Moab City Council Agenda Item
Meeting Date: September 8, 2020

Title: Ordinance 2020-14 (previously Ordinance 2019-10): An ordinance amending the Zoning for Property Located at 778 W. Kane Creek Boulevard in the RA-1, Residential-Agricultural Zone, to C-1, Commercial-Residential Zone, and Amending the City of Moab Official Zoning Map, as Favorably Recommended to City Council by the Planning Commission

Disposition: Briefing and action

Staff Presenter: Joel Linares, City Manager

Attachment(s):
- Attachment 1: Proposed Ordinance 2020-14 (previously Ordinance 2019-10)
- Attachment 2: Applicant Justification
- Attachment 3: Proposed Zoning Map

Possible Motion(s): I move to approve/approve with changes/deny (and state findings) Ordinance 2020-14 changing the zoning for property located at 778 West Kane Creek Boulevard from RA-1 to C-1 and amending the City of Moab Official Zoning Map

Background/Summary:
September 8, 2020 update:
At the April 9, 2019 Council meeting, a motion was made to table the ordinance but failed for lack of a second. A motion was made to approve the ordinance but failed for lack of a second.

April 9, 2019 update:
At the March 26, 2019 Council meeting, the City Council deferred action to the April 9 meeting.

From March 26, 2019:
The City received an application from Keith Herrmann to rezone his property located at 778 West Kane Creek Blvd. The property is currently developed as a single-household residence but previously operated as the Adobe Abode bed and breakfast. The bed and breakfast home occupation permit for Adobe Abode was granted by the City Council on March 27, 2001 and continued operations until the business license was canceled on November 1, 2017. Bed and breakfast facilities are not listed as a permitted use in the RA-1 zone and
the owner cannot resume the operation because it does not comply with the zoning regulations.

A comparison of the purpose and permitted uses for each zone is provided for your reference.

<table>
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<tr>
<th>RA-1 Residential Agricultural</th>
<th>C-1 Commercial Residential</th>
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<td>The RA-1 residential-agricultural zone has been established for the primary purpose of providing a location where residential development associated with limited numbers of livestock can be maintained. This zone is currently characterized by large lots or tracts of land interspersed by dwellings, barns, corrals and agricultural service buildings used in connection with farming operations. While the zone is thus characterized, it is intended that the land within this zone shall be further developed into a residential environment exclusive of animals and fowl. Builders and developers of property should bear in mind therefore, that primacy is given in this zone to residential development and that the raising of animals and fowl will likely be curtailed as residential development takes place.</td>
<td>The objectives in establishing the C-1 commercial-residential zone are to facilitate the development of attractive areas within the City that allow the mixing of compatible commercial and residential uses; to provide a buffer zone between residential and more intensive commercial uses; and to facilitate the orderly expansion of commercial uses on lots that lie adjacent to commercial zones.</td>
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**Permitted Uses.** The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

1. Accessory dwelling units as per Chapter 17.70.
2. Agriculture.
3. Agriculture buildings.
4. Cemeteries, public and private.
5. Day care.
7. Group homes.
8. Home occupations subject to the standards set forth in Section 5.80.050.
9. One-household dwellings and accessory uses.
11. Planned unit developments which are connected to a public sewer, subject to the requirements set forth in Chapter 17.66.
12. Premises agricultural occupations.
13. Public facilities.
15. Raising, care and keeping of animals and fowl for household use and consumption.
16. Schools.

1. Arts and crafts shop less than three thousand square feet.
2. Bed and breakfast facilities.
3. Day care.
4. Financial institutions.
5. Funeral establishments.
7. Group homes.
8. Gymnasiums.
9. Home occupations subject to the requirements set forth in Section 5.80.050.
11. Multi-household dwellings.
12. One-household dwellings and accessory uses.
14. Planned unit developments subject to the requirements in Chapter 17.66.
15. Professional offices.
17. Public parks.
18. Retail establishments that are less than three
MMC 17.04.010, Initiation of zoning change

Any person having a proprietary interest in any real property may submit an application for a zoning map amendment or a zoning text amendment, or the planning commission can, on its own motion or on request from the city council, propose, study, and recommend changes to the official zoning map or the text of the Land Use Code. The review requirements for applications to rezone properties are in Moab Municipal Code (MMC) section 17.04.020, Zoning text amendments.

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