ORDINANCE NO. 2016-06

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

WHEREAS the Ivins City Council desires to bring its Zoning 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 or unnecessary public hearings on administrative decisions; and

WHEREAS some other sections of the Zoning Ordinance require amendment to either be consistent with other provisions of the Zoning Ordinance regarding the appeal process for land use decisions and to clarify the City's position on nonconforming uses;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that the Ivins City Code hereby amends Title 16 of the Code (Subdivision Ordinance) as follows:

Section 1. Section 16.02.102(7) of the Ivins City Code regarding appeals is hereby amended as follows:

16.02.102 Administrative Interpretations:

* * *

(7) Appeal: Any person adversely affected by an interpretation of any text provision of this title rendered by the zoning administrator may appeal that interpretation by filing a written appeal ~~to the commission, acting as the appeal authority,~~ as provided in chapter 30 of this title. (Ord. No. 2016-06, 2016)

Section 2. Section 16.25.102 of the Ivins City Code regarding Nonconforming Uses is hereby amended as follows:

16.25.102 Nonconforming Uses:

* * *

(3) As allowed by the act, the owner of a parcel of property on which a nonconforming use exists may apply for a conditional use permit for a legal conforming use on the same parcel of property as the nonconforming use. Examples of legal conforming uses that may be allowed would be for a separate structure used for a legal conforming use and/or expanded parking to eliminate the need for vehicles related to the nonconforming use to park on a public street.

* * *

(Ord. 2016-06, 2016)

Section 3. Figures 16-2 and 16-4 of Title 16 summarizing the review process for Class V conditional use applications are hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 4. Tables of Uses _____ in Title 16 are hereby amended as set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

Section 5. Severability. If any section/portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

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 _____, 2016 BY THE FOLLOWING VOTE:

	AYE	**NAY**		**ABSTAIN**	**ABSENT**
Cheyne McDonald	_____	_____	_____	____	
Steven Roberts	_____	_____	_____	_____	
Ron Densley	_____	_____	_____	_____	
Dennis Mehr	_____	_____	_____	_____	
Jenny Johnson	_____	_____	_____	_____	

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder