

**CITY OF MOAB
PLANNING COMMISSION
PUBLIC HEARING
PROPOSED ORDINANCE 2017-04**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, February 9, 2017 at approximately 6:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this Public Hearing is to solicit public input on proposed Ordinance 2017-04, an ordinance amending the City of Moab Municipal Code, Chapter 17.30.020, Use Requirements, by allowing bike shops as an allowed use in the C-5 Zone.

The proposed ordinance is available for public review at the Moab City Planning Office located at 217 East Center Street and on the website at www.moabcity.org. Written public comment may be directed to the Planning Department at the listed address. To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Planning Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5129 at least three (3) working days prior to the meeting.

/s/ Sommar Johnson
Zoning Administrator

Published in the Times Independent, January 26, 2017 and February 2, 2017.

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ORDINANCE #2017-04

AN ORDINANCE TO AMEND MOAB MUNICIPAL CODE SECTION 17.30.020, USE REQUIREMENTS, FOR THE C-5, NEIGHBORHOOD COMMERCIAL ZONE

WHEREAS, the City of Moab (“City”) adopted Chapter 17, Zoning, of the Moab Municipal Code (“Code”) to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of the city by guiding development within the City of Moab in accordance with the General Plan; and

WHEREAS, the City received an application for a Code text amendment from Mr. Patrick Scherer, 1575 Old Mail Trail, Moab, Utah, 84532, as owner of record of a parcel located in the C-5 Zone that requests amending code section 17.30.020 by adding the use of a bike shop to the list of allowed uses; and

WHEREAS, the proposed use is similar to the existing allowed retail uses of pet shops and grocery stores less than three thousand square feet; and

WHEREAS, the proposed use has fewer impacts than most of the other allowed uses of convenience establishments, parking lots, schools and other public buildings, child care centers; cafes, gymnasiums, apartments, one- and two-family dwellings, fraternal organization lodges, medical clinics and professional offices, or veterinary clinics with no outside kennel or livestock pen; and

WHEREAS, the Moab Planning Commission held a duly advertised public hearing on February 9, 2017, to hear and decide the merits of said amendment; and

WHEREAS, the Commission, subsequent to reviewing the public testimony and the recommendation of Staff, favorably recommends to Council by a __-__ vote that the suggested amendment be adopted; and,

WHEREAS, Council agrees with the Planning Commission that the proposed use is in compliance with MMC Chapter 17.30.010, *Objectives and characteristics*, which states: “The C-5 neighborhood commercial zone has been established for the primary purpose of providing a location where commercial establishments can be located where people who live in the surrounding neighborhood can obtain daily household goods and services conveniently. This zone is characterized by stores, shops and establishments situated in landscaped surroundings that are maintained in harmony with amenities of adjacent residential development.”

NOW, THEREFORE, Council hereby declares and ordains that the following changes are adopted and the specified code chapter and sections are amended as noted below:

17.30.020 Use requirements.

The following buildings, structures and uses of land shall be permitted in the C-5 zone upon compliance with the requirements set forth in this title:

- A. Convenience establishments as defined in this title;
- B. Parking lots;
- C. Pet shops;
- D. Signs;
- E. Rest homes;
- F. Schools and other public buildings;

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- G. Child care center;
- H. Cafes;
- I. Gymnasiums;
- J. Apartments;
- K. Two-family dwellings;
- L. Single family dwellings;
- M. Fraternal organization lodges;
- N. Medical clinics;
- O. Professional offices;
- P. Grocery stores less than three thousand square feet;
- Q. Veterinary clinics with no outside kennel or livestock pen;
- R. Bike shops;** and
- S. Planned unit developments subject to the requirements and conditions set forth in Chapter [17.66](#) (Planned Unit Developments) of this title relating to large-scale developments.

In effect on the day of passage;

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on the _th day of _____, 2017.

SIGNED:

David L. Sakrison, Mayor

ATTEST:

Rachel Stenta, Recorder

Date: 11Jan2017

To: Department of Planning and Community Development

From: Double Down Bike Shop

Re: Text Amendment for C5 Neighborhood Commercial Zoning

Double Down Bike Shop is respectfully requesting a use-by-right text amendment for the C-5 neighborhood commercial zone, adding "bike shop". The proposed property address is 350 South 400 East. The business plan is a "boutique" bike shop offering rentals, sales and repairs of a single brand, Canfield Brothers. Based out of Bellingham, Washington, the Canfields have always had a special relationship with Moab. As a web based Mountain Bike company, this will be their first and only bike shop.

Historically, this address has been used as a medical office, retail clothing and used goods store, coffee shop, video store and professional office. Currently, within close proximity, there is a small grocery store, a fast-food restaurant, two large new office buildings, a motel, a barber shop, a bike touring company and a large commercial building which was most recently a retail space. This area, in line with the general plan, has become a commercial hub adjacent to Main Street.

This location is ideal for a bike shop due to its proximity to Moabs own trail system. Currently there is no retail space available on main street. Obtaining land and building is not economically feasible and further impacts our infrastructure. With the heavy traffic on Main Street, biking has become more dangerous with increasing motor vehicle versus bike accidents. From this location, bikers may access the Slickrock, Kane Springs and Bar M trails via bike paths and lanes with never touching Main Street. Recently, there has been concern for excessive noise in town due the increased motorized traffic. As a bike hub, this location may actually decrease motorized traffic.

Impact on neighboring properties shall be positive. Adjacent businesses are within walking distant and should benefit economically. The normal daytime hours should not impact the non-commercial neighbors. This property has had a very high turnover the previous twenty-five years. We are confident in our business model and plan on improvements to the building and land with no added burden to our waste water treatment plant. Just as Daves Corner Market has become a place for people to congregate and socialize, we plan for our shop to have a similar local Moab flavor.

The owners of Double Down have nearly four decades of residence in Moab and are acutely aware of the wage and housing crisis in Grand County. Our goal is to provide employment that is emotionally and fiscally rewarding.