

**CITY OF MOAB  
PLANNING COMMISSION  
PUBLIC HEARING  
PROPOSED ORDINANCE 2017-20**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, May 11, 2017 at approximately 6:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this Public Hearing is to solicit public input on proposed Ordinance 2017-20, an ordinance to amend Moab Municipal Code Chapter 17.09.680, Conditional Use – Carports located within the site setback area of primary dwellings.

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, April 27, 2017 and May 4, 2017.

**ORDINANCE #2017-20**  
**AN ORDINANCE TO AMEND MOAB MUNICIPAL CODE CHAPTER 17.09.680,**  
**CONDITIONAL USE – CARPORTS LOCATED WITHIN THE SITE [SIDE] SETBACK AREA**  
**OF PRIMARY DWELLINGS**

**WHEREAS**, the Moab City Council (“Council”) adopted the Moab Municipal Code (“Code”) and especially Title 17, also known as “The Zoning Ordinance of Moab City, Utah” in an effort to encourage and facilitate orderly growth and development in the City as well as to promote a more respectful and wholesome community environment; and,

**WHEREAS**, the City of Moab wishes to protect and preserve the objectives of the Zoning Ordinance; and the General Plan; and,

**WHEREAS**, from time to time Council has found it necessary to amend Title 17 to support the elements of the General Plan and facilitate enforcement of the provisions of the land use ordinances; and,

**WHEREAS**, the City determined that the first part of Section 17.09.680 was detrimental to those objectives in the Zoning Ordinance and the General Plan, since it disregarded side setbacks, long established in the Code; and,

**WHEREAS**, the City determined that the second part of said Section was useful and indeed indispensable in the Code, as it mandated a site plan and a building permit for all accessory structures; and,

**WHEREAS**, the City therefore drafted a separate Ordinance, to be submitted simultaneously with this one, which amends Section 17.09.560.A (“Accessory Use or Structure”) by placing the useful language about site plans and building permits for accessory structures from Section 17.09.680 into Section 17.09.560.A; and,

**WHEREAS**, the Moab City Planning Commission (“Commission”) held a duly advertised public hearing on \_\_\_\_\_, 2017, to hear and decide the merits of said amendments; and

**WHEREAS**, the Commission, after reviewing the public testimony and the recommendation of Staff, determined that these amendments would better align the Code with the objectives of the City; and,

**WHEREAS**, Council reviewed Ordinance #2017-\_\_\_\_ in a regularly scheduled meeting held on \_\_\_\_\_, 2017, to hear and decide the merits of the proposed changes to Section 17.09.680; and,

**WHEREAS**, Council found the changes to be in the best interests of the City of Moab.

**NOW, THEREFORE**, the Moab City Council hereby repeals in its entirety Section 17.09.680, as it currently reads, and places it in reserve:

**17.09.680 Conditional use--Carports located within the site [side] setback area of primary dwellings.**

Carports may be permitted as a conditional use to locate in one side setback area of a primary dwelling but may not extend into the primary dwelling’s required front setback area. If there is an extension of the primary dwelling or other construction within any side setback area of the primary dwelling, locating a carport in that same setback area is not allowed. Carports may be constructed to the adjacent property line if the structure meets building code. Twelve feet maximum height limit is imposed on carports locating in the side setback area. Height is defined as the vertical distance measured from the average grade of the site to the highest point of the roof.

Carports are required to obtain a building permit and to submit site plans that accurately describe existing dimensions of the side setback area and the dimensions of the proposed structure. The property owner or owners adjacent to the proposed carport shall be notified by the applicant prior to planning commission review. Additional conditions may be established by the planning commission to protect the safety, integrity and aesthetics of the area. (Ord. 01-11 (part), 2001)

**Shall be removed from the Code in its entirety, and placed in reserve.**

In effect on the day of passage;

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

SIGNED:

\_\_\_\_\_  
David L. Sakrison, Mayor

ATTEST:

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