

ORDINANCE NO. 2016-1

ORDINANCE OF THE COUNCIL THE TOWN OF BIG WATER, KANE COUNTY, UTAH. AMENDING 2004-235 BIG WATER TOWN ZONING ORDINANCE

WHEREAS, Council deems it necessary to amend the Zoning Ordinance to reflect experience and to make an update to conform to state law

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BIG WATER, KANE COUNTY, UTAH, as follows:

Section 303 Planning Commission

3) Membership

d) ADD However, if no qualified applicant is available to fill a vacancy, a sitting member may remain on the Commission past his/her term until a replacement is appointed and seated.

5) STRIKE LAST SENTENCE

REPLACE All actions of the Commission shall require the vote of a majority of the members, whether sitting as a whole or as a quorum.

Section 304 STRIKE 304

REPLACE

Appeal Authority and Appeal Procedure

1) Powers and Duties. As the need arises, the Mayor is authorized to impanel a group of Town residents or appoint a single resident to serve as the appeal authority to hear and decide:

- (a) requests for variances from the terms of the land use ordinances, and
- (b) appeals from decisions applying the land use ordinances.

2) Panel Administrative Requirements. If, pursuant to 1), the Mayor impanels a group of Town residents to serve as the appeal authority, the panel shall:

- (a) notify each member of any meeting or hearing;
- (b) provide each member with the same information and access to municipal resources;
- (c) convene only if a quorum is present; and
- (d) act only upon the majority of its convened members, whether sitting as a whole or as a quorum.

3) Time for Filing Requests and Appeals. A person who claims to be adversely affected by a decision applying the land use ordinances shall have thirty (30) days in which to submit a written filing conforming to 10-9a-703, Utah Code, to the appeal authority.

4) Procedural Requirements. The appeal authority shall follow the requirements of 10-9a-702, Utah Code, and SHALL SPECIFICALLY ENTER THE WRITTEN FINDINGS mandated by 10-9a-702(2) in approving a variance. The appeal authority shall follow all other procedural mandates set out in Title 10, Chapter 9a, Part 7, Utah Code.

APPROVED and ENACTED by the Town Council of Big Water, Utah, this 19th day of January 2016, by the following votes:

Ayes 5

Nays

Abstentions

Absent 0

By: 

David Schmuker, Mayor

Attest:


Municipal Clerk

