

**SUMMARY OF**  
**MOAB CITY**  
**ORDINANCE NO. 2023-12**

On August 22, 2023, the Moab City Council enacted Ordinance No. 2023-12, An Ordinance Amending the Text of the Moab Municipal Code (MMC), Clarifying the Screening and Buffering Requirements for the Multi-Household Dwellings Permitted Use, Amending the Multi-Household Dwelling's Use Parameter, Buffering, in Sections 17.20, 17.21, 17.27, 17.30, 17.48, and 17.51.



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By: Joette Langianese, Mayor

ATTEST



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Sommar Johnson, Recorder

Voting:

Council Member Jones voting aye.  
Council Member Knuteson-Boyd voting aye.  
Council Member Derasary voting aye.  
Council Member Taylor voting aye.  
Council Member Wojciechowski voting aye.

A complete copy of Ordinance No. 2023-12 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

CITY OF MOAB, UTAH

## ORDINANCE NO. 2023-12

An Ordinance Amending the Text of the Moab Municipal Code (MMC), Clarifying the Screening and Buffering Requirements for the Multi-Household Dwellings Permitted Use. Amending the Multi-Household Dwelling's Use Parameter, Buffering, in Sections 17.20 , 17.21, 17.27, 17.30, 17.48, and 17.51.

**WHEREAS**, the City has enacted Title 17 Zoning, of the Moab Municipal Code (MMC), that governs land use and development regulations within the City Limits, and from time to time the City undertakes revisions of Title 17 to improve the quality and consistency of land development regulations; and

**WHEREAS**, the City received a determination from an Administrative Law Judge (ALJ), associated with an appeal pertaining to interpretive clarification, that the language of the MMC was not consistent with the historic interpretation of development regulations specific to buffering; and

**WHEREAS**, the City finds that this Ordinance, for the purpose of clarifying existing language and development regulations, is critical to providing clear and consistent interpretation for permitted use development; and

**WHEREAS**, the Ordinance amendment will bring the regulatory language in-line with the historic understanding and interpretation applied to all Multi-Household Development approvals from the last five years; and

**WHEREAS**, The City of Moab has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so; and

**WHEREAS**, the Moab Municipal Code Chapter 17.04, Zoning Map Amendments and Text Amendments, permits the Zoning Text Amendment process to allow amendments to the development standards within zoning districts; and

**NOW, THEREFORE BE IT ORDAINED** that the Moab City Council hereby approves the Text Amendments as follows:

**PASSED AND APPROVED** in open Council by a majority vote of the Governing Body of Moab City Council this 22<sup>ND</sup> day of AUGUST 2023.

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X. *Permitted Uses*. The following uses shall be permitted-by-right. If a use is not listed it is prohibited.

X. Multi-household dwellings.

v. *Buffering*. All adjacent properties shall be buffered by screens, fences, hedges, berms, shrubs, swales, or other features that individually or in combination reduce the impact on adjacent uses at a horizontal distance determined by the Land Use Authority sufficient to reasonably reduce the impact of the use on adjacent properties; or a distance of not less than fifteen feet, if no screens, fences, hedges, berms, shrubs, swales, or other features are used. Buffering may be combined with screens, fences hedges, berms, shrubs, swales, or other features that individually or in combination reduce the impact on adjacent uses. The more different the use of the adjoining property, the more dense or extensive the buffering combination must be. A buffer consists of a horizontal distance from a lot line. A screen is a vertical barrier situated between adjacent properties or uses.

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**PASSED** by the Moab City Council in a public meeting by the following vote:

**MOAB CITY COUNCIL:**

Those voting aye: JONES, KNUTESON-BOYD, TAYLOR, DERASARY, NAWCIECHOWSKI

Those voting nay: N/A

Those abstaining: N/A

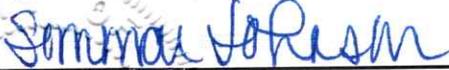
Those absent: N/A



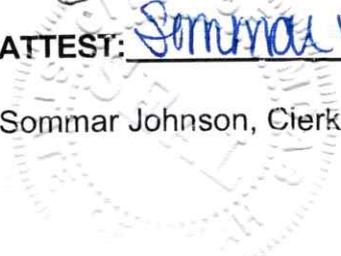
Joette Langianese, Mayor

8/22/23

Date

**ATTEST:** 

Sommar Johnson, Clerk/Recorder



(Complete as Applicable)

Summary of ordinance posted to Moab City Website, the Utah Public Notice Website, and in a public location within the City boundaries pursuant to U.C.A. 10-3-711 and 63G-30-102 on

SEPTEMBER 8, 2023

Effective date of ordinance: SEPTEMBER 8, 2023