



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

MOAB PLANNING COMMISSION

May 14, 2026

REGULAR MEETING - 6:00 PM

City Council Chambers
217 East Center Street
Moab, Utah 84532

1. 6:00 P.M. Call To Order
2. Approval Of Minutes

Documents:

[MIN-PC-2026-04-23 DRAFT.PDF](#)

3. Action Item
 - 3.1. Consideration And Possible Approval Of Planning Resolution 10-2026, A Resolution Conditionally Approving A Level II Site Plan For Staybridge Hotel For Property Located At 938 And 940 South Main Street, Moab UT, 84532.

Documents:

[AGENDA SUMMARY STAYBRIDGE SITE PLAN.PDF](#)
[EXHIBIT 1 PLANNING RESOLUTION 10-2026 STAYBRIDGE SITE PLAN_051426.PDF](#)
[EXHIBIT 2 VICINITY MAP.PDF](#)
[EXHIBIT 3_SITE PLAN.PDF](#)
[EXHIBIT 4 SITE PLAN REVIEW MATRIX_STAYBRIDGE.PDF](#)

- 3.2. Consideration And Possible Approval Of Planning Resolution No. 09-2026, A Resolution Amending The City Of Moab Planning Commission Bylaws To Update Section 3.4 Attendance, Add Section 3.5 Removal From Service, Add Section 3.6 Procedure For Filling Vacancies, Add Section 3.7 Procedure To Appoint A Planning

Commissioner, And Update Section 4.2 Planning Commissioner Trainings.

Documents:

AGENDA SUMMARY PC BYLAW AMENDMENTS.PDF
EXHIBIT 1_PLANNING COMMISSION BYLAWS - DRAFT REDLINE.PDF
EXHIBIT 2_DRAFT PLANNING RESOLUTION 09_2026.PDF
EXHIBIT 3_ CURRENT PLANNING COMMISSION BYLAWS.PDF

4. Discussion Item

4.1. Workshop To Discuss Amendments To The Moab Municipal Code Section For Vendors

Documents:

VENDOR CODE CHANGE AMENDMENT DISCUSSION PC AGENDA
SUMMARY.PDF
EXHIBIT 1_ CURRENT VENDOR CODE.PDF
EXHIBIT 2_VENDOR PARK CODE DRAFT .DOCX.PDF

5. Future Agenda Items

6. 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

**MOAB CITY PLANNING COMMISSION MINUTES—DRAFT
REGULAR MEETING
April 23, 2026**

Call to Order and Attendance: Moab City Planning Commission held its regular meeting on the above date in City Council chambers. Audio is archived at www.utah.gov/pmn and video is archived at www.youtube.com/watch?v=3DP-bonTlJA. Commission Chair Kya Marienfeld called the meeting to order at 6:03 p.m. Commission Members Shalee Bryant, Steve McClure, Carolyn Conant and Jill Tatton attended. Also in attendance were Associate Planner Johanna Blanco, Planning Technician Kelsi Garcia and City Council Liaison Miles Loftin.

Citizens to be Heard: None.

Approval of Minutes: Commission Member Bryant moved to approve the draft minutes of the April 9, 2026, regular Planning Commission meeting. Commission Member Tatton seconded the motion. The motion passed unanimously.

Moab Area Housing Task Force Annual Update:

Associate Planner Blanco presented an update of the Moab Area Housing Task Force, for which she serves as Chair. She reviewed the history and purpose of the group. She went over City involvement in the past year and noted a community survey was conducted and the housing pipeline status was ascertained. She reported on Walnut Lane, deed restriction administration, the municipal code update, and more. She invited residents to join the City's housing subcommittee and said the time commitment was one hour per month. She presented the housing pipeline, which was current as of April 1. She presented the status of developments for multi-household residences that have been proposed, are vested, have building permits, and more. She presented a list of a total of 794 units that have active building permits. Commission Member Conant reported on her work on the committee.

Amendments to the Moab City Planning Commission Bylaws—Discussion

Commission Members discussed the draft bylaws and mentioned potential corrections and word choice matters. Procedures for filling vacancies, appointments, attendance, and more were discussed. Blanco indicated that some revisions were taken directly from a new state statute governing planning commissions. Training requirements and training opportunities for commission members were discussed.

Land Use Code Update—Discussion

Associate Planner Blanco presented progress on the draft land use code definitions. Financial institutions, including banks, pawn shops, mortgage brokers, insurance brokers and check-cashing institutions were mentioned. Comparison with other small municipalities was requested. Existing overnight accommodations were discussed, including non-conforming uses. Discussion ensued regarding personal services establishments, and Blanco explained home occupations have a separate section in the code. Building and landscaping retail supplies were mentioned. For the suggested neighborhood retail category, Blanco suggested adding nonprofit to the definition. Hours of operation were discussed as an indicator of neighborhood business parameters. Off highway vehicle rentals and guide services were mentioned, as well as transit stations and public parking lots. Blanco suggested transit and public parking would fit into civic uses. Industrial uses, including indoor or outdoor activities, home occupations and existing uses, were discussed. Manufacturing, storage, laboratories and warehouse uses were considered. Live/work dwellings were deliberated.

Future Agenda Items:

Associate Planner Blanco stated the draft planning commission bylaws would be considered for approval. An upcoming training at the library was mentioned.

Adjournment: Commission Chair Marienfeld adjourned the meeting at 7:51 p.m.



TITLE: Consideration and Possible Approval of Planning Resolution 10-2026, A Resolution Conditionally Approving A Level II Site Plan for Staybridge Hotel for Property Located at 938 and 940 South Main Street, Moab UT, 84532.

DISPOSITION: Discussion and possible action

PRESENTER/S: Johanna Blanco, Associate Planner

ATTACHMENT/S:

-Exhibit 1 Draft Planning Resolution 10-2026

-Exhibit 2 Vicinity Map

-Exhibit 3 Site Plan

-Exhibit 4 Site Plan Review Matrix

STAFF RECOMMENDATION: Conditionally Approve Moab Planning Resolution 10-2026, with or without modifications

OTHER OPTIONS: Continue or table action to a later meeting with specific direction to City Staff and Applicant as to additional information needed to make a decision; or Deny the Site Plan Application, giving specific findings for the decision.

RECOMMENDED MOTION: I move that the City of Moab Planning Commission Conditionally Approve Planning Resolution 10-2026, A Planning Resolution Conditionally Approving the Level II Site Plan for Staybridge Hotel for Property Located at 938 and 940 South Main Street, Moab, Utah 84532, with the condition of approval that all comments shall be addressed to the satisfaction of the Moab City Planning Director prior to Building Permit Application approval including;

1. Receipt of a detailed solar design and installation plan
2. Receipt of the WAHO payment
3. Parcels 01-0012-0039 and 01-0012-0040 shall be consolidated through a Boundary Line Adjustment

SUMMARY:

Property Owner: Aaron Muller (Lion's Back Holdings LLC)

Applicant: Paul Jones

Location: 940 S Main St, Moab, UT 84532

Parcel: 01-0012-0039 and 01-0012-0040

Zoning: C-4

Proposed Use: Overnight Accommodations



MOAB CITY PLANNING COMMISSION AGENDA

May 28, 2026

In 2019, 938 and 940 S Main executed a pre-annexation agreement with the City of Moab to build an overnight accommodation project in the C-4 zone. In 2020, they were annexed into the City of Moab. In 2022, Paul Jones, on behalf of Lions Back Holding, LLC, submitted a site plan application. After 8 rounds of review, the Development Review Team has sent this project to the Planning Commission for conditional approval on May 14, 2026.

RELEVANT LAWS, STUDIES & PLANS:

MMC 17.67

RESPONSIBLE DEPARTMENT:

Planning

FINANCIAL IMPACT:

WAHO Payment is a condition of this approval.

CITY OF MOAB PLANNING RESOLUTION 10-2026

A RESOLUTION CONDITIONALLY APPROVING A LEVEL II SITE PLAN FOR STAYBRIDGE HOTEL FOR PROPERTY LOCATED AT 938 AND 940 South Main Street, MOAB UT 84532.

WHEREAS, the following describes the intent and purpose of this resolution:

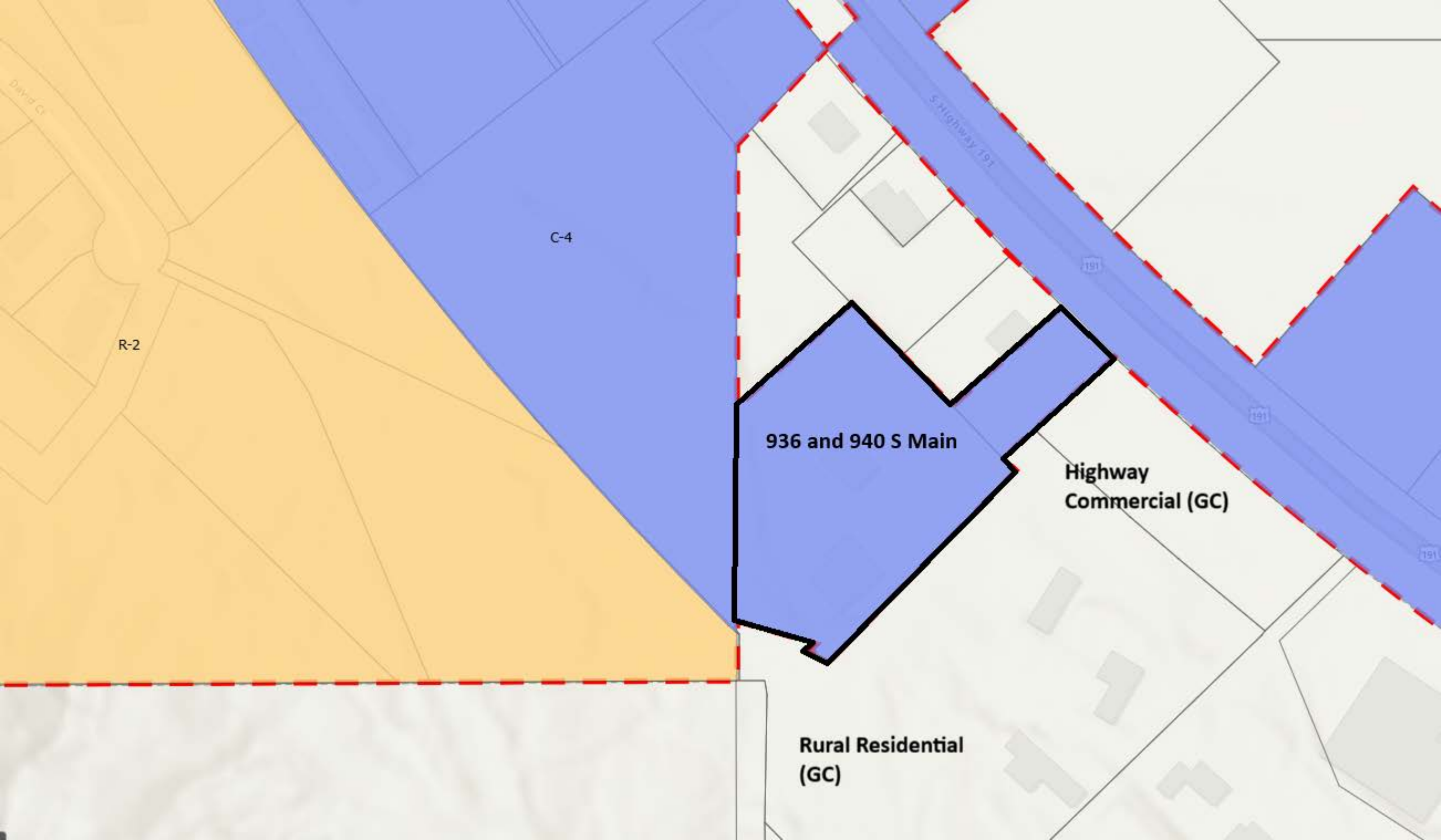
- a. Agents of Lions Back Holdings LLC have applied for a Level II Site Plan Approval for property located at 936 and 940 South Main Street, Moab, Utah 84532; and
- b. The Applicant has furnished a site plan and description of the property located at 936 and 940 South Main Street, Moab, Utah 84532 (parcels 01-0012-0040 and 01-0012-0039 (3.13 acres); and
- c. The City adopted Site Plan Review regulations in order to promote the health, safety and the general public welfare of the residents of the City by establishing standards for development in zones, including the C-4 General Commercial zone; and
- d. The Moab Planning Commission reviewed the application for Level II Site Plan for the Existing Overnight Accommodation development in a regularly scheduled meeting held on May 14, 2026; and
- e. Sufficient evidence provided by the applicant proved that standards of development can meet or exceed the requirements and regulations outlined in the MMC Chapter 17.67 Site Plan Approval; and
- f. Following the consideration of the technical aspects of the pertinent code sections, the Moab Planning Commission, pursuant to Planning Resolution 10-2026, hereby finds, that all applicable provisions of the Moab Municipal Code have or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB PLANNING COMMISSION, the application for Staybridge Hotel is hereby **CONDITIONALLY APPROVED**, with the following conditions:

1. All outstanding comments shall be addressed to the satisfaction of the Moab City Planning Department prior to Building Permit Application Approval, including:
 - a. Receipt of a detailed solar design and installation plan
 - b. Receipt of the WAHO payment
 - c. Parcels 01-0012-0039 and 01-0012-0040 shall be consolidated through a Boundary Line Adjustment

PASSED AND APPROVED in an open meeting of the Planning Commission by a majority vote of the Governing Body of Moab Planning Commission on May 14, 2026.

SIGNED: _____
Kya Marienfeld, Chair



Davis Ct

R-2

C-4

936 and 940 S Main

Highway
Commercial (GC)

Rural Residential
(GC)

S Highway 191

191

191

191

SITE PLAN NOTES:

ADDRESS: 940 SOUTH MAIN STREET
MOAB, UTAH 84532

PARCEL #'s 02-012-0037, 02-012-0011

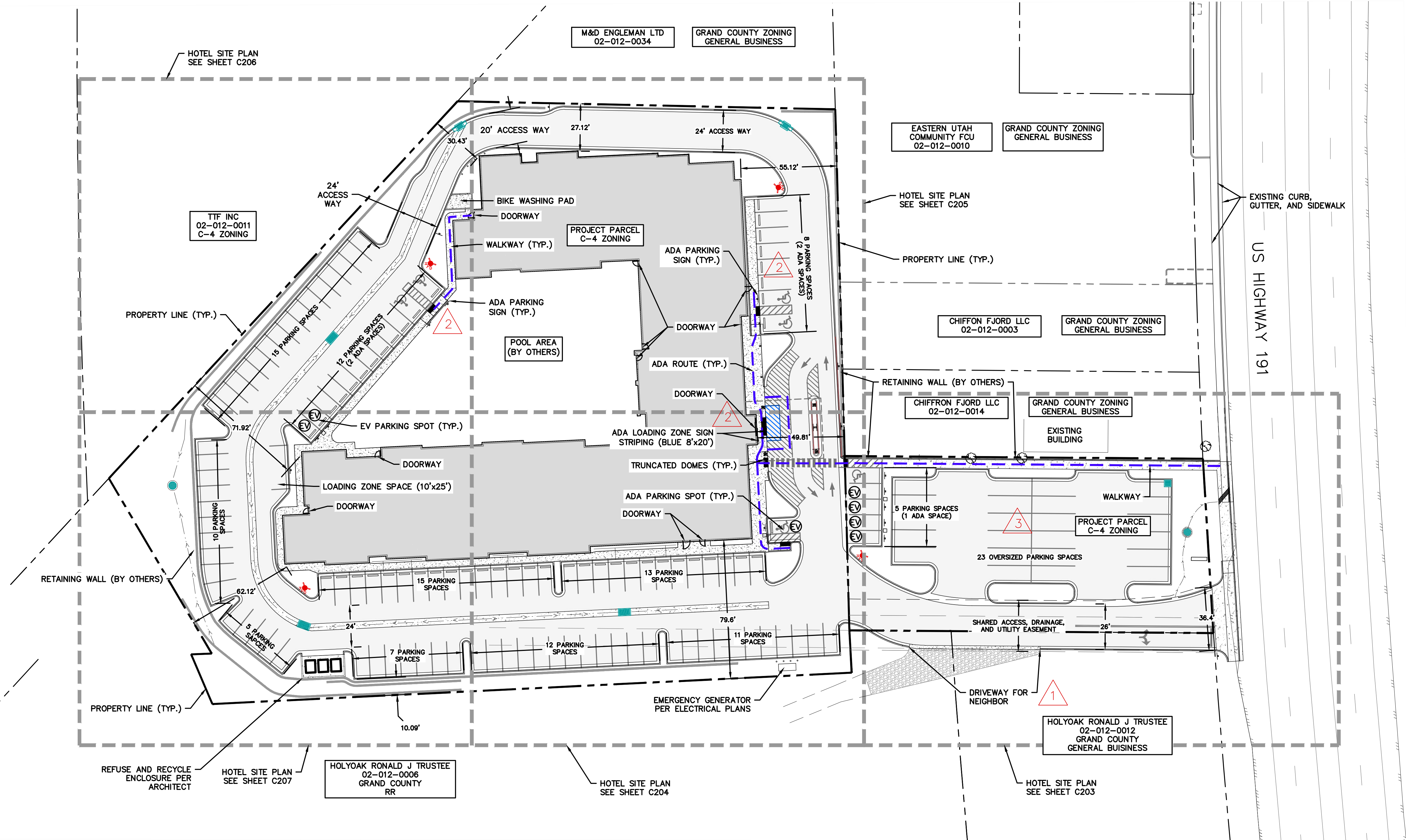
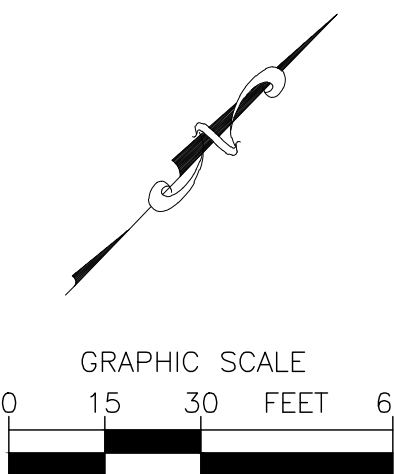
SITE AREA: 2.66 ACRES, 0.47 ACRES = 3.13 ACRES TOTAL

PROPOSED LAND USE: 126 - ROOM HOTEL

PARKING: 137 OFF-STREET PARKING SPACES WHICH INCLUDES 5 ADA SPACES, 7 EV SPACES, AND 1 LOADING ZONE SPACE (ALL PARKING SPACES ARE A MINIMUM 18.5' X 9')

NOTES:

1. THIS DESIGN IS BASED UPON PRELIMINARY ARCHITECTURAL DRAWINGS. CONTRACTOR SHALL CONFIRM THE DESIGN WITH ENGINEER AND ARCHITECT PRIOR TO CONSTRUCTION.



Revisions:

1	12/29/25	UPDATE ROOF DRAIN, HOLYOAK DRIVEWAY, WCS COMMENTS
2	2/17/26	UPDATE ADA PARKING, RAMPS, AND LOADING ZONE
3	3/13/26	SEE NOTE ON C001

STAYBRIDGE HOTEL

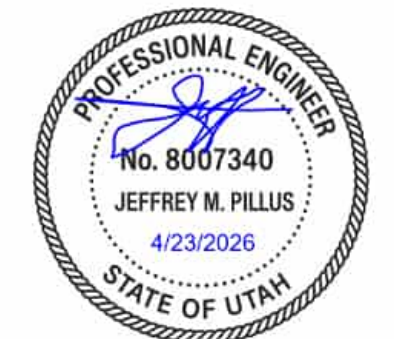
CIVIL SITE PLAN

CITY OF MOAB, UTAH



PLAN NO.
C202

Sheet 4 of 44
Project: 2019-047
Date: 04/23/2026
Drawn By: CH
Checked By: JAG



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THE CITY OF
MOAB



EST. 1902

Site

Plan

**Review Level II Matrix
for Staybridge Hotel**

Municipal Code Analysis

17.67, 17.27, 17.09, 17.12

City Review	Applicant Review	Section	Code Provision
Complies		17.67.040A.1	<p>Preliminary Site Plan: Applicants shall submit a preliminary site plan (with requirements as listed below), drawn by an engineer, surveyor, or architect, to a scale of not less than one inch equals fifty feet that shall include:</p> <ul style="list-style-type: none"> * Parcel Boundary Lines, * Drives, Streets, and Rights-of-Way, * Parking and Loading, Access, * Refuse Areas, * Common Open Spaces, Topography, * Use Types, * Public Dedications, Lots or Plots, Adjacent Zoning, Fire Hydrants, Title Block, Vicinity Map, Legal Description of Property.
Complies		17.67.040A.2	<p>Floor Plan and Elevations. A floor plan, at a minimum, shall consist of a drawing to scale showing a view from above, of the relationships between rooms, spaces and other physical features at each floor level of a structure. All dimensions shall be drawn between the walls to specify room sizes and wall lengths. The floor plan shall show the physical layout of: Interior Walls and Hallways, Restrooms, Windows, doors, landings, decks, and patios, Plumbing features, Interior Features such as fireplaces, saunas, hot tubs, and whirlpools; Locations of electrical panels and service connections, Planned Uses of Buildings and Rooms, All finished first floor elevations, and Elevation view drawings shall show all side elevations of existing and proposed structures, and shall depict exterior architectural elements and materials, as well as heights of the structure.</p>
Complies		17.67.040.B	<p>Narrative. The narrative shall describe in reasonable detail the purpose of the proposed development, the types of all land uses that are anticipated, the phasing of development, and information regarding all accessory uses, structures, or major features. Statistical information as to the project area, developed area square footage, number of parking spaces, and the like shall be included.</p>
Complies		17.67.040.C	<p>Conceptual Master Sign Plan. If signage is anticipated, applicants shall submit a master sign plan showing the location, dimensions, materials, and type of illumination for all signs. All signage shall comply with Chapter 17.93, Sign Code, and is subject to permitting under that process.</p>
Complies		17.67.040.D	<p>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 17.09.069.</p>

Section	Code Provision	Compliance	Rationale
17.67.040.E	<p>Landscape Plan. The landscape plan shall include size and species of all plantings, an irrigation plan, xeriscape plan, and a care and maintenance plan. All applicable code sections of the Moab Municipal Code must be used to develop the landscape plan, including Chapter 12.24, Tree Stewardship. Proposed erosion control structures and details as to ground cover must also be noted on the landscape plan.</p>	complies	
17.67.040.F	<p>Wetlands, Riparian Areas, and Floodways. If the development is adjacent to riparian areas, flood zones, probable wetlands, or areas where stream channels may be altered by planned development, a wetlands, riparian areas, and floodway plan drawn by an engineer, surveyor, or other appropriate consultant must be submitted. Probable wetlands shall be described and delineated. All applications shall show compliance with Chapter 15.40, Flood Damage Prevention. Flood zone boundaries and the base flood elevation must be shown. Where the application includes areas which may be subject to flooding the applicant shall show that the elevation of the lowest floor of all structures exceeds the elevation which is above the base flood elevation. All elevations on the plan shall be shown in the most current North American Vertical Datum (NAVD).</p>	complies	
17.67.040.G.1	<p>Water Drainage Plan. This report shall comply with the City of Moab/Grand County Design Criteria for Drainage Studies, as adopted or updated by the City from time to time. The storm water drainage plan shall be reviewed for compliance with other applicable advisory documents. The storm water drainage plan shall include, at a minimum, the following information: Project site , Existing Contours, proposed contours, Benchmark referencing mean sea level, Drainage system shown in plan view with estimated cubic-feet-per-second flow for a one-hundred-year storm event; Location of all natural drainage channels and water bodies; Existing and proposed drainage easements; Type, size, and location of existing and proposed drainage structures such as pipes, culverts, inlets, ditches, swales, retention ponds, detention areas, One -hundred-year event (base) flood areas; any additional information to satisfy FEMA floodplain requirements; Erosion control plans.</p>	complies	
17.67.040.G.2	<p>Minimum Standards. All structures for drainage and flood control shall be designed, at a minimum, to successfully convey the anticipated one-hundred-year frequency storm event for maximum period of intensity over the entire drainage basin. The applicant shall submit calculations to show that all structures have adequate capacity to accommodate flows expected to result from the designated storm event.</p>	complies	

Section	Code Provision	Compliance	Rationale
17.67.040.G.3	Water and Sewer System Protection. All storm water facilities shall be designed to avoid or minimize damage to, or infiltration of, culinary water and sanitary sewer facilities.	complies	
17.67.040.H	Planned Grading. A grading plan for surface drainage (shown by contours and spot elevations) shall be prepared by an engineer or surveyor. It shall show the planned grading and paving of driveways, access roads, and parking areas. Grading and paving shall be shown on plans, profiles, cross sections, and details as necessary to describe new construction. Details of curbs, gutters, sidewalks, drainage structures, and conveyance systems, dimensions of all improvements, size, location, thickness, materials, strengths, and necessary reinforcement can be shown on the site plan in the case of a Level I application, or on a separate drawing based on the complexity of the project.	complies	
17.67.040.I	Utility Plan. A utility plan shall be prepared by an engineer. It shall show the locations, dimensions, and elevations of all sewer facilities and culinary water facilities needed to serve the site. The utility plan shall specify in reasonable detail the types of equipment and materials to be used, and shall comply with all applicable advisory documents or City engineering requirements. Plans showing the locations of natural gas, electric, and telephone/data lines must also be shown.	complies	
17.67.040.J	Evidence of Title. A current title insurance commitment, ownership and encumbrance report, or abstract of title prepared by a title insurance company or attorney showing all ownership interests, easements, and encumbrances which apply to the parcel(s) comprising the application must be submitted. If requested, the applicant shall provide copies of all recorded documents which may affect the property subject to the application. If common elements or private use restrictions are anticipated, the applicant must submit draft covenants, conditions, and restrictions (CC&Rs) for review.	complies	
17.67.040.K	Slopes. If proposed development is likely to result in grading of hillsides, city staff may require submittal of a slope study prepared by an engineer or surveyor. Applications will also be reviewed for compliance with Chapter 17.55, Hillside Developments.	complies	
17.67.040.L	Surface and Subsurface Soils Report. The application shall include a surface and subsurface soils report establishing soil suitability for the proposed development. The report shall be prepared by a geotechnical engineer or other professional, if approved by city staff. At a minimum, the report shall include: A description of soil types; Locations and characteristics with supporting soil maps; Soil Logs of test pits and bore holes; All other information necessary to determine soil suitability for the scope of the development and constraints on development based on findings; Analysis and evaluation of such information with recommendations regarding structural constraints, erosion control, and requirements for building design.	complies	

Section	Code Provision	Compliance	Rationale
17.67.040.M	Traffic Study. A traffic study and parking and circulation study are required for projects which will generate in excess of five hundred peak daily trips. The study shall be prepared by an engineer.	complies	
17.67.040.N	The planning director has discretion to require a traffic study for applications which do not generate the level of trips specified above	complies	
17.67.040.O	Street Design Drawings. The application shall include drawings by an engineer showing the design, grades, widths, and profiles of all streets, sidewalks, curbs, gutters, traffic control devices, traffic signs, and associated public improvements. All street designs shall conform to street classifications and design standards adopted by the City.	N/A	
17.67.040.P	Additional Submittals--Waiver of Certain Submittals. The planning director has discretion to require other or additional submittals where necessary for the review of a particular application, or as required for Level II development under Chapter 17.80. Alternatively, the planning director has discretion to waive or modify any requirement for a particular submittal if it is determined that the document or report is not necessary, or if an alternate submittal is justified for the review of a particular application. Any waiver shall be in a writing labeled as a submittal waiver, shall identify the project by name and application number, and shall be signed and dated by the planning director.	complies	
17.67.040.Q	Conformity with Submittal Standards. All submittals must conform to the land use submittal standards adopted by the City. Submittals which do not clearly or accurately depict elements required for review of the project may be rejected, or staff may require revisions during the review process	complies	
17.67.060.A	The following criteria govern site plan approval: 1. Compliance with applicable Moab ordinances and building codes; 2. Availability of necessary utilities, including culinary water, sewer, electricity, natural gas, and the like; 3. Consistency of the design with Moab advisory documents; and 4. Accuracy and truthfulness of submittals or representations in the application.	complies	
17.67.070.A	Will there be a Development Agreement Required?	No	
17.67.070.B	Any Land Dedications?	Access Easement with Neighbor	

Section	Code Provision	Compliance	Rationale
17.27.020.A.13	<p>13. <i>Established Overnight Accommodations. Established overnight accommodations, as defined in this code and as indicated on the Established Overnight Accommodations Map, shall be considered legal, conforming uses.</i></p> <p>a. Established overnight accommodations will be allowed to make improvements to the property, so long as no new overnight accommodation units are proposed.</p>	Complies.	2019 Pre-Annexation Agreement designated the zone as C-4 and permitted use as Existing Overnight Accommodation.
17.27.030 Area, width and location requirements.	All buildings shall have a minimum front yard setback of twenty-five feet and may be constructed to a zero side and rear lot line setback in accordance with the adopted building code. Convenience stores with gasoline pumps shall be set back at least twenty-five feet from any public street or side or rear lot line. No area and width requirements shall apply to residential uses located above the ground floor when said ground floor is devoted exclusively to a commercial use permitted in this zone. Lot coverage of the principal use shall not exceed fifty percent of the total lot area.	Complies.	Setback more than 25 feet. Less than 50% lot coverage.
17.27.040 Special provisions.	<p>A. A strip of land at least fifteen feet in width adjacent to all public streets shall be landscaped in accordance with the provisions located in Chapter <u>17.10</u> (Landscaping Standards).</p> <p>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.</p> <p>C. Storage of all merchandise, material and products shall be carried on within a building or within an area enclosed with a sight obscuring fence or wall, except for vehicles in running order.</p> <p>D. All off-street parking shall be hard-surfaced.</p>	<p>A. Complies</p> <p>B. Complies</p> <p>C. Complies</p> <p>D. Complies</p>	Landscaped, buffered, no merchandise, hard surfaced.
17.09.220 Off-street parking and loading – Number of spaces.	E. Hotels and motels shall have one parking space per room or suite.	E. Complies	126 Hotel rooms and 127 spaces
17.12.180 Height Restrictions of buildings	<p>A. No lot or parcel shall have a building or structure which exceeds a height of three stories and is to be no more than forty feet, measured as defined in Chapter <u>17.06</u>.</p> <p>B. Antennas, chimneys, flues, vents, or similar structures may extend up to ten feet above the forty-foot height limit, except as may be specifically authorized by the building codes and building inspector for safety requirements and special conditions. In no case shall the parapet wall of a flat roof extend more</p>	Complies	Under 40 feet

Section	Code Provision	Compliance	Rationale
Pre-Annexation Agreement 3.2 Energy	The project will utilize as much on-site renewable energy sources (such as solar) as is feasible, and the balance of electric use provided via RECs or renewable power purchase agreements	N/A	This will be a condition to approval
Water	The project will install a rainwater catchment system and use the water for beneficial on-site uses, such as reducing the use of culinary water for landscaping irrigation. The project will have a maximum of 10% of their landscaped area covered in turf grass. The project will utilize water-wise and xeriscape landscaping design standards.	Complies.	
Transportation	The project will provide bicycle storage and a maintenance area. The project will provide free metro bike usage. A shuttle will be available.	Complies.	
Interior Lighting	Interior lighting located in rooms with windows visible from any property line boundary shall have their fixtures directed to the interior of the room as to minimize light pollution.	N/A	Will be vetted during building permit process
Materials and Colors	Interior materials will not be used if they are found on the RED list (livingfuture.org). As to color, the project will utilize earthtone colors that are complementary to the surrounding landscape and visual backdrops. Plastic or vinyl awnings will not be used. Awning types and colors for each building face will be coordinated.	N/A	Will be vetted during building permit process
Workforce Housing	Property owner shall comply with the City of Moab Assured Workforce Housing requirements in Ordinance 2018-20 on November 13, 2018.	N/A	This is a condition to approval . Will be paid before building permit approval \$15.57 per square foot * 104,482= around \$1,626,784.74

Section	Code Provision	Compliance	Rationale
Screening Requirements 17.09.400	Where landscaped screening is required, said screening shall consist of evergreen shrubs, walls, berms, opaque fences, or other densely planted shrubs or vegetation, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height of from four feet to six feet.	Complies	See landscaping plan
	A buffer of ten feet of landscaping and an opaque screen or fence shall be installed and maintained along commercial zoning boundaries (other than streets) that abut residential zones. The opaque screen or fence shall have a total height of six feet. Where there is a difference in elevation on the opposite sides of the screen, the height shall be measured from the highest elevation. Under special conditions where it has been determined that the development may create unique impacts on an adjoining residential zone, such as in the case of parking lots, extended business hours, or hillside developments, the Zoning Administrator may review and approve other methods of screening such as bermed landscaping, screen height, placement of screening, or other types of screening.	Complies	6 foot fence along border with residential zone.
17.09.063 Outdoor lighting – Shielding and trespass requirements.	<p>A. Unless specifically exempted by Section <u>17.09.068</u>, 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.</p> <p>B. All light fixtures shall be aimed and shielded so that the direct illumination shall be confined within the boundaries of the property from which it originates. 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.</p>	Complies	See photometric Plan
17.09.064 Outdoor lighting – Total light output.	A. For commercial developments in the C-1, C-2, C-3, C-4, and RC 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.	Complies.	



TITLE: Consideration and Possible Approval of Planning Resolution No. 09-2026, A Resolution Amending the City of Moab Planning Commission Bylaws to Update Section 3.4 Attendance, Add Section 3.5 Removal From Service, Add Section 3.6 Procedure for Filling Vacancies, Add Section 3.7 Procedure to Appoint A Planning Commissioner, and Update Section 4.2 Planning Commissioner Trainings.

DISPOSITION: Discussion and possible action

PRESENTER/S: Johanna Blanco, Associate Planner

ATTACHMENT/S:

- Exhibit 1 Draft Bylaw Amendment Redline
- Exhibit 2 Draft Planning Resolution 09-2026 Amendment of Planning Commission Bylaws
- Exhibit 3 Current Bylaws

OPTIONS:

1. Approve the Planning Resolution as written;
2. Continue or table action to a later meeting with specific direction to City Staff as to additional information needed to decide; or
3. Deny the Planning Resolution, giving specific findings for decision.

RECOMMENDED MOTION: I move that the City of Moab Planning Commission Approve Planning Resolution No. 09-2026, A Resolution Amending the City of Moab Planning Commission Bylaws to Update Section 3.4 Attendance, Add Section 3.5 Removal From Service, Add Section 3.6 Procedure for Filling Vacancies, Add Section 3.7 Procedure to Appoint A Planning Commissioner, and Update Section 4.2 Planning Commissioner Trainings.

SUMMARY:

Utah SB 284, passed this last legislative session, gave Planning Commissions additional training standards and required that standards of appointment and removal of Planning Commissioners be added to the bylaws. This Ordinance will enact the required changes and other amendments, including attendance policies, brought forward by the Planning Commission.

RELEVANT LAWS, STUDIES & PLANS:

SB 284

RESPONSIBLE DEPARTMENT:

Planning Department

FINANCIAL IMPACT: N/A

MOAB CITY PLANNING COMMISSION BYLAWS

Edits Proposed 04/2026 7/28/2022

PURPOSE

These policies and procedures are designed and adopted for the purpose of providing guidance and direction to the members of the Moab City Planning Commission in the performance of their duties. The Planning Commission shall be governed by the provisions of all applicable State statutes, City ordinances, and these rules. Nothing in these rules shall be interpreted to provide an independent basis for invalidating or in any way altering a final decision of the Commission.

ARTICLE 1 – GENERAL PROVISIONS

The Moab City Planning Commission, hereinafter referred to as the “Commission,” shall be governed by the following statutes, ordinance, and rules:

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- d. The adopted Rules of Procedure for Planning Commission Meetings.
(Resolution #07-2022)
- e. The rules and policies of the commission as set forth herein.

1.2 Familiarity with State Statutes, Local Ordinance, and Rules Affecting the Commission. Upon taking office, all members of the Commission shall familiarize themselves with the applicable statutes, ordinances and rules, and, while in office, shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Commission affairs.

1.3 Number of Commission Members and duration of term. The number of Planning Commission members shall be five (5) and they shall serve for a term of three (3) years.

ARTICLE 2 – POWERS AND DUTIES

The Commission shall have the following powers and duties:

- a. To prepare or cause to be prepared a General Plan, or elements thereof, and to recommend the General Plan, or elements, to the Moab City Council;
- b. To prepare or cause to be prepared amendments to such plan and elements thereof and to recommend the amendments to the Moab City Council;
- c. To review and make recommendations to the Moab City Council with regard to amendments to the General Plan Land Use and Zoning Map;
- d. To initiate, review and make recommendations to the Moab City Council on applications for amendments to the zoning text of the Moab Municipal Code to promote health, safety and welfare;
- e. To hear, review and recommend approval or disapproval of applications where required by the Moab Municipal Code in accordance with the rules and regulations established by the Moab City Council, or to approve certain development applications when specifically authorized by the Moab City Council; and
- f. To adopt by-laws, policies, procedures and regulations for the conduct of its meetings, the consideration of application for development approval, and for any other purposes deemed necessary for the function of the Commission.

ARTICLE 3 – CONDUCT OF COMMISSION MEMBERS

3.1. Ethical Principles. The following ethical principles shall guide the actions of the Commission and its members in carrying out the powers and duties described above:

- a. **Serve the Public Interest.** The primary obligation of the Commission and each member is to serve the public interest.
- b. **Support Citizen Participation in Planning.** The Commission shall ensure a forum for meaningful citizen participation and expression in the planning process, and assist in the clarification of community goals, objectives and policies.
- c. **Avoid Conflicts of Interest.** Commission members shall avoid conflicts of interest and even the appearance of impropriety. A commissioner with a potential conflict of interest shall make the interest public, abstain from voting on the matter, not participate in any deliberations on the matter, and leave any chamber in which such deliberations are to take place. The commissioners shall also not discuss the matter privately with any other official voting on the matter.

d. **Render Thorough and Diligent Planning Service.** If a commissioner has not sufficiently reviewed relevant facts and advice affecting a public planning decision, that commissioner should not participate in that discussion.

e. **Not Disclose or Improperly Use Confidential Information for Financial Gain.** A commissioner shall not disclose or improperly use confidential information for financial gain, and must not disclose to others confidential information acquired in the course of his/her duties, or use it to further a personal interest.

f. **Ensure Full Disclosure at Public Meetings.** The Commission shall ensure that the presentation of information on behalf of any party to a planning question occurs only at the scheduled public meeting on the question, not in private, unofficially, or with other interested parties absent, and must make partisan information regarding the question received by mail, telephone, or any other communication, part of the public record.

g. **Respect for and Courtesy to Other Commission Members, Public and Staff.** Each commission member has the same rights and privileges as any other member. Any commissioner has the right to be heard and to hear what others have to say about items being considered by the Commission.

3.2 Representation of Applicants or Petitioners. No member of the Commission shall represent applicants or petitioners on matters on which the Commission is to make determinations or recommendations.

3.3 Ex-parte Communications. Pre-arranged private meetings between a commissioner and an individual(s) and their agents, or other interested parties with a matter pending before the Commission are prohibited. Partisan information on any application received by a Commissioner, whether by mail, telephone, or other communication should be avoided. When such communication does occur it must be made part of the public record by the commissioner.

3.4 Attendance. Each commissioner shall be responsible for attending at least seventy-five percent of the regularly scheduled meetings within the calendar year. Should circumstances arise where a Commissioner is unable to attend a scheduled meeting, the commissioner shall be responsible for notifying the Planning Department as soon as possible. A Maximum of two (2) absences in a calendar year may be unexcused, meaning the Planning Department was not notified at least two (2) weeks prior to the scheduled meeting. Commissioners who fail to attend seventy-five percent of the meetings or have 3 or more unexcused absences shall be removed from the Commission.

3.5 Removal From Service. The Mayor of their designee may remove a Planning Commissioner from the commission for the following causes; (A) using public funds for a political purpose under Title 20A, Chapter 11, Part 12, Political Activities of Public Entities Act; (B) violating a provision of Title 10, Chapter 3, Part 13, Municipal Officers' and Employees' Ethics Act; (C) acting with the intent to influence a land use decision or an appeal of appealing land use; (D)

application in a manner that creates actual impermissible bias or an unacceptable risk of impermissible bias in the planning commission member's administrative or quasi-judicial duties; and (E) exceeding the amount of excused or unexcused absences.

3.6 Procedure for Filling Vacancies. When a vacancy occurs the City shall post the vacancy opening on the City website. Applicants may contact the Mayor with their interest in joining the commission.

3.7 Procedure to Appoint a Planning Commissioner. The Mayor may appoint a Planning Commissioner at their full discretion, given a vacancy has occurred.

ARTICLE 4 – MEETINGS AND ORGANIZATION

4.1 Regular Meetings. Regular meetings of the Commission shall be scheduled at least twice a month unless there are mitigating circumstances, such as lack of a quorum, lack of items to be discussed, holidays and other circumstances.

4.2 ~~Citizen Planner Workshops~~ Planning Commissioner Trainings. All Commissioners are required to complete four (4) hours of land use training annually. One (1) hour of annual training on general powers and duties including the role of the planning commission in administrative, legislative, and quasi-judicial functions and three (3) hours of annual training on land use, which may include: (A) appeals and variances; (B) conditional use permits; (C) exactions; (D) impact fees; (E) vested rights; (F) subdivision regulations and improvement guarantees; (G) land use referenda; (H) property rights; (I) real estate procedures and financing; (J) zoning, including use-based and form-based; (K) drafting ordinances and code that complies with statute (L) ex parte communication; and (M) conflict of interest. A newly appointed planning commission member may not participate in a public meeting as an appointed member until the member completes the annual training. A planning commission member may qualify for one completed hour of training if the member attends, as an appointed member, twelve (12) public meetings of the planning commission within a calendar year. The City shall provide the training through: staff, Utah League of Cities and Towns, or the Division of Real Estate and shall monitor compliance with the training requirements. ~~to attend a minimum of one (1) citizen planner workshop trainings conducted by the Utah League of Cities and Towns. All commissioners shall attend a second training offered by any of the following: Utah Chapter of the American Planning Association, the Utah Land Use Institute, or other acceptable urban planning or planning law conference.~~

4.3 Special Meetings, Work Sessions and Field Trips. Special meetings, work sessions and field trips for any purpose may be held at the call of the chair, the Moab City Council or the Planning Department. Work session and field trip meetings shall be for the discussion and informational purposes only; no action shall be taken on any item.

4.4 Open to the Public. All regular, special, work session and field trip meetings of the Commission are open to the public and will be noticed in accordance with the requirements of The Open and Public Meetings Act.

4.5 Membership. The Commission shall consist of five (5) members selected from the public at large and form a representative sample of the community. Members shall serve for terms not to exceed three (3) years in length.

4.6 Officers. At an annual meeting to be held at the first regular meeting at the commencement of each calendar year, the members of the Commission shall elect one (1) of its members as Chair and one (1) as Vice Chair. In the absence of the Chair, the Vice Chair shall act as Chair and shall have all powers of the Chair. If both the Chair and Vice Chair are absent or unable to preside over the meeting, the commission members present shall appoint an Acting Chair to preside. If the Chair leaves the Commission during an appointed term, the Vice Chair shall succeed to the office of Chair for the remainder of the term. If the Vice Chair leaves the Commission or succeeds to office of the Chair, the Commission, at its next regularly scheduled meeting, shall hold an election to fill the vacancy of the Vice Chair.

4.7 Role of the Chair. The Chair shall be in charge of all proceedings before the Commission, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Commission. Whenever the Chair rules a motion out of order, the Chair shall explain why it is so, and advise the mover of corrections needed to make the motion in order.

ARTICLE 5 – PROCEDURES

5.1 Quorum and Necessary Vote. No regular or special meeting of the Commission at which action may be taken may be called to order, or items voted upon, by the Commission without a quorum consisting of at least three (3) members of the Commission being present. Unless otherwise provided by law, all matters brought for action before the Commission shall be deemed approved by an affirmative vote of the majority of the Commission body, including the Chairperson. A quorum is not required to hold a work session or field trip, so long as notice is given in accordance with The Open and Public Meetings Act.

5.2 Forms and Procedures of Decisions and Motions. Robert's Rules of Order Newly Revised, may be used by the Chair as a general guide.

5.3 Motions. Any Commissioner, including the Chair, may make or second a motion.

- a. Motions should be supported by reasons. The person making the motion is encouraged to state the reasons and finding(s) supporting the motion at the time the motion is made. Any conditions for approval shall be stated. The motion may refer to the staff report for detail of the conditions for approval if the person making the motion desires to do so.
- b. Motions may be repeated for clarification following discussion and prior to the vote at the request of any Commissioner.
- c. Planning Commission may request legal advice from the City Attorney in the preparation, discussion and deliberation of motions and findings in support of any motion.

5.4 Voting. All Commission members, including the Chair, are entitled to vote. No Commission member shall discuss or vote on any matter deciding an application or petition except after attending the public meeting(s) and/or hearing(s) on the matter and listening to all testimony presented. A member may qualify to participate in further discussion and vote on the matter by examining the evidence and reviewing the record of the meeting(s) and/or hearing(s) at which the member was absent.

5.5 Rules of Order. In accordance with these rules, the Chair shall decide all points of procedure and order unless otherwise directed by a majority vote of the members in attendance.

5.6 Conduct During Public Hearings. During all meetings and hearings, persons providing testimony shall proceed without interruption except that of the Commission. All comments, arguments and pleadings shall be addressed to the Chair. There shall be no debate or argument between individuals. The Chair shall maintain order and decorum, and, to that end, may order removal of disorderly or disruptive persons.

ARTICLE 6 – AMENDING BY-LAWS

6.1 Amending By-Laws. These by-laws may be amended by a majority vote of the Commission, except where such amendments would be contrary to the requirements or limitations set forth by State Law or Moab Municipal Code. An amendment may be proposed at any regular meeting of the Commission. Member shall receive a copy of the proposed or amended by-laws not less than one week prior to the meeting at which said proposed changes shall be heard.

ARTICLE 7 – ELECTRONIC PARTICIPATION

7.1 Electronic Meetings Authorized. Moab City Planning Commissioners, and/or City staff may participate in an electronic meeting of the Planning Commission as provided in this section. All actions taken at an electronic meeting held in compliance with this section are valid and binding to the same extent as if all participants had been physically present at the anchor location.

7.2 Definitions. The definitions in the Utah Code Annotated 5-24-103, the Open and Public Meetings Act, shall apply to this section with the addition of the following definitions: “Anchor location” means the Moab City Council Chambers, or any other physical location where a meeting is held and from which the electronic meeting originates. “Elected officials” means the Moab City Councilmembers and Mayor. “Remote location” means any place, other than the anchor location, where a Councilmember, the Mayor, or City staff may be located, and where meeting participants can establish real-time audio and/or video telecommunication access to the meeting.

7.3 Quorum for Electronic Meetings.

- a. As otherwise defined in this chapter, a majority of the Planning Commission constitutes a quorum for the transaction of business. A quorum of the Planning Commission must be present to convene an electronic meeting but need not be present at the anchor location. Elected officials and/or City staff may participate in an electronic meeting from a remote location.
- b. Planning Commission members participating in an electronic meeting from a remote location shall be considered present and are authorized to vote and otherwise participate in the meeting as if they were present at the anchor location.
- c. In the event of an equipment failure, or other similar event which causes an interruption of communication with a remote location, the Planning Commission has discretion to either: (a) act on the matters up for consideration on its agenda provided that a quorum is still present; or (b) continue the matter to a subsequent meeting.

7.4 Procedures for Electronic Meetings.

- a. Notice of any electronic meeting of the Planning Commission shall be given in the same manner as provided for all other Planning Commission meetings except that the notice shall indicate the meeting will be electronic and shall comply with Utah Code Annotated 52-4207(3)(b) which requires: “notice of the electronic meeting to the members of the public body at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and a description of how the members will be connected to the electronic meeting.”
- b. Meeting procedures for electronic meetings of the Planning Commission shall be the same for nonelectronic meetings, except as noted below.
- c. Planning Commissioners and City staff shall be connected in such a manner that comments made by them will be broadcasted to the public. The Recorder will take a verbal roll-call for members present. The presiding officer shall allow remote participants

to participate in the discussion to the same extent as if they were present at the anchor location.

d. Matters called to a vote in an electronic meeting shall be via roll-call vote, and Planning Commissioners participating from a remote location must state their name and their vote audibly when asked by the Recorder.

CITY OF MOAB PLANNING RESOLUTION 09-2026

A RESOLUTION AMENDING THE CITY OF MOAB PLANNING COMMISSION TO UPDATE SECTION 3.4 ATTENDANCE, ADD SECTION 3.5 REMOVAL FROM SERVICE, ADD SECTION 3.6 PROCEDURE FOR FILLING VACANCIES, ADD SECTION 3.7 PROCEDURE TO APPOINT A PLANNING COMMISSIONER, AND UPDATE SECTION 4.2 PLANNING COMMISSIONER TRAININGS

WHEREAS, the Moab Planning Commission Bylaws were last revised on July 28, 2022; and

WHEREAS, the 2026 Bylaws are hereby rewritten to:

- Add maximum unexcused absences for Planning Commissioners;
- Add procedures for removing, appointing, and filling vacancies on the Planning Commission and;
- Add State-mandated 4-hour annual land use training requirements for Planning Commissioners;

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB PLANNING COMMISSION, the proposed amendments to the Moab Planning Commission By-Laws are hereby APPROVED, attached as Exhibit 1.

PASSED AND APPROVED in an open meeting of the Planning Commission by a majority vote of the Governing Body of the Moab Planning Commission on May 14, 2026.

SIGNED: _____

Kya Marienfeld, Chair

MOAB CITY PLANNING COMMISSION BYLAWS

7/28/2022

PURPOSE

These policies and procedures are designed and adopted for the purpose of providing guidance and direction to the members of the Moab City Planning Commission in the performance of their duties. The Planning Commission shall be governed by the provisions of all applicable State statutes, City ordinances, and these rules. Nothing in these rules shall be interpreted to provide an independent basis for invalidating or in any way altering a final decision of the Commission.

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b. Meeting procedures for electronic meetings of the Planning Commission shall be the same for nonelectronic meetings, except as noted below.

c. Planning Commissioners and City staff shall be connected in such a manner that comments made by them will be broadcasted to the public. The Recorder will take a verbal roll-call for members present. The presiding officer shall allow remote participants to participate in the discussion to the same extent as if they were present at the anchor location.

d. Matters called to a vote in an electronic meeting shall be via roll-call vote, and Planning Commissioners participating from a remote location must state their name and their vote audibly when asked by the Recorder.



TITLE: Workshop to Discuss Amendments to the Moab Municipal Code Section for Vendors

DISPOSITION: Workshop

PRESENTER/S: Johanna Blanco, Associate Planner, and Cory Shurtleff, Community Development Director

ATTACHMENT/S:

- Exhibit 1 Current Vendor Code
- Exhibit 2 Draft Vendor Code Update

OPTIONS: N/A

POSITIVE MOTION: N/A

SUMMARY:

Vendors in Moab are unique. The City has run into many business scenarios that do not fit into the current vendor code. The code, as written, assumes most vendors will operate on the street. We propose a more robust version of the code for vendors who want to stay permanently or semi-permanently on private property with increased options.

MMC [17.04.120](#) sets the Planning Commission as the advisory body and the City Council as the Land Use Authority for Text Amendments.

RELEVANT LAWS, STUDIES & PLANS:

Moab Municipal Code 17.04

RESPONSIBLE DEPARTMENT:

Planning Department

FINANCIAL IMPACT:

N/A

5.64.050 General operating standards.

A. The following requirements shall be met by all vendors:

1. *Code Compliance.* Display apparatus, vehicles, and structures must meet all applicable building, health, and fire codes for the intended use. Display apparatus, vehicles, and structures require approval by the City Treasurer and locations of display apparatus, vehicles, and structures are limited to commercial zones unless otherwise permitted by the subsequent provisions of this chapter.
2. *Illegal Camping.* It is illegal for any vendor to camp on the selling site, in accordance with Chapter [8.20](#) and Section [10.04.230](#).
3. *Refuse and Recycling.* Vendors are strongly encouraged to recycle. Vendors shall provide their own refuse/recycling containers and in no case shall City street receptacles be used for on-site vendor refuse and recycling.
 - a. All refuse and recycling containers shall be removed and securely stored at the close of each business day.
 - b. Every container shall have a cover.
 - c. Pickup of refuse/recyclables shall be made through a refuse service provider or through the host property owner. Written permission from the property owner or proof of other arrangements must be submitted with the application. The City, at its discretion, may require applicants to obtain commercial refuse disposal service.
 - d. Food vendors involved in special events shall utilize the special event refuse plan.
 - e. Food vendors with seating areas shall have refuse and recycling containers emptied at the close of each business day.
 - f. Food vendors shall comply with all applicable requirements for the collection and disposal of grease.
4. *Area Maintenance.* All vendors shall maintain the permitted area, the display apparatus, and the immediate area within thirty feet surrounding the permitted area in a neat, clean, and hazard-free condition.
5. *Signs.* All signage shall be painted on or attached to the display apparatus, cart, or vehicle, and a drawing to scale or photograph of the proposed signage shall be included in the application. Signs on display apparatus shall not appear on devices that extend above the display apparatus except on umbrellas and canvas covers. Umbrella and cover signage shall relate only to the product being sold or the name of the business. Public poles, picnic tables, and trash receptacles shall not be used to display signs. Separate freestanding signs are prohibited.

6. *Business Access.* Vendor license applicants shall demonstrate that there is sufficient access, parking and maneuvering space available at the site on which the vendor will operate. Suitable, safe access by pedestrians shall be provided and no structure shall obstruct access to or from parking areas or sidewalks.
7. *Hours of Operation.* The hours of operation shall be limited to seven a.m. to ten p.m.
8. *Employee Restroom Facilities.* Restroom services for employees shall be provided by a written agreement between the property owner and the vendor. The written agreement must be submitted with the application to the City Treasurer.
9. *Noise Level.* Noise levels shall comply with the requirements of Chapter [8.24](#).
10. *Animals.* No live animals shall be attached to any vending vehicle, cart, stand, or display.
11. *Number of Parking Spaces.* Parking shall be provided by a written agreement between the property owner and the vendor or transient merchant. Said written agreement must be submitted with the application to the City Treasurer. One parking space per each temporary commercial structure shall be designated on the host property and shall be located so as not to reduce the number of parking spaces required for the permanent business.
 - a. A parking exception may be granted by the City Manager if the applicant can adequately demonstrate that on-street parking is available, sufficient parking is provided elsewhere or customers largely walk up or would use short-term parking.
 - b. In no case shall the vending apparatus occupy parking spaces that reduce the amount of required parking for the host business.
12. *Tents.* The use of fully enclosed tents as apparatus is prohibited. A tent structure may be erected that is open on at least three sides.
13. *Proximity to Special Event.* Any vending apparatus that sets up within one hundred linear feet in a straight line of a special event shall ask permission from the event and appear on the special event list of vendors.
14. *Zoning Compliance.* No license shall be granted for a vendor unless allowed as a land use in the underlying zone(s) in which it operates except for vendors selling frozen food products.
15. *Location.* Except for sidewalk vendors, ice cream trucks/cycles, and vendors moving to the designated food court at the corner of 100 North and 100 West, all other vendors must get prior written approval for each location they intend to occupy.
16. *Vehicles.* All vehicles must be insured and registered with the Utah Department of Motor Vehicles. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

The Moab Municipal Code is current through Ordinance 26-03, passed February 24, 2026.

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[City Telephone: \(435\) 259-5121](tel:(435)259-5121)

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5.64.060 Specific operating standards.

A. *Food Vendors.* With the exception of vendors or peddlers selling frozen food in residential areas, all other food vendors shall follow the standards listed below:

1. *Location.* Business shall be conducted in commercial zones. The vehicle, structure, or display apparatus shall not block ingress or egress of any loading, parking, or emergency access areas of the property or reduce required parking.
2. *Structures.*
 - a. Food vending apparatus, structures, and vehicles shall comply with all State of Utah health requirements.
 - b. Food vending apparatus must be constructed of durable materials, and be designed with smooth impervious surfaces for easy cleaning.
 - c. Carts shall be of sufficient lightweight construction that can be moved from place to place by one adult person without any auxiliary power.
 - d. The total area occupied by a display apparatus or pushcart, together with the operator and any trash receptacle, cooler or chair, shall not exceed thirty-six square feet of space.
 - e. Sidewalk vendor carts shall not exceed the dimensions of three feet wide, eight feet long, and eight feet high.
 - f. Vehicles or structures serving food shall not exceed the dimensions of eight feet wide, twenty-five feet long, and ten feet high. If the proposed vehicle or structure is more than twenty-five feet long, the applicant must obtain written approval for this exception from the City Manager.
 - g. Umbrellas or canopies shall be a minimum of seven feet above the sidewalk if they extend beyond the edge of the cart or vehicle.
 - h. Seating may be provided to include a table and up to six seats. Seating areas shall be located near the display apparatus, structure, or vehicle and shall not exceed forty square feet in area.

B. *Street Vendors.* Street vendors using motorized vehicles shall follow the standards listed below:

1. *Location.* A street vendor may operate on public or private streets. Street vendors shall not conduct business on State highways.
 - a. Street vending vehicles shall not stop to conduct business in intersections or within crosswalks so that vehicular and pedestrian traffic will remain unhindered.

b. Street vending vehicles selling frozen products from vehicles may operate in residential areas; provided, that the vehicle continues to travel through neighborhoods with stops only to conduct sales. The vehicle must generally remain mobile and in no case shall the vehicle be parked longer than ten minutes in a single location for sales.

c. Street food vending apparatus must be designed as a single, self-contained unit, able to operate without the use of detached tables and counters, or require additional refrigeration facilities at the place of operation.

2. *Size of Vehicle.* Vehicles shall not exceed the dimensions of eight feet wide, twenty-five feet long, and ten feet high. If the proposed vehicle or structure is more than twenty-five feet long, the applicant must obtain written approval for this exception from the City Manager.

C. *Sidewalk Vendors.* Sidewalk vendors using human-propelled carts or cycles, packs, baskets, or handheld displays shall follow the display apparatus standards listed below:

1. *Location.* A sidewalk vendor may operate on the sidewalk in the public right-of-way with written permission from the City.

a. No license shall be approved for locations on City nonmotorized trail systems.

b. Sidewalk vending apparatus shall not locate on corners or at intersections where it may cause line of sight issues for pedestrians or motorists. Carts shall be located so the flow of pedestrians is not impeded and be positioned along the route at the curbside of the sidewalk.

c. Sidewalk vending apparatus shall not locate within ten feet of any doorway to an existing business.

d. A minimum five feet of open sidewalk space for the passage of pedestrians shall be maintained at all times.

2. *Carts.*

a. Sidewalk vendor carts shall not exceed the dimensions of three feet wide, eight feet long, and eight feet high.

b. The area occupied by the cart, together with the operator and any trash receptacle, ice cooler or chair, shall not exceed thirty-five square feet of adjacent sidewalk space.

c. The structures shall be moved on air-filled rubber tires and be of sufficiently lightweight construction that they can be moved from place to place by one adult person without auxiliary power.

d. The device or cart shall not be motorized so as to move on its own power.

e. Hard casters for wheels are prohibited.

D. *Private Property Vendors.*

1. *Location.* All display apparatus shall be located on private property and in commercial zones.
2. *Structures/Vehicles/Display Apparatus.*
 - a. *Dimensions.* No display apparatus shall exceed the dimensions of one hundred twenty square feet.
 - b. *Construction.* All display apparatus shall be constructed in a sturdy manner so that there is no risk to the public of having the display apparatus collapse or break.
 - c. *Umbrellas Permitted.* An umbrella or awning may be attached to the display apparatus or vehicle so as to shelter the vendor or customers.
 - i. Umbrellas or canopies shall provide a minimum of seven feet of head room above the ground.
 - ii. Umbrellas or canopies shall not exceed one hundred twenty square feet in area.
 - d. All accoutrements must be contained in a three-foot by five-foot area adjacent to the display apparatus, structure, or vehicle.
 - e. Display apparatus that cannot be adequately secured during off-business times shall be removed from the property at the end of each working day.
 - f. Vehicles or structures shall not exceed the dimensions of eight feet wide by twenty-five feet long and ten feet in height. If the proposed vehicle or structure is more than twenty-five feet long, the applicant must obtain written approval for this exception from the City Manager.
 - g. Seating may be provided to include a table and up to seven seats.
 - h. Private property vendors must meet all applicable zoning, building, health, and fire codes for the intended use.

E. *Temporary Display – Permanent Business.* A structure or display apparatus outside a permanent business shall not exceed twenty percent of the permanent business building's area. Apparatus must meet all applicable zoning, building, health, and fire codes for the intended use. Structures are limited to commercial zones and do not require a separate vendor license if they comply with the following:

1. Existing businesses may place racks, tables, tents, canopies, awnings, or outside displays of merchandise, food, or beverages at their permanent place of business if such displays are less than two hundred square feet in size.
2. Where located along public sidewalks, such displays shall be located as close as possible to the main business building.
3. A minimum clear sidewalk width of five feet shall be maintained for pedestrian traffic to pass.
4. All merchandise displays shall be removed at the end of each business day and stored indoors.

5. Any display or temporary structure shall not reduce the number of parking spaces for the permanent business and shall not obstruct ingress or egress to the business.
6. Temporary displays at a permanent business must be approved by the Zoning Administrator for compliance with zoning, required parking spaces, and sign codes on a form provided by the City Treasurer. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

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5.64.070 Prohibited practices.

- A. It is unlawful for any vendor, transient merchant, peddler or solicitor to conduct business in such a manner as to impede or inconvenience any public use area, including, but not limited to, streets, alleys, sidewalks, and public rights-of-way.
- B. It is unlawful for any vendor, transient merchant, peddler or solicitor to:
1. Persist or remain on private property after the owner or occupant has directed the vendor, peddler, or solicitor to leave;
 2. Initiate telephone, mail, or in-person contact with a customer or prospective customer after that person has provided notice to the vendor, peddler, or solicitor requesting that all such contact shall cease;
 3. Engage in business between ten p.m. and seven a.m.;
 4. Engage in a pattern of contacts, whether in person, by telephone, or via mail or computer, which, viewed in terms of their frequency, duration, or content, are likely to be offensive, annoying, or disturbing to the recipient;
 5. Yell, sing, call out, or play recorded audio to passersby to interest them in the merchandise of the vendor, peddler or solicitor. (Ord. 18-15 § 2, 2018; Ord. 13-17 (part), 2013)

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17.06.020 Definitions.

As used in this title:

“Accessory dwelling unit” (ADU, granny-flat, mother-in-law-apartment) means a habitable living unit added to, created within, or detached from a single-household dwelling, and in some cases duplexes, and includes separate cooking, sleeping, and bathroom facilities. A single ADU does not constitute a two-household dwelling.

“Accessory dwelling unit, external (EADU)” means an accessory dwelling created:

1. On the same parcel or lot that contains the main dwelling structure; and
2. Physically separate from the main dwelling structure; and
3. The intent of ADUs is not to provide additional second home opportunities.

“Accessory dwelling unit, internal (IADU)” means an accessory dwelling unit created:

1. Within an existing single-household dwelling; and
2. Within the footprint of the main dwelling; and
3. The intent of ADUs is not to provide additional second home opportunities.

“Accessory dwelling unit, Type 1” means an external accessory dwelling unit (EADU) that shall meet the International Residential Code for single-family dwelling requirements; and for the purpose of offering a long-term rental for active employment households. The main dwelling unit or accessory dwelling unit may be owner-occupied, or both the main dwelling unit and the accessory dwelling unit may be rented out as rental dwellings.

“Accessory dwelling unit, Type 2” means an internal accessory dwelling unit (IADU) that shall be constructed as a “two-family dwelling,” as referenced and required by the International Residential Code; and for the purpose of offering a long-term rental for active employment households. The main dwelling unit or accessory dwelling unit may be owner-occupied, or both the main dwelling unit and the accessory dwelling unit may be rented out as rental dwellings.

“Accessory dwelling unit, Type 3” means an internal accessory dwelling unit (IADU) that may be constructed with the appropriate International Residential Code regulations determined by State statute for “ADUs.” The primary dwelling shall be owner-occupied, and the accessory dwelling unit may be rented as a rental dwelling.

“Accessory use or structure” means a use or structure located on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or building. Examples include, but are not limited to, garages, arbors, carports, and storage sheds.

“Accommodations for qualifying participants” means any living or sleeping unit provided by an adaptive recreational service provider which adheres to the following:

1. The adaptive recreational service provider provides the accommodation(s) on the same parcel as the adaptive recreational service provider's primary use; and
2. Stays do not exceed thirty consecutive calendar days; and
3. Persons occupying such accommodations shall meet one of the following criteria:
 - a. An individual attending an enrollment-based program provided by the adaptive recreational service provider concurrently with their accommodation;
 - b. An immediate family member or caregiver of an individual attending an enrollment-based program of the adaptive recreational service provider;
 - c. A trainer, facilitator, or counselor supporting the qualified attendee(s) in their participation in the enrollment-based program provided by the adaptive recreational service provider; or
 - d. A full-time or part-time employee of the adaptive recreational service provider.

Acre, Gross. "Gross acre" means a measure of land containing forty-three thousand five hundred sixty square feet.

Acre, Net. "Net acre" means a gross acre excluding public rights-of-way.

"Active employment household" or "actively employed household" or "AEH" means a household with at least one adult who meets one of the following criteria; provided, however, where there are unrelated individuals living together in one household, at least fifty percent of all the adults comprising the household shall meet one of the following criteria:

1. A full-time (average of at least thirty hours of employment per week for a minimum of nine months per calendar year) employee of a business, or entity, or entities located within Grand County or the Spanish Valley portion of San Juan County, Zip Code 84532; or
2. An owner of a business or entity with a primary place of business within Grand County; or
3. A full-time (average of thirty hours of employment per week for a minimum of nine months out of each calendar year) worker who is self-employed or works out of their home must provide their entire list of clients/workload so that it can be verified that a minimum of seventy-five percent of their billable hours are for clients or projects located within Grand County or the Spanish Valley portion of San Juan County, Zip Code 84532; or
4. A person who is unable to work or does not have a work history required under subsections 1 through 3 of this definition due to a disability as defined by the State and Federal Fair Housing Acts, the Americans with Disabilities Act, or other applicable State or Federal law; or any person who has attained a reasonable accommodation from this requirement under the Fair Housing Act, Americans with Disabilities Act, or other applicable State or Federal law; or
5. A family member of the owner of the property; or

6. A retiree with a work history required under subsections 1 through 4 of this definition for the five years prior to retirement.

“Active employment unit” or “AEU” means a dwelling unit that is required to be occupied by a qualified active employment household.

“Active rainwater catchment” means water harvesting tanks, cisterns, barrels and/or similar equipment that capture and store water during a rainfall event.

“Active recreation area” means an area that is dedicated to active play where turf grass or artificial turf may be used as the playing surface. Examples of active recreation areas include sports fields, play areas, and other similar uses. Areas with different uses near active recreation areas are not considered active recreation areas. For example, the spectator seating next to a sports field is not considered an active recreation area.

“Adaptive recreational service provider” means a business or program who primarily plans, directs, and/or provides professionally guided indoor or outdoor activities to serve people with disabilities through sport, recreation, and/or educational services. Programming provides a therapeutic impact to improve or maintain physical, cognitive, social, behavioral, or emotional well-being for qualifying participants. Specialized curriculum and advanced training for professional staff are required to meet the diverse medical and diagnostic needs of the persons served. A minimum of seventy-five percent of the programs provided directly serve qualifying participants.

“Agricultural industry or business” means an industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.

“Agriculture” means the growing of soil crops in the customary manner in the open. It shall not include livestock-raising activities, nor shall it include retailing of products on the premises.

“Agriculture buildings” means a structure on agricultural land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner for growing and harvesting crops and raising livestock and small animals. Examples include barns, greenhouses, storage buildings for farm equipment, animal supplies or feed, “cold” storage buildings for crops grown and raised on site, and horticultural nursery.

“Alley” means a public access-way not less than twenty feet in width and not greater than twenty-six feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this title.

Animals, Livestock. “Livestock animals” may include horses, cows, sheep, and goats and excludes pigs and exotic animals.

“Antenna” means a transmitting or receiving device used in telecommunications that radiates or captures radio frequency waves or signals and includes, but is not limited to, directional antennas, such as panels, microwave dishes, satellite dishes, and omni-directional antennas, such as whip antennas.

“Applicant” means a person who submits an application for development to the City of Moab.

“Application rate” means the depth of water applied to a given area, usually expressed in inches per hour.

“Applied water” means the portion of water supplied by the irrigation system to the landscape (supplemental to precipitation).

“Architectural projection” means any building or structural projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building or structure, but does not include signs.

“Artificial plants” means synthetic fibers or synthetic polymers that simulate the appearance of natural plants, including trees, shrubs, turf, and other plants. See “Turf, artificial.”

“Automatic car wash” means a facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half tons capacity.

“Automatic controller” means a mechanical or solid state timer, capable of operating landscape irrigation stations and setting the schedule (days and length of time) for water application.

“Automobile sales area” means an open area used for display, sale, or rental of new or used motor vehicles, recreational coaches, or recreation vehicles in operable condition.

“Automobile service station” means a place where lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including major auto repair and are not kept overnight.

“Backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

“Bare root” means nursery stock which has been removed from the growing site with the root system substantially free of soil.

“Basement” means a story whose floor is more than twelve inches below the average level of the adjoining ground, but where no more than one-half of its floor-to-ceiling height is above the average contract level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

“Basement house” means a residential structure without a full story structure above grade.

“Bed and breakfast” means a residence containing not more than two kitchens where, for compensation, overnight accommodations and meals are provided, and where retail sales to bed and breakfast patrons are made.

“Beginning of construction” means the placing of concrete footings for a building or structure.

“Benchmark” means a mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

“Berm” means an earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide buffering from adjoining properties.

“Block” means an area enclosed by streets and occupied by or intended for buildings; or if such word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets that intersect such street.

“Block frontage” means all properties fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

“Boarding house, lodging house” means a building containing not more than one kitchen, where for compensation, meals are provided pursuant to previous arrangements on a daily, weekly or monthly basis as distinguished from a motel, cafe or rooming house.

“Body and fender shop” means a facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.

“Brewery” means a business establishment that manufactures more than fifteen thousand barrels of beer, heavy beer, or malt liquor as otherwise defined and regulated in Title [32B](#), Utah Code Annotated, as amended.

“Brewpub” means a restaurant type establishment that also contains a small brewery, where the product is brewed primarily for sale in the associated restaurant. Brewpubs may package their product in kegs, bottles or cans for on-site or off-site distribution. The alcohol to food sales revenue ratio for a brewpub shall comply with the requirements of Chapter [6](#) (Specific Retail License Act) of Title [32B](#) (Utah Alcoholic Beverage Control Act) of the Utah Code Annotated, or its successor.

“Buffer” means a horizontal distance between adjacent uses or properties occupied by landscaping elements (excluding pools and spas), berms, swales, underground utilities, retention areas, screening, sight obscuring fences, walls, landscaped screening, or other features that individually or in combination reduce impacts on adjacent land areas or uses.

“Buffering” means the use of a horizontal buffer and vertical screening to reduce impacts on adjacent land areas or uses.

“Building” means any structure built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building. “Building” includes yurts, removable sheds, and similar uses, but does not include signs or fences.

“Building height” means the vertical distance as measured from the average finished grade of the building line to the midpoint of the highest plane of the roof.

Building, Main. “Main building” means one or more of the principal buildings upon a lot.

“Buildable area” means the area of a lot remaining after the minimum yard and open space requirements of the applicable zone have been met.

“Building setback” means a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision, between which line the adjacent boundary of the street upon which the lot abuts, the erection of an enclosed structure or portion thereof is prohibited.

“Building official/inspector” means the building inspector charged with the responsibility of issuing permits and enforcing on behalf of the City the currently adopted city construction codes, or other building code adopted by the City, and land use code, including any amendments, or that person’s designee.

“Building permit” means a permit issued by the building official, after approval of a zoning development permit, that allows a developer or property owner to erect, construct, reconstruct, grade, excavate for a foundation, alter or change the use of a building or other structure or improvements of land.

“Business establishment” means a location where business is conducted, goods are made or stored or processed or where services are rendered.

“Campground” means a public area designated by a public agency for camping, or a private area licensed by the City of Moab for camping.

“Camping” means a temporary establishment of living facilities such as tents or recreational coaches as regulated by this Code.

“Canopy tree” means a tree, usually with a one vertical stem or main trunk, which naturally develops a more or less distinct crown approximately six feet above ground and provides at maturity a minimum shade crown of twenty-five feet in diameter or greater.

“Carport” means a structure for the shelter of vehicles open on a minimum of two sides. Requires a building permit.

Carport, Permanent. “Permanent carport” means a structure that may or may not be attached to a home or other main building that has an approved foundation.

Carport, Temporary. “Temporary carport” means a structure that may or may not be attached to a home or other main building that does not have an approved foundation but is anchored securely and covered with a tarp or other cloth material.

“Caretaker or guard residence” means dwelling facilities located on a premise occupied by a permitted main use for the housing of persons and their households who are employed on the premises as guards, caretakers or in similar custodial capacity.

“Certificate of occupancy” means an official certificate issued by the City through the enforcing official that indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued.

“Character” means special characteristics of a structure or area that set it apart from surrounding development and that contribute to its interest or individuality. Examples include a grid pattern for residential neighborhoods, tree-lined avenues with alleys for rear parking access and trash collection; a business district with uniformity in building scale, materials, architectural elements, setbacks, street furniture, and sign design; a waterfront walkway with historic elements, fountains, public art, design coordinated furniture, light standards, and trash receptacles. Buildings may exhibit character in density, height, coverage, setback, massing, the placement and design of windows in walls (fenestration), materials, scale of materials, and the use of architectural elements.

“Check valve or anti-drain valve” means a valve located under, or often incorporated within, a sprinkler head or other location within the irrigation system, to hold water in the system so it minimizes drainage from the lower elevation sprinkler heads when the system is off.

“Child care center” means a child care facility licensed by the state of Utah and in compliance with state rules and regulations as established by state law.

“Church or place of worship” means a site used primarily or exclusively for religious worship and related religious services operated by a bona fide religious group for religious activities.

“City Council” means the legislative body of the City of Moab.

“Club, social” means any organization, group, or association supported by its members where the sole purpose is to render a service to said members and their guests.

“City Manager” means the Chief Administrative Officer of the City.

“City” means the City of Moab, Utah.

“City planner” means an administrative officer designated by the City Manager and charged with the responsibilities of planning, leading, analyzing, preparing, negotiating, and commenting on the process of development applications and presenting staff review of applications to decision making boards. The City planner is responsible for the daily administration of the land use code and General Plan and leads and participates in complex current to long range planning assignments.

Clinic, Medical. “Medical clinic” means an ambulatory health care facility in which outpatient treatment is provided by physicians, dentists, other medical personnel, psychologists, or social workers and where examination and treatment require a stay of less than twelve hours.

Clinic, Veterinary. “Veterinary clinic” means a place where animals are given medical care and the Boarding of animals is limited to short-term care incidental to the hospital use.

“Collector street” means a street that carries traffic from minor streets to the major street system, including the principal entrance streets of residential development and the primary circulation streets within such a development.

“Commercial development” means and includes, but is not limited to, expansion or construction of office, retail, wholesale, warehouse, manufacture, commercial recreation, restaurant/bar and/or service commercial operations by the addition of square footage.

“Commercial use” means activity involving the sale of goods or services carried out for profit.

“Commercial wireless telecommunication services” means licensed commercial wireless telecommunication services including cellular, personal communication services (“PCS”), specialized mobilized radio (“SMR”), enhanced specialized mobilized radio (“ESMR”), paging, and similar services that are marketed to the general public.

“Common area” means an area designed to serve two or more dwelling units or separate uses with convenient access to the area.

“Common element” means in a condominium or cooperative, all portions of the condominium other than the units.

“Common open space” means a parcel of usable land, area of water, or a combination of land and water within the site designated for a planned unit development designated and intended primarily for the use or enjoyment of residents, occupants and owners of the planned unit development. “Common open space” may include, but is not limited to, areas devoted to recreation, courts, gardens, parks and walkways. The term shall not include space devoted to streets, parking and loading areas.

“Community center” means a building and grounds owned and operated by a governmental body or homeowners’ association, for the social, recreational health or welfare of the community served.

“Compatible design” means the visual relationship between adjacent and nearby buildings and the immediate streetscape in terms of a consistency of materials, colors, building elements, building mass, and other constructed elements of the urban environment, such that abrupt or severe differences are avoided. Also means consistent with, harmonious with, similar to and/or enhancing the mixture of uses, site placement and/or complimentary architectural styles, either of an individual structure or the character of the surrounding structures.

“Compatible land use” means a use of land and/or buildings that, in terms of development density, building coverage, design, bulk and occupancy, traffic generation, parking requirements, access and circulation, site improvements, and public facilities and service demands, is consistent with and similar to neighboring uses and does not adversely affect the quality of life of persons in surrounding or nearby buildings.

“Complete application” means an application shall not be considered complete unless and until” means (1) all of the required information and submittal materials in the amounts and dimensions required by this code have been submitted to and received by the City department or official specified in this code; and (2) the City planner or a duly-appointed representative, has certified the application as “complete.” The decision of the City planner with respect to completeness and applicability of submittal requirements shall be final. This requirement pertains to all

applications for preliminary and/or final plats of a subdivision, a planned unit development, zoning, rezoning, general development plans, and special use permits where such applications are in anticipation of new surface development, or any other similar land use designation that is used by a local government, but does not include building permit applications.

“Comprehensive plan” means the plan of the City and adjoining areas adopted by the Planning Commission and City Council, including all of its revisions. The plan indicates the general locations recommended for various land uses, transportation routes, public and private buildings, streets, parks and other public and private developments and improvements. A coordinated plan, which has been prepared and adopted for the purpose of guiding development, including but not limited to a plan or plans of land use, circulation, housing, and public facilities and grounds.

“Conditional use” means a use which requires approval of the land use authority before the Zoning Administrator may issue a permit. Uses that require individual consideration of surrounding conditions and circumstances to carry out the intent and purpose of the zoning districts; a use for which a conditional use permit is required by this title.

“Context” means the block face in which an affected property is located.

Convalescent Home. See “rest home.”

“Convenience enterprise” means a business catering to an area with sales of easily obtained goods and merchandise. Convenience enterprises include, but are not limited to: stores with extended hours, in a convenient location, stocking a limited range of household goods and groceries and can include sandwich shops, small grocery/convenience stores, food stands, hardware stores, coffee shops, dollar stores, tobacco shops, video stores.

Coop, Chicken. “Chicken coop” means a structure for housing poultry that provides shelter from the elements, rodents, hungry predators, theft, and injury and that consists of at least four square feet of habitable area per laying hen. Coops may have an open front or may be draft free with ventilation openings such as windows. Also includes coop, henhouse, hen coop.

“Cooperative” means a common interest community in which the real property is owned by an association, each member of which is entitled by virtue of such member’s ownership interest in the association an exclusive possession of a unit.

“Corral” means a space, other than a building, less than one acre in area, or less than one hundred feet in width, used for the confinement of animals or fowl.

“Council” means the City Council of the City of Moab, Utah.

“Court” means an open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

“Court apartment (dwelling group)” means one or more dwellings (other than mobile home parks), arranged around two or three sides of a court which opens onto a street, may include single-household, two-household or multiple-household dwellings.

“Crosswalk” means any portion of a roadway distinctly indicated for pedestrian crossing by lines or other surface markings or by a change in surface material.

“Cul-de-sac” means a minor street having one open end and being terminated at the other by a vehicular turnaround. Specific standards can be found in the construction design standards for public improvements.

“Curb cut” means an access cut in the curb line for the passage of vehicles. Curb cuts for sidewalks at intersections or mid-street crossings are necessary to provide a ramped area that allows easy passage in compliance with ADA requirements.

“Custom personal services” means any business with a primary purpose of providing personal services such as law, engineering, design, finance, accounting to an individual or group for compensation.

“Customary household pets” means a domesticated animal that is commonly kept as a household pet, such as a cat, dog, gerbil, hamster, caged birds that are not unreasonably noisy, fish in tanks, or contained reptiles such as lizards and non-poisonous snakes. Other animals, such as horses, pigs, sheep, and goats are considered farm animals. Monkeys are not considered household pets.

“Cut” means land surface that is reshaped by human activity through the removal of soil, rock, or other materials.

“Cut area” means any area where the existing grade is lowered.

“Density” means the number of households, individuals, dwelling units, household units, or housing structures per unit of land.

“Developer” means any public or private person, partnership, association or agency that prepares raw land for the construction of buildings or causes to be built physical building space for use primarily by others, during which preparation of the land or the creation of the building space is in itself a business and is not incidental to another business or activity.

“Development application” means an application for a preliminary or final plat for a subdivision, a planned unit development, or any other similar land use designation that is used in this code. These include applications for zoning, rezoning, general development plans, and special use permits where such applications are in anticipation of new surface development, but does not include building permit applications.

“Development parcel” means any quantity of land described with a definite location and specific boundaries that is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

Development Permit. See zoning development permit.

“Development” means the physical extension and/or construction of urban land uses. Development activities include” means subdivision of land; change in the intensity of use of land; construction, reconstruction, demolition or partial demolition or alteration of buildings, roads, utilities, and other facilities; commencement of drilling (except for a well or to obtain soil samples), mining, or excavation; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetation cover.

“Distillery” shall mean a facility that produces no more than fifteen thousand gallons per year of spirituous beverages on site and shall include a tasting room in which guests/customers may sample the product.

“Distribution uniformity” means the measure of the uniformity of irrigation water over a defined area.

“District” means a part, zone, or geographic area within the City of Moab to which certain zoning or developmental regulations apply. Also includes “zone”, and “zoning district”.

“Drip irrigation” means any nonspray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

“Drive-in use” means an establishment that by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their vehicles.

“Driveway” means a private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

“Dwelling” means a structure or portion of a structure that is designed, occupied or intended to be occupied as living quarters and includes facilities for cooking, sleeping and sanitation; but not including hotels, motels, clubs, boarding houses, or any institution such as an asylum, hospital, or jail where human beings are housed by reason of illness or under legal restraints.

1. “Apartment house (multi-household dwelling)” means any building or portion thereof which is designed, built, rented or leased, let or hired out to be occupied or which is occupied as the home or residence of three or more households living independently of each other and doing their own cooking within the premises.
2. “Court apartment (dwelling group)” means one or more dwellings (other than mobile home parks), arranged around two or three sides of a court which opens onto a street, may include single-household, two-household or multiple-household dwellings.
3. “Condominium” means a legal form of ownership of real estate and not a specific building style. The purchaser has title to the interior space in the building and an undivided interest in parts of the interior, the exterior, and other common elements. The property is identified in a master deed and recorded on a plat with the local jurisdiction.
4. “Dwelling, primary” means a single-household dwelling unit that:
 - a. Is detached; and

- b. Is occupied as the primary residence of the owner of record.
5. "Dwelling, rental" means a building or portion of a building that is:
- a. Used or designated for use as a residence by one or more persons;
 - b. Available to be rented, loaned, leased or hired out for a period of one month or longer.
6. "Manufactured home dwelling" means a HUD, UBC, or IRC Standard approved structure designed to be transported after fabrication and equal to or exceeding fourteen feet in width and seven hundred square feet in area, excluding towing gear and bumpers. Such a structure is suitable for human habitation on a year-round basis when equipped with required plumbing, heating and electrical facilities. Manufactured homes may or may not have integral chassis or permanent hitches to allow future movement. The space and width requirements of this definition shall not apply to any manufactured home located within a previously existing manufactured home park.
7. "Multi-household dwelling" means three or more residential dwelling units within a single building and under a single roof, including apartments, townhouses and attached condominiums. Any building or portion thereof which is designed, built, rented or leased, let or hired out to be occupied or which is occupied as the home or residence of three or more households living independently of each other and doing their own cooking within the premises.
8. "Single-household dwelling" means a free-standing residential building providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
9. "Townhouse ("townhome")" means a form of multi-unit housing constructed as a single structure or group of structures in which the owner owns the described area of land in the unit and also owns the land on which the unit is located.

Dwelling, Unit. "Unit dwelling" means one or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one household for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.

"Easement" means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

"Eating establishment" means a public place where food and drinks are served for a fee. This use includes restaurants, cafes, drive-throughs, coffee shops, and donut shops.

"Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

"Effective precipitation (EP)" means the amount of rain that enters the soil and is available to plants. It is the difference between total rainfall and actual evapotranspiration. The EPA WaterSense Water Budget Tool estimates effective precipitation as twenty-five percent of average peak monthly rainfall.

“Encroachment” means the authorized or unauthorized placement of a structure or part of a structure upon the land or easement of another or a public right-of-way.

“Engineer” means a person duly authorized under applicable provisions of Utah State Code to practice the profession of engineering.

“Environmental analysis statement” means a statement prepared by an engineer, geologist, or other person qualified by training or experience, as determined by the Planning Commission, which indicates or describes the impact that the development will likely have on the natural features of the immediate area, and which describes the measures that will be taken to lessen the occurrence of adverse conditions with respect to:

1. Control of erosion within the area to be developed;
2. Reseeding of cuts and fills;
3. Provision for potable water;
4. Disposition of any geological hazards or soil conditions which may cause injury or damage to improvements which may be constructed in the development, such as buildings, water and sewer lines and streets;
5. Provisions for the proper disposal of solid and liquid wastes that will likely come from the occupants of the development when it is fully developed;
6. Prevention of the destruction of vegetation or else the establishing of new vegetation;
7. Prevention of the accumulation of weeds and debris;
8. Disposal of surface water and disposition of flood hazards.

“Essential services” means the development or maintenance of public utilities or city-approved underground, surface or overhead gas, electrical, telephone, steam, fuel or water transmission or distribution systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar equipment, and sewage pump stations.

“Evapotranspiration” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time. See below for “Reference evapotranspiration or ETo.”

“Excavation” means any disturbance to the ground, including but not limited to soil removal, clearing, grubbing, rock removal, cutting, tunneling, drilling, or any other activity which alters the natural ground.

“Fence, sight obscuring” means any fence or wall that is designed to limit visual access to a parcel, or portion of a parcel, in order to shield permitted, yet potential unsightly conditions from public view. All plans for all sight obscuring fences and walls shall first be submitted and approved by the planning department and the Zoning Administrator. All sight obscuring fences and walls shall be constructed of substantial material and the design and construction of said fence or wall shall be consistent with the quality of dwellings and other improvements within

the surrounding area as determined by the Zoning Administrator. No fence shall be constructed which prohibits direct and convenient access to a fire hydrant or which obstructs the proper and efficient operations of a hydrant.

“Flag-shaped,” “panhandle lot,” “flag lot,” all mean a lot or building site having its only vehicular access by way of a long narrow drive/entry/access way which serves no other property.

“Flood control structure” means an engineered feature designed to manage storm water, reduce erosion, and prevent or mitigate local flash flooding downstream and may include revetments, dams, diversions, levees, channels or dykes.

“Floor area” means the floor area of a building is the sum of the area of the several floors of the building, including basements, mezzanines, and penthouses of headroom height, measured from the exterior walls or from the centerline of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces, or steps, chimneys, roof overhangs, etc.

“Flow rate” means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

“Food truck park” means an area on private property designated to accommodate two or more food trucks.

“Formally initiates” as set forth by Section [10-9a-509](#) Utah Code Annotated, 1953, means the earliest of:

1. Publication of a City Planning Commission or City Council agenda in which the amendment to the land use regulations is the subject of an agenda item, and/or public hearing; or
2. The effective date of a resolution by the City Council stating that the City has formally initiated an amendment to the land use regulations and the proposed language of the amendment(s).

“Fowl” when applied to Code Chapter [17.52](#), specifically references a domesticated hen “chicken” that is used as food or for laying eggs but does not include any of the other various heavy-bodied largely ground-feeding domestic or game birds of the order Galliformes, such as a duck, goose, turkey, or pheasant, that is used for food or hunted as game.

Fractional Numbers or Measurements. In determining the requirements of this title, whenever a fraction of a number or a unit is one-half or more, said fraction shall not be included in determining requirements.

“Garage, private” means a building or part thereof designed for the parking or temporary storage of automobiles of the occupants of the premises.

“Governing body” means the City Council of Moab City, Utah.

“Grade” shall be as follows:

1. For the buildings adjoining one street only, the elevation of the sidewalk or centerline of the street, whichever is higher, at right angles to the midpoint of the adjoining wall.

2. For the buildings adjoining more than one street, the average of the elevation of the sidewalks or centerlines of the street, whichever is higher, at right angles to the midpoint of the adjoining wall.
3. For the buildings having no wall adjoining the street, the average level of the sidewalk or centerline of surrounding streets, whichever is higher.
4. Any building wall parallel or nearly parallel to and not more than five feet from a street line is to be considered as adjoining the street.

“Graywater” means untreated wastewater that has not been contaminated by a toilet/urinal discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. “Graywater” includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

“Group home” means a residential home where a small number of unrelated people in need of care, support, or supervision can live together, such as those who are in a foster care program or with chronic disabilities.

“Guest” means a person staying or receiving services for compensation at a hotel, motel, boarding house, rooming house or rest home, or similar use.

“Hardscapes” mean a landscape feature that is made of any durable material (pervious and nonpervious).

“Hardware stores” means a store selling tools, fasteners, building materials, hand and power tools, lumber, implements, keys, locks, hinges, chains, plumbing supplies, electrical supplies, cleaning products, housewares, utensils, paint, and lawn and garden products directly to consumers for use at home or for gardening, construction or business. Many hardware stores have specialty departments that include hunting and fishing supplies, plants and nursery products, marine and boating supplies, pet food and supplies, farm and ranch supplies (including animal feed), swimming pool chemicals, home brewing supplies and canning supplies.

“Home occupation” means any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

“Household” means one or more persons related or unrelated who live in the same dwelling and share meals or living accommodation, and may consist of a single family or some other grouping of people.

“Hydrozones” means the landscape design practice of clustering plants with similar water, sun and soil requirements to conserve water and improve plant health. A hydrozone may be irrigated or nonirrigated.

“Junkyard” means a place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumberyards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.

“Kennel” means land or buildings used in the keeping of four or more dogs over four months old.

“Land use plan” means a plan adopted and maintained by the City Council which shows how the land should be used-an element of the master plan.

“Landscape water meter” means an inline device installed at the irrigation supply point that measures the volume of water into the irrigation system by using a flow totalizing device to record water use.

“Landscaped area” means the area within the parcel with landscaping.

“Landscaping” means some combination of planted trees, shrubs, vines, groundcover, flowers, or lawns. In addition, the combination or design may include rocks, mulch, and structural features such as water features, art works, screens, walls, fences, raised planters, or benches, but such objects alone shall not qualify as landscaping. Landscaping does not include the building footprint, driveway, nonirrigated portions of parking lots, hardscapes – such as decks and patios, other nonporous surfaces, or portable furniture and plant containers.

“Large-scale development” means a development that contains two or more main buildings on a zoning lot and which development is planned and developed as a single entity.

“Livestock corral” means a place or pen where livestock are kept on a seasonal basis as a part of an agricultural enterprise or operation as distinguished from a livestock feed yard.

“Living open space” is that portion of the yards on a zoning lot which is not used by automotive vehicles but reserved for outdoor living space, recreational space and landscaping.

“Lodging” means any short-term temporary living or sleeping place in which someone lives or stays for a period of time not to exceed thirty consecutive days. This includes hotels, motels, bed and breakfasts, townhomes, condominiums, and campgrounds located in an appropriate zone that allows short-term lodging.

Lodging House. See “boarding house.”

“Lot” means a single parcel or tract of land.

1. “Lot, corner” means a lot situated at a junction of two public streets or situated on a curved street or way, the radius of which is thirty-five feet or less and where the angle formed by the intersection of the tangent is one hundred five degrees or less.
2. “Lot, interior” means a lot other than a corner lot.
3. “Lot of record” means a lot designated on a subdivision plat or deed, duly recorded pursuant to statute in the county recorder’s office. A lot of record may or may not coincide with a zoning lot.
4. “Lot, zoning” means a parcel of land, composed of one or more recorded lots, occupied or to be occupied by a principal building or buildings or principal use or used along with permitted accessory buildings or uses, meeting all the requirements for area, buildable area, frontage, width, yards, setbacks, and any other requirements set forth in this title.

“Maximum applied water budget” means the upper limit of annual applied water (supplemental irrigation water) for the established landscaped area as specified in Chapter [17.10](#), [Appendix A](#). It is based upon the area’s

reference evapotranspiration and is adjusted for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.

“Microbrewery” means a brewery that produces less than fifteen thousand barrels of beer, heavy beer, or malt liquor annually and occupies less than ten thousand square feet in gross floor area and may include a taproom in which guests/customers may sample the product.

“Mobile home” means a vehicular or portable structure which is constructed for movement on the public highways; which has been constructed in accordance with the building code for mobile homes as adopted by the City, but which has not been demonstrated to conform to the requirements of the building code for other residences.

“Mobile home park” means an area or tract of land used to accommodate two or more mobile homes.

“Motel-tourist home-motor hotel” means one or more buildings containing individual sleeping rooms or living units designed for use by automobile tourists or transients with garage attached or parking space conveniently located to each unit.

“Motor home” means a self-propelled vehicular unit, primarily designed as a temporary dwelling for travel, recreational and vacation use.

“Noncomplying structure” means a building or structure that:

1. Legally existed before its current land use; or
2. Because of one or more subsequent land use ordinance changes, does not comply to the setback, height restrictions, or other regulations, excluding those regulations, that govern the use of land.

“Mulch” means any organic material such as wood chips, bark, straw, compost, pine needles or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

“Nonconforming building” means a building, structure or portion thereof, which does not conform to the regulations of this title applicable to the zone or district in which such building is situated but which was in existence on the effective date of the ordinance codified in this title.

“Nonconforming use” means a use of land that:

1. Legally existed before its current land use designation;
2. Has been maintained continuously since the time the land use ordinance governing the land changed; and
3. Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

“Nursery, day care” means a home or building in which children are tended or kept for compensation; does not include overnight accommodations for such children as does a foster home or an orphanage.

“Operating pressure” means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

“Other public facilities” means and include, but are not limited to, governmental functions such as libraries, museums, parks, playgrounds, recreational centers, police, fire, or utilities facilities, that are public owned or operated or under public control and jurisdiction, and subject to the provisions of this code.

“Outdoor recreational uses, commercial” Outdoor recreation uses are those activities that:

1. Are undertaken outside the confines of buildings;
2. May or may not involve organized competition or formal rules;
3. Can be undertaken without the existence of any built facility or infrastructure;
4. May require large areas of land, water and/or air;
5. May require outdoor areas of predominantly unmodified natural landscape

Facilities, site modification or infrastructure may be provided to manage the impacts generated by the activities. However, outdoor recreation activities can be undertaken without facilities, site modification or infrastructure. Such activities can be active or passive.

Active outdoor recreational activities include but are not limited to the following:

Outdoor Recreational Activities

Ballooning	Motor/trail bike riding
Boating/sailing	Mountain bike riding
Camping: RV's/tents/rustic lodging	Multi purpose trail use
Canoeing	Nature studies
Canyoneering	Orienteering
Caving	Outdoor festivals
Climbing	Parachuting
Collecting	Photography
Conservation activities	Picnicking

Outdoor Recreational Activities

Cycling: Paved or off-road	Rafting
Dog Park	Ropes courses
Fishing	Sailboarding
Four-wheel-driving	Scuba diving
Golfing	Skate parks: Skateboarding/rollerblading/ mountain boarding
Hang-gliding/para-gliding	Snorkeling
Hiking	Touring
Horse riding	Trail Running on an unpaved trail Day hiking on an unpaved trail Backpacking Rock climbing (rock or ice)
Informal concerts	Walking
Jet skiing	Water parks/pools with play features
Kayaking	Wildlife Viewing/Bird and wildlife
Kite flying	Waterskiing

A passive activity area is an area within an outdoor recreation site which provides an opportunity for such less athletic recreational pursuits as pleasure walking, rest and relaxation, and informal picnicking. Such areas are generally maintained in a natural state, except for minimal clearing for paths, trails, sitting areas, walkways or auxiliary structures. However, landscaped areas with maintained lawns, shade trees, and benches may also be used. Passive recreation generally encompasses the less intensive range of outdoor activities compatible with preserving natural resource functions such as wildlife habitat and floodplain protection. Conservation areas and their associated trail systems provide excellent opportunities for low impact activities like hiking, bird watching, and picnicking on a carry-in, carry-out basis.

Summary of Outdoor Recreation Facilities

Baseball and softball fields	Playground areas
Boating access	Racquetball courts
Basketball courts	Restrooms

Summary of Outdoor Recreation Facilities

Beach/pond/lake swimming	Scenic overlooks
Camping	Shelters/gazebos/pavilions
Football/soccer fields	Swimming pools
Fishing access	Tennis courts
Gardens	Trails
Golf Courses/driving ranges/practice and putting greens/tee boxes	Volleyball courts
Historic or educational sites	Water parks
Picnic areas	Winter sports access
Service areas: Maintenance facilities/storage buildings/dumpsters/loading areas/accessory uses intended primarily for the servicing of the recreational facility or associated equipment.	

“Overhead irrigation” means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated.

“Overnight accommodations” means any short-term temporary living or sleeping place in which someone lives or stays for a period of time not to exceed thirty consecutive days. This includes hotels, motels, bed and breakfasts, townhomes, condominiums, RV parks, and campgrounds located in an appropriate zone that allows short-term lodging.

“Overnight accommodations, established” means overnight accommodations that are recognized as existing legal uses and identified on the Established Overnight Accommodations Map.

“Overspray” means the irrigation water which is delivered beyond the target area.

“Park trailer” means a vehicle that:

1. Is designed as a temporary living quarters for seasonal or a destination residence which may be connected to utilities necessary for operation of installed fixtures and appliances;
2. Is built on a single chassis and mounted on wheels; and
3. Has a gross trailer area not exceeding four hundred square feet in the set up mode.

“Parking space” means a space within a building or parking area, exclusive of driveways, ramps, columns, office and working area, for the parking of a motor vehicle, not less than eighteen and one-half feet in length and not less than nine feet in width.

“Parklets” are on-street parking spaces that are temporarily converted to outdoor seating to allow temporary, seasonal outdoor dining.

“Pasture” means an enclosure for animals in which no feed is provided, except that which the animals obtain by grazing.

“Pervious” means any surface or material that allows the passage of water through the material and into the underlying soil.

“Personal agriculture cultivation” means private, noncommercial agricultural activities with plantings limited to the cultivation and maintenance of fruits, vegetables, herbs, plants, and flowers. Purposes of growing and harvesting legal plants for donation, personal use, or off-site incidental sales.

“Places of worship” (house of worship) shall mean a specially designed structure or consecrated space where individuals or a group of people come to perform acts of devotion, veneration, or religious study. Buildings constructed or used for this purpose include temples, churches, synagogues, convents, monasteries and mosques.

“Planned unit development” means a tract of land which is planned and developed as a single entity wherein the requirements applying to all buildings and improvements are modified to conform to the approved plan.

“Planting plan” means a plan showing the location and dimensions of plants, irrigation equipment, curbs and other protective features around the edge of the planting beds and the location and species of plants to be planted.

“Premises” means a zoning lot together with buildings and structures located thereon.

“Premises agricultural occupation” means a business selling seed, feed, fertilizer, and other items and equipment used in agriculture.

“Premises occupation” means an occupation conducted on the premises outside of a dwelling, by persons residing on the premises.

“Professional offices” means an office for a professional person that includes but is not limited to architects, engineers, surveyors, doctors of medicine, osteopaths, dentists, optometrists, lawyers, accountants, chiropractors, chiropodists, naturopaths, and consultants who engage in a vocation that requires graduation from an accredited school of higher learning.

“Professional person” means an architect, landscape architect, engineer, surveyor, doctor of medicine, osteopath, dentist, optometrist, lawyer, accountant, chiropractor, chiropodist, naturopath, and consultants who engage in a vocation that requires graduation from an accredited school of higher learning.

“Public facility” means a publicly owned structure, building or place open to the public that provides a particular service or is used for a particular activity of leisure and may include entertainment, sports and social activities available for all ages.

“Public parks and playgrounds” means a tract of land which is owned by the public and which has been partially or totally developed or designated for recreational purposes.

“Public right-of-way” means the area of real property in which the city has a dedicated or acquired right-of-way interest in the real property.

“Recreational vehicle,” “camper,” “travel trailer,” “motor home,” and “vacation vehicle” means a vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle; including but not limited to: a travel trailer, a camping trailer, a motor home, a fifth wheel trailer and a van.

“Recreational vehicle court; vacation vehicle court” means an area or tract of land used to accommodate two or more recreational vehicles.

“Reference evapotranspiration or ETo” means standard measurement of environmental parameters which affect the water use of plants. ETo is typically expressed as the depth of water in inches or the volume of water in gallons used by an irrigated landscape area over a period of time, as represented in Chapter [17.10, Appendix A](#), and is based on an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum applied water budget so that regional differences in climate can be accommodated.

“Rest home; nursing home; convalescent home” means a building for the care and keeping of elderly or infirm people afflicted with infirmities or chronic illness.

“Restaurant with outdoor dining, permanent” means any restaurant with an outdoor eating and drinking area that is associated with and incidental and subordinate to a primary use of that parcel or lot. The outdoor dining is constructed as a part of the primary building, as an addition to the building or a separate structure that is a permanent structure. The outdoor dining areas may include design features to allow year-round use.

“Restaurant with outdoor dining, seasonal” means any restaurant with an outdoor eating and drinking area that is associated with and incidental and subordinate to a primary use of that parcel or lot. This use may include removable tables, chairs, planters, or similar features and equipment.

“Retail establishment” means a business that sells new goods and merchandise from a single point of purchase directly to customers who intend to use that product and serves the everyday needs of the community in which it is located. The use does not include lodging, service or dining uses. Such an establishment sells food, drink, clothing, jewelry, furniture, stone and monuments, automobiles, radios, refrigerators, coal, lumber, and other goods, hardware, and may perform incidental services on such goods when necessary.

“Revetment” means a wall or facing of stone, concrete, masonry, wood or other stabilizing material placed on the banks of rivers, streams or levees to protect them from erosion.

“Runoff” means irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.

Salvage Yard. See “junkyard.”

“Screening” means a vertical barrier, including opaque fences/walls, sight obscuring fences, or landscaped screening, situated between adjacent uses or properties, or maintenance, trash, storage or loading areas,

constructed or planted to reduce impacts on adjacent land areas or uses. Where there is a difference in elevation on the opposite sides of the screen, the height shall be measured from the highest elevation.

“Screening, landscaped” means evergreen shrubs, ornamental walls/planters, berms, or other densely planted shrubs or vegetation, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height from four to six feet.

“Secondary water” means nonpotable or non-culinary, untreated water that is designated for irrigation.

“Service establishment” means a business that sells services to the general public that fulfill the everyday needs of the community in which it is located. Such an establishment provides repair and other services for the comfort and convenience of the public in the course of daily living and includes, but is not limited to, hardware stores, tailors, seamstresses, watch repair, home cleaning, investment banking, gas stations, branch offices for insurance companies, repair shops, shoe shops, hair salons, barbers, medical clinics, delivery and mail businesses, car repair, travel agencies, tutoring services, and similar activities.

“Setback” means the shortest distance between the property line and the foundation, wall, or main frame of the building.

“Shut-off valve” means an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system.

“Sign” means any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including a flag pole.

1. “Sign, accessory” means a sign which directs attention to a business or profession conducted on the premises.
2. *Sign, Area Of.* The area of a sign shall be considered to include all the lettering, working and accompanying design or symbols together with any background material whether painted or applied. Where a sign consists of individual letters attached to or painted on a building or wall or window, the area of the sign shall be considered to be that of the smallest rectangle which encompasses all the letters or symbols.
3. “Sign, nonaccessory; billboard” means a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises, and only incidentally on the premises, if at all.

“Slope” means a vertical rise measured over a horizontal distance, expressed as a percentage, measured generally at right angles to contour lines.

“Small neighborhood retail” means a privately owned, small volume business that does not exceed one thousand five hundred square feet in size and sells a variety of a small number of goods and merchandise that appeal to local residents living in the area near the shop.

“Smart irrigation controller” means an automatic timing device with nonvolatile memory used to remotely control valves that operate an irrigation system. Smart irrigation controllers are able to self-adjust and schedule irrigation

events using either evapotranspiration (weather-based), soil moisture data or flow data or a combination of methods.

“Special exception” means a use which is not listed as a permitted use in a zone, but which is permitted as a special exception when such use is specifically mentioned in this title as being a special exception. Also, a use which is permitted in a zone, but which is subject to compliance with conditions prescribed by the terms of this title and by the appeal authority.

“Street, major” means one of the principal thoroughfares, as shown or designated on the major street plan.

“Street, minor,” means any dedicated street serving as the principal means of access to property, which street is not shown on the major street plan, as a principal thoroughfare.

Subdivision. The term “subdivision” means the division of a tract or lot or parcel of land into three or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development.

“Travel trailer” means a vehicular, portable unit, mounted on wheels, not requiring special highway permits when drawn by a motorized vehicle:

1. Designed as a temporary dwelling for travel, recreational, and vacation use; and
2. When factory-equipped for the road, having a body width of not more than eight feet or a body length of not more than forty feet.

“Turf, artificial” means a surface of synthetic fibers, often composed of polypropylene, polyethylene, polyamide, or a blend of these materials, treated and tufted on a porous backing manufactured to simulate the appearance of turf grass.

“Turf grass” means a ground cover surface of mowed grass.

“Turf grass, cool season” means grasses that withstand cold winters but often go dormant in hot, dry weather. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, red fescue, and tall fescue are examples of cool season grasses.

“Turf grass, warm season” means grasses that do well in warmer environments and often tolerate drought but often go dormant in cooler weather. Kikuyu grass, seashore paspalum, St. Augustine grass, zoysia grass, and Buffalo grass are examples of warm-season grasses.

“Twin home” means a two-household dwelling with two individual owners who have rights and responsibilities for their own side and for their own lot. Twin homes have a shared common wall with a lot line landing between the two homes and with their own respective lot.

“Two-household dwelling” means a structure under single ownership and containing two residential dwelling units, other than manufactured homes, within a single building and under a single roof each of which is designed for or occupied by one household.

“Usable floor area” means the net floor area of a building where persons may move about and carry on the usual tasks for working and living but does not include: restrooms and lounges, stairwells, elevators and escalator shafts, building equipment and service areas, entrance and elevator lobbies, stacks and shafts, freezer and cooler areas, storage and stock rooms, and other building elements where patrons would not normally be allowed.

“Variance” means a waiver of specific regulations of this title granted by the appeal authority in accordance with the provisions set forth in this title for the purposes of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same zone.

“Warehouse” means a large building, or part of one, where raw materials or manufactured goods may be stored before their export or distribution for sale.

“Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, streams, spas, and swimming pools where water is artificially supplied. This includes water features supplied by raw water.

“Yard” means an open space on the same lot with a building unoccupied or unobstructed from the ground upward, except as otherwise provided in this title.

1. “Yard, front” means the minimum horizontal distance between the street line and the front line of the building or any projection thereof, excluding nonenclosed steps. On a corner lot the front yard may be applied to either street.
2. “Yard, rear” means an open, unoccupied space on the same lot as a building, measured from the rear line of the building (exclusive of steps) and the rear lot line, and extending for the entire width of the lot. In case of a corner lot where the building facade faces on the side street, the rear yard may be established from the side of the house to the side property line.
3. “Yard, required” means the open space around buildings which is required by the terms of this title.
4. “Yard, side” means a yard between the building and the side line of the lot and extending from the front yard to the rear yard. (Ord. 24-03 § 1(1), 2024; Ord. 23-08 § 1, 2023; Ord. 22-05 § 1, 2022; Ord. 21-16 § 1, 2021; Ord. 21-13 § 1, 2021; Ord. 21-12 § 1, 2021; Ord. 21-05 § 1, 2021; Ord. 19-18 § 1, 2019; Ord. 19-13 §§ 1 – 3, 21 (part), 2019; Ord. 18-06 (part), 2018; Ord. 18-01 (part), 2018; Ord. 17-32 (part), 2017; Ord. 17-22, 2017; Ord. 11-07, 2011; Ord. 11-01, 2011; Ord. 10-15, 2010; Ord. 10-06, 2010; Ord. 09-08, 2009; Ord. 08-25, 2008; Ord. 08-15 (part), 2008; Ord. 01-11 (part), 2001; Ord. 98-11, 1998; Ord. 98-10, 1998; Ord. 96-09, 1996; Ord. 95-13, 1995; Ord. 94-27, 1994; Ord. 94-24 (part), 1994; Ord. 14-81 (part), 1981; Ord. 10-79 (part), 1979; prior code § 27-2-2)

The Moab Municipal Code is current through Ordinance 26-03, passed February 24, 2026.

Disclaimer: The City Recorder's Office has the official version of the Moab Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: moabcity.org](http://moabcity.org)

[City Telephone: \(435\) 259-5121](tel:(435)259-5121)

[Hosted by General Code.](#)

Chapter 5 redline.

General Standards for all Private Property Vendors

Mobile Ability. A vendor should be able to vacate the property at any time with no special knowledge or tools.

Utilities. Vendors should provide self-sufficient utilities or connect using flexible and removable utility connections.

Zoning Compliance. No license shall be granted for a vendor unless allowed as a land use in the underlying zone(s) in which it operates, except for vendors selling frozen food products.

Trash. Vendors shall provide refuse/recycling containers adequately for the scope. Public refuse containers shall not be used to meet refuse/recycling needs.

- i. All refuse and recycling containers shall be securely stored at the close of each business day.
- ii. Every container shall have a cover.

“Vendor” A vendor may be a Food Truck, Food Cart, or Enclosed Mobile Businesses as defined by Utah State Code 11-56-102.

Add to Land Use Definitions

“Vendor Court” means a property where a primary use is to host 1 or more Vendors, which are not Temporary Private Property Vendors.

“Food Vendor Court” means a Vendor Court that has one or more Food Vendors.

“Limited Operation Hours” means the time period during which non-noise or other extranality-producing work can happen without serving customers directly.

“Consumer Operation Hours” means the time period during which customer service can happen in full.

“Vendor Court Area” A polygon drawn around the vendor’s occupied area, including seating, supporting structures, decorations, tables, and vending apparatus.

“Vendor” A vendor may be a Food Truck, Food Cart, or Enclosed Mobile Businesses as defined by Utah State Code 11-56-102.

“Private Property Vendor” means a person, firm, or corporation engaged in the business of selling food, goods, services, wares, or merchandise from a vehicle, trailer, cart, or other display apparatus within the City, and who, in furtherance of such purpose, leases, uses, or occupies any private property.

“Temporary Private Property Vendor” means a person, firm, or corporation engaged in the business of selling food, goods, services, wares, or merchandise from a vehicle, trailer, cart, or other display apparatus within the City, and who, in furtherance of such purpose, leases, uses, or occupies any private

property. Temporary Private Property Vendors must move the vehicle, trailer, cart, or other display apparatus from the private property where they are operating every 12 hours and may not return to the private property space for another 12 hours.

Food Vendor Court Matrix

Zone	Permitted	Employee Parking Stalls per vendor	1 Parking Space/ Vendor Court Area (sq ft)	Minimum Area/ Per Vendor	Hours of Limited Operation Limit	Hours of Consumer Operation Limit	Number of Vendors that trigger Standard Buffering if abutting an R zone	Number of Vendors that trigger a 6-foot fence if abutting an R zone
C-1	Yes	1	300	3,000	5 am-12 pm	7 am-10 pm	4	2
C-2	Yes	1	300	3,000	5 am-12 pm	7 am-10 pm	4	2
C-3	Yes	1	300	2,000	X	X	6	4
C-4	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	6	4
C-5	Yes	1	300	3,000	X	X	4	2
RC	Yes	1	300	2,000	X	X	6	4
SAR	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	4	2
I-1	Yes	1	300	2,000	X	X	4	2
A-1	No	X	X	X	X	X	X	X
MH/R V-1	No	X	X	X	X	X	X	X
R-1	No	X	X	X	X	X	X	X
R-2	No	X	X	X	X	X	X	X
R-3	No	X	X	X	X	X	X	X
R-4	No	X	X	X	X	X	X	X
RA-1	No	X	X	X	X	X	X	X

Vendor Court Matrix

Zone	Permitted	Employee Parking Stalls per vendor	1 Parking Space/ Vendor Court Area (sq ft)	Minimum Area/ Per Vendor	Hours of Limited Operation Limit	Hours of Consumer Operation Limit	Number of Vendors that trigger Standard Buffering if abutting an R zone	Number of Vendors that trigger a 6-foot fence if abutting an R zone
C-1	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	4	2
C-2	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	4	2
C-3	Yes	1	300	2,000	X	X	6	4
C-4	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	6	4
C-5	Yes	1	300	2,000	X	X	4	2
RC	Yes	1	300	2,000	X	X	6	4
SAR	Yes	1	300	2,000	5 am-12 pm	7 am-10 pm	4	2
I-1	Yes	1	300	2,000	X	X	4	2
A-1	No	X	X	X	X	X	X	X
MH/R V-1	No	X	X	X	X	X	X	X
R-1	No	X	X	X	X	X	X	X
R-2	No	X	X	X	X	X	X	X
R-3	No	X	X	X	X	X	X	X
R-4	No	X	X	X	X	X	X	X
RA-1	No	X	X	X	X	X	X	X

Input as new use in the C-1, C-2, C-3, C-4, C-5, RC, I-1, SAR zones

Vendor Court

- a. The vendor court area must meet ADA, fire, health, and building requirements.
- b. The Vendor Area must meet the minimum setback of the zone
- c. See Vendor Court Matrix in 17.15.??

Food Vendor Court

- b. The Vendor Area must meet the minimum setback of the zone
- c. See Food Vendor Court Matrix in 17.15.??
- d. The vendor court area must meet ADA, fire, health, and building requirements, including but not limited to;
 - i. Providing a grease interceptor
 - ii. Potable water supply systems shall be designed, installed, and operated according to the requirements set forth by:(a) Plumbing Code;(b) The Utah Department of Environmental Quality, Division of Drinking Water; and(c) Local health department regulations
 - iii. Wastewater shall be discharged to a public sanitary sewer system when practicable or Sewer systems shall be designed, installed, and operated according to safety requirements
- e. Outdoor dining shall not interfere with required vehicular circulation and parking.
- f. Outdoor cooking may be approved if safety standards are met by Fire, Health, and Building standards
- g. Space heaters, tents, sheds, and other displays or apparatus can be permitted with special approval from Building, Fire, and Health.

Input as new use in the C-1, C-2, C-3, C-4, C-5, RC, I-1, SAR zones

Temporary Private Property Vendor Pad- Accessory use

- a. The vendor court area must meet ADA, fire, health, and building requirements.
- b. Vendors must meet the minimum setback of the zone
- c. An area of not less than 2,000 square feet shall be provided and maintained for the Private Property Vendor. Services provided by the Vendor shall not occur outside of the designated 2,000 SF area unless occurring off the property.
- d. One parking space shall be required for every Vendor.
- e. Restroom services for employees shall be provided
- f. One Private Property Vendor is permitted on a parcel
- g. If a TPPV is found to overstay the limit, the property owner must report to the Moab City Planning Department to get Private Property Vendor use approval, or the vendor must vacate the property.

Temporary Private Property Food Vendor Pad- Accessory Use

- a. The vendor court area must meet ADA, fire, health, and building requirements , including but not limited to;
 - i. Providing a grease interceptor
 - ii. Potable water supply systems shall be designed, installed, and operated according to the requirements set forth by:(a) Plumbing Code;(b) The Utah Department of Environmental Quality, Division of Drinking Water; and(c) Local health department regulations

- iii. Wastewater shall be discharged to a public sanitary sewer system when practicable or Sewer systems shall be designed, installed, and operated according to safety requirements
- b. Vendors must meet the minimum setback of the zone, including any outdoor dining structures
- c. An area of not less than 2,000 square feet shall be provided and maintained for the Private Property Vendor. Services provided by the Vendor shall not occur outside of the designated 2,000 SF area unless occurring off the property.
- d. One parking space shall be required for every Vendor.
- e. Restroom services for employees shall be provided
- f. One Private Property Vendor is permitted on a parcel
- g. Not more than one vendor may occupy the Private Property Vendor site within 24 hours.
- h. Outdoor dining shall not interfere with required vehicular circulation and parking.
- i. Outdoor cooking may be approved if safety standards are met by Fire, Health, and Building standards
- j. If a TPPV is found to overstay the limit, the property owner must report to the Moab City Planning Department to get Private Property Vendor use approval, or the vendor must vacate the property.