

MOAB CITY PLANNING COMMISSION MINUTES
August 21, 2023

The Moab City Planning Commission held a special meeting on the above date in City Council chambers. Audio is archived at www.utah.gov/pmn and video is at www.youtube.com/watch?v=IRSa1kzRZC8.

Call to Order: Planning Commission Chair Kya Marienfeld called the meeting to order at 5:02 p.m. Commission Members Miles Loftin, Jill Tatton, Machael Layton and Carolyn Conant attended. City Planning Director Cory Shurtleff, Planning Administrator Anna Anglin, City Council liaison Luke Wojciechowski, Community Development Director Michael Black and City Attorney Clayton Preece also attended, as well as one member of the public.

Public Comments: There were no public comments.

Approval of Minutes: Commission Member Loftin moved to approve minutes for the July 14, 2023, Regular Meeting. Commission member Tatton seconded the motion. The motion passed 3-0 with Commission Members Loftin, Marienfeld and Tatton voting aye and Commission Members Conant and Layton abstaining.

Remanded Level II Site Plan Findings and Conclusions—Approved

Presentation and Discussion: Planning Director Shurtleff and Commission Chair Marienfeld presented a summary of the findings and conclusions of the remanded 2022 Level II Site Plan for the Cottonwood Condominiums on Property Located at 214 South 200 East, Moab UT. It was explained that the Administrative Law Judge serving as the Land Use Appeal Authority directed the Planning Commission to determine if certain elements of the remanded site plan are consistent with the 15-foot buffer. Specific findings determined that all elements complied with Moab Municipal Code and pertained to an exterior perimeter 6-foot fence, planter box hardscape and gravel, plants and trees in the planter area, a hardscape crushed granite (gravel) path, patio pavers and exterior unit walkways, landscaping pony walls between yard spaces, firewalls that separate each condo, and roof eaves extending 18 inches into the Buffering Area.

Motion and Vote: Commission Member Tatton moved that the City of Moab Planning Commission approve the findings and conclusions for the remanded Level II Site Plan for the Cottonwood Condominiums 2022 Project, **Planning Resolution 02-2023**. Commission Member Loftin seconded the motion. The motion passed 4-0 aye, with Commission Members Tatton, Loftin, Marienfeld and Layton voting aye and Commission Member Conant abstaining.

Public Hearing: Screening and Buffering Requirements

Commission Chair Marienfeld opened a public hearing at 5:16 p.m. regarding **Ordinance 2023-12**, an ordinance amending the text of Moab Municipal Code (MMC), clarifying the screening and buffering requirements for the multi-household dwellings permitted use.

Public Comments: Mike Toninelli encouraged the Planning Commission to examine each project and to visit sites to envision impacts on neighbors. He noted his own request for an 8-foot fence to provide more privacy between his home and a large apartment development, and he said a 6-foot fence was approved. He cautioned Commissioners to resist promises and claims of developers and noted homeowners have proportionally a lot more invested in the outcome than developers have. He explained he and other neighbors were not notified when the adjacent property was annexed into the City and rezoned from Rural Residential to Commercial.

Commission Chair Marienfeld closed the public hearing at 5:26 p.m.

Screening and Buffering Clarification Code Amendments—Approved

Discussion: Commission Chair Marienfeld brought up a question regarding a recently built condominium project that had no buffering and Planning Director Shurtleff explained the buffer

requirement is triggered when a development includes seven or more units and the referenced project had six units. Shurtleff presented the existing code language and pointed out the new code will require 8-foot fences as Mr. Toninelli had requested. Shurtleff pointed out the remanded approval meets current requirements. Marienfeld brought up a concern about the wording of elements that reduce impacts. Commission Member Loftin clarified the proposed text amendment reinforces the recent findings and conclusions for the remanded site plan. Attorney Preece explained that the buffer zone determines the horizontal distance required, and with no landscape elements, the minimum distance between the structure and the property line is 15 feet. Commission Member Layton asked for clarification between a setback and a buffer zone. Commission Member Loftin reiterated that the text amendment as proposed gives guidance to developments in progress until such time that the revised landscaping ordinance is adopted.

Motion and Vote: Commission Member Loftin moved that the City of Moab Planning Commission forward a positive recommendation to City Council on **Ordinance 2023-12**, an ordinance amending the text of Moab Municipal Code (MMC), clarifying the screening and buffering requirements for the multi-household dwellings permitted use. Commission Member Tatton seconded the motion. The motion passed 4-0 aye, with Commission Members Tatton, Loftin, Marienfeld and Layton voting aye and Commission Member Conant abstaining.

Introductions: Community Development Director Michael Black introduced himself to the Planning Commission. Commission Members introduced themselves and Commission Chair Marienfeld welcomed new Members Conant and Layton.

Future Agenda Items: Planning Director Shurtleff announced there would be no regularly scheduled meeting on August 24 and the next regular meeting would be held September 14. He expected a master planned development review, a dark sky ordinance workshop, and a proposed zoning amendment for the industrial zone.

Councilmember Wojciechowski suggested Council Members have questions regarding the need for the text amendments for the buffering zone. He said the proposed landscape ordinance was moving forward. He said the City's pre-annexation process needs review regarding opportunities for public input.

Adjournment: Commission Chair Marienfeld adjourned the meeting at 6:09 p.m.