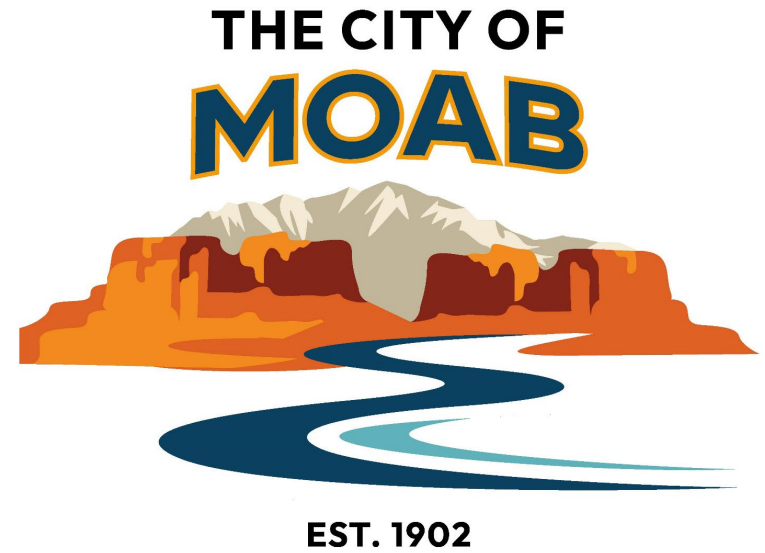


City Council



AUGUST 25TH ,2026

Amendments

- Subdivisions
 - Deleting Public Hearing Subdivision Procedure
 - Extension for Subdivision Plat Recording
- Non-conforming Damaged Building Restoration
- Planning Commission Attendance Update
- Planning Commission Forwarded a Positive Recommendation

AMENDMENT TO 16.08.010 Preliminary Procedure – Timelines and 16.08.050 Vacating or changing a subdivision plat.

- Current code
 - Public hearing required for administrative action
 - • 180-day limit for recording after approval
 - Extension of 30 days available
- Proposed Code
 - No public hearing required
 - 1 year limit for recording after approval
 - Extension of one year available
- Rationale
 - Remnant of old code change responsive to State Code change
 - Flexibility for developers who are required to make infrastructure improvements before recording

AMENDMENT TO 16.08.010 Preliminary Procedure – Timelines

~~E. After a public hearing noticed according to Section 10-9a-207, Utah Code Annotated, 1953, as amended, the prints shall be filed at least thirty business days prior to the Planning Coordinator's meeting at which time the plat may be considered, and shall be accompanied by a filing fee.~~

F. No later than fifteen business days after the complete preliminary subdivision application is submitted, the Planning Coordinator shall complete the initial review of a complete preliminary subdivision application submitted for ordinance review.

G. Within one year after receiving approval of the preliminary subdivision plan and plat by the Planning Coordinator, unless such time is extended by the Planning Coordinator, the applicant shall submit the original and three copies of the final plat to the Planning Coordinator for final approval or disapproval.

H. Following final approval by the Planning Coordinator, the final plat bearing all official signatures and/or approvals as herein required shall be submitted to the office of the county recorder for recording by the subdivider. A sepia, autopositive, CD disc or other reproducible copy together with two standard prints of the final plat shall be supplied to the Planning Coordinator.

I. The final plat of a subdivision shall be recorded within a period of ~~one hundred eighty days~~ one year following approval by the Planning Coordinator. A one-time extension of an additional ~~thirty days~~ one year may be granted at the discretion of the Planning Coordinator.

AMENDMENT TO 16.08.050 Vacating or changing a subdivision plat.

Any proposed vacation, alteration, change or amendment to a subdivision plat must comply with the Utah State Code requirements regarding noticing ~~requirements of Section 10-9a-205, Utah Code Annotated, 1953, as amended, and the requirements of and the~~ vacation or change in platted subdivision ~~outlined by Section 10-9a-608, Utah Code Annotated, 1953, as amended.~~

Application/ Action	Administrative Body	Land Use Authority	Appeal Body	Required Public Hearing
Prelim Plat	ALUA	Planning Coordinator	AA	Yes -No
Final Plat	ALUA	Planning Coordinator	AA	No
Amend Plat*	ALUA	Planning Coordinator	District Court	No
Amend Plat	ALUA	Planning Coordinator	District Court	Yes ALUA
Modify Lot Lines	ALUA	Planning Coordinator	AA	No
Subd Ord/ Amend	ALUA	Planning Coordinator	District Court	Yes ALUA
Condo. Conversion	Staff	Planning Coordinator	Appeal Authority	No
New Condo. App	(See procedures for site plan, subdivision, or planned developments, as applicable)			

AMENDMENT TO 17.12.050 Damaged Building Restoration.

- State Code
 - Can replace all of destroyed non-conforming building to same extent and character
- Current code
 - Can replace up to 50% of the replacement value on burned down non-conforming building
- Rationale
 - Alignment with State Code section 10-20-1003.3

AMENDMENT TO 17.12.050 Damaged Building Restoration.

B. If a nonconforming structure or a structure occupied by a nonconforming use is destroyed by fire ~~or other calamity, the elements or other cause~~, it may be rebuilt and/or continue the nonconforming use ~~to the same extent and character as documented before the calamity, to conform to the provisions of this code~~ except as follows:

1. The structure or use has been abandoned
2. The structure has been allowed to deteriorate to a condition that the building official has determined that structure is uninhabitable in accordance with applicable laws and regulations, and is not repaired or restored within six months after the day on which written notice is served to the property owner that the structure is uninhabitable.
3. The property owner has voluntarily demolished a majority of the noncomplying structure or the building that houses the nonconforming use.

~~In the case of partial destruction of a structure occupied by a nonconforming use not exceeding fifty percent of its replacement value, reconstruction may be permitted subject to the following standards:~~

~~The size and function of the nonconforming use shall not be expanded; and~~

~~Work on the restoration of the use must begin within twelve months of the time of the calamity.~~

~~A residential structure that is destroyed fifty percent or more of its replacement value and is nonconforming only because it does not meet the minimum required dwelling unit floor area, may be reconstructed subject to the following standards:~~

~~The replacement residential structure may be the same size or it may be larger than the destroyed structure provided that the new structure conforms with all other requirements of the zone district; and~~

~~The replacement residential structure conforms to all adopted building codes, including but not limited to: currently adopted city construction codes;~~

~~All manufactured housing must comply with the requirements of this code. (Ord. 10-15, 2010)~~

AMENDMENT TO 2.52.030 Terms – Minimum attendance – Standards removal – Filling vacancies.

- Current Code
 - Planning Commissioners must attend 75% of meetings in a year to remain members
- Proposed Code
 - Planning Commissioners who do not attend 75% of meetings or have more than 3 unexcused absences may be removed
- Rationale
 - Alignment with Bylaw amendment

AMENDMENT TO 2.52.030 Terms – Minimum attendance – Standards removal – Filling vacancies.

The terms of office of each member of the Planning Commission shall be for three years.

~~Commissioners who fail to attend seventy-five percent of the meetings or have three or more unexcused absences may be removed from the Commission. Planning Commission members must attend a minimum of seventy-five percent of all Planning Commission meetings held during the course of a calendar year in order to remain a member of the Planning Commission.~~

This ongoing determination of attendance shall be conducted by planning department staff and forwarded to the chairperson of the Planning Commission, the City Manager and Mayor and City Council. Vacancies and/or removals occurring otherwise than through the expiration of terms shall be filled by appointment by the Mayor with the consent of City Council. Members may be removed, with or without cause, by a majority vote of City Council.

Analysis

- MMC 17.04.070 states *“It is the burden of the applicant to provide “good cause” to support a proposed text amendment. For the purpose of establishing and maintaining sound, stable and desirable development within the City of Moab, amendments to the Land Use Code are committed to the sound discretion of the City Council based upon the following nonexclusive list of criteria:*
 - *A. Is the proposed use substantially similar to other authorized uses permitted within the subject zoning district?*
 - *B. Is the proposed use a relatively new use type or development concept that was not anticipated at the time of the adoption of the City’s General Plan?*
 - *C. Is the amendment consistent with the policies and goals of the General Plan?*
 - *D. Will the amendment create significant adverse impacts upon neighboring properties within or adjacent to the zoning districts which would be affected by the change?*
 - *E. Is it in the public interest to approve the proposed amendment?*
 - *F. Is the amendment likely to lead to a positive redevelopment of a specific area or zone?*
 - *G. Will the amendment provide a variety of options for residents in terms of economic development, affordable housing, or other benefits?*
 - *H. Is the amendment appropriate considering the existing conditions in the zoning district, the established relationships between zoning districts, existing land uses and densities, and the scale of both existing and proposed development?*

Motions

Positive: I move that the City of Moab Planning Commission forward a positive recommendation to the Moab City Council for City Ordinance 2026-16, An Ordinance Of The Moab City Council Amending, Section 2.52.030 (Planning Commission), Chapter 16.08 (Subdivision Procedure), And Section 17.12.050 (Damaged Building Restoration) Of The Moab Municipal Code To Extend The Recording Deadlines For Approved Final Plats And The Related One-Time Extension For Such Plats, To Eliminate The Public Hearing Requirement For Preliminary Plats, To Adjust Planning Commission Attendance Requirements, And To Amend Regulations On Rebuilding Or Renovating Nonconforming Structures And Uses After A Fire Or Calamity.

Negative: I move that the City of Moab Planning Commission forward a negative recommendation to the Moab City Council for City Ordinance 2026-16.