



# 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 September 26, 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) Consideration of a conditional use permit for Hank's Garage at 405 North 400 West, Wesley Johnson, applicant
- 4) Consideration of a conditional use permit for over 30 feet of driveway at 1025 South Plum Tree Court, Jeff Cook, Cook Builders, applicant
- 5) Consideration of site plan approval for Ferrell Gas at 95 East Union Avenue, Cal Johnson, Legend Engineering, applicant
- 6) Work Session: Draft Code Amendments
  - a. Title 13, Chapter 4: Minor Subdivisions
  - b. Title 13, Chapter 5: Subdivisions (Preliminary & Final Plat)
- 7) Report on City Council actions on items recommended by Planning Commission
- 8) Approval of minutes:
  - a. 9/12/2023 Joint Work Session with City Council
  - b. 9/12/2023 Regular Meeting

Adjourn

*This meeting has an option to attend electronically via Zoom, with joining information below:  
Time: September 26, 2023, 06:30 PM Mountain Time (US and Canada)*

*Join Zoom Meeting: <https://us02web.zoom.us/j/87162700149>*

*Meeting ID: 871 6270 0149*

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 the agenda for the Planning Commission meeting to be held September 26, 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 25<sup>th</sup> day of September, 2023.

Wendy Page  
Wendy Page, City Recorder





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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Mackenzie Johnson, Planner  
**DATE:** September 26, 2023  
**SUBJECT:** Conditional Use Permit for Hank's Garage at 405 North 400 West

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### **RECOMMENDATION**

The Development Review Committee (DRC) recommends approval of the conditional use permit for Hank's Garage at 405 North 400 West with the following conditions:

1. The existing access easement be relocated (through the County) to allow for parking along the northern property line; and
2. All parking stalls must be painted and signed according to the approved plan prior to issuance of the business license.

### **BACKGROUND**

Wesley Johnson submitted a conditional use permit for a reception center called Hank's Garage at 405 North 400 West. Reception centers or event centers are not specifically listed in City Code. Previously, reception centers (such as Arcoiris) have been classified as "amusement, gambling, and recreation industries" with the use of "all other amusement and recreation industries". The subject property is in the Manufacturing-Distribution (MD) zone where these uses are conditional.

The applicant currently uses the building for his personal garage and events. The vehicles in the garage will remain and the events will occur around them. The building has a 1,820 sq. ft. mezzanine and approximately 14,000 sq. ft. of main floor. Of the main floor space, only 5,652 will be used for the reception center as the remaining space is used for vehicle storage and display.

The applicant is working with the City Building Official and South Davis Metro Fire to ensure that the property/building is up to code. The applicant understands that they will need to stripe the parking area prior to the issuance of a business license.

Parking is calculated by the category "assembly center/dance, reception, concert hall" which requires, "1 stall per 4 seats of total seating capacity plus 1 stall per 100 square feet of assembly area within the main auditorium where there are no fixed seats". The only fixed seats are at the bar on the mezzanine. Per code, the applicant is required to provide 78 off-street parking stalls (see table below). Of those stalls, 4 must be ADA compliant, and at least one must be van accessible. The ADA stalls must be striped and signed accordingly.

	Seats/Assembly Area Sq. Ft.	1 Stall per 4 Fixed Seats	1 Stall per 100 Sq. Ft. of Assembly Area	Total Req. Stalls
Bar	8	2	0	2
Mezzanine	1,820	0	18.2	19
Main	5,652	0	56.52	57
				78

The applicant owns and operates all buildings on the property. The parking area is not used outside of business hours when events occur. The DRC determined that the proposed parking plan is compliant with Code. There is an existing access easement near the northern property line. This will need to be moved closer to the buildings to allow for the planned parking. The applicant is working with the County to complete this prior to the parking lot being striped.

This conditional use permit is subject to the requirements of the City's Land Use Ordinance (10-7-1-D), requiring that every Conditional Use Permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within one (1) year, or is not completed within two (2) years from date of issue.

**POSSIBLE MOTION**

I move that the Planning Commission approve the conditional use permit for Hank's Garage at 405 North 400 West with the following conditions:

1. The existing access easement be relocated (through the County) to allow for parking along the northern property line; and
2. All parking stalls must be painted and signed according to the approved plan prior to issuance of the business license.

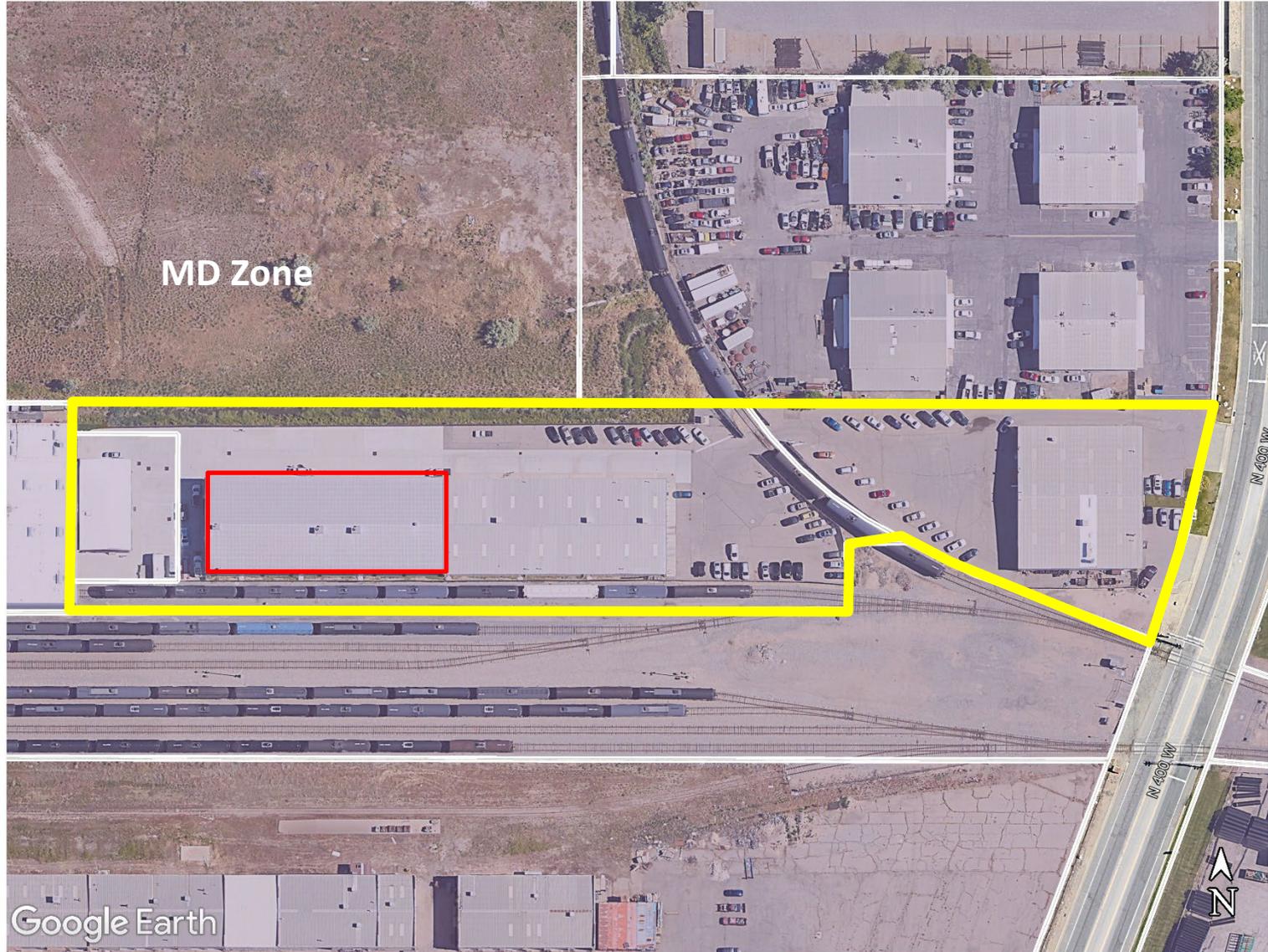
Attachments

- 1) Zoning/Aerial Map
- 2) Parking Plan
- 3) Pictures

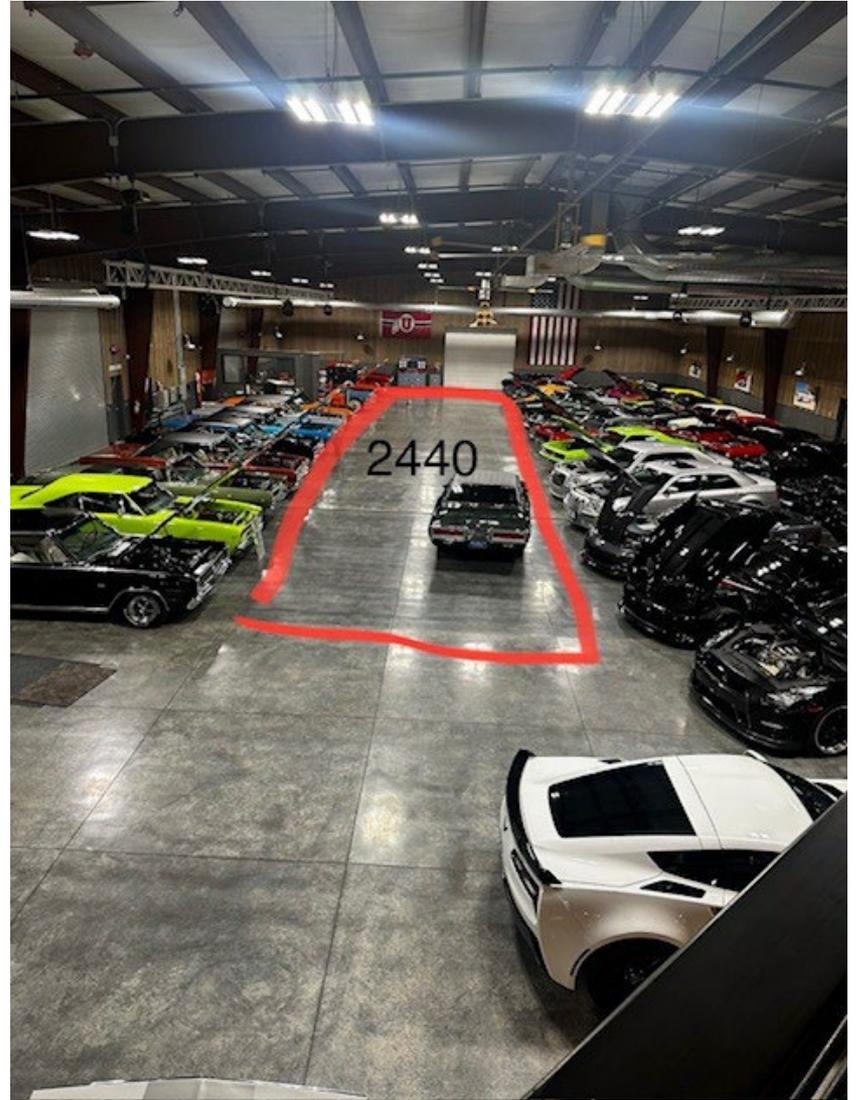
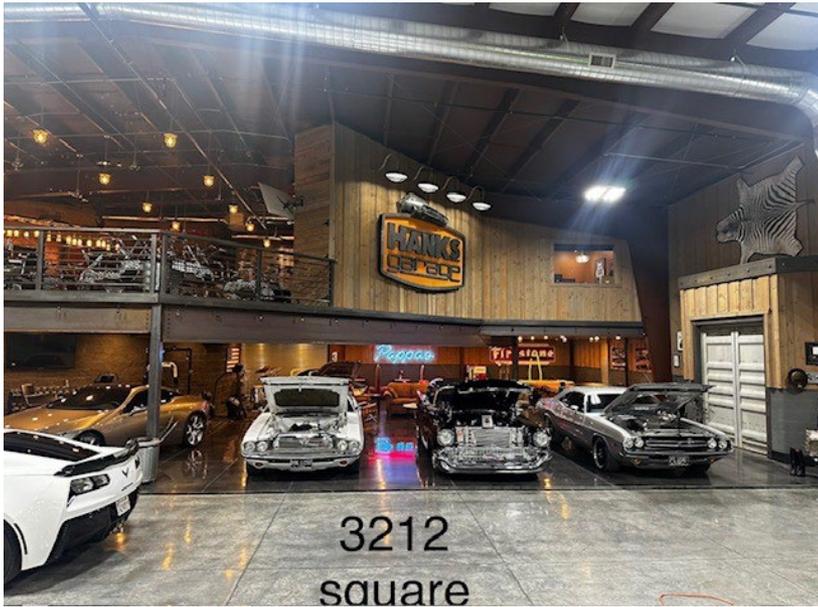


# Hank's Garage

405 North 400 West  
Zoning/Aerial Map











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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Mackenzie Johnson, Planner  
**DATE:** September 26, 2023  
**SUBJECT:** Conditional Use Permit for over 30 feet of driveway at 1025 South Plum Tree Court

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### **RECOMMENDATION**

The Development Review Committee (DRC) recommends approval of the conditional use permit for over 30 feet of driveway at 1025 South Plum Tree Court with no conditions.

### **BACKGROUND**

Cook Builders recently constructed a single family home at 1025 South Plum Tree Court. Plum Tree Court is a private road in a Planned Unit Development. The builder constructed three driveways along the 287 +/- feet of frontage. Two of the driveways are 13 feet wide and create a circular driveway for guests. The third driveway is 40 feet wide and provides access to the garage. The DRC was not concerned about the driveway width due to the street being private and the lot's large amount of frontage. All driveways are more than 3 feet from the property lines and do not interfere with a water meter or utility box.

City code allows for a conditional use permit for driveways greater than 30 feet up to 40' and allows lots greater than 100 feet in width to provide two access driveways for a circular drive. See the specific code section below:

City Code 10-6-2:

*A. Residential Lots: For each residential lot, not more than one access driveway which shall be a maximum of thirty feet (30') wide at the street lot line, or as established by conditional use permit and not to exceed forty feet (40'). Lots with a frontage greater than one hundred feet (100') may provide two (2) access driveways each up to fifteen feet (15') wide for circular driveways and other special type circulation and parking.*

*1. No driveway shall be closer to a side property line than three feet (3').*

*2. No driveway shall be closer than thirty feet (30') to the point of the intersection of two (2) property lines at any corner of two (2) local streets as measured along the property line, and no driveway shall extend across such extended property line.*

*3. No driveway shall be closer than fifty feet (50') to the point of intersection of two (2) property lines at any corner where either street is a minor collector, major collector or minor arterial as measured along the property lines, and no driveway shall extend across such extended property line.*

This conditional use permit is subject to the requirements of the City's Land Use Ordinance (10-7-1-4), requiring that every Conditional Use Permit shall expire by limitation and become null and void if the work authorized by such permit has not commenced within one (1) year, or is not completed within two (2) years from date of issue.

**POSSIBLE MOTION**

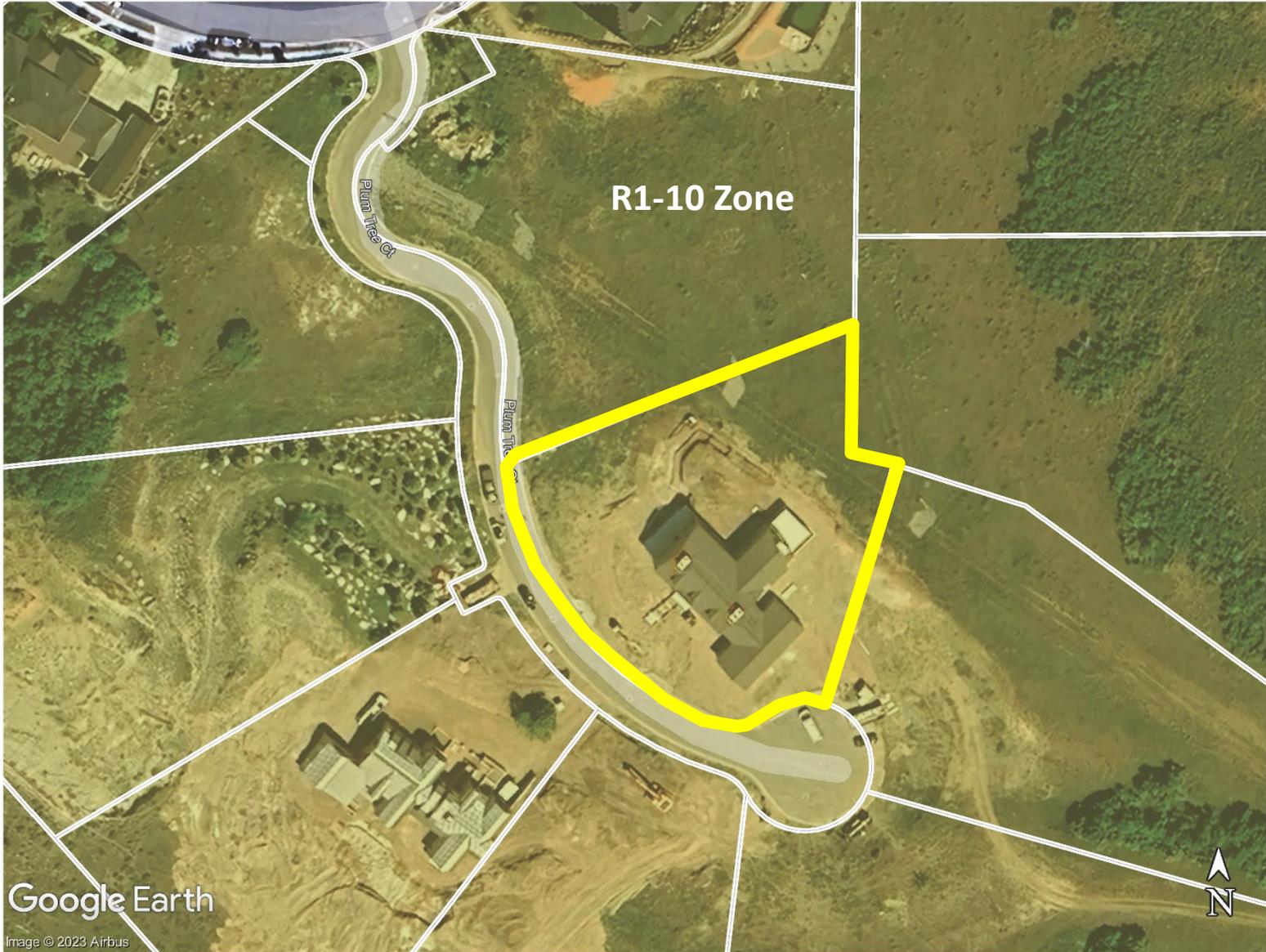
I move that the Planning Commission approve the conditional use permit for over 30 feet of driveway at 1025 South Plum Tree Court with no conditions.

Attachments

- 1) Zoning/Aerial Map
- 2) Site Plan
- 3) Pictures



Over 30 Feet of Driveway  
1025 South Plum Tree Court  
Zoning/Aerial Map







13' Driveway



40' Driveway



13' Driveway



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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Mackenzie Johnson, Planner  
**DATE:** September 26, 2023  
**SUBJECT:** Ferrell Gas Site Plan at 95 East Union Avenue

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### **RECOMMENDATION**

The Development Review Committee (DRC) recommends approval of the site plan for the Ferrell Gas outdoor storage expansion located at 95 East Union Avenue with the following condition:

1. Completion of all engineering and planner redlines.

### **BACKGROUND**

Ferrell Gas is conducting business as a propane distributor at 95 East Union Avenue. On August 15, 2023, the City Council approved the Preliminary Design Plan and Final Plat for Union Court Subdivision. That subdivision allowed the property owner of 95 East Union Avenue to obtain approximately 1.41 acres of vacant land from the adjacent property at 25 East Union Avenue. Both properties have existing structures, land uses, and are zoned Manufacturing-Distribution (MD). This site plan application is for Ferrell Gas to expand its outdoor storage operation to the newly acquired property and to improve drainage facilities for the entire property.

### **REVIEW**

The applicant is proposing to improve the outdoor storage area with dustless gravel to match and expand what already exists. Outdoor storage as an accessory use is permitted in the MD zone. This area will be used for storage of trucks and trailers. No propane will be stored on the subject portion of the property. The outdoor storage area meets all requirements of Code 10-1-33 regarding screening, surfacing, and location.

This site plan will bring the property into compliance with modern storm drain requirements by creating two new detention ponds. One pond will be shared by the neighboring 25 East Union Avenue. The City Engineering Department is working with the applicant to ensure that the grading and drainage plan comply with code. There are a few minor engineering redlines remaining.

The MD zone requires a minimum of 15% landscaping except where reduced by the Planning Commission during site plan approval in support of water conservation efforts and when enhanced landscaping is concentrated within the front setback and is not necessary for buffering purposes within the side and rear yard areas. The current plan does not have any landscaping. The Planning Commission may require the applicant to increase the landscaping to a percentage or location.

There are no new structures being proposed with this site plan application and therefore the architectural massing and material standards do not apply.

**POSSIBLE MOTION**

I move that the Planning Commission approve the site plan for the Ferrell Gas outdoor storage expansion located at 95 East Union Avenue with the following condition:

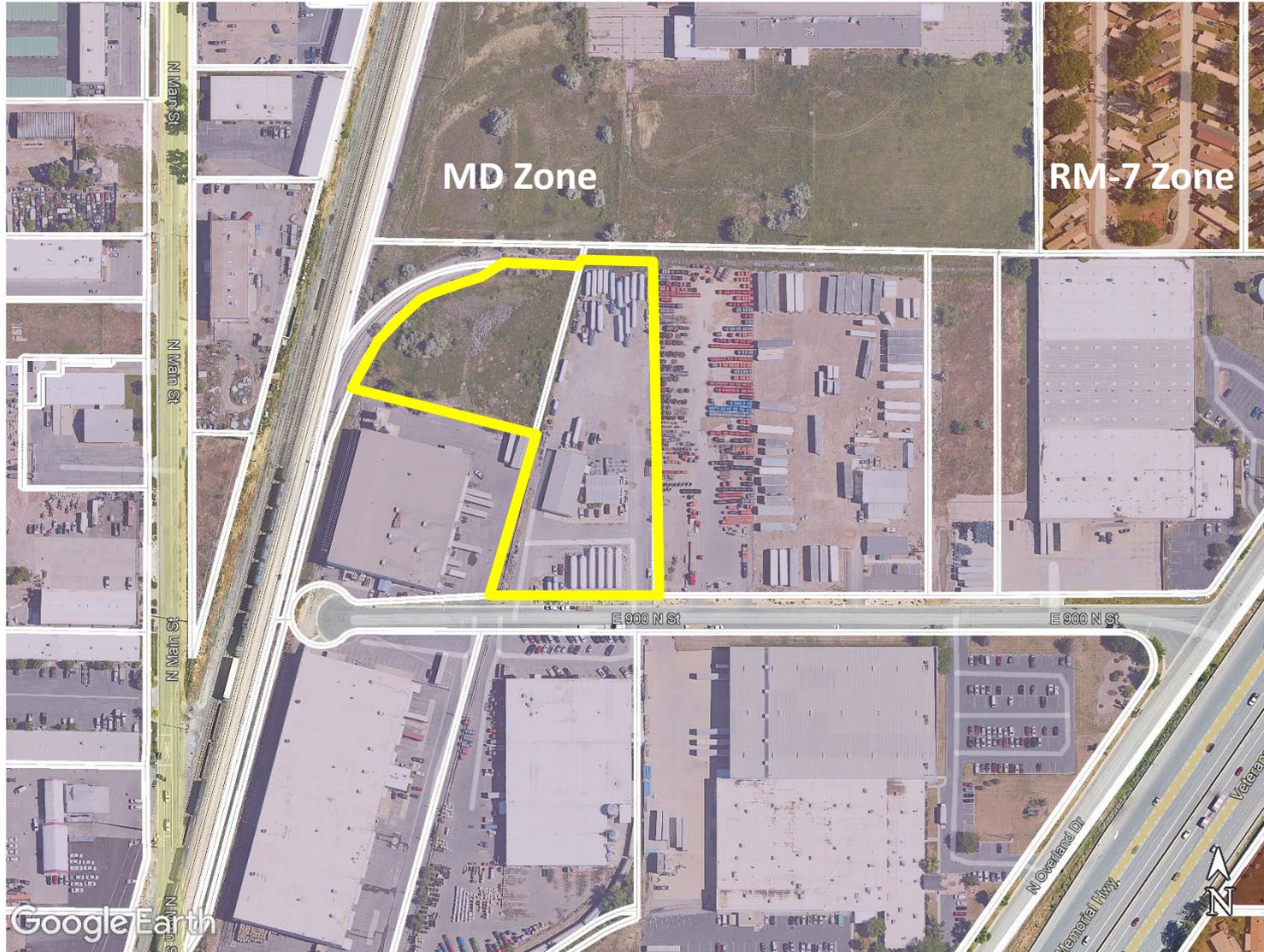
1. Completion of all engineering and planner redlines.

Attachments

- 1) Zoning/Aerial Map
- 2) Site Plan



# Site Plan Ferrell Gas Aerial/Zoning





LOT LINES (PROPERTY)

EXISTING CURB AND GUTTER

PROPOSED CURB AND GUTTER

SETBACK LINE

EXISTING FENCE

LANDSCAPE AREA

CONCRETE AREA

**SITE DATA**

LOT AREA:	157,656 SF (3.62 ACRES)
BUILDING AREA:	7,433 SF ± 4.7%
PAVEMENT AREA:	117,603 SF ± 74.6%
LANDSCAPE AREA:	32,620 SF ± 20.7%

**BUILDING DATA**

ZONE: MD (MANUFACTURING-DISTRIBUTION)

**SETBACKS:**

FRONT: 20'

SIDE: 0'

REAR: 0'

**PARKING TABULATION**

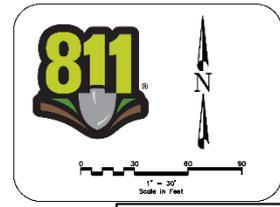
REQUIRED: 1 PER 1,000 SF GROSS WAREHOUSE AREA

1 PER 250 SF OFFICE

REQUIRED: 11 STALLS (1,467 SF OFFICE / 250 SF + 5,000 SF WAREHOUSE / 1,000 SF)

PROVIDED: 18 STALLS (EXISTING)

1 ADA (EXISTING)



FINAL PLAT

NO.	REVISION	BY	DATE

LEGEND ENGINEERING  
 50 WEST 100 NORTH  
 SALT LAKE CITY, UTAH 84119  
 PHONE: 313-264-4200  
 WWW.LEGENDENGINEERING.COM

UNION COURT  
 SITE PLAN - 95 UNION  
 25 UNION AVENUE, NORTH SALT LAKE, UTAH 84054



SHEET: **C-11**  
 DATE: 9/20/2023



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## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Sherrie Pace, Community Development Director  
**DATE:** September 26, 2023  
**SUBJECT:** Work session items-Draft Code Amendments

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### 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. The Planning Commission reviewed Chapters 1-3 in July.

### Draft Amendments

#### ***New Title 13 Subdivisions:***

#### **Chapter 4: Minor Subdivisions (Entirely new section)**

13-4-010: Purpose:

*Create a process for minor subdivision of 10 lots or less that does not require Planning Commission review/approval.*

13-4-020: Requirements For Minor Subdivisions:

- *Less than 10 lots*
- *No new dedication of land for streets*
- *Adjacent to existing public streets and utilities, no extension of streets utilities*
- *Area not traversed by a future street as defined by the General Plan*
- *Conforms to the general character of the neighborhood*
- *Not adversely affect the remainder of the parcel or adjoining property, conforms to all provisions of the ordinance*
- *Dedicates utility easements*
- *Not located in the sensitive lands area*

13-4-030: Applicability:  
*Provisions only apply to minor subdivisions*

13-4-040: Conceptual Plan Required:  
*Conceptual Plan review is now only allowed under state code at the request of the developer, thus this is encouraged.*

13-4-050: Minor Subdivision Application:  
*Describes the application requirements*

13-4-060: Development Review:  
*Review must take place within 15 business days of submittal of a complete application.*

13-4-070: Administrative Land Use Authority Action:  
*The CD Director is the Land Use Authority for minor subdivisions and responsible to coordinate review and approval from development review staff, city engineer, and city attorney. If disapproved the developer may appeal the decision to the Planning Commission.*

13-4-080: Expiration Of Final Approval:  
*Plat approval valid for 6 months with 1 extension if warranted.*

13-4-090: Bond Agreement:  
*Required to meet the bonding requirements for any infrastructure (water/sewer stubs, repair of road for installation of stubs, etc.)*

13-4-100: Plat Requirements:  
*Plat required to meet the plat standards established for Final Plat in the Chapter 5.*

13-4-110: Recording Of Plat:  
*Title report required prior to the attorney approval and plat recording*

**Chapter 5: Subdivisions (combination of existing language and new language)**

13-5-010: Preliminary Plat Purpose:  
*Purpose statement for all other subdivisions that are not deemed minor subdivision.*

13-5-020: Pre-Application Meeting:  
*State code requires that the city provide for an optional pre-application meeting and the documentation that must be provided to the developer.*

13-5-030: Application And Fees:

- *Form of application and size of plan documents*
- *Determination of complete application and deadline; notification of complete app.*
- *First review required within 15 business days of complete application*
- *Conceptual plan required for commercial, industrial, multi-family or sensitive lands area*

- *Geologic hazards review required for sensitive lands area*

13-5-040: Preliminary Plat & Subdivision Improvement Plans:

- *Scale*
- *Documents Required*
  - *Title report*
  - *Financial control/ownership over the property*
  - *Letters from public agencies that will provide water or sewer service*
  - *Phasing timeline*
  - *Draft protective covenants*
  - *Tabulations*
  - *Agreements with abutting property owners, where applicable*
  - *Traffic report*
  - *Soils report*
  - *Geologic hazards, as applicable*
- *Preliminary Plat & Construction Plan Elements*

13-5-050: Staff Review Of Preliminary Plat Application:

- *2 review cycles (state code allows only 4 total review cycles)*
- *Initial review 15 days*
- *Review must have citations of code or design standards and have a separate index of the corrections*
- *Applicant has 20 days to respond to corrections*
- *Failure to respond to each correction item the cycle is not complete and may not move to review cycle 2*
- *Review cycle 2 (similar rules to cycle 1)*
- *Upon completion of review cycle forwarded to LUA (PC)*

13-5-060: Administrative Land Use Authority Action; Preliminary Plat:

- *Planning Commission is the LUA*
- *Findings*
  - *In accord with ordinance/regulations*
  - *Conforms to concept plan, where applicable*
  - *No substantial financial hardship to the city*
  - *No substantial environmental impacts*
- *Conditions of approval to mitigate issues*

13-5-070: Notification Of Action:

*Notification to the applicant of approval*

13-5-080: Effect Of Approval Of The Preliminary Plat:

*Void after 12 months if they haven't applied for final plat, 1 extension*

13-5-090: Final Plat; Purpose:

*Purpose statement*

13-5-100: Filing Deadline, Application And Fees:  
*Application deadline 12 months after prelim approval*

13-5-110: Final Plat; Preparation And Required Information:

- *Requires electronic file submission*
- *Title report*
- *Final Plat Drawings Requirement*
  - *Plat size and quality*
  - *Scale*
  - *Title block*
  - *Survey map*
  - *Survey data*
  - *Lot boundaries and data*
  - *Street right of way dedications*
  - *Street names/numbers*
  - *Lot numbers*
  - *Easements*
  - *Waterways*
  - *Flood plain, as applicable*
  - *All property to be accounted for*
  - *Lot dimensions*
  - *Surveyor certificate*
  - *Signature blocks*
  - *Owner dedication*
  - *Stakes and monuments*
- *City Attorney approval/review of title report*
- *Common area ownership, articles of incorporation*
- *Final Improvement Plans (construction drawings)*
  - *In conformance with adopted standards*
  - *Size, scale, north arrow*
  - *USGS datum*
  - *Stationing and elevations for profiles*
  - *Title block*
  - *Plan and profiles for curb, gutter, and streets*
  - *Water, sewer, storm drain locations & connections*
  - *Retention/detention basins*
  - *Calculation and traverse sheets*
  - *Design data and computations*

13-5-120: Evaluation Of Final Plat:

- *The CD director is the LUA for final plat. State code prohibits PC or CC from being the final plat approval body*
- *Two review cycles (state code allows 4 total)*
- *First review in 15 business days*
- *20 day response time*
- *Review must cite specific code or standards regulations and have separate listed index.*

- *Failure to respond to all corrections the cycle is not complete*
- *Second review cycle similar to first*

13-5-130: Administrative Land Use Authority Action; Final Plat:

- *CD Director review for conformance and verify approvals of city engineer, city attorney and development review staff, and affected entities, send notice to applicant*
- *Authorized to print Final Mylar and submit final documents*
  - *Title report*
  - *Docs for recording with the plat, easements, covenants, etc.*
  - *Stormwater Management Agreement*
  - *Subdivision Improvement Agreement*
  - *Bond*
  - *Payment of applicable fees*
  - *Payment of applicable impact fees for common area*
  - *Any other agreements required by code, agreement, law, etc.*
- *Sign Mylar & delivery to the County Recorder*
- *Final Plat void in 12 months if not recorded*

13-5-140: Disapproval Of The Final Plat:

*Reasons for denial of final plat and correction of deficiencies*

13-5-150: Security Bond; Developer:

*Subdivision improvement agreement with bond elements:*

- *Final Plat/Improvement plans*
- *Completion time of 2 years*
- *Bond amount of 100% of engineer estimate*
- *Control of bond release*
- *Reduction of bond for completed work process*
- *Process if bond deficiency*
- *Developer Performance failure*
- *Type of bond agreement (State code requires a minimum of two options)*
- *Right to reject a bond and benefit of the city, not any individual*
- *Extension of time for completion*

13-5-160: Delay Agreement:

*The city can enter into an agreement to delay some installation of infrastructure in a form acceptable to the city attorney*

13-5-170: Recording Of Plat:

*City Recorder may record upon completion of all the above.*

**Attachments**

- 1) State Code Subdivision Summary 2023
- 2) Draft Title 10, Chapter 4
- 3) Draft Title 13, Chapters 5

**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.

TITLE 13 SUBDIVISION REGULATIONS  
DRAFT 9.07.2023

**13-4: MINOR SUBDIVISIONS**  
**(entirely new chapter)**

- 13-4-010: PURPOSE:
- 13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:
- 13-4-030: APPLICABILITY:
- 13-4-040: CONCEPTUAL PLAN REQUIRED:
- 13-4-050: MINOR SUBDIVISION APPLICATION:
- 13-4-060: DEVELOPMENT REVIEW:
- 13-4-070: ADMINISTRATIVE LAND USE AUTHORITY ACTION:
- 13-4-080: EXPIRATION OF FINAL APPROVAL:
- 13-4-090: BOND AGREEMENT:
- 13-4-100: PLAT REQUIREMENTS:
- 13-4-110: RECORDING OF PLAT:

**13-4-010: PURPOSE:**

The intent of this chapter is to provide an efficient review process for minor subdivisions. Minor subdivisions include those developments of less than ten (10) lots which also meet the requirements set forth herein. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined.

**13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:**

An owner of property located within the City of North Salt Lake may submit an application for a minor subdivision; provided, that the property to be subdivided meets the following conditions:

- A. Less than ten (10) lots shall be created in the subdivision;
- B. The subdivision shall not require the dedication of any land for public streets or other public purposes;
- C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The developer shall be required to complete any essential infrastructure improvements on an existing street which are not in place at the time the application to develop a minor subdivision is filed. Such improvements shall include any necessary storm drainage facilities, curb, gutter, sidewalk, trail, park strip, including landscaping, and asphalt paving;
- D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan;
- E. The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;
- F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the zoning ordinance; and
- G. Utility easements shall be dedicated;
- H. Property must not be located the Sensitive Lands Overlay Zone or subject to known or reasonably suspected geologic hazards.

TITLE 13 SUBDIVISION REGULATIONS  
DRAFT 9.07.2023

**13-4-030: APPLICABILITY:**

The procedures set forth in this chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions to the contrary.

**13-4-040: CONCEPTUAL PLAN REVIEW:**

Prior to filing a minor subdivision application, all developers of proposed minor subdivisions are encouraged to complete a conceptual plan review as set forth in this title.

**13-4-050: MINOR SUBDIVISION APPLICATION:**

All developers of proposed minor subdivisions shall submit a minor subdivision application on a form provided by the City. The application shall include an electronic submission which is reproducible as a 24" x 36" plat suitable for recordation and all applicable documents meeting the requirements of section 13-4-100 of this chapter. If essential infrastructure improvements, as specified within this chapter, are required, the application shall be accompanied by improvement drawings for such improvements. The City Engineer may require that a soils report be provide which meets the requirements set forth in section 13-5-040 of this title be provided. At the time the application is submitted, the developer shall pay the appropriate application fee as set forth in the City's consolidated fee schedule.

The community development department will determined if the appropriate plan and application is submitted, if the application is complete and if all the fees have been paid. If the application is deemed to be incomplete the applicant shall be notified in writing within ten (10) days of the application date, or as reasonably practical upon discovery of a deficiency.

**13-4-060: DEVELOPMENT REVIEW:**

The community development director shall coordinate review with the appropriate development review staff and affected entities, as appropriate for the size, scope, and location of the proposed subdivision. Within fifteen (15) business days of receipt of a complete application submittal, the community development director shall prepare findings regarding the minor subdivision plan, specifying any inadequacy in the information submitted, noncompliance with City regulations, questionable or undesirable design and/or engineering, and the need for any additional information required prior to final approval.

**13-4-070: ADMINISTRATIVE LAND USE AUTHORITY ACTION:**

- A. Scope Of Action: The community development director is designated as the Administrative Land Use Authority for minor subdivisions and shall coordinate review with the appropriate development review staff and affected entities, as appropriate for the size, scope, and location of the proposed subdivision. The community development director shall assure that the plat is in conformity with the requirements of this chapter and title, other applicable ordinances or regulations, and any conditions of approval required by this title, city ordinance, or adopted specifications and standards. If the proposed plat complies with those requirements the plat shall be approved or approved with conditions.
- B. Disapproval: If the community development director determines that the proposed plat is not in conformity with the ordinances of the City or required conditions imposed, the plat shall not be approved and the developer shall be notified of the specific reasons for such disapproval. If a

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proposed plat is disapproved, no further plat shall be submitted and a new minor subdivision application shall be required to initiate minor subdivision approval, including the payment of the required fee.

- C. Appeal: Within ten (10) business days of notification of disapproval of a minor subdivision, the developer may request a review by the Planning Commission.

**13-4-080: EXPIRATION OF FINAL APPROVAL:**

If the plat is not recorded within six (6) months from the date of final approval, such approval shall be null and void. This time period may be extended one time for an additional six (6) month period by the community development director with the consent of the city engineer. The developer must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the City. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, impact fees, as well as the amounts the City uses to estimate bonds to insure completion of improvements have increased, the city engineer may require that the bond estimate be recalculated and that the developer pay any applicable increases as a condition of granting the extension.

**13-4-090: BOND AGREEMENT:**

In the event essential infrastructure improvements are required for the subdivision, the developer shall comply with the bond requirements of section 13-5-140 of this title.

**13-4-100: PLAT REQUIREMENTS:**

- A. Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:
1. The boundaries, courses and dimensions of the parcels of ground to be subdivided;
  2. The number, address and length and width of the blocks and lots intended for sale;
  3. Existing right of way and easement grants of record for underground facilities, as defined in Utah Code Annotated section 54-8a-2, and for other utility facilities;
  4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
  5. A certification from the surveyor preparing the plat; and
- B. Davis County shall be added to all angle points to the exterior boundary of the subdivision.
- C. Additional Requirements: In addition to the plat requirements herein, the plat shall comply with of the requirements set forth in section 13-5-110 of this title, as applicable.

**13-4-110: RECORDING OF PLAT:**

Upon approval of a minor subdivision application under this chapter, and approval of a proposed plat prepared in accordance with this chapter, the developer shall provide the City with a current title report to be reviewed by the City Attorney. A "current title report" is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to the property has been approved by the City Attorney, the approved plat shall be signed by the mayor and may then be recorded with the Davis County recorder's office.

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**13-5: SUBDIVISIONS**

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- 13-5-010: PRELIMINARY PLAT PURPOSE:
- 13-5-020: PRE-APPLICATION MEETING:
- 13-5-030: APPLICATION AND FEES:
- 13-5-040: PRELIMINARY PLAT & SUBDIVISION IMPROVEMENT PLANS:
- 13-5-050: STAFF REVIEW OF PRELIMINARY PLAT APPLICATION:
- 13-5-060: ADMINISTRATIVE LAND USE AUTHORITY ACTION; PRELIMINARY PLAT:
- 13-5-070: NOTIFICATION OF ACTION:
- 13-5-080: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:
- 13-5-090: FINAL PLAT; PURPOSE:
- 13-5-100: FILING DEADLINE, APPLICATION AND FEES:
- 13-5-110: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:
- 13-5-120: EVALUATION OF FINAL PLAT:
- 13-5-130: ADMINISTRATIVE LAND USE AUTHORITY ACTION; FINAL PLAT:
- 13-5-140: DISAPPROVAL OF THE FINAL PLAT:
- 13-5-150: SECURITY BOND; DEVELOPER:
- 13-5-160: DELAY AGREEMENT:
- 13-5-170: RECORDING OF PLAT:

21 **13-5-010: PRELIMINARY PLAT PURPOSE:**

22 The purpose of the preliminary plat is to require formal preliminary approval of subdivisions not  
23 classified as minor subdivisions, in order to minimize changes and revisions which might otherwise be  
24 necessary on the final plat. The preliminary plat and all information and procedures relating thereto,  
25 shall, in all respects, be in compliance with the provisions of this title and any other applicable  
26 ordinances.

27 **13-5-020: PRE-APPLICATION MEETING:**

- 28 A. An applicant may request a pre-application meeting, prior to submittal of a preliminary plat  
29 application. Within fifteen (15) business days after a request of a pre-application meeting, the  
30 community development department shall schedule a meeting to review the proposed preliminary  
31 plat for the subdivision and give initial feedback.
- 32 B. At the pre-application meeting, city staff shall provide or have available on the city website the  
33 following:
  - 34 1. Copies of applicable land use regulations;
  - 35 2. A complete list of standards required for the project;
  - 36 3. Preliminary and final application checklists; and
  - 37 4. Feedback on the concept plan.

38 **13-5-030: APPLICATION AND FEES:**

- 39 A. The developer of a subdivision shall file an application for preliminary plat approval on a form  
40 provided by the City. The application shall include an electronic submission of the preliminary plan  
41 set (preliminary plat & preliminary subdivision improvement plans) reproducible as 24" x 36" prints,

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- 42 all other documents required by this title and an application fee as published in the consolidated fee  
43 schedule of the City.
- 44 B. The community development department shall determine if the appropriate application has been  
45 submitted, if the application is complete and if all required application fees have been paid. Within  
46 fifteen (15) business days of receipt of an application for preliminary plat review, a letter of  
47 acknowledgment or notice of incomplete application will be provided to the applicant.
- 48 C. Upon determination of a complete application, the community development department shall  
49 provide notification to and distribute the preliminary plan set to the applicable development review  
50 staff and all appropriate public and private affected entities for review and comment. The notice  
51 shall provide a specific deadline for submittal of comments to the city, such that the initial review  
52 can be provided to the applicant within fifteen (15) business days of the date of determination of  
53 complete application.
- 54 D. Prior conceptual plan review shall be required for commercial, industrial, and multi-family  
55 subdivisions, or for subdivision of lands within the Sensitive Lands Overlay Area Map or those  
56 subject to geologic hazard review as required by **Section 10-12-3**.
- 57 E. Prior to application for preliminary plan review properties within the Sensitive Lands Overlay Area  
58 Map or those subject to geologic hazard review as required by **Section 10-12-3**, the applicant shall  
59 complete a geologic hazards study and report in accordance with Title 10, Chapter 12, Sensitive Area  
60 District and Geologic Hazards. The preliminary plan set shall be designed in accordance with the  
61 approved geologic hazards study and the findings and recommendations made therein.

62 **13-5-040 : PRELIMINARY PLAT AND SUBDIVISION IMPROVEMENT PLANS:**

- 63 A. Form: The preliminary plan set shall be clearly and legibly drawn at a scale not less than one inch  
64 equaling one hundred feet (1" = 100'). The plat shall be so drawn that the top of the sheet is either  
65 north or west, whichever accommodates the drawing best. Dimensions shall be in feet and decimals  
66 thereof and bearings in degrees, minutes and seconds.
- 67 B. Document Requirements: The following items shall be submitted in an application for preliminary  
68 plat review:
- 69 1. A preliminary title report covering the entire land in the proposed project, or other approved  
70 evidence of title insurability.
  - 71 2. Evidence that the applicant has sufficient control and financial capability over the land to  
72 effectuate the proposed use.
  - 73 3. When applicable, letters from the public agencies which will provide water and sewer service to  
74 the proposed development. The letter should state what type, if any, of interim system will be  
75 allowed until full service can be provided by the public agency; and that potable water will be  
76 available to the developer in quantities and quality as required by state requirements for the  
77 project.
  - 78 4. Statement of the estimated starting and completion dates for each phase of development,  
79 including proposed grading work and any landscape work.
  - 80 5. A copy of proposed protective covenants, articles of incorporation, association or condominium,  
81 where applicable.
  - 82 6. Tabulations showing the square footage and percent of total area proposed in:  
83 a. Off street parking;  
84 b. Streets and impervious surfaces;

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- 85 c. Developed parks, landscaped areas, and proposed sod; and  
86 d. Natural open spaces or undeveloped parks.
- 87 7. Tabulations showing the square footage and percent of area covered by buildings.  
88 8. Tabulations showing the square footage and total floor space by type of use, i.e., residential,  
89 commercial, industrial, etc.  
90 9. Copies of any agreements with adjacent property owners relevant to the proposed subdivision.  
91 10. An adequate traffic report prepared by a qualified traffic engineer when required by the City  
92 Engineer or Planning Commission.  
93 11. For developments that are not within the sensitive lands area, a soils data report from a  
94 registered soils engineer, engineering geologist or other qualified person, based upon adequate  
95 test boring or excavations within the proposed project. The soil report shall include, a  
96 description of the soil types and characteristics on the site, describe whether or not  
97 groundwater was encountered in any of the test borings and at what elevation it was  
98 encountered, and shall identify the location of any seismic zones or flood zones on the property.  
99 12. Soils Investigation Report: If the soil report indicates the presence of critically expansive soils,  
100 high water table, the presence of toxic or hazardous waste, or other soil problems which, if not  
101 corrected, would lead to structural defects of the proposed buildings, damage to the buildings  
102 from the water, premature deterioration of the essential infrastructure improvements, or which  
103 would represent a public health hazard, a soil investigation of each lot in the subdivision may be  
104 required by the City engineer. The soil investigation shall recommend corrective actions  
105 intended to prevent damage to proposed structures and/or essential infrastructure  
106 improvements. The fact that a soil report has been prepared shall be noted on the final plat and  
107 a copy attached to the preliminary plat application.  
108 13. A geologic hazard study prepared in accordance with Title 10, Chapter 12 for all developments  
109 on properties: within the sensitive lands overlay area; with an average slope of fifteen percent  
110 (15%) or greater; with known, suspect, or probable geologic hazards; critical wildlife habitat or  
111 natural features; critical drainage channels; or other vital infrastructure.
- 112 C. Required Information: The following information and documentation shall be included on the  
113 preliminary plat or preliminary subdivision improvement plans, as applicable:  
114 1. A vicinity map of the proposed subdivision, drawn at a scale of five hundred feet to the inch  
115 (1" = 500'), which defines the location of the subdivision within the City.  
116 2. The proposed name of the subdivision, which shall not duplicate or nearly duplicate the name  
117 of any subdivision in the City or in the incorporated and unincorporated area of Davis County,  
118 unless part of a multi-phased subdivision.  
119 3. The names and addresses of the developer, owner, or agent, as applicable, the engineer and  
120 surveyor of the development, and the owners of the land immediately adjoining the land to be  
121 developed. If the developer is represented by an agent, there shall be a statement from the  
122 recorded owner authorizing the agent to act on behalf of the property owner.  
123 4. The date, north arrow, written and graphic scales.  
124 5. The boundary lines of the tract to be subdivided, with all dimensions shown and a legal  
125 description defining the location and boundaries of the proposed subdivision.  
126 6. The location, widths and other dimensions of proposed streets, alleys, easements, or other  
127 public or private rights of ways.

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- 128 7. The location and size of all sites proposed to be dedicated or reserved for parks, open spaces,  
129 common area, or other recreational uses. All sites shall be clearly labeled as proposed for public  
130 or private dedication and use.
- 131 8. Boundary lines of adjacent subdivisions and the names of owners of adjacent unsubdivided land  
132 within one hundred feet (100') of the tract proposed for subdivision, showing ownership and  
133 property monuments.
- 134 9. A contour map at one foot (1') intervals, for predominant ground slopes within the subdivision  
135 between level and five percent (5%), and at two foot (2') intervals, for predominant ground  
136 slopes within the subdivision over five percent (5%), showing all unusual topographic features  
137 with verification by a qualified engineer or land surveyor. Such contours shall be based on Davis  
138 County datum. The closest Davis County section corner shall be used and its elevation called out  
139 on the map. Survey monument information shall be obtained from the Davis County surveyor or  
140 City engineer.
- 141 10. Grading plan showing existing and proposed contour lines at no greater than two foot (2')  
142 intervals at a scale of not less than one inch equals one hundred feet (1" = 100').
- 143 11. The boundaries of areas subject to 100-year flooding or stormwater overflow, as determined by  
144 the City, and the location, width and direction of flow of all watercourses, including all existing  
145 and proposed irrigation and natural runoff channels and courses within the subdivision or within  
146 two hundred feet (200') thereof, and all known wells or springs (consult state engineer's office).
- 147 12. The existing use or uses and zoning of the property and the outline of any existing buildings and  
148 their locations in relation to existing or proposed street and lot lines drawn to scale.
- 149 13. The location, proposed names, widths and a typical cross section of curbs, gutters, sidewalks  
150 and other improvements of the proposed street and access easements and names of all existing  
151 or recorded streets, alleys and easements, both within the proposed project and within one  
152 hundred feet (100') of the boundary thereof, showing whether recorded or claimed by usage.
- 153 14. The location and dimensions to the nearest existing bench mark or monument, and section line.
- 154 15. The location and principal dimensions of all watercourses, public utilities, and other important  
155 features and existing structures within the land adjacent to the tract to be developed, including  
156 railroads, power lines and exceptional topography.
- 157 16. Layout of all lots, including the minimum lot size, lot divisions and consecutive numbering.
- 158 17. Existing and proposed off site and on site culinary and secondary water facilities, sanitary  
159 sewers, storm drainage facilities, subdrains, fire hydrants, and any other public or private utility  
160 within the tract or within one hundred feet (100') thereof.
- 161 18. Location and size of all existing and proposed easements, dedications, and deed restrictions,  
162 including solar, public utility lines, water and sewage lines, storm drains and facilities,  
163 watercourses, irrigation systems, land drains, etc.
- 164 19. Stormwater drainage plan and management plan in accord with Section 8-5-21 by which the  
165 developer proposes to handle stormwater drainage for an event with a ten (10) year return  
166 period for all storm drain pipe, and for an event with a one hundred (100) year return period for  
167 all storm drain detention basins. The calculation must size the detention basin, size the orifice  
168 plate and determine the amount of flow which can be released (the release rate can be 0.2  
169 cfs/acre). Detention basin shall retain the required 24-hour storm equivalent, as required under  
170 the Utah Pollutant Discharge Elimination System (UPDES) general discharge permit. All  
171 development and redevelopment that warrants compliance with the UGCP regulation must

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- 172 include an LID analysis that meets the objective of mirroring the predevelopment hydrology and  
173 meets the objective of retaining on site, with no discharge, in accordance with the adopted  
174 standard by the Utah Division of Water Quality.
- 175 20. If the site requires substantial cutting, clearing, grading or other earthmoving operations in the  
176 construction of improvements, the application shall include a soil erosion and sedimentation  
177 control plan prepared by a registered civil engineer.
- 178 21. Dimensioned parking layout showing location of individual parking stalls, driveways and other  
179 areas of ingress and egress.
- 180 22. Landscaping plan. As applicable for subdivisions containing common area, entry monuments,  
181 open space, and public or private parks, a landscape plan for the site(s) and, if appropriate,  
182 information relating to the landscaping on adjacent or surrounding areas affected by the  
183 proposed development. Such landscaping plans shall be prepared by a qualified professional  
184 team showing:
- 185 a. Conformance with Title 10, Chapter 22, Water Efficient Landscape Standards;  
186 b. Distribution of plant material, existing and proposed trees, and work involved as related to  
187 slope control and/or physical environment;  
188 c. Special effects and decorative materials;  
189 d. Automatic irrigation systems (sprinkler, bubbler, etc.);  
190 e. Recreation equipment.
- 191 23. If the location of the development is part of a larger tract or parcel not included in the  
192 preliminary plat, the submittal shall include a concept of the prospective future street system of  
193 the unsubdivided portion of the property, and the street system of the part submitted shall be  
194 considered in light of adjustments and connections with the future street system of the  
195 surrounding area and in accordance with the City General Plan.
- 196 24. If it is contemplated that the development will proceed by phases, the boundaries of such  
197 phases shall be shown on the phasing plan sheet along with the estimated construction  
198 schedule for each phase.
- 199 25. Certification of the accuracy of the preliminary plat of the development and any traverse to  
200 permanent survey monuments by a land surveyor, registered to practice in the state.
- 201 26. The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat.
- 202 27. Signature blocks for the approval of Land Use Authority, City Engineer, City Attorney, and  
203 Mayor's acceptance.
- 204 28. All drawings shall meet the minimum requirements of the City's adopted Specifications and  
205 Standards Manual.

206 **13-5-050 : STAFF REVIEW OF PRELIMINARY PLAT APPLICATION:**

- 207 A. Review Cycles: Preliminary plat review shall be limited to two (2) review cycles subject to the  
208 following:
- 209 1. Review cycle restrictions shall not apply to areas with identified geologic hazards.  
210 2. Initial review of the preliminary plan set shall be completed by the Development Review Staff  
211 within fifteen (15) business days of certification of complete application.  
212 3. An incomplete application shall not prohibit review staff from providing feedback on portions of  
213 the application submitted to assist in the preparation of a complete application.  
214 4. Review Cycle 1:

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- 215 a. The review of the preliminary plat application shall include redline corrections and requests  
216 for additional information which include specific citations of adopted ordinances, standards  
217 and specifications and shall be logged in a separate index of requested modifications or  
218 additions.
- 219 b. The applicant shall have a period of twenty (20) business days to respond to each of the  
220 redline corrections or request for additional information and shall provided corrected  
221 drawings and a written response identifying and explaining the applicant’s revision and  
222 reasoning for declining to make revision, if any. The explanation shall be comprehensive and  
223 specific, including citations to applicable standards and ordinances for the design and an  
224 index of the revisions or additions for each required correction.
- 225 c. If the applicant fails to address a review comment in the response, the review cycle is not  
226 complete and the subsequent review cycle may not begin until all comments are addressed.
- 227 5. Review Cycle 2:
- 228 a. The development review staff shall have a period of fifteen (15) business days to review the  
229 re-submittal and corrections and shall review the revised preliminary plat plan set and any  
230 modifications made in the first review cycle for additional redline corrections and shall  
231 provide a second set of redline corrections and requests for additional information which  
232 include specific citations and a separate index of requested modifications.
- 233 b. The applicant shall have a period of twenty (20) business days to respond to each of the  
234 redline corrections or request for additional information and shall provided corrected  
235 drawings and a written response identifying and explaining the applicant’s revision and  
236 reasoning for declining to make revision, if any. The explanation shall be comprehensive and  
237 specific, including citations to applicable standards and ordinances for the design and an  
238 index of the revisions or additions for each required correction.
- 239 c. If the applicant fails to address a review comment in the response, the review cycle is not  
240 complete until all comments are addressed.
- 241 d. The development review staff shall review the resubmittal to determine that all redline  
242 corrections have been completed. Staff shall notify the applicant within ten (10) business  
243 days of resubmittal of incomplete corrections.
- 244 e. Upon determination of completion of redline corrections, the preliminary plat application  
245 shall be forwarded to the Administrative Land Use Authority for approval.

246 **13-5-060: ADMINISTRATIVE LAND USE AUTHORITY ACTION; PRELIMINARY PLAT:**

- 247 A. The Planning Commission is designated as the Administrative Land Use Authority for Preliminary  
248 Plat Approval. If the Planning Commission finds that the proposed plat complies with the adopted  
249 ordinances, standards and specifications, it shall approve the plat, and may attach conditions for any  
250 outstanding corrections. If the Planning Commission finds that the proposed plat does not meet the  
251 requirements of this title or other applicable ordinances, it shall deny approval of such plat.
- 252 B. Findings: The Planning Commission may approve or deny the preliminary plat and shall make  
253 findings regarding the submitted plat, specifying any inadequacy in the information submitted,  
254 noncompliance with City regulations, and the need for any additional information which may assist  
255 the Planning Commission to evaluate the preliminary plat. The Planning Commission shall approve  
256 only those preliminary plats which meet the following:

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- 257 1. The plat is developed in accordance with the intent, standards and criteria specified in this title  
258 and other applicable regulations.  
259 2. The plat conforms to an approved conceptual plan, if applicable.  
260 3. The plat creates no substantial financial hardship to the City.  
261 4. The plat creates no substantial environmental consequence which will adversely impact upon  
262 adjacent properties and the health, safety or welfare of the inhabitants of the City when  
263 weighed against the positive impacts of such development.  
264 C. The Planning Commission may condition preliminary plat approval with specific conditions which are  
265 necessary to mitigate possible adverse impacts from the proposed development.  
266

267 The Planning Commission shall determine from a review of the preliminary plat whether the soil,  
268 slope, vegetation and the drainage characteristics of the site are such as to require substantial  
269 cutting, clearing, grading, and other earthmoving operations in the construction of the  
270 development, or otherwise threaten an erosion hazard and, if so, shall require the developer to  
271 provide soil erosion, geological hazard and sedimentation control plans and specifications. Such  
272 control plans and specifications shall be prepared by a qualified professional team with the costs of  
273 preparation of such plans and specifications being borne by the developer. Also, when in the opinion  
274 of the Planning Commission public facilities should be constructed within the boundaries of a  
275 proposed development for the benefit of the community as established in the comprehensive  
276 general plan of the City, the developer shall reserve a site appropriate in area and location for such  
277 public facility.

278 **13-5-070: NOTIFICATION OF ACTION:**

279 The community development department shall notify the developer, in writing, of the action taken by  
280 the Planning Commission. Notification of the approval of the preliminary plat application shall be  
281 authorization for the developer to proceed with the preparation of the final plat and final subdivision  
282 improvement plans and specifications as required by City ordinances.

283 **13-5-080: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT :**

284 Approval of the preliminary plat shall in no way relieve the developer of the responsibility to comply  
285 with all required conditions and ordinances, and to provide the improvements and easements necessary  
286 to meet all City standards. The preliminary plat approval shall become null and void unless the  
287 developer submits an application for final plat approval for all phases encompassing the area of the  
288 preliminary plat within twelve (12) months after approval or conditional approval by the Planning  
289 Commission, except as otherwise provided for by written agreement with the City. This time period may  
290 be extended for up to twelve (12) months for good cause shown if the developer petitions the  
291 Community Development Director in writing requesting an extension prior to the expiration date of the  
292 preliminary plat together with any applicable fees. Only one extension of the preliminary plat approval  
293 may be granted.

294 **13-5-090: FINAL PLAT; PURPOSE:**

295 The purpose of the final plat is to require final review and approval of all documents before a  
296 subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all  
297 respects be in compliance with the provisions of this title. The final plat and improvement plans

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298 submitted shall conform in all respects to those regulations and requirements specified during the  
299 preliminary plat approval. Pursuant to Utah Code Annotated **section 10-9a-604.1**, as amended, the  
300 Community Development Director is designated as the Administrative Land Use Authority for final plat  
301 approval with the advise and consent of the City Engineer and City Attorney.

### **302 13-5-100: FILING DEADLINE, APPLICATION AND FEES:**

303 The developer shall file an application for final plat approval within twelve (12) months of preliminary  
304 plat approval. Applications shall be filed with the community development department on a form and in  
305 an electronic format prescribed by the City along with all required final plat fees.

### **306 13-5-110: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

- 307 A. The final plat and final subdivision improvement plans (final plan set) shall provide technical and  
308 engineering solutions to all identified problems as required by this Title. The following items shall be  
309 submitted to the community development department for final plat review:
- 310 1. An electronic file of the proposed final plan set.
  - 311 2. One electronic copy of all applicable documents or studies required as a condition of preliminary  
312 plat approval or geologic hazards review.
  - 313 3. A certificate of title insurance for any land to be dedicated to the City.
  - 314 4. Trust agreement for perpetual care funds when required as a condition of approval.
- 315 B. Final Plat Drawing Requirements:
- 316 1. Drawings shall be prepared and certification made as to plat accuracy by a registered  
317 professional licensed to do such work in the state of Utah. A workmanlike execution of the plat  
318 shall be made in every detail. A poorly drawn or illegible plan is sufficient cause for final plat  
319 rejection.
  - 320 2. The final plat shall consist of a digital document designed to print at twenty-four by thirty-six  
321 (24'x36") inches. The plat shall be drawn that the top of the sheet either faces north or east,  
322 whichever accommodates the drawing best.
  - 323 3. The plat shall be made to a scale large enough to clearly show all details, and in any case not  
324 smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing  
325 shall be neat, clean cut and readable.
  - 326 4. The title of each sheet shall consist of the approved name and phase number of the subdivision,  
327 if any, at the top of the page followed by the words "City of North Salt Lake".
  - 328 5. An accurate and complete survey map in accordance with Utah State Code shall be made of the  
329 land to be subdivided. The record of survey map shall be filed in the office of the Davis County  
330 Surveyor prior to recording the final subdivision plat. The exterior boundaries shown on the final  
331 plat shall be consistent with the boundary lines as depicted on the filed record of survey map  
332 and shall close mathematically within 0.01 feet.
  - 333 6. The final plat shall show all survey, mathematical information and data necessary to locate all  
334 monuments and to locate and retrace all interior and exterior boundary lines appearing  
335 thereon, including bearing and distance of straight lines, and central angle, radius, arc length,  
336 chord bearing and distance of curves, and such information as may be necessary to determine  
337 the location of the beginning and ending points of curves.
  - 338 7. All Lots and blocks and all parcels offered for dedication for any purpose shall be delineated and  
339 designated with dimensions, boundaries and courses clearly shown and defined in every case.

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- 340           Parcels to be conveyed to the City other than dedication for streets or easements shall be  
341           designated by parcel letter and conveyed by separate warranty deed to be recorded with the  
342           plat. Sufficient linear, angular and curve data shall be shown to determine readily the bearing  
343           and length of the boundary lines of every block, lot and parcel which is a part thereof.
- 344           8. Excepted parcels shall be marked "not included in this development" and the boundary  
345           completely indicated by bearings and distances.
- 346           9. The plat shall show the right-of-way lines of each street, and the width of any portion being  
347           dedicated, and widths of any existing dedications. The widths and locations of adjacent streets  
348           and other public properties within 200 feet of the subdivision shall be shown with dotted lines.  
349           If any street in the subdivision is a continuation or an approximate continuation of an existing  
350           street, the conformity or the amount of nonconformity of such street to such existing streets  
351           shall be accurately shown.
- 352           10. All streets within the project shall be numbered (named streets shall also be numbered) in  
353           accordance with and in conformity with the adopted street numbering system adopted by the  
354           City. Each lot shall show the street addresses assigned thereto, by and shall be according to the  
355           standard addressing methods approved by the City. In the case of corner lots, the address will  
356           be assigned to the street frontage which the home is most likely to front. In the event the home  
357           is faced to the alternate street frontage, the address shall be reassigned, by the City Engineer, at  
358           the time of building permit application. The City Engineer shall submit the address change to the  
359           Davis County Recorder's Office by affidavit.
- 360           11. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever  
361           practicable, blocks in their entirety shall be shown on one sheet.
- 362           12. Lot numbers shall begin with numeral "1" and continue consecutively throughout the  
363           subdivision with no omissions or duplications. When a subdivision is developed in phases, the  
364           phase number shall precede each lot number. For example, phase 2 would be numbered 201,  
365           202, 203, etc.
- 366           13. All Lots shall include a 10-foot-wide Public Utility easement along all Street Frontages and at  
367           other locations and dimensions as required by any Public Utility company entitled to the use of a  
368           Public Utility easement pursuant to **Section 54-3-27**, Utah Code Annotated 1953, or successor  
369           statute.
- 370           14. If a plat creates an easement, the plat shall include specific conveyance language and purposes  
371           for said easement. The side lines of all easements shall be shown by fine dashed lines. The  
372           widths of all easements and sufficient ties thereto to definitively locate the same with respect to  
373           the subdivision shall be shown. Any other easements shown on the plat shall specify to whom  
374           the easement is being conveyed, and for what purpose.
- 375           15. The side lines of all easements shall be shown by fine dashed lines. The width of all easements  
376           and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be  
377           shown. All easements shall be clearly labeled and identified.
- 378           16. If the Subdivision is adjacent to a waterway, the plat shall show the line of high water with a  
379           continuous line and shall also show with a fine continuous line, any Lots subject to inundation by  
380           a 100-year Flood.
- 381           17. All lands within the boundaries of the plat shall be accounted for either as lots, walkways,  
382           streets, alleys, excepted parcels, common areas, building areas, parking areas, drainage  
383           facilities, landscape areas, or permanent open space, etc.

## TITLE 13 SUBDIVISION REGULATIONS

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- 384 18. All dimensions of irregularly shaped lots shall be indicated in each lot.
- 385 19. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need not
- 386 be given for interior lot lines where the bearings and lengths are the same as those of both end
- 387 lot lines.
- 388 20. Parcels not contiguous shall not be included in one plat. Contiguous parcels owned by different
- 389 parties may be embraced in one plat, provided all owners join in dedication and
- 390 acknowledgment.
- 391 21. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to
- 392 seconds of arc.
- 393 22. The information on the plat shall include description of project boundaries, public streets and
- 394 easements (utility, drainage, access, etc.), as well as other design elements and the following:
- 395 a. Name of development, astronomic north arrow and basis thereof, and date, and names of
- 396 developer and engineer. The title of each sheet of the final plat shall consist of the approved
- 397 name and phase number of the subdivision in bold letters, and if applicable, the words "a
- 398 Planned Unit Development (PUD)", followed by the words "City of North Salt Lake" at the
- 399 top of the sheet.
- 400 b. Name and address of owner or owners of record.
- 401 c. Total acreage of development project; total number of lots and acreage of each.
- 402 d. Township, range, section (and quarter section, if portion).
- 403 e. Graphic scale.
- 404 23. The final plat shall contain the name of the surveyor, together with the date of the survey, the
- 405 scale of the map and number of sheets. The following certificates, acknowledgments and
- 406 descriptions shall appear on the title sheet of the final plat, and such certificates may be
- 407 combined where appropriate:
- 408 a. Registered land surveyor's certificate of survey;
- 409 b. A statement by the surveyor certifying that the lots in the subdivision comply with the
- 410 applicable zoning ordinance in the area and dimension at the date of the survey;
- 411 c. Owner's dedication certificate;
- 412 d. Notary public's acknowledgment for each signature on the plat;
- 413 e. A correct metes and bounds description of all property included within the subdivision or
- 414 project;
- 415 f. Plats shall contain blocks for signatures of the Administrative Land Use Authority, City
- 416 Engineer, City Attorney, and the Mayor with an attestation by the City Recorder;
- 417 g. A block for the Davis County recorder shall be provided in the lower right corner of the final
- 418 plat;
- 419 h. Such other affidavits, certificates, acknowledgments, endorsements and notaries seals as
- 420 are required by law, by this title or by the City Attorney;
- 421 i. A description of all property being subdivided with reference to maps or deeds of the
- 422 property as shall have been previously recorded or filed (Each reference in such description
- 423 shall show a complete reference to the book and page of records of the county. The
- 424 description shall also include reference to any vacated area with the vacation ordinance
- 425 number indicated, as applicable);

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- 426 j. The owner's dedication certificate, registered land surveyor's certificate of survey, and any  
427 other certificates contained on the final plat shall be in the form prescribed by the City  
428 Subdivision Standards and Specifications;
- 429 k. The plat shall fully and clearly show all stakes, monuments and other evidence indicating the  
430 boundaries of the subdivision as found on the site. Any monument or bench mark that is  
431 disturbed or destroyed before acceptance of all improvements, shall be replaced by the  
432 developer under the direction of the City Engineer. The following required monuments shall  
433 be shown on the final plat:
- 434 i. The location of all monuments placed in making the survey, including a statement as to  
435 what, if any, points were reset by ties;
- 436 ii. All right of way monuments at angle points and intersections as approved by the City  
437 Engineer.
- 438 24. Prior to recordation of the plat, the developer shall submit a current title report to be reviewed  
439 by the City Attorney. A "current title report" is considered to be one which correctly discloses all  
440 recorded matters of title regarding the property and which is prepared and dated not more than  
441 thirty (30) days before the proposed recordation of the final plat;
- 442 25. When a subdivision contains lands which are reserved in private ownership for community use,  
443 including common areas, the developer shall submit with the final plat the name, proposed  
444 articles of incorporation and bylaws of the owner, or organization empowered to own, maintain  
445 and pay taxes on such lands and common areas.
- 446
- 447 C. Final Subdivision Improvement Plan (Construction Plans) Requirements:
- 448 1. Complete and detailed construction plans and drawings of all improvements shall be prepared  
449 in conformance with the requirements of this Title and the adopted City Design Standards &  
450 Specifications Manual. Final approval of the project shall not be granted until the final  
451 construction plans have been reviewed and recommended for approval by the City Engineer. No  
452 construction shall be started until the final plat and final construction plans have been approved  
453 by the City. Plans for all the street utilities shall be drawn on the same plans.
- 454 2. Standards are set for the purpose of standardizing the drawings and to obtain uniformity in  
455 appearance, clarity, size and reproduction.
- 456 a. All drawings shall be clear and legible and conform to good engineering and drafting  
457 practice. Electronic files shall be prepared to be reproducible at a print size of twenty four  
458 inches by thirty six inches (24" x 36") (trim line) with one-half inch ( $\frac{1}{2}$ " ) border on top,  
459 bottom and right sides, left side one and one-half inches ( $1\frac{1}{2}$ " ).
- 460 b. The plans shall include the following information:
- 461 (1) A qualified and licensed engineer's stamp and signature;
- 462 (2) North arrow;
- 463 (3) Elevations referenced to USGS datum;
- 464 (4) Stationing and elevations for profiles;
- 465 (5) Title block located in lower right corner of sheet, to include, project title (subdivision,  
466 etc.), specific type and location of work, and name of engineer or firm preparing  
467 drawings with license number;
- 468 (6) Scale one inch equals twenty feet (1" = 20') or one inch equals forty feet (1" = 40')  
469 horizontally; one inch equals two feet (1" = 2') or four feet (4') vertical;

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- 470 (7) Both plan view and profiles for curb and gutter plans shall be shown for each side of the  
471 street, street centerline profile may be eliminated, top of curb elevations with curve  
472 data must be shown for all curb returns;
- 473 (8) Size and location of culinary water lateral mains, meters, valves, elbows, air vacs,  
474 pressure reducing stations, and hydrants;
- 475 (9) Type of pipe;
- 476 (10) Size and location of irrigation lateral mains, valves, fittings, etc.;
- 477 (11) Size, location and profile of sewer, storm drains and subdrains and their manhole  
478 cleanouts.
- 479 (12) Detention and retention basins, including pertinent elevations, orifice diameter sizes,  
480 headwall details, etc.
- 481 (13) Calculation and traverse sheets giving bearings, distances and coordinates of the  
482 boundary of the subdivision and blocks and lots as shown on the final plat;
- 483 (14) Design data, assumptions and computations for proper analysis in accordance with  
484 sound engineering practice, along with appropriate plan, section and profile sheets for  
485 all essential infrastructure improvements.
- 486 3. As needed, separate sheet of details for structures which are to be constructed. All structures  
487 shall be designed in accordance with minimum requirements established by the adopted  
488 ordinances and standards of the City.

489 **13-5-120: EVALUATION OF FINAL PLAT:**

- 490 A. Community development department: The community development department will determine if  
491 the final plat submission is complete and if all the fees have been paid. If all requirements are met, a  
492 letter of acknowledgment will be provided by the community development department, and shall  
493 distribute plans, accompanied by the letter, for comment to all appropriate public and private  
494 entities.
- 495 B. Review Cycles: Final plat review shall be limited to two (2) review cycles subject to the following:
- 496 1. Review cycle restrictions shall not apply to areas with identified geologic hazards;
- 497 2. Initial review of the final plat and final subdivision improvement drawings shall be completed by  
498 the Development Review Staff within fifteen (15) business days of certification of complete  
499 application;
- 500 3. An incomplete application shall not prohibit review staff from providing feedback on portions of  
501 the application submitted to assist in the preparation of a complete application;
- 502 4. Review Cycle 1:
- 503 a. The review of the final plat application shall include redline corrections and requests for  
504 additional information which include specific citations of adopted ordinances, standards and  
505 specifications and shall be logged in a separate index of requested modifications or  
506 additions;
- 507 b. The applicant shall have a period of twenty (20) business days to respond to each of the  
508 redline corrections or request for additional information and shall provided corrected  
509 drawings and a written response identifying and explaining the applicant's revision and  
510 reasoning for declining to make revision, if any. The explanation shall be comprehensive and  
511 specific, including citations to applicable standards and ordinances for the design and an  
512 index of requested revision or additions for each required correction.

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- 513 c. If the applicant fails to address a review comment in the response, the review cycle is not  
514 complete and the subsequent review cycle may not begin until all comments are addressed.
- 515 5. Review Cycle 2:
- 516 a. The development review staff shall have a period of fifteen (15) business days to review the  
517 re-submittal and corrections and shall review the revised final plat plan set and any  
518 modifications made in the first review cycle for additional redline corrections and shall  
519 provide a second set of redline corrections and requests for additional information which  
520 include specific citations and a separate index of requested modifications.
- 521 b. The applicant shall have a period of twenty (20) business days to respond to each of the  
522 redline corrections or request for additional information and shall provided corrected  
523 drawings and a written response identifying and explaining the applicant’s revision and  
524 reasoning for declining to make revision, if any. The explanation shall be comprehensive and  
525 specific, including citations to applicable standards and ordinances for the design and an  
526 index of requested revision or additions for each required correction.
- 527 c. If the applicant fails to address a review comment in the response, the review cycle is not  
528 complete and the subsequent review cycle may not begin until all comments are addressed.
- 529 d. The development review staff shall review the resubmittal to determine that all redline  
530 corrections have been completed. Staff shall notify the applicant within ten (10) business  
531 days of resubmittal of incomplete corrections.
- 532 e. Upon determination of completion of redline corrections, the final plat application shall be  
533 forwarded to the Administrative Land Use Authority for approval.
- 534 6. If the applicant makes material change to a plan set during any review cycle, the City shall have  
535 the discretion to restart the review process at the first review cycle.

536 **13-5-130:ADMINISTRATIVE LAND USE AUTHORITY ACTION; FINAL PLAT:**

- 537 A. The Community Development Director, acting as the Administrative Land Use Authority shall review  
538 the final plat application for conformance to City Ordinance and any conditions of preliminary plat  
539 approval and shall verify the approvals from the City Engineer, City Attorney, applicable  
540 development review staff and affected entities. Upon verification of final plat approvals, the director  
541 shall send notice of approval to the applicant in writing and authorize the Final Plat Mylar to be  
542 printed. The City shall provide to the applicant a signed and dated copy of the approved Subdivision  
543 Improvement Plans.
- 544 B. The applicant shall submit an executed Final Plat Mylar complete with the surveyors certification  
545 and signed owner’s dedication accompanied by the following:
- 546 1. Final title report updated within the previous thirty (30) days;
- 547 2. Any executed documents required for recordation with the plat, such as easements, owner’s  
548 association incorporation bylaws or protective covenants;
- 549 3. Stormwater Management Agreement;
- 550 4. Subdivision improvement agreement;
- 551 5. Acceptable assurance document in accordance with **Section 13-5-150** for the installation of  
552 essential improvements:
- 553 a. The developer may elect to install any required public landscaping improvements or  
554 infrastructure improvement prior to recordation of the plat in accordance with Utah State  
555 Code 10-9a-604.5, as amended; or

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- 556           b. Post an improvement completion assurance equivalent to 100% of the required public  
557           landscaping improvements or infrastructure improvements which are incomplete, not  
558           inspected or unaccepted at the time of recording the final plat.
- 559           6. Payment of all applicable outstanding subdivision review fees, geologic hazard review fees, and  
560           subdivision improvement inspection fees in accordance with the City’s Consolidated Fee  
561           Schedule;
- 562           7. Payment of all applicable water or storm water impact fees and connections fees associated  
563           with improvements to common areas in accordance with the City’s Consolidated Fee Schedule;
- 564           8. Any other applicable agreement or fee as required by this Title, adopted Standards and  
565           Specifications Manual, approved development agreement, ordinance, regulation, or law.
- 566        C. Upon receipt of the mylar and associated documents, the Community Development Department  
567        shall obtain the required signatures of the City Engineer, City Attorney, Community Development  
568        Director, and Mayor.
- 569        D. The signed and executed final plat mylar and associated document required for recordation, shall be  
570        delivered to the office of the Davis County Recorder for their review and recordation by the City  
571        Recorder. The County Recorder and County Surveyor shall review the final plat for correctness and  
572        provide notification to the City of any deficiencies in the plat and the required recordation fees  
573        owed. The City shall forward the County Recorder corrections and notice of payment due to the  
574        applicant upon receipt. The applicant shall be responsible to provide any required corrections  
575        requested by the County Recorder and payment of all recordation fees directly to the County  
576        Recorder’s Office.
- 577        E. The final plat approval shall become null and void unless the final plat is recorded within twelve (12)  
578        months after approval, except as otherwise provided for by written agreement with the City. This  
579        time period may be extended for up to six (6) months for good cause shown if the developer  
580        petitions the Community Development Director in writing requesting an extension prior to the  
581        expiration date of the final plat together with any applicable fees. Only one extension of the final  
582        plat approval may be granted. An extension may be granted only if it is determined that it will not be  
583        detrimental to the City. If any of the fees charged as a condition of subdivision approval, including,  
584        but not limited to, inspection fees, parks fees, flood control fees, as well as the amounts the City  
585        uses to estimate bonds to ensure completion of improvements, have increased, the Community  
586        Development Director may require that the bond estimate be recalculated and bond security be  
587        increased as required, and that the developer pay any applicable fee increases as a condition of  
588        granting the extension.

589        **13-5-140: DISAPPROVAL OF THE FINAL PLAT:**

590        If the Administrative Land Use Authority determines that the final plat is not in conformity with this title  
591        or other applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat  
592        specifying the reasons for such disapproval. Within one year after the disapproved plat, the developer  
593        may file with the community development department a plat altered to correct the deficiencies. No plat  
594        shall have any force or effect until the same has been approved by the Administrative Land Use  
595        Authority and has been recorded in the Office of the County Recorder.

596        **13-5-150: SECURITY BOND; DEVELOPER:**

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597 Prior to the installation of or any work on any required essential infrastructure improvements, the  
598 developer shall enter into a subdivision improvement agreement including an acceptable security bond,  
599 as described in this section, to the City to insure completion of all essential infrastructure improvements  
600 required to be installed in the subdivision. The agreement shall be in a form and contain such provisions  
601 as approved by the City Attorney. The agreement shall include, but not be limited to, the following:

- 602 A. Incorporation: Incorporation by reference of the final plat and all accompanying data required  
603 herein which is used to compute the cost of the improvements by the City Engineer;
- 604 B. Completion Of Improvements: Completion of the improvements within a period of time not to  
605 exceed two (2) years from the date the agreement is executed;
- 606 C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the City and  
607 according to City standards specified in this title;
- 608 D. Amount: The bond amount shall be equal to one hundred percent (100%) of the City Engineer's  
609 estimated cost of the essential infrastructure improvements to be installed;
- 610 E. Exclusive Control By City: The bond proceeds may be released only upon written approval of the City  
611 Engineer;
- 612 F. Reduction: The bond proceeds may be reduced upon request of the developer as the improvements  
613 are installed. The amount of the reduction shall be determined by the City. Such requests may be  
614 made only once every thirty (30) days and no reductions shall be authorized until such time as the  
615 City has inspected the improvements and found them to be in compliance with City standards and  
616 approved improvement plans. All reductions shall be by the written authorization of the City  
617 Engineer. The bond shall not be reduced below ten (10%) of the engineer's estimate, until such time  
618 that all improvements have been accepted and upon the expiration of the one (1) year warranty  
619 period. The warranty period shall begin once all improvements have been completed and approved  
620 by the City engineer, with the exception of the required slurry seal;
- 621 G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion  
622 of the improvements according to City standards for whatever reason, including previous  
623 reductions, the developer shall be responsible for the deficiency and no further building permits  
624 shall be issued in the subdivision or development until the improvements are completed or new  
625 bond, satisfactory to the City, has been executed and delivered to the City to ensure completion of  
626 the remaining improvements;
- 627 H. In the event the developer defaults or fails or neglects to satisfactorily install the required  
628 improvements within one year from the date of approval of the development by the City Council or  
629 to pay all liens in connection therewith, the City Council may declare the bond or other assurance  
630 forfeited and the City may install or cause the required improvements to be installed using the  
631 proceeds from the collection of the bond or other assurance to defray the expense thereof,  
632 including attorney fees and court costs. After required improvements have been made, any balance  
633 after expenses shall be returned to the developer at the end of the assurance period.
- 634 I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period,  
635 the costs of completion shall include reimbursement to the City for the costs of administration  
636 incurred by the City in obtaining the completion of the improvements;
- 637 J. Nonliability: The developer shall agree to hold the City harmless from any and all liability which may  
638 arise as a result of the improvements which are installed until such time as the City certifies the  
639 improvements as complete;

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- 640 K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by  
641 the City:
- 642 1. A cash bond agreement accompanied by a cashier's check or a money market certificate made  
643 payable only to the City;
  - 644 2. An escrow bond agreement and an escrow account with a financial institution federally insured;
  - 645 3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial  
646 institution federally insured; or
  - 647 4. A corporate surety performance bond in favor of the City.
- 648 L. Right Of Rejection: The City reserves the right to reject any bond. The bonds required by this section  
649 are for the sole benefit of the City. The bonds are not for the benefit of any individual citizen or  
650 identifiable class of citizens, including the owners or purchasers of lots within the subdivision or  
651 project.
- 652 M. Extension: The time period for the completion of the required essential infrastructure  
653 improvements may be extended in the following manner upon approval of the City Engineer:
- 654 1. The developer may submit a new bond for approval;
  - 655 2. The existing bond may be extended upon payment, by the developer, of the actual  
656 administrative costs incurred in reevaluating the sufficiency of the bond amount.

657 **13-5-160: DELAY AGREEMENT:**

658 In lieu of the bond requirements outlined above, at the City's sole option, the developer may be  
659 permitted to execute an agreement, in a form acceptable to the City attorney, delaying the installation  
660 of any or all of the essential infrastructure improvements required pursuant to this title.

661 **13-5-170: RECORDING OF PLAT:**

662 After Land Use Authority approval, completion of the required essential infrastructure improvements or  
663 filing of the bond agreement described herein, and signing of the plat by all those required, the plat shall  
664 be presented by the City Recorder to the Davis County recorder for recordation.

1 CITY OF NORTH SALT LAKE  
2 JOINT WORK MEETING  
3 CITY COUNCIL & PLANNING COMMISSION  
4 ANCHOR LOCATION: CITY HALL  
5 10 EAST CENTER STREET, NORTH SALT LAKE  
6 SEPTEMBER 12, 2023

7  
8 **DRAFT**  
9

10 Mayor Horrocks welcomed those present at 6:00 p.m.

11  
12 PRESENT: Mayor Brian Horrocks  
13 Councilmember Lisa Watts Baskin  
14 Councilmember Natalie Gordon  
15 Councilmember Ted Knowlton  
16 Councilmember Stan Porter via Zoom  
17 Councilmember Alisa Van Langeveld  
18  
19 Commission Chair BreAnna Larson  
20 Commissioner Ryan Holbrook  
21 Commissioner Ron Jorgensen  
22 Commissioner Katherine Maus  
23 Commissioner Irene Stone  
24 Commissioner Brandon Tucker  
25 Commissioner William Ward  
26

27 STAFF PRESENT: Ken Leetham, City Manager; Sherrie Pace, Community Development  
28 Director; Mackenzie Johnson, Planner; Wendy Page, City Recorder.  
29

30 OTHERS PRESENT: Khloe Landon, Jesse Curtis, Dee Lalliss, Collin Larson, Tammy Clayton,  
31 residents; Matt S.; Brian Carlisle, Scott McQuarrie, HMS Development. Zoom: L Jacobson.  
32

- 33 1. DISCUSSION: PROPOSED AMENDMENT TO THE GENERAL PLAN FOR LOFTS  
34 AT NORTH SALT LAKE (TOWNE PLAZA) LOCATED AT 120 AND 140 EAST  
35 CENTER STREET. THE PROPOSAL IS TO AMEND THE PLAN TO INCLUDE A  
36 MIXED USE PROJECT CONSISTING OF TWO BUILDINGS (THREE STORIES)  
37 WITH 8,900 SQUARE FEET OF COMMERCIAL SPACE AND 86 RESIDENTIAL  
38 APARTMENTS, BRIAN CARLISLE, HMS DEVELOPMENT, APPLICANT  
39

40 Sherrie Pace introduced the developers present, Jesse Curtis, Brian Carlisle, and Scott McQuarrie  
41 with HMS Development/JCI Inc. She provided an overview and showed the two lots on a map  
42 which were entitled under the Town Plaza Development Agreement. In 2015 the proposal for the

43 Town Center Development Agreement was approved with 54 townhomes (that have been  
44 constructed) and two office buildings.

45

46 **Councilmember Porter arrived at 6:13 p.m.**

47

48 Sherrie Pace presented a map of the Town Center Master Plan that was adopted in 2016. She  
49 clarified that the proposed property was designated as mixed use and showed an example of the  
50 anticipated street cross section. This included narrower streets lined with trees wider sidewalks,  
51 plaza features, street features such as planter boxes/seating, specific lighting, etc., and on street  
52 parallel parking.

53

54 Ms. Pace shared the existing Towne Plaza General Development Plan including renderings of the  
55 building designs and the site plan that received approval. The western building was to have  
56 retail/commercial on the main level with office space on the second story. The eastern building  
57 was proposed to be a two story office building. She explained that the remaining property had  
58 been transferred to Jesse Curtis, in partnership with HMS Development, who had requested a  
59 change to the development agreement. A new concept plan for three six story buildings with 280  
60 residential units was presented to the Planning Commission on March 14, 2023. The Planning  
61 Commission denied the proposed plan and the applicant then submitted a new concept plan on  
62 June 13, 2023 for two three story buildings with 98 residential units and 7,900 square feet of  
63 commercial space.

64

65 Sherrie Pace clarified that the proposal for the six story buildings included additional property  
66 that would not be part of the plan for the three story buildings with 98 residential units and 7,900  
67 square feet of commercial space. She said the Planning Commission held a public hearing on  
68 June 13<sup>th</sup> for the new concept plan containing the two three story buildings. The Commission  
69 expressed concerns with the new plan including open/gathering space, landscaping, and the  
70 parking distribution. The parking on the proposed site plan showed the majority of the parking  
71 stalls adjacent to the west building while the apartment units would be located in the east  
72 building.

73

74 Ms. Pace stated in response to the concerns of the Planning Commission, the developer  
75 reworked the design and requested input from the City Council and Planning Commission.

76

77 Sherrie Pace presented the updated layout and said the west building would contain 8,900 square  
78 feet on the first story fronting Center Street, parking area, and 26 residential units. The east  
79 building included a parking structure, a leasing lobby/mail area, an outdoor amenity, and 60  
80 residential units. She said there were 86 apartments consisting of 70 one bedroom units and 16  
81 two bedroom units. Previously the developer was seeking funding from the RDA for affordable  
82 housing but was no longer be requesting assistance. The developer noted that from the market  
83 study, the one bedroom units would be at the 80% area median income (AMI) for units of that  
84 size. Ms. Pace showed the floorplans for the four different types of units and examples of the

85 exterior building architecture along Center Street including the retail tenants and rooftop  
86 amenity. She also presented an aerial rendering of the proposed buildings in the existing  
87 neighborhood. She spoke on density and parking with the table in the staff report. That table  
88 showed Williamsburg at 41.6 (66 bedrooms) units per acre with the Lofts at 63.3 bedrooms per  
89 acre. She showed where the parking would be located on the site with 87 covered stalls and 55  
90 surface stalls for a total of 142 parking stalls. The parking was 1.39 parking stalls per bedroom at  
91 this development compared to Williamsburg with 1.19 parking stalls per bedroom, Village Station  
92 with 0.93 parking stalls per bedroom, Eaglewood Lofts at 1.25 stalls, and Mirella at 1.13 stalls  
93 per bedroom. The developer also proposed on-street parking spaces along Center Street for the  
94 retail component, deliveries, and moving trucks. The proposed amenities included the outdoor  
95 rooftop gathering area on the east building, fenced dog run, and a fitness center. The landscaping  
96 was 10,000 square feet including the dog run area but did not include the on street landscaping. It  
97 was suggested that a discussion point should be the amount of proposed open space.

98  
99 Sherrie Pace spoke on the 8,900 square feet of commercial space and how the buildings would  
100 be stepped down to accommodate the street elevation change. The buildings would be three  
101 stories with modern and traditional style including vaulted ceilings for the top story.

102  
103 Councilmember Knowlton asked if these would be live/work units. Sherrie Pace replied that they  
104 would not be live/work but true mixed use with separate commercial on the main level.

105  
106 Sherrie Pace commented that one of the concerns was the proposed height of the buildings. She  
107 said the buildings would be 35 feet 8 inches from finished elevation to roof peak. Staff  
108 determined that with the slope of Center Street, the first building would be equal to or lower than  
109 the existing townhomes on 130 East.

110  
111 Councilmember Knowlton asked regarding the guidance for height in the Town Center Master  
112 Plan. Sherrie Pace replied that the Plan included density and taller structures but also to step the  
113 height between the core and the neighborhood areas. She said that there could be an argument  
114 made for taller buildings in this area or shorter buildings as a buffer.

115  
116 Councilmember Van Langeveld questioned if the Master Plan included anything that prioritized  
117 middle housing and larger units in a development. She asked about the density of the project  
118 with the 52 townhomes added to the proposed apartments. Sherrie Pace responded that the  
119 Master Plan did not specify prioritizing middle housing. She said she would have to calculate the  
120 density with the townhomes.

121  
122 Councilmember Gordon spoke on the one bedroom units and if they were all the 80% AMI.  
123 Sherrie Pace replied that it would just be the 67 junior (studio) units.

124

125 Councilmember Knowlton said the west building was mixed use with commercial and residential  
126 and questioned the composition of the east building. Sherrie Pace said the east building was  
127 comprised of residential units and the leasing office.

128  
129 Councilmember Gordon asked about the amount of office space and retail compared to the  
130 vacancies in the City and Davis County. Jesse Curtis commented that they had not done an  
131 official study on the vacancy but said the City had difficulty in the past retaining commercial. He  
132 clarified that the proposal was for 8,900 square feet of retail/commercial and no office space. It  
133 was anticipated that five to eight tenants would lease the space at 1,000 to 1,500 square feet per  
134 tenant.

135  
136 Councilmember Gordon asked if the parking spaces were more evenly spaced with the updated  
137 plan. Brian Carlilse responded that it was updated with a one to one ratio on each side for  
138 covered parking.

139  
140 Commissioner Jorgensen questioned if it was shared parking with the commercial. Brian Carlilse  
141 said the covered spaces would be designated with one spot per unit and the uncovered would be  
142 shared.

143  
144 Jesse Curtis mentioned a study the City had done related to retail/commercial use and said it  
145 reflected the type of commercial and retail use they would be offering.

146  
147 Commissioner Holbrook said the biggest concern was parking and spoke on the removal of  
148 previously designated parking. Jesse Curtis replied that the bedroom density was lower per acre  
149 than Williamsburg and slightly above Village Station with the parking ratio per bedroom far  
150 above both of those developments. He said their parking study indicated a minimum requirement  
151 of 1.2 parking stalls per bedroom and they were offering 1.39 stalls per bedroom.

152  
153 Commissioner Holbrook commented that those two developments did not offer retail and said  
154 the existing townhomes had a lack of parking. He suggested additional elevated parking on the  
155 second story.

156  
157 Councilmember Knowlton asked about parking recommendations in the Town Center Master  
158 Plan. Sherrie Pace replied that she would have to review the Plan and could provide this  
159 information at a later time.

160  
161 Mayor Horrocks mentioned that it was one thing to review parking studies but currently the area  
162 seemed to be under parked and this was an opportunity to rectify that problem.

163  
164 Councilmember Knowlton questioned the feasibility of adding more parking. Brian Carlilse  
165 commented that there was the potential to add more parking but they would prefer not to based  
166 on the cost.

167

168 Councilmember Van Langeveld spoke on the entire project including retail and housing with a  
169 portion of the housing already built. She questioned whether they had provided the retail they  
170 originally committed to and how this could create a retail/downtown center. She also asked about  
171 the sequence of development and if the housing would be completed first and then the retail.  
172 Jesse Curtis responded that they would complete the project in one phase. He said that this  
173 project had more retail than the existing Development Agreement, as the previously proposed  
174 buildings were mostly office space.

175

176 Councilmember Van Langeveld said another priority was middle housing with larger units and  
177 not smaller one bedroom units. Her priorities for this area were middle housing with larger units,  
178 retaining retail, increased greenspace, and being well parked.

179

180 Councilmember Baskin questioned if the retail would be built to facilitate restaurant usage. Jesse  
181 Curtis said they anticipated at least one section of the retail space would be created for restaurant  
182 use.

183

184 Mayor Horrocks asked about charging the residents for the use of the covered parking. Jesse  
185 Curtis replied that this was a potential. He elaborated that charging \$70.00 per stall was still a  
186 loss when the overall cost was \$30,000 per stall.

187

188 Councilmember Gordon expressed her concern with charging \$70.00 per month for low income  
189 units.

190

191 Councilmember Knowlton commented that the cost for parking could just be incorporated into  
192 the total cost. He said it was better to have less parking and the rent would reflect the amount of  
193 parking.

194

195 Councilmember Baskin suggested that the cost of parking and other items be reflected in the  
196 rental contracts.

197

198 Commission Chair Larson mentioned street parking issues in projects, particularly Eaglewood  
199 Lofts, where there was paid parking. Ken Leetham said that staff would not support another  
200 project that had paid parking unless it was required that the resident pay for a parking stall as part  
201 of their lease.

202

203 Councilmember Gordon spoke on the 80% AMI units plus additional fees that would make it  
204 unaffordable.

205

206 Councilmember Knowlton commented on the aspects of the proposal that he did not have an  
207 issue with including the architecture, scale, slope adaption, and landscaping. He spoke on the

208 priorities including affordability, parking, and walkability with less of an emphasis on parking as  
209 it was close to transportation options.

210

211 Commissioner Jorgensen mentioned the public hearings on the project and the complaints from  
212 residents related to parking. He said that under parking this project would make the existing  
213 issues, especially on Orchard Drive, worse.

214

215 Jesse Curtis commented that driving on 130 East now was difficult and said 1.39 stalls per  
216 bedroom was higher than similar developments. He said the issue may be more related to the  
217 townhome owners using their garages for vehicles and not storage.

218

219 Councilmember Gordon commented that it was not up to this development to solve the previous  
220 problems.

221

222 Commissioner Stone spoke on the parking ratio and the junior size apartments. She asked about  
223 the rental cost for the junior apartment. Jesse Curtis replied that the data showed 1.21 people/car  
224 per studio/junior apartment in the Salt Lake Valley. He said the rents were anticipated at \$1,250  
225 and \$1,350 per month.

226

227 Councilmember Baskin appreciated the efforts made by the developer to make this project work.  
228 She said one option could be deed restrictions with regard to affordable housing. She asked the  
229 developer if they would agree to a deed restriction that ensured the units would remain affordable  
230 for 50 years, give or take. Brian Carlisle commented that affordable housing usually provided  
231 incentives which they were not requesting for this project. He said they would be willing to deed  
232 restrict some of the units. Mr. Carlisle clarified that these units were naturally affordable due to  
233 the size.

234

235 Councilmember Baskin mentioned that per information from the Utah League of Cities and  
236 Towns Conference there were places in Salt Lake where units were grossly over rented with up  
237 to 12 individuals per bedroom. Jesse Curtis said that unit occupancy in this project could be  
238 addressed as part of the leasing agreement. He spoke on the deed restriction and said as long as it  
239 was worded and aligned with the HUD 80% AMI table that factored in inflation over time that  
240 they would be willing to look at this.

241

242 Commissioner Stone asked about redevelopment in this area and accommodating more space for  
243 parking, traffic flow with the school, and improving infrastructure on 130 East Street. Sherrie  
244 Pace commented that there was no room to widen the roadway. She said the street was designed  
245 to discourage through traffic. She stated that she believed that the biggest issue was the pick up  
246 for kids from the elementary school and parents parking on 130 East while waiting for school to  
247 let out. She noted that the question is whether the street parking should be changed to address an  
248 issue that occurs during that short period of time.

249

250 Mayor Horrocks summarized that good progress had been made. He spoke on past mistakes  
251 including parking and that it would be nice if parking for this project was done right. Jesse Curtis  
252 said ideally what they wanted for this project would not happen and spoke on the prior favorable  
253 vote for 102 units with less parking than this project. He said this project was where they needed  
254 it to be cost-wise and hoped to get it approved soon.

255  
256 Councilmember Knowlton said he trusted the Planning Commission to vet the project. He  
257 mentioned it was important that the retail remained retail and that the retail be built at the same  
258 time as the residential. Jesse Curtis said they were agreeable to both of these recommendations.

259  
260 Ken Leetham commented that the City's Safety Committee had discussed parking on 130 East  
261 and the idea of restricting parking on one or both sides of the street. He said there were concerns  
262 that limiting parking on the street would cause increased speeding and traffic on the street if  
263 drivers used it to cut through neighborhoods and that may actually decrease pedestrian safety in  
264 the area. Sherrie Pace mentioned that due to the construction on Center Street and also on Hwy  
265 89 which restricts left hand turns onto Eagleridge Drive, 130 East was likely seeing an increase  
266 in traffic because of the detour. She noted the Committee felt that they should review the  
267 situation when regular traffic conditions return.

268  
269 Commissioner Jorgensen suggested working with Davis School District on the safety issues  
270 including jaywalking. Ken Leetham replied that staff would review this.

271  
272 Commission Chair Larson expressed her opinion that any future public hearings on this  
273 development would result in the same comments from residents including that the density was  
274 still too high unless there was something in place such as deed restrictions, guaranteed retail,  
275 parking, etc.

276  
277 Councilmember Van Langeveld commented that if the public remained unsupportive, her vote  
278 would be affected. She encouraged the developer to consider what was said at the public  
279 hearings.

280  
281 2. ADJOURN

282  
283 Mayor Horrocks adjourned the meeting at 7:12 p.m.

284  
285 *The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday*  
286 *October 3, 2023 by unanimous vote of all members present.*

287  
288  
289

290 \_\_\_\_\_  
Brian J. Horrocks, Mayor

\_\_\_\_\_   
Wendy Page, City Recorder

1 CITY OF NORTH SALT LAKE  
2 PLANNING COMMISSION MEETING  
3 ANCHOR LOCATION: CITY HALL  
4 10 EAST CENTER STREET, NORTH SALT LAKE  
5 SEPTEMBER 12, 2023

6  
7 **DRAFT**  
8

9 Commission Chair BreAnna Larson called the meeting to order at 7:15 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.  
21

22 OTHERS PRESENT: Dee Lalliss, Ronnie Price, Terry Rasch, Janyce Nestman, residents. Zoom:  
23 L. Jacobson.  
24

25 1. PUBLIC COMMENTS  
26

27 There were no public comments.  
28

29 2. PUBLIC HEARING: CONSIDERATION OF A PROPOSED PLAT AMENDMENT  
30 VACATING AND RELOCATING A PUBLIC UTILITY EASEMENT AND  
31 COMBINING LOTS 1603, 1604, AND 1605 OF THE EAGLEPOINTE ESTATES  
32 PHASE 16 SUBDIVISION AT 283 EAST PARKWAY CIRCLE, ROB LAW, CMT  
33 TECHNICAL SERVICES, APPLICANT  
34

35 Mackenzie Johnson reported that a single family home was constructed on lots 1604 and 1605 of  
36 the Eaglepointe Estates Phase 16 subdivision. This plat amendment would combine lots 1603,  
37 1604, and 1605 and relocate the existing public utility easement that straddled lots 1603 and  
38 1604 to the other side of 1603. The gas easement would not be altered with this amendment. The  
39 building envelope was not being modified in size or shape but was being connected between the  
40 three lots. The Development Review Committee recommended approval with the condition that  
41 all planning and engineering redlines be corrected.  
42

43 **Chair Larson opened the public hearing at 7:17 p.m.**

44 Janyce Nestman commented that she lived adjacent to the property and just wanted clarification  
45 on what the request and application were for.

46

47 **Chair Larson closed the public hearing at 7:18 p.m.**

48

49 **Commissioner Jorgensen moved that the Planning Commission recommend approval to the**  
50 **City Council of the plat amendment for Eaglepointe Estates Phase 16, vacating and**  
51 **relocating a public utility easement and combining lots 1603, 1604, and 1605, located at 283**  
52 **East Parkway Circle with the following condition:**

53

54 **1) Correction of engineering and planner redlines.**

55

56 **Commissioner Ward seconded the motion. The motion was approved by Commissioners**  
57 **Holbrook, Jorgensen, Larson, Maus, Stone, Tucker, and Ward.**

58

59 3. REVIEW OF DRAFT SUBDIVISION ORDINANCE AMENDMENT AND TIMELINE

60

61 Sherrie Pace presented the draft subdivision ordinance for chapter 4 and said it would be on the  
62 next agenda for discussion. Chapter 5 was almost complete and would be sent to the Commission  
63 for review and discussion. The deadline for the draft ordinance amendment to be adopted was  
64 February 1, 2024.

65

66 4. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY  
67 PLANNING COMMISSION

68

69 Sherrie Pace reported that the Union Court Subdivision was approved at the last Council  
70 meeting. She mentioned that staff met with potential consultants for the Hatch Park redesign.

71

72 5. APPROVAL OF MINUTES

73

74 The Planning Commission meeting minutes of August 8, 2023 were reviewed and approved.

75

76 **Commissioner Jorgensen moved to approve the August 8, 2023 minutes as drafted.**  
77 **Commissioner Ward seconded the motion. The motion was approved by Commissioners**  
78 **Holbrook, Jorgensen, Larson, Maus, Stone, Tucker, and Ward.**

79           6. ADJOURN

80

81       Commission Chair Larson adjourned the meeting at 7:25 p.m.

82

83

84       *The foregoing was approved by the Planning Commission of the City of North Salt Lake on*  
85       *Tuesday, September 26, 2023 by unanimous vote of all members present.*

86

87

88       \_\_\_\_\_  
*Wendy Page, City Recorder*