

ORDINANCE NO. 22-18

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, AMENDING TITLE 11 OF THE CITY CODE TO REQUIRE PLANNING COMMISSION REVIEW OF STREET AND ALLEY VACATIONS AND AMENDING THE SUBDIVISION PLAT REVIEW PROCESS, MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

SECTION I - RECITALS:

WHEREAS, South Ogden City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, in conformance with the provisions of UCA §10-9a-501 the governing body of the city may enact a zoning ordinance establishing regulations for land use and development within the city; and,

WHEREAS, South Ogden City has previously adopted and promulgated a city zoning ordinance; and,

WHEREAS, the City Council finds that the Planning Commission has recommended certain changes to the city zoning ordinance, requiring Planning Commission review and recommendation to the City Council on street and alley vacations as well as changes to the Subdivision Plat Review Process; and,

WHEREAS, the City Council finds that South Ogden City Code, Title 11 and various of its subsections should be amended by adding new language governing these changes and related regulations for the city; and,

WHEREAS, the City Council finds that the requirements should be effective upon passage of this Ordinance; and,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that the City Code be changed and amended:

AMENDED SECTION:

Upon the adoption of this Ordinance, Title 11 of the South Ogden City Code is readopted with the changes set out in **Attachment "A"**, which is incorporated herein, to read as indicated.

The foregoing recitals are incorporated herein.

SECTION II - REPEALER OF CONFLICTING ENACTMENTS:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS:

The body and substance of any prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

SECTION IV - SAVINGS CLAUSE:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

SECTION V - DATE OF EFFECT

This Ordinance shall be effective on the 18th day of October, 2022, and after publication or posting as required by law.

DATED this 18th day of October, 2022.

SOUTH OGDEN CITY

Russell L. Porter, Mayor

ATTEST:

Leesa Kapetanov, CMC City Recorder

ATTACHMENT "A"

ORDINANCE NO. 22-18

An Ordinance Of South Ogden City, Utah, Amending The Title 11 Of The City Code To Require Planning Commission Review Of Street And Alley Vacations And Amending The Subdivision Plat Review Process, Making Necessary Language Changes To The City Code To Effect Those Changes; And Establishing An Effective Date For Those Changes.

18 Oct 22

11-2-1: Preliminary Plat

1. Preliminary Information: Each person who proposes to subdivide land in the city shall confer with the planning commission staff before preparing any plats, charts or plans to become familiar with the city subdivision requirements and existing master plans for the territory in which the proposed subdivision lies and to discuss the proposed plan of development of the tract.
2. Preliminary Plan Filing: A preliminary plan shall be prepared in conformance with the "Public Works Standard Drawings, Details and Technical Specifications" and rules and regulations contained herein and the current required number of copies thereof shall be submitted to the planning commission for approval or disapproval. One print shall be delivered by the planning commission to each of the affected entities such as the city departments, power company, gas company, telephone company, and other public service utility providers, school district, service district, UDOT, etc., for their information and recommendations.
3. Preliminary Plan Requirements:
 1. All drawings and/or prints shall be clear and legible, and drawn according to professional engineering practices. The preliminary plan shall be drawn to a scale not smaller than one hundred feet to the inch (1" = 100'), on a twenty four inch by thirty six inch (24" x 36") sheet and shall show:
 1. The proposed name of the subdivision (such name must be cleared through the county recorder's office).
 2. Its location as forming a part of a larger tract or parcel, where the plat submitted covers only a part of the subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts shall be submitted, and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area and other surrounding areas.
 3. Sufficient information to locate accurately the property shown on the plan.
 4. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
 5. Contours at intervals of one foot (1'), or as otherwise approved.
 6. The boundary lines of the tract to be subdivided shall be indicated.
 7. The location, widths and other dimensions of all existing or platted streets and other important features such as railroad lines, watercourses, exceptional topography, utility conduits, and buildings within or immediately adjacent to the tract to be subdivided.
 8. Existing sanitary sewers, storm drains, water supply mains, culverts and natural drainage channels within the tract and immediately adjacent thereto.
 9. The locations, widths and other dimensions of proposed public streets, private streets, alleys, utility easements, parks, other open spaces and lots, with proper labeling of spaces to be dedicated to the public or designated as private streets.

- ~~2. Plans or written statements regarding the proposed stormwater drainage facilities and other proposed improvements, such as planting and parks, and any grading of individual lots.~~
- ~~4. Preliminary Plan Approval: The preliminary plan shall be reviewed by the planning commission which shall act on the plan as submitted or modified within sixty (60) days after its presentation. If approved, the planning commission shall express its written approval with or without conditions. If the preliminary plan is disapproved, the planning commission shall indicate its disapproval in writing and list the reasons for such disapproval. Approval of the preliminary plan shall be authorization for the subdivider to proceed with preparing the final plat improvement drawings and specifications for the minimum improvements required by this title and the "Public Works Standard Drawings, Details And Technical Specifications."~~
- ~~5. Time Limitation: Approval of the preliminary plan by the planning commission shall be valid for a maximum period of one year after approval, unless upon application of the subdivider, the planning commission grants an extension. If the final plat has not been submitted within the one year or approved extended period, the preliminary plan must again be submitted to the planning commission for reapproval; however, preliminary approval of a development shall not be voided; provided, that the final plat of the first section is submitted for final approval within the one year period.~~
- ~~6. Grading Limitation: No large scale excavation, grading or regrading shall take place on any land for which a subdivision preliminary plan has been submitted until such plan has been given preliminary approval by the planning commission.~~

11-2-21: Subdivision ~~Final~~ Plat Requirements, Review, and Approval

A. Each person who proposes to subdivide land in the city shall confer with city planning commission staff before preparing any plats, charts or plans to become familiar with the city subdivision requirements and existing master plans for the territory in which the proposed subdivision lies and to discuss the proposed plan of development of the tract. Planning staff shall inform subdivider if there are any master plan requirements for the area proposed to be subdivided.

Commented [LK1]: Changes in yellow were suggested by Matt Dixon at the meeting on October 18, 2022 and adopted as part of the motion on that same night.

A.B. ~~Tentative Final~~ Preliminary Plat Required:

1. Prior to the submission of the final plat, the subdivider shall submit ~~two (2) copies~~ a digital copy of the ~~tentative final~~ preliminary plat and any required construction drawings to ~~the planning commission~~ staff at least 30 days before the planning commission meeting at which they would like the final plat to be considered.

2. Fees: At time of submission of the tentative preliminary plat and/or construction drawings, there shall be paid to the city by the owners or developers of the land petitioning for subdivision approval such sum of money as the planning commission and finance director require to cover engineering review and field inspection costs. Fees shall be paid to the city as per adopted fee schedule which may be amended from time to time by the city council.

3. ~~who~~ The City Engineer shall check the tentative final preliminary plat against the following requirements: ~~and conditions of approval of the preliminary plan, and refer one copy to the city engineer for checking.~~

The plat shall be clear and legible, and drawn according to professional engineering standards. Size of drawing shall be twenty four inches by thirty six inches (24" x 36") with one-half inch (1/2") border on top, bottom and right sides, left side border shall be one and one-half inches (1 1/2").

The plat shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best. The plat shall be made to a scale large enough to clearly show all details, in any case not smaller than one hundred feet to the inch (1" = 100'), and the workmanship on the finished drawing shall be neat, clean cut and legible. The plat shall be signed by all parties mentioned in subsection C7 of this section, duly authorized and required to sign, and shall contain the following information:

- a. The subdivision name, and the general location of the subdivision, in bold letters at the top of the sheet.
- b. Where a subdivision complies with the cluster subdivision provisions of the zoning title and this chapter, the final plat shall indicate underneath the subdivision name, the words "cluster subdivision."
- c. A north arrow and scale of the drawing, and the current date.
- d. Accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.
- e. The names, widths, lengths, bearings and curve data on centerlines of proposed streets, alleys and easements; also the boundaries bearing and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions bearings and numbers of all lots, address of lots within the subdivision. All lots are to be numbered consecutively under a definite system approved by the planning commission. The street naming/numbering and lot addressing shall be provided by the city engineer and written on the plat by the subdivider's engineer and/or surveyor.
- f. Parcels of land to be dedicated as public park, storm water detention basins, or to be permanently reserved for private common open space shall be included in the lot numbering system and shall also be titled "public park" or "private common open space," whichever applies.

g. The standard forms approved by the planning commission for all subdivision plats lettered for the following:

- 1) Description of land to be included in subdivision, with total acres.
- 2) Land surveyor's certificate of survey.
- 3) Owner's dedication certificate.
- 4) Notary public's acknowledgment.
- 5) Planning commission's certificate of approval.
- 6) City engineer's certificate of approval.
- 7) City attorney's certificate of approval.

h. A three inch by three inch (3" x 3") space in the lower right hand corner of the drawing for recording information.

4. Construction Drawings: Construction drawings shall conform with South Ogden City "Public Works Standard Drawings, Details And Technical Specifications" and as stated in subsection 11-2-3C of this chapter.

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~~2.5. The p~~Planning commission~~staff~~ shall return ~~one-a~~ copy of the checked ~~tentative~~ ~~final~~ preliminary plat ~~and construction drawings~~ to the subdivider indicating thereon any changes required by ~~the planning commission~~ staff and/or the city engineer.

~~B. Final Plat Required:~~

- ~~1. After compliance with the provisions of section 11-2-1 of this chapter, the subdivider shall submit a final plat with the current required number of copies thereof to the planning commission. Such plat shall be accompanied by a "letter of certification" by the subdivider's engineer and/or surveyor, indicating that all lots meet the requirements of the zoning title.~~
- ~~2. The final plat and accompanying information shall be submitted to the planning commission at least ten (10) days prior to a regularly scheduled planning commission meeting to be considered at the meeting.~~

~~C. Final Plat Requirements: The final plat shall be clear and legible, and drawn according to professional engineering standards. Size of drawing shall be twenty four inches by thirty six inches (24" x 36") with one half inch (1/2") border on top, bottom and right sides, left side border shall be one and one half inches (1 1/2").~~

~~The plat shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best. The plat shall be made to a scale large enough to clearly show all details, in any case not smaller than one hundred feet to the inch (1" = 100'), and the workmanship on the finished drawing shall be neat, clean cut and legible. The plat shall be signed by all parties mentioned in subsection C7 of this section, duly authorized and required to sign, and shall contain the following information:~~

- ~~a. The subdivision name, and the general location of the subdivision, in bold letters at the top of the sheet.~~
- ~~b. Where a subdivision complies with the cluster subdivision provisions of the zoning title and this chapter, the final plat shall indicate underneath the subdivision name, the words "cluster subdivision."~~
- ~~c. A north arrow and scale of the drawing, and the current date.~~
- ~~d. Accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.~~
- ~~e. The names, widths, lengths, bearings and curve data on centerlines of proposed streets, alleys and easements; also the boundaries bearing and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions bearings and numbers of all lots, address of lots within the subdivision. All lots are to be numbered consecutively under a definite system approved by the planning commission. The street naming/numbering and lot addressing shall be provided by the city engineer and written on the plat by the subdivider's engineer and/or surveyor.~~
- ~~f. Parcels of land to be dedicated as public park, stormwater detention basins or to be permanently reserved for private common open space shall be included in the lot numbering system and shall also be titled "public park" or "private common open space," whichever applies.~~
- ~~g. The standard forms approved by the planning commission for all subdivision plats lettered for the following:~~
 - ~~1. Description of land to be included in subdivision, with total acres.~~
 - ~~2. Land surveyor's certificate of survey.~~
 - ~~3. Owner's dedication certificate.~~
 - ~~4. Notary public's acknowledgment.~~
 - ~~5. Planning commission's certificate of approval.~~
 - ~~6. City engineer's certificate of approval.~~
 - ~~7. City attorney's certificate of approval.~~
- ~~h. A three inch by three inch (3" x 3") space in the lower right hand corner of the drawing for recording information.~~
- ~~D. Construction Drawings: Construction drawings shall conform with South Ogden City "Public Works Standard Drawings, Details And Technical Specifications" and as stated in subsection 11-2-3C of this chapter.~~

6. Engineer's Cost Estimate: If requested by the City, ~~t~~The subdivider shall cause to be prepared by a qualified engineer, not in the employ of the city, a complete cost estimate, which shall indicate a list of all the required construction items, quantities and estimated unit bid prices and/or lump sum bid prices. This estimate shall be submitted to the city engineer with the plat and construction drawings to assist the city engineer in determining the escrow amount or other agreements required of the developer. (This estimate shall include any contingencies and/or inflation factors as determined applicable by the city engineer.)

7. Subdivision Agreement: An agreement between the city and subdivider (if needed) shall be approved by the city attorney. This agreement shall include the

city engineer's approved estimate of improvement costs, which shall be the basis for determination of the amount of required security to cover said improvements.

~~E.~~

~~F.C.~~ Approval Of Final Plat:

- ~~1. Prior to approving and signing the final plat, After determining that the plat meets all requirements of this Title and the Public Works Standard Drawings, Details and Technical Specifications based on review and approval by staff, and any financial guarantee has been approved by the city attorney, the planning commission shall approve the plat during a planning commission meeting. submit the plat for approval to the city engineer who shall collect all checking fees from the subdivider and who shall check the engineering requirements of the drawings, and determine the escrow amount, or other agreements, to assure construction of the improvements where necessary.~~
- ~~2. After approval by the planning commission, the subdivider shall print a copy of the final plat suitable for recording and submit it to planning staff who will gather all necessary approval signatures on the plat. and signature by the city engineer, the plat shall be submitted to the planning commission for approval and signing by the chair. The plat and financial guarantee shall be submitted to the city attorney for his/her approval. The final plat, bearing all official approvals as above required, shall be deposited in the office of the county recorder by the subdivider, for recording at the expense of the subdivider who shall be notified of such deposit by the office of the county recorder. No building construction or subdivision improvements shall be started until recording of the final plat.~~
- ~~3. Recording: The plat shall be recorded by the subdivider within a period of seven (7) days after all required signatures have been obtained. The owners or developers shall pay all recording fees~~
- ~~2.4. No plats shall be recorded in the office of the county recorder and no lots identified in such plat shall be sold or exchanged unless the plat is approved, signed and accepted by the city.~~
- ~~Construction: Construction of improvements shall not proceed until recording of the plat has been accomplished.~~
- ~~5. City staff and/or the city engineer shall make inspections of all improvements as they deem necessary and shall inform the subdivider of the results of the inspections.~~
- ~~6. Final Inspection: After final inspection by city staff and/or the city engineer, the results shall be made known to planning staff and the subdivider and if all work is satisfactory, a recommendation will be made to release the escrow or other security held by the city.~~

3. ~~At the time of recording, the subdivider shall pay all costs associated with supplying a reproducible mylar of the plat for filing in the office of the city engineer.~~

~~11-2-3: Filing~~ 11-2-2: Reserved

1. ~~General: This section summarizes the procedure required by the city for submitting preliminary and final plats, utility construction drawings and other supporting data to construct subdivisions within the corporate limits of the city.~~
2. ~~Preliminary Plat: The following procedure shall be followed in submittal and review of the preliminary plat:~~
 1. ~~Master Plan Review: A review shall be made by the subdivider with the planning commission to determine the master plan requirements for the area proposed to be subdivided.~~
 2. ~~Engineer's Report: After completion of his review, the city engineer will prepare and transmit to the planning commission a report summarizing the requirements for utilities and surface improvements, with results of his review of the preliminary plat.~~
 3. ~~Approval/Rejection:~~
 1. ~~After completion of its review, the planning commission shall approve, reject or conditionally approve the preliminary plat.~~
 2. ~~Approval or conditional approval is authorization for the subdivider to proceed with preparation of the final plat.~~
3. ~~Final Plat: The following procedure shall be followed in submittal and review of the final plat:~~
 1. ~~Plat Submittal: Copies as required by staff, shall be submitted to the planning commission.~~
 2. ~~Fees: There shall be paid to the city by the owners or developers of the land petitioning for subdivision approval such sum of money as the planning commission and finance director require to cover engineering review and field inspection costs. Fees shall be paid to the city treasurer as per adopted fee schedule which may be amended from time to time by the city council.~~
 3. ~~Construction Drawings: Drawings as required by the city engineer showing engineer proposed construction shall be sent to the city engineer for approval.~~
 4. ~~Subdivision Agreement: An agreement between the city and subdivider shall be approved by the city attorney. This agreement shall include the city engineer's approved estimate of improvement costs, which shall be the basis for determination of the amount of required security to cover said improvements.~~

~~5. Notice Of Approval: After review and approval of the planning commission, city engineer and city attorney, the subdivider will be notified by the planning commission that the plat has been approved.~~

6. Recording: The plat shall be recorded by the city recorder within a period of seven (7) days after all required signatures have been obtained. The owners or developers shall pay all recording fees, with the cost to provide the city with a reproducible mylar copy of the recorded plat.

~~7.1 Construction: Construction of improvements shall not proceed until recording of the plat has been accomplished.~~

~~8. Intermediate Inspection: At completion of construction, the city engineer shall make an inspection of all improvements and shall inform the subdivider of the results of the inspection. "As built drawing" prints shall be submitted to the city engineer prior to his making this inspection.~~

~~9. Final Inspection: One year after completing construction of improvements (date of intermediate inspection), a final inspection shall be made by the city engineer. The results shall be made known to the planning commission and subdivider and if all work is satisfactory, a recommendation will be made to release the escrow or other security held by the city.~~

11-2-3; Reserved

11-5-1: Plat Amendments, Alterations And Vacations; City Council Authority

- A. The land use authority may consider and approve any proposed vacation, alteration, or amendment of a recorded subdivision plat as provided under this chapter and Utah Code Annotated section 10-9a-608 as amended.
- B. The city council may, with or without petition, consider and approve any proposed vacation of a public street or alley, after [receiving a recommendation from the Planning Commission and after](#) public hearing and notice as provided in this chapter and Utah Code Annotated section 10-9a-208 or future amended section.

11-5-2: Standards And Procedures

- A. Compliance With Zoning Title And Subdivision Title Requirements: Any amendment, alteration, or vacation of a recorded subdivision plat shall comply with the zoning title. Approving an amended subdivision plat shall comply with the standards and procedures for approving a new subdivision plat, except for those procedural requirements waived in this title.
- B. ~~Preliminary~~ [Amended](#) Plat Approval:

1. Besides the petition requirements under section 11-5-3 of this chapter, the petitioner shall submit any information or documents otherwise required for ~~preliminary~~ plat approval for any proposed amended subdivision plat that:
 1. Requires the additional dedication of any land for street or other public purposes; or
 2. Creates over five (5) new additional lots.
2. Under such circumstances, the petitioner shall meet with the city planner prior to submission of the petition to determine what additional documents or information will be necessary to adequately review the proposal.
- C. Resubdivision: Whenever an owner or developer desires to vacate all or a portion of a recorded subdivision plat for the resubdivision of land, the owner or developer shall first, or concurrently therewith, obtain approval for the new or resubdivided plat by the same procedures prescribed for the subdivision of land.
- D. Approval And Recording: All subdivision amendments shall be approved by recording an amended plat in the office of the Weber County recorder meeting all requirements of this title for approving a final plat, except where approval by another instrument is authorized.
- E. Waiver Of Requirement To File Amended Plat: Filing an amended plat shall not be required to implement a subdivision amendment, alteration or vacation under the following circumstances:
 1. A property line adjustment approved by staff.
 2. The vacation of an easement, other than a public access easement, dedicated to the city may be approved by recording of a deed signed by the mayor, following approval by the city council, quitclaiming any interest the city may have in the described easement.
 3. The vacation of an entire subdivision plat, where the resubdivision of the property is not intended, may be approved by recording a resolution duly adopted by the city council containing a legal description of the entire subdivision.
- F. Planning Commission Review: All petitions to vacate, alter or amend a subdivision plat shall be ~~reviewed~~ considered for approval by the planning commission, ~~and its recommendations made to the city council.~~
- G. Required Owner Signatures: Any amended plat, or conveyance document ~~effectuating~~ effecting a property line adjustment, shall be signed and acknowledged by all owners of the real property which is the subject of the amended plat or property line adjustment.
- H. Effective Period Of Approval: Approval of a petition to amend a plat shall be valid for twelve (12) months, unless, upon application of the subdivider, the planning commission grants an extension upon showing good cause. If the amended plat has not been recorded within twelve (12) months, or the end of any approved extended period, the amended plat must be submitted anew for approval. A final plat shall be recorded within one month after receiving approval from the city. If a final plat is not recorded within one month after receiving final approval, the approval shall be null and void and the petitioner must again submit for final approval.

11-5-3: Petition Requirements

- A. A fee owner of land, as shown on the last county assessment roll, in a subdivision laid out and platted as provided in this title may file a written petition with the city to have some or all of the plat vacated, altered, or amended. A separate petition is required if the applicant proposes to vacate a public street or alley as part of the vacation, alteration or amendment of a plat. A petition to vacate, alter or amend a plat shall be made on forms provided by the department, upon payment of fees as required. A petition shall include at a minimum:
1. The name and address of each owner of record of the land in the entire plat: or on that portion of the plat described in the petition; and
 2. The signature of each of these owners within the plat who consents to the petition.
 3. The name, address, telephone number, fax number and e-mail address of the designated contact person.
 4. A copy of the recorded plat to be amended, and a current copy of the Weber County ownership plats depicting the subdivision and the adjacent properties.
 - ~~5. Copies of the proposed amended plat as determined by staff.~~
 - ~~6. A recent title report covering the property, which identifies ownership, easements of record, liens or other encumbrances, and verifies payment of taxes and assessments. Such requirement may be waived by the staff if the city attorney determines that the ownership records of Weber County or other documentation of ownership provided by the petitioner will be adequate.~~
 - ~~7.~~ 5. Any additional information or documents required to adequately review the proposed amendment, alteration or vacation.
- B. Unless an amended plat is not required under this chapter, a copy of the proposed amended plat is required.
- C. No petition shall be accepted unless accompanied by the fee required. Regardless of the outcome of any action on the petition, the petitioner will have no right to a refund of any monies, fees, or charges paid to the city nor to the return of any property or consideration dedicated or delivered to the city except as may have been agreed to or approved by the city in writing, specific to the petition.
- D. To determine whether all owners in the subdivision have signed a petition or an amended plat, ownership may be determined as of the petition requesting the amendment, alteration or vacation. (Ord. 16-04, 1-19-2016, eff. 1-19-2016)

11-5-4: Criteria

The vacation, alteration, or amendment of a recorded subdivision plat may be approved upon a finding there is good cause for the vacation, alteration, or amendment and on such terms and conditions as are reasonable to protect public health, safety, and welfare, or as is necessary to meet the requirements for new subdivisions.

11-5-5: Notice

- A. Except for a lot combination or a property line adjustment involving unsubdivided properties, notice of a proposed subdivision vacation, alteration, or amendment shall be made by:
1. Mailing the notice to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended and each owner of record of property within three hundred feet (300') of the property that is the subject of the proposed plat change, and all record owners of property subject to the change, addressed to the owner's mailing address appearing on the rolls of the Weber County assessor at least ten (10) calendar days before a public meeting where the matter will be considered. The notice shall include:
 1. A statement that anyone objecting to the proposed plat change must file a written objection to the change within ten (10) days of the notice;
 2. A statement that if no written objections are received by the city within the time limit, no public hearing will be held; and
 3. The date, place, and time when a public meeting will be held to consider a vacation, alteration, or amendment.
 4. The planning commission shall hold a public hearing within 45 days after the day on which the petition is filed if:
 1. any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or
 2. a public hearing is required because all of the owners ~~in the subdivision~~ within the plat have not signed the revised plat.
 3. ~~any owner of property within three hundred feet (300') of the property that is the subject of the proposed plat change notifies the city of their objection in writing within ten (10) days of the date of the notice.~~

11-5-6: Street Or Alley Vacations

1. Procedure:
 1. Any person desiring to have a public street or alley vacated as part of a subdivision amendment or as a separate action shall file a petition to that effect following the requirements of Utah code section 10-9a-609.5, or any successor legislation thereto.
 - ~~2.~~ 2. The planning commission shall consider the petition to vacate a public street or alley and forward a recommendation to the city council.
 - ~~2.3. The action of the planning commission and city council in vacating some or all of a public street or alley, howsoever acquired by the city, the city council shall be accomplished following~~ the requirements of Utah code section 10-9a-609.5, or any successor legislation thereto.