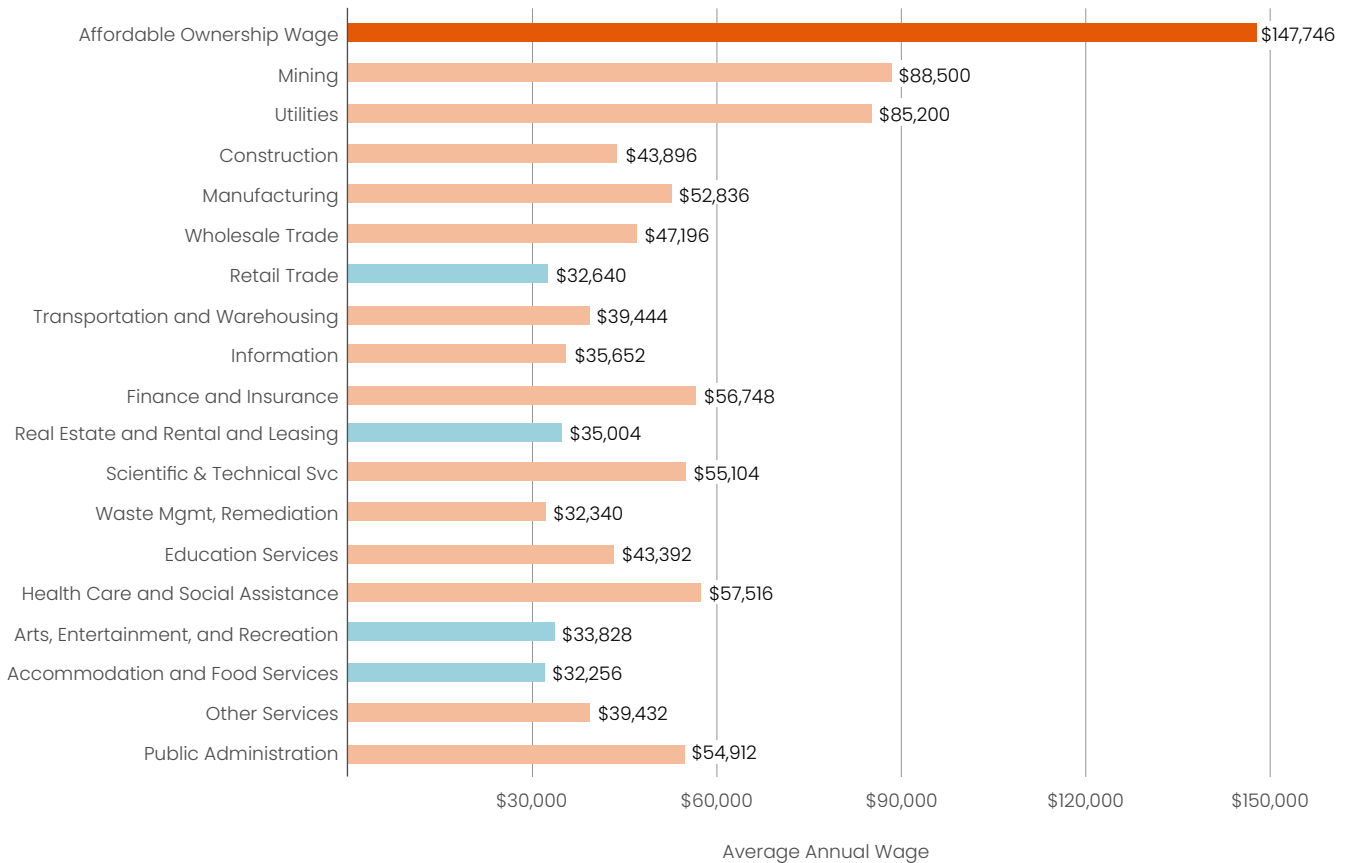
Chart 13. Actual and Affordable Homeownership Wages, 2009-2021  
SOURCE: US CENSUS BUREAU, UTAH DEPARTMENT OF WORKFORCE SERVICES

### Affordability Gap (cont.)

The average annual wage for all industries in 2021 was \$40,056, more than three times lower than the annual household income needed to make homeownership affordable, at \$147,746. Travel and tourism related employment accounted for 57% of all 2021 employment in Grand County. However, the average annual wage for these jobs was only \$32,640.

#### 2021 Industry Wages and Affordability

- Affordable Ownership Wage: Based on current housing markets, a household must earn \$147,746 to afford the median home value of \$494,537.
- Tourism-Related Industries include Accommodations and Food Services; Retail Trade; Arts, Entertainment & Recreation; and Real Estate, Rental & Leasing.



\*\*\*These statistics assume that an individual is only working one job at a time in one industry

Chart 14. Industry Wages and Affordability, 2021  
 DATA SOURCE: UTAH DEPARTMENT OF WORKFORCE SERVICES (2021)

### Affordability Gap (cont.)

As the average home value in Grand County was \$494,537 in 2021, a household must make at least \$147,746 annually in order to be able to afford to purchase a home under current mortgage interest rates (modeled at 6%). Chart 9 provides four household scenarios representing workers earning the average wage for their industry, and demonstrates the affordability gap between average wages and the wages required to purchase the average priced home in Grand County in 2021.

For example, a household made up of four food service and accommodations employees working full-time jobs would not make enough income to be able to afford to purchase a home. Likewise, a household with one member working in education and one member working in scientific and technical services would only make a combined income of \$98,496—not nearly enough to afford to purchase a home.

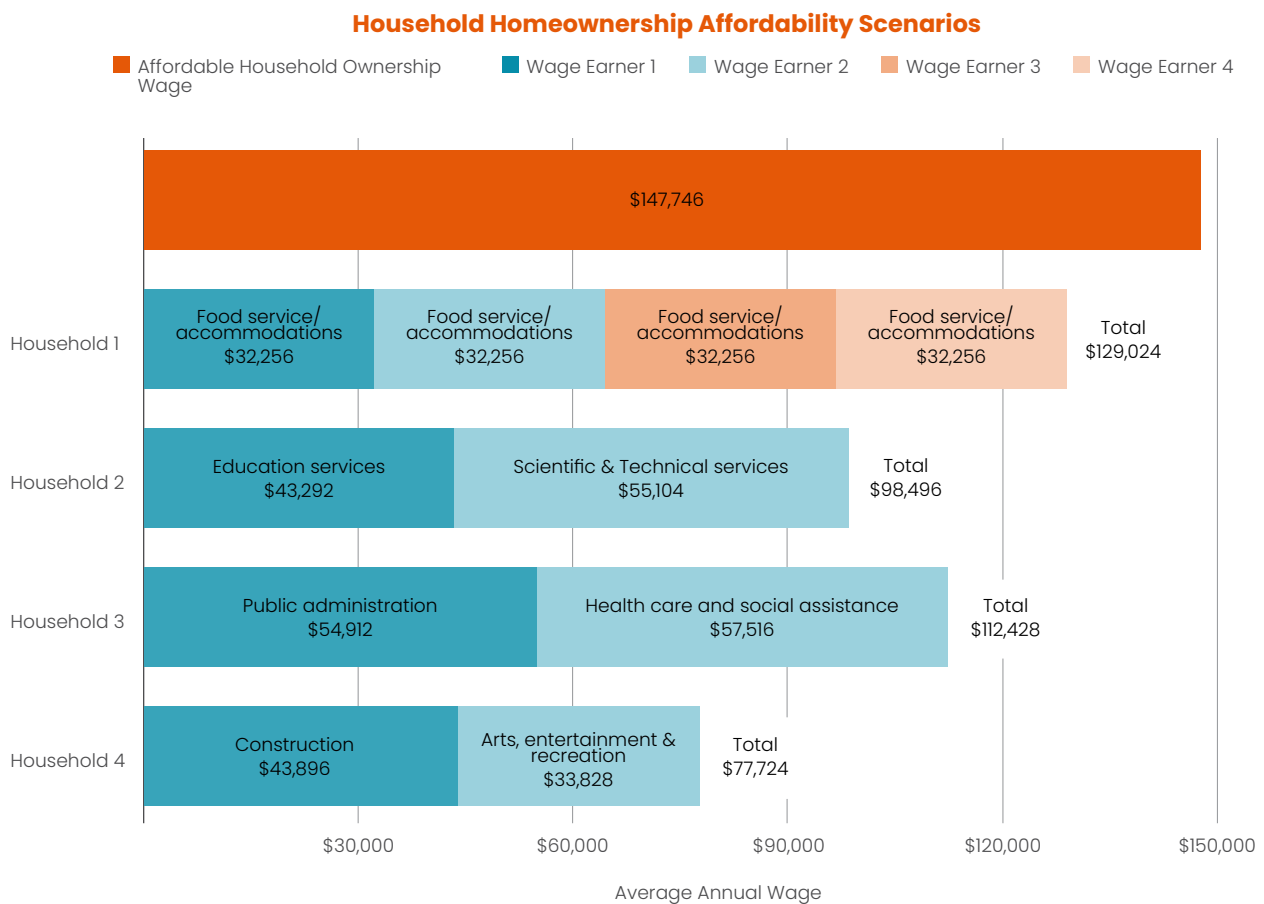


Chart 15. Household Homeownership Affordability Scenarios  
DATA SOURCE: UTAH DEPARTMENT OF WORKFORCE SERVICES (2021)

### Affordability Gap (cont.)

As previously mentioned, the standard rule of thumb for housing affordability is that total housing costs do not exceed 30% of a household’s total income. If a household spends more than 30% of its income on housing costs, including mortgage or rent, taxes, insurance, utilities, and other relevant fees, it is considered “cost-burdened.” Of the total 4,176 households included in the 2021 Census in Grand County, 36% were cost-burdened (1,503 households).

However, the proportion of households that are cost-burdened varies widely based on total annual household income<sup>3</sup>:

- 85.3% of households that make less than \$20,000 are cost-burdened
- 64.7% of households that make \$20,000 - \$35,000 are cost-burdened
- 46.4% of households that make \$35,000 - \$50,000 are cost-burdened
- 14.7% of households that make \$50,000 - \$75,000 are cost-burdened
- 4.2% of households that make more than \$75,000 are cost-burdened

### Share of Income Spent on Housing by Income Bracket

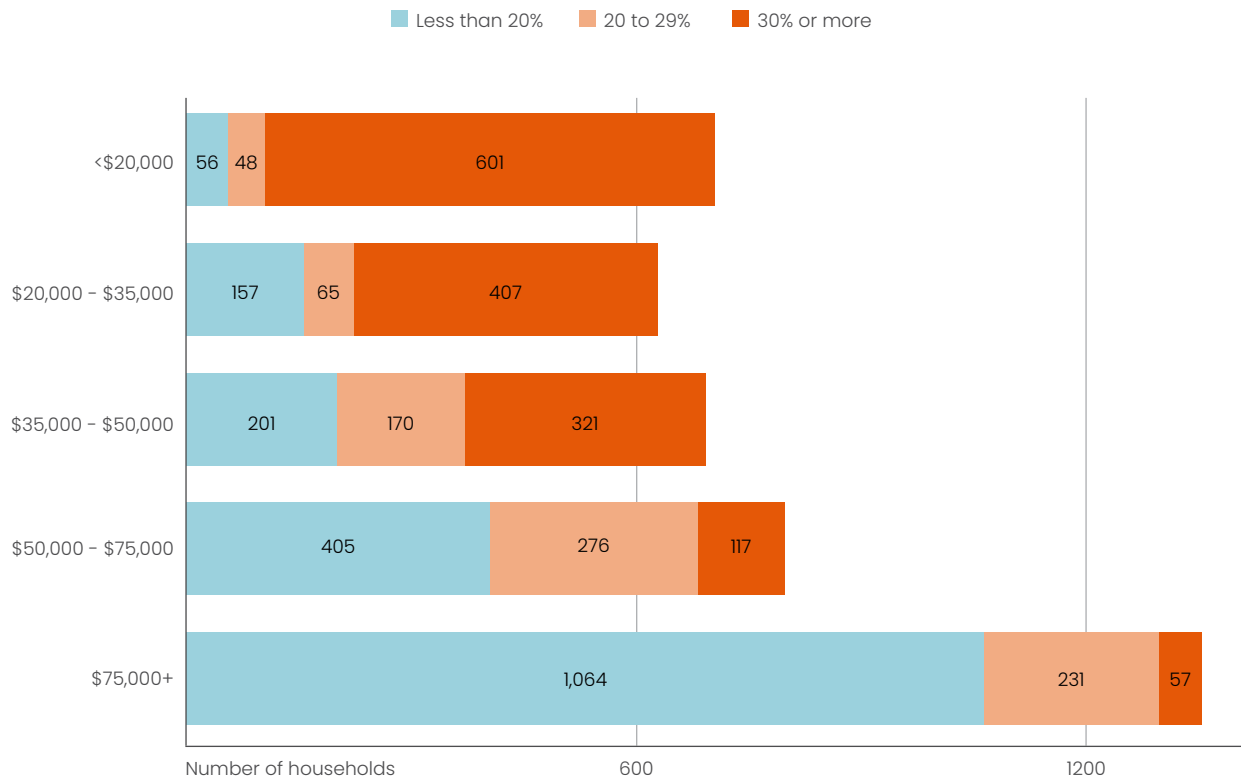


Chart 16. Cost-Burdened Households by Income Bracket  
DATA SOURCE: US CENSUS, 2021

<sup>3</sup> 4,271 total households are included in the 2021 Census, yet 16 have zero or negative income, and 79 have no cash rent, and are thus excluded from the cost-burdened analysis.

### Affordability Gap (cont.)

This breakdown of cost-burden based on income brackets indicates how high housing costs impact lower-income households, especially those that make less than \$50,000 annually—65.6% of which are cost-burdened.

The breakdown of different types of housing occupants—renters, and homeowners with and without mortgages—and how much they spend on housing can also be analyzed to see the current, and long term correlation of housing costs, occupancy type, and income:

- 50% of renters spend more than 30% of their annual income on housing costs, while 19.5% spend less than 20% of their annual income on housing costs.
- 43.5% of homeowners with a current mortgage spend more than 30% of their annual income on housing costs, while 36% spend less than 20% of their annual income on housing costs.
- Only 12.4% of homeowners without a current mortgage spend more than 30% of their annual income on housing costs, while 83% spend less than 20% of their annual income on housing costs.

As the typical mortgage loan payment period is 30 years, those without a mortgage likely purchased their home before 2000 when housing prices in Moab were considerably lower, or they had enough capital to pursue a shorter mortgage period. While ongoing maintenance contributes to housing costs, the lack of a monthly mortgage payment means that only a small proportion of homeowners (12.4%) are cost-burdened.

Homeowners with a current mortgage are significantly more cost-burdened (43.5%),

indicating how the housing market in Grand County has changed in the past several decades. Increased housing prices and mortgage interest rates lead many households to spend more than 30% of their total income on housing costs, even if they may make more than the Area Median Income.

Renters have fewer ongoing housing costs aside from their monthly rent payments, but typically have lower annual income, which drives up the percentage of those experiencing a cost burden from their rental payments. As the area is also experiencing higher-than-manageable rental rates and a limited stock of long term rental options, half of all households who rent their homes spend more than 30% of their annual income on housing costs.

One solution to remedying cost-burdened households is through the development of diverse housing types. This helps to provide different options at various prices that are fitting for a wide breadth of income levels. Single-family homes and luxury townhomes tend to be the most expensive to construct yet house the fewest number of people, which leads to higher-income individuals most able to obtain them. Lower cost options include condominiums, multi-family complexes, and compound homes such as 3- or 4-plexes. These also tend to be available as long-term rentals for those who do not want to or are unable to purchase a unit. Housing stock diversity that targets various income levels should be developed both by private developers as well as non-profits such as HASU and Community Rebuilds.

Sources: US Census 2021, Utah Department of Workforce Services 2021

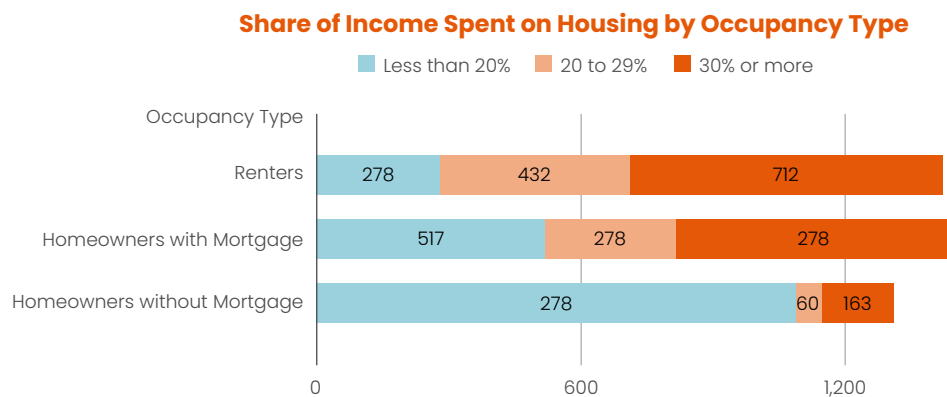


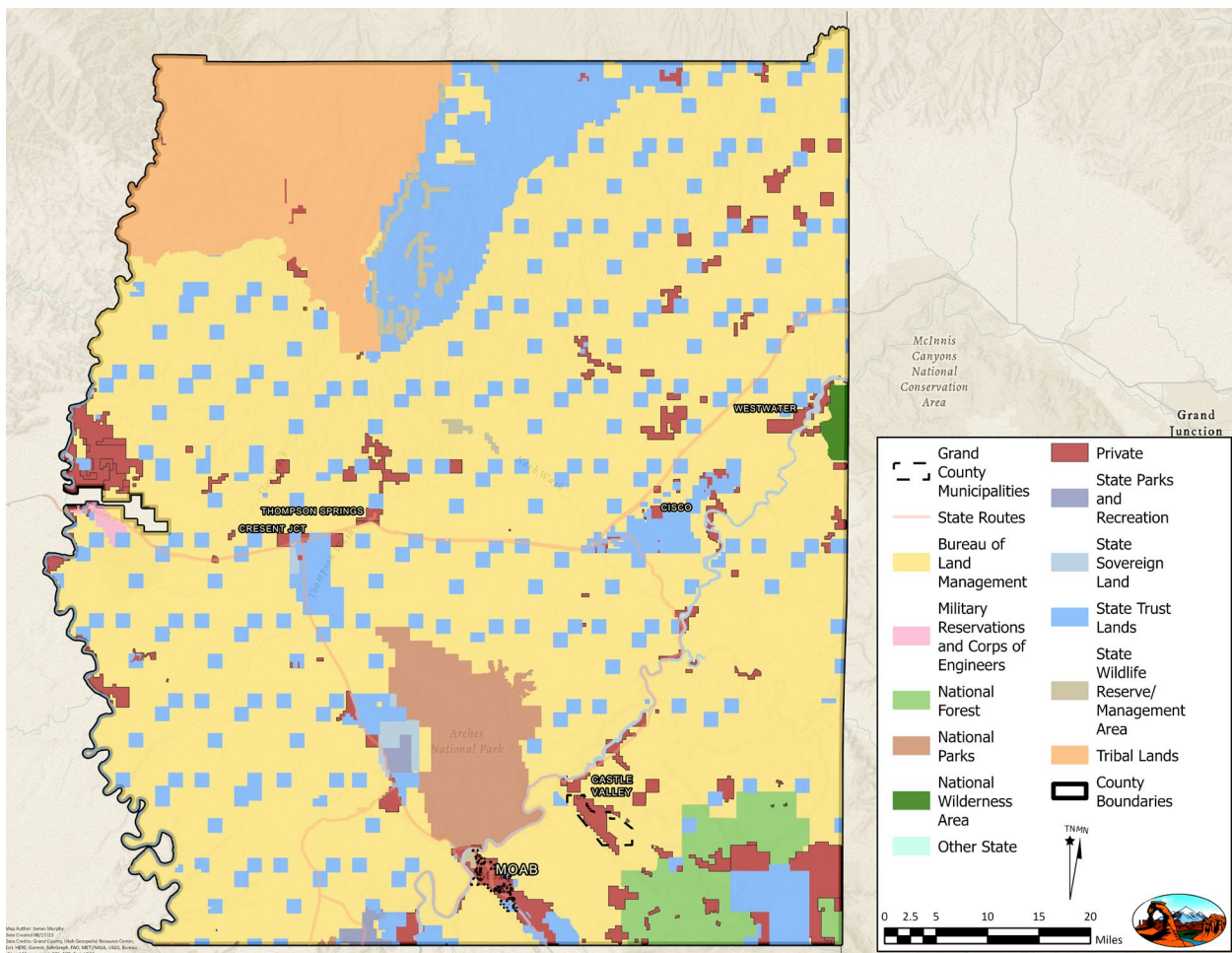
Chart 17: Cost-Burdened Homes by Occupancy Type  
DATA SOURCE: US CENSUS 2021

## External Market Demand

Demands from the external market continue to put stress on the capacity for supply in Grand County. However, the county is in a unique position due to its natural constraints of the geography that limits the amount of growth available. Private, developable land in Grand County continues to be scarce both in area and because of the lack of sustainable water sources.

Only 18% (670 sq. mi) of the County's total land is developable—either private land (4%, 161 sq. mi) or Utah School and Institutional Trust Lands

Administration (SITLA) land (14%, 509 sq. mi). A large portion of the available land in the Moab area has already been developed, leaving little remaining to expand. Furthermore, the lack of water accessibility poses a tremendous challenge of how to strategically and sustainably keep up with development demands, both for the regular and affordable housing markets. This causes the cost of land to be very expensive, and is a major impediment to the construction of affordable housing.



Map 1. Land Ownership of Grand County: Federal, State, and Private  
 DATA SOURCE: GRAND COUNTY GIS DATA, 2023

**External Market Demand (cont.)**

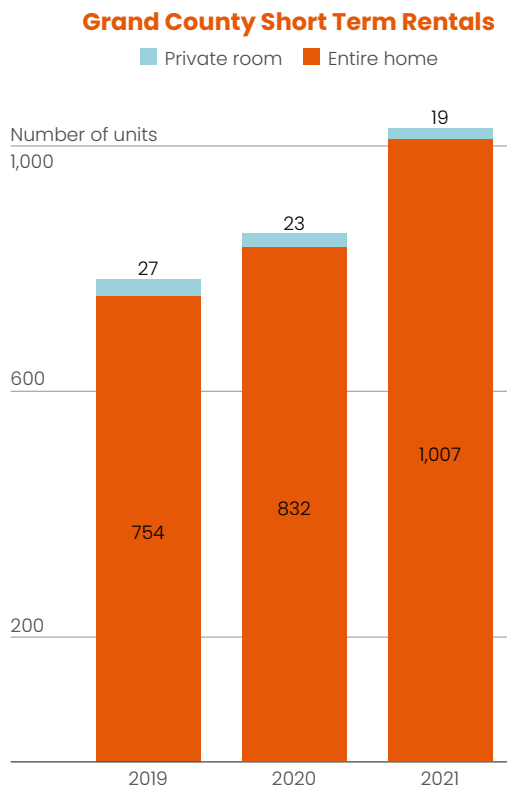
External market demand continues to increase housing prices and limit or reduce the inventory of affordable and workforce housing stock. Grand County is a desirable housing market for individuals and investment firms located around the world—a trend which has also been exacerbated by the COVID-19 pandemic and the shift to remote work and flexible living options.

Consequently, the local housing market has experienced increased external market demand for second/seasonal homes, short-term rentals, retirement homes, and general investment properties. External market real estate purchasers have the ability to and typically do bid at higher home purchase prices than those supported by prevailing wages in the local market. Each home sold at an increased price reduces the quantity of housing that otherwise could be sold to the local market at its particular need and price point, and increases the sales price of all housing in the inventory.

A Short-Term Rental (STR) is defined as a residential unit being used for less than 30 days as a rental. Conversely, an Overnight Accommodation (OA) is a unit in a commercial zoning area such

as a hotel or motel room, also being inhabited by 30 days or less. Both Moab City and Grand County have restrictive measures in place to limit growth of both of these particular types of units. Moab Municipal Code prohibits residential short-term rentals in specific zoning areas, including: A-2, C-1, C-5, FW, I-1, O-1, R&D-1, R-1, R-2, R-3, R-4, RA-1. Grand County only allows STRs and Overnight Accommodations in the specified ‘Overnight Accommodations Overlay’ zone, which is a rezone that must be applied for by a developer and reviewed by the County Commission—making it an arduous and improbable feat to develop additional overnight units.

The STR data that is available within Grand County includes units that are recognized by an official City or County business license, which allows these units to be managed legally for the purpose of a short term rental on markets such as Airbnb or VRBO. It should be noted that the number of total STR units may be higher than the ones counted in this study, if they are operating without an official business license, or being advertised and booked in an alternative fashion that was not recognized in the following Kem C. Gardner report.



**Comparison of Utah County Short Term Rentals by Share of their Total Housing Units, 2020**

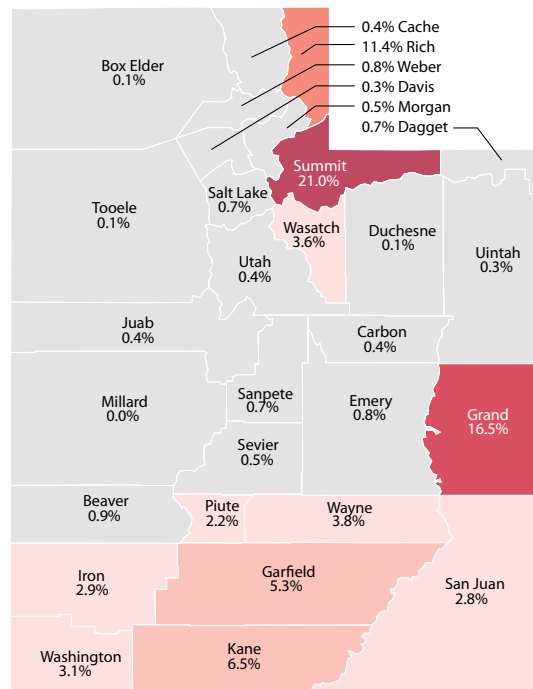


Chart 18: Number of Short Term Rentals in Grand County Over Time and STR Share of Total Housing Units in Utah, 2021  
 DATA SOURCE: KEM C. GARDNER POLICY INSTITUTE, 2022

**External Market Demand (cont.)**

In addition to the construction of new housing units to meet the external market demand, local housing professionals also report that:

- Condominiums and other long-term rental units are being purchased by market investors and converted to short-term rentals for VRBO and Airbnb markets, and
- Single family homes in need of major repairs are purchased, repaired or demolished, and resold at a much higher price.

One measurable indicator of the external market demand for housing in Grand County is the number of overnight or Short Term Rentals (STRs). According to a report by the Kem C. Gardner Policy Institute:

- In 2021, there were 1,026 total STR units in Grand County, 1,007 of which were entire homes, and 19 of which were private rooms.
- There has been a 34% increase in entire home STRs since 2019, while the number of private room STRs has been historically small and shrinking at a similar rate (30% reduction since 2019).
- The share of total housing units listed as STRs in Grand County increased from 16.5% in 2020 to 19.3% in 2021.
- Grand County has the second highest STR percentage of total housing units in the state, second to Summit County at 23.3%. Statewide, STRs account for only 1.6% of total housing units.

## Condition of the Housing Supply

Although existing housing tends to be more affordable than new housing, older units in declining condition are less energy efficient and require more maintenance, which increases overall housing costs. Older homes are also more likely to fall short on important home health and safety measures, and are often characterized by insufficient ventilation, presence of asbestos in building materials, high radon levels, leaky roofs, outdated HVAC equipment, and insufficient insulation that can lead to thermal stress (extreme heat or cold) on residents, especially children and the elderly. Homeowners must choose to either expend additional money to improve energy efficiency and address health and safety concerns, or defer maintenance, which tends to increase costs and the likelihood of more expensive, compounding issues in later years.

Older, substandard housing can also increase rent burden. Renters tend to experience increased rents over time as property owners account for maintenance costs by passing them onto renters. At the extreme, very old units, perhaps some built to substandard qualities, may result in condemnation and demolition, which decreases the total supply of housing.

Unfortunately, Grand County is also underserved by residential retrofit services. For example, there are no locally based insulation contractors, and homeowners often must seek retrofit services from Grand Junction or the Wasatch Front. Households earning below 150% of the federal poverty level and including at least one US citizen may be eligible for energy bill payment assistance through the Utah Home Energy Assistance Target (HEAT) program and for free weatherization and HVAC upgrades through the Southeastern Utah Association of Local Governments (SEUALG), Grand County's Weatherization Assistance Program (WAP) administrator. However, enrollment paperwork for these programs tends to be complicated and burdensome, and waitlists are typically long.

The income eligibility criteria also exclude moderate-income households, who lack the financial resources to self-fund home improvements. Rural communities across the country are known to be underserved by utility- and state-administered energy efficiency programs, and rural households face a 42% higher

energy burden than the national median for all US households.

Of Grand County's 5,161 housing units, 89% were built prior to 2010 and would likely benefit from envelope improvements (for example, added insulation, air sealing, new windows) to increase their energy efficiency, improve residents' comfort, and reduce energy burdens. 41% of Grand County's housing units were built prior to 1980 and are likely to include the types of health and safety concerns described above.

Over 1,000 units, or nearly a fifth of our housing stock, were built during the residential construction boom of the 1970s when construction trends included uninsulated, single-pane windows; wall and attic insulation standards that were half of modern R-value standards; galvanized steel pipes for water and plumbing, which have only a 40-50 year lifespan before corrosion causes leaks and failures; and single-strand aluminum electrical wiring, which is a fire hazard. Manufactured homes account for 15% of the total housing stock, and are a crucial source of affordable housing. However, due to insufficient building standards, manufactured homes are extremely energy inefficient, with energy costs per square foot that are 70% more compared to site-built homes.

No new survey data exists about dilapidated housing, though the increase of new construction coupled with the fact that the percentage of housing stock built before 1980 has decreased from 62.7% in 2015 to 41% in 2021, would suggest that dilapidated housing stock is decreasing. The age of the current Grand County housing inventory is a sound indicator of how the housing stock will continue to shift to newer construction once maintenance and repair costs of existing structures begin to outweigh their worth, causing demolition and newer, more expensive housing to be constructed.

Due to the overall older, poorer condition of the housing supply:

- Many homes at time of sale do not meet loan qualification standards of safety, security and soundness. Wage earners that require a mortgage for home purchase are therefore often excluded from the ability to purchase.
- Aging housing units represent the majority of

<sup>4</sup> See "Age of Housing Inventory" section in Housing Stock Overview for more data on housing stock age.

affordable units in Grand County, but they also require the highest levels of maintenance and utility costs, and may pose serious health and safety concerns to residents.

- Homes in need of major repairs are appealing to an external market investor for cash purchase, remodel or demolition, and resale at a much higher price, removing existing affordable housing options from the housing supply.
- Housing Vouchers issued by the Housing Authority are not fully utilized because the condition of lower cost rental housing units is below HUD's Housing Quality Standards.
- All residents have difficulty accessing retrofit services due to the lack of local contractors. Low-income residents who qualify for free retrofit services face long waitlists for state programs, and moderate-income residents do not qualify for assistance but do not have the financial resources to pay out of pocket. This means that Grand County's older housing stock is not being upgraded at the rate that is needed to ensure healthy, affordable housing for all.

Source: US Census Bureau 2021 ACS 5-Year Estimates

## Environmental and Climate Constraints

Housing development in the Moab area has been restricted by the unique desert valley environment and geography of the region. Steep slopes and water availability constrain the sites which can be economically developed. Floodplains and wildfire risk create less obvious but real long term risks in some of the developable areas. Climate change impacts such as decreased water availability, flooding, extreme heat, and wildfires all contribute to the challenges to increasing and maintaining the total and affordable housing stock in the Moab area, and must be taken into consideration when developing housing policy and strategies.

### Water Availability

There is a limited amount of total water supply in the Moab area. According to a 2019 USGS study of the Spanish Valley aquifers, there is a total of approximately 15,000 acre-feet of groundwater available for use each year. Surface water is

closed to new allocations and according to the Utah Department of Water Rights, less than 10% of groundwater supply is still available for acquisition. However, the available groundwater is of lesser quality than the current source of the domestic water supply and infrastructure to use it as a domestic water supply is not available. The water providers in Spanish Valley have formed a coalition to research means to better use current water sources and consider developing others.

Moab's arid conditions favor affordable development in areas currently served with water systems or with access to established wells, limiting available land area. Water conservation continues to be a concern with development; sustainability incentives such as xeriscape landscaping, low-impact development, and greywater systems should be encouraged for all future housing construction. As climate change and the current multi-decadal drought intensify, the amount of water left to be used in the Moab area has serious implications on the future of development.

### Flooding

As climate change causes extreme shifts in weather and precipitation patterns, the Moab area is experiencing more frequent flooding events, putting homes within the floodplain at higher risk, thus making solutions to building in the floodplain more expensive. The Moab area saw a series of severe floods in 2022, including a 100-year flood in Mill Creek on August 20th. Over 100 homes and businesses self-reported impacts and damage from this flood, which caused millions of dollars in damage and destroyed several homes. Damaging floods are forecast to increase in frequency, putting more homes, businesses, properties, and people at risk if climate change and flood risk projections are not taken into consideration for both existing and new development.

### Extreme heat

Grand County and the Moab area will likely see more days of extreme heat due to climate change. Based on 1961-1990 observed temperatures, Grand County experienced an average of 20 days with a maximum temperature above 95°F each year. By 2050, low-emissions climate models predict that there will be an average of 49 days with a maximum temperature above 95°F, and high-emissions models predict 58 days each year<sup>7</sup>.

<sup>7</sup>The Climate Explorer sources historical data from NOAA's National Centers for Environmental Information, and climate projections from the Coupled Model Intercomparison Project Phase 5 (CMIP5). High-emissions projections represent scenario RCP 8.5 and low-emissions projections represent scenario RCP 4.5. <https://crt-climate-explorer.nemac.org/about/>.

**Extreme heat (cont.)**

Extreme heat of this level and over prolonged periods of time can be damaging to key infrastructure and building materials, lead to higher energy consumption, and can cause extremely dangerous health impacts—in fact, heat causes more deaths per year than any other natural risk. Often, older homes and non-traditional housing options are not built to withstand and protect people from such extreme heat. As such, housing must be constructed and maintained with increased extreme heat risks in mind.

**Wildfires**

Due to increased heat, drought, and changing precipitation patterns, the risk of wildfires in the Moab area will also increase. Several fires have impacted the region in recent years, including the Pack Creek Fire in August 2021, and the Murphy Fire in June 2022. Both fires damaged and destroyed homes—the

Pack Creek Fire lasted for several weeks, destroying several houses and burning approximately 9,000 acres, and the Murphy Fire completely destroyed 6 homes and severely damaged 4 others. Homes and buildings located in the wildland-urban interface will face increased risk as wildfires become more frequent. Adequate planning should be made to protect people, property, and homes from these fires.

Climate change vulnerability and housing insecurity are intrinsically connected issues—increasing access to safe and affordable housing is a necessary step towards individual and community resilience to climate change, and ensuring climate change adaptation and preparedness will in turn protect the current housing stock and all who live in the area.

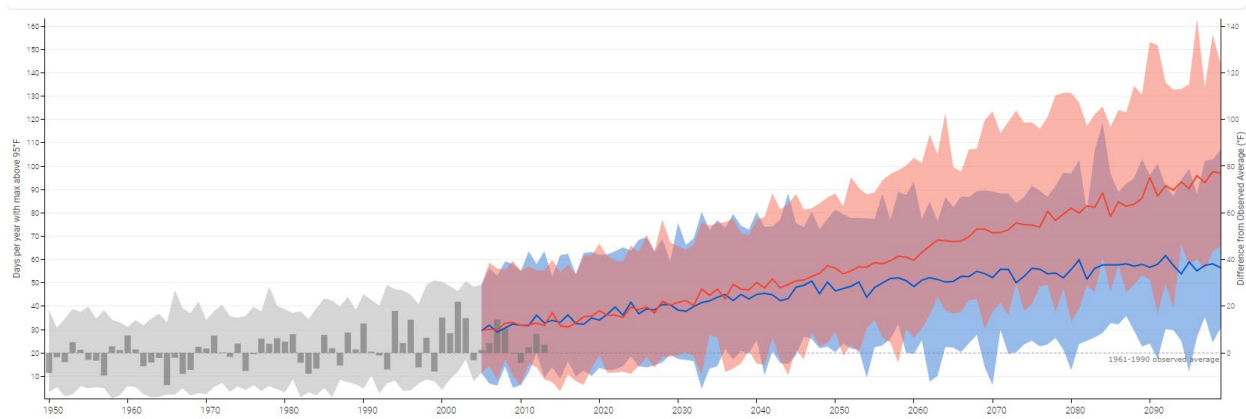


Chart 20. Days per Year with a Maximum Temperature above 95°F in Grand County, UT  
 DATA SOURCE: U.S. CLIMATE RESILIENCE TOOLKIT'S CLIMATE EXPLORER

## Affordable Housing Needs Projections

One fundamental tool of the Moab Area Affordable Housing Plan in both 2017 and 2023 has been the Housing Needs Projections, a method of projecting the baseline number of homes needed to sustain the growing population of Grand County, and how the projected development will need to be tailored to the area's socioeconomic trends.

### Review of 2017 Plan Projections

The 2017 Housing Plan predicted the following housing needs by 2020, based on population, occupancy, housing construction, and income trends:

- Housing unit demand will increase by 316 in 2020 and 1024 by 2030.
- Of the 316,
  - 98 would be renter-occupied and 218 owner-occupied; this ratio would increase to 323 and 701 respectively by 2030
  - 177 for low-income (80% AMI and below); increase to 503 by 2030

Results of Housing Construction 2017 - 2020:

- Between 2017 and 2020, 379 total housing units were constructed in Grand County, surpassing the overall housing construction goal set forth by the 2017 Needs Projections.
- Only 105 of these newly constructed units had any form of deed or occupancy restriction, while the 2017 plan projected a need for 177 low-income (80% AMI and below) housing units.
- The number of entire-home short-term rentals in Grand County increased by 78 between 2019 and 2020 alone. Data is lacking on short-term rentals before 2019, but based on the impacts of tourism in Grand County, it can be inferred that the number of STRs also increased during the years of 2017-2019. STRs directly offset the number of homes available for rent or purchase to local households.
- Qualitative knowledge of several housing developments constructed during this time period indicates that many new homes built catered towards the luxury and second home market, rather than providing housing for low-income or local area households

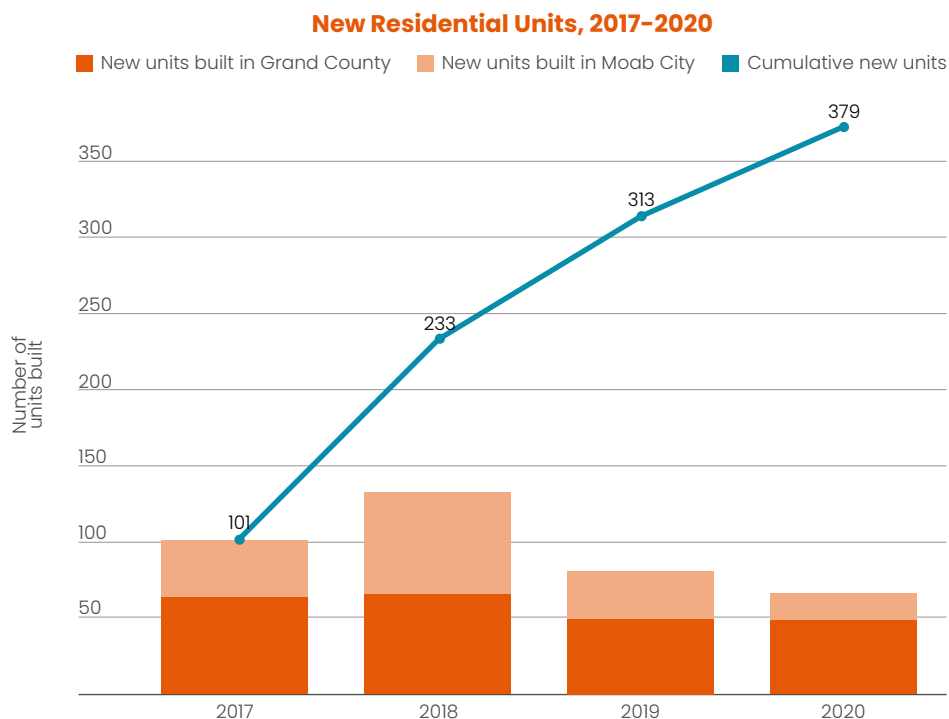


Chart 19. New Residential Units, 2017-2020

DATA SOURCE: 2017 MOAB AREA AFFORDABLE HOUSING PLAN, GRAND COUNTY BUILDING DEPARTMENT

<sup>8</sup> The See External Market Demand for more information on Short-Term Rentals.

## 2023 Plan Projections

The following charts present the results of a specified model used to project future residential, not external market, housing needs in Grand County. It should be noted that models used to forecast future housing demand are only as good as the data and assumptions used to create them. Grand County housing data is lacking in its scope; other than census data, consistent tracking of many data points has not occurred as thoroughly as it should. Therefore, the data influencing the model may not be entirely accurate.

Forecasts also become less reliable as the forecasting period increases. For instance, the model uses recent population trends to forecast future population trends. However, any given year may result in atypical population growth, either lower than estimated or higher than estimated. The model also assumes the share of owner occupied versus renter-occupied housing units remains the same over time. While this assumption has been included to simplify the modeling exercise, national and regional trends suggest the share of renter-occupied housing units is very likely to rise further in the coming decades.

The time period of 2015–2021 was selected to influence the plan projection model because it provides the best average indication of how Grand County's population and housing market have changed following the rise of tourism, which started to peak in 2014 due to the state-led campaigns, the rise in social media documentation of Moab, and increased popularity of short-term rentals. The following assumptions were used to create this housing needs projection model:

- The population will grow at 0.43% per year.
- The total housing stock will continue to grow at an average rate of 1.89% per year (approximately 98 units).
- Owner-occupied versus renter-occupied ratios remain constant overall and within each income

bracket (66.9% owner-occupied, 33.1% renter-occupied)

- The share of households within each income bracket remains constant at the following rates. Note that these averages do not take into account the rapid rise in income due to inflation and other factors associated with the Covid-19 pandemic.
  - 24.0% under \$25,000
  - 10.5% between \$25,000 to \$35,000
  - 17.8% between \$35,000 to \$50,000
  - 21.2% between \$50,000 to \$75,000
  - 10.9% between \$75,000 to \$100,000
  - 11.6% between \$100,000 to \$150,000
  - 4.3% over \$150,000
- The 2021 vacancy rate (17.2%) is used in this model, rather than an average from recent years, due to the steady decline of the vacancy rate since 2017<sup>9</sup>.
- Projections do not include households currently living in Grand County that are cost-burdened.
- Replacement of dilapidated or unacceptable housing units over time is not factored into projected housing demand.
- No consideration is given to housing typologies or variable development costs.

Each of these assumptions can be manipulated to reflect different expectations for Grand County's future. If Grand County continues to mirror the trajectories of similar tourism based economies in the American West, vacancy rates may climb to 40, 50, or even 60 percent, if not higher. Models are inherently limited in predicting the future due to the necessity of making assumptions. In recent years, planning has shifted more towards scenario planning, where decision-makers select a set of policies based on a range of possible future states. Nevertheless, the model provides a useful exercise in understanding future housing demand. The forecasts should be used as a guide for policymaking, and not considered hard predictions.

<sup>9</sup> 2021 data was excluded from this average due to a significant decrease in housing stock between 2020 and 2021, likely due to Census data collection practices.

<sup>10</sup> See the Population and Household Estimates table in Demographic Overview.

### 2023 Plan Projections (cont.)

Using the aforementioned assumptions, the needs projection model indicates that approximately 100 new housing units must be constructed each year between 2021 and 2030 in order to support current population growth and housing market trends. Between 2021 and 2030, it is projected that 949 total new units must be constructed—by 2040, 2,208 total new units—and by 2050, 3,728 total new units.

Further, it is important to explore housing stock needs with regard to affordability at a variety of income brackets. Based on Grand County’s current economic data, the following projections identify how many new housing units will be needed to support households in each income bracket. From these projections, the amount and type of housing units that will be needed for each income bracket can be inferred to ensure adequate housing availability for all households of various income levels.

#### Total New Housing Units Needed, 2022-2030

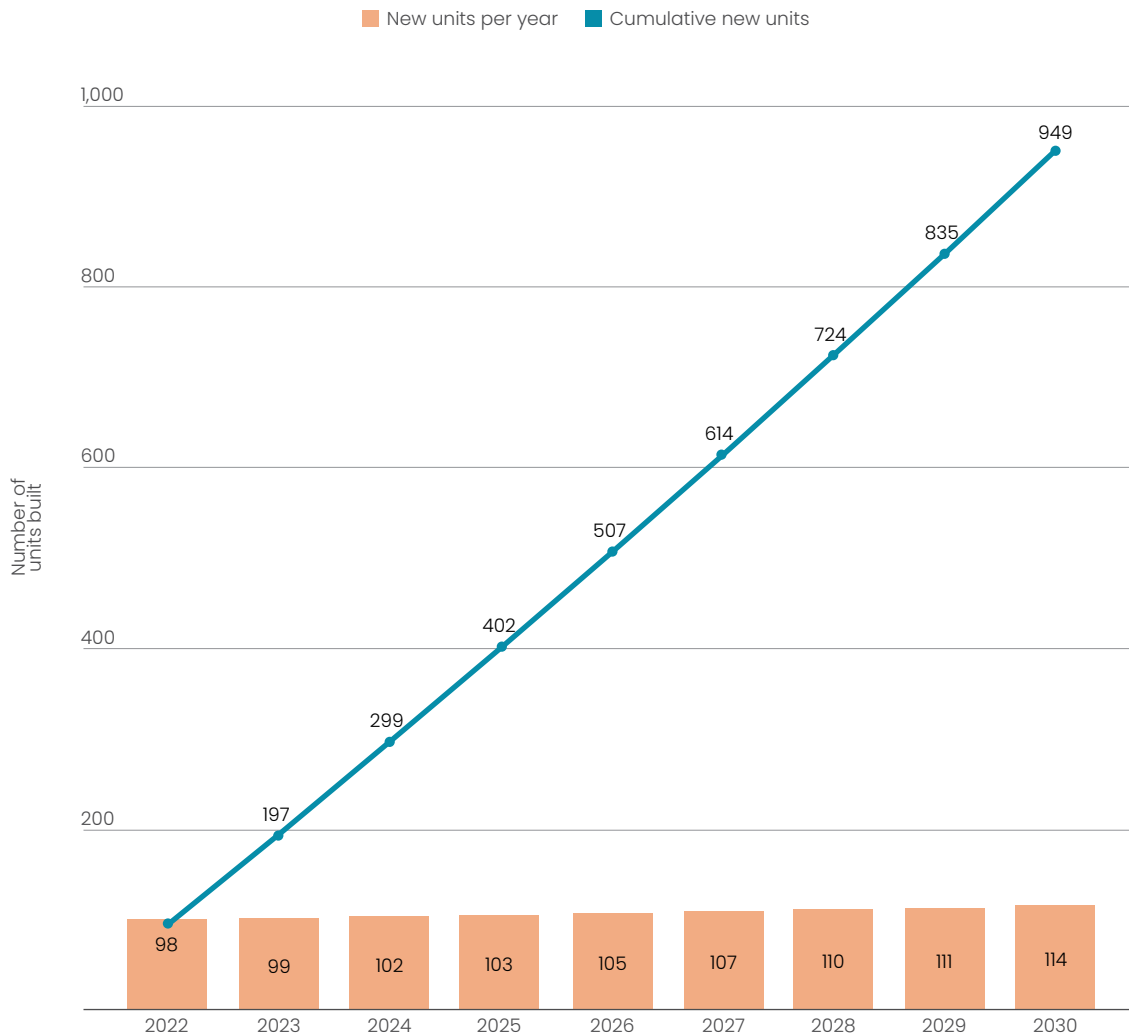


Chart 20. Total New Housing Units Needed Projections 2022-2030  
DATA SOURCE: US CENSUS, 2021

### 2023 Plan Projections (cont.)

The income bracket with the greatest demand for new housing units is Grand County households with an annual income of less than \$25,000. By 2030, 228 units will be needed and by 2050, that demand will grow to 896 new units. Housing types to support this income bracket are likely to be almost exclusively rental units in the form of multi-family developments and public affordable housing.

The second highest demand for new housing units is for the \$50,000 – \$75,000 household income bracket. By 2030, 201 new housing units will be needed, and by 2050, 790 units will be needed to support population growth in this segment of the population. Housing for this income bracket will likely be a mix of rentals and homeownership, and may include condos, townhomes, or single family homes.

The next highest new housing demand is for the \$35,000 to \$50,000 household income bracket. By 2030, 169 new units will be needed, and by 2050, that demand will grow to 666 new units.

Demand for new housing units needed in the \$25,000 – \$35,000, \$75,000 – \$100,000, and \$100,000 – \$150,000 household income brackets will all increase at relatively similar rates; by 2030, 100, 103, and 110 units respectively will be needed. By 2050, the demand will grow to 393, 406, and 433 units, respectively. New units for households in the \$25,000 – \$35,000 income bracket will likely be rentals, multi-family apartments, and public affordable housing. For those in the \$75,000 – \$100,000 and \$100,000 – \$150,000 income brackets, new housing demand will likely take the form of single-family home rentals, or condo, townhome, duplex, and single-family home ownership. For example, the rise in ‘luxury’ townhomes being constructed in the Moab area are suitable for the income brackets that are at the area median income and above.

The lowest demand for new housing units is for households with an annual income of greater than \$150,000 – largely encompassing the luxury housing market. Only 41 units will be needed by 2030, and by 2050, this demand will increase to 161. Based on these projections through 2050, 74% of all new housing units built will need to cater to households with an annual income of less than

\$75,000 – equating to 2,785 units total.

A wide variety of housing must be constructed over the coming decades in order to meet the demand of Grand County’s growing population. Understanding which income brackets will need the most housing, and which types of housing is realistic to fit their needs is a critical component to equitably housing all residents of Grand County. Currently, the vast majority of Grand County’s housing stock (60%) consists of detached single-family homes. Other housing types, such as multi-family apartments, condos, duplexes, and townhomes will provide necessary diversity to the county’s housing stock, ensuring affordable options for households in all income brackets.

Chart 24 projects the number of housing units needed by occupancy type between 2021 and 2050 using average renter-occupancy, owner-occupancy, and vacancy rates coupled with population growth rates. Between 2015 and 2021, the average vacancy rate in Grand County was 23.7%, while 51.3% of the housing stock was owner-occupied and of the remaining 25% of units were renter-occupied<sup>9</sup>. Based on these rates, between 2021 and 2030, Grand County will need 615 new owner-occupied units, 300 new renter-occupied units, and 229 new units will remain vacant.

By 2050, this will increase to 2,253 new owner-occupied units, 1,100 new renter-occupied units, and 643 new units will remain vacant.

It is important to note that these projections simply provide benchmarks for a “business as usual” scenario that maintains the current percentage of vacant homes, renter-occupied homes, and owner-occupied homes. An increase in vacant homes, while not completely avoidable, is bad for housing affordability and the local long-term rental stock, as it decreases the total supply of homes. Specifically, vacancy rates in Grand County are inferred to be short-term rental units or secondary residential homes. In projecting the number of vacant units, this show that 643 units will be constructed but are otherwise not available for the residency of local community members. By highlighting projected vacant units, it may motivate local government entities and developers to strategize methods to curb the number of virtually unused units being constructed.

<sup>9</sup> These projections use average occupancy rates from 2015–2021 Census data. Housing Occupancy Rates for 2021 specifically are included in the Demographic Overview section under the Populations and Households table.

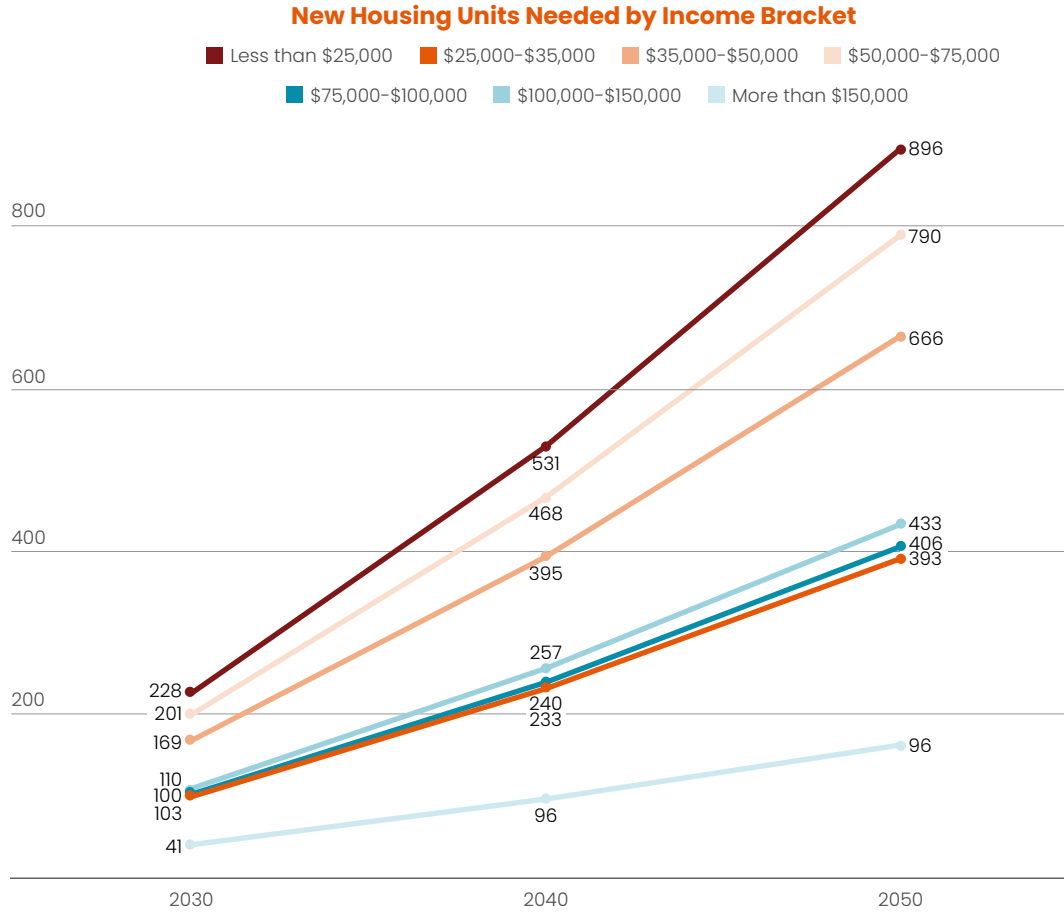


Chart 21. New Housing Units Needed by Income Bracket 2030-2050 Projections  
DATA SOURCE: US CENSUS, 2021

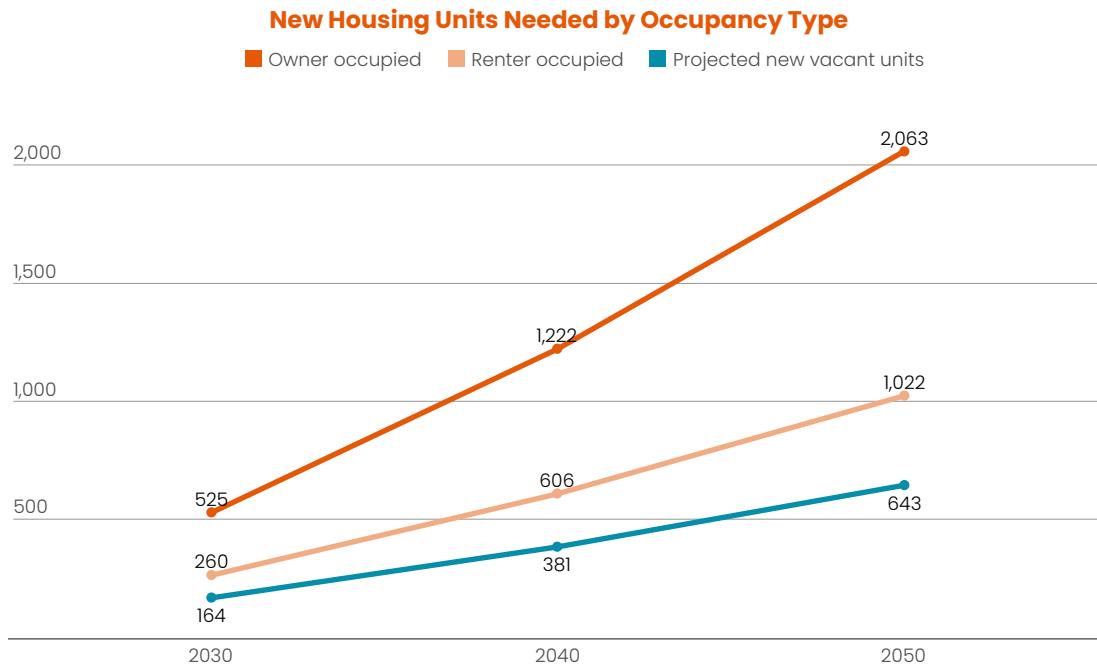


Chart 22. New Housing Units Needed by Occupancy Type 2030-2050 Projections  
DATA SOURCE: US CENSUS, 2021

# GOALS AND ACTION STEPS

## Moab Affordable Housing Plan: Goals and Action Steps

The Action Plan is the final section in the Moab Area Affordable Housing Plan in which clear and specific steps to maintain, increase and improve affordable housing are outlined as tangible benchmarks for participating Grand County entities. This is a framework which will serve as guidance for housing construction, policy change, and housing advocacy. The intent is that these steps are attainable and allow for maximum impact, specific to the City's and County's needs. Potential community partners include: Community Rebuilds, Housing Authority of Southeastern Utah, Moab Area Housing Task Force, various additional non-profit organizations and local business entities.

The Goals and Action Steps included in this plan have been identified through workshops with City and County planning staff and commissions, data analysis, and community input. They were further reviewed by the Housing Task Force. These steps will guide action on Housing Plan recommendations through 2030, until the plan is next reviewed and updated.

While it is necessary to continually derive realistic action steps to propel the Moab Area's Affordable Housing Plan, it is also important to acknowledge that since the 2017 update to the Affordable Housing Plan, many action steps that were called out in the plan are in progress or have been completed by a variety of Moab agencies and partners. For a comprehensive look at affordable housing advances, see the Housing Stock overview and Housing Efforts to Date sections of this plan; however, some of the notable successes are highlighted below.

Successes and improvements include, but are not limited to:

### Increasing Affordable Housing Stock

- The Moab Area Community Land Trust has been developing Arroyo Crossing, a 300 unit subdivision that is capped for affordability and designated for local Grand County working residents. As of September 2023, 25 single family homes are occupied, with 16 additional single family homes, 12 twin homes, 24 cottages, and one multi-family complex currently in development.
- Walnut Lane is an affordable apartment building that is in the beginning stages of a public-private partnership through the City of Moab that, when completed, will rehouse individuals in dilapidated

trailers at the site location. The complex will have approximately 80 units.

### Updating Policy and Ordinances

- Since 2017, both the City and County have adopted ordinances that focus on certain zones of housing stock to be occupied by Grand County actively employed individuals. This includes the **Grand County High Density Housing Overlay (HDHO) and Moab City's Active Workforce Employment Ordinance**. Both deem certain zones to have a percentage of occupants (and owners in the case of the HDHO) to be working and living in Grand County. This was a positive step to ensure that a percentage of new construction is set aside for locally working households.
- Grand County's Alternative Dwelling Overlay
- City and County Assured Housing Ordinances
- County and City staff and officials have been updating their municipal codes after identifying existing barriers to housing. These include easing restrictions to constructing ADUs and increasing incentives such as parking and height requirements.
- Grand County is in process of creating their Future Land Use map, identifying areas of greater housing development opportunities through residential density increases and diversification of existing zoning.
- The Housing Task Force updated this Plan and sourced updated and thorough and replicable housing data, which is great!

**DATA**

**Goal:** Regularly update and maintain pertinent Moab area affordable housing data and statistics.

<b>Action Steps</b>	<b>Deadline</b>
Create and maintain local affordable housing dashboard indicators.	6 months
Update Housing Plan every five years to reflect current data, housing inventory, and current economic conditions in the Moab area.	Begin update in 2028

## SUPPLY

**Goal #1:** Meet the Housing Needs Projections included in the MAAHP

**Goal #2:** Increase the diversity of the housing stock

**Goal #3:** Increase ADU and infill development

Action Steps	Deadline
Continue to look at City and County zoning ordinances through the lens of maintaining and increasing affordable housing.	1-3 years
Evaluate opportunities to develop housing or mixed use development on publicly owned parcels (public-private partnership).	5-7 years
Use density increases—through zoning tools and density bonuses—for the benefit of strengthening workforce and affordable housing goals.	
Continue promoting development of housing alternatives and transitional housing that match the needs of the seasonal workforce.	Ongoing
Identify priority areas for affordable, infill, and workforce housing development through long range planning updates.	5-7 years
Continue to strengthen and formalize other governmental incentives to develop affordable housing.	

## STABILITY

**Goal #1:** Preserve local housing options in perpetuity

**Goal #2:** Increase the percentage of primary residence homes from 67% (2023) to 80% by 2030

**Goal #3:** Increase the number of income and occupancy restricted homes from 582 (2022) to 1,500 by 2030.

**Goal #4:** Decrease the number of cost-burdened households from 36% (2021), specifically with an effort to decrease the number of cost-burdened renters (50% in 2021) and households with annual incomes of less than \$50,000 (65.6% in 2021).

Action Steps	Deadline
Develop a community-wide deed restriction administration program for current and future deed restrictions.	ASAP
Make deed restrictions as long as possible, at least 50 years, and preferably 99 or greater.	
Investigate incentivized, voluntary deed restriction programs for the Moab area that can be tailored for its unique housing positions and market.	1-3 years
Investigate implementing a 'good landlord' program to improve and preserve long-term rental units.	1-3 years
Explore ways to require new developments to provide housing mitigation plans when they propose the demolition of existing housing units.	5-7 years

## FISCAL SUPPORT

**Goal:** Identify funding streams to encourage affordable housing development.

<b>Action Steps</b>	<b>Deadline</b>
By 2026, Moab City and Grand County will allocate an ongoing amount of money into their affordable housing funds.	Ongoing
Explore financial policies and programs that source funding for affordable housing from the entities that perpetuate/contribute to the affordable housing crisis.	
Public agencies will formally budget internal and external resources to execute the next Housing Plan update without undue impact on staff time.	

## SUSTAINABILITY

**Goal #1:** Ensure that policy decisions, programs, and projects manage impacts to the environment, climate, and public health and well-being.

**Goal #2:** Support all residents', regardless of income level, opportunity to participate in climate change mitigation and adaptation tools, and the environmental and financial benefits of water and energy conserving buildings and sites.

**Goal #3:** Advance water conservation policies in both the City and the County.

Action Steps	Deadline
Leverage zoning overlays and development agreements to require cost-effective efficiency measures or certain levels of sustainability including (EV readiness, net-zero and net-zero ready buildings, limited reliance on personal vehicles, passive survivability (tolerably comfortable without HVAC), etc.)	
Prioritize water conservation policies, such as water-wise systems and greywater systems for sustained housing supply.	
Encourage City and County to promote and implement utility and services cost reduction programs, such as the HEAT program, Utah Clean Energy Program, and encourage low interest loans and incentives for energy reduction improvements.	Ongoing
Accelerate planning and support for lower cost and impact transportation options, including complete street policy, and networks including safe routes for bikes and pedestrians.	

**PUBLIC HEARING: DRAFT CITY OF MOAB RESOLUTION #26-2023, ADOPTION OF 2023 MOAB  
AREA AFFORDABLE HOUSING PLAN UPDATE.**

**CITY OF MOAB  
PLANNING COMMISSION  
PUBLIC HEARING  
CITY OF MOAB RESOLUTION #26-2023**

**A Resolution to adopt the 2023 Moab Area Affordable Housing Plan Update, as prepared by  
the Moab Area Housing Task Force.**

The City of Moab will hold a Public Hearing on **Thursday, November 9, 2023, at approximately 6:00 p.m.** The purpose of this hearing is to solicit public input on Proposed Resolution #26-2023, a resolution to adopt the 2023 Moab Area Affordable Housing Plan Update, as prepared by the Moab Area Housing Task Force, updating Appendix A of the City of Moab General Plan.

The proposed draft Resolution is available for public review at the Moab City Planning Office located at 217 East Center Street and will be posted on the website at [www.moabcity.org](http://www.moabcity.org). Written public comment may be directed to the Planning Department at [planner@moabcity.org](mailto:planner@moabcity.org), [planning@moacity.org](mailto:planning@moacity.org) or [cshurtleff@moabcity.org](mailto:cshurtleff@moabcity.org). To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

To submit written comments prior to the meeting, please fill out the form found here: <https://bit.ly/MoabPCPublicComment>. Information to make comments during the meeting can be found on the agenda at: <https://moabcity.org/AgendaCenter/Planning-Commission-2>.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Cory Shurtleff

Planning Director

[cshurtleff@moabcity.org](mailto:cshurtleff@moabcity.org)

**Moab Planning Commission Agenda Item**  
**Moab Outdoor Lighting Ordinance (MOLO) Update: Public Hearing**  
Meeting Date: November 9, 2023

**Title:** Public Hearing and possible action on Moab Outdoor Lighting Ordinance (MOLO) Update, An ordinance amending the text of the Moab Municipal Code (MMC), to include additional regulations required through the International Dark Sky Association Certification and resolve outstanding discrepancies within the existing regulations.

**Disposition:** Public Hearing and possible action

**Staff Presenter:** Alexi Lamm, Sustainability Director, and Cory P. Shurtleff, Planning Director

**Attachment(s):**

Exhibit 1: Draft Ordinance 2023-14 MOLO Update 110923

Exhibit 2: Draft MOLO 2023-14 REDLINE 110923

Exhibit 3: Draft MOLO 2023-14 CLEAN 110923

Exhibit 4: Approved Outdoor Lighting Ordinance 2019-03

Exhibit 5: Draft Ordinance 2023-14 Outdoor Lighting Code Amendments REDLINE 092922

Exhibit 6: Draft Ordinance 2023-14 MOLO Update consolidated amendments 110923

Exhibit 7: Draft Ordinance 2023-14 MOLO PH Notice on 103023 for 110923

**Applicant:** City Initiated Amendment

**Background:**

The Moab City Council adopted Ordinance No. 2019-03, Outdoor Lighting Provisions, August 13, 2019. Following the Ordinance approval, the City has continued to pursue International Dark Sky (IDA) certification. Updates to the IDA certification checklist require that the City amend the Moab Municipal Code to accommodate updated regulations. In addition to these regulations, the City is also proposing to resolve and clarify regulatory issues observed through the execution of approval standards.

**Process: Zoning Map Amendments and Text Amendments**

Section 17.04.010 of the Moab Municipal Code (MMC) regulates the Zoning Text Amendments. Subsections 17.04.040, 17.04.070, 17.04.080, 17.04.090, and 17.04.100, additionally regulated submittal, review, and approval procedures for text amendments to the Land Use Code.

*17.04.020*

*Zoning text amendments.*

*A. Purpose. The zoning text amendment process allows for amendment to the use requirements within zoning districts to allow particular uses which are not otherwise permitted within a specified zone, provided that proposed uses are substantially similar to, and compatible with, the objectives and characteristics of the zone.*

*B. Uses Not Specified. Uses not specified as authorized within any particular zoning district are prohibited, unless authorized pursuant to the other provisions of this Land Use Code.*

*C. Similar Use Determination Repealed. Text amendments pursuant to this chapter encompass and shall supersede similar use determinations as previously allowed by various sections of this Land Use Code, all of which are hereby repealed. (Ord. 08-03 (part), 2008)*

#### *17.04.040*

*Application for zoning map amendment or text amendment.*

*A. Any person having a proprietary interest in any real property within the corporate limits of the City may request a map amendment or text amendment by filing three copies of the application for such change or amendment with the Zoning Administrator. The application shall, at a minimum, include the following information:*

- 1. The name, address, and telephone number of the applicant;*
- 2. A description of the requested change or amendment and a description of the property to be affected by such request by a metes and bounds legal description;*
- 3. A title certificate or report from a licensed title company or attorney listing the name of the property owner(s) and all liens, easements, judgments, and encumbrances of record that affect the title to the subject property;*
- 4. A statement from the county treasurer showing payment in full of all real property taxes due on such parcel;*
- 5. A boundary survey of the land area to be rezoned, which shall include a depiction of existing zoning district boundaries, real property boundaries, existing structures, and public roads existing within three hundred feet in all directions of the subject property boundary;*
- 6. A list of surrounding property owners and their legal mailing addresses for all properties within three hundred feet of the exterior boundary of the parcel proposed for a zoning map amendment;*
- 7. A statement by the applicant explaining the rationale for the zoning request relative to the standards imposed by this chapter;*
- 8. A filing fee in accordance with the fee schedule adopted by resolution of the City Council; and*

9. *A narrative or concept plan describing why this property is suited for the intended purposes and stating what development and/or construction is planned by the applicant.*

*B. Pre-Application Conference. Prior to the filing of an application for a map amendment or zoning text amendment, the applicant shall meet with the planning department to discuss the proposed application. At the pre-application meeting the application contents, review procedures, use and area standards, and the general character of the development may be discussed. At the pre-application conference, the applicant may be represented by a land planner, engineer or surveyor. Applicants are encouraged to submit a conceptual site plan at the pre-application stage.*

*C. Modifications of Submittals. City staff shall be authorized to waive or modify application submittal requirements as reasonable necessary to address the attributes of a specific application. (Ord. 08-03 (part), 2008)*

#### 17.04.070

*Text amendment approval criteria.*

*It is the burden of the applicant to provide "good cause" to support a proposed text amendment. For the purpose of establishing and maintaining sound, stable and desirable development within the City of Moab, amendments to the Land Use Code are committed to the sound discretion of the City Council based upon the following nonexclusive list of criteria:*

*A. Is the proposed use substantially similar to other authorized uses permitted within the subject zoning district?*

*B. Is the proposed use a relatively new use type or development concept that was not anticipated at the time of the adoption of the City's General Plan?*

*C. Is the amendment consistent with the policies and goals of the General Plan?*

*D. Will the amendment create significant adverse impacts upon neighboring properties within or adjacent to the zoning districts which would be affected by the change?*

*E. Is it in the public interest to approve the proposed amendment?*

*F. Is the amendment likely to lead to a positive redevelopment of a specific area or zone?*

*G. Will the amendment provide a variety of options for residents in terms of economic development, affordable housing, or other benefits?*

*H. Is the amendment appropriate considering the existing conditions in the zoning district, the established relationships between zoning districts, existing land uses and*

*densities, and the scale of both existing and proposed development? (Ord. 08-03 (part), 2008)*

**17.04.080**

*Public hearing required.*

*A. Upon receipt of a complete application under this chapter city staff shall promptly schedule a public hearing before the Planning Commission.*

*B. Within thirty days following the closing of the public hearing, the Planning Commission shall either recommend approval, approval with modifications, or disapproval of the application to the City Council. The recommendation of the Planning Commission shall be transmitted to the City Council and to the applicant within ten days of the recommendation.*

*C. City staff may provide a staff report, which shall be provided to the applicant no later than three days prior to the public hearing or public meeting before City Council. (Ord. 08-03 (part), 2008)*

**17.04.090**

*Notification requirements for Planning Commission public hearing.*

*A. The City shall provide notice with respect to the Planning Commission public hearing describing the real property subject to the application order under this chapter; the present and proposed zoning; and the time, date, and location of the hearing as follows:*

- 1. By publication in a newspaper of general circulation within the City at least fifteen days prior to the hearing;*
- 2. By mailing to the applicant, affected entities, and real property owners abutting or located within three hundred feet of the subject property at least ten days prior to the hearing; and*
- 3. By posting on the City's official website and in at least one public place within the City, which notice shall also include a map showing the land area proposed for rezoning.*

*B. Property Posting. In addition to the notifications by the City, the applicant shall post signs, in a form acceptable to the City, noticing the public hearing in at least one location every five hundred feet along the perimeter of the land area proposed for map amendment at least three days prior to the hearing. Such notice shall include the present and proposed rezoning; the time, date, and place of the public hearing; and contact information for the Zoning Administrator.*

*C. Exception for General Amendments. When a zoning map amendment or text amendment is incidental to, or part of a general revision of the official zoning map or the text of this Land Use Code, whether such revision is made by repeal of the existing zoning and/or land use regulations and enactment of a new zoning and/or land use regulations, or otherwise, posting notice on the land area subject to the amendment or mailing to affected property owners or adjoining property owners is not required. (Ord. 08-03 (part), 2008)*

#### 17.04.100

##### *Action by City Council.*

*A. The City Council may authorize any zoning map amendment or text amendment by ordinance adopted at a public meeting, which shall be held promptly following receipt of the Planning Commission recommendation.*

*B. Notice of the public meeting shall be given to the applicant and by posting in at least one place within the City and by posting on the City's official website at least twenty-four hours prior to the meeting.*

*C. In its discretion, the Council may elect to receive testimony or evidence from the applicant, city staff, and the public prior to taking final action on the ordinance.*

*D. The approval of a zoning map amendment or text amendment is a legislative decision, which is committed to the discretion and judgment of the City Council. (Ord. 08-03 (part), 2008)*

#### 17.04.110

##### *Appeals.*

*A. Any person adversely affected by the final decision of the City Council pursuant to this chapter may appeal that decision to the Grand County district court.*

*B. An appeal or any other judicial action arising from, or seeking review of, a decision by the City Council under this chapter must be filed no later than thirty days from the date of the final decision or action that is the subject of the action or legal claim. Any action commenced beyond that time is barred and shall be subject to summary dismissal.*

*C. Review of any zoning map amendment or text amendment application shall be based upon the record of proceedings before the City Council. Upon the commencement of a judicial appeal challenging any decision under this chapter, the City shall transmit to the district court true and correct copies of all submittals, testimony, orders, and file documents comprising the record pertaining to the application, including any transcript or tape recordings of proceedings. (Ord. 08-03 (part), 2008)*

#### **17.04.120 Processing matrix.**

This matrix shall be amended to delete review procedures for “similar use” review and to include the following:

<b>Application</b>	<b>Advisory Body</b>	<b>Land Use Auth.</b>	<b>Appeal Body</b>	<b>Pub. Hearing</b>
Map amend.	Planning Comm.	City Council	Dist. Ct.	Yes, P.C.
Text amend.	Planning Comm.	City Council	Dist. Ct.	Yes, P.C.

**CITY OF MOAB ORDINANCE #2023-14**

**AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE (MMC),  
TO INCLUDE ADDITIONAL REGULATIONS REQUIRED THROUGH THE  
INTERNATIONAL DARK SKY ASSOCIATION CERTIFICATION AND RESOLVE  
OUTSTANDING DISCREPANCIES WITHIN THE EXISTING REGULATIONS.**

**WHEREAS**, the Moab City Council adopted Ordinance #2019-03, an ordinance enacting sections of the Moab Municipal Code establishing Outdoor Lighting and Sign Illumination Standards and repealed inconsistent lighting provisions, August 13, 2019; and

**WHEREAS**, from time to time the City undertakes revisions in its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts; and

**WHEREAS**, the City desires to encourage outdoor lighting practices that will minimize light pollution, glare, light trespass, and sky glow to curtail the degradation of the night-time visual environment; and

**WHEREAS**, lighting practices that promote energy conservation are to be encouraged; and

**WHEREAS**, revisions to existing ordinance are necessary to improve night-time safety and security; and

**WHEREAS**, lighting practices are an important component for developing and attractive nighttime appearance in the City; and

**WHEREAS**, it is in the interest of the City that it establish lighting standards, requirements, and processes that are substantially consistent throughout the Moab Municipal Code and substantially with those established by Grand County; and

**WHEREAS**, the City finds that this ordinance updating the Moab Municipal Code and the approved ordinance #2019-03 is necessary and appropriate for executing clear and consistent development regulations, as well as aligning requirements required through the International Dark Sky Association Certification; and

**WHEREAS**, the ordinance will update the Moab Municipal Code, sections 17.03.010, 17.09.060 – 17.09.069, 17.93.075; and 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3 and 17.27.040 C-4 Special Provisions; and 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions; and

**WHEREAS**, The City of Moab has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so.

**NOW, THEREFORE BE IT ORDAINED** that the Moab City Council hereby approve Moab City Ordinance #2023-14, approving amendments to the Moab Municipal Code as follows:

**PASSED AND APPROVED** in open Council by a majority vote of the Governing Body of Moab

City Council this

14th day of November 2023

### 17.03.010 Title, intent and purpose.

This title shall be known as, and shall be entitled “the zoning ordinance of Moab City, Utah,” and may be so cited and pleaded. It is the intent and purpose of the City Council to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of guiding development within the City in accordance with a comprehensive plan, which plan has been designed:

- A. To encourage and facilitate orderly growth and development in the area;
- B. To promote safety from fires, floods, traffic hazards and other dangers;
- C. To promote sanitation and health of the inhabitants;
- D. To discourage undue scattering of population and unnecessary expenditures of moneys for excessive streets, water and sewer lines, and other public requirements;
- E. To stabilize and improve property values;
- F. To protect the residents from objectionable noise, odor, dust, fumes, light trespass and glare, and other deleterious substances or conditions;
- G. To promote a more attractive and wholesome environment. (Prior code § 27-1-1)

### 17.09.060 Outdoor lighting - ~~Scope and applicability~~ General provisions.

A. Title. Sections 17.09.060 – 17.09.069 shall be known and may be cited as the Moab Outdoor Lighting Ordinance (MOLO).

B. Purposes. The general purpose of the MOLO is to protect and promote the public health, safety and welfare, the quality of life, and the ability to view the night sky by establishing regulations and a process of review for outdoor lighting. This chapter establishes standards for outdoor lighting in order to accomplish the following:

- 1. To protect against direct glare and excessive lighting;
- 2. To provide safe roadways for motorists, cyclists and pedestrians;

- 3. ~~To protect and reclaim the ability to view the night sky, and help preserve the resident quality of life and the tourist experience;~~
- 4. ~~To prevent direct light trespass in all areas of the City;~~
- 5. ~~To promote efficient and cost-effective lighting;~~
- 6. ~~To ensure that sufficient lighting can be provided where needed to promote safety and security;~~
- 7. ~~To allow for flexibility in the style of lighting fixtures;~~
- 8. ~~To provide lighting guidelines;~~
- 9. ~~To provide assistance to property owners and occupants in bringing nonconforming lighting into conformance with this chapter; and~~
- 10. ~~To work with other jurisdictions within Grand County to meet the purposes of this chapter.~~

**Commented [CS1]:** Add: Further description of unacceptable light trespass

C. Scope. All exterior lighting installed after the effective date hereof in all zoning districts in the City shall be in conformance with the requirements established by the MOLO. All existing lighting installed prior to the effective date hereof in all zoning districts in the City shall be addressed as follows:

- 1. All ~~otherwise lawful~~ outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered ~~a legal nonconforming use~~ or part of a legal nonconforming structure, and shall be ~~additionally subject to an amortization schedule outlined in Section 17.09.069.~~
- 2. ~~All existing lighting that does not meet the requirement of section 17.124.060 of this title, which states that "any parking, yard or building illumination in (any) zoning (district) shall be so directed as to protect adjacent properties from glare and direct lighting", is required to be brought into conformance with this chapter. Direct illumination shall be confined within the property boundaries of the source and shall comply with the Special Provisions sections for Zoning Districts, as they refer to glare and direct illumination.~~
- 3. ~~In the event of any conflict between the provisions of the MOLO Sections 17.09.060 through 17.09.069 and 17.93.075 and any other provision of the Moab Municipal Code, these sections shall control. (Ord. 19-03 Att. 1 (part), 2019)~~

**Commented [KJ2]:** I'm not sure why this phrase was substituted by Richard for "all existing", it seems to confuse the interpretation

**Commented [JL3R2]:** It should be consistent

**Commented [CS4R2]:** Agree

**Commented [CS5R2]:** Maintained strike of both to not confuse

**Commented [CS6]:** Legal, Non-Conforming to Structure rather than use, but can be simply expressed as Legal, Non-Conforming.

**Commented [CS7]:** Update Reference, could even simplify to " requirements of this chapter"

**Commented [CS8]:** This scope provision calls reference to what we will be covering through the Special Provision updates for "direct" illumination trespass. The change from what is here and what has existed is the idea of spill light being trespass or glare being trespass; this requires we also update the definition for "direct" illumination

A. ~~All lighting should be purpose driven.~~

**Commented [KJ9]:** A-D moved under C Scope

~~B. All outdoor lighting installed after October 1, 2019, in all zoning districts within the City shall conform to the requirements established by Sections 17.09.060 through 17.09.069, as well as Section 17.93.075. These sections do not apply to indoor lighting.~~

~~C. All existing outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered a nonconforming use or part of a nonconforming structure subject to an amortization schedule outlined in Section 17.09.069.~~

~~D. In the event of any conflict between the provisions of Sections 17.09.060 through 17.09.069 and 17.93.075 and any other provision of the Moab Municipal Code, these sections shall control. (Ord. 19-03 Att. 1 (part), 2019)~~

**17.09.061 Outdoor lighting - Exemptions**

- A. Traffic control signals and traffic safety devices.
- B. Emergency and safety lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction.
- C. Temporary outdoor lighting intended as holiday or seasonal decorations displayed between October 15th and the following January 15th may remain on until 10pm. They may remain on all night provided that they do not create nuisance glare.  
Lighting required by the Federal Aviation Administration or the Federal Communications Commission.  
Special events that have been issued a permit pursuant to Section XXX, shall be allowed temporary lighting for the duration of the event, provided such lighting does not create glare to motorists or result in light trespass onto adjacent properties.
- D. Pathway lights less than eighteen inches in height, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque.
- E. Temporary lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.

**17.09.062 Outdoor lighting - Definitions.**

A. For the purpose of Sections 17.09.060 through 17.09.069 and 17.93.075, the following definitions apply:

**Commented [10]:** This section was created by Richard to house general exemptions. Previously exemption to fully shielded were under the Shielded section. Seems fine, but might swap so definitions are first

**Commented [JL11R10]:** Agreed - definitions first

**Commented [CS12R10]:** Agree - Swap

**Commented [13]:** some other codes use "exterior" instead of "outdoor", but this code seems to use outdoor.

**Commented [CS14R13]:** agree

**Commented [15]:** how permissive ? Previously 11/15-1/15. Richard suggested starting at 10/15 for halloween decorations. I'm inclined to agree, as long as curfew/nuisance glare included

**Commented [JL16R15]:** I am not sure I agree with leaving holiday lights on all night however, that would be hard to enforce and some lights are solar and go out when it starts getting light outside.

**Commented [CS17R15]:** Agree with Kalen, and this provision is specific to Holiday or Seasonal

**Commented [18]:** Richard suggested removing the curfew, with exception for non-excessive lighting. I have reinserted a simplified version

**Commented [CS19R18]:** agree

**Commented [KJ20]:** From Sedona; adjust to align with our trespass and glare language

**Commented [JL21R20]:** good

**Commented [CS22R20]:** Check this with Admin regarding extension of Land Use into Special Event review.

**Commented [KJ23]:** seems like this can just be accommodated under standard unshielded budget, if max lumens is dropped to about this level

**Commented [24]:** It appears that this could still be a partial cutoff fixture, and some light directed upward. I considered replacing "no light" with "little light", but that's vague. So we can set a quantitative standard which would be difficult to evaluate with many cheap pathway lights, or just say the top is opaque and leave it at that.

**Commented [JL25R24]:** Agreed

**Commented [26]:** Seems to have lost context, so deleted

**Commented [JL27R26]:** agreed

**Commented [CS28R26]:** Temporary definition revamped.

**Commented [CS29]:** See Comment regarding order of sections 17.09.061

**Commented [CS30R29]:** Resolved section location

“Accent or architectural lighting” means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

“Backlight” means all the light emanating behind a luminaire.

“BUG rating” means backlight, uplight, and glare rating, which exists on a scale of zero to five and may be used to describe luminaire optical performance in regards to light trespass, sky glow, and high angle brightness control, describes the light output of a luminaire.



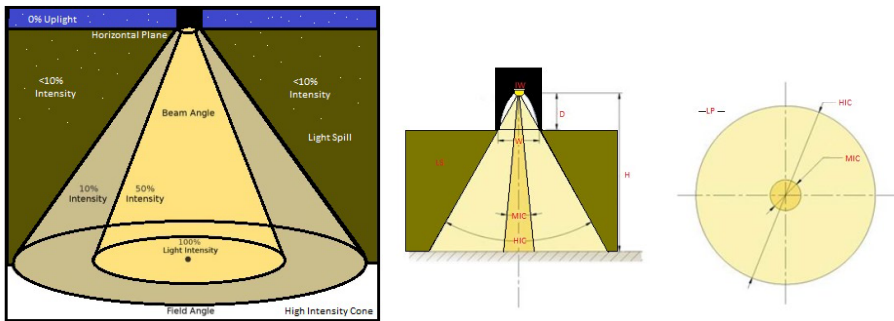
Image by City of Ft. Collins, Colorado, and used here with permission.

“Correlated color temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below

three thousand K are usually considered “warm” sources, while those with a CCT above three thousand K are usually considered “cool” in appearance.

“Direct illumination” means the area of intentional illumination emanating from a fixture generally formulated by shielding depth, illumination width, distance and angle of illumination field, respective to the height and location of the illumination source, in context of property location and grade. This illumination pattern is typically represented by the high intensity cone of light 10% or greater, emanating and expanding outward from the illumination source. This area is in contrast to the area outside of this high intensity cone, separately defined as light spill, illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces. Direct illumination shall be generally interpreted utilizing this formulation, by the Zoning Administrator. (Include illustration.)

Commented [CS31]: Determine and refine



“Floodlight” means a fixture or bulb designed to “flood” an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

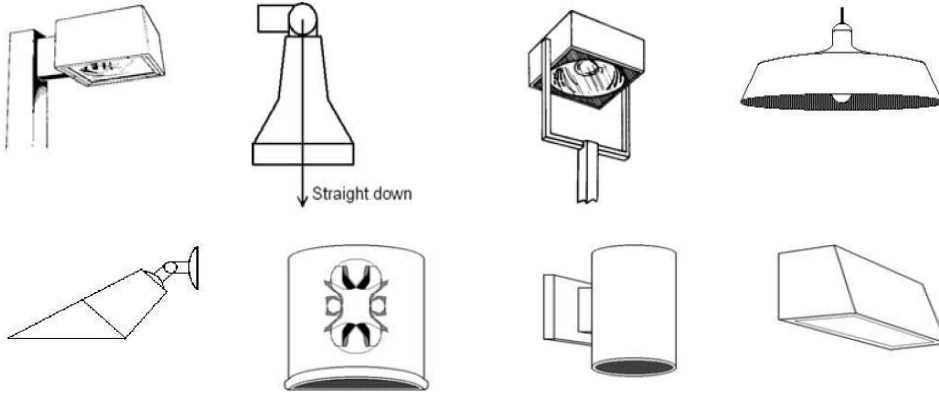
“Fully shielded fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero. Fully shielded light fixtures must be shielded in and of themselves; a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Surrounding structures, like canopies, eaves, and patio covers, are not to be

Commented [KJ32]: The definition was repeated, sort of, in the requirements. Seemed cleaner to consolidate in definitions.

Commented [JL33R32]: I still have an issue with light fixtures that have perforations or slits as not qualifying as fully shielded. My porch lights have designs that do not produce any glare or off property trespass. Again that will be hard to enforce especially if other outdoor lights on in compliance or if they are the only source outdoor lighting

Commented [CS34]: Refine and consider. Reflected direct illumination, but not refracted illumination, this could

considered when determining if the fixture is fully shielded, **unless specifically allowed**. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed downward.



**Examples of fully shielded light fixtures.**

“Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

“Internally illuminated,” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

“Light pollution” means any adverse effect of manmade light. Often used to denote “skyglow” from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

“Light source” means the part of a lighting fixture that produces light, e.g., the bulb, lamp, or chips on board.

“Light trespass” means ~~any light spill~~ **Direct illumination falling over property lines that illuminates other grounds or buildings in an objectionable manner.** ~~light that falls beyond the legal boundaries of the property it is intended to illuminate.~~

“Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

**Common Relationships between Bulb Types, Wattages and Lumen Levels**

Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

**Commented [KJ35]:** Richard deleted. I think describing a range rather than single numbers makes sense. Or, move it to supplementary literature?

**Commented [JL36R35]:** agreed

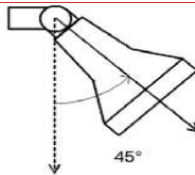
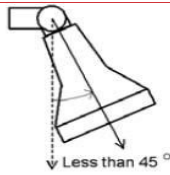
“Manufacturer’s catalog cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

“Net acre” means a gross acre excluding: public rights-of-way, lands with natural slopes greater than thirty percent, jurisdictional wetlands, lands in the one-hundred-year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geohazards, riparian habitats, archeological sites, and required open space.

“Outdoor light fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

~~“Partially shielded light fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits most of its light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight (U) and backlight (B) ratings are greater than zero. Light emitted at or above the horizontal plane (sideways or upwards) shall arise solely from incidental decorative elements or strongly colored or diffusing materials such as colored glass or plastic. Fixtures using spot or flood lamps are considered partially shielded if the lamps are aimed no higher than forty-five degrees above the vertical plane beneath the fixture.~~

**Commented [KJ37]:** Most other lighting codes don’t use this category. It seems hard to clearly differentiate from unshielded, and the primary purpose seems to be to provide a more nuanced exception to shielding, which may be counter-productive. Sedona more clearly defines partially shielded, and only allows exceptions for those, rather than unshielded.



**Examples of partially shielded lighting fixtures.**

“Recreational lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.

“Safety lighting” means any the minimum amount of lighting required by the Building Official or Zoning Administrator for the purpose of safety, as required or prescribe by standards and regulations specific to the application review. Examples include lighting for ingress/egress, doorways, pathways, and driveways.

**Commented [CS38]:** Consider Language Amendment to include: Required; minimum

“Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the nighttime sky.

“Spill, Light” means the area of illumination emanating from a light source outside of the direct illumination area.

“Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of “Floodlight.”

“Temporary lighting” means lighting of a non-permanent nature, not required for or qualifying as safety lighting, that plugs into an outlet and is not hard wired.

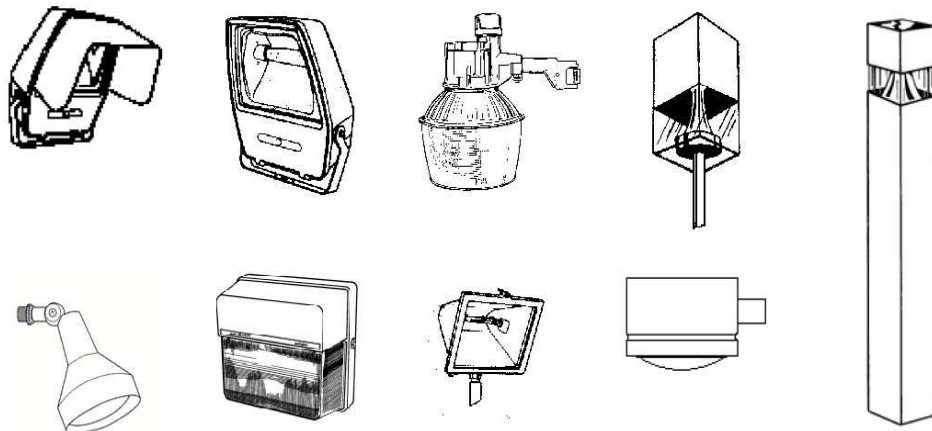
“Temporary String lighting” means lighting of a non-permanent nature, not required for or qualifying as safety lighting, that plugs into an outlet and is not hard wired. Description and qualification of temporary string lighting includes, but is not limited to, ambient, string, café, or bistro lighting; determined by the Zoning Administrator.

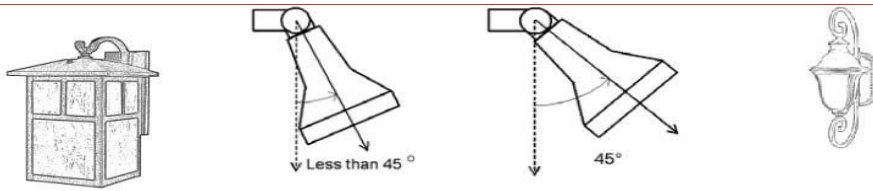
“Total” means the sum of shielded and unshielded light.

“Total outdoor light output” means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.

“Tower” means any monopole, antenna, or the like that exceeds eighteen feet in height.

“Unshielded fixture” means a fixture that has no shielding ~~at all that would otherwise specifically prevents~~ light emission above the horizontal.



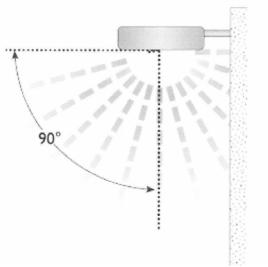


Examples of unshielded light fixtures.

“Uplight” means all the light emanating above the horizontal plane of a luminaire. (Ord. 19-03 Att. 1 (part), 2019)

**17.09.063 Outdoor lighting – Fully shielded fixture Shielding and trespass requirements.**

A. Unless specifically exempted by this section 17.09.068, all permanent and temporary outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero.



B. In order to qualify as a “fully shielded” fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the

~~fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded.~~

- ~~B. All light fixtures shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Lighting shall not be aimed onto adjacent properties, except in cases of shared parking, shared pedestrian pathways, or for coordinated development sites spanning multiple parcels.~~
- ~~C. Light trespass onto adjacent public rights-of-way may be allowed subject to approval of the Planning Director/Zoning Administrator.~~
  - ~~B. Fixtures must not be placed at a location, angle, or height that emits directed illumination outside the property boundaries where the light fixtures are located.~~
- ~~C. Notwithstanding the exemptions in subsection (E) of this section, all residential and commercial luminaires shall be fully shielded when installed within twenty-five feet of adjacent residential property lines.~~
- ~~D. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~
- ~~D. Exemptions to fully shielded fixture requirements:
  - ~~— All lights exempted by this section shall be included in the calculation of total light output.~~
  - ~~— In zones RA-1, R-1, R-2, R-3, and R-4 individual unshielded fixtures with no more than 250 lumens are permitted.~~
  - ~~— In zones C1, C2, C3, C4, C5, and I1 individual unshielded fixtures with no more than 1,000 lumens are permitted.~~
  - ~~1. Fixtures having a total light output less than one thousand lumens are exempted from the fully shielded requirement provided the following criteria are met:
    - ~~a. The fixture has a top that is completely opaque such that no light is directed upwards.~~
    - ~~b. The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material. Completely~~~~~~

- ~~transparent materials, such as clear or lightly tinted colored glass, are not allowed.~~
- ~~c. The light source must not be visible from any point outside the property on which the fixture is located.~~
  - 2. ~~Spotlights controlled by motion sensors having a light output less than one thousand lumens per lamp are exempted from the fully shielded requirement provided:~~
    - ~~a. The fixture is a spotlight or other type of directed light that shall be directed straight down;~~
    - ~~b. The fixture must not be placed in such a manner that results in direct illumination being directed falling outside the property boundaries where the light fixtures are located; and~~
    - ~~c. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~
  - 3. ~~Pathway lights less than eighteen inches in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens.~~
  - 5. ~~Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15th and the following January 15th; provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.~~
  - 6. ~~Traffic control signals and traffic safety devices.~~
  - 7. ~~Temporary emergency lighting in use by law enforcement or government agencies or at their direction.~~
    - 4. ~~The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.~~
    - 5. ~~An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement. (Ord. 19-03 Att. 1 (part), 2019)~~

**Commented [CS39]:** Consider removing from exemptions as this is the most commonly identified nuisance lighting?

**Commented [CS40]:** Consider additional Exception Section?

**Commented [CS41R40]:** Moving to new section along with generation of exception section

**Commented [CS42]:** Move to Section 17.09.068 Exemptions

### 17.09.064 Outdoor lighting – Total light output.

~~1. Commercial. On For commercial developments in the Zones C-1, C-2, C-3, C-4, and R-C Zones, the total outdoor light output shall not exceed fifty thousand lumens per developed acre. Streetlights used for illumination of public rights-of-way are excluded from this calculation. Commercial developments~~ Such developments shall be permitted a minimum of five thousand lumens of lighting regardless of parcel size.

~~A.2. For commercial developments in the A-2, C-5, SAR, and I-1 Zones, and for mixed-use commercial and residential developments, and residential multi-household developments in all zones, the total outdoor light output of any such development shall not exceed twenty thousand lumens per net acre. Such developments shall be permitted a minimum of five thousand lumens regardless of parcel size.~~

~~1. In nonresidential zoning districts, partially shielded and unshielded Unshielded lighting on a property shall not exceed may be up to five thousand lumens per developed acre, and shall be included in the total outdoor light output calculation.~~

~~3. Residential On For residential development of single household, two-household, and ADUs sites in all zones, the total outdoor light output shall not exceed ten thousand lumens of lighting for parcels one-half acre, or larger, in size. Parcels smaller than one-half acre shall be permitted five thousand lumens of lighting regardless of parcel size. Unshielded lighting on a property may be up to one thousand lumens per lot, and shall be included in the total outdoor light output calculation.~~

~~On commercial developments in Zones A-2, C-5, SAR, and I-1, and mixed-use and multi-household development in all zones with shared parking lots Total total outdoor light output of any such apartment development shall not exceed twenty thousand lumens of lighting per net acre.~~

~~B.4. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output.~~

~~4.5. In residential zones, partially shielded and unshielded lighting on a property shall not exceed one thousand lumens per lot, and shall be included in the total outdoor light output calculation.~~

~~6. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output. Total light output exceptions:~~

**Commented [CS43]:** Unshielded Lighting shall not be permitted unless exempt, which unless expressly exempt, shall be incorporated into the calculation.

**Commented [CS44]:** Unshielded Lighting shall not be permitted unless exempt, which unless expressly exempt, shall be incorporated into the calculation.

**Commented [CS45]:** Moved ahead in the section

~~A site may exceed total light output limits if all installed lighting is required safety lighting, fixture lumens are the minimum required to meet illuminance standards, and is fully shielded.~~

Commented [CS46]: Accomodated in Light Output

7. ~~Streetlights used for the express purpose of illumination of public rights-of-ways are excluded from this calculation total light output calculations. limitation.~~

~~Outdoor String Lighting (Ambience Lighting)~~

~~Temporary and permanent non-conforming ambience/string lighting is prohibited, except as allowed in subsection 17.09.063(6)b~~

Commented [KJ47]: This is from Sedona (although they disallow entirely, along with other fully unshielded lights). Much string lighting can be accommodated with the unshielded lumen budget, and I'm disinclined to be more permissive for homes/lodging. I think staff wanted some accommodation.

~~Residences shall be permitted one string light, which shall be counted as one fixture, and subject to the per fixture unshielded lumen limits of 17.09.063.E.2.~~

Commented [JL48R47]: Staff discussed this with me and at the time I thought it would be ok as long as there is a shutoff time associated with the use of string lights. But agree that we should not be more permissive for homes and lodging.

~~Ambience/string lighting in excess of site lumen limits for outdoor dining/bar areas, interior courtyards, and/or event venues that are part of a licensed business, may be allowed in consideration of limited lumen budgets for small sites, complimentary provision for temporary or permanent task lighting at tables/bars, and low illuminance levels needed for ambience, and with approval by the (authority) on a case-by-case basis.~~

Commented [KJ49]: Added on 10/12/23

~~In reviewing proposals for such lighting, the (authority) shall avoid direct lighting of off-site residential uses, and consider lighting types, locations, and time of use.~~

Commented [KJ50]: Modified on 10/12/23

~~Ambience/string lighting shall not flash, blink, fade, or strobe.~~

Commented [CS51]: Proposing to strike this section as this will be an exempt fixture for shielding requirements only but still be a TLO calculation element.

B. ~~A property may exceed the total light output limits if one hundred percent of the proposed lighting is comprised of the minimum, qualifying, and required safety lighting; given the fixture lumens are the minimum required to meet safety illumination standards. No additional lighting, or non-qualifying safety lighting, may be proposed beyond the required safety lighting, if that required safety lighting meets or exceeds one hundred percent of the total light output calculation.~~

~~(Ord. 19-03 Att. 1 (part), 2019)~~

### 17.09.065 Outdoor lighting - Lighting hours.

A. Commercial establishments shall turn off all outdoor lighting, except ~~that those~~ listed below, by ten p.m. ~~and the lighting shall remain off until business open:~~

~~1. Commercial establishments/Businesses located in zones C-3, C-4 and RC may leave all compliant outdoor lighting on until ten p.m. or until one hour after the close of business.~~

~~2. All Commercial establishments Businesses open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business.~~

~~3. Compliant lighting to illuminate the entrance to the commercial establishment.~~

~~4. Compliant parking lot and pathway lighting required for the safety of guests or customers.~~  
~~1. Businesses open to the public after ten p.m. may leave all outdoor lighting on until one hour after the close of business.~~

~~2. Lighting to illuminate the entrance to the commercial establishment.~~

~~3. Parking lot and pathway lighting required for the safety of guests or customers.~~

B. Recreational lighting (residential and commercial) shall be turned off by ten p.m. except to conclude a specific sporting event that is underway.

~~C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.068.C. Residential unshielded lighting shall be turned off by ten p.m.~~

~~D. Commercial establishments located in zones C3, C4 and RC shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open. All other commercial establishments shall turn off all illuminated signage one hour after business close, and remain off until business open.~~  
Ord. 19-03 Att. 1 (part), 2019)

### 17.09.066 Outdoor lighting – Lighting color.

All exterior-outdoor lighting shall utilize light sources with correlated color temperature not to exceed ~~three thousand three thousand~~ 2,700 K (two thousand and seven hundred Kelvin (K)).

**Commented [52]:** why is this permitted after close?

**Commented [JL53R52]:** I don't think that was the intent. Hotels never close - I think that may be what he is referring too.

**Commented [CS54R52]:** This was developed to ensure that employees and owners arriving in pre-dawn hours would have lighting for parking and pathway to business entrance to open business. This also lends to patrons parking after hours that want to recover parked vehicles with light.

**Commented [KJ55]:** This is mostly Richard's language, which seems good to me.

**Commented [JL56R55]:** This addresses the string lighting issue above

**Commented [KJ57]:** Richard said "C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.061.". I'm thinking that mine will provide path for enforcement / bulb lumen reduction sooner.

**Commented [CS58R57]:** Kalen's language will be handled with "first punch" special provisions, this is for bigger non-compliance mitigation prior to amortization

**Commented [KJ59]:** I'm not sure if there's a distraction between commercial establishment and business. In some cases I've changed the former to the latter.

**Commented [CS60R59]:** We can pick Commercial Establishment or Businesses, commercial establishment lends more to land use code, this may be a preference call.

**Commented [KJ61]:** Not sure if this is more properly in sign code, but it was in Richard's version as an addition, so I kept it

**Commented [CS62R61]:** Valid point; as the topic of this regulation is the light and lighting hours, I believe this makes sense in this location.

**Commented [CS63]:** Discussion point for Council, PC and Staff recommend maintaining the 3000k

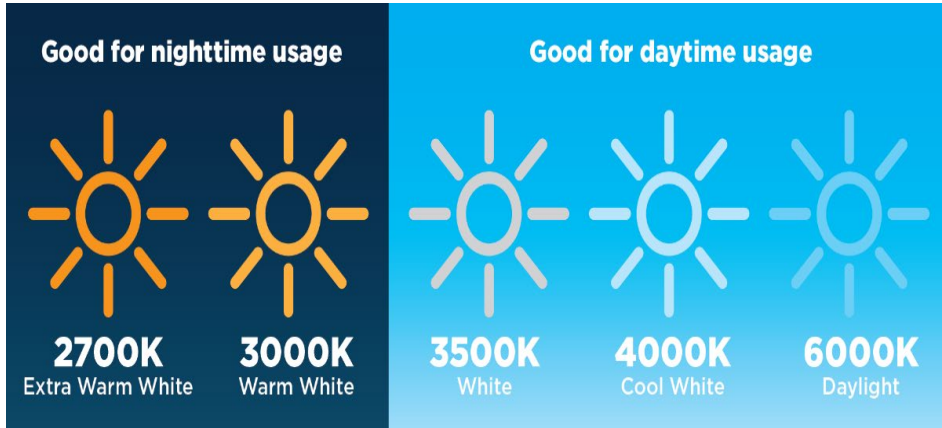


Image by City of Ft. Collins, Colorado, and used here with permission.

(Ord. 19-03 Att. 1 (part), 2019)

### 17.09.067 Outdoor lighting – Specialized outdoor lighting conditions and standards.

~~A. Gas station canopies may be illuminated; provided, that all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture.~~

**Commented [KJ64]:** Richard cut. Seems like it says they must comply, and so, unneeded. some other codes don't spell them out

#### Publically Owned Lighting

~~— New publicly owned outdoor lighting, including street lighting shall be installed per the limitations of the MOLO~~

**Commented [KJ65]:** This added to meet the IDS Community Designation Guidelines

~~— Adaptive controls and/or curfews shall be employed in all future installations of public outdoor lighting.~~

**Commented [CS66R65]:** This has been previous discussed as during the IDA certification process to include as an adopted and formalize policy via resolution, rather than regulatory language for the land use code.

B. Roadway and streetlights are prohibited unless recommended by the City Engineer or required by UDOT to provide for the safety of the public. ~~When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize skyglow, light trespass, and other unintended impacts of artificial lighting.~~ All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT. All streetlights shall conform to

**Commented [KJ67]:** Richard cut. Seems like if they are allowed they should ideally conform to the shielding and color of the code, and the old language slightly confuses that. Although the version he was working on significantly loosened the direct illumination standards. .

**Commented [JL68R67]:** What ever we agreed to with Alexi on replacing street lights is what this language should be geared to.

17.09.066 Lighting color, and 17.09.063 shielding and trespass. All new streetlights shall include adaptive controls

**Commented [CS69]:** Special conditions may apply that require extraordinary accommodations given acceptable areas for lighting pole development to support public safety and welfare. City Staff has recommending authority which will promote MOLO standards as applicable.

C. Parking lots shall use fully shielded downward directed fixtures. Internal or external shields shall may be used to prevent the fixture being visible direct illumination from projecting outside the parking lot site. Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots in Zones C-1, C-2, C-3, C-4, and R-C commercial zones shall not exceed twenty-five feet. All post mounted parking lot lights shall be set back from property lines a distance equal to two and one-half times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential other zones shall not exceed twenty-five feet. All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.

**Commented [KJ70]:** Initially I considered that maybe this could be cut, since general lighting code would govern. But, it seems like disallowing use of the unshielded budget for parking lots is worthwhile.

**Commented [CS71R70]:** Recommend cutting to maintain consolidated regulations rather than double regulating. These conditions are expressed in other areas.

**Commented [CS72]:** Many recent residential project have been approved for and installed 25' light poles, this change would bring them into legal non-conforming status, as well as be subject to amortization. Moving the goal line on recent dark sky compliant projects. Do not recommend adding at this time.

D. Multi-household and lodging development outdoor lighting, including parking lot lighting, shall not create direct illumination of windows of on-site residential or lodging units.

**Commented [KJ73]:** Richard cut all this. I suggest cutting the first sentence; if a light is mounted on a 20' pole then it would be set back 50' from the property line. There are luminaires which have beam control and side shields that allow much closer mounting and control light trespass. I think having a light provide illumination from 2.5x MH away may make trespass harder to manage.

DE. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play, and viewing stands, and pathways for the safety of the public, which is not in strict conformance with the shielding and light color provisions of the MOLO. The following standards shall apply to outdoor recreation area or athletic field lighting:

**Commented [JL74R73]:** agreed

**Commented [KJ75]:** Is this worthwhile, and practical? Seems like city's job is to protect health of all residents and visitors, even those in multifamily.

1. The recreational lighting shall not exceed illuminance levels for Class IV sports lighting, and shall follow set by the Illuminating Engineering Society lighting guidelines (RP-6) of North America.

**Commented [JL76R75]:** Could this be related to the increase in density and height. Example is the MAPS housing where the parking lot lights shine into the windows of those on the 3rd floor.

2. The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.

**Commented [CS77]:** This begins to tip into form based zoning code and regulating private property rights as well as narrows the feasible light throw areas to allow for adequate safety lighting. If a light pole is directly light into the property and away from adjacent properties, we might have issues regulating "direct illumination trespass" within the development property. This should be something handled more within the property management, than by the City. Staff recommendation is to remove at this time.

3. Illuminance levels must be adjustable based on the task (e.g., active play vs. field maintenance), and the lowest appropriate illuminance level shall be utilized based on the task.

**Commented [KJ78]:** This added to meet the IDS Community Designation Guidelines

4. Off-site and sky glow impacts of the lighting will be limited to the greatest practical extent possible.

**Commented [KJ79]:** This added to meet the IDS Community Designation Guidelines

45. The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this chapter.

56. The recreational or athletic facility shall extinguish lighting exempted by this chapter no later than ten p.m. or one-half hour after the end of play.

67. The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on when the facilities are not in use.

E. Outdoor ~~amphitheaters-event venues~~ may use illumination to light the performance area, ~~of the amphitheater and for the safety of the public which is not in strict conformance with the shielding and lighting color provisions of the MOLO.~~ The following standards apply to all ~~amphitheater-event~~ lighting:

1. Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed ~~such that it is not visible to minimize its visibility~~ beyond the property boundaries.
2. Lighting used to illuminate the performance area may only be turned on during ~~performances or rehearsal events.~~
3. Lighting used to illuminate the seating areas, pathways, and other areas of the ~~amphitheater-venue~~ must meet all standards of this chapter.

F. All illuminated signs shall comply with the standards of Section [17.93.075](#). (Ord. 19-03 Att. 1 (part), 2019)

### **17.09.068 Outdoor lighting – Application and review procedures.**

A. *Lighting Plan.* All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zoning district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter. Lighting plans shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.

2. Illustrations, such as contained in a manufacturer’s catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the Planning Commission to be able to determine compliance with the provisions of this chapter.

3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.

B. Approval Procedure.

1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

C. Exemptions.

1. Exemptions only from Shielding and Trespass requirements, section 17.09.063.

a. The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.

b. Temporary String lighting

i. Temporary String lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.

ii. Temporary String lighting shall not flash, blink, fade, or strobe.

c. All lights exempted by this section shall be included in the calculation of total light output, section 17.09.064, and shall comply with lighting color standards, section 17.09.066.

2. Exemptions from general MOLO requirements, sections 17.09.060 – 17.09.069

a. Traffic control signals and traffic safety devices.

b. Emergency and safety lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction.

c. Temporary outdoor lighting intended as holiday or seasonal decorations displayed between October 15th and the following January 15th may remain on until 10pm. They may remain on all night provided that they do not create nuisance glare.

Commented [CS80]: Move to Section 17.09.068 Exemptions

Commented [81]: some other codes use "exterior" instead of "outdoor", but this code seems to use outdoor.

Commented [82]: how permissive ? Previously 11/15-1/15. Richard suggested starting at 10/15 for halloween decorations. I'm inclined to agree, as long as curfew/nuisance glare included

Commented [JL83R82]: I am not sure I agree with leaving holiday lights on all night however, that would be hard to enforce and some lights are solar and go out when it starts getting light outside.

Commented [CS84R82]: Agree with Kalen, and this provision is specific to Holiday or Seasonal

Commented [85]: Richard suggested removing the curfew, with exception for non-excessive lighting. I have reinserted a simplified version

- d. Lighting required by the Federal Aviation Administration or the Federal Communications Commission.
- e. Special events that have been issued a permit pursuant to MMC Title 4, Special Event and Street Performer Permits, shall be allowed temporary lighting for the duration of the event, provided such lighting does not create glare to motorists and complies with lighting hours, unless specifically outlined and approved within the event permitting.
- f. Pathway lights less than eighteen inches in height, are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque such that no light is directed upwards.

**Commented [KJ86]:** seems like this can just be accommodated under standard unshielded budget, if max lumens is dropped to about this level

- D. 2. A certificate of occupancy shall not be issued until such time as the property is subject to a post-installation nighttime inspection by the City's Zoning Administrator.  
(Ord. 19-03-Att. 1 (part), 2019)

**Commented [KJ87]:** this was deleted by Richard. We should find out more about practicality of post construction verification

E. Exceptions

- 1. The City may grant exceptions to the Moab Outdoor Lighting Ordinance (MOLO) when practical difficulties or unnecessary hardships exist that cause inconsistencies with the purpose and intent of the standards.
- 2. Requests for exceptions from the standards, policies, or submittal requirements of sections 17.09.060 – 17.09.069 shall be submitted in writing with appropriate documentation and justification to the Zoning Administrator. Exception requests must, at minimum, contain the following:
  - a. Standards under which the applicant seeks an exception;
  - b. Justification for not complying with standards;
  - c. Proposed alternate criteria or standards to comply with the intent of the standards;
  - d. Supporting documentation, including necessary calculations;
  - e. The proposed exception's potential adverse impacts for adjacent landowners;
  - f. An analysis of the exception request, signed by a qualified lighting technician, lighting architect, lighting engineer, lighting specialist, or lighting professional, depending on the topic of the request.
- 3. Upon receipt of a complete application for and exception, the Zoning Administrator shall prepare a statement to recommend that the exception be approved or denied or to request a modification of the proposed exception.
- 4. Exceptions shall be reviewed and approved by the Planning Commission.

**Commented [JL88R87]:** This seems like an important step to ensuring compliance but agree to get more info.

**Commented [CS89R87]:** Can discuss further if needed.

F. Variance

1. An applicant requesting approval for lighting that does not conform to the standards and regulations located in 17.09.060 – 17.09.069, beyond qualifying exemptions or exceptions, shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement.

**17.09.069 Outdoor lighting – Amortization and enforcement of nonconforming outdoor lighting.**

A. The City shall require the termination of use of all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this section.

B. All permitted outdoor lighting installed prior to [ MOLO effective date], between October 1, 2019 and [effective date] in all zoning districts, shall be considered a legal, nonconforming, /permitted (?) use. Any existing approved outdoor lighting, which is being used in a manner or for a purpose which is otherwise lawful, not including direct illumination or glare as specified by the Special Provisions sections for Zoning Districts, but does not comply with the MOLO provisions in sections 17.09.060 – 17.09.069, shall be deemed legal, non-conforming, pursuant to Chapter 17.12, General provisions.

C. \_\_\_\_\_

D. All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered legal, nonconforming and shall be brought into compliance by the property owner as follows:

1. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review or similar City permit or approval if site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred square feet, or fifty percent of the existing site or structure, whichever is less. Projects of less than one thousand five hundred square feet in size, or fifty percent of an existing site or structure, will not be subject to immediate compliance. However, the square footage of the improved structure or site will

**Commented [KJ90]:** Richard/staff's approach to this is significantly different. I'm unclear how it conforms with IDS community requirement for a 10 year amortization. Admittedly difficult, and, other recent codes include it.

**Commented [KJ91]:** IDS community lighting requirement: Affects an amortization period, applicable to ALL publicly AND privately owned lighting, to end not more than ten (10) years from the effective date of the outdoor lighting policy, after which all non-conforming lighting extant at the time of enactment must be brought into compliance with the policy

**Commented [JL92R91]:** The issue will be what will happen in 10 years when most lights will still be non-conforming and the Council will bring up "is this enforceable?". However, in order to be in meet the IDS community standards we should include it now and modify if necessary down the road. I don't agree with a shorter time frame because we know it will not be enforces.

count towards a cumulative total of projects on the same property. When the cumulative total equals or exceeds one thousand five hundred square feet, or fifty percent of the existing site or structure, compliance shall be required for approvals as cited above.

2. All damaged or inoperative nonconforming lighting fixtures shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.

3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with the MOLO by January 1, 2029. this chapter within five ten years from the effective date of this chapter.

4. Whenever a nonconforming use, structure, or lot is abandoned for a period greater than one year and then changed to a new use according to the requirements of Chapter 17.12.060, all existing outdoor lighting shall be reviewed and brought into compliance as necessary for the entire building, structure, or site.

5. Nonconforming fixtures must be brought into compliance if they violate Moab Municipal Code Special provisions 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3, 17.27.040 C-4, 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions as determined by the Zoning Administrator. The [abatement] of the [nuisance] shall be attempted first through non-costly means, such as redirection and relamping. New fixtures shall be required, if the [nuisance] can't be [abated].

Commented [KJ93]: Given the stacking effective dates of the MOLO, and that it isn't a discrete chapter, having a date listed may be cleaner.

Commented [KJ94R93]: Changed per 10/12/23 meeting

Commented [95]: why brackets?

Commented [JL96R95]: Good question

E.

~~C. Violation and enforcement shall be processed as outlined in Chapter 17.78. The City shall perform two audits of all outdoor lighting in the City. The first shall be two years and the other four years after the effective date hereof. These audits will identify all lighting that does not conform to the standards of this chapter. The results of these audits will be made available to the public.~~



The Moab Municipal Code is current through Ordinance 23-11, passed July 25, 2023.

(Ord. 19-03 Att. 1 (part), 2019)

- ~~— Small Development Accommodation. Light fixtures installed on~~
  - ~~— multi-household townhome or condo of less than 4,000 sq ft gross area and average unit size of less than 1,000 sq. ft.~~
  - ~~— apartment development buildings of less than 6,000 sq ft gross area and average unit size of less than 900 sq. ft., or~~
  - ~~— commercial building of less than 3,000 sq. ft. gross area;~~
- ~~and~~
- ~~— The fixtures are safety lighting for pedestrians, not vehicles.~~
- ~~— The fixtures are lamped with the minimum lumens to provide required illumination.~~
- ~~— The fixtures are installed no more than ten feet above the illuminated walking surface.~~
- ~~— Luminaire and permanent opaque building elements are used as much as possible to reduce off-site direct illumination.~~
- ~~— Light fixtures are located as far from property boundaries adjacent to private parcels as practical, and~~
- ~~— The fixture is designed and installed such that no more than 20% of its light is emitted above 30° (measured from vertically downward) and no more than 5% of its light above 60°.~~

Commented [97]: if reused could be a defined thing like "low glare fixture"

~~With approval of permitting authority such fixtures are exempt from strict compliance with 17.09.063 B.~~

## **Section 2. Amendments to MMC Section 17.93.075 Signs - Permitted Illumination**

### **17.93.075 Signs – Permitted illumination.**

Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign

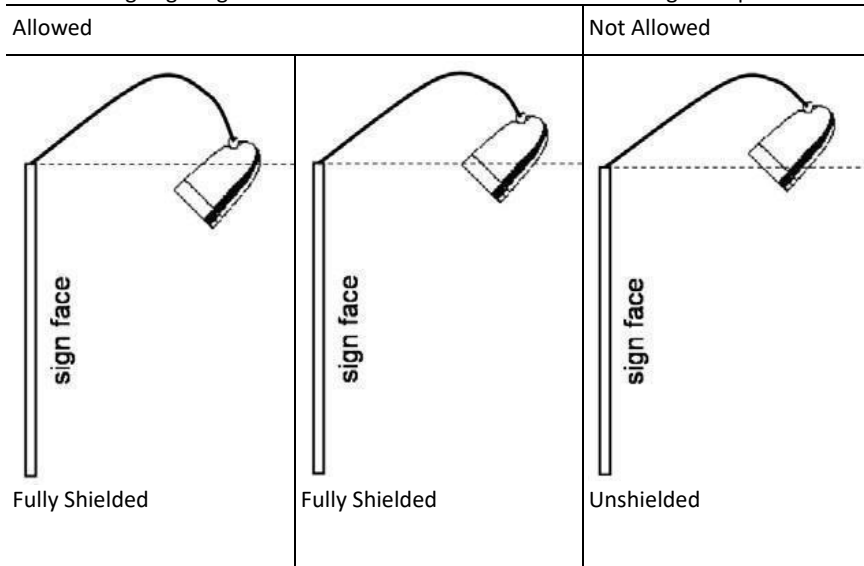
lighting is included in the calculation of total light output for a property. All illuminated signs must conform to the lighting hours detailed in section 17.09.065.

A. Standards for Externally Illuminated Signs.

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign) except for freestanding monument style signs which may be illuminated by ground mounted lighting.
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

**Commented [KJ98]:** Richard's suggestion; I can see the point, since top mounted lights on monuments would look awkward.

**Commented [CS99R98]:** Can keep or remove, the original intention was to remove



B. Standards for Internally Illuminated Signs.

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

C. Standards for Backlit Signs.

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a "halo" effect around sign copy are allowed.

D. Standards for Illuminated Window Signs.

1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed.

(Ord. 22-07 § 3, 2022; Ord. 19-03 Att. 1 (part), 2019. Formerly 17.09.465)

**Section 3. Amendments to MMC Sections 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3 and 17.27.040 C-4 Special Provisions**

B. No dust, odor, smoke, vibration, **directed illumination** or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

**Commented [KJ100]:** Richard's addition, to process directed illumination as a nuisance immediately. I support this, but we'll still need to work out staff's version of "directed" versus direct.

**Section 4. Addition to MMC Sections 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions**

B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

**17.03.010 Title, intent and purpose.**

This title shall be known as, and shall be entitled “the zoning ordinance of Moab City, Utah,” and may be so cited and pleaded. It is the intent and purpose of the City Council to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of guiding development within the City in accordance with a comprehensive plan, which plan has been designed:

- A. To encourage and facilitate orderly growth and development in the area;
- B. To promote safety from fires, floods, traffic hazards and other dangers;
- C. To promote sanitation and health of the inhabitants;
- D. To discourage undue scattering of population and unnecessary expenditures of moneys for excessive streets, water and sewer lines, and other public requirements;
- E. To stabilize and improve property values;
- F. To protect the residents from objectionable noise, odor, dust, fumes, light trespass and glare, and other deleterious substances or conditions;
- G. To promote a more attractive and wholesome environment. (Prior code § 27-1-1)

**17.09.060 Outdoor lighting – General provisions.**

- A. *Title.* Sections 17.09.060 – 17.09.069 shall be known and may be cited as the Moab Outdoor Lighting Ordinance (MOLO).
- B. *Purposes.* The general purpose of the MOLO is to protect and promote the public health, safety and welfare, the quality of life, and the ability to view the night sky by establishing regulations and a process of review for outdoor lighting. This chapter establishes standards for outdoor lighting in order to accomplish the following:
  - 1. To protect against direct glare and excessive lighting;
  - 2. To provide safe roadways for motorists, cyclists and pedestrians;
  - 3. To protect and reclaim the ability to view the night sky, and help preserve the resident quality of life and the tourist experience;
  - 4. To prevent direct light trespass in all areas of the City;

5. To promote efficient and cost-effective lighting;
  6. To ensure that sufficient lighting can be provided where needed to promote safety and security;
  7. To allow for flexibility in the style of lighting fixtures;
  8. To provide lighting guidelines;
  9. To provide assistance to property owners and occupants in bringing nonconforming lighting into conformance with this chapter; and
  10. To work with other jurisdictions within Grand County to meet the purposes of this chapter.
- C. *Scope.* All exterior lighting installed after the effective date hereof in all zoning districts in the City shall be in conformance with the requirements established by the MOLO. All existing lighting installed prior to the effective date hereof in all zoning districts in the City shall be addressed as follows:
1. All outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempt shall be considered legal nonconforming or part of a legal nonconforming structure, and shall be additionally subject to an amortization schedule outlined in Section [17.09.069](#).
  2. Direct illumination shall be confined within the property boundaries of the source and shall comply with the Special Provisions sections for Zoning Districts, as they refer to glare and direct illumination.
  3. In the event of any conflict between the provisions of the MOLO Sections [17.09.060](#) through [17.09.069](#) and [17.93.075](#) and any other provision of the Moab Municipal Code, these sections shall control. (Ord. 19-03 Att. 1 (part), 2019)

## **17.09.062 Outdoor lighting – Definitions.**

- A. For the purpose of Sections [17.09.060](#) through [17.09.069](#) and [17.93.075](#), the following definitions apply:

“Accent or architectural lighting” means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

“Backlight” means all the light emanating behind a luminaire.

“BUG rating” means backlight, uplight, and glare rating, which exists on a scale of zero to five and may be used to describe luminaire optical performance in regards to light trespass, sky glow, and high angle brightness control..

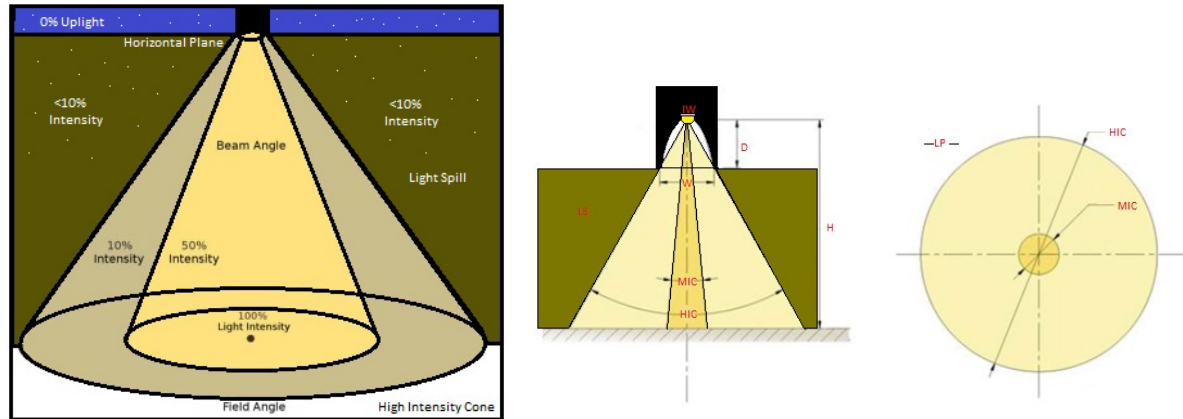


Image by City of Ft. Collins, Colorado, and used here with permission.

“Correlated color temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below three thousand K are usually considered “warm” sources, while those with a CCT above three thousand K are usually considered “cool” in appearance.

“Direct illumination” means the area of intentional illumination emanating from a fixture generally formulated by shielding depth, illumination width, distance and angle of illumination field, respective to the height and location of the illumination source, in context of property

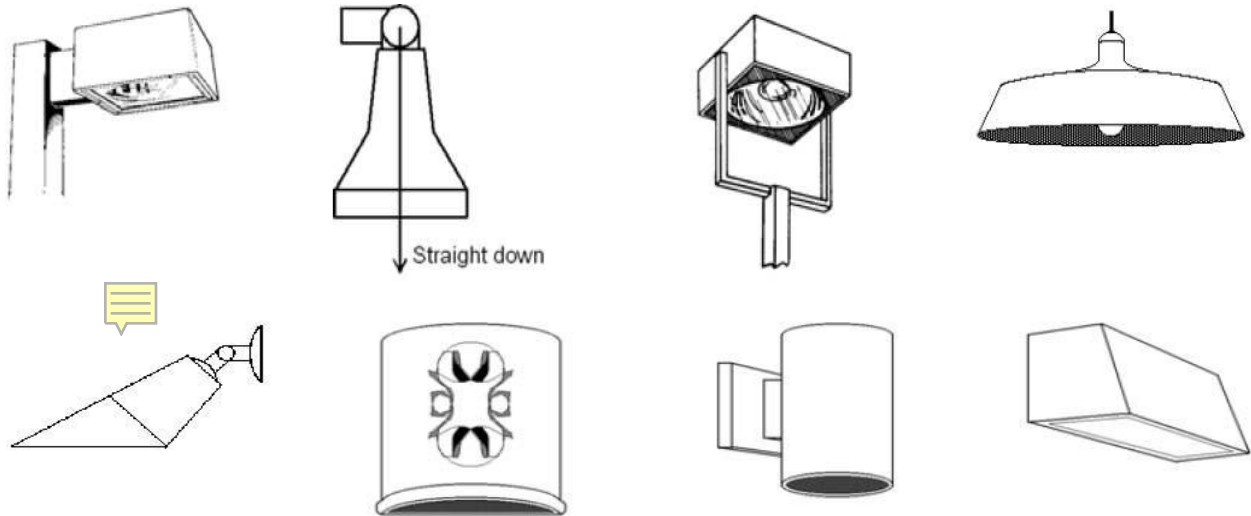
location and grade. This illumination pattern is typically represented by the high intensity cone of light 10% or greater, emanating and expanding outward from the illumination source. This area is in contrast to the area outside of this high intensity cone, separately defined as light spill. Direct illumination shall be generally interpreted utilizing this formulation, by the Zoning Administrator. (Include illustration.)



“Floodlight” means a fixture or bulb designed to “flood” an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

“Fully shielded fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero. Fully shielded light fixtures must be shielded in and of themselves; a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Surrounding structures, like canopies, eaves, and patio covers, are not to be considered when determining if the fixture is fully shielded, unless specifically allowed. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed

downward.



**Examples of fully shielded light fixtures.**

“Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

“Internally illuminated,” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

“Light pollution” means any adverse effect of manmade light. Often used to denote “skyglow” from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

“Light source” means the part of a lighting fixture that produces light, e.g., the bulb, lamp, or chips on board.

“Light trespass” means Direct Illumination falling over property lines that illuminates other grounds or [buildings](#)..

“Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

“Manufacturer’s catalog cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

“Net acre” means a gross acre excluding: public rights-of-way, lands with natural slopes greater than thirty percent, jurisdictional wetlands, lands in the one-hundred-year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geohazards, riparian habitats, archeological sites, and required open space.

“Outdoor light fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

“Recreational lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.

“Safety lighting” means the minimum amount of lighting required by the Building Official or Zoning Administrator for the purpose of safety, as required or prescribe by standards and regulations specific to the application review. Examples include lighting for ingress/egress, doorways, pathways, and driveways.

“Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the nighttime sky.

“Spill, Light” means the area of illumination emanating from a light source outside of the direct illumination area.

“Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of “Floodlight.”

“Temporary lighting” means lighting of a non-permanent nature, not required for or qualifying as safety lighting, that plugs into an outlet and is not hard wired.

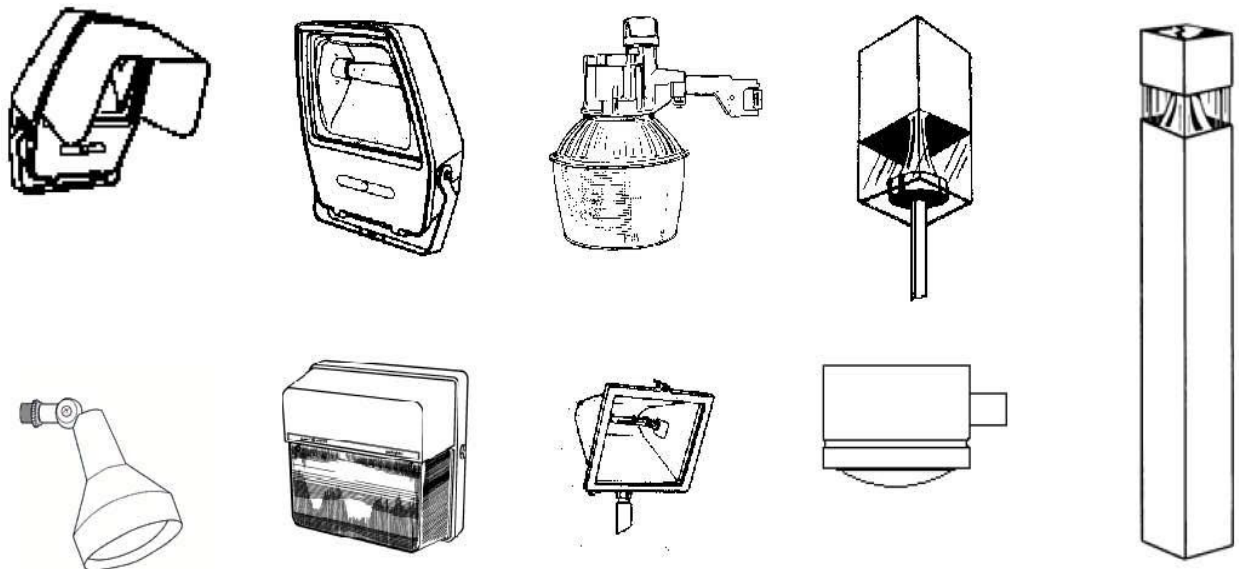
“Temporary String lighting” means lighting of a non-permanent nature, not required for or qualifying as safety lighting, that plugs into an outlet and is not hard wired. Description and qualification of temporary string lighting includes, but is not limited to, ambient, string, café, or bistro lighting; determined by the Zoning Administrator.

“Total” means the sum of shielded and unshielded light.

“Total outdoor light output” means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.

“Tower” means any monopole, antenna, or the like that exceeds eighteen feet in height.

“Unshielded fixture” means a fixture that has no shielding that prevents light emission above the horizontal.



**Examples of unshielded light fixtures.**

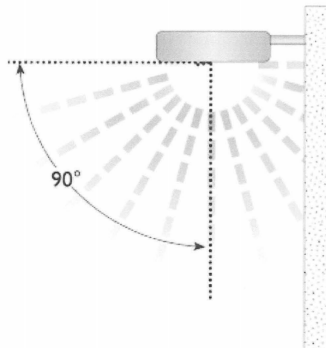


“Uplight” means all the light emanating above the horizontal plane of a luminaire. (Ord. 19-03 Att. 1 (part), 2019)

**17.09.063 Outdoor lighting – Shielding and trespass requirements.**

- A. Unless specifically exempted by section 17.09.068, all permanent and temporary outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light

manufacturer provides a BUG rating, the uplight rating (U) must equal zero.



- B. All light fixtures shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Lighting shall not be aimed onto [adjacent](#) properties, [except](#) in cases of shared parking, shared pedestrian pathways, or for coordinated [development](#) sites spanning multiple parcels.
- C. Light trespass onto [adjacent](#) public [rights-of-way](#) may be allowed subject to approval of the Zoning Administrator.
- D. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.



### **17.09.064 Outdoor lighting – Total light output.**

1. For commercial developments in the C-1, C-2, C-3, C-4, and R-C Zones, the total outdoor light output shall not exceed fifty thousand lumens per developed acre. Such developments shall be permitted a minimum of five thousand lumens regardless of parcel size.
2. For commercial developments in the A-2, C-5, SAR, and I-1 Zones, and for mixed-use commercial and residential developments, and residential multi-household developments in all zones, the total outdoor light output of any such development shall not exceed twenty thousand lumens per net acre. Such developments shall be permitted a minimum of five thousand lumens regardless of parcel size.
3. For residential development of single household, two-household, and ADUs in all zones, the total outdoor light output shall not exceed ten thousand lumens for parcels one-half acre, or larger, in size. Parcels smaller than one-half acre shall be permitted five thousand lumens.

4. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output.
  - 5.
  6. Total light output exceptions:
  7. Streetlights used for the express purpose of illumination of public rights-of-ways are excluded from total light output calculations.
- B. A property may exceed the total light output limits if one hundred percent of the proposed lighting is comprised of the minimum, qualifying, and required safety lighting; given the fixture lumens are the minimum required to meet safety illumination standards. No additional lighting, or non-qualifying safety lighting, may be proposed beyond the required safety lighting, if that required safety lighting meets or exceeds one hundred percent of the total light output calculation.

#### **17.09.065 Outdoor lighting – Lighting hours.**

- A. Commercial establishments shall turn off all outdoor lighting, except those listed below, by ten p.m. and the lighting shall remain off until business open:
1. Commercial establishments located in zones C-3, C-4 and RC may leave all compliant outdoor lighting on until ten p.m. or until one hour after the close of business.
  2. All Commercial establishments open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business.
  3. Compliant lighting to illuminate the entrance to the commercial establishment.
  4. Compliant parking lot and pathway lighting required for the safety of guests or customers.
- B. Recreational lighting (residential and commercial) shall be turned off by ten p.m. except to conclude a specific sporting event that is underway.
- C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.068.C.
- D. Commercial establishments located in zones C3, C4 and RC shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open. All

other commercial establishments shall turn off all illuminated signage one hour after business close, and remain off until business open.

**17.09.066 Outdoor lighting – Lighting color.**

All outdoor lighting shall utilize light sources with correlated color temperature not to exceed three thousand Kelvin).

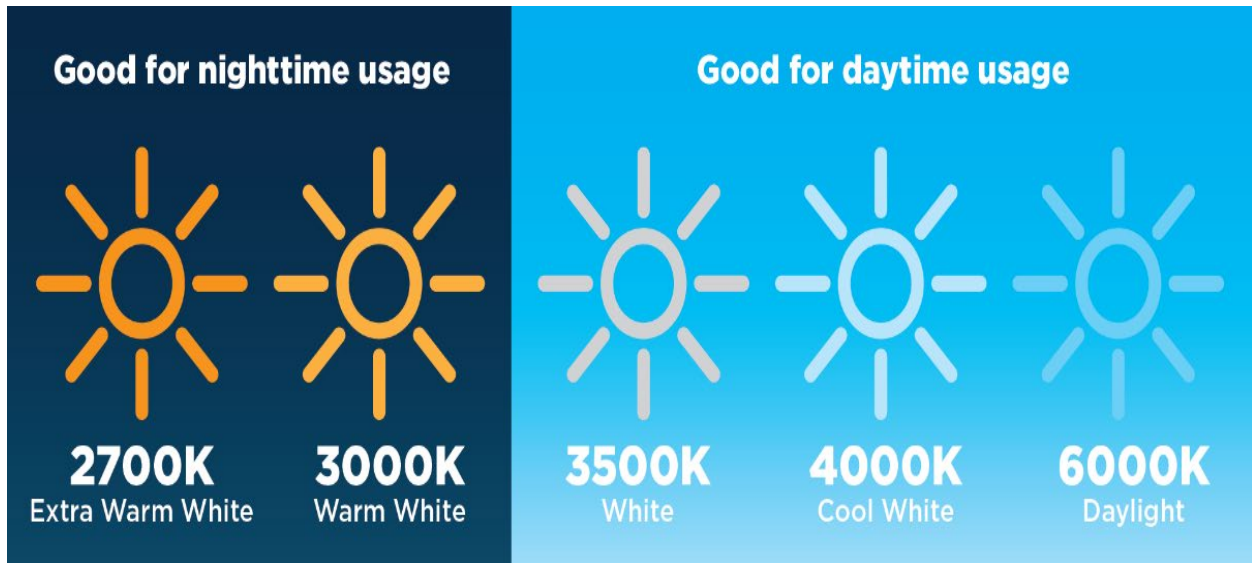


Image by City of Ft. Collins, Colorado, and used here with permission.

(Ord. 19-03 Att. 1 (part), 2019)

**17.09.067 Outdoor lighting – Specialized outdoor lighting conditions and standards.**

B. Roadway and streetlights are prohibited unless recommended by the City Engineer or required by UDOT to provide for the safety of the public. All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT.

C. Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots shall not exceed twenty-five feet..

E. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play, viewing stands, and pathways for the safety of the public, which is not in strict conformance with the shielding and light color provisions of the MOLO. The following standards shall apply to outdoor recreation area or athletic field lighting:

1. The recreational lighting shall not exceed illuminance levels for Class IV sports lighting, and shall follow the Illuminating Engineering Society lighting guidelines (RP-6).
2. The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.
3. Illuminance levels must be adjustable based on the task (e.g., active play vs. field maintenance), and the lowest appropriate illuminance level shall be utilized based on the task.
4. Off-site and sky glow impacts of the lighting will be limited to the greatest practical extent possible.
5. The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this chapter.
6. The recreational or athletic facility shall extinguish lighting exempted by this chapter no later than ten p.m. or one-half hour after the end of play.
7. The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on when the facilities are not in use.

E. Outdoor event venues may use illumination to light the performance area, which is not in strict conformance with the shielding and lighting color provisions of the MOLO. The following standards apply to all event lighting:

1. Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed to minimize its visibility beyond the property boundaries.

2. Lighting used to illuminate the performance area may only be turned on during events.
3. Lighting used to illuminate the seating areas, pathways, and other areas of the venue must meet all standards of this chapter.

F. All illuminated signs shall comply with the standards of Section [17.93.075](#). (Ord. 19-03 Att. 1 (part), 2019)

### **17.09.068 Outdoor lighting – Application and review procedures.**

A. *Lighting Plan.* All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zoning district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter. Lighting plans shall include the following:



1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
2. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the Planning Commission to be able to determine compliance with the provisions of this chapter.
3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.

B. *Approval Procedure.*

1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

C. Exemptions.

1. Exemptions only from Shielding and Trespass requirements, section 17.09.063.

- a. The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.
  - b. Temporary String lighting
    - i. Temporary String lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.
    - ii. Temporary String lighting shall not flash, blink, fade, or strobe.
  - c. All lights exempted by this section shall be included in the calculation of total light output, section 17.09.064, and shall comply with lighting color standards, section 17.09.066.
2. Exemptions from general MOLO requirements, sections 17.09.060 – 17.09.069
- a. Traffic control signals and traffic safety devices.
  -  b. Emergency and safety lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction.
  - c. Temporary outdoor lighting intended as holiday or seasonal decorations displayed between October 15th and the following January 15th may remain on until 10pm. They may remain on all night provided that they do not create nuisance glare.
  - d. Lighting required by the Federal Aviation Administration or the Federal Communications Commission.
  - e. [Special events](#) that have been issued a permit pursuant to MMC Title 4, Special Event and Street Performer Permits, shall be allowed temporary lighting for the duration of the event, provided such lighting does not create  [glare](#) to motorists and complies with lighting hours, unless specifically outlined and approved within the event permitting.
  - f. Pathway lights less than eighteen inches in height, are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque such that no light is directed upwards.
- D.
- E. Exceptions
- 1. The City may grant exceptions to the Moab Outdoor Lighting Ordinance (MOLO) when practical difficulties or unnecessary hardships exist that cause inconsistencies with the purpose and intent of the standards.
  - 2. Requests for exceptions from the standards, policies, or submittal requirements of sections 17.09.060 – 17.09.069 shall be submitted in writing with appropriate







documentation and justification to the Zoning Administrator. Exception requests must, at minimum, contain the following:

- a. Standards under which the applicant seeks an exception;
  - b. Justification for not complying with standards;
  - c. Proposed alternate criteria or standards to comply with the intent of the standards;
  - d. Supporting documentation, including necessary calculations;
  - e. The proposed exception's potential adverse impacts for adjacent landowners;
  - f. An analysis of the exception request, signed by a qualified lighting technician, lighting architect, lighting engineer, lighting specialist, or lighting professional, depending on the topic of the request.
3. Upon receipt of a complete application for and exception, the Zoning Administrator shall prepare a statement to recommend that the exception be approved or denied or to request a modification of the proposed exception.
  4. Exceptions shall be reviewed and approved by the Planning Commission.
- F. Variance
1. An applicant requesting approval for lighting that does not conform to the standards and regulations located in 17.09.060 – 17.09.069, beyond qualifying exemptions or exceptions, shall follow the procedures and findings requirements set forth in Chapter [17.72](#) – Administration and Enforcement.

### **17.09.069 Outdoor lighting – Amortization and enforcement of nonconforming outdoor lighting.**

- A. The City shall require the termination of use of all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this section.
- B. All permitted outdoor lighting installed prior to [ MOLO effective date], in all zoning districts, shall be considered legal, nonconforming. Any existing approved outdoor

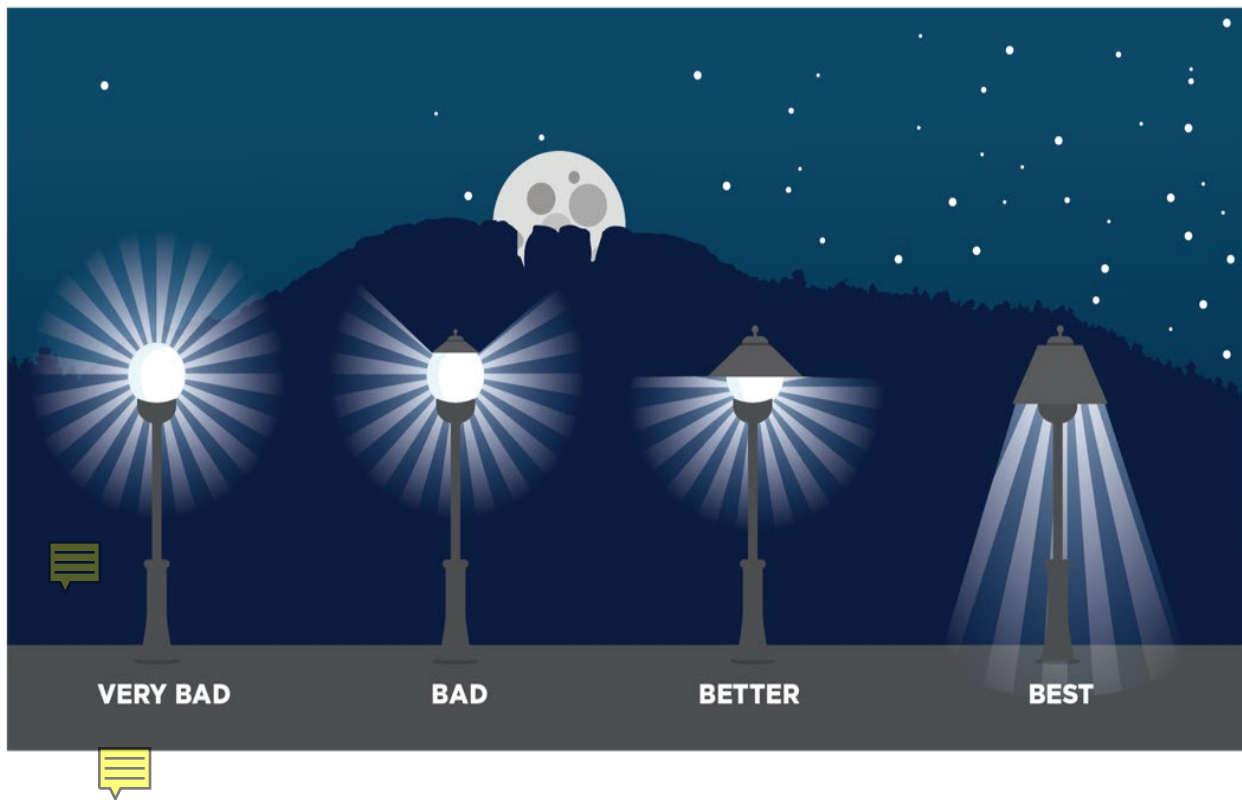
lighting, which is being used in a manner or for a purpose which is otherwise lawful, not including direct illumination or glare as specified by the Special Provisions sections for Zoning Districts, but does not comply with the MOLO provisions in sections 17.09.060 – 17.09.069, shall be deemed legal, non-conforming, pursuant to Chapter 17.12, General provisions.

- C. 
- D. All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered legal, nonconforming and shall be brought into compliance by the property owner as follows:
1. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review or similar City permit or approval if site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred square feet, or fifty percent of the existing site or structure, whichever is less. Projects of less than one thousand five hundred square feet in size, or fifty percent of an existing site or structure, will not be subject to immediate compliance. However, the square footage of the improved structure or site will count towards a cumulative total of projects on the same property. When the cumulative total equals or exceeds one thousand five hundred square feet, or fifty percent of the existing site or structure, compliance shall be required for approvals as cited above.  
  2. All damaged or inoperative nonconforming fixtures shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.
  3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with the MOLO by January 1, 2029. this chapter within ten years from the effective date of this chapter. 
  4. Whenever a nonconforming use, structure, or lot is abandoned for a period greater than one year and then changed to a new use according to the requirements of Chapter 17.12.060, all existing outdoor lighting shall be reviewed and brought into compliance as necessary for the entire building, structure, or site. 
  5. Nonconforming fixtures must be brought into compliance if they violate Moab Municipal Code Special provisions 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3, 17.27.040 C-4, 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 

17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions as determined by the Zoning Administrator. The [abatement] of the [nuisance] shall be attempted first through non-costly means, such as redirection and relamping. New fixtures shall be required, if the [nuisance] can't be [abated].

E.

Violation and enforcement shall be processed as outlined in Chapter 17.78





(Ord. 19-03 Att. 1 (part), 2019)



**Section 2. Amendments to MMC Section 17.93.075 Signs - Permitted Illumination**

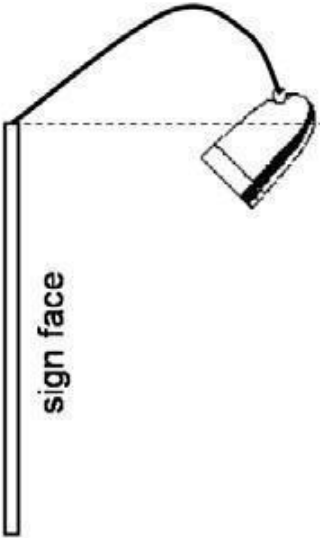
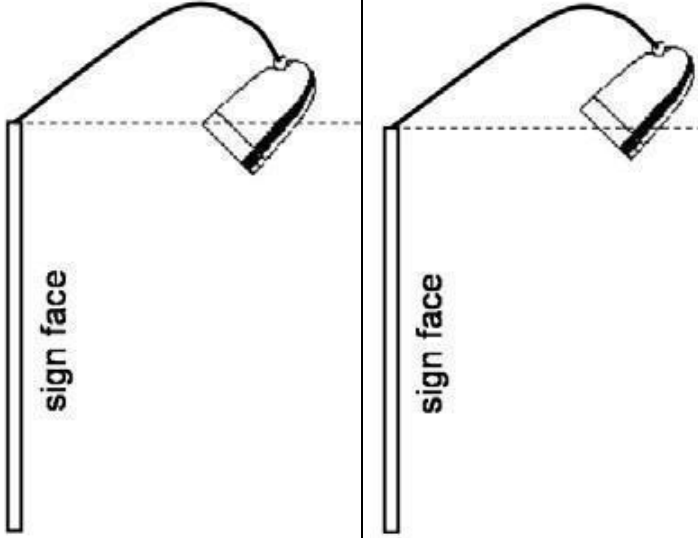
**17.93.075 Signs – Permitted illumination.**

Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property. All illuminated signs must conform to the lighting hours detailed in section 17.09.065.

**A. Standards for Externally Illuminated Signs.**



1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign)
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

Allowed	Not Allowed
 <p data-bbox="188 1136 370 1167">Fully Shielded</p>	 <p data-bbox="946 1136 1092 1167">Unshielded</p>

**B. Standards for Internally Illuminated Signs.**

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

**C. Standards for Backlit Signs.**

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around sign copy are allowed.

**D. Standards for Illuminated Window Signs.**

1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed.

(Ord. 22-07 § 3, 2022; Ord. 19-03 Att. 1 (part), 2019. Formerly 17.09.465)

**Section 3. Amendments to MMC Sections 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3 and 17.27.040 C-4 Special Provisions**

B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

**Section 4. Addition to MMC Sections 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions**

B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.



**CITY OF MOAB ORDINANCE #2019-03**

**AN ORDINANCE ENACTING SECTIONS 17.09.060-17.09.069 AND SECTION 17.09.465 OF THE MOAB MUNICIPAL CODE ESTABLISHING OUTDOOR LIGHTING AND SIGN ILLUMINATION STANDARDS AND REPEALING INCONSISTENT LIGHTING PROVISIONS**

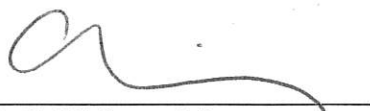
The following describes the intent and purpose of this ordinance:

- a. The City desires to encourage outdoor lighting practices that will minimize light pollution, glare, light trespass, and sky glow to curtail the degradation of the night-time visual environment.
- b. Lighting practices that promote energy conservation are to be encouraged.
- c. Revisions to existing ordinances are necessary to improve night-time safety and security.
- d. Lighting practices are an important component for developing an attractive nighttime appearance in the City.
- e. It is in the best interests of the City that it establish lighting standards, requirements, and processes that are substantially consistent throughout the Moab Municipal Code and substantially with those established by Grand County.
- f. The City finds that this ordinance is necessary, appropriate, and consistent with public health, safety, and welfare.

**NOW, THEREFORE**, the Moab City Council amends the Code by inserting the new language and making the following amendments/deletions as shown in Attachment 1.

**PASSED AND APPROVED** by a majority of the City of Moab City Council on August 13, 2019. This ordinance shall take effect immediately.

SIGNED:



Emily S. Niehaus, Mayor

8/13/19  
Date

ATTEST:



Sommar Johnson, Recorder

## ATTACHMENT 1:

### New Language for Sections 17.09.060 through 069 and Section 17.09.465

#### 17.09.060 Outdoor Lighting - Scope and Applicability

- A. All lighting should be purpose driven.
- B. All outdoor lighting installed after October 1, 2019 in all zoning districts within the City shall conform to the requirements established by Sections 060 through 069 of this Chapter 17.09, as well as Section 465 of this Chapter. This ordinance does not apply to indoor lighting.
- C. All existing outdoor lighting that does not meet the requirements of this Chapter and is not otherwise exempted shall be considered a nonconforming use or part of a nonconforming structure subject to an amortization schedule outlined in Chapter 17.09.069.
- D. In the event of any conflict between the provisions of this ordinance and any other provision of the Moab Municipal Code this ordinance shall control.

#### 17.09.062 Outdoor Lighting - Definitions

- A. For the purpose of Sections 060 through 069 and Section 465 of this Chapter, the following definitions apply:

“Accent or Architectural Lighting” means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

“Backlight” means all the light emanating behind a luminaire.

“B.U.G. Rating” means backlight, up-light, and glare rating, which exists on a scale of zero to five (0 to 5) and describes the light output of a luminaire.

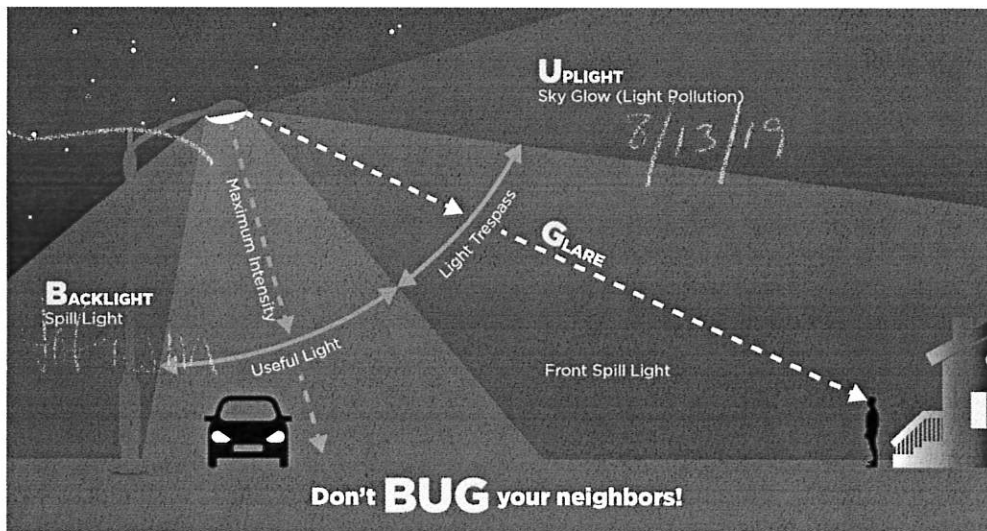


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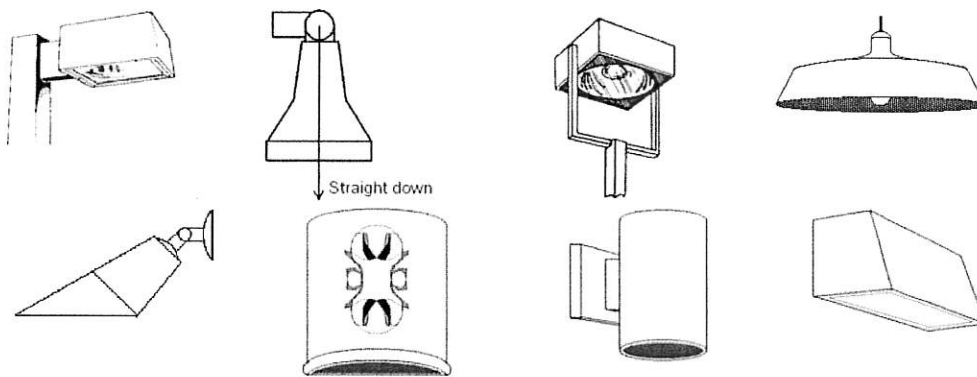
“Correlated Color Temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular

temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general "warmth" or "coolness" measure of its appearance. Lamps with a CCT rating below 3,000 K are usually considered "warm" sources, while those with a CCT above 3,000 K are usually considered "cool" in appearance.

“Direct Illumination” means illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.

“Floodlight” means a fixture or bulb designed to "flood" an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

“Fully Shielded Fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero (0). Fully shielded light fixtures must be shielded in and of themselves. Surrounding structures, like canopies, are not to be considered when determining if the fixture is fully shielded. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal and all light is directed downward.



Examples of fully shielded light fixtures.

“Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

“Internally Illuminated” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

“Light Pollution” means any adverse effect of manmade light. Often used to denote "sky glow" from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

“Light Source” means the part of a lighting fixture that produces light, e.g. the bulb, lamp, or chips on board.

“Light Trespass” means any light that falls beyond the legal boundaries of the property it is intended to illuminate.

“Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

**Common Relationships between bulb types, wattages and lumen levels**

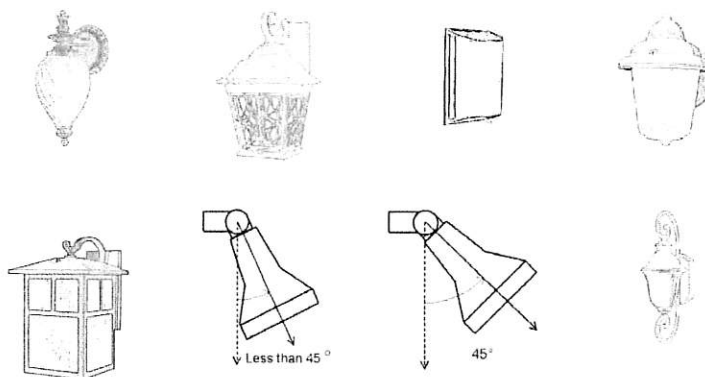
Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

“Manufacturer's Catalog Cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

“Net Acre” means a gross acre excluding: public rights-of-way, lands with natural slopes greater than 30 percent, jurisdictional wetlands, lands in the 100 year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geo-hazards, riparian habitats, archeological sites, and required open space.

“Outdoor Light Fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

“Partially Shielded Light Fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits most of its light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight (U) and backlight (B) ratings are greater than zero (0). Light emitted at or above the horizontal plane (sideways or upwards) shall arise solely from incidental decorative elements or strongly colored or diffusing materials such as colored glass or plastic. Fixtures using spot or flood lamps are considered partially shielded if the lamps are aimed no higher than 45 degrees above the vertical plane beneath the fixture.



Examples of partially shielded lighting fixtures

“Recreational Lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.

“Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the nighttime sky.

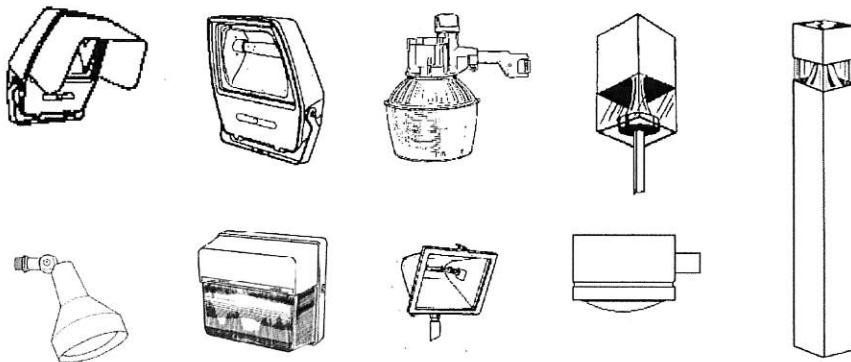
“Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of Floodlight.

"Total" means the sum of shielded and unshielded light.

"Total outdoor light output" means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.

“Tower” means any monopole, antenna, or the like that exceeds eighteen feet (18') in height.

“Unshielded Fixture” means a fixture that has no shielding at all that would otherwise specifically prevent light emission above the horizontal.



Examples of unshielded light fixtures.

“Uplight” means all the light emanating above the horizontal plane of a luminaire.

### 17.09.063 Outdoor Lighting - Fully Shielded Fixture Requirements

A. Unless specifically exempted by this section, all outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero (0).

B. In order to qualify as a "fully shielded" fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded.

- C. Fixtures must not be placed at a location, angle, or height that directs illumination outside the property boundaries where the light fixtures are located.
- D. Notwithstanding the exemptions in subsection E below, all residential and commercial luminaires shall be fully shielded when installed within twenty-five (25) feet of adjacent residential property lines.
- E. Exemptions to Fully Shielded Fixture Requirements:
  - 1. All lights exempted by this section shall be included in the calculation of total light output.
  - 2. Fixtures having a total light output less than one thousand (1,000) lumens are exempted from the fully shielded requirement provided the following criteria are met:
    - a. The fixture has a top that is completely opaque such that no light is directed upwards.
    - b. The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material. Completely transparent materials, such as clear or lightly tinted colored glass, are not allowed.
    - c. The light source must not be visible from any point outside the property on which the fixture is located.
  - 3. Spotlights controlled by motion sensors having a light output less than one thousand (1,000) lumens per lamp are exempted from the fully shielded requirement provided:
    - a. The fixture is a spotlight or other type of directed light that shall be directed straight down; and
    - b. The fixture must not be placed in such a manner that results in illumination being directed outside the property boundaries where the light fixtures are located.
    - c. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.
  - 4. Pathway lights less than eighteen inches (18") in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred (300) lumens.
  - 5. Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15 and the following January 15, provided that individual lamps do not exceed 70 lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.
  - 6. Traffic control signals and traffic safety devices.
  - 7. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.
  - 8. The lighting of federal or state flags, provided that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.
  - 9. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement.

**17.09.064 Outdoor Lighting - Total Light Output**

- A. Commercial. Total outdoor light output shall not exceed fifty thousand (50,000) lumens per developed acre. Streetlights used for illumination of public rights-of-way are excluded from this

calculation. Commercial developments shall be permitted a minimum of 5,000 lumens of lighting regardless of parcel size.

1. In non-residential zoning districts, partially and unshielded lighting on a property shall not exceed 5,000 lumens per developed acre, and shall be included in the total outdoor light output calculation
- B. Residential. Total outdoor light output shall not exceed ten thousand (10,000) lumens of lighting for parcels one-half (acre), or larger, in size. Parcels smaller than one-half (1/2) acre shall be permitted five thousand (5,000) lumens of lighting regardless of parcel size. Total outdoor light output of any apartment development shall not exceed twenty thousand (20,000) lumens of lighting per net acre.
1. In residential zones, partially and unshielded lighting on a property shall not exceed 1,000 lumens per lot, and shall be included in the total outdoor light output calculation.
  2. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output.

#### **17.09.065 Outdoor Lighting - Lighting Hours**

- A. Commercial establishments shall turn off all outdoor lighting, except that listed below, by ten o'clock (10:00) P.M.:
1. Businesses open to the public after ten o'clock (10:00) P.M. may leave all outdoor lighting on until one hour after the close of business.
  2. Lighting to illuminate the entrance to the commercial establishment.
  3. Parking lot and pathway lighting required for the safety of guests or customers.
- B. Recreational lighting (residential and commercial) shall be turned off by ten o'clock (10:00) P.M. except to conclude a specific sporting event that is underway.

#### **17.09.066 Outdoor Lighting - Lighting Color**

All exterior lighting shall utilize light sources with correlated color temperature not to exceed 3,000 Kelvin (K).

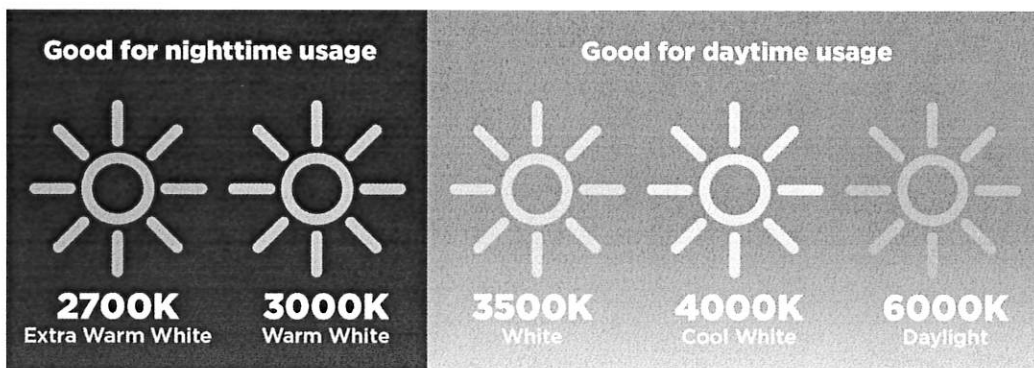


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#### **17.09.067 Outdoor Lighting - Specialized Outdoor Lighting Conditions and Standards**

- A. Gas station canopies may be illuminated, provided that all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture.

- B. Roadway and streetlights are prohibited unless recommended by the City engineer or required by UDOT to provide for the safety of the public. When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize sky glow, light trespass, and other unintended impacts of artificial lighting. All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT.
- C. Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots in commercial zones shall not exceed twenty-five feet (25'). All post mounted parking lot lights shall be set back from property lines a distance equal to two and one-half (2.5) times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential zones shall not exceed twenty-five feet (25'). All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.
- D. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play and viewing stands and for the safety of the public. The following standards shall apply to outdoor recreation area or athletic field lighting:
  - 1. The recreational lighting shall not exceed illuminance levels for class IV sports lighting set by the Illuminating Engineering Society of North America.
  - 2. The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.
  - 3. Off-site impacts of the lighting will be limited to the greatest practical extent possible
  - 4. The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this Chapter.
  - 5. The recreational or athletic facility shall extinguish lighting exempted by this Chapter no later than 10:00pm or one-half hour after the end of play.
  - 6. The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on when the facilities are not in use.
- E. Outdoor amphitheatres may use illumination to light the performance area of the amphitheater and for the safety of the public. The following standards apply to all amphitheater lighting:
  - a. Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that it is not visible beyond the property boundaries.
  - b. Lighting used to illuminate the performance area may only be turned on during performances or rehearsals.
  - c. Lighting used to illuminate the seating areas, pathways, and other areas of the amphitheater must meet all standards of this chapter.
- F. All illuminated signs shall comply with the standards of Section 17.09.465.

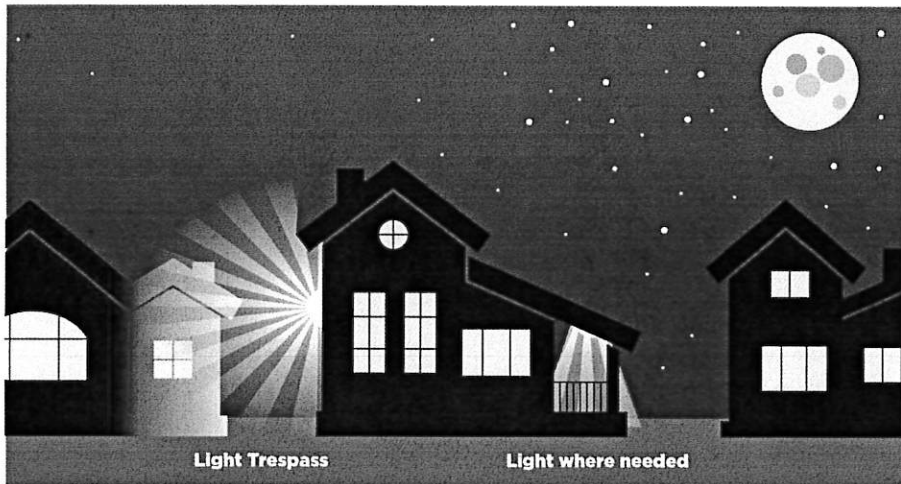
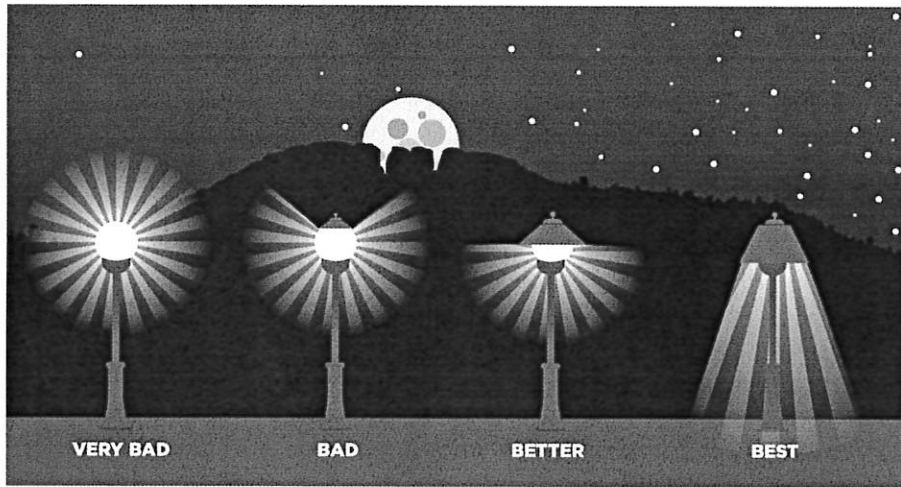
**17.09.068 Outdoor Lighting - Application and Review Procedures**

- A. **Lighting Plan**  
All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zoning district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this Chapter. Lighting plans shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
  2. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the planning commission to be able to determine compliance with the provisions of this chapter.
  3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.
- B. Approval Procedure:
1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.
  2. A certificate of occupancy shall not be issued until such time as the property is subject to a post installation nighttime inspection by the City's Zoning Administrator.

**17.09.069 Outdoor Lighting - Amortization of Nonconforming Outdoor Lighting**

- A. The City shall require the termination of use of all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this Chapter, pursuant to the amortization schedule contained in this section.
- B. All outdoor lighting legally existing and installed prior to the effective date of this Chapter and which is not exempted shall be considered nonconforming and shall be brought into compliance by the property owner as follows:
  1. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review or similar City permit or approval if site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred (1,500) square feet, or 50% of the existing site or structure, whichever is less. Projects of less than one thousand five hundred (1,500) square feet in size, or 50% of an existing site or structure will not be subject to immediate compliance. However, the square footage of the improved structure or site will count towards a cumulative total of projects on the same property. When the cumulative total equals or exceeds one thousand five hundred (1,500) square feet, or 50% of the existing site or structure, compliance shall be required for approvals as cited above.
  2. All damaged or inoperative nonconforming lighting shall be replaced or repaired only with lighting equipment and fixtures compliant with this Chapter.
  3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with this Chapter within five (5) years from the effective date of this Chapter.
- C. The City shall perform two (2) audits of all outdoor lighting in the City, one two (2) years and the other four (4) years after the effective date hereof. These audits will identify all lighting that does not conform to the standards of this Chapter. The results of these audits will be made available to the public.



**17.09.300 Off-Street Parking and Loading Lighting**

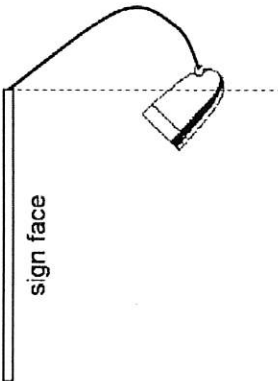
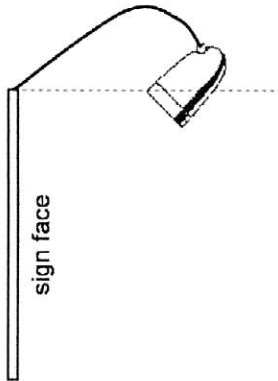
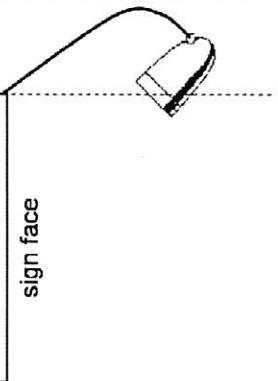
Any lighting used to illuminate off-street parking facilities or vehicle sales areas shall be so arranged as to reflect the light away from the adjoining premises in any residential zone. (Prior code § 27-3-21(I))

**17.09.465 Signs -- Permitted Illumination**

Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property.

**A. Standards for Externally Illuminated Signs:**

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within 2 feet of the top of a wall mounted sign), except for freestanding monument style signs which may be illuminated by ground mounted lighting.
3. Lighting shall consist of no more than four (4) individual fixtures (or lamps) per sign face and produce a maximum of 40,000 lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

Permitted and Prohibited External Sign Lighting Configurations		
Allowed		Not Allowed
 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Fully Shielded</p>	 <p>sign face</p> <p>Unshielded</p>

**B. Standards for Internally Illuminated Signs:**

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Non-text portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

**C. Standards for Backlit Signs:**

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a "halo" effect around sign copy are allowed.

D. Standards for Illuminated Window Signs

1. Businesses may display a maximum of two (2) illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four (4) square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed.

Ed. Note: Existing Code text is noted below. Deletions are shown in strike-through; new text is shown in bold.

15.36.080 [Mobile Home Parks]

P. *Outdoor Lighting.* ~~All new development shall be required to shield the lamp (bulb) from view off site in accordance with Supplementary Regulations of Section 17.31.050.~~ **All outdoor lighting shall comply with the requirements of Sections 17.09.060 through 069.**

15.44.070 [Sign Code]

A. Lighted signs that flash, blink, create the appearance of movement, have moving light elements, or which otherwise change brightness, color, or lighting intensity, including intermittent display, lampbanks that change electronically, including time and temperature signs, are strictly prohibited. Christmas lights that are displayed during the month of December are exempt from this provision. **All lighted signs shall additionally comply with Section 17.09.465.**

B. Electronic variable message signs (EVMS) are prohibited.

C. Real time video projected on outdoor display screens, outdoor video projection screens, and outdoor LED screens or outdoor display screens of any type are prohibited for use as signs, including in windows.

D. Lighted signs on property near a residential area shall be subdued and shall not be allowed to penetrate beyond the property in such a manner as to annoy or interfere with nearby residential properties. (Ord. 14-10 (part), 2014; Ord. 00-03 (part), 2000; Ord. 92-02 §§ 3.07, 3.08, 1992)

15.44.090 [Sign Code]

Public, public educational or religious institutional signs shall be located entirely upon the premises of that institution, shall not exceed an area of fifty square feet per frontage and shall ~~require indirect lighting if lighted.~~ **comply with Section 17.09.465.**

16.24.010 [Subdivisions]

Standards for design, construction, specification, and inspections of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities and street lighting shall be prepared by the City Engineer, highway department and the building inspector; standards for water distribution and sewage disposal by the water and sewer departments; and similar standards for fire hydrants by the fire department. All subdividers shall comply with the standards established by such departments and agencies of the City, provided that such standards shall be approved by the City Council. **All outdoor**

**lighting shall comply with the requirements of Sections 17.09.060 through 069.** (Ord. 13-81 (part), 1981: prior code § 22-6-1

17.20.020 [Bed and Breakfasts]

A(2)(j) Signs are limited to one non-flashing sign not larger in area than four square feet. **All lighted signs shall comply with Section 17.09.465.** ~~If lighted, the light shall be diffused or shielded and downward directed.~~

17.27.020 [Trucking Companies in C-4]

(A)(35)(e) Parking areas shall be illuminated by pole lighting only. **All outdoor lighting shall comply with the requirements of Sections 17.09.060 through 069.** ~~that shall be downward directed with full cut-off fixtures dispersed throughout the parking area and shall provide a minimum of 0.5 candle power and not more than 1.0 candle power of illumination. No light shall be placed on the eave or side of buildings and be directed outward toward the perimeter of the property.~~

17.31.040 [Resort Commercial Zone]

B. *Outdoor Lighting.* ~~All new development shall be required to shield the lamp (bulb) from view off site in accordance with Supplementary Regulations of Section 17.31.050.~~

F. *Signage.* **All lighted signs shall comply with Section 17.09.465.** ~~All signs shall comply with the requirements this Title provided, however, that notwithstanding provisions to the contrary:~~

~~1. *Illumination.* Freestanding signs and wall signs may be illuminated indirectly or internally. Directional signs shall not be illuminated. Where internal illumination is employed, only the face area of the letters or logos may be illuminated and at least fifty percent of the sign face shall have an opaque background.~~

17.31.050 [Resort Commercial Zone]

A. *Outdoor Lighting.* An outdoor lighting plan shall be submitted with the site/development plan.

1. All outdoor lighting shall **comply with the requirements of Sections 17.09.060 through 069.** ~~be directed down or toward a surface.~~

~~2. The light source or bulb for all outdoor lighting shall be shielded from view off-site.~~

~~3. No outdoor lighting shall be directed towards any adjacent residential use or public street.~~

17.32.040 [SAR Zoning District]

H(12) Signs. **All lighted signs shall comply with Section 17.09.465, except that internally illuminated outdoor signs shall be prohibited within the SAR zone.**

13. All signs must be nonflashing and stationary. Lighted signs shall be limited to full-cutoff fixtures

† **Lighting. All outdoor lighting shall comply with the requirements of Sections 17.09.060 through 069.** and be shielded from view off-site and shall be designed to reduce nighttime glare and impact on the night sky. All outdoor lighting shall have full-cutoff fixtures.

2. All indoor lighting visible from outside shall be shielded or muted to reduce nighttime glare and impact on the night sky. All indoor lighting shall be designed to limit the emission of indoor light to the outdoors and off-site.

17.65.100 [Preliminary MPD]

H. *Exterior Lighting Plan.* The exterior lighting plan shall indicate the location, size, height, typical design, material, color, and method and direction of proposed illumination and lighting. **All outdoor lighting shall comply with the requirements of Sections 17.09.060 through 069.**

17.67.040 [Site Plan Review]

D. *Lighting Plan.* The lighting plan shall show number and types of fixtures for walkways, building exterior lighting, and parking areas **and comply with the requirements of Sections 17.09.060 through 069.** An acceptable lighting plan shall consist of full cutoff, fully shielded, downward directed lighting types. The plan shall include manufacturer's information detailing the fixtures to be used. Internal or external shielding may be used to prevent glare toward other properties or into the roadway. Lighting of required parking areas shall be a minimum of one-half foot-candle at all areas of the parking lot. Wall mounted flood lights that direct outward toward other properties and roadways are prohibited.

17.68.050 [Planned Affordable Development]

J. *Lighting.* **All outdoor lighting shall comply with the requirements of Sections 17.09.060 through 069.** Adequate lighting must be provided for public spaces and common areas. Light fixtures shall consist of a full cutoff, fully shielded, downward directed fixture. Wall mounted flood lights that direct outward toward other properties and roadways are prohibited.

17.80.080 [Large Scale Retail Development]

C(1)(d) Outdoor Lighting. i. Lighting shall **comply with the requirements of Sections 17.09.060 through 069.** and be full cutoff downward directed fixtures and no light shall be emitted beyond the project site. The applicant must provide an exterior lighting plan that quantifies light coverage upon the project site and provides information on how outdoor lighting will be accomplished to minimize impacts on adjacent properties or roadways.

ii. To minimize any indirect overflow of light on adjacent properties, the height of any proposed parking lot light standard shall not be taller than light standards in surrounding neighborhood residential zones and should stair step down to a lower height when close to neighboring residential uses or

~~residentially zoned areas. In no case shall the height of the light standards exceed twenty five feet. Spotlights of any kind that are mounted on building walls are not permitted.~~

~~-End of Document-~~

## Section 1. Amendments to MMC Chapter 17.09 Supplementary Requirements

### **17.09.060 Outdoor lighting – Scope and applicability.**

A. Directed illumination shall be confined within the property boundaries of the source.~~All lighting should be purpose driven.~~

B. All outdoor lighting installed after October 1, 2019, in all zoning districts within the City shall conform to the requirements established by Sections 17.09.060 through 17.09.069, as well as Section 17.93.075. These sections do not apply to indoor lighting.

C. All otherwise lawful existing outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered a legal, nonconforming use or part of a legal, nonconforming structure subject to an amortization schedule outlined in Section 17.09.069.

D. In the event of any conflict between the provisions of Sections 17.09.060 through 17.09.069 and 17.93.075 and any other provision of the Moab Municipal Code, these sections shall control.

(Ord. 19-03 Att. 1 (part), 2019)

### 17.09.061 Outdoor lighting - Exemptions

1. Traffic control signals and traffic safety devices.
2. Emergency and Safety Lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction.~~Temporary emergency lighting in use by law enforcement or government agencies or at their direction.~~
5. Temporary low voltage exterior lighting intended as holiday or seasonal decorations displayed between October~~November~~ 15th and the following January 15th may remain on all night.~~;~~ provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property



4. Pathway lights less than eighteen inches in height, are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque such that no light is directed upwards.

5. Temporary lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.

#### 17.09.062 Outdoor lighting – Definitions.

A. For the purpose of Sections 17.09.060 through 17.09.069 and 17.93.075, the following definitions apply:

“Accent or architectural lighting” means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

“Backlight” means all the light emanating behind a luminaire.

“BUG rating” means backlight, uplight, and glare rating, which exists on a scale of zero to five and describes the light output of a luminaire.

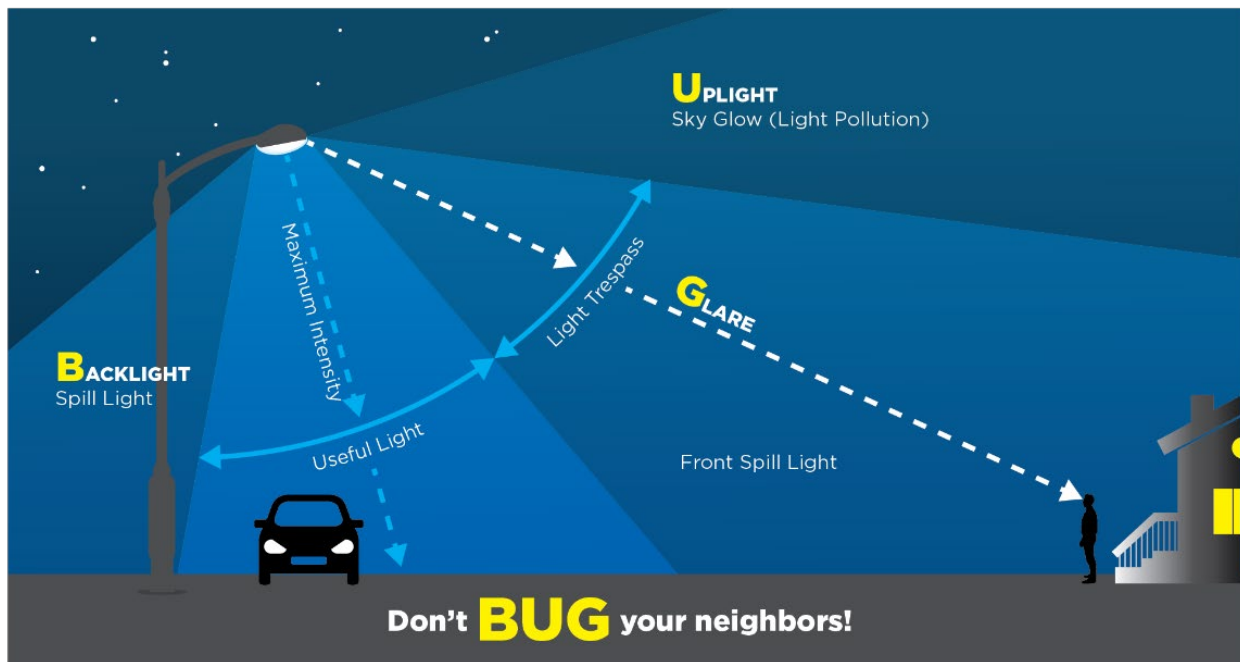


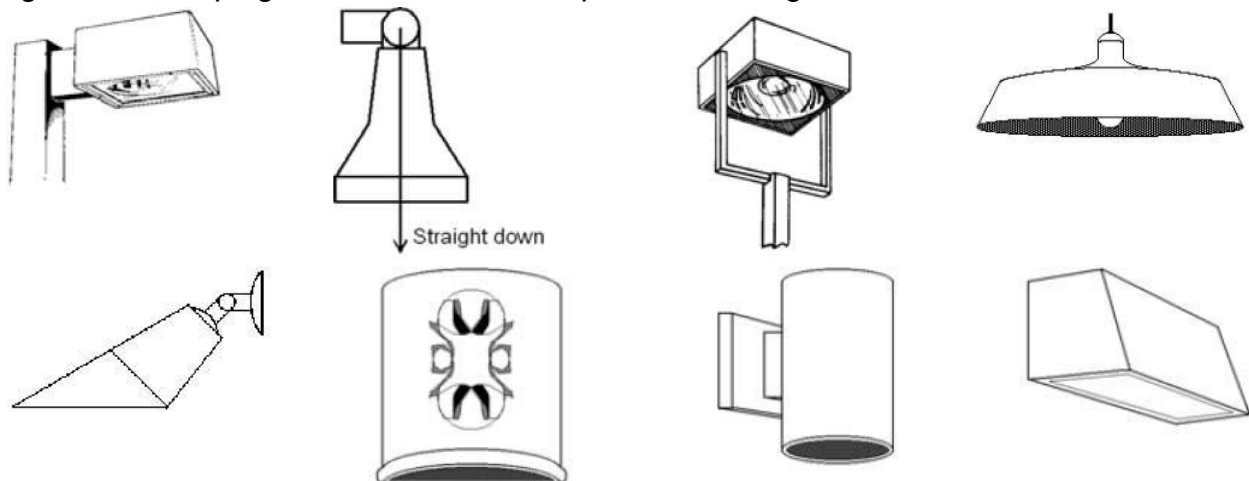
Image by City of Ft. Collins, Colorado, and used here with permission.

“Correlated color temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below three thousand K are usually considered “warm” sources, while those with a CCT above three thousand K are usually considered “cool” in appearance.

“Directed illumination” means [the intentional illumination emanating from a fixture represented by the maximum intensity cone of light.](#) ~~illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.~~

“Floodlight” means a fixture or bulb designed to “flood” an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

“Fully shielded fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the upright rating (U) must equal zero. Fully shielded light fixtures must be shielded in and of themselves. Surrounding structures, like canopies, are not to be considered when determining if the fixture is fully shielded. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed downward.



Examples of fully shielded light fixtures.

“Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

“Internally illuminated,” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

“Light pollution” means any adverse effect of manmade light. Often used to denote “skyglow” from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

“Light source” means the part of a lighting fixture that produces light, e.g., the bulb, lamp, or chips on board.

“Light trespass” means any light that falls beyond the legal boundaries of the property it is intended to illuminate.

“Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

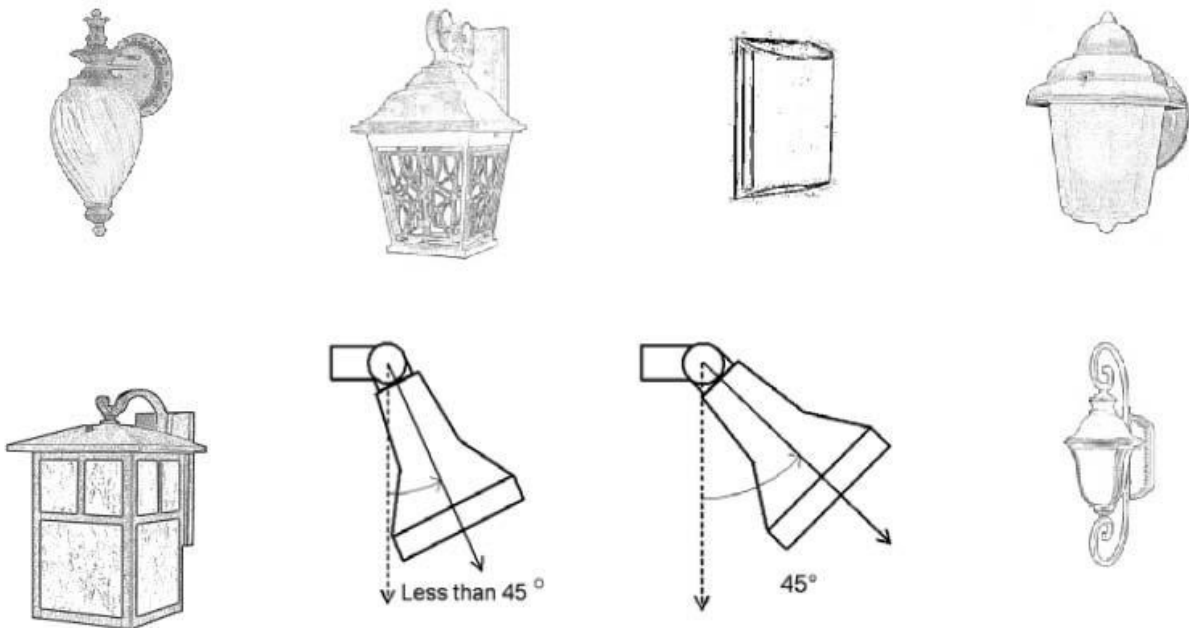
“Manufacturer’s catalog cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

[“Nondirected illumination” refers to the excess light emitted from a fixture not contained in the intentional directed illumination.](#)

“Net acre” means a gross acre excluding: public rights-of-way, lands with natural slopes greater than thirty percent, jurisdictional wetlands, lands in the one-hundred-year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geohazards, riparian habitats, archeological sites, and required open space.

“Outdoor light fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

“Partially shielded light fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits most of its light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight (U) and backlight (B) ratings are greater than zero. Light emitted at or above the horizontal plane (sideways or upwards) shall arise solely from incidental decorative elements or strongly colored or diffusing materials such as colored glass or plastic. Fixtures using spot or flood lamps are considered partially shielded if the lamps are aimed no higher than forty-five degrees above the vertical plane beneath the fixture.



Examples of partially shielded lighting fixtures.

“Recreational lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.

[“Safety lighting” means any lighting required by the Building Official or Zoning Administrator for the purpose of safety. Examples include lighting for doorways, pathways, and driveways.](#)

“Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is

caused by light directed or reflected upwards or sideways and reduces one's ability to view the nighttime sky.

“Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of “Floodlight.”

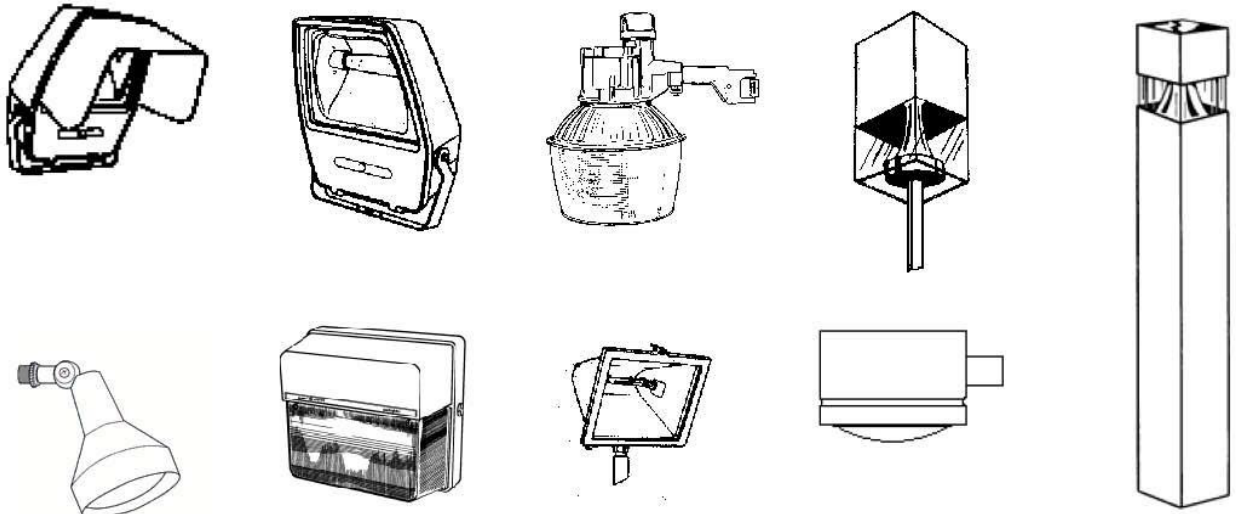
“Temporary lighting” means lighting that plugs into an outlet and is not hard wired.

“Total” means the sum of shielded and unshielded light.

“Total outdoor light output” means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.

“Tower” means any monopole, antenna, or the like that exceeds eighteen feet in height.

“Unshielded fixture” means a fixture that has no shielding at all that would otherwise specifically prevent light emission above the horizontal.

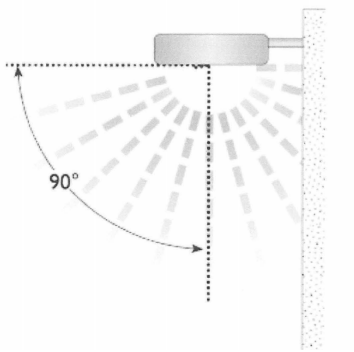


Examples of unshielded light fixtures.

“Uplight” means all the light emanating above the horizontal plane of a luminaire. (Ord. 19-03 Att. 1 (part), 2019)

### 17.09.063 Outdoor lighting – Fully shielded fixture requirements.

A. Unless specifically exempted by this section, all outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the upright rating (U) must equal zero.



B. In order to qualify as a “fully shielded” fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded.

C. All light fixtures, including motion sensors and security lighting, shall be aimed and shielded so that the directed illumination shall be confined to the property boundaries of the source. Nondirected illumination is allowed to cross property lines if the fixture is fully shielded and angled straight down. Directed illumination shall be determined as follows:

1. Directed illumination is controlled and focused by the structure of the fixture.
2. Directed illumination is aimed by the angle of the fixture.
3. The Zoning Administrator shall determine compliance.

D. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the fixture is located.

~~C. Fixtures must not be placed at a location, angle, or height that directs illumination outside the property boundaries where the light fixtures are located.~~

~~D. Notwithstanding the exemptions in subsection (E) of this section, all residential and commercial luminaires shall be fully shielded when installed within twenty five feet of adjacent residential property lines.~~

~~E. Exemptions to fully shielded fixture requirements:~~

~~1. All lights exempted by this section shall be included in the calculation of total light output.~~

~~2. Fixtures having a total light output less than one thousand lumens are exempted from the fully shielded requirement provided the following criteria are met:~~

~~a. The fixture has a top that is completely opaque such that no light is directed upwards.~~

~~b. The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material. Completely transparent materials, such as clear or lightly tinted colored glass, are not allowed.~~

~~c. The light source must not be visible from any point outside the property on which the fixture is located.~~

~~3. Spotlights controlled by motion sensors having a light output less than one thousand lumens per lamp are exempted from the fully shielded requirement provided:~~

~~a. The fixture is a spotlight or other type of directed light that shall be directed straight down;~~

~~b. The fixture must not be placed in such a manner that results in illumination being directed outside the property boundaries where the light fixtures are located; and~~

~~c. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~

~~4. Pathway lights less than eighteen inches in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens.~~

~~5. Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15th and the following January 15th; provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.~~

~~6. Traffic control signals and traffic safety devices.~~

~~7. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.~~

~~8. The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.~~

~~9. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72—Administration and Enforcement.~~

(Ord. 19-03 Att. 1 (part), 2019)

### **17.09.064 Outdoor lighting – Total light output.**

A. Required safety lighting shall be exempt from total light output, so long as the fixture is fully shielded, color temperature is compliant, and directed illumination is confined within the property boundaries of the source. Safety lighting that is legal, nonconforming shall be subject to the partially and unshielded lumen cap stated in this section 17.09.064, and the lighting hours stated in 17.09.065.

B. Commercial. Total outdoor light output shall not exceed fifty thousand lumens per developed acre. Streetlights used for illumination of public rights-of-way are excluded from this calculation. Commercial developments shall be permitted a minimum of five thousand lumens of lighting regardless of parcel size.

1. In nonresidential zoning districts, partially shielded and unshielded lighting on a property shall not exceed five thousand lumens per developed acre, and shall be included in the total outdoor light output calculation.

C. Residential. Total outdoor light output shall not exceed ten thousand lumens of lighting for parcels one-half acre, or larger, in size. Parcels smaller than one-half acre shall be permitted five thousand lumens of lighting regardless of parcel size. Total outdoor light output of any apartment development shall not exceed twenty thousand lumens of lighting per net acre.

1. In residential zones, partially shielded and unshielded lighting on a property shall not exceed one thousand lumens per lot, and shall be included in the total outdoor light output calculation.

2. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output. (Ord. 19-03 Att. 1 (part), 2019)

### **17.09.065 Outdoor lighting – Lighting hours.**

A. Commercial establishments shall turn off all outdoor lighting, except those listed below, one hour after business close and remain off until business open:

1. Commercial establishments located in zones C3, C4 and RC may leave all compliant outdoor lighting on until ten p.m. or until one hour after the close of business, and the lighting shall remain off until business open.

2. All Businesses open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business and the lighting shall remain off until business open.

3. Compliant lighting to illuminate the entrance to the commercial establishment.

4. Compliant parking lot and pathway lighting required for the safety of guests or customers.

~~A. Commercial establishments shall turn off all outdoor lighting, except that listed below, by ten p.m.:~~

- ~~1. Businesses open to the public after ten p.m. may leave all outdoor lighting on until one hour after the close of business.~~
- ~~2. Lighting to illuminate the entrance to the commercial establishment.~~
- ~~3. Parking lot and pathway lighting required for the safety of guests or customers.~~

B. Recreational lighting (residential and commercial) shall be turned off by ten p.m. except to conclude a specific sporting event that is underway.

C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.061.

D. Commercial establishments located in zones C3, C4 and RC shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open. All other commercial establishments shall turn off all illuminated signage one hour after business close, and remain off until business open.

(Ord. 19-03 Att. 1 (part), 2019)

### **17.09.066 Outdoor lighting – Lighting color.**

All exterior lighting shall utilize light sources with correlated color temperature not to exceed three thousand Kelvin (K).

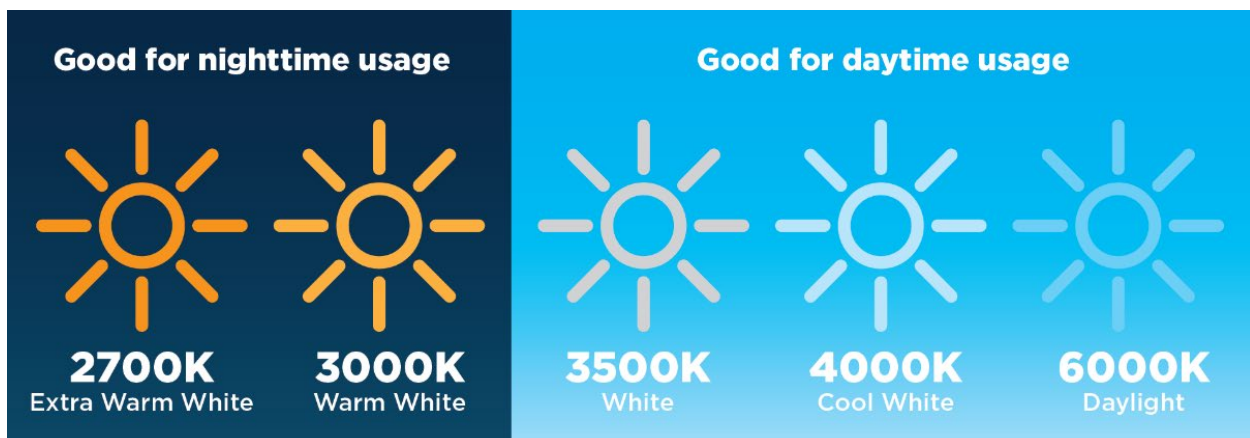


Image by City of Ft. Collins, Colorado, and used here with permission.

(Ord. 19-03 Att. 1 (part), 2019)

## 17.09.067 Outdoor lighting – Specialized outdoor lighting conditions and standards.

~~A.~~ Gas station canopies may be illuminated; provided, that all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture.

~~AB.~~ Roadway and streetlights are prohibited unless recommended by the City Engineer or required by UDOT to provide for the safety of the public. ~~When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize skyglow, light trespass, and other unintended impacts of artificial lighting.~~ All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT.

~~BC.~~ Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots in commercial zones shall not exceed twenty-five feet. ~~All post mounted parking lot lights shall be set back from property lines a distance equal to two and one-half times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential zones shall not exceed twenty-five feet. All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.~~

~~CD.~~ Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play, ~~and~~ viewing stands and pathways for the safety of the public. The following standards shall apply to outdoor recreation area or athletic field lighting:

1. The recreational lighting shall not exceed illuminance levels for Class IV sports lighting set by the Illuminating Engineering Society of North America.
2. The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.
3. Off-site impacts of the lighting will be limited to the greatest practical extent possible.
4. The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this chapter.
5. The recreational or athletic facility shall extinguish lighting exempted by this chapter no later than ten p.m. or one-half hour after the end of play.
6. The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on when the facilities are not in use.

7. The lowest appropriate luminance level shall be utilized based on the task (e.g., active play vs. field maintenance).

~~D.E.~~ Outdoor ~~event facilities~~amphitheaters may use illumination to light the event area~~performance area of the amphitheater~~ and pathways for the safety of the public.

The following standards apply to all event~~amphitheater~~ lighting:

1. Lighting used to illuminate ~~at~~the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that the directed illumination is confined within the boundaries of the event~~it is not visible beyond the property boundaries.~~
2. Lighting used to illuminate the event~~performance~~ area may only be turned on during events~~performances~~ or rehearsals.
3. Lighting used to illuminate the seating areas, pathways, and other areas of the event~~amphitheater~~ must meet all standards of this chapter.

E. The lighting of federal or state flags, provided that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag, may remain on all night and will not be included in the calculation of total light output.

F. All illuminated signs shall comply with the standards of Section 17.93.075.

(Ord. 19-03 Att. 1 (part), 2019)

### **17.09.068 Outdoor lighting – Application and review procedures.**

A. Lighting Plan. All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zoning district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter. Lighting plans shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
2. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the Planning Commission to be able to determine compliance with the provisions of this chapter.

3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.

B. Approval Procedure.

1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

2. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement.

~~2. A certificate of occupancy shall not be issued until such time as the property is subject to a post-installation nighttime inspection by the City's Zoning Administrator.~~

(Ord. 19-03 Att. 1 (part), 2019)

**17.09.069 Outdoor lighting – Amortization of nonconforming outdoor lighting.**

A. Any existing approved outdoor lighting which is being used in a manner or for a purpose which is otherwise lawful, but does not comply with the provisions of this Chapter, shall be deemed legal, non-conforming, pursuant to Chapter 17.12, General provisions.~~The City shall require the termination of use of all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this section.~~

B. ~~All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered~~Legal, nonconforming ~~lighting~~and shall be brought into compliance by the property owner as follows:

1. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review or similar City permit or approval if site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred square feet, or fifty percent of the existing site or structure, whichever is less. Projects of less than one thousand five hundred square feet in size, or fifty percent of an existing site or structure, will not be subject to immediate compliance. However, the square footage of the improved structure or site will count towards a cumulative total of projects on the same property. When the cumulative total equals or exceeds one thousand five

hundred square feet, or fifty percent of the existing site or structure, compliance shall be required for approvals as cited above.

2. All damaged or inoperative nonconforming lighting shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.

3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be deemed legal, nonconforming brought into conformance with this chapter within five years from the effective date of this chapter.

4. Legal, nonconforming fixtures must be brought into compliance if they violate [Moab Municipal Code Special provisions 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3, 17.27.040 C-4, 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions] as determined by the Zoning Administrator.

5. Whenever a nonconforming use, structure, or lot is abandoned for a period of one year and then changed to a new use according to the requirements of Chapter 17.12.060, all existing outdoor lighting shall be reviewed and brought into compliance as necessary for the entire building, structure, or premises.

C. Violation and enforcement shall be processed as outlined in Chapter 17.78. The [abatement] of the [nuisance] shall be attempted first through non-costly means, such as redirection. New fixtures shall be purchased, if the [nuisance] can't be [abated].

The City shall perform two audits of all outdoor lighting in the City. The first shall be two years and the other four years after the effective date hereof. These audits will identify all lighting that does not conform to the standards of this chapter. The results of these audits will be made available to the public.



(Ord. 19-03 Att. 1 (part), 2019)

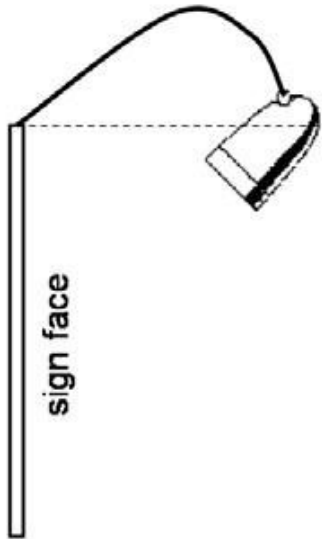
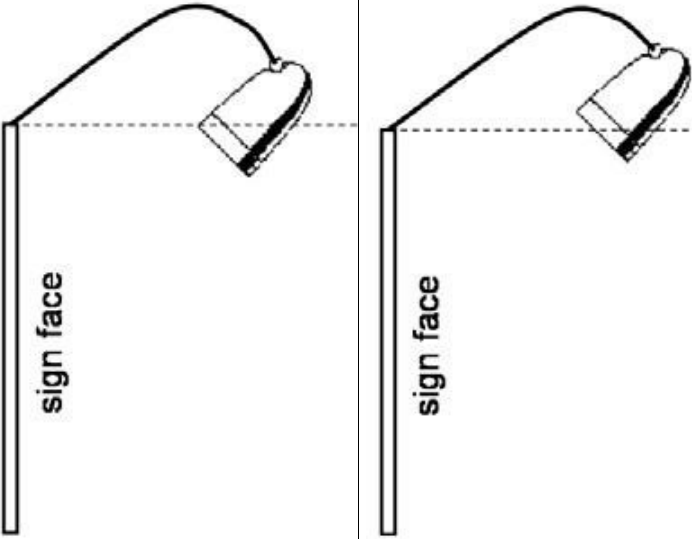
## Section 2. Amendments to MMC Section 17.93.075 Signs - Permitted Illumination

### 17.93.075 Signs – Permitted illumination.

Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property. [All illuminated signs must conform to the lighting hours detailed in section 17.09.065.](#)

#### A. Standards for Externally Illuminated Signs.

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign), ~~except for freestanding monument style signs which may be illuminated by ground mounted lighting.~~
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

Allowed	Not Allowed
 <p data-bbox="240 1507 284 1661">sign face</p> <p data-bbox="191 1787 402 1822">Fully Shielded</p>	 <p data-bbox="623 1507 667 1661">sign face</p> <p data-bbox="954 1507 998 1661">sign face</p> <p data-bbox="954 1787 1117 1822">Unshielded</p>

B. Standards for Internally Illuminated Signs.

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

C. Standards for Backlit Signs.

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around sign copy are allowed.

D. Standards for Illuminated Window Signs.

1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed.

(Ord. 22-07 § 3, 2022; Ord. 19-03 Att. 1 (part), 2019. Formerly 17.09.465)

**Section 3. Amendments to MMC Sections 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3 and 17.27.040 C-4 Special Provisions**

B. No dust, odor, smoke, vibration, [directed illumination](#) or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

**Section 4. Addition to MMC Sections 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions**

[B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.](#)

**17.03.010 Title, intent and purpose.**

**Commented [KJ1]:** This is the very beginning of zoning code. Included just to add lighting stuff under F

This title shall be known as, and shall be entitled “the zoning ordinance of Moab City, Utah,” and may be so cited and pleaded. It is the intent and purpose of the City Council to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City of guiding development within the City in accordance with a comprehensive plan, which plan has been designed:

- A. To encourage and facilitate orderly growth and development in the area;
- B. To promote safety from fires, floods, traffic hazards and other dangers;
- C. To promote sanitation and health of the inhabitants;
- D. To discourage undue scattering of population and unnecessary expenditures of moneys for excessive streets, water and sewer lines, and other public requirements;
- E. To stabilize and improve property values;
- F. To protect the residents from objectionable noise, odor, dust, fumes, light trespass and glare, and other deleterious substances or conditions;
- G. To promote a more attractive and wholesome environment. (Prior code § 27-1-1)

**17.09.060 Outdoor lighting - ~~Scope and applicability~~General provisions.**

A. Title. Sections 17.09.060 – 17.09.069 shall be known and may be cited as the Moab Outdoor Lighting Ordinance (MOLO).

B. Purposes. The general purpose of the MOLO is to protect and promote the public health, safety and welfare, the quality of life, and the ability to view the night sky by establishing regulations and a process of review for outdoor lighting. This chapter establishes standards for outdoor lighting in order to accomplish the following:

1. To protect against direct glare and excessive lighting;
2. To provide safe roadways for motorists, cyclists and pedestrians;

**Commented [KJ2]:** Copied from Ketchum

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3. To protect and reclaim the ability to view the night sky, and help preserve the resident quality of life and the tourist experience;
4. To prevent light trespass in all areas of the City;
5. To promote efficient and cost-effective lighting;
6. To ensure that sufficient lighting can be provided where needed to promote safety and security;
7. To allow for flexibility in the style of lighting fixtures;
8. To provide lighting guidelines;
9. To provide assistance to property owners and occupants in bringing nonconforming lighting into conformance with this chapter; and
10. To work with other jurisdictions within Grand County to meet the purposes of this chapter.

C. Scope. All exterior lighting installed after the effective date hereof in all zoning districts in the City shall be in conformance with the requirements established by the MOLO. All existing lighting installed prior to the effective date hereof in all zoning districts in the City shall be addressed as follows:

1. All otherwise lawful outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered a legal nonconforming use or part of a legal nonconforming structure subject to an amortization schedule outlined in Section 17.09.069.
2. All existing lighting that does not meet the requirement of section 17.124.060 of this title, which states that "any parking, yard or building illumination in (any) zoning (district) shall be so directed as to protect adjacent properties from glare and direct lighting", is required to be brought into conformance with this chapter.
3. In the event of any conflict between the provisions of the MOLO Sections 17.09.060 through 17.09.069 and 17.93.075 and any other provision of the Moab Municipal Code, these sections shall control. (Ord. 19-03 Att. 1 (part), 2019)

A. All lighting should be purpose driven.

B. All outdoor lighting installed after October 1, 2019, in all zoning districts within the City shall conform to the requirements established by Sections 17.09.060 through 17.09.069, as well as Section 17.93.075. These sections do not apply to indoor lighting.

**Commented [KJ4]:** I'm not sure why this phrase was substituted by Richard for "all existing", it seems to confuse the interpretation

**Commented [JL5R4]:** It should be consistent

**Commented [KJ6]:** update reference

**Commented [KJ7]:** A-D moved under C Scope

~~C. All existing outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered a nonconforming use or part of a nonconforming structure subject to an amortization schedule outlined in Section 17.09.069.~~

~~D. In the event of any conflict between the provisions of Sections 17.09.060 through 17.09.069 and 17.93.075 and any other provision of the Moab Municipal Code, these sections shall control. (Ord. 19-03 Att. 1 (part), 2019)~~

**17.09.061 Outdoor lighting - Exemptions**

- A. Traffic control signals and traffic safety devices.
- B. Emergency and safety lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction.
- C. Temporary outdoor lighting intended as holiday or seasonal decorations displayed between October 15th and the following January 15th may remain on until 10pm. They may remain on all night provided that they do not create nuisance glare.
- ~~D. Lighting required by the Federal Aviation Administration or the Federal Communications Commission.~~
- ~~E. Special events that have been issued a permit pursuant to Section XXX, , shall be allowed temporary lighting for the duration of the event, provided such lighting does not create glare to motorists or result in light trespass onto adjacent properties.~~
- ~~D. Pathway lights less than eighteen inches in height, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque.~~
- ~~E. Temporary lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.~~

**Commented [8]:** This section was created by Richard to house general exemptions. Previously exemption to fully shielded were under the Shielded section. Seems fine, but might swap so definitions are first

**Commented [JL9R8]:** Agreed - definitions first

**Commented [10]:** some other codes use "exterior" instead of "outdoor", but this code seems to use outdoor.

**Commented [11]:** how permissive ? Previously 11/15-1/15. Richard suggested starting at 10/15 for halloween decorations. I'm inclined to agree, as long as curfew/nuisance glare included

**Commented [JL12R11]:** I am not sure I agree with leaving holiday lights on all night however, that would be hard to enforce and some lights are solar and go out when it starts getting light outside.

**Commented [13]:** Richard suggested removing the curfew, with exception for non-excessive lighting. I have reinserted a simplified version

**Commented [KJ14]:** From Sedona; adjust to align with our trespass and glare language

**Commented [JL15R14]:** good

**Commented [KJ16]:** seems like this can just be accommodated under standard unshielded budget, if max lumens is dropped to about this level

**Commented [17]:** It appears that this could still be a partial cutoff fixture, and some light directed upward. I considered replacing "no light" with "little light", but that's vague. So we can set a quantitative standard which would be difficult to evaluate with many cheap pathway lights, or just say the top is opaque and leave it at that.

**Commented [JL18R17]:** Agreed

**Commented [19]:** Seems to have lost context, so deleted

**Commented [JL20R19]:** agreed

**17.09.062 Outdoor lighting - Definitions.**

A. For the purpose of Sections 17.09.060 through 17.09.069 and 17.93.075, the following definitions apply:

"Accent or architectural lighting" means lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration, ornamentation, creation of visual hierarchy, sense of liveliness, or other purpose unrelated to safety, business operation, or essential lighting function.

“Backlight” means all the light emanating behind a luminaire.

“BUG rating” means backlight, uplight, and glare rating, which exists on a scale of zero to five and may be used to describe luminaire optical performance in regards to light trespass, sky glow, and high angle brightness control.describes the light output of a luminaire.

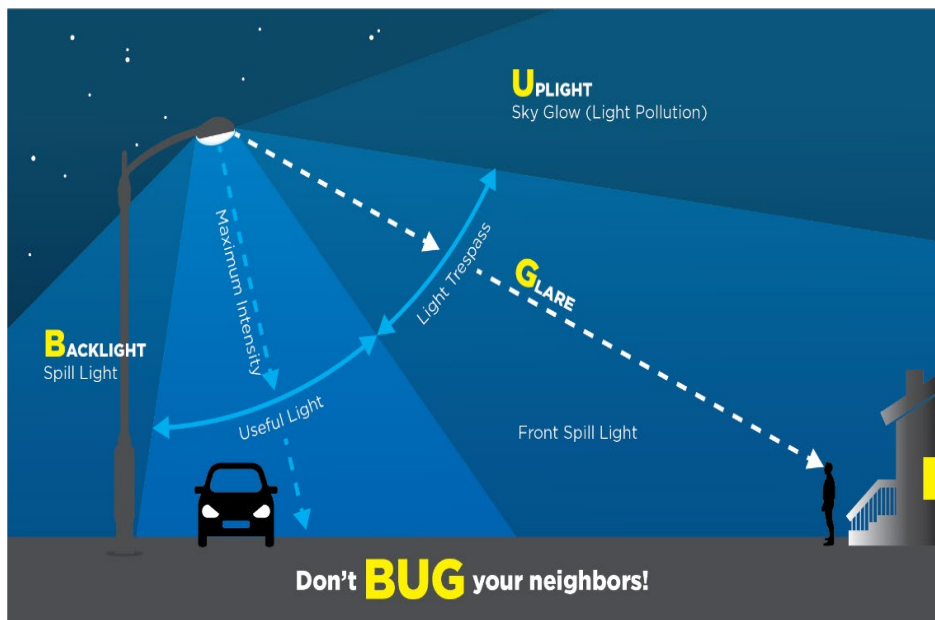


Image by City of Ft. Collins, Colorado, and used here with permission.

“Correlated color temperature” (CCT) is a specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K). The CCT rating for a lamp is a general “warmth” or “coolness” measure of its appearance. Lamps with a CCT rating below three thousand K are usually considered “warm” sources, while those with a CCT above three thousand K are usually considered “cool” in appearance.

“Direct illumination” means illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.

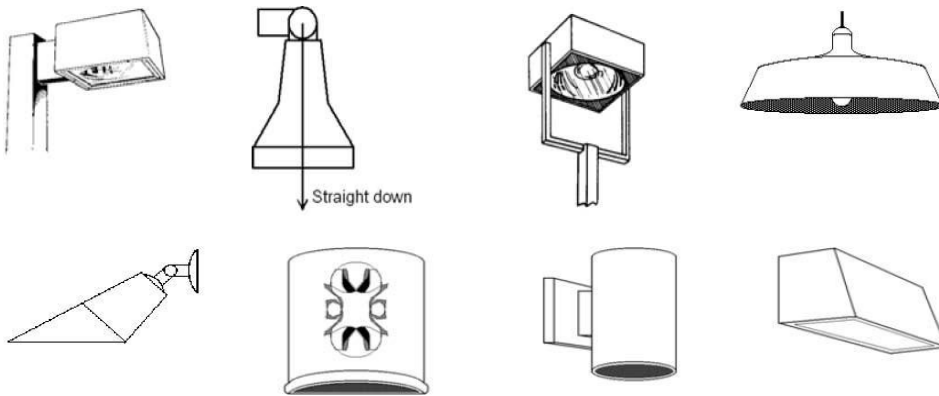
The Moab Municipal Code is current through Ordinance 23-11, passed July 25, 2023.

“Floodlight” means a fixture or bulb designed to “flood” an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.

“Fully shielded fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero. Fully shielded light fixtures must be shielded in and of themselves; a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Surrounding structures, like canopies, eaves, and patio covers, are not to be considered when determining if the fixture is fully shielded, unless specifically allowed. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed downward.

**Commented [KJ21]:** The definition was repeated, sort of, in the requirements. Seemed cleaner to consolidate in definitions.

**Commented [JL22R21]:** I still have an issue with light fixtures that have perforations or slits as not qualifying as fully shielded. My porch lights have designs that do not produce any glare or off property trespass. Again that will be hard to enforce especially if other outdoor lights on in compliance or if they are the only source outdoor lighting



**Examples of fully shielded light fixtures.**

“Glare” means the visual sensation caused by excessive brightness and which causes annoyance, discomfort, or a disability loss in visual performance or visibility.

“Internally illuminated,” as it relates to signs, means any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

“Light pollution” means any adverse effect of manmade light. Often used to denote “skyglow” from developed areas, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

“Light source” means the part of a lighting fixture that produces light, e.g., the bulb, lamp, or chips on board.

“Light trespass” means ~~any light spill falling over property lines that illuminates other grounds or buildings in an objectionable manner, light that falls beyond the legal boundaries of the property it is intended to illuminate.~~

“Lumen” means a unit of luminous flux equal to the light emitted by a uniform point source of one candle intensity. Lumens refers to the amount of light emitted by a bulb (more lumens equates to brighter light).

**Common Relationships between Bulb Types, Wattages and Lumen Levels**

Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

Commented [KJ23]: Richard deleted. I think describing a range rather than single numbers makes sense. Or, move it to supplementary literature?

Commented [JL24R23]: agreed

“Manufacturer’s catalog cuts” means a publication or other printed material of a bulb or lighting manufacturer offering visual and technical information about a lighting fixture or bulb.

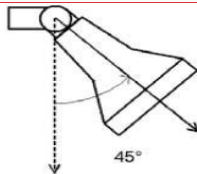
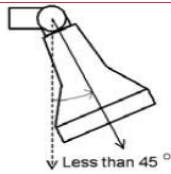
“Net acre” means a gross acre excluding: public rights-of-way, lands with natural slopes greater than thirty percent, jurisdictional wetlands, lands in the one-hundred-year floodplain, public drinking water supply water sources (recharge areas for the aquifer in the Glen Canyon Formation), lands affected by immitigable geohazards, riparian habitats, archeological sites, and required open space.

“Outdoor light fixture” means a complete lighting unit consisting of a lamp(s) and ballast(s) (when applicable), together with the parts designed to distribute the light, to position and

protect the lamps, and to connect the lamps to the power supply. Also known as a luminaire, or simply as a fixture.

“Partially shielded light fixture” means an outdoor light fixture constructed and mounted so that the installed fixture emits most of its light above the horizontal plane. Where a light manufacturer provides a BUG rating, the uplight (U) and backlight (B) ratings are greater than zero. Light emitted at or above the horizontal plane (sideways or upwards) shall arise solely from incidental decorative elements or strongly colored or diffusing materials such as colored glass or plastic. Fixtures using spot or flood lamps are considered partially shielded if the lamps are aimed no higher than forty-five degrees above the vertical plane beneath the fixture.

**Commented [KJ25]:** Most other lighting codes don't use this category. It seems hard to clearly differentiate from unshielded, and the primary purpose seems to be to provide a more nuanced exception to shielding, which may be counter-productive. Sedona more clearly defines partially shielded, and only allows exceptions for those, rather than unshielded.



**Examples of partially-shielded lighting fixtures.**

“Recreational lighting” means lighting used to illuminate sports fields, ball courts, playgrounds, or similar outdoor recreational facilities.

“Safety lighting” means any lighting required by the Building Official or Zoning Administrator for the purpose of safety. Examples include lighting for doorways, pathways, and driveways.

“Skyglow” means the brightening of the nighttime sky resulting from the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one’s ability to view the nighttime sky.

“Spotlight” means a fixture or bulb designed to light a small area very brightly. See definition of “Floodlight.”

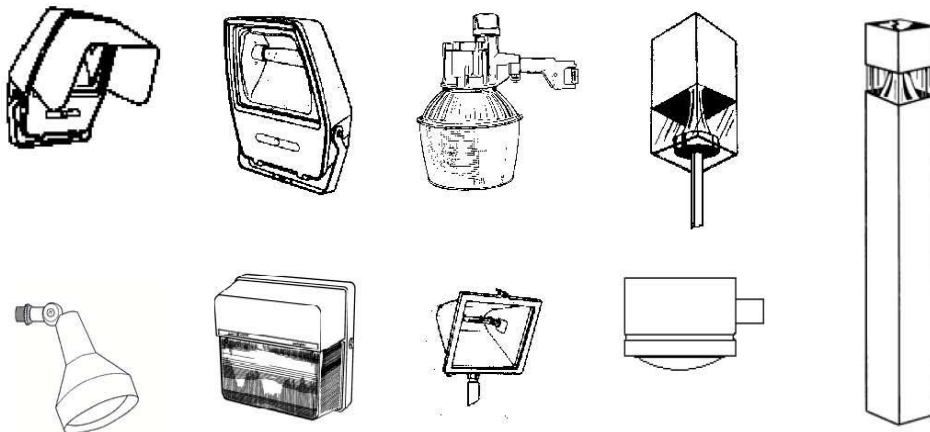
“Temporary lighting” means lighting that plugs into an outlet and is not hard wired.

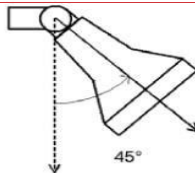
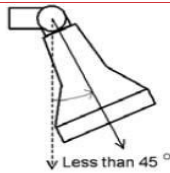
“Total” means the sum of shielded and unshielded light.

“Total outdoor light output” means the total amount of light measured in lumens from all bulbs installed in outdoor lighting fixtures. For bulb types that vary in light output as they age (such as fluorescent and high intensity discharge (HID) bulbs), the initial lumen output as defined by the manufacturer shall be the lumen value used.

“Tower” means any monopole, antenna, or the like that exceeds eighteen feet in height.

“Unshielded fixture” means a fixture that has no shielding at all that would otherwise specifically prevents light emission above the horizontal.



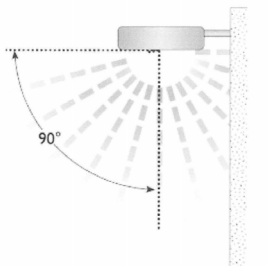


Examples of unshielded light fixtures.

“Uplight” means all the light emanating above the horizontal plane of a luminaire. (Ord. 19-03 Att. 1 (part), 2019)

**17.09.063 Outdoor lighting – Fully shielded fixtureShielding and trespass requirements.**

A. Unless specifically exempted by this section, all permanent and temporary outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture. Where a light manufacturer provides a BUG rating, the uplight rating (U) must equal zero.



~~B. In order to qualify as a “fully shielded” fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the~~

~~fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded.~~

- ~~B. All light fixtures shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Lighting shall not be aimed onto adjacent properties, except in cases of shared parking, shared pedestrian pathways, or for coordinated development sites spanning multiple parcels.~~
- ~~C. Light trespass onto adjacent public rights-of-way may be allowed subject to approval of the Planning Director.~~
- ~~B. Fixtures must not be placed at a location, angle, or height that emits directed illumination outside the property boundaries where the light fixtures are located.~~
- ~~C. Notwithstanding the exemptions in subsection (E) of this section, all residential and commercial luminaires shall be fully shielded when installed within twenty-five feet of adjacent residential property lines.~~
- ~~D. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~
- ~~D.E. Exemptions to fully shielded fixture requirements:~~
- ~~1. All lights exempted by this section shall be included in the calculation of total light output.~~
  - ~~2. In zones RA-1, R-1, R-2, R-3, and R-4 individual unshielded fixtures with no more than 250 lumens are permitted.~~
  - ~~3. In zones C1, C2, C3, C4, C5, and I1 individual unshielded fixtures with no more than 1,000 lumens are permitted.~~
  - ~~4. Fixtures having a total light output less than one thousand lumens are exempted from the fully shielded requirement provided the following criteria are met:
    - ~~a. The fixture has a top that is completely opaque such that no light is directed upwards.~~
    - ~~b. The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material. Completely~~~~

~~transparent materials, such as clear or lightly tinted colored glass, are not allowed.~~

~~c. The light source must not be visible from any point outside the property on which the fixture is located.~~

2.4. Spotlights controlled by motion sensors having a light output less than one thousand lumens per lamp are exempted from the fully shielded requirement provided:

a. The fixture is a spotlight or other type of directed light that shall be directed straight down;

b. The fixture must not be placed in such a manner that results in direct illumination ~~being directed~~falling outside the property boundaries where the light fixtures are located; and

~~c. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~

~~3. Pathway lights less than eighteen inches in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens.~~

~~5. Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15th and the following January 15th; provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.~~

~~6. Traffic control signals and traffic safety devices.~~

~~7. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.~~

4.5. The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.

5.6. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement. (Ord. 19-03 Att. 1 (part), 2019)

**17.09.064 Outdoor lighting – Total light output.**

- A. ~~Commercial.~~ On commercial developments in Zones C-1, C-2, C-3, C-4, and R-C, total outdoor light output shall not exceed fifty thousand lumens per developed acre. ~~Streetlights used for illumination of public rights-of-way are excluded from this calculation.~~ Commercial developments Such developments shall be permitted a minimum of five thousand lumens of lighting regardless of parcel size.
  - 1. ~~In nonresidential zoning districts, partially shielded and unshielded~~ Unshielded lighting on a property ~~shall not exceed~~ may be up to five thousand lumens per developed acre, and shall be included in the total outdoor light output calculation.
- B. ~~Residential~~ On residential single household, two-household, and ADU sites in all zones, total outdoor light output shall not exceed ten thousand lumens of lighting for parcels one-half acre, or larger, in size. Parcels smaller than one-half acre shall be permitted five thousand lumens of lighting regardless of parcel size. Unshielded lighting on a property may be up to one thousand lumens per lot, and shall be included in the total outdoor light output calculation.
- C. ~~On commercial developments in Zones A-2, C-5, SAR, and I-1, and mixed-use and multi-household development in all zones with shared parking lots.~~ Total total outdoor light output of any ~~such apartment~~ development shall not exceed twenty thousand lumens of lighting per net acre.
- B.D. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output.
  - 1. ~~In residential zones, partially shielded and unshielded lighting on a property shall not exceed one thousand lumens per lot, and shall be included in the total outdoor light output calculation.~~
- E. Residential units used for overnight accommodations or other commercial uses shall comply with the residential standards for total light output. Total light output exceptions:
  - 1. A site may exceed total light output limits if all installed lighting is required safety lighting, fixture lumens are the minimum required to meet illuminance standards, and is fully shielded.
  - 2. ~~Streetlights used for illumination of public rights-of-way are excluded from this calculation.~~ total light limitation.
  - 3. Outdoor String Lighting (Ambience Lighting)
    - a. Temporary and permanent non-conforming ambience/string lighting is prohibited, except as allowed in subsection 17.09.063(6)b

**Commented [KJ26]:** This is from Sedona (although they disallow entirely, along with other fully unshielded lights). Much string lighting can be accommodated with the unshielded lumen budget, and I'm disinclined to be more permissive for homes/lodging. I think staff wanted some accommodation.

**Commented [JL27R26]:** Staff discussed this with me and at the time I thought it would be ok as long as there is a shutoff time associated with the use of string lights. But agree that we should not be more permissive for homes and lodging.

- b. Residences shall be permitted one string light, which shall be counted as one fixture, and subject to the per fixture unshielded lumen limits of 17.09.063.E.2.
- c. Ambience/string lighting in excess of site lumen limits for outdoor dining/bar areas, interior courtyards, and/or event venues that are part of a licensed business, may be allowed in consideration of limited lumen budgets for small sites, complimentary provision for temporary or permanent task lighting at tables/bars, and low illuminance levels needed for ambience, and with approval by the (authority) on a case-by-case basis.
- d. In reviewing proposals for such lighting, the (authority) shall avoid direct lighting of off-site residential uses, and consider lighting types, locations, and time of use.
- e. Ambience/string lighting shall not flash, blink, fade, or strobe.

—(Ord. 19-03 Att. 1 (part), 2019)

Commented [KJ28]: Added on 10/12/23

Commented [KJ29]: Modified on 10/12/23

### 17.09.065 Outdoor lighting - Lighting hours.

A. Commercial establishments shall turn off all outdoor lighting, except ~~that those~~ listed below, by ten p.m. and the lighting shall remain off until business open:

- 1. Businesses located in zones C-3, C-4 and RC may leave all compliant outdoor lighting on until ten p.m. or until one hour after the close of business.
- 2. All Businesses open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business.
- 3. Compliant lighting to illuminate the entrance to the commercial establishment.
- 4. Compliant parking lot and pathway lighting required for the safety of guests or customers.
- 1. Businesses open to the public after ten p.m. may leave all outdoor lighting on until one hour after the close of business.
- 2. Lighting to illuminate the entrance to the commercial establishment.
- 3. Parking lot and pathway lighting required for the safety of guests or customers.

Commented [30]: why is this permitted after close?

Commented [JL31R30]: I don't think that was the intent. Hotels never close - I think that may be what he is referring too.

Commented [KJ32]: This is mostly Richard's language, which seems good to me.

Commented [JL33R32]: This addresses the string lighting issue above

B. Recreational lighting (residential and commercial) shall be turned off by ten p.m. except to conclude a specific sporting event that is underway.

C. Residential unshielded lighting shall be turned off by ten p.m.

D. Commercial establishments located in zones C3, C4 and RC shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open. All other commercial establishments shall turn off all illuminated signage one hour after business close, and remain off until business open.

Ord. 19-03 Att. 1 (part), 2019)

Commented [KJ34]: Richard said "C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.061." I'm thinking that mine will provide path for enforcement / bulb lumen reduction sooner.

Commented [KJ35]: I'm not sure if there's a distraction between commercial establishment and business. In some cases I've changed the former to the latter.

Commented [KJ36]: Not sure if this is more properly in sign code, but it was in Richard's version as an addition, so I kept it

### 17.09.066 Outdoor lighting – Lighting color.

All exterior-outdoor lighting shall utilize light sources with correlated color temperature not to exceed ~~three thousand~~2,700 K (two thousand and seven hundred Kelvin-(K)).

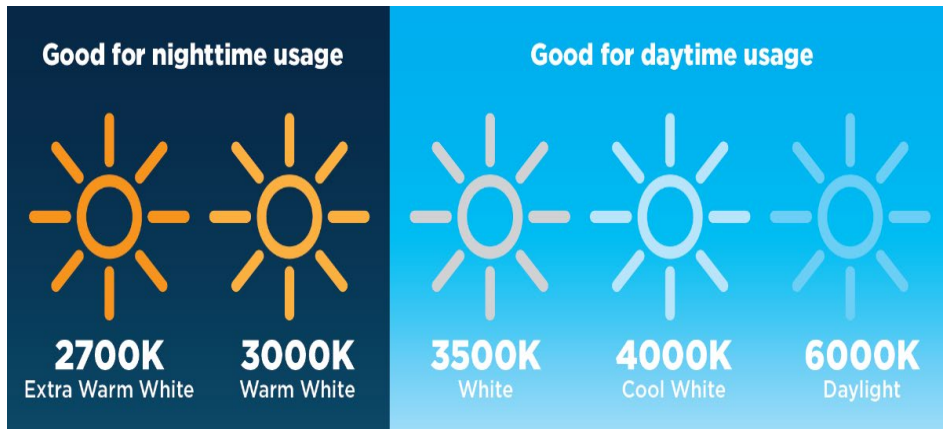


Image by City of Ft. Collins, Colorado, and used here with permission.

(Ord. 19-03 Att. 1 (part), 2019)

### 17.09.067 Outdoor lighting – Specialized outdoor lighting conditions and standards.

~~A. Gas station canopies may be illuminated; provided, that all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully-shielding the light fixture.~~

**Commented [KJ37]:** Richard cut. Seems like it says they must comply, and so, unneeded. some other codes don't spell them out

A. Publicly Owned Lighting

**Commented [KJ38]:** This added to meet the IDS Community Designation Guidelines

1. New publicly owned outdoor lighting, including street lighting shall be installed per the limitations of the MOLO
2. Adaptive controls and/or curfews shall be employed in all future installations of public outdoor lighting .

B. Roadway and streetlights are prohibited unless recommended by the City Engineer or required by UDOT to provide for the safety of the public. ~~When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize skyglow, light trespass, and other unintended impacts of artificial lighting.~~ All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT. All streetlights shall conform to 17.09.066 Lighting color, and 17.09.063 shielding and trespass. All new streetlights shall include adaptive controls.

**Commented [KJ39]:** Richard cut. Seems like if they are allowed they should ideally conform to the shielding and color of the code, and the old language slightly confuses that. Although the version he was working on significantly loosened the direct illumination standards. .

**Commented [JL40R39]:** What ever we agreed to with Alexi on replacing street lights is what this language should be geared to.

C. Parking lots shall use fully shielded downward directed fixtures. Internal or external shields shall may be used to prevent the fixture being visible direct illumination from projecting outside the parking lot site. Parking lots. may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots in Zones C-1, C-2, C-3, C-4, and R-C commercial zones shall not exceed twenty-five feet. All post mounted parking lot lights shall be set back from property lines a distance equal to two and one-half times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential other zones shall not exceed twenty-five feet. All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.

**Commented [KJ41]:** Initially I considered that maybe this could be cut, since general lighting code would govern. But, it seems like disallowing use of the unshielded budget for parking lots is worthwhile.

**Commented [KJ42]:** Richard cut all this. I suggest cutting the first sentence; if a light is mounted on a 20' pole then it would be set back 50' from the property line. There are luminaires which have beam control and side shields that allow much closer mounting and control light trespass. I think having a light provide illumination from 2.5x MH away may make trespass harder to manage.

**Commented [JL43R42]:** agreed

**Commented [KJ44]:** Is this worthwhile, and practical? Seems like city's job is to protect health of all residents and visitors, even those in multifamily.

D. Multi-household and lodging development outdoor lighting, including parking lot lighting, shall not create direct illumination of windows of on-site residential or lodging units.

**Commented [JL45R44]:** Could this be related to the increase in density and height. Example is the MAPS housing where the parking lot lights shine into the windows of those on the 3rd floor.

~~DE~~. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play and viewing stands and for the safety of the public, which is not in strict conformance with the shielding and light color provisions of the MOLO. The following standards shall apply to outdoor recreation area or athletic field lighting:

1. The recreational lighting shall not exceed illuminance levels for Class IV sports lighting, and shall follow -set by the Illuminating Engineering Society lighting guidelines (RP-6)-of North America.

**Commented [KJ46]:** This added to meet the IDS Community Designation Guidelines

2. The recreational lighting provides illuminance for the surface of play and viewing stands, and not for any other areas or applications.

~~3.~~ Illuminance levels must be adjustable based on the task (e.g., active play vs. field maintenance), and the lowest appropriate illuminance level shall be utilized based on the task.

**Commented [KJ47]:** This added to meet the IDS Community Designation Guidelines

~~43.~~ Off-site and sky glow impacts of the lighting will be limited to the greatest practical extent possible.

~~45.~~ The lighting for areas or applications outside the surface of play and viewing stands shall conform to all provisions in this chapter.

~~56.~~ The recreational or athletic facility shall extinguish lighting exempted by this chapter no later than ten p.m. or one-half hour after the end of play.

~~67.~~ The recreational lighting shall have timers that automatically extinguish lighting to ensure lights are not left on when the facilities are not in use.

E. Outdoor amphitheaters-event venues may use illumination to light the performance area ~~of the amphitheater and for the safety of the public~~which is not in strict conformance with the shielding and lighting color provisions of the MOLO. The following standards apply to all amphitheater event lighting:

1. Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that it is not visible to minimize its visibility beyond the property boundaries.

2. Lighting used to illuminate the performance area may only be turned on during performances or rehearsal events.

3. Lighting used to illuminate the seating areas, pathways, and other areas of the amphitheater-venue must meet all standards of this chapter.

F. All illuminated signs shall comply with the standards of Section [17.93.075](#). (Ord. 19-03 Att. 1 (part), 2019)

### 17.09.068 Outdoor lighting – Application and review procedures.

A. *Lighting Plan.* All sign permit applications, subdivision applications, site plan applications, building permit applications, and other development review applications within any zoning district shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter. Lighting plans shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
2. Illustrations, such as contained in a manufacturer’s catalog cuts, of all proposed lighting fixtures. For commercial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, bulb wattage, and shielding mechanisms for the Planning Commission to be able to determine compliance with the provisions of this chapter.
3. A table showing the total amount of proposed exterior lights, by fixture type, wattage, lumens, and lamp type.

B. *Approval Procedure.*

1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

2. A certificate of occupancy shall not be issued until such time as the property is subject to a post-installation nighttime inspection by the City’s Zoning Administrator. (Ord. 19-03 Att. 1 (part), 2019)

**Commented [KJ48]:** this was deleted by Richard. We should find out more about practicality of post construction verification

**Commented [JL49R48]:** This seems like an important step to ensuring compliance but agree to get more info.

**17.09.069 Outdoor lighting - Amortization of nonconforming outdoor lighting.**

- A. The City shall require the termination of use of all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this section.
- B. All permitted outdoor lighting installed between October 1, 2019 and [effective date] in all zoning districts shall be considered a legal/permitted (?) use.
- C. All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered nonconforming and shall be brought into compliance by the property owner as follows:
  1. Immediate compliance is required as a condition for approval when applying for a building permit, sign permit, new (nonrenewal) business license, site plan review or similar City permit or approval if site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred square feet, or fifty percent of the existing site or structure, whichever is less. Projects of less than one thousand five hundred square feet in size, or fifty percent of an existing site or structure, will not be subject to immediate compliance. However, the square footage of the improved structure or site will count towards a cumulative total of projects on the same property. When the cumulative total equals or exceeds one thousand five hundred square feet, or fifty percent of the existing site or structure, compliance shall be required for approvals as cited above.
  2. All damaged or inoperative nonconforming lighting fixtures shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.
  3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with the MOLO by January 1, 2029. this chapter within five ten years from the effective date of this chapter.
  4. Whenever a nonconforming use, structure, or lot is abandoned for a period greater than one year and then changed to a new use according to the requirements of Chapter 17.12.060, all existing outdoor lighting shall be reviewed.

**Commented [KJ50]:** Richard/staff's approach to this is significantly different. I'm unclear how it conforms with IDS community requirement for a 10 year amortization. Admittedly difficult, and, other recent codes include it.

**Commented [KJ51]:** IDS community lighting requirement: Affects an amortization period, applicable to ALL publicly AND privately owned lighting, to end not more than ten (10) years from the effective date of the outdoor lighting policy, after which all non-conforming lighting extant at the time of enactment must be brought into compliance with the policy

**Commented [JL52R51]:** The issue will be what will happen in 10 years when most lights will still be non-conforming and the Council will bring up "is this enforceable?". However, in order to be in meet the IDS community standards we should include it now and modify if necessary down the road. I don't agree with a shorter time frame because we know it will not be enforces.

**Commented [KJ53]:** Given the stacking effective dates of the MOLO, and that it isn't a discrete chapter, having a date listed may be cleaner.

**Commented [KJ54R53]:** Changed per 10/12/23 meeting

and brought into compliance as necessary for the entire building, structure, or site.

5. Nonconforming fixtures must be brought into compliance if they violate Moab Municipal Code Special provisions 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3, 17.27.040 C-4, 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions as determined by the Zoning Administrator. The [abatement] of the [nuisance] shall be attempted first through non-costly means, such as redirection and relamping. New fixtures shall be required, if the [nuisance] can't be [abated].

Commented [55]: why brackets?  
Commented [JL56R55]: Good question

C. Violation and enforcement shall be processed as outlined in Chapter 17.78The City shall perform two audits of all outdoor lighting in the City. The first shall be two years and the other four years after the effective date hereof. These audits will identify all lighting that does not conform to the standards of this chapter. The results of these audits will be made available to the public.





(Ord. 19-03 Att. 1 (part), 2019)

1. Small Development Accommodation. Light fixtures installed on
  - a. multi-household townhome or condo of less than 4,000 sq ft gross area and average unit size of less than 1,000 sq. ft.
  - b. apartment development buildings of less than 6,000 sq ft gross area and average unit size of less than 900 sq. ft., or
  - c. commercial building of less than 3,000 sq. ft. gross area;  
and
  - d. The fixtures are safety lighting for pedestrians, not vehicles,
  - e. The fixtures are lamped with the minimum lumens to provide required illumination,
  - f. The fixtures are installed no more than ten feet above the illuminated walking surface,
  - g. Luminaire and permanent opaque building elements are used as much as possible to reduce off-site direct illumination,

The Moab Municipal Code is current through Ordinance 23-11, passed July 25, 2023.

- h. Light fixtures are located as far from property boundaries adjacent to private parcels as practical, and
- i. The fixture is designed and installed such that no more than 20% of its light is emitted above 30° (measured from vertically downward) and no more than 5% of its light above 60°.

**Commented [57]:** if reused could be a defined thing like "low glare fixture"

With approval of permitting authority such fixtures are exempt from strict compliance with 17.09.063 B.

**Section 2. Amendments to MMC Section 17.93.075 Signs - Permitted Illumination**

**17.93.075 Signs – Permitted illumination.**

Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property. All illuminated signs must conform to the lighting hours detailed in section 17.09.065.

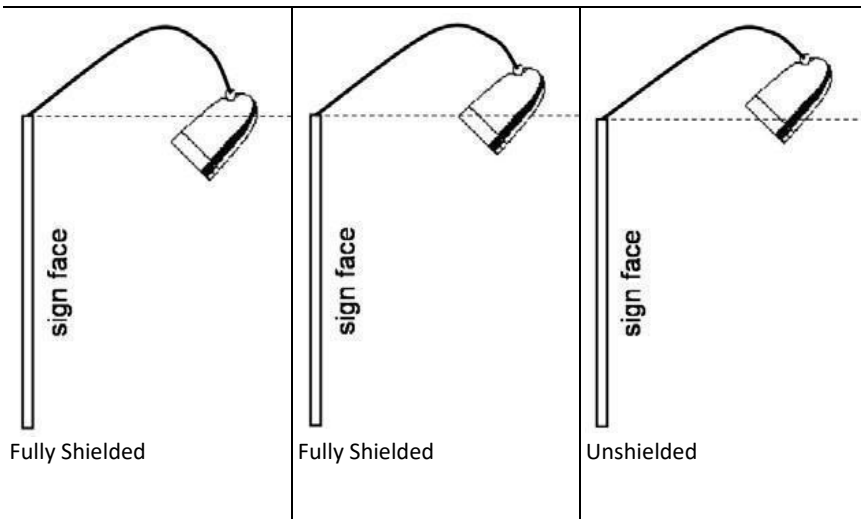
**A. Standards for Externally Illuminated Signs.**

1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two feet of the top of a wall mounted sign) except for freestanding monument style signs which may be illuminated by ground mounted lighting.
3. Lighting shall consist of no more than four individual fixtures (or lamps) per sign face and produce a maximum of forty thousand lumens per fixture.
4. All sign lighting shall be included in the calculation of total light output.

**Commented [KJ58]:** Richard's suggestion; I can see the point, since top mounted lights on monuments would look awkward.

Allowed

Not Allowed



B. Standards for Internally Illuminated Signs.

1. Only sign text areas and logos may be illuminated on an internally illuminated sign.
2. Internally illuminated signs shall use semi-opaque materials for sign text and logos such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign text and logos. Nontext portions of the sign (e.g., background and graphics other than the logo) shall be made of completely opaque material.

C. Standards for Backlit Signs.

1. The light source shall not be visible.
2. Backlit signs shall only allow indirect illumination to emanate from the sign. For example, signs that create a “halo” effect around sign copy are allowed.

D. Standards for Illuminated Window Signs.

1. Businesses may display a maximum of two illuminated window signs positioned to be primarily visible outside the business structure.
2. Illuminated window signs shall not exceed four square feet in area.
3. Illuminated window signs shall not be illuminated when the business is closed.

(Ord. 22-07 § 3, 2022; Ord. 19-03 Att. 1 (part), 2019. Formerly 17.09.465)

**Section 3. Amendments to MMC Sections 17.20.040 C-1, 17.21.040 C-2, 17.24.040 C-3 and 17.27.040 C-4 Special Provisions**

B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

**Commented [KJ59]:** Richard’s addition, to process directed illumination as a nuisance immediately. I support this, but we’ll still need to work out staff’s version of “directed” versus direct.

**Section 4. Addition to MMC Sections 17.30.040 C-5, 17.31.040 RC, 17.32.040 SAR, 17.35.060 MH/RV, 17.36.070 I-1, 17.42.060 R-1, 17.45.060 R-2, 17.48.060 R-3, 17.51.060 R-4 and 17.54.070 RA-1 Special Provisions**

**B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.**

**PUBLIC HEARING: DRAFT CITY OF MOAB ORDINANCE #2023-14, AN ORDINANCE AMENDING THE APPROVED MOAB CITY ORDINANCE 2019-03, TO INCLUDE ADDITIONAL REGULATIONS REQUIRED THROUGH THE INTERNATIONAL DARK SKY ASSOCIATION CERTIFICATION AND RESOLVE OUTSTANDING DISCREPANCIES WITHIN THE EXISTING REGULAITONS.**

**CITY OF MOAB  
PLANNING COMMISSION  
PUBLIC HEARING  
CITY OF MOAB ORDINANCE #2023-14**

**An Ordinance amending the approved Moab Outdoor Lighting Ordinance (MOLO) 2019-03, to include additional regulations required through the International Dark Sky Association Certification and resolve outstanding discrepancies within the existing regulations.**

The City of Moab will hold a Public Hearing on **Thursday, November 9, 2023, at approximately 6:00 p.m.** The purpose of this hearing is to solicit public input on Proposed Ordinance #2023-14, an ordinance amending the approved Moab Outdoor Lighting Ordinance (MOLO) 2019-03, to include additional regulations required through the International Dark Sky Association Certification and resolve outstanding discrepancies within the existing regulations.

The proposed draft Ordinance is available for public review at the Moab City Planning Office located at 217 East Center Street and will be posted on the website at [www.moabcity.org](http://www.moabcity.org). Written public comment may be directed to the Planning Department at [planner@moabcity.org](mailto:planner@moabcity.org), [planning@moacity.org](mailto:planning@moacity.org) or [cshurtleff@moabcity.org](mailto:cshurtleff@moabcity.org). To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

To submit written comments prior to the meeting, please fill out the form found here: <https://bit.ly/MoabPCPublicComment>. Information to make comments during the meeting can be found on the agenda at: <https://moabcity.org/AgendaCenter/Planning-Commission-2>.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Recorder's Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5121 at least three (3) working days prior to the meeting.

Cory Shurtleff

Planning Director

[cshurtleff@moabcity.org](mailto:cshurtleff@moabcity.org)

## **Moab Planning Commission Agenda Item**

### **Sustainability Action Plan**

Meeting Date: November 9, 2023

**Title:** Briefing and possible action on Moab Sustainability Action Plan, A resolution adopting the 2023 Sustainability Action Plan.

**Disposition:** Briefing and possible action

**Staff:** Alexi Lamm, Sustainability Director; Cory Shurtleff, Planning Director

**Presenter:** Alexi Lamm, Sustainability Director

#### **Attachment(s):**

Exhibit 1: Draft Resolution #28-2023

Exhibit 2: Summary of Sustainability Action Plan

#### **Options:**

1. Positive Recommendation with or without modifications; or
2. Continue action on the item and give specific direction to the applicant and staff as to additional information needed; or
3. Negative Recommendation to the City Council.

#### **Motion for Recommendation:**

I move that the City of Moab Planning Commission forward a positive recommendation to City Council on the adoption of Resolution #28-2023: A Resolution adopting the 2023 Sustainability Action Plan.

#### **Background/Summary:**

Moab's Sustainability Action Plan draws on the significant work done to date to advance a healthy and safe city for current and future residents of Moab. Among Moab's previous efforts is its status as the nation's first [EPA Green Power Community](#) by exceeding a minimum threshold of voluntary green power purchases. By 2009, the formal scope of Moab's sustainability had expanded with the adoption of the [2020 Vision: A Sustainable Moab Plan](#).

Since then, the city has continued to pursue sustainability in its initiatives and goals. In 2017, the City [committed to 100% renewable electricity by 2032](#), and in 2019, the City set a goal to source [100% renewable electricity](#) by 2030, allowing it to become an anchor community for the [Utah Renewable Communities](#). Sustainability is also evident in the City's [General Plan](#), [Water Conservation Plan Update](#), [Unified Transportation Master Plan](#), and [Moab Tomorrow Together Think Tank Report](#).

For a unified path forward, the Sustainability Action Plan draws on Moab's progress and maps out the next steps for the City to equitably pursue climate action and sustainability. It identifies goals, strategies, and will identify metrics within six topic areas:

1. Energy Efficiency, Renewable Energy & Buildings
2. Land Use & Planning
3. Transportation
4. Materials Management
5. Nature & Ecosystems
6. Water

Of the strategies identified, six are in the process of being developed into implementation plans, so the City and stakeholders can begin work on them immediately once the full plan is adopted. The top strategies were rated by Brendle Group, staff, and the Project Management Team based on community support, impact (e.g., greenhouse gas emissions, contributions to resilience), co-benefits (e.g., equity and wellbeing), and practicality of implementation (i.e. cost, staff time, and political feasibility).

The Technical Advisory Committee chose the six strategies to pursue in these implementation plans with guidance from these ratings with the preference to avoid selecting additional planning for immediate implementation, duplicating projects that are already underway without need for additional support, and identifying strategies out of few topic areas. The remaining strategies will be maintained in a register for future implementation. The six strategies for implementation plans are:

1. Expand the Urban Tree Canopy
2. Facilitate Urban Agriculture
3. Protect Habitat and Green Space
4. Implement Nature-Based Stormwater Solutions
5. Incentivize Energy Efficiency, Renewables, and Indoor Air Quality
6. Pilot an Organic Waste Diversion Pilot

The Draft Sustainability Action Plan summary is being presented by staff for feedback from the Planning Commission.

## CITY OF MOAB RESOLUTION #28-2023

### A RESOLUTION TO ADOPT THE 2023 SUSTAINABILITY ACTION PLAN

**WHEREAS**, Moab municipal government is responsible to promote the public health and safety of its residents, including access to clean air, clean water, and a livable environment; and

**WHEREAS**, the resources we utilize as a municipal government and community significantly impact public health and safety, including the economic and social well-being of current and future residents; and

**WHEREAS**, the Moab City Council adopted the General Plan as amended by resolution on January 8, 2002, with General Plan update approved July 11, 2017, to provide an official statement of goals and policies for the future development of Moab City; and

**WHEREAS**, the City of Moab General Plan Chapters 2 and Chapter 5 reference sustainability goals set in the *2020 Vision: A Sustainable Moab Plan*, which was developed in 2008-2009 with goals for the year 2020; and

**WHEREAS**, the City needs goals reflecting the environment of 2023; and

**WHEREAS**, in addition to the City of Moab General Plan, the Sustainability Action Plan seeks to advance goals adopted by the City Council in *Resolution 13-2017: A Resolution of the Moab City Council and Mayor Establishing Renewable Energy and Greenhouse Gas Emissions Reduction Goals for Moab City* and *Resolution 38-2019: A Resolution Adopting the Accelerated Goal of 100% Renewable Electricity by 2030*; and

**WHEREAS**, the Sustainability Action Plan represents the culmination of a seven-month planning effort and reflects the community's interests and needs for clean air, clean water, and a livable environment. The planning process, which included public outreach activities to inform the development of the priorities. Community members expressed their interests through a survey, open house, and Technical Advisory Committee meetings; and

**WHEREAS**, the Planning Commission reviewed adoption of Moab City Resolution #28-2023, during a regularly scheduled meeting held November 9, 2023; and

**NOW, THEREFORE BE IT RESOLVED** that the Moab City Council hereby approve Moab City Resolution #28-2023, adopting the 2023 Sustainability Action Plan, as follows:

**PASSED AND APPROVED** in open Council by a majority vote of the Governing Body of Moab

City Council this

12th day of December 2023



# Moab Sustainability Action Plan Summary

Planning Commission  
November 9, 2023

# Why a Sustainability Action Plan?



Map out steps for Moab to equitably pursue sustainability and climate action.



Build on Moab's history of energy action and resource conservation.



Integrate sustainability priorities from existing plans for a unified path forward.



Develop goals and strategies to measure and achieve progress within topic areas.



Engage and empower community members on sustainability.



Create an actionable work plan to guide next steps.

# Sustainability Action Plan Timeline 2023

March	<ul style="list-style-type: none"><li>• RFP issuance</li></ul>
April-May	<ul style="list-style-type: none"><li>• Brendle Group contract negotiation</li></ul>
June	<ul style="list-style-type: none"><li>• Project management team meeting</li><li>• Technical advisory meeting</li></ul>
August	<ul style="list-style-type: none"><li>• Technical advisory meeting</li><li>• City Council workshop</li></ul>
September	<ul style="list-style-type: none"><li>• Community survey</li></ul>
October	<ul style="list-style-type: none"><li>• Strategy quantification development</li><li>• Project management top strategy review</li></ul>
November	<ul style="list-style-type: none"><li>• Community open house</li><li>• Technical advisory meeting</li><li>• Nov. 9 Planning commission review</li><li>• Nov. 14 Council update</li><li>• Nov. 20-27 Draft plan comment period</li><li>• Nov 29 Council workshop</li></ul>
December	<ul style="list-style-type: none"><li>• Revisions completed</li><li>• Dec. 12 Council consideration</li></ul>

# Sustainability Action Plan Framework

## Vision

- Our “north star” to guide Moab’s Sustainability Action Plan

## Cross-Cutting Considerations

- Common themes that serve as a lens to guide this planning process

## Focus Areas

- Topic areas that are used to organize our sustainability work

## Goals

- What we are trying to achieve within each of our focus areas

## Strategies

- Initiatives in support of the sustainability vision and goals
- Six of which will have implementation plans within the larger plan

## Metrics

- Data that will indicate whether we are meeting our goals

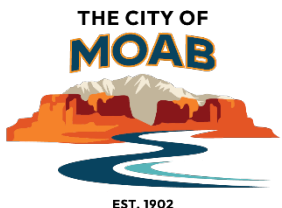
# Vision Statement

## Moab's Sustainability Vision

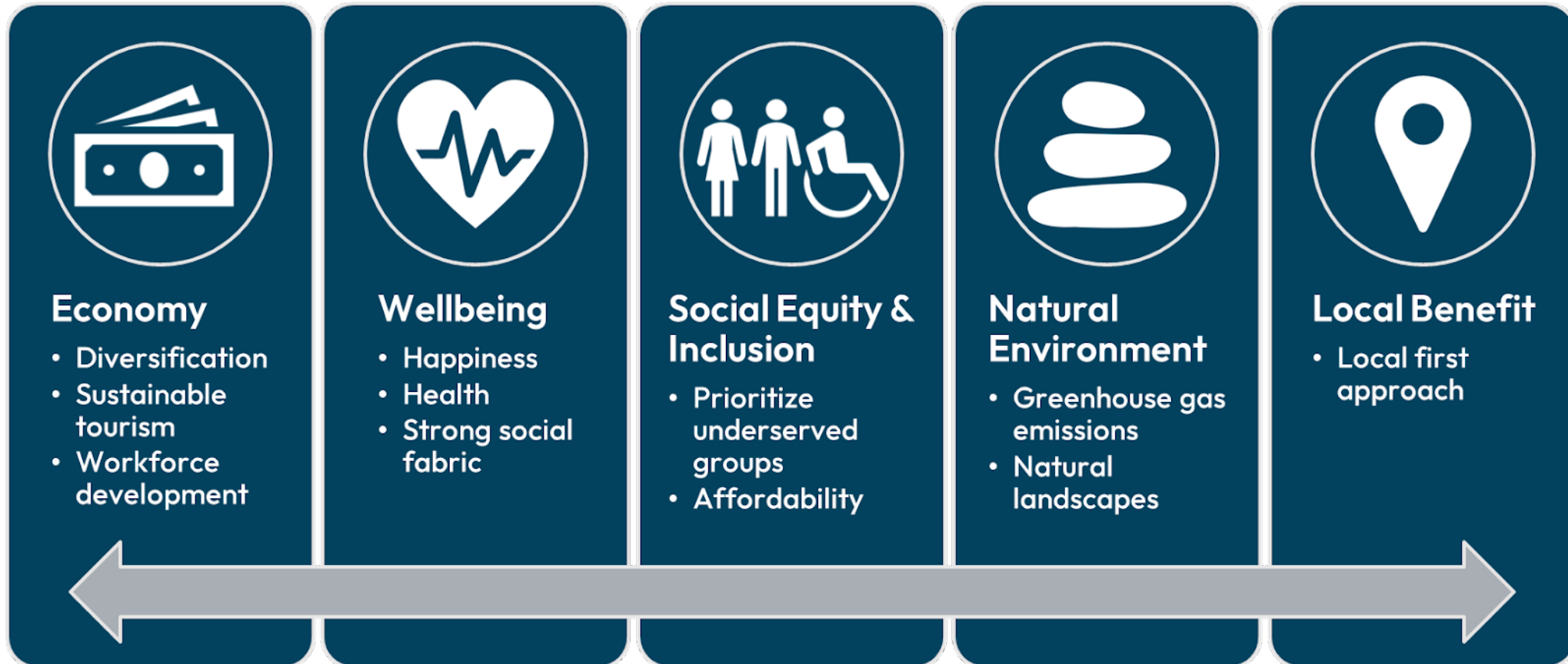
Moab strives to become a thriving, resilient, equitable, and inclusive community, fostering a high quality of life, a healthy environment, and a stable economy.

## Sustainability Action Plan Purpose

This Sustainability Action Plan serves as a roadmap for community collaboration on actionable steps toward our sustainability vision. The City of Moab is dedicated to implementing the plan in a transparent manner and welcomes ongoing community involvement in shaping our sustainable future.



# Cross-cutting Considerations



# Sustainability focus areas



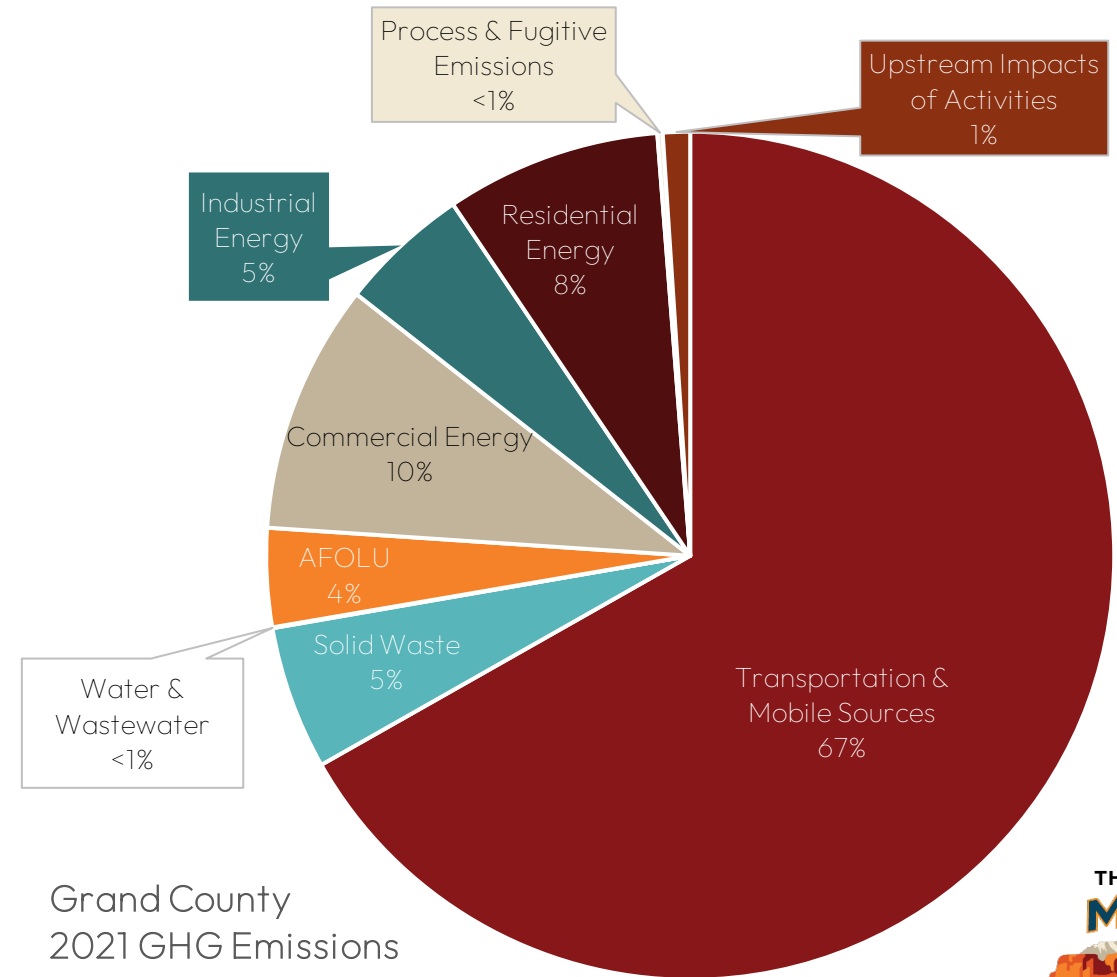
# Moab's greenhouse gas emissions goal

Reduce community greenhouse gas emissions by 80% by 2040, including a reduction of at least 50% by 2032, compared to a 2018 baseline

*(Resolution 13-2017)*

100% renewable electricity by 2030

*(Resolution 38-2019)*



Grand County  
2021 GHG Emissions

# Community Survey Summary

- 208 responses
- Demographics
  - 60% inside Moab City Limits
  - 53% female, 35% male, 12% other or prefer not to say
  - 94% speak English at home
  - 85% white
  - 28% 65+, 21% 25-34
  - 50% <\$75,000 household income, 14% > \$100,000 (24% prefer not to say)

# Implementation Plan Strategies (from the full list)

Strategy Name	Community Score	Impact Score	Equity and Wellbeing Score	Practicality Score	Overall Strategy Score
NE1: Expand the Urban Tree Canopy	3.0	2.25	3.0	1.7	9.9
T1: Develop a Multimodal Transportation Plan	3.0	2.5	3.0	1.3	9.8
W1: Water Conservation Plan	3.0	2.25	2.0	1.3	8.6
LP1: Urban Agriculture Programs	3.0	1.5	2.0	2.0	8.5
NE2: Protect Habitat and Green Space	3.0	2.25	2.5	0.7	8.4
W3: Nature-Based Stormwater Solutions	3.0	2	2.0	1.3	8.3
EB1: Incentives for Energy Efficiency, Renewables, and Indoor Air Quality	2.5	2.5	2.0	1.0	8.0
W2: Accessible Data on Water Conditions	2.0	2	2.5	1.0	7.5
NE4: Reduce Ambient Noise	2.5	1	2.0	2.0	7.5
LP2: Sustainable Development Best Practices and Performance Review	2.5	2.25	1.5	1.0	7.3
EB3: Encourage Healthy, Sustainable Building Practices	2.5	1.5	1.5	1.7	7.2
T4: Develop an EV Readiness Plan	1.5	2	1.5	2.0	7.0
NE3: Become a Dark Sky Community	2.5	0.75	2.0	1.7	6.9
T3: Green Streets Policy	1.5	1.75	2.0	1.7	6.9
LP3: Reduce Industrial Air Pollution Impacts	1.5	1.25	2.0	2.0	6.8
LP4: Reduce Industrial Noise Impacts	2.0	0.75	2.0	2.0	6.8
T2: Off-Road Vehicle Electrification	1.5	1.75	2.0	1.3	6.6
EB2: Achieve SolSmart Certification	2.0	1.5	1.0	2.0	6.5
EB4: Energy Education Campaign	1.5	1.75	1.5	1.7	6.4
T5: Anti-Idling Policy Enforcement	1.0	1.25	1.5	2.7	6.4
T6: Sustainable Transportation Education	1.0	1.5	1.5	2.3	6.3
W4: Greywater Adoption	2.5	1.25	1.0	1.3	6.1
MM1: Organic Waste Diversion Pilot	3.0	1.25	0.0	1.7	5.9
MM3: Construction and Demolition Waste Reduction	3.0	1	0.0	1.7	5.7
W5: Municipal Water Audits	1.5	1.5	0.5	2.0	5.5
EB5: Municipal Facilities Energy Audit	2.5	1	0.5	1.3	5.3
MM2: Waste Education Campaign	2.0	1	0.5	1.7	5.2
EB6: Advocate for State Energy Codes	1.5	1.5	1.0	1.0	5.0
MM4: Municipal Environmental Purchasing Policy	1.0	1	1.0	2.0	5.0
T7: Municipal Fleet Electrification	1.0	1.5	0.5	2.0	5.0
MM5: Materials Repair and Reuse Resources	0.0	1.5	1.5	1.7	4.7
EB7: WattSmart Communities Implementation	0.0	1.75	1.0	1.3	4.1
MM6: Evaluate Plastic Bag Ban	0.5	0.25	0.5	2.0	3.3
MM7: Waste Audits and Monitoring	1.5	0	0.0	1.7	3.2

# Nature & Ecosystems

Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Expand the Urban Tree Canopy	👍 👍 👍	☁️	\$\$	☂️ 📍 ❤️
Protect Habitat and Green Space	👍 👍 👍	☁️	\$\$\$	☂️ 📍 ❤️
Become a Dark Sky Community	👍 👍 👍			📍 ❤️
Reduce Ambient Noise	👍 👍 👍		\$	📍 ❤️

Key	👍 👍 👍	Level of community survey support: Low (0) – High (3)	☂️	Resilience benefit
	☁️ ☁️ ☁️	Greenhouse gas reduction potential: Low (0) – High (3)	📍	Local benefit
	\$ \$ \$	Estimated cost: Low (0) – High (3)	❤️	Health & wellbeing benefit

# Energy & Buildings




















Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Incentives for Energy Efficiency, Renewables, and Indoor Air Quality				
Achieve SolSmart Certification	👍 👍	☁️		☂️ 📍
Encourage Healthy, Sustainable Building Practices	👍 👍	☁️ ☁️	\$\$\$	☂️ ❤️
Energy Education Campaign	👍	☁️ ☁️	\$\$	☂️ 📍 ❤️
Municipal Facilities Energy Audit	👍 👍	☁️	\$\$	
Advocate for State Energy Codes	👍 👍	☁️ ☁️	\$\$\$\$	☂️
WattSmart Communities Implementation		☁️ ☁️ ☁️	\$\$	📍

# Land Use & Planning










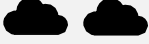





Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Urban Agriculture Programs	👍 👍 👍	☁️	\$	☂️ 📍 ❤️
Sustainable Development Best Practices & Performance Review	👍 👍 👍	☁️ ☁️	\$	☂️ 📍 ❤️
Reduce Industrial Air Pollution Impacts	👍 👍	☁️		📍 ❤️
Reduce Industrial Noise Impacts	👍 👍 👍			📍 ❤️

Key	👍 👍 👍	Level of community survey support: Low (0) – High (3)	☂️	Resilience benefit
	☁️ ☁️ ☁️	Greenhouse gas reduction potential: Low (0) – High (3)	📍	Local benefit
	\$ \$ \$	Estimated cost: Low (0) – High (3)	❤️	Health & wellbeing benefit

# Transportation

Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Develop a Multimodal Transportation Plan			\$\$\$	
Off-Road Vehicle Electrification			\$	
Green Streets Policy			\$	
EV Readiness Plan Development			\$	
Anti-Idling Policy Enforcement				
Sustainable Transportation Education			\$	
Municipal Fleet Electrification			\$	

# Materials Management

Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Organic Waste Diversion Pilot			\$\$	
Waste Education Campaign			\$	
Construction and Demolition Waste Reduction			\$\$	
Municipal Environmental Purchasing Policy			\$	
Materials Repair and Reuse Resources			\$	 
Evaluate Plastic Bag Ban			\$	
Waste Audits and Monitoring			\$\$	

# Water

Strategy	Community Survey Support	GHG Reduction Potential	Cost	Co-Benefits
Water Conservation Plan	👍 👍 👍	☁️	\$\$	☂️ 📍 ❤️
Accessible Data on Water Conditions	👍 👍 👍		\$\$	☂️ 📍 ❤️
Nature-Based Stormwater Solutions	👍 👍	☁️	\$\$	☂️ 📍 ❤️
Greywater Adoption	👍 👍 👍	☁️	\$\$	☂️
Municipal Water Audits	👍 👍 👍	☁️	\$	☂️

Key	👍 👍 👍	Level of community survey support: Low (0) – High (3)	☂️	Resilience benefit
	☁️ ☁️ ☁️	Greenhouse gas reduction potential: Low (0) – High (3)	📍	Local benefit
	\$ \$ \$	Estimated cost: Low (0) – High (3)	❤️	Health & wellbeing benefit

# Implementation Plan Strategies

1. Expand the Urban Tree Canopy
2. Urban Agriculture Programs
3. Protect Habitat and Green Space
4. Nature-Based Stormwater Solutions
5. Incentives for Energy Efficiency, Renewables, and Indoor Air Quality
6. Organic Waste Diversion Pilot

Strategy		
Description and Key Context		
Key Implementation Steps and Timeline		
Action Step	Roles	Timeline
1.		
2.		
3.		
4.		
5.		
6.		
Staffing and Resource Needs		
Cross-Cutting Considerations and Connections		
Economy ~ Wellbeing ~ Social Equity & Inclusion ~ Natural Environment ~ Local Benefit		



# Moab Sustainability Action Questions

November 9, 2023

Governor's Office of Economic Opportunity

60 East South Temple, Suite 300

Salt Lake City, Utah 84111

RE: 2023 RCOG City of Moab Dispersed Parking Amenities

To the GOEO Staff and the Rural Opportunity Advisory Committee,

The City of Moab Planning Commission fully supports this Rural Community Opportunity Grant (RCOG) application to supplement the shovel-ready Downtown Dispersed Parking project. Where UDOT Hotspot will fund the parking and pedestrian infrastructure, RCOG and City of Moab will fund the amenities to create a more beautiful, accessible, and inviting downtown to explore. We, the Planning Commission, know the value of creating a walkable downtown that visitors and residents want to spend time in, even after they have completed their errands.

The Downtown Dispersed Parking project ranges from 200 North to 200 South, 100 West to 200 East. This project encompasses the only commercial center for 50 miles. Numerous restaurants, retail stores, public and private services, parks, and community events can be found between these streets. The increased parking spaces that UDOT Hotspot will construct will be beneficial, but the traffic calming and pedestrian focused amenities, which RCOG could supplement, will be key to creating a beautiful and comfortable location worth spending time in.

A \$590,319 RCOG investment will facilitate foot traffic and downtown exploration. As people park in the new spaces, or walk downtown from their hotels or residences, they will find it safer to cross streets with the new bulb-outs. They may even rest on one of the many RCOG-funded benches, under the shade of an RCOG-funded tree or pergola, and smell RCOG-funded shrubs and forbs. They'll be able to watch as other passersby appreciate a sculpture on one of the RCOG-funded artwork bases. And as the sun sets over the red rock cliffs, they'll be able to safely continue their downtown adventure because RCOG-funded illuminated bollards light their path.

The City of Moab strives to develop a more walkable city, and a beautiful, comfortable downtown is a great place to start. This investment by the Governor's Office of Economic Opportunity will not only aid Moab in creating a more beautiful and accessible downtown in the short term but will be part of a project that acts as a foundation for future downtown projects to expand on and emulate.

We ask for your consideration of this proposal.

With gratitude,

Moab City Planning Commission

Commission members in attendance and voting affirmatively to approve this letter:

**Moab Planning Commission Agenda Item**  
**Dispersed Parking RCOG Letter of Support 2023**  
Meeting Date: November 9, 2023

**Title:** Letter of Support for the City of Moab's 2023 RCOG proposal

**Disposition:** Briefing and possible action

**Staff:** Cory P. Shurtleff, Planning Director

**Presenter:** Richard Lory, Transit Coordinator

**Attachment(s):**

Exhibit 1: Dispersed Parking RCOG LOS 110923

**Options:**

1. Positive Recommendation with or without modifications; or
2. Negative Recommendation.

**Motion for Recommendation:**

I move that the City of Moab Planning Commission approve the Letter of Support for the City of Moab's 2023 RCOG proposal to supplement Downtown Dispersed Parking amenities.

**Background:**

The Downtown Dispersed Parking project is a major step forward for downtown Moab. This project increases available parking spaces, but also includes pedestrian bulb-outs and amenities for comfort and beautification. Although majorly funded by a UDOT Hotspot award, with a \$1MM City contribution, the costs have still overrun. A Rural Community Opportunity Grant (RCOG) will help to supplement this overrun and fund amenities ranging from trees and pergolas, to benches and illuminated bollards. By increasing the safety and appeal of downtown Moab, this project will fulfill the Governor's Office of Economic Opportunity goal of supporting economic development.

The RCOG request will total \$590,319. A requirement for the RCOG application is a letter of support from the Planning Commission.