

**CITY OF MOAB  
PLANNING COMMISSION  
PUBLIC HEARING  
PROPOSED ORDINANCE 2018-01**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, February 22, 2018 at approximately 6:15 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 2018-01, an ordinance amending the City of Moab Municipal Code, Sections 17.20, 17.21, 17.24, 17.27, 17.30, 17.31, 17.35, 17.42, 17.45, 17.48, 17.51, and 17.54 pertaining to uses in the specific zones; amending section 17.06.020, Definitions; amending section 17.69 Secondary Dwelling Units to read "Accessory Dwelling Units"; and repealing Chapters 17.09.530 and 17.09.531, Conditional Uses.

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](http://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, February 8, 2018 and February 15, 2018.

**ORDINANCE #2018-01**

**AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE, SECTIONS 17.20, 17.21, 17.24, 17.27, 17.30, 17.31, 17.35, 17.42, 17.45, 17.48, 17.51, and 17.54 PERTAINING TO USES IN THE SPECIFIC ZONES; AMENDING CHAPTER 17.06.020 DEFINITIONS; AMENDING SECTION 17.69 SECONDARY DWELLING UNITS TO READ "ACCESSORY DWELLING UNITS"; AND REPEALING CHAPTERS 17.09.530 AND 17.09.531, CONDITIONAL USES**

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 to revise its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts.
- c. The City has experienced complications in uses with the status of "Conditional" and desires to remove them from the schedule of uses in each zone.
- c. Council believes that removal of conditional uses is necessary to: i) eliminate misunderstandings of the review criteria; ii) assure that there is a clear understanding of the allowed uses in each zone; iii) promote development in accord with the objectives and characteristics of the zones while providing sufficient standards to mitigate potential impacts on adjacent properties
- d. Repealing Chapters 17.09.530 and 17.09.531 that deal with Conditional Uses will aid in removing ambiguity from the Code.
- e. Amending the definitions in MMC Section 17.06.020 will provide clear descriptions of uses that have not been defined in past iterations of various code sections.
- f. 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.
- g. This ordinance was reviewed by the Planning Commission on February \_\_, 2018, and in a \_\_to\_\_ vote, the Commission recommended approval to adopt.

Therefore, the City of Moab enacts as follows:

Sections 17.09.530 and 17.09.531 are hereby *repealed* in their entirety and the City Council adopts the following amendments to the Code:

**17.20**  
**C-1 Commercial – Residential**

17.20.010 Objectives and characteristics.

A. The objectives in establishing the C-1 commercial-residential zone are to facilitate the development of attractive areas within the city that allow the mixing of compatible commercial and residential uses; to provide a buffer zone between residential and more intensive commercial uses; and to facilitate the orderly expansion of commercial uses on lots that lie adjacent to commercial zones.

B. The C-1 commercial-residential zone is characterized by attractive and well-maintained commercial and residential buildings set back from public streets and surrounded by landscaped yards. In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential characteristics of the zone, the regulations set out in this chapter shall apply in the C-1 commercial-residential zone.

17.20.020 Permitted Uses and Regulations.

1. Arts and crafts shop less than three thousand square feet
2. Bed and breakfast facilities

All Bed and Breakfast facilities shall comply with the following standards:

- A. Bed and breakfast facilities may be allowed where the proprietor can show evidence of compliance with the standards and procedures outlined below and where there is minimal impact on adjacent residential properties and neighborhoods. An inspection by the building inspector, fire chief and health department shall be required prior to issuance of a business license, and as often as necessary for enforcement of this chapter. No person shall operate a bed and breakfast unless the person holds a valid business license.
- B. A written letter sworn before a notary public shall be provided by the owner(s) stating that such owner or a manager will occupy the facility, as provided for herein. The letter shall be recorded by the city recorder.
- C. The bed and breakfast shall conform to the requirements for landscaping found in Sections 17.09.360 through 17.09.420.
- D. The bed and breakfast facility shall not unduly increase local traffic in the immediate neighborhood. A bed and breakfast shall not be located on a cul-de-sac, dead-end street, or a zoning lot with a street frontage of less than fifty feet.
- E. There shall be a minimum perimeter separation of three hundred feet between property lines of bed and breakfasts.
- F. Construction and alterations of bed and breakfast facilities shall not alter the residential appearance of the dwelling. A new structure shall not be constructed solely for the use of a bed and breakfast. A property owner may not operate a bed and breakfast for a period of five years after the date a certificate of occupancy is issued. Bed and breakfast facilities shall be located in an existing structure that is a minimum of two thousand square feet in size. Additions to an existing structure for a bed and breakfast use shall not exceed twenty percent of the total area of the existing structure.

- G. The parcel shall also be of sufficient size to be in scale with the number of people using the facility. All bed and breakfast rentals must provide adequate parking (required one off-street parking space per rental bedroom) in addition to needed parking for owners of the facility. A maximum stay shall not exceed thirty days, and meals shall be served only to guests. One off-street parking space for trailers must be provided per every two off-street parking spaces for vehicles.
  - H. No bed and breakfast facility shall rent for compensation more than five rooms. Suites that do not use a public corridor or passageway between suite bedroom areas shall be counted as one room.
  - I. No bed and breakfast facility shall allow more than two adults in any rental room unless the bedroom square footage is larger than three hundred square feet and does not use a public corridor or passageway between suite bedroom areas.
  - J. Signs are limited to one non-flashing sign not larger in area than four square feet. If lighted, the light shall be diffused or shielded and downward directed.
  - K. All bed and breakfast facilities shall pay water and sewer rates according to the rates established by the City Council.
  - L. All bed and breakfasts must collect and pay an applicable transient room tax, sales tax, and pay a city gross business license fee.
  - M. The bed and breakfast facility shall conform to fire, building and health codes and be licensed in conformance with all city ordinances.
3. Day care
- Day care shall be permitted to operate subject to the following standards:
- A. Valid day care license issued by the State of Utah is required
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    - 1. Ingress and egress to the property;
    - 2. Drop off/pick up areas;
    - 3. Traffic circulation;
    - 4. Off-street parking;
    - 5. Landscaping;
    - 6. Buffering or separation from dissimilar uses;
    - 7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
4. Dwellings above the ground floor of commercial uses
5. Financial institutions
- Standards for drive-through windows for financial institutions:
- A. The drive-through use shall not interfere with traffic circulation to and from the building site;
  - B. The drive-through use shall not hinder the use of available parking areas or access to parking areas;

- C. The drive-through use shall utilize additional landscaping, berms, and/or fencing as required to serve as a buffer for light and/or noise;
  - D. Design features shall be incorporated for the sufficient protection of adjacent uses from adverse impacts including noise, vibration, smoke, fumes, gas, dust, odor, lighting, glare, traffic minimization or circulation, parking issues, or other undesirable or hazardous conditions;
  - E. Provisions for proper maintenance of the drive areas, lighting, signage, landscaping, etc. shall be provided;
  - F. The drive-through window shall be operated only during normal business hours;
  - G. The developer or proprietor must demonstrate that site impacts within the property as well as adjoining properties have been fully mitigated appropriate to the topography of the site. The review of impacts include, at a minimum, slope retention, flood potential, and possible damage to riparian or hillside areas.
6. Funeral establishments
7. Greenhouses and nurseries
8. Group homes
- A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:
- A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
  - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
  - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code
9. Gymnasiums
10. Home occupations subject to the requirements set forth in Section 17.09.540
11. Hospitals
12. Multi-household dwellings
- Multi-Household Dwellings of Seven or More Units. All multi-family multi-household development of seven or more units shall be subject to the following requirements:
- A. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
  - B. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
  - C. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
  - D. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.

- E. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
- F. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation- also called a "rec room".

13. One-household dwellings and accessory uses

14. Places of worship

All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.
- D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- E. Adequate parking for the intended use is provided.

15. Planned unit developments subject to the requirements in Chapter 17.66

16. Professional offices

17. Public buildings

This type of use shall be allowed when in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

18. Public parks

19. Retail establishments that are less than three thousand square feet

20. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- D. Adequate parking for the intended use is provided

21. Two-household dwellings and accessory uses

22. Veterinary Clinic with Indoor Kennel

- A. Noise, odor and glare shall be contained on the property.
- B. Fencing, landscaping, the design of parking areas, and downward directed and full cut-off light fixtures shall be used to reduce impacts on adjacent properties.
- C. Parking shall be provided at a rate of one space per one thousand square feet and one space per each employee. ADA handicapped accessible spaces shall be provided as required.
- D. A buffer area of twenty-five feet shall be used to provide a separation from other uses and adjacent properties. Buffering shall include the elements of subsection B above.
- E. Vehicular ingress and egress traffic patterns shall be designed to not impede existing traffic flows and provide adequate interior circulation.
- F. Hours of operation for public access shall be from 7:00 a.m. to 7:00 p.m.
- G. Landscaping shall consist of berms, solid wooden privacy fence, decorative block wall or combination thereof and be in accordance with the requirements of Sections 17.09.360 (landscaping--required) and 17.09.370 (landscaping--specifications). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

23. Wholesale establishments less than three thousand square feet

**17.21**  
**C-2 Commercial – Residential**

17.21.020 Permitted Uses and Regulations.

The following uses shall be permitted in the C-2 commercial-residential zone upon compliance with requirements set forth in this title:

1. Art and craft shops
2. Assembly of appliances from previously prepared parts (contained within a building)
3. Carpentry shops
4. Convenience establishments that are less than three thousand square feet
5. Day care
  - Day care shall be permitted to operate subject to the following standards:
    - A. Valid day care license issued by the State of Utah is required
    - B. City of Moab business license is required.
    - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
      1. Ingress and egress to the property;
      2. Drop off/pick up areas;
      3. Traffic circulation;
      4. Off-street parking;
      5. Landscaping;
      6. Buffering or separation from dissimilar uses;
      7. Open space for older kids.
    - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
    - E. Odor, noise, and glare shall be restricted to the property.
    - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
6. Eating establishments less than 2,000 square feet excluding drive-ins or drive through services
7. Electrical appliance shops (wholesale)
8. Engraving and printing establishments
9. Fraternity and sorority buildings
10. Funeral establishments
11. Green houses and nurseries
12. Group homes
  - A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:
    - A. Such homes must be state-licensed.
    - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.

- C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
- D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code

13. Gymnasiums

14. Home occupations subject to the requirements set forth in Section 17.09.540

15. Hospitals

16. Lodging establishments (under ten units)

17. Multi-household dwellings

Multi-Household Dwellings of Seven or More Units. All multi-family multi-household development of seven or more units shall be subject to the following requirements:

- A. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
- B. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
- C. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
- D. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
- E. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
- F. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation.

18. One-household dwellings and accessory uses

19. Outfitters and guide services and facilities

20. Parking lots (commercial)

21. Places of worship

All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

- D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- E. Adequate parking for the intended use is provided.

22. Professional offices

23. Public buildings

This use shall be allowed when in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

24. Public parks

25. Retail establishments that are three thousand square feet or less

26. Service establishments

27. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- D. Adequate parking for the intended use is provided

28. Secondhand stores

29. Two-household dwellings and accessory uses

30. Veterinary Clinic with Indoor Kennel

- A. Noise, odor and glare shall be contained on the property.
- B. Fencing, landscaping, the design of parking areas, and downward directed and full cut-off light fixtures shall be used to reduce impacts on adjacent properties.
- C. Parking shall be provided at a rate of one space per one thousand square feet and one space per each employee. ADA handicapped accessible spaces shall be provided as required.
- D. A buffer area of twenty-five feet shall be used to provide a separation from other uses and adjacent properties. Buffering shall include the elements of subsection B above.
- E. Vehicular ingress and egress traffic patterns shall be designed to not impede existing traffic flows and provide adequate interior circulation.
- F. Hours of operation for public access shall be from 7:00 a.m. to 7:00 p.m.

31. Wholesale establishments that are less than three thousand square feet (wholesale establishments with stock on premises but excluding establishments whose principal activity is that of a storage warehouse)

## **17.24**

### **C-3 Central Commercial Zone**

#### 17.24.020 Permitted Uses and Regulations:

1. Assembly of appliances from previously prepared parts
2. Auto body and fender shops, auto painting
3. Bars
4. Day care  
Day care shall be permitted to operate subject to the following standards:
  - A. Valid day care license issued by the State of Utah is required
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    1. Ingress and egress to the property;
    2. Drop off/pick up areas;
    3. Traffic circulation;
    4. Off-street parking;
    5. Landscaping;
    6. Buffering or separation from dissimilar uses;
    7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
5. Drive-through windows
6. Dwellings above the ground floor of a nonresidential structure
7. Eating establishments
8. Engraving and printing establishments
9. Funeral establishments
10. Garages and car lots
11. Ground floor dwellings for legally constituted housing authorities or legally recognized nonprofit land trust.  
Ground floor dwellings shall be allowed in the C-3 zone when all of the following exist:
  - A. The owner of the property is a legally constituted housing authority as recognized by the state of Utah, Grand County, or the city of Moab, or alternatively, the owner of the property is a legally recognized nonprofit land trust operating under a signed property management contract with a legally constituted housing authority as recognized by the state of Utah, Grand County, or Moab City;
  - B. The dwellings are limited to affordable housing units, which shall be defined as housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent of the median gross income of Moab City or Grand County for households of the same size;
  - C. Noncomplying ground floor dwellings already exist on the property; and

D. No existing commercial or retail activities shall be displaced.

Ground floor dwellings permitted under the provisions of this chapter shall be exempt from the designated recreation area requirements of Section 17.09.670.

The Moab planning commission shall have authority to waive or alter off-street parking requirements for projects allowed under the provisions of this section, provided the developer can show that the waiver or alteration of off-street parking requirements will socially benefit the community through the enhancement of the quality and/or quantity of affordable dwelling units.

15. Ground floor employee dwellings.

Dwellings and apartment houses are permitted on the ground floor only when constructed in conjunction with a commercial use. Such dwellings and apartment houses on the ground floor must adhere to the following standards:

- A. The housing units shall be for employees of the business that operates the premises on which the employee housing units are built;
- B. The housing units shall be located on the business property or on a directly adjacent property;
- C. Housing shall meet all residential standards of the International Building Code;
- D. The lease term shall be for a period of not less than thirty-one days;
- E. In no case shall employee housing be physically located in front of a building;
- F. Employee housing may be allowed at a rate of up to twenty percent of the commercial structure or two units per ten thousand square feet of the floor area of the commercial structure and shall not exceed one thousand square feet per unit in size; and
- G. Off-street parking shall be provided at a rate of 0.75 spaces/unit.
  - 1) An exception to the required employee housing parking spaces may be granted by the planning commission if the applicant can show that more than sufficient parking exists for the commercial use;

12. Gymnasiums

13. Historic dwelling

Dwellings that have or may have historical significance may apply for historic designation through the review process contained in Chapter 17.90. The dwelling must satisfy the review criteria and meet the standards included in that chapter.

14. Hospitals

15. Lodging

16. Parking lots (commercial)

17. Professional offices

18. Public buildings

19. Retail establishments

20. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.

- D. Adequate parking for the intended use is provided
- 21. Service establishments
- 22. Service stations
- 23. Veterinary Clinic with Indoor Kennel
  - A. Noise, odor and glare shall be contained on the property.
  - B. Fencing, landscaping, the design of parking areas, and downward directed and full cut-off light fixtures shall be used to reduce impacts on adjacent properties.
  - C. Parking shall be provided at a rate of one space per one thousand square feet and one space per each employee. ADA handicapped accessible spaces shall be provided as required.
  - D. A buffer area of twenty-five feet shall be used to provide a separation from other uses and adjacent properties. Buffering shall include the elements of subsection B above.
  - E. Vehicular ingress and egress traffic patterns shall be designed to not impede existing traffic flows and provide adequate interior circulation.
  - F. Hours of operation for public access shall be from 7:00 a.m. to 7:00 p.m.
- 24. Wholesale establishments with stock on premises but excluding establishments whose principal activity is that of a storage warehouse

**17.27**  
**C-4 General Commercial Zone**

17.27.020 Permitted Uses and Regulations.

1. Asphalt/Concrete Batching Plant, Temporary

A temporary asphalt or concrete batching plant for producing asphalt or concrete products used in construction activities on the same or nearby sites is permitted subject to the following standards.

- A. The batching plant site shall comply with all applicable provisions of city, state and federal laws.
- B. The batching plant shall not be located within six hundred feet of a residence.
- C. Hours of operation will be limited to Monday through Friday, 7 a.m. to 7 p.m.
- D. The batch plant may operate for up to six months, with a single renewal of a six month time period permitted by the zoning administrator.
- E. No portion of the batch plant or its operation shall be located on a public street.
- F. The batch plant shall only furnish concrete, asphalt, or both, to a specific project. The placement of a temporary batching plant for a private project is restricted to the site of the project.
- G. The site must be clear of all equipment, material and debris upon completion.
- H. All public improvements that are damaged during the operation of the temporary batching plant must be repaired or replaced within thirty days of completion of the project.
- I. At termination and/or removal of the plant operation, operator shall have the person responsible walk the site with the building official or his/her designee to verify the site meets city approval.

2. Assembly of appliances from previously prepared parts

3. Auction houses

4. Auto body and fender shops, auto painting, welding and sheet metal shops

5. Bars

6. Caretaker dwellings

7. Day care

Day care shall be permitted to operate subject to the following standards:

- A. Valid day care license issued by the State of Utah is required.
- B. City of Moab business license is required.
- C. Applicants for a city business license shall submit a conceptual site plan that indicates:
  1. Ingress and egress to the property;
  2. Drop off/pick up areas;
  3. Traffic circulation;
  4. Off-street parking;
  5. Landscaping;
  6. Buffering or separation from dissimilar uses;
  7. Open space for older kids.
- D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
- E. Odor, noise, and glare shall be restricted to the property.

F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).

8. Dwellings above the ground floor of a nonresidential structure

9. Dwellings in the C-4 Commercial Zone.

All dwellings, other than ground floor employee dwellings, on the ground floor shall be subject to the following requirements:

- A. Minimum wall dimensions of the principal structure, excluding garage, shall be twenty-four feet.
- B. All principal residential structures shall:
  - 1. Be placed on a slab-on-grade or perimeter foundation as approved by the building department;
  - 2. Have a wood, brick or stucco exterior, or a material that looks similar to wood, brick or stucco;
  - 3. Have a minimum 4:12 roof pitch and a one foot overhang (structures constructed in the traditional southwest Spanish style are exempt from this requirement);
  - 4. The combined total area of all primary, secondary, and accessory buildings on a lot may cover not more than seventy-five percent of the lot area.
  - 5. Buffering is required in accordance with other provisions of this chapter;
  - 6. Minimum Setbacks for Residential Structures in the C-4 Zone.

**Minimum Setbacks for Residential Structures in the C-4 Zone**

Front yard	30 feet
Side yard	15 feet
Rear yard	20 feet

- C. Multi-household dwellings of seven or more units shall be subject to the following requirements:
  - 1. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
  - 2. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
  - 3. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
  - 4. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
  - 5. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
  - 6. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized

area that can be used for residents and their guests for recreation/social activities and/or relaxation.

10. Hardware stores and lumber yards

11. Eating establishments

12. Employee dwellings

Employee dwellings on the ground floor of a non-residential use must adhere to the following standards:

- A. The housing units shall be for employees of the business that operates the premises on which the employee housing units are built;
- B. The housing units shall be located on the business property or a directly adjacent property;
- C. Housing shall meet all residential standards of the International Building Code;
- D. Housing shall house employees for a period of not less than thirty-one days;
- E. In no case shall employee housing be located in front of buildings and such units shall be located in the rear portion of commercial business structures;
- F. Employee housing may be allowed at a rate of up to two units per ten thousand square feet of the floor area of the commercial structure and shall not exceed one thousand square feet per unit in size; and
- G. Off-street parking shall be provided at a rate of 0.75 spaces/unit.
  - 1) An exception to the required employee housing parking spaces may be granted by the planning commission if the applicant can show that more than sufficient parking exists for the commercial use;

13. Engraving and printing establishments,

14. Farm equipment sales

15. Fraternity and sorority buildings

16. Funeral establishments

17. Gymnasiums

18. Historic dwelling.

Dwellings that have or may have historical significance may apply for historic designation through the review process contained in Chapter 17.90. The dwelling must satisfy the review criteria and meet the standards included in that chapter.

19. Hospitals

20. Laboratories, but not including activities which are hazardous by reason of explosion, fire, chemical, biochemical, or other danger

21. Lodging

22. Manufactured home sales

23. Manufacturing, compounding and processing

24. Professional offices

25. Parking lots (commercial)

26. Places of worship

All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.

- C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.
- D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- E. Adequate parking for the intended use is provided.

27. Public buildings

This type of use shall be allowed on tracts of land in the R-2 zone when in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

28. Public and private research establishments

29. Recreational Vehicle/Travel Trailer Park or Court.

The following provisions are intended to manage the development of RV parks while minimizing land use conflicts and environmental degradation:

- A. Trees and other landscaping serving as a buffer to other adjacent uses must surround the area for a minimum distance of fifteen feet. Landscaping shall be in accordance with the requirements of Chapter 17.09.360
- B. A solid decorative privacy wall or wooden privacy fence shall be constructed and maintained around the park perimeter.
- C. A minimum separation of twenty feet shall be maintained between each RV unit.
- D. Adequate sanitation facilities and ADA facilities shall be provided and maintained for the maximum number of units as per the International Building Code Appendices.
- E. A minimum area of ten percent or five hundred/ two hundred square feet, whichever is greater, must be provided as open space for a playground and/or picnic area.
- F. Traffic patterns within the park and ingress and egress from adjacent streets shall be designed to minimize congestion at all intersections.
- G. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m. for the office and other park facilities **such as the pool, laundry and office.**

30. Retail establishments

31. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- D. Adequate parking for the intended use is provided.

32. Secondhand stores

33. Self-storage warehouses.

- A. All new self-storage warehouse facilities or expansions are subject to approval of a site plan as described in Section Chapter 17.67.
- B. All drives and parking area surfaces shall consist of a maintained all-weather dust free surface such as asphalt, concrete, bricks, pavers or cobblestones. The use of gravel may be exercised but a dust inhibitor shall be regularly applied to the surface and appropriately worked into the surface material.
- 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 mitigated and not lead to disruption of traffic flow on adjacent streets.
- E. Self-storage warehouses shall be screened/buffered from adjacent properties by the use of decorative/solid wooden privacy fencing or decorative block walls. High quality landscaping may be incorporated into the screening effort but maintenance of all vegetation is the responsibility of the owner(s) of the property.
- F. Glare, dust, odor, and noise must be contained within the property boundaries.
- G. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications). Landscaping screening shall be provided and maintained along the perimeter of the property and consist of twenty feet in depth. Vegetation may include existing trees and shrubs but weeds must be managed and landscaping maintained once it is installed.
- 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 **seventy (70)** percent of the site.
- K. The maximum height of the building or buildings permitted as of right is twenty feet or one story.
- L. No outside storage is permitted except for large vehicles and boats that are under a permanent cover.
- 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.

34. Service establishments

35. Service stations

36. Trucking companies

- A. Parking areas shall be paved with an all-weather hard surface such as concrete or asphalt that will not generate dust or gravel deposits on paved roadways.
- B. A minimum of fifteen percent of the parking area shall be landscaped with:
  - 1. Shrubs, a minimum of three and one-half feet in height and living ground cover must be planted so that the ground will be covered within three years.
  - 2. Earth-mounding, an average of three and one-half feet in height, planted with trees, shrubs or living ground cover so that the ground will be covered within three years. A combination of earth-mounding and shrubs to produce a visual barrier at least three and one-half feet in height.
  - 3. Evergreen and deciduous trees, with no more than fifty percent being deciduous, a minimum of six feet in height, and planted at intervals no greater than thirty feet on center.
- C. Odor, glare, and noise shall be confined to the property.
- D. Adjacent properties shall be buffered by perimeter landscaping a minimum of fifteen feet in width.
- E. Parking areas shall be illuminated by pole lighting only that shall be downward directed with full cut-off fixtures dispersed throughout the parking area and shall provide a minimum of .5 candle power and not more than 1.0 candle power of illumination. No light shall be placed on the eave or side of buildings and be directed outward toward the perimeter of the property.
- F. Adequate access/ingress shall be provided so as not to impact traffic patterns in the area.
- G. Refrigerator units shall not be allowed to run from the hours of 10:00 p.m. to 7:00 a.m.

37. Utility provider structures

Utility Provider Structures and Buildings. New construction of water lines, sewer lines and electric substations and structures may be constructed subject to the approval of the planning commission and council with a review of a subdivision plat. Such construction is not required to apply for a separate permit but must satisfy the requirements below. Expansions of existing facilities are also subject to the approval of the planning commission and council, and subject to the standards below. The planning commission may require standards in accordance with the following language that are reasonably necessary to protect surrounding property values and residential amenities.

- A. These types of facilities include but are not limited to:
  - 1. Electrical utility facility, provided transmission lines are excluded from the requirements of this section if visibility is essential to safety, security, or maintenance access;
  - 2. Solid waste disposal facility;
  - 3. Water pumping plants and pipelines;
  - 4. Public utility buildings and structures (except power plants);
  - 5. Flood control structures;
  - 6. Substations;
  - 7. Sewage treatment plants subject to review and approval of the State Department of Health.

- B. Site Standards.
1. Architectural Form and Character. A building housing all or a majority of a utility facility must be compatible with the architectural form of surrounding buildings. This requirement is not applicable to a utility facility where significant elements of the facility are not housed inside of a building or to isolate minor elements such as pad mounted transformers, telephone pedestals and metering stations.
  2. Screening and Fence Requirements. A utility facility must be site screened with landscaping and/or fencing. Landscape development, shall include retention of significant trees, as necessary to maintain and protect property values, enhance the visual appearance of the city, to preserve the natural character of the area, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, and to provide a better transition between the various land uses permitted in the city.
    - a) The planning department and community development director shall review the proposed landscape plan with each application and make a recommendation to the planning commission.
    - b) The applicant shall provide site perimeter landscaping that consists of a minimum width of ten feet and includes:
      - i. Evergreen and deciduous trees, with no more than fifty percent being deciduous, a minimum of six feet in height, and planted at intervals no greater than thirty feet on center;
      - ii. A minimum of three and one-half feet in height, and living ground cover planted so that the ground will be covered within three years.
  3. If planted to buffer a parking area, access, or site development other than a building, any of the following alternatives may be used unless otherwise noted:
    - a) Shrubs, a minimum of three and one-half feet in height and living ground cover must be planted so that the ground will be covered within three years.
    - b) Earth-mounding, an average of three and one-half feet in height, planted with shrubs or living ground cover so that the ground will be covered within three years. This alternative may not be used in a downtown land use district.
    - c) A combination of earth-mounding and shrubs to produce a visual barrier at least three and one-half feet in height.
  4. Equipment and vehicle storage yards require fifteen feet of landscaping on all sides if visible from a public right-of-way.
  5. Parking Area Landscaping. Parking areas require landscaping as follows in addition to any site perimeter landscaping as required.
  6. Alternative landscaping may be approved by the planning commission if the landscaping will provide the desired screening as noted below:
    - a) The proposed landscaping represents an equal or better result than that which could be achieved by strictly following the requirements of this section; and
    - b) The proposed landscaping either:
      - i. Incorporates the increased retention of significant trees and naturally occurring undergrowth;

- ii. Better accommodates or improves the existing physical conditions of the subject property;
- iii. Incorporates elements to provide for wind protection or to maintain solar access;
- iv. Incorporates elements to protect or improve water quality; or
- v. Incorporates native species in a design that buffers a critical area from uses on the site, including parking.

38. Vehicle sales

39. Vehicle repair

40. Warehouses

41. Wholesale establishments with stock on premises

42. Wireless telecommunication towers subject to the regulations set forth in Chapter 17.76.

**17.30**  
**C-5 Neighborhood Commercial Zone**

17.30.020 Permitted uses and regulations.

1. Arts and crafts shops
2. Convenience establishments that are less than three thousand square feet
3. Day care

Day care shall be permitted to operate subject to the following standards:

  - A. Valid day care license issued by the State of Utah is required
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    1. Ingress and egress to the property;
    2. Drop off/pick up areas;
    3. Traffic circulation;
    4. Off-street parking;
    5. Landscaping;
    6. Buffering or separation from dissimilar uses;
    7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
4. Eating establishments
5. Fraternity and sorority buildings
6. Grocery stores less than three thousand square feet
7. Group homes

A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:

  - A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
  - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
  - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code
8. Gymnasiums
9. Home occupations subject to the requirements set forth in Section 17.09.540
10. Multi-Household Dwellings of Seven or More Units.

All multi-household development of seven or more units shall be subject to the following requirements:

- A. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
- B. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
- C. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
- D. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
- E. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
- F. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation- also called a "rec room".

11. One-household dwellings and accessory uses

12. Parking lots

13. Planned unit developments subject to the requirements set forth in Chapter 17.66, relating to large-scale developments

14. Professional offices

15. Public buildings

This use shall be allowed when in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

16. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA) The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.

- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
  - D. Adequate parking for the intended use is provided.
17. Two-household dwellings and accessory uses
18. Veterinary Clinic with Indoor Kennel
- A. Noise, odor and glare shall be contained on the property.
  - B. Fencing, landscaping, the design of parking areas, and downward directed and full cut-off light fixtures shall be used to reduce impacts on adjacent properties.
  - C. Parking shall be provided at a rate of one space per one thousand square feet and one space per each employee. ADA handicapped accessible spaces shall be provided as required.
  - D. A buffer area of twenty-five feet shall be used to provide a separation from other uses and adjacent properties. Buffering shall include the elements of subsection B above.
  - E. Vehicular ingress and egress traffic patterns shall be designed to not impede existing traffic flows and provide adequate interior circulation.
  - F. Hours of operation for public access shall be from 7:00 a.m. to 7:00 p.m.

## 17.35

### MH/RV-1 - Mobile Home / Recreational Vehicle Parks Zone

#### 17.35.020 Permitted Uses and Regulations.

1. Accessory buildings and uses
2. Mobile home parks
3. Park or Playground
4. Recreational vehicle parks

The following provisions are intended to manage the development of RV parks within a mobile home park while minimizing land use conflicts and environmental degradation:

- A. Spaces may not be rented for less than thirty (30) days
- B. Trees and other landscaping serving as a buffer to other adjacent uses must surround the area for a minimum distance of fifteen feet. Landscaping shall be in accordance with the requirements of Chapter 17.09.360
- C. A solid decorative privacy wall or wooden privacy fence shall be constructed and maintained around the park perimeter.
- D. A minimum separation of twenty feet shall be maintained between each RV unit.
- E. Adequate sanitation facilities and ADA facilities shall be provided and maintained for the maximum number of units as per the International Building Code Appendices.
- F. A minimum area of ten percent or two hundred square feet, whichever is greater, must be provided as open space for a playground and/or picnic area.
- G. Traffic patterns within the park and ingress and egress from adjacent streets shall be designed to minimize congestion at all intersections.
- H. Hours of operation shall be limited to 6:00 a.m. to 10:00 p.m. for the office and other park facilities or be established by resolution of the planning commission.

**17.42**  
**R-1 One-Household Residential Zone**

17.42.020 Permitted Uses and Regulations.

1. Accessory dwelling units as per Chapter 17.69
2. Agriculture
3. Day care

Day care shall be permitted to operate subject to the following standards:

  - A. Valid day care license issued by the State of Utah is required.
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    1. Ingress and egress to the property;
    2. Drop off/pick up areas;
    3. Traffic circulation;
    4. Off-street parking;
    5. Landscaping;
    6. Buffering or separation from dissimilar uses;
    7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
4. Group home

A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:

  - A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
  - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
  - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code.
5. Home occupations subject to the requirements set forth in Section 17.09.540
6. One-household dwellings and accessory uses
7. Places of worship

All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

  - A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.

- C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.
  - D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
  - E. Adequate parking for the intended use is provided.
8. Planned unit developments subject to the requirements set forth in Chapter 17.66
9. Public facilities
- This type of use shall be allowed in compliance with the following standards.
- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
  - B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
  - C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
  - D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
  - E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
  - F. The use shall demonstrate that there is a benefit to the neighborhood or community;
  - G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.
10. Public libraries
11. Public parks and public recreation buildings
12. Public schools
- All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:
- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.
  - C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
  - D. Adequate parking for the intended use is provided.

17.42.060 Special requirements.

The following special provisions shall apply in this zone in order to protect its essential characteristics and to promote the purpose of this title:

- A. The ground floor area of the primary dwellings shall be at least one thousand two hundred square feet.
- B. The maximum density in a planned unit development shall not exceed five dwellings per acre of land contained within the development.

## 17.45

### R-2 One-Household and Two-Household Residential Zone

#### 17.45.020 Permitted Uses and Regulations.

1. Accessory dwelling units as per Chapter 17.69
2. Agriculture
3. Day care

Day care shall be permitted to operate subject to the following standards:

- A. Valid day care license issued by the State of Utah is required.
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    1. Ingress and egress to the property;
    2. Drop off/pick up areas;
    3. Traffic circulation;
    4. Off-street parking;
    5. Landscaping;
    6. Buffering or separation from dissimilar uses;
    7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
4. Foster care homes
  5. Group home

A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:

    - A. Such homes must be state-licensed.
    - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
    - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
    - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code.
  6. Home occupations subject to the requirements set forth in Section 17.09.540
  7. One-household dwellings and accessory uses
  8. Places of worship

All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.
  - C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.
  - D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
  - E. Adequate parking for the intended use is provided.
9. Planned unit developments subject to the requirements set forth in Chapter 17.66.10.
10. Public facilities  
This type of use shall be allowed in compliance with the following standards.
- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
  - B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
  - C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
  - D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
  - E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
  - F. The use shall demonstrate that there is a benefit to the neighborhood or community;
  - G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.
11. Public libraries
12. Public parks and public recreation buildings
13. Schools  
All schools shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:
- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.
  - C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
  - D. Adequate parking for the intended use is provided.
14. Two-household dwellings and accessory uses

17.45.060 Special requirements.

The following special provisions shall apply in this zone in order to protect its essential characteristics and to promote the purpose of this title:

- A. The ground floor area of the primary dwellings shall be at five hundred square feet.
- B. The maximum density in a planned unit development shall not exceed fifteen dwellings per acre of land contained within the development.

## 17.48

### R-3 Multi-Household Residential Zone

#### 17.48.020 Permitted Uses and Regulations.

1. Accessory dwelling units as per Chapter 17.69
2. Agriculture
3. Bed and breakfast facilities

All Bed and Breakfast facilities shall comply with the following standards:

- A. Bed and breakfast facilities may be allowed where the proprietor can show evidence of compliance with the standards and procedures outlined below and where there is minimal impact on adjacent residential properties and neighborhoods. An inspection by the building inspector, fire chief and health department shall be required prior to issuance of a business license, and as often as necessary for enforcement of this chapter. No person shall operate a bed and breakfast unless the person holds a valid business license.
- B. A written letter sworn before a notary public shall be provided by the owner(s) stating that such owner or a manager will occupy the facility, as provided for herein. The letter shall be recorded by the city recorder.
- C. The bed and breakfast shall conform to the requirements for landscaping found in Sections 17.09.360 through 17.09.420.
- D. The bed and breakfast facility shall not unduly increase local traffic in the immediate neighborhood. A bed and breakfast shall not be located on a cul-de-sac, dead-end street, or a zoning lot with a street frontage of less than fifty feet.
- E. There shall be a minimum perimeter separation of three hundred feet between property lines of bed and breakfasts.
- F. Construction and alterations of bed and breakfast facilities shall not alter the residential appearance of the zone and of the dwelling. A new structure shall not be constructed solely for the use of a bed and breakfast. A property owner may not operate a bed and breakfast for a period of five years after the date a certificate of occupancy is issued. Bed and breakfast facilities shall be located in an existing structure that is a minimum of two thousand square feet in size. Additions to an existing structure for a bed and breakfast use shall not exceed twenty percent of the total area of the existing structure.
- G. The parcel shall also be of sufficient size to be in scale with the number of people using the facility. All bed and breakfast rentals must provide adequate parking (required one off-street parking space per rental bedroom) in addition to needed parking for owners of the facility. A maximum stay shall not exceed thirty days, and meals shall be served only to guests. One off-street parking space for trailers must be provided per every two off-street parking spaces for vehicles.
- H. All units shall have a parcel to finished dwelling unit ratio that exceeds five to one (or no dwelling unit in excess of twenty percent of the total parcel size area).
- I. No bed and breakfast facility shall rent for compensation more than five rooms, except that suites that do not use a public corridor or passageway between suite bedroom areas shall be counted as one room.

- J. No bed and breakfast facility shall allow more than two adults in any rental room unless the bedroom square footage is larger than three hundred square feet and does not use a public corridor or passageway between suite bedroom areas.
  - K. Signs are limited to one non-flashing sign not larger in area than four square feet. If lighted, the light shall be diffused or shielded and downward directed.
  - L. All bed and breakfast facilities shall pay water and sewer rates according to the rates established by City Council.
  - M. All bed and breakfasts must collect and pay an applicable transient room tax, sales tax, and pay a city gross business license fee.
  - N. The bed and breakfast facility shall conform to fire, building and health codes and be licensed in conformance with all city ordinances.
4. Boarding and rooming houses
- All boarding and rooming houses shall comply with the following standards:
- A. Boarding houses and rooming houses may be allowed where the proprietor can show evidence of compliance with the standards and procedures outlined below and where there is minimal impact on adjacent residential properties and neighborhoods. An inspection by the building inspector, fire chief and health department shall be required prior to issuance of a business license, and as often as necessary for enforcement of this chapter. No person shall operate a bed and breakfast unless the person holds a valid business license.
  - B. A written letter sworn before a notary public shall be provided by the owner(s) stating that such owner or a manager will occupy the facility, as provided for herein. The letter shall be recorded by the city recorder.
  - C. The boarding and rooming houses shall conform to the requirements for landscaping found in Sections 17.09.360 through 17.09.420.
  - D. The boarding and rooming houses shall not unduly increase local traffic in the immediate neighborhood. A bed and breakfast shall not be located on a cul-de-sac, dead-end street, or a zoning lot with a street frontage of less than fifty feet.
  - E. There shall be a minimum perimeter separation of three hundred feet between property lines of boarding and rooming houses.
  - F. Construction and alterations of boarding houses and rooming houses shall not alter the residential appearance of the zone and of the dwelling. A new structure shall not be constructed solely for the use of a boarding and rooming house and a property owner may not operate a boarding and rooming house for a period of five years after the date of receiving a certificate of occupancy. Boarding houses and rooming houses shall be located in an existing structure that is a minimum of two thousand square feet in size. Additions to an existing structure for a boarding and rooming house use shall not exceed twenty percent of the total area of the existing structure.
  - G. The parcel shall also be of sufficient size to be in scale with the number of people using the facility. All boarding and rooming house rentals must provide adequate parking (required one off-street parking space per rental bedroom) in addition to needed parking for owners of the facility. A maximum stay shall not exceed thirty days, and meals shall be served only to guests. One off-street parking space for trailers must be provided per every two off-street parking spaces for vehicles.

- H. All units shall have a parcel to finished dwelling unit ratio that exceeds five to one (or no dwelling unit in excess of twenty percent of the total parcel size area).
  - I. No boarding and rooming shall rent for compensation more than five rooms, except that suites that do not use a public corridor or passageway between suite bedroom areas shall be counted as one room.
  - J. No boarding and rooming houses shall allow more than two adults in any rental room unless the bedroom square footage is larger than three hundred square feet and does not use a public corridor or passageway between suite bedroom areas.
  - K. Signs are limited to one non-flashing sign not larger in area than four square feet. If lighted, the light shall be diffused or shielded and downward directed.
  - L. All boarding houses and rooming houses shall pay water and sewer rates according to the rates established by City Council.
  - M. All boarding and rooming houses must collect and pay an applicable transient room tax, sales tax, and pay a city gross business license fee.
  - N. The boarding houses and rooming houses shall conform to fire, building and health codes and be licensed in conformance with all city ordinances.
5. Day care
- Day care shall be permitted to operate subject to the following standards:
- A. Valid day care license issued by the State of Utah is required.
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    - 1. Ingress and egress to the property;
    - 2. Drop off/pick up areas;
    - 3. Traffic circulation;
    - 4. Off-street parking;
    - 5. Landscaping;
    - 6. Buffering or separation from dissimilar uses;
    - 7. Open space for older kids.
    - 8. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
    - 9. Odor, noise, and glare shall be restricted to the property.
    - 10. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
6. Foster care homes
7. Group homes
- A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:
- A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
  - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).

- D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code
- 8. Home occupations subject to the requirements set forth in Section 17.09.540
- 9. Multi-household dwellings
  - All multi-household development of seven or more units shall be subject to the following requirements:
    - A. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
    - B. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
    - C. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
    - D. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
    - E. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
    - F. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation- also called a "rec room".
    - G. The allowed number of multi-household units shall be determined by Section 17.48.030.
- 10. One-household dwellings and accessory uses
- 11. Places of worship
  - All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:
    - A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
    - B. Noise, odor, and glare is contained on the property.
    - C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.
    - D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
    - E. Adequate parking for the intended use is provided.
- 12. Planned unit developments subject to the requirements set forth in Chapter 17.66
- 13. Public facilities
  - This use shall be allowed in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

14. Public libraries

15. Public parks and public recreation buildings

16. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA) The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.

17. Two-household dwellings and accessory uses

17.48.060 Special provisions.

The special provisions shall apply in this zone in order to protect its essential characteristics and to promote the purpose of this title:

- A. The ground floor area of the primary dwelling shall be at least five hundred square feet.
- B. The maximum permitted density of planned unit developments shall be twenty one dwelling units per acre.

## 17.51

### R-4 Manufactured Housing Residential Zone

#### 17.51.020 Permitted Uses and Regulations.

1. Accessory dwelling units as per Chapter 17.69
2. Agriculture
3. Bed and breakfast facilities

All Bed and Breakfast facilities shall comply with the following standards:

- A. Bed and breakfast facilities may be allowed where the proprietor can show evidence of compliance with the standards and procedures outlined below and where there is minimal impact on adjacent residential properties and neighborhoods. An inspection by the building inspector, fire chief and health department shall be required prior to issuance of a business license, and as often as necessary for enforcement of this chapter. No person shall operate a bed and breakfast unless the person holds a valid business license.
- B. A written letter sworn before a notary public shall be provided by the owner(s) stating that such owner or a manager will occupy the facility, as provided for herein. The letter shall be recorded by the city recorder.
- C. The bed and breakfast shall conform to the requirements for landscaping found in Sections 17.09.360 through 17.09.420.
- D. The bed and breakfast facility shall not unduly increase local traffic in the immediate neighborhood. A bed and breakfast shall not be located on a cul-de-sac, dead-end street, or a zoning lot with a street frontage of less than fifty feet.
- E. There shall be a minimum perimeter separation of three hundred feet between property lines of bed and breakfasts.
- F. Construction and alterations of bed and breakfast facilities shall not alter the residential appearance of the zone and of the dwelling. A new structure shall not be constructed solely for the use of a bed and breakfast. A property owner may not operate a bed and breakfast for a period of five years after the date a certificate of occupancy is issued. Bed and breakfast facilities shall be located in an existing structure that is a minimum of two thousand square feet in size. Additions to an existing structure for a bed and breakfast use shall not exceed twenty percent of the total area of the existing structure.
- G. The parcel shall also be of sufficient size to be in scale with the number of people using the facility. All bed and breakfast rentals must provide adequate parking (required one off-street parking space per rental bedroom) in addition to needed parking for owners of the facility. A maximum stay shall not exceed thirty days, and meals shall be served only to guests. One off-street parking space for trailers must be provided per every two off-street parking spaces for vehicles.
- H. All units shall have a parcel to finished dwelling unit ratio that exceeds five to one (or no dwelling unit in excess of twenty percent of the total parcel size area).
- I. No bed and breakfast facility shall rent for compensation more than five rooms, except that suites that do not use a public corridor or passageway between suite bedroom areas shall be counted as one room.

- J. No bed and breakfast facility shall allow more than two adults in any rental room unless the bedroom square footage is larger than three hundred square feet and does not use a public corridor or passageway between suite bedroom areas.
  - K. Signs are limited to one non-flashing sign not larger in area than four square feet. If lighted, the light shall be diffused or shielded and downward directed.
  - L. All bed and breakfast facilities shall pay water and sewer rates according to the rates established by City Council.
  - M. All bed and breakfasts must collect and pay an applicable transient room tax, sales tax, and pay a city gross business license fee.
  - N. The bed and breakfast facility shall conform to fire, building and health codes and be licensed in conformance with all city ordinances.
4. Boarding and rooming houses
- All boarding and rooming houses shall comply with the following standards:
- A. Boarding houses and rooming houses may be allowed where the proprietor can show evidence of compliance with the standards and procedures outlined below and where there is minimal impact on adjacent residential properties and neighborhoods. An inspection by the building inspector, fire chief and health department shall be required prior to issuance of a business license, and as often as necessary for enforcement of this chapter. No person shall operate a bed and breakfast unless the person holds a valid business license.
  - B. A written letter sworn before a notary public shall be provided by the owner(s) stating that such owner or a manager will occupy the facility, as provided for herein. The letter shall be recorded by the city recorder.
  - C. The boarding and rooming houses shall conform to the requirements for landscaping found in Sections 17.09.360 through 17.09.420.
  - D. The boarding and rooming houses shall not unduly increase local traffic in the immediate neighborhood. A bed and breakfast shall not be located on a cul-de-sac, dead-end street, or a zoning lot with a street frontage of less than fifty feet.
  - E. There shall be a minimum perimeter separation of three hundred feet between property lines of boarding and rooming houses.
  - F. Construction and alterations of boarding houses and rooming houses shall not alter the residential appearance of the zone and of the dwelling. A new structure shall not be constructed solely for the use of a boarding and rooming house and a property owner may not operate a boarding and rooming house for a period of five years after the date of receiving a certificate of occupancy. Boarding houses and rooming houses shall be located in an existing structure that is a minimum of two thousand square feet in size. Additions to an existing structure for a boarding and rooming house use shall not exceed twenty percent of the total area of the existing structure.
  - G. The parcel shall also be of sufficient size to be in scale with the number of people using the facility. All boarding and rooming house rentals must provide adequate parking (required one off-street parking space per rental bedroom) in addition to needed parking for owners of the facility. A maximum stay shall not exceed thirty days, and meals shall be served only to guests. One off-street parking space for trailers must be provided per every two off-street parking spaces for vehicles.

- H. All units shall have a parcel to finished dwelling unit ratio that exceeds five to one (or no dwelling unit in excess of twenty percent of the total parcel size area).
  - I. No boarding and rooming shall rent for compensation more than five rooms, except that suites that do not use a public corridor or passageway between suite bedroom areas shall be counted as one room.
  - J. No boarding and rooming houses shall allow more than two adults in any rental room unless the bedroom square footage is larger than three hundred square feet and does not use a public corridor or passageway between suite bedroom areas.
  - K. Signs are limited to one non-flashing sign not larger in area than four square feet. If lighted, the light shall be diffused or shielded and downward directed.
  - L. All boarding houses and rooming houses shall pay water and sewer rates according to the rates established by City Council.
  - M. All boarding and rooming houses must collect and pay an applicable transient room tax, sales tax, and pay a city gross business license fee.
  - N. The boarding houses and rooming houses shall conform to fire, building and health codes and be licensed in conformance with all city ordinances.
5. Boys and girls schools and correctional institutions
6. Day care
- Day care shall be permitted to operate subject to the following standards:
- A. Valid day care license issued by the State of Utah is required.
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    - 1. Ingress and egress to the property;
    - 2. Drop off/pick up areas;
    - 3. Traffic circulation;
    - 4. Off-street parking;
    - 5. Landscaping;
    - 6. Buffering or separation from dissimilar uses;
    - 7. Open space for older kids.
  - D. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - E. Odor, noise, and glare shall be restricted to the property.
  - F. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
  - G. 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
7. Foster care homes
8. Group homes
- A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:
- A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.

- C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
  - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code
9. Home occupations subject to the requirements set forth in Section 17.09.540
10. Mobile home parks and mobile home subdivisions subject to the regulations as set forth in Title 15 of this code
11. Multi-household dwellings
- All multi-household development of seven or more units shall be subject to the following requirements:
- A. Access. Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.
  - B. Parking. Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.
  - C. Garages or Carports. If provided, garages and carports shall not be located in the front yard and shall be setback from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.
  - D. Landscaping. All off-street parking shall be landscaped and buffered from adjacent uses. A minimum of fifteen percent of the interior of the parking area shall be landscaped to provide shade and break up the expanse of asphalt.
  - E. Buffering. All adjacent uses shall be buffered by a distance of not less than fifteen feet and contain berms, shrubs, and other plantings. Buffering may be combined with screens, fences and hedges.
  - F. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred (200) square feet in size to be developed into recreation, play or landscaped areas. The requirement can be met with the construction of a recreation room ("rec room") or club house of a similarly sized area that can be used for residents and their guests for recreation/social activities and/or relaxation- also called a "rec room".
  - G. **The allowed number of multi-household units shall be determined by Section 17.51.030.**
12. One-household dwellings and accessory uses
13. Places of worship
- All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:
- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.
  - C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

- D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- E. Adequate parking for the intended use is provided.

14. Planned unit developments subject to the requirements set forth in Chapter 17.66.

15. Public facilities

This use shall be allowed in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

16. Public libraries

17. Public parks and public recreation buildings

18. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA) The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- D. Adequate parking for the intended use is provided.

19. Two-household dwellings and accessory uses

17.51.060 Special provisions.

The special provisions shall apply in this zone in order to protect its essential characteristics and to promote the purpose of this title:

- A. The ground floor area of the primary dwelling shall be at least five hundred square feet.
- B. The maximum permitted density of planned unit developments shall be twenty five dwelling units per acre.

## 17.54

### RA-1 Residential – Agricultural Zone

#### 17.54.020 Permitted Uses and Regulations.

1. Accessory dwelling units as per Chapter 17.69
2. Agriculture
3. Agriculture buildings
4. [Bed and breakfast facilities- a logical zone for this use]
5. Cemeteries, public and private

No cemetery, or any extension of an already existing cemetery, shall hereafter be established in the city without a site plan permit process, as outlined in Chapter 17.67.

- A. Application Required. Application for the establishment of a cemetery or for the extension to an existing cemetery shall be made on forms provided by the zoning administrator. The application shall include:
  1. The name(s) and address(es) of the owner(s) of the land;
  2. The area(s) of the property that will be used for burial purposes;
  3. The area(s) of the property that will be used for screening purposes;
  4. An appropriate fee as adopted by resolution of the city council;
  5. Detailed site plans drawn to scale by a licensed professional Utah registered land surveyor or professional engineer as per Chapter 17.67
  6. A written legal description of the cemetery;
  7. A narrative describing the:
    - i. Age and condition,
    - ii. Historical significance if applicable,
    - iii. Whether the cemetery is religious, family, organizational, or publicly owned,
    - iv. Any prehistoric or historic archaeological discoveries on the property, and
    - v. A written description of names and vital dates of those interred.
- B. Expansion/Disruption. If the expansion requires a disruption of existing burial sites, the applicant shall provide a detailed site alteration plan indicating the extent of disruption of the cemetery, methods of construction or removal of human remains, and reburial plan. Such plan shall include a written description and visual drawing of the plan showing the relocation of graves.
- C. Standards of Approval to be Specified. A resolution shall be prepared establishing specific standards of compliance to create/extend a cemetery. These shall be based on:
  1. The need for the proposed cemetery or extension;
  2. The desirability of the location;
  3. Specific areas to be used for burial purposes and screening;
  4. Type and extent of landscaping;
  5. Amount of guarantee bond for improvements;
  6. Light, glare, dust, noise;
  7. Traffic impacts;
  8. Parking.

6. Day care

Day care shall be permitted to operate subject to the following standards:

- A. Valid day care license issued by the State of Utah is required
  - B. City of Moab business license is required.
  - C. Applicants for a city business license shall submit a conceptual site plan that indicates:
    - 1. Ingress and egress to the property;
    - 2. Drop off/pick up areas;
    - 3. Traffic circulation;
    - 4. Off-street parking;
    - 5. Landscaping;
    - 6. Buffering or separation from dissimilar uses;
    - 7. Open space for older kids.
  - C. Hours of operation shall be between 5:00 a.m. and 9:00 p.m. daily.
  - D. Odor, noise, and glare shall be restricted to the property.
  - E. Landscaping shall be provided in accordance with the requirements of Sections 17.09.360, (landscaping--required) and 17.09.370, (landscaping--specifications).
7. Golf courses
- Golf courses must contain a minimum of ten acres. Applications for golf courses must follow the site plan requirements of Chapter 17.67 and must address the following standards:
- A. Golf course designs shall implement nonpoint source pollution best management practices (BMPs).
  - B. Course designs and best management plans shall be submitted to the Moab City planning department for review.
  - C. Course designs must show that there are no encroachments into areas restricted from development and to minimize the impact of the overall site development on natural resources of the area. The design must meet the requirements of Section 17.67, site plan required, and contain the following supplemental information:
    - 1. Address stream, wetland, and habitat protection;
    - 2. Contain an environmental constraints analysis that includes the existing environmental conditions on the site and a report with plans that provide:
      - i. Field located streams, ponds or other water bodies, name of watershed and sub-watershed and stream use class designation,
      - ii. Field located wetlands including documentation of vegetation, soils, and hydrology,
      - iii. Wetlands classifications (Cowardin; National Vegetation Classification Standard for wetlands),
      - iv. Calculated one hundred-year floodplain,
      - v. Topography with slopes differentiated as 1--25%, 26--39%, 40--45%, and 46%+,
      - vi. Existing land cover (e.g., forest, meadow, old field, etc.).
      - vii. Location of significant plant and/or animal habitat including: documentation of species, date of last known siting, status, and source of documentation.
  - D. Application of Regulations and Policies. After verification of the existing environmental conditions by the U.S. Army Corps of Engineers or other federal agency, the applicant will identify on the plan those areas of the site that would be restricted from development by: (1) denoting buffer boundaries, (2) denoting those areas of significant

habitat determined to exist on site that will be preserved, and (3) denoting those existing areas that will be preserved.

- E. Design Standards for Preliminary Plan. After the applicant has determined the areas restricted from development, a plan should be prepared for submission to the planning department that shows the proposed lay-out of the golf course. The plan shall include the following:
    - 1. Tees, greens, fairways, and practice range;
    - 2. Buildings (e.g., clubhouse, maintenance facilities, etc.);
    - 3. Roads, cart paths, and parking lots;
    - 4. Conceptual design for the management of storm water runoff and water quality including locations and methods and documentation that these locations and methods are practical; and
    - 5. Location of irrigation wells and/or ponds.
  - F. Approval of Encroachments. If any of the above facilities would require encroachment on buffers, streams, wetlands or floodplains, approval must be granted by the U.S. Army Corps of Engineers or other federal agency.
8. Group homes
- A group home may provide living arrangements for not more than eight residents per home sixty years of age or older; or for persons in alcohol recovery, halfway house or other similar programs; or for the developmentally disabled, limited to cerebral palsy, multiple sclerosis, mental retardation, autism, and epilepsy; and not more than two supervisory personnel; subject to the following standards:
- A. Such homes must be state-licensed.
  - B. All exterior aspects of a group home, including its scale and off-street parking configuration, shall not disrupt the residential character of the area.
  - C. In no case shall the total number of persons residing on premises (including staff) be more than one per four hundred square feet of usable floor area (twenty percent more than the single-household equivalent).
  - D. Such homes shall provide off-street parking pursuant to Sections 17.09.210--17.09.340 of this code
9. Home occupations subject to the standards set forth in 17.09.540
10. One-household dwellings and accessory uses
11. Places of worship
- All places of worship shall be subject to the regulations established by Utah State Code Annotated (UCA). The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:
- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
  - B. Noise, odor, and glare is contained on the property.
  - C. Landscaping shall be completed in accordance with the provisions located in Sections 17.09.360 (Landscaping--Required) and 17.09.370 (Landscaping--Specifications generally). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

- D. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- E. Adequate parking for the intended use is provided.

12. Premises agricultural occupations

This type of occupation specifically concerns the retail sale of feed, seed, fertilizer, equipment and similar items used in agriculture. The following standards shall be met for this type of business:

- A. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways.
- B. Hours of operation shall be confined to 7:00 a.m. to 7:00 p.m.
- C. Dust, glare, odor, and noise shall be confined within the boundaries of the property.
- D. All signs shall comply with the sign regulations of Chapter 15.44 and shall not exceed fifteen square feet.
- E. Outside storage of products for sale is limited to hours of operation

13. Raising, care and keeping of animals and fowl for household use and consumption

14. Planned unit developments which are connected to a public sewer, subject to the requirements set forth in Chapter 17.66

15. Public parks

16. Public facilities

This use shall be allowed when in compliance with the following standards.

- A. The proposed use shall be situated on a tract of land sufficient in size to provide for the activities of the use as well as required landscaping, off-street parking, and trails;
- B. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding residential uses;
- C. Parking areas shall be an all-weather surface such as concrete, asphalt or sealed gravel that will not generate dust or deposit gravel on paved roadways;
- D. Dust, glare, odor, and noise shall be confined within the boundaries of the property;
- E. Outside storage of equipment, materials, and supplies shall be contained and located within a building or a sight obscuring fence;
- F. The use shall demonstrate that there is a benefit to the neighborhood or community;
- G. Traffic from the proposed use shall not create a significant negative impact on the neighborhood.

17. Schools

All schools shall be subject to the regulations established by Utah State Code Annotated (UCA) The Planning Department, in accordance with Chapter 17.67, shall receive a complete site plan which demonstrates that:

- A. Traffic impacts are minimized so that on-street vehicle flows will not be impeded.
- B. Noise, odor, and glare is contained on the property.
- C. Possible impacts on adjacent streets, sidewalks, and bike/pedestrian routes have been identified and reduced to minimum levels.
- D. Adequate parking for the intended use is provided.

18. Veterinary clinic with kennel

- A. Noise, odor and glare shall be contained on the property.
- B. Fencing, landscaping, the design of parking areas, and downward directed and full cut-off light fixtures shall be used to reduce impacts on adjacent properties.

- C. Parking shall be provided at a rate of one space per one thousand square feet and one space per each employee. ADA handicapped accessible spaces shall be provided as required.
- D. A buffer area of twenty-five feet shall be used to provide a separation from other uses and adjacent properties. Buffering shall include the elements of subsection B above.
- E. Vehicular ingress and egress traffic patterns shall be designed to not impede existing traffic flows and provide adequate interior circulation.
- F. Hours of operation for public access shall be from 7:00 a.m. to 7:00 p.m.
- G. Landscaping shall consist of berms, solid wooden privacy fence, decorative block wall or combination thereof and be in accordance with the requirements of Sections 17.09.360 (landscaping--required) and 17.09.370 (landscaping--specifications). A minimum of fifteen percent of the interior of the parking areas must be landscaped. Trees shall be utilized to provide shade for vehicles and must be of a sufficient size and placement to provide shade to forty percent of the parking area within three years.

17.54.050 Location requirements.

- 1. Front Setback. All buildings and structures shall be set back at least twenty-five feet from the front lot line or fifty-five feet from the centerline of any public street, whichever is greater.
- 2. Side Setback. All dwellings shall be set back from the side property line a distance of at least ten feet and the total distance of the two side setbacks shall be at least twenty-four feet. On corner lots, the side setback from any street shall not be less than twenty-five feet for main buildings.
- 3. Rear Setback. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty-five feet. For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty feet.
- 4. The minimum side setback for accessory buildings on interior and corner lots is listed in Section 17.09.560, accessory use or structure.
- 5. Livestock and fowl setback. Uses for the care and keeping of livestock and fowl shall be located at least one hundred feet distance from any existing dwelling and one hundred feet from the front property lines.

17.54.070 Special provisions.

The maximum density in a planned unit development shall not exceed five units per acre contained in the development. [\[Original language\]](#)

**17.31**  
**RC Resort Commercial Zone**

17.31.020 Permitted Uses and Regulations.

A. Permitted Uses. The following uses shall be permitted-by-right:

1. Accessory buildings and uses;
2. Bars;
3. Caretaker or guard residence, accessory;
4. Custom personal services;
5. Eating establishments;
6. Gasoline service station, subject to the supplementary regulations of Section 17.31.050(B);
7. General retail (indoors);
8. Lodging;
9. Multi-household dwellings;
10. Municipal facilities and services;
11. Office, business or professional;
12. One-household dwelling and accessory uses;
13. Outfitters and guide services and facilities;
14. Outdoor recreational uses, commercial;
15. Recreational vehicle/travel trailer park, subject to the supplementary regulations of Section 17.31.050(C).
16. Two-household dwelling and accessory uses

B. Large-Scale Retail Prohibited--Large-Scale Commercial Uses Allowed. As defined in Chapter 17.80, large-scale retail development comprising a retail use in a single building in excess of thirty thousand square feet is not permitted in the Resort Commercial (RC) zoning district. Other uses permitted in this chapter which would constitute large-scale commercial development, e.g., lodging related uses in excess of thirty thousand square feet, are permitted in the RC zoning district, subject to the criteria in Chapter 17.80. All other uses permitted in the RC district shall be subject to the remaining criteria of this chapter.

**AND,**

The name of the use, "Secondary Dwelling Unit (SDU)" in Chapter 17.69, shall be changed to read "Accessory Dwelling Unit (ADU)" and all references to "Secondary Dwelling Unit" or "SDU" in the section or Code shall be changed to read accordingly.

**AND,**

Section 17.06.020, *Definitions*, shall be amended with the adoption of the following definitions to read:

"Accessory Dwelling Unit" (ADU, granny-flat, mother-in-law-apartment) means a habitable living unit added to, created within, or detached from a primary one-unit single-household dwelling, and includes separate cooking, sleeping, and bathroom facilities. An ADU does not constitute a two-household dwelling (duplex). Only one ADU is permitted in addition to the main dwelling on one platted lot of record. ADU's shall not be used for nightly, or weekly rentals, and shall not be occupied for periods of less than 31 consecutive days. ADU's shall be a permanent structure and travel trailers, boats, or RVs shall not be used.

"Agriculture buildings" means a structure on agricultural land designed, constructed, and used to house farm implements, livestock, or agricultural produce or products used by the owner for growing and harvesting crops and raising livestock and small animals. Examples include barns, greenhouses, storage buildings for farm equipment, animal supplies or feed, "cold" storage buildings for crops grown and raised on site, and horticultural nursery.

"Buffering" means a landscaped screen, solid fencing, berms, swales, or other feature that individually or in combination, reduces the impact of a land use on adjacent areas, which are of a significantly different character, density, or intensity. A buffer consists of a horizontal distance from a lot line, which may only be occupied by screening, underground utilities, retention areas, and landscaping and fencing materials. The more different the use of the adjoining property, the more dense or extensive the buffer must be.

"Business establishment" means a location where business is conducted, goods are made or stored or processed or where services are rendered.

"Custom personal services" means any business with a primary purpose of providing personal services such as law, engineering, design, finance, accounting to an individual or group for compensation.

"Convenience enterprise" means a business catering to an area with sales of easily obtained goods and merchandise. Convenience enterprises include, but are not limited to: stores with extended hours, in a convenient location, stocking a limited range of household goods and groceries and can include sandwich shops, small grocery/convenience stores, food stands, hardware stores, coffee shops, dollar stores, tobacco shops, video stores.

"Eating establishment" means a public place where food and drinks are served for a fee. This use includes restaurants, cafes, drive-through, coffee shops, and donut shops.

"Flood control structure means an engineered feature designed to manage storm water, reduce erosion, and prevent or mitigate local flash flooding downstream and may include revetments, dams, diversions, levees, channels or dykes.

“Group home” means a residential home where a small number of unrelated people in need of care, support, or supervision can live together, such as those who are in a foster care program or with chronic disabilities.

“Hardware stores” means a store selling tools, fasteners, building materials, hand and power tools, lumber, implements, keys, locks, hinges, chains, plumbing supplies, electrical supplies, cleaning products, housewares, tools, utensils, paint, and lawn and garden products directly to consumers for use at home or for gardening, construction or business. Many hardware stores have specialty departments that include hunting and fishing supplies, plants and nursery products, marine and boating supplies, pet food and supplies, farm and ranch supplies (including animal feed), swimming pool chemicals, home brewing supplies and canning supplies

“Lodging” means any short term temporary living or sleeping place in which someone lives or stays for a period of time not to exceed thirty (30) consecutive days. This includes hotels, motels, bed and breakfasts, townhomes condominiums, and campgrounds located in an appropriate zone that allows short term lodging.

“Places of worship” (house of worship) shall mean a specially designed structure or consecrated space where individuals or a group of people come to perform acts of devotion, veneration, or religious study. Buildings constructed or used for this purpose include temples, churches, synagogues, convents, monasteries and mosques.

“Premises agricultural occupation” means a business selling seed, feed, fertilizer, and other items and equipment used in agriculture.

“Professional offices” means an office for a professional person that includes but is not limited to architects, engineers, surveyors, doctors of medicine, osteopaths, dentists, optometrists, lawyers, accountants, chiropractors, chiropractors, naturopaths, and consultants who engage in a vocation that requires graduation from an accredited school of higher learning.

“Public building” (facility) means a structure, building or place open to the public that provides a particular service or is used for a particular activity of leisure and may include entertainment, sports and social activities available for all ages.

“Retail establishment” means a business that sells new goods and merchandise from a single point of purchase directly to customers who intend to use that product and serves the everyday needs of the community in which it is located. The use does not include lodging, service or dining uses. Such an establishment sells food, drink, clothing, jewelry, furniture, stone and monuments, automobiles, radios, refrigerators, coal, lumber, and other goods, hardware, and may perform incidental services on such goods when necessary.

?ADD TO C-4 ZONE "General retail (outdoors)" means a retail establishment that does not fit the definition of any other land use classification and entails some outdoor sales, service, display, storage or other activity. Typical uses include but are not limited to boat dealers, snowmobile dealers, motorcycle dealers, hot tub dealers, auto and truck dealers, recreational vehicle dealers, and stone/monument sales.

“Service establishment” means a business that sells services to the general public that fulfill the everyday needs of the community in which it is located. Such an establishment provides repair and other services for the comfort and convenience of the public in the course of daily living and

include, but are not limited to, hardware stores, tailors, seamstresses, watch repair, home cleaning, investment banking, gas stations, branch offices for insurance companies, repair shops, shoe shop, tailor, seamstress, hair salons, barbers, medical clinics, delivery and mail businesses, car repair, travel agency, tutoring services, and similar activities.

"Single-family equivalent" means a structure or part of a structure designed or capable of providing single-family/household occupancy. For purposes of code administration, "single-family equivalent" shall be based on the average size of single-family dwelling units and average number of residents per occupied dwelling in the city—one (1) resident per 499 square feet of usable floor area (Sources: 2010 U.S. Census)

“Usable floor area” means the net floor area of a building where persons may move about and carry on the usual tasks for working and living but does not include: restrooms and lounges, stairwells, elevators and escalator shafts, building equipment and service areas, entrance and elevator lobbies, stacks and shafts, freezer and coolers areas, storage and stock rooms, and other building elements where patrons would not normally be allowed.

“Warehouse” means a large building, or part of one, where raw materials or manufactured goods may be stored before their export or distribution for sale.

PASSED AND APPROVED by a majority of the City of Moab City Council. This ordinance shall take effect immediately upon passage.

SIGNED:

\_\_\_\_\_  
Emily Niehaus, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Rachel Stenta, Recorder