ORDINANCE NO. 2016-28

AN ORDINANCE OF IVINS CITY, UTAH, APPROVING A ZONING DISTRICTS MAP AMENDMENT FROM RA-1 TO RV RESORT FOR THE PROPERTY LOCATED ON THE SOUTH SIDE OF HIGHWAY 91 AT APPROXIMATELY 100 WEST

WHEREAS the Ivins City Planning Commission held a Public Hearing on November 15, 2016, regarding the applicant's proposal to amend the zoning districts map for property located on the south side of Highway 91 between Main Street and 200 West (the "Property") from RA-1 to RV Resort; and

WHEREAS the Ivins City Planning Commission voted unanimously on November 15, 2016, to deny the proposed zoning districts map amendment on the basis that the Planning Commission has always been against an RV Resort on the Property, and did not believe the timing was right to recommend amending the zoning district to RV Resort until the district court review of the City Council's land use decision had been finalized; and

WHEREAS the Ivins City Council held a Public Hearing on December 1, 2016, to consider the Planning Commission's recommendation to deny the proposed zoning districts map amendment for the Property; and

WHEREAS on December 1, 2016, the Ivins City Council considered public comment and the Planning Commission's recommendation and had a discussion regarding same prior to making a decision;

WHEREAS during its open discussions and deliberations, the Ivins City Council considered each of the factors listed in Section 16.05.111 of the Ivins City Code relevant to approval of zoning districts map amendments; and

WHEREAS, with regards to consideration of the proposed use with nearby and adjoining properties in particular, the Ivins City Council found that the objections of the owners of the two homes located on over 14.5 acres of property directly to the west (with more than 100 feet between the closest home and the common boundary with the Property), the Property would nevertheless be a good location for an RV Resort since the Property has immediate access to Highway 91, abuts BLM property to the west and the property it abuts to the east has a steep drop off and will likely not result in an incompatible use; and

WHEREAS, in the exercise of its legislative authority and discretion the Ivins City Council found that it would be in the interest of the general welfare of the city and its residents to approve the proposed zoning districts map amendment, particularly since the Ivins City Council previously found that there is a need for this type of recreational use within the City for visitors who prefer to travel and/or stay in recreational vehicles, small cabins or tents rather than more traditional types of hotel lodging;

NOW, THEREFORE, BE IT ORDAINED by the Ivins City Council that applicant's application for a zoning districts map amendment to change the zoning on the Property from RA-1 to RV Resort is hereby approved.

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, 2016 BY THE FOLLOWING VOTE:

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

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder