
MANTI CITY ORDINANCE NO. 2023-02

Expiration of Zoning Permits

AN ORDINANCE FORMALLY ESTABLISHING AN EXPIRATION OF ZONING PERMITS FOR LAND-USE DEVELOPMENT, WHEN SUBSTANTIAL DEVELOPMENT PROGRESS HAS NOT OCCURRED.

WHEREAS, Under the Utah Municipal Land Use, Development, and Management Act, cities can adopt an ordinance that rejects or causes to expire pending land use applications (plats, building permits, conditional use permits, etc.) that remain pending without activity; and

WHEREAS, Manti City land-use ordinance already has formal time restrictions for development activity such as preliminary subdivision converting to final subdivision plats, and the recording of subdivision plats after final approval; and

WHEREAS, the Manti City Council (the “Council”) met in regular meeting on January 4th, 2023 and discussed establishment of an expiration of zoning permits for land-use development, where substantial progress has not occurred; and

WHEREAS, the Planning Commission (the “Commission”) met on January 10th, 2023 to review and discuss a proposed draft of the ordinance (2023-02) concerning expiration of zoning permits; and

WHEREAS, the Commission held a public hearing on January 24th, 2023 to receive public comment regarding the proposed ordinance (2023-02); and

WHEREAS, after said public hearing the Commission recommended adoption of the proposed ordinance (2023-02) to the Council; and

WHEREAS, the Council held a public hearing on February 1st, 2023 to take public comment regarding the proposed ordinance (2023-02); and

WHEREAS, the Council has the authority to modify the land-use ordinance; and

WHEREAS, the Council finds good cause for adopting the provisions set forth herein;

NOW THEREFORE, be it ordained by the Manti City Council, that the following ordinance be adopted as an addition to the municipal code of Manti City, Utah.

15.08.060 Permit Expiration

Building permits and Zoning permits shall expire and become invalid within the time set forth under the applicable building code. If the applicable building code does not set forth a time restriction, the permit shall expire and become invalid as set forth in section 17.04.140

17.04.140 Inactivity and Expiration

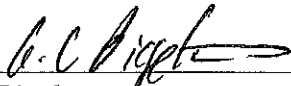
Applicants must move their land use applications and projects either to approval or denial in a reasonably expeditious manner, and must proceed after approval to implement proposed development with reasonable diligence. Where no longer timeframe for the expiration or termination of a land use application or approval applies, a land use application or approval shall lapse and be terminated as set forth below:

- A. Pending land use application for which no fees have been paid shall lapse if fees are not paid within 14 days of filing.
 - B. Pending land use applications for which fees have been paid that remain inactive for 180 days may be terminated upon 14 day's written notice.
 - C. Issued land use approvals may be terminated, and the approval revoked, expired, and terminated, upon 14 day's written notice if the applicant fails to carry out the approval within 180 days of the issuance of the approval, or if the applicant suspends or abandons the approved project for a period of 180 days after beginning.
 - D. Delay or inactivity caused by the City shall not result in terminating a land use application or approval for inactivity.
 - E. An extension may be granted by the city council if good cause is shown for the delay.
 - F. Upon expiration, revocation, or lapse of an application or approval, no fees shall be refunded. The applicant must begin the application and approval process again, including resubmission of any required applications and payment of any applicable fees. Such application shall be subject to all ordinances, regulations, and standards in effect at the time of submission.
1. **Repeal of Conflicting Provisions.** Any provision of Manti City Code addressing R-1 Residential Zone Permitted and Conditional Uses and/or Two-Family Dwellings (17.40.020, 17.40.022 and 17.16.160) which predates or conflicts with this Ordinance is hereby repealed.


2. **Effective Date.** This Ordinance shall take effect on _____, 2023.

PASSED AND APPROVED this 1st day of February 2023.

MANTI CITY

By 
Alfred C. Bigelow, Mayor

ATTEST:


JoAnn Otten, City Recorder



Voting:

Gary Chidester	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Darren Dyreng	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Jeff Killian	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Jason Vernon	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
Mary Wintch	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>