



CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

10 East Center Street, North Salt Lake, Utah 84054
(801) 335-8700
(801) 335-8719 Fax

NORTH SALT LAKE PLANNING COMMISSION NOTICE & AGENDA July 25, 2023 6:30 p.m.

Notice is given of a public meeting of the North Salt Lake Planning Commission to be held on the above noted date and time in the North Salt Lake City Council Chambers located at 10 East Center Street. The agenda will be as follows:

- 1) Welcome and Introduction
- 2) Public comments
- 3) Work Session: Draft Code Amendments
 - a. Title 10; Chapter 3: Code Amendments & Rezones
 - b. Title 13, Chapters 1-3: Subdivisions
- 4) APA 2023 Fall Conference on September 28 & 29 at Ogden Eccles Conference Center
- 5) Report on City Council actions on items recommended by Planning Commission
- 6) Approval of minutes:
 - a. 7/11/2023

Adjourn

*This meeting has an option to attend electronically via Zoom, with joining information below:
Time: July 25, 2023, 06:30 PM Mountain Time (US and Canada)*

Join Zoom Meeting: <https://bit.ly/46TkLnl>

Meeting ID: 813 8690 7024

The public is invited to attend all Planning Commission meetings. If you need special accommodations to participate in the Planning Commission meeting, please call the City offices at (801) 335-8700. Please provide at least 24 hours' notice for adequate arrangements to be made. The agenda items may be heard in a different order as warranted by the Commission.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that copies of the agenda for the Planning Commission meeting to be held July 25, 2023 were posted on the Utah Public Notice website: <https://www.utah.gov/pmn/>, City's website: <https://www.nslcity.org>, and at City Hall: 10 East Center St., North Salt Lake.

Dated this 20th day of July, 2023


Wendy Page, City Recorder





CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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MEMORANDUM

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: July 25, 2023
SUBJECT: Work session items-Draft Code Amendments

RECOMMENDATION

There will be no formal action on the proposed draft amendments. Additional amendments are being drafted and will be discussed at future meetings. When the complete draft is ready, a public hearing will be scheduled for formal recommendation to the City Council.

BACKGROUND

The Utah State Code was amended in 2023 to change the process for approval of subdivisions. City's are required to amend their codes to abide by this change prior to February 1, 2024. An outline of the state code provisions is attached for your review. Additionally, amendments pertaining to public notice have changed and are reflected in the Title 10, Chapter 3 sections. Public notices are now classified as either Class A or Class B notices. Class A notices require posting at city hall, on the city website, and on the public notice website. Class B notices require the Class A postings in addition to direct mailed notice to affected entities and property owners.

Draft Amendments

Current Title 10:

Chapter 3: This chapter contains process steps for code amendments, rezoning, and subdivisions (concept, prelim, & final)

Chapter 7: This chapter contains the processes for conditional use permits and subdivision standards and regulations.

The proposed amendments:

Chapter 3: Process steps for code amendments and rezones only. (draft provided)

Chapter 7: Process and standards for Conditional Use Permits. (not drafted)

New Title 13 for Subdivision processes, standards, and regulations (Ch. 1-3)

The proposed amendments will separate these 3 distinct type of applications into their own Chapters.

Chapter 3, summary of amendments:

10-3-1: insertion of language establishing the authority of the City Council to amend the title and zoning map.

10-3-2:

- a. Update language and submittal requirements
- b. Notice for code amendments as Class B notice for a public hearing and Class A notice for agenda
- c. Clean up language on recommendation from PC and action by CC

New Title 13 Subdivisions: Please see the attached summary of the new review process as outlined by state code.

Chapter 1: General Provisions (Entirely new section)

13-1-010: Short Title

13-1-020: Introduction, scope of subdivisions, conformance to standards, burden of proof and assumption of validity of the title.

13-1-030: Purpose and intent behind the ordinance

13-1-040: Interpretation, conflict, and severability (standard legal stuff)

13-1-050: definitions as defined in this title or in Title 10 incorporated

13-1-060: Saving provision and previous ordinances (more standard legal stuff)

13-1-070: Considerations in approvals, general plan, zoning ordinance, natural landscape, common facilities,

13-1-080: General Responsibilities defined

- A. Developer
- B. Development Review Staff: removal of the term Development Review Committee, because committees that are established by ordinance are subject to Open and Public Meetings Act, including posing agendas, recording meetings, keeping minutes, etc.
- C. Other agencies-we may refer portions of the review to special districts or utilities as necessary
- D. Public Works and Engineer-defines roles of review
- E. Administrative Land Use Authority defined:
 - a. Planning Commission for:
 - i. Prelim Plans
 - ii. Plat Amendments without PUE or Street Vacation
 - iii. Pat Amendments with vacations, recommendation on vacation to CC
 - b. Community Development Director (with assistance of dev. review staff as directed by City Manager)
 - i. Final Plat
 - ii. Minor Subdivisions (less than 10 lots, with no dedication of streets or parks)
 - iii. Lot Line Adjustments

13-1-090: Appeal Authority

As provided in 10-2-2 to Hearing Officer

13-1-100: Appeal to District Court

Chapter 2: Administration and Application

13-2-010: Subdivision Control (existing language from 10-7-7(A))
Changes reference to PC to administrative land use authority

13-2-020: Required Plat Approval (existing language from 10-7-7(C))

13-2-030: Transfer of Land (new)-conform to state code that you must record an approved plat to be legally subdivided

13-2-040: Transfer of Land Voidable (new)- failure to obtain subdivision approval can void a sale of property (state code)

13-2-050: Building Permits (new)
Specifies when building permits may be issued

13-2-060: Certificates of Occupancy (new)
Specifies that requirement for occupancy

13-2-070: Penalties (new)
Specifies that violation may be a civil penalty or class C misdemeanor

Chapter 3: Conceptual Development Plan

13-3-010: Conceptual Plan (new)
In conformity with state code as concept plan review is optional for 1 & 2 family dwelling and townhome subdivisions.

13-3-020: Concept Plan Nonbinding (new)
Clarifies the purpose of the review and that it is nonbinding on future review cycles

13-3-030: Vested Rights
Clarifies that conceptual review does not vest an applicant to the current code, only a preliminary plan application can do that.

13-3-040: Submission (from existing language in 10-3-3 with additional)
Cleans up the requirements to be shown on a conceptual plan review

13-3-050 Notification (new)
Explains who the conceptual plan is distributed to

10-3-060 Concept Plan Review (new)
Explains the scope of the review and will return comments to the applicant

10-3-070 Completion of Concept Review (new)
Preliminary plan must be within 12 months of concept review or resubmit a new concept.

Attachments

- 1) State Code Subdivision Summary 2023
- 2) Draft Title 10, Chapter 3
- 3) Draft Title 13, Chapters 1-3

State Code has been revised for subdivision review steps and has the following outline:

1. Conceptual Plan Review: Optional at the request of the developer for single family, two family, or townhome subdivisions. Conceptual plan review by staff only, may not be PC or CC.
 - a. Must be within 15 business days of request
 - b. Provide copies of all applicable regulations
 - c. Complete list of standards
 - d. Preliminary and final checklists
 - e. Feedback on the concept
2. Preliminary Plan review:
 - a. Designated “Administrative Land Use Authority” which may be the PC or staff-may not be reviewed by City Council.
 - b. May be reviewed in a public meeting or at staff level
 - c. ALUA may receive public comment
 - d. ALUA may hold no more than 1 public hearing
3. Final Plat:
 - a. May permit concurrent processing with preliminary
 - b. May not require PC or CC approval
4. Review Cycle Restrictions:
 - a. Review Cycle Restrictions do not apply to areas with identified geologic hazard areas
 - b. Initial review of Prelim required within 15 business days of complete application submittal
 - c. Final Plat review required within 20 business days of complete application
 - d. Reviews must contain:
 - i. Redline corrections or requests for additional information shall include specific citations to ordinance, standards or specifications and shall be logged on a separate index
 - e. City may not require more than 4 review cycles
 - f. If a change or correction that is not addressed or referenced in plan review is waived, unless necessary to protect public health and safety or to enforce federal law
 - g. If applicant makes a material change to the plan set, the city may restart the review process on areas affected by the material change
 - h. If applicant does not submit a revised plan within 20 business days of notification of corrections needed, the city has an additional 20 business days to respond to the plan
 - i. After the first response to the final review cycle and the applicant has complied with each modification requested from the previous review cycle, the city may not require additional revisions
 - j. The applicant must provide a written explanation in response to the review comments, identifying and explaining the revisions and reasons for declining to make revisions, if any. Failure to address a review comment, the review cycle is not complete and a subsequent review cycle may not begin until all comments are addressed
 - k. On fourth or final review, if the city fails to respond in 20 business days, the city shall provide at the request of applicant and within 10 business days:
 - i. For a dispute of subdivision improvement plans, assemble an appeal panel
 - ii. For a dispute arising from subdivision ordinance review, advise the applicant, in writing, of the deficiency and the right to appeal to the designated appeal authority.

CHAPTER 3

LAND USE REGULATIONS & ZONING MAP AMENDMENTS; NOTICE REQUIREMENTS AMENDMENTS, DOCUMENT SUBMISSION, REVIEW PROCEDURES AND PROCESS STEPS

SECTION:

10-3-1: Authority of the city council

10-3-2: Procedures For Amendments And Rezonings

~~10-3-2: Document Submission And Review Procedures~~

~~10-3-3: Step 1— Concept Plan~~

~~10-3-4: Step 2— Preliminary Design Plan~~

~~10-3-5: Step 3— Final Plat And Final Construction Plans~~

~~10-3-6: Supplemental Requirements~~

~~10-3-7: Model Homes~~

10-3-1: PROCEDURES FOR AMENDMENTS AND REZONINGS AUTHORITY OF THE CITY COUNCIL:

In accordance with Utah Code Annotated, Title 10, Chapter 9a, Part 5, as amended, the city council may amend any provisions of this title or the official zoning map of the city in accordance with the procedures set forth herein, including amendments to the number, shape, boundaries, or area of any zoning district; any land use regulation of or within a zoning district; or any other provision of this title.

~~—A. Authority Of City Council: The city council may amend this title pursuant to Utah Code Annotated section 10-9a-503. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)~~

10-3-2: PROCEDURE FOR PROPOSED AMENDMENTS AND REZONINGS:

BA. Residents Or Other Interested Persons: Any resident of the city or other person having an equitable interest in real property located in the city may petition the city for an amendment or rezoning.

CB. Application; Information Required: The person seeking to amend this title or zoning map shall make application to the community development department on a form provided for such amendment ~~by taking required actions and filing including~~ the following information and documents: ~~with the planning commission:~~

1. The name and address of applicant and the name and address of every person or company that the applicant represents in relation to the application.

~~2. A written application describing description of the proposed amendment the change desired and the reasons therefor.~~

2. A nonreturnable amendment application fee.

3. If the proposed amendment requires a change to the official zoning map, the application shall include the following:

~~a. An accurate property map showing the areas which would be affected by the proposed amendment, all abutting properties, and the present and proposed zoning classifications, along with an accurate legal description of the area to be rezoned. A vicinity plan.~~

~~4. ab. A list of the Nnames and addresses~~ of all owners of the subject property. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

~~c. b. A list obtained from the Davis County Recorder's Officer of the Nnames and addresses~~ of all property owners within three hundred feet (300') of the subject property boundary ~~when an identified property is the specific beneficiary.~~ (Ord. 02-3, 1-15-2002)

~~5d. Stamped and addressed A sufficient number of plain white~~ legal size envelopes for each of the property owners identified in section c, above, addressed to required recipients and with proper postage affixed. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

C. If the proposed amendment requires a change in text of the ordinance, the application shall include the chapter and section of the proposed amendment, and a draft of the proposed wording being requested.

D. Notice; Public Hearings And Public Meetings:

1. Public Hearings: The city shall prepare and give notice at least 10 calendar days before a of public hearings and public meetings to consider such amendment by mail to affected entities and for the area directly affected by the proposed land use regulation or zoning map amendment as a class B notice as provided by Utah Code Annotated sections 10-9a-205, and 10-9a-502, and 63G-30-102, as amended, ~~for land use ordinance or zoning map amendments.~~ (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

2. Public Meetings: The city shall provide notice of public meetings as a class A notice, as provided by Utah Code Annotated sections 10-9a-205, 10-9a-502, and 63G-30-102, as amended.

E. Planning Commission Review: The planning commission shall hold a public hearing to review the application and make its recommendations concerning the proposed amendment to the city council within forty five (45) days from receipt of the amendment application in a regularly scheduled meeting. The planning commission shall recommend adoption of a proposed amendment only when the following findings are made:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the city.

2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.

~~F. City Council Review: The city council shall review the proposed amendment to this title or zoning map and shall schedule a public meeting on the proposed amendment as provided herein. The city council may: Recommendation Of Approval: When the planning commission recommends the amendment, the city council may:~~

- ~~1. Adopt the amendment by majority vote;~~
- ~~2. Reject the amendmentModify the proposed amendment and adopt the amendment;~~
- ~~3. Modify the proposed amendment and refer back to the planning commission for its recommendation to be returned to the city council within thirty (30) days; or~~
- ~~4. Reject the amendment.~~

~~—G. Recommendation Of Denial: When the planning commission recommends denial of the amendment, the city council may:~~

- ~~—1. Reject the amendment;~~
- ~~—2. Modify the proposed amendment and refer back to the planning commission for its recommendation to be returned to the city council within thirty (30) days;~~
- ~~—3. If the city council determines that the proposed amendment may have merit in spite of the planning commission's negative recommendation, the city council may adopt the amendment by an affirmative vote of four (4) members.~~

~~HG. Previously Denied Applications: Where an application for zoning amendment has been denied, the planning commission and the city council shall not review the same zoning amendment application within one year of a denial unless there is a substantial change of conditions since the earlier application. A new application and fee will be required. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~

~~REMAINDER OF CHAPTER REPLACED IN OTHER SECTIONS OF CODE~~

TITLE 13 SUBDIVISION REGULATIONS

(07.19.2023)

CHAPTER 1: GENERAL PROVISIONS

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- 13-1-010: SHORT TITLE:**
- 13-1-020: INTRODUCTION:**
- 13-1-030: PURPOSE AND INTENT:**
- 13-1-040: INTERPRETATION, CONFLICT, AND SEVERABILITY:**
- 13-1-050: DEFINITIONS:**
- 13-1-060: SAVING PROVISION, RELATIONSHIP TO PREVIOUS ORDINANCE:**
- 13-1-070: CONSIDERATIONS:**
- 13-1-080: GENERAL RESPONSIBILITIES:**
- 13-1-090: APPEAL OF ADMINISTRATIVE LAND USE AUTHORITY DECISIONS:**
- 13-1-100: APPEAL FROM CITY COUNCIL DECISION**

13-1-010: SHORT TITLE:

This title shall be known as title 13, or the *SUBDIVISION ORDINANCE OF THE CITY OF NORTH SALT LAKE*, and may be so cited and pleaded.

13-1-020: INTRODUCTION:

- A. Scope Of Subdivisions, Generally: Subdivisions in the City shall be designed for building purposes without danger to health or peril from fire, flood, landslide, subsidence, geologic and natural hazards, or other menace. Land should not be subdivided and developed until available public facilities and improvements exist (or adequate guarantees are in place) and proper provision has been made for drainage, water, sewerage and capital improvements, such as parks and recreation facilities, streets and transportation facilities, and related improvements. If necessary and required public facilities, infrastructure and safety protections are not in place or cannot be provided for, the subdivision will not be allowed.
- B. Conformance To Adopted Standards: Proposed essential infrastructure improvements shall conform to adopted City standards, specifications, and ordinances.
- C. Burden Of Proof: For all proceedings in regard to development approval under this title or amendments to this title, the burden of proof showing satisfaction of all requirements shall rest with the applicant or authorized agent of the proposed development or amendment. The requirements and standards set forth herein are the minimum acceptable standards for land use applications within the City.
- D. Assumption Of Validity: The City will assume that all information provided is accurate and valid. If any information provided to the City is found to be outdated, false or in any way misleading, the application for development approval may be denied or revoked by the City Council regardless of previous approvals.

13-1-030: PURPOSE AND INTENT:

- A. Purpose:

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- 37 1. The purpose of this section and the intent of the City in its adoption is to promote the health,
38 safety, convenience and general welfare of the present and future inhabitants of the City.
- 39 2. This section will accomplish this purpose by:
- 40 a. Providing policies, standards, requirements and procedures to regulate and control the
41 design and improvements of all developments.
- 42 b. Assisting in the implementation of the city's goals, objectives, policies and programs by
43 ensuring that all proposed developments, together with provisions for their design and
44 improvements, are consistent with the general plan and other applicable plans.
- 45 c. Preserving and protecting, to the maximum extent possible, unique and valuable natural
46 resources and amenities, including topographic and geologic features, natural watercourses,
47 wildlife habitats, historical and cultural places, and scenic vistas and attractions; and
48 improving the public access to and enjoyment of such resources and amenities through the
49 dedication or continuance of appropriate public easements thereto.
- 50 d. Preserving and protecting the special environmental quality and aesthetic character of all
51 hillside and mountainous areas; preventing detrimental impacts on the soil mantle,
52 vegetative cover and other environmental factors; reducing the hazards of life and property
53 from fire, flood, erosion, sedimentation and soil slippage; and relating the amount of
54 grading within a development to the slope of the natural terrain.
- 55 e. Encouraging the clustering of housing and building developments where subdivisions or
56 other developments are permitted in hillside and mountainous areas, minimizing grading,
57 preserving the natural terrain and enlarging open spaces.
- 58 f. Regulating land use intensity and population density, street capacity and traffic access, the
59 slope of the natural terrain, the availability and capacity of public facilities and utilities, and
60 open spaces.
- 61 g. Providing lots of sufficient size and appropriate design for the purposes for which they are
62 to be used.
- 63 h. Providing streets of adequate capacity and design for the traffic that will utilize them, and
64 ensuring maximum safety for pedestrians and users of vehicles.
- 65 i. Ensuring adequate access to each building site.
- 66 j. Providing sidewalks, pedestrian ways, bike paths, and equestrian and hiking trails for the
67 safety, convenience and enjoyment of residents of new developments.
- 68 k. Providing adequate systems of water supply, sanitary sewage disposal, storm drainage,
69 street lighting and other utilities needed for public health, safety and convenience.
- 70 l. Providing adequate sites for public facilities needed to serve residents of new
71 developments.

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72 m. Ensuring that costs of providing land for streets, alleys, pedestrian ways, bike paths,
73 easements and other rights of way and for the improvements therein needed to serve new
74 developments are borne by the developer.

75 n. Preventing land which is actually or potentially dangerous by reason of flood hazard,
76 inundation, inadequate access, inadequate water supply or fire protection, insufficient
77 sewerage facilities or hazardous geological conditions from being developed for any use or
78 in any manner tending to create an increased detriment to the public health, safety or
79 welfare.

80 o. Ensuring that, insofar as possible, land is developed in a manner that will promote the public
81 health, safety, convenience and general welfare and the physical, social and economic
82 development of the area in conformance with the general plan, and provide access for solar
83 and other renewable energy sources to the maximum extent possible, and encourage
84 energy conservation through design, layout, "siting" and other techniques.

85 p. Preserving and protecting to the maximum extent possible, solar access to structures and
86 encourage and promote/require energy conservation and the use of renewable energy
87 sources.

88 q. Providing space for off street parking, as needed.

89 r. Providing space for bike paths and trails.

90 B. Intent: This title is designed to inform the developer and public of the requirements and conditions
91 necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are
92 expressly delineated in this title or other applicable ordinances.

93 **13-1-040: INTERPRETATION, CONFLICT, AND SEVERABILITY:**

94 A. Interpretation: These regulations shall be held to be the minimum requirements for the promotion
95 of the public health, safety and general welfare. The burden of proof shall, in all proceedings
96 pursuant to this title, rest with the proponent of an application for development approval. Any
97 dispute arising from the administration of this title may be appealed to the City's Administrative
98 Appeal Authority (Hearing Officer) as provided for in City code section 10-2-2(C).

99 B. Conflict With Other Provisions:

100 1. These regulations are not intended to interfere with, abrogate or annul any other ordinance,
101 rule, regulation, statute or provision of law. Where any provision of these regulations imposes a
102 restriction different from those imposed by another provision, ordinance, rule, regulation or
103 law, whichever provision is more restrictive or imposes higher standards shall control.

104 2. Further, these regulations are not intended to abrogate any easement, covenant, private
105 agreement or restriction, including, but not limited to, restrictive covenants and declarations of
106 covenants, conditions and restrictions; provided, however, that the City is under no obligation
107 to enforce private covenants or agreements.

108 C. Severability: If any part or provision of these regulations or application thereof to any person or
109 circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be

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110 confined in its operation to the part, provision or application directly involved in all controversy in
111 which such judgment shall have been rendered and shall not affect or impair the validity of the
112 remainder of these regulations or the application thereof to other persons or circumstances.

113 **13-1-050: DEFINITIONS:**

114 Whenever any word or phrase used in this title is not defined herein, but is defined in related sections of
115 Utah Code Annotated or in the City of North Salt Lake City Land Use Ordinance (Title 10), such
116 definitions are incorporated herein and shall apply as though set forth herein in full, unless the context
117 clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the
118 present tense include the future, the singular includes the plural, the term "shall" is mandatory and the
119 term "may" is permissive.

120 **13-1-060: SAVING PROVISION, RELATIONSHIP TO PREVIOUS ORDINANCE:**

121 A. These regulations shall not be construed as abating any action under, or by virtue of, prior existing
122 subdivision regulations, or as discontinuing, abating, modifying or altering any penalty accruing or
123 about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any
124 right of the municipality under any section or provision existing at the time of adoption of these
125 regulations, or as vacating or annulling any rights obtained by any person, firm or corporation by
126 lawful action for the municipality, except as shall be expressly provided for in these regulations.

127 B. The procedures set forth in this title are intended to supersede any inconsistent procedural
128 provisions in the previous development ordinances. The substantive requirements of the application
129 form and the review process shall remain unchanged, but all final actions under that ordinance are
130 subject to the appeal processes set forth herein. All applications for subdivision approval are subject
131 to termination as set forth herein.

132 **13-1-070: CONSIDERATIONS:**

133 A. General Plan & Land Use Ordinance (Zoning Ordinance): The General Plan and the City's Land Use
134 Ordinance (Title 10) shall guide the use of all land within the corporate boundaries of the City. The
135 size and design of lots, the nature of utilities, the design and improvement of streets, the type and
136 intensity of land use, and the provisions for any special facilities in any subdivision shall conform to
137 the land uses shown and the standards established in the general plan, the zoning ordinance,
138 construction standards & specifications, and other applicable ordinances or regulations as adopted
139 by the City Council.

140 B. Natural Landscape: Trees, native land cover, natural watercourses and topography shall be
141 preserved when possible. Subdivisions shall be so designed as to prevent excessive grading and
142 scarring of the landscape in conformance with the sensitive lands and geologic hazards ordinances
143 (Title 10 Chapter 12). The design of new subdivisions shall consider, and relate to, existing street
144 widths, alignments and names.

145 C. Community Facilities: Community facilities, such as parks, recreation areas, trails and transportation
146 facilities shall be provided in the subdivision in accordance with general plan standards, this title,
147 and other applicable ordinances and resolutions. This title establishes procedures for the referral of
148 information on proposed subdivisions to interested boards, bureaus and other governmental

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149 agencies and utility companies, both private and public, so that the extension of community
150 facilities and utilities may be accomplished in an orderly manner and coordinated with the
151 development of the subdivision. In order to facilitate the acquisition of land areas required to
152 implement this policy, the developer may be required to dedicate, grant easements over or
153 otherwise reserve land for schools, parks, playgrounds, public ways, utility easements and other
154 public purposes as specified.

155 **13-1-080: GENERAL RESPONSIBILITIES:**

156 A. Developer: The developer shall prepare a plat consistent with the standards contained herein and
157 shall pay for the design and inspection of the essential infrastructure improvements required. The
158 City shall process said plats in accordance with the regulations set forth herein. The developer shall
159 not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any
160 site development until the necessary approvals as outlined herein have been obtained.

161 B. Development Review Staff: Development review will be conducted by applicable staff members and
162 directed by the Community Development Department. Review staff shall consist of representatives
163 from City departments and special service district representatives as required by the City Manager
164 and as applicable to each development application. Development proposals shall be reviewed for
165 design; for conformity to the general plan, town center master plan, or other applicable plans, and
166 to the land use ordinance; for the environmental quality of the subdivision design; and for assurance
167 that developments are processed as provided for in this title.

168 C. Other Agencies: Plats of proposed subdivisions may be referred by the development review staff to
169 such special districts, governmental boards, bureaus, utility companies and other agencies which
170 will provide public and private facilities and services to the subdivision for their information and
171 comment. Developers shall be responsible for distributing plans to and coordinating the comments
172 received from all public and private entities and obtaining will-serve letters or permits, as applicable.

173 D. Public Works And Engineer: The public works department and City Engineer shall make comments as
174 to engineering requirements for street widths, grades, alignments and flood control, whether the
175 proposed essential infrastructure improvements are consistent with this title and other applicable
176 ordinances and shall be responsible for the inspection and approval of all construction of essential
177 improvements. Street layout and overall circulation shall be in accord with adopted transportation
178 plans and sound transportation planning principles.

179 E. Administrative Land Use Authority: The administrative land use authority is charged with making
180 investigations, reports and findings on proposed subdivisions as to their conformance to land use
181 and subdivision ordinances, and other pertinent plans, ordinances, or regulations.

182 1. The Planning Commission shall act as the administrative land use authority for:

183 a. Preliminary plans.

184 b. Plat amendments which do not include the vacation of any public right of way, public
185 trail or municipal utility easement.

186 c. Plat amendments which include the vacation of any public right of way, public trail or
187 municipal easement shall require a recommendation from the Planning Commission to

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- 188 the City Council regarding the vacation of any public right of way, public trail or
189 municipal utility easement as a condition of plat amendment approval.
- 190 2. Community Development Director, with the assistance of the applicable staff and as directed by
191 the City Manager, shall act as the administrative land use authority for:
- 192 a. Final plat
193 b. Minor subdivisions
194 c. Lot line adjustments
- 195 F. City Attorney: The City Attorney shall verify, prior to recordation of a plat, that the form of the final
196 plat is correct and acceptable, that the developer dedicating land for use of the public is the owner
197 of record, and that the land is free and clear of unacceptable encumbrances, tax clearances
198 according to the title report submitted by the developer.

199 **13-1-090: APPEAL OF ADMINISTRATIVE LAND USE AUTHORITY DECISIONS:**

- 200 A. As provided in City Code section 10-2-2, appeal may be made to the city’s designated Appeal
201 Authority (Hearing Officer) from any decision, determination or requirement of the administrative
202 land use authority under this title by filing with the City Recorder a notice thereof in writing within
203 fifteen (15) days after such decision, determination or requirement is made. Such notice shall set
204 forth in detail the action and grounds upon which the developer, or other interested person, deems
205 himself or herself aggrieved. In the event of an appeal, application deadlines set forth in this title
206 shall be extended to incorporate the time necessary to hear and consider such appeals.
- 207 B. Hearing: The City Recorder, or designee, shall set the appeal for hearing before the city’s designated
208 Appeal Authority to be held within a reasonable time from the date of receipt of the appeal. The
209 appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing.
210 After hearing the appeal, the Hearing Officer may affirm, modify, overrule the decision,
211 determination or requirement appealed, or remand the decision to the administrative land use
212 authority for additional review and enter any such order or orders as are in harmony with the spirit
213 and purpose of this title. The filing of an appeal shall stay all proceedings and actions in furtherance
214 of the matter appealed, pending a decision of the Hearing Officer.

215 **13-1-100: APPEAL FROM APPEAL AUTHORITY DECISION:**

- 216 A. If the petitioner, or any person adversely affected by the Appeal Authority’s decision may petition
217 the district court for a review of the decision within thirty (30) days of said decision.

218

TITLE 13 SUBDIVISION REGULATIONS

(07.19.2023)

219 **13-2: ADMINISTRATION AND APPLICATION**

220 **13-2-010: SUBDIVISION CONTROL:**

221 **13-2-020: REQUIRED PLAT APPROVAL:**

222 **13-2-030: TRANSFER OF LAND:**

223 **13-2-040: TRANSFER OF LAND; VOIDABLE:**

224 **13-2-050: BUILDING PERMITS:**

225 **13-2-060: CERTIFICATES OF OCCUPANCY:**

226 **13-2-070: PENALTIES:**

227

228 **13-2-010: SUBDIVISION CONTROL:** [existing language from 10-7-7(A)]

229 A. Compliance Required: No person shall subdivide or otherwise develop any tract of land which is
230 located wholly or in part within the City, except in compliance with this title, and with the
231 development regulations adopted by the City Council.

232 B. Applicability:

233 1. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part
234 of a development of a larger tract of land, nor offer for recording in the Office of the County
235 Recorder any deed conveying such parcel of land, or any interest therein, unless such
236 development has been created pursuant to and in accordance with the provisions of this title
237 and local regulations; provided, that this title shall not apply to any lot or lots forming a part of a
238 development created and recorded according to then applicable law prior to the effective date
239 hereof, except as specifically provided in this title.

240 2. This title shall apply, however, to lots created prior to adoption of this title and not in
241 compliance with then applicable law.

242 C. Approval Required: No lot within a development created and recorded prior to the effective date
243 hereof or approved by the ~~Planning Commission and City Council~~ administrative land use authority
244 and recorded in the County Recorder's Office under the provisions of this title, shall be further
245 divided, rearranged, added to or reduced in area, nor shall any boundaries of any lot be altered in
246 any manner so as to create more lots than initially recorded, or any nonconforming lot, without first
247 obtaining the approval required herein.

248 D. Restricted Lots: Restricted lots are prohibited unless geotechnical design solutions to problems
249 associated with such lots have been prepared by a qualified professional team and approved by the
250 Planning Commission in accordance with Title 10 Chapter 12 Sensitive Lands Overlay and Geologic
251 Hazards.

252 **13-2-020: REQUIRED PLAT APPROVAL** [existing language from 10-7-7(C)]

253 A. Content: Whenever any lands are laid out and platted, the owner of those lands shall cause an
254 accurate plat to be made of them that sets forth and describes:

255 1. All parcels of ground laid out and platted, by their boundaries, course and extent, and whether
256 they are intended for streets or other public uses, together with any areas that are reserved for
257 public purposes; and

258 2. All blocks and lots intended for sale, by number, and their precise length and width.

259 B. Acknowledgment Required: The owner of the land shall acknowledge the plat before an officer
260 authorized by law to take acknowledgment of conveyances of real estate:

TITLE 13 SUBDIVISION REGULATIONS

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- 261 1. The surveyor making the plat shall certify it.
- 262 2. The administrative land use authority shall approve the plat as provided by law.
- 263 C. Filing And Recording: After the plat has been acknowledged, certified and approved, the City
- 264 recorder, shall file and record it in the county recorder's office in the county in which the lands
- 265 platted and laid out are situated. The owner shall pay the expense of such recording.
- 266 D. Plat Expiration: The recording of the subdivision plat is to be done within one hundred eighty (180)
- 267 calendar days of the completed approval from the administrative land use authority. Failure to
- 268 record the approved plat within the allotted time required shall void all approvals for the
- 269 subdivision. Prior to the expiration of the plat approval, the owner or developer may request a
- 270 onetime extension of one hundred eighty (180) days, by submitting to the community development
- 271 director a written request of the owner or developer explaining the reasons for the delay. The
- 272 community development director shall consult with applicable city review staff to prepare an
- 273 analysis of any amendments to the City code regulations or standards and their effect on the
- 274 subdivision. If such amendments to the City regulations or standards are essential to protecting the
- 275 health, safety, and welfare of the citizens, the community development director shall not grant the
- 276 extension unless the plat conforms to the new regulations or standards.
- 277 E. Subdivision Approval Procedure: No one may file or record a subdivision plat in the county
- 278 recorder's office unless:
- 279 a. The subdivision plat has been approved by the designated Administrative Land Use
- 280 Authority; and
- 281 b. The required approvals and acceptance of any dedicated property or right of way are
- 282 entered in writing on the plat as designated in this ordinance.

283 **13-2-030: TRANSFER OF LAND:**

284 Land shall not be transferred, sold or offered for sale, nor shall a building permit be issued for a

285 structure thereon, until an approved subdivision plat is recorded in the county recorder's office in

286 accordance with this title and any applicable provisions of state law, and until the improvements

287 required in connection with the subdivision have been constructed or guaranteed as provided herein.

288 **13-2-040: TRANSFER OF LAND; VOIDABLE:**

289 No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions

290 of this title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this title

291 is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal

292 representative, or trustee in bankruptcy, within one year after the date of execution of the deed of

293 conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon

294 any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those

295 above enumerated, and upon the grantor, vendor or person contracting to sell, or his assignee, heir or

296 devisee.

297 **13-2-050: BUILDING PERMITS:**

- 298 A. Requirements:
- 299 1. No building permit shall be issued for any structure within a subdivision until the subdivision
- 300 plat is recorded in the county recorder's office, a bond is provided acceptable to the City
- 301 ensuring the adequate installation of required essential infrastructure improvements and

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- 302 utilities, and the required improvements and utilities have been installed and are operable as
303 provided herein and as deemed essential infrastructure (defined by State Code 10-9a-802, as
304 amended) which is necessary to meet the requirements of the building code and fire code.
- 305 2. No building permit shall be issued for any structure within a subdivision until all sanitary sewer,
306 storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and
307 gutter, streets, other underground utilities located under the street surface, and required
308 grading and drainage improvements, are installed and fully functional, as determined by the
309 City, providing continuous access and/or service to the lot.
- 310 3. Notwithstanding the foregoing, for lots fronting existing streets that obtain access only from
311 that street and have existing fully functional utilities, the building official may issue permits,
312 subject to compliance with applicable requirements, including adequate access for emergency
313 vehicles.
- 314 B. Issuance Prior To Street Surfacing: A building permit may be issued by the City for the construction
315 of a structure within a subdivision prior to application of hard surfacing of the streets within the
316 subdivision under the following conditions:
- 317 1. The street improvements are being constructed during the months when cold weather prohibits
318 the laying of a hard surface on the street.
- 319 2. The streets shall be completed with all utilities, rough grading, and all weather road base
320 sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base,
321 including road base gradation and thickness, shall be determined by the City engineer upon
322 review and consideration of applicable soils reports, drainage factors and existing topographic
323 conditions of the property.
- 324 3. The developer enters into an agreement with the City that the developer will take responsibility
325 to ensure that the road is accessible for emergency vehicles and construction traffic at all times,
326 including snow removal and other required maintenance.
- 327 4. The developer enters into an agreement with the City that developer will hard surface the road
328 as soon as weather permits and as authorized by the City. If developer fails to do so, the City can
329 declare the developer in default of the applicable improvements bond agreement and may
330 withdraw any or all of the funds from the bond and cause the improvements to the street to be
331 constructed, completed and/or repaired in accordance with the terms and procedures set forth
332 in the bond agreement for the withdrawal of funds.
- 333 5. The building contractor, property owner and building permit applicant enters into an
334 assumption of risk agreement acknowledging the lack of hard surface streets within the
335 subdivision and developer's obligation regarding maintenance and access of the same and
336 assuming the risk of proceeding with construction under such circumstances pursuant to the
337 terms and conditions set forth herein.
- 338 6. Prior to hard surfacing road, the City engineer shall inspect road conditions for road base
339 contamination, rutting, or other deficiencies. Any deficiencies found shall be repaired in a
340 manner required by the City engineer and approved prior to any paving.
- 341 7. No certificate of occupancy shall be granted for any structure within the subdivision until all
342 streets are hard surfaced.

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343 **13-2-060: CERTIFICATES OF OCCUPANCY:**

344 No building within a subdivision shall be occupied until a certificate of occupancy has been issued for
345 such structure by the City. No certificate of occupancy shall be issued for any structure within a
346 subdivision until all required improvements for the subdivision are complete, including the hard
347 surfacing of the streets, required street signs and traffic control signs, house numbers on the structure,
348 required utilities providing service to the structure, and any other applicable ordinance provisions have
349 been satisfied.

350 **13-2-070: PENALTIES:**

351 Any person found in violation of this title shall be subject to civil penalty as provided in Title 12 of this
352 Code or may be subject to criminal prosecution as a class C misdemeanor. In addition to any criminal
353 prosecution, the City may pursue any other legal remedies provided by law to ensure compliance with
354 this title, including, but not limited to, instituting an injunction, mandamus, abatement or other
355 appropriate actions, or proceedings to prevent, enjoin, abate or remove the unlawful use or act.

356

TITLE 13 SUBDIVISION REGULATIONS

(07.19.2023)

357 **13-3: CONCEPTUAL DEVELOPMENT PLAN:**

358 **13-3-010: CONCEPTUAL PLAN:**

359 **13-3-020: CONCEPTUAL PLAN REVIEW NONBINDING:**

360 **13-3-030: VESTED RIGHTS:**

361 **13-3-040: SUBMISSION:**

362 **13-3-050: NOTIFICATION:**

363 **13-3-060: CONCEPTUAL PLAN REVIEW:**

364 **13-3-070: COMPLETION OF CONCEPTUAL PLAN REVIEW:**

365 **13-3-010: CONCEPTUAL PLAN: (new)**

366 A conceptual development plan review is not required, but highly encouraged, for subdivisions for one
367 or two family dwelling and townhome developments except for subdivisions of land subject to geologic
368 hazard review. Conceptual plan review provides the developer with an opportunity to consult with and
369 receive assistance from the city staff regarding the regulations and design requirements applicable to
370 the subdivision of property and facilitates resolution of problems and revisions before the preparation
371 of a preliminary plan. The conceptual plan should be based on an accurate survey showing boundaries,
372 topography, important physical features, adjacent properties and the sketch of the proposed
373 subdivision. The applicant or applicant's duly authorized agent shall submit an application to the
374 community development department for conceptual plan review and at the same time, the applicant
375 shall pay an application fee as provided in the City's consolidated fee schedule.

376 **13-3-020: CONCEPTUAL PLAN REVIEW NONBINDING: (new)**

377 The conceptual plan requirement is designed to provide the developer with helpful information and
378 suggestions before the expense and time involved in preparing a preliminary plan is incurred.
379 Conceptual plan review shall be nonbinding on any subsequent review steps nor binding upon the
380 designated administrative land use authority in the exercise of their authority or approval.

381 **13-3-030: VESTED RIGHTS: (new)**

382 Submission of a conceptual plan shall in no way confer any vested rights upon the developer. Vested
383 rights may attach only upon the filing of a complete preliminary plan application which meets the
384 requirements of this title and other applicable ordinances at the time of the application. However, if
385 there is a compelling, countervailing public interest or the City has initiated proceedings to amend this
386 title or other applicable ordinances at the time of the application, then there shall be no vested rights.

387 **13-3-040: SUBMISSION: (From Section 10-3-3)**

388 A. The developer shall submit the proposed conceptual plan which will enable a review of a proposed
389 project for general scope and conditions which might impact the proposed project and the City. The
390 community development department will determined if the appropriate plan and application is
391 submitted, if the application is complete and if all the fees have been paid. If the application is
392 deemed to be incomplete the applicant shall be notified in writing within ten (10) days of the
393 application date, or as reasonably practical upon discovery of a deficiency. ~~The Planning~~
394 Commission shall either recommend the plan or recommend the plan with conditions to the CityCity

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395 ~~Council, or reject the concept plan. The City Council shall either approve the concept plan or~~
396 ~~approve the concept plan with conditions or reject the concept plan.~~

397 ~~B.~~

398 ~~C.~~B. Document Requirements: The following items shall be submitted to the community development
399 department for conceptual plan review:

400 1. An application for ~~the concept plan approval explaining the proposed project.~~ form, as provided
401 by the City detailing the proposed development and addressing the following:

402 a. A general explanation of the project size, scope, and land uses;

403 b. Identification of any potential impacts or conflicts with adjacent land uses, along with
404 proposed mitigation all adverse aspects of the plan;

405 c. Identification of any known or potential geologic hazards on the property or within the
406 development area in general;

407 d. A statement regarding the proposed development, it's conformance to the existing zoning
408 and general plan or other adopted plans or policies, and identifying any opportunity for the
409 provision of housing which meet the goals and objectives of the City's Moderate Income
410 Housing Plan.

411 a-e. Any additional pertinent information related to the project.

412 2. An electronic copy of a 24" x 36" conceptual plan

413 ~~3. Stamped, addressed envelopes for property owners within 300 feet of the boundary of the~~
414 ~~proposed subdivision and all property owners within the project boundary.~~

415 ~~4.3. Sketch/site Conceptual~~ plan set shall include the following:

416 a. Cover Sheet which includes the following:

417 (1) The proposed project name, approximate address of the project, and the relevant
418 parcels within the project;

419 ~~(1)~~

420 (2) Vicinity plan. An aerial map at a scale of one inch equals one hundred feet (1" = 100') or
421 other competent base map showing the area within six hundred feet (600') of the
422 project boundaries giving context to the proposed development;

423 (3) Drawing index;

424 (4) Developer name, address, and phone number;

425 (5) Property owner name, address, and phone number, if different from the developer;

426 (6) General Notes regarding the project; and

427 (7) Boundaries of zoning districts, Taxing and other special districts

428 (8) The name, address, and phone number of the engineer or surveyor who prepared the
429 conceptual plan set.

430 b. Existing Conditions or Demolition Plan. The following shall be drawn to scale:

431 (1) Existing topographic contours at no greater interval than two feet (2')

432 (2) Existing buildings, utilities, and improvements;

433 ~~(1)(3)~~ Location of existing culinary and irrigation water systems and points of
434 proposed connection and extension;

435 ~~(2)(4)~~ Location and size of existing utility services and proposed connection and
436 extension (sewer, power, gas, telephone cable);

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- 437 ~~(3)~~(5) Watercourses, impoundments, streams, springs, wells, floodplains, and areas
438 subject to continuous or occasional flooding, including those portions of the property
439 which are included in the most recent flood insurance rate maps prepared by FEMA;
440 ~~(4)~~(6) Significant vegetative patterns;
441 ~~(5)~~(7) Geologic hazards, formations and soils type;
442 (8) Public and private easements related to site, including trails and parks as identified
443 within the adopted general plan or other adopted plans or policies documents;
444 (9) Existing survey monuments;
445 a-c. Conceptual Site Plan. The following elements shall be drawn to a scale of a minimum 1"=30':
446 (1) North arrow and scale;
447 (2) Names of all abutting property owners;
448 (3) The dimensions of the site and total acreage, with proposed density;
449 (4) A proposed lot layout showing approximate size of each lot;
450 (5) Location of existing and proposed streets, trails, and sidewalks;
451 (6) Proposed buildings, or building envelopes, as applicable;
452 (7) Proposed public facilities and open spaces;
453 (8) Location of proposed parking;
454 (9) Preliminary location of all proposed on site uses and desired improvements, including
455 any off-site improvements if considered essential to the project.
456 (10) Any additional information which will convey information that is necessary to
457 determine feasibility and identify problems that need to be addressed on the
458 preliminary design plan. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

459 **13-3-050: NOTIFICATION: (new)**

460 Upon receipt of the complete concept plan application, the community development director shall
461 distribute copies of the conceptual plan application to the development review staff, and other
462 affected entities or agencies, as applicable. Conceptual plans that contain parks, trails, public art or
463 recreational amenities shall be distributed to the Parks, Trails, Arts and Recreation Advisory Board.
464 The board shall provide input to the administrative land use authority prior to preliminary plan
465 review regarding the design, function, and relationship to existing facilities and the parks master
466 plan or other policy documents, as adopted.

467
468 **13-3-060: CONCEPTUAL PLAN REVIEW: (new)**

469
470 Scope Of Review: Conceptual plan shall be reviewed for compliance with the City General Plan, Land
471 Use Ordinance, this title, and other appropriate regulations. The community development director
472 shall coordinate review with the appropriate development review staff and affected entities, as
473 appropriate for the size, scope, and location of the proposed subdivision. The community
474 development director shall make findings regarding the submitted conceptual plan, specifying any
475 inadequacy in the information submitted, noncompliance with City regulations, questionable or
476 undesirable design and/or engineering, and the need for any additional information which may
477 assist the developer in preparation of a preliminary plan application.

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478 **13-3-~~089070~~: COMPLETION OF CONCEPTUAL PLAN REVIEW: (new)**

479 Once conceptual plan review has been completed, the developer may apply for preliminary plan
480 approval consistent with the conceptual plan. If preliminary plan approval for any portion of an
481 approved conceptual plan has not been obtained within twelve (12) months of the date on which
482 conceptual plan review was completed, a resubmittal of the conceptual plan shall be required.

483

1 CITY OF NORTH SALT LAKE
2 PLANNING COMMISSION MEETING
3 ANCHOR LOCATION: CITY HALL
4 10 EAST CENTER STREET, NORTH SALT LAKE
5 JULY 11, 2023

6
7 **DRAFT**
8

9 Commission Chair BreAnna Larson called the meeting to order at 6:30 p.m.

10
11 PRESENT: Commission Chair BreAnna Larson
12 Commissioner Ryan Holbrook
13 Commissioner Ron Jorgensen
14 Commissioner Katherine Maus
15 Commissioner Irene Stone
16 Commissioner Brandon Tucker
17 Commissioner William Ward
18

19 STAFF PRESENT: Sherrie Pace, Community Development Director; Mackenzie Johnson,
20 Planner; Meredith Covey, Planning Intern.
21

22 OTHERS PRESENT: Dee Lalliss, resident.
23

24 1. PUBLIC COMMENTS
25

26 There were no public comments.
27

28 2. CONSIDERATION OF CONDITIONAL USE PERMIT FOR JPL BALLISTICS AT 847
29 NORTH POINTE CIRCLE
30

31 Meredith Covey reported that JPL Ballistics had applied for a business license at 847
32 Northpointe Circle which was located in the Manufacturing Distribution (MD) zone where
33 miscellaneous manufacturing was conditional. This location would serve as the manufacturing
34 location for lead projectiles that would be coated in polymer, baked in an oven, and then sized.
35 There would be no retail sales at this location. Small amounts of acetone would be used and
36 stored in approved containers per fire code. The business owner was in the process of obtaining a
37 federal firearms license for the manufacture of firearm products. There would be a maximum of
38 one employee on shift at a time and six parking spaces were dedicated to the business. The
39 Development Review Committee was recommending approval with no conditions.
40

41 **Commissioner Jorgensen moved that the Planning Commission approve the conditional use**
42 **permit for JPL Ballistics at 847 North Pointe Circle with no conditions. Commissioner**

43 **Tucker seconded the motion. The motion was approved by Commissioners Holbrook,**
44 **Jorgensen, Larson, Maus, Stone, Tucker, and Ward.**

45

46 3. DISCUSSION OF DRAFT CODE AMENDMENTS

47 a) SUBDIVISIONS

48 b) CONDITIONAL USE PERMIT

49 c) NOTICING

50

51 Sherrie Pace reported on changes made by the Legislature related to land use. This included
52 noticing for public hearings, public meetings and the changes required statutorily and Class A
53 notices related to agendas and Class B notices which were direct notices to affected property
54 owners such as a zone change. She said another big change was how subdivisions were
55 processed. Currently the process was concept plan (with review by commission then council)
56 then preliminary plan (with review by commission then council), and then final plat (with review
57 by commission then council). This has been changed per State code to remove concept plan
58 review by the Commission and Council. A developer could request concept plan review by staff
59 for a single family, duplex, or townhome developments. The City could require concept plan
60 review for other developments and subdivisions for industrial or commercial. Preliminary plan
61 would be reviewed by the administrative land use authority to be designated by each city. This
62 could be the Planning Commission or city staff. Final plat could only be reviewed by staff and
63 not the City Council. The only time a subdivision plat would be reviewed by the City Council
64 would be for a plat amendment vacating a public utility or street.

65

66 Sherrie Pace spoke on the multiple changes that needed to be made including the addition of
67 Title 13 for a subdivision ordinance. Chapter 3 would include zone changes and code
68 amendments. Title 3 would be the general provisions, specific roles, and concept plans. She
69 provided a highlight of the draft including optional concept plan, preliminary plan reviewed by
70 the designated land use authority, major and minor subdivision clarification and what would be
71 reviewed by staff or the Planning Commission. A schedule for review was provided to complete
72 these draft code amendments.

73

74 Commissioner Holbrook clarified that the Commission had received Chapters 1- 3 of Title 13 for
75 review. Sherrie Pace said the next sections to review would be preliminary and final plat.

76

77 Commissioner Jorgensen asked if conditional use permits would be reviewed and minimize what
78 was permitted or not. Sherrie Pace replied affirmatively and said this would require review of
79 what would remain a conditional use with standards. She said the subdivision ordinance would
80 be completed first and then conditional uses.

81

82 Commissioner Jorgensen asked about the practical implications of this change in process would
83 be related to the Planning Commission. Sherrie Pace said it would not be a big change for the
84 Planning Commission but it would be a significant change for the City Council, as an elected

85 body, they would not longer have input on a subdivision other than when the subdivision
86 ordinance was adopted.

87
88 Commissioner Holbrook asked if there was any merit to discussing what the designated
89 administrative land use authority should be before the remainder of the draft revision was
90 completed. Sherrie Pace replied that if the Planning Commission felt that minor subdivision
91 should be reviewed by the Commission then the draft could be changed. She said the
92 Commission could not be the administrative land use authority for concept plan or final plat but
93 only preliminary plan and plat amendments.

94
95 Commissioner Jorgensen said the geologic hazard map which triggered the reviews was dated
96 and suggested that the consultant who was completing the General Plan update could provide an
97 up to date map. Sherrie Pace responded that the City Engineer would like to update the maps and
98 had additional changes to the geologic hazards ordinance already in the works.

99
100 Commissioner Maus asked if Title 13 defined what was able to be subdivided in terms of size
101 and setbacks, etc. Sherrie Pace said this was in the land use ordinance in Title 10 and specified
102 setbacks, etc. for each zone. This was just the application of how to apply for a subdivision and
103 what should be shown on the plat. The applicant would still need to meet all the requirements of
104 the zone and standards and specifications manual.

105
106 Commissioner Maus asked if the Standards and Specifications manual was an adopted policy.
107 Sherrie Pace replied affirmatively and said it was available on the City's website.

108
109 4. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
110 PLANNING COMMISSION

111
112 Sherrie Pace reported that the City Council did not have a meeting on July 4th.

113
114 5. APPROVAL OF MINUTES

115
116 The Planning Commission meeting minutes of June 27, 2023 were reviewed and approved.

117
118 **Commissioner Maus moved to approve the minutes from the June 27th meeting with no**
119 **changes. Commissioner Holbrook seconded the motion. The motion was approved by**
120 **Commissioners Holbrook, Larson, Maus, Stone, Tucker, and Ward. Commissioner**
121 **Jorgensen was excused.**

122 6. ADJOURN

123

124 Commission Chair Larson adjourned the meeting at 6:56 p.m.

125

126 *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*
127 *Tuesday, July 25, 2023 by unanimous vote of all members present.*

128

129

130

131 _____
Wendy Page, City Recorder