ORDINANCE NO. 2021-23

AN ORDINANCE OF IVINS CITY, UTAH, ESTABLISHING A TEMPORARY LAND USE REGULATION

WHEREAS, on July 1, 2021, the City Council adopted a Temporary Land Use Regulation that prohibited any and all development, construction or subdivision in all areas depicted as proposed reservoir sites due to Ivins City having been under serious drought conditions this year and prior years leaving Ivins City with little water resources; and

WHEREAS, it has become necessary for Ivins City to also pursue, in the immediate future, condemnation of various parcels of land to serve Ivins City's storm water, secondary water and/or transportation needs; and

WHEREAS, Subsection 10-9a-504(1)(a) of the Utah Code provides that the Ivins City Council may, without prior consideration of or recommendation from the Planning Commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the City if the Council makes a finding of compelling, countervailing public interest; and

WHEREAS, the Ivins City Council does hereby specifically find such compelling, countervailing public interest in the need to preserve land necessary to serve Ivins City's storm water, secondary water and/or transportation needs that the City determines is subject to pending or imminent condemnation; and

WHEREAS, Subsection 10-9a-505(1)(b) of the Utah Code further provides that a temporary land use regulation under Subsection 10-9-504(1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval;

NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL that no land use applications or permits will be issued for any and all land that the City determines is or will be subject to pending or imminent condemnation to serve Ivins City's storm water, secondary water and/or transportation needs, including street rights-of-way and round-a-bouts identified on Ivins City's Transportation Master Plan.

This ordinance shall become effectively immediately upon passage and publication and shall expire six months from its effective date, unless the Ivins City Council shall adopt another ordinance terminating this ordinance sooner.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS _____ DAY OF DECEMBER, 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