

**CITY OF MOAB
PLANNING COMMISSION
PUBLIC HEARING
PROPOSED ORDINANCE 2012-09**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, May 24, 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 2012-09, an ordinance amending the City of Moab Municipal Code, Section 17.09.530, by amending the number and types of conditional uses in the C-5 and amending 17.30, Use Regulations, by allowing child care centers as an allowed use in the C-5 Zone.

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, May 10, 2012 and May 17, 2012.

DRAFT

ORDINANCE #2012-09

AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE, SECTION 17.09.530, BY AMENDING THE NUMBER AND TYPES OF CONDITIONAL USES IN THE C-5 AND AMENDING 17.30, USE REGULATIONS, BY ALLOWING CHILD CARE CENTERS AS AN ALLOWED USE IN THE C-5 ZONE

WHEREAS, the City Council (“Council”) adopted the Moab Municipal Code (“Code”) and especially Chapter 17.00.00, also known as “The Zoning Ordinance of Moab City, Utah” in an effort to encourage and facilitate orderly growth and development in the City of Moab (“City”) as well as to promote a more attractive and wholesome environment; and

WHEREAS, Council adopted Ordinance #2010-13 on September 14, 2010, that amended Code Chapters 17.09 and 17.70, by placing all of the conditional uses into one area of the code and establishing standards and conditions for approval of specific conditional uses; and

WHEREAS, the City has received an application for a code change that will affect the above mentioned Code Chapter 17.09, and specifically the table of listed conditional uses, section 17.09.530(B), and Chapter 17.30.020, *Use requirements*, for the C-5 Zone; and

WHEREAS, the City of Moab Planning Commission (“Commission”) in a duly advertised public hearing held on May 24, 2012, to hear testimony and determine the merits of the changes to the Code; and

WHEREAS, the Commission found that the proposed changes would benefit the community by providing greater options for daily child care in a variety of center settings; and

WHEREAS the Commission unanimously voted to recommend to Council that adoption of the new language was in the best interests of the citizens of Moab; and,

WHEREAS, Council reviewed Ordinance #2012-XX in a regularly scheduled public meeting held on _____, 2012, to hear and decide the merits of the proposed changes to the table in Chapter 17.09.530, *Conditional use permits*, paragraph (B) and Chapter 17.30, *Use requirements*, of the Moab Municipal Code; and,

WHEREAS, Council found that the amendments to the code are in the best interests of the City.

NOW, THEREFORE, the Moab City Council hereby adopts Ordinance #2012-XX and repeals the Conditional Use of *Large commercial and home-based day-care centers* for the C-5 Zone as indicated by the portion of the amended table shown below:

17.09.530 (B)

CONDITIONAL USES	R-1	R-2	R-3	R-4	RA-1	A-2	C-1	C-2	C-3	C-4	C-5	SAR	MH/RV	FC-1	RC	I
Large commercial and home-based day-care centers(21)		C	C	C	C	C			C		€					

AND, FURTHERMORE, Chapter 17.30.020, *Use requirements*, use G, *Day care center*, is repealed and amended to read “G. *Child care center*.”

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on _____, 2012.

SIGNED:

David L. Sakrison, Mayor

ATTEST:

Rachel Stenta, Recorder