

CITY OF MOAB ORDINANCE #2025-09

AN ORDINANCE OF THE CITY COUNCIL OF MOAB ANNEXING THE COLIN FRYER PROPERTY AT 602 CERMAK TO THE CITY OF MOAB AND ASSIGNING THE ZONE OF C-3 CENTRAL COMMERCIAL TO THE PARCEL

The following findings describe the intent and purpose of this ordinance:

- a. Colin Fryer filed a petition (the “Petition”) with the Moab City Council (the “Council”) seeking to annex certain property of approximately 0.25 acres in size as described in Exhibit “1” hereto (the “Property”); and
- b. The Property is unincorporated and has been proposed for development with allowed uses in the requested zoning designation, at the time of application; and
- c. The City Council reviewed and approved a pre-annexation agreement regarding the Property in a regularly scheduled meeting held on September 24, 2024, setting forth minimum project development standards in Section 6 of the pre-annexation agreement; and
- d. The Moab Planning Commission reviewed the Petition in a public meeting held on June 4, 2025, to review the annexation and the requested zoning for C3 (Central Commercial) Zone and found that the zone is acceptable for the types of uses proposed for the area; and
- e. As required by law, the Council must consider comments from affected entities, if any, and no protests that complied with the requirements of U.C.A. 10-2-810 were filed after publication of notice of the Petition; and
- f. The Council has determined that the Property meets the requirements of Moab City's annexation policy plan; and
- g. The Council has determined that the Property meets the annexation requirements of Utah State Code, including but not limited to the annexation procedures set forth in Utah Code, Title 10, Chapter 2, part 8 (the “Act”); and
- h. The Council endorses the intent of the Act and finds that the Petition meets the criteria for annexation of the Property into the City under U.C.A. 10-2-804 and U.C.A. 10-2-811(10) because:
 1. The Property is contiguous with City boundaries; and
 2. The Property is located within the City’s expansion area as specified in its annexation policy plan under Section 1.32.030 of the Moab Municipal Code; and
 3. The Property is not incorporated within the boundaries of another municipality; and
 4. The annexation does not create unincorporated islands within the boundaries of the City; and

5. The Property will not be annexed for the sole purpose of acquiring municipal revenue or for retarding the capacity of any other municipality to annex into the same or related area; and
 6. The Property does not include rural real property or private real property located in a mining protection area; and
 7. The Property is not within 5,000 feet of the center line of any runway of an airport operated or to be constructed and operated by another municipality; and
 8. The Property is not located within a “project area” as that term is defined in U.C.A. 63H-1-102.
- i. The Council has held the appropriate public hearings, gave the appropriate public notice, and received public input on the Petition pursuant to U.C.A. 10-2-810(7).

NOW, THEREFORE, BE IT ORDAINED by the Moab City Council that:

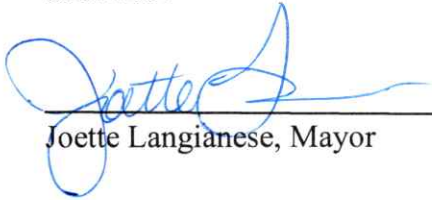
1. The Petition is approved and the property known as the Colin Fryer Annexation, as described in “Exhibit 1” and illustrated on the attached plat, “Exhibit 2”, and located at 602 Cermak, is hereby annexed into the City of Moab and the zoning designation, upon recommendation from the Planning Commission for said annexation, shall be the C3 Central Commercial Zone.

2. This ordinance shall take effect immediately upon its posting pursuant to U.C.A. 10-3-711 and 63G-30-102(1).

[execution on following page]

PASSED AND APPROVED this 10 day of JUNE 2025, by a majority of the City of Moab City Council.

SIGNED:


Joette Langianese, Mayor

6/10/25
Date

ATTEST:


Sommar Johnson, Recorder



(Complete as Applicable)

Summary of ordinance posted to Moab City Website, the Utah Public Notice Website, and in a public location within the City boundaries pursuant to U.C.A. 10-3-711 and 63G-30-102(1) on
JUNE 11, 2025

Effective date of ordinance: JUNE 11, 2025

SUMMARY OF MOAB CITY ORDINANCE NO. #2025-09

On June 10, 2025, the Moab City Council enacted Ordinance No. #2025-09, annexing the Colin Fryer property at 602 Cermak to the City of Moab and Assigning the zone of C-3 Central Commercial to the parcel.



By: Joette Langianese, Mayor

ATTEST



Sommar Johnson, Recorder

Voting:

Council Member Knuteson-Boyd voting	<u>AYE</u>
Council Member Myers voting	<u>AYE</u>
Council Member Taylor voting	<u>AYE</u>
Council Member Topper voting	<u>AYE</u>
Council Member Wojciechowski voting	<u>AYE</u>

A complete copy of Ordinance No. #2025-09 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

“Exhibit 1”

PARCEL #3:

BEGINNING at a point which bears North 1118.0 feet and East 73.6 feet from the South Quarter Corner, Section 36, T25S, R21E, SLB&M, and proceeding thence East 39.4 feet, thence South 4 degrees 22' East 25.0 feet, thence West 49.6 feet, thence North 18 degrees 20' East 26.3 feet to the point of beginning.

PARCEL #4

BEGINNING at a point 1190.7 feet North and 205.0 feet East of the South Quarter Corner of Section 36, Township 25 South, Range 21 East, Salt Lake Base and Meridian; running thence South 75.0 feet; thence West 130 feet, more or less to the road right of way; thence Northeasterly along said right of way to point of beginning.

SUBJECT TO A ROAD EASEMENT 12.5 feet each side of a centerline described as follows:

BEGINNING 967.9 feet North and 10.7 feet East of the South Quarter Corner of Section 36, T25S, R21 E, S.L.B. & M. and running thence North 18 degrees 20' East 186.0 feet; thence to the right around a 90.7 foot radius curve 107.1 feet; thence East 55.1 feet; thence South 67 degrees 23' East 32.5 feet.

[illegible]