

RESOLUTION NO. 2022-05-24

AN ORDINANCE AMENDING SECTION 17.8.304 OF THE AMERICAN FORK CITY, UTAH, MUNICIPAL CODE RELATING TO PROJECT STREETS AND SIDEWALKS, AND PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF THE AMENDMENT.

WHEREAS, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork;

WHEREAS, the City is authorized by law to enact ordinances establishing regulations for development within the city;

WHEREAS, City Council desires to amend the current regulations governing project streets and sidewalks;

WHEREAS, said changes are in the best interest and general welfare of residents of American Fork;

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

**PART I
TEXT OF ORDINANCE**

SECTION 1. Section 17.8.304 of the American Fork Municipal Code shall read as follows:

Sec 17.8.304 Project Streets And Sidewalks

- A. General requirement. All lots in the subdivision project shall be served by a street and sidewalk/pedestrian walkway system which provides safe and convenient access to each dwelling unit and adequate circulation within the project area and with adjacent projects and lands. To ensure continued adequacy and maintenance of the street and sidewalk system, title to all portions of the system shall have been previously conveyed to the city or proposed for dedication to the city as part of the plat.
- B. Streets to conform to city standards—Exceptions. All streets within the subdivision project shall conform to city standards for right-of-way width and alignment and be improved in accordance with city standards. Provided, however, the planning commission may recommend and the city council may approve an exception from the adopted standard in the instance of one of the following:
 1. Existing Development. The city may approve one or more street segments having a reduced right-of-way width, which may not be reduced more than eight feet from the existing standard at the time of development, subject to the following terms, conditions and findings:
 - a. A finding by the City Council, after recommendation of the Planning Commission, that because of existing development on adjacent lands a reduction in right-of-way is reasonably necessary to preserve the aesthetic and cohesiveness of the community;

- b. The length of the reduced segment will not be more than eight hundred feet;
 - c. The reduced right-of-way width does not create a safety concern; and
 - d. The elements of the right-of-way are in conformance with the General Plan of American Fork and the Bike and Pedestrian Master Plan for American Fork City.
2. Partial width streets. The city may approve a subdivision project having partial width streets along one or more of the project boundaries, subject to the following terms, conditions and findings:
- a. The partial width street is located at the boundary of the proposed residential subdivision project.
 - b. The partial width street will have a minimum width of right-of-way of thirty-five feet and will include the construction of all required street and utility improvements in accordance with city standards for partial width streets.
 - c. The adjacent parcel is undeveloped, but it is reasonably capable of further development in a manner that will result in the remainder of the street being dedicated and improved.
 - d. The partial width street will be less than four hundred feet in length and will serve as the primary vehicular access route to not more than ten residential lots.
 - e. Title to the right-of-way for the partial width street will be conveyed to the city as part of a final plat dedication or other acceptable means of conveyance.

PART II

SECTION 1 – Conflicting Provisions. Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

SECTION 2 – Provisions Severable. This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

SECTION 3 – Effective Date. This Ordinance shall take effect upon its passage and publication as required by law.

PASSED, by the American Fork City Council this 24th day of May, 2022.


MAYOR BRADLEY J. FROST

ATTEST:


CITY RECORDER TERILYN LURKER

