

**ESCALANTE CITY
ORDINANCE 2024-06**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE 10.34.040 PROCEDURE
FOR REZONING 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 the City of Escalante, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.34.040 Procedure For Rezoning” of the Escalante Zoning Code is hereby *amended* as follows:

AMENDMENT

10.34.040 Procedure For Rezoning

The Planning Commission will consider applications to rezone contiguous parcels of land that fit within the intent of the Escalante General Plan and are considered to be in the best interest of the public and are consistent with current zoning districts and ordinances.

1. The Planning Commission shall provide notice as required by state statute and hold a public hearing on any proposed zoning map amendment.
 - a. For a zoning map amendment proposed by the City, a notice shall be mailed at least 10 days before the public hearing to each property owner whose land is directly affected by the proposed zoning map amendment.
 - b. For a zoning map amendment proposed by a private property owner, a notice shall be mailed at least 10 days before the public hearing to each property owner whose land is directly affected by the proposed zoning map amendment.
 - c. Notification letters shall be mailed by City Clerk.
 - d. Private property owner shall submit an application and a plat map showing all properties directly affected by the proposed change.
2. After holding a public hearing, the Planning Commission shall give their recommendation to the City Council for final consideration.
3. Directly affected means the land being proposed for the zone change. As per state statute there is no requirement that any neighboring landowner be notified of proposed zone changes if a publication is made on the state public meeting notice website.

~~Before rezoning any tract of land property owners shall; Complete an application to Amend the Escalante City Zoning Map Applicants shall submit plat map showing all properties within a five hundred (500) foot radius of proposed rezone. Applicant shall meet with Planning and Zoning prior to Public Hearing. Applicant shall notify all property owners by certified mail, receipt requested, within five hundred (500) feet of proposed rezoning tract, at least ten (10) days prior to the Planning and Zoning Public Hearing. Failure to notify adjacent property owners may be cause for dismissal. Applicants shall provide the City Clerk with stamped, addressed envelopes for certified mailing. Notification letters shall be mailed by City Clerk. All fees to change Zoning Map, mail notification letters and to publish in the paper shall be paid by the applicant.~~

~~Definitions: REZONE: Change of an existing zone or a portion thereof by application to amend the Escalante City Zoning Map.~~

~~NOTIFICATION: Notification is by United States certified return receipt requested mail at least ten (10) days prior to required Public Hearing. Deposit in United States Postal Service constitutes delivery.~~

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL MARCH 19, 2024.

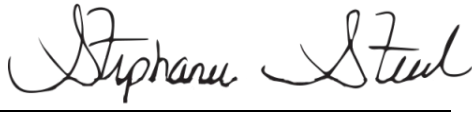
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chad Lyman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Sally Orme	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Marlene Stowe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Blaine Porter	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Lenza Wilson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Melani Torgersen, Mayor, Escalante
City



Stephanie Steed, MMC, City Recorder,
Escalante City



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code §10-3-711, I hereby certify that the foregoing Ordinance was duly passed and published or posted at:

1) *Escalante City Office, Escalante Post Office and www.escalantecity-utah.com*
on the above referenced dates.

Attest

A handwritten signature in cursive script that reads "Stephanie Steed".

Stephanie Steed, MMC, City Recorder,
Escalante City