



TOWN OF LEEDS

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will occur at the
Town Council Meeting on
Wednesday, September 13, 2023, at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The Leeds Town Council will hold a public hearing on the above-mentioned date to consider the following proposed item:

ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP

The purpose of this public hearing is to receive public input on the proposed ordinance, which would amend Town Code section 21.14. This portion of the Code says the Town can propose to vacate, alter, or amend a subdivision map, after which the Board of Adjustment considers the issue at a public hearing. The Town has no Board of Adjustment, so this section should be amended to say that the Town Council will hold the public meeting after the Planning Commission considers the Town's proposal. The Town Council holding a public meeting on a proposal is consistent with Utah Code section 10-9a-609.

Copies of the proposed Ordinances will be available for review at the Leeds Town Hall during regular business hours (9:00 a.m. to 2:00 p.m. Monday – Thursday)

Interested persons are encouraged to attend the public hearing to be held in the Leeds Town Hall at 218 North Main Street or present their views in writing to the Leeds Town Clerk/Recorder prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted August 30, 2023. The public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, also published in the Spectrum Newspaper.

Aseneth Steed
Clerk/Recorder

ORDINANCE NO. 2023-03

AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP

WHEREAS, Section 10-9a-601 *et seq.*, Utah Code Annotated, grants municipalities authority to enact ordinances regarding the approval and recording of subdivision plat maps; and

WHEREAS, Section 10-9a-609(3), Utah Code Annotated, provides that a legislative body may vacate a subdivision, or a portion of a subdivision, by passing and recording an ordinance in the office of the county recorder; and

WHEREAS, the Town Council desires to harmonize the Town Code and the Utah Code regarding amendments or vacation of a subdivision plat/map; and

WHEREAS, the Town Council has reviewed the proposed amendment to Chapter 21, Section 14 and believes that it harmonizes the Town Code with the Utah Code and clarifies the Town Council's authority to vacate subdivisions.

NOW, THEREFORE, BE IT ADOPTED, RESOLVED, AND ORDERED BY THE GOVERNING BODY OF THIS TOWN AS FOLLOWS:

That Chapter 21, Section 14 be amended to read as shown on Exhibit A attached hereto.

PASSED AND APPROVED this __th day of July, 2023.

TOWN OF LEEDS COUNCIL

Bill Hoster, Mayor

[SEAL]

VOTING:

Mayor: Bill Hoster	Yea __ Nay __
Councilmember: Danielle Stirling	Yea __ Nay __
Councilmember: Ron Cundick	Yea __ Nay __
Councilmember: Kohl Furley	Yea __ Nay __
Councilmember: Stephen Wilson	Yea __ Nay __

ATTEST:

Aseneth Steed, Clerk Recorder

Exhibit A

21.14.1

The Town Council shall hear and consider a petition proposing to vacate, alter or amend a subdivision plat/map, any portion of a subdivision plat/map, or any street, lot or alley contained in a subdivision plat/map, at a public hearing, after receiving a recommendation from the Planning Commission. This section does not apply to vacations of a subdivision plat/map pursuant to 21.14.6.2 of this Chapter.

21.14.6 Proposal by Town

21.14.6.1 If the Town files a petition to vacate, alter or amend a subdivision plat/map, or any street or lot contained in a subdivision plat/map, the Town Council shall consider the issue at a public hearing after receiving a recommendation from the Planning Commission, and after giving the notice required by this section.

21.14.6.2 Notwithstanding any other provision of this Chapter, the Town Council may, consistent with Utah Code Annotated § 10-9a-609(3), vacate a subdivision plat/map, or a portion of a subdivision plat/map, by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated. The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.

21.14.8. Notice of hearing for map change.

Except as provided in 21.14.3. of this Chapter, and except with respect of lot line adjustments under subsection 21.14.7., the Town Council shall give notice of the proposed plat/map change by mailing the notice to each owner of property located within three hundred (300) feet of the property that is the subject of the proposed plat/map change, addressed to the owners' mailing address's appearing on the rolls of the Washington County assessor. The Town Council shall ensure that the notice includes:

21.14.8.1. A statement that anyone objecting to the proposed plat/map change must file a written objection to the change within ten (10) days of the date of the notice;

21.14.8.2. A statement that if no written objections are received by the Town Clerk within the time limit, no public hearing will be held; and

21.14.8.3. The date, place and time when a hearing will be held, if one is required, to consider a vacation, alteration or amendment without a petition when written objections are received, or to consider any petition that does not include the consent of all landowners as required by 21.14.3.

21.14.8.4. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.

21.14.9. Notice of hearing for map change involving vacation, alteration or amendment of street.

If a petition to change a plat/map involves the vacation, alteration or amendment of a street, the Town Council shall give notice of the date, place and time of the hearing by:

21.14.9.1. Mailing notice as required in 21.13.8.; and

21.14.9.2. Publishing the notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the Town.

21.14.9.3. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.

21.14.10. Grounds for vacating or changing map:

21.14.10.1. Within thirty (30) days after the public hearing required by this section, the Town Council shall consider the petition.

21.14.10.2. After considering the petition, if the Town Council is satisfied that neither the public nor any person will be materially injured by the proposed action, alteration or amendment, and that there is good cause for the vacation, alteration or amendment, the Town Council may vacate, alter or amend the plat/map, any portion of the plat/map, or any street or lot.

21.14.10.3. The Town Council may approve the vacation, alteration or amendment by amended plat/map, administrative order, or deed containing a stamp or mark indicating approval by the Town Council.

21.14.10.4. Applications for an amended plat/map, lot split or other action under this chapter are not finalized until such is recorded in the office of the Washington County recorder.

21.14.10.5. An aggrieved party may appeal the Town Council decision to the Board of Adjustment and may appeal the Board of Adjustment Decision to the district court as provided in Utah Code Annotated section 10-9a-801.

21.14.10.6. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.