

GROUND ZERO...

continued

ing the uranium boom, my understanding is that the entire block around my house was trailers. Our shed out back was built as a shower house for the trailer park. My office used to be a chicken coop that was expanded into a small house. There were trailers in the front yard. The last of these trailers is still out back.

When the City defined zones, the C-3 became the central business district. Our home, and quite a few others, were in this zone at the time. Per City Code the C-3 is “a district in which the primary use of the land is for business purposes. The area covered by this zone is now and it is intended that it shall continue to be the dominant shopping and financial center of the city and surrounding territory...” A list of permitted uses follows this definition, and includes the following: “Dwellings and apartment houses are permitted on the ground floor only when constructed in conjunction with, and as an accessory to, a commercial use.” By definition and permitted uses, nightly rentals are fine, but in the center of town it is illegal to live on the ground floor.

This made sense once upon a time. At the time the City decided it would not levy property taxes, but rather would rely solely on sales taxes for revenue to run the city, it made sense to designate an area to focus this kind of development over all others. This revenue was needed to cover water distribution, sewer conveyance, streets, a police force, and other necessary governance. It was meant to encourage a shop front below with a residence above, or buildings that were solely commercial in use.

In 2007, when my husband and I began to remodel our home, a home that has been in his family since 1908, we found that we could not get a building permit. We could continue to live in the house with no insulation, cracked windows, a roof that needed replacing, and floors with holes. The City wouldn't kick us out of our house as long as we continued to use it as a permanent residence as the use was “grandfathered”. But non-conforming uses (the policy term for “grandfathered uses”) are merely tolerated, not permitted. So when a land owner wants to improve, add on, or renovate their home (which includes re-roofing it) in the C-3 zone in Moab City, they cannot get a permit to do so. When I realized our situation I spent a day walking the C-3 and counting ground



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floor dwellings within the zone. I counted around 100 that cold November day. There are fewer now.

My education is in city planning and landscape design. I understand zoning. I was on planning commission at the time we started our renovation. Yet somehow it never sunk in that a house that had been there pretty much since Moab has been a city (probably before it officially was a city) could not be renovated and stay our home. I suddenly understood better why the old homes in the downtown were all slowly falling apart and vanishing. Not only was I impacted by this, this seemed a real disservice to the City as a whole. So my husband and I set about to change that, in a limited way. We worked with City Planning staff on a code addition to allow homes to be declared historic by the City. Then those owners of homes in the C-3 could be granted building permits to repair and renovate them as permanent residences. These old homes in the C-3 are not only moderate homes (most small) but they are affordable homes. And they are a visible part of Moab's history that is slowly vanishing, or turning into more nightly accommodation.

This is how zoning works. And changes and additions to City Code need to be a slow and deliberate process. There are good reasons for that. In my opinion, however, it is important for a city or county to periodically revisit zone definitions and rules – and make changes where these definitions and code restrictions may no longer serve the community well. To make sure that growth has proceeded in the orderly way intended, that it has proceeded in a manner that does not threaten the health and safety of its

citizens, and change definitions to meet the new challenges that a growing and changing place faces. I realize zones can't change frequently, otherwise land owners have no security. However, keeping a zone defined with the same language as when it was written over 50 years ago, long before the advent of tourism as an industry base, long before hotels outnumbered apartments, is perhaps not in the best service to the community.

NOW IS NOT THEN

Planning is not hanging onto what was; planning should examine where we are, consider what we have become, and think about what we may likely turn into. The C-3 prohibition on ground floor residences is merely one example of possible code modifications that might nudge the development of affordable housing units in a positive direction. The minimum house size in the Grand County Code is another example of this, and there are others. These are not quick fixes, and they require time and effort. Time

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and effort that is hard to find with high priced projects with paid designers and engineers demanding fast turn-around on permit approvals coming into planning offices at a steady clip.

While it is politically risky to change, the City and County owe it to their citizens to critically look at whether we as a community are meeting the needs for health and safety of our residents. In my opinion, the health and safety of our residents includes having enough housing that residents can afford. After all, the tourist dollars that fund Moab City will dry up if service declines because good hard workers can't afford a clean, stable place to live. I don't see the owners of many the new homes built in the past 15 years taking jobs as housekeepers, bussers, servers or retail staff.

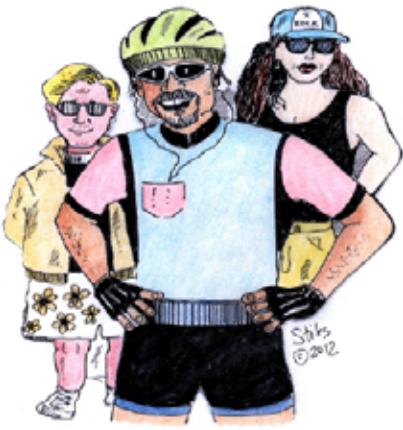
We're coming up short for the people born and raised here. We are coming up short for the people who moved here to live and work in this beautiful place because they love the place. We are coming up short for the people who are here now, who found their way here by birth, who found their way here by river, on foot or by highway, people who are here for whatever reason wanting to stay and be a part of this community and who don't have a pension or a 401K. We need to decide what it is we want to be – a town and community who invite the world to come play in our back yard? Or a bedroom vacation community where everyone travels 120 miles to get what they need and there is a constant stream of Fed Ex and UPS trucks bringing in items ordered online?

It is time to take some intentional action before the lack of action results in another unconscious decision with consequences that we don't want to live with.

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