



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 January 9, 2024 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) Appointment of Chair and Vice Chair
- 4) Public Hearing: Consideration of City Code amendments in compliance with State law regarding the regulation of subdivisions. The proposed amendments will affect Title 10, Land Use Ordinance and create Title 13, Subdivision Regulations
- 5) Report on City Council actions on items recommended by Planning Commission
- 6) Approval of minutes:
 - a. 12/12/2023

Adjourn

*This meeting has an option to attend electronically via Zoom, with joining information below:
Time: January 9, 2024, 06:30 PM Mountain Time (US and Canada)*

Join Zoom Meeting: <https://us02web.zoom.us/j/82532132176?pwd=OTRxeWR2UjZlTjRGYkEvMG01NXZqdz09>

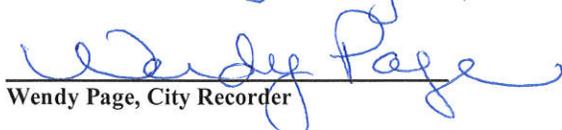
Meeting ID: 825 3213 2176

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 January 9, 2024 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 9th day of January, 2024.


Wendy Page, City Recorder





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MEMORANDUM

TO: Planning Commission
FROM: Sherrie Pace, Community Development Director
DATE: January 9, 2024
SUBJECT: Public Hearing-Consideration of amendments to the City Code, Title 10-Land Use and Title 13-Subdivision Regulations

RECOMMENDATION

The DRC is recommending approval of the proposed amendments to Title 10-Land Use and Title 13-Subdivision Regulations with the following findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.
3. The proposed amendments are necessary to address the recent changes in State Code in relation to Subdivision Regulations.

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. The existing subdivision regulations are contained in Title 10, Chapters 3 & 7. The new subdivision regulations will be located in a new Title 13. Additionally, some amendments to the definitions section in Title 10, Chapter 1 are necessary in relation to the updated Subdivision Regulations. The Utah State Code Land Use and Management Act sets forth the parameters by which Cities and Counties may regulate Subdivisions. The statute restrict Subdivision review as follows:

1. Conceptual Plan Review must be optional for developers (not required) for single family, two family, or townhouse subdivisions and may only be completed by staff and not by Planning Commissions or City Councils.
2. Preliminary Plan Review is required to be completed by a designated "Administrative Land Use Authority" which may be staff or Planning Commission and may not be the City Council.
3. Final Plat Review is required to be completed by staff and may not be the Planning Commission or City Council.

4. Review Cycles for subdivisions are limited to four (4) cycles, which reviews must be specific regarding requested corrections that provide citations to specific the code, regulation, or specification standards.

Draft Amendments

The proposed amendments remove the current subdivision regulations from Title 10, Chapters 3 & 7 and creates a new Title 13, Subdivision Regulations. The draft language has also been updated to reflect current practices and standards for subdivision review, as well as address code inconsistencies and clarify some regulation requirements. Title 13 is divided into 9 Chapters as follows:

- Chapter 1 General Provisions
- Chapter 2 Administration and Application
- Chapter 3 Concept Plan (Optional)
- Chapter 4 Minor Subdivisions (10 or fewer lots with existing infrastructure)
- Chapter 5 Standard Subdivisions (Preliminary Plan and Final Plat process)
- Chapter 6 Planned Unit, Condominium, Recreation Vehicle, and Mobile Home Developments
- Chapter 7 Plat Amendments and Lot Line Adjustments
- Chapter 8 Subdivision Design
- Chapter 9 Essential Improvements

Title 13 Subdivision Regulations Summary

Chapter 1, General Provisions, defines the general responsibilities of various City Staff, Planning Commissioners, and City Council. It establishes an Administrative Land Use Authority as staff for minor subdivisions and the Planning Commission for all other subdivisions. The chapter also provides for appeal process for subdivision decisions to the designated Appeal Authority (Hearing Officer) and District Court and provides a time limit for appeal.

Chapter 2, Administration and Application, relates to the authority to regulate subdivisions, defines when a subdivision requires plat approval. This section contains existing language from Title 10, Chapter 7 that has been updated to conform to the State Statute. The Chapter also contains new language to address other aspects of State Code related to the transfer of land without subdivision approval being voidable. Additionally, the chapter clarifies that building permits may not be issued until all infrastructure, including paving, is completed. State Code requires that an exception be provided for building permits prior to paving provided all life-safety infrastructure has been installed. This would allow building to begin prior to the asphalt plants opening or when ground temperatures are not suitable for paving with the approval of specific criteria by the City Engineer. Occupancy would not be permitted until the paving were completed.

Chapter 3, Concept Plan, provides a process for a developer to request a concept plan review for single family, two family and townhouse developments. Concept Plan will not be optional for multi-family,

commercial, or industrial subdivisions. Concept review is nonbinding and no approval is granted, it is meant only to inform the developer of the standards and process for subdivision approval. This chapter contains sections from Title 10, Chapter 3 related to the review process which has been updated. The process identifies who is involved in the review process.

Chapter 4, Minor Subdivisions, is an entirely new section. This chapter creates a streamlined review process for subdivisions which are 10 lots or less, have no required dedication of street (existing street frontage), are adjacent to existing utilities that do not need to be extended to the site, conform to all provisions of the code with respect to lot size, width, etc., and is not defined as Sensitive Lands (geologic hazards, steep slopes, etc.) The chapter designates the Community Development (CD) Director as the Administrative Land Use Authority (ALUA) who will coordinate review by the appropriate staff, departments, or special service areas (South Davis Sewer, South Davis Metro Fire, Private Water Providers). The appeal authority for minor subdivisions will be the Planning Commission. The process specifies that the final plat must meet all the requirements contained in the remainder of Title 13 and provides a process for recording the plat.

Chapter 5, Standard Subdivisions, regulates subdivisions which are not classified as minor subdivisions. The Chapter combines existing language from Title 10, Chapter 3 with regard to preliminary and final plat processes. It has been updated to conform to State Code in relation to the maximum review cycles (2 at preliminary and 2 at final) and the specific review cycle deadlines. The process requires that all corrections be cited with the applicable code section, regulation, or ordinance with a separate index and not solely provided on the draft drawings. The section also provides for expiration deadlines for approvals. The Planning Commission is the designated ALUA for preliminary plan review and the CD Director is designated for final plat review. This chapter defines what elements must be included on the final plat and improvement plans. It also provides the mechanisms for bonding related to infrastructure installation and has been updated to conform to State Code in relation to what may be required to be bonded (essential infrastructure only unless subject to development agreement) and provides the minimum of two forms of bonding that are acceptable to the City.

Chapter 6, PUDs, Condos, RV, and Mobile Home Subdivisions, contains existing language from Title 10, Chapter 7. These types of subdivisions are reviewed the same as standard subdivisions, but allow for specifically identified standards to be modified, such as lot width, size, shape, etc. It also provides a legislative process for additional modifications that may be requested in addition to those specifically permitted in the Chapter. The chapter provides new additional minimum standards related to PUDs, such as perimeter setbacks in relation to building height, setbacks, building separation, driveway dimensions, parking based upon bedroom count, building on cross slopes, open spaces, landscaping, garbage and mail provision. The provisions for Condo Subdivisions are essentially the same as currently contained in Title 10 with an update to the documentation required for conversion to condos and eliminates redundant language. The provisions for Mobile Home Parks and RV Subdivisions have been updated to remove yearly inspections of mobile homes, provides guarantees for permanent maintenance of open spaces, and outlines the design standards required.

Chapter 7, Plat Amendments & Lot Line Adjustments, contains existing language from Title 10, Chapter 7, which has been updated to correct the requirement of a public hearing only when a street or public utility easement is proposed to be vacated. The current code requires a public hearing on all plat amendments except those with vacations, which is the opposite of what is required by State Code. Plat amendments with vacations must be approved by the City Council. All other plat amendments will be reviewed by the Planning Commission as the designated ALUA. Lot line adjustments will be approved by staff as currently provided in Title 10.

Chapter 8, Subdivision Design, is a combination of existing language from Title 10, Chapter 7 and new language to conform to State Code. It also is proposed for amendment to add additional regulations that are needed and eliminate some that are outdated. The following is a summary of each section of this chapter:

- Subdivision layout: conformance with the General Plan, must preserve natural features where reasonable, and make connections to existing streets.
- Lots: shape, size, width, perpendicular to street, frontage, slopes, buildable areas, and addressing.
- Flag Lots: The Planning Commission has expressed the desire to eliminate flag lots entirely. The DRC disagrees with that recommendation and believes that provisions for existing flag lots that have not been built upon must be provided. The DRC also believes that flag lots are a valuable tool to allow property owners to better utilize their property when they have large lot sizes or have deep dimensions. The DRC proposed language that would allow not commercial flag lots, allow flag lots of existing subdivision lots, allowance for smaller staff dimensions for adjacent flag lots with shared driveway, and limits driveway slope to 10% maximum.
- Blocks: minimum and maximum block length and midblock walkways and standards.
- Streets: minimum pavement widths, private streets build to same width as public streets for single family lots, dead end street standards, two means of street egress for developments with 30 or more dwellings, street names, max. 10% street grade, provision for some developments with sidewalk on only one side of street, traffic study requirements, and where private streets are allowed.
- Landscaping: required for cuts/fills, preservation of vegetation/trees where possible, geologic hazards study recommendations must be followed, water efficiency, and Hwy 89 and Redwood Road landscape requirements.
- Utilities and easements: defines and corrects the required width of easement, allows City Engineer to require wider easements for a public purpose, requires underground utilities unless approved for exception.
- Watercourses: requires dedication of right of way for storm drainage, natural water channels, drainage, or floodplains.
- Dedication of streets and trails: existing code requiring public dedication.
- Restrictions on Solar: existing code requiring protection of solar access.

Chapter 9, Essential Improvements, defines the specific standards for infrastructure and the creation of the standards and specifications manual as approved by the City Council. Requires developer to install all infrastructure necessary including, curb, gutter, sidewalk, paving, storm drainage, utilities, sewer, water, fencing of hazards, and monuments. It also requires submittal of CAD as-built drawings after installation and provides a mechanism for payback to the developer if the City requests an upsize in infrastructure to service future development outside the boundaries of the proposed subdivision.

Title 10 Land Use

The proposed amendment reflects the text that remains after removing the procedural process for subdivisions Title 10, Chapters 3 & 7 which relates to the approval of zone changes, code amendments and conditional use permitting process. Additionally, the definition section of Chapter 1 must be updated to reflect the changes made to the Land Use and Subdivision Ordinances. The current title of Title 10 will also be amended from “Title 10 Land Use and Subdivision Ordinance” to “Title 10 Land Use Regulations”.

Chapter 1, Section 42, Maintenance, Condition and Appearance of Properties: Added to this section from the Recreational Vehicle Subdivision Section of Title 13, Chapter 6, parking regulations for recreational vehicles.

Chapter 1, Section 47, Definitions: the following definitions are needed to be amended to conform to the new language:

- Buildable Area-defines the buildable area of a lot
- Conditional Use Development-eliminated
- Lot, Restricted-defines the circumstances that exist for lots to be declared restricted due to geologic hazards or slope

Chapter 3: Land Use Regulations & Zoning Map Amendments, updates to reflect State Code which provides for the City Council to amend land use ordinances and add the official zoning map. This sections provides the process for rezone or code amendment requests. It also updates the notices required in accordance with the updated State Code.

Chapter 7: Conditional Uses, The proposed amendment reflects the text that remains after removing subdivisions from the conditional use permit process and the associated subdivision regulations contained in sections 10-7-3 to 10-7-8. It removes the references to subdivisions as conditional uses and outlines the process for applying for a conditional use. It also removes the City Council as the approval body for conditional uses, which was the case for conditional use subdivisions but not for other conditional uses. The chapter provides a process for revocation and for appeals to the hearing officer. The language related to public hearings has been removed as CUPs are administrative not legislative and should not have a public hearing.

POSSIBLE MOTION

I move that the Planning Commission recommend to the City Council the approval the proposed code amendments with the following findings and conditions:

Findings:

1. The proposed amendment is in accord with the comprehensive general plan, goals and policies of the City.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the "purposes" stated in this title.
3. The proposed amendments are necessary to address the recent changes in State Code in relation to Subdivision Regulations.

Conditions: *(if the PC wishes to make specific recommendations/changes to the proposed text)*

- 1.

Attachments

- 1) Draft Title 13, Subdivision Regulations
- 2) Draft Title 10, Chapter 3 Amendments & Rezones
- 3) Draft Title 10, Chapter 7 Conditional Uses
- 4) Draft Title 10, Chapter 1, Section 47 Definitions

TITLE 13 SUBDIVISION REGULATIONS

(Updated: 01.08.2024)

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CHAPTER 1: GENERAL PROVISIONS

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

13-1-010: SHORT TITLE: (new)

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

13-1-020: INTRODUCTION: (new)

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

13-1-030: PURPOSE AND INTENT: [existing code from section 10-7-7(B)]

- A. Purpose:

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

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- 72 m. Ensuring that costs of providing land for streets, alleys, pedestrian ways, bike paths,
73 easements and other rights of way and for the improvements therein needed to serve new
74 developments are borne by the developer.
- 75 n. Preventing land which is actually or potentially dangerous by reason of flood hazard,
76 inundation, inadequate access, inadequate water supply or fire protection, insufficient
77 sewerage facilities or hazardous geological conditions from being developed for any use or
78 in any manner tending to create an increased detriment to the public health, safety or
79 general welfare.
- 80 o. Ensuring that, insofar as possible, land is developed in a manner that will promote the public
81 health, safety, convenience and general welfare and the physical, social and economic
82 development of the area in conformance with the General Plan, and provide access for solar
83 and other renewable energy sources to the maximum extent possible, and encourage
84 energy conservation through design, layout, "siting" and other techniques.
- 85 p. Preserving and protecting to the maximum extent possible, solar access to structures and
86 encouraging, promoting or requiring energy conservation and the use of renewable energy
87 sources.
- 88 q. Providing space for off street parking, as needed.
- 89 r. Providing space for bike paths and trails.

90 B. Intent: This Title is designed to inform the developer and public of the requirements and conditions
91 necessary to obtain approval of a subdivision as specifically provided.

92 **13-1-040: INTERPRETATION, CONFLICT, AND SEVERABILITY: (new)**

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

98 **B. General Interpretation:**

- 99 1. The word "shall" is mandatory and not discretionary. The word "may" is permissive and
100 discretionary.
- 101 2. The words "City Planner" shall mean the City Planner of the City or designee.
- 102 3. The words "City Engineer" shall mean the City Engineer of the City or designee.
- 103 4. The words "Building Official" shall mean the Building Official of the City or designee.
- 104 5. The words "Community Development Director" shall mean the Community Development
105 Director of the City or designee.
- 106 6. The words "Public Works Director" shall mean the Public Works Director of the City or designee.
- 107 7. The words "City Manager" shall mean the City Manager of the City or designee.
- 108 8. The words "Planning Commission" shall mean the City Planning Commission.
- 109 9. The word "Council" shall mean the City Council, the governing body of the City.
- 110 10. The word "City" shall mean the City of North Salt Lake.

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- 111 11. The word "County" shall mean the Davis County Utah.
- 112 12. The word "State" shall mean the State of Utah.
- 113 13. The words "Zoning Ordinance" shall mean Title 10 of the municipal code of the City.
- 114 14. The words "Subdivision Ordinance" or "this title" shall mean Title 13 of the municipal code of
- 115 the City
- 116 15. The word "code" shall mean the municipal code of the City.
- 117 C. Conflict With Other Provisions:
- 118 1. These regulations are not intended to interfere with, abrogate or annul any other ordinance,
- 119 rule, regulation, statute or provision of law. If any provision of these regulations imposes a
- 120 restriction different from those imposed by another provision, ordinance, rule, regulation or
- 121 law, whichever provision is more restrictive or imposes higher standards shall control.
- 122 2. Further, these regulations are not intended to abrogate any easement, covenant, private
- 123 agreement or restriction, including, but not limited to, restrictive covenants and declarations of
- 124 covenants, conditions and restrictions; provided, however, that the City is under no obligation
- 125 to enforce private covenants or agreements.
- 126 D. Severability: If any part or provision of these regulations or application thereof to any person or
- 127 circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be
- 128 confined in its operation to the part, provision or application directly involved in all controversy in
- 129 which such judgment shall have been rendered and shall not affect or impair the validity of the
- 130 remainder of these regulations or the application thereof to other persons or circumstances.

131 **13-1-050: DEFINITIONS: (new)**

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

138 **13-1-060: SAVING PROVISION, RELATIONSHIP TO PREVIOUS ORDINANCE: (new)**

- 139 A. These regulations shall not be construed as abating any action under prior existing subdivision
- 140 regulations, or as discontinuing, abating, modifying or altering any penalty accruing or about to
- 141 accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the
- 142 municipality under any section or provision existing at the time of adoption of these regulations, or
- 143 as vacating or annulling any rights obtained by any person, firm or corporation by lawful action for
- 144 the municipality, except as shall be expressly provided for in these regulations.
- 145 B. The procedures set forth in this title are intended to supersede any inconsistent procedural
- 146 provisions in the previous development ordinances. The substantive requirements of the application
- 147 form and the review process shall remain unchanged, but all final actions under that ordinance are
- 148 subject to the appeal processes set forth herein. All applications for subdivision approval are subject
- 149 to termination as set forth herein.

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(Updated: 01.08.2024)

150 **13-1-070: CONSIDERATIONS: (new)**

151 A. General Plan & Land Use Ordinance: The General Plan and the City’s Land Use Ordinance (Title 10)
152 shall guide the use of all land within the corporate boundaries of the City. The size and design of
153 lots, the nature of utilities, the design and improvement of streets, the type and intensity of land
154 use, or the provisions for any special facilities in any subdivision shall conform to the land uses and
155 the standards established in the Land Use Ordinance, construction standards & specifications
156 manuals, and other applicable ordinances or regulations which are guided by the General Plan and
157 adopted by the City Council.

158 B. Natural Landscape & Existing Conditions: Trees, native land cover, natural watercourses and
159 topography shall be preserved when possible. Subdivisions shall be so designed as to prevent
160 excessive grading and scarring of the landscape and shall be in conformance with City Code Title 10,
161 Chapter 12: Sensitive Area District and Geologic Hazards. The design of new subdivisions shall
162 consider and relate to existing street widths, alignments and names.

163 C. Community Facilities: Community facilities, such as parks, recreation areas, trails and transportation
164 facilities shall be provided in the subdivision in accordance with General Plan, this title, and other
165 applicable ordinances and resolutions. This title establishes procedures for the referral of
166 information on proposed subdivisions to interested boards, bureaus and other governmental
167 agencies and utility companies, both private and public, so that the extension of community
168 facilities and utilities may be accomplished in an orderly manner and coordinated with the
169 development of the subdivision. In order to facilitate the acquisition of land areas required to
170 implement this policy, the developer may be required to dedicate, grant easements or otherwise
171 reserve land for parks, playgrounds, public ways, utility easements or other public purposes as
172 specified.

173 **13-1-080: GENERAL RESPONSIBILITIES: (new)**

174 A. Developer: The developer shall prepare a plat consistent with the standards contained herein and
175 shall pay for the design and inspection of the essential infrastructure improvements required. The
176 City shall process the submitted plat in accordance with the regulations set forth herein. The
177 developer shall not alter the terrain or remove any vegetation from the proposed subdivision site or
178 engage in any site development until the necessary approvals as outlined herein have been
179 obtained.

180 B. Development Review Staff: Development review will be conducted by applicable staff members and
181 directed by the Community Development Director, or designee. Review staff shall consist of
182 representatives from City departments and special service district representatives as required by the
183 City Manager, or designee, and as applicable to each development application. Development
184 proposals shall be reviewed for design; for conformity to the General Plan, Town Center Master
185 Plan, or other applicable plans, and to the Land Use Ordinance; and for the environmental quality of
186 the subdivision design. The Community Development Director, or designee, shall ensure that
187 developments are processed as provided for in this Title.

188 C. Other Agencies: Any application for a proposed subdivision may be referred by the development
189 review staff to such special districts, governmental boards, bureaus, utility companies and other

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190 agencies which will provide public and private facilities and services to the subdivision for their
191 information and comment. Developers shall be responsible for distributing plans to and
192 coordinating the comments received from all public and private entities and obtaining will-serve
193 letters or permits, as applicable.

194 D. Public Works Director and City Engineer: The Public Works Director and City Engineer, or their
195 designees, shall make comments as to engineering requirements for street widths, grades,
196 alignments and flood control, whether the proposed essential infrastructure improvements are
197 consistent with this Title and other applicable ordinances, construction standards & specifications,
198 or any other applicable regulations, and shall be responsible for the inspection and approval of all
199 construction of essential improvements. Street layout and overall circulation shall be in accord with
200 adopted transportation plans and sound transportation planning principles.

201 E. Administrative Land Use Authority (ALUA): The Administrative Land Use Authority is charged with
202 making investigations, reports and findings on proposed subdivisions as to their conformance to
203 land use and subdivision ordinances, and other pertinent plans, ordinances, or regulations.

204 1. The Planning Commission shall act as the Administrative Land Use Authority for:

205 a. Preliminary Plans.

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

208 2. Community Development Director, with the assistance of the applicable staff and as directed by
209 the City Manager, shall act as the Administrative Land Use Authority for:

210 a. Final plat

211 b. Minor subdivisions

212 c. Lot line adjustments

213 3. The City Council shall act as the Administrative Land Use Authority for plat amendments which
214 include the vacation of any public right of way, public trail or municipal easement only after
215 receiving a recommendation from the Planning Commission regarding the vacation of any public
216 right of way, public trail or municipal utility easement as a condition of plat amendment
217 approval, in accordance with **Code Section 13-7-010**.

218 F. City Attorney: The City Attorney, or designee, shall verify, prior to recordation of a plat, that the
219 form of the final plat is correct and acceptable, the developer dedicating land for public use is the
220 owner of record, and the land is free and clear of unacceptable encumbrances or tax clearances
221 according to the title report submitted by the developer, or any other liens or encumbrances on
222 land being dedicated for public use.

223 G. Mayor: The Mayor shall perform the non-discretionary and ministerial act of signing the plat solely
224 to accept offers of dedication.

225 **13-1-090: APPEAL OF ADMINISTRATIVE LAND USE AUTHORITY DECISIONS: (new)**

226 A. As provided in City Code section **10-2-2**, appeal may be made to the City's designated Appeal
227 Authority (Hearing Officer) from any decision, determination or requirement of the Administrative
228 Land Use Authority under this title by filing with the City Recorder a notice thereof in writing within
229 fifteen (15) days after such decision, determination or requirement is made. Such notice shall set

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230 forth in detail the action and grounds upon which the developer, or other interested person, is
231 aggrieved. In the event of an appeal, application deadlines set forth in this title shall be extended to
232 incorporate the time necessary to hear and consider such appeals.

233 B. Hearing: The City Recorder, or designee, shall set the appeal for hearing before the City’s designated
234 Appeal Authority, as provided in City Code **Section 10-2-2**, to be held within a reasonable time from
235 the date of receipt of the appeal. The appellant shall be notified of the appeal hearing date at least
236 seven (7) days prior to the hearing. After hearing the appeal, the Hearing Officer may affirm, modify,
237 overrule the decision, determination or requirement appealed, or remand the decision to the
238 Administrative Land Use Authority for additional review and enter any such order or orders. The
239 filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed,
240 pending a decision of the Hearing Officer.

241 **13-1-100: APPEAL FROM APPEAL AUTHORITY DECISION: (new)**

242 Any person adversely affected by the Appeal Authority’s decision may petition the District Court for a
243 review of the decision within thirty (30) days of said decision.

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- 41 **13-2-020: REQUIRED PLAT APPROVAL:** [some existing language from 10-7-7(C)]
- 42 A. Content: If any land is laid out and platted, the owner of the land shall cause an accurate plat to be
43 made of them that sets forth and describes:
- 44 1. Any parcel of ground laid out and platted, by boundaries, course and extent, and if they are
45 intended for streets or other public uses, together with any area that is reserved for public
46 purposes; and
- 47 2. Any block or lot intended for sale or otherwise reserved for private purposes and all parcels
48 offered for dedication for any purpose, with all dimensions, boundaries, and courses clearly
49 shown and defined..
- 50 B. Acknowledgment Required:
- 51 1. The owner of the land shall acknowledge the plat and owner’s dedication before an officer
52 authorized by law to take acknowledgment of conveyances of real estate.
- 53 2. The surveyor of the plat shall certify that the surveyor:
- 54 a. Holds a license in accordance with Utah, Code Annotated, Title 58, Chapter 22 (as
55 amended), Professional Engineers and Professional Land Surveyors Licensing Act;
- 56 b. Has completed a survey of the property described on the plat in accordance with Utah Code
57 section 17-23-17 (as amended) and has verified all measurements; and
- 58 c. Has placed monuments as represented on the plat.
- 59 3. The City Engineer shall sign the final plat, certifying that the plat and other data submitted
60 therewith, is substantially the same as it appeared on the preliminary plan and any approved
61 alterations thereof on that the final plat is in conformity with City ordinances and adopted
62 specifications and standards.
- 63 4. The City Attorney shall be responsible for reporting to the Mayor as to the form of the final plat
64 or other recordable instruments evidencing any action under this title. The City Attorney shall
65 certify that any lands dedicated to the public are dedicated in fee simple and that the person or
66 persons dedicating the land are the owners of record.
- 67 5. The designated Administrative Land Use Authority shall determine whether the plat conforms
68 with the preliminary plan approval, City ordinances and adopted specifications and standards
69 and shall sign the approved final plat as provided by law.
- 70 6. The Mayor shall perform the non-discretionary and ministerial act of signing the plat solely to
71 accept offers of dedication.
- 72 C. Filing And Recording: After the plat has been acknowledged, certified and approved, the City
73 Recorder, or designee, shall file and record it in the County Recorder's Office in the county in which
74 the lands platted and laid out are situated. The owner shall pay the expense of such recording.
- 75 D. Plat Expiration: The recording of the subdivision plat is to be done within one hundred eighty (180)
76 calendar days of the completed approval from the Administrative Land Use Authority. Failure to
77 record the approved plat within the allotted time required shall void all approvals for the
78 subdivision. Prior to the expiration of the plat approval, the owner or developer may request a
79 onetime extension of one hundred eighty (180) days, by submitting to the Community Development
80 Director a written request of the owner or developer, explaining the reasons for the delay. The
81 Community Development Director shall consult with applicable city review staff to prepare an
82 analysis of any amendments to the City Code, regulations or standards and their effect on the
83 subdivision. If such amendments to the City regulations or standards are essential to protecting the

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84 health, safety, and welfare of the citizens, the Community Development Director shall not grant the
85 extension unless the plat conforms to the new regulations or standards.

86 E. Subdivision Approval Procedure: No one may file or record a subdivision plat in the County
87 Recorder's Office unless:

- 88 1. The subdivision plat has been approved by the designated Administrative Land Use Authority;
89 and
- 90 2. The required approvals and acceptance of any dedicated property or right of way are entered in
91 writing on the plat as designated in this ordinance.

92 **13-2-030: TRANSFER OF LAND: (new)**

93 Subdivided land shall not be transferred, sold or offered for sale, nor shall a building permit be issued for
94 a structure thereon, until an approved subdivision plat is recorded in the County Recorder's Office in
95 accordance with this title and any applicable provisions of state law, and until the improvements
96 required in connection with the subdivision have been constructed or guaranteed as provided herein.

97 **13-2-040: TRANSFER OF LAND; VOIDABLE: (new)**

98 No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions
99 of this title. A subdivision plat recorded without the signatures required by Utah Code Annotated,
100 section 10-9a-604 (as amended) is void. A transfer of land pursuant to a void plat is voidable by the land
101 use authority.

102 **13-2-050: DEVELOPMENT CONSTRUCTION:**

103 **From 10-7-1 (H) to (L)**

- 104 A. Inspections: Following the approval of a final Plat, the City Engineer, or designee, shall inspect such
105 use to ensure that development is undertaken and completed in compliance with the approval.
- 106 B. Minimum Construction And Improvement Standards: Construction standards, including drawings,
107 tables, charts, references and regulations as adopted by the City Council shall constitute land
108 development standards supplementing this title.
- 109 C. Conflicting Provisions: Where specific requirements are made or exemptions allowed under other
110 sections of the code, those requirements or exemptions shall prevail over the land development
111 standards supplementing this title.
- 112 D. Improvement Construction Obligation Of Developer: Improvements required by this title shall be
113 constructed at the expense of the developer and shall comply with the land development standards
114 supplementing this title.
- 115 E. Commencement Of Construction: Site improvement or grading of any proposed development site
116 prior to preliminary plat approval by the Administrative Land Use Authority is prohibited. (Ord. 93-5,
117 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 118 F. Phase Development: **from 10-3-6 (L) to (R)**
 - 119 1. Final plat and construction plan approval may be granted on less than the entire project covered
120 by preliminary plat approval and may be done in phases as provided below. The development of
121 the phases of project shall be done in an orderly manner and in such a way that the required
122 improvements of each of the phases will be made available for the full effective and practical

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- 123 use and enjoyment thereof by the lessees or the grantees of any of the lands developed within
124 the time hereinafter specified. The phases of any project shall, when possible, be contiguous to
125 previously approved phases or other existing development.
- 126 2. Each phase must be approved by the Administrative Land Use Authority. Preliminary plat
127 approval for phase developments will remain valid so long as an application for final plat and
128 construction plan approval for a single phase within the phase development is submitted each
129 twelve (12) months after preliminary plat approval and the applicant diligently pursues approval
130 of the application. In no event will preliminary plat approval for phase developments remain
131 valid beyond ten (10) years from the date of original approval.
- 132 3. For developments subject to a development agreement with the City Council, the agreement
133 shall govern the validity of preliminary plat, final plat and construction plan approvals for phase
134 developments.
- 135 4. If the developer does not maintain the required bond, or if the developer fails to complete all of
136 the required on or off site essential infrastructure improvements or if the developer is in default
137 under any other term or condition which was required for final plat and construction plan
138 approval, the Administrative Land Use Authority may deny any further request for development
139 of succeeding phases of the proposed development until the outstanding defaults have been
140 cured.
- 141 G. Appeals Procedure: Appeals from any administrative decision may be made to the hearing officer.
142 (Ord. 2012-07, 4-30-2012)
- 143 H. Changes: Any significant changes made in an approved drawing require resubmission of the drawing
144 for approval by the Administrative Land Use Authority.
- 145 I. Additional Required Information: The Administrative Land Use Authority, development review staff,
146 or City Attorney may require such additional information as necessary to complete a proposal for
147 the written record, demonstrate capability, solve anticipated problems, or show geotechnical
148 solutions to site development.
- 149 J. Preconstruction Meetings: Prior to excavating or starting of the work, the developer shall attend a
150 preconstruction meeting with representatives from City departments, as directed by the City
151 Engineer, and any other special service districts with jurisdiction over the infrastructure installation.
152 The developer shall bring to the meeting all contractors responsible to build the improvements
153 associated with the project. The purpose of this meeting shall be to:
- 154 1. Verify recordation of the plat and final approval of the plans.
155 2. Determine schedule of construction.
156 3. Determine names, addresses and phone numbers of contractors, inspectors and all persons
157 involved.
158 4. Review plans and special conditions or requirements.
159 5. Review the process for bond reduction request.
160 6. Coordinate inspection and testing.
161 7. Discuss City Standards and Specifications.
- 162 K. Construction Review: Construction work involving the installation of public improvements in
163 subdivisions shall be subject to construction review by the City Engineer, Public Works Inspector,
164 and SWPPP Inspector.
- 165 1. Daily construction review shall be required on the following types of work:
166 a. Laying of street surfacing.

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- 167 b. Placing of concrete for curb and gutter, sidewalks and other structures.
- 168 c. Laying of drainage pipe, water pipe, valves, hydrants and testing.
- 169 d. Street grading and gravel base.
- 170 e. Excavations for curb and gutter and sidewalks.
- 171 f. Excavations for structures.
- 172 2. Requests for construction review shall be made to the City Engineer or to the designated
- 173 inspector as directed, by the person responsible for the construction. Requests for construction
- 174 review on work shall be made one working day prior to the commencement of the work.
- 175 L. Correcting Defective Work: Construction reviews shall be made by the City Engineer, designee, or
- 176 Inspector after various phases of the construction work is completed. Any faulty or defective work
- 177 shall be corrected by the developer or contractor within a period of thirty (30) days from the date
- 178 of construction review wherein the faulty or defective work is noted and written notice is given to
- 179 the developer and/or contractor. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

180 **13-2-060: BUILDING PERMITS: (new)**

- 181 A. Requirements:
- 182 1. No building permit shall be issued for any structure within a subdivision until the subdivision
- 183 plat is recorded in the County Recorder's Office, a bond is provided acceptable to the City
- 184 ensuring the adequate installation of required essential infrastructure improvements and
- 185 utilities, and the required improvements and utilities have been installed and are operable as
- 186 provided herein and as deemed essential infrastructure (defined by Utah Code Annotated 10-
- 187 9a-802, as amended) which is necessary to meet the requirements of the building code and fire
- 188 code.
- 189 2. No building permit shall be issued for any structure within a subdivision until all sanitary sewer,
- 190 storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and
- 191 gutter, streets, other underground utilities located under the street surface, required grading
- 192 and drainage improvements, and paving, are installed and fully functional, as determined by the
- 193 City, providing continuous access or service to the lot.
- 194 B. Notwithstanding the foregoing, for lots fronting existing streets that obtain access only from that
- 195 street and have existing fully functional utilities, the building official may issue permits, subject to
- 196 compliance with applicable requirements, including adequate access for emergency vehicles.

197 Exception: The City's development review staff, with the approval of the City Engineer and Fire

198 Marshal, may approve the issuance of building permits prior to the installation of permanent paving

199 under the following conditions:

- 200 1. The street improvements are being constructed during the months when cold weather
- 201 prohibits the laying of a hard surface on the street and within months or in locations where
- 202 the accumulation of snow is no longer likely to occur prior to the scheduled paving.
- 203 2. The streets shall be completed with all utilities, rough grading, and all weather road base
- 204 sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base,
- 205 including road base gradation and thickness, shall be determined by the City Engineer upon
- 206 review and consideration of applicable soils reports, drainage factors and existing
- 207 topographic conditions of the property.

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- 208 3. The developer enters into an agreement with the City that the developer will take
209 responsibility to ensure that the road is accessible for emergency vehicles and construction
210 traffic at all times, including snow removal, if any, and other required maintenance.
- 211 4. The developer enters into an agreement with the City that developer will hard surface the
212 road as soon as weather permits and as authorized by the City. If developer fails to do so,
213 the City can declare the developer in default of the applicable improvements bond
214 agreement and may withdraw any or all of the funds from the bond and cause the
215 improvements to the street to be constructed, completed or repaired in accordance with
216 the terms and procedures set forth in the bond agreement for the withdrawal of funds.
- 217 5. The building contractor, property owner and building permit applicant enters into an
218 assumption of risk agreement acknowledging the lack of hard surface streets within the
219 subdivision and an acknowledgement of the developer's obligation regarding maintenance
220 and access of the same and assuming the risk of proceeding with construction under such
221 circumstances pursuant to the terms and conditions set forth herein.
- 222 6. Prior to hard surfacing road, the City Engineer shall inspect road conditions for road base
223 contamination, rutting, or other deficiencies. Any deficiencies found shall be repaired in a
224 manner required by the City Engineer and approved prior to any paving.
- 225 7. No certificate of occupancy shall be granted for any structure within the subdivision until all
226 streets are hard surfaced.

227
228 C. (From 10-3-7) Model Homes: After recording of a subdivision plat, building permits for model homes
229 may be issued before completion of on and off site improvements, subject to the following
230 requirements:

- 231 1. The applicant must provide proof of ownership of the property where the model home is
232 proposed to be located.
- 233 2. The applicant must sign a statement acknowledging that the applicant takes full responsibility
234 for the risks being taken by constructing a model home before on and off site improvements are
235 completed.
- 236 3. All on and off site improvements for the full plat must be completed within forty five (45) days
237 of issuance of the first model home building permit. If, in the opinion of the City Engineer or the
238 Building Official, on and off site improvements cannot be completed within forty five (45) days
239 of the issuance of a permit for a model home, then the City Engineer or the Building Official may
240 withhold approval of a model home building permit.
- 241 4. If all on and off site improvements for the full plat are not completed within the forty five (45)
242 day period, the city may suspend issuance of additional permits until improvements are
243 completed.
- 244 5. A maximum of two (2) model homes will be allowed in each plat.
- 245 6. Prior to the issuance of a building permit for a model home, hard surfaced roads must be
246 completed such that they provide reasonable access to the structure(s).
- 247 7. All fire protection requirements must be met as set and approved, in writing, by the South Davis
248 Metro Fire District.
- 249 8. No dwelling unit, including model homes, will be issued a certificate of occupancy until all on
250 and off site improvements are completed.

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251 9. Model homes may be operated until a building permit is issued for the last remaining lot within
252 the development.

253 10. Issuance of any building permit for a model home before the completion of on and off site
254 improvements is subject to predicted weather conditions. No building permit application for a
255 model home prior to completion of on and off site improvements will be accepted between
256 September 15 and March 1. (Ord. 2011-06, 5-3-2011)

257 **13-2-070: CERTIFICATES OF OCCUPANCY: (new)**

258 No building within a subdivision shall be occupied until a certificate of occupancy has been issued for
259 such structure by the City. No certificate of occupancy shall be issued for any structure within a
260 subdivision until all required improvements for the subdivision are complete, including the hard
261 surfacing of the streets, required street signs and traffic control signs, house numbers on the structure,
262 required utilities providing service to the structure, and any other applicable ordinance provisions have
263 been met.

264 **13-2-080: PENALTIES: (new)**

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

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CHAPTER 3: CONCEPT PLAN

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- 13-3-010: CONCEPTUAL PLAN:**
- 13-3-020: CONCEPTUAL PLAN REVIEW NONBINDING:**
- 13-3-030: VESTED RIGHTS:**
- 13-3-040: SUBMISSION:**
- 13-3-050: NOTIFICATION:**
- 13-3-060: CONCEPTUAL PLAN REVIEW:**
- 13-3-070: COMPLETION OF CONCEPTUAL PLAN REVIEW:**

10 **13-3-010: CONCEPTUAL PLAN: (new)**

11 A Conceptual Plan review is not required, but highly encouraged, for subdivisions for one or two family
12 dwelling and townhome developments. Conceptual Plan review shall be required for commercial,
13 industrial, multi-family subdivision and any subdivision of land which is subject to geologic hazard
14 review. Conceptual Plan review provides the developer with an opportunity to consult with and receive
15 assistance from the city staff regarding the regulations and design requirements applicable to the
16 subdivision of property and facilitates resolution of problems and revisions before the preparation of a
17 Preliminary Plan. The Conceptual Plan should be based on an accurate survey showing boundaries,
18 topography, important physical features, adjacent properties and the proposed layout of the
19 subdivision. The applicant or applicant's duly authorized agent shall submit an application to the
20 community development department for Conceptual Plan review and at the same time, the applicant
21 shall pay an application fee as provided in the City's consolidated fee schedule.

22 **13-3-020: CONCEPTUAL PLAN REVIEW NONBINDING: (new)**

23 The Conceptual Plan process is designed to provide the developer with helpful information and
24 suggestions before the expense and time involved in preparing a Preliminary Plan is incurred.
25 Conceptual Plan review shall be nonbinding on any subsequent review steps nor binding upon the
26 designated Administrative Land Use Authority in the exercise of their authority or approval.

27 **13-3-030: VESTED RIGHTS: (new)**

28 Submission of a Conceptual Plan shall in no way confer any vested rights upon the developer. Vested
29 rights may attach only upon the filing of a complete Preliminary Plan application which meets the
30 requirements of this title and other applicable ordinances at the time of the application. However, if
31 there is a compelling, countervailing public interest or the City has initiated proceedings to amend this
32 title or other applicable ordinances at the time of the application, then there shall be no vested rights.

33 **13-3-040: SUBMISSION: (some text (list) From Section 10-3-3 mostly new/reorganized)**

34 A. The developer shall submit the proposed Conceptual Plan which will enable a review of a proposed
35 project for general scope and conditions and its impact on the City. The Community Development
36 Department will determine if the appropriate plan and application is submitted, if the application is
37 complete and if all the fees have been paid. If the application is deemed to be incomplete the
38 applicant shall be notified in writing within ten (10) days of the application date, or as reasonably
39 practical upon discovery of a deficiency.

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- 40 B. Document Requirements: The following items shall be submitted to the Community Development
41 Department for Conceptual Plan review:
- 42 1. An application form, as provided by the City, detailing the proposed development and
43 addressing the following:
- 44 a. A general explanation of the project size, scope, and land uses;
- 45 b. Identification of any potential impacts or conflicts with adjacent land uses, along with
46 proposed mitigation of any adverse aspect of the plan;
- 47 c. Identification of any known or potential geologic hazards on the property or within the
48 development area in general;
- 49 d. A statement regarding the proposed development, its conformance to the existing zoning
50 and general plan or other adopted plans or policies, and identifying any opportunity for the
51 provision of housing which meet the goals and objectives of the City's Moderate Income
52 Housing Plan; and
- 53 e. Any additional pertinent information related to the project.
- 54 2. An electronic copy of the Conceptual Plan which is reproducible at a printed size of 24" x 36".
- 55 3. Conceptual Plan set shall include the following:
- 56 a. Cover Sheet which includes the following:
- 57 (1) The proposed project name, approximate address of the project, and the relevant
58 parcels within the project;
- 59 (2) Vicinity plan. An aerial map at a scale of one inch equals one hundred feet (1" = 100') or
60 other competent base map showing the area within six hundred feet (600') of the
61 project boundaries giving context to the proposed development;
- 62 (3) Drawing index;
- 63 (4) Developer name, address, and phone number;
- 64 (5) Property owner name, address, and phone number, if different from the developer;
- 65 (6) General notes regarding the project;
- 66 (7) Boundaries of zoning districts, taxing and other special districts; and
- 67 (8) The name, address, and phone number of the engineer or surveyor who prepared the
68 Conceptual Plan set.
- 69 b. Existing Conditions or Demolition Plan. The following shall be drawn to scale:
- 70 (1) Existing topographic contours at no greater interval than two feet (2');
- 71 (2) A slope analysis shading all areas with existing slopes of 30-50% and all areas with
72 existing slopes greater than 50%.
- 73 (3) Existing buildings, utilities, and improvements;
- 74 (4) Location of existing culinary and irrigation water systems and points of proposed
75 connection and extension;
- 76 (5) Location and size of existing utility services and proposed connection and extension
77 (sewer, power, gas, telephone cable);
- 78 (6) Watercourses, impoundments, streams, springs, wells, floodplains, and areas subject to
79 continuous or occasional flooding, including those portions of the property which are
80 included in the most recent flood insurance rate maps prepared by FEMA;
- 81 (7) Significant vegetative patterns;
- 82 (8) Geologic hazards, formations and soils type;

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- 83 (9) Public and private easements related to site, including trails and parks as identified
84 within the adopted General Plan or other adopted plans or policy documents; and
85 (10) Existing survey monuments.
- 86 c. Conceptual Site Plan. The following elements shall be drawn to a scale of a minimum 1"=30':
87 (1) North arrow and scale;
88 (2) Names of all abutting property owners;
89 (3) The dimensions of the site and total acreage, with proposed density;
90 (4) A proposed lot layout showing approximate size of each lot;
91 (5) Location of existing and proposed streets, trails, and sidewalks;
92 (6) Proposed buildings, or building envelopes, as applicable;
93 (7) Proposed public facilities and open spaces;
94 (8) Location of proposed parking;
95 (9) Preliminary location of all proposed on site uses and desired improvements, including
96 any off-site improvements if considered essential to the project; and
97 (10) Any additional information which will convey information that is necessary to
98 determine feasibility and identify problems that need to be addressed on the
99 preliminary design plan, including topography and grading for slopes which may exceed
100 30%.

101 **13-3-050: NOTIFICATION: (new)**

102 Upon receipt of a complete Conceptual Plan application, the Community Development Director, or
103 designee shall notify and distribute copies of the Conceptual Plan application to the development
104 review staff and other affected entities or agencies, as applicable. Conceptual Plans that contain
105 parks, trails, public art or recreational amenities shall be distributed to the Parks, Trails, Arts and
106 Recreation Advisory Board. The board shall provide input to the Administrative Land Use Authority
107 prior to Preliminary Plan review regarding the design, function, and relationship to existing facilities
108 and the parks master plan or other policy documents, as adopted.

109
110 **13-3-060: CONCEPTUAL PLAN REVIEW: (new)**

111
112 Scope Of Review: Conceptual Plan shall be reviewed for compliance with the City General Plan, Land
113 Use Ordinance, this title, and other appropriate regulations. The Community Development Director,
114 or designee, shall coordinate review with the appropriate development review staff and affected
115 entities, as appropriate for the size, scope, and location of the proposed subdivision. The
116 Community Development Director, or designee, shall make findings regarding the submitted
117 Conceptual Plan, specifying any inadequacy in the information submitted, noncompliance with City
118 regulations, questionable or undesirable design and/or engineering, and the need for any additional
119 information which may assist the developer in preparation of a Preliminary Plan application.

120
121 **13-3-070: COMPLETION OF CONCEPTUAL PLAN REVIEW: (new)**

122 Once Conceptual Plan review has been completed, the developer may apply for Preliminary Plan
123 approval consistent with the Conceptual Plan. If Preliminary Plan approval for any portion of an

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124 approved Conceptual Plan has not been obtained within twelve (12) months of the date on which
125 Conceptual Plan review was completed, a resubmittal of the Conceptual Plan shall be required.

126 ***The following sections beginning at 10-3-3 (A)(2) to 103-3-3(C)(2) are deleted and replaced as noted***
127 ***above.***

CHAPTER 4: MINOR SUBDIVISIONS

(entirely new chapter)

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- 13-4-010: PURPOSE:**
- 13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:**
- 13-4-030: APPLICABILITY:**
- 13-4-040: CONCEPTUAL PLAN REVIEW:**
- 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:**

16 13-4-010: PURPOSE:

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

21 13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:

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

- 24 A. Less than ten (10) lots shall be created in the subdivision;
- 25 B. The subdivision shall not require the dedication of any land for public streets or other public
26 purposes, with the exception of the dedication of required public utility easements;
- 27 C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and
28 shall not require the extension of any such streets or utilities, other than extension of service
29 laterals. The developer shall be required to complete any essential infrastructure improvements on
30 an existing street which are not in place at the time the application to develop a minor subdivision is
31 filed. Such improvements shall include any necessary storm drainage facilities, curb, gutter,
32 sidewalk, trail, park strip, including landscaping, and asphalt paving;
- 33 D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general
34 plan that requires right of way dedication;
- 35 E. The proposed minor subdivision shall conform to the general character of the surrounding area.
36 New lot lines shall conform to the general pattern of existing lot lines;
- 37 F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall
38 conform to the applicable provisions of the zoning ordinance;
- 39 G. Utility easements shall be dedicated;
- 40 H. Property must not be located within the Sensitive Lands Overlay Area Map or be property which is
41 subject to geologic hazard review as required by Section 10-12-3 for known or reasonably suspected
42 geologic hazards such as landslides, earthquakes, flooding, problem soils or rocks; and

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43 I. Property must not be located within a Flood Hazard Area (FHA) as identified on the Digital Flood
44 Insurance Rate Map (DFIRM) or Flood Insurance Rate Map (FIRM).

45 **13-4-030: APPLICABILITY:**

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

48 **13-4-040: CONCEPTUAL PLAN REVIEW:**

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

51 **13-4-050: MINOR SUBDIVISION APPLICATION:**

52 All developers of proposed minor subdivisions shall submit a minor subdivision application on a form
53 provided by the City. The application shall include an electronic submission which is reproducible as a
54 24" x 36" plat suitable for recordation and all applicable documents meeting the requirements of
55 section 13-4-100 of this chapter. If essential infrastructure improvements, as specified within this
56 chapter, are required, the application shall be accompanied by improvement drawings for such
57 improvements. The City Engineer may require that a soils report be provided which meets the
58 requirements set forth in section 13-5-040 of this title. At the time the application is submitted, the
59 developer shall pay the appropriate application fee as set forth in the City's consolidated fee schedule.

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

64 **13-4-060: DEVELOPMENT REVIEW:**

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

72 **13-4-070: ADMINISTRATIVE LAND USE AUTHORITY ACTION:**

73 A. Scope Of Action: The Community Development Director, or designee, is designated as the
74 Administrative Land Use Authority for minor subdivisions and shall coordinate review with the
75 appropriate development review staff and affected entities, as appropriate for the size, scope, and
76 location of the proposed subdivision. The Community Development Director, or designee, shall
77 assure that the plat is in conformity with the requirements of this chapter and title, other applicable
78 ordinances or regulations, and any conditions of approval required by this title, city ordinance, or
79 adopted specifications and standards. If the proposed plat complies with those requirements the
80 plat shall be approved or approved with conditions.

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- 81 B. Disapproval: If the Community Development Director, or designee, determines that the proposed
82 plat is not in conformity with the ordinances of the City or required conditions imposed, the plat
83 shall not be approved and the developer shall be notified of the specific reasons for such
84 disapproval. If a proposed plat is disapproved, no further plat shall be submitted and a new minor
85 subdivision application shall be required to initiate minor subdivision approval, including the
86 payment of the required fee.
- 87 C. Appeal: Within ten (10) business days of notification of disapproval of a minor subdivision, the
88 developer may request a review by the Planning Commission.

89 **13-4-080: EXPIRATION OF FINAL APPROVAL:**

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

100 **13-4-090: BOND AGREEMENT:**

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

103 **13-4-100: PLAT REQUIREMENTS:**

- 104 A. Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:
- 105 1. The meets and bounds description of the parcel(s) of ground to be subdivided using the Utah
106 Coordinate System of bearing rotations, otherwise known as NAD93; meets and bounds
107 descriptions may also be provided in Davis County coordinates with a rotation provided to NAD
108 93 coordinates;
 - 109 2. The number and address of the lots intended for sale, including the area, boundaries, courses
110 and dimensions of each lot;
 - 111 3. Existing right of way and easement grants of record for underground facilities, as defined in
112 Utah Code Annotated section 54-8a-2, and for other utility facilities;
 - 113 4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the
114 preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
 - 115 5. A certification from the surveyor preparing the plat; and
- 116 B. Coordinates shall be added to all angle points to the exterior boundary of the subdivision in the
117 coordinate system matching the meets and bounds description.

118 **13-4-110: RECORDING OF PLAT:**

119 Upon approval of a minor subdivision application under this chapter, and approval of a proposed plat
120 prepared in accordance with this chapter, the developer shall provide the City with a current title report

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121 to be reviewed by the City Attorney. A "current title report" is considered to be one which is prepared
122 and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to
123 the property has been approved by the City Attorney, the approved plat shall be signed by the Mayor
124 and all those required. The City Recorder, or designee, shall present the mylar to the Davis County
125 Recorder's Office for recordation.

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CHAPTER 5: STANDARD 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:**

13-5-010: PRELIMINARY PLAT PURPOSE: (new)

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

13-5-020: PRE-APPLICATION MEETING: (new)

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

13-5-030: APPLICATION AND FEES: (new)

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

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

64
65 **13-5-040: PRELIMINARY PLAT AND SUBDIVISION IMPROVEMENT PLANS: (new)**

- 66
- 67 A. Form: The preliminary plan set shall be clearly and legibly drawn at a scale not less than one inch
68 equaling one hundred feet (1" = 100'). The plat shall be so drawn that the top of the sheet is either
69 north or west, whichever accommodates the drawing best. Dimensions shall be in feet and decimals
70 thereof and bearings in degrees, minutes and seconds.

71
72 **The sections below are from current code 10-3-4)**

- 73
- 74 B. Document Requirements: The following items shall be submitted in an application for preliminary
75 plat review:
- 76 1. A preliminary title report covering the entire land in the proposed project, or other approved
77 evidence of title insurability.
- 78 2. Evidence that the applicant has sufficient control and financial capability over the land to
79 effectuate the proposed use, such as an executed purchase contract or an owner's certificate
80 signed and acknowledged by all parties having any record interest in the land subdivision,
81 consenting to the subdivision application.
- 82 3. When applicable, letters from the public agencies which will provide water and sewer service to
83 the proposed development. The letter should state what type, if any, of interim system will be

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- 84 allowed until full service can be provided by the public agency; and that potable water will be
85 available to the developer in quantities and quality as required by state requirements for the
86 project.
- 87 4. Statement of the estimated starting and completion dates for each phase of development,
88 including proposed grading work and any landscape work.
- 89 5. A copy of proposed protective covenants, articles of incorporation, association or condominium,
90 where applicable.
- 91 6. Tabulations showing the square footage and percent of total area proposed in:
92 a. Off street parking;
93 b. Streets and impervious surfaces;
94 c. Developed parks, landscaped areas, and proposed sod; and
95 d. Natural open spaces or undeveloped parks.
- 96 7. Tabulations showing the square footage and percent of area covered by buildings.
- 97 8. Tabulations showing the square footage and total floor space by type of use, i.e., residential,
98 commercial, industrial, etc.
- 99 9. Copies of any agreements with adjacent property owners relevant to the proposed subdivision.
- 100 10. An adequate traffic report prepared by a qualified traffic engineer when required by the City
101 Engineer or Planning Commission.
- 102 11. For developments that are not within the sensitive lands area, a soils data report from a
103 registered soils engineer, engineering geologist or other qualified person, based upon adequate
104 test boring or excavations within the proposed project. The soil report shall include a description
105 of the soil types and characteristics on the site, describe whether or not groundwater was
106 encountered in any of the test borings and at what elevation it was encountered, and shall
107 identify the location of any seismic zones or flood zones on the property.
- 108 12. Soils Investigation Report: If the soil report indicates the presence of critically expansive soils,
109 high water table, the presence of toxic or hazardous waste, or other soil problems which, if not
110 corrected, would lead to structural defects of the proposed buildings, damage to the buildings
111 from the water, premature deterioration of the essential infrastructure improvements, or which
112 would represent a public health hazard, a soil investigation of each lot in the subdivision may be
113 required by the City Engineer. The soil investigation shall recommend corrective actions
114 intended to prevent damage to proposed structures and/or essential infrastructure
115 improvements. The fact that a soil report has been prepared shall be noted on the Final Plat and
116 a copy attached to the Preliminary Plat application.
- 117 13. A geologic hazard study prepared in accordance with Title 10, Chapter 12 for all developments
118 on properties: within the sensitive lands overlay area; with an average slope of fifteen percent
119 (15%) or greater; with native slopes of thirty percent (30%) or greater; with known, suspect, or
120 probable geologic hazards; critical wildlife habitat or natural features; critical drainage channels;
121 or other vital infrastructure.
- 122
- 123 C. Required Information: The following information and documentation shall be included on the
124 Preliminary Plat or preliminary subdivision improvement plans, as applicable:
- 125 1. A vicinity map of the proposed subdivision, drawn at a scale of five hundred feet to the inch
126 (1" = 500'), which defines the location of the subdivision within the City.

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- 127 2. The proposed name of the subdivision, which shall not duplicate or nearly duplicate the name of
128 any subdivision in the City or in the incorporated and unincorporated area of Davis County,
129 unless part of a multi-phased subdivision.
- 130 3. The names and addresses of the developer, owner, or agent, as applicable, the engineer and
131 surveyor of the development, and the owners of the land immediately adjoining the land to be
132 developed. If the developer is represented by an agent, there shall be a statement from the
133 recorded owner authorizing the agent to act on behalf of the property owner.
- 134 4. The date, north arrow, written and graphic scales.
- 135 5. The boundary lines of the tract to be subdivided, with all dimensions shown and a legal
136 description defining the location and boundaries of the proposed subdivision.
- 137 6. The location, widths and other dimensions of proposed streets, alleys, easements, or other
138 public or private rights of way.
- 139 7. The location and size of all sites proposed to be dedicated or reserved for parks, open spaces,
140 common area, or other recreational uses. All sites shall be clearly labeled as proposed for public
141 or private dedication and use.
- 142 8. Boundary lines of adjacent subdivisions and the names of owners of adjacent unsubdivided land
143 within one hundred feet (100') of the tract proposed for subdivision, showing ownership and
144 property monuments.
- 145 9. A contour map at one foot (1') intervals, for predominant ground slopes within the subdivision
146 between level and five percent (5%), and at two foot (2') intervals, for predominant ground
147 slopes within the subdivision over five percent (5%), showing all unusual topographic features
148 with verification by a qualified engineer or land surveyor. Such contours shall be based on Utah
149 State Coordinate System of bearing rotations, otherwise known as NAD 83. The closest Davis
150 County section corner shall be used and its elevation called out on the map. Survey monument
151 information shall be obtained from the Davis County surveyor or City Engineer. Davis County
152 Coordinates may be used with a rotation to NAD 83 coordinates provided.
- 153 10. Grading plan showing existing and proposed contour lines at no greater than two foot (2')
154 intervals at a scale of not less than one inch equals one hundred feet (1" = 100'). For
155 subdivisions with slopes greater than or equal to 30%, shading identifying areas 30% or greater
156 and areas 50% (different color) or greater must be provided, with contour lines no greater than
157 five feet (5') in these areas.
- 158 11. The boundaries of areas subject to 100-year flooding or stormwater overflow, as determined by
159 the Digital Flood Insurance Rate Map (DFIRM),, and the location, width and direction of flow of
160 all watercourses, including all existing and proposed irrigation and natural runoff channels and
161 courses within the subdivision or within two hundred feet (200') thereof, and all known wells or
162 springs (consult state engineer's office).
- 163 12. The existing use or uses and zoning of the property and the outline of any existing buildings and
164 their locations in relation to existing or proposed street and lot lines drawn to scale.
- 165 13. The location, proposed names, widths and a typical cross section of curbs, gutters, sidewalks
166 and other improvements of the proposed street and access easements, and names of all existing
167 or recorded streets, alleys and easements, both within the proposed project and within one
168 hundred feet (100') of the boundary thereof, showing whether recorded or claimed by usage.
- 169 14. The location and dimensions to the nearest existing bench mark or monument, and section line.

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- 170 15. The location and principal dimensions of all watercourses, public utilities, and other important
171 features and existing structures within the land adjacent to the tract to be developed, including
172 railroads, power lines and exceptional topography.
- 173 16. Layout of all lots, including the minimum lot size, lot divisions and consecutive numbering.
- 174 17. 10. Existing and proposed off site and on site culinary and secondary water facilities, sanitary
175 sewers, storm drainage facilities, subdrains, fire hydrants, and any other public or private utility
176 within the tract or within one hundred feet (100') thereof.
- 177 18. Location and size of all existing and proposed easements, dedications, and deed restrictions,
178 including solar, public utility lines, water and sewage lines, storm drains and facilities,
179 watercourses, irrigation systems, land drains, etc.
- 180 19. Stormwater drainage plan and management plan in accord with **Section 8-5-21** by which the
181 developer proposes to handle stormwater drainage for an event with a ten (10) year return
182 period for all storm drain pipe, and for an event with a one hundred (100) year return period for
183 all storm drain detention basins. The calculation must size the detention basin, size the orifice
184 plate and determine the amount of flow which can be released (the release rate can be 0.2
185 cfs/acre). Detention basin shall retain the required 24-hour storm equivalent, as required under
186 the Utah Pollutant Discharge Elimination System (UPDES) general discharge permit. All
187 development and redevelopment that warrants compliance with the Utah General Construction
188 Permit (UGCP) regulation must include a Low Impact Development (LID) analysis that meets the
189 objective of mirroring the predevelopment hydrology and meets the objective of retaining on
190 site, with no discharge, in accordance with the adopted standard by the Utah Division of Water
191 Quality.
- 192 20. If the site requires substantial cutting, clearing, grading or other earthmoving operations in the
193 construction of improvements, the application shall include a soil erosion and sedimentation
194 control plan prepared by a registered civil engineer.
- 195 21. Dimensioned parking layout showing location of individual parking stalls, driveways and other
196 areas of ingress and egress.
- 197 22. Landscaping plan: As applicable for subdivisions containing common area, entry monuments,
198 open space, and public or private parks, a landscape plan for the site(s) and, if appropriate,
199 information relating to the landscaping on adjacent or surrounding areas affected by the
200 proposed development. Such landscaping plans shall be prepared by a qualified professional
201 team showing:
- 202 a. Conformance with Title 10, Chapter 22, Water Efficient Landscape Standards;
 - 203 b. Distribution of plant material, existing and proposed trees, and work involved as related to
204 slope control and/or physical environment;
 - 205 c. Special effects and decorative materials;
 - 206 d. Automatic irrigation systems (sprinkler, bubbler, etc.);
 - 207 e. Recreation equipment.
- 208 23. If the location of the development is part of a larger tract or parcel not included in the
209 Preliminary Plat, the submittal shall include a concept of the prospective future street system of
210 the unsubdivided portion of the property, and the street system of the part submitted shall be
211 considered in light of adjustments and connections with the future street system of the
212 surrounding area and in accordance with the City General Plan.

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- 213 24. If it is contemplated that the development will proceed by phases, the boundaries of such
214 phases shall be shown on the phasing plan sheet along with the estimated construction
215 schedule for each phase.
- 216 25. Certification of the accuracy of the Preliminary Plat of the development and any traverse to
217 permanent survey monuments by a land surveyor, registered to practice in the state.
- 218 26. The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat.
- 219 27. Signature blocks for the approval of Land Use Authority, City Engineer, City Attorney, and
220 Mayor's acceptance.
- 221 28. All drawings shall meet the minimum requirements of the City's adopted Specifications and
222 Standards Manual.

223 **13-5-050 : STAFF REVIEW OF PRELIMINARY PLAT APPLICATION:**

- 224 A. Review Cycles: Preliminary plat review shall be limited to two (2) review cycles subject to the
225 following:
- 226 1. Review cycle restrictions shall not apply to areas with suspected or identified geologic hazards.
- 227 2. Initial review of the preliminary plan set shall be completed by the Development Review Staff
228 within fifteen (15) business days of certification of complete application.
- 229 3. An incomplete application shall not prohibit review staff from providing feedback on portions of
230 the application submitted to assist in the preparation of a complete application.
- 231 4. Review Cycle 1:
- 232 a. The review of the Preliminary Plat application shall include redline corrections and requests
233 for additional information which include specific citations of adopted ordinances, standards
234 and specifications and shall be logged in a separate index of requested modifications or
235 additions.
- 236 b. The applicant shall have a period of twenty (20) business days to respond to each of the
237 redline corrections or request for additional information and shall provided corrected
238 drawings and a written response identifying and explaining the applicant's revision and
239 reasoning for declining to make revision, if any. The explanation shall be comprehensive and
240 specific, including citations to applicable standards and ordinances for the design and an
241 index of the revisions or additions for each required correction.
- 242 c. If the applicant fails to address a review comment in the response, the review cycle is not
243 complete and the subsequent review cycle may not begin until all comments are addressed.
- 244 5. Review Cycle 2:
- 245 a. The development review staff shall have a period of fifteen (15) business days to review the
246 re-submittal and corrections and shall review the revised Preliminary Plat plan set and any
247 modifications made in the first review cycle for additional redline corrections and shall
248 provide a second set of redline corrections and requests for additional information which
249 include specific citations and a separate index of requested modifications.
- 250 b. The applicant shall have a period of twenty (20) business days to respond to each of the
251 redline corrections or request for additional information and shall provided corrected
252 drawings and a written response identifying and explaining the applicant's revision and
253 reasoning for declining to make revision, if any. The explanation shall be comprehensive and
254 specific, including citations to applicable standards and ordinances for the design and an
255 index of the revisions or additions for each required correction.

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- 256 c. If the applicant fails to address a review comment in the response, the review cycle is not
- 257 complete until all comments are addressed.
- 258 d. The development review staff shall review the resubmittal to determine that all redline
- 259 corrections have been completed. Staff shall notify the applicant within ten (10) business
- 260 days of resubmittal of incomplete corrections.
- 261 e. Upon determination of completion of redline corrections, the Preliminary Plat application
- 262 shall be forwarded to the Administrative Land Use Authority for approval.

263 **13-5-060: ADMINISTRATIVE LAND USE AUTHORITY ACTION; PRELIMINARY PLAT:**

- 264 A. The Planning Commission is designated as the Administrative Land Use Authority for Preliminary
- 265 Plat Approval. If the Planning Commission finds that the proposed plat complies with the adopted
- 266 ordinances, standards and specifications, it shall approve the plat, and may attach conditions for any
- 267 outstanding corrections. If the Planning Commission finds that the proposed plat does not meet the
- 268 requirements of this title or other applicable ordinances, it shall deny approval of such plat.
- 269 B. Findings: The Planning Commission may approve or deny the Preliminary Plat and shall make
- 270 findings regarding the submitted plat, specifying any inadequacy in the information submitted,
- 271 noncompliance with City regulations, and the need for any additional information which may assist
- 272 the Planning Commission to evaluate the Preliminary Plat. The Planning Commission shall approve
- 273 only those preliminary plats which the commission finds:
 - 274 1. To be developed in accordance with the intent, standards and criteria specified in this title and
 - 275 other applicable regulations.
 - 276 2. To conform to an approved concept plan.
 - 277 3. To create no substantial financial hardship to the city.
 - 278 4. To create no substantial environmental consequence which will adversely impact upon adjacent
 - 279 properties and the health, safety or welfare of the inhabitants of the city.
- 280 C. The Planning Commission may condition Preliminary Plat approval with specific conditions which are
- 281 necessary to mitigate possible adverse impacts from the proposed development.

282 **13-5-070: NOTIFICATION OF ACTION:**

283 The community development department shall notify the developer, in writing, of the action taken by

284 the Planning Commission. Notification of the approval of the Preliminary Plat application shall be

285 authorization for the developer to proceed with the preparation of the Final Plat and final subdivision

286 improvement plans and specifications as required by City ordinances.

287 **13-5-080: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT :**

288 Approval of the Preliminary Plat shall in no way relieve the developer of the responsibility to comply

289 with all required conditions and ordinances, and to provide the improvements and easements necessary

290 to meet all City standards. The Preliminary Plat approval shall become null and void unless the

291 developer submits an application for Final Plat approval for all phases encompassing the area of the

292 Preliminary Plat within twelve (12) months after approval or conditional approval by the Planning

293 Commission, except as otherwise provided for by written agreement with the City. This time period may

294 be extended for up to twelve (12) months for good cause shown if the developer petitions the

295 Community Development Director in writing requesting an extension prior to the expiration date of the

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296 Preliminary Plat together with any applicable fees .Only one extension of the Preliminary Plat approval
297 may be granted and is subject to review for and compliance to any ordinance, standards, or fee
298 amendments which have occurred since the original approval.

299 **13-5-090: FINAL PLAT; PURPOSE:**

300 The purpose of the Final Plat is to require final review and approval of all documents before a
301 subdivision plat is recorded. The Final Plat and all information and procedures relating thereto shall in all
302 respects be in compliance with the provisions of this title. The Final Plat and improvement plans
303 submitted shall conform in all respects to those regulations and requirements specified during the
304 Preliminary Plat approval. Pursuant to Utah Code Annotated **section 10-9a-604.1**, as amended, the
305 Community Development Director is designated as the Administrative Land Use Authority for Final Plat
306 approval with the advise and consent of the City Engineer and City Attorney.

307 **13-5-100: FILING DEADLINE, APPLICATION AND FEES:**

308 The developer shall file an application for Final Plat approval within twelve (12) months of Preliminary
309 Plat approval. Applications shall be filed with the community development department on a form and in
310 an electronic format prescribed by the City along with all required Final Plat fees.

311 **(these sections are rewritten in "A" below)**

312 **13-5-110: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

- 313 A. The Final Plat and final subdivision improvement plans (final plan set) shall provide technical and
314 engineering solutions to all identified problems as required by this Title. The following items shall be
315 submitted to the community development department for Final Plat review:
- 316 1. An electronic file of the proposed Final Plat, including property lines, easements, centerline of
317 roads, etc.
 - 318 2. An electronic file of the proposed final plan set.
 - 319 3. One electronic copy of all applicable documents or studies required as a condition of Preliminary
320 Plat approval or geologic hazards review.
 - 321 4. A certificate of title insurance for any land to be dedicated to the City.
 - 322 5. Trust agreement for perpetual care funds when required as a condition of approval.
- 323 B. Final Plat Drawing Requirements: **(from section 10-3-5-B)**
- 324 1. Drawings shall be prepared and certification made as to plat accuracy by a registered
325 professional licensed to do such work in the state of Utah, and will conform to current
326 engineering and drafting practices.. A poorly drawn or illegible plan is sufficient cause for Final
327 Plat rejection.
 - 328 2. The Final Plat shall consist of a digital document designed to print at twenty-four by thirty-six
329 (24'x36") inches. The plat shall be drawn that the top of the sheet either faces north or east,
330 whichever accommodates the drawing best.
 - 331 3. The plat shall be made to a scale large enough to clearly show all details, and in any case not
332 smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing
333 shall be neat, clean cut and readable.
 - 334 4. The title of each sheet shall consist of the approved name and phase number of the subdivision,
335 if any, at the top of the page followed by the words "City of North Salt Lake".

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5. An accurate and complete survey map in accordance with Utah State Code shall be made of the land to be subdivided. The record of survey map shall be filed in the office of the Davis County Surveyor prior to recording the final subdivision plat. The exterior boundaries shown on the Final Plat shall be consistent with the boundary lines as depicted on the filed record of survey map and shall close mathematically within 0.01 feet.
6. The Final Plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius, arc length, chord bearing and distance of curves, and such information as may be necessary to determine the location of the beginning and ending points of curves.
7. Every block, lot and parcel offered for dedication for any purpose shall be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. Parcels to be conveyed to the City other than dedication for streets or easements shall be designated by parcel letter and conveyed by separate warranty deed to be recorded with the plat. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof and shall close mathematically within 0.01 feet.
8. Excepted parcels shall be marked "not included in this development" and the boundary completely indicated by bearings and distances.
9. The plat shall show the right-of-way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within 200 feet of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown.
10. All streets within the project shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the City. Each lot shall show the street addresses assigned thereto and shall be according to the standard addressing methods approved by the City. In the case of corner lots, the address will be assigned to the street frontage which the home is most likely to front. In the event the home is faced to the alternate street frontage, the address shall be reassigned, by the City Engineer, at the time of building permit application. The City Engineer shall submit the address change to the Davis County Recorder's Office by affidavit.
11. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet.
12. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision with no omissions or duplications. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.
13. All Lots shall include a 10-foot-wide Public Utility easement along all Street Frontages and at other locations and dimensions as required by any Public Utility company entitled to the use of a Public Utility easement pursuant to **Section 54-3-27**, Utah Code Annotated 1953, or successor statute.

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- 380 14. If a plat creates an easement, the plat shall include specific conveyance language and purposes
381 for said easement. The side lines of all easements shall be shown by fine dashed lines. The
382 widths of all easements and sufficient ties thereto to definitively locate the same with respect to
383 the subdivision shall be shown. Any other easements shown on the plat shall specify to whom
384 the easement is being conveyed, and for what purpose.
- 385 15. The side lines of all easements shall be shown by fine dashed lines. The width of all easements
386 and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be
387 shown. All easements shall be clearly labeled and identified.
- 388 16. If the Subdivision is adjacent to a waterway, the plat shall show the line of high water with a
389 continuous line and shall also show with a fine continuous line, any Lots subject to inundation by
390 a 100-year Flood as shown on the current Digital Flood Insurance Rate Map (DFIRM).
- 391 17. All lands within the boundaries of the plat shall be accounted for either as lots, walkways,
392 streets, alleys, excepted parcels, common areas, building areas, parking areas, drainage
393 facilities, landscape areas, or permanent open space, etc.
- 394 18. All dimensions of irregularly shaped lots shall be indicated in each lot.
- 395 19. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need not
396 be given for interior lot lines where the bearings and lengths are the same as those of both end
397 lot lines.
- 398 20. Parcels not contiguous shall not be included in one plat. Contiguous parcels owned by different
399 parties may be embraced in one plat, provided all owners join in dedication and
400 acknowledgment.
- 401 21. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to
402 seconds of arc.
- 403 22. The information on the plat shall include description of project boundaries, public streets and
404 easements (utility, drainage, access, etc.), as well as other design elements and the following:
405 a. Name of development, astronomic north arrow and basis thereof, and date, and names of
406 developer and engineer. The title of each sheet of the Final Plat shall consist of the
407 approved name and phase number of the subdivision in bold letters, and if applicable, the
408 words "a Planned Unit Development (PUD)", followed by the words "City of North Salt Lake"
409 at the top of the sheet.
- 410 b. Name and address of owner or owners of record.
- 411 c. Total acreage of development project; total number of lots and acreage of each.
- 412 d. Township, range, section (and quarter section, if portion).
- 413 e. Graphic scale.
- 414 23. The Final Plat shall contain the name of the surveyor, together with the date of the survey, the
415 scale of the map and number of sheets. The following certificates, acknowledgments and
416 descriptions shall appear on the title sheet of the Final Plat, and such certificates may be
417 combined where appropriate:
- 418 a. Registered land surveyor's certificate of survey;
- 419 b. A statement by the surveyor certifying that the lots in the subdivision comply with the
420 applicable zoning ordinance in the area and dimension at the date of the survey;
- 421 c. Owner's dedication certificate;
- 422 d. Notary public's acknowledgment for each signature on the plat;

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- 423 e. A correct metes and bounds description of all property included within the subdivision or
424 project;
- 425 f. Plats shall contain blocks for signatures of the Administrative Land Use Authority, City
426 Engineer, City Attorney, and the Mayor with an attestation by the City Recorder;
- 427 g. A block for the Davis County recorder shall be provided in the lower right corner of the Final
428 Plat;
- 429 h. Such other affidavits, certificates, acknowledgments, endorsements and notaries seals as
430 are required by law, by this title or by the City Attorney;
- 431 i. A description of all property being subdivided with reference to maps or deeds of the
432 property as shall have been previously recorded or filed (Each reference in such description
433 shall show a complete reference to the book and page of records of the county. The
434 description shall also include reference to any vacated area with the vacation ordinance
435 number indicated, as applicable);
- 436 j. The owner's dedication certificate, registered land surveyor's certificate of survey, and any
437 other certificates contained on the Final Plat shall be in the form prescribed by the City
438 Subdivision Standards and Specifications;
- 439 k. The plat shall fully and clearly show all stakes, monuments and other evidence indicating the
440 boundaries of the subdivision as found on the site. Any monument or benchmark that is
441 disturbed or destroyed before acceptance of all improvements, shall be replaced by the
442 developer under the direction of the City Engineer. The following required monuments shall
443 be shown on the Final Plat:
- 444 i. The location of all monuments placed in making the survey, including a statement as to
445 what, if any, points were reset by ties;
- 446 ii. All right of way monuments at angle points and intersections as approved by the City
447 Engineer.
- 448 24. Prior to recordation of the plat, the developer shall submit a current title report to be reviewed
449 by the City Attorney. A "current title report" is considered to be one which correctly discloses all
450 recorded matters of title regarding the property, and which is prepared and dated not more
451 than thirty (30) days before the proposed recordation of the Final Plat.
- 452 25. When a subdivision contains lands which are reserved in private ownership for community use,
453 including common areas, the developer shall submit with the Final Plat the name, proposed
454 articles of incorporation and bylaws of the owner, or organization empowered to own, maintain
455 and pay taxes on such lands and common areas.
- 456 C. Final Subdivision Improvement Plan (Construction Plans) Requirements:
- 457 1. Complete and detailed construction plans and drawings of all improvements shall be prepared
458 in conformance with the requirements of this Title and the adopted City Design Standards &
459 Specifications Manual. Final approval of the project shall not be granted until the final
460 construction plans have been reviewed and approved by the City Engineer. No construction shall
461 be started until the Final Plat and final construction plans have been approved by the City. Plans
462 for all utilities located in the street right of way shall be contained in the same plan set.
- 463 2. The following standards are set for the purpose of standardizing the drawings and to obtain
464 uniformity in appearance, clarity, size and reproduction:
- 465 a. All drawings shall be clear and legible and conform to good engineering and drafting
466 practice. Electronic files shall be prepared to be reproducible at a print size of twenty four

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- 467 inches by thirty six inches (24" x 36") (trim line) with one-half inch ($1/2$ ") border on top,
468 bottom and right sides, left side one and one-half inches ($1\frac{1}{2}$ ").
- 469 b. The plans shall include the following information:
- 470 (1) A qualified and licensed engineer's stamp and signature;
- 471 (2) North arrow;
- 472 (3) Elevations referenced to NAD 83 datum;
- 473 (4) Stationing and elevations for profiles;
- 474 (5) Title block located in lower right corner of sheet, to include, project title (subdivision,
475 etc.), specific type and location of work, and name of engineer or firm preparing
476 drawings with license number.;
- 477 (6) Standard engineering scale, either one inch equals twenty feet ($1" = 20'$), 30 feet ($1" =$
478 $30'$) or forty feet ($1" = 40'$) horizontally; one inch equals two feet ($1" = 2'$), four feet ($4'$)
479 or five feet ($5'$) vertical. Variations in scale may be accepted when conditions warrant;
- 480 (7) Both plan view and profiles for curb and gutter plans shall be shown for each side of the
481 street, street centerline profile may be eliminated, top of curb elevations with curve
482 data must be shown for all curb returns;
- 483 (8) Size and location of culinary water lateral mains, meters, valves, elbows, air vacs,
484 pressure reducing stations, and hydrants;
- 485 (9) Type of pipe;
- 486 (10) Size and location of irrigation lateral mains, meters, valves, fittings, drains, etc.;
- 487 (11) Size, location and profile of sewer, storm drains and subdrains and their manhole
488 cleanouts. Approval of sewer infrastructure by South Davis Sewer District is required to
489 be submitted with final plans.
- 490 (12) Detention and retention basins, including pertinent elevations, orifice diameter sizes,
491 headwall details, etc.
- 492 (13) Calculation and traverse sheets giving bearings, distances and coordinates of the
493 boundary of the subdivision and blocks and lots as shown on the Final Plat;
- 494 (14) Design data, assumptions and computations for proper analysis in accordance with
495 sound engineering practice, along with appropriate plan, section and profile sheets for
496 all essential infrastructure improvements.
- 497 3. As needed, separate sheet of details for structures which are to be constructed. All structures
498 shall be designed in accordance with minimum requirements established by the adopted
499 ordinances and standards of the City.

500 **13-5-120: EVALUATION OF FINAL PLAT:**

- 501 A. Community development department: The community development department will determine if
502 the Final Plat submission is complete and if all the fees have been paid. If all requirements are met, a
503 letter of acknowledgment will be provided by the community development department, and shall
504 distribute plans, accompanied by the letter, for comment to all appropriate public and private
505 entities.
- 506 B. Review Cycles: Final Plat review shall be limited to two (2) review cycles subject to the following:
- 507 1. Review cycle restrictions shall not apply to areas with identified or suspected geologic hazards;

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- 508 2. Initial review of the Final Plat and final subdivision improvement drawings shall be completed by
509 the Development Review Staff within fifteen (15) business days of certification of complete
510 application;
- 511 3. An incomplete application shall not prohibit review staff from providing feedback on portions of
512 the application submitted to assist in the preparation of a complete application;
- 513 4. Review Cycle 1:
- 514 a. The review of the Final Plat application shall include redline corrections and requests for
515 additional information which include specific citations of adopted ordinances, standards and
516 specifications and shall be logged in a separate index of requested modifications or
517 additions;
- 518 b. The applicant shall have a period of twenty (20) business days to respond to each of the
519 redline corrections or request for additional information and shall provided corrected
520 drawings and a written response identifying and explaining the applicant’s revision and
521 reasoning for declining to make revision, if any. The explanation shall be comprehensive and
522 specific, including citations to applicable standards and ordinances for the design and an
523 index of requested revision or additions for each required correction.
- 524 c. If the applicant fails to address a review comment in the response, the review cycle is not
525 complete and the subsequent review cycle may not begin until all comments are addressed.
- 526 5. Review Cycle 2:
- 527 a. The development review staff shall have a period of fifteen (15) business days to review the
528 re-submittal and corrections and shall review the revised Final Plat plan set and any
529 modifications made in the first review cycle for additional redline corrections and shall
530 provide a second set of redline corrections and requests for additional information which
531 include specific citations and a separate index of requested modifications.
- 532 b. The applicant shall have a period of twenty (20) business days to respond to each of the
533 redline corrections or request for additional information and shall provided corrected
534 drawings and a written response identifying and explaining the applicant’s revision and
535 reasoning for declining to make revision, if any. The explanation shall be comprehensive and
536 specific, including citations to applicable standards and ordinances for the design and an
537 index of requested revision or additions for each required correction.
- 538 c. If the applicant fails to address a review comment in the response, the review cycle is not
539 complete and Final Plat may not be approved until all comments are addressed.
- 540 d. The development review staff shall review the resubmittal to determine that all redline
541 corrections have been completed. Staff shall notify the applicant within ten (10) business
542 days of resubmittal of incomplete corrections.
- 543 e. Upon determination of completion of redline corrections, the Final Plat application shall be
544 forwarded to the Administrative Land Use Authority for approval.
- 545 6. If the applicant makes material change to a plan set during any review cycle, the City shall have
546 the discretion to restart the review process at the first review cycle.

547 **13-5-130: ADMINISTRATIVE LAND USE AUTHORITY ACTION; FINAL PLAT:**

- 548 A. The Community Development Director, acting as the Administrative Land Use Authority shall review
549 the Final Plat application for conformance to City Ordinance and any conditions of Preliminary Plat
550 approval and shall verify the approvals from the City Engineer, City Attorney, applicable

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- 551 development review staff and affected entities. Upon verification of Final Plat approvals, the
552 director shall send notice of approval to the applicant in writing and authorize the Final Plat Mylar to
553 be printed. The City shall provide the applicant a signed and dated copy of the approved Subdivision
554 Improvement Plans.
- 555 B. The applicant shall submit an executed Final Plat Mylar complete with the surveyor's certification
556 and signed owner's dedication accompanied by the following:
- 557 1. Final title report updated within the previous thirty (30) days;
 - 558 2. Any executed documents required for recordation with the plat, such as easements, owner's
559 association incorporation bylaws or protective covenants;
 - 560 3. Stormwater Management Agreement;
 - 561 4. Subdivision improvement agreement;
 - 562 5. Acceptable assurance document in accordance with **Section 13-5-150** for the installation of
563 essential improvements:
 - 564 a. The developer may elect to install any required public landscaping improvements or
565 infrastructure improvement prior to recordation of the plat in accordance with Utah State
566 Code 10-9a-604.5, as amended; or
 - 567 b. Post an improvement completion assurance equivalent to 100% of the estimated costs of
568 the required public landscaping improvements or infrastructure improvements which are
569 incomplete, not inspected or unaccepted at the time of recording the Final Plat.
 - 570 6. A CAD (Computer Aided Draft) file of the Final Plat and approved construction drawings;
 - 571 7. Payment of all applicable outstanding subdivision review fees, geologic hazard review fees, and
572 subdivision improvement inspection fees in accordance with the City's Consolidated Fee
573 Schedule;
 - 574 8. Payment of all applicable water or storm water impact fees and connections fees associated
575 with improvements to common areas in accordance with the City's Consolidated Fee Schedule;
 - 576 9. Any other applicable agreement or fee as required by this Title, adopted Standards and
577 Specifications Manual, approved development agreement, ordinance, regulation, or law.
- 578 C. Upon receipt of the mylar and associated documents, the Community Development Department
579 shall obtain the required signatures of the City Engineer, City Attorney, Community Development
580 Director, and Mayor.
- 581 D. The signed and executed Final Plat mylar and associated document required for recordation, shall be
582 delivered to the office of the Davis County Recorder for their review and recordation by the City
583 Recorder. The County Recorder and County Surveyor shall review the Final Plat for correctness and
584 provide notification to the City of any deficiencies in the plat and the required recordation fees
585 owed. The City shall forward the County Recorder corrections and notice of payment due to the
586 applicant upon receipt. The applicant shall be responsible to provide any required corrections
587 requested by the County Recorder and payment of all recordation fees directly to the County
588 Recorder's Office.
- 589 E. The Final Plat approval shall become null and void unless the Final Plat is recorded within twelve
590 (12) months after approval, except as otherwise provided for by written agreement with the City.
591 This time period may be extended for up to six (6) months for good cause shown if the developer
592 petitions the Community Development Director in writing requesting an extension prior to the
593 expiration date of the Final Plat together with any applicable fees. Only one extension of the Final
594 Plat approval may be granted and is subject to review for and compliance to any ordinance,

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595 standards, or fee amendments which have occurred since the Final Plat approval. An extension may
596 be granted only if it is determined that it will not be detrimental to the City. If any of the fees
597 charged as a condition of subdivision approval, including, but not limited to, inspection fees, parks
598 fees, flood control fees, as well as the amounts the City uses to estimate bonds to ensure
599 completion of improvements, have increased, the Community Development Director may require
600 that the bond estimate be recalculated and bond security be increased as required, and that the
601 developer pay any applicable fee increases as a condition of granting the extension.

602 13-5-140: DISAPPROVAL OF THE FINAL PLAT:

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

609 13-5-150: SECURITY BOND; DEVELOPER:

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

- 615 A. Incorporation: Incorporation by reference of the Final Plat and all accompanying data required
616 herein which is used to compute the cost of the improvements by the City Engineer;
- 617 B. Completion Of Improvements: Completion of the improvements within a period of time not to
618 exceed two (2) years from the date the agreement is executed;
- 619 C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the City and
620 according to City standards specified in this title;
- 621 D. Amount: The bond amount shall be equal to one hundred percent (100%) of the City Engineer's
622 estimated cost of the essential infrastructure improvements to be installed;
- 623 E. Exclusive Control By City: The bond proceeds may be released only upon written approval of the City
624 Engineer;
- 625 F. Reduction: The bond proceeds may be reduced upon request of the developer as the improvements
626 are installed. The amount of the reduction shall be determined by the City. Such requests may be
627 made only once every thirty (30) days and no reductions shall be authorized until such time as the
628 City has inspected the improvements and found them to be in compliance with City standards and
629 approved improvement plans. All reductions shall be with the written authorization of the City
630 Engineer. The bond shall not be reduced below ten (10%) of the engineer's estimate, until such time
631 that all improvements have been accepted and upon the expiration of the one (1) year warranty
632 period. The warranty period shall begin once as built drawings in CAD format have been submitted
633 to the City, and all improvements have been completed and approved by the City Engineer, with the
634 exception of the required preservation treatment;

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- 635 G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion
636 of the improvements according to City standards for whatever reason, including previous
637 reductions, the developer shall be responsible for the deficiency and no further building permits
638 shall be issued in the subdivision or development until the improvements are completed or new
639 bond, satisfactory to the City, has been executed and delivered to the City to ensure completion of
640 the remaining improvements;
- 641 H. In the event the developer defaults or fails or neglects to satisfactorily install the required
642 improvements within two years from the date of approval of the development by the City Council or
643 to pay all liens in connection therewith, the City Council may declare the bond or other assurance
644 forfeited and the City may install or cause the required improvements to be installed using the
645 proceeds from the collection of the bond or other assurance to defray the expense thereof,
646 including attorney fees and court costs. After the required improvements have been made, any
647 balance after expenses shall be returned to the developer at the end of the assurance period.
- 648 I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period,
649 the costs of completion shall include reimbursement to the City for the costs of administration
650 incurred by the City in obtaining the completion of the improvements;
- 651 J. Nonliability: The developer shall agree to hold the City harmless from any and all liability which may
652 arise as a result of the improvements which are installed until such time as the City certifies the
653 improvements as complete;
- 654 K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by
655 the City and in a form approved by the City Attorney:
- 656 1. A cash bond agreement accompanied by a cashier's check, or a money market certificate made
657 payable only to the City;
 - 658 2. An escrow bond agreement and an escrow account with a financial institution federally insured;
 - 659 3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial
660 institution federally insured; or
 - 661 4. A corporate surety performance bond in favor of the City.
- 662 L. Right Of Rejection: The City reserves the right to reject any bond. The bonds required by this section
663 are for the sole benefit of the City. The bonds are not for the benefit of any individual citizen or
664 identifiable class of citizens, including the owners or purchasers of lots within the subdivision or
665 project.
- 666 M. Extension: The time period for the completion of the required essential infrastructure
667 improvements may be extended in the following manner upon approval of the City Engineer:
- 668 1. The developer may submit a new bond for approval;
 - 669 2. The existing bond may be extended upon payment, by the developer, of the actual
670 administrative costs incurred in reevaluating the sufficiency of the bond amount;
 - 671 3. Subject to review for and compliance to any ordinance, standards, or fee amendments which
672 have occurred since the original approval.

673
674 **13-5-160: DELAY AGREEMENT:**

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

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678 shall specify that the infrastructure improvement which is to be delayed is subject to ordinances,
679 standards, and specifications adopted at the time of the installation. The agreement shall specify that
680 the infrastructure improvement which is to be delayed is subject to ordinances, standards, and
681 specifications adopted at the time of the installation.

682 **13-5-170: RECORDING OF PLAT:**

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

686

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CHAPTER 6: PLANNED UNIT, CONDOMINIUM, RECREATIONAL VEHICLE AND MOBILE HOME DEVELOPMENTS

13-6-010: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:

13-6-020 : CONDOMINIUM SUBDIVISIONS:

13-6-030: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE PARKS; SPECIAL REQUIREMENTS:

10-7-7 (A)

13-6-010: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:

A. Purpose: The purpose of planned unit development (PUD) is to permit flexibility in land use regulations and for the consolidation of open spaces by clustering dwelling units, in order to preserve natural features, allow a variety of land uses, provide meaningful and usable open spaces, and to make efficient use of essential infrastructure and public facilities. The application of planned unit development concept is intended to encourage neighborhoods, housing, design, open space and facilities compatible with the present living environment in the City as described by the general plan, while at the same time ensuring compliance with practices which will assure the health, safety and public welfare of the future inhabitants of the planned unit development, as well as maximizing the energy utilization efficiency of the project. In exchange for the additional services provided by the developer in a planned unit development, this chapter will allow for increased intensity of buildings and more flexible uses of the land.

B. The PUD approach is expected to result in development that is superior to what could be obtained through ordinary lot-by-lot development. It is not intended to circumvent conventional land use regulations. **The City may apply the flexibility of the planned unit development regulations, when the development, through its design and establishment, will provide benefits that may include, but are not necessarily limited to the following:**

1. The stabilization and preservation of the existing or planned land uses in abutting areas and surrounding residential neighborhoods;
2. Preservation and enhancement of desirable site characteristics such as natural topography, vegetation and geologic features, and the prevention of soil erosion;
3. Preservation of buildings which are architecturally or historically significant or contribute to the character of the City;
4. Maximizing and preserving vegetation and open space and/or other special development amenities to provide light, air and privacy, to buffer abutting properties and to provide active and passive recreation opportunities for residents of the planned development and/or the community;
5. Minimize significant through traffic impacts on adjacent residential neighborhoods;
6. Provide an appropriate transition or buffering between uses of differing intensities both on site and off site; and
7. Provide safe and convenient vehicle and pedestrian connections between adjacent uses.

C. In return for greater flexibility in site development, the PUD introduces some special requirements and standards for design approval. These conditions will be employed to maximize quality of site design. They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more conventional development. The PUD process will not be used as a device to force

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44 a decrease in residential density below that otherwise allowed by the comprehensive plan and
45 underlying zoning.

46 D. Planned Unit Developments Approval: A development which is to be developed as a PUD shall be
47 processed in the same manner as subdivisions. PUD developments shall comply with the underlying
48 zoning requirements except as specifically varied by this section.

49 **Section E is from current code 10-7-1(G)**

50 E. Deviation From Design And Improvement Standards: Requests for design deviations, other than
51 those outlined in this section or as approved by development agreement in conjunction with a P-
52 District rezone, may only be approved as a legislative decision by the City Council. Where, in the
53 opinion of the City Council, the literal enforcement of the design and improvement standards in this
54 title would result in an unreasonable utilization of land and water or undue hardship due to unique
55 circumstances compliance with one or more of the design and improvement standards may be
56 waived, according to the following procedure:

- 57 1. Application: Application for a modification of design standards shall be made on a form provided
58 by the City and shall include:
 - 59 a. A description of the land to be developed;
 - 60 b. An identification of the title provision from which the modification is requested;
 - 61 c. A description of the peculiar physical conditions pertaining to the land in question and which
62 do not pertain to other lands in the general area;
 - 63 d. A description of the hardships which will accrue to the detriment of the property owner if
64 the requested modification is not granted;
 - 65 e. A nonrefundable modification review fee, where established and payable to the city, in
66 accordance with the currently applicable fee schedule as adopted by resolution of the City
67 Council.
- 68 2. Public Hearing; Notice: The Planning Commission shall hold a public hearing before making a
69 recommendation on the requested modification. Notice of said public hearing shall be given in
70 accordance with USC 10-9a-205 as a class B notice.
- 71 3. Recommendation To City Council: The Planning Commission shall review the modification
72 application and shall submit its written recommendations for approval or disapproval of such
73 application to the City Council, along with written reasons therefore within thirty (30) calendar
74 days from receipt of said application at a regularly scheduled meeting of the Planning
75 Commission. The Planning Commission may at its own discretion conditionally approve a
76 preliminary plat subject to approval of the modification by the City Council, or may table action
77 on a preliminary plat until the City Council has acted on the modification request.
- 78 4. Decision Of City Council: The City Council may approve the requested modification upon making
79 a finding based upon the record submitted that the issuance of the modification will not be
80 detrimental to the interest of the public safety, health or welfare, the proposed development
81 substantially complies with the City General Plan and adopted Zoning Ordinance, and the
82 proposed modification will result in improved overall development design.
- 83 5. Records Maintained: A record of all correspondence, recommendations, submissions and official
84 action regarding all design modifications applications shall be maintained permanently by the
85 City as a public record.

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86 F. P-District Developments: PUD developments in conjunction with a Planned (P) District rezone shall
87 also require the approval of a development agreement by the City Council which includes all design
88 standard variations.

89 **From Section 10-7-4-C**

90 G. Planned Unit Developments To Meet Use Limitations Of Districts Wherein Located:

- 91 1. Land uses permitted within a PUD subdivisions shall comply with the underlying zone district or
92 the negotiated terms contained in an approved P-District development agreement. Multi-family
93 attached dwellings shall only be allowed to the extent permitted in the underlying zone.
- 94 2. The density allowed in a residential PUD shall be determined by calculating the net developable
95 area of the development divided by the minimum land area required per dwelling unit within
96 the zone district. Net developable area is defined as the total development parcel less the area
97 required for private or public road rights of ways and including the required adjacent pedestrian
98 walkways and park strips.

99 H. Development Standards:

- 100 1. Area: No planned unit development shall have an area less than that approved by the Planning
101 Commission as adequate for the proposed development.
- 102 2. Arrangement Of Structures:
 - 103 a. Open Space: The Planning Commission shall require such arrangements of structures to
104 consolidate and maximize usable open spaces for the enjoyment and convenience of future
105 tenants of the development. Care shall be taken to assure that adjacent properties will not
106 be adversely affected.
 - 107 b. Perimeter Setback: All structures within a PUD shall be setback from the perimeter boundary
108 of the development a minimum of fifteen (15) feet.
 - 109 c. Increased Perimeter Setback Relative to Structure Height : The perimeter setback shall be a
110 minimum of twenty-five (25') feet for structures with greater than two (2) stories adjacent to
111 a property line shared with single or two family dwellings or single and two family zones. An
112 additional five (5') feet shall be required for each story above three (3) stories.
 - 113 d. Front Setback (street): All front façades of buildings which face a private or public street right
114 of way shall be setback a minimum distance of twenty (20) feet from the edge of the right of
115 way, including any required sidewalk and park strip.
 - 116 e. Front Setback (other): All front facades of buildings which face a perimeter development
117 boundary or other physical feature or barrier, such as a retaining wall greater than 4 feet in
118 height, shall be setback from the perimeter boundary or wall a minimum distance of twenty-
119 five feet.
 - 120 f. Building Separation-front façade(s): Residential structures which front a courtyard or other
121 shared common open space have a minimum building separation of thirty (30) feet. Front
122 porches, patios, awnings, or above ground decks may extend into the separation distance up
123 to five (5) feet. Fenced limited common area may extend up to ten (10) feet into the
124 separation distance. Pedestrian walkways within the front separation shall be a minimum of
125 five (5) feet in width.
 - 126 g. Building Separation (rear facades): Residential structures without rear garage or rear alley
127 access, shall have a minimum separation distance of thirty (30) feet. Fenced limited common
128 area may extend up to fifteen (15) feet into the separation distance.

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- 129 h. Building Separation (side facades): Adjacent side building facades shall have a minimum
130 separation distance of twenty-five (25) feet. Adjacent side yards may be used for common
131 open space, pedestrian circulation, or landscaping. Prohibited use in adjacent side yards
132 shall be parking and fenced limited common area. Pedestrian walkways within the side
133 separation shall be a minimum of five (5) feet in width.
- 134 i. Building Separation Increased Relative to Structure Height: The required building separation
135 increased by a minimum of 5 feet for each story above the second story. The Planning
136 Commission may reduce the required additional separation for facades which face a street
137 or alley.
- 138 j. Rear setback (alley loaded): Residential structures with alley loaded garages shall be setback
139 from the private street right of way a minimum of distance of five (5) feet.
- 140 3. Street and Alley Widths in Townhome or Multi-family Subdivisions
- 141 a. Public Streets: Public streets shall be designed and constructed to meet the minimum width
142 standards as established for the designated street type.
- 143 b. Private Street/Alley Width: The minimum street right of way width for a private street shall
144 be 26 feet with a minimum of 22 feet of pavement.
- 145 c. Alley Width: One-way single loaded alleys (one side only) may be reduced in right of way
146 width to 24 feet with a minimum of 20 feet of pavement. One-way alleys which do not
147 provide direct access to a units driveway or garage may be reduced to 15 feet of pavement
148 in those areas.
- 149 d. Town Center Street Design: All public streets within the Town Center shall have the following
150 improvements:
- 151 (1) Increased park strip and sidewalk width as shown on the adopted cross sections within
152 the Town Center Master Plan.
- 153 (2) Street trees in accordance with Title 7, Chapter 9, Community Forestry.
- 154 (3) Street amenities as in accordance with the Town Center Master Plan and as provided in
155 the adopted Standards and Specifications Manual for tree grates, planter box, seating,
156 and street lights.
- 157 e. Improvements to Existing Public Streets: Existing public streets which do not meet the
158 adopted standards and designated street type in relation to the approved cross section
159 design, shall be required to be improved as part of the development including right of way
160 dedication. Where planned right of way improvements for widening or narrowing of the
161 street right of way the City, at its sole discretion and as recommended by the City Engineer,
162 may choose to delay installation of the improvements in the following circumstances:
- 163 (1) Installation of the improvements would not be practical because the roadway design has
164 not been completed by the City and the location or elevations of curb and gutter are
165 unknown or the development and the required improvements are located in the middle
166 of a block and would significantly effect the functionality of the storm water system or
167 other utilities;
- 168 (2) The proposed improvements are shown on the City's adopted Capital Facilities Plan for
169 future installation within five (5) years; and
- 170 (3) The City Engineer recommends to the Planning Commission that the developer be
171 allowed pay to the City a fee in lieu of installation, which fee shall be equivalent to the
172 projected and estimated construction cost of the improvement. Said fee will be held in

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- 173 trust by the City and used for the construction of the improvement required with the
174 larger capital improvement for the project.
- 175 f. The minimum width shall be increased when required by the Fire Marshal to meet the
176 minimum standards of the International Fire Code or when required by the City Engineer to
177 meet minimum turning radius requirements.
- 178 g. Private streets or alleys adjacent to a perimeter property boundary shall be required to have
179 a minimum 8 foot landscape buffer between the private street/alley and the abutting
180 property line.
- 181 4. Parking:
- 182 a. Parking Design: All parking facilities shall be designed in accordance with Title 10, Chapter 6,
183 Off Street Parking Facilities, unless specifically modified by this section.
- 184 b. Driveways, Residential: Where individual residential units have driveways provided or are
185 required by the Planning Commission, the minimum driveway length shall be twenty-two
186 (22') feet.
- 187 c. Parking, Multi-Family Residential:
- 188 (1) A minimum of one covered parking space per unit shall be provided for the exclusive use
189 of the residents of said unit and shall be provided for the use of tenants and included
190 within the terms of any lease agreement.
- 191 (2) Total parking shall be provided based upon bedroom count for the project as outlined in
192 the table below:

Unit Type	Parking
Studio/1 bedroom	1.25
2 bedroom	1.75
3 or greater bedroom	2.25

- 194
- 195 d. Parking, non-residential: The minimum parking required shall be established based upon the
196 proposed uses as outlined in Section 10-6-5, Minimum Off Street Parking Stall Requirements
197 for Specific Uses.
- 198 e. Shared Parking: Where multiple uses will share parking facilities, the total required parking
199 may be reduced by determining the minimum requirement for the highest use time period
200 based upon the following schedule :

Use Category	Weekdays			Weekends		
	12:00 am-8:00 am	8:00 am-6:00 pm	6:00 pm-12:00 am	12:00 am-9:00 am	9:00 am-6:00 pm	6:00 pm-12:00 pm
Entertainment/ Recreation	5%	20%	100%	5%	50%	100%
Hotel	100%	65%	100%	100%	65%	100%
Office	5%	100%	5%	0%	5%	0%
Residential	100%	50%	80%	100%	75%	75%

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Restaurant	25%	80%	100%	35%	70%	100%
Retail/Service	0%	100%	80%	0%	100%	60%

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- f. Bike parking or storage facilities shall be provided at the rate of one bike for every 20 vehicle parking spaces in visible and sheltered locations near entrance doors.
 - g. Electric vehicle charging (level 2 or greater) shall be provided for all developments with twenty or more units at a rate of 2 charging stations per 20 vehicles.
 - h. Additional Modification of Parking Requirements: As outlined in Section E above, the City Council may approve parking less the required minimum established in this section when supported by a parking study from a qualified professional, demonstrating that due to the nature of the development, proximity to transit, off site shared parking facilities, or other unique circumstances, the reduced parking requirement is sufficient to meet the needs of the future tenants. The City Council may require as a condition of modification, a development agreement, covenant or other guarantee outlining parking management practices required for the development.
5. Public/Community Spaces:
- a. Outdoor spaces such as plazas, patios, courtyards, window shopping areas, and pedestrian ways intended to provide outdoor dining shall be designed to offer attractive and inviting pedestrian scale features, spaces and amenities.
 - b. Entrances and parking lots shall be configured to be functional and inviting with walkways conveniently tied to logical destinations.
 - c. Bus stops and drop-off/pick-up points shall be considered as integral parts of the configuration.
 - d. Pedestrian ways shall contain design features such as towers, arcades, porticos, pedestrian light fixtures, bollards, planter walls and other architectural elements that define circulation ways and outdoor spaces.
 - e. Developments which do not provide thru street access or developments with ten (10) or more dwelling units shall be provided with common trash removal in the form of community dumpsters. Developments which provide individual garbage collection from each unit shall provide designated areas for the placement of individual trash and recycling containers at each unit’s private street access.
6. Pedestrian Access & Building on Cross Slopes:
- a. Buildings fronting on a public or private street shall be constructed with pedestrian entry doors a minimum of 6 inches and a maximum of 36 inches above the finished curb height of the adjacent street.
 - b. Commercial, office, or other retail shall provide pedestrian entrances at a rate of one entrance for every 30 feet of façade. The Planning Commission may reduce this requirement based upon the projected ground floor use for larger retail storefronts and slope of the road.
 - c. Cross Slopes: all structures shall be stepped in elevation on cross slopes as shown in the figure below:

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7. Outdoor storage, trash collection and loading areas:

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a. Loading areas and outdoor storage areas shall be screened, recessed, or enclosed when visible from adjoining properties and/or public streets.

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b. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and the buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

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c. Areas for outdoor storage, truck parking, trash collection or compaction, loading or other such uses shall not be visible from adjacent properties or public right-of-way.

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d. No areas for outdoor storage, trash collection or compaction, loading or other such uses shall be located within 35 feet of any public street, public sidewalk or internal pedestrian way.

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e. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials shall be of similar color and quality of the principal materials of the building and landscape.

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8. Additional Design Considerations:

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a. Lot area, width, yard, height and coverage requirements shall be determined by approval of the preliminary design plan.

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b. Where feasible, buildings or landscaping shall not prohibit the free flow of air or direct exposure to sunlight, specifically in regard to solar heating or cooling structures by solar energy systems.

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c. The development will be planned so as to provide solar access to all of the residential units, unless waived by the Planning Commission.

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9. Plan Preparation: All plans must be prepared by a qualified professional team.

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I. Preservation, Improvement, Maintenance And Ownership: Preservation, maintenance and ownership of required open spaces within development shall be accomplished by:

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1. Improvement of open spaces shall be designed, installed, and maintained in accordance with Title 10, Chapter 22, Water Efficient Landscaped Standards.

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2. Dedication: Dedication of the land to the City as a public park or parkway system, including a certificate of title insurance; or

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3. Easement:

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- 274 a. Granting to the City a permanent, open space easement on and over the said private open
275 spaces to guarantee that the open space remains perpetually in recreational or park use,
276 with ownership and maintenance being the responsibility of an owners' association
277 established with articles of association and bylaws which are satisfactory to the City Council;
278 or
- 279 b. Granting to the City a permanent, open space easement on and over the said private open
280 spaces to guarantee that the open space remains perpetually in recreational or park use, to
281 be maintained from the proceeds of a Perpetual Maintenance Trust Fund established by the
282 developer in an amount satisfactory to the City Council; or by
- 283 c. Condominium Ownership Act: Complying with the provisions of the Condominium
284 Ownership Act, Utah Code Annotated title 57, chapter 8, as amended, which provides for
285 the payment of common expenses for the upkeep of the common areas and facilities. (Ord.
286 93-5, 7-6-1993, eff. 7-15-1993)
- 287 4. The developer shall provide the following:
- 288 a. Adequate and reasonable guarantees as determined by the Planning Commission for
289 permanent retention of open spaces and for the maintenance of roadways, storage facilities,
290 service facilities and landscaping resulting from the application of these regulations.
- 291 b. The developer shall record against the property a declaration of covenants, conditions,
292 restrictions, and easements (CCRs) which shall provide for an owner's association (HOA or
293 other entity) responsible for the maintenance of all common areas and private
294 infrastructure.
- 295 c. The declaration shall provide provisions for the creation of an initial operating budget, as
296 well future yearly budgets, long term reserves, annual maintenance, and required payments
297 of dues and fees by lot owners of the PUD for both yearly maintenance and long range
298 reserve projects or maintenance.
- 299 d. The developer shall implement any reasonable steps in the creation of the appropriate
300 accounts and funding sources for the HOA yearly operations and maintenance costs prior to
301 occupancy of any units in the PUD. The developer shall ensure that said accounts are funded
302 in a manner to cover ongoing maintenance costs during construction of all HOA common
303 facilities and units, so long as the developer remains the declarant in control of the HOA to
304 the extent that the HOA is not self-sustaining.
- 305 e. The declaration shall require a reinvestment fee, or other mechanism as permitted by law,
306 for the purposes of funding the HOA in perpetuity. The reinvestment fee shall apply to all
307 closings within the HOA in perpetuity, including initial closings from the developer to a buyer
308 and all subsequent closings. The reinvestment fee shall be used to fund the reserve and
309 operating funds of the HOA.
- 310 f. The developer shall provide to the Planning Commission a management plan and a first year
311 budget at build out demonstrating the viability of the HOA to meet its obligations including a
312 proposed HOA monthly or annual assessment. The management plan developed by the
313 applicant shall outline standards of operation, and remedies for failure to comply with those
314 standards. A letter from a qualified HOA management company shall be provided confirming
315 that any submitted HOA budgets are reasonable.

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316 5. Tax Liability For Private Open Space: Ownership for tax liability of private open space
317 reservations shall be established in a manner acceptable to the City Council and made a part of
318 the conditions of the plan approval

319 J. The City and the Developer may enter into a formal Development Agreement when specific PUD
320 performance standards are imposed or deviation in design standards have been approved.

321 **3-6-020: CONDOMINIUM SUBDIVISIONS (Current Code Section 10-19-1)**

322 A. The procedures and requirements of this section shall apply to and govern the processing of
323 condominium record of survey maps pursuant to the requirements of the condominium ownership
324 act, Utah Code Annotated title 57, chapter 8. Said procedures and requirements shall supplement
325 zoning, site development, health, building and other ordinances applicable to a particular
326 condominium project, and shall apply to the approval of such projects involving new construction, as
327 well as those involving the conversion of existing structures. In addition, condominium projects
328 which contemplate dedication of real property or improvements for the use of the public, or
329 condominium projects in which units are not contained in existing or proposed buildings, shall also
330 be considered subdivisions requiring compliance with all applicable codes of the City.

331 B. It is the intent of this chapter to establish a reasonable process whereby the City can assess the
332 impact of mixing collective and individual ownerships, as presented in a particular condominium
333 project, upon the public health, safety, convenience and general welfare of present and future
334 inhabitants of the City. In the case of commercial or residential conversions of existing buildings,
335 corrections of building code violations, the upgrading of vehicle parking facilities and safety of
336 common functional elements of the structure or structures are of prime importance. It is also
337 recognized the conversion of existing apartments or similar multi-family rental dwelling structures
338 present the potential of relocation hardship to existing tenants, especially senior citizens, and
339 warrants that reasonable notice and disclosure requirements be established by the City to minimize
340 said hardships. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

341

342 C. Application Requirements: The owner or developer of a proposed condominium project desiring
343 approval shall file an application with the Community Development Department in accordance with
344 applicable subdivision process or plat amendment. In addition to the subdivision application
345 requirements the following shall also be submitted:

346 1. Proposed map accurately drawn to scale as required by Utah Code Annotated section 57-8-13, as
347 amended, which shall be made by a registered Utah land surveyor. In addition, said map or an
348 additional site plan shall include diagrammatic floor plans identifying boundaries of the project
349 units, convertible and expandable areas or spaces and common areas. Said map or plan should
350 designate the intended use of common areas (e.g., storage, recreational, parking for guests as
351 opposed to unit owners, open space, etc.) and should indicate whether such common areas are
352 to be open to the public, assigned to specific units or semiprivate and available only to unit
353 owners. Said map or site plan shall also identify and describe in detail the location of existing or
354 proposed driveways, pedestrianways, curb cuts, walls, structures, fences, landscaping and
355 sprinkling systems.

356 2. The proposed condominium declarations and bylaws.

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- 357 3. Where conversion of an existing building is proposed as part of the condominium project, a
358 property report and code analysis, prepared by a licensed architect or engineer, including the
359 following information with the plan for proposed improvements, renovations and repairs:
360 a. The age of the building or buildings.
361 b. The general conditional, useful life and capacity of the building's structural elements,
362 including the roof, foundations, mechanical system, electrical system, plumbing system,
363 boiler, and other structural elements.
364 c. The age and condition of all underground utility systems, including meters, and identifying
365 utility improvements required to provide separate meters and services to individual units.
366 d. All known conditions constituting deficiencies requiring repair to meet existing Building
367 Codes.
368 e. All known conditions which may require repair or replacement within the next succeeding
369 five (5) year period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
370 f. The property report shall certify that the structure or structures conform to the International
371 Building Code minimum standards, or the owner shall present plans to bring the structure or
372 structures into conformity with said standards prior to issuance of certificates of occupancy.
373 g. Where it is determined that physical conditions in an existing building do not allow the strict
374 application of the International Building Code standard, the City Board of Appeals, as
375 provided for in the International Building Code, shall review all requests to vary from these
376 standards and may grant variances or approve alternates where it is determined the intent
377 of the requirement will be met. In any event, there shall be disclosure to buyers of any
378 conditions that do not meet code or standards set by the City. (Ord. 93-5, 7-6-1993, eff. 7-15-
379 1993; amd. 2012 Code)
- 380 4. Proof of notice to tenants as required by **section K** below shall be required before final approval,
381 but may be submitted, at the owner/developer's option, after preliminary plat approval is
382 obtained from the Planning Commission.
- 383 5. To assist the City to defray costs involved with the review of the project, fees shall be submitted
384 with a preliminary plat application as outlined in the consolidated fee schedule. (Ord. 93-5, 7-6-
385 1993, eff. 7-15-1993)
- 386 D. Copies Routed: Upon receipt of a completed application for approval of a condominium project, the
387 Community Development Department staff shall route copies of the application and development
388 plans in the same manner as a standard subdivision as outlined in chapter 5 of this title.
- 389 E. Review: Additional preliminary review by the planning staff, Fire Marshal and the Building Inspection
390 Department shall include, but not be limited to, the following:
391 1. Planning Staff Review:
392 a. Letter Of Intent: A letter of intent shall be submitted indicating proposed concept of project
393 for review. The condominium declarations and bylaws shall be reviewed as part of the final
394 approval process and will include provisions addressing and fixing responsibility for the
395 maintenance, upkeep and repair of common areas, including common walls, electrical,
396 mechanical, plumbing or utility systems, recreational areas, landscaping and parking areas.
397 The declarations shall also restrict the use of any individual residential dwelling unit to single
398 "families", as defined in section 10-1-47 of the City Code. The staff shall also review said
399 declaration to require appropriate disclosure of any unusual circumstances, variances or
400 conditions placed upon the condominium project for approval.

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- 401 b. Plans And Related Documents: The staff shall review the plans and related documents to
402 determine whether the project conforms to applicable requirements of this title, the status
403 or extent of nonconforming rights, applicable conditions imposed upon the building or use
404 by ordinance, variance, conditional use permit and/or prior approval under a PUD, clustered
405 or group dwelling plan. If the planning staff finds there are violations of applicable zoning
406 ordinances or requirements, the staff may recommend denial of the condominium project
407 until such violations have been corrected or requirements completed or bonded for prior to
408 final approval by the Planning Commission. (Ord. 2012-07, 4-30-2012)
- 409 2. Building Inspection Staff Review:
- 410 a. Upon receipt of the application for approval of a condominium project, the Building
411 Inspection Department shall review the proposed building plans for new construction and/or
412 in the case of a conversion project, the property report and plan of improvement,
413 renovations and repairs to determine conformance with applicable building codes. In the
414 case of a conversion, the department shall require inspections of the property and may
415 require supplementation, revision and resubmission of the property report where necessary.
416 (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 417 b. In the preliminary review report to the Planning Commission, the Building Official shall note
418 corrections, repairs and replacements which must be made to bring the structures into code
419 compliance, together with a list of renovation improvements proposed by the
420 owner/developer which are not required by code. The Building Official shall also list any
421 requirements of the International Building Code that needs Board of Appeals consideration
422 due to unique circumstances associated with the structure, as provided in City Code 9-3-1.
423 The Building Official may then recommend denial until such time as existing violations of
424 code are corrected or may recommend preliminary approval of the project and building
425 report subject to correction of the violations prior to final approval. (Ord. 93-5, 7-6-1993, eff.
426 7-15-1993; amd. 2012 Code)
- 427 3. Fire Marshal Review: The Fire Marshal shall inspect each structure proposed for conversion and
428 shall submit a report thereon to the City outlining the conditions of the structures as they relate
429 to fire safety. The Marshal shall stipulate those conditions requiring improvement, prior to
430 occupancy, in the report. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 431 F. Planning Commission Consideration: Upon completion of the recommendations of the development
432 review staff, the matter shall be set for consideration by the Planning Commission in the same
433 manner prescribed for a subdivision or plat amendment as provided in this title.
- 434 G. Findings For Approval: The Planning Commission may grant approval of the project if it finds that the
435 project is:
- 436 1. in full compliance with applicable city ordinances;
- 437 2. meets the requirements of the condominium ownership act;
- 438 3. that proper notice to tenants has been given; and
- 439 4. that in every way the project is ready for preliminary approval.
- 440 H. Preliminary Approval: If the Planning Commission finds that the project substantially complies with
441 the above mentioned criteria but that certain facts of the proposal require changes or modifications
442 prior to final approval, or that tenant notification has not been completed, the Planning Commission
443 may grant conditional preliminary approval to the project with instructions as to what criteria must
444 be met prior to submission for final approval by the Community Development Director.

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- 445 I. Disapproval: If the Planning Commission finds the project in conflict with the ordinances of the City
446 and/or the state and is not in the best interests of the City as a whole and/or specific neighborhood
447 in which the project is proposed to be located, or if it is not satisfied with the site development plans
448 of the project, the Planning Commission may disapprove the project specifying in detail the reasons
449 for disapproval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 450 J. Notice: As part of the application for approval of a condominium project, when said project involves
451 the conversion of an existing structure where the structure has been occupied by residential or
452 commercial tenants prior to application for conversion, the owner/developer shall provide notice of
453 intended conversion to said tenants by certified mail. This notice requirement shall not apply to a
454 structure that was vacant and remained so during the year prior to filing of the developer's
455 application for conversion. Such notice shall include:
- 456 1. The proposal for the conversion of the building to a condominium project;
 - 457 2. The established dates of construction period and termination of occupancy which shall not be
458 less than sixty (60) days from the date notice is served upon occupants or expiration of individual
459 leases, whichever is longer;
 - 460 3. The disclosure of the sales price for each unit shall be no greater than the price initially
461 advertised and offered to the general public at such time as when the condominiums are offered
462 for public sale;
 - 463 4. Relocation information for the tenants specifying available alternative housing relocation
464 resource agencies and organizations and a plan of any services to be voluntarily provided by the
465 owner/developer. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 466 K. Dissemination Of Notice: A copy of said notice, together with a list prepared by the owner/developer
467 identifying names, apartment or unit numbers, approximate ages, rental rates and other known
468 special disabilities or factors affecting relocation needs of the tenants, shall be submitted to the
469 Davis County Housing Authority and any applicable social services department of the County or State
470 to advise said agencies of the conversion and/or solicit their assistance with relocation services. No
471 final approval of such a conversion project shall be granted by the Planning Commission until the
472 owner/developer has provided proof of notice by certified mail or subsequent proof of actual
473 delivery by method of services allowed under state law of such notices and relocation information as
474 required above, and any plans for relocation services to be voluntarily provided by the
475 owner/developer and the time designated therein (a minimum of 60 days) has expired. (Ord. 93-5,
476 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 477 L. Protest Review Procedure: When a tenant of a residential dwelling has received written formal
478 notice of eviction without cause and without at least sixty (60) days notice of conversion required
479 above and has reason to believe that notice was issued because of a proposed condominium project,
480 he may, within thirty (30) days of the date of the notice of eviction, initiate an appeal regarding the
481 issue of proper notice to the Community Development Director, or designee. The filing of such a
482 protest shall stay the issuance of any approval or issuance of any permits for the structure in
483 question for a period not to exceed thirty (30) days and the matter shall be set for hearing before the
484 Planning Commission.
- 485 M. Investigation: Upon filing a tenant appeal, the City staff shall institute an investigation to determine if
486 the notice requirements set forth above were satisfied. They shall then report their findings to the
487 Planning Commission within ten (10) days of filing of the appeal. (Ord. 93-5, 7-6-1993, eff. 7-15-
488 1993)

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**13-6-030 MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE PARKS;
SPECIAL REQUIREMENTS:**

- A. The procedures and requirements of this section shall apply to and govern the processing of mobile home parks, mobile home subdivisions and recreational vehicle parks. The owner or developer of a proposed mobile home or recreational vehicle project desiring approval shall file an application with the Community Development department in accordance with applicable subdivision process or plat amendment. Applications will be processed in the manner described within Chapter 5 Subdivisions or Chapter 7 Plat Amendments, as applicable, and shall be in conformance to purpose and intent of the regulations contained within this section.
- B. Purpose And Intent: The purpose and intent of this section is to: (10-7-5)
 - 1. Permit variety and flexibility in land development for residential purposes by allowing the use of mobile homes and recreational vehicles under certain conditions.
 - 2. Require that mobile home and recreational vehicle developments will be of such character as to promote the objectives and purposes of this title; to protect the integrity and characteristics of the district contiguous to those in which mobile home parks are located; and to protect other land use values contiguous to or near mobile home or recreational vehicle developments.
- C. Location:
 - 1. Mobile Homes: No mobile home shall be located anywhere within the corporate boundaries of the City except in a licensed mobile home park or approved mobile home subdivision. Emergency or temporary parking of any unoccupied mobile home outside a licensed mobile home park or mobile home subdivision will be permitted for a period not exceeding twenty four (24) hours. This limitation does not apply to unoccupied mobile homes in licensed mobile home sales areas.
 - 2. Recreational Vehicles:
 - a. Recreational vehicles which do not include facilities necessary to be "mobile homes", as defined in section 10-1-47 of this code, shall not be used at any place within the corporate boundaries of the City, at any time, for living quarters except in designated camping areas or recreational vehicle parks.
 - b. Recreational vehicles which are unoccupied for living space may be stored on an owner's private residential lot, provided the parking complies with the regulation in section 10-6-6 of this title. Long term commercial storage of recreational vehicles, maintenance operations, reconstruction or construction activities are permitted within zoning districts allowing such uses.
- D. Standards And Requirements:
 - 1. Determination Of Compliance: The Planning Commission shall review the proposed development plan to determine its compliance with all portions of the City General Plan and, among other things, shall attempt to make sure that such development will constitute a residential environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area. Standards higher than the minimum standards contained in this title may be required if necessary for local conditions of health, safety and protection of property, and to ensure that the development will mix harmoniously with contiguous and nearby existing and planned uses.

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- 532 2. Required Facilities: The Planning Commission shall not approve any application for mobile home
533 park, recreational vehicle park or mobile home subdivision if the developer cannot provide
534 required water supplies and facilities, waste disposal systems, storm drainage facilities, access or
535 improvements, or if the developer cannot assure that the development will be completed within
536 twelve (12) months, or if the planning commission or city council determines there would be
537 unusual danger of flood, fire or other hazard, or if the proposed development would be of such
538 character or in such a location that it would:
- 539 a. Create excessive costs for public services and facilities;
 - 540 b. Endanger the health or safety of the public;
 - 541 c. Unreasonably hurt or destroy the environment;
 - 542 d. Cause excessive air or water pollution, or soil erosion; or
 - 543 e. Be inconsistent with any adopted general or specific plan of the area in which it is to be
544 placed.
- 545 3. Standards And Requirements Specified; Exception: The development shall conform to the
546 following standards and requirements, unless modified by an approved planned unit
547 development plan:
- 548 a. The area shall be in one ownership, or if in several, the application for approval of the
549 development shall be filed jointly by all owners of the property included in the plan.
 - 550 b. A strip of land at least fifteen feet (15') wide surrounding the entire park shall be left
551 unoccupied by mobile homes, recreational vehicles, storage buildings, service buildings,
552 garages or any accessory buildings or uses, and shall be planted and maintained in lawn,
553 shrubs or trees, with an approved durable permanent wall or fence designed to afford
554 privacy to the development.
 - 555 c. All storage and solid waste receptacles outside the confines of any mobile home or
556 recreational vehicle shall be housed in a closed structure compatible in design and
557 construction to the mobile homes, and to any service buildings within the development; all
558 patios, carports, garages and other additions shall be compatible in design and construction
559 with the mobile home. The service buildings shall be constructed in accordance with
560 standard commercial practice and kept in good repair. In mobile home developments where
561 units will be situated with long axis perpendicular to the street, streets will run in a north-
562 south direction to the greatest extent possible. This is to promote solar orientation of the
563 units.
 - 564 d. In addition to meeting the above requirements and conditions, and conforming to the other
565 laws of the City, all mobile home parks, recreational vehicle parks, and mobile home
566 subdivisions shall also conform to all applicable state regulations. In the event of any conflict
567 between said regulations and this chapter, this chapter shall take precedence where its
568 regulations are more strict, and the provisions of the state regulations shall take precedence
569 where such regulations are more strict.
- 570 4. Utilities Underground: Every mobile home park, recreational vehicle park and mobile home
571 subdivision shall provide and maintain underground utility service to every mobile home stand
572 or lot including, but not limited to, water, sewer, power, natural gas (mobile home parks only),
573 and telecommunications.
- 574 5. Inspection And Special Regulation Of Mobile Homes: Mobile homes are considered by the city to
575 be less durable and less resistant to deterioration than are conventional homes; therefore, all

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- 576 mobile homes which are used for human habitation, whether conforming or nonconforming,
577 and whether located in mobile home parks, in mobile home subdivisions or on bona fide farms
578 and ranches, shall be subject to the following special regulations:
- 579 a. Permits are required for mobile home set up, plumbing and electrical hookups, and such
580 hookups shall be made only by licensed plumbers and electricians.
 - 581 b. A certificate of compliance is required for all mobile homes within the city, whether
582 occupied or awaiting occupancy, and may be obtained from the building official following an
583 inspection wherein the mobile home is found to meet the safety, sanitary and structural
584 standards adopted by the City. The state or federal inspection certificate will be honored in
585 lieu of a certificate of compliance.
- 586 6. Compliance With Other Regulations: Any mobile home or recreational vehicle located in any
587 permitted area shall comply with and conform to all other zoning laws, rules and regulations,
588 and building, plumbing, electrical and fire prevention codes, and all other codes and
589 requirements applicable to a structure or building erected within the district in which said
590 mobile home or recreational vehicle is located.
- 591 7. Guarantees:
- 592 a. For mobile home parks and recreational vehicle parks, adequate and reasonable guarantees
593 must be provided for permanent retention of open spaces and for the maintenance of
594 roadways, storage facilities, service facilities and landscaping resulting from the application
595 of these regulations. The developer shall provide the following:
 - 596 (i) Adequate and reasonable guarantees for permanent retention of open spaces and for
597 the maintenance of roadways, storage facilities, service facilities and landscaping
598 resulting from the application of these regulations.
 - 599 (ii) The developer shall record against the property a declaration of covenants, conditions,
600 restrictions, and easements (CCRs) which shall provide for a home owner’s association
601 (HOA) or management entity responsible for the maintenance of all common areas and
602 private infrastructure.
 - 603 (iii) The declaration shall provide provisions for the creation of an initial operating budget, as
604 well future yearly budgets, long term reserves, maintenance, and required payments of
605 dues and fees by lot owners of the park for both yearly maintenance and long range
606 reserve projects or maintenance.
 - 607 (iv) The developer shall implement any reasonable steps in the creation of the appropriate
608 accounts and funding sources for the HOA yearly operations and maintenance costs
609 prior to occupancy of any units in the park. The developer shall ensure that said
610 accounts are funded in a manner to cover ongoing maintenance costs during
611 construction of all common facilities and units, so long as the developer remains in
612 control of the park.
 - 613 (v) The declaration shall require a reinvestment fee, or other mechanism as permitted by
614 law, for the purposes of funding the improvements in perpetuity. The reinvestment fee
615 shall apply to all closings within the park in perpetuity, including initial closings from the
616 developer to a buyer and all subsequent closings. The reinvestment fee shall be used to
617 fund the reserve and operating funds for the park.
 - 618 (vi) The developer shall provide a management plan and a first year budget at build out
619 demonstrating the viability of the park to meet its obligations including proposed

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620 monthly or annual assessment. The management plan developed by the applicant shall
621 outline standards of operation and remedies for failure to comply with those standards,
622 as well as a single responsible person or entity for its administration and communication
623 with the City.

624 (vii) **The City and the Developer may enter into a formal Development Agreement when**
625 **specific PUD performance standards are imposed or deviation in design standards have**
626 **been approved.**

627 b. In any case, when a mobile home park or recreational vehicle park is owned by more than
628 one person, the owners shall establish and appoint a park manager. The manager shall be
629 authorized to receive, process and represent fully the interests of the owners in respect to
630 continuing management and maintenance of the park.

631 c. Prerequisite to the operation of any mobile home park or recreational vehicle park in the
632 City shall be the obtaining of an annual business license from the City.

633 d. In the event a mobile home or recreational vehicle park is not completed according to
634 approved plans, or operated and maintained according to the approved management plan,
635 the annual business license may be denied or revoked. The mobile homes or recreational
636 vehicles and associated property and facilities shall be removed, and all services
637 discontinued before any part of the land within the development planning area may be used
638 for any other purpose, or be subdivided.

639 e. The premises on which any mobile home is located, used or occupied shall be maintained in
640 a clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds,
641 inoperative vehicles or other unsightly material thereon shall constitute a public nuisance
642 and a violation of this title. Reasonable guarantees to assure compliance with this
643 requirement will be required of the developer and/or owner as a condition of conditional
644 use permit approval and ultimately the issuance of the annual City business license.

645 E. Additional Requirements For Mobile Home Parks: In addition to the requirements for mobile home
646 parks outlined in this section, mobile home parks shall meet the following requirements:

647 1. Number Permitted: The number of mobile homes shall be limited to seven (7) units per acre and
648 may be limited to fewer units, depending on mobile home size, topography and other factors of
649 the particular site. The mobile homes may be clustered; provided, that the total number of units
650 does not exceed the number permitted on one acre, multiplied by the number of acres in the
651 development. The remaining land not contained in individual lots, roads or parking shall be set
652 aside and developed as parks, playgrounds and service areas for the common use and
653 enjoyment of occupants of the development, and the visitors thereto.

654 2. Distance Between Structures: No home or addition shall be located closer than ten feet (10')
655 from the nearest portion of any other home or add on. All such homes and additions shall be set
656 back at least ten feet (10') from road curbs or walks. If the mobile home tongue remains
657 attached, it shall be set back a minimum of six feet (6') from road curbs or walks. All mobile
658 homes, storage buildings, service buildings, garages, carports or other additions, etc., shall be set
659 back at least fifteen feet (15') from any boundary of the mobile home park.

660 3. Off Street Parking: Off street parking shall be provided at the rate of two (2) parking spaces per
661 mobile home space, and each such parking space shall have a minimum width of ten feet (10')
662 and minimum depth of twenty feet (20'). In no case shall the parking space be located farther
663 than one hundred feet (100') from the mobile home space.

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- 664 4. Bulk Storage Areas: One-story bulk storage areas shall be provided within a mobile home park,
665 equivalent to sixty (60) square feet per mobile home space. The area designated for said bulk
666 storage shall be improved, landscaped and screened.
- 667 5. Residential Accommodations: Not less than ten percent (10%) of the gross land area shall be set
668 aside for the joint use and enjoyment of occupants in a parklike setting with both active and
669 passive recreational accommodations. The land covered by vehicular roadways, sidewalks, off
670 street parking and required setbacks shall not be construed as part of this ten percent (10%)
671 common area required; provided, however, that in initial stages of development or special
672 smaller developments, the minimum area shall be not less than one acre or ten percent (10%),
673 whichever is greater.
- 674 6. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for
675 protective yard lighting the full length of all driveways and walkways.
- 676 7. Landscaping: All areas not covered by mobile homes or recreational vehicles, hard surfacing or
677 buildings shall be landscaped in accordance with Title 10, Chapter 22 Water Efficient Landscape
678 Standards and such landscaping shall be permanently maintained.
- 679 8. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be
680 hard surfaced before the adjacent spaces may be occupied.
- 681 9. Roadways: The private roadways shall be designed to accommodate anticipated traffic, including
682 the following standards, unless modified by an approved planned unit development plan:
- 683 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for
684 maneuvering mobile homes.
- 685 b. Two-way traffic: A minimum of thirty feet (30') in width.
- 686 c. Entrance roadways: A minimum of thirty six feet (36') in width.
- 687 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled
688 gutters or an approved equivalent.
- 689 e. Sidewalks: Sidewalks shall be installed on all main roadways within the development and to
690 public streets adjacent to the development. The sidewalk width shall meet the minimum
691 ADA requirements. Interior circulation sidewalks not adjacent to roadways shall be required
692 to be a minimum of five (5') in width.
- 693 f. Access: Each park shall have at least two (2) accesses to public streets, unless more than one
694 access is prohibited by a responsible public agency.
- 695 10. Skirting: Within forty five (45) days of occupancy, each mobile home shall be skirted, or if shields
696 are used, they are to be fireproof, well painted or otherwise preserved.
- 697 11. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents
698 of the development as well as adjacent property owners. Such facilities must be of sufficient
699 capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or
700 adjacent to the development and shall be provided in accordance with Title 8, Chapter 5,
701 Stormwater Management.
- 702 12. Character; Acreage; Construction And Phase Completion Plan: The mobile home park shall:
- 703 a. Be in keeping with the general character of the district in which it is to be located.
- 704 b. Be located on a parcel of land not less than ten (10) acres, or on two (2) or more parcels
705 separated by a street or alley only, and totaling ten (10) acres, unless modified by an
706 approved planned unit development plan.

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- 707 c. Have at least twenty five (25) spaces completed, ready for occupancy, or an approved
708 financing plan for construction and phase completion, together with approved security to
709 assure compliance, before first occupancy is permitted.
- 710 13. Laundry Facility: A laundry for convenience of park occupants, but not for the general public,
711 may be included in mobile home parks.
- 712 14. Term Of Occupancy: No mobile home space shall be rented for a period of less than thirty (30)
713 days, and occupancy shall be by written lease. Leases shall be made available for inspection by
714 the officials of the City upon demand.
- 715 15. Access: Access shall be provided to each mobile home stand for maneuvering mobile homes into
716 position. The accessway shall be kept free from trees and other immovable obstructions. Paving
717 under mobile homes will not be required if adequate support is provided as required by state
718 regulations. Uses of planks, steel mats or other means to support the mobile home during
719 placement shall be allowed, so long as the same are removed upon completion of placement.
- 720 F. Additional Requirements For Recreational Vehicle Parks: In addition to the requirements for
721 recreational vehicle parks outlined in this section, recreational vehicle parks shall meet the following
722 requirements:
- 723 1. Location: Recreational vehicle parks shall generally be located:
- 724 a. Adjacent to or in close proximity to a major traffic artery or highway.
725 b. Near adequate shopping facilities.
726 c. Within or adjacent to a mobile home park.
- 727 2. Recreational Area: Not less than ten percent (10%) of the gross land area shall be set aside for
728 the joint use or enjoyment of occupants. The land covered by vehicular roadways, sidewalks and
729 off street parking shall not be construed as part of the ten percent (10%) common area required
730 for parks and playgrounds for occupants; provided, however, that in initial stages of
731 development or in special smaller developments, the minimum area shall not be less than one-
732 half (1/2) acre or ten percent (10%), whichever is greater.
- 733 3. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for
734 protective yard lighting the full length of all driveways and walkways.
- 735 4. Landscaping: All areas not covered by recreational vehicles, hard surfacing or buildings shall be
736 landscaped and permanently maintained pursuant to a plan approved by the Planning
737 Commission.
- 738 5. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be
739 paved with asphalt or concrete before the adjacent recreational vehicle spaces may be occupied.
- 740 6. Roadways: The private roadways shall be designed to accommodate anticipated traffic, including
741 the following standards, unless modified by an approved planned unit development plan:
- 742 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for
743 maneuvering recreational vehicles.
- 744 b. Two-way traffic: A minimum of thirty feet (30') in width.
- 745 c. Entrance roadways: A minimum of thirty six feet (36') in width.
- 746 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled
747 gutters or an approved equivalent.
- 748 e. Sidewalks: Sidewalks shall be installed on all main roadways within the development and to
749 public streets adjacent to the development. The sidewalk width shall meet the minimum

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- 750 ADA requirements. Interior circulation sidewalks not adjacent to roadways shall be required
751 to be a minimum of five (5') in width.
- 752 f. Access: Each recreational vehicle park shall have at least two (2) accesses to public streets,
753 unless more than one access is prohibited by a responsible public agency.
- 754 7. Term Of Occupancy: No individual space in a recreational vehicle park shall be used by one
755 individual recreational vehicle for more than ninety (90) days consecutively, nor shall such space
756 be rented or leased to any one individual for a period longer than ninety (90) days in any one
757 calendar year.
- 758 8. Use As Permanent Living Quarters Prohibited: Recreational vehicles may be stored where
759 permitted, but not used for permanent living quarters.
- 760 9. Sales Lots: Recreational vehicles may be stored, displayed, sold and serviced, but not used for
761 living quarters, in a sales lot in an appropriate zoning district when such use is a permitted or a
762 conditional use.
- 763 10. Screening; Access: Recreational vehicles may be accommodated in an approved and licensed
764 mobile home park; provided, that:
- 765 a. The recreational vehicle park portion of the development is separated by barriers, screens or
766 otherwise from the area of mobile homes.
- 767 b. The recreational vehicle use area shall have direct access to a collector or arterial street.
- 768 c. Separate ingress and egress shall be provided for recreational vehicles when required by the
769 Planning Commission.
- 770 11. Area; Construction And Phase Completion Plan: Recreational vehicle parks may be approved in
771 locations permitting such use in this title. Before such approval is given, the Planning
772 Commission shall find that the proposed development will:
- 773 a. Be placed on a parcel of land of not less than five (5) acres, or within a mobile home park,
774 unless modified by a planned unit development plan.
- 775 b. Before first occupancy, have at least twenty five (25) spaces completed (10 if in a mobile
776 home park), or an approved schedule of financing, construction and phase completion, and
777 approved security, to assure compliance.
- 778 G. Additional Requirements For Mobile Home Subdivisions: In addition to the requirements for mobile
779 home subdivisions outlined in this section, mobile home subdivisions shall meet the following
780 requirements:
- 781 1. Area; Lots; Homeowners' Association: Mobile home subdivisions may be approved in locations
782 permitting such use in this title. Before such approval may be granted the Planning Commission
783 shall find that the proposed development will:
- 784 a. Be located on a parcel of land containing not less than five (5) acres.
- 785 b. Contain lots with a minimum net area of five thousand (5,000) square feet and a minimum
786 width of fifty feet (50').
- 787 c. Be organized in a homeowners' association, if mobile home lots are to be sold to individual
788 owners.
- 789 2. Security Compound: The Planning Commission may require a security compound for the storage
790 of vehicles, boats and other large items, to be provided equivalent to a minimum of three
791 hundred (300) square feet of paved area per mobile home lot, to be maintained by a
792 homeowners' association in the mobile home subdivision.

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- 793 3. Skirting: Each mobile home shall be skirted or shielded within forty five (45) days of occupancy. If
794 shields are used, they are to be fireproof and painted, or otherwise preserved.
- 795 4. Street Widths: Street widths shall be as required by the development regulations, except as may
796 be modified by an approved planned unit development plan.
- 797 5. Term Of Occupancy: No mobile home in a mobile home subdivision shall be rented or leased for
798 a period of less than ninety (90) days. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

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CHAPTER 7: PLAT AMENDMENTS & LOT LINE ADJUSTMENTS

13-7-010: PLAT AMENDMENTS:

13-7-020: EXEMPTION FROM PLAT REQUIREMENT:

13-7-030: ROUTINE AND UNCONTESTED LOT LINE ADJUSTMENTS:

Existing language from 10-7-7(H)(1)-moved below to new section

Existing language from 10-7-7(H)(2)

A. 13-7-010: Plat Amendments: The application for a proposed plat amendment shall be submitted to the Community Development Department and shall contain the following:

1. A complete application on form created by the City;
2. An electronic copy of the proposed plat amendment designed to print at twenty-four by thirty-size inches (24"x36") showing the lots to be amended, properly and accurately drawn to scale, certified as accurate by a registered land surveyor;
3. Plat amendments shall be prepared in conformance to the standards outlined in this title for a final plat submission, and shall include all notes, conditions, easements, or other pertinent information included upon the subdivision plat to be amended;
4. For plat amendments which vacate or amend a public right of way or public trail, the applicant shall provide stamped, addressed envelopes for:
 - a. property owners within 300 feet of the boundary of the plat;
 - b. all property owners that access their property from the proposed vacated right of way: and
 - c. all property owners within the boundary of the proposed amended plat.
5. For plat amendments which amend the location or vacate a public utility easement:
 - a. the applicant shall provide evidence that no public utilities have been located within the existing easement; and
 - b. shall provide letters from all public utilities who may use the easement consenting to the amendment to said public utility easement.
6. Fees: The petitioners shall pay, with the amendment petition, the appropriate fees pursuant to the consolidated fee schedule for the City.

B. Review Process:

1. Applicability:
 - a. Residential, commercial, industrial or agricultural subdivision amendments that cannot be processed as routine and uncontested lot line adjustments, shall be processed pursuant to this subsection.
 - b. Plat amendments that create one or more additional lots to the subdivision, shall not be processed as a plat amendment, but shall be processed as new subdivision.
2. City Internal Review:
 - a. The Community Development Department shall obtain comments regarding the amendment petition from all the development review staff.
 - b. If the development review staff determines that the proposed amendment petition may have an adverse material impact on traffic, it may require the applicant to submit a professionally prepared traffic impact study.

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- 42 c. The development review staff comments shall be transmitted to the applicant for revisions
43 as applicable.
- 44 3. Planning Commission Review:
- 45 a. Plat amendments which vacate or amend a public right of way, public trail, or public utility
46 easement shall be noticed for public hearing before the City Council as a class A notice in
47 accordance with USC 10-9a-208, as amended.
- 48 b. For plat amendments which vacate or amend the location of a public utility easement,
49 notice of the public hearing before the City Council shall be mailed to all individuals and
50 affected entities with interest in the easement..
- 51 c. The Planning Commission shall review the recommendation from the development review
52 staff, comments from the applicant and affected parties, and shall approve or deny the
53 amendment application with specific findings of fact, according to the standards for
54 approval set forth in subsection in this section.
- 55 d. For plat amendments which vacate or amend a public right of way, public trail, or public
56 utility easement, the Planning Commission shall consider the recommendation from the
57 development review staff, comments from the applicant and the public, and shall
58 recommend to the City Council the approval or denial of the amendment application with
59 specific findings of fact, according to the standards for approval set forth in this section. The
60 City Council shall hold a public hearing and shall consider the plat amendment application
61 recommendation and approve, approve with conditions, or deny the application, according
62 to the same standards and in accordance with state code, as applicable.
- 63
- 64 4. Standards For Approval Of Plat Amendment: A plat amendment application shall be approved
65 only if it meets all of the following requirements:
- 66 a. The amendment will be in the best interests of the City;
- 67 b. All lots comply with all applicable land use and subdivision standards;
- 68 c. All necessary and required dedications are made;
- 69 d. Provisions for the construction of any required essential infrastructure improvements are
70 included;
- 71 e. The amendment complies with all applicable laws and regulations;
- 72 f. The amendment does not materially injure the public or any person and there is good cause
73 for the amendment: and
- 74 g. For plat amendments which vacate some or all of a public street or public utility easement,
75 the City Council shall find that:
- 76 (1) Good cause exists for the vacation; and
- 77 (2) neither the public interest nor any person will be materially injured by the vacation.
- 78 5. Appeals From Planning Commission Decision Not Involving Public Right of Way or Public Trail:
- 79 a. If the petitioner, or any affected individual or organization disagrees with the Planning
80 Commission decision, a written objection, clearly specifying the reasons therefor, shall be
81 filed with the City Recorder within fourteen (14) days following the Planning Commission
82 decision.
- 83 b. The objection shall be heard before the City Council, subject to the standards for approval
84 set forth in this section..
- 85 6. Appeal From City Council Decision:

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- 86 a. If the petitioner, or any notified individual or organization disagrees with the city council
87 decision, a written objection, clearly specifying the reasons therefor, shall be filed with the
88 city recorder within ten (10) days following the city council decision.
- 89 b. The objection shall be heard before the hearing officer at a scheduled meeting.
- 90 7. Recordable Instrument: If the amendment application is approved, the City Recorder shall
91 execute and record the final amended subdivision plat and such other documents as may be
92 required with the Davis County recorder's office.

93 **13-7-020: Exemptions from Plat Requirements:**

94 A subdivision plat amendment is not required for a lot line or boundary adjustment as defined in Utah
95 Code Section 10-9a-523, as amended, but shall be processed as outlined in the following section.

96 **10-7-7 (H)(1)**

97 **13-7-030: Routine and Uncontested Lot Line Adjustments:**

- 98 A. Purpose: The purpose of this section is to enable routine and uncontested lot line adjustments
99 between two (2) lots to be considered and approved administratively by the City's Development
100 Review Staff.
- 101 B. Applicability: This section applies to routine and uncontested lot line adjustments between two (2)
102 legally existing agricultural, residential, commercial or industrial subdivision lots. Applications
103 processed pursuant to this section shall:
- 104 1. Meet all applicable land use code requirements.
105 2. Receive the consenting signatures of all affected property owners.
106 3. Not affect any street right of way.
107 4. Not create any new lots.
108 5. Not affect any trail right of way.
109 6. Not affect any public utility easement.
- 110 C. General Application Contents: The application for routine and uncontested lot line adjustments shall
111 include:
- 112 1. The signatures of approval of all affected property owners whose property line will be amended.
113 2. An electronic copy of a survey drawing, showing the lots involved and the lot line to be adjusted,
114 properly and accurately drawn to scale, certified as accurate by a registered land surveyor, and
115 the proposed form of a deed or boundary line agreement for the lot line adjustments.
- 116 D. Fees: The petitioners shall pay an application review fee consistent with the consolidated fee
117 schedule for the City.
- 118 E. City Internal Review: The development review staff shall review the application for completeness
119 and for compliance to the regulations of this title. Upon review of the application and survey
120 drawing, the development review staff shall approve the lot line adjustment if the application
121 conforms to the adopted standards and regulations of the land use ordinance or deny the lot line
122 adjustment if it does not.
- 123 F. Lot line adjustments that are denied by the development review staff may be amended for
124 reconsideration or may be appealed to the Planning Commission by filing a request with the
125 Community Development Department.
- 126 G. Recordable Instrument: If the lot line adjustment is approved, the City Recorder or designee shall
127 provide a letter of approval signed by the City Engineer and Community Development Director,

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128 certifying that the lot line adjustment conforms to the requirements of the City's land use
129 regulations and approving the recordation of an appropriate deed or boundary line agreement with
130 the Davis County Recorder's Office containing the legal description of each new lot and stating any
131 conditions of approval.

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133

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(DRAFT 01.08.2024)**

CHAPTER 8: SUBDIVISION DESIGN

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13-8-010: GENERAL STANDARDS:

When applicable, the following general standards shall apply subdivisions, unless specifically modified as provided in this title.

- A. Ownership: The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property or their representative.
- B. Landscaping, Fencing And Screening: Landscaping, fencing and screening within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Administrative Land Use Authority for approval, together with other required plans for the development and shall be in conformance with Title 10, Chapter 22, Water Efficient Landscape Standards.
- C. Signs And Lighting: The size, location, design and nature of signs, if any, and the intensity and direction of area lighting or floodlighting shall be detailed in the application.
- D. Grading And Drainage Plan: A grading and drainage plan shall be submitted with the application.
- E. Planting Plan: A planting plan showing the proposed tree, shrubbery and lawn plantings shall be prepared for those portions of the development proposed as common area, limited common area, open space, recreational amenities, or public dedications.
- F. Nondetrimental Use: It shall be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety or general welfare of persons residing in the vicinity of the development.
- G. Water And Sewer Systems: All buildings used for human occupancy when completed shall be served by a central water system and central sewage disposal system which have been approved by the City Engineer and South Davis Sewer District and South Davis Water District, where applicable, and which are in compliance with applicable local and state law.
- H. Design Of Development: In the event that the land contained within a development is traversed by a proposed major street, water line, sewer line or drainage channel shown on the General Plan, Capital Facilities Plan or any other official City map, said development shall be designed in

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43 accordance therewith. The right of way across the development for said major streets, or other right
44 of way, shall be dedicated to the public.

- 45 I. Environment Of Residential Areas: Grouping and spacing of buildings and dwellings in residential
46 areas shall provide for a restful and uncrowded environment. Landscaped areas shall be encouraged
47 as the dominant features of the development. Areas not covered by buildings or by off street parking
48 space or driveways shall be in conformance with Title 10, Chapter 22, Water Efficient Landscape
49 Standards, and otherwise landscaped and maintained in accordance with good landscape practice as
50 approved on the final plan. Permanent automatic irrigation systems shall be installed to provide for
51 maintenance of planted areas.
- 52 J. Conformance To Standards: Details of plans, plats and documents to be submitted showing the size
53 material, and length of water lines, sewer lines and other domestic sewage disposal facilities,
54 garbage and trash disposal, the quality of material and improvements, protection from adverse
55 influences, lighting, landscaping, off street parking, grading and other details of design and
56 construction shall conform to the North Salt Lake Standards and Specifications manuals as adopted
57 by the City Council.
- 58 K. Ordinance Standards: The development shall meet all standards and requirements of this title and all
59 requirements of applicable ordinances.
- 60 L. Character Of Development: The development shall be in keeping with the general character of the
61 district within which it is to be located.
- 62 M. Plan Preparation: Plans for the development shall be prepared by a qualified professional team
- 63 N. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents of
64 the development as well as adjacent property owners and the City.
- 65 O. Inspections: All structures required by this title to have building permits and all uses required to have
66 use permits shall be inspected by the Building Official in accordance with procedures established by
67 the International Building Code, as adopted by the City, and this title. (Ord. 93-5, 7-6-1993, eff. 7-15-
68 1993; amd. 2012 Code; Ord. 2022-03, 6-7-2022)

69 **From 10-7-7 (K)**

- 70 P. The design of a development shall preserve insofar as possible the natural terrain, natural drainage,
71 existing topsoil and trees.
- 72 Q. Land subject to hazardous conditions, such as slides, mudflow, rockfalls, snow avalanches, possible
73 mine subsidence, shallow water table, liquefaction, faults, open quarries, floods, and polluted or
74 nonpotable water supplies, shall be identified and shall not be developed until the hazards have
75 been mitigated or will be mitigated by the development and construction plans.
- 76 R. Existing pipelines and high-voltage powerline easements: Subdivisions with existing underground
77 pipelines or overhead high-voltage powerlines shall be designed in a manner that utilizes these
78 easements for open space or other compatible land uses and are excluded from individual
79 residential lots.

80 **13-8-020: SUBDIVISION LAYOUT: (new language)**

- 81 A. Conformance To General Plan: Where a proposed subdivision includes property identified within the
82 City General Plan or other Master Planning documents to include specific essential infrastructure
83 improvements, such as trails, active transportation improvements, or right of way improvements;
84 the developer shall provide a lot layout which accommodates the improvement.

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- 85 B. Preservation Of Features: Where trees, groves, waterways, scenic points, historic spots or other City
86 assets and landmarks, as determined by the City, are located within a proposed subdivision, every
87 reasonable means shall be provided to preserve these features.
- 88 C. Adjoining Existing Street: Whenever a tract to be subdivided adjoins or contains any part of an
89 existing or proposed street so designated on the street plan, such part of the public way shall be
90 platted, dedicated and improved by the developer in the location and at the width specified.

91 **13-8-030: LOTS:**

- 92 A. General Requirements: All subdivisions shall result in the creation of lots which are developable and
93 capable of being built upon. A subdivision shall not create lots, and no building permit shall be
94 issued for any lots which would make improvement impractical due to size, shape, steepness of
95 terrain, location of watercourses, problems of sewerage or driveway grades, or other physical
96 conditions.

97 **From 10-7-7 (K) (3) & (13)**

- 98 B. Lots:
- 99 1. No single lot shall be divided by a municipal or county boundary line.
 - 100 2. A lot shall not be divided by a road, alley or other lot.
 - 101 3. No wedge shaped lot shall have less than the required width for lot frontage required in the
102 zoning district.
 - 103 4. Side lot lines shall be at right angles to the street which the lot fronts or approximately radial to
104 the center of street curve or cul-de-sac on which the lot faces. The City Engineer may allow
105 exceptions to this requirement where considerations are warranted for solar orientation or
106 topography.
 - 107 5. All lots created by the subdivision shall front on a public street, or on an approved private street,
108 which is improved to the standards hereinafter required, and shall have frontage equal to the
109 minimum frontage requirement for the zone unless modified as part of a planned unit
110 development.
 - 111 6. Double Frontage: Lots having double frontage shall not be approved except where necessitated
112 by topographic or other unusual conditions. The Administrative Land Use Authority may require
113 that vehicular access be restricted for portions of double fronted lots, where access would be
114 deemed difficult due to topography or pose a traffic hazard.
 - 115 7. Corner lots shall be so designed as to provide for the same quality and size of building area as
116 interior lots by increasing the minimum width by ten feet (10') to accommodate the required
117 side street setbacks.
 - 118 8. Lot Size Standards: All lots shall conform to area requirements of any existing zoning regulations.
 - 119 9. Slope of Lots: All residential lots shall have an average slope of less than 30%. Slopes which are
120 30% and greater shall be excluded from the building envelope designated on the plat. All
121 approved lots 12,000 sq. ft. and smaller shall have no area of slope greater than 30%.
 - 122 10. For lots 12,000 sq. ft. and larger, the buildable area or the building envelope as designated on
123 the plat shall be at least five thousand (5,000) square feet in size with no single dimension of less
124 than fifty feet (50') and shall exclude required setbacks and easements.
 - 125 11. Remnants parcels of property shall not be left which do not conform to lot requirements or are
126 not required or suitable for common open space, private utility or public purpose.

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127 12. Lot numbers shall begin with the number "1" and shall continue consecutively through the
128 subdivision, with no omissions or duplications. No block designations shall be used. When a
129 subdivision is developed in phases, the phase number shall precede each lot number. For
130 example, phase 2 would be numbered 201, 202, 203, etc.

131

132 10-7-8: FLAG LOTS 1 : (These amendments were Recommended by the DRC and the Planning
133 Commission wants to eliminate Flag Lots entirely)

134 In older areas of the City, certain residential properties have evolved over time with irregular shapes and
135 sizes, some with deep rear lots. As the City continues to see these lots subdivided, there may exist a
136 need to develop these deeper lots. Flag lots are one alternative to such development. However, many
137 problems can result from the misuse of flag lots, including increased points of traffic access on busy or
138 narrow streets, large paved areas created to access rear units, a mass of new units incompatible with an
139 existing neighborhood, and the compromising of adequate and safe fire protection to rear dwelling units.
140 These problems threaten the character and stability of existing neighborhoods. For these reasons, the
141 following restrictions and prohibitions are established to better control increasing residential density in
142 predominantly single-family neighborhoods through the use of flag lots:

- 143 A. Circumstances Permitting: The City discourages and restricts the creation of flag lots. A flag lot
144 should be permitted only under certain limited circumstances. Flag lots are prohibited except:
- 145 1. Where necessary to reduce access onto major streets and thoroughfares;
 - 146 2. To reasonably utilize irregularly shaped land;
 - 147 3. To reasonably utilize land with severe topography;
 - 148 4. To provide for the protection of significant natural or environmentally sensitive areas;
 - 149 5. To allow a property owner reasonable use and benefit of a parcel of land not otherwise
150 developable; or
 - 151 6. To achieve affordable housing goals as outlined in the City's Moderate Income Housing Plan.
- 152 B. Prohibited Flag Lots: Flag lots are expressly prohibited where:
- 153 1. The creation of the flag lot will increase the number of access points onto a major thoroughfare;
 - 154 2. The density created by the flag lot would exceed the average existing density in the immediately
155 adjacent developed residential area;
 - 156 3. Flag lots for non-residential use.
 - 157 4.
- 158 C. The applicant proposing a flag lot must have demonstrated to the planning commission that because
159 of topographical features and/or unique situations as set forth in subsection A of this section,
160 creation of a flag lot should be allowed.
- 161 D. Design Requirements For Flag Lot:
- 162 1. A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion
163 thereof.
 - 164 2. The staff portion of said lot shall front on and be contiguous to a dedicated public street. The
165 minimum width of the staff portion of each flag lot shall be thirty feet (30'). Two (2) staffs may
166 be placed side by side and be a minimum width of fifteen feet (15') each with a minimum shared
167 paved driveway width of twenty feet (20'). The staff shall not be longer than one hundred fifty
168 feet (150').

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- 169 3. The flag portion of the lot shall meet the minimum lot size requirement for the zone in which it
170 is located. The staff portion shall not count as part of the land area needed to meet the lot area
171 requirement.
- 172 4. Flag lots must be similar in shape of the buildable area (i.e., rectangular or pie shaped if on a cul-
173 de-sac) to the majority of the lots in the immediately adjacent developed residential area.
- 174 5. The front side of the flag portion of the lot shall be deemed to be that side nearest to the
175 dedicated public street upon which the staff portion fronts. The staff portion shall be deemed to
176 end and the flag portion shall be deemed to begin at the extension of the front lot line.
- 177 6. Flag lot units located away from the street shall be oriented to the street or front property line.
- 178 7. Identification Signs:
- 179 a. Address Identification: All new and existing structures shall be provided with approved
180 address identification that is legible and visible from the street fronting the property.
181 Address characters shall be Arabic numbers (shall not be spelled out) or alphabetical letters
182 not less than four inches (4") high with a minimum stroke width of one-half inch (½") (IFC
183 505.1).
- 184 b. The building address for the structure shall be posted conspicuously at the driveway
185 entrance via sign, monument, mailbox, and be maintained in good condition and in a visible
186 location not obstructed by vegetation, landscaping features, walls, or fences, or other
187 obstruction.
- 188 c. Any lighting provided for address identification shall be provided in a manner where the sign
189 is either backlit, illuminated by street light or driveway light or if directly lit shall be in a
190 manner that the lighting will not shine directly into the yard or window of an adjacent
191 residence, and shall not be a hazard for street traffic.
- 192 d. A fire lane sign shall be posted near the entrance of all access roadways and driveways
193 reading "No Parking-Fire Lane". The sign shall be a minimum of twelve inches by eighteen
194 inches (12" x 18") with four inch (4") block letter with one-half inch (½") stroke and have red
195 letters on a white reflective background (IFC D103.6).
- 196 e. Access driveways and private roadways shall not be named or posted in a manner similar to
197 approved street signs (color or design). All private roadway signs shall be approved by the
198 public works department prior to placement at the intersection of a city street and private
199 driveway.
- 200 8. All minimum required setbacks for the zone in which the flag lot is located shall apply and all
201 front setback distances shall be measured from the flag portion of the lot and not from the
202 street. Orientation, setbacks and private yards shall conform to the following criteria:
- 203 a. All units shall orient to the street.
- 204 b. Each unit shall have both a "front" and "rear" yard on opposite sides of the lot.
- 205 9. An access driveway with a minimum paved width of twenty feet (20') shall be provided with
206 landscaping on each side and a maximum slope of ten percent (10%) (IFC D103.2). Landscaping
207 shall be installed in accordance with Title 10, Chapter 22, Water Efficient Landscape Standards.
208 The access driveway shall be asphalt or concrete with adequate drainage and shall be properly
209 maintained on a continuous basis. Where two (2) flag lots are adjacent to each other, a common
210 driveway for both units is required. Shared driveways shall have a platted cross easement access
211 and maintenance agreement. The minimum width of the shared driveway shall be twenty feet
212 (20') unless additional width is required by the International Fire Code (IFC).

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- 213 10. The access road or driveway shall be maintained by the property owner or possessor of the
214 premises in good condition and repair and with adequate snow removal so as to provide free
215 and uninhibited access by emergency service vehicles.
- 216 11. Emergency Access Easements: The property owner/developer shall grant unto the City an access
217 easement and public utility easement along the full width of the stem portion of the lot,
218 permitting access to the City for emergency and service vehicles as well as inspection personnel.
- 219 12. Fire Protection For Flag Lot Units: All flag lots must be reviewed by the local fire protection
220 agency for compliance with the International Fire Code (IFC), for emergency vehicle access
221 requirements prior to subdivision approval and the issuance of a building permit. No primary
222 residential structure may be located on a flag lot more than five hundred feet (500') from a
223 public street. All measurements shall be taken from the edge of the public right of way along the
224 centerline of the driveway or private access driveway to the nearest point of the primary
225 structure.

226
227 Upon recommendation of the Fire Marshal and in conformance to the International Fire Code, as
228 adopted, the Planning Commission may require one or more of the following conditions to be
229 met as a condition for building permit approval:

- 230 a. An access road or driveway which meets the following standards:
- 231 (1) An asphalt or concrete surface capable of supporting the imposed load of fire apparatus
232 weighing up to seventy five thousand (75,000) pounds (IFC D102.1) extended to within
233 one hundred fifty feet (150') of all portions of the exterior walls of the first story of any
234 building (IFC 503.1.1). If constructed of asphalt, the access road or driveway shall be a
235 minimum of two and one-half inches (2 ½") of asphalt over a minimum of six inches (6")
236 of compacted road base. If constructed of concrete, the access road or driveway shall
237 have a minimum of five inches (5") of concrete over a compacted road base.
- 238 (2) Where such access road or driveway is adjacent to required fire hydrants, the width shall
239 be increased to a minimum of twenty six feet (26')(IFC D103.1). Such required widths
240 shall be unobstructed, including parking of vehicles, and shall have a minimum vertical
241 clearance of thirteen and one-half feet (13 ½') (IFC 503.1.1).
- 242 (3) Reduction of the maximum grade allowed by this section for any access road or
243 driveway.
- 244 (4) The construction of a turnaround approved by the fire marshal at a location
245 recommended by the fire marshal (IFC 503.2.4).
- 246 (5) Each access road or driveway shall be identified and marked by the property owner to
247 the satisfaction and approval of the fire marshal (IFC 503.3).
- 248 b. Water Line And Hydrants:
- 249 (1) Installation of one or more fire hydrants at the expense of the property owner and
250 connected by a water line from the water main sized to meet the minimum fire flow
251 requirements required by the IFC (IFC 507.1). The hydrant(s) shall be located to the
252 satisfaction and approval of the fire marshal and city engineer. Required fire hydrant(s)
253 shall be located on all access roads or driveways within five feet (5') of the paved
254 surface.

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- 255 (2) If, in the opinion of the fire marshal, fire hydrants are vulnerable to vehicular damage,
256 appropriate impact protection shall be required (IFC 507.5.6). No obstruction shall exist
257 within a three foot (3') working area of each fire hydrant (IFC 507.5.5).
- 258 (3) Hydrant shutoff valves shall be located as per city specifications.
- 259 (4) The fire hydrant, water line and access road or driveway shall be located within a public
260 utility easement of at least twenty feet (20') in width such that emergency and utility
261 service vehicles and personnel have unimpeded access to the improvements.
- 262 13. In addition to the above minimum requirements, the Planning Commission may, as part of the
263 conditional use permit or preliminary or final subdivision plat approval, impose additional
264 conditions to mitigate impacts of the flag lot(s), such conditions include the following:
- 265 a. Fencing and screening requirements, including location, height, materials, colors, and
266 landscaping;
- 267 b. Limitations on lot grading, cuts and fills, drainage, retaining wall construction, including
268 location, materials, vegetation, and height;
- 269 c. Building envelope or setback restrictions;
- 270 d. Dwelling height; and
- 271 e. Vegetation and landscape requirements or restrictions; and
- 272 f. Other conditions, as warranted and permitted by law. (Ord. 07-12, 6-5-2007; amd. 2012
273 Code; Ord. 2021-08, 10-19-2021; Ord. 2022-03, 6-7-2022)

274 **13-8-050: BLOCKS:**

275 **10-7-7 (K) (11)**

- 276 A. Block Lengths: Block lengths shall be reasonable in total design to provide for convenient access and
277 circulation for emergency vehicles. Blocks shall be a minimum of three hundred feet (300') with
278 maximum length of seven hundred feet (700').
- 279 B. Midblock Pedestrian Access: Where blocks exceed six hundred feet (600') in length, a dedicated
280 walkway through the block at approximately the center of the block is required where feasible. Such
281 walkways shall have an pedestrian easement not less than sixteen feet (16') in width. Walk
282 improvements (paving or concrete) of not less than eight feet (8') in width shall be placed within the
283 easement. The use of bollards or other similar mechanism shall be required to prevent the use of the
284 walkway by passenger vehicles. Ownership and maintenance of walkways shall be the responsibility
285 of the development's homeowner association (HOA).
- 286 C. Width; Variation: The width of each block shall be sufficient for an ultimate layout of two (2) tiers of
287 lots therein of a size required by the provisions of this title, unless the general layout of the vicinity,
288 lines of ownership, topographical conditions or locations of arterial streets or freeways justify or
289 make necessary a variation from this requirement.

290 **13-8-060: STREETS:**

291 **10-7-7 (K) (4) TO 10-7-7 (K) (10)**

- 292 A. Street Requirements:
- 293 1. The street layout shall conform to the general plan of the city.
- 294 2. Minor streets shall be laid out to discharge through traffic.

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- 295 3. Stub streets shall be provided where needed to connect to adjacent undeveloped land, and new
 296 streets must be provided where needed to connect to existing stub streets in adjacent
 297 developments. Not more than six (6) lots shall front on a stub street, except where a temporary
 298 cul-de-sac turnaround is provided.
- 299 4. Intersections of minor streets with major collector streets shall be kept to the minimum.
- 300 5. Minimum right of way widths and pavement widths for public and private streets shall be
 301 provided in accordance with the City Standards and Specification Manual as adopted by the City
 302 Council for various categories of streets, but shall in no case be less than the following:

Street Category	Minimum ROW	Minimum Pavement Width
Minor arterial	80 feet	57 feet
Major collector street	66 feet	43 feet
Minor collector street	60 feet	37 feet
Local (minor) street	50 feet	27 feet

- 303
- 304 6. Minimum right of way and pavement widths for private streets within single or two-family
 305 developments shall be the same as for public streets of the same use category. Minimum right of
 306 way and pavement widths for townhome or other multi-family development may be reduced in
 307 accordance with the standards outlined in Section 13-6-010(H)(3) for Planned Unit
 308 Developments.
- 309 7. **10-7-7 (K) (16)** Alleys: The Land Use Authority may approve service access to the interior of
 310 blocks where deemed to be in the public interest, in which case such alleys must be indicated in
 311 the preliminary design plans and on the final plat.
- 312 8. No half streets are permitted.
- 313 9. Dead end streets, including stub streets, shall be permitted only to provide future access to
 314 adjoining property, except for dead end street systems in cluster developments, such as planned
 315 unit developments and condominium developments, or when necessary due to topography,
 316 other natural environmental feature, or geologic hazard.
- 317 10. Streets which provide frontage and access for thirty (30) or more lots or dwelling units are
 318 required to have a minimum of two (2) separate means of egress.
- 319 11. The following standards apply to all temporary and permanent cul-de-sacs:
- 320 a. Cul-de-sacs shall be terminated by a turnaround of not less than one hundred feet (100') in
 321 right of way diameter, and the face of curb or pavement edge radius shall be thirty eight
 322 and one-half feet (38 1/2') or more.
- 323 b. Temporary cul-de-sacs shall be paved with a minimum of two inches (2") of hot mix asphalt.
- 324 c. Permanent cul-de-sacs shall be paved with a minimum of three inches (3") of hot mix
 325 asphalt.
- 326 d. Downhill cul-de-sacs are strongly discouraged and may only be allowed if it can be
 327 demonstrated that surface drainage and street grade will be controlled in a manner
 328 acceptable by the City Engineer. A surface overflow drainage outlet will be designed to
 329 protect adjacent properties in the event the curb face inlet(s) become obstructed or
 330 clogged.

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- 331 e. Cul-de-sac length shall be measured from the centerline of an intersecting street, excluding
332 other cul-de-sacs, along the centerline of the cul-de-sac, to a point at the center of the
333 closed end of the cul- de-sac.
- 334 f. Residential zoning districts:
- 335 (1) A cul-de-sac shall not serve more than twenty (20) lots or exceed six hundred feet (600')
336 in length.
- 337 (2) The Planning Commission may recommend a deviation from design standards to the City
338 Council in the manner provided in Section 13-6-010(E) to increase to the maximum
339 length of a cul-de-sac, up to one thousand feet (1,000') in total length, when the
340 following conditions exist:
- 341 (A) Physical conditions exist which preclude the ability to establish any other practical
342 means of access. Such conditions may include: topography; environmentally
343 sensitive areas such as wetlands, ponds, streams, rivers, or lakes; or manmade
344 structures that cannot be altered, moved or relocated;
- 345 (B) Construction of a through street will result in undesired cuts and fills or will damage
346 natural terrain or drainage; or
- 347 (C) Buildings or existing developments block access to the site, which would result in
348 landlocked property or an inefficient development plan; and
- 349 (D) Such an exception has received a favorable recommendation from the South Davis
350 Metro Fire District and the City's development review staff.
- 351 (3) Exceptions to cul-de-sac length may also be subject to the following as needed:
- 352 (A) Possible modified construction standards such as pavement width and cul-de-sac
353 diameter, quantity of fire hydrants, placement of fire hydrants on alternating side of
354 street, looped water lines, emergency egress routes or plans, drainage, pedestrian
355 easements or other reasonable measures to ensure public safety.
- 356 g. Nonresidential zoning districts:
- 357 (1) A cul-de-sac shall not exceed six hundred feet (600') in length. Cul-de-sacs longer than
358 six hundred feet (600') may be recommended by the Planning Commission and
359 approved by the City Council if the development review staff recommends that such a
360 cul-de- sac would better preserve the natural terrain and vegetation in the area or
361 provide a superior street design or provide needed access to landlocked parcels.
- 362 (2) The Planning Commission may require public accessways from a cul-de-sac to provide
363 safe circulation for pedestrians and bicyclists.
- 364 12. No more than four (4) streets shall enter an intersection.
- 365 13. Streets shall intersect at ninety degrees (90°), except where otherwise approved as necessary by
366 the Planning Commission upon favorable recommendation of the City Engineer.
- 367 14. The centerlines of two (2) subordinate streets meeting a through street from opposite sides shall
368 extend as a continuous line, or the centerlines shall be offset at least one hundred fifty feet
369 (150').
- 370 15. Protection strips are not allowed adjacent to or on public streets and rights of way.
- 371 B. Street Names: The following principles shall govern street names in a subdivision:
- 372 1. Streets shall be numbered based on the adopted grid system wherever practical. Alphabetic
373 names may be considered for streets of a meandering or diagonal nature or for other streets as
374 specifically approved by the Land Use Authority.

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- 375 2. All new street names must be reviewed with the County Recorder and the development review
376 staff to avoid duplication or near duplication to any streets in the City or area that may lead to
377 confusion of response by public safety agencies.
- 378 3. Each street which is a continuation of, or an approximate continuation of, any existing dedicated
379 street shall be given the name of such existing street.
- 380 4. The words "Street", "Avenue", "Boulevard", "Place", "Way", "Court", or other designation of any
381 street shall be spelled out in full on the plat. Any street name incorporating one of the terms
382 used above shall conform to the established definition of that term. Any named street shall also
383 have the proper numerical coordinate as approved by the City Engineer.
- 384 5. Street names shall not be permitted that contain a cardinal direction, such as north, south, east,
385 or west, for example "South Bay Drive".
- 386 6. Street names which reflect the history or character of the City are strongly encouraged.
- 387 C. Curvature And Alignment:
- 388 1. To ensure adequate sight distances, street roadway line connections shall be made by horizontal
389 curves. The minimum centerline radii for minor streets shall be one hundred feet (100') and of
390 all other streets shall be three hundred feet (300'). On collector streets, a minimum tangent of
391 one hundred feet (100') shall be required between a curve and street intersection; a minimum
392 tangent of one hundred feet (100') shall be required between reverse curves.
- 393 2. Vertical curves shall be used at all changes of grade exceeding one percent (1%) and shall be
394 designed to provide minimum sight distances of two hundred feet (200') for minor streets and
395 three hundred feet (300') for all other streets, except that vertical curves for major streets shall
396 be as determined by the current specifications of the state department of transportation.
- 397 D. Construction Standards For Paved Roadways For Public and Private Streets: Minimum roadbed
398 grading and paving for all street types shall be established within the City Standards and
399 Specifications Manual approved by the City Council.
- 400 E. Street Grades: All street grades shall be designed as follows:
- 401 1. Streets shall be limited to a maximum grade of ten percent (10%).
- 402 2. Cul-de-sacs and streets which intersect with a collector or arterial shall terminate with a grade
403 not to exceed three percent (3%) for the last twenty feet (20') of traveled surface. For roads with
404 grades that exceed seven percent (7%), the distances may be enlarged as approved by the City
405 Engineer.
- 406 3. A street intersection shall have a vertical alignment such that the grade shall not exceed three
407 percent (3%) for a minimum distance of fifty feet (50') each way from the centerline of the
408 intersection.
- 409 4. All changes that exceed one percent (1%) in vertical alignment shall be made by vertical curves
410 with minimum length of fifty feet (50') for local (minor) streets and one hundred feet (100') for
411 collector streets.
- 412 F. Sidewalks, Curbs And Gutters: Sidewalks, curbs and gutters shall be provided on both sides of all
413 streets to be dedicated to the public. Private streets and private alleys shall provide for sidewalk and
414 park strip at a minimum of one side of the street. Private alleys with dual rear access garages shall
415 not be required to provide sidewalks and park strips. Sidewalks, curbs and gutters may be required
416 by the City Engineer on existing streets bordering the development.
- 417 G. **10-7-7 (K) (12)** Pedestrian Midblock Street Crosswalks: Where blocks exceed six hundred feet
418 (600') in length, or where a dedicated walkway is required through the block , a midblock street
419 crosswalk of not less than ten feet (10') in width may be required

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- 420 H. Study May Be Required: Where the potential impacts on the existing street systems are considered
421 to be great, or in the case of unique circumstances concerning access, topography or street layout, a
422 transportation planning/engineering study may be required.
- 423 I. Private streets shall not be permitted unless the Land Use Authority finds that the most logical
424 development of the land requires that lots be created which are served by a private street or other
425 means of access, and makes such findings in writing with the reasons stated therein. All private
426 streets shall meet North Salt Lake development standards as it pertains to standard street
427 intersections, typical cul-de-sac and standard roadway sections. This includes, but is not limited to,
428 submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base
429 course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of
430 existing improvements, storm drainage systems, boundary markers and survey monuments,
431 geotextiles and concrete reinforcement. Land designated as public right of way shall be separate and
432 distinct from lots adjoining such right of way and shall not be included in the area of such lots.

433 **13-8-070: LANDSCAPING:**

- 434 A. Special Treatment: Whenever, in the opinion of the City Engineer, the cuts and fills in a hillside
435 subdivision are of sufficient size or visibility to demand special treatment, the developer shall be
436 required to landscape such areas with suitable permanent plant materials and to provide for their
437 maintenance.
- 438 B. Preservation: The subdivision shall be so designed as to either preserve, or provide for, the greatest
439 amount of onsite vegetation.
- 440 C. Geologic Hazards Areas: Subdivisions subject to Title 10, Chapter 12, Sensitive Area District and
441 Geologic Hazards shall comply with all provisions of that section and with the recommendations set
442 forth in an approved Geologic Hazards Study with respect to landscaping and irrigation restrictions.
443 Restrictions on landscaping and irrigation methods shall be required to be noted on the plat and
444 within the development covenants recorded with the plat.
- 445 D. All landscaping shall be installed and maintained in accordance with Title 10, Chapter 22, Water
446 Efficient Landscape Standards.
- 447 E. Landscape Design Standards for Highway 89 and Town Center:
- 448 1. The landscape design shall conform to the Town Center Master Plan and any urban design
449 standards for the Town Center as adopted the City Council.
- 450 2. Fencing shall only be permitted to be constructed of decorative metal with masonry or other
451 decorative pillars spaced no greater than 10 feet on center.
- 452 3. Pedestrian access shall be provided to street at convenient locations for pedestrian travel in both
453 directions with a maximum separation distance of one hundred fifty (150') feet.

454 **10-7-7 (K) (23)**

- 455 F. Landscaping Design Standards For Redwood Road:
- 456 1. For development along the west side of Redwood Road, the following development standards
457 are adopted:
- 458 a. The area behind the curb and gutter of Redwood Road and the property line shall include an
459 area not less than twenty four feet (24') wide containing improved and irrigated landscaping
460 and an eight foot (8') wide meandering asphalt multiuse trail. If any portion of the required
461 twenty-four foot (24') landscaped area is outside the dedicated right of way, a public trail
462 easement and street tree easement shall be dedicated to the City upon the recorded plat.

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- 463 b. Within the twenty-four foot (24') wide area, trees shall be planted in accordance with the
464 requirements of Title 7, Chapter 9, Community Forestry.
- 465 c. Residential developments along Redwood Road shall, in addition to complying with the
466 requirements of chapter 11 of this title, may include fencing or a solid wall, as a buffer along
467 the entire length of frontage along Redwood Road. The following restrictions shall apply:
- 468 (1) Any wall shall be constructed of masonry or other hard, permanent materials and shall
469 be a sight obscuring wall with a combination of berms, rocks, and planted materials to
470 lessen the visual impact of the wall. Any solid walls constructed pursuant to this
471 subsection shall also be treated with an antigraffiti treatment approved by the City.
- 472 (2) Fencing material shall be of decorative metal and shall include masonry or other
473 decorative pillars.
- 474 (3) Pedestrian access shall be provided to the Redwood Road Trail at convenient locations
475 for pedestrian travel in both north and south directions with a maximum separation
476 distance of one hundred fifty (150') feet.
- 477 2. For developments along the east side of Redwood Road, the same development standards apply
478 except that there shall be a five foot (5') wide concrete sidewalk provided in lieu of an eight foot
479 (8') wide meandering asphalt multiuse trail.
- 480 3. Landscape design shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards.

481 **13-8-080: UTILITIES AND EASEMENTS:**

482 **10-7-7 (K) (14) TO 10-7-7 (K) (15)**

- 483 A. Utility easements shall follow rear and every other side lot lines whenever practical and shall have a
484 minimum total width of sixteen feet (16') apportioned equally in abutting properties (8 feet each
485 lot).
- 486 B. Front property line utility easements are required and shall have a minimum of ten feet (10').
- 487 C. Development perimeter easements shall be not less than eight feet (8') in width, extending
488 throughout the peripheral area of the development.
- 489 D. All easements shall be designed so as to provide efficient installation of utilities or street plantings.
490 Special guying easements at corners may be required if any existing utilities are overhead. Public
491 utility installations shall be so located as to permit multiple installations within the easements. The
492 developer shall establish final utility grades prior to utility installations.
- 493 E. The City Engineer may require additional easements, or increased width of easements, as necessary
494 to provide for adequate utility service and/or drainage within the subdivision and to or from
495 adjoining parcels.
- 496 F. Utilities To Be Underground: All utilities, including those existing overhead, shall be provided
497 underground, unless the Planning Commission recommends a deviation from the design standards
498 to the City Council in the manner provided in Section 13-6-010(E). The City Council shall review the
499 application by the developer and recommendation of the Planning Commission and City Engineer to
500 determine if the deviation shall be granted.
- 501 G. Utility easement width may be reduced as approved by the Planning Commission for lots within a
502 Planned Unit Development with recommendation from the City Engineer.
- 503

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504 **13-8-090: WATERCOURSES: (new language)**

505 The developer shall dedicate a right of way for storm drainage conforming substantially to the lines of
506 any natural watercourse or channel, stream, creek, irrigation ditch or floodplain that enters or traverses
507 the subdivision, as determined by Davis County flood control and/or the City Engineer. The developer
508 shall also dedicate acceptable rights of way for any pipe, conduit, channel, and retention or detention
509 area as approved by the City Engineer for flood control.

510 **13-8-100: DEDICATIONS OF STREETS AND TRAILS**

511 **10-7-7 (F)**

- 512 A. Requirement: Maps and plats, when made, acknowledged, filed and recorded according to
513 procedures specified in this section, operate as a dedication of all streets, trails and other public
514 places, and vest the fee of those parcels of land in the City for the public for the uses named or
515 intended in those maps or plats.
- 516 B. Nonliability For Unimproved Dedications: The dedication established by this section does not impose
517 liability upon the City for streets, trails and other public places that are dedicated in this manner but
518 unimproved.

519 **13-8-110 RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

520 **10-7-7 (J)**

- 521 A. Regulations May Be Adopted: The City Council, in order to protect and ensure access to sunlight for
522 solar energy devices, may adopt regulations governing legislative subdivision development plans
523 that relate to the use of restrictive covenants of solar easements, height restrictions, side yard and
524 setback requirements, street and building orientation and width requirements, height and location
525 of vegetation in respect to property boundary lines, and other permissible forms of land use
526 controls.
- 527 B. Refusal To Approve: The Land Use Authority may refuse to approve or renew any plat or subdivision
528 plan, or dedication of any street or other ground, if the deed restrictions, covenants or similar
529 binding agreements running with the land for the lots or parcels covered by the plat of subdivision
530 prohibit or have the effect of prohibiting reasonably sited and designed solar collectors, or other
531 energy devices based on renewable resources from being installed on buildings erected on lots or
532 parcels covered by the plat or subdivision.

533 **13-8-120: MAIL DELIVERY BOXES:**

534 Provision for the permanent placement of mail delivery boxes shall be made as follows:

- 535 A. For subdivisions containing eight (8) or more lots, cluster mailboxes shall be installed at designated
536 locations within the subdivision as shown on the final plat and in accordance with the standards and
537 specifications of the U.S. Postal Service. The requirement for cluster mailboxes may be waived if the
538 developer presents the City with a letter from the U.S. Postal Service authorizing individual
539 mailboxes.
- 540 B. Preferred locations: Common area with available off street parking shall be utilized for cluster
541 mailboxes where feasible.

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- 542 C. Cluster mailboxes shall not be located on collector roads or adjacent to streets where parking is
543 prohibited due to pavement width.

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CHAPTER 9: ESSENTIAL IMPROVEMENTS

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- 13-9-010: DESIGN STANDARDS & SPECIFICATION:**
- 13-9-020: REQUIRED IMPROVEMENTS:**
- 13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**
- 13-9-040: STORM DRAINAGE:**
- 13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**
- 13-9-060: CULINARY WATER:**
- 13-9-070: FENCING OR PIPING OF HAZARDS:**
- 13-9-080: MONUMENTS:**
- 13-9-090: COMPLETION:**
- 13-9-100: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

13-9-010: DESIGN STANDARDS & SPECIFICATIONS MANUAL:

- A. Preparation: The City Engineer and public works department shall prepare and recommend to the City Council for adoption by resolution or ordinance the Design Standards & Specifications Manual for the design, construction, specifications, and inspection of essential infrastructure, whether publicly dedicated or privately owned. The manual shall include street and trail improvements, street trees, water distribution systems, storm drainage, flood control facilities, and other specifications as deemed necessary. The design standards shall be prepared in cooperation and coordination with the South Davis Sewer District, South Davis Metro Fire Agency, and any private special service district or water company providing service within the City.
- B. The developer shall provide evidence of design approval from any such outside agencies, prior to final plat approval. Additional design standards prepared by private utilities shall be the responsibility of the individual agency. All such standards for design and construction of essential infrastructure improvements and amendments thereto shall be approved and adopted by the City Council before becoming effective. All developers shall comply with the approved standards required herein.
- C. Streets, Blocks, Etc.: The design of the subdivision in relation to streets, blocks, lots, open spaces, and other design factors shall be in harmony with design standards recommended by the Planning Commission and other City staff and approved by the City Council.

13-9-020: REQUIRED IMPROVEMENTS:

- A. Scope Of Requirements: The developer shall improve, or agree to improve, all streets, pedestrian ways or easements in the subdivision and on streets which abut, or serve as access to, the subdivision. Permanent improvement work shall not commence until improvement plans and profiles have been approved by the City and, if applicable, an improvement agreement, including security bond, has been executed between the developer and the City as specified in this title.
- B. Roadway Surface Treatment: It shall be required, as part of the public street improvements, that the developer deposit with the City sufficient sums to provide an appropriate roadway surface treatment for the streets, such as a slurry seal, chip seal, or mineral bond, as required by the City Engineer based on road type. The City shall install the surface treatment at the end of the warranty period

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42 and in conjunction with other City street preservation projects. The developer shall be responsible
43 for the placement of the appropriate roadways surface treatment for all private streets within the
44 development, upon the prior to the expiration of the warranty period.

- 45 C. Street Signs: The developer shall install all street signs and regulatory signs which the City
46 determines are required for the subdivision.
- 47 D. Installation; Inspection: Improvements shall be installed to permanent line and grade to the
48 satisfaction of the City and in accordance with the standard specifications adopted by the City
49 Council. Cost of inspection shall be paid by the developer as outlined in the consolidated fee
50 schedule.
- 51 E. Non-responsibility Of City: Notwithstanding the fact that the land on which the improvements will
52 be located is dedicated at the time of the recording of a plat, the City shall not be responsible for the
53 improvements, their construction or maintenance, until the warranty period specified in the bond
54 agreement has expired, the improvements have been inspected, and the City certifies that they
55 meet City standards.

56 **13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

57 High back curbs, gutters, sidewalks and asphalt paving shall be provided in front of all commercial and
58 residential lots. High back curb, gutter and paving shall be required on all industrial property. At the
59 discretion of the Planning Commission, sidewalks may also be required for industrial property.

60 **13-9-040: STORM DRAINAGE:**

61 **From 10-7-7 (L)**

- 62 A. Required Systems: Complete drainage systems for the entire development area shall be designed by
63 a professional engineer, licensed in the state and qualified to perform such work, and shall be shown
64 graphically. All existing drainage features which are to be incorporated in the design shall be so
65 identified. If the final plat is to be presented in sections, a general drainage plan for the entire area
66 shall be presented with the first section, and appropriate development stages for the drainage
67 system for each section indicated. All drainage systems shall be designed for retention of the 80th
68 percentile storm precipitation in accordance with the adopted Standards and Specifications Manual,
69 as well as any other regulations adopted by the State of Utah, Department of Environmental Quality
70 (DEQ).
- 71 B. Design: The drainage systems shall be designed with:
 - 72 1. Adequate Drainage: Ensure adequate drainage of all low points.
 - 73 2. Designated Floodplain Regulations: Ensure applications of the following regulations regarding
74 development in designated floodplains:
 - 75 a. Construction of buildings shall not be permitted in a designated floodway with a return
76 frequency more often than a 100-year storm.
 - 77 b. Building construction may occur in that portion of the designated floodplain, as designated
78 by FEMA, where the return frequency is between a 100-year and a maximum probable
79 storm provided all usable floor space is constructed above the designated maximum
80 probable flood level.
 - 81 c. Where flow velocities in a floodplain are generally determined to be under five feet (5') per
82 second and maximum flood depth will not exceed three feet (3'), such uses as cultivated

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- 83 agriculture, nurseries, parks and recreation facilities and accessory parking may be
84 permitted.
- 85 d. Any use of land is prohibited where flooding would create a public health hazard or problem.
86 This includes shallow wells, noncased deep wells, sanitary landfills, septic tanks and on lot
87 sewage disposal systems, water treatment plants, and also sewage disposal systems not
88 completely protected from inundation.
- 89 e. Any contemplated floodplain encroachment or channeling shall be thoroughly analyzed and
90 its effect on stream flow determined before such encroachment is undertaken. Any
91 construction, dumping and filling operations in a designated floodway constitute an
92 encroachment and must be approved by the Army Corps of Engineers, the Floodplain
93 Manager and the City Engineer before accomplishment.
- 94 f. No lot one acre or less in area shall include any portion of a 100-year floodplain when
95 computing the size of the lot. All lots containing more than one acre shall contain not less
96 than forty thousand (40,000) square feet of land which is at an elevation at least two feet
97 (2') above the elevation of the 100-year recurrence interval flood, or, where such data is not
98 available, five feet (5') above the elevation of the maximum flood of record.
- 99 3. Drainage Basin: The drainage basin as a whole shall accommodate not only runoff from the
100 development area but also, where applicable, the system shall be designed to accommodate the
101 runoff from those areas adjacent to and "upstream" from the development itself, as well as its
102 effects on lands downstream. Basins by which the developer proposes to handle stormwater
103 drainage shall be designed for an event with a ten (10) year return period for all storm drain
104 pipe, and for an event with a one hundred (100) year return period for all storm drain detention
105 basins. The calculation must size the detention basin, size the orifice plate and determine the
106 amount of flow which can be released (the release rate can be 0.2 cfs/acre).
- 107 4. Surface Drainage Structures: All proposed surface drainage structures shall be indicated on the
108 plans.
- 109 5. Construction Materials And Elevations: All appropriate designs, details and dimensions needed
110 to clearly explain proposed construction materials and elevations shall be included in the
111 drainage plans.
- 112 6. Permits: All necessary permits shall be obtained from applicable local, state and federal agencies
113 (i.e., state engineer, U.S. army corps of engineers, state division of health, etc.).
- 114 7. Low Impact Development (LID):
- 115 a. All development and redevelopment that warrants compliance with the Utah General
116 Construction Permit (UGCP) regulation must include an LID analysis that meets the objective
117 of mirroring the predevelopment hydrology and meets the objective of retaining on site.
118 Detention basins shall retain the required 24-hour storm equivalent, as required under the
119 Utah Pollutant Discharge Elimination System (UPDES) general discharge permit.
- 120 b. Low impact development (LID) is an approach to land development that uses various land
121 planning and design practices and technologies to simultaneously conserve and protect
122 natural resource systems and reduce infrastructure costs. LID still allows land to be
123 developed, but in a cost effective manner that helps mitigate potential environmental
124 impacts.

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- 125 c. As part of the City of North Salt Lake permit, the City requires use of an LID approach, which
126 includes the implementation of structural BMPs, where practicable, that infiltrate,
127 evapotranspire or harvest and use stormwater for the site to protect water quality.
- 128 d. All development or redevelopment that warrants compliance with the Utah general
129 construction permit (UGCP) regulation must include an LID analysis that meets the objective
130 of mirroring the predevelopment hydrology and meets the objective of retaining on site,
131 with no discharge, the 0.6-inch, 24-hour rainfall event. Groundwater recharge may be
132 considered to meet the onsite retainage requirement, where applicable and feasible. If
133 meeting the retention standard is technically infeasible, a rationale shall be provided on a
134 case by case basis for the use of an alternative design criteria.
- 135 e. No LID limits are defined except designs must not negatively impact surrounding properties.
136 The LID analysis must identify LID options considered and list the reasons why it will be
137 incorporated or why the considered LIDs are not practical for the site use or conditions.
138 Submit a report with stormwater calculations that summarizes the analysis and results.
- 139 f. Suggested and preferred LIDs are outlined in the City’s “Stormwater Best Management
140 Practices Handbook”.
- 141 8. Postconstruction Stormwater Maintenance Plan And Agreement:
- 142 a. The purpose of the postconstruction stormwater maintenance plan and agreement is to
143 control stormwater runoff and reduce pollutants in stormwater runoff after construction is
144 complete and the developed site is in operation. This is achieved by accomplishing the
145 following:
- 146 (1) Controlling erosion.
- 147 (2) Controlling discharge of sediment into stormwater drainage facilities or off site.
- 148 (3) Preventing illicit discharges into on site soils, storm drainage facilities or off site.
- 149 (4) Prevention of debris and garbage from entering the stormwater system.
- 150 b. A postconstruction stormwater maintenance plan must be prepared and submitted with the
151 plans for approval for all privately owned or maintained facilities that warrant compliance
152 with the UGCP regulation. The plan shall be contained on a plan sheet of its own, rather than
153 being a part of another plan sheet, and is to contain at least the following:
- 154 (1) The site plan, including vicinity map, proposed contours, permanent stormwater
155 features, and landscaping.
- 156 (2) BMPs to accomplish the purpose of the plan. Examples of appropriate BMPs may include
157 those addressing operation and maintenance of storm drainage quality control facilities,
158 operation and maintenance of stormwater discharge control facilities, maintenance of
159 landscaping, good housekeeping practices, etc.
- 160 (3) Showing the following for each BMP specified:
- 161 (A) Location and extent of specified BMPs, as appropriate.
- 162 (B) Detailed schedule of execution for each specified BMP, in terms of starting time,
163 duration, frequency, etc., as appropriate.
- 164 (C) Any information in addition to or different from that shown on the BMP fact sheets
165 as necessary to employ the BMPs on the site.
- 166 c. The owner of development that warrants compliance with the UGCP regulation must submit
167 a signed stormwater maintenance agreement using the City of North Salt Lake agreement
168 template. The postconstruction maintenance agreement needs to be recorded at the Davis

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169 County recorder's office. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code; Ord. 2012-
170 04, 2-7-2012; Ord. 2012-07, 4-30-2012; Ord. 2014-01, 1-7-2014; Ord. 2016-06, 5-17-2016;
171 Ord. 2016-12, 8-16-2016; Ord. 2019-11, 9-17-2019; Ord. 2022-03, 6-7-2022)

172 **From 10-7-7 (K) (17) TO (18)**

173 **13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

- 174 A. Utilities, Sewers, Drains: All underground utilities, sanitary sewers and storm drains installed in
175 streets or alleys should be constructed prior to the surfacing of such streets or alleys. Connections
176 for all underground utilities, water lines, pressure irrigation lines, and sanitary sewers for each lot
177 should be laid to a point which will eliminate the necessity for disturbing the street or alley
178 improvements, when service connections thereto are made.
- 179 B. Wires, Cables: All telephone, electric power, cable television or other wires or cables shall be placed
180 underground. Equipment appurtenant to the underground facilities, such as surface mounted
181 transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts may be
182 above ground. The developer shall make all necessary arrangements with the utilities involved for
183 the installation of the underground facilities.
- 184 C. Sanitary Sewage Disposal; General Requirements:
- 185 1. The developer shall provide, or have provided, a piped sanitary sewerage system to the
186 boundary line of the development. Every lot in the development shall be provided a lateral,
187 which shall be extended from the main line to a minimum of five feet (5') behind the property
188 line. The sewerage system shall meet the minimum standards and requirements of the City, the
189 South Davis Sewer District and the regulating health department. The approval of South Davis
190 Sewer District shall be required prior to the City Engineer signing the Final Plat.
- 191 2. In all, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a
192 complete community or public sanitary system. All sewer mains shall be a minimum of eight
193 inches (8") in diameter.
- 194 D. Test Procedures: Test of sanitary sewer mains, laterals and house connections shall be conducted in
195 accordance with local and state health requirements.

196 **From 10-7-7 (K) (19) TO (21)**

197 **13-9-060: WATER:**

- 198 A. Water In Sufficient Quantity To Be Obligation Of Developer:
- 199 1. The procurement of water, whether by purchase of water rights, water shares, exchange or
200 service agreement, shall be the responsibility of the developer; and the water shall be provided
201 for the use of the development in an amount sufficient to meet minimum flows of two hundred
202 fifty (250) gallons per person, per day, plus outside irrigation and minimum static pressures of
203 fifty (50) pounds per square inch (psi), unless it can be proved to the City Engineer that a lesser
204 amount is adequate.
- 205 2. However, in no event shall the quantity of water provided by the developer be less than that
206 required to meet fire flow standards as established by the fire department and the city council,
207 and the City shall be given first right of refusal to purchase any excess water formerly used on
208 the land.

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- 209 B. 20. Culinary Water System: The culinary water delivery system shall extend to the boundary line of
210 the development. Every lot shall be provided a lateral, which shall be extended from the main line to
211 a minimum of five feet (5') behind the property line. All laterals shall be capable of delivering the
212 flows and pressures as required. All water mains shall be a minimum of eight inches (8") in diameter.
213 C. Water mains and fire hydrants connecting to the water system owned by the City shall be installed as
214 approved by the City. Mains and individual lot services shall be of sufficient size to furnish an
215 adequate water supply for each lot or parcel in the subdivision and to provide adequate fire
216 protection as determined by the Fire Marshal and as required under any applicable law, rule or
217 regulation.
- 218 D. Irrigation Systems (Including Drainage Facilities):
- 219 1. Where an existing irrigation system consisting of open ditches is located on or adjacent to or
220 within one hundred feet (100') of a proposed development, complete plans for relocation,
221 piping, covering or other safety precautions shall be submitted with an application for
222 preliminary approval of a plat.
- 223 2. In all developments in which the smallest lot is less than one acre, all irrigation systems shall be
224 underground.
- 225 3. All pressure irrigation systems in or within one hundred feet (100') of a proposed development
226 shall be identified and otherwise color coded as to pipe and valve color to meet state standards
227 and regulations.

228 **13-9-070: FENCING OR PIPING OF HAZARDS:**

- 229 A. Requirements: The developer shall install a six foot (6') non-climbable chain link fence along all
230 canals, waterways, non-access streets, open reservoirs or bodies of water, railroad rights of way,
231 property in agricultural use or zoned for agricultural use and other such features of potentially
232 hazardous nature which are on, cross or are contiguous to, the property being subdivided, except on
233 those features which the City Engineer shall determine would not be a hazard to life, or where the
234 fence itself would create a hazard to the safety of the public. Fences required by this section shall
235 comply with construction standards established by the City.
- 236 B. Irrigation Ditches: All irrigation ditches shall be piped, unless this requirement is waived by the
237 Planning Commission.

238 **13-9-080: MONUMENTS:**

239 Permanent monuments shall be furnished, accurately established, and set by the developer at such
240 points as are necessary to definitely establish all lines of the plat except those defining rear property
241 corners of individual lots which will be semi-permanent.

242 **13-9-090: COMPLETION:**

243 A complete improvement plan "as built" shall be filed with the City upon completion of said
244 improvements. The "as built" plans shall be drawn on reproducible copies of the original tracings and
245 certified as to accuracy and completeness by the developer's licensed engineer. A electronic CAD
246 submittal of "as built" shall also be submitted prior to final acceptance of the essential improvements.

247 **13-9-100: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

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- 248 A. Scope Of Agreement: A payback agreement entered into between the City and the developer who
249 installs the improvements or facilities for water, storm sewer or roads is authorized, where the
250 improvements installed are intended to extend, expand or improve the City's water system, storm
251 sewers or roads beyond the improvements required to service or benefit the subdivision or
252 development proposed by the developer. Such payback agreements shall be for project
253 improvements and not system improvements as defined in the Utah impact fees act. The payback
254 agreement is not mandatory, but may be used at the option of the City Manager, upon approval of
255 the payback agreement by the City Council. The amount of the payback to the developer shall be
256 determined by the City Council after receiving a recommendation from the City Engineer after
257 considering the improvements or facilities required or benefiting developer's development, and
258 those facilities or improvements that are specifically oversized to provide for future development of
259 adjacent projects.
- 260 B. Non-liability Of City: The City shall, in all cases, be immune and not liable for any payments to the
261 developer if the payback agreement is determined to be unenforceable. The payback agreement
262 shall not confer a benefit upon any third party and shall be in a form approved by the City Council.
263 The responsibility for payment of the required improvements or facilities shall rest entirely with the
264 developer. The City shall not be responsible for collection of amounts from third parties.

TITLE 10
LAND USE ORDINANCES

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TITLE 10
LAND USE ~~AND SUBDIVISION~~ ORDINANCES

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2 **10-1-42: MAINTENANCE, CONDITION AND APPEARANCE OF PROPERTIES:**

- 3 A. Appearance And Condition Of Premises: The appearance and condition of premises has a
4 significant effect on property values. Accordingly, the following regulations shall apply:
5 1. The outside surface of buildings shall be maintained in good condition.
6 2. Any lot in any zone shall be improved and maintained as follows:
7 a. Landscaping shall be installed and properly maintained in a good condition, free from
8 weeds taller than six inches (6") and noxious plants, refuse and debris in front and
9 side yards, including the park strip. Landscape design shall conform to Title 10,
10 Chapter 22, Water Efficient Landscape Standards.
11 b. Landscaping for single-family and two-family dwellings shall be installed within
12 twelve (12) months from the date of occupancy.
13 c. Landscaping for commercial, industrial, institutional, or multi-family residential shall
14 be completed prior to final occupancy.
15 d. When unique or unforeseen circumstances exist, the community and economic
16 development director may grant an extension of time for landscape installation.
17 Extensions will only be approved upon submission of an erosion control plan,
18 including soil stabilization, and shall be reviewed by the Storm Water Inspector for
19 compliance with Storm Water Pollution Prevention Plan regulations.
20 3. Trash, weeds or other unsightly material shall not be allowed to remain on any lot
21 outside of approved containers in the city. Junk, debris, trash, abandoned vehicles, or
22 similar refuse material shall not be stored or allowed to remain outdoors, unless
23 otherwise allowed by city code.
24 4. View obscuring berms, fences, walls or hedges shall be installed by the property owner
25 to block the view from the public right of way, or from neighboring properties, whenever
26 uses of land are found by the planning commission to be offensive, detracting,
27 obnoxious, visually polluting or otherwise visually devaluing to neighboring properties or
28 the community.

29 **B. Recreational Vehicle Storage:**

- 30 1. Recreational vehicles which do not include facilities necessary to be "mobile homes", as
31 defined in section 10-1-47 of this code, shall not be used at any place within the
32 corporate boundaries of the City, at any time, for living quarters except in designated
33 camping areas or recreational vehicle parks.
34 2. Recreational vehicles which are unoccupied for living space may be stored on an
35 owner's private residential lot, provided the parking complies with the regulation in
36 section 10-6-6 of this title. Long term commercial storage of recreational vehicles,
37 maintenance operations, reconstruction or construction activities are permitted within
38 zoning districts allowing such uses.

39 C. ~~B.~~ Abandoned, Wrecked Or Inoperative Vehicles:
40

40

41 **10-1-47: DEFINITIONS:**

42 BUILDABLE AREA: The portion of a lot remaining after required yards and easements have been
43 provided, except that land with an average slope exceeding thirty percent (30%) shall not be considered
44 geotechnically buildable. Single- family dwelling structures shall be located upon acres constituting

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45 buildable area which area shall be fully contiguous and shall be at least five thousand (5,000) square feet
46 in size and shall have a minimum dimension of fifty feet (50').

47 ~~CONDITIONAL USE DEVELOPMENT: A subdivision, planned unit development, mobile home park, mobile~~
48 ~~home subdivision, recreational vehicle park, landfill or land excavation.~~

49 FLAG LOT: A lot of irregular configuration in which an access strip (a strip of land of a width less than the
50 required lot width) connects the main body of the lot to the street frontage. See section 10-7-8 of this
51 title.

52 FLOODWAY: An area designated by the Planning Commission and City Council as subject to periodic
53 inundation.

54 IMPROVEMENTS: Work, objects, devices, facilities or utilities required to be constructed or installed in a
55 land development. Such improvements may include, but are not limited to, street construction to
56 required standards, water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities,
57 street trees, street signs, streetlights, traffic control or safety devices, fire hydrants, survey monuments,
58 and such other facilities or construction required by this title, the subdivision regulations, or by the
59 Planning Commission and/or City Council for the necessary proper development of the proposed land
60 development.

61 IMPROVEMENTS AGREEMENT: An agreement between North Salt Lake City and a developer, wherein the
62 developer agrees to install improvements required by this title, subdivision regulations, or by the
63 Planning Commission and/or City Council for the necessary proper development of the proposed land
64 development.

65 INTEGRATED DEVELOPMENT PLAN: Comprehensive management for best assurance of maintaining
66 standards and conditions of approval is the intent in the administration of a conditional use permit.
67 Therefore, every assurance will be required to maximize the meeting of the community's performance
68 standards and minimize the problems of their enforcement through approved comprehensive
69 management plans which have been prepared by the applicant and approved by the City Council. Single
70 responsible management is felt crucial to consistent care and observance of binding regulations in
71 assuring compatibility with the surrounding area of certain developments negotiated with the
72 community. Agreed upon penalties for violations of the management plan are considered an important
73 integral part of enforcement.

74 LAND DEVELOPMENT STANDARDS: Adopted construction standards, including, but not limited to,
75 drawings, tables, charts and references which have been adopted by the City Council by resolution and
76 which set standards for the construction of improvements to land and which regulate said construction
77 of improvements to land.

78 LOT: A parcel or unit of land abutting a public street or approved private street, described by metes and
79 bounds and held or intended to be held in separate lease or ownership, or a parcel or unit of land shown
80 as a lot or parcel on a subdivision plat map, planned unit development plot map, or condominium lot
81 map, provided it is created pursuant to this title.

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82 LOT AREA: The area contained within the property lines of the individual parcels of land shown on a
83 subdivision plat or required by this title, excluding any area within an existing street right-of-way, or any
84 area required as open space under this title, and including the area of any easements.

85 LOT AREA PER DWELLING UNIT, AVERAGE: The average lot area for all dwelling units of a single type.
86 Individual lots may be smaller or larger than the average; provided, that the average size is maintained
87 and that all other standards of this title are met.

88 LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection or upon two (2)
89 parts of the same street, such streets or parts of the same street forming an interior angle of
90 less than one hundred thirty five degrees (135°).

91 LOT DEPTH: The shortest horizontal distance in feet measured from any point on the front lot
92 line to any point on the rear lot line.

93 LOT FRONTAGE: The length, in feet, of the front lot line which is coterminous with the front
94 street line.

95 LOT FRONTAGE, REQUIRED: See definition of lot frontage.

96 LOT HELD IN SEPARATE OWNERSHIP: All contiguous land held in one ownership at the time
97 of the passage of this title or at any time hereafter, whether or not such land has been or is
98 described separately, has separate chains of title, is described on one or more than one
99 Property Tax notice, or is otherwise divided on paper.

100 LOT, INTERIOR: A lot other than a corner lot.

101 LOT, LEGAL NONCONFORMING: A lot which was legally created prior to the adoption of this
102 title.

103 LOT LINE, FRONT: For an interior lot, the lot line adjoining the street; for a corner lot or through
104 lot, each lot line adjoining a street.

105 LOT LINE, REAR: Ordinarily, that line of a lot which is opposite and most distant from the front
106 line of the lot. In the case of a triangular or gore shaped lot, a line ten feet (10') in length within
107 the parcel parallel to and at a maximum distance from the front lot line. In cases where this
108 definition is ambiguous, the Zoning Administrator shall designate the rear lot line.

109 LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. (This does not apply to any
110 yard fronting on a street, which is by definition a front yard line.)

111 LOT LINES: The property lines bounding the lot.

112 ~~LOT, RESTRICTED: A lot having an average slope of fifteen percent (15%) or more; a lot dimension is less~~
113 ~~than seventy feet by one hundred feet (70' x 100'), or the minimum size of a lot permitted in the zoning~~
114 ~~district where located, with an average slope of less than fifteen percent (15%); or a lot which has~~
115 ~~vehicular ingress to the main building or structure which, upon completion of construction on the site,~~
116 ~~has a slope of fifteen percent (15%) or greater, or a lot subject to geologic hazards.~~

117 A lot shall be designated as restricted when any of the following conditions exist upon the lot:

118 1. located within the designated Sensitive Lands Area Overlay Zone;

- 119 2. noted as restricted on a recorded subdivision plat;
- 120 3. having an average slope of fifteen percent (15%) or greater;
- 121 4. with known, suspect or probable geologic hazards;
- 122 5. with critical wildlife habitat;
- 123 6. with critical drainage channels or other natural features; or
- 124 7. containing other vital infrastructure.

125 LOT RIGHT-OF-WAY: A strip of land not less than thirty feet (30') in width connecting a lot to a street for
126 use as private access to that lot.

127 LOT, UNRESTRICTED: A lot having an average slope of less than fifteen percent (15%) and containing a
128 buildable area of at least five thousand (5,000) square feet; or, the minimum size of a lot permitted in
129 the zoning district in which it is located, with an average slope of less than fifteen percent (15%).

130 LOT WIDTH: The horizontal distance between the side lot lines, measured at the required front yard
131 setback line or rear yard setback line, whichever is shorter.

132 MOBILE HOME:

133 A detached single-family dwelling of not less than thirty feet (30') in length, designed for long term
134 occupancy, and to be transported on its own wheels or on flatbed or other trailers or detachable wheels;
135 and which has not been demonstrated to conform to the International Building Code for other
136 residences in North Salt Lake City. In determining if such a dwelling is designed for long term occupancy,
137 the following criteria shall be used: such a dwelling contains a flush toilet, sleeping accommodations, a
138 tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment
139 to appropriate external systems, and ready for occupancy except for connections to utilities and other
140 minor work.

141 MOBILE HOME LOT: A space designed and approved by North Salt Lake City for occupancy by mobile
142 homes, and meeting all requirements of this title.

143 MOBILE HOME PARK: A parcel of land that has been planned and improved for the placement of mobile
144 homes for nontransient use and consisting of two (2) or more mobile home spaces, where the entire
145 project is to be under single ownership or management and meets all of the requirements of this title for
146 mobile home parks.

147 MOBILE HOME SPACE: A space within a mobile home park designed and to be used for the
148 accommodation of one mobile home.

149 MOBILE HOME STAND: That part of the mobile home space which has been reserved for the placement
150 of the mobile home and its appurtenant structures or additions.

151 MOBILE HOME SUBDIVISION: A subdivision designed and intended for residential use where the lots are
152 to be individually owned or leased, and occupied by mobile homes.

153 MODEL HOME: A dwelling temporarily used as an on site sales office for a residential development
154 under construction. When the use of the model home as a sales office is discontinued, the home shall be
155 converted to meet all City standards and land use ordinance regulations for the particular dwelling

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- 156 unit(s).NATURAL RETENTION AREA: An area of poorly drained soils which lies along stream channels or
157 swells or is adjacent to floodplain soils, which is subject to periodic flooding.
- 158 OFF SITE FACILITIES: Improvements not on individual lots but generally within the right-of-way and the
159 boundaries of the development which they serve, and as further outlined in this title.
- 160 ON SITE FACILITIES: Construction or placement of the main building, and its appurtenant improvements
161 on a lot.
- 162 OPEN SPACE RATIO: A measure of the intensity of land use. It is arrived at by dividing total amount of
163 open space within the site by the base site area.
- 164 OPEN SPACE, USABLE: Usable open space shall be any portion of a lot or building which meets all the
165 following conditions:
- 166 A. The open space shall be open to the sky or shall be open to view on at least two (2) sides.
- 167 B. The space shall be readily accessible by foot traffic from the dwelling unit to which it is accessory.
- 168 C. If the space is provided on a balcony, roof or other facility above grade, it shall have such protective
169 devices as are deemed necessary by the Zoning Administrator to assure reasonably safe usage by
170 children and adults.
- 171 D. The space shall not be provided from any required front or side yard, parking area or driveway space.
- 172 PEDESTRIANWAY (WALKWAY OR CROSSWALK): A right-of-way designed for use by pedestrians and not
173 intended for use by motor vehicles of any kind; a pedestrianway may be located within or without a
174 street right-of-way, at grade, or grade separated from vehicular traffic.
- 175 PERMANENT MONUMENT: Any structure of concrete, masonry or metal, permanently placed on or in
176 the ground, including those expressly placed for the surveying reference, which meets the requirements
177 of North Salt Lake City for permanent monuments.
- 178 PLANNED UNIT DEVELOPMENT (PUD): Is both a type of real estate development, as well as a regulatory
179 process. For purposes of this title, a "PUD" shall mean:
- 180 A. An integrated design for development of residential, commercial or industrial uses, or limited
181 combinations of such uses, in which the density and location regulations of the district in which the
182 development is situated may be varied or waived to allow flexibility and initiative in site and building
183 design and location, in accordance with an approved plan and imposed requirements. Planned unit
184 development regulations may govern the subdivision of land if it is proposed by the development to sell
185 individual lots in the planned unit development. Thus, planned unit development regulations can be
186 subdivision regulations which may be chosen by the developer as an alternative to specifically
187 designated subdivision regulations of this Code, to become effective only through the planned unit
188 development process.
- 189 B. A coordinated, real estate development where a unit or the whole building is owned by an individual
190 and where the ownership of common spaces is shared and maintained by other members of the
191 homeowners' association for the benefit of the owners. A PUD under this definition is treated as a
192 subdivision and must comply with the subdivision regulations of this Code.

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193 PROTECTION STRIP: A strip of land between the boundary of a land development and a street within the
194 land development, for the purpose of controlling the access to the street by property owners abutting
195 the land development.

196 PUBLIC FACILITIES AND PUBLIC SERVICE FACILITIES: For the public convenience, certain infrastructure,
197 including streets, water lines, sewer lines, public utilities and drainage facilities, may be allowed to serve
198 various areas of the community, as public facilities. Possible additional facilities such as a substation for
199 fire or police, Post Office or hospital may be determined to be in the public interest as public service
200 facilities by North Salt Lake City.

201 RESIDUAL LAND: Land which does not meet the minimum standards for a lot and therefore must be
202 attached and become part of another parcel which does or will conform to lot minimum standards or be
203 attached to public land for public purposes.

204 RIGHT-OF-WAY: The portion of land dedicated to the public use for street or utility purposes or
205 maintained in private use for similar purposes.

206 ROADWAY WIDTH: The horizontal distance from the lip of gutter to lip of gutter of street, otherwise, the
207 width of actual paved surface where no curb and gutter exists.

208 STEEP SLOPES: Areas where the average slope exceeds eight percent (8%) which, because of this slope,
209 are subject to high rates of stormwater runoff and therefore erosion.

210 *STREET: A public right-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks,
211 alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

212 STREET (FRONTAGE): A street which is parallel to and adjacent to a limited access street and which
213 provides access to abutting properties and protection from through traffic.

214 STREET (HALF): A street parallel and contiguous to a property line and of lesser right-of-way width than
215 will eventually be required; the additional needed right-of-way width to be obtained in the future from
216 the abutting property owner prior to development as a frontage.

217 STREET, STUB: A street extending from within a subdivision boundary and temporarily terminating there
218 with no permanent vehicular turnaround. Stub streets are provided to permit adjacent undeveloped
219 parcels of land to be developed later by continuing the stub street to the extended connecting street
220 system.

221 SUBDIVIDER (DEVELOPER): Any person, firm, corporation, partnership or association who causes land to
222 be divided into a subdivision for himself/herself or others, a developer.

223 *SUBDIVISION: A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more
224 lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future,
225 for offer, sale, lease or development, either on the installment plan or upon any and all other plans,
226 terms and conditions.

227 B. "Subdivision" includes:

228 1. The division or development of land, whether by deed, metes and bounds description, devise and
229 testacy, map, plat or other recorded instrument; and

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230 2. Except as provided in subsection C of this definition, divisions of land for residential and
231 nonresidential uses, including land used or to be used for commercial, agricultural and industrial
232 purposes.

233 C. "Subdivision" does not include:

234 1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting
235 separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting
236 combined parcel nor the parcel remaining from the division or partition violates an applicable land use
237 ordinance;

238 2. A recorded agreement between owners of adjoining unsubdivided properties adjusting their
239 mutual boundary if:

240 a. No new lot is created; and

241 b. The adjustment does not violate applicable land use ordinances;

242 3. A recorded document, executed by the owner of record:

243 a. Revising the legal description of more than one contiguous unsubdivided parcel of property into
244 one legal description encompassing all such parcels of property; or

245 b. Joining a subdivided parcel of property to another parcel of property that has not been
246 subdivided, if the joiner does not violate applicable land use ordinances;

247 4. A recorded agreement between owners of adjoining subdivided properties adjusting their mutual
248 boundary if:

249 a. No new dwelling lot or housing unit will result from the adjustment; and

250 b. The adjustment will not violate any applicable land use ordinance; or

251 5. A bona fide division or partition of land by deed or other instrument where the land use authority
252 expressly approves in writing the division in anticipation of further land use approvals on the parcel or
253 parcels.

254 D. The joining of a subdivided parcel of property to another parcel of property that has not been
255 subdivided does not constitute a "subdivision" under this definition as to the unsubdivided parcel of
256 property or subject the unsubdivided parcel to the City subdivision ordinance.

257 URBAN SERVICES: Services normally associated with urban living, including, but not limited to, the
258 following: electricity, natural gas, streets, schools, culinary water, sewage collection and treatment
259 facilities, and police and fire protection.

260 VACANT LOT: A lot in an established area or neighborhood which at the present time contains no
261 structures or other aboveground improvements.

262 VICINITY MAP: A map or drawing, not necessarily to scale, showing where a subdivision, or proposed
263 subdivision, PUD, commercial development, or other property is located.

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- 264 VICINITY PLAN: A map or drawing to scale of any area proposed for development, showing existing and
265 proposed streets, buildings, public facilities and utilities within the general influence area of the
266 proposed project (1 mile radius); boundaries of zoning districts, taxing districts, and other special
267 districts on and in the immediate vicinity of the land proposed for project; watercourses, impoundments,
268 streams, springs, wells and areas subject to continuous or occasional flooding on and in the immediate
269 vicinity of the land proposed for project and significant vegetative patterns on and in the immediate
270 vicinity of the land proposed for development.
- 271 WETLANDS: Areas known as marshes, swamps or wetlands, including any area greater than one-fourth
272 (1/4) acre where standing water is retained for a portion of the year and unique vegetation has adapted
273 to the area, or as regulated by the U.S. Army Corps of Engineers.

TITLE 10

LAND USE ORDINANCES

CHAPTER 3: LAND USE REGULATIONS & ZONING MAP AMENDMENTS AMENDMENTS, DOCUMENT SUBMISSION, REVIEW PROCEDURES AND PROCESS STEPS

SECTION:

10-3-1: AUTHORITY OF THE CITY COUNCIL

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

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

~~10-3-3: Step 1 – Concept Plan~~

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

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

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

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

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

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

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

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

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30 ~~B~~A. Residents Or Other Interested Persons: Any resident of the ~~C~~eity or other person
31 having an equitable interest in real property located in the ~~C~~eity may petition the ~~C~~eity for
32 an amendment or rezoning.

33 ~~C~~B. Application; Information Required: The person seeking to amend this ~~T~~itle or
34 ~~Z~~oning ~~M~~ap shall make application to the Community Development Department on thea
35 form provided for such amendment ~~with by taking required actions and filing~~including the
36 following information and documents: ~~with the planning commission:~~

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

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

41 3. A nonreturnable amendment application fee.

42 4. If the proposed amendment requires a change to the Official Zoning Map, the
43 application shall include the following:

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

48 ~~4. a.~~ A list of the ~~N~~names and addresses of all owners of the subject property.
49 (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

50 ~~c. b.~~ A list of the ~~N~~names and addresses of all property owners within three
51 hundred feet (300') of the subject property boundary, obtained from the public records
52 maintained by the Davis County Recorder. when an identified property is the specific
53 beneficiary. (Ord. 02-3, 1-15-2002)

54 ~~5d.~~ Stamped and addressed ~~A sufficient number of plain white~~ legal size
55 envelopes for each of the property owners identified in section c, above, addressed to
56 required recipients and with proper postage affixed. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

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

60 D. Notice; Public Hearings And Public Meetings:

61 1. Public Hearings: The City shall prepare and give notice at least 10 calendar days
62 before a of public hearings and public meetings to consider such amendment by mail to
63 affected entities and for the area directly affected by the proposed land use regulation or
64 zoning map amendment as a class B notice as provided by Utah Code Annotated sections
65 10-9a-205, and 10-9a-502, and 63G-30-102, as amended, for land use ordinance or zoning
66 map amendments. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

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

70 E. Planning Commission Review: The Planning Commission shall hold a public hearing
71 to review the application and make its recommendations concerning the proposed
72 amendment to the City Council within forty five (45) days from receipt of the amendment
73 application in a regularly scheduled meeting. The Planning Commission shall
74 recommend adoption of a proposed amendment only when the following findings are
75 made:

76 1. The proposed amendment is in accord with the ~~comprehensive~~ General Plan, goals
77 and policies of the City.

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

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

84 1. Adopt the amendment ~~by majority vote~~;

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LAND USE ORDINANCES

85 2. ~~Reject the amendment~~Modify the proposed amendment and adopt the amendment;

86 3. Modify the proposed amendment and refer back to the planning commission for its
87 recommendation to be returned to the ~~City Council~~ within thirty (30) days; or

88 4. Reject the amendment.

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

91 ~~—1. Reject the amendment;~~

92 ~~—2. Modify the proposed amendment and refer back to the planning commission for its~~
93 ~~recommendation to be returned to the city council within thirty (30) days;~~

94 ~~—3. If the city council determines that the proposed amendment may have merit in spite~~
95 ~~of the planning commission's negative recommendation, the city council may adopt the~~
96 ~~amendment by an affirmative vote of four (4) members.~~

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

102

103 REMAINDER OF CHAPTER MOVED TO OR REPLACED IN OTHER SECTIONS OF CODE

104

105

Title 10 Chapter 7 Conditional Uses
Updated 01.08.2024

1 CHAPTER 7
2 CONDITIONAL USES

3 SECTION:

4 10-7-1: ~~General Provisions~~Purpose and Intent

5 10-7-2: Conditional Use Permit Process

6 ~~10-7-3:~~ Performance Standards For Conditional Uses

7 ~~10-7-4:~~ Specified Review Criteria for Certain Conditional Uses (Reserved)

8 ~~10-7-3:~~ General Standards For Conditional Use Developments

9 ~~10-7-4:~~ Planned Unit Developments; Special Requirements

10 ~~10-7-5:~~ Mobile Home Parks, Mobile Home Subdivisions And Recreational Vehicle Parks;
11 ~~Special Requirements~~

12 ~~10-7-6:~~ Landfills And Land Excavations

13 ~~10-7-7:~~ Subdivisions (Land Development)

14 ~~10-7-8:~~ Flag Lots

15

16 10-7-1: ~~GENERAL PROVISIONS~~PURPOSE AND INTENT:

17 ~~—A. Purpose And Intent:~~ The purpose of this chapter and the intent of the city in its
18 adoption is to promote the health, safety, convenience and general welfare of the present
19 and future inhabitants of the ~~city~~City. This chapter accomplishes the aforesaid purpose and
20 intent by providing sufficient flexibility to allow in certain areas compatible integration of
21 uses which are related to the permitted uses of the district or are of a temporary nature
22 only, but which may be suitable and desirable only in certain locations in that district due
23 to conditions and circumstances peculiar to that location or upon certain conditions which
24 make the uses suitable or only if such uses are designed, laid out and constructed on the
25 proposed site in a particular manner. While flexibility in allowing uses which would
26 otherwise be generally unsuitable to a given district is an important goal of this chapter, it
27 is also recognized that constraints on governmental decision making are a legal imperative.
28 This chapter, therefore, also provides a framework of standards within which those
29 governmental decisions must be made.

30 10-7-2: CONDITIONAL USE PERMIT PROCESS:

31 A. ~~—B.~~ Conditional Use Permit Required: A conditional use permit shall be required for all
32 uses listed as conditional uses in this title.

33 ~~—1. Specific Uses: For the following types of conditional uses, final plan or plat approval~~
34 ~~shall constitute the conditional use permit:~~

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- 35 ~~— a. Subdivisions;~~
- 36 ~~— b. Planned unit developments;~~
- 37 ~~— c. Mobile home parks;~~
- 38 ~~— d. Recreational vehicle parks;~~
- 39 ~~— e. Mobile home subdivisions;~~
- 40 ~~— f. Flag lots 1.~~

41 ~~— 2. Other Uses: For all other types of conditional uses, final plan approval or a specific~~
42 ~~conditional use permit will be issued for the particular use as appropriate or as provided~~
43 ~~for in this title.~~

44 B. –Preapplication Procedures: To facilitate the handling of applications, the community
45 development department may adopt preapplication procedures to allow for adequate
46 investigations and staff review, and may require compliance with such preapplication
47 review procedures as a prerequisite to formal application and action by the Planning
48 Commission. Preapplication review shall in no way be interpreted to mean review by
49 the Planning Commission.

50 C. Requirements: An application for a conditional use permit shall be filed with the
51 community development department on a form provided for such request, and shall
52 include the following:

- 53 1. Signature of the property owner or his authorized representative;
- 54 2. Payment of the an review fee as specified in the current fee schedule;
- 55 3. A detailed description of the proposed use, including all pertinent information
56 related to the use and applicable to the conditional use including, but not limited to:
 - 57 a. A site plan and building floor plan detailing the area to be used in operation of
58 the conditional use, any onsite features existing or proposed such as
59 detention/retention facilities, fencing, landscaping, parking, building footprint,
60 or other site amenities;
 - 61 b. A general description of the major activities associated with the conditional use
62 (indoor and outdoor), such as the number of employees, equipment used, hours
63 of operation, etc. as applicable;
 - 64 c. A description of any disruptive impacts the conditional use may have on
65 properties adjacent to or in the vicinity, such as noise, chemical use or storage,
66 lighting, or odors;
 - 67 d. A description of any potential health hazards to employees, customers, or
68 residents adjacent to or in the vicinity of the conditional use, including potential
69 hazards created by accidental chemical release or other emergency;

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70 e. A description of the expected traffic generated by the conditional use such as
71 passenger vehicles and delivery trucks, including hours and frequency.

72 f. A description of future land uses expected on the site, such as additional building
73 construction and expansion of the current or proposed land use;

74 g. A description of the expected water and sewer demand for the conditional use;

75 h. A description of any potential environmental impacts, such as emission, dust
76 generation, or storm water drainage;

77 i. All proposed mitigation measures to address potential impacts related to the
78 conditional use;

79 j. For new construction or conditional uses which will require site or public
80 improvements, a concurrent site plan application is required.

81 D. Submission And Docketing For Review: Upon receipt of a complete application,
82 including payment of all required fees and submission of all necessary documentation
83 related to the proposed use, the community development director and other members
84 of the development review committee, shall review the application for completeness
85 and compliance with the provisions of this title and other pertinent City regulations.
86 When the community development director, or designee, determines that the
87 application is properly prepared and ready for submission to the Planning Commission
88 for review, the application will be docketed for review at the next regular public
89 meeting of the Planning Commission. Incomplete applications shall not be docketed for
90 Planning Commission review.

91 E. -Action By Planning Commission:

92 F. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed,
93 to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance
94 with applicable standards.

95 G. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be
96 mitigated by the proposal or the imposition of reasonable conditions to achieve compliance
97 with applicable standards, the conditional use may be denied.

98 H. Public Hearings: A public hearing may be held when deemed by the Planning
99 Commission to be in the public interest and shall be noticed as a class B notice sent to
100 any affected entities and all property owners within 300' of the property boundary a
101 minimum of 10 calendar days prior to the hearing date. However, in the following
102 instances, the holding of a public hearing shall be mandatory:

103 1. The Planning Commission determines that existing streets and thoroughfares are
104 not suitable and adequate to carry anticipated traffic or on-street parking demand,
105 and increased densities resulting from the proposed use may generate traffic in such
106 amounts as to overload the street network outside the district.

107 2. The Planning Commission determines that increases in miscellaneous traffic, light,
108 odor or environmental pollution generated by the proposed use may significantly

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change the intended characteristics of the district as outlined in this title, or may present unsuitable safety risks to inhabitants of the district.

3. The Planning Commission determines that the architectural design of the proposed use varies significantly from the architectural characteristics of the district (as outlined in this title) in which such use is proposed. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

I. Any decision made in the administration of this chapter may be appealed as outlined in 10-2-2 of this title.

B.I.C.—Revocation Of Permit:

1. ~~—1.—~~Temporary Suspension: In the event any person holding a conditional use permit pursuant to this chapter violates the terms of the permit, or conducts or carries on said site development in such a manner as to materially adversely affect the health, welfare or safety of persons residing or working in the neighborhood of the property of the said permittee, a temporary suspension may be made effective immediately upon notification by the ~~zoning administrator~~Community Development Director.

2. ~~—2.—~~Hearing; Notice: No conditional use permit shall be permanently revoked or suspended until a hearing is held, ~~first~~ by the ~~planning commission~~Planning Commission, ~~and then by the city council~~. The permittee shall be notified in writing of such hearing and said notification shall state:

a. ~~—a.—~~The grounds for complaint or reasons for the revocation or suspension, in clear and concise language.

b. ~~—b.—~~The time and place such hearing is to be held. Such notice shall be served by registered mail or personal service on the permittee at least ten (10) calendar days prior to the date set for the hearing. At any such hearing, the permittee shall be given an opportunity to be heard, and he may call witnesses and present evidence on his behalf. Upon conclusion of such hearing, the ~~city council~~Planning Commission shall determine whether or not the permit shall be suspended or revoked. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

c. ~~—c.—~~Action by the Planning Commission to revoke a conditional use permit may be appealed in accordance with City Code section 10-2-2. The planning commission may hold a preliminary hearing to consider its recommendations to the city council for revocation or suspension of permits which have been temporarily suspended at the next regularly scheduled meeting of the planning commission. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

G.K.—~~D.~~Expiration Of Permit: Every conditional use permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within one year, or is not completed within two (2) years from date of issue, ~~except for subdivisions, which shall be governed by section 10-3-6 of this title~~. If the permit holder presents satisfactory evidence that unusual difficulties have

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149 prevented work being started or completed within the specified time limits, the
150 ~~planning commission~~Planning Commission may grant a reasonable extension of time,
151 up to one year, if written application is made before the expiration of the permit. (Ord.
152 01-05, 4-3-2001)

153 ~~—E. Grounds For Denial Of Conditional Use Permit Application: The following shall~~
154 ~~constitute grounds for denial of a conditional use permit application:~~

155 ~~—1. Use Detrimental: Under circumstances of the particular case, the proposed use will~~
156 ~~be detrimental to the health, safety or general welfare of persons residing or working in the~~
157 ~~vicinity, or injurious to property or improvements in the vicinity, and there is no practical~~
158 ~~means available to the applicant to effectively mitigate said detrimental effects.~~

159 ~~—2. Nonassurance Of Compliance: The applicant cannot or does not give the planning~~
160 ~~commission reasonable assurance that conditions imposed incident to issuance of a~~
161 ~~conditional use permit will be complied with.~~

162 ~~—F. Issuance Of Conditional Use Permit To Be Dependent On Affirmative Findings; Report~~
163 ~~Required: Conditional uses may be approved by the city council upon recommendation of~~
164 ~~the planning commission, in locations permitting such uses in this title. Before approval is~~
165 ~~granted, a report to the city council by the planning commission shall find that the~~
166 ~~proposed development will meet the requirements of this title.~~

167 ~~—G. Deviation From Design And Improvement Standards: Where, in the opinion of the city~~
168 ~~council, the literal enforcement of the design and improvement standards in this title~~
169 ~~would result in an unreasonable utilization of land and water or undue hardship due to~~
170 ~~unique circumstances compliance with one or more of the design and improvement~~
171 ~~standards may be waived, according to the following procedure:~~

172 ~~—1. Application: Application for a variance shall be made to the city council and shall~~
173 ~~include:~~

174 ~~— a. A description of the land to be developed;~~

175 ~~— b. An identification of the title provision from which the variance is requested;~~

176 ~~— c. A description of the peculiar physical conditions pertaining to the land in question~~
177 ~~and which do not pertain to other lands in the general area;~~

178 ~~— d. A description of the hardships which will accrue to the detriment of the property~~
179 ~~owner if the requested variance is not granted;~~

180 ~~— e. A nonrefundable variance review fee, payable to the city, in accordance with the~~
181 ~~currently applicable fee schedule as adopted by resolution of the city council.~~

182 ~~—2. Planning Commission Review: The city council shall submit the variance application~~
183 ~~to the planning commission for review and comments upon receipt of said application.~~

184 ~~—3. Recommendation To City Council: The planning commission shall review the~~
185 ~~variance application and shall submit its written recommendations for approval or~~

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186 disapproval of such application to the city council, along with written reasons therefore
187 within thirty (30) calendar days from receipt of said application from the city council at a
188 regularly scheduled meeting of the planning commission.

189 ~~—4. Public Hearing; Notice: The city council shall hold a public hearing before granting~~
190 ~~the variance. Notice of said public hearing shall be given by at least one publication in a~~
191 ~~newspaper of general circulation in the city. The hearing shall be held no later than thirty~~
192 ~~(30) calendar days from receipt by the city council of the recommendations of the planning~~
193 ~~commission and no less than fourteen (14) calendar days from the publication of notice.~~

194 ~~—5. Decision Of City Council: Subsequent to and within fifteen (15) calendar days of the~~
195 ~~public hearing, the city council shall approve or deny the request for a variance. A variance~~
196 ~~shall be granted only if the city council makes a finding upon the record submitted to it that~~
197 ~~the issuance of a variance will be in the interest of the public safety, health or welfare, and~~
198 ~~the proposed development substantially complies with the city general plan and adopted~~
199 ~~zoning ordinance.~~

200 ~~—6. Records Maintained: A record of all correspondence, recommendations,~~
201 ~~submissions and official action regarding all variance applications shall be maintained~~
202 ~~for a reasonable time by the city as a public record.~~

203 ~~D.L. —H. Inspections: Following the issuance of a conditional use permit, by the city~~
204 ~~council, the zoning administrator, Community Development Director, or designee, with~~
205 ~~the assistance of any other applicable City department shall inspect such use to ensure~~
206 ~~that development is undertaken and completed in compliance with the conditional use~~
207 ~~permit.~~

208 ~~—I. Minimum Construction And Improvement Standards: Construction standards,~~
209 ~~including drawings, tables, charts, references and regulations may be adopted by~~
210 ~~resolution by the city council, and when done so shall constitute land development~~
211 ~~standards supplementing this title.~~

212 ~~—J. Conflicting Provisions: Where specific requirements are made or exemptions allowed~~
213 ~~under other sections of the code, those requirements or exemptions shall prevail over the~~
214 ~~land development standards supplementing this title.~~

215 ~~—K. Improvement Construction Obligation Of Developer: Improvements required by this~~
216 ~~title shall be constructed at the expense of the developer and shall comply with the land~~
217 ~~development standards supplementing this title.~~

218 ~~—L. Commencement Of Construction: Site improvement or grading of any proposed~~
219 ~~development site prior to preliminary design plan approval by the planning commission~~
220 ~~and city council is prohibited. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)~~

221
222 **Notes**

1 1. See section 10-7-8 of this chapter.

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10-7-~~23~~: PERFORMANCE STANDARDS FOR CONDITIONAL USES:

A. ~~A.~~ Conditions Relating To Safety For Persons And Property: Applicants for conditional use permits shall meet all specific requirements made in this title. In addition, the ~~planning commission~~ Planning Commission may require additional studies or reports from qualified subject matter experts for recommendations related to mitigation of establish additional requirements as outlined herein to meet the concerns of safety for persons and property, health and sanitation, environment, general plan proposals and neighborhood needs, performance and administration. More specifically, the ~~planning commission~~ Planning Commission may require:

1. Building elevations and grading plans which will prevent or minimize floodwater damage, where property may be subject to flooding.
2. The relocation, covering or fencing of irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property.
3. Increased setback distances from lot lines where the ~~planning commission~~ Planning Commission determines it to be necessary to ensure the public safety and to ensure compatibility with the intended characteristics of the district as outlined in this title.
4. Appropriate design, construction and location of structures, buildings and facilities in relation to any earthquake fault hazard which may exist on the property, and limitations or restrictions on the use and/or location of uses due to special site conditions, including, but not limited to, geologically hazardous areas, floodplains, fault zones and landslide areas.
5. Limitations and control of the number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.
6. Plans for the location, arrangement and dimensions of truck loading and unloading facilities.
7. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants and street lighting.
8. Reduction of permitted street grades for winter and storm conditions or exposure.
9. ~~9.~~ Fences shall not create visual ~~h~~ or other safety hazards. Backing movements, passing vehicles, sidewalk traffic or small children shall be considered in the location of fences.
- 9.10. ~~9.10.~~ Mitigation strategies as recommended in any required studies or reports.

B. Conditions Relating To Health And Sanitation:

1. Water: A guarantee of sufficient water to serve the intended land use and a water delivery system meeting standards adopted by the ~~city~~ City ~~c~~ Council.

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- 260 2. Wastewater And Waste Disposal Systems: A wastewater disposal system and a solid
261 waste disposal system meeting standards adopted by the ~~city~~**City e**Council.
- 262 3. Water, Sewer And Drainage Facilities: Construction of water mains, sewer mains
263 and drainage facilities serving the proposed use, in sizes necessary to protect
264 existing utility users in the district and to provide for an orderly development of
265 land in the ~~city~~**City**.
- 266 C. Environmental Concerns:
- 267 1. Sensitive Areas: Limitations or restrictions on the use or location of uses in sensitive
268 areas due to soils capabilities, wildlife and plant life.
- 269 2. 2. Pollution: Processes for the control, elimination or prevention of land, water or
270 air pollution; the prevention of soil erosion; and the control of objectionable odors.
- 271 3. Ground Cover: The planting of ground cover or other surfacing to prevent dust and
272 erosion.
- 273 4. Structuring Land: Restructuring of the land and planting of the same as directed by the
274 ~~planning commission~~**Planning Commission** when the conditional use involves cutting
275 and/or filling the land and where such land would be adversely affected if not
276 restructured.
- 277 D. Conditions Relating To Compliance With Intent Of General Plan And Characteristics Of
278 Vicinity (Or Neighborhood):
- 279 1. Incompatible Characteristics: The removal of structures, debris or plant materials,
280 incompatible with the intended characteristics of the district outlined in this title.
- 281 2. Screening: The screening of yards or other areas as protection from obnoxious land
282 uses and activities.
- 283 3. Landscaping: Landscaping to ensure compatibility with the intended characteristics
284 of the district as outlined in this title.
- 285 4. Walls, Fences, Hedges And Screening: Limitations or controls on the location, height
286 and materials of walls, fences, hedges and screen plantings to ensure harmony with
287 adjacent development, or to conceal storage areas, utility installations or other
288 unsightly development.
- 289 5. Structure Relocation: The relocation of proposed or existing structures as necessary
290 to provide for future streets on the major street plan of the ~~city~~**City**, adequate sight
291 distances for general safety, groundwater control or similar problems.
- 292 6. Recreational Facilities: Provision for or construction of recreational facilities
293 necessary to satisfy needs of the conditional use.
- 294 7. Density; Intensity: Population density and intensity of land use limitations where
295 land capability or vicinity relationships make it appropriate to do so to protect
296 health, safety and welfare, or conservation of values.

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- 297 8. Other Improvements: Other improvements which serve the property in question
298 and which may compensate in part or in whole for possible adverse impacts to the
299 district from the proposed conditional use.
- 300 9. Fencing: The character of the neighborhood and aesthetics of the streetscape shall
301 be considered in the location of fences and in determining the reduction of any front
302 yard for fencing purposes.

303 E. Conditions Relating To Performance:

- 304 1. Time limits on the validity of the conditional use permit. Such time limits shall be
305 determined by the following guidelines:
- 306 a. A conditional use permit for uses which are of a temporary nature only may be
307 issued for the intended duration of the temporary use or for two (2) years,
308 whichever period of time is shorter.
- 309 b. Unless there is substantial and positive development action under a conditional
310 use permit within a period of one year of its issuance, said permit shall expire.
§11 The ~~planning commission~~ Planning Commission and ~~city~~ City ~~e~~ Council may grant
312 a maximum extension for one year, when deemed in the public interest.
- §13 2. A bond or other valuable assurance in favor of the ~~city~~ City in an amount to be
§14 determined by the ~~city~~ City ~~e~~ Council. The amount of said bond or other valuable
§15 assurance shall be calculated by the ~~e~~ City ~~e~~ Engineer.
- 316 3. Specific short and long range plans of development may be required to demonstrate
317 timeliness, feasibility and impact on the public.

§18 F. Energy Conservation Concerns and General Performance:

- 319 1. Solar orientation of buildings and uses.
- 320 2. Use of renewable energy sources.
- 321 3. Efficiency of exterior lighting.
- 322 4. Shading and protection of important buildings and pavings (parking lots, etc.),
323 landscaping and trees, location of buildings and screens.
- 324 5. Effective use of vestibules.
- 325 6. Wind screening.
- 326 7. Circulation (travel) efficiency.
- 327 8. Efficiency of stormwater removal and erosion control.
- 328 9. Maintenance efficiency for on site improvements to be maintained by users,
§29 occupants and owners, etc.
- §30

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331 ~~—G. Public Hearings: A public hearing may be held when deemed by the planning~~
332 ~~commission or city council to be in the public interest. However, in the following instances,~~
333 ~~the holding of a public hearing shall be mandatory:~~

334 ~~— 1. The planning commission determines that existing streets and thoroughfares are not~~
335 ~~suitable and adequate to carry anticipated traffic, and increased densities resulting from~~
336 ~~the proposed use may generate traffic in such amounts as to overload the street network~~
337 ~~outside the district.~~

338 ~~— 2. The planning commission determines that increases in miscellaneous traffic, light,~~
339 ~~odor or environmental pollution generated by the proposed use may significantly change~~
340 ~~the intended characteristics of the district as outlined in this title.~~

341 ~~— 3. The planning commission determines that the architectural design of the proposed~~
342 ~~use varies significantly from the architectural characteristics of the district (as outlined in~~
343 ~~this title) in which such use is proposed. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~

344

345

346 **The remainder of this chapter has been moved or replaced by content in the new**
347 **Subdivision Title 13.**

348 ~~10-7-3: GENERAL STANDARDS FOR CONDITIONAL USE DEVELOPMENTS:~~

349 ~~10-7-4: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:~~

350 ~~10-7-5: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL~~
351 ~~VEHICLE PARKS; SPECIAL REQUIREMENTS:~~

352 ~~10-7-6: LANDFILLS AND LAND EXCAVATIONS:~~

353 ~~See title 7, chapter 5, article C of this Code. (Ord. 2018-04, 4-17-2018)~~

354 ~~10-7-7: SUBDIVISIONS (LAND DEVELOPMENT):~~

355 ~~10-7-8: FLAG LOTS 1:~~

356

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

6
7 **DRAFT**
8

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

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

18 EXCUSED: Commissioner Ryan Holbrook
19

20 STAFF PRESENT: Mackenzie Johnson, Planner.
21

22 OTHERS PRESENT: Dee Lalliss, resident.
23

24 1. PUBLIC COMMENTS
25

26 Dee Lalliss, resident, commented that in his opinion he was disappointed that the order was not
27 kept during the last City Council meeting regarding the residents treating it as another public
28 hearing for the Lofts at North Salt Lake Development. He mentioned the footprint of the two
29 new approved buildings, parking, street design, and school drop off/pickup. Mr. Lalliss was
30 supportive of the recommendations and efforts of the Commission.
31

32 2. WORK SESSION: DRAFT CODE AMENDMENTS
33

34 a. TITLE 10, CHAPTER 3: AMENDMENTS AND REZONES
35

36 Staff updated Title 10, Chapter 3: Land Use Regulations & Zoning Map Amendments to remove
37 the procedural process for subdivisions in sections 10-3-2 to 10-3-7. Language was updated for
38 10-3-1: Authority of the City Council, to reflect the State code language which provided for the
39 City Council to amend the land use ordinances and added the official zoning map. For Section
40 10-3-2: Procedure for Proposed Amendments the language was updated to reflect removal of the
41 procedures for subdivision review and would now only pertain to code amendments and rezones.
42 It also updated the notices required in accordance with the updated State code. Staff and the
43 Commission reviewed Title 10, Chapters 3 and 7 of the updated draft code amendment.

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b. TITLE 10, CHAPTER 7: CONDITIONAL USES

Staff updated Title 10, Chapter 7: Conditional Uses to reflect text that remained after removing subdivisions from the conditional use permit process and associated subdivision regulations contained in sections 10-7-3 to 10-7-8. Section 10-7-1: Purpose and Intent was updated. Section 10-7-2: Conditional Use Permit Process updates included removal of references to subdivisions as conditional use and was updated to outlined the process for application for a conditional use. Existing language regarding revocation of conditional use permits was updated and replaced the City Council with the Planning Commission and provided for an appeal to the Hearing Officer for revocations of Conditional Use Permits. Section 10-7-3: Performance Standards for Conditional Uses remained the same with some grammatical changes. The language related to public hearings was removed as conditional use permits were administrative and not legislative and should not have a public hearing.

Mackenzie Johnson explained that the language pertaining to flag lots was removed from Conditional Uses and the language for regulating existing flag lots needed to be revised. She said it was nearing the end of the draft code amendments review. The timeline included a public hearing and recommendation to the City Council at the January 9, 2024 Planning Commission meeting followed by review and adoption by the City Council on January 16, 2024.

Commissioner Jorgensen mentioned conditional uses and stipulations set by the Planning Commission. He questioned how to require information from subject matter experts on geotechnical, safety, or similar issues. Mackenzie Johnson replied that Title 10 Chapter 11 determined if a use was conditional and needed to be updated so that less uses were considered conditional, and more were permitted with specific requirements. There could be a requirement for reports from experts on safety issues such as Commissioner Jorgensen suggested.

3. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY
PLANNING COMMISSION

Mackenzie Johnson reported that The Lofts at North Salt Lake development was approved during the December 6th City Council meeting. There were citizen comments during the public comment portion of the meeting related to that item including multiple in favor of the development. Concerns were expressed related to parking, the school, and traffic issues on 130 East. She said three councilmembers voted in favor, one councilmember abstained, and one voted in opposition to the development. The development would return to the Planning Commission for site plan review. Ms. Johnson said staff would evaluate 130 East and townhome residents would be allowed to park in the development outside of business hours which may help with parking problems in the area.

85 Chair Larson asked if this was one of the last remaining Planned (P) Districts. Mackenzie
86 Johnson replied affirmatively and said the only other incomplete developments she could think
87 of was the Silver Sky Lofts on Highway 89, three apartment buildings near Village Station, and
88 Williamsburg. She said the Clifton Development on 1100 and Redwood was zoned General
89 Commercial but may be rezoned to a Planned District.

90
91 Commissioner Jorgensen commented that he had reservations, including parking, on The Lofts at
92 North Salt Lake but said they had taken public comments into consideration. The Commission
93 discussed parking issues in other developments (including along Redwood Road), such as semi
94 or work trucks, public transit (bus rapid transit), and parking studies related to adequate parking.

95
96 Mackenzie Johnson said staff were preparing to perform a survey related to the number of
97 vehicles associated with multifamily developments within the Town Center area.

98
99 Chair Larson mentioned that one resident from the Towne Plaza townhomes had asked about
100 residents parking overnight at City Hall. Mackenzie Johnson replied that it would be a City
101 Council decision.

102
103 The Commission reviewed the 2024 Planning Commission meeting schedule.

104
105 4. APPROVAL OF MINUTES

106
107 The Planning Commission meeting minutes of November 28, 2023 were reviewed and approved.

108
109 **Commissioner Maus moved to approve the Planning Commission minutes for November**
110 **28, 2023 with the edits mentioned. Commissioner Ward seconded the motion. The motion**
111 **was approved by Commissioners Jorgensen, Larson, Maus, Stone, and Ward.**
112 Commissioner Holbrook was excused. Commissioner Tucker abstained from voting.

113
114 5. ADJOURN

115
116 Commission Chair Larson adjourned the meeting at 6:57 p.m.

117
118 The foregoing was approved by the Planning Commission of the City of North Salt Lake on
119 Tuesday, January 9, 2023 by unanimous vote of all members present.

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Wendy Page, City Recorder