

ORDINANCE #2019-07

AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE, C-1, COMMERCIAL-RESIDENTIAL ZONE, SECTION 17.20.020, USE REGULATIONS, WITH THE ADDITION OF “EATING ESTABLISHMENTS, EXCLUDING DRIVE-IN AND DRIVE- THROUGH SERVICES”, AND MOAB MUNICIPAL CODE SECTION 17.20.040(E), TO READ “NO BUILDING OR STRUCTURE SHALL EXCEED TWENTY-FOUR FEET IN HEIGHT, EXCEPT THAT IN MIXED-USE DEVELOPMENTS CONSISTING OF BOTH COMMERCIAL AND RESIDENTIAL USES, NO BUILDING OR STRUCTURE SHALL EXCEED THIRTY FEET IN HEIGHT.”

The following findings describe the intent and purpose of this ordinance:

- a. The City has enacted Title 17.00, Zoning, of the Moab Municipal Code, which governs land use and development within the City Limits.
- b. From time to time the City undertakes revisions of Title 17.00 to improve the quality of land development and align the Code with state law and contemporary planning concepts.
- c. The City finds that this ordinance will serve the public health, safety, and welfare, and that adoption is in the best interest of the Moab community.
- d. The City finds that this ordinance will serve the public health, safety, and welfare, and that adoption is in the best interests of the Moab community.
- e. This ordinance was reviewed by the Planning Commission on February 28, 2019, and in a unanimous vote, the Commission favorably recommended approval of the ordinance to City Council.

Therefore, the City of Moab hereby adds a use of “Eating establishments excluding drive-in and drive through services” as number “4” to Moab Municipal Code Section 17.20.020, *Use requirements*, as noted below;

17.20.020, Use Regulations

4. Eating establishments excluding drive-in and drive-through services

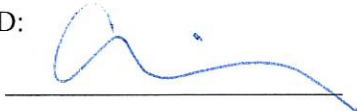
AND,

17.20.040(E), Special provisions, shall be amended to read:

E. No building or structure shall exceed twenty-four feet in height, except that in mixed-use developments consisting of both commercial and residential uses, no building or structure shall exceed thirty feet in height. Building height shall be measured as the vertical distance from the average finished grade of the building line to the midpoint of the highest peak of the roof.

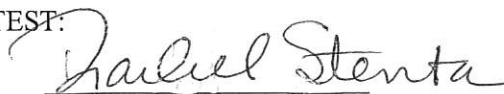
PASSED AND APPROVED in open Council by a majority vote of the Moab City Council on the 12th day of March, 2019. This ordinance shall take effect immediately upon passage.

SIGNED:



Emily S. Niehaus, Mayor

ATTEST:



Rachel Stenta, City Recorder