

**ESCALANTE CITY
ORDINANCE 2021-02**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO 10.02.150 AND
10.54.240 AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE,
STATE OF UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to adopt the following Ordinance; and

WHEREAS, The City Council and Mayor wish to adopt such an Ordinance.

NOW THEREFORE, be it ordained by the Council of Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.02.150 Hearing And Publication And Notice Before Amendment” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.02.150 Hearing And Publication And Notice Before Amendment

Before finally adopting any such amendment, Escalante City Planning and Zoning shall hold a public hearing as per Utah State Code. ~~thereon, at least ten (10) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in Escalante City.~~

SECTION 2: **AMENDMENT** “10.54.240 Approval Of Minor Subdivision” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.54.240 Approval Of Minor Subdivision

A. Applicant Responsibilities:

1. Applications for minor subdivisions, along with subdivision plat shall be submitted to the City Clerk at least 14 days prior to the scheduled Planning Commission meeting where the subdivision proposal will be discussed;
2. Applicant shall notify all property owners by certified mail, receipt requested, within 200 ft of the proposed subdivision. Receipts will act as proof of notification and shall be made part of the approval process. Notification shall be at least 14 days prior to the Planning Commission meeting where the

subdivision will be discussed. Failure to notify adjacent property owners may be cause for dismissal.

- a. Applicants shall provide the City Clerk with stamped, addressed envelopes for certified mailing.
- b. Notification letters shall be mailed by the City Clerk using the form letter on EZC 10.54.110.

B. Planning Commission Responsibilities:

1. The Commission shall review and may request other City departments or City consultants to review the proposed subdivision. The Planning Commission may visit the subdivision site.
2. The Commission shall give notice or have notice given ~~at least 14 days as per Utah State Code~~ prior to the public hearing on the proposed subdivision. ~~Notice may be by newspaper with local circulation or by being prominently posted at three public places.~~
3. The Commission shall hear the proposed subdivision request and consider public input, and then shall recommend approval, approval with modifications, disapproval, or continue the matter to a later public meeting. In no case shall the Planning Commission continue consideration for more than 60 days without taking action if the proposed subdivision fully complies with the requirements of the Minor Subdivision Ordinance.
4. If the plat is approved or approved with modifications, the plat shall be signed by the Planning Commission Chairperson or designee and forwarded to the City Council for their consideration.

C. City Council Responsibilities:

1. The Council shall hold a public ~~meeting~~ ~~hearing and shall notify the public at least fourteen (14) days prior to the scheduled meeting~~ where the proposed subdivision will be discussed. ~~Notification may be by newspaper of local circulation or by being prominently posted at three public places.~~ In no case shall the City Council fail to act on the subdivision within 60 days, if all of the requirements of the Minor Subdivision Ordinance have been satisfied.
2. The Council shall hear the proposed subdivision and consider public input, and then shall approve, disapprove, or continue the matter to a later public meeting. In no case shall the City Council continue consideration for longer than 60 days of the scheduled public hearing if the proposed subdivision fully complies with the requirements of the Minor Subdivision Ordinance.
3. If the subdivision is approved, the Mayor shall sign the plat and require the City Clerk to file the plat in the City Offices.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

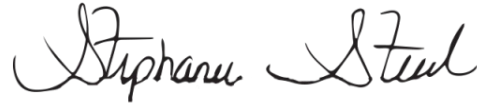
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	_____	_____	_____	_____
Councilmember Dan'l Lindsay	_____	_____	_____	_____
Councilmember Marlene Stowe	_____	_____	_____	_____
Councilmember Guy Graham	_____	_____	_____	_____
Councilmember Lenza Wilson	_____	_____	_____	_____

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante
City



Stephanie Steed, CMC, City Recorder
Escalante City

