

CITY OF MOAB ORDINANCE NO. 2021-15

Proposed Ordinance #2021-15, An Ordinance Approving a Zoning Map Amendment for Property located at Parcel #01-0001-0173, approximately 398 Kane Creek Blvd, Moab UT 84532, changing 7.51 acres of the subject parcel zone from RA-1 Residential-Agricultural Zone to R-3 Multi-Household Residential Zone.

WHEREAS, the following describes the intent and purpose of this ordinance:

- a. Applicant, Jake Satterfield, submitted an application to amend the Zoning Map to change the zoning on Parcel 01-0001-0173 at approximately 398 Kane Creek Blvd, Moab UT, described as:
BEG AT A PT WHICH BEARS N 144 FT± FROM THE SE COR NW¼SW¼ SEC 1 T26S R21E; TH N 478 FT± ALONG THE W SIDE OF NE¼SW¼; TH E ALONG THE N SIDE OF SW¼NE¼SW¼ A DIST OF 639.6 FT TO A PT ON A FENCE; TH S 00°55'W 164.8 FT ALONG THE FENCE; TH S 49°38'W 102.4 FT ALONG FENCE; THENCE S 72° 46'W 81.3 FT ALONG FENCE; TH S 37°05'W 22.1 FT ALONG FENCE; TH S 18°05'W 104.3 FT ALONG FENCE; TH S 31°09'E 245.1 FT ALONG FENCE; TH S 17°29'E 28.6 FT ALONG FENCE; TH S 70°39'E 85.7 FT ALONG FENCE; TH S 09°29'E 142.5 FT ALONG FENCE TO A PT WHENCE THE S¼ COR SEC 1 T26S R21E BEARS S 29°35'E A DIST OF 1295.8 FT; TH S 69°36'W 240.7 FT ALONG FENCE; TH S 89°37'W 211.8 FT ALONG FENCE; TH N 0°03'W 400.1 FT ±; TH N 84°12'W 226.7 FT ± TO BEG
- b. The request is to change the zoning on the subject property from RA-1 Residential-Agricultural Zone, to RA-1 and R-3 Multi-Household Residential Zone, approximately 2+/- acres of RA-1, and 7.51+/- acres of R-3; and
- c. The subject parcel zoned RA-1 is approximately 9.51 acres; and
- d. The subject parcel has frontage on Kane Creek Drive. Surrounding Zoning includes: RA-1 Residential-Agricultural, R-3 Multi-household Residential, I-1 Industrial, Floodway (Pack Creek) and C-3 Central Commercial (across Pack Creek); and
- e. The applicant provided the Planning Commission with an application and the appropriate documents as required in MMC Section 17.04. The Planning Commission reviewed the application in a duly advertised public hearing held on August 26, 2021, where the item was positively recommended for approval to City Council; and
- f. The Planning Commission determined that the amendment to the zoning maps is in accordance with the General Plan and development trends of the community. Having evaluated the staff report, statements from the applicant and the public, the Planning Commission concluded that the proposed change in zoning for this property was an acceptable amendment to the Official Zoning Map; and

- g. The Planning Commission and City Council have determined that the review standards in Moab Municipal Code chapter 17.04.060, Map amendment approval criteria, have been met as follows:
- A. The proposed zoning classification for commercial use is compatible with the majority of surrounding uses and impacts to the existing development can be mitigated,
 - B. Adequate facilities are available to serve the type and scope of redevelopment suggested by the proposed zoning classification,
 - C. The surrounding uses will be buffered from other residential and commercial development in the area; and
 - D. The application conforms to the provisions of the Moab General Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MOAB CITY COUNCIL, having considered public comment, staff comments, and discussion of the pertinent aspects of the proposed zone change, by adoption of Ordinance #2021-15, does hereby find, determine, and declare, that the applicable provisions of the Moab Municipal Code and the intent of the Moab General Plan can be met;

AND, FURTHERMORE, the City Council Conditionally APPROVES the application to rezone the property located at approximately 398 Kane Creek Blvd, Moab UT 84532, Amending the subject parcel zone from RA-1 Residential-Agricultural Zone, to RA-1 and R-3 Multi-Household Residential Zone amending the Official Zoning Map, subject to the following condition:

- 1) In the case that the Development Agreement fails, the condition that would revert the property to the pre-existing, underlying zone district (RA-1), would follow standard municipal process for a rezone.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on January 25, 2022.

SIGNED: _____

Joette Langianese, Mayor

ATTEST: _____

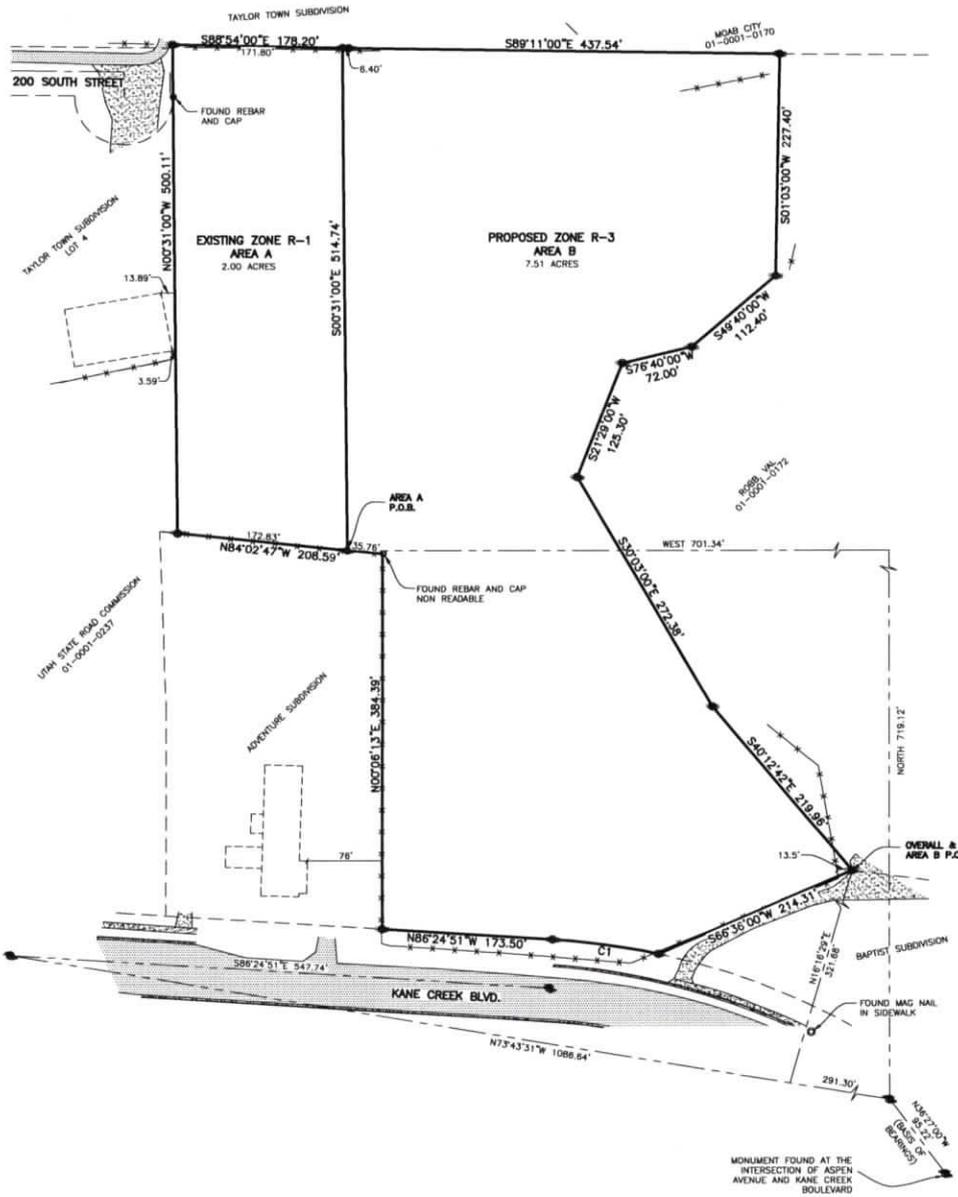
Sommar Johnson, Recorder

ZONING AREA EXHIBIT

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
CITY OF MOAB, GRAND COUNTY, UTAH
AUGUST, 2021



VICINITY MAP
SCALE: NONE



OVERALL BOUNDARY DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BAPTIST SUBDIVISION, SAID POINT BEING N73°43'31"W 291.30 FEET AND N18°16'29"E 321.88 FEET FROM A FOUND STREET MONUMENT IN KANE CREEK BOULEVARD; THENCE S88°54'00"W 214.31 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF KAYNE CREEK BOULEVARD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 720.00 FEET, AN ARC LENGTH OF 108.26 FEET, A DELTA ANGLE OF 08°36'54", A CHORD BEARING OF N82°08'23"W, AND A CHORD LENGTH OF 108.16 FEET; (2) N82°45'11"W 173.50 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF ADVENTURE SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO (2) COURSES: (1) N00°06'13"E 384.39 FEET; (2) N84°02'47"W 208.59 FEET TO A POINT ON THE EXTENSION OF THE EASTERLY BOUNDARY LINE OF TAYLOR TOWN SUBDIVISION; THENCE N00°31'00"W ALONG SAID LINE 500.11 FEET; THENCE S88°54'00"E ALONG THE BOUNDARY OF SAID SUBDIVISION, 178.20 FEET; THENCE S89°11'00"E 437.54 FEET; THENCE S01°03'00"W 227.40 FEET; THENCE S48°40'00"W 112.40 FEET; THENCE S78°40'00"W 72.00 FEET; THENCE S21°29'00"W 125.30 FEET; THENCE S30°03'00"E 272.38 FEET; THENCE S40°12'42"E 219.86 FEET TO THE POINT OF BEGINNING.

CONTAINING 414,167 SQUARE FEET OR 9.508 ACRES MORE OR LESS.

AREA A BOUNDARY DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF ADVENTURE SUBDIVISION, SAID POINT BEING NORTH 719.12 FEET AND WEST 701.34 FEET FROM A FOUND STREET MONUMENT IN KANE CREEK BOULEVARD; THENCE N84°02'47"W ALONG SAID NORTH LINE, 172.83 FEET, A POINT ON THE EXTENSION OF THE EASTERLY BOUNDARY LINE OF TAYLOR TOWN SUBDIVISION; THENCE N00°31'00"W ALONG SAID LINE 500.11 FEET TO THE SOUTH LINE OF TAYLOR TOWN SUBDIVISION; THENCE S88°54'00"E ALONG SAID SOUTH LINE, 171.80 FEET; THENCE S00°31'00"E 514.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 87,140 SQUARE FEET OR 2.000 ACRES MORE OR LESS.

AREA B BOUNDARY DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BAPTIST SUBDIVISION, SAID POINT BEING N73°43'31"W 291.30 FEET AND N18°16'29"E 321.88 FEET FROM A FOUND STREET MONUMENT IN KANE CREEK BOULEVARD; THENCE S88°54'00"W 214.31 FEET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF KAYNE CREEK BOULEVARD, 214.31 FEET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 720.00 FEET, AN ARC LENGTH OF 108.26 FEET, A DELTA ANGLE OF 08°36'54", A CHORD BEARING OF N82°08'23"W, AND A CHORD LENGTH OF 108.16 FEET; (2) N82°45'11"W 173.50 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF ADVENTURE SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING TWO (2) COURSES: (1) N00°06'13"E 384.39 FEET; (2) N84°02'47"W 35.76 FEET; THENCE N00°31'00"W 514.74 FEET TO A POINT ON THE SOUTH LINE OF TAYLOR TOWN SUBDIVISION; THENCE ALONG SAID SOUTH LINE AND ITS EXTENSION THE FOLLOW TWO (2) COURSES: (1) S88°54'00"E 8.40 FEET; (2) S89°11'00"E 437.54 FEET; THENCE S01°03'00"W 227.40 FEET; THENCE S48°40'00"W 112.40 FEET; THENCE S78°40'00"W 72.00 FEET; THENCE S21°29'00"W 125.30 FEET; THENCE S30°03'00"E 272.38 FEET; THENCE S40°12'42"E 219.86 FEET TO NORTHWEST CORNER OF LOT 1, BAPTIST SUBDIVISION AND TO THE POINT OF BEGINNING.

CONTAINING 327,027 SQUARE FEET OR 7.508 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, **TREVOR J. HATCH**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

SIGNED THIS DAY OF _____, 2021

9031945
UTAH LICENSE NUMBER



LEGEND

- = FOUND STREET MONUMENT (BOX/PIN)
- = FOUND AS NOTED
- = SET REBAR AND CAP STAMPED "REEVE & ASSOCIATES"
- = BOUNDARY LINE
- = MONUMENT TIE LINE
- = ADJOINING PROPERTY
- = EXISTING FENCE LINE
- = EXISTING CONCRETE
- = EXISTING GRAVEL
- = EXISTING STRUCTURE



CURVE TABLE

CHORD BEARING	CHORD LENGTH	TANGENT	ARC LENGTH	RADIUS
N82°08'23"W	108.16	54.23'	108.26'	172.83'

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE PROPERTY BOUNDARY ON THE GROUND FOR FUTURE DEVELOPMENT. THERE ARE SEVERAL DEED DISCREPANCIES BETWEEN THIS SUBJECT PARCEL AND ADJACENT PARCELS. THE BOUNDARY FOR ADVENTURE SUBDIVISION AND TAYLOR TOWN SUBDIVISION WERE DETERMINED BY FOUND REBARS AS SHOWN. THE NORTH LINE WAS DETERMINED BY THE SOUTH LINE OF LOT 3, TAYLOR TOWN SUBDIVISION AND ITS EXTENSION EAST. THE RIGHT OF WAY LINE FOR KANE CREEK BOULEVARD WAS BASED ON FOUND MONUMENTATION. THE LINE BETWEEN PARCEL 01-0001-0172 AND 01-0001-0172 ARE IN CONFLICT AND A B BOUNDARY LINE AGREEMENT BETWEEN THE TWO IS RECOMMENDED TO CLEAR TITLE. THE LINE SHOWN HEREIN IS ALONG THE DEED LINE FOR PARCEL 01-0001-0172 AS PER THAT CERTAIN WARRANTY DEED RECORDED AS ENTRY NO. 456971, WHICH MATCHES WHAT IS SHOWN ON THE RECORD'S MAP.

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY IS THE LINE BETWEEN THE FOUND STREET MONUMENTS AT THE INTERSECTION OF KANE CREEK BOULEVARD AND ASPEN AVENUE AND IN KANE CREEK BOULEVARD AS SHOWN HEREON AS N35°27'00"W, SAID BEARING BEING TAKEN FROM THE PLAT MAP FOR BAPTIST SUBDIVISION.

NOTE

CURRENT ZONE: R-1



REVISIONS	DATE	DESCRIPTION

ZONING AREA EXHIBIT
PART OF THE SW 1/4 OF SECTION 1, T.28N., R.21E., SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
MOAB, GRAND COUNTY, UTAH
Jacob Satterfield

Project Info
Surveyor: T. HATCH
Designer: E. ROOHE
Begin Date: R-24-21
Name: _____
RECORD OF SURVEY
Scale: 1"=60'
Checked: _____
Number: 7850-02

Sheet **1** of 1 Sheets

City of Moab Official Zoning Map

APPROVAL

Approval by action of the Moab City Council on the 25th day of January, 2022, as Ordinance 2021-15

By: _____
Joette Langianese, Mayor

Attest: _____
Sommar Johnson, City Recorder

By: _____
Planning Commission

Map Notes:

1. This map edition incorporates all zone changes approved prior to January 25, 2022.
2. Parcel boundary lines shown hereon are based on record data and may not accurately reflect the location of actual parcel boundaries located by title research and a professional land survey.
3. The coordinate system used for this map is NAD 1983, UTM, Zone 12N



0 1,250 2,500 5,000 Feet

Legend

City Limits

Parcels

City Zoning

R-1

R-2

R-3

R-4

MH/RV-1

RA-1

A-2

C-1

C-2

C-3

C-4

C-5

I-1

RC

SAR

FC-1

County

City of Moab Official Zoning Map