

CITY OF MOAB ORDINANCE NO. 2021-15

Proposed Ordinance #2021-15, An Ordinance Approving a Zoning Map Amendment for Property located at Parcel #01-0001-0173, approximately 398 Kane Creek Blvd, Moab UT 84532, changing 7.98 acres of the subject parcel zone from RA-1 Residential-Agricultural Zone to R-3 Multi-Household Residential Zone.

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

- a. Applicant, Jake Satterfield, submitted an application to amend the Zoning Map to change the zoning on Parcel 01-0001-0173 at approximately 398 Kane Creek Blvd, Moab UT, described as:
BEG AT A PT WHICH BEARS N 144 FT± FROM THE SE COR NW¼SW¼ SEC 1 T26S R21E; TH N 478 FT± ALONG THE W SIDE OF NE¼SW¼; TH E ALONG THE N SIDE OF SW¼NE¼SW¼ A DIST OF 639.6 FT TO A PT ON A FENCE; TH S 00°55'W 164.8 FT ALONG THE FENCE; TH S 49°38'W 102.4 FT ALONG FENCE; THENCE S 72°46'W 81.3 FT ALONG FENCE; TH S 37°05'W 22.1 FT ALONG FENCE; TH S 18°05'W 104.3 FT ALONG FENCE; TH S 31°09'E 245.1 FT ALONG FENCE; TH S 17°29'E 28.6 FT ALONG FENCE; TH S 70°39'E 85.7 FT ALONG FENCE; TH S 09°29'E 142.5 FT ALONG FENCE TO A PT WHENCE THE S¼ COR SEC 1 T26S R21E BEARS S 29°35'E A DIST OF 1295.8 FT; TH S 69°36'W 240.7 FT ALONG FENCE; TH S 89°37'W 211.8 FT ALONG FENCE; TH N 0°03'W 400.1 FT ±; TH N 84°12'W 226.7 FT ± TO BEG
- b. The request is to change the zoning on the subject property from RA-1 Residential-Agricultural Zone, to RA-1 and R-3 Multi-Household Residential Zone, approximately 2+/- acres of RA-1, and 7.98+/- acres of R-3; and
- c. The subject parcel zoned RA-1 is approximately 9.98 acres; and
- d. The subject parcel has frontage on Kane Creek Drive. Surrounding Zoning includes: RA-1 Residential-Agricultural, R-3 Multi-household Residential, I-1 Industrial, Floodway (Pack Creek) and C-3 Central Commercial (across Pack Creek); and
- e. The applicant provided the Planning Commission with an application and the appropriate documents as required in MMC Section 17.04. The Planning Commission reviewed the application in a duly advertised public hearing held on August 26, 2021, where the item was positively recommended for approval to City Council; and
- f. The Planning Commission determined that the amendment to the zoning maps is in accordance with the General Plan and development trends of the community. Having evaluated the staff report, statements from the applicant and the public, the Planning Commission concluded that the proposed change in zoning for this property was an acceptable amendment to the Official Zoning Map; and

- g. The Planning Commission and City Council have determined that the review standards in Moab Municipal Code chapter 17.04.060, Map amendment approval criteria, have been met as follows:
- A. The proposed zoning classification for commercial use is compatible with the majority of surrounding uses and impacts to the existing development can be mitigated,
 - B. Adequate facilities are available to serve the type and scope of redevelopment suggested by the proposed zoning classification,
 - C. The surrounding uses will be buffered from other residential and commercial development in the area; and
 - D. The application conforms to the provisions of the Moab General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, having considered public comment, staff comments, and discussion of the pertinent aspects of the proposed zone change, by adoption of Ordinance #2021-15, does hereby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the City Council APPROVES the application to rezone the property located at approximately 398 Kane Creek Blvd, Moab UT 84532, Amending the subject parcel zone from RA-1 Residential-Agricultural Zone, to RA-1 and R-3 Multi-Household Residential Zone amending the Official Zoning Map.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on January 25, 2022.

SIGNED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, Recorder