

ORDINANCE NO. 2008-07

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF VINEYARD, UTAH, AMENDING THE TOWN OF VINEYARD ZONING ORDINANCE, SECTION 503 PROCEDURES FOR AMENDING THE GENERAL PLAN AND SECTION 504 CRITERIA FOR APPROVAL OF GENERAL PLAN AMENDMENTS.

WHEREAS, all due and proper notices of public hearings on this Ordinance held before the Town of Vineyard Planning Commission (the "Commission") and the Council of the Town of Vineyard (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Commission held public hearings on this Ordinance on September 3, 2008; and

WHEREAS, the Commission recommended to the Town Council that this Ordinance be approved; and

WHEREAS, the Town Council held a public hearing on this Ordinance on October 8, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF VINEYARD as follows:

SECTION 1. That the Town of Vineyard Zoning Ordinance, Section 503 Procedures for Amending the General Plan, is hereby amended to read as follows:

Section 503—Procedures for Amending the General Plan:

1. The procedures for the review and consideration of a General Plan Amendment Application are identified by Figure 5-1, herein.
2. **Determination of Application Completeness.** A General Plan Amendment Application shall be reviewed and considered by the Planner for Application Completeness, as provided by Section 1206, herein.
3. **Commission Public Hearing Required.** The Commission shall hold a public hearing in accordance with the procedures of this Ordinance, and LUDMA, and shall provide a minimum of ten (10) days notice of such hearing, as required by LUDMA and Chapter 9, herein.
4. **Commission Recommendation.** The Commission may recommend approval, revisions, or denial on an application for amendment. The recommendation will be forwarded to the Council for public hearing and final action unless withdrawn by the applicant.
5. **Commission Recommendation Transmitted to Council.** After the Commission has considered the Application and made its recommendation, the Commission shall transmit to the Council a copy of the Commission's recommendation and the meeting minutes, and all other relevant materials of the proceedings before the Commission. Following receipt of a copy of the General Plan Amendment recommendation from the Commission, and all other materials, the Town Recorder, or Designee shall schedule a public hearing with the Council.

6. **Council Public Hearing Required.** The Council shall consider the General Plan Amendment Application and the recommendation of the Commission at a public hearing by providing a minimum of ten (10) days notice for the required Council public hearing, as required by Chapter 9, herein.
7. **Council Action.** The Council may approve, revise, or deny the application for amendment. The Council shall adopt the amendment by ordinance.

SECTION 2. That the Town of Vineyard Zoning Ordinance, Section 504 – Criteria for Approval of General Plan Amendments, is hereby amended to read as follows:

Section 504 – Criteria for Approval of General Plan Amendments

In considering a general plan amendment application, the Commission and Council may, but are not required to, consider the following factors, among others:

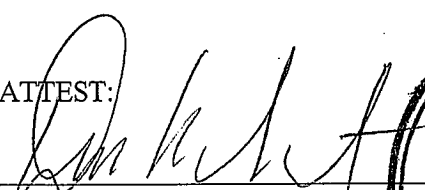
1. The amendment is consistent with the policies and objectives the general plan.
2. The proposed amendment furthers the public health, safety and general welfare of the general public and citizens of Vineyard.
3. The land use map does not provide appropriate optional sites for the proposed land use.
4. The amendment will not adversely impact the community as a whole and/or a portion of the community by (1) significantly altering acceptable land use patterns or (2) requiring larger and more expensive public infrastructure improvements including, but not limited to, roads, water, wastewater, and public safety facilities than planned.
5. The proposed amendment will be compatible with other land uses, existing or planned, in the vicinity.

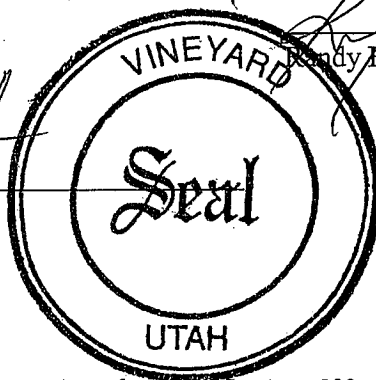
SECTION 2. That the Mayor, the City Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Council of the Town of Vineyard, October 22, 2008.

ATTEST:


Dan Wright, Town Clerk




Randy Farnworth, Mayor

I
PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

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SHORT TITLE: AN ORDINANCE AMENDING THE TOWN OF VINEYARD ZONING ORDINANCE, SECTION 503 PROCEDURES FOR AMENDING THE GENERAL PLAN AND SECTION 504 CRITERIA FOR APPROVAL OF GENERAL PLAN AMENDMENTS.

ROLL CALL VOTE:

MAYOR RANDY FARNWORTH
 COUNCILMEMBER SEAN FERNANDEZ
 COUNCILMEMBER GRANT HOLDAWAY
 COUNCILMEMBER NORM HOLDAWAY
 COUNCILMEMBER NATHAN RILEY

TOTALS

MOTION	SECOND	AYES	NAYS	ABSENT
		✓		
		✓		
✓		✓		
	✓	✓		
		✓		
		5		

This Ordinance was passed by the Municipal Council of Vineyard Utah on the 22 day of October, 2008, on a roll call vote as described above.

II

MAYOR'S ACTION

Mayor's Action: Approved Disapproved

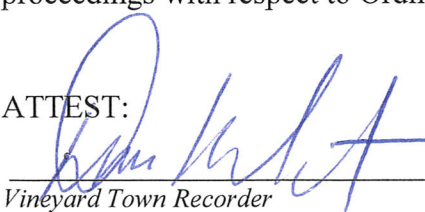
III

TOWN RECORDER'S CERTIFICATE AND ATTEST

This Ordinance was recorded in the office of the Vineyard Town Recorder on the 10 day of December, 2008.

I hereby certify and attest that the foregoing constitute a true and accurate record of proceedings with respect to Ordinance No. 2008-07

ATTEST:


 Vineyard Town Recorder

