

WEST BOUNTIFUL CITY

ORDINANCE #408-18

AN ORDINANCE ADOPTING CHANGES TO WBMC 17.68.150 ESTABLISHING A PROCESS FOR AMENDMENTS TO DEVELOPMENT AGREEMENTS FOR PLANNED UNIT DEVELOPMENTS

WHEREAS, Utah Code Annotated § 10-9a, also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning and Subdivision Ordinances; and,

WHEREAS, the City recently updated its Planned Unit Development (PUD) ordinance to better define what can and cannot be modified with a PUD application and included language in paragraph 17.68.150.C. which requires modifications to an approved PUD to follow the procedures outlines in the PUD ordinance, but failed to include what those requirements would be; and

WHEREAS, the West Bountiful Planning Commission held a public hearing on June 12, 2018, to consider proposed requirements to Section 17.68.150 and received no objection; and,

WHEREAS, following the public hearing, the West Bountiful Planning Commission unanimously voted to recommend to the City Council adoption of the proposed changes to WBMC 17.68.150

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT SECTION 17.68.150 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A:

Adopted this 19th day of June, 2018. This ordinance will become effective upon signing and posting.

By:

Ken Romney, Mayor



Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Bruhn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Enquist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Preece	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest:

Cathy Brightwell
Cathy Brightwell, City Recorder

17.68.150 Limitations On Application

- A. Construction on a PUD subdivision shall start within one (1) year of the approval of the PUD subdivision, and such construction, or approved stages thereof, shall be completed within four (4) years after the date construction begins, unless these time frames are renegotiated with the City Council for good cause shown by the applicant. Failure to meet the one-year deadline will result in fines and/or action to nullify the Development Agreement and Zone change, and such actions shall be described in the Development Agreement.
- B. Upon approval of a PUD subdivision, construction shall proceed only in accordance with the plans and specifications approved by the City Council in the Development Agreement.
- C. Amendment to approved plans and specifications for a PUD may be obtained only by following the procedures outlined in this Chapter and may require a modification to the Development Agreement.

All deviations from the executed Development Agreement require the approval of the City Council. Any change that increases project density, reduces any lot size or required setback, alters an amenity, or otherwise alters requirements in Title 16 or Title 17 requires a recommendation by the Planning Commission, after a public hearing, prior to the City Council consideration.

**CERTIFICATE OF PASSAGE
AND POSTING ORDINANCE**

*I, the duly appointed and acting recorder for the City of West Bountiful,
do hereby certify that the foregoing Ordinance No. 408-18
was duly passed and published, or posted at three public places within the
municipality on June 21, 2018, which public places are:*

- 1) West Bountiful City Hall,*
- 2) West Bountiful City Park Bowery, and*
- 3) Lakeside Golf Course.*

Cathy Brightwell DATE: 6/20/18
Cathy Brightwell, City Recorder

