

**WILLARD CITY, UTAH**

**ORDINANCE 2021-3**

**AN ORDINANCE AMENDING SECTION 12-110-4, APPLICATION FOR ZONING CHANGES OF THE WILLARD CITY MUNICIPAL CODE**

**WHEREAS**, Title 12 of the Willard City Municipal Code establishes regulations concerning the use and development of land throughout the City; and

**WHEREAS**, the City desires to amend regulations governing the Application for Zoning Changes; and

**WHEREAS**, the City Council of Willard City, Utah does hereby determine that it is in the best interest of the health, safety, and welfare of the citizens of Willard City to amend Section 12-110-4 of the Willard City Municipal Code.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Willard City, Utah as follows:

**Section 1. Repealer.** Any provision of the Willard City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Amendment.** Section 12-110-4 of the Willard City Municipal Code is hereby amended as follows:

12-110-4 Application for Zoning Changes

The Planning Commission will consider a rezone change application at their regular January, April, July and October public meetings. A complete The application package must be submitted to the City Recorder at least twenty-one (21) days prior to the initial Planning Commission meeting to consider the rezone request. ~~the applicant wishes to attend.~~ The application package much include:

1. A completed rezone application.
2. The rezone fee (non-refundable)
3. A legal description of the parcel to be rezoned, and proof of ownership.
4. A copy of the county assessor's plat map, or equivalent drawing, annotated to show the location and boundaries of the parcel to be rezoned.
5. A written petition designating the change desired and the reason for such change. A description of how the request is consistent with the General Plan. The petition for zone change shall be signed by the fee title owner(s) of the parcel, or designated agent.
6. A list of all property owners within 1/4 mile of the desired zone change.

~~The Planning Commission shall recommend adoption of the proposed zone change when the following conditions are met.:~~

- ~~1. The proposed change is in accord with the goals of the Willard City General Plan and Zoning Ordinance.~~
- ~~2. The approval shall not place the city in a negative financial position and the applicant documents that all utilities and access have been obtained.~~

~~After receipt of the written recommendations of the Planning Commission for acceptance, the City Council shall give notice of a public hearing. After a complete application has been received by the applicant, the Planning Commission shall give notice of a public hearing to consider such change as provided by law for zoning amendments. The City shall, by ~~certified~~ **regular U.S.** mail at the expense of the Applicant Developer/Subdivider, provide a written notification of the public hearing to consider rezone to all property owners within 1/4 mile of the property proposed for rezoning.~~

The Planning Commission shall recommend adoption of the proposed zone change when the following conditions are met.:

1. The proposed change is in accord with the goals of the Willard City General Plan and Zoning Ordinance; and
2. The approval shall not place the city in a negative financial position and the applicant documents that all utilities and access have been obtained.

~~After a public hearing and receipt of the written recommendations of the Planning Commission for acceptance, the City Council shall give notice of a public hearing meeting to consider such change as provided by law for zoning amendments. ~~The City shall, by certified mail at the expense of the Developer/Subdivider, provide a written notification of the public hearing to consider rezone to all property owners within 1/4 mile of the property proposed for rezoning.~~~~

~~If change is necessary after the public hearing meeting or as advertised, the proposed amendment may be returned to the Planning Commission for review and recommendation.~~

~~After the required public hearing meeting on the proposed zone amendment, the City Council may:~~

- ~~a) adopt the zoning ordinance change as proposed;~~
- ~~b) amend the zoning ordinance change and adopt or reject the zoning ordinance change as amended; or~~
- ~~c) reject the ordinance change.~~

~~If an application for zoning amendment has been denied by the City Council, the re-submittal process shall be in accordance with the procedure outlined above. Furthermore, resubmissions shall not be accepted within a twelve-month period from date of denial for reconsideration unless a material change has been made to the request.~~

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** The Ordinance shall take effect immediately upon posing in the manner required by law.

PASSED AND APPROVED this 22<sup>nd</sup> day of April, 2021.



WILLARD CITY

  
KENNETH BRAEGGER, MAYOR

ATTEST:

  
CITY RECORDER