

**HARRISVILLE CITY
ORDINANCE NO. 484**

LAND USE ORDINANCE DRAWING DEADLINES

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, LAND USE ORDINANCE
SETTING DRAWING SUBMISSION DEADLINES FOR SUBDIVISIONS AND
SITE PLANS; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60, 1953, as amended, allows the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice the City's Planning Commission held its public hearing on November 9, 2016, to take public comment on this proposed ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on November 22, 2016, to act upon this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville as follows:

Section 1: Amendment. The municipal code is hereby amended to read as follows:

11.22.030 Application And Process.

1. Pre -application Meeting. Each applicant who proposes a site plan or site plan amendment in the City of Harrisville may contact the land use authority secretary to schedule a pre-application meeting with the project management committee before preparing any plats, charts, plans in order to become familiar with this ordinance and other Harrisville City development requirements for the territory in which the proposal lies. The pre-application meeting is an opportunity for discussion and communication between the applicant and the city and is non-binding on the applicant and the city. As the pre-application meeting is an informal meeting, no submission requirements are identified except the presentation of all materials and information necessary for the city to identify the potential application procedures and requirements that may affect the proposed development. The applicant is not responsible for any processing fees associated with this meeting.
2. Drawings and Deadline. All site plan applications filed with the city shall be accompanied by architectural elevations and site development plans to scale, which shall show building locations, major exterior elevations, exterior building materials and color schemes, landscaping, prominent existing trees, ground treatment, fences, off-street parking, vehicle and pedestrian circulation, adjacent buildings, streets and property lines, and existing grades and proposed new grades. The

deadline for any drawing or supplemental submission is at least fifteen (15) days before the planning commission meeting where the site plan is being considered.

12.02.040 Planning Commission Review And Recommendation Required.

1. Pre-application Meeting and Deadline. Following the receipt of the recommendations from the Project Management Committee on the preliminary subdivision plat application, the Planning Commission Secretary shall schedule a public hearing of the proposed preliminary subdivision. The application, proposed plat, and all documents required for preliminary approval shall be submitted to the City and to the City Engineer at least ~~25~~ fifteen (15) days before the first public meeting and/or public hearing where it is to be considered for action by the Planning Commission. Notice of the public hearing shall be provided as set forth in Utah Code Annotated 10-9a-207.
2. Updated plans. ~~A minimum of 10 days prior to the public hearing,~~ The applicant shall provide the City Engineer and the City planning commission secretary with updated electronic and/or paper plans in the form, number, and manner specified by the same will all current changes and revisions within fifteen (15) days of any meeting where the plans are being considered.

12.03.030 Final Plat Approval.


1. Recommendation. After review by the Planning Commission and receipt of a Planning Commission recommendation, the final plat shall be submitted along with two sets of all drawings without any terms or conditions to the City Engineer, City Council, and City Attorney for approval and certificate of acceptance.
2. City Council. The City Council shall consider the final approval at a regularly scheduled meeting. The final approval application, final plat, and all documents required for final approval shall be submitted to the City and to the City Engineer at least ~~25~~ fifteen (15) days before the first public meeting where it is to be considered for action by the City Council. The City Council shall review the plat for;
 - a. Consistency with the terms and conditions of preliminary approval;
 - b. Any modifications to the plat that is substantially different from the preliminarily approved plat;
 - c. Compliance with all applicable land use regulations is required. Once approved the final plat, bearing all required official approvals shall be deposited in the office of the County Recorder by the City Recorder for recording at the expense of the subdivider, a copy of which shall be maintained in the Office of the City Recorder. Submission of the final plat for recording cannot take place until the developer has established a cash escrow account to guarantee completion of the required improvements and provided proof with a tax clearance indicating all taxes, interest, and penalties owing on the land have been paid. The approval of the final plat shall be valid for a period of six (6) months. If the final subdivision plat is not presented to the County Recorder within six (6) months of approval by the City Council the final approval shall be deemed to expire and be null and void. The request for extension may be filed at any time prior to actual expiration deadline, and the expiration deadline is tolled pending action on the request for extension. No subdivision shall be recorded in the office of the County Recorder and no lot included in such subdivision shall be sold or exchanged and no offer shall be made to sell or exchange any such lot unless and until the plat is so approved, accepted and recorded and substantial completion of the improvements have been made. No building

permit shall be issued until the recordation of the final plat in the Office of the County Recorder.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective Date. This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this 22nd day of November, 2016.



BRUCE RICHINS, Mayor
Harrisville City

ATTEST:



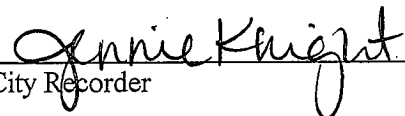
JENNIE KNIGHT,
City Recorder



RECORDED this 23rd day of NOV. UTAH, 2016.
PUBLISHED OR POSTED this 23rd day of Nov., 2016.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953, as amended, I, the City Recorder of Harrisville City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall 2) the Harrisville Cabin and 3) 2150 North on the above referenced dates.



City Recorder

DATE: 11/23/16