



## Moab City Council Agenda Item

Meeting Date: January 14, 2019

**Title:**

CONSIDERATION OF POSSIBLE APPROVAL OF ORDINANCE #2020-02 APPROVING A ZONING MAP AMENDMENT FOR PROPERTIES OWNED BY COMMUNITY REBUILDS AT 140 SOUTH 200 EAST MOAB, UTAH, FROM R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONE TO C-2 COMMERCIAL RESIDENTIAL ZONE; AND AT 150 SOUTH 200 EAST MOAB, UTAH, FROM C-2 COMMERCIAL RESIDENTIAL ZONE TO R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONE; AND AMENDING THE CITY OF MOAB OFFICIAL ZONING MAP

**Date Submitted:** November 12, 2019

**Staff Presenter:** Cory P. Shurtleff, Assistant Planner

**Applicant:** Rikki Epperson, Community Rebuilds

**Location:** 140 South 200 East, 150 South 200 East, Moab, Utah 84532

**Zoning:** Property at 140 South 200 East currently zoned R-3 Multi-Household Residential Zone, proposed change to C-2 Commercial Residential Zone. Property at 150 South 200 East currently zoned C-2 Commercial Residential Zone, proposed change to R-3 Multi-Household Residential Zone.

**Attachment(s):**

Exhibit A: Draft Ordinance #2020-02

Exhibit B: Application

Exhibit C: Applicant Narrative

Exhibit D: Draft of Property Plan

Exhibit E: Vicinity Map showing surrounding uses and zoning

Exhibit F: Parking Survey

**Options:**

1. Approve Moab City Ordinance #2020-02, with or without modifications; or
2. Continue or table action to a later meeting with specific direction to the City Staff and Applicant as to additional information needed to make a decision; or
3. Deny the requested rezone

**Motion for approval:** I move to approve Moab City Ordinance #2020-02 based on the findings required by Moab Municipal Code 17.04.060 Map amendment approval criteria.

**Background Information:**

The property located at 140 South 200 East is a street front property with street frontage parking, approximately 0.27 acres. This property is zoned R-3 Multi-household Residential and has been operating as Community Rebuilds housing called



“The Ranch”. This property is adjacent to the south and east of the C-2 Commercial Residential Zone.

The property located 150 South 200 East is a 0.87 acre flag lot, zoned C-2 Commercial Residential with access between two R-3 zoned properties. This property has been operating as housing and “Office” space for Community Rebuilds. This property is adjacent to the west of the R-3 Multi-household Residential Zone.

After preliminary application discussions between Community Rebuilds and Planning Staff, Community Rebuilds submitted the Development Code and Zoning Map Amendment Application on November 12, 2019, for Public Hearing and review by the Planning Commission on December 12, 2019. The Planning Commission forwarded a positive recommendation to the City Council 4-0, with recommendation that City Council allow additional public comment on this item.

### **Zoning Map Change Criteria:**

Section 17.04.060 of the Moab Municipal Code sets forth criteria to consider with reviewing a Zoning Map Amendment. The criteria are listed below followed by a response or analysis by city staff as follows:

*17.04.060 Map amendment and approval criteria. The Planning Commission and City Council shall consider the following criteria in reviewing a proposed map amendment.*

*A. Was the existing zone for the property adopted in error?*

Staff Comment: The initial zoning for the property was likely in accordance to adjacent zoning at the time. Because of the changing uses surrounding these properties and the orientation of the existing zones and uses, switching the zones and uses would better serve and facilitate the intention of the zones and uses.

*B. Has there been a change of character in the area including, but not limited to: the installation of public facilities or new utilities; other approved zone changes; new growth trends; deterioration of existing development; or the need for development transitions?*

Staff Comment: With the establishment of neighboring commercial properties and previously existing residential properties, the character of the proposed properties and associated uses would be more compatible with the surrounding uses. Access and impacts would be better mitigated by switching the properties’ zones to align with those adjacent properties and their zoning.

*C. Is there a need for the proposed zoning within the area or community?*

Staff Comment: Yes. Housing has been established as a priority for the community and this zone change would allow to better utilize the existing structures to accommodate local housing with an associated commercial use.



*D. Is the proposed zoning classification compatible with the surrounding area or uses; will there be adverse impacts; and/or can any adverse impacts be mitigated?*

Staff Comment: The proposed zoning classifications for residential and commercial use are compatible with the surrounding uses.

*E. Will benefits be derived by the community or area by granting the proposed zoning?*

Staff Comment: Granting the proposed zoning change would benefit the local community directly by supplying housing and associated business opportunity to those involved in the Community Rebuilds program and its patrons. The proposed zoning would also indirectly benefit the community through the business associated to the property, as Community Rebuilds generates affordable housing in the local community.

*F. Are adequate facilities available to serve development for the type and scope of development suggested by the proposed zoning classification? If utilities are not available, can they be reasonably extended?*

Staff Comment: Adequate facilities are available to serve the type and scope of the development suggested by the proposed zoning classification.

*G. Does the application conform with the provisions of the Moab General Plan, the Land Use Code, and applicable agreements with affected governmental entities?*

Staff Comment: The application conforms with the provisions of the Moab General Plan, and the Land Use Code.

**Comparison of Uses:**

The following table shows the permitted uses in the R-3 and C-2 zones.

<b>Permitted Uses in the R-3 Zone</b>	<b>Permitted Uses in the C-2 Zone</b>
ADUs	Art and crafts shops
Agriculture	Assembly of appliances from previously prepared parts
Daycare	Carpentry Shops
Foster care homes	Convenience establishments that are less than three thousand square feet
Group homes	Day Care
Home occupations	Eating Establishments
Multi-household dwellings	Established Overnight Accommodations
One-household dwellings and accessory uses	Electrical Appliance Shops
Places of worship	Engraving and printing establishments
Planned unit developments	Funeral Establishments
Public facilities	Greenhouse and nurseries
Public libraries	Group Homes
Public parks and public recreation buildings	Gymnasiums
Schools	Home Occupations



Two-household dwellings and accessory uses	Hospitals
	Multi-Household Dwellings
	One-household dwellings and accessory uses
	Outfitters and guide services and facilities
	Parking lots (commercial)
	Place of Worship
	Professional Offices
	Public Buildings
	Public Parks
	Retail establishments that are three thousand square feet or less
	Schools
	Secondhand Stores
	Service Establishments
	Two-household dwellings and accessory uses
	Veterinary clinic with indoor kennel
	Wholesale establishments that are less than three thousand square feet