Title: Consideration and Possible Recommendation of Resolution #24-2021, A Resolution Approving the Townhome Plat Application for the Thompson Townhomes, property located at 246 E 200 S, Moab UT 84532.

Disposition: Discussion and Possible Action

Staff Presenter: Cory P. Shurtleff, Assistant Planner

Attachment(s):
- Exhibit 1: Draft Planning Resolution #24-2021
- Exhibit 2: Vicinity Map
- Exhibit 3: Recorded County Plat
- Exhibit 4: Draft Survey Plat

Options:
1. Positive Recommendation with or without modifications;
2. Continue action on the item and give specific direction to the applicant and staff as to additional information needed;

Motion for Recommendation: I move that the Planning Commission forward a positive recommendation for Resolution #24-2021, A Resolution Approving the Townhome Plat Application for the Thompson Townhomes, property located at 246 E 200 S, Moab UT 84532.

Applicant: Terence Thompson, Owner

Background:
Terence Thompson, applicant and owner, submitted the City of Moab Pre-Application Meeting Request Form, with associated materials on September 22, 2020. This application was reviewed by the City of Moab Development Review Team, with comments sent back to the applicant after a scheduled Pre-Application Meeting with City Staff. As the proposed development scope did not require additional Staff review through a Site Plan Application, the proposed development was submitted and processed through the Building Permit Application process. The applicant has submitted the Townhome Plat Application, via the Subdivision Application, to record the Townhome Plat ownership division of the 6 unit multi-household dwelling.

Project Summary:
Location: 246 E 200 S, Moab UT
Property Owner: TNT Real Estate Investments LLC, Terence Thompson
Applicant: Terence Thompson
Parcel Size: 0.38 acres
Current Zone: R-3 Multi-Household Residential Zone
Proposed Use: 6 unit Townhome Residential; Multi-Household

**Narrative Summary:**
The applicant is proposing a 6 unit multi-household residential townhome. The two story units will access off of 200 south with enclosed garages facing the west side of the property.

**Process: Condominium Plat/ Townhome Plat**
Section 16.08.020 of the Moab Municipal Code allows exceptions to Final Plat procedures for Minor Subdivisions, with approval by the City Council. This item defined as a Townhome Plat does not have specific code or procedures. The development of 6 multi-household dwelling units in the R-3 Multi-Household Residential zone is permitted by-right through a Building Permit Review process, without additional Planning review process. The Townhome Plat is essentially a function of ownership (similar to that of a Condominium Plat), applied to the permitted development and land area associated with each dwelling unit. Condominium Plats do not require City Council review or approval. A Townhome Plat, given the specific “division” and allocation of land specific to lots, has been historically and by policy recommended by the Planning Commission and approved by the City Council, similar to that of a minor subdivision procedure. The aforementioned MMC sections are included below:

17.79.060
Plat and declaration approval.

All condominium developments shall include a condominium plat and condominium declaration complying with the provisions of the Utah Condominium Ownership Act. The proposed plat and declaration shall be submitted with the application for staff review prior to any applicable decision by the body having land use authority. The final plat for all condominium conversions shall include a signature block for the Planning Commission, City Planner, City Engineer, and City Attorney which must be executed prior to recording. Except where the applicant posts a performance guarantee under Section 16.20.060 (subdivisions) or Section 17.66.180(C) (planned unit developments), the condominium plat and declaration shall not be recorded until all approvals required under by city code have been obtained and all required improvements have been completed. (Ord. 06-10 (part), 2006)

16.08.020
Exceptions--Final plat.

In subdivisions of less than five lots, land may be sold after recording of a plat, if all the following conditions are met:
A. The subdivision plan shall have been approved by the Planning Commission, the planning coordinator, the City Engineer, the City Attorney, other agencies the zoning administrator deems necessary, and the City Council;
B. The subdivision is not traversed by lines of a proposed street, and does not require the dedication of any land for street or other purposes;
C. Each lot within the subdivision meets the frontage width and area requirements of the zoning title or has been granted a variance from such requirements by the appeal authority;
D. All final plat requirements shall be complied with;
E. All provisions of Chapter 16.20 of this title shall be complied with; and
F. The water supply and sewage disposal shall have been approved by the utility
   supervisor. (Ord. 10-06, 2010; Ord. 13-81 (part), 1981: prior code §22-2-2)