

CLEARFIELD CITY ORDINANCE 2014-08

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION REGARDING PARKING LOTS/FACILITIES PURSUANT TO UTAH CODE ANN. § 10-9a-504 APPLICABLE TO ALL OF THE COMMERCIAL ZONED PROPERTIES LOCATED WITHIN THE CITY'S GEOGRAPHIC BOUNDARIES

PREAMBLE: This Ordinance temporarily prohibits the approval, development, erection, construction, reconstruction, installation, or alteration of any stand-alone parking lots and/or parking facilities on commercially zoned property throughout the City which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries.

RECITALS:

Whereas, the city of Clearfield (the "City") has very little prime commercial real estate located within its borders which either remains undeveloped or is ripe for redevelopment at this time; and

Whereas, in order to stimulate additional development and redevelopment which will both bolster the local economy in the City as well as to provide necessary revenues to help better support critical municipal services provided to the City's residents and businesses, it is in the best interests of the City's current and future residents and businesses to encourage the most desirable commercial development on the very limited remaining amount of prime, developable commercial property in the City; and

Whereas, property owners and developers in other neighboring communities adjacent to Clearfield with significantly greater commercial development pose a substantial, unacceptable threat of harm to the City and its future commercial development by way of projects which would place very desirable businesses and structures in a neighboring city while utilizing adjacent property in Clearfield merely to supply surface parking lots or other commercial parking facilities to support those development projects in adjacent cities; and

Whereas, the Clearfield City Council hereby finds that the City's need to protect the very limited amount of remaining developable prime commercial property in Clearfield for development at its highest and best use, rather than as stand-alone parking lots and/or parking facilities to support projects in an adjacent city, is indeed a compelling, countervailing public interest for the City as well as its current and future residents and businesses in Clearfield; and

Whereas, in order to protect both its current and future residents and businesses from the unfair and undesirable development of stand-alone parking lots and/or parking facilities on commercially zoned property which merely support much more desirable development and structures in neighboring cities, pursuant to Title 10, Chapter 9a, Section 509 (1)(a)(ii) of the Utah Municipal Code, as well as Title 11, Chapter 1, Section 8 of the Clearfield City Code, the City either has or will very shortly formally initiate proceedings to amend its current land use

ordinances to prohibit the development of stand-alone parking lots and/or parking facilities on commercially zoned (B-1, C-1, C-2, C-R, and D-R) property throughout the City which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries;

NOW THEREFORE BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

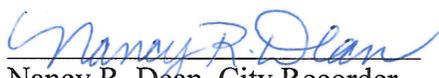
Based upon the City Council's finding of a compelling, countervailing public interest as enumerated above, and pursuant to Title 10, Chapter 9a, Section 504 of the Utah Municipal Code, this Clearfield City Ordinance 2014-08 is hereby enacted to establish a temporary land use regulation prohibiting the approval, development, erection, construction, reconstruction, installation, or alteration of any stand-alone parking lots and/or parking facilities on any and all commercially zoned (B-1, C-1, C-2, C-R, and D-R) property throughout Clearfield's boundaries which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries.

Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Dates: This ordinance enacting a temporary land use regulation shall become effective immediately upon passage and posting as prescribed by law and shall remain in effect until it is either officially repealed by the City Council, or until a period of six months has passed since its effective date, whichever event occurs first.

Passed and adopted by the Clearfield City Council this 22nd day of April, 2014.

ATTEST:


Nancy R. Dean, City Recorder

CLEARFIELD CITY CORPORATION


Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE: Councilmembers Benson, Bush, Jones, Young

NAY: None

EXCUSED: Councilmember LeBaron

