

ORDINANCE NO. 2020- 05

AN ORDINANCE OF THE TOWN COUNCIL OF CHARLESTON TOWN, UTAH, AMENDING SECTIONS 10.03.0501 C. 2, D. 1 AND E. 3 REGARDING THE CUL-DE-SAC AND BLOCK LENGTHS AND MINIMUM STREET WIDTHS AND AMENDING SECTION 10.03.0808 REGARDING STANDARDS AND SPECIFICATIONS AND ADOPTING CHARLESTON TOWN STANDARDS AND SPECIFICATIONS FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS REQUIRED WITHIN TITLE 10 SUBDIVISION AND DEVELOPMENT CODE.

WHEREAS, Utah Code §10-9a Part 6 grants the Town Council of the Town of Charleston ("Town Council") the authority to enact ordinances that it considers necessary or appropriate for the governing of subdividing and development of land within Charleston Town ("Town"); and

WHEREAS, the Town Council has adopted Title 10 Subdivisions and Development Code of the Charleston Town Municipal Code ("Town Code"); and

WHEREAS, the Town Council desires to enact text amendments that amend provisions within Title 10 Subdivision and Development Code that regulate subdividing and development of land and to adopt Standards and Specifications for how public improvements within the Town are designed and constructed; and

WHEREAS, the Town's Planning Commission held a public hearing, reviewed and made a recommendation concerning the subject text amendments and the proposed document titled *Standards and Specifications* (see exhibit "A") on June 25, 2020; and

WHEREAS, the Town Council finds that the subject text amendments and adoption of standards and specifications for public infrastructure improvements will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHARLESTON TOWN, UTAH:

SECTION 1. Amend § 10.03.0501 C. 2 Cul-de-sac of the Charleston Town Code is hereby amended to read as follows: C. 2 Cul-de-sac—Each publically dedicated cul-de-sac shall be designed and constructed as required in the *Charleston Town Standards and Specifications* as adopted in Section 10.03.0808 of this Code;

SECTION 2. Amend § 10.03.0501 D. Blocks: 1. Length of the Charleston Town Code is hereby amended to read as follows:

D. Blocks: 1. Length—The maximum length of blocks shall be one-thousand (1,000) feet and the minimum length of blocks shall be four hundred (400) feet from center of intersection to center of intersection;

SECTION 3. Amend § 10.03.0501 E. Lots: 3 Lots Must Abut on Public Streets of the Charleston Town Code is hereby amended to read as follows:

E. Lots: 3. Lots Must Abut on Public Streets—Except where otherwise allowed in Section 02.0642 Flag Lots and Private Streets Permitted of Title 2 Land Use Ordinance, each lot shall abut on a street dedicated by the subdivision plat or on an existing publically dedicated street with a right-of way width that is fifty (50) feet wide or more.

SECTION 4. Amend § 10.03.0808 Standards and Specifications of the Charleston Town Code is hereby amended to reads as follows:

10.030808 Standards and Specifications: Whenever the provisions of this ordinance require improvements to be installed in subdivisions in accordance with Charleston Town standards or specifications, said standards and specifications last adopted by ordinance of the Town Council of Charleston, Utah are to be used. Such standards and specifications are on file in the Town Clerk's Office and may be examined and copies may be purchased during regular office hours. If ever there is a conflict between the provisions of Title 2 Land Use Code or Title 10 Subdivision and Development Code **and** the Charleston Town Standards and Specifications, the provisions of the Standards and Specifications shall govern.

SECTION 5. Adopt: The document titled *Charleston Town Standards and Specifications*, as attached to this Ordinance as Exhibit "A", is hereby adopted.

SECTION 6. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED by the Town Council of Charleston Town,
Utah, this 2nd day of July, 2020 by the following vote:

	YES	NO	ABSENT
Council Member Vaughn Rasband	<u>X</u>	_____	_____
Council Member Darrell Nish	<u>X</u>	_____	_____
Council Member Jim Brown	<u>X</u>	_____	_____
Council Member Scott Solum	<u>X</u>	_____	_____
Mayor Brenda Kozlowski	<u>X</u>	_____	_____

Attest:

Arlene Buehler
Arlene Buehler Clerk/Recorder

By: Brenda Kozlowski
Mayor Brenda Kozlowski

Seal:



Approved as to form:

[Signature]
Town Attorney

EXHIBIT "A"

Charleston Town Standards and Specifications