

**CITY OF MOAB
PLANNING COMMISSION
PUBLIC HEARING
PROPOSED ORDINANCE 2017-11**

The City of Moab Planning Commission will hold a Public Hearing on Thursday, April 13, 2017 at approximately 6:00 p.m. in the Council Chambers of the Moab City Offices at 217 East Center Street, Moab, Utah.

The purpose of this Public Hearing is to solicit public input on proposed Ordinance 2017-11, an ordinance to repeal Section 16.16.040, Time Limit for Recordation of Subdivision Final Plats.

The proposed ordinance is available for public review at the Moab City Planning Office located at 217 East Center Street and on the website at www.moabcity.org. Written public comment may be directed to the Planning Department at the listed address. To ensure that the Planning Commission has the opportunity to review written comments prior to the meeting, written comments will only be accepted until 5 pm the day prior to the public hearing.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Planning Office at 217 East Center Street, Moab, Utah 84532; or phone (435) 259-5129 at least three (3) working days prior to the meeting.

/s/ Sommar Johnson
Zoning Administrator

Published in the Times Independent, March 30, 2017 and April 6, 2017.

ORDINANCE #2017-11
AN ORDINANCE TO REPEAL SECTION 16.16.040, TIME LIMIT FOR RECORDATION OF
SUBDIVISION FINAL PLATS

WHEREAS, the Moab City Council (“Council”) adopted the Moab Municipal Code (“Code”) and specifically Title 16, also known as “The Subdivision Ordinance of Moab City, Utah” in an effort to encourage and facilitate orderly growth and development in the City as well as to promote a more attractive and wholesome community environment; and,

WHEREAS, from time to time Council has found it necessary to amend Title 16 to support the elements of the General Plan and enforce the provisions of the land use ordinances; and,

WHEREAS, it has come to the attention of the City of Moab that a repeal of Section 16.16.040 is desirable and necessary, since Ordinance #2013-12 amended Section 16.08.010.E. to: 1) increased the time limit for recordation of a final plat following approval by Council (180 days), and 2) now Section 16.16.040 contradicts the maximum time for recordation of a final plat; and,

WHEREAS, the proposed change would eliminate the contradicting number of days, found in the two Sections, to record a final plat, and would therefore be useful in aiding Planning Staff in the day to day administration of the Code; and,

WHEREAS, the second part of Section 16.16.040 (“Failure to record a final plat will render it invalid and reconsideration will be required”) is also expounded in Section 16.08.010.E. (See below, Section 16.08.010.E provided for comparison.); and,

WHEREAS, the Moab City Planning Commission (“Commission”) held a duly advertised public hearing on _____, 2017, to hear and decide the merits of said repeal; and

WHEREAS, the Commission, after reviewing the public testimony and the recommendation of Staff, determined that 180 days is the correct limit of time in which to record a final plat, and that the second part of Section 16.08.010 fully describes the consequences of a failure to record a final plat within 180 days, rendering Section 16.16.040 moot; and,

WHEREAS, Council reviewed Ordinance #2017-____ in a regularly scheduled meeting held on _____, 2017, to hear and decide the merits of the proposed change to Section 16.16.040; and,

WHEREAS, Council found the changes to be in the best interests of the City of Moab.

NOW, THEREFORE, the Moab City Council ordains that Section 16.16.040, *Time limit for recordation* as it currently reads below is hereby repealed:

16.16.040 Time limit for recordation, that now reads:

Failure on the part of the subdivider to record a final plat of a subdivision within ninety days following the approval by the city council shall render the plat invalid and reconsideration by both the city planning commission and the city council will be required before its acceptance.

In effect on the day of passage;

PASSED AND APPROVED in open Council by a majority vote of the Governing Body of Moab City Council on the ___ day of _____, 2017.

SIGNED:

David L. Sakrison, Mayor

ATTEST:

Rachel Stenta, Recorder