

MEMO



To: Planning Commission

From: Aspen Stevenson, Planner

Date: March 25, 2025

RE: **Code Amendment To Update Pavement Width Requirement In A Subdivision**

It is proposed that the Planning Commission and City Council consider amending Santaquin City Code 11.36.110 to reduce the minimum pavement width from 38 feet to 32 feet for all subdivision streets. As well as, replacing City Council with the Planning Commission as the land use authority for approving any half plus 10' requests to maintain consistency throughout City Code. Planning Commission approves all plats and is the land use authority over subdivisions.

Below are the proposed changes to the Santaquin City Code.

The developer shall dedicate to the City the full width of all street rights-of-way depicted on the final plat, unless previously dedicated, constructed or vested as a private street prior to September 20, 2017, or located within a planned unit development provided, however, that in cases where a proposed street in the subdivision parallels undeveloped property where no street currently exists and evidence is provided showing that the owner of the abutting property has no intention of developing within the near future, and as may be recommended by the Community Development Department, the Planning Commission may waive the full width dedication requirement and allow the dedication of a half plus ten feet (10') width right-of-way if the Planning Commission finds that it promotes the public interest. In no case, however, shall the pavement width be less than thirty two feet (32').

The attached draft ordinance has the proposed code amendment. The Planning Commission's responsibility is to hold a public hearing and forward a recommendation to the City Council.

Recommended Motion: "Motion to recommend (approval/denial) of the proposed code amendment, which updates the required pavement width to 32 feet."

ORDINANCE NO. DRAFT

AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO UPDATE SUBDIVISION PAVEMENT WIDTH REQUIREMENTS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City of Santaquin is a fourth-class city of the state of Utah; and

WHEREAS, the City Council has specific authority pursuant to Title 10, Chapter 9a Utah Code Ann. (1953 as amended) to adopt a zoning plan including an ordinance and map which divide the municipality into districts or zones and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures and the uses of land; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e. providing for the public safety, health, morals, and welfare; and

WHEREAS, the City Council desires to amend Santaquin City Code Title 11, Chapter 36, Section 110 to reduce a streets minimum pavement width to thirty two feet; and

WHEREAS, the Santaquin City Planning Commission held a public hearing on March 25, 2025, which hearing was preceded by the posting of public notice in at least three public places within the City limits of Santaquin City; and

WHEREAS, after the noted public hearing, the Santaquin City Planning Commission forwarded a recommendation to the City Council;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Santaquin City, State of Utah, as follows:

Section I. Amendments

Title 11 Chapter 36 Section 110 is amended as follows: (underlined text is added, stricken text is deleted)

11.36.110 STREET DEDICATION

The developer shall dedicate to the City the full width of all street rights-of-way depicted on the final plat, unless previously dedicated, constructed or vested as a private street prior to September 20, 2017, or located within a planned unit development provided, however, that in cases where a proposed street in the subdivision parallels undeveloped property where no street currently exists and evidence is provided showing that the owner of the abutting property has no intention of developing within the near future, and as may be recommended by the Community Development Department ~~and~~ the Planning

Commission, ~~the City Council~~ may waive the full width dedication requirement and allow the dedication of a half plus ten feet (10') width right-of-way if the ~~City Council~~ Planning Commission finds that it promotes the public interest. In no case, however, shall the pavement width be less than ~~thirty eight feet (38')~~ Thirty two feet (32'). Ord. 09-02-2017, 9-20-2017, eff. 9-21-2017)

Section II. Severability

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Contrary Provisions Repealed

Any and all other provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

Section IV. Codification, Inclusion in the Code, and Scrivener's Errors

It is the intent of the City Council that the provisions of this ordinance be made part of the Santaquin City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, and that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase in order to accomplish such intent regardless of whether such inclusion in a code is accomplished. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

Section V. Posting and Effective Date

This ordinance shall become effective at 5:00 p.m. on Wednesday, April 2, 2025. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 1ST day of April 2025.

Daniel M. Olson, Mayor

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| Councilmember Art Adcock | Voted | ___ |
| Councilmember Brian Del Rosario | Voted | ___ |
| Councilmember Lynn Mecham | Voted | ___ |
| Councilmember Jeff Siddoway | Voted | ___ |
| Councilmember Travis Keel | Voted | ___ |

ATTEST:

Amalie R. Ottley, City Recorder

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the City Council of Santaquin City, Utah, on the 1st day of April 2025, entitled

“AN ORDINANCE AMENDING SANTAQUIN CITY CODE TO UPDATE SUBDIVISION PAVEMENT WIDTH REQUIREMENTS, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Santaquin City Utah this 1st day of April 2025.

Amalie R. Ottley
Santaquin City Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, AMALIE R. OTTLEY, City Recorder of Santaquin City, Utah, do hereby certify and declare that prior to the ordinance taking effect, I posted a short summary of the ordinance on the Utah Public Notice Website as required by Utah State Code 10-3-711(1)(b) as a Class A Notice and Santaquin City Code 1-2-050(D)

I further certify that copies of the ordinance were posted online at www.santaquin.org, at the City Hall Building at 110 S. Center Street and on the State of Utah's Public Notice Website, <https://www.utah.gov/pmni/index.html>. A copy of the notice may also be requested by calling (801)754-1904.

AMALIE R. OTTLEY
Santaquin City Recorder

The foregoing instrument was acknowledged before me on this ____ day of ____ 2025,
by AMALIE R. OTTLEY.
My Commission Expires:
