

GRAND COUNTY, UTAH ORDINANCE NO. _____

AN ORDINANCE AMENDING THE GRAND COUNTY ZONING MAP FROM HIGHWAY COMMERCIAL AND GENERAL BUSINESS TO HIGHWAY COMMERCIAL FOR PROPERTY OWNED BY THE MARVIN & LOUISE SIMS LIVING TRUST, LOCATED AT 2001 SOUTH HIGHWAY 191, PARCEL NO. 02-0017-0165, GRAND COUNTY, UTAH

WHEREAS, Marvin Wayne Sims and Louise Sims, Trustees, or their successors in trust, under the **MARVIN & LOUISE SIMS LIVING TRUST** dated **August 1, 1996**, are the owners of approximately **1.0 acre of land** located at **2001 South Highway 191, Moab, Utah**, identified as Parcel No. 02-0017-0165; and

WHEREAS, the subject property is currently split-zoned **Highway Commercial (HC)** and **General Business (GB)**; and

WHEREAS, the applicant has requested to amend the zoning designation of the entire parcel to **Highway Commercial (HC)** to create a single, consistent zoning designation across the property; and

WHEREAS, the Grand County General Plan designates this area for **highway-oriented commercial uses**, and the Highway Commercial zone is consistent with that designation; and

WHEREAS, consolidation of split zoning into a single zone district promotes **orderly development, administrative clarity, and consistent land use regulation**; and

WHEREAS, the Grand County Planning Commission held a duly noticed public hearing on April 27th, 2026, to consider the proposed zone change, reviewed the application, staff report, public comments, and evidence, and recommended **approval** to the Grand County Commission; and

WHEREAS, the Grand County Commission held a duly noticed public hearing on June 2, 2026, to consider the proposed zoning map amendment, and after reviewing the full record, including the Planning Commission recommendation, staff report, and public testimony, finds that the proposed amendment:

- Is consistent with the Grand County General Plan;
- Promotes logical and efficient land use patterns;
- Eliminates split zoning on a single parcel; and
- Is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF GRAND COUNTY, UTAH, AS FOLLOWS:

SECTION 1: PLAIN ENGLISH SUMMARY

This ordinance changes the zoning of a 1-acre property located at 2001 South Highway 191 from a mix of Highway Commercial and General Business zoning to entirely Highway Commercial. This creates a single zoning designation for the property and aligns with the County's General Plan.

SECTION 2: FINDINGS OF FACT AND CONCLUSIONS

Based upon the application materials, the staff report, the record of proceedings before the Planning Commission and County Commission, and the evidence and testimony presented at duly noticed public hearings, the Grand County Commission hereby adopts the following Findings of Fact and Conclusions:

A. PROPERTY AND OWNERSHIP

1. The subject property is located at **2001 South Highway 191, Moab, Utah**, and is identified as **Parcel No. 02-0017-0165**.
2. The property consists of approximately **1.0 acre**.
3. Title to the property is vested in **Marvin Wayne Sims and Louise Sims, Trustees of the Marvin & Louise Sims Living Trust dated August 1, 1996**.

B. EXISTING CONDITIONS

4. The property is currently split-zoned between **Highway Commercial (HC)** and **General Business (GB)**.
5. Split zoning on a single parcel creates **regulatory inefficiencies**, including inconsistent development standards, ambiguity in permitted uses, and administrative burdens in enforcement.
6. The property fronts **U.S. Highway 191**, a major regional transportation corridor characterized by highway-oriented commercial development patterns.

C. PROPOSED AMENDMENT

7. The applicant has requested to rezone the entire parcel to **Highway Commercial (HC)**.
8. The proposed amendment does not expand the intensity of use beyond what is already permitted on portions of the property but instead **creates internal zoning consistency**.

D. GENERAL PLAN CONSISTENCY

9. The Grand County General Plan designates the subject area for **commercial and highway-oriented uses**.
10. The Highway Commercial (HC) zone is **consistent with and implements** the applicable General Plan land use designation.
11. The proposed zone change advances General Plan goals related to:
 - Efficient land use patterns;
 - Economic development along major transportation corridors; and
 - Reduction of regulatory inconsistency.

E. PUBLIC HEALTH, SAFETY, AND WELFARE

12. The zone change will **not adversely affect public health, safety, or welfare** because:
 - The site is already partially zoned Highway Commercial;
 - The change does not introduce incompatible land uses;
 - Access is directly from an established highway corridor; and
 - Existing infrastructure and service patterns remain unchanged.
13. The amendment reduces the likelihood of **conflicting land use regulations**, thereby improving enforceability and predictability for both the County and the property owner.

F. ORDERLY DEVELOPMENT AND LAND USE PATTERNS

14. The proposed zone change promotes **orderly development** by eliminating split zoning on a single parcel.
15. Uniform zoning across the parcel ensures consistent application of:
 - Setbacks
 - Use regulations
 - Site design standards
16. The amendment aligns the parcel with surrounding and corridor-based development patterns.

G. PLANNING COMMISSION RECOMMENDATION

17. The Grand County Planning Commission held a duly noticed public hearing on April 27th, 2026.
18. After considering the staff report, application materials, and public comment, the Planning Commission recommended **approval** of the zone change.

H. PUBLIC PROCESS

19. The Grand County Commission held a duly noticed public hearing on May 5th, 2026.
20. All required notice and hearing procedures under Utah law and County ordinance were followed.
21. The Commission considered all written and oral testimony presented in the record.

I. CONCLUSIONS

Based on the foregoing Findings of Fact, the Grand County Commission concludes that:

1. The proposed zoning map amendment is **consistent with the Grand County General Plan**.
2. The amendment promotes **logical, efficient, and orderly land use patterns**.
3. The amendment **eliminates split zoning**, which is a recognized planning best practice.
4. The amendment is **not detrimental to the public health, safety, or welfare**.
5. Approval of the zone change is **in the best interest of Grand County**.

SECTION 3: ZONE CHANGE

The Zoning Map of Grand County, Utah, is hereby amended to change the zoning designation of the following described property from **Highway Commercial (HC) and General Business (GB)** to **Highway Commercial (HC)**:

Legal Description

Description of a portion of Government Lot 12, Section 17, T26S, R22E, SLM, Grand County, Utah, more particularly described as follows:

Beginning at the South Corner of Government Lot 12, Section 17, T26S, R22E, SLM, said corner bears South 0°07' West 104.8 feet; thence South 52°25' West 437.7 feet from the Center ¼ Corner of said Section 17, and proceeding thence North 37°54' West 264.1 feet to the Westerly corner of said Government Lot 12, thence North 52°18' East 165.00 feet to a corner, thence South 37°54' East 264.5 feet to a corner, thence South 52°25' West 165.0 feet to the point of beginning. Subject to a 16-foot-wide easement on the East boundary for ingress and egress to adjacent property.

(Parcel No. 02-0017-0165)

SECTION 4: SEVERABILITY

If any provision of this ordinance is held invalid or unconstitutional, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 5: EFFECTIVE DATE

This ordinance shall take effect fifteen (15) days after publication, as provided by Utah Code §17-53-208.

ADOPTED by the Grand County Commission in public meeting this 5th day of May, 2026, by the following vote:

That voted aye: _____

That voted nay: _____

Absent: _____

GRAND COUNTY COMMISSION

Melodie McCandless, Chair

ATTEST:

Gabriel Woytek, Clerk/Auditor