

**RICHMOND CITY CORPORATION
ORDINANCE 2021-10**

WHEREAS, the City Council of Richmond has the responsibility for the general welfare of the City; and

WHEREAS, such responsibility includes but is not limited to, establishment of best management practices;
and

WHEREAS, management practices may evolve over the passage of time:

NOW THEREFORE, the City Council of Richmond City, County of Cache, State of Utah, hereby adopts,
passes and publishes the following:

**AN ORDINANCE AMENDING THE RICHMOND CITY MUNICIPAL CODE, TITLE 8-000
“MUNICIPAL PROPERTY”, CHAPTER 8-102 “ACQUISITION AND DISPOSAL”, PART
8.102.040 “DISPOSAL OF SURPLUS REAL PROPERTY”, TITLE 12-000 “LAND USE,
DEVELOPMENT AND MANAGEMENT”, CHAPTER 12-500 “ADMINISTRATION”, PART 12-
505 “NOTIFICATION AND PUBLIC HEARINGS”, CHAPTER 12-2003 “SUBDIVISION
PROCESS”, PART 12-2003-3 “PRELIMINARY PLAT PROCESS”, AND PART 12-2003-5
“COMBINED PRELIMINARY AND FINAL PLAT PROCESS”**

BE IT ORDAINED BY THE CITY COUNCIL OF RICHMOND CITY, CACHE COUNTY, UTAH AS
FOLLOWS:

1. Sections shall be amended such that the **highlighted** areas below shall be added and the ~~strikeout~~ areas shall be deleted.

8.102.040 DISPOSAL OF SURPLUS REAL PROPERTY

- A. In accordance with Utah Code Annotated § 10-8-2, as amended, a Significant Parcel of Real Property, may be disposed of when the City Council has:
 1. Provided notice of the proposed disposition at least fourteen (14) days before a public hearing providing an opportunity for public comment on the disposition. Notice of the hearing shall be reasonable if it is posted at the City Offices ~~and published in a newspaper of general circulation at least one time no less than fourteen (14) days before the date of the hearing~~ and is shown on the City Council Agenda on the Utah Public Notice website at least 24 hours prior to the hearing.

12-505 NOTIFICATION AND PUBLIC HEARINGS

2. Public notice will be:
 - a. Posted in at least three public locations within the Richmond City limits.
 - b. Posted ~~in a local newspaper that has access by the general public.~~ **on the Utah Public Notice Website.**
 - c. On the Richmond City Website.

12-2003-3 PRELIMINARY PLAT PROCESS

- A. The following Preliminary Plat requirements shall be submitted to the City **Administrator Manager** at least fourteen (14) days prior to ~~the hearing before the Planning & Zoning Commission~~ **meeting.**
- ~~B. Public Hearing Notice requirement in compliance with Utah Code Annotated Title 10, Chapter 9a, Section 205.~~
 1. ~~All preliminary plat applications shall be considered in a public hearing before the Planning and Zoning Commission.~~

- ~~a. The Planning and Zoning Commission shall forward their recommendation to the Richmond City Council either approving with or without conditions or denying the proposed subdivision.~~
- ~~2. Richmond City shall provide written notice of the date, time, place, and purpose of the hearing to all property owners within three hundred feet (300') of the exterior boundaries of the subject property for the proposed subdivision, with this notice being mailed not less than ten (10) days prior to the public hearing.~~
- ~~3. Richmond City shall mail notice to affected public entities of the proposed preliminary plat not less than fourteen (14) days prior to the public hearing.~~
- ~~4. Richmond City shall post notice of the public hearing on the Utah Public Notice Website at least ten (10) calendar days prior to the hearing.~~
- ~~5. At least ten (10) days prior to the public hearing, the applicant shall post at the proposed subdivision site in a visible location with a sign of sufficient size, durability and print quality to give notice to passers by including a summary description of the proposed project, the date, time, and place of the public hearing.~~

B. C. Decision relative to the preliminary plat process shall comply with the following:

- 1. The recommendation of the Richmond Planning and Zoning Commission shall be transmitted to the Richmond City Council.
- ~~2. The Richmond City Council shall place the issue upon their agenda and set a time and date for a public hearing before the Council.~~
- ~~3. The Richmond City Council notification of public hearing shall comply with the provisions of 12-2003-3(B) above.~~

C. D. The decision of the Richmond City Council relative to the preliminary plat shall be made based upon the recommendation of the Richmond City Planning and Zoning Commission, ~~evidence and testimony of the public during the public hearing~~, and such other testimony and information obtained by the Richmond City Council within an agenda meeting.

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| 12-2003-5 COMBINED PRELIMINARY AND FINAL PLAT PROCESS |
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B. Public hearing Requirements.

- 1. All combined preliminary and final plat applications shall be considered in a ~~single public hearing~~ **meeting** before the Richmond Planning and Zoning Commission.
- 2. The Richmond Planning and Zoning Commission shall make a recommendation to the Richmond City Council approving with conditions or denying the proposed subdivision.
- ~~3. The public hearing shall be held in compliance with the provisions of 12-2003-2(B)(1) through and including 12-2003-2(B)(5).~~

D. The Richmond City Council shall consider the recommendation of the Richmond Planning and Zoning Commission in a regular agenda meeting, ~~and shall schedule a public hearing at a subsequent meeting following the provisions of 12-2003-3(B).~~

E. The decision of the Richmond City Council relative to the joint preliminary/final plat shall be made based upon the recommendation of the Richmond City Planning and Zoning Commission, ~~evidence and testimony of the public during the public hearing~~, and such other testimony and information obtained by the Richmond City Council within an agenda meeting.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearing and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Richmond City Municipal Code above referred to.

ADOPTED AND PASSED by the Richmond City Council on this 27th day of April, 2021.

RICHMOND CITY CORPORATION

Jeffrey D. Young, Mayor

ATTEST:

Justin B. Lewis, City Recorder