

**Moab City Planning Commission Meeting
217 E. Center Street**

Thursday, January 10, 2019

**WORKSHOP AGENDA
5:30 PM**

- 1. Planning Commission Workshop – 5:30 pm**
**** No Workshop This Meeting ****

**REGULAR MEETING AGENDA
6:00 PM**

- 1. Election of Chair and Vice Chair**
- 2. Citizens to be Heard**
- 3. Public Hearing – Proposed Ordinance 2019-05**
An Ordinance Amending Moab Municipal Code Section 17.21.020, Permitted Uses and Regulations, to Allow Drive-Ins or Drive Through Services for Eating Establishments No Larger Than One Hundred Twenty Square Feet
- 4. Action Item – Planning Resolution 01-2019**
A Resolution Recommending to City Council Conditional Approval of Ordinance 2019-05 Amending Moab Municipal Code Section 17.21.020, Permitted Uses and Regulations, to Allow Drive-ins or Drive Through Services for Eating Establishments No Larger Than One Hundred Twenty Square Feet
- 5. Future Agenda Items**
Joint City Council/Planning Commission Workshop – January 22, 2019

ORDINANCE #2019-05

AN ORDINANCE AMENDING MOAB MUNICIPAL CODE SECTION 17.21.020, PERMITTED USES AND REGULATIONS, TO ALLOW DRIVE-INS OR DRIVE THROUGH SERVICES FOR EATING ESTABLISHMENTS NO LARGER THAN ONE HUNDRED TWENTY SQUARE FEET

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 revisions of Title 17.00 to improve the quality of land development and align the Code with state law and contemporary planning concepts.
- c. 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.
- h. This ordinance was reviewed by the Planning Commission on January 10, 2019, and in a __to__ vote, the Commission favorably recommended approval of the ordinance to City Council.

Therefore, the City of Moab enacts as follows:

Moab Municipal Code 17.27.020 that currently reads:

- 6. Eating establishments less than 2,000 square feet excluding drive-ins or drive through services.

SHALL BE AMENDED TO READ:

- 6. Eating establishments less than 2,000 square feet excluding drive-ins or drive through services. Drive-ins or drive through services may be permitted for eating establishments under 120 square feet, subject to the following standards:
 - 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; and
 - C. The drive-through window shall be operated only during normal business hours.

PASSED AND APPROVED in open Council by a majority vote of the Moab City Council on the ___ day of _____, 2019. This ordinance shall take effect immediately upon passage.

SIGNED:

ATTEST:

Emily S. Niehaus, Mayor

Rachel Stenta, Recorder

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PLANNING RESOLUTION #01-2019

A RESOLUTION RECOMMENDING TO CITY COUNCIL APPROVAL OF ORDINANCE #2019-05 AMENDING MOAB MUNICIPAL CODE SECTION 17.21.020, PERMITTED USES AND REGULATIONS, TO ALLOW DRIVE-INS OR DRIVE THROUGH SERVICES FOR EATING ESTABLISHMENTS NO LARGER THAN ONE HUNDRED TWENTY SQUARE FEET

WHEREAS, the City of Moab (“City”) adopted Chapter 17, Zoning, of the Moab Municipal Code (“Code”) to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future inhabitants of the city by guiding development within the City of Moab in accordance with the General Plan; and

WHEREAS, the City reviewed the provisions of the C-2 zone regarding drive-ins and drive through services and feel the amendment could benefit the residents of the City of Moab; and

WHEREAS, Staff recommends approval of the amendment to the Code section as described in Ordinance #2019-05; and

WHEREAS, the Moab Planning Commission held a duly advertised public hearing on January 10, 2019, to hear and decide the merits of the proposed changes, and to receive public input; and

WHEREAS, the Planning Commission subsequently adopted Planning Resolution #01-2018 with the findings that the amendments are justified and appropriate and recommend approval of Ordinance #2019-05 to the City Council.

NOW THEREFORE, the Planning Commission, by a majority vote, favorably recommends Ordinance #2019-05 to City Council for approval.

SIGNED:

Chair

Date