

CITY OF MOAB PLANNING COMMISSION RESOLUTION NO. 04-2020

A Resolution forwarding a positive recommendation from the Moab Planning Commission to the Moab City Council on the Annexation and Zoning designation of C-4 General Commercial of properties owned by LBH, LLC located at 938 and 940 So. Main Street, Moab UT.

WHEREAS, the following describes the intent and purpose of this resolution:

- a. Property Owner Lions Back Holdings, LLC filed an application with the City of Moab to annex property to the City.
- b. Pursuant to MMC 1.32.030, the Planning Commission may review the annexation and make recommendations to the City Council on the Annexation and on the assignment of appropriate zoning.
- c. The Annexation was certified by the City Recorder on March 25, 2020.
- d. Required notices to the public and affected entities has been given.
- e. Applicant has furnished a Annexation Petition and Plat, consistent with Utah State Law and Local Municipal Ordinances.
- f. The City and the Petitioner have entered into a Pre-Annexation Agreement. This approval incorporates that agreement as part of the recommendation.
- g. Following the consideration of the technical aspects of the pertinent code sections, the Moab Planning Commission, pursuant to Moab Planning Commission Resolution #04-2020, hereby finds, that all applicable provisions of the Moab Municipal Code have or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB PLANNING COMMISSION, recommends approval of the petition for Annexation of LBH LLC, subject to the Pre-Annexation Agreement dated January 28, 2020 and based on the following criteria:

- a. The property must be contiguous to the boundaries of the City.
- b. The property must lie within the area projected for the City municipal expansion.
- c. The property must not be included within the boundaries of another incorporated municipality.
- d. The annexation must not create unincorporated islands within the boundaries of the City.
- e. The property proposed to be annexed hereunder will not be annexed for the sole purpose of acquiring municipal revenue or for retarding the capacity of any other municipality to annex into the same or related area.

PASSED AND APPROVED in an open meeting of the Planning Commission by a majority vote of the of the Moab Planning Commission on April 23, 2020.

SIGNED: _____
Kya Marienfeld, Chair