

**ESCALANTE CITY
ORDINANCE 2019-10**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO. 10.260.310 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 amend the following Ordinance; and

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

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

SECTION 1: **AMENDMENT** “10.260.310 Single Parcel Split” of the Escalante Municipal Code is hereby *amended* as follows:

B E F O R E A M E N D M E N T

10.260.310 Single Parcel Split

SINGLE PARCEL SPLIT

Property owners may split their parcel and record the amendments of the appropriate subdivision plat or deeds of records if the following conditions are met:

- A. No Parcel may be split more than once in five years.

APPROVAL OF A SINGLE PARCEL SPLIT.

- A. Owners' responsibilities.
 - 1. The owners seeking approval for a single parcel split shall present to the Planning Commission a map indicating the present parcel boundaries and the boundaries as they will be upon completion of the single parcel split.
 - 2. Upon approval by the Planning Commission, a new legal description of both resulting parcels shall be recorded at the Garfield County Recorder's office. The single parcel split shall not be considered complete until this action is taken.
- B. Planning Commission Responsibilities.
 - 1. Upon the materials described above, the planning commission shall review the map to ensure that:
 - a. Both resulting parcels shall each have sufficient acreage to meet the minimum required area for the zone(s) in which the lots exist.

- b. Both resulting parcels meet the minimum required width required for the zone(s) in which the lots exist.

A F T E R A M E N D M E N T

10.260.310 Single Parcel Split

SINGLE PARCEL SPLIT AND APPROVAL OF A SINGLE PARCEL SPLIT.

Property owners may split their parcel and record the amendments of the appropriate subdivision plat or deeds of records if the following conditions are met:

- A. No Parcel may be split more than once in five years.
- B. Owners' responsibilities.
 - 1. The owners seeking approval for a single parcel split shall present to the Planning Commission a map indicating the present parcel boundaries and the boundaries as they will be upon completion of the single parcel split.
 - 2. Upon approval by the Planning Commission, a new legal description of both resulting parcels shall be recorded at the Garfield County Recorder's office. The single parcel split shall not be considered complete until this action is taken.
 - 3. Water Meter:
 - a. must be on the property of the existing service;
 - b. must be moved at the expense of the property owner to accommodate the existing service.
- C. Planning Commission Responsibilities.
 - 1. Upon the materials described above, the planning commission shall review the map to ensure that:
 - a. Both resulting parcels shall each have sufficient acreage to meet the minimum required area for the zone(s) in which the lots exist.
 - b. Both resulting parcels meet the minimum required width required for the zone(s) in which the lots exist.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effective immediately upon approval and publication according to law.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Louise Barnes	_____	_____	_____	_____
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