

KANAB CITY ORDINANCE NO. 6-2-12 O

AN ORDINANCE AMENDING THE KANAB CITY LAND USE ORDINANCE, CHAPTER 4
"SUPPLEMENTARY REGULATION" REGARDING CURB, GUTTER, AND SIDEWALK
IMPROVEMENT REQUIREMENTS

WHEREAS, U.C.A. 10-9a-102 provides that Kanab City may enact and modify ordinances it considers necessary or appropriate for the use and development of land within the municipality; and,

WHEREAS, the Kanab City Planning Commission conducted the necessary Public Hearing on June 19, 2012:

NOW THEREFORE, BE IT ORDAINED that the Kanab City Land Use Ordinance is amended to state as reflected in the attachments affixed to this ordinance.

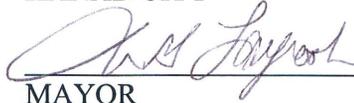
All former codes or parts thereof conflicting or inconsistent with provisions of this Ordinance or of the Code hereby adopted are hereby repealed.

The provisions of the code shall be severable, and if any provision thereof, of the application of such provision under any circumstance is held invalid, it shall not affect any other provisions of this code or the application in a different circumstance.

This ordinance shall be effective upon the required posting.

Passed and ordered posted this 26th day of June, 2012.

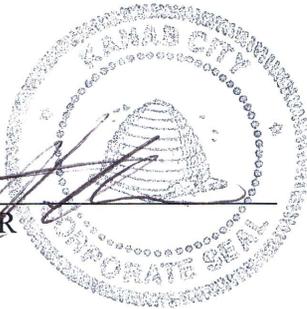
KANAB CITY



MAYOR

ATTEST:


RECORDER



Section 4-18 Curbs, Gutters and Sidewalks

4-18-1. Improvement Requirements for Building Permits for Commercial and Manufacturing lots or parcels

4-18-1.1. The installation of curb, gutter and sidewalks of a type approved by the Kanab City Council shall be required on any existing or proposed street adjoining a lot on which a commercial or industrial building is to be constructed or ~~remodeled~~expanded, or on which a new use is to be established. Such curbs, gutters, and sidewalks shall be required as a condition of building or use permit approval. Said curb, gutter and sidewalk shall be constructed to match existing improvements on contiguous properties. For lots or parcels that contain street frontage on Highway 89 or Highway 89A, UDOT shall be consulted to determine if the proposed project adheres to the long range transportation plan as it relates to curb, gutter and sidewalk improvements.

If curb, gutter and sidewalk are not contiguous to the proposed project, the Planning Commission shall waive the requirements enumerated in this Section.

4-18-2. Improvement Requirements for Building Permits for Individual Residential lots or parcels

This section does not apply to lots or parcels being created through the Subdivision process. Refer to the Kanab City Subdivision Ordinance for specific requirements.

4-18-2.1. Occupancy permits shall not be issued until utilities are available for connection and adequate fire protection is in place to the lot or parcel proposed for construction, in accordance with City requirements. A utility plan may be required by the utility provider as part of this process.

4-18-2.2. Street improvements such as curb, gutter and sidewalk, are required prior to the issuance of an occupancy permit. Curb, gutter and sidewalk shall be constructed to match existing improvements on contiguous properties. For lots or parcels that contain street frontage on Highway 89 or Highway 89A, UDOT shall be consulted to determine if the proposed project adheres to the long range transportation plan as it relates to curb, gutter and sidewalk improvements.

If curb, gutter and sidewalk are not contiguous to the proposed project, the Planning Commission shall waive the requirements enumerated in this Section, through one or both of the following means:

~~4-18-2.2.1. Construct street improvements to match existing conditions on adjacent or contiguous properties;~~

~~4-18-2.2.2. Sign a "non-opposition" waiver for a future special improvement district if not contiguous.~~

~~4-18-2.3. Sidewalks must be installed prior to an occupancy permit being issued, unless the requirement is deferred by the Kanab City Council with a non-opposition agreement.~~

~~4-18-2.4. Certain improvement requirements set forth in this ordinance may be waived by the City Council in a public meeting, upon recommendation from the Development Committee and Planning Commission.~~

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