

## AMENDED ORDINANCE 2018 - 04

### AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TITLE 12 SUBDIVISION REGULATIONS, ADDING A NEW, SECTION 12-9 BOUNDARY LINE ADJUSTMENT

**WHEREAS;** The City has subdivision regulations but has relied upon State Code to process boundary line adjustments; and

**WHEREAS;** The City is committed to having effective boundary line adjustment standards and a streamlined review process;

**NOW THEREFORE, BE IT ORDAINED** by the North Ogden City Council that the North Ogden City Code 12-9 BOUNDARY LINE ADJUSTMENT be added.

**SECTION 1:** Language to be added to the list of subdivision sections:

#### **12-9: BOUNDARY LINE ADJUSTMENT**

##### **12-9-1: Purpose**

Boundary line adjustments are intended to provide a streamlined and simplified method of complying with State law by allowing property owners to adjust parcel lines within the limits of this chapter.

##### **12-9-2: Application and Approval Authority**

Any adjoining property owners may submit an application, proposed map, and proposed legal descriptions for a boundary line adjustment. The Planning Director is designated as the land use authority and may either approve, conditionally approve, or deny boundary line adjustments.

##### **12-9-3: Approval Criteria**

The following approval criteria must be complied with in order to approve a boundary line adjustment.

- A. The change in boundary lines does not result in the creation of a new lot or parcel;
- B. The change in boundary does not involve a recorded subdivision lot;
- C. The proposed change to a lot does not result in the creation of a parcel of size or shape that does not conform to all City zoning regulations and site development standards. If the proposed change is to a legally existing nonconforming parcel, the change may not increase the nonconformity;
- D. The proposed change to a parcel does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other site development requirement;
- E. The petition to change the boundaries must include signatures from representatives of each parcel affected by the boundary line adjustment; and
- F. The parcel is subject to 11-10-2 Additional Use Regulations. Each parcel of land was held in separate ownership prior to December 31, 2000.

##### **12-9-4: Approval Process**

- A. The application shall be reviewed to ensure that it is complete to include a map drawn to scale of the proposed boundary line adjustment.
- B. If determined by the Planning Director to be necessary the application will be circulated to members of the Technical Review Committee for review, comment, and any recommended conditions.

C. The Planning Director or his designee will write a notice of decision for the application.

**12-9-5: Recordation of Approved Boundary Line Adjustment**

Following final approval the applicant is responsible for recording the appropriate documents with the Weber County Recorder.

**12-9-6: Plat Map May Be Required**

In conformance with Utah law, if a boundary line adjustment results in the need for dedication of a public right-of-way or other public dedication, a plat shall be required. Public improvements shall either be required or a deferral agreement signed.

**12-9-7: Special Service District Annexation**

If parcel boundaries proposed to be adjusted or combined are crossed by a special service district. The entire parcels must either be deannexed or annexed into or from the special service district.

**12-9-8: Expiration**

Any boundary line adjustment that has not been recorded within ninety days of the date of approval shall be deemed to have expired.

**SECTION 2:** This ordinance shall take effect upon adoption.

**PASSED and ADOPTED this 6<sup>th</sup> day of March, 2018.**

**North Ogden City:**

  
**M. Brent Chugg**  
North Ogden City Mayor

**CITY COUNCIL VOTE AS RECORDED:**

	<b>Aye</b>	<b>Nay</b>
<b>Council Member Cevering:</b>	<u>  X  </u>	___
<b>Council Member Fawson:</b>	<u>  X  </u>	___
<b>Council Member Stoker:</b>	<u>  X  </u>	___
<b>Council Member Swanson:</b>	<u>  X  </u>	___
<b>Council Member Turner:</b>	<u>  X  </u>	___
<b>(In event of a tie vote of the Council):</b>		
<b>Mayor Chugg</b>	___	___

ATTEST:

*S. Annette Spendlove*

S. Annette Spendlove, MMC  
City Recorder

