

ERDA, UTAH
ORDINANCE NO. 2021-02

**AN ORDINANCE NOTIFYING THE PUBLIC OF A
PENDING ORDINANCE THAT WOULD PROHIBIT OR
REGULATE THE ERECTION, RECONSTRUCTIONS, OR
ALTERATION OF ANY BUILDING OR STRUCTURE OR
ANY SUBDIVISION APPROVAL OR OTHER
DEVELOPMENT ACTIVITIES WITH RESPECT TO ALL
AREA WITHIN THE CORPORATE BOUNDARIES OF THE
CITY OF ERDA**

WHEREAS, the Erda City Council elect (the “*Council*”) met in regular session on December 30, 2021, to consider, among other things, approving an ordinance notifying the public of a pending ordinance that would prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval or other development activity with respect to area within the corporate boundaries of Erda except for development activities for which a building permit has been issued; and

WHEREAS, Erda will be a newly incorporated city and upon incorporation the area within the corporate boundaries of Erda will be unregulated and the Council desires to adopt a comprehensive zoning scheme; and

WHEREAS, the City Attorney and other interested persons have recommended adoption of a temporary land use regulation that would prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval or other development activity with respect to area within the corporate boundaries of Erda because upon incorporation the area will be unregulated; and

WHEREAS, the Council is authorized by Utah Code Ann. §10-9a-504 to enact an ordinance establishing a temporary land use regulating for all of the area within the municipality that would prohibit the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval or other development activity that is submitted during such proceedings provided the proceedings do not exceed One hundred eighty (180) days; and

WHEREAS, the period needed to review and implement a comprehensive zoning scheme is within a period of One hundred eighty (180) days; and

WHEREAS the Council finds that such is in the best interest of the health, safety, and welfare of the City’s residents; and

WHEREAS, the Council finds that upon incorporation that the area within the corporate boundaries of Erda will be unregulated.

NOW, THEREFORE, BE IT ORDAINED by the Council that it finds that upon incorporation that all area within the city will be unregulated and the city is directed to initiate proceedings to adopt a comprehensive land use/zoning scheme for all areas within the city.

BE IT FURTHER ORDAINED that except for development activities for which a building permit has been issued, that in order to protect the public health, safety, and welfare and to implement the planning and zoning objectives of the City, the Council hereby invokes the pending ordinance doctrine and/or Utah Code Ann. §10-9a-504 and expressly prohibits the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval or other development activity with respect to area within the corporate boundaries of Erda.

This Ordinance shall take effect immediately.

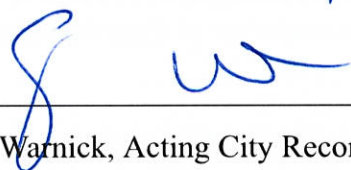
PASSED AND APPROVED by the Council this 30th day of December, 2021.

BY:



Jess Bird, Chairman, on behalf of council

ATTEST:



Cory Warnick, Acting City Recorder

DEPOSITED in the office of the City Recorder this 30th day of December, 2021.

RECORDED this 30th day of December, 2021