

TOQUERVILLE CITY
ORDINANCE #ORD.2014.02

AMENDING THE CITY LAND MANAGEMENT CODE (LMC)

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE, CLARIFYING THE NEED FOR INSTALLATION OF CURBS, GUTTERS, SIDEWALKS, AND IMPROVEMENTS OF STREETS REQUIRED FOR NEW HOME CONSTRUCTION OR REMODEL FOR CHANGE OF USE OR COMMERCIAL USE IN TOQUERVILLE CITY, AMENDING SECTION 7.4 (D) V, AND SECTION 11.6 (J), GENERAL DESIGN STANDARDS.

WHEREAS, the City of Toquerville, Utah (The "City"), by and through its City Council, finds that the need for street improvements is not keeping pace with new construction, and

WHEREAS, the City requires the dedication of Road Ways in order to maintain City Streets, and

WHEREAS, Toquerville City Council has identified the need for the City Land Management Code to contain clear direction for future development in regards to public improvements of such Road Ways, including Curbs, Gutters, Sidewalks, and

WHEREAS, Toquerville City Planning Commission convened a Regular Meeting and Public Hearing on May 21st, 2014, to review the final proposed revisions of the Land Management Code, Section 7.4 (d) v, and Section 11.6 (j) General Design Standards, having received public input and comment to the proposed revisions and amendments, and has complied with notice requirements and other provisions of Utah Code; that the proposed Amendments are shown below; and Planning Commission does recommend the proposed changes and amendment to the Toquerville City Council;

Under Section 7.4 (d) v. Building Permits Add language as follows:

The installation of curbs, gutters, sidewalks, and improvements of streets to centerline, if street is already improved with asphalt, or centerline plus ten (10) feet where the street is not improved with asphalt, as approved by the city in accordance with its ordinances and specifications, shall be required on any existing or proposed street adjoining a lot on which a building permit application for construction is made. Street improvements are required for new home construction or remodel for change of use or commercial use. Such curbs, gutters, sidewalks and street improvements shall be required as a condition of obtaining a building permit. The city may require a property owner to make an equivalent payment for the labor and materials necessary to install curb, gutter, sidewalk and asphalt, as calculated by the city engineer, in lieu of requiring the property owner to install the requisite improvements, Any required dedication of property for such improvements shall be conveyed to the city by quit claim deed for immediate installation or for such future time as it becomes prudent for the city to install the said improvements.

This language also added to:

Section 11.6.(j) General Design Standards

THEREFORE, BE IT ORDAINED by the City Council of Toquerville, Utah, that the City Land Management Code shall be Amended as follows: recommended changes of those Chapters and Sections of the LMC which are listed above; that this Ordinance #ORD.2014.02, AMENDMENT TO THE TOQUERVILLE LAND MANAGEMENT CODE be and shall repeal and supersede all prior ordinances and resolutions if conflict in verbiage exists. This Ordinance shall become effective immediately upon approval and adoption by Toquerville City Council.

DATED this 12 day of June, 2014.

CITY OF TOQUERVILLE, UTAH:

Attest: 
Renee Garner, City Recorder


Darin LeFevre, Mayor

