

ORDINANCE NO. 2024-05-21

AN ORDINANCE AMENDING SECTION 17.5.126 (D) OF THE AMERICAN FORK CITY, UTAH, MUNICIPAL CODE RELATING TO THE MINIMUM LEVEL OF IMPROVEMENTS REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS

WHEREAS, American Fork 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, City Council desires to amend the requirements for design standards and landscaping;

WHEREAS, American Fork City finds it is in the best interest of the citizens of American Fork to make these amendments.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AMERICAN FORK as follows:

**PART I
TEXT OF ORDINANCE**

SECTION 1.

Sec 17.5.126 Minimum Level Of Improvements Required Prior To Issuance Of Building Permit

- A. Minimum level of improvements policy—Definition. It is hereby declared city policy that each lot or parcel which is or is proposed to be occupied as a dwelling, commercial or industrial project shall be served by a full level of urban improvements (full lot improvements). Said full lot improvements shall consist of and include those improvement required pursuant to Sections 17.8.401 (paved street), 17.8.412 (sewer), 17.8.403 (culinary and PI water), 17.8.304 (curb, gutter and sidewalk), 17.8.411 (piping of irrigation ditches), 17.8.112.C. (storm water drainage facilities), and conveyance of right-of-way area to accommodate placement of improvements where applicable.
- B. For undeveloped parcel. No building permit shall be issued for the construction of a new dwelling or commercial or industrial use or structure which is to be located on an unimproved or partially unimproved lot or parcel unless said lot or parcel shall be: (1) fully improved as defined under paragraph A., or (2) eventual construction of any absent lot improvements is secured through the posting of a performance guarantee as provided for under Chapter 17.9 of this code.
- C. For major improvement on existing developed parcels. No building permit shall be issued for the construction of a major expansion of an existing dwelling or commercial or industrial use or structure which is located on an unimproved or partially unimproved lot or parcel unless said lot or parcel shall be: (1) served by full lot improvements as defined under paragraph A., or (2) eventual construction of any absent improvements is secured through the posting of a performance guarantee as provided for under Chapter 17.9 of this

code. For purposes of application of this provision, a major expansion shall be deemed to include one or more of the following:

1. The addition of a additional story to the existing structure which increases the habitable area of the structure in an amount greater than twenty-five percent of the main floor area. Provided, that this provision shall not be applicable in the instance of an interior finish permit for a pre-existing residential basement.
 2. The construction of improvements to the existing primary structure and /or addition or improvement of accessory buildings wherein the estimated cost of the proposed improvements is more than five times the estimated cost of the required full lot improvements required under paragraph A.
 3. The proposed activity on site constitutes a change in use or is sufficient in scope to require submission and approval of a site plan by the planning commission.
- D. The city engineer may, at their discretion, provide curb grading information for residential lots required to add curb under the terms of this section.

PART II PROVISIONS AND ADOPTION

SECTION 1. Severability

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

SECTION 2. Amendments to be added to the City Code.

The City Council hereby directs that the provisions enacted by this ordinance shall be made and placed in the City Code.

SECTION 3. Effective Date

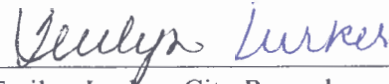
This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF AMERICAN FORK, STATE OF UTAH, ON THIS 14TH DAY OF MAY 2024.



Bradley J. Frost, Mayor

ATTEST:



Terilyn Lurker, City Recorder



