

SUMMARY OF
MOAB CITY
ORDINANCE NO. 2023-15

On November 14, 2023, the Moab City Council enacted Ordinance No. 2023-15, An Ordinance Amending the Text of the Moab Municipal Code (MMC), Sections 17.09 Supplementary Requirements And Procedures Applicable Within Zones, 17.18 A-2 Agricultural Zone, 17.20 C-1 Commercial-Residential Zone, 17.21 C-2 Commercial Residential Zone, 17.27 C-4 General Commercial Zone, 17.30 C-5 Neighborhood Commercial Zone, 17.35 MH/RV-1 Mobile Home/ Recreational Vehicle Parks Zone, 17.42 R-1 Single-Household Residential Zone, 17.45 Single-Household And Two-Household Residential Zone, 17.48 R-3 Multi-Household Residential Zone, 17.51 R-4 Manufactured Housing Residential Zone, 17.54 Ra-1 Residential-Agricultural Zone, And 17.10 Landscaping Standards, to Resolve and Remove Referencing Discrepancies from Prior Existing Landscaping Code Locations, and Refine Water Feature Wind Shut-Off Requirements.



By: Joette Langianese, Mayor

ATTEST



Sommar Johnson, Recorder

Voting:

Council Member <u>Taylor</u>	voting <u>aye</u>
Council Member <u>Wojciechowski</u>	voting <u>aye</u>
Council Member <u>Jones</u>	voting <u>aye</u>
Council Member <u>Derasary</u>	voting <u>aye</u>
Council Member <u>Knuteson-Boyd</u>	voting <u>aye</u>

A complete copy of Ordinance No. 2023-15 is available in the Moab City offices located at 217 E. Center Street, Moab, UT 84532.

CITY OF MOAB ORDINANCE #2023-15

AN ORDINANCE AMENDING THE TEXT OF THE MOAB MUNICIPAL CODE (MMC), SECTIONS 17.09 SUPPLEMENTARY REQUIREMENTS AND PROCEDURES APPLICABLE WITHIN ZONES, 17.18 A-2 AGRICULTURAL ZONE, 17.20 C-1 COMMERCIAL-RESIDENTIAL ZONE, 17.21 C-2 COMMERCIAL RESIDENTIAL ZONE, 17.27 C-4 GENERAL COMMERCIAL ZONE, 17.30 C-5 NEIGHBORHOOD COMMERCIAL ZONE, 17.35 MH/RV-1 MOBILE HOME/ RECREATIONAL VEHICLE PARKS ZONE, 17.42 R-1 SINGLE-HOUSEHOLD RESIDENTIAL ZONE, 17.45 SINGLE-HOUSEHOLD AND TWO-HOUSEHOLD RESIDENTIAL ZONE, 17.48 R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONE, 17.51 R-4 MANUFACTURED HOUSING RESIDENTIAL ZONE, 17.54 RA-1 RESIDENTIAL-AGRICULTURAL ZONE, AND 17.10 LANDSCAPING STANDARDS, TO RESOLVE AND REMOVE REFERENCING DISCREPANCIES FROM PRIOR EXISTING LANDSCAPING CODE LOCATIONS, AND REFINE WATER FEATURE WIND SHUT-OFF REQUIREMENTS.

WHEREAS, the City of Moab recently approved the Water-Efficient Landscaping Ordinance 2023-08 with the direction to City Staff to refine the General Standard Requirements for Water Features, to specify wind shut-off requirements, as well as resolve any outstanding discrepancies in code referencing created by the generation of new chapter sections; and

WHEREAS, the City of Moab via the General Plan commits to preventing the waste of resources by promoting the conservation and efficient use of water; and

WHEREAS, the Utah Division of Water Resources Regional Water Conservation Goal for the “Upper Colorado River” (Carbon, Emery, Grand, and San Juan Counties) is 20% by 2030, from an average of 333 gallons per capita per day (GPCD) to 267 GPCD; and

WHEREAS, the City’s Water Conservation Plan proposes to meet and exceed the Regional Goal by setting a new baseline of 250 GPCD by 2030, down from its 2020 estimated use of 263 GPCD, with additional decreases to 230 GPCD based on State participation in conservation efforts, which in total would represent a 50% decrease in outdoor landscape irrigation; and

WHEREAS, landscapes are essential to the quality of life in the City of Moab by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, mitigating urban heat island effect, managing stormwater, offering fire protection, and replacing ecosystems lost to development; and

WHEREAS, the City finds that there is a compelling need and public purpose for adopting updated development standards due to current conditions and factors that require more efficient landscaping standards for water conservation and resource management; and

WHEREAS, the City has coordinated and contracted with WaterNow Alliance and Western Resource Advocates, environmental nonprofits, to provide pro-bono technical assistance to the City in researching, developing, and implementing robust water wise landscaping standards that promote water resiliency in Moab even in the face of growth and climate change; and

WHEREAS, from time to time the City undertakes revisions in its zoning ordinances to improve the quality of land development and align the Code with state law and contemporary planning concepts;

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.

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

WHEREAS, the City of Moab Planning Commission forwarded a positive recommendation, following a duly noticed Public Hearing during a noticed Special Meeting held November 2, 2023; and

WHEREAS, this ordinance shall apply to all properties or developments where landscaping or landscaped spaces are required; and

WHEREAS, the purpose of this ordinance is to update the required landscaping development standards with water efficient techniques and regulations that will apply proportionately to the scale of development proposed; 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 14th day of November 2023.

SIGNED:



Joette Langianese, Mayor

11.14.23

Date

ATTEST:



Sommar Johnson, 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

11.27.23

Effective date of ordinance: 11.27.23

SECTION 1. AMENDMENTS TO 17.09 SUPPLEMENTARY REQUIREMENTS AND PROCEDURES APPLICABLE WITHIN ZONES:

~~17.09.360 Landscaping—Required Specifications~~

~~At least seventy percent of the area contained within a required front or side yard adjacent to a street in any residential or residential-agricultural zone shall be landscaped. Also, other landscaping shall be required in other zones as specified. (Prior code § 27-3-23)~~

~~17.09.370 Landscaping—Specifications generally~~

~~The purpose of the landscaping requirements in this title shall be to enhance, conserve and stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere for the orderly development of a pleasant community. Landscaping also contributes to the relief of heat, noise and glare through the proper placement of green plants and trees, and other commonly accepted forms of landscaping. (Prior code § 27-3-24 (part))~~

~~17.09.380 Landscaping—Scope of Requirements~~

~~Where landscaping is required, such landscaping shall comply with the requirements set forth in this title for the specific use and location. (Prior code § 27-3-24(A))~~

~~17.09.390 Landscaping—Maintenance.~~

~~Required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition. This is meant to include proper pruning, mowing lawns, weeding, removal of litter, fertilizing, replacement of dead plants and the regular watering of all plantings. (Prior code § 27-3-24(B))~~

~~17.09.400 Landscaping—Screening requirements (shrubs).~~

~~Where landscaped screening is required, said screening shall consist of evergreen shrubs, walls, berms, opaque fences, or other densely planted shrubs or vegetation, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height of from four feet to six feet.~~

~~A buffer of ten feet of landscaping and an opaque screen or fence shall be installed and maintained along commercial zoning boundaries (other than streets) that abut residential zones. The opaque screen or fence shall have a total height of six feet. Where there is a difference in elevation on the opposite sides of the screen, the height shall be measured from the highest elevation. Under special conditions where it has been determined that the development may create unique impacts on an adjoining residential zone, such as in the case of parking lots,~~

~~extended business hours, or hillside developments, the Zoning Administrator may review and approve other methods of screening such as bermed landscaping, screen height, placement of screening, or other types of screening.~~

~~Screening of mechanical equipment, loading areas, dumpsters or structures built to accommodate the storage of trash and garbage shall be required. (Ord. 94-01 (part), 1994: prior code § 27-3-24(C))~~

~~Buffering and Screening shall be applied as follows unless directly described within a particular permitted use parameter, regulatory chapter, ordinance provision, or approval overlay; the more direct requirements shall apply.~~

~~17.09.410 Landscaping—Plot Plan Required~~

~~Where landscaping is required in this title, a plot plan showing the proposed landscape development, watering system and use of the property shall be submitted to the Zoning Administrator. The same plot plan used to show parking layout or other requirements for the issuance of a building permit may be used to show landscaping, providing all proposed landscaping is detailed adequately on said plot plan. The Zoning Administrator may disapprove such plans if he determines that they are not consistent with the requirements and purposes of this title. (Prior code § 27-3-24(D))~~

~~17.09.420 Landscaping—Nonconforming Status~~

~~Any use of property which, on the effective date of the ordinance codified in this title, is nonconforming only as to the regulations relating to landscaping may be continued in the same manner as if the landscaping were conforming. (Prior code § 27-3-24(E))~~

SECTION 2. AMENDMENTS TO 17.18 A-2 AGRICULTURAL ZONE, 17.20 C-1 COMMERCIAL-RESIDENTIAL ZONE, 17.21 C-2 COMMERCIAL-RESIDENTIAL ZONE, 17.27 C-4 GENERAL COMMERCIAL ZONE, 17.30 C-5 NEIGHBORHOOD COMMERCIAL ZONE, 17.35 MH/RV-1 MOBILE HOME/ RECREATIONAL VEHICLE PARKS ZONE, 17.42 R-1 SINGLE-HOUSEHOLD RESIDENTIAL ZONE, 17.45 R-2 SINGLE-HOUSEHOLD AND TWO-HOUSEHOLD RESIDENTIAL ZONE, 17.48 R-3 MULTI-HOUSEHOLD RESIDENTIAL ZONE, 17.51 R-4 MANUFACTURED HOUSING RESIDENTIAL ZONE, 17.54 RA-1 RESIDENTIAL-AGRICULTURAL ZONE:

17.18 A-2 Agricultural zone

17.18.020.A Permitted Uses and Regulations

9. 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 17.10 Landscaping Standards](#) 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.

17. 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 [\(A\)\(17\)\(b\)](#) of this section.
- 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 seven a.m. to seven p.m.
- g. [Landscaping shall be completed in accordance with the provisions located in Section 17.10 \(Landscaping Standards\).](#) 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. (Ord. 19-13 § 21 (part), 2019; Ord. 18-01 (part), 2018; Ord. 10-06, 2010; Ord. 08-03 (part), 2008; Ord. 94-12 (part),

17.20. C-1 Commercial-Residential Zone

17.20.020.A Permitted Uses and Regulations

12. Multi-Household Dwellings. Developments consisting of seven or more multi-household units shall be subject to the following additional 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 set back 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 properties shall be buffered in accordance with the provisions located in ~~Section 17.10.030 Buffer and Screening Requirements;~~
- f. ~~Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.~~

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 [Section 17.10 Landscaping Standards](#). 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. 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 [\(A\)\(22\)\(b\)](#) of this section.
- 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 seven a.m. to seven 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 in [Section 17.10 Landscaping Standards](#). 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.

[17.20.040](#) Special Provisions

- A. A strip of land at least fifteen feet in width adjacent to all public streets shall be landscaped as set forth in accordance with the provisions located in [Section 17.10 \(Landscaping Standards\)](#) of

this title, except for permitted driveways.

17.21 C-2 Commercial-Residential Zone

17.21.020.A Permitted use and regulations

16. *Multi-Household Dwellings.* Developments consisting of seven or more multi-household units shall be subject to the following additional 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 set back 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 [in accordance with the provisions located in Sections 17.10.030 Buffer and Screening Requirements](#);
- f. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.

20. *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 [Section 17.10 \(Landscaping Standards\)](#). 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.

17.21.040 Special provisions

A. A strip of land at least fifteen feet in width adjacent to all public streets shall be landscaped as set forth in accordance with the provisions located in Section [17.10](#) (Landscaping Standards)

[17.27](#) C-4 General Commercial Zone

[17.27.020.A](#) Permitted uses and regulations

10. *Dwellings in the C-4 Commercial Zone.* All dwellings, other than 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:
 - i. Be placed on a slab-on-grade or perimeter foundation as approved by the Building Department;
 - ii. Have a wood, brick or stucco exterior, or a material that looks similar to wood, brick or stucco;
 - iii. Have a minimum four-to-twelve roof pitch and a one-foot overhang (structures constructed in the traditional southwest Spanish style are exempt from this requirement);
 - iv. 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;
 - v. Buffering is required in accordance with other provisions of this chapter;
 - vi. *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 additional requirements:

i. *Access.* Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.

ii. *Parking.* Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.

iii. *Garages or Carports.* If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.

iv. *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.

v. *Buffering.* All adjacent uses shall be buffered in accordance with the provisions located in Section 17.10.030 Buffer and Screening Requirements;

vi. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.

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 Section 17.10. 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.

30. *Recreational Vehicle Park or Campground.*

a. Landscaping, screening, and fencing shall be installed and maintained to mitigate impacts on surrounding uses in accordance with the provisions located in Section 17.10.030 (Buffer and Screening Requirements);

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 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 six a.m. to ten p.m. for the office and other park facilities.

17.27.040 Special Provisions

A. A strip of land at least fifteen feet in width adjacent to all public streets shall be landscaped as set forth in accordance with the provisions located in Section [17.10](#) (Landscaping Standards)

[17.30](#) C-5 Neighborhood Commercial Zone

[17.30.020](#) Permitted uses and regulations

9. Multi-household dwellings of seven or more units. Developments consisting of seven or more multi-household units shall be subject to the following additional 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 set back 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 in accordance with the provisions located in Section 17.10.030 Buffer and Screening Requirements;
- f. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.

17.30.040 Special Provisions

- A. A landscaped strip of at least fifteen feet in width shall be installed along the border of any public street in accordance with the provisions outlined in section 17.10 Landscape Standards;
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17.35 MH/RV-1 Mobile Home/ Recreational Vehicle Parks

17.35.020 Permitted uses and regulations

- 5. 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 days.
 - b. Trees and other landscaping serving as a buffer to other adjacent uses must be in accordance with the provisions located in 17.10.030 Buffer Screening Requirements.. Landscaping shall be in accordance with the requirements of Section 17.10 of this title

- 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 six a.m. to ten p.m. for the office and other park facilities or be established by resolution of the Planning Commission. (Ord. 18-01 (part), 2018; Ord. 08-03 (part), 2008; Ord. 87-07 (part), 1987)
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17.42 R-1 Single-Household Residential Zone

17.42.020 Permitted Uses Regulations

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 [accordance with the provisions outlined in section 17.10 Landscape Standards](#)
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. 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. Compliance with all applicable City regulations regarding noise, odor and glare;
- 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. The proposed use shall not generate traffic in excess of the level of traffic associated with the number of residential dwellings that could be permitted on the parcel.

17.45 R-2 Single-Household and Two-Household Residential Zone

17.45.020 Permitted Uses and Regulations

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 [accordance with the provisions outlined in section 17.10 Landscape Standards](#)
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.

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. Compliance with all applicable City regulations regarding noise, odor and glare;
- 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. The proposed use shall not generate traffic in excess of the level of traffic associated with the number of residential dwellings that could be permitted on the parcel.

17.48 R-3 Multi-Household Residential Zone

17.48.020 Permitted uses and regulations

7. Multi-household dwellings.

a. Developments consisting of three or more multi-household units shall be subject to the following requirements. In the event that the requirements of this chapter conflict with the requirements of the same or similar terms presented elsewhere in the Moab Municipal Code, or in a model code that has been adopted by the City (e.g., International Building Code), the definition contained in this chapter shall prevail:

- i. Thirty-three percent of the units in a multi-household development shall be designated as active employment units, as defined by Chapter [17.06](#), Definitions, and regulated per Chapter [17.64](#), Active Employment Households. The provisions of this use parameter requirement shall be reviewed on a recurring interval of two years from date of adoption, for assessment of continued need and inclusion in the underlying zone.
- ii. Buildings or structures shall not exceed three stories with a maximum building height of thirty-five feet.
- iii. One parking space shall be required for each dwelling unit containing a studio or one-

bedroom dwelling, and one and one-half parking spaces shall be required for each dwelling unit containing a two-or-more-bedroom dwelling.

b. Developments consisting of seven or more multi-household units shall be subject to the following additional requirements:

i. *Access.* Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.

ii. *Parking.* Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.

iii. *Garages or Carports.* If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.

iv. *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.

v. *Buffering.* All adjacent uses shall be buffered in accordance with the provisions located in [Section 17.10.030 Buffer and Screening Requirement](#).

vi. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.

vii. The allowed number of multi-household units shall be determined by Section [17.48.030](#).

9. 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 [accordance with the provisions outlined in section 17.10 Landscape Standards](#)

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.

17.51 R-4 Manufactured Housing Residential Zone

17.51.020 Permitted uses and regulations

8. Multi-household dwellings.

a. Developments consisting of three or more multi-household units shall be subject to the following requirements. In the event that the requirements of this chapter conflict with the requirements of the same or similar terms presented elsewhere in the Moab Municipal Code, or in a model code that has been adopted by the City (e.g., International Building Code), the definition contained in this chapter shall prevail:

i. Thirty-three percent of the units in a multi-household development shall be designated as active employment units, as defined by Chapter [17.06](#), Definitions, and regulated per Chapter [17.64](#), Active Employment Households. The provisions of this use parameter requirement shall be reviewed on a recurring interval of two years from date of adoption, for assessment of continued need and inclusion in the underlying zone.

ii. Buildings or structures shall not exceed three stories with a maximum building height of thirty-five feet.

iii. One parking space shall be required for each dwelling unit containing a studio or one-bedroom dwelling, and one and one-half parking spaces shall be required for each dwelling unit containing a two-or-more-bedroom dwelling.

b. Developments consisting of seven or more multi-household units shall be subject to the following additional requirements:

i. *Access.* Vehicular access shall be provided to the property in such a way that it does not impede traffic patterns on adjacent streets.

ii. *Parking.* Off-street parking shall be designed in such a way as to allow vehicles to pull forward into the on-street traffic flow.

iii. *Garages or Carports.* If provided, garages and carports shall not be located in the front yard and shall be set back from the front wall of the principal structure at least fifteen feet or be accessed from the rear or side of the property.

iv. *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.

v. *Buffering.* All adjacent uses shall be buffered in accordance with the provisions located in Section 17.10.030 Buffer and Screening Requirement

vi. Apartments and court apartments shall designate an open space/recreation area that is a minimum of two hundred 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.

vii. The allowed number of multi-household units shall be determined by Section [17.48.030](#).

10. 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 accordance with the provisions outlined in section 17.10 Landscape Standards

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.

[17.54](#) RA-1 Residential-Agricultural Zone

[17.54.020](#) Permitted Uses and Regulations

10. 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 [accordance with the provisions outlined in section 17.10 Landscape Standards](#)

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.

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 [\(A\)\(18\)\(b\)](#) of this section.
- 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 seven a.m. to seven p.m.
- g. [Landscaping shall be completed in accordance with the provisions located in Sections 17.10 Landscaping Standards.](#)-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. (Ord. 19-13 § 21 (part), 2019; Ord. 18-01 (part), 2018; Ord. 10-06, 2010; Ord. 08-03 (part), 2008; Ord. 94-12 (part), 1994; Ord. 85-01 § 1, 1985; prior code § 27-7-2)

SECTION 3. ADD WATER FEATURE WIND SHUT-OFF REGULATION TO CHAPTER 17.10

LANDSCAPING STANDARDS, AS FOLLOWS:

17.10 Landscaping Standards.

17.10.040 GENERAL STANDARDS.

A. Landscape Material

6. Water Features.

- a. Recirculating water systems shall be used for water features.
- b. **Water features with a cumulative water free fall greater than 4 feet shall install a wind shut-off sensor.**
- c. Pool and spa covers are highly recommended.
- d. For purposes of the water budget calculation, the surface area of a water feature shall be included as a high water use hydrozone with a seventy-five percent irrigation efficiency.

17.10.070 REVIEW PROCEDURES

D. D. Exceptions.

1. The City may grant exceptions to the landscaping standards when practical difficulties or unnecessary hardships exist that cause inconsistencies with the purpose and intent of the standards.
2. Requests for exceptions from the standards, policies, or submittal requirements of this document shall be submitted in writing with appropriate documentation and justification to the Zoning Administrator. Exception requests must, at a minimum, contain the following:
 - a. Standards under which the applicant seeks an exception;
 - b. Justification for not complying with the standards;
 - c. Proposed alternate criteria or standards to comply with the intent of the standards;
 - d. Supporting documentation, including necessary calculations;
 - e. The proposed exception's potential adverse impacts for adjacent landowners; and
 - f. An analysis of the exception request, signed by a qualified landscape professional or qualified irrigation design professional, depending on the topic of the request.
3. Upon receipt of a complete application for an exception, the Zoning Administrator shall prepare a statement to recommend that the exception be approved or denied or to request a modification of the proposed exception. (Ord. 23-08 § 3, 2023)
4. **Exceptions shall be reviewed and approved by the Planning**