

Ent 554246 Bk 966 Pg 890 - 894
Date: 22-OCT-2024 9:47:12AM
Fee: None Filed By: GKN
JOHN ALAN CORTES, Recorder
GRAND COUNTY CORPORATION
For: GRAND COUNTY

GRAND COUNTY, UTAH
ORDINANCE NO. 696 (2024)

**APPROVING APPLICATION OF THE OVERNIGHT ACCOMMODATIONS
OVERLAY - RV / CAMPGROUND TO A PORTION OF PARCEL NO. 24-0XST-0067
AND ASSOCIATED MASTER PLAN AND DEVELOPMENT AGREEMENT**

WHEREAS, INTREPID POTASH - MOAB, LLC ("Owner") is the owner of record of 544 acres; a portion of Parcel No. 24-0XST-0067, more specifically described as follows:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 3, T25S, R20E, SLB&M; THENCE ALONG THE CENTER SECTION LINE NORTH 89° 50'18" EAST 1057.3 FEET TO THE POINT OF BEGINNING, AND PROCEEDING THENCE NORTH 89° 50'18" EAST 271.17 FEET; THENCE NORTH 01° 17'50" WEST 782.14 FEET TO THE SOUTH RIGHT-OF-WAY OF HIGHWAY 313; THENCE WITH SAID RIGHT-OF-WAY NORTH 48° 15'55" EAST 795.26 FEET; THENCE WITH THE NORTH LINE OF LOT 14 NORTH 89° 37'07" EAST 184.08 FEET; THENCE SOUTH 01° 17'50" EAST 1310.66 FEET; THENCE NORTH 89° 50'18" EAST 538.90 FEET TO THE SOUTHEAST CORNER OF LOT 14, OF SAID SECTION 3; THENCE SOUTH 01° 25'11" EAST 2659.0 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE NORTH 89° 07'04" EAST 2622.8 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 01° 10'00" EAST 659.3 FEET TO THE SOUTHWEST CORNER OF THE N1/2NW1/4NW1/4 OF SECTION 11, T25S, R20E, SLB&M; THENCE NORTH 88° 50'16" EAST 1320.5 FEET TO THE SOUTHEAST CORNER OF THE N1/2NW1/4NW1/4 OF SAID SECTION 11; THENCE NORTH 01° 09'44" WEST 665.2 FEET TO THE NORTHEAST CORNER OF THE N1/2NW1/4NW1/4 OF SAID SECTION 11; THENCE NORTH 88° 35'01" EAST 1320.6 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 11; THENCE SOUTH 01° 09'28" EAST 2639.0 FEET TO THE CENTER OF SAID SECTION 11; THENCE SOUTH 88° 37'12" WEST 2640.8 FEET TO THE WEST QUARTER OF SAID SECTION 11; THENCE SOUTH 89° 06'01" WEST 2631.1 FEET TO THE CENTER OF SECTION 10, T25S, R20E, SLB&M; THENCE NORTH 00° 59'17" WEST 1319.1 FEET TO THE SOUTHEAST CORNER OF THE N1/2NW1/4 OF SAID SECTION 10; THENCE SOUTH 89° 05'02" WEST 2656.9 FEET TO THE SOUTHEAST CORNER OF THE N1/2NW1/4 OF SAID SECTION 10; THENCE NORTH 01° 11'26" WEST 1318.3 FEET TO THE NORTHWEST CORNER OF SAID SECTION 10; THENCE ALONG THE WEST LINE OF SAID SECTION 10 NORTH 01° 18'40" WEST 2110.3 FEET; THENCE NORTH 89° 34'56" EAST 684.18 FEET; THENCE SOUTH 33° 18'12" EAST 646.16 FEET; THENCE NORTH 85° 53'22" EAST 363.31 FEET; THENCE NORTH 33° 18'12" WEST 648.07 FEET; THENCE NORTH 00° 09'42" WEST 551.43 FEET TO THE POINT OF BEGINNING.

WHEREAS, the Owner has submitted an application requesting the Overnight Accommodations Overlay-RV/Campground as defined by the Grand County Land Use Code ("LUC") Section 4.6;

WHEREAS, the previously-named Grand County Council (the "Council") adopted the LUC on January 4, 1999 with Ordinance No. 299, and codified with Resolution No. 468 on April 15, 2008, as amended, for the purpose of regulating land use, subdivision and development in Grand County in accordance with the General Plan;

WHEREAS, the previously named Grand County Council ("County Council") adopted the Grand County General Plan ("General Plan") on April 6, 2004, with Resolution No. 2654, as amended by Resolution No. 2976;

WHEREAS, the Council adopted Ordinance No. 595 for the Overnight Accommodations Overlay District on July 18, 2019, as amended by Ordinance No. 607 on January 7, 2020;

WHEREAS, the Owner has submitted and the County Attorney has approved a Development Agreement committing the Developer to the requirements of LUC Section 4.6 as well as the proposal for the development of twenty (20) off-site employee housing units and deed restricting a portion of the Property as open space in perpetuity;

WHEREAS, the Owner has submitted a Master Plan satisfying the statutory requirements of LUC Section 4.6 (Overnight Accommodations Overlay Districts);

WHEREAS, in a public hearing on October 9th, 2023, the Grand County Planning Commission considered all evidence and testimony presented with respect to the subject application and voted (4 in favor, 1 abstentions, and 1 no) to forward a recommendation to the County Commission to table this application for a period not to exceed 9 months for the purpose of allowing staff that time to update the Land Use Code for the purpose of defining the "Glamping" use within section 4.6 - OAO of the LUC and determine the appropriate application of Assured Housing for that use.

The recommendation included that: if the County Commission would not like to table the application, the Planning Commission forwards a favorable recommendation to approve the Entrada Moab OAO - RV/Campground application;

WHEREAS, due notice was given that the Grand County Commission would meet to hear and consider the proposed OAO application in a public hearing on December 19th, 2023;

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

NOW, THEREFORE, BE IT ORDAINED by the County Commission that it does hereby approve the application of the OAO-RV/Campground District to real property known as Parcel No. 24-0XST-0067, the associated Master Plan attached hereto as *Exhibit A*, and OAO Development Agreement, subject to the following condition:

1. The Owner shall record the Development Agreement, Approved Master Plan, associated exhibits, and open space deed restriction, in the real property records of Grand County

simultaneously with this Ordinance and prior to application for further site plan, construction, or development approvals.

PASSED, ADOPTED, AND APPROVED by the Grand County Commission in open session this 16th day of January, 2024 by the following vote:

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

Those voting nay: Hedin

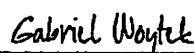
Those absent:

Grand County Commission



Jacques Hadler, Chair

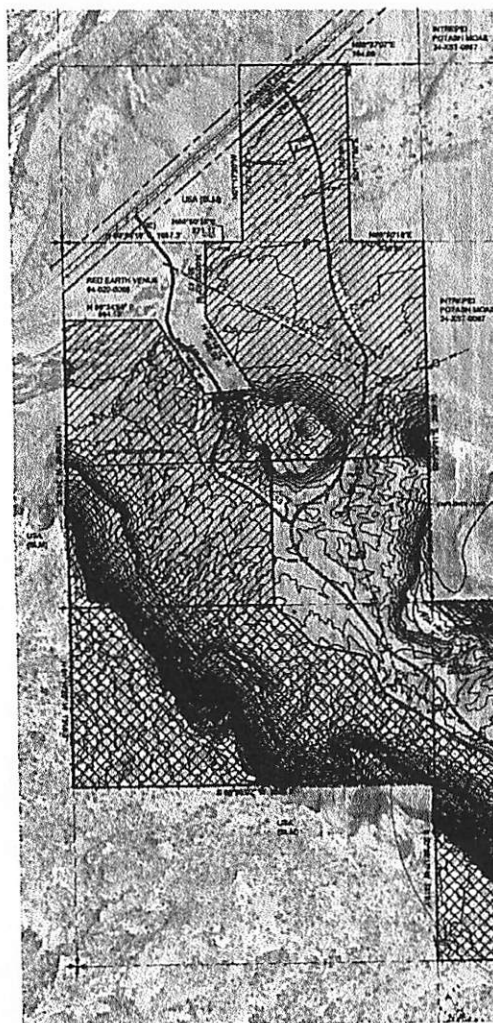
ATTEST:



Gabriel Woytek, Clerk/Auditor



Exhibit A: Master Plan



LEGEND

- 30% SLOPE**
- EXISTING OVERHEAD POWER LINE**
- ACCESS EASEMENT**
- SECTION CORNER**
- LUXURY TENT SITE**
- PROPOSED DEED RESTRICTED AREA
136.00 ACRES**
- DEDICATED OPEN SPACE
277 ACRES**

NOTES

NO FLOODPLAIN FOUND ON PROPERTY

QA/QC NOTES

THIS OVERNIGHT ACCOMMODATIONS OVERLAY, RV CAMPGROUND DISTRICT ALLOWS UP TO 18 OVERNIGHT ACCOMMODATION UNITS AND SHALL ADHERE TO THE DEVELOPMENT STANDARDS OF GRAND COUNTY LAND USE CODE, SECTION 4.8, OVERNIGHT ACCOMMODATIONS OVERLAY DISTRICTS. THE PROPERTY IS FURTHER SUBJECT TO THE DEVELOPMENT AGREEMENT RECORDED IN THE REAL PROPERTY RECORDS OF GRAND COUNTY, UTAH ON _____ AT ENTRY NO. _____ AND THE MASTER PLAN.

APPROVAL OF AN QA/QC DISTRICT APPLICATION DOES NOT CONSTITUTE SITE PLAN, PRELIMINARY PLAN, OR FINAL PLAN APPROVAL. RATHER, SUCH APPROVAL SHALL BE DEEMED APPROVAL OF PERFORMANCE TO DEVELOP UNDER THE STANDARDS OF SECTION 4.8 OF GRAND COUNTY LAND USE CODE AND THE MASTER PLAN.

GRAND COUNTY RESERVES THE RIGHT TO REVOKE, DENY OR SUSPEND ANY PERMIT, INCLUDING A LAND DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT, BUILDING PERMIT, CERTIFICATE OF OCCUPANCY, OR DISCRETIONARY APPROVAL UPON A VIOLATION OR BREACH OF THE ABOVE REFERENCED DEVELOPMENT AGREEMENT BY RECORD OWNER OF PARCEL 834-6431-001 IN GRAND COUNTY.

BOUNDARY DESCRIPTION

A PORTION OF A PARCEL OF LAND LOCATED WITHIN SECTIONS 3, 12, & 11 OF TOWNSHIP 28 SOUTH, RANGE 20 EAST, 34TH LONG BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 20 EAST, 34TH LONG BASE AND MERIDIAN, THENCE ALONG THE CENTER SECTION LINE NORTH 89°50'11" EAST 1057.3 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°50'11" EAST 271.11 FEET; THENCE NORTH 01°17'56" WEST 732.14 FEET TO THE SOUTH RIGHT-OF-WAY OF HIGHWAY 311; THENCE WITH SAID RIGHT-OF-WAY NORTH 48°15'52" EAST 798.28 FEET; THENCE WITH THE NORTH LINE OF LOT 44, NORTH 87°37'57" EAST 134.08 FEET; THENCE SOUTH 81°17'52" EAST 1310.88 FEET; THENCE NORTH 89°50'11" EAST 538.86 FEET TO THE SOUTH-EAST CORNER OF LOT 14, OF SAID SECTION 3; THENCE SOUTH 01°29'11" EAST 2068.8 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 3; THENCE NORTH 89°50'11" EAST 7622.8 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 3; THENCE SOUTH 01°10'00" EAST 848.3 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/4 SECTION 11, T28S, R20E, S34M; THENCE NORTH 84°58'18" EAST 1325.3 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/4 SECTION 11; THENCE NORTH 89°50'11" EAST 1120.0 FEET TO THE NORTH-EAST CORNER OF THE NORTH 1/4 SECTION 11; THENCE NORTH 89°50'11" EAST 1325.3 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 11; THENCE SOUTH 01°29'11" EAST 2068.8 FEET TO THE CENTER OF SAID SECTION 11; THENCE SOUTH 89°50'11" WEST 2848.8 FEET TO THE WEST QUARTER OF SAID SECTION 11; THENCE SOUTH 89°50'11" WEST 2631.1 FEET TO THE CENTER OF SAID SECTION 10, T28S, R20E, S34M; THENCE NORTH 01°17'56" WEST 1318.1 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/4 OF SAID SECTION 10; THENCE SOUTH 89°50'11" WEST 2638.8 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/4 OF SAID SECTION 10; THENCE NORTH 81°17'52" WEST 1318.1 FEET TO THE NORTHWEST CORNER OF SAID SECTION 10; THENCE ALONG THE WEST LINE OF SAID SECTION 10 NORTH 01°17'56" WEST 2110.3 FEET THENCE NORTH 89°50'11" EAST 848.3 FEET; THENCE SOUTH 01°10'00" EAST 848.3 FEET; THENCE NORTH 87°37'57" EAST 1057.3 FEET; THENCE NORTH 01°17'56" WEST 848.07 FEET; THENCE NORTH 07°06'42" WEST 551.43 FEET TO THE POINT OF BEGINNING, HAVING AN AREA OF 844.13 ACRES, MORE OR LESS.

DEED RESTRICTED AREA

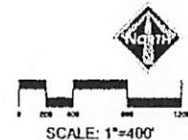
NO DEVELOPMENT SHALL OCCUR IN THE DEED RESTRICTED AREA, EXCEPT PARKING AS IDENTIFIED ON THE MASTER PLAN, AND ANY ROAD OR TRAIL APPURTENANT TO THE RESORT DEVELOPMENT.

DEDICATED OPEN SPACE

THIS AREA SHALL REMAIN UNDEVELOPED PER GRAND COUNTY LAND USE CODE SECTION 6.11.2 OPEN SPACE STANDARDS.

UTILITY NOTE

- SEWER** ON-SITE WASTEWATER TREATMENT USING AN ON-SITE TREATMENT UNIT (BPTIC TANK) AND PERCOLATION INTO THE GROUND.
- WATER** ON-SITE WELL, WATER EFFICIENT FIXTURES IN TENTS AND AMENITIES.
- IRRIGATION** GREYWATER REUSE SYSTEM FROM BIODIVERSITY WELL BE USED TO IRRIGATE A LIMITED AMOUNT OF TREES AND PLANTINGS AROUND THE TENTS SITES.
- POWER** ON-SITE SOLAR AND USE OF ON-SITE POWER LINES.
- GAS** PROPANE.



GRAND COUNTY
ENTRADA MOAB
UPDATED MASTER PLAN

BERG ENGINEERING
300 E. Main St. Suite 204
Moab, UT 84054
435.253.2141

DRAWN BY: RJB
CHECKED BY: DED
DATE: 12/10/2024
SHEET 1