ORDINANCE NO. 2015-___

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING TEXT OF THE IVINS CITY SUBDIVISION ORDINANCE

WHEREAS the Ivins City Council desires to bring its Subdivision Ordinance more into conformance with the purposes and procedures of the Land Use Development and Management Act (LUDMA) of the Utah Code that was adopted in 2005; and

WHEREAS a purpose of LUDMA was to make the land use approval process more efficient and avoid unnecessary imposition or duplication of procedural requirements, including public hearings; and

WHEREAS LUDMA set forth specific procedures for when and for what types of land use decisions require public hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that the Ivins City Code hereby amends Title 15 of the Code (Subdivision Ordinance) as follows:

CHAPTER 4
SUBDIVISION APPLICATION AND REVIEW PROCESS

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PART 3
PRELIMINARY PLAN

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15.04.303 Review Process.

(1) Staff Review and Report: The preliminary plan will be reviewed by the zoning administrator for general compliance with this title, the standard specifications, the design guidelines and all applicable ordinances. If the application is not complete or not in general compliance, the zoning administrator shall notify the applicant in writing and specify the deficiencies in the application. When the application is complete and in general compliance, the zoning administrator shall forward the completed application to the technical review committee, other city staff and departments, utility board, and affected government entities and public utilities to obtain comment regarding the application. City staff and the utility board will review the preliminary plan, make site visits, discuss engineering issues, and check compliance with the general plan, master plans and municipal ordinances to determine the adequacy of public facilities. The zoning administrator shall prepare a staff report, which shall include all review comments by the technical review committee, city departments and all other agencies required to review the application and submittals. The zoning administrator shall forward the completed application and the staff report to the planning commission.

(2) Planning Commission ~~Public Hearing~~Review and Recommendation: Once all application requirements have been met, redline corrections made, revised plans submitted and the

staff report completed, the zoning administrator shall schedule the application on the planning commission agenda for ~~a public hearing~~review and recommendation to the City Council. ~~Notice of the public hearing shall be sent to all property owners of record in the Washington County recorder's office within three hundred feet (300') of the property line of the proposed subdivision (list of names to be furnished by applicant as required herein). Notice shall also be published in a newspaper of general circulation at least ten (10) days prior to the public hearing. The planning commission shall receive public comment at the public hearing regarding the proposed subdivision.~~

~~(3) Planning Commission Review And Recommendation To City Council:~~ If the planning commission finds that the proposed plan complies with the requirements of this title and is satisfied with the preliminary plan, it shall approve the plan, or approve the plan with conditions. If the planning commission finds that the proposed plan does not meet the requirements of this title or other applicable ordinances, it shall deny such plan.

(3) City Council ~~Public Hearing~~Review and Decision: Once the planning commission has made its recommendation on the preliminary plan, the zoning administrator shall schedule the application on the city council agenda for review and decision. ~~a public hearing. Notice of the public hearing shall be sent to all property owners of record in the Washington County recorder's office within three hundred feet (300') of the property line of the proposed subdivision (list of names to be furnished by applicant as required herein). Notice shall also be published in a newspaper of general circulation at least ten (10) days prior to the public hearing. The city council shall receive public comment at the public hearing regarding the planning commission's approval of the proposed subdivision~~

~~(5) City Council Review:~~ After considering the planning commission's recommendation on the preliminary plan, ~~has made its recommendation on the preliminary plan, and after holding a public hearing on the planning commission's recommendation,~~ the city council shall approve the plan, or approve the plan with conditions, provided the city council finds that the proposed plan complies with the requirements of this title. If the city council finds that the proposed plan does not meet the requirements of this title or other applicable ordinances, it shall deny such plan. (Ord. 2015-___, 20___)

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS _____ DAY OF DECEMBER, 20___ BY THE FOLLOWING VOTE:

	AYE	**NAY**	**ABSTAIN**	**ABSENT**
George E. Elwell, Jr.	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Lesley Mendenhall	_____	_____	_____	_____
Steven Roberts	_____	_____	_____	_____
Ron Densley	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder