

**CITY OF MOAB
PLANNING COMMISSION
PUBLIC HEARING
PROPOSED ORDINANCE 2010-05**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, March 25, 2010 at approximately 7:00 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 2010-05, an ordinance amending the City of Moab Municipal Code, Chapter 17.09, Supplemental Regulations, and Specifically Repealing 17.09.660, Site Plan Required, and Replacing the Chapter with Detailed Provisions for Site Plan Application Submittals.

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. 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, March 11 and March 18, 2010.

ORDINANCE #2010-05

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AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE, CHAPTER 17.09, SUPPLEMENTAL REGULATIONS, AND SPECIFICALLY REPEALING 17.09.660, SITE PLAN-REQUIRED, AND REPLACING THE CHAPTER WITH DETAILED PROVISIONS FOR SITE PLAN APPLICATION SUBMITTALS

WHEREAS, the Moab City Council (“Council”) adopted the Moab Municipal Code (“Code”) and especially Title 17.00.00, 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 attractive and wholesome community environment; and,

WHEREAS, from time to time Council has found it necessary to amend said Zoning Ordinance to support the elements of the General Plan and enforce the provisions of the Land Use Code; and,

WHEREAS, the City of Moab Planning Commission (“Commission”) in a public hearing held on _____, 2010, met to determine the merits of this Code amendment; and

WHEREAS, the Commission found that the proposed changes would be useful in aiding Planning Staff in the day to day administration of the Code; and,

WHEREAS the Commission also found that developers would also benefit from the clarity of the amendments in understanding what was expected when submitting site plans for development proposal applications; and,

WHEREAS, Council reviewed Ordinance #2010-05 in a regularly scheduled meeting held on _____, 2010, to hear and decide the merits of the proposed change to Chapter 17.09.660, *Site Plan-Required*, of the Moab Municipal Code; and,

WHEREAS, Council found that the changes are in the best interests of the City of Moab.

NOW, THEREFORE, the Moab City Council hereby repeals Code Chapter 17.09.660, *Site Plan-Required*, as it currently reads below:

17.09.660 Site plan--Required.

A. A site plan is required whenever there is an intent to construct, enlarge structurally alter, or move on a building or structure within this jurisdiction.

B. A site plan is a plan view engineered drawing of the property to scale which includes: streets, sidewalks, curbs and gutters, driveways and curb cuts; parcel boundaries, zone, setbacks, and adjacent properties; floodplain statutes of property and elevation of lowest floor if required; parking; building location(s), height and size; landscaping and signs; grading, elevations, and storm drainage; fire hydrants; and utilities including water, sewer, gas and electricity.

C. The site plan shall be reviewed by the building official, zoning administrator, city planner, public and private utilities, fire department and public works director before the planning commission hears and decides on the issuance of a building permit.

D. Each project must be completed according to the approved site plan.

E. Planning commission decision can be appealed by affected parties within ten days of the action to the board of adjustments.

AND, FURTHERMORE, Council hereby ordains that Ordinance 2010-05 that amends Chapter 17.09.660 is hereby adopted to read:

17.09.660 Site plan required.

A. Prior to a building permit being issued for any commercial development or residential use requiring a site plan (whether new, amended, or a change in use), a site plan must be submitted and approved by the Planning and Zoning Commission. A site plan is required whenever there is intent to construct, enlarge, structurally alter, or move on a building or structure within the City of Moab.

B. A site plan is a plan view drawing of the property to scale that bears the stamp of an engineer or architect registered with the State of Utah and includes the following items that shall be submitted to the Moab City Planning and Zoning Department.

C. Applicants wishing to submit an amendment to an approved site plan are required to submit properly prepared site plan drawings, with elevations, or landscape plans that clearly depict the proposed amendment. An application form (provided by the Zoning Administrator) and all appropriate fees must accompany the site plan drawings.

D. **Preliminary Site Plan.** Applicants shall submit a minimum of four (4) copies of the preliminary site plan (with requirements as listed below), drawn to a scale not less than 1 inch = 50 feet (on paper no larger than 24" x 36"), and one (1) copy reduced to 11" x 17 that shall include:

Parcel boundary lines. Include all easements, setbacks and construction limits of the project site. Must show with finished floor elevations of all new construction;

Drives, streets, and rights-of-way. Include widths of pavement, curb and gutter and dimensions of rights-of-way;

Parking and loading. The Parking Plan must include a count of spaces and details of ADA parking spaces as well as indicating the location and types of lighting proposed for security lighting of the area.

Access. Include points of ingress, egress. For developments adjacent to and accessed by a state or federal highway, UDOT's evaluation letter must be attached. NOTE: A traffic study may be required as part of the application if deemed necessary by city staff or UDOT;

Easements; Use type, width and identity all users;

Structures and signs: Location and dimensions of all proposed structures and signs.

Refuse areas. A statement from the refuse provider and detailed drawings of the refuse enclosure must also be included;

Common open space. Must be described on the plat if condominium/townhome ownership will be used;

Topography. All site conditions including terrain contours, buildings, structures, utilities, drainage, and other physical features on or near the site. Existing and finished grades must be shown in different shades/colors. Small projects may contain this topographic survey on the site plan but larger projects must show a separate survey;

Use types. Specific areas proposed for specific types of land use shall be shown. Include the approximate acreage or square footage for each area and the slope or other defining feature for the area;

Public dedication. Areas proposed for public dedication shall note whether for parks, public school use or streets and rights-of-way;

Lots or plots. Include all dimensions and total area of each lot or plot;

Parks and parkways. Must include perimeter dimensions, total area, and average slope;

School sites. If applicable, perimeter dimensions and total area must be included;

Sidewalks and trails. Show connectivity to existing trails and proposed trails as indicated on the Grand County Non-motorized Master trails Plan;

Adjacent Zoning. Clear labeling of the zoning for adjacent properties within 300 feet shall be shown. Details for county zoning designation may be submitted separately or be included in the narrative;

Floodplain status. The floodplain status of property and the elevation of lowest floor of structure if required;

Fire Hydrants. The locations for fire hydrants shall be shown and approved by the Fire Marshal and Public Works Director;

Title block. A title block shall appear in the lower right hand corner of all plans and plats and shall contain the name of the development, legal location of the property, name and contact information of the site designer/engineer/surveyor, and the name of subdivision. The drawing scale and north point shall also be placed on the plat or plan.

E. Location and typical elevations of structures. Applicants shall submit four (4) copies of drawings depicting all side elevations of existing or proposed buildings and structures. Drawings shall clearly define the location, dimensions, construction components, quality and delineation of materials, methods of construction, finishes and descriptions of all pertinent equipment and architectural elements. Each view should show the dimensions, heights and appropriate schedules and show openings and identify materials used on the façade and roof. Methods for the screening of rooftop mechanical devices shall be included. Each building shall be located using a minimum of two location dimensions;

F. Conceptual master sign plan. If signage is anticipated, applicants shall submit four (4) copies of a master sign plan showing the location and dimensions of all signs and areas in square feet of all buildings and individual business spaces within each building. Signs are not specifically approved through this review process but are subject to a separate permitting, review, and approval process by the Zoning Administrator.

G. Lighting Plan. The lighting plan shall show number and types of fixtures for walkways, building exterior lighting, and parking area illumination. Light fixtures shall consist of a full cutoff, fully shielded, downward directed type of light. Internal or external shielding may be used to prevent glare toward other properties or into the roadway. Lighting of required parking areas shall be a minimum of .5 foot-candles at all areas of the parking lot. Wall mounted flood lights that direct outward toward other properties and roadways are prohibited for this function.

H. Landscape Plan. Applicants shall submit four (4) copies of a landscape plan. Details shall include size and species of plantings, an irrigation plan, xeriscape plan, care and maintenance plan. All applicable code sections of the Moab Municipal Code must be used to develop the Landscape Plan. Proposed erosion control and details must also be noted on the landscape plan.

I. **Wetlands and Riparian Areas.** Riparian areas, probable wetlands, and areas where stream channels may be altered by planned development must be delineated on the site plan. Where probable wetlands are located on the project site the application must be accompanied by a letter from a wetlands consultant or hydrologist describing the nature and character of same. Flood zones and the accompanying designation must be shown and will require an engineered review to mitigate storm water drainage issues and possible flood damage to structures;

J. **Adequate drainage.** Four (4) copies of the storm water drainage plan shall be submitted and show calculations and other information specified below.

a. **Storm water drainage plan.** This study or report shall show the acreage draining into the development, points of runoff through and away from the property. A developer shall provide, at his expense, drainage structures that will become integral parts of the existing street or roadway drainage system, and the dimensions of all drainage structures must be approved by the city public works director prior to installation. The developer shall show that the drainage plan complies with existing master drainage plan of the city and failure to provide such proof will constitute grounds for denial of the application. Drainage structures and ditches shall be of a size and nature sufficient to carry the calculated storm water from streets, roadways and open drainage areas as based on standard engineering principles. The drainage plan shall demonstrate that proposed development will result in no net increase in stormwater discharge, as compared to pre-development conditions. A grading and drainage plan as described below shall accompany any application that may require a drainage study. The plan shall be prepared, signed and sealed by a professional engineer of the state of Utah and include, at a minimum, the following information:

- (1) Project site, including three hundred (300) feet beyond its boundaries;
- (2) Existing contours at two foot intervals shown as dashed lines;
- (3) Proposed contours at two foot intervals shown as solid lines;
- (4) Indication of a permanent benchmark referenced to mean sea level;
- (5) Drainage system shown in plan view with estimated cubic feet per second flow for a ten (10) year storm;
- (6) Location of all natural drainage channels and water bodies;
- (7) Existing and proposed drainage easements;
- (8) Type, size, and location of existing and proposed drainage structures such as pipes, tiles, culverts, retention ponds, detention areas, etc.;
- (9) One hundred-year (base) flood areas;
- (10) Additional grading and drainage standards may be required in specific Flood Zones to satisfy Federal Emergency Management Administration requirements;
- (11) Erosion Control Plan showing adequate sedimentation control which shall be accomplished throughout construction phases as well as during the ongoing operation of the use and any permanent sedimentation control structures and/or facilities to mechanically stabilize the soil (e.g., sedimentation ponds, dikes, seeding, retaining walls, rip-rap, etc.); and
- (12) Flood Hazards.

b. **Minimum Standards.** All provisions for drainage and flood control shall be established at a minimum to handle the anticipated 100-year frequency storms for maximum period of intensity over the entire drainage basin, which the subdivision serves, and they shall be made in accordance with the approved improvement plan. The 100-year floodplain referred to herein shall mean that floodplain calculated on the basis of a fully-developed watershed, regardless of any regulated floodplain designations.

c. **Erosion.** Where free fall of water occurs, satisfactory means shall be provided to prevent erosion of soil. Culverts shall have concrete head walls and wing walls where conditions require.

d. **Catch basins.** Standard drop inlet catch basins shall be constructed.

e. **Engineered Design.** The city requires that improvements be designed and stamped by a Utah registered engineer.

f. **Water and Sewer System Protection.** Water supply systems and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters.

g. **Retention Areas.** For control of on-site drainage that may impact downstream flows from storm run-off, the developer may be required to construct retention areas. It may be necessary for the developer to supply, at his expense, a drainage plan to support the size or absence of retention areas on the site, as described in this section.

K. **Planned grading.** Grading for surface drainage (shown by contours and spot elevations) should also show the planned grading and paving of driveways, access roads, and parking areas. Grading and paving shall be shown on plans, profiles, cross sections, and details as necessary to describe new construction. Details of curbs, gutters, sidewalks, drainage structures, and conveyance systems, dimensions of all improvements, size location, thickness, materials, strengths, and necessary reinforcement can be shown on the site plan if a small project or, on a separate drawing based on the complexity of the project.

L. **Narrative.** The application shall describe in reasonable detail the proposed development, Lot and Block and subdivision description. Name(s), addresses and telephone numbers of the property owners and applicable consultants must be included. A regional or vicinity map shall accompany the submitted application to indicate the location of the project.

M. **Utility plan.** All utilities and points of connections to utility mains for sewer, water, communication services, gas, telephone, cable TV, and electric service must be shown.

N. **Evidence of Title.** The application shall be accompanied by one (1) copy each of a current title insurance commitment, ownership and encumbrance report, or abstract of title prepared by a title insurance company or attorney showing all ownership interests, easements, and encumbrances applicable to the subject parcel. If common elements are to be included in the proposed development the applicant shall provide draft covenants, conditions, and restrictions for review.

O. **Slopes.** If proposed development is likely to result in grading of hillsides, City staff may require the applicant to submit four (4) copies of a slope study prepared by an engineer or surveyor utilizing the most current topographical information.

N. **Surface and Subsurface Soils Report.** The application shall include four (4) copies of a surface and subsurface soils report and provide evidence establishing soil suitability for the proposed development. The report may be based upon information from the National Resource Conservation Service (NRCS) of the United States Department of Agriculture (USDA), a licensed geotechnical engineer or another form acceptable to city staff. At a minimum, the report shall include:

- A description of soil types,
- Locations and characteristics with supporting soil maps,
- Soil logs of test pits and auger holes,
- All other information necessary to determine soil suitability for the scope of the development; constraints on development based on the findings;
- Analysis and evaluation of such information with recommendations regarding structural constraints, erosion control and
- A determination of the adequacy of the characteristics of the soil as they relate to the proposed uses and development.

(1) The surface mapping report of the area shall be accompanied by a written narrative and map that is titled, dated and signed by a Utah licensed professional engineer. The report must address the above concerns and any geological or flood hazards/limitations.

(2) Subsurface soils investigations shall include a map locating test pits or auger holes as well as the classification logs.

(3) The scope and detail of the soils analysis shall be determined by the Utah licensed professional engineer.

Because the utility plan, roadway plan, grading and drainage and erosion control plans are inter-related with the soils investigation plan, they may be shown on the same sheet of the submitted plans if it does not result in undue confusion and congestion on the plan sheet.

O. **Other Submittals.** Other information may be required by the Moab Land Use Code or by City Staff to clarify plan drawings but will not affect the completeness of the application.

17.09.670 Site Plan Review, Approval.

A. The site plan application shall be reviewed by the building official, zoning administrator, city planner, public and private utilities, fire department and public works director. The Zoning Administrator shall schedule a hearing before the Planning Commission after all staff members have agreed upon the status of the application for completeness. An incomplete application shall not be scheduled for Planning Commission review.

B. If and when the application is approved or conditions for approval have been met, application for a building permit may be made to the Building Inspector. Building construction plans conforming to the approved site plan and all approval conditions shall be prepared by an architect or engineer registered with the State of Utah and submitted for Building Department review and approval. A building permit may be issued by the building inspection staff upon approval of the construction documents and submittal of the appropriate fees.

C. Each project must be constructed in conformity with the approved site plan.

D. A Planning Commission site plan decision may be appealed to the Appeals Authority by any affected party by filing a written notice of appeal with the Planning Director no later than ten (10) days from the date of the final action by the Planning Commission.

E. Certificate of Occupancy. A certificate of occupancy will be issued, provided that all construction is completed in conformity with the approved site plan, conditions of approval, and applicable City Code and building code provisions.

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of the Moab City Council on _____, 2010.

SIGNED:

David L. Sakrison, Mayor

ATTEST:

Rachel Ellison, Recorder