ORDINANCE NO. 2021-XX

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING CHAPTER 9 OF THE ZONING ORDINANCE & CHAPTER 4, PART 5 OF THE SUBDIVISION ORDINANCE REGARDING DEVELOPMENT AGREEMENTS

WHEREAS the Ivins City Council desires to amend Chapter 9 of the Zoning Ordinance and Chapter 4, Part 5 of the Subdivision Ordinance regarding Development Agreements; and

WHEREAS the Ivins Planning Commission held a public hearing on_____, 2021 to recommend such text amendments; and

WHEREAS the Ivins City Council held a public hearing on the Planning Commission's recommendation on _____, 2021 and desires to adopt the recommendations of the Planning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that Chapter 9 of the Zoning Ordinance and Chapter 4, Part 5 of the Subdivision Ordinance are hereby amended as follows:

Section 1. Zoning Ordinance. Chapter 9 of the Zoning Ordinance entitled "Development Agreements" is hereby amended as follows:

CHAPTER 9

DEVELOPMENT AGREEMENTS

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16.09.103: WHEN REQUIRED: All subdivision applications shall trigger the requirement for a Development Agreement to be approved by the City Council, regardless of whether it is to be constructed in a single phase or multiple phases. (Ord. 2021-09)

16.09.104: CONTENT: The City should consider the following sections for possible inclusion in any Development Agreement, as applicable:

(1) Duration of agreement.

(2) Description of the subject property.

(3) Allowed uses.

(4) Maximum density or intensity of the allowed uses and construction requirements including, but not limited to, exterior colors, design guidelines, minimum and maximum building heights and building size. (Ord. 2021-09)

(5) A subdivision layout or site plan identifying, but not limited to, the location and arrangement of all allowed uses, circulation patterns, and all required dedications and improvements.

(6) A phasing schedule for all project phases and the timing for the provision of all features, dedications and improvements.

(7) A listing of all project features and facilities being voluntarily provided to the city, in addition to those typically required by all land use ordinances.

(8) A disclaimer that there may not be sufficient water to serve lots and/or phases in the future and that decision will be made at time of building permit application.

(9) Other conditions, terms, restrictions and requirements for subsequent actions and approvals. (Ord. 2015-15, 2015)

Section 2. Subdivision Ordinance. Chapter 4, Part 5 of the Subdivision Ordinance entitled "Development Agreements" is hereby amended as follows:

CHAPTER 4

DEVELOPMENT AGREEMENTS

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PART 5. DEVELOPMENT AGREEMENTS

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16.09.103: WHEN REQUIRED: All subdivision applications shall trigger the requirement for a Development Agreement to be approved by the City Council, regardless of whether it is to be constructed in a single phase or multiple phases. (Ord. 2021-09)

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 JULY, 2021 BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Dennis Mehr	____	____	____	____
Cheyne McDonald	____	____	____	____
Jenny Johnson	____	____	____	____
Sue Gordhammer	____	____	____	____
Derek Larsen	____	____	____	____

_____

Chris Hart, Mayor

ATTEST:

Kari Jimenez, City Recorder