



PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION WILL
MEET FOR A REGULAR MEETING IN THE

Grand County Commission Chambers 125 East Center Street, Moab, Utah
August 3, 2026 - 5:30 PM

Call To Order

[Youtube Link](#)

Join Zoom Meeting

[Zoom Link](#)

Meeting ID: 420 993 8173

Find Your Local Number: <https://us02web.zoom.us/j/kenwhyag3>

Ex Parte Communications And Disclosures

Public Hearings

1. Moab City Water Tank Ordinance #725

Andrew Jackson, Planning and Zoning Director

General Business - Action Items - Discussion And Consideration Of Approval

Adjourn

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS. In compliance with the Americans with Disabilities Act, individuals with special needs requests wishing to attend Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees are encouraged to contact the County two (2) business days in advance of these events. Specific accommodations necessary to allow participation of disabled persons will be provided to the maximum extent possible. T.D.D. (Telecommunication Device for the Deaf) calls can be answered at: (435) 259-1346. Individuals with speech and/or hearing impairments may also call the Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162

It is hereby the policy of Grand County that elected and appointed representatives, staff and members of the Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees may participate in meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.

At the Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees any citizen, property owner, or public official may be heard on any agenda subject. The number of persons heard and the time allowed for each individual may be limited at the sole discretion of the Chair. On matters set for public hearings there is a three-minute time limit per person to allow maximum public participation. Upon being recognized by the Chair, please advance to the microphone, state your full name and address, whom you represent, and the subject matter. No person shall interrupt legislative proceedings.

Requests for inclusion on an agenda and supporting documentation must be received by 5:00 PM on the Tuesday prior to a regular Commission Meeting and forty-eight (48) hours prior to any Special Commission Meeting.

Information relative to these meetings/hearings may be obtained at the Grand County Commission's Office, 125 East Center Street, Moab, Utah; (435)259-1346.



AGENDA SUMMARY

Planning Commission Meeting

Date: August 3, 2026

Title: Moab City Water Tank Ordinance #725

Fiscal Impact:

If this submission is from the general public you will need a commission sponsor, feel free to contact the Commission Administrators Office with any questions commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners directly at commission@grandcountyutah.net

Presenter(s): Andrew Jackson, Planning and Zoning Director

Department: Planning and Zoning

Legal Review: Not Applicable

Approved and within budget?

Not Applicable

Budget Number:

Recommended Motion:

Background:

Attachments:

1. Notice of Public Hearing - Planning Commission Aug 3_6
2. Notice of Public Hearing - County Commission Aug 4_5
3. Ord725Amendment_2
4. ORD 713 Major Utility Overlay 12.17.24
5. Development Agreement - Moab Water Tank_1

PUBLIC NOTICE OF PUBLIC HEARING
GRAND COUNTY PLANNING COMMISSION
August 3, 2026, 5:30 PM or later

Description/Agenda

NOTICE IS HEREBY GIVEN that the Grand County Planning Commission will hold a Public Hearing on Monday, August 3, 2026, at 5:30 p.m. or later. The hearing will be held in person at the Grand County Commission Chambers, 125 E. Center St., Moab, UT 84532, and virtually via Zoom.

All interested parties are encouraged to attend in person or via electronic means. Instructions for participating via Zoom will be included in the meeting agenda, which will be posted on the County's website at least 24 hours prior to the meeting.

PURPOSE OF HEARING

The purpose of this hearing is to solicit public input on a proposed ordinance amending Conditions #1 and #3 of Ordinance No. 725 (2025), which applied the Major Utility Overlay to a portion of Parcel No. 02-0021-0113 (City of Moab Water Tank Site). Condition #3 sets the project completion deadline. Condition #1 requires a Development Agreement, and would be amended to track the language of LUC § 4.10.1.

Under Grand County Land Use Code ("LUC") § 4.10.1, a Major Utility Overlay is required for development of a major utility listed in LUC § 4.10.2, and is applied by a rezone application processed under the procedure in LUC § 9.2, Text and Zoning Map Amendments (Rezoning), with approval from the County Commission. Because the Major Utility Overlay is applied by rezone, the proposed amendment is being processed under that same procedure, including review by and recommendation from the Planning Commission and approval by the County Commission.

Following the public hearing, the Planning Commission will consider forwarding a recommendation on the proposed ordinance to the Grand County Commission.

PROJECT DESCRIPTION

The property is the City of Moab water tank site. A water storage tank is a major utility listed in LUC § 4.10.2 and requires the Major Utility Overlay. The Major Utility Overlay applied by Ordinance No. 725 covers approximately 2.848 acres of the parcel identified below:

Parcel No. 02-0021-0113

Approximately 2.848 acres of a ±23.11-acre parcel

LEGAL DESCRIPTION

That portion of Parcel No. 02-0021-0113 to which the Major Utility Overlay applies, described as follows:

A portion of Lot 6 that lies southeasterly of the centerline of Spanish Trail Road, and all of Lot 7, Section 21, Township 26 South, Range 22 East, SLM, Grand County, Utah. (Parcel No. 02-0021-0113)

SUMMARY OF THE ORDINANCE

Plain English Summary:

This ordinance changes two of the four conditions the County attached when it approved a Major Utility Overlay for the City of Moab's water tank site in November 2025. Condition #3 required the work to be

finished within the state grant timeframe and set that date as December 31, 2025. The City had to find a different funding source and has since obtained a grant extension and tentative funding from the Utah Division of Water Resources, so the ordinance replaces the December 31, 2025 date with December 25, 2027 and allows the Planning Director to extend that date for good cause. Condition #1 requires a Development Agreement. The wording of that condition does not match the County's own Land Use Code, so the ordinance rewrites it to use the Code's language — an agreement between the property owner and the County setting out specific measures to reduce the effects the facility may have on surrounding property. The Development Agreement is still required; only the wording changes. Nothing else changes — not the overlay, not its boundary, not the zoning, not the approved use, and not Conditions #2 or #4.

A complete copy of the proposed ordinance is available for public review during regular business hours at the Grand County Clerk's Office, 125 East Center Street, Moab, Utah, and will be available at least 24 hours prior to the public hearing.

NOTICE OF POSTING

Notice was posted within the Grand County limits on _____, 2026, at the Grand County Courthouse, the Grand County Library, on the Utah Public Notice Website (www.utah.gov/pmn), and on the County's website (www.grandcountyutah.gov).

NOTICE OF SPECIAL ACCOMMODATIONS (ADA)

In compliance with the Americans with Disabilities Act, individuals with special needs who wish to attend County meetings are encouraged to contact the County at least two (2) business days in advance.

T.D.D.: 435-259-1346

Relay Utah: 711

Spanish Relay Utah: 1-888-346-3162

NOTICE OF ELECTRONIC PARTICIPATION

Grand County allows electronic participation in meetings, allowing individuals to provide testimony via telecommunications.

PUBLIC NOTICE OF PUBLIC HEARING
GRAND COUNTY COMMISSION
August 4, 2026, 5:00 PM or later

Description/Agenda

NOTICE IS HEREBY GIVEN that the Grand County Commission will hold a Public Hearing at a Regular Meeting on Tuesday, August 4, 2026, at 5:00 p.m. or later. The hearing will be held in person at the Grand County Commission Chambers, 125 E. Center St., Moab, UT 84532, and virtually via Zoom.

All interested parties are encouraged to attend in person or via electronic means. Instructions for participating via Zoom will be included in the meeting agenda, which will be posted on the County's website at least 24 hours prior to the meeting.

PURPOSE OF HEARING

The purpose of this hearing is to solicit public input on a proposed ordinance amending Conditions #1 and #3 of Ordinance No. 725 (2025), which applied the Major Utility Overlay to a portion of Parcel No. 02-0021-0113 (City of Moab Water Tank Site). Condition #3 sets the project completion deadline. Condition #1 requires a Development Agreement, and would be amended to track the language of LUC § 4.10.1.

Under Grand County Land Use Code ("LUC") § 4.10.1, a Major Utility Overlay is required for development of a major utility listed in LUC § 4.10.2, and is applied by a rezone application processed under the procedure in LUC § 9.2, Text and Zoning Map Amendments (Rezoning), with approval from the County Commission. Because the Major Utility Overlay is applied by rezone, the proposed amendment is being processed under that same procedure, including review by and recommendation from the Planning Commission and approval by the County Commission.

The Grand County Planning Commission is scheduled to hold a public hearing on the proposed ordinance on August 3, 2026 and to forward a recommendation to the Commission. Following the public hearing, the Commission may adopt, adopt with changes, or deny the proposed ordinance.

PROJECT DESCRIPTION

The property is the City of Moab water tank site. A water storage tank is a major utility listed in LUC § 4.10.2 and requires the Major Utility Overlay. The Major Utility Overlay applied by Ordinance No. 725 covers approximately 2.848 acres of the parcel identified below:

Parcel No. 02-0021-0113

Approximately 2.848 acres of a ±23.11-acre parcel

LEGAL DESCRIPTION

That portion of Parcel No. 02-0021-0113 to which the Major Utility Overlay applies, described as follows:

A portion of Lot 6 that lies southeasterly of the centerline of Spanish Trail Road, and all of Lot 7, Section 21, Township 26 South, Range 22 East, SLM, Grand County, Utah. (Parcel No. 02-0021-0113)

SUMMARY OF THE ORDINANCE

Plain English Summary:

This ordinance changes two of the four conditions the County attached when it approved a Major Utility Overlay for the City of Moab's water tank site in November 2025. Condition #3 required the work to be finished within the state grant timeframe and set that date as December 31, 2025. The City had to find a different funding source and has since obtained a grant extension and tentative funding from the Utah Division of Water Resources, so the ordinance replaces the December 31, 2025 date with December 25, 2027 and allows the Planning Director to extend that date for good cause. Condition #1 requires a Development Agreement. The wording of that condition does not match the County's own Land Use Code, so the ordinance rewrites it to use the Code's language — an agreement between the property owner and the County setting out specific measures to reduce the effects the facility may have on surrounding property. The Development Agreement is still required; only the wording changes. Nothing else changes — not the overlay, not its boundary, not the zoning, not the approved use, and not Conditions #2 or #4.

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NOTICE OF ELECTRONIC PARTICIPATION

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**GRAND COUNTY, UTAH
ORDINANCE NO. _____ (2026)**

**AMENDING CONDITIONS #1 AND #3 OF ORDINANCE NO. 725 (2025)
WHICH APPLIED THE MAJOR UTILITY OVERLAY
TO A PORTION OF PARCEL NO. 02-0021-0113
(CITY OF MOAB WATER TANK SITE)**

WHEREAS, The City of Moab (“Owner”) is the owner of the water tank site located on a portion of Parcel No. 02-0021-0113 (the “Property”), to which the Commission applied the Major Utility Overlay by Ordinance No. 725 (2025); and

WHEREAS, the Grand County Commission (the “Commission”) adopted the Grand County General Plan 2030 (“General Plan”) on May 17, 2022 with Resolution No. 3319; repealing and replacing the 2012 General Plan; and

WHEREAS, at their regular meeting on October 1, 2024 the Commission adopted amendments to Land Use Code Article 3.1 Use Table, Article 3.4.8.J Public and Civic Use Categories - Utilities, and the addition of Article 4.10 - Major Utility Overlay with Ordinance No. 706; and

WHEREAS, at their regular meeting on December 17, 2024 the Commission adopted Ordinance No. 713, repealing and replacing Ordinance No. 706, which clarifies uses classified as Major and Minor Utilities and the applicability of the Major Utility Overlay, more specifically Article 3 Use Regulations, Section 3.1 Use table, Section 3.2.3 Q and R, and Section 3.4.8.J, and Article 4 Special Purpose and Overlay Districts, Section 4.10 Major Utility Overlay, with the addition of Section 4.10.3 Development Standards; and

WHEREAS, Land Use Code (“LUC”) § 4.10.1, as adopted by Ordinance No. 713, provides that the Major Utility Overlay is required for development of a major utility as listed in LUC § 4.10.2, that a Major Utility Overlay requires a rezone application per the procedure in LUC § 9.2, Text and Zoning Map Amendments (Rezoning), with approval from the County Commission, and that a Development Agreement shall be executed between the property owner or developer and the County outlining specific measures to mitigate impacts the major utility may have on the surrounding area; and

WHEREAS, a water storage tank is a major utility listed in LUC § 4.10.2, and the Major Utility Overlay is therefore required for development of the Property; and

WHEREAS, Utah Code § 17-79-508(1) authorizes a county to enter into a development agreement containing any term the county considers necessary or appropriate to accomplish the purposes of Title 17, Chapter 79, and Utah Code § 17-79-508(2)(c) authorizes a county to require a development agreement for developing land within the unincorporated area of the county where the applicant has applied for a legislative or discretionary approval, including a zone change; and

WHEREAS, following a public hearing before the Grand County Planning Commission on September 8, 2025 and a duly noticed public hearing before the Commission on September 16, 2025, the Commission adopted Ordinance No. 725 on November 5, 2025, applying the Major Utility Overlay to the Property subject to four conditions, Condition #3 of which required that all work be completed within the state grant timeframe (December 31, 2025); and

WHEREAS, The City of Moab was required to seek an alternate funding source for the project, and has secured a grant extension and tentative funding through the Utah Division of Water Resources, which made the December 31, 2025 completion date untenable; and

WHEREAS, The Grand County Attorney has determined that it is in the County's best interest to amend Condition #3 of Ordinance No. 725 to align the completion deadline with the revised state grant timeframe; and

WHEREAS, Condition #1 of Ordinance No. 725 describes the required Development Agreement in terms that do not track LUC § 4.10.1 as adopted by Ordinance No. 713, and the Commission finds it appropriate to conform Condition #1 to the language of LUC § 4.10.1; and

WHEREAS, because the Major Utility Overlay is applied by rezone under LUC § 4.10.1, this Ordinance has been processed under the procedure in LUC § 9.2, Text and Zoning Map Amendments (Rezoning), including review by and recommendation from the Planning Commission and approval by the County Commission; and

WHEREAS, the Grand County Planning Commission held a duly noticed public hearing on the proposed amendment on August 3, 2026, considered the staff report and public comment, and forwarded a recommendation to the Commission; and

WHEREAS, due notice was given that the Commission would hold a public hearing on August 4, 2026 to consider amending Condition #3 of Ordinance No. 725; and

WHEREAS, the Commission has heard and considered all evidence and testimony presented with respect to the proposed amendment and has determined that the adoption of this ordinance is in the best interests of the citizens of Grand County, Utah;

THE COUNTY LEGISLATIVE BODY OF GRAND COUNTY ORDAINS AS FOLLOWS:

Section 1. Amendment of Conditions #1 and #3. Conditions #1 and #3 of Ordinance No. 725 (2025) are hereby amended to read as set forth below, with new text underlined and ~~deleted text stricken~~:

1. **Development Agreement** – ~~executed with the County Commission per LUC 4.10.1 addressing mitigation of construction and operational impacts (noise, dust, traffic, visual)~~executed between the property owner or developer and the County, which outlines specific measures to mitigate impacts the major utility may have on the surrounding area, per LUC § 4.10.1.
3. **Compliance with Funding Requirements** – all work completed within the state grant timeframe (~~December 31, 2025~~December 25, 2027), which the Planning Director may extend for good cause.

Section 2. Remaining Conditions Unchanged. Conditions #2 and #4 of Ordinance No. 725 (2025), and all other terms, findings, and provisions of Ordinance No. 725, remain in full force and effect and are unaffected by this amendment.

Section 3. Compliance with LUC § 4.10.1. This Ordinance has been processed as a rezone under the procedure in LUC § 9.2 as required by LUC § 4.10.1. The Development Agreement required by Condition #1, as amended, shall be executed between the property owner or developer and the County and shall outline specific measures to mitigate impacts the major utility may have on the surrounding area, as required by LUC § 4.10.1. The Major Utility Overlay applied to the Property by Ordinance No. 725 remains in effect as amended, and the boundary of the Major Utility Overlay, the underlying zoning of the Property, and the use approved by Ordinance No. 725 are unchanged by this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect fifteen (15) days after its passage, and not before a copy is deposited in the office of the County Clerk/Auditor and a short summary is published, as provided by Utah Code § 17-64-502.

PASSED, ADOPTED, AND APPROVED by the Grand County Commission in open session this 4th day of August, 2026 by the following vote:

Those voting aye: _____

Those voting nay: _____

Those absent: _____

Grand County Commission

ATTEST:

Melodie McCandless, Chair

Gabriel Woytek, Clerk/Auditor

Notice. This document was prepared with the assistance of artificial intelligence tools. All analysis, findings, and recommendations have been reviewed and are the responsibility of the Planning Department.

**GRAND COUNTY, UTAH
ORDINANCE NO. 713 (2024)**

APPROVING THE REPEAL AND REPLACEMENT OF **ORDINANCE NO. 706 TO CLARIFY
USES CLASSIFIED AS MAJOR AND MINOR UTILITIES, AND APPLICABILITY OF THE
MAJOR UTILITY OVERLAY CONTAINED IN ARTICLE 3 USE REGULATIONS, SECTION
3.1 USE TABLE, SECTION 3.2.3. Q AND R, AND SECTION 3.4.8.J, AND ARTICLE 4
SPECIAL PURPOSE AND OVERLAY DISTRICTS, SECTION 4.10 MAJOR UTILITY
OVERLAY, WITH THE ADDITION OF SECTION 4.10.3 DEVELOPMENT STANDARDS**

WHEREAS, the County Land Use, Development and Management Act codified at Utah code §17-27a-101, *et seq.*, enables the county to enact all ordinances, resolutions, and rules and various forms of land use controls and development agreements that the county considers necessary or appropriate for the use and development of land within the unincorporated areas of Grand County;

WHEREAS, Utah statute §17-27a-506 governs the county's review of conditional use permit applications, which states expressly that the County's "authority's decision to approve or deny a conditional use is an administrative land use decision;"

WHEREAS, the previously named Grand County Council (the "Council") adopted the Grand County Land Use Code ("LUC") on January 4, 1999 with Ordinance No. 299, as amended on February 19, 2008 with Ordinance No. 468, for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

WHEREAS, the Commission adopted the Grand County General Plan 2030 ("General Plan") on May 17, 2022 with Resolution No. 3319; repealing and replacing the 2012 General Plan;

WHEREAS, at their regular meeting on October 1, 2024 the Commission adopted amendments to Land Use Code Article 3.1 Use Table, Article 3.4.8.J Public and Civic Use Categories - Utilities, and the addition of Article 4.10 - Major Utility Overlay with Ordinance No 706;

WHEREAS, it was determined that the adopted language needed to more clearly define major utility and minor utility, and provide some standards for a major utility overlay, and so it was decided to amend and reapprove;

WHEREAS, pursuant to Utah Code § 17-27a-528, the Planning Commission held a public hearing to solicit public comment on the amendments contained within the Land Use Code Update on November 25, 2024 and forwarded a favorable recommendation to the County Commission.

NOW, THEREFORE, BE IT RESOLVED by the Grand County Commission does hereby approve the proposed changes to the Land Use code, which clarifies uses classified as Major and Minor Utilities, and applicability of the Major Utility Overlay. More specifically, Article 3 Use Regulations, Section 3.1 Use

table, Section 3.2.3. Q and R, and Section 3.4.8.J, attached hereto as ***Exhibit A*** and Article 4 Special Purpose and Overlay Districts, Section 4.10 Major Utility Overlay, with the addition of Section 4.10.3 Development Standards, attached hereto as ***Exhibit B***.

APPROVED by the Grand County Commission in open session this December 17, 2024 by the following vote:

Those voting aye: Clapper, Hadler, Hedin, McCurdy, McGann, Walker, Winfield

Those voting nay: _____

Those absent: _____

Grand County Commission

ATTEST:



Jacques Hadler, Chair



Gabriel Woytek, Clerk/Auditor

Attachments

***Exhibit A* - Article 3 - Use Regulations**

***Exhibit B* - Article 4 Special Purpose and Overlay Districts**

Exhibit A - Article 3
Sections 3.1, 3.2.3, 3.4.8.J

Article 3 Use Regulations

Section 3.1 Use Table

Use Category	Specific Use	Residential					Non-Residential							Use Specific Standards
		SLR	LLR	RR	MFR	RG	NC	GB	RC	RS	HC	LI	HI	
Utilities	Major Utilities													4.10 Major Utility Overlay
	Minor Utilities	P	P	P	P	P	P	P	P	P	P	P	P	3.4.8. J
	Telecommunications tower and facility – New Site					C		C			C	C	C	3.2.3 P
	Telecommunications tower, antenna, structure – Existing Site	P	P	P	P	P	P	P		P	P	P	P	3.2.3 Q
	Transmission Facility	C	C	C	C	C	C	C	C	C	C	C	C	3.2.3. R
	Utility Substation					C	C	C	C	C	C	C	C	3.2.3. S

3.2 Use-Specific Standards

Section 3.2.3 Commercial Use Standards

Q. Telecommunications Towers and Facilities on an Existing Tower or Other Structure

Telecommunications towers and facilities may be installed on an existing tower or structure, subject to the following requirements.

1. The antenna(s) shall be no higher than the existing tower or structure; provided, however, that if the antenna is installed on top of an interstate power transmission tower, such an antenna and tower may be up to 150 feet in height;
2. Such antenna(s) shall be subject to all terms and conditions imposed on the existing tower or structure;
3. All towers shall be subject to the Ridgeline Standards of Section [6.9.8](#); and
4. The impacts of the new antenna(s) on the surrounding neighborhood shall be no greater than the existing tower or structure.

5. Telecommunications towers and facilities may be permitted in the tower campus on Bald Mesa, subject to the following requirements:

- a. Towers shall be installed in close proximity, at a similar height, and in a manner similar to that of existing towers and antennas in the immediate area; and
- b. Such towers shall be exempt from the Ridgeline Standards of Section 6.9.8.

R. A Transmission facility is a group of electric transmission lines and equipment that moves electricity from supply points to points where it's transformed for delivery to consumers. Transmission facilities include:

- 1. Transmission towers: Keep power lines separated from each other and their surroundings
- 2. Conductors (power lines): Carry electricity to and through the grid to consumers
- 3. Substations: Convert high voltages to lower voltages for consumer use
- 4. Rights of way (ROWs): Land set aside for the transmission line and associated facilities
- 5. Access roads: Routes to transmission line structures for construction and maintenance

3.4.8 Public and Civic Use Categories

J. **Minor Utilities** (See Section 4.10 Major Utility Overlay for major utility uses)

Characteristics: Public or private infrastructure serving a limited area or the general community and possibly having on-site personnel		
Examples	Accessory Uses	Uses not included
Minor Utilities: Stormwater retention and detention facilities Telephone exchanges Water and wastewater pump stations Cell antennae Cell towers Electrical substations Natural gas pumping station Telecommunication towers and facilities Television and radio broadcasting transmitters	Control, monitoring, data or transmission equipment Off-street parking Storage	Maintenance yards and buildings (See Light industrial Service) Utility offices (See office) TV and radio studios (See office) Reservoir (See Parks and Open Areas) Major Utilities: Section 4.10 Waste treatment plants Water treatment facility Water towers Water tanks

Exhibit B - Article 4

Section 4.10 Major Utility Overlay

Article 4 Special Purpose and Overlay Districts

4.10 Major Utility Overlay

4.10.1 Purpose. The Major Utility Overlay is required for development of a major utility as listed in section 4.10.2 below. A Major Utility Overlay requires a rezone application per the procedure in LUC Section 9.2 Text and Zoning Map Amendments (Rezoning), with approval from the County Commission. A Development Agreement shall be executed between the property owner or developer, and the County, which outlines specific measures to mitigate impacts the major utility may have on the surrounding area.

4.10.2 Applicability

Purpose and Uses: Major Utilities are those facilities needed to support development serving a limited area in a specific development, the citizens of Grand County, the region or the state.		
Examples	Accessory Uses/Structures	Uses not included
Waste treatment plants Water treatment facility Water towers Water storage tanks	Control, monitoring, data or transmission equipment Off-street parking Storage	All uses considered minor utilities in Section 3.4.8. J

4.10.3 Development Standards

In addition to the standards for the underlying zone, the County Commission may, at their discretion, require increased standards when a major utility is proposed directly abutting a residential zone, or residentially developed property. The following shall be considered for the development of any major utility.

- A. Setbacks
- B. Buffer
- C. Height Limitation
- D. Building Scale and Massing
- E. Landscaping
- F. Fencing

DEVELOPMENT AGREEMENT
Major Utility Overlay — City of Moab Water Tank
Grand County Parcel No. 02-0021-0113

This Development Agreement (the “Agreement”) is entered into as of _____, 2026, between GRAND COUNTY, a political subdivision of the State of Utah (the “County”), and the CITY OF MOAB, a Utah municipal corporation (the “Owner”).

RECITALS

- A. The Owner owns Grand County Parcel No. 02-0021-0113 and proposes to construct and operate a water storage tank and appurtenant facilities (the “Major Utility”) on a ±2.848-acre portion of that parcel (the “Site”).
- B. A water storage tank is a major utility listed in Grand County Land Use Code (“LUC”) § 4.10.2, as adopted by Ordinance No. 713 (2024).
- C. LUC § 4.10.1, as adopted by Ordinance No. 713, provides that a Development Agreement shall be executed between the property owner or developer and the County, which outlines specific measures to mitigate impacts the major utility may have on the surrounding area.
- D. The Grand County Commission applied the Major Utility Overlay to the Site by Ordinance No. 725 (2025), as amended by Ordinance No. _____ (2026). This Agreement is executed to satisfy Condition #1 of Ordinance No. 725, as amended, and the requirement of LUC § 4.10.1.

The Parties agree as follows:

1. Purpose. This Agreement outlines the specific measures the Owner shall carry out to mitigate impacts the Major Utility may have on the surrounding area, as required by LUC § 4.10.1.

2. Mitigation During Construction. The Owner shall:

- a. Limit construction activity, including equipment staging and material delivery, to 7:00 a.m. to 7:00 p.m., Monday through Saturday.
- b. Control dust on disturbed areas and haul surfaces, cover loads, and stabilize disturbed soils.
- c. Use the haul routes shown on the approved Site Development Plan and repair, at the Owner’s expense, damage to County roads caused by construction of the Major Utility.
- d. Keep construction equipment properly muffled and locate stationary equipment to reduce noise reaching adjacent property.
- e. Keep the Site free of debris and windblown litter, and revegetate areas disturbed by construction that are not occupied by permanent improvements.

3. Mitigation During Operation. The Owner shall:

- a. Finish exterior surfaces of the tank and appurtenant structures in a non-reflective, earth-tone color.
- b. Provide fencing and screening as shown on the approved Site Development Plan and in accordance with LUC § 4.10.3.
- c. Shield exterior lighting and direct it downward so that it does not spill onto adjacent property.
- d. Locate or enclose permanent mechanical equipment to limit noise at the boundary of the Site.

- e. Maintain the Site, including fencing, screening, surfacing, and revegetated areas, in good condition for the life of the Major Utility.

4. Other Approvals. This Agreement does not replace any other permit or approval required by the County or by any other agency having jurisdiction over the Major Utility.

5. County Authority. Consistent with Utah Code § 17-79-508(2)(a), nothing in this Agreement limits the County's authority to enact land use regulations in the future or requires the County to change any zoning designation.

6. General. This Agreement takes effect on signing and continues for the life of the Major Utility. It may be amended only in writing signed by both Parties, may be recorded by the County under Utah Code § 17-79-508(2)(e), and is governed by Utah law.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

GRAND COUNTY

CITY OF MOAB

Melodie McCandless, Chair

Joette Langianese, Mayor

ATTEST:

ATTEST:

Gabriel Woytek, Clerk/Auditor

Sommar Johnson, City Recorder

Approved as to form:

Approved as to form:

Stephen Stocks
Grand County Attorney

Nathan Bracken
Moab City Attorney

Notice. This document was prepared with the assistance of artificial intelligence tools. All analysis, findings, and recommendations have been reviewed and are the responsibility of the Planning Department.