

**CITY OF MOAB
PLANNING COMMISSION
PUBLIC HEARING
PROPOSED ORDINANCE 2012-02**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, January 12, 2012 at approximately 7:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this Public Hearing is to solicit public input on proposed Ordinance 2012-02, an ordinance amending the City of Moab Municipal Code, by adding clarity to Chapter 17.24.030 for Residential Uses in the C-2 Commercial-Residential Zone and provide for a lot coverage exception for emergency and other types of housing.

The proposed ordinance is available for public review at the Moab City Planning Office located at 217 East Center Street and on the website at www.moabcity.org. Written public comment may be directed to the Planning Department at the listed address. To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Planning Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5129 at least three (3) working days prior to the meeting.

/s/ Sommar Johnson
Zoning Administrator

Published in the Times Independent, December 29, 2011 and January 5, 2012.

ORDINANCE 2012-02

AN ORDINANCE TO AMEND TITLE 17.21 OF THE MOAB LAND USE CODE, BY ADDING CLARITY TO CHAPTER 17.24030 FOR RESIDENTIAL USES IN THE C-2 RESIDENTIAL-COMMERCIAL ZONE AND PROVIDE FOR A LOT COVERAGE EXCEPTION FOR EMERGENCY AND OTHER TYPES OF HOUSING

WHEREAS, the City of Moab (“City”) adopted Chapter 17, Zoning, of the Moab Municipal Code (“Code”) in an effort to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of the city by guiding development within the City of Moab in accordance with the General Plan; and,

WHEREAS, it was identified by City Staff (Staff) and the Planning Commission (“Commission”) that specific area, width and location requirements for residential uses of the R-3 zone as well as emergency and transitional housing services provided by governmental entities were lacking in detail; and

WHEREAS, Staff and the Planning Commission have requested from Moab City Council (“Council”) said amendment to code chapters 17.21.030 *Area, width and location requirements*, for the C-2 Residential-Commercial Zone; and,

WHEREAS, the Moab City Planning Commission held a duly advertised public hearing on _____, 20__ to hear and decide the merits of said amendment; and,

WHEREAS, the Commission, after reviewing the public testimony and the recommendation of Staff favorably recommends to Council that the suggested amendment be adopted; and,

WHEREAS, Council held a duly advertised public hearing during a regularly scheduled meeting to hear public evidence and review the recommendations from Staff and the Planning Commission on _____, 20__; and,

WHEREAS, Council desires to encourage housing in our community for all residents regardless of physical or mental health, race, or socio-economic level.

NOW, THEREFORE, Council hereby declares and ordains that Chapter 17.21.030 as reads is hereby repealed and amended as below:

Chapter 17.21.030 Area, width, and location requirements, AS NOW READS,

All buildings and structures in the C-2, commercial-residential zone, shall be set back at least twenty-five feet from any public street. Area, width and location requirements for buildings arranged, intended or designed primarily for residential use, shall be setback from the front property line a distance of at least twenty-five feet. Minimum side yards shall be at least eight feet or less by conditional use permit, with a minimum rear yard setback of fifteen feet. Street-side setbacks for corner lots shall be no less than twenty feet in width. No area and width requirements shall apply to dwellings located above the ground floor when the ground floor is devoted exclusively to a commercial use permitted in the zone Lot coverage of the principal use shall not exceed fifty percent of the total lot area.

SHALL READ:

1. *All buildings and structures in the C-2, Commercial-residential Zone, shall be set back at least twenty (20) feet from any public street.*
2. For buildings arranged, intended or designed primarily for residential use, the area, width and location requirements shall be a minimum lot size of six thousand square feet for single family dwellings and an additional 1500 square feet for a second unit. Any additional dwellings of more than two shall require additional lot area increases of nine hundred square feet per dwelling.
3. Lot frontage shall be a minimum of fifty linear feet.
4. *Minimum side yards shall be at least eight (8) feet or less by conditional use permit, with a minimum rear yard setback of fifteen (15) feet. Street-side setbacks for corner lots shall be no less than seventy five percent of the front yard setback.*
5. *No area and width requirements shall apply to dwellings located above the ground floor when the ground floor is devoted exclusively to a commercial use permitted in the zone.*
6. *Lot coverage of the principal use shall not exceed fifty (50) percent of the total lot area.*
 - a. Exception-- lot coverage. For transitional, affordable, or other housing types managed or owned by a legally constituted housing authority or if the owner of the property is a legally recognized nonprofit land trust or government agency operating an emergency service under the state of Utah, Grand County, or Moab City and serving persons in need, the lot coverage may be increased by administrative review for up to eighty percent as long as the required setbacks are applied.

In effect on the day of passage;

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on the 14th day of October, 2008.

SIGNED:

David L. Sakrison, Mayor

ATTEST:

Rachel Ellison, Recorder