

**KEARNS METRO TOWNSHIP**

Ordinance No. 2023-05-01

Date: May 8, 2023

**AN ORDINANCE OF KEARNS METRO TOWNSHIP COUNCIL RESCINDING  
ORDINANCE 2023-04-01 (“AN ORDINANCE OF KEARNS METRO TOWNSHIP  
COUNCIL AMENDING TITLES 18 & 19 OF MUNICIPAL CODE, PROVISIONS ON  
ZONING AND SUBDIVISIONS”)**

**WHEREAS**, on April 18, 2023, the Kearns Metro Township (“**Kearns**”) Council (“**Council**”) adopted Ordinance 2023-04-01 to adopt recodified versions of Titles 18 and 19 of the Kearns Metro Township Code regarding subdivisions and zoning; and

**WHEREAS**, in adopting Ordinance 2023-04-01, the Council directed Kearns staff to review the recodified versions of Titles 18 and 19 to make any formatting, grammatical, or other non-substantive changes that may be needed; and

**WHEREAS**, the Council also directed that Ordinance 2023-04-01 would not become effective until after Kearns staff had finalized the recodified versions of Titles 18 and 19 for publication to Municode and posted a summary of the ordinance to the Utah Public Notice Website; and

**WHEREAS**, in conducting their review of the recodified versions of Titles 18 and 19, Kearns staff identified potential issues regarding setbacks, lot sizes, and planned unit development standards (collectively, the “**Changes**”) that while minor, constitute substantive changes that require review and approval by the Council; and

**WHEREAS**, because the recodified versions of Titles 18 and 19 require substantive changes, the staff did not publish the summary of Ordinance 2023-04-01 to the Utah Public Notice Website; and

**WHEREAS**, Ordinance 2023-04-01 has not gone into effect because: (1) the summary of Ordinance 2023-4-01 was not published as required by the Council for the ordinance to go into effect; and (2) Utah Code § 10-3-711(1) states than an ordinance may not take effect until a summary has been posted on the Utah Public Notice Website; and

**WHEREAS**, the Council desires to rescind Ordinance 2023-04-01 and to direct the staff to revise the recodified versions of Titles 18 and 19 to include the Changes and to present the Changes to the Kearns Planning Commission.

**BE IT ORDAINED BY KEARNS METRO TOWNSHIP COUNCIL** as follows:

1. Ordinance 2023-04-03 is repealed and rescinded effective upon the date the attached summary is published to the Utah Public Notice Website.

2. The Kearns Planning Commission is directed to: (1) hold a public hearing in accordance with Utah Code §§ 10-9a-205 and 10-9a-502 on the Changes; and (2) provide a corresponding recommendation to the Council regarding the same.

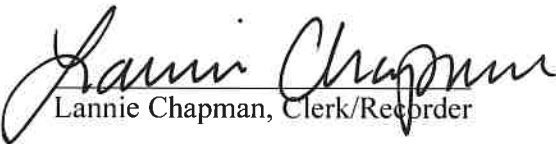
**PASSED AND ADOPTED** this 8<sup>th</sup> day of May 2023.

KEARNS METRO TOWNSHIP COUNCIL

  
By: Kelly Bush, Mayor

ATTEST

APPROVED AS TO FORM:






  
Lannie Chapman, Clerk/Recorder

  
METRO TOWNSHIP ATTORNEY

ATTEST

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Lannie Chapman, Clerk/Recorder

Voting:


Council Member Bush voting   
Council Member Butterfield voting   
Council Member Peterson voting   
Council Member Schaeffer voting   
Council Member Snow voting 

Date ordinance summary was posted on the Utah Public Notice Website:  
May 11, 2023  
Effective date of ordinance: May 11, 2023

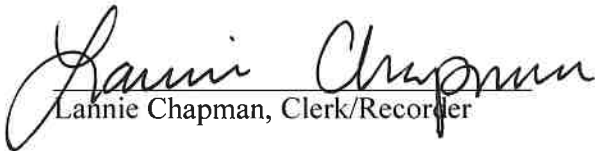
**SUMMARY OF**  
**KEARNS METRO TOWNSHIP**  
**ORDINANCE NO. 2023-05-01**

On May 8, 2023, the Kearns Metro Township Council enacted Ordinance No. 2023-05-01 to rescind Ordinance 2023-04-01, which adopted new and updated versions of Titles 18 and 19 (Subdivisions and Zoning) of the Kearns Municipal Code (“KMC”) but has not gone into effect. Ordinance 2023-05-01 also instructs the Kearns Planning Commission to revise additional revisions to Titles 18 and 19 regarding setbacks, lot sizes, and planned unit development standards and to make a corresponding recommendation to the Council.

KEARNS METRO TOWNSHIP COUNCIL

  
By: Kelly Bush, Mayor





ATTEST

  
Lannie Chapman, Clerk/Recorder

APPROVED AS TO FORM:

  
METRO TOWNSHIP ATTORNEY

Voting:

Council Member Bush voting	
Council Member Butterfield voting	
Council Member Peterson voting	—
Council Member Schaeffer voting	
Council Member Snow voting	

A complete copy of Ordinance No. 2023-05-01 is available in the office of the Kearns Metro Township Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah.