

ORDINANCE NO. 2022-9-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.32.210 AND THE LINDON CITY LAND DEVELOPMENT POLICIES, STANDARD SPECIFICATIONS AND DRAWINGS MANUAL FOR NEW PUBLIC UTILITY EASEMENT REQUIREMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment will allow the Lindon City Code to be consistent with the Lindon City Land Development Policies, Standards, Specifications and Drawings Manual; and

WHEREAS, the Lindon City Council finds that requiring public utility easements to have a minimum total width of 10' across interior lot lines is in the best interest of the City; and

WHEREAS, on August 9, 2022, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on August 15, 2022, to consider the recommendation and the Council received and considered all public comments that were made therein.

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

SECTION ONE: AMENDMENT OF TITLE 17.32.210

17.32.210 Easements.

1. Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of ~~fifteen ten~~ feet (~~15 10'~~), apportioned equally in abutting properties.
2. Where front-line easements are required, a minimum of ~~seven feet and one half feet ten feet~~ (~~7½' 10'~~) shall be allocated as a utility easement. Perimeter easements shall be not less than ~~fifteen ten~~ (~~15 10'~~) feet in width, extending throughout the peripheral area of the development, if required by the ~~Planning Commission~~ **city engineer**.
3. All easements shall be designed so as to provide efficient installation of utilities or street planting. Special guying easements at corners may be required if any utilities are to be overhead. Public utility installations shall be so located as to permit multiple installations within the easements. The developer shall establish final utility grades prior to utility installations. (Ord. 2001-8, amended, 2001; Ord. 111 §1, amended, 1985; Prior code §12-107-7(H)(13))

SECTION TWO: AMENDMENT OF LINDON CITY'S LAND DEVELOPMENT POLICIES, STANDARD SPECIFICATIONS AND DRAWINGS.

Section 2.03 Final Plat and Final Improvement Drawings

The following shall be included on the final plat:

7. Public utility easements 10' in width are required along street frontage and may be required along lot lines if needed. Residential easements shall also follow rear and side lot lines and shall have a minimum total width of ten feet (10'), apportioned equally in abutting properties. The City engineer may require side and rear easements for commercial properties when necessary to provide utility services to the property. Side and rear utility easement widths shall be the same as listed above, when necessary, unless additional width is required for maintenance access.

SECTION THREE: Severability.

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

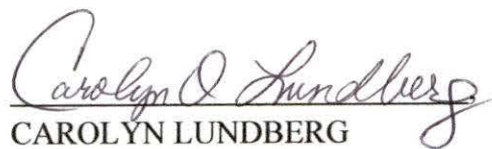
SECTION FOUR: AMENDMENT OF CORRESPONDING ORDINANCES AND PROVISIONS.

Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.


SECTION FIVE: Effective Date.

This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City,
Utah, this 15 day of August 2022.


CAROLYN LUNDBERG
Lindon City Mayor

ATTEST:


Kathryn Moosman
City Recorder

