

CITY OF MOAB ORDINANCE #2023-13

AN ORDINANCE OF THE CITY COUNCIL OF MOAB AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE (MMC), SECTION 17.36.020, TO AMEND THE PERMITTED USES AND REGULATIONS IN THE (I-1) INDUSTRIAL ZONING DISTRICT, TO RELAX THE ZONING REQUIREMENTS FOR SELF-STORAGE WAREHOUSE DEVELOPMENTS AND ADD THE PERMITTED USE FOR KENNELS (INDOOR/OUTDOOR).

WHEREAS, the following findings describe the intent and purpose of this ordinance:

- a. The City has enacted Title 17 Zoning, of the Moab Municipal Code (MMC), that governs land use and development regulations within the City Limits, and from time to time the City undertakes revisions of Title 17 to improve the quality and consistency of land development regulations; and
- b. Any person having a proprietary interest in any real property may submit an application for a zoning map amendment or a zoning text amendment to the Land Use Code; and
- c. The City received an application to amend the requirements for 17.36.020.24 Self-Storage Warehouse use to relax the zoning requirements for self-storage warehouse developments in the Industrial zoning district, as well as add the permitted use for Kennels (Indoor/Outdoor); and
- d. The City finds that this Ordinance, for the purpose of relaxing the requirements for self-storage warehouse use in the Industrial Zone, as well as adding the permitted use for Kennels (Indoor/Outdoor), meets the criteria for allowing industrial zoned properties to be more developable for permitted use developments; and
- e. The Moab Planning Commission reviewed the application in a public meeting held on September 14, 2023, to review the proposed amendments to the Moab Municipal Code, Section 17.36.020; and
- f. The City of Moab has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so; and
- g. The Moab Municipal Code Chapter 17.04, Zoning Map Amendments and Text Amendments, permits the process to allow amendments to the development standards within zoning districts; and
- h. The Council endorses the intent of the Act and finds that the Application meets the criteria for Text Amendments found in chapter 17.04.070 Text Amendment Criteria:
 1. The proposed use is substantially similar to other authorized uses permitted within the subject zoning district.
 2. The changes to self-storage warehouse use may not have been a new development concept that was not anticipated at the time of the adoption of the City's General Plan. However, the text amendment will allow this use type to have similar setbacks and buffer requirements as other similar uses in the zoning district.
 3. The text amendment is consistent with the policies and goals of the General Plan.
 4. The amendment will not create significant adverse impacts upon neighboring

properties within or adjacent to the zoning district which would be affected by the change.

5. It is in the public interest to approve the proposed amendment.
6. The amendment will likely lead to positive redevelopment of a specific zone.
7. The amendment will provide a variety of options for residents in terms of economic development and other benefits.
8. The amendment is appropriate considering the existing conditions in the zoning district, the established relationships between zoning districts, existing land uses and densities, and the scale of both existing and proposed development.

NOW, THEREFORE, BE IT ORDAINED by the Moab City Council that:

1. The Application for the text amendment of 17.36.020.24, Self-Storage Warehouse, and addition of 17.36.020.28, Kennels (Indoor/Outdoor), Permitted-Use, in the I-1 Industrial Zoning district, is hereby APPROVED and adopted into the City of Moab Municipal Code, upon recommendation from the Planning Commission for said text amendment.

2. This ordinance shall take effect immediately upon its posting pursuant to U.C.A. 10-3-711 and 63G-30-102.

PASSED AND APPROVED this 26th day of **Septmeber** 2023, by a majority of the City of Moab City Council.

SIGNED:

Joette Langianese, Mayor

Date

ATTEST:

Sommar Johnson, Recorder

(Complete as Applicable)

Summary of ordinance posted to Moab City Website, the Utah Public Notice Website, and in a public location within the City boundaries pursuant to U.C.A. 10-3-711 and 63G-30-102 on: September 1, 2023, by Cory P. Shurtleff, Planning Director, City of Moab.

Effective date of ordinance: _____

AMENDMENT TO 17.36.020. PERMITTED USES AND REGULATIONS IN (I-1) INDUSTRIAL ZONE.

24. Self-storage warehouses.

a. All new self-storage warehouse facilities or expansions are subject to approval of a site plan as described in Chapter [17.67](#), Site Plan Review.

b. All drives and parking area surfaces shall consist of a maintained all-weather dust free surface such as asphalt, concrete, bricks, pavers, cobblestones or some other porous surface, but gravel is not allowed.

c. Drive lanes must be of a sufficient width to allow vehicles to pass when another is loading or unloading by a unit.

d. Traffic impacts shall be evaluated and mitigated in accordance with Sections [17.67.040\(M\)](#) and [\(N\)](#).

e. Self-storage warehouses shall be screened/buffered from adjacent properties by the use of decorative/solid wooden privacy fencing or decorative block walls. Fences/walls shall be constructed to a minimum of six feet in height when adjacent to other commercial zones and no less than eight feet when adjacent to residential zones. Landscaping shall also be incorporated into the screening effort at the following rate:

i. Landscape designs shall be in harmony with the environmental context of the development site. Preservation of native, on-site vegetation shall be a primary objective of site planning for development. Specimen plants shall be given particular consideration for retention on site.

ii. Wherever the undisturbed natural desert landscape cannot be preserved, landscape design and construction shall promote the use of transplanted, on-site desert plants, container plants, seeded desert plants and inorganic ground covers. This standard shall be particularly emphasized on all landscaped areas abutting public rights-of-way.

iii. Trees shall be a minimum of fifteen gallons in size, or of comparable height if bare-rooted, at planting time. If twenty-four-inch box trees or transplanted trees of two-inch caliper or larger are planted for all of the required trees, a reduction of one required tree per one hundred linear feet will be allowed.

(A) Trees shall be planted at appropriate intervals so that a continuous perimeter canopy will be provided at maturity and not be at a rate of less than four canopy trees and six understory trees per one hundred feet of buffer length;

(B) Trees and shrubs shall be planted so that at maturity they do not interfere with service lines, traffic sight lines and the property rights of adjacent property owners;

(C) Any tree placed in the sight visibility triangle must be of a box size large enough to be immediately pruned up to a seventy-two-inch height for clear sight visibility. All other trees shall be placed so that severe pruning is not required to keep the sight visibility triangle clear.

iv. Trees located within sight visibility triangles shall not exceed one foot in their greatest cross-sectional dimension at maturity and shall not be planted in a line that could result in a solid wall effect when viewed at an angle; and

(A) Trees planted within ten feet of public sidewalks or curbs shall be provided with suitable root diverters to minimize heaving of those improvements.

v. *Ground Covers.*

(A) When inorganic ground covers are used they shall be in combination with live plants and not exceed two-thirds of the total area of applied ground covers.

(B) Turf use is prohibited.

(C) Unpaved areas in any plant bed, median or tree understory within a planter shall be planted with shrubs, accents or vines, or covered with appropriate organic and inorganic ground covers.

(D) All areas not required for buildings, access drives, parking spaces, trails, and accessory uses shall be landscaped.

vi. *Shrubs.*

(A) Shrubs shall be either deciduous species planted at two and one-half feet in height with a mature height of at least six feet or a coniferous species planted at two and one-half feet in spread. Shrubs shall be at least five gallons in size or at least thirty-inch-tall pots at planting time;

(B) Shrubs shall be planted at a rate of twenty-four shrubs for each one hundred feet of buffer length, or a portion thereof.

f. Maintenance and replacement of all vegetation is the responsibility of the owner(s) of the property.

g. Landscaping shall be provided in accordance with the requirements above. Landscape screening shall be provided and maintained along the perimeter of the property and consist of ten feet in depth; ~~unless the adjacent property is zoned I-1 Industrial, then the buffer shall be reduced to five feet.~~

h. All structures shall be maintained in accordance with the adopted version of the International Property Maintenance Code.

~~i. The lot size shall be between a minimum of two acres and a maximum of five acres.~~

~~j. The total area covered by buildings shall not exceed fifty percent of the site.~~

k. The maximum height of the enclosed building or buildings permitted shall not exceed ~~twenty-three~~ twenty-three feet.

~~l. No outside storage is permitted except for large vehicles and boats that are under a permanent cover. The permanent cover shall not exceed twenty-four feet in height.~~

m. The storage of hazardous, toxic, or explosive substances, including, but not limited to, hazardous waste, industrial solid waste, medical waste, municipal solid waste, septage, or used oil, is prohibited.

~~n. No business activity other than the rental of storage units shall be conducted on the premises.~~

o. One dwelling unit is permitted on the same lot for use as a caretaker dwelling.