



## 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 28, 2020 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:

Welcome, Pledge, and Introduction

- 1) Public comments
- 2) Consideration of a request for a conditional use permit for an apparel manufacturing business, The Vest Guy, at 215 North Redwood Road, unit 8, Robert Daughtery, applicant
- 3) Consideration of a request for a conditional use permit for a custom cabinet and furniture manufacturing business, Hardwoods in Harmony, Inc., at 780 North 700 West, Tracy O'Connor, applicant
- 4) Consideration of site plan approval for Village Station at Eaglewood at 421 & 422 South Orchard Drive, Taylor Spendlove, applicant
- 5) Public Hearing- Consideration of proposed amendments to the City's Land Use Ordinance regarding the R1-7, RM-7, & RM-20 zones, subdivisions and PUDs
- 6) Report on City Council actions on items recommended by Planning Commission
- 7) Approval of minutes:
  - a. January 14, 2020

Adjourn

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. Times noted on the agenda are estimates only – the Commission may proceed faster or slower than these estimates indicate.

#### Notice of Posting:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall and sent to the required newspapers this 23<sup>rd</sup> day of Jan, 2020.

Dated this 23<sup>rd</sup> day of Jan, 2020.

Linda Harrocks





# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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

## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Kate Werrett, Planner  
**DATE:** January 28, 2020  
**SUBJECT:** Conditional Use Permit for The Vest Guy located at 215 N Redwood Road #8

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### RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the conditional use permit for The Vest Guy located at 215 N Redwood Road, suite 8 with the following conditions be met prior to issuance of a business license:

1. The parking stalls behind the building are to be striped in accordance with the City's minimum standards
2. The outdoor trash receptacle must be brought up to City standards, including the construction of a dumpster enclosure.

### BACKGROUND

The applicant, The Vest Guy, is proposing to relocate a vest making business from 400 West to 215 N Redwood Road, suite 8. The applicant wishes to change locations in order to have a retail space and showroom as well as a larger sewing area. "Apparel manufacturing" is a conditional use in the General Commercial (CG) Zoning District.

Business activities at the site will include the manufacturing of reflective safety vests, photography vests, bean bags, soft sided storage and organization, and window coverings for vehicles. Onsite equipment will include sewing machines, a heat press, and cutting tables. Two cargo 12 ft. trailers will also be kept at the site. Retail hours will be from 9:00am – 3:00pm and by appointment. Manufacturing hours will be from 6:00am – 4:00pm weekdays, and 5:00am – 10:00am on Saturdays. The Vest Guy employees five people which will all be present during the highest shift. They anticipate 2-3 customers will visit the store per day.

The building is 4,879 sq. ft. and is divided into office space, a sewing area, and a retail display area. Per the City Code, each use requires a certain quantity of parking. Below is a description of the parking requirements based on square footage and employee counts:

<b>Use</b>	<b>Parking Regulation</b>	<b>Stalls Required</b>
Retail	1 stall/200 sq.ft.	3.68
Manufacturing	1 stall/ 1,000 sq.ft. or 1 per employee on highest shift	5
Office	1 stall/250 sq.ft.	8.57
<b>Total spaces required:</b>		17.25

There are 16 parking stalls in front of the building, two of which are ADA compliant. There is additional area behind the building for parking which is not striped. The DRC recommends that striping of the parking area behind the building be a condition of approval. The combination of the parking in front and behind the building will meet or exceed the number of parking stalls required.

The DRC recommends that the existing dumpster be brought to current City standards. Section 10-1-33-D8 of the Code states that for all “New or Expanded Uses” trash “enclosures shall be a solid, opaque enclosure constructed of brick, masonry, or concrete wall panels of at least six feet (6’) in height”. The dumpster currently does not have an enclosure and this application of an expansion of uses allows the Planning Commission to bring the dumpster into compliance with the City Code.

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

**POSSIBLE MOTION**

I move that the Planning Commission approve the conditional use permit for The Vest Guy located at 215 N Redwood Road, suite 8 with the following conditions be met prior to issuance of a business license:

1. The parking stalls behind the building are to be striped in accordance with the City’s minimum standards.
2. The outdoor trash receptacle must be brought up to City standards, including the construction of a dumpster enclosure.

**Attachments**

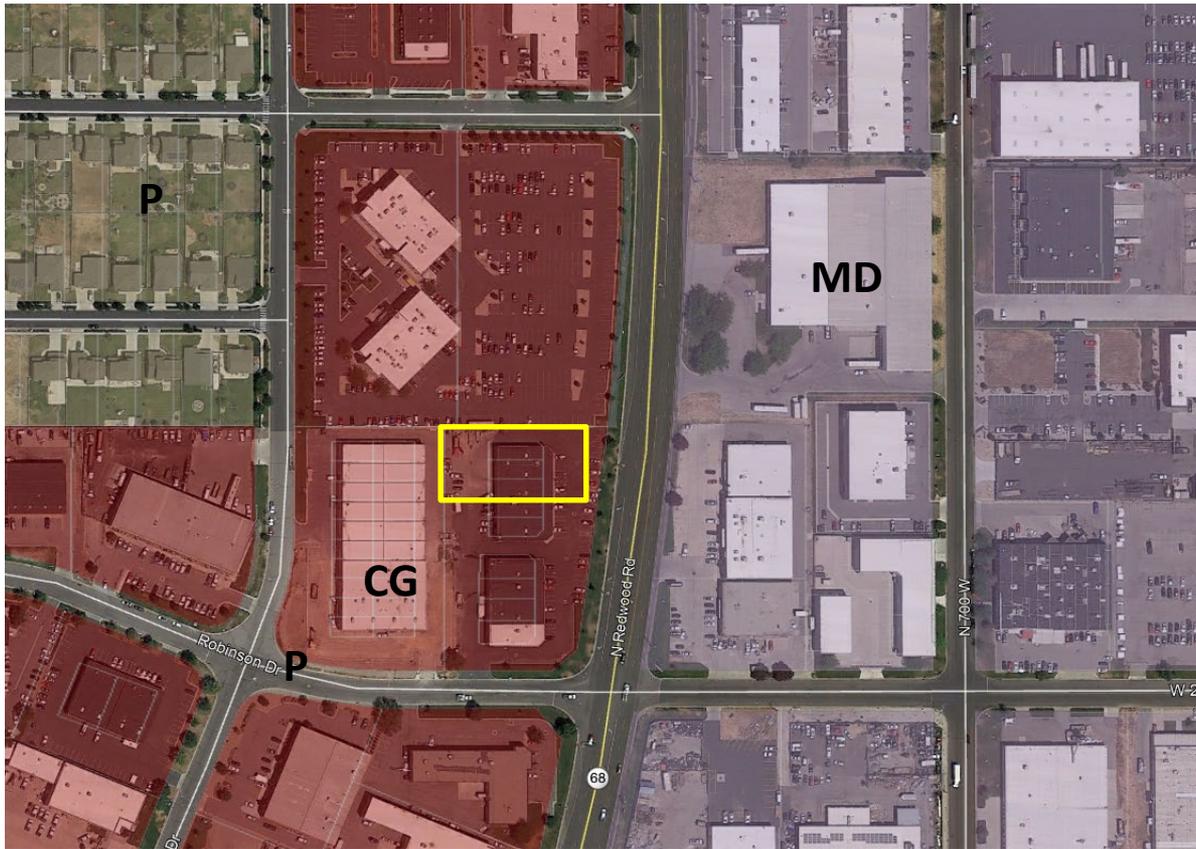
- 1) Aerial/Zone Map
- 2) Site Plan



# Conditional Use Permit

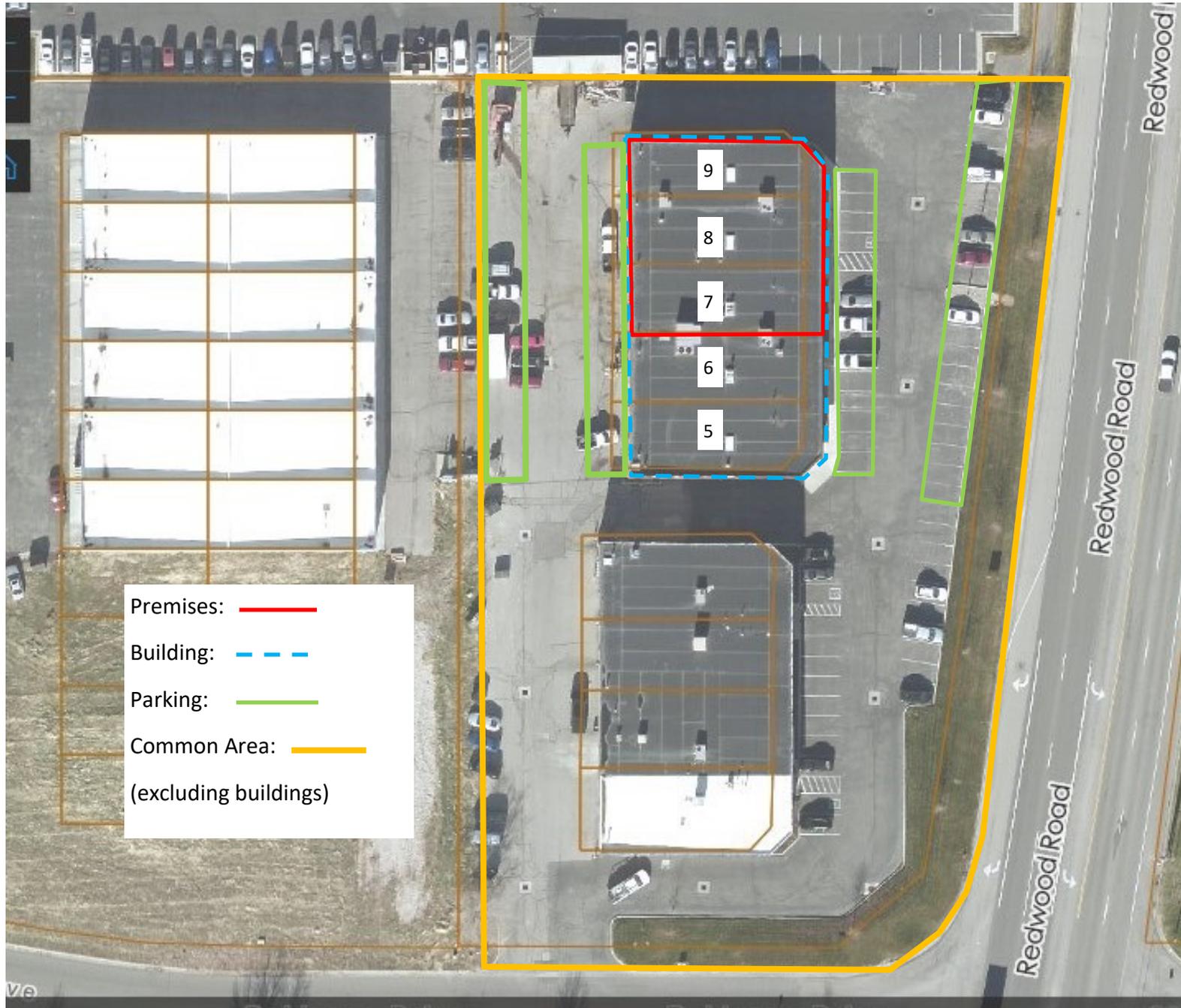
## The Vest Guy – 215 N Redwood Road #8

### Zoning



-  Special Use Restricted (SR)
-  Residential (RM-7)
-  Residential (RM-20)
-  Residential (R1-7)
-  Residential (R1-12)
-  Residential (R1-10)
-  Natural Open Space (NOS)
-  General Industrial (MG)
-  Manufacturing-Distribution (MD)
-  Existing Uses Overlay (EUO)
-  Commercial Shopping (CS)
-  Highway Commercial (CH)
-  General Commercial (CG)
-  Planned District (P)

EXHIBIT A



215 North Redwood Road, North Salt Lake, UT 84054



## CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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(801) 335-8700  
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### MEMORANDUM

**TO:** Planning Commission  
**FROM:** Kate Werrett, Planner  
**DATE:** January 28, 2020  
**SUBJECT:** Conditional Use Permit for Hardwoods in Harmony located at 780 N 700 W #7

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#### **RECOMMENDATION**

The Development Review Committee (DRC) recommends approval of the conditional use permit for Hardwoods in Harmony located at 780 North 700 West, unit 7 with the following conditions:

1. Final approval from the fire marshal prior to business license approval.
2. Shipping container plan approval from the building official.

#### **BACKGROUND**

The applicant, Hardwoods in Harmony, is proposing to locate a custom cabinets and furniture business at 780 North 700 West, unit 7. "Wood product manufacturing" is a conditional use under "Manufacturing" in the Manufacturing-Distribution (MD) Zoning District.

Services will include design, construction, and installation of cabinets and furniture. Onsite equipment will include wood working equipment such as table saws, dust collectors, planers, bores, air compressors, and other tools. Operation hours will be from 7:00am-5:00pm.

Two trailers and a 40 ft. shipping container will also be on the site. The applicant intends to park the shipping container to the east of the building and use it for storage. As the shipping container will remain as a permanent storage structure, the DRC recommends that the conditional use have a condition that the shipping container placement and construction details be approved by the building official. The building official will likely require a building permit be submitted for the shipping container.

Per the Code, manufacturing requires "1 stall per 1,000 square feet of gross floor area or 1 stall per employee on highest shift, whichever is greater". The gross floor area is 1,800 sq. ft. There will be five employees working at this location, with five on site during the highest shift. The applicant has five parking stalls which meets the code requirements.

The DRC noted that this use will require specific fire review recommends final approval of the fire marshal as a condition of approval.

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

**POSSIBLE MOTION**

I move that the Planning Commission approve the conditional use permit for Hardwoods in Harmony located at 780 North 700 West, unit 7 with the following conditions:

1. Final approval from the fire marshal prior to business license approval.
2. Shipping container plan approval from the building official.

**Attachments**

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



## CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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### MEMORANDUM

**TO:** Planning Commission  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** January 28, 2020  
**SUBJECT:** Site Plan for Village Station at Eaglewood, buildings 1, 2, & 3 at approximately 420 South Orchard Drive

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#### RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the requested site plan for Village Station at Eaglewood, for buildings 1, 2, & 3 with the following conditions: The trail along Redwood Road be no closer than 8 feet from the curb at any point;

1. The on street parking on Eaglegate Drive be changed to parallel parking;
2. The Planning Commission recommend the vacation of Orchard Drive at the Eaglegate roundabout to the Frontage Road for the conversion to a private parking and driveway facility as depicted on the attached parking exhibit;
3. Lot 3 that had been separated for taxing purposes will be re-combined or a plat amendment approved;
4. The rockfall hazard will be mitigated to the satisfaction of the city engineer and city geological consultant by removing the largest rock fall hazards and providing barriers for any future rock fall;
5. Confirmation of landscaping percentage;
6. The site plan shall be amended to contain an additional 51 parking spaces or reflect a reduction of unit count;
7. Correction of engineering redlines.

#### BACKGROUND

The city and the developer entered into a agreement amending to the Eaglewood Village Development Agreement on August 6, 2019. The agreement provides for construction of various buildings 27,000 sq. ft. of commercial/retail, 16,000 sq. ft. of office space and up to 424 dwelling units in 4 story buildings. The proposed application is for buildings 1, 2, & 3. Buildings 1 and 3 are residential apartments and building 2 is a mixed use building with apartments and commercial retail space on the first floor.

#### REVIEW

The four story buildings include amenities for a swimming pool and club house, bike and ski equipment lockers and extensive landscaping. The developer is required to improve the property between the

property line and the curb along Highway 89, which includes the city trail. This area will be planted with lawn and trees.

The proposed architecture is contemporary modern style with high quality materials of brick, masonry, stucco, with metal accents and balconies. The architecture is consistent with the existing apartments in the vicinity and the approved development agreement. Buildings has tuck under garages with carports and detached garages being provided for buildings 1 and 2. The height is 50 feet and conforms to the maximum height allowed per the agreement. The club house area is in the 1<sup>st</sup> floor of building 1.

The amended development agreement established the required parking ratios. The table below outlines the required and provided parking counts. The current site plan lacks the required parking by 51 spaces. The site plan will need to be amended to include additional parking or reduce units. The required 8 ADA spaces have been provided. The current site plan shows angle parking on Eaglegate Drive and Orchard Drive. The DRC recommends due to safety and snow plow concerns that the parking on Eaglegate be converted to parallel parking and that Orchard Drive south of the roundabout at Eaglegate be vacated and converted to a parking area. Additional parking may be possible with the vacation of the street.

Residential Uses					
Bed Count	Units	Required Ratio	Total	Total provided	Total
Studio	4	1.25	5	Garage	54
1 bedroom	111	1.5	166.5	Carport	193
2 Bedroom	94	1.75	164.5	Surface	72
3 Bedroom	17	2	34		
	226		370 spaces	Total	319 spaces

Commercial Uses					
	Sq. Ft.	Required Ration	Total		
Retail/Comm	18,000	1/1,000	18		
Office		3/1,000 sq. ft.			
		Total Comm.	18	Total Comm.	

Shared Use/Peak Usage Table			
	7 am-6 pm	6 pm-12 am	12 am-6 am
Residential	75% (278)	80% (296)	100% (370)
Office	100% (0)	5% (0)	5% (0)
Commercial	100% (18)	80% (7)	0% (0)
Parking Demand	296	303	370 (peak demand)

Landscaping is required to be 25% of the site, but may be reduced to 20% if the UDOT parcel along Highway 89 is landscaped. The included landscape plan does show landscaping along the highway and site improvements that include lawn area, trees and planting beds. The site appears to exceed 20 % landscaping but requires confirmation by the landscape architect or design engineer.

The site will not be fenced and will provide pedestrian access to the Hwy 89 trail and the hillside trail. Lighting is shown on the plan and is required to be the city adopted residential standard.

The hillside above the development which is contained on the portion of lot 3 that was divided for taxing purposes contains a rockfall hazard. The geotechnical analysis requires the removal of the large boulders in the hillside and the addition of a protective barrier for any additional rockfall that may occur to protect damage to persons and property on the site. The lots must also be recombined or a plat amendment filed designating the area as permanent open space.

The proposed site plan has been evaluated based upon compliance with the amended development agreement and the site & landscape plans approved within the General Development Plan. The site plan complies with requirements for circulation, & traffic, as well as health, safety & noise. Additional information is required to determine compliance with the required landscaping standard.

Due to the size of the project the site plan will need final approval from the City Council and the Planning Commission will be making a recommendation to the City Council on the application.

### **POSSIBLE MOTION**

I move that the Planning Commission recommends to the City Council the approval of the requested site plan for Village Station at Eaglewood at approximately 420 South Orchard Drive with the following conditions:

1. The on street parking on Eaglegate Drive be changed to parallel parking;
2. The Planning Commission recommend the vacation of Orchard Drive at the Eaglegate roundabout to the Frontage Road for the conversion to a private parking and driveway facility as depicted on the attached parking exhibit;
3. Lot 3 that had been separated for taxing purposes will be re-combined or a plat amendment approved;
4. The rockfall hazard will be mitigated to the satisfaction of the city engineer and city geological consultant by removing the largest rock fall hazards and providing barriers for any future rock fall;
5. Confirmation of landscaping percentage;
6. The site plan shall be amended to contain an additional 51 parking spaces or reflect a reduction of unit count;
7. Correction of engineering redlines.

### Attachments

- 1) Aerial/Zoning Map
- 2) Site Plan
- 3) Alternate parking plan and street vacation for Orchard Drive
- 4) Landscape Plan
- 5) Architecture

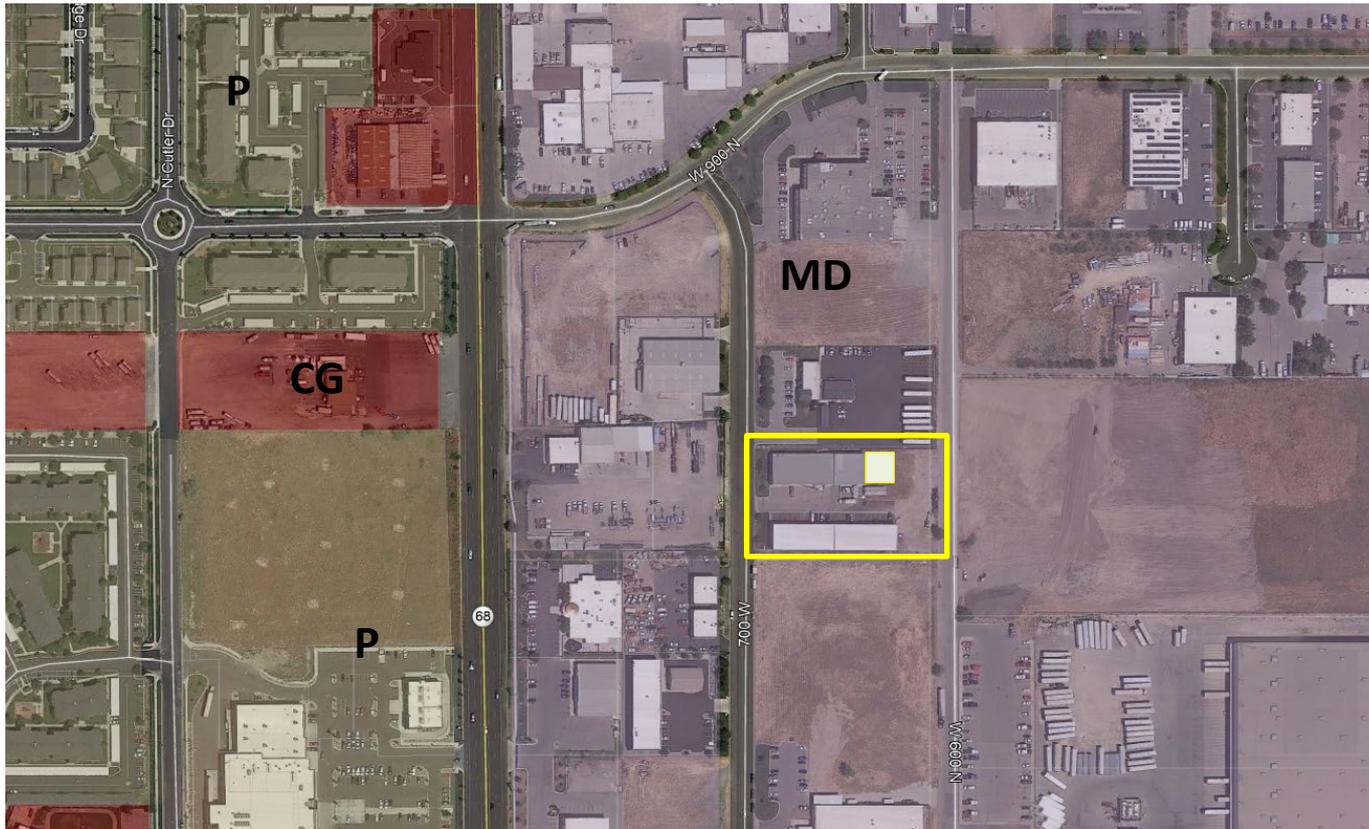


# Village Station at Eaglewood Site Plan Aerial





# Conditional Use Permit Hardwoods in Harmony – 780 north 700 West #7 Zoning

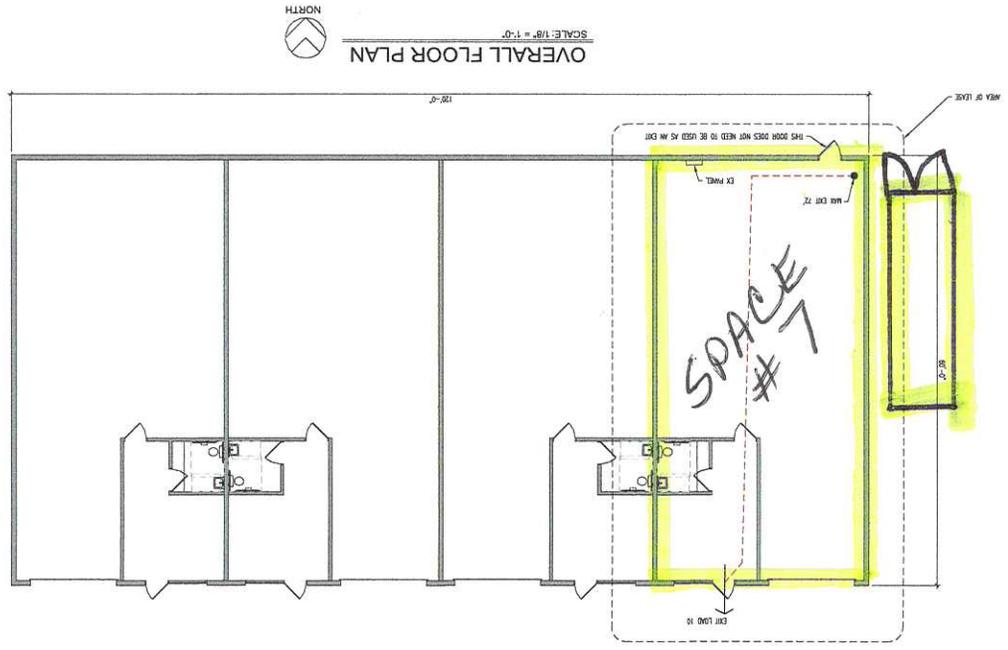


-  Special Use Restricted (SR)
-  Residential (RM-7)
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-  Existing Uses Overlay (EUO)
-  Commercial Shopping (CS)
-  Highway Commercial (CH)
-  General Commercial (CG)
-  Planned District (P)

CODE ANALYSIS:

BUILDING DESCRIPTION	8/21/17 ASSAULT OFFICE/ MANAGER/ INSTRUCTOR
BUILDING TYPE	1110 (NONRESIDENTIAL BLDGS AND NON STRUCTS)
STORIES ABOVE GRADE	1
SQUARE FOOTAGE	2,000 SF
FIRE PROTECTION	NOT SHOWN
FRAME SPACE USE	11 - INSTRUCTOR - WORKING (PART)
TYPICAL ST. HEIGHT	10.00 SF (8'-0" ST. HT. - 11'-0" ST. HT.)
CODE ANALYSIS	
ALLOWABLE STORIES	25
ALLOWABLE SF	OR USE MOST RESTRICTIVE (1)
ALLOWABLE SF	17,000 SF
OCCUPANT SEPARATIONS	NO FIRE BARRIERS REQUIRED BETWEEN STAFF/ PER TABLE 504.4
	NO PARTIAL BALANCE IN A LEVEL BALANCE
	FRIGIDITY TO BE CLASS C PER TABLE 603.1.2
	NO FIRE SPRINKLER REQ. OK
	1. AREA < 12,000 SF
	NO FIRE SPRINKLER REQ. OK
	2. ARE LOCATED ON GRADE
	3. TOTAL FIRE AREA < 5,000 SF
	4. NO ADDRESS PROTECTION
	SECTION 503.2.4.1 AREA UNDER 2,000 SF
	NO FIRE SPRINKLER REQ. OK
OCCUPANCY	1.3 + 2.6 = 3.9 = 3.9 OCCUPANTS PER 10
EXITS REQUIRED	1
MAX EXIT	75 (SEE MOST RESTRICTIVE (1))
EXIT SHOWN	72 (SEE PLAN)
PLUMBING FIXTURES	OK
WC	1/3/20 + 2/3/100 = 1 REQ
UR	1/3/100 + 2/3/100 = 1 REQ
DR	NOT REQ. < 15 OCC

SHIPPING CONTAINER / STORAGE



OVERALL FLOOR PLAN  
SCALE: 1/8" = 1'-0"



ARCHITECTURAL 1 of 1

A-1.00

SHEET TITLE

DATE	REVISION

© COPYRIGHT VDG ARCHITECTS

DESIGNED BY

CHECKED BY

DRAWN BY: BRIGHT

DATE: 12/6/18

ARCH PROJECT NO. XX-XXX

NEW CABINET SHOP:  
**HARDWOODS IN HARMONY**

850 NORTH 200 WEST  
NORTH SALT LAKE CITY, UTAH

FLOOR PLAN AND CODE ANALYSIS



**VDG** VINCENT DESIGN GROUP, INC.  
ARCHITECTS AND PLANNERS

401 EAST 1700 SOUTH, SALT LAKE CITY, UTAH - (801) 484-2046

ALL CODE, ORDINANCE, AMENDMENTS, AND PLANNING REGULATIONS OR REQUIREMENTS IN THIS DRAWING ARE CITED BY AND THE SIGNATURE OF VINCENT DESIGN GROUP, INC. AND VDG SHALL BE CITED BY AN INDIVIDUAL IN ANY PERSON. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL CODES, ORDINANCES, AMENDMENTS, AND PLANNING REGULATIONS OR REQUIREMENTS CITED IN THIS DRAWING. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL CODES, ORDINANCES, AMENDMENTS, AND PLANNING REGULATIONS OR REQUIREMENTS CITED IN THIS DRAWING.



1  
001 HIGHWAY 89 VIEW



2  
001 ENTRY VIEW



3  
001 ROUNDABOUT VIEW



4  
001 ROUNDABOUT VIEW BUILDING 2



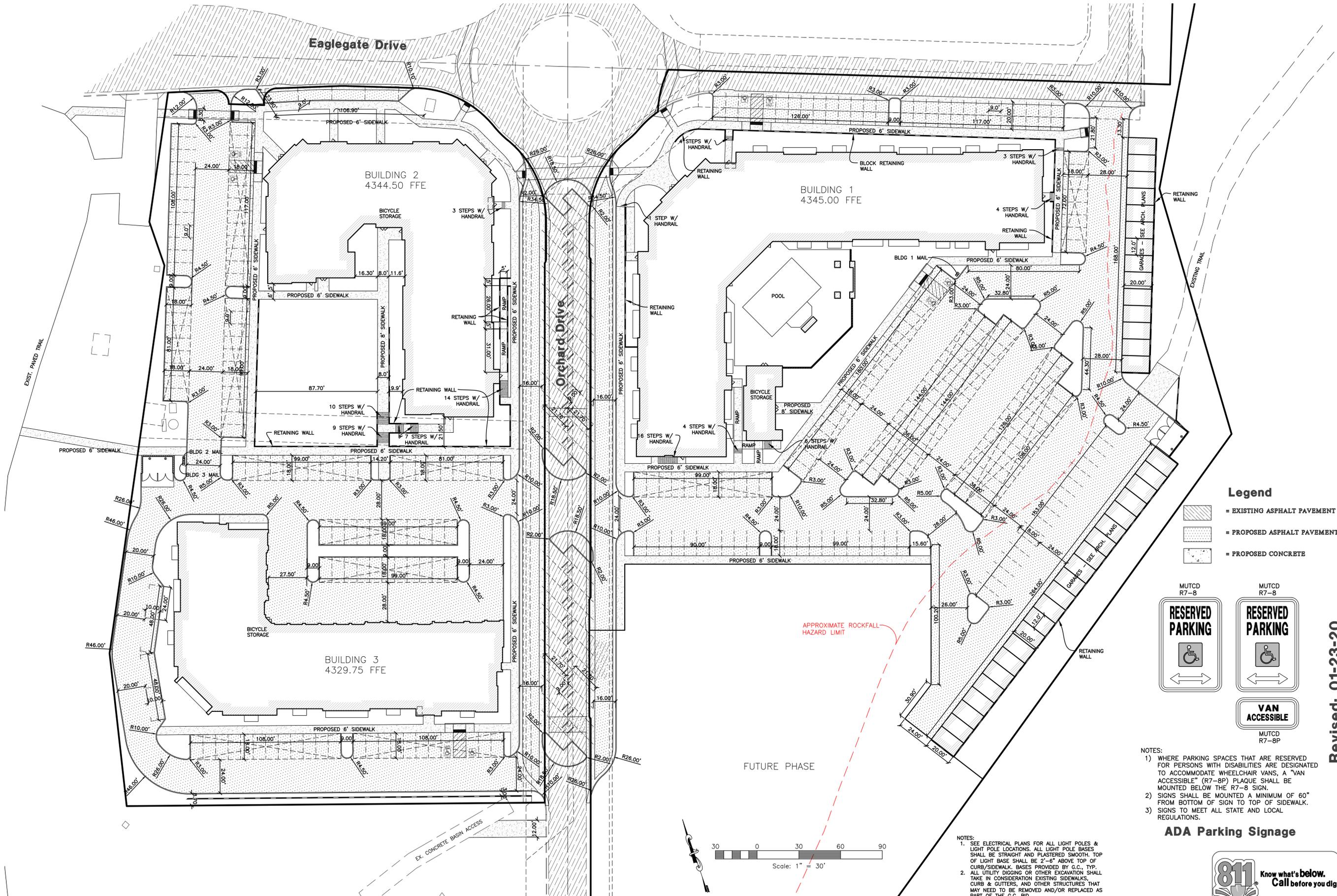
5  
001 ROUNDABOUT VIEW BUILDING 1



6  
001 AERIAL VIEW

001  
EXTERIOR RENDERINGS  
NORTH STATION, PHASE I





**Legend**

- = EXISTING ASPHALT PAVEMENT
- = PROPOSED ASPHALT PAVEMENT
- = PROPOSED CONCRETE

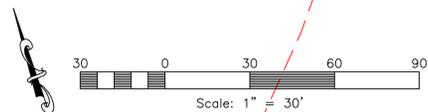


- NOTES:
- 1) WHERE PARKING SPACES THAT ARE RESERVED FOR PERSONS WITH DISABILITIES ARE DESIGNATED TO ACCOMMODATE WHEELCHAIR VANS, A "VAN ACCESSIBLE" (R7-8P) PLAQUE SHALL BE MOUNTED BELOW THE R7-8 SIGN.
  - 2) SIGNS SHALL BE MOUNTED A MINIMUM OF 60" FROM BOTTOM OF SIGN TO TOP OF SIDEWALK.
  - 3) SIGNS TO MEET ALL STATE AND LOCAL REGULATIONS.

**ADA Parking Signage**



- NOTES:
1. SEE ELECTRICAL PLANS FOR ALL LIGHT POLES & LIGHT POLE LOCATIONS. ALL LIGHT POLE BASES SHALL BE STRAIGHT AND PLASTERED SMOOTH. TOP OF LIGHT BASE SHALL BE 2'-6" ABOVE TOP OF CURB/SIDEWALK. BASES PROVIDED BY G.C., TYP.
  2. ALL UTILITY DIGGING OR OTHER EXCAVATION SHALL TAKE IN CONSIDERATION EXISTING SIDEWALKS, CURB & GUTTERS, AND OTHER STRUCTURES THAT MAY NEED TO BE REMOVED AND/OR REPLACED AS PART OF THE G.C. BID.
  3. ALL PARKING STALLS TO BE PAINTED WITH 4" YELLOW PAINT STRIPING.



**Reeve & Associates, Inc.**  
 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405  
 TEL: (801) 621-1000 FAX: (801) 621-2666 www.reeve-assoc.com  
 LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DATE	DESCRIPTION
01-23-20	RH	CITY COMMENTS

**Village Station at Eaglewood**  
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

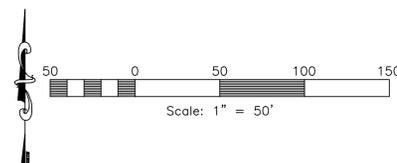
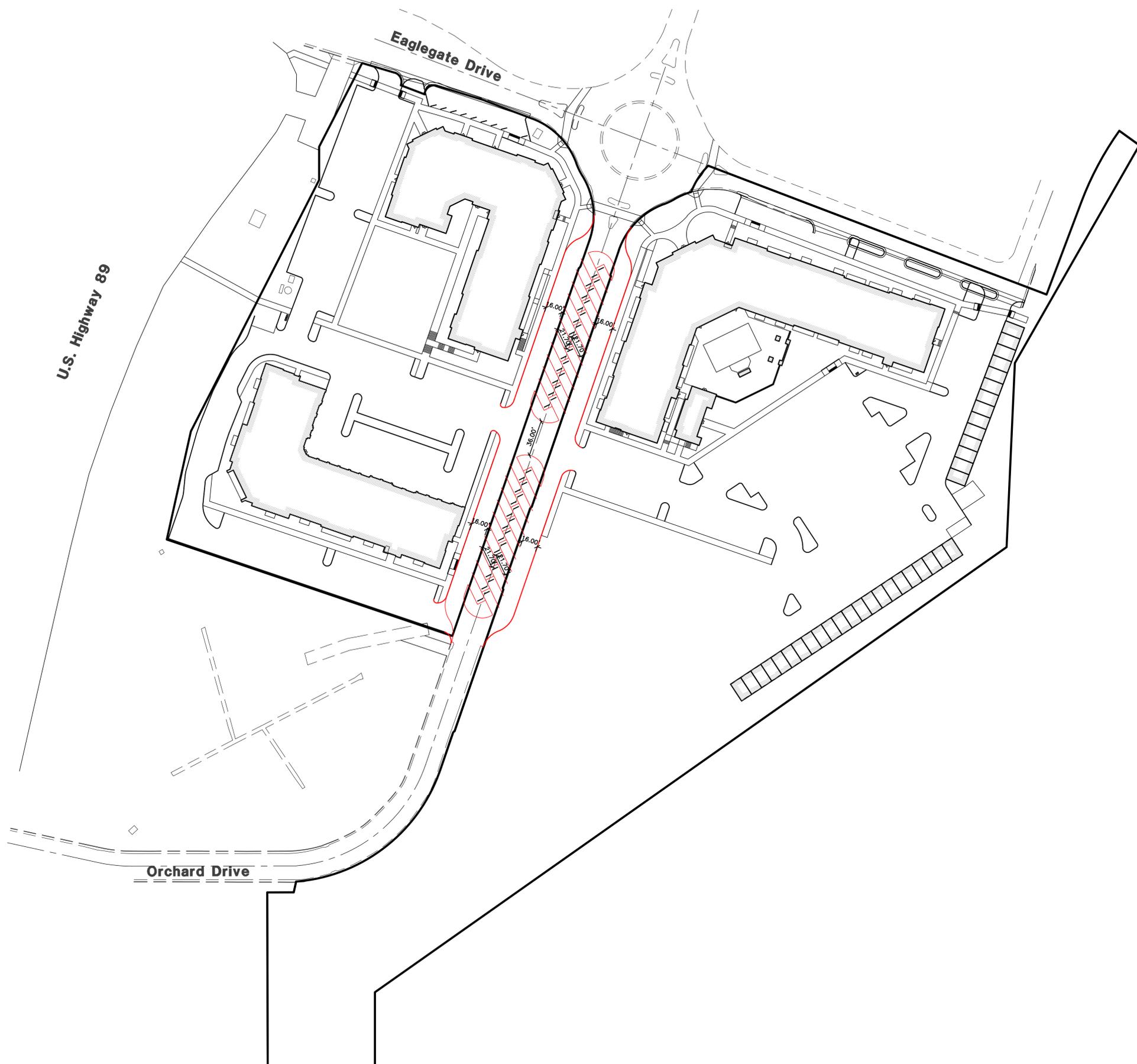
**Proposed Site Plan**



**Project Info.**

Engineer: J. DRAPER  
 Drafter: R. HANSEN  
 Begin Date: DECEMBER 2, 2019  
 Name: VILLAGE STATION AT EAGLEWOOD  
 Number: 6440-17

Revised: 01-23-20

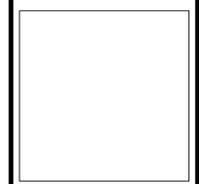


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REVISIONS	DESCRIPTION
DATE	

**Eaglewood Village**  
 NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

**Parking Exhibit**



**Project Info.**

Engineer: JEREMY A. DRAPER, P.E.  
 Drafter: R. HANSEN  
 Begin Date: NOVEMBER 8, 2019  
 Name: EAGLEWOOD NORTH SALT LAKE  
 Number: 6440-17

Sheet	1
1	1
	Sheets

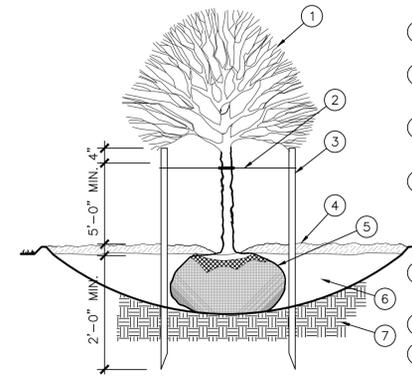
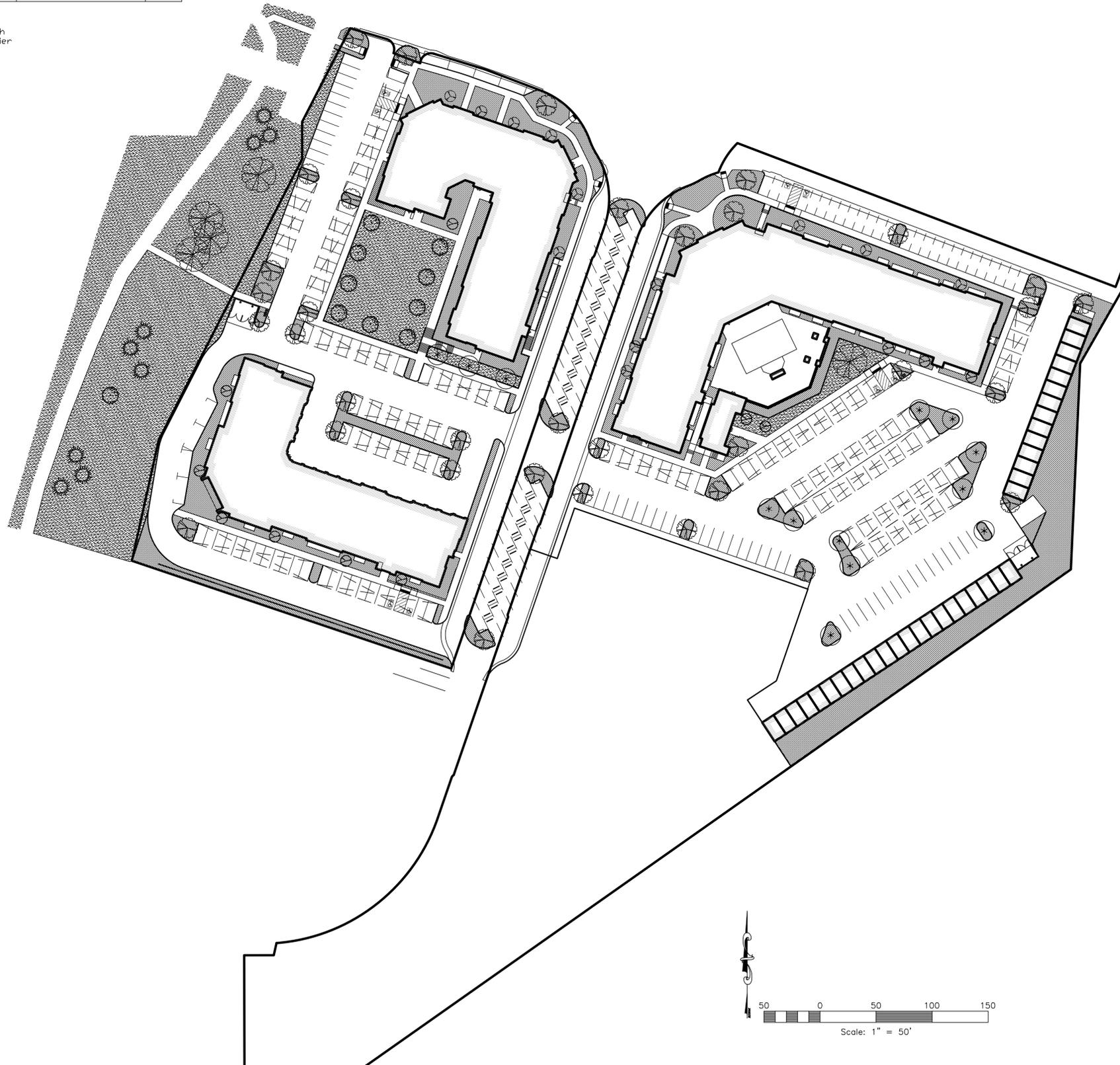
**ALL TREES**

Quant.	Symbol	Scientific Name	Common Name	Size
12		Acer palmatum 'Seiryu'	Seiryu Japanese Maple	10 gal.
12		Cercis c. Minnesota Strain	Minnesota Redbud	10 gal.
13		Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	2' cal.
5		Gleditsia triacanthos 'Imperial'	Imperial Honey Locust	2' cal.
10		Malus 'Spring Snow'	Spring Snow Crabapple	2' cal.
9		Pinus nigra	Austrian Pine	6' Ht.
35		Zelkova serrata 'Musashino'	Musashino Zelkova	2' cal.

- Turf Grass - To be sodded.
- Rock Mulch - Place a 3" Depth over Dewitt Pro 5 Weed Barrier Cloth in all planting beds
- Mow Strip - See Detail

**PLANTING NOTES**

1. This planting plan is diagrammatic and plant locations are approximate.
2. Field survey, stake, and string the layout and locations of site construction features for approval before actual construction. The layout shall conform to the exact location and grades of the intended work to be done.
3. Coordinate all aspects of the planting plans with the irrigation system and call the attention of the owners representative to any conflict in placement of plants in relation to sprinkler heads, lines and valves at the time the landscape installation phase takes place.
4. Finish grade of soil in lawn areas shall be 2" below pads, walks, paving, headers and curbs to accommodate sod. Grades in areas when seeded shall be 1" lower than adjacent edge.
5. Native topsoil shall be stockpiled and stored on site whenever possible for use in landscape areas.
6. All sod areas shall receive a minimum 4" depth of native topsoil and shrub beds shall receive a minimum of 8" of native topsoil.
7. Imported topsoil, when required, shall come from a reputable source, have a loam consistency and be free of weeds and debris.
8. Face each shrub to give the most pleasing look as seen from a line perpendicular to the wall or walk to/from which it is viewed.
9. Edging or Curbing shall be installed as shown on the plan to separate grass from shrub beds.
10. Shrub beds shall drain properly to prevent standing water from occurring. Call improperly draining planters or planting beds to the attention of the owners representative before planting. Provide positive drainage away from all structures and walls. Slope landscape areas 2% minimum.
11. Place mulch in all shrub beds and perennial areas. See schedule for depth and type. Do not crowd out small perennial plants with excessive mulch.

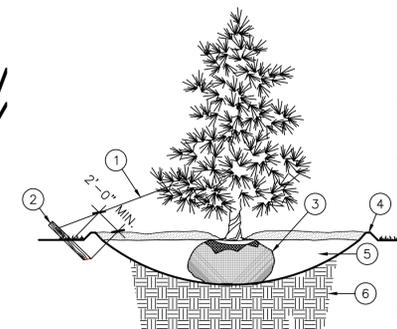


- 1 PRUNE ALL DEAD AND INJURED WOOD. DO NOT CUT LEADER.
- 2 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS.
- 3 METAL T-POSTS, 2 PER TREE. REMOVE POSTS & TIES AFTER ONE YEAR.
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH. BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR.
- 5 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE.
- 6 BACKFILL WITH NATIVE SOIL
- 7 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

**DECIDUOUS TREE PLANTING**

NTS

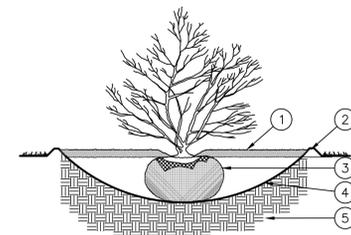


- 1 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS
- 2 4" x 2" x 2" STAKE AND GUY WIRE (ONE EA. TREE) REMOVE STAKES AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH - BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR
- 5 BACKFILL WITH NATIVE SOIL
- 6 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

**CONIFEROUS TREE PLANTING**

NTS

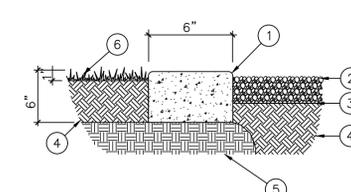


- 1 3" OF BARK/ROCK MULCH. BRUSH AWAY FROM STEM
- 2 3" EARTH BERM SAUCER. REMOVE AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT SHRUBS 2"-3" HIGHER THAN GRADE.
- 4 BACKFILL WITH NATIVE SOIL
- 5 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

**SHRUB PLANTING**

NTS



- 1 6"x6" CONCRETE MOW STRIP WITH RADIUS EDGES
- 2 BARK/ROCK MULCH
- 3 FINISH GRADE/WEED FABRIC
- 4 TOPSOIL
- 5 COMPACTED SUBGRADE
- 6 LAWN

**CONCRETE MOW STRIP**

NTS

**Reeve & Associates, Inc.**  
 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405  
 TEL: (801) 821-3100 FAX: (801) 821-2666 WWW.REEVE-ASSOC.COM  
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 PORTAL ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION

**VILLAGE STATION AT EAGLEWOOD**  
 Brighton - North Salt Lake  
 NORTH SALT LAKE, DAVIS COUNTY, UT

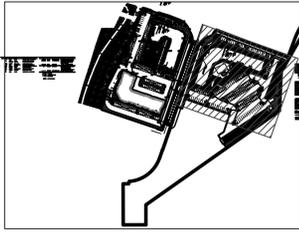
**OVERALL LANDSCAPE PLAN**

**Project Info.**

Landscape Architect:	NATHAN PETERSON
Drafter:	N. PETERSON
Begin Date:	OCTOBER 2019
Name:	BRIGHTON NORTH SALT LAKE
Number:	6440-17



**Key Map**  
NOT TO SCALE



**ALL TREES**

Quant.	Symbol	Scientific Name	Common Name	Size
12		Acer palmatum 'Seiryu'	Seiryu Japanese Maple	10 gal.
12		Cercis c. Minnesota Strain	Minnesota Redbud	10 gal.
13		Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo	2' cal.
5		Gleditsia triacanthos 'Imperial'	Imperial Honey Locust	2' cal.
10		Malus 'Spring Snow'	Spring Snow Crabapple	2' cal.
9		Pinus nigra	Austrian Pine	6' Ht.
35		Zelkova serrata 'Musashino'	Musashino Zelkova	2' cal.

- Turf Grass - To be sodded.
- Rock Mulch - Place a 3' Depth over Dewitt Pro 5 Weed Barrier Cloth in all planting beds
- Mow Strip - See Detail

**ALL SHRUBS**

Quant.	Symbol	Scientific Name	Common Name	Size
27		Berberis thun. atro. 'Nana'	Crimson Pygmy Barberry	5 gal.
19		Buxus microphylla 'Winter Gem'	Winter Gem boxwood	5 gal.
68		Cornus sericea 'Insanti'	Insanti Dwarf Dogwood	5 gal.
60		Daphne x burkwoodii 'Carol Mackie'	Carol Mackie Daphne	5 gal.
22		Euonymus alatus 'Compacta'	Dwarf Burning Bush	5 gal.
29		Forsythia x intermedia	Forsythia	5 gal.
56		Juniperus 'Buffalo'	Buffalo Juniper	5 gal.
25		Mahonia aquifolium 'Compactum'	Compact Oregon Grape	5 gal.
50		Pinus mugo 'Pumilio'	Dwarf Mugo Pine	5 gal.
79		Ribes Alpinum	Alpine Currant	5 gal.
47		Rosa sp. 'Sunrise Sunset'	Sunrise Sunset Rose	5 gal.

**ALL PERENNIALS**

Quant.	Symbol	Scientific Name	Common Name	Size
149		Geranium x 'Jolly Bee'	Jolly Bee Geranium	1 gal.
29		Calamagrostis 'Karl Foerster'	Karl Foerster Grass	5 gal.
29		Chasmanthium latifolium	Northern Sea Oats	1 gal.
42		Coreopsis grandiflora	Coreopsis/Tickseed	1 gal.
178		Geranium x 'Johnson's Blue'	Johnson's Blue Geranium	1 gal.
547		Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	1 gal.
109		Bergenia cordifolia 'Rose'	Rose Bergenia	1 gal.
49		Leucanthemum x s. 'Crazy Daisy'	Crazy Shasta Daisy	1 gal.

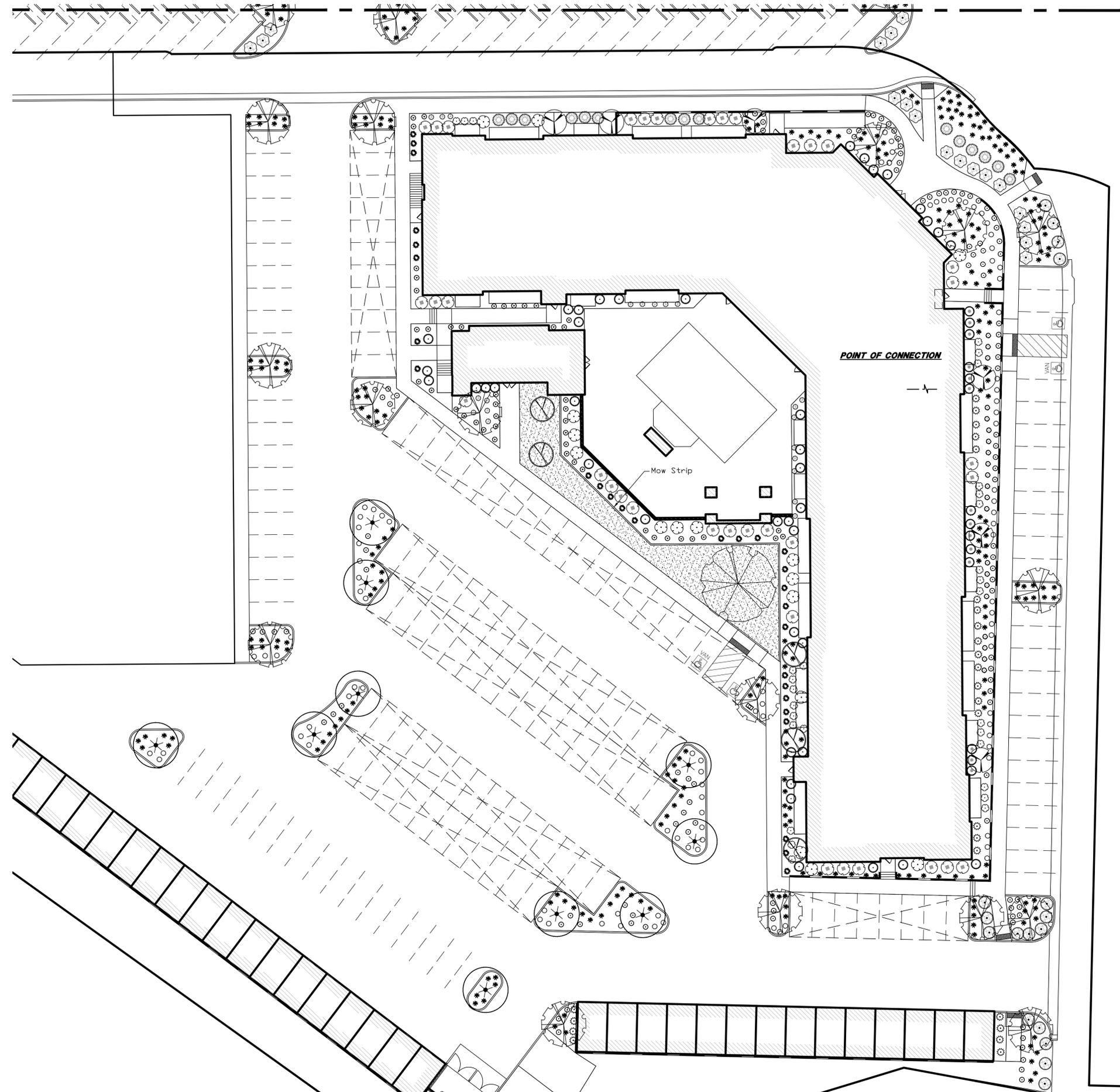
**OTHER**

Symbol	Description
	Turf Grass - Sod
	Kentucky Bluegrass Mix - 3 Species Minimum
	Concrete Mow Strip 6"x6"

Note: Place 3" depth of rock mulch over 5 ounce Professional weed barrier cloth in all planting beds. Contractor to provide samples for approval prior to delivery.



Scale: 1" = 20'



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REVISIONS	DESCRIPTION
DATE	

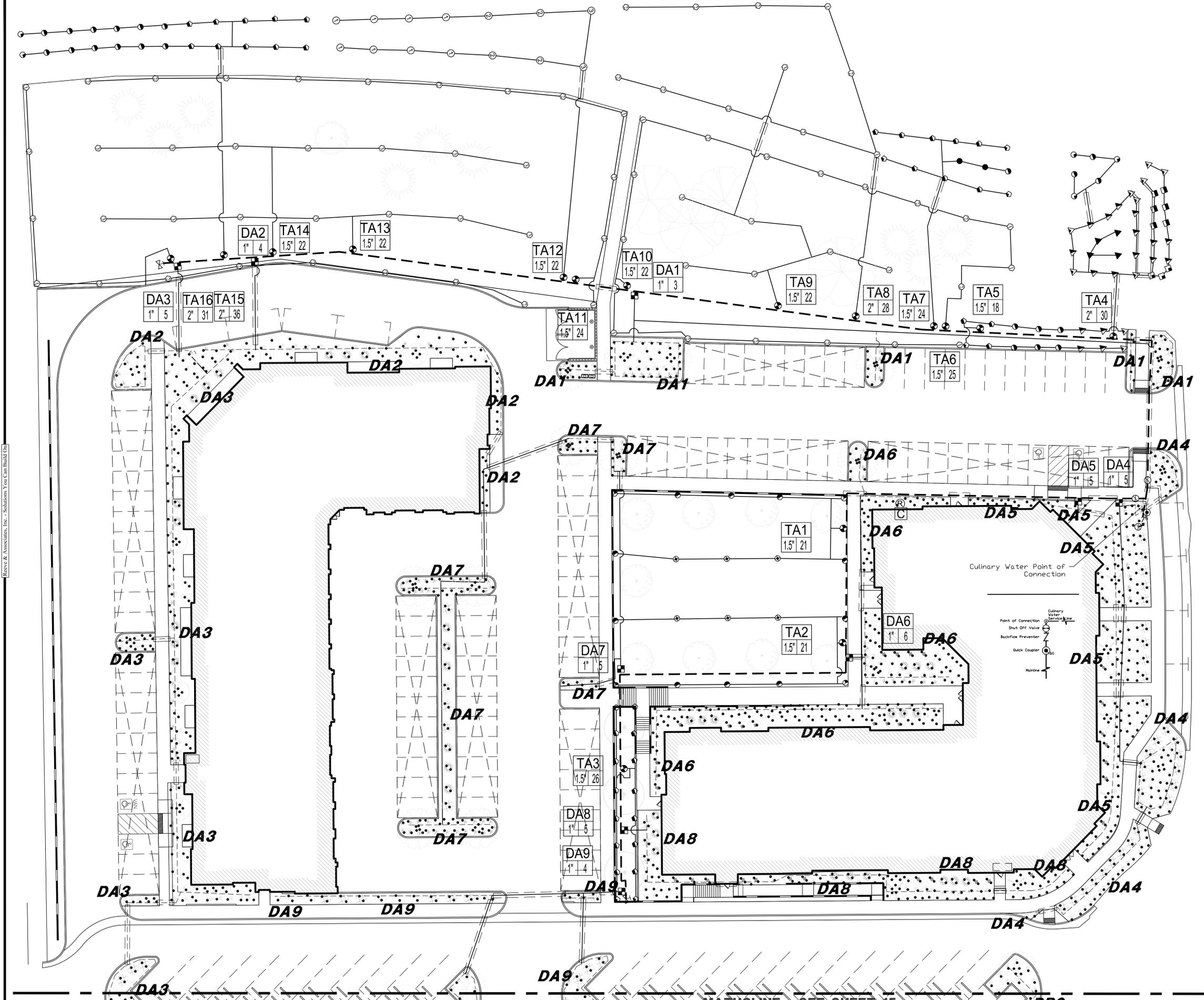
**VILLAGE STATION AT EAGLEWOOD**  
Brighton - North Salt Lake  
NORTH SALT LAKE, DAVIS COUNTY, UT



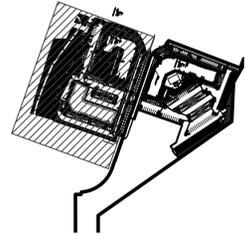
**Project Info.**  
Landscape Architect:  
NATHAN C. PETERSON  
Drafted by:  
N. PETERSON  
Begin Date:  
OCTOBER 2019  
Name:  
BRIGHTON  
NORTH SALT LAKE  
Number: 6440-17

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**Key Map**  
NOT TO SCALE



**IRRIGATION SCHEDULE**

RADIUS	SYMBOL	PSI	MANUFACT.	CATALOG #
<b>SPRAY</b>				
5'	☉	30	RAINBIRD	1804-SAM-PRS
8'	☐	30	RAINBIRD	1804-SAM-PRS
10'	▲	30	RAINBIRD	1804-SAM-PRS
12'	●	30	RAINBIRD	1804-SAM-PRS
15'	⊙	30	RAINBIRD	1804-SAM-PRS
<b>ROTATOR</b>				
22'-30"	⊙	40	RAINBIRD	1804-SAM-PRS
22'-30"	⊙	40	RAINBIRD	1804-SAM-PRS
22'-30"	⊙	40	RAINBIRD	1804-SAM-PRS
<b>ROTOR 5000</b>				
27'-35"	⊙	45	RAINBIRD	5004-PC-SAM
30'-40"	⊙	45	RAINBIRD	5004-PC-SAM

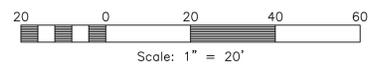
EQUIP.	SYMBOL	MANUFACT.	CATALOG #
⊙		MATCO	GV-X00
⊙		WILKINS STRONGBOX	975XL2 SBBC-30AL
⊙		RAINBIRD	MODEL 44LRC
⊙		FORD	B111-333-NL 3/4"
⊙		RAINBIRD	ESP LXME
⊙		RAINBIRD	WR2-RC
⊙		RAINBIRD	XCZ-100-PRB-COM
⊙		DATADIPPER	DBB 30012C

PIPE	SYMBOL	CATALOG #
---		SCH. 40 2" PVC MAIN LINE
---		SCH. 40 PVC LATERAL LINE
---		SCH. 40 PVC SLEEVE

DRIP	SYMBOL	MANUFACT.	CATALOG #
●		RAINBIRD	XB-T-20-PC

**LABELS**

C-1	VALVE NO
1.5" 21	GALLONS PER MINUTE
	VALVE SIZE
D1	DRIP ZONE NUMBER

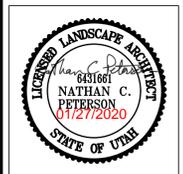


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REVISIONS	DESCRIPTION

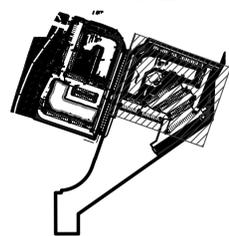
**VILLAGE STATION AT EAGLEWOOD**  
Brighton - North Salt Lake  
NORTH SALT LAKE, DAVIS COUNTY, UT

**IRRIGATION PLAN**



**Project Info.**  
Landscape Architect:  
NATHAN PETERSON  
Drafted:  
N. PETERSON  
Begin Date:  
OCTOBER 2019  
Name:  
BRIGHTON  
NORTH SALT LAKE  
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**Key Map**  
NOT TO SCALE

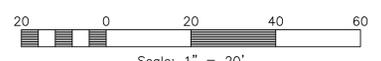
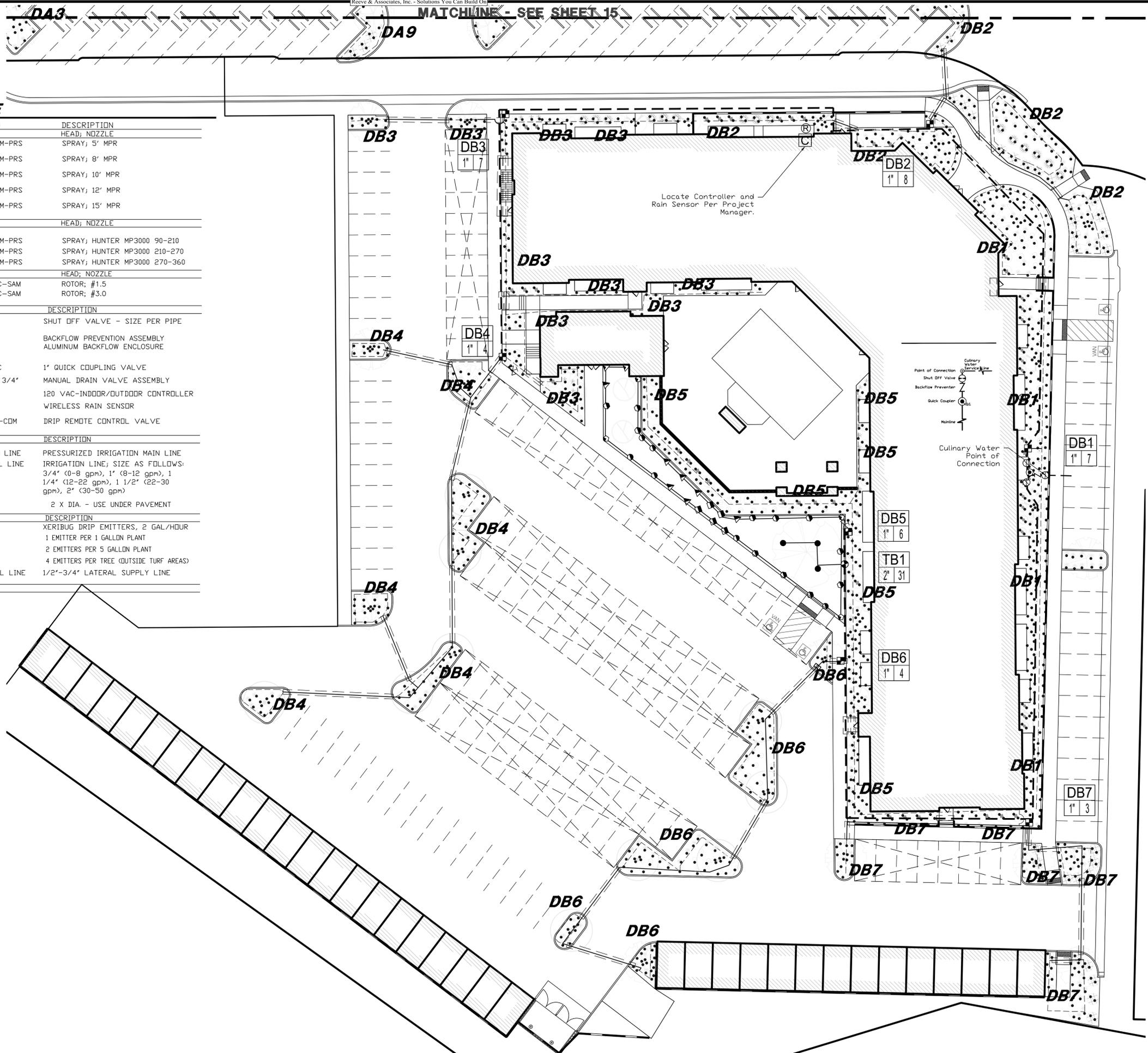


**IRRIGATION SCHEDULE**

RADIUS	SYMBOL	PSI	MANUFACT.	CATALOG #	DESCRIPTION
<b>SPRAY</b>					
5'	○●●●	30	RAINBIRD	1804-SAM-PRS	SPRAY; 5' MPR
8'	■●●●	30	RAINBIRD	1804-SAM-PRS	SPRAY; 8' MPR
10'	▲●●●	30	RAINBIRD	1804-SAM-PRS	SPRAY; 10' MPR
12'	○●●●	30	RAINBIRD	1804-SAM-PRS	SPRAY; 12' MPR
15'	○●●●	30	RAINBIRD	1804-SAM-PRS	SPRAY; 15' MPR
<b>ROTATOR</b>					
22'-30'	○●	40	RAINBIRD	1804-SAM-PRS	SPRAY; HUNTER MP3000 90-210
22'-30'	○●	40	RAINBIRD	1804-SAM-PRS	SPRAY; HUNTER MP3000 210-270
22'-30'	○●	40	RAINBIRD	1804-SAM-PRS	SPRAY; HUNTER MP3000 270-360
<b>ROTOR 5000</b>					
27'-35'	⊙	45	RAINBIRD	5004-PC-SAM	ROTOR; #1.5
30'-40'	⊙	45	RAINBIRD	5004-PC-SAM	ROTOR; #3.0
<b>EQUIP.</b>					
	⊙		MATCO	GV-X00	SHUT OFF VALVE - SIZE PER PIPE
	⊘		WILKINS STRONGBOX	975XL2 SBBC-30AL	BACKFLOW PREVENTION ASSEMBLY ALUMINUM BACKFLOW ENCLOSURE
	⊙		RAINBIRD	MODEL 44LRC	1" QUICK COUPLING VALVE
	⊘		FDRD	B111-333-NL 3/4"	MANUAL DRAIN VALVE ASSEMBLY
	⊙		RAINBIRD	ESP LXME	120 VAC-INDOOR/OUTDOOR CONTROLLER
	⊙		RAINBIRD	WR2-RC	WIRELESS RAIN SENSOR
	⊙		RAINBIRD	XCZ-100-PRB-CDM	DRIP REMOTE CONTROL VALVE
<b>PIPE</b>					
	---	SCH. 40		2" PVC MAIN LINE	PRESSURIZED IRRIGATION MAIN LINE
	---	SCH. 40		PVC LATERAL LINE	IRRIGATION LINE; SIZE AS FOLLOWS: 3/4" (0-8 gpm), 1" (8-12 gpm), 1 1/4" (12-22 gpm), 1 1/2" (22-30 gpm), 2" (30-50 gpm)
	---	SCH. 40		PVC SLEEVE	2 X DIA. - USE UNDER PAVEMENT
<b>DRIP</b>					
	●		RAINBIRD	XB-T-20-PC	XERIBUG DRIP EMITTERS, 2 GAL/HOUR 1 EMITTER PER 1 GALLON PLANT 2 EMITTERS PER 5 GALLON PLANT 4 EMITTERS PER TREE (OUTSIDE TURF AREAS)
	---	PVC/POLY		DRIP LATERAL LINE	1/2"-3/4" LATERAL SUPPLY LINE

**LABELS**

<b>C-1</b>	VALVE NO
<b>1.5"</b>	GALLONS PER MINUTE
<b>21</b>	VALVE SIZE
<b>D1</b>	DRIP ZONE NUMBER



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**REVISIONS**

NO.	DATE	DESCRIPTION

**VILLAGE STATION AT EAGLEWOOD**  
 Brighton - North Salt Lake  
 NORTH SALT LAKE, DAVIS COUNTY, UT

**IRRIGATION PLAN**



**Project Info.**

Landscape Architect:	NATHAN PETERSON
Drafter:	N. PETERSON
Begin Date:	OCTOBER 2019
Name:	BRIGHTON NORTH SALT LAKE
Number:	6440-17



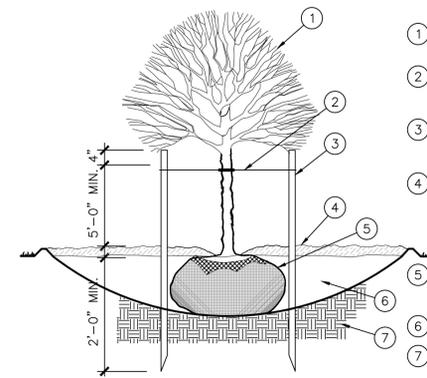
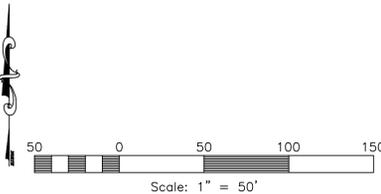
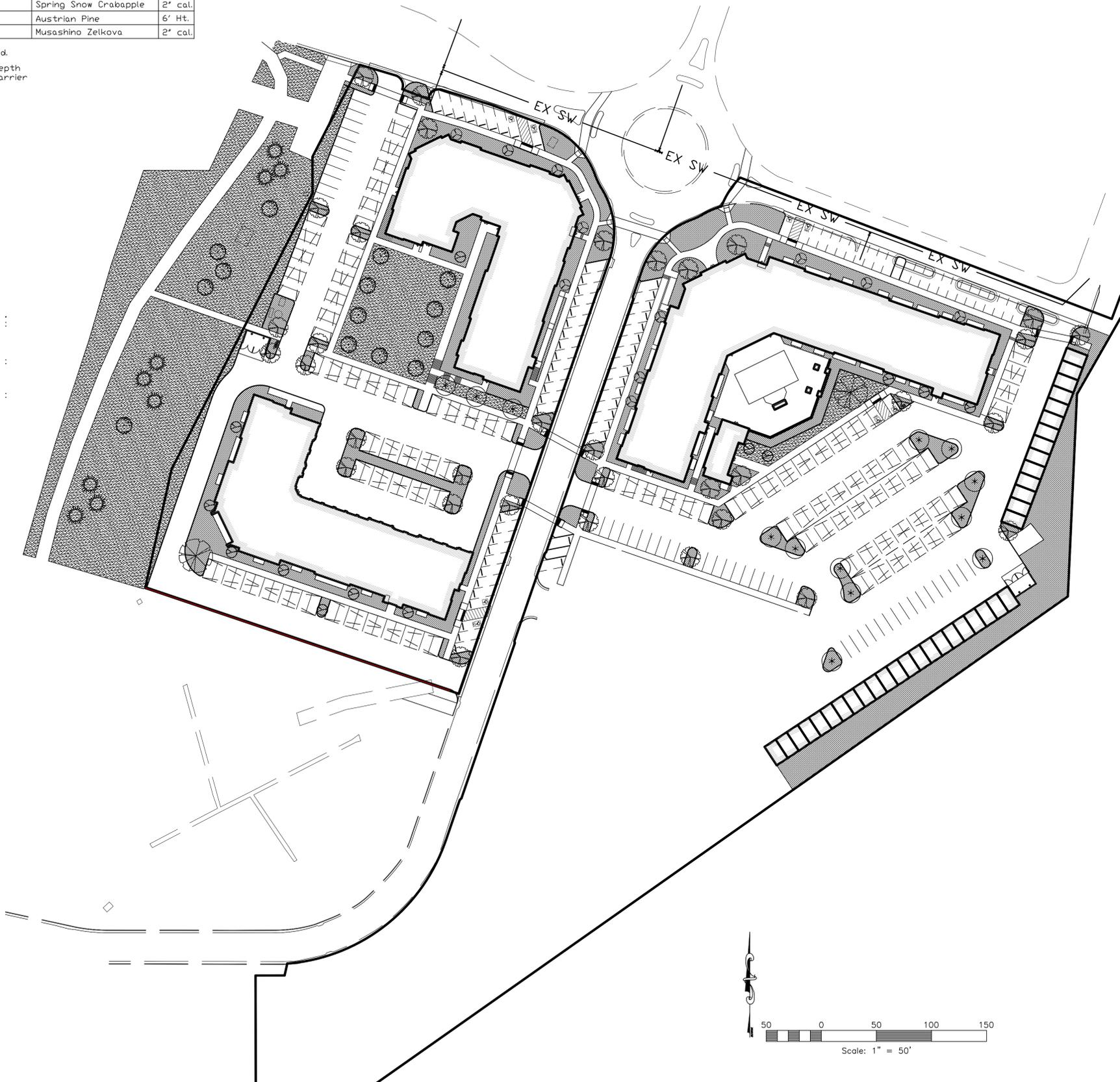
**ALL TREES**

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14		Malus 'Spring Snow'	Spring Snow Crabapple	2' cal.
9		Pinus nigra	Austrian Pine	6' Ht.
34		Zelkova serrata 'Musashino'	Musashino Zelkova	2' cal.

- Turf Grass - To be sodded.
- Rock Mulch - Place a 3" Depth over Dewitt Pro 5 Weed Barrier Cloth in all planting beds
- Mow Strip - See Detail

**PLANTING NOTES**

1. This planting plan is diagrammatic and plant locations are approximate.
2. Field survey, stake, and string the layout and locations of site construction features for approval before actual construction. The layout shall conform to the exact location and grades of the intended work to be done.
3. Coordinate all aspects of the planting plans with the irrigation system and call the attention of the owners representative to any conflict in placement of plants in relation to sprinkler heads, lines and valves at the time the landscape installation phase takes place.
4. Finish grade of soil in lawn areas shall be 2" below pads, walks, paving, headers and curbs to accommodate sod. Grades in areas when seeded shall be 1" lower than adjacent edge.
5. Native topsoil shall be stockpiled and stored on site whenever possible for use in landscape areas.
6. All sod areas shall receive a minimum 4" depth of native topsoil and shrub beds shall receive a minimum of 8" of native topsoil.
7. Imported topsoil, when required, shall come from a reputable source, have a loam consistency and be free of weeds and debris.
8. Face each shrub to give the most pleasing look as seen from a line perpendicular to the wall or walk to/from which it is viewed.
9. Edging or Curbing shall be installed as shown on the plan to separate grass from shrub beds.
10. Shrub beds shall drain properly to prevent standing water from occurring. Call improperly draining planters or planting beds to the attention of the owners representative before planting. Provide positive drainage away from all structures and walls. Slope landscape areas 2% minimum.
11. Place mulch in all shrub beds and perennial areas. See schedule for depth and type. Do not crowd out small perennial plants with excessive mulch.

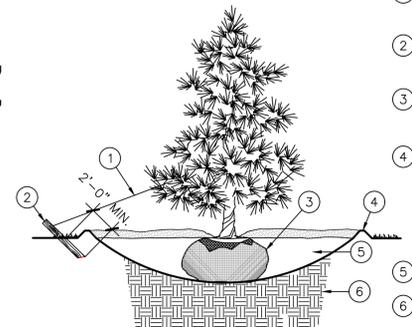


- 1 PRUNE ALL DEAD AND INJURED WOOD. DO NOT CUT LEADER.
- 2 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS.
- 3 METAL T-POSTS, 2 PER TREE. REMOVE POSTS & TIES AFTER ONE YEAR.
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH. BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR.
- 5 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE.
- 6 BACKFILL WITH NATIVE SOIL
- 7 UNDISTURBED SOIL

NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

**DECIDUOUS TREE PLANTING**

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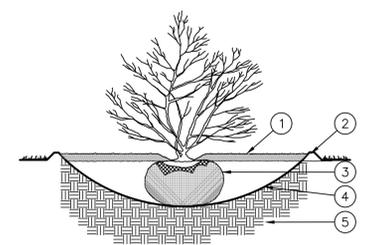


- 1 LOOSELY TIE TO ALLOW FOR TREE MOVEMENT, BUT SECURED FOR HIGH WIND CONDITIONS
- 2 4" x 2" x 2" STAKE AND GUY WIRE (ONE EA. TREE) REMOVE STAKES AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT TREES 2"-3" HIGHER THAN GRADE
- 4 CONSTRUCT 4" EARTH BERM SAUCER. FILL WITH 3" BARK/ROCK MULCH - BRUSH AWAY FROM TRUNK. REMOVE SAUCER AFTER ONE YEAR
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**CONIFEROUS TREE PLANTING**

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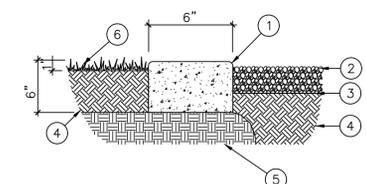


- 1 3" OF BARK/ROCK MULCH. BRUSH AWAY FROM STEM
- 2 3" EARTH BERM SAUCER. REMOVE AFTER ONE YEAR
- 3 REMOVE BURLAP/PACKAGING MAT. PLANT SHRUBS 2"-3" HIGHER THAN GRADE.
- 4 BACKFILL WITH NATIVE SOIL
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NOTE: DIG HOLE THREE TIMES THE WIDTH AND AS DEEP AS ROOTBALL, EXCEPT WHERE NOTED.

**SHRUB PLANTING**

NTS



- 1 6"x6" CONCRETE MOW STRIP WITH RADIUS EDGES
- 2 BARK/ROCK MULCH
- 3 FINISH GRADE/WEED FABRIC
- 4 TOPSOIL
- 5 COMPACTED SUBGRADE
- 6 LAWN

**CONCRETE MOW STRIP**

NTS

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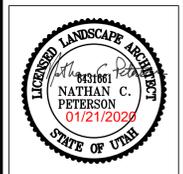
REVISIONS	DESCRIPTION

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**VILLAGE STATION AT EAGLEWOOD**  
 Brighton - North Salt Lake  
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**OVERALL LANDSCAPE PLAN**

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**Project Info.**

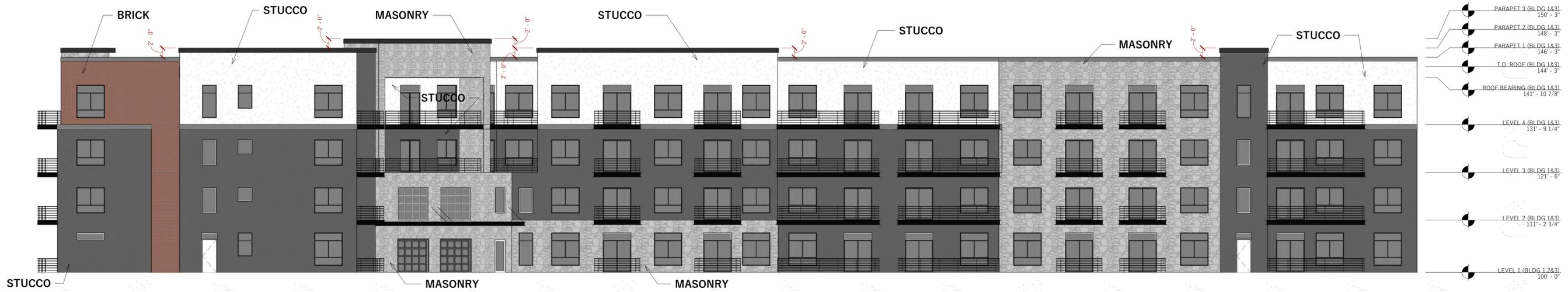
Landscape Architect:  
NATHAN PETERSON

Drafter:  
N. PETERSON

Begin Date:  
OCTOBER 2019

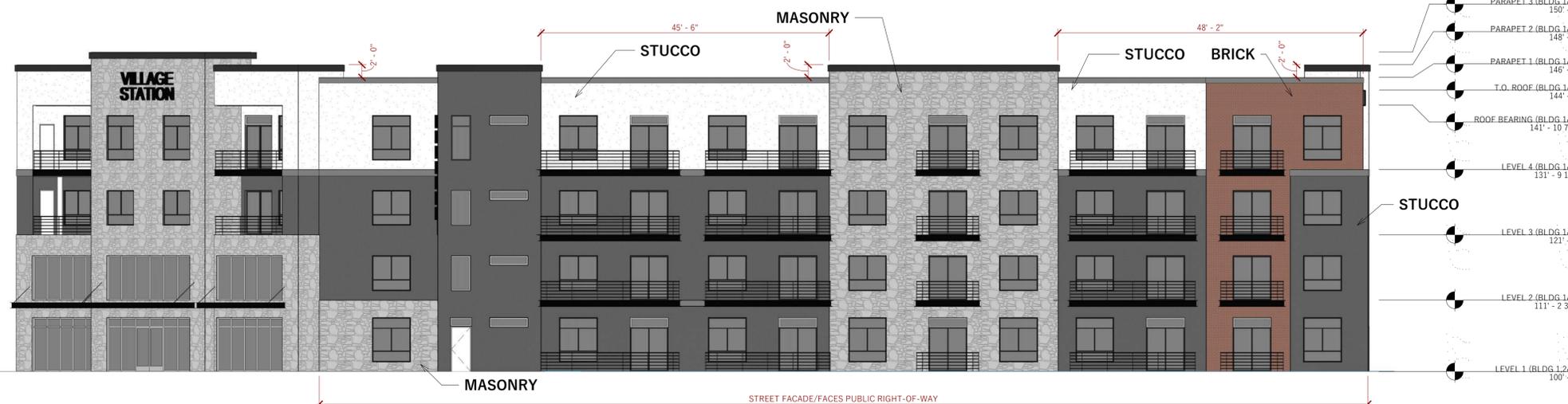
Name:  
BRIGHTON  
NORTH SALT LAKE

Number: 6440-17



1  
1-A2.2  
B1 SOUTH ELEVATION  
3/32" = 1'-0"

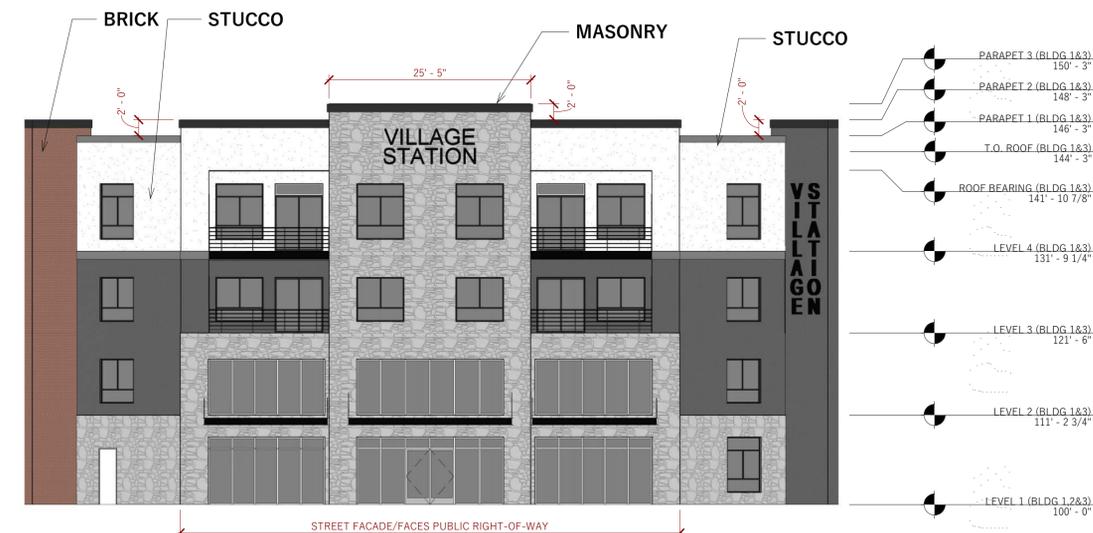
STUCCO: 48%  
BRICK/MASONRY: 25%  
OPENINGS: 27%



2  
1-A2.2  
B1 WEST ELEVATION  
3/32" = 1'-0"

STUCCO: 48%  
BRICK/MASONRY: 26%  
OPENINGS: 26%

STREET FACADE (ORCHARD DR.)  
MAIN FLOOR GLAZING: 30%  
UPPER FLOOR GLAZING: 26%

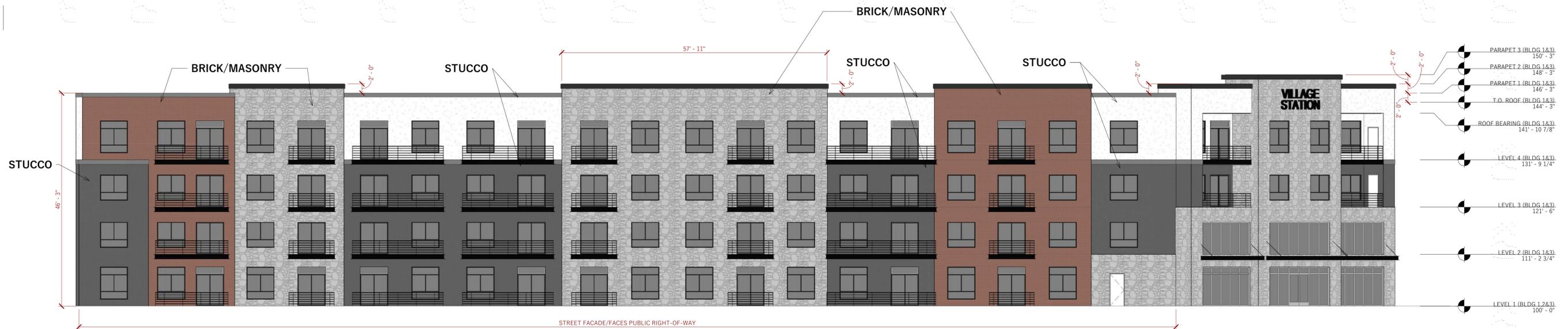


3  
1-A2.2  
B1 NORTHWEST ELEVATION  
3/32" = 1'-0"

STUCCO: 34%  
BRICK/MASONRY: 34%  
OPENINGS: 32%

STREET FACADE (ORCHARD DR./EAGLEGATE DR.)  
MAIN FLOOR GLAZING: 44%  
UPPER FLOORS GLAZING: 32%

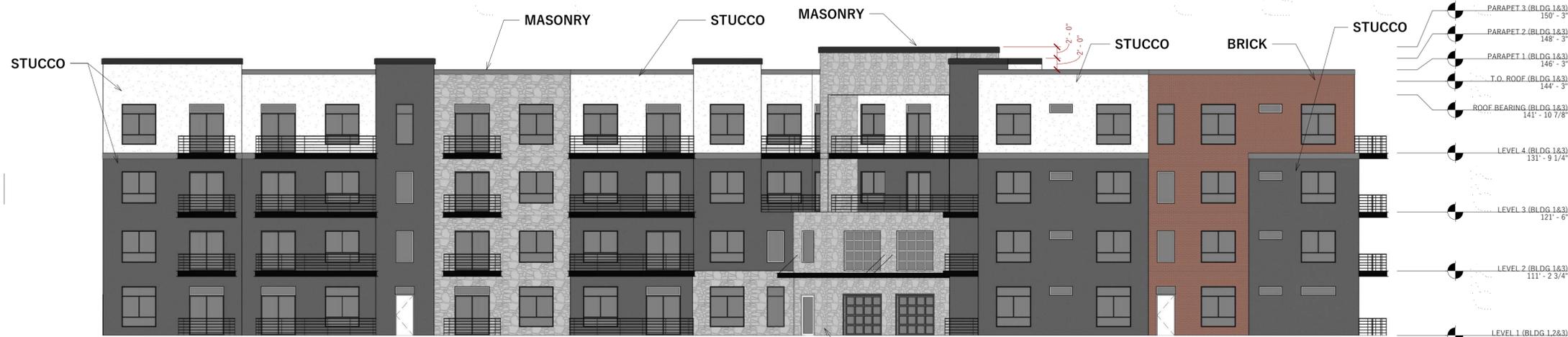
BUILDING 1:  
HIGH RISE RESIDENTIAL  
CLOSED CORRIDOR



1  
1-A2.1  
B1 NORTH ELEVATION  
3/32" = 1'-0"

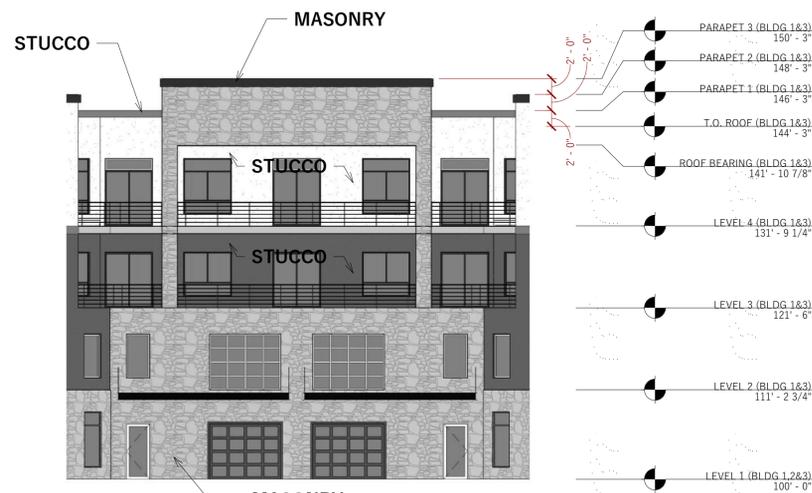
STUCCO: 28%  
BRICK/MASONRY: 42%  
OPENINGS: 30%

STREET FACADE (EAGLEGATE DR.)  
MAIN FLOOR GLAZING: 32%  
UPPER FLOOR GLAZING: 29%



2  
1-A2.1  
B1 EAST ELEVATION  
3/32" = 1'-0"

STUCCO: 59%  
BRICK/MASONRY: 23%  
OPENINGS: 18%



3  
1-A2.1  
B1 SOUTHEAST ELEVATION  
3/32" = 1'-0"

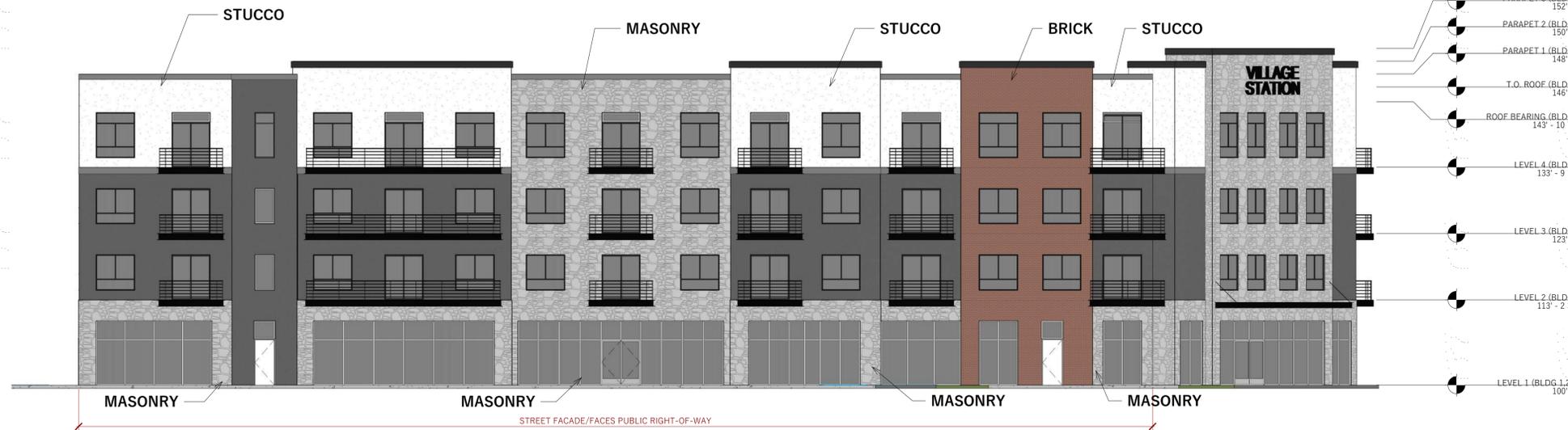
STUCCO: 23%  
MASONRY: 43%  
OPENINGS: 34%

BUILDING 1:  
HIGH RISE RESIDENTIAL  
CLOSED CORRIDOR



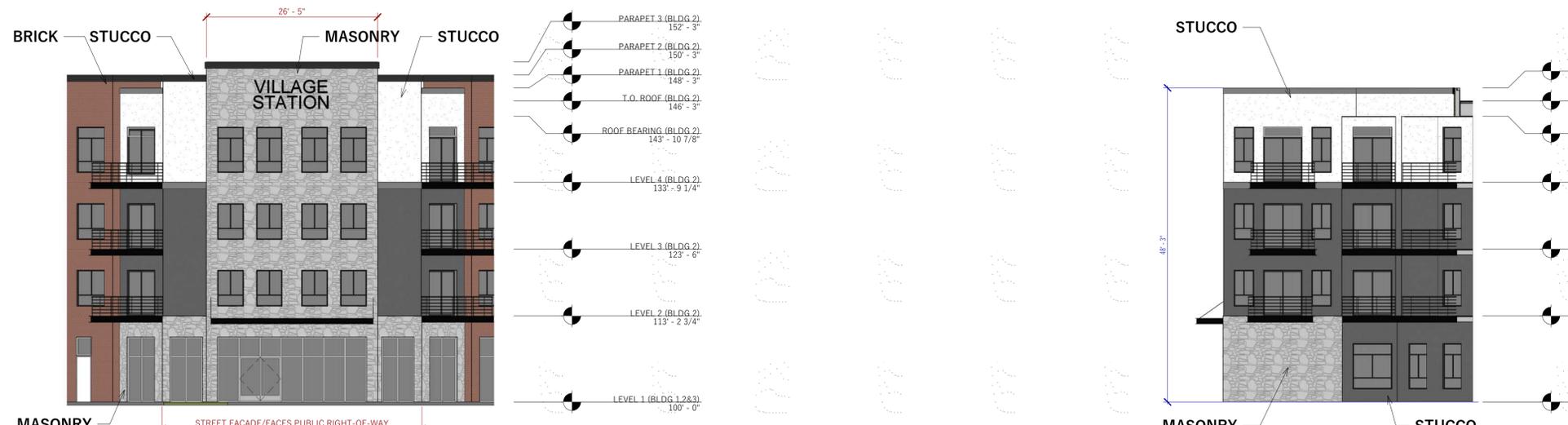
1  
2-A2.1  
B2 NORTH ELEVATION  
3/32" = 1'-0"

STUCCO:	33%	<b>STREET FACADE (EAGLEGATE DR.)</b>
BRICK/MASONRY:	36%	MAIN FLOOR GLAZING: 67%
OPENINGS:	31%	UPPER FLOORS GLAZING: 35%



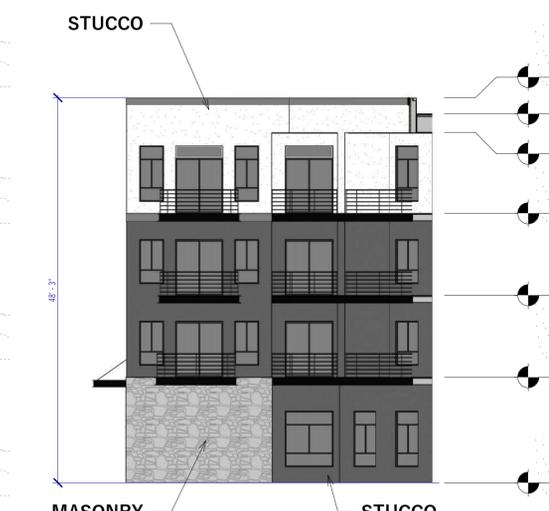
2  
2-A2.1  
B2 EAST ELEVATION  
3/32" = 1'-0"

STUCCO:	36%	<b>STREET FACADE (ORCHARD DR.)</b>
BRICK/MASONRY:	31%	MAIN FLOOR GLAZING: 65%
OPENINGS:	33%	UPPER FLOORS GLAZING: 35%



3  
2-A2.1  
B2 ENTRY ELEVATION  
3/32" = 1'-0"

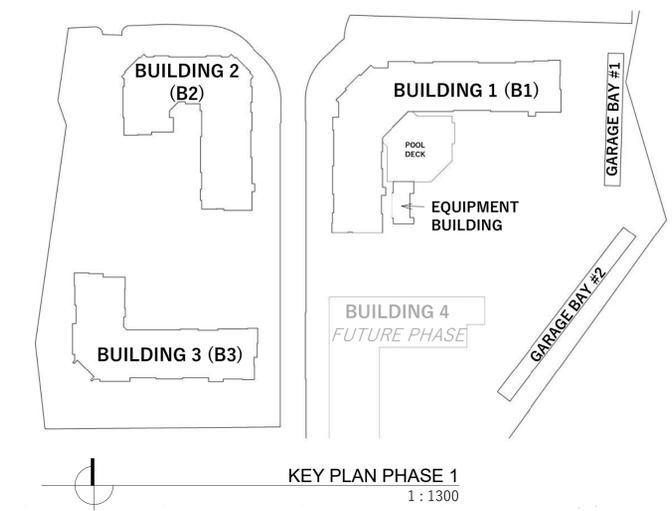
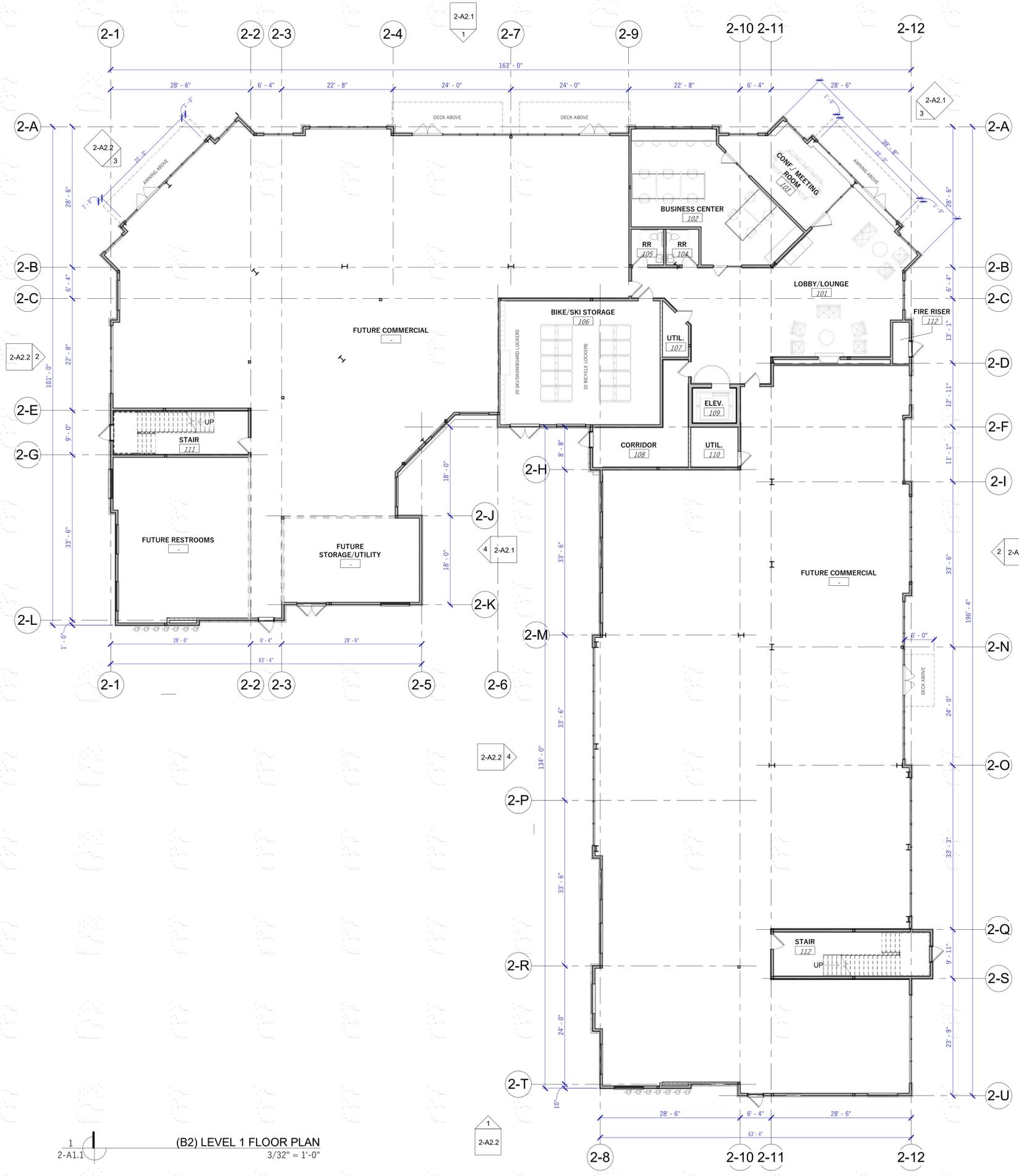
STUCCO:	26%	<b>STREET FACADE (ORCHARD DR. &amp; EAGLEGATE DR.)</b>
BRICK/MASONRY:	34%	MAIN FLOOR GLAZING: 69%
OPENINGS:	30%	UPPER FLOORS GLAZING: 25%



4  
2-A2.1  
B2 EAST ELEVATION 2  
3/32" = 1'-0"

STUCCO:	60%
MASONRY:	16%
OPENINGS:	30%

**BUILDING 2:**  
MIXED USE  
- COMMERCIAL MAIN FLOOR  
- RESIDENTIAL UPPER FLOORS  
CLOSED CORRIDOR



1  
2-A1.1 (B2) LEVEL 1 FLOOR PLAN  
3/32" = 1'-0"

**BUILDING 2:**  
MIXED USE  
- COMMERCIAL MAIN FLOOR  
- RESIDENTIAL UPPER FLOORS  
CLOSED CORRIDOR

PROJECT NUMBER  
**19101**

ISSUE DATE:  
JANUARY 20, 2020

REVISIONS:  
No. Date Description

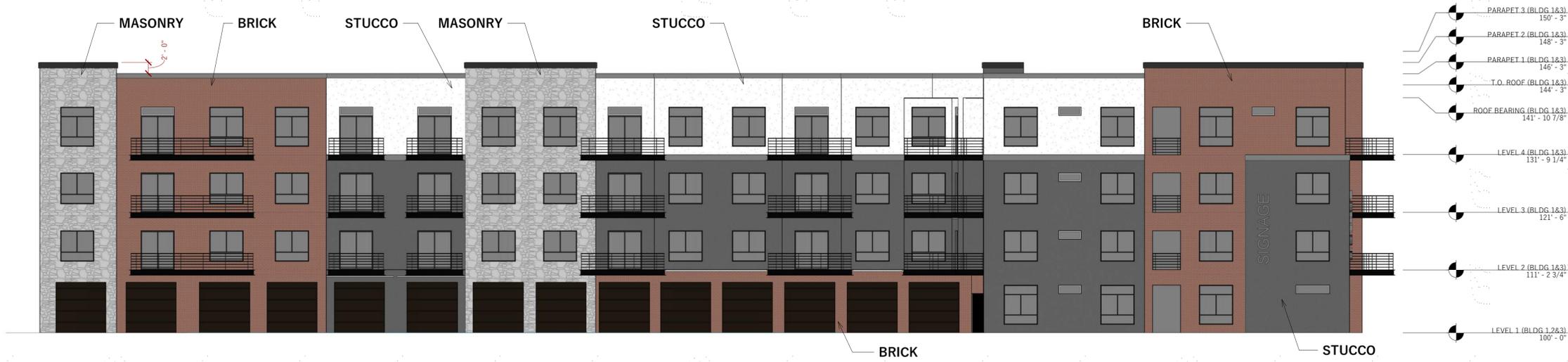
CONSULTANT

**VILLAGE STATION AT  
EAGLEWOOD, PHASE I**  
NORTH SALT LAKE, UT

(B2) LEVEL 1 FLOOR  
PLAN

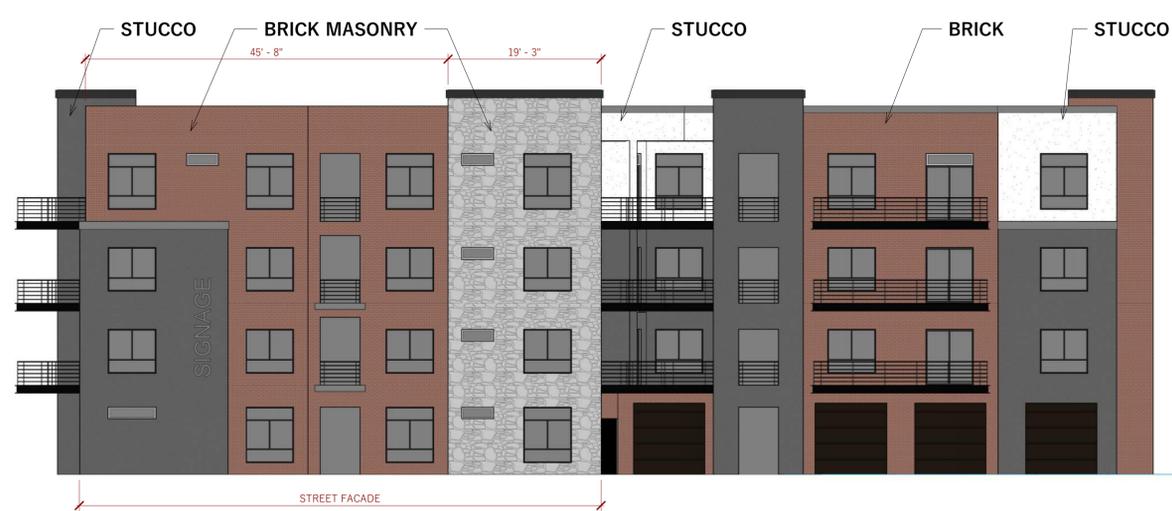
**2-A1.1**





1  
3-A2.1  
B3 NORTH ELEVATION  
3/32" = 1'-0"

STUCCO: 34%  
BRICK/MASONRY: 33%  
OPENINGS: 33%



2  
3-A2.1  
B3 EAST ELEVATION  
3/32" = 1'-0"

STUCCO: 33%  
BRICK/MASONRY: 45%  
OPENINGS: 22%  
MAIN FLOOR GLAZING: 25%  
UPPER FLOORS GLAZING: 21%

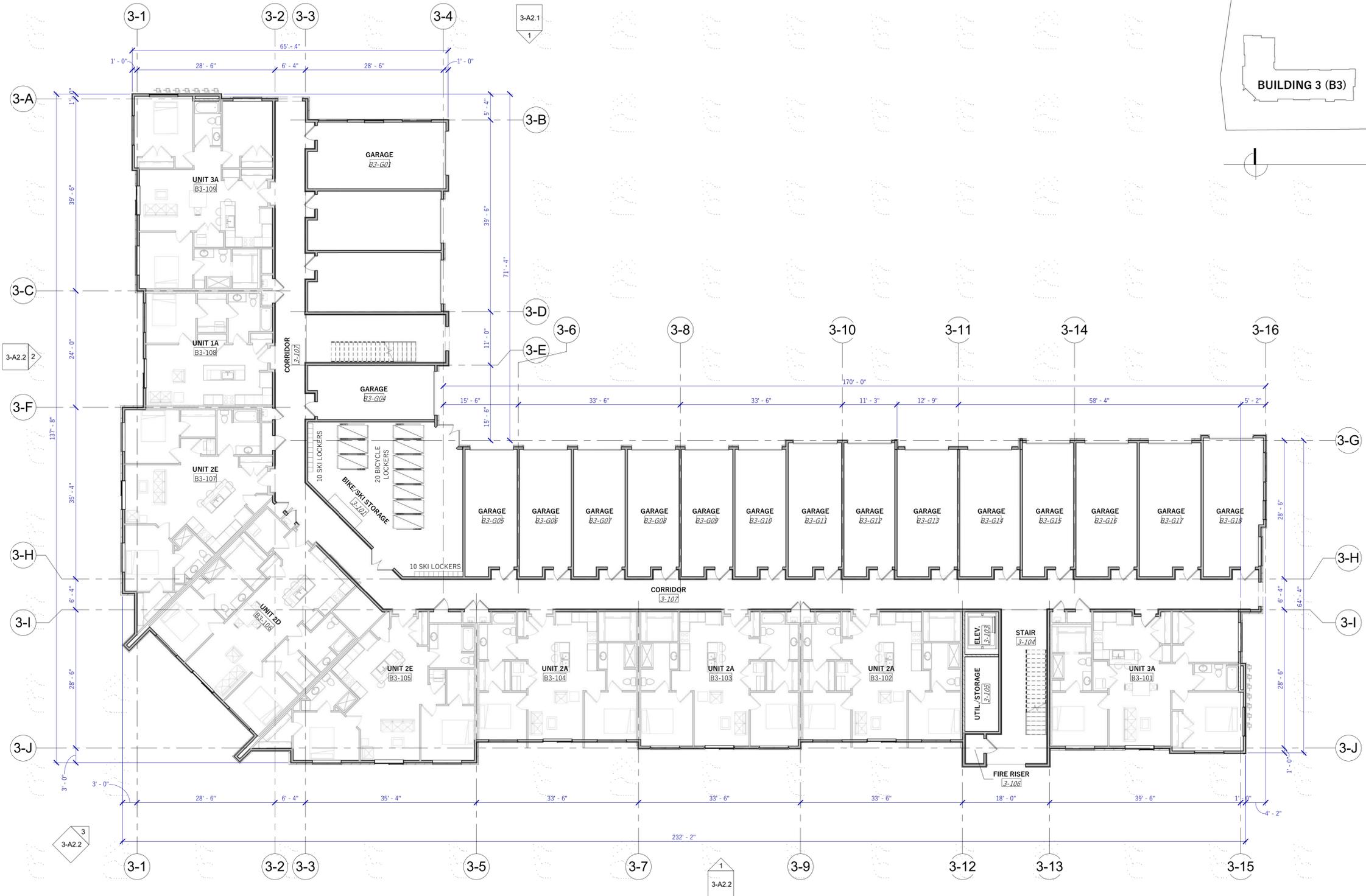
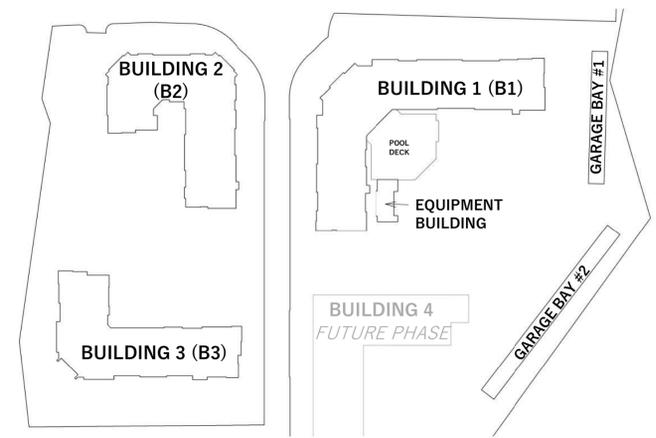
VILLAGE STATION AT  
EAGLEWOOD, PHASE I  
NORTH SALT LAKE, UT

(B3) LEVEL 1 FLOOR PLAN

3-A1.1



BUILDING 3:  
HIGH RISE RESIDENTIAL  
OPEN CORRIDOR



1 3-A1.1 (B3) LEVEL 1 FLOOR PLAN  
3/32" = 1'-0"



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

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

## MEMORANDUM

**TO:** Planning Commission  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** January 28, 2020  
**SUBJECT:** Consideration of code amendments pertaining to subdivisions, the R1-7, RM-7, and RM-20 zones currently under moratorium

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### RECOMMENDATION

The Development Review Committee (DRC) recommends approval of the proposed code amendments with the following findings:

### BACKGROUND

On August 6, 2019 the City Council approved ORD2019-09 enacting temporary zoning regulation on new application for development in the R1-7, RM-7, and RM-20 zones. The council directed staff to draft changes to the subdivision ordinance, specifically addressing the base density and its calculation for subdivisions and PUD subdivisions. The existing city code contains regulations pertaining to subdivisions in 3 separate chapters and numerous sections. The subdivision ordinance also required updating to conform with state code amendments pertaining to subdivisions and conditional uses. Therefore the staff took the opportunity to extract all subdivision regulations and compile them in a new Title 13 of the city code. The proposed draft will modernize the subdivision approval process and clarify previously conflicting sections and regulations.

### REVIEW

Following is an outline of the new title and highlights of the proposed amendments:

- 13-1: GENERAL PROVISIONS**
- 13-2: ADMINISTRATION AND APPLICATION**
- 13-3: CONCEPTUAL PLAN:**
- 13-4: MINOR SUBDIVISIONS**
- 13-5: MAJOR SUBDIVISIONS**
- 13-6: PLANNED UNIT, CONDOMINIUM, RECREATIONAL VEHICLE AND MOBILE HOME DEVELOPMENTS**
- 13-7: PLAT AMENDMENTS & LOT LINE ADJUSTMENTS**
- 13-8: GENERAL REQUIREMENT**
- 13-9: ESSENTIAL IMPROVEMENTS**

1. Chapter 1, General Provisions defines subdivisions, clarifies the purpose the regulations, and provides appeal procedures.
2. Chapter 2, Administration and Application defines what land changes require subdivision approval, the penalties for not obtaining approval and the requirements for building permits.
3. Chapter 3, Conceptual Plan defines the process for obtaining conceptual plan approval, required document submittals, and public notice. All concept plans must be recommended for approval by the Planning Commission and approved by the City Council.
4. Chapter 4 Minor Subdivisions provides a streamlined approval process for small subdivisions 10 lots or less, with no required street dedication.
5. Chapter 5 Major Subdivisions provides the process for all other subdivisions including preliminary and final plat approval and bonding. The proposed ordinance empowers the Planning Commission to grant these approvals as these actions are administrative in nature and cannot be denied if the applicant meets the minimum standards of the ordinance.
6. Chapter 6 addresses Planned Unit Developments, RV & Mobile Home Subdivisions and Condominium Subdivision.

The proposed changes related to PUDs:

1. Minimum street standards for private streets;
2. Requiring sidewalk and park strip on at least one side of the street;
3. Calculating density based upon net acreage (not including streets or other infrastructure)
4. Perimeter setbacks of 15'
5. Building setbacks from other buildings

The proposed changes to Condominium Subdivisions:

1. Updating to meet fair housing requirements
2. Matching the process for regular subdivisions

The proposed changes to RV & Mobile Home Subdivisions:

1. Updating to meet fair housing requirements
2. Adds requirements for capital facility and maintenance funds of common areas

7. Chapter 7 Plat Amendments streamlines the process for simple plat amendments and routine lot line adjustments.
8. Chapter 8 General Requirements outlines the standards required for subdivisions related to layout, design, blocks, lot shapes, street widths, utilities and easements, and public dedications. Significant changes include prescribed right of way widths for private streets, requiring private streets or other private infrastructure to be built to the same standard as public improvements. The changes also consolidate the bulk of the subdivision regulations, provide modernization, conformance to state code, and reduces the maximum grade of new roads to comply with Fire Code standards.

9. Chapter 9 Essential Improvements provides the direction to the city standards and specifications, specifically prepared for all essential infrastructure whether public or private. It further describes the required infrastructure to be installed by the developer and provides a mechanism for payback agreements, where the developer can recover certain costs for upgraded infrastructure from future developers who will benefit from the installation of said improvements.

The proposed amendments to Title 10 Chapter 10, residential districts are as follows:

1. Clarifying that subdivisions are a permitted use as required by state code
2. Make residential swimming pools a permitted use
3. Provide for temporary model homes, sales pavilions or construction trailers as permitted uses
4. Clarify the lot size requirements for the residential zones
5. Clarify the allowed density for PUDs, and common development plans (more than one building on a single lot in multi-family developments)
6. Remove the MU zone from the code
7. Clarify where the minimum width of a lot is measured
8. Clarify setbacks for accessory structures and swimming pools
9. Require certain infrastructure to be completed prior to issuing building permits in multi-family developments.
10. Adds definitions for Dwelling, attached and updates the definition of a Dwelling Unit.

#### **POSSIBLE MOTION**

I move that the Planning Commission recommend for approval the proposed amendments to the Subdivision regulations and residential zones 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.

#### Attachments

- 1) Proposed Subdivision Title 13-Redline
- 2) Proposed Subdivision Title 13-Clean
- 3) Proposed Residential Zoning-Redline

**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

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**13-1: 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 PLANNING COMMISSION DECISIONS:**

**13-1-100: APPEAL FROM CITY COUNCIL DECISION:**

**13-2: ADMINISTRATION AND APPLICATION**

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

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

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

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

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

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

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

**13-3: CONCEPTUAL PLAN:**

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

**13-3-020: STAFF CANNOT BIND CITY:**

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

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

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

**13-3-060: REVIEW BY THE PLANNING COMMISSION:**

**13-3-070: APPROVAL BY THE CITY COUNCIL:**

**13-3-080: EXPIRATION OF CONCEPTUAL PLAN APPROVAL:**

**13-4: MINOR SUBDIVISIONS**

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

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

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

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

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

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

**13-4-070: PLANNING COMMISSION ACTION:**

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

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

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

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

**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

45 **13-5: MAJOR SUBDIVISIONS**

46 **13-5-010: PRELIMINARY PLAT; PURPOSE:**

47 **13-5-020: APPLICATION AND FEES:**

48 **13-5-030: PRELIMINARY PLAT; PREPARATION AND REQUIRED INFORMATION:**

49 **13-5-040: EVALUATION OF PRELIMINARY PLAT:**

50 **13-5-050: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:**

51 **13-5-060: NOTIFICATION OF ACTION:**

52 **13-5-070: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:**

53 **13-5-080: FINAL PLAT; PURPOSE:**

54 **13-5-090: FILING DEADLINE, APPLICATION AND FEES:**

55 **13-5-100: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

56 **13-5-110: EVALUATION OF FINAL PLAT:**

57 **13-5-120: PLANNING COMMISSION ACTION; FINAL PLAT:**

58 **13-5-130: DISAPPROVAL BY THE PLANNING COMMISSION:**

59 **13-5-140: SECURITY BOND; DEVELOPER:**

60 **13-5-150: DELAY AGREEMENT:**

61 **13-5-160: RECORDING OF PLAT:**

62 **13-5-170: EXPIRATION OF FINAL APPROVAL:**

63 **13-6: PLANNED UNIT, CONDOMINIUM, RECREATIONAL VEHICLE AND MOBILE HOME**  
64 **DEVELOPMENTS**

65 **13-6-010 ~~10-7-4~~: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:**

66 **13-6-020 ~~10-19~~: CONDOMINIUM SUBDIVISIONS**

67 **13-6-030 ~~10-7-5~~: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL**  
68 **VEHICLE PARKS; SPECIAL REQUIREMENTS:**

69 **13-7: PLAT AMENDMENTS & LOT LINE ADJUSTMENTS**

70 **13-7-010: PLAT AMENDMENTS**

71 **13-7-020: EXEMPTION FROM PLAT REQUIREMENT**

72 **13-7-030: ROUTINE AND UNCONTESTED LOT LINE ADJUSTMENTS:**

73

74 **13-8: GENERAL REQUIREMENTS**

75 **13-8-010: GENERAL STANDARDS**

76 **13-8-020: SUBDIVISION LAYOUT:**

77 **13-8-030: BLOCKS:**

78 **13-8-040: LOTS:**

79 **13-8-050: FLAG LOTS:**

80 **13-8-060: STREETS:**

81 **13-8-070: LANDSCAPING:**

82 **13-8-080: UTILITIES AND EASEMENTS:**

83 **13-8-090: WATERCOURSES:**

84 **13-8-100: WARRANTY PERIOD:**

85 **13-8-110: DEDICATIONS OF STREETS AND TRAILS**

86 **13-8-120: RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

87

**TITLE 13 SUBDIVISION REGULATIONS**  
**(REDLINE 1.24.2020)**

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89 **13-9: ESSENTIAL IMPROVEMENTS**

90 **13-9-010: DESIGN STANDARDS & SPECIFICATION:**

91 **13-9-020: REQUIRED IMPROVEMENTS:**

92 **13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

93 **13-9-050: STORM DRAINAGE:**

94 **13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

95 **13-9-060: FENCING OR PIPING OF HAZARDS:**

96 **13-9-070: MONUMENTS:**

97 **13-9-080: COMPLETION:**

98 **13-9-090: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

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**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

**13-1: 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 PLANNING COMMISSION DECISIONS:**

**13-1-100: APPEAL FROM CITY COUNCIL DECISION**

**13-1-010: SHORT TITLE:**

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

**13-1-020: INTRODUCTION:**

A. Scope Of Subdivisions, Generally: Subdivisions in the City shall be designed for building purposes without danger to health or peril from fire, flood, landslide, subsidence, geologic and natural hazards, or other menace. Land should not be subdivided and developed until available public facilities and improvements exist (or adequate guarantees are in place) and proper provision has been made for drainage, water, sewerage and capital improvements, such as schools, parks and recreation facilities, streets and transportation facilities, and related improvements. If necessary and required public facilities, infrastructure and safety protections are not in place or cannot be provided for, the subdivision will not be allowed.

B. Conformance To Adopted Standards: Proposed essential infrastructure improvements shall conform to adopted City standards, specifications, and ordinances.

C. Burden Of Proof: For all proceedings in regard to development approval under this title or amendments to this title, the burden of proof showing satisfaction of all requirements shall rest with the applicant or authorized agent of the proposed development or amendment. The requirements and standards set forth herein are the minimum acceptable standards for land use applications within the City.

D. Assumption Of Validity: The City will assume that all information provided is accurate and valid. If any information provided to the City is found to be outdated, false or in any way misleading, the application for development approval may be denied or revoked by the City Council regardless of previous approvals.

**13-1-030: PURPOSE AND INTENT:**

**~~10-7-7 SUBDIVISION (LAND DEVELOPMENT)~~**

**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

140 ~~AB. Intent And~~ Purpose: existing language from 10-7-7(B)

- 141 1. The purpose of this section and the intent of the city in its adoption is to promote the health,  
142 safety, convenience and general welfare of the present and future inhabitants of the city.
- 143 2. This section will accomplish this purpose by:
- 144 a. Providing policies, standards, requirements and procedures to regulate and control the design  
145 and improvements of all developments.
- 146 b. Assisting in the implementation of the objectives, policies and programs of the general plan  
147 by ensuring that all proposed developments, together with provisions for their design and  
148 improvements, are consistent with the general plan and all applicable specific plans.
- 149 c. Preserving and protecting, to the maximum extent possible, unique and valuable natural  
150 resources and amenities, including topographic and geologic features, beaches and natural  
151 watercourses, fish and wildlife habitats, historical and cultural places, and scenic vistas and  
152 attractions; and improving the public access to and enjoyment of such resources and amenities  
153 through the dedication or continuance of appropriate public easements thereto.
- 154 d. Preserving and protecting the special environmental quality and aesthetic character of all  
155 hillside and mountainous areas; preventing detrimental impacts on the soil mantle, vegetative  
156 cover and other environmental factors; reducing the hazards of life and property from fire,  
157 flood, erosion, sedimentation and soil slippage; and relating the amount of grading within a  
158 development to the slope of the natural terrain.
- 159 e. Encouraging the clustering of housing and building developments where subdivisions or other  
160 developments are permitted in hillside and mountainous areas, minimizing grading, preserving  
161 the natural terrain and enlarging the open spaces.
- 162 f. Relating land use intensity and population density to existing developments, street capacity  
163 and traffic access, the slope of the natural terrain, the availability and capacity of public facilities  
164 and utilities, and open spaces.
- 165 g. Providing lots of sufficient size and appropriate design for the purposes for which they are to  
166 be used.
- 167 h. Providing streets of adequate capacity and design for the traffic that will utilize them, and  
168 ensuring maximum safety for pedestrians and users of vehicles.
- 169 i. Ensuring adequate access to each building site.
- 170 j. Providing sidewalks, ~~pedestrianways~~pedestrian ways, bike paths, and equestrian and hiking  
171 trails for the safety, convenience and enjoyment of residents of new developments.
- 172 k. Providing adequate systems of water supply, sanitary sewage disposal, storm drainage, street  
173 lighting and other utilities needed for public health, safety and convenience.
- 174 l. Providing adequate sites for public facilities needed to serve residents of new developments.

**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

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

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

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

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

189 q. Providing space for parking bays (off street parking as needed).

190 r. Providing space for bike paths and jogging trails.

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

194 **13-1-040: INTERPRETATION, CONFLICT, AND SEVERABILITY:**

195 A. Interpretation: These regulations shall be held to be the minimum requirements for the promotion of  
196 the public health, safety and general welfare. The burden of proof shall, in all proceedings pursuant to  
197 this title, rest with the proponent of an application for development approval. Any dispute arising from  
198 the administration of this title shall be forwarded to the city council for resolution.

199 B. Conflict With Other Provisions:

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

204 2. Further, these regulations are not intended to abrogate any easement, covenant, private  
205 agreement or restriction, including, but not limited to, restrictive covenants and declarations of  
206 covenants, conditions and restrictions; provided, however, that the city is under no obligation to  
207 enforce private covenants or agreements.

208 C. Severability: If any part or provision of these regulations or application thereof to any person or  
209 circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined  
210 in its operation to the part, provision or application directly involved in all controversy in which such  
211 judgment shall have been rendered and shall not affect or impair the validity of the remainder of these  
212 regulations or the application thereof to other persons or circumstances.

**TITLE 13 SUBDIVISION REGULATIONS**

**(REDLINE 1.24.2020)**

213 **13-1-050: DEFINITIONS:**

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

220 **13-1-060: SAVING PROVISION, RELATIONSHIP TO PREVIOUS ORDINANCE:**

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

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

232 **13-1-070: CONSIDERATIONS:**

233 A. General Plan: The general plan shall guide the use of all land within the corporate boundaries of the  
234 city. The size and design of lots, the nature of utilities, the design and improvement of streets, the type  
235 and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to  
236 the land uses shown and the standards established in the general plan, the land use ordinance and other  
237 applicable ordinances.

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

243 C. Community Facilities: Community facilities, such as parks, recreation areas, trails and transportation  
244 facilities shall be provided in the subdivision in accordance with general plan standards, this title, and  
245 other applicable ordinances and resolutions. This title establishes procedures for the referral of  
246 information on proposed subdivisions to interested boards, bureaus and other governmental agencies  
247 and utility companies, both private and public, so that the extension of community facilities and utilities  
248 may be accomplished in an orderly manner, coordinated with the development of the subdivision. In  
249 order to facilitate the acquisition of land areas required to implement this policy, the developer may be  
250 required to dedicate, grant easements over or otherwise reserve land for schools, parks, playgrounds,  
251 public ways, utility easements and other public purposes as specified.

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252 **13-1-080: GENERAL RESPONSIBILITIES:**

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

258 B. Development Review Committee (DRC): The development review committee, consisting of  
259 representatives from city departments as required by the City Manager and as applicable to each  
260 development application, shall review the plats for design; for conformity to the general plan, town  
261 center master plan, or other applicable plans, and to the land use ordinance; for the environmental  
262 quality of the subdivision design; and shall process the subdivision plats and reports as provided for in  
263 this title.

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

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

275 E. Planning Commission: The planning commission shall act the land use authority for minor  
276 subdivisions, preliminary and final plats, and plat amendments which do not include the vacation of any  
277 public right of way, public trail or municipal utility easement. The planning commission shall act as an  
278 advisory agency to the city council for conceptual subdivision plans and plat amendments which include  
279 the vacation of any public right of way, public trail or municipal utility easement. It is charged with  
280 making investigations, reports and findings on proposed subdivisions as to their conformance to the  
281 general plan, town center master plan and land use ordinance, and other pertinent plans, ordinances, or  
282 regulations.

283 F. City Attorney: The city attorney shall verify, prior to recordation of a plat, that the form of the final  
284 plat is correct and acceptable, that the developer dedicating land for use of the public is the owner of  
285 record, and that the land is free and clear of unacceptable encumbrances, tax clearances according to  
286 the title report submitted by the developer.

287 G. City Manager: The city manager acts as liaison between the planning commission, development  
288 review committee, and the city council. Prior to preliminary approval for a subdivision, the city manager  
289 may review the proposed plat and receive written comments from the city council on the plat. The  
290 comments may then be forwarded to the planning commission for evaluation.

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291 H. City Council: The city council has final jurisdiction in the approval of conceptual plans and plat  
292 amendments which include the vacation of any public right of way, public trail or municipal utility  
293 easement, the establishment of requirements and design standards for essential infrastructure  
294 improvements, and the acceptance of lands and essential infrastructure improvements that may be  
295 proposed for dedication, and shall consider appeals regarding the administration of this title as provided  
296 herein.

297 **13-1-090: APPEAL OF PLANNING COMMISSION DECISIONS:**

298 A. City Council: Appeal may be made to the city council from any decision, determination or  
299 requirement of the planning commission under this title by filing with the city recorder a notice thereof  
300 in writing within fifteen (15) days after such decision, determination or requirement is made. Such  
301 notice shall set forth in detail the action and grounds upon which the developer, or other interested  
302 person, deems himself or herself aggrieved. In the event of an appeal, application deadlines set forth in  
303 this title shall be extended to incorporate the time necessary to hear and consider such appeals.

304 B. Hearing: The city recorder shall set the appeal for hearing before the city council to be held within a  
305 reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued  
306 by order of the city council. The appellant shall be notified of the appeal hearing date at least seven (7)  
307 days prior to the hearing. After hearing the appeal, the city council may affirm, modify or overrule the  
308 decision, determination or requirement appealed and enter any such order or orders as are in harmony  
309 with the spirit and purpose of this title. The filing of an appeal shall stay all proceedings and actions in  
310 furtherance of the matter appealed, pending a decision of the city council.

311 **13-1-100: APPEAL FROM CITY COUNCIL DECISION: [existing language from 10-7-7(l)]**

312 A.1. If the petitioner, or any notified individual or organization disagrees with the city council decision, a  
313 written objection, clearly specifying the reasons therefor, shall be filed with the city recorder within ten  
314 (10) days following the city council decision.

315 B.2. The objection shall be heard before the hearing officer at a scheduled meeting. (Ord. 2012-07, 4-30-  
316 2012)

317

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**13-2: ADMINISTRATION AND APPLICATION**

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

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

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

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

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

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

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

**10-7-1: GENERAL PROVISIONS:**

**10-7-3: GENERAL STANDARDS FOR CONDITIONAL USE DEVELOPMENTS:**

**10-7-7: SUBDIVISIONS (LAND DEVELOPMENT):**

**10-7-8: FLAG LOTS:**

**10-7-7: SUBDIVISIONS (LAND DEVELOPMENT):**

**13-2-010: SUBDIVISION CONTROL:**A. Scope Of Section: **[existing language from 10-7-7(A)]**

**A1.** Compliance Required: No person shall subdivide or otherwise develop any tract of land which is located wholly or in part within the City, except in compliance with this title, and with the development regulations adopted by the City Council.

**B2.** Applicability:

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

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

**C.3.** Approval Required: No lot within a development created and recorded prior to the effective date hereof or approved by the Planning Commission and City Council and recorded in the County Recorder's Office under the provisions of this title, shall be further divided, rearranged, added to or reduced in area, nor shall any boundaries of any lot be altered in any manner so as to create more lots than initially recorded, or any nonconforming lot, without first obtaining the approval **required herein of the Planning Commission and the City Council.**

**D.4.** Restricted Lots: Restricted lots are prohibited unless geotechnical design solutions to problems associated with such lots have been prepared by a qualified professional team and approved by the Planning Commission **in accordance with Title 10 Chapter 12 Sensitive Lands Overlay and Geologic Hazards.**

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356 **13-2-020: REQUIRED PLAT APPROVAL** ~~C. Maps And Plats Required:~~ [existing language from 10-7-7(C)]

357 ~~A.1.~~ Content: Whenever any lands are laid out and platted, the owner of those lands shall cause an  
358 accurate ~~map or~~ plat to be made of them that sets forth and describes:

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

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

363 ~~B.2.~~ Acknowledgment Required: The owner of the land shall acknowledge the ~~map or~~ plat before an  
364 officer authorized by law to take acknowledgment of conveyances of real estate:

365 ~~1.a.~~ The surveyor making the ~~map or~~ plat shall certify it.

366 ~~2.b.~~ The city council shall approve the ~~map or~~ plat as provided by law.

367 ~~C.3.~~ Filing And Recording: After the ~~map or~~ plat has been acknowledged, certified and approved, the city  
368 recorder ~~owner of the land, under the city's direction~~, shall file and record it in the county recorder's  
369 office in the county in which the lands platted and laid out are situated. The owner shall pay the expense  
370 of such recording.

371 ~~D. PLAT EXPIRATION G. Recording Final Plat: The city council shall supervise, at the direction of the~~  
372 ~~owner, the~~ The recording of the final plat ~~or map with the county recorder, which~~ is to be done within  
373 ~~thirty-one hundred eighty (30180)~~ calendar days of the completed approval of the final plat by the ~~city~~  
374 ~~council~~ land use authority. Failure to record the final plat within the allotted time required shall void all  
375 approvals for the subdivision. The owner shall pay the expense of such recording. Prior to the expiration  
376 of the final plat approval, the owner or developer may request a onetime extension of one hundred  
377 eighty (180) days, by submitting to the land use authority a written request of the owner or developer  
378 explaining the reasons for the delay. The development review committee shall prepare an analysis of  
379 any amendments to the city code regulations or standards and their effect on the subdivision. If such  
380 amendments to the city regulations or standards are essential to protecting the health, safety, and  
381 welfare of the citizens, the land use authority shall not grant the extension unless the final plat conforms  
382 to the new regulations or standards.

383 ~~E.D.~~ Subdivision Approval Procedure: No one may file or record a plat of a subdivision of land in the  
384 county recorder's office unless:

385 1. Approval Required: It has been approved by:

386 a. The city council, acting as the city land use authority; or

387 b. Other ~~officers~~ land use authority that the city council designates in an ordinance; and

388 2. Written Approval: The approvals are entered in writing on the plat by the mayor ~~or chairperson of~~  
389 ~~the city council~~ or by other officers designated in the ordinance.

390 ~~E. Exemptions From Plat Requirement: Any land divided for any purpose into two (2) or more parts after~~  
391 ~~the passage of this title shall be subject to the provisions and regulations of this title, except:~~

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392 ~~1. Quarter Section Boundaries: Land divided into parcels, the smallest of which equals or exceeds~~  
393 ~~one fourth ( $\frac{1}{4}$ ) of a standard section, the boundaries of said parcels to coincide with standard~~  
394 ~~boundaries for the division of sections, i.e., one fourth ( $\frac{1}{4}$ ) section boundaries.~~

395 ~~2. Less Than Ten Lots: In subdivisions of less than ten (10) lots, land may be sold by metes and~~  
396 ~~bounds, without the necessity of recording if:~~

397 ~~a. The subdivision layout has been approved in writing by the planning commission;~~

398 ~~b. The subdivision is not traversed by mapped lines of a proposed street as shown in the general~~  
399 ~~plan, trails as shown in the parks, trails and recreation study and plan, and does not require the~~  
400 ~~dedication of any land for street or other public purposes; and~~

401 ~~c. If the subdivision is located in a zoned area, each lot on the subdivision meets the frontage,~~  
402 ~~width and area requirements of the zoning district in which it is located or has been granted a~~  
403 ~~variance from those requirements by the hearing officer.~~

404 **13-2-030: TRANSFER OF LAND:**

405 ~~Land shall not be transferred, sold or offered for sale, nor shall a building permit be issued for a~~  
406 ~~structure thereon, until the final subdivision plat is recorded in the county recorder's office in~~  
407 ~~accordance with this title and any applicable provisions of state law, and until the improvements~~  
408 ~~required in connection with the subdivision have been constructed or guaranteed as provided herein.~~

409 **13-2-040: TRANSFER OF LAND; VOIDABLE:**

410 ~~No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions~~  
411 ~~of this title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this title~~  
412 ~~is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal~~  
413 ~~representative, or trustee in bankruptcy, within one year after the date of execution of the deed of~~  
414 ~~conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon~~  
415 ~~any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those~~  
416 ~~above enumerated, and upon the grantor, vendor or person contracting to sell, or his assignee, heir or~~  
417 ~~devisee.~~

418 **13-2-050: BUILDING PERMITS:**

419 **A. Requirements:**

420 ~~1. No building permit shall be issued for any structure within a subdivision until the final subdivision~~  
421 ~~plat is recorded in the county recorder's office, a bond is provided acceptable to the city ensuring~~  
422 ~~the adequate installation of required essential infrastructure improvements and utilities, and the~~  
423 ~~required improvements and utilities have been installed and are operable as provided herein and as~~  
424 ~~deemed essential infrastructure (defined by State Code 10-9a-802, as amended) which is necessary~~  
425 ~~to meet the requirements for of the building code and fire code.~~

426 ~~2. No building permit shall be issued for any structure within a subdivision until all sanitary sewer,~~  
427 ~~storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and gutter,~~  
428 ~~streets, other underground utilities located under the street surface, and required grading and~~

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429 drainage improvements, are installed and fully functional, as determined by the city, providing  
430 continuous access and/or service to the lot.

431 3. Notwithstanding the foregoing, for lots fronting existing streets that obtain access only from that  
432 street and have existing fully functional utilities, the building official may issue permits, subject to  
433 compliance with applicable requirements, including adequate access for emergency vehicles.

434 B. Issuance Prior To Street Surfacing: A building permit may be issued by the city for the construction of  
435 a structure within a subdivision prior to application of hard surfacing of the streets within the  
436 subdivision under the following conditions:

437 1. The street improvements are being constructed during the months when cold weather prohibits  
438 the laying of a hard surface on the street.

439 2. The streets shall be completed with all utilities, rough grading, and all weather road base  
440 sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base,  
441 including road base gradation and thickness, shall be determined by the city engineer upon review  
442 and consideration of applicable soils reports, drainage factors and existing topographic conditions of  
443 the property.

444 3. The developer enters into an agreement with the city that the developer will take responsibility to  
445 ensure that the road is accessible for emergency vehicles and construction traffic at all times,  
446 including snow removal and other required maintenance.

447 4. The developer enters into an agreement with the city that developer will hard surface the road as  
448 soon as weather permits and as authorized by the city. If developer fails to do so, the city can  
449 declare the developer in default of the applicable improvements bond agreement and may  
450 withdraw any or all of the funds from the bond and cause the improvements to the street to be  
451 constructed, completed and/or repaired in accordance with the terms and procedures set forth in  
452 the bond agreement for the withdrawal of funds.

453 5. The building contractor, property owner and building permit applicant enters into an assumption  
454 of risk agreement acknowledging the lack of hard surface streets within the subdivision and  
455 developer's obligation regarding maintenance and access of the same and assuming the risk of  
456 proceeding with construction under such circumstances pursuant to the terms and conditions set  
457 forth herein.

458 6. No certificate of occupancy shall be granted by the city for any structure within the subdivision  
459 until all streets are hard surfaced.

460 **13-2-060: CERTIFICATES OF OCCUPANCY:**

461 No building within a subdivision shall be occupied until a certificate of occupancy has been issued for  
462 such structure by the city. No certificate of occupancy shall be issued for any structure within a  
463 subdivision by the city until all required improvements for the subdivision are complete, including the  
464 hard surfacing of the streets, all required street signs are installed for the subdivision and house

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465 numbers are placed on the structure, all required utilities are installed providing service to the structure,  
466 and all other applicable ordinance provisions have been satisfied.

467 **13-2-070: PENALTIES:**

468 It shall be a **class C misdemeanor** for any person to fail to comply with the provisions of this title. In  
469 addition to any criminal prosecution, the city may pursue any other legal remedies provided by law to  
470 ensure compliance with this title, including, but not limited to, instituting an injunction, mandamus,  
471 abatement or other appropriate actions, or proceedings to prevent, enjoin, abate or remove the  
472 unlawful use or act.

473

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474

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

475

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

476

**13-3-020: STAFF CANNOT BIND CITY:**

477

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

478

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

479

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

480

**13-3-060: REVIEW BY THE PLANNING COMMISSION:**

481

**13-3-070: APPROVAL BY THE CITY COUNCIL:**

482

**13-3-080: EXPIRATION OF CONCEPTUAL PLAN APPROVAL:**

483

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

484

A conceptual development plan shall be required of all developers. This provides the developer with an opportunity to consult with and receive assistance from the city regarding the regulations and design requirements applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat. The conceptual plan should be based on an accurate survey showing boundaries, topography, important physical features, adjacent properties and the sketch of the proposed subdivision. The applicant or applicant's duly authorized agent shall submit an application to the community development department for conceptual plan approval and at the same time, the applicant shall pay an application fee as provided in the city's consolidated fee schedule.

492

**13-3-020: STAFF CANNOT BIND CITY:**

493

The conceptual plan requirement is designed to provide the developer with helpful information and suggestions before the expense and time involved in preparing a preliminary plat is incurred. However, only the city council may bind the city and the planning commission can make official recommendations to the city council. City employees and all other officers of the city act in advisory capacity to the city council and have no authority to make binding decisions or to make authoritative representations, approvals or determinations. Employees and officers of the city may make recommendations, suggestions, and dispense information regarding city ordinances, the general plan, or other adopted policy documents, but such comments shall in no way whatsoever be binding on the city.

501

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

502

Submission of a conceptual plan shall in no way confer any vested rights upon the developer. Vested rights may attach only upon the filing of a subdivision plan under **chapter 4, 5, 6 or 7** of this title, and the subdivision being able to meet the requirements of this title and other applicable ordinances at the time of the application. However, if there is a compelling, countervailing public interest or the city has initiated proceedings to amend this title or other applicable ordinances at the time of the application, then there shall be no vested rights.

508

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

509

**~~10-3-3: STEP 1 - CONCEPT PLAN:~~**

510

~~A. Submit concept plan to zoning administrator. Applicants~~ The developer shall submit ~~a~~ the proposed

511

conceptual plan which will enable a review of a proposed project for general scope and conditions which

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512 might impact the proposed project and the city. The community development department will  
513 determined if the appropriate plan and application is submitted, if the application is complete and if all  
514 the fees have been paid. If the application is deemed to be incomplete the applicant shall be notified in  
515 writing within ten (10) days of the application date, or as reasonably practical upon discovery of a  
516 deficiency. The planning commission shall either recommend the plan or recommend the plan with  
517 conditions to the city council, or reject the concept plan. The city council shall either approve the  
518 concept plan or approve the concept plan with conditions or reject the concept plan.

519 B.A. Document Requirements: The following items shall be submitted to the zoning  
520 administratorcommunity development department for conceptual plan review:

521 1. An application form, as provided by the city detailing for concept plan approval explaining the  
522 proposed projectdevelopment and addressing the following:-

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

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

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

528 d. A statement regarding the proposed development, it's conformance to the existing zoning  
529 and general plan or other adopted plans or policies, and identifying any opportunity for the  
530 provision of housing which meet the goals and objectives of the city's moderate income housing  
531 plan.

532 e. Any additional pertinent information related to the project.

533 2. A competent environmental impact report will be prepared by the applicant or the city and other  
534 appropriate agencies that have pertinent information and/or jurisdiction regarding subject project.  
535 The city may elect to prepare or evaluate the environmental impact report and charge the applicant  
536 for the associated costs. Developments requiring an environmental impact report include the  
537 following, except where the planning commission determines the scope may be reduced or waived:

538 a. Subdivisions;

539 b. Mobile home parks, etc.;

540 c. Any large development over five (5) acres; or

541 d. When subject site has been determined to be a sensitive area under the provisions of this title; or

542 e. Is such in the opinion of the zoning administrator.

543 2. Two (2) 24" x 35" copies and one (1) 11" x 17" copy of the conceptual plan and one electronic  
544 copy of all required documents.

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

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547 ~~4. The applicant will address identified conflicts and mitigate all adverse aspects of the plan.~~

548 ~~4.7. Sketch/site Conceptual plan set. A scaled drawing of and information pertaining to a proposed~~  
549 ~~development site. A site plan shall include the following:~~

550 ~~a.5. Location map Cover Sheet which includes the following:~~

551 ~~(1). The proposed project name, approximate address of the project, and the relevant~~  
552 ~~parcels within the project; A map showing where the project is located with the proposed~~  
553 ~~name.~~

554 ~~(2).6. Vicinity plan. An aerial map at a scale of one inch equals one hundred feet (1" = 100')~~  
555 ~~or other competent base map showing the area within six hundred feet (600') of the project~~  
556 ~~boundaries giving context to the proposed development;:-~~

557 ~~(3) Drawing index;~~

558 ~~(4) Developer name, address, and phone number;~~

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

560 ~~(6) General Notes regarding the project; and~~

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

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

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

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

566 ~~(2) Existing buildings, utilities, and improvements;~~

567 ~~(3) f. A description Location of the type of existing culinary and irrigation water systems and~~  
568 ~~points of proposed connection and extension; proposed; also, documentation of water~~  
569 ~~rights and secondary water shares;~~

570 ~~(4)e. Location and size of existing utility services and proposed connection and extension~~  
571 ~~(water, sewer, power, gas, telephone cable) lines;~~

572 ~~p. Location of proposed or sewer connection;~~

573 ~~(5) Watercourses, impoundments, streams, springs, wells, floodplains, and areas subject to~~  
574 ~~continuous or occasional flooding, including those portions of the property which are~~  
575 ~~included in the most recent flood insurance rate maps prepared by FEMA;~~

576 ~~(6) Significant vegetative patterns;~~

577 ~~(5)i. Geologic hazards, formations and soils type;~~

578 ~~g. A description of those portions of the property which are included in the most recent~~  
579 ~~flood insurance rate maps prepared by FEMA;~~

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580 ~~(7)j-~~ Public and private easements related to site, including trails and parks as identified  
581 within the adopted general plan or other adopted plans or policies documents; indicated in  
582 the parks, trails and recreation study and plan; (Ord. 05-14, 12-13-2005)

583 ~~(8)k-~~ Existing survey monuments;

584 c. Conceptual Site Plan. The following elements shall be drawn to a scale of a minimum 1"=30'  
585 on said map:

586 ~~(1)k-~~ North arrow and scale;

587 ~~(2)j-~~ Names of all abutting property owners;

588 ~~(3)e-~~ The dimensions of the site and total acreage, with proposed density;

589 ~~(4)e-~~ A proposed lot layout showing approximate size of each lot;

590 ~~(5)a-~~ Location of existing and pProposed streets, trails, and sidewalks;

591 ~~i-~~ Locations and names of existing and proposed streets;

592 ~~(6)b-~~ Proposed bBuildings, or building envelopes, as applicable (not already shown);

593 ~~(7)e-~~ Proposed pPublic facilities and open spaces;

594 ~~(8)n-~~ Location of proposed parking;

595 ~~(9)q-~~ Preliminary location of all proposed on site uses and desired improvements, including  
596 any (and off site improvements if considered essential to the project, at this stage).

597 ~~(10)~~ Any additional informationThe plan is to which will convey information that is necessary  
598 to determine feasibility and identify problems that need to be ~~solved~~ addressed on in the  
599 preliminary plat. design plan.

600 ~~g-~~ Watercourses, impoundments, streams, springs, wells, floodplains, and areas subject to  
601 continuous or occasional flooding;

602 ~~h-~~ Significant vegetative patterns;

603 ~~i-~~ Geologic hazards, formations and soils type;

604 ~~(4)j-~~ Names of all property owners within three hundred feet (300');

605 ~~k-~~ North arrow;

606 ~~l-~~ Topographic contours at no greater interval than two feet (2').

607 ~~a-~~ The name, telephone number and business address of the developer and owner;

608 ~~b-~~ The name, telephone number and business address of the project designer;

609

610 ~~d-~~ North arrow and scale of the drawing;

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611 ~~h. Locations and names of existing and proposed buildings;~~

612 (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

613 ~~m. Location and description of existing and proposed vegetation;~~

614 **13-3-050: NOTIFICATION:**

615 ~~B. Concept Plan Review:~~

616 ~~1.A.~~ Upon receipt of the complete concept plan application, the ~~zoning administrator~~community  
617 development director shall distribute copies of the conceptual plan application to the development  
618 review committee, and other agencies and, as applicable, to the parks, trails, arts and recreation  
619 advisory board for review and comment. (Ord. 05-14, 12-13-2005; amd. 2012 Code; Ord. 2014-01, 1-7-  
620 2014)

621 ~~B. Public Comment Period.~~ The ~~city community development department~~ shall notify all appropriate  
622 agencies or other parties with legitimate interests and all landowners of property located within three  
623 hundred feet (300') of the boundary of the proposed development. Notified parties shall have fourteen  
624 (14) days to submit written comments limited to environmental concerns on the following topics:

625 ~~a1.~~ a1. Erosion, dust, soils and topsoil loss;

626 ~~b2.~~ b2. Grades, slope stability and geologic hazards;

627 ~~c3.~~ c3. Groundwater, watercourses, flood hazards and areas;

628 ~~d4.~~ d4. Vegetative types;

629 ~~e5.~~ e5. Wildlife and habitat;

630 ~~f6.~~ f6. Essential urban services presently available;

631 ~~g7.~~ g7. Fire potential;

632 ~~h8.~~ h8. Accumulation of solid and liquid wastes;

633 ~~i9.~~ i9. Potential area wide economic impact of the development.

634 **13-3-060: REVIEW BY THE PLANNING COMMISSION:**

635 A. Scope Of Review: Conceptual plan shall be reviewed for compliance with the city general plan, land  
636 use ordinance, this title, and other appropriate regulations. The planning commission may recommend  
637 approval or denial to the city council, and shall make findings regarding the submitted conceptual plan,  
638 specifying any inadequacy in the information submitted, noncompliance with city regulations,  
639 questionable or undesirable design and/or engineering, and the need for any additional information  
640 which may assist the planning commission to evaluate the proposed subdivision and in making a  
641 recommendation to the city council.

642 B.2. The ~~zoning administrator~~development review committee (DRC) shall review the conceptual plan  
643 application for compliance with all applicable regulations. ~~The zoning administrator and~~ shall notify the  
644 developer of approval or denial (for noncompliance), the concept plan review findings, redlines and

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645 comments, and ~~the need for identify any~~ other information necessary for review by ~~which may assist~~ the  
646 planning commission to evaluate the proposed development.

647 ~~3. Where it is determined by the planning commission or zoning administrator after review of the~~  
648 ~~concept plan that one or more of the application requirements and procedural steps are not applicable~~  
649 ~~to the project under consideration, such requirements may be waived.~~

650 C. The developer shall be afforded a reasonable period of time to submit corrected drawings and  
651 documents which address the DRC findings, redlines comments, and requested information.

652 D. The DRC shall review any corrected drawings or documents within ten (10) days of receipt and  
653 provide additional feedback to the developer regarding findings of compliance with city regulations and  
654 confirming the date for review by the Planning Commission.

655 E. If the DRC finds that the application is not in compliance with city regulations for conceptual plan  
656 review, the developer shall be provided notice in writing of corrective actions required prior to  
657 placement on the planning commission agenda.

658 F. Timely review:

659 1. If the developer disagrees with the DRC regarding compliance with city regulations for conceptual  
660 plan review, the developer may file a written request for formal review by the planning commission  
661 and final decision within forty-five (45) days of the submittal of the written request [USC 10-9a-  
662 509.5(2)]. The planning commission shall review the application for compliance with city regulations  
663 and shall within thirty (30) days from the written request take one of the following actions:

664 a. Upon request by the developer and in deference to the required forty-five (45) day final  
665 approval deadline, table action on the conceptual plan application to allow modifications to the  
666 plan by the developer for further review;

667 b. Recommend to the City Council denial of the conceptual plan and provide written findings  
668 demonstrating the city regulations which are not in compliance; or

669 c. Recommend to the City Council approval of the conceptual plan with findings of compliance  
670 and where applicable conditions necessary to ensure compliance with city regulations.

671 2. If a developer files a written request for final action in accordance with USC 0-9a-509.5(2), as  
672 amended, the City Council shall take final action on the conceptual plan application within forty-five  
673 (45) days of the date of the written request.

674 F. Additional Information: The planning commission may require additional information, data or studies  
675 to be provided to the planning commission by the developer for the overall development before any  
676 recommendation is given by the planning commission to the city council and the planning commission  
677 may include requirements for the overall development as part of its findings on the concept plan.

678 8. Upon request of the planning commission, a market analysis can be required for large scale  
679 developments, subdivisions, mobile home parks and recreational vehicle parks. (Ord. 93-5, 7-6-  
680 1993, eff. 7-15-1993)

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681 G9. Where the proposed development boundaries are within the city sensitive lands area, conceptual  
682 plan approval shall be conditioned upon submittal and approval of a soil/geologicgeologic hazards  
683 report as outlined in the North Salt Lake City Code Title 10, chapter 12Chapter 12 of this title shall be  
684 submitted. This requirement may be waived by the planning commission if the proposed development is  
685 five (5) acres or less and is recommended by the city engineer. (Ord. 01-05, 4-3-2001)

686 **13-3-070: APPROVAL BY THE CITY COUNCIL:**

687 A. Scope Of Approval: After receiving a recommendation from the planning commission, the city council  
688 may grant or deny conceptual plan approval for the proposed subdivision and may adopt, amend or  
689 reject any of the findings and conditions made by the planning commission regarding the submitted  
690 conceptual plan.

691 B. Denial: If the city council denies conceptual plan approval, no further review of the proposed  
692 subdivision shall be made by the city council, and a new conceptual plan submittal shall be required to  
693 reinitiate the subdivision process.

694 C. ~~Concept Plan~~ Limitation of Approval:

695 1. ~~Granting of A denied or denial of a~~ conceptual plan ~~by the city council~~ shall not constitute an absolute  
696 approval or disapproval of the proposed development, but rather shall operate in a manner as to give  
697 the developer general guidance as to the requirements and constraints for development within the city.  
698 (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

699 **13-3-080: EXPIRATION OF CONCEPTUAL PLAN APPROVAL:**

700 Once conceptual plan approval has been granted, the developer may apply for preliminary plat approval  
701 consistent with the conceptual plan. If preliminary plat approval for any portion of an approved  
702 conceptual plan has not been obtained within twelve (12) months of the date on which conceptual plan  
703 approval was granted, a resubmittal and reapproval of the conceptual plan may be required by the city.

704 2. The developer may apply for preliminary design plan approval after concept plan approval is  
705 granted. (Ord. 01-05, 4-3-2001)

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**13-4: MINOR SUBDIVISIONS**

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13-4-010: PURPOSE:

13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:

13-4-030: APPLICABILITY:

13-4-040: CONCEPTUAL PLAN REQUIRED:

13-4-050: MINOR SUBDIVISION APPLICATION:

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

13-4-070: PLANNING COMMISSION ACTION:

13-4-080: EXPIRATION OF FINAL APPROVAL:

13-4-090: BOND AGREEMENT:

13-4-100: PLAT REQUIREMENTS:

13-4-110: RECORDING OF PLAT:

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

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

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

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

A. Less than ten (10) lots shall be created in the subdivision;

B. The subdivision shall not require the dedication of any land for public streets or other public purposes;

C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The developer shall be required to complete any essential infrastructure improvements on an existing street which are not in place at the time the application to develop a minor subdivision is made. Such improvements shall include any necessary storm drainage facilities, curb, gutter, sidewalk, trail, park strip, including landscaping, and asphalt paving;

D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan;

E. The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;

F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the zoning ordinance; and

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745 G. Utility easements shall be dedicated.

746 **13-4-030: APPLICABILITY:**

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

749 **13-4-040: CONCEPTUAL PLAN REQUIRED:**

750 Prior to filing a minor subdivision application, all developers of proposed minor subdivisions shall be  
751 required to complete a conceptual plan as set forth in this title.

752 **13-4-050: MINOR SUBDIVISION APPLICATION:**

753 All developers of proposed minor subdivisions shall submit a minor subdivision application on a form  
754 provided by the city. The application shall include two (2) 24" x 35" copies and one (1) 11" x 17" copy of  
755 the plat and one electronic copy of all required documents meeting the requirements of section 13-4-  
756 100 of this chapter. If essential infrastructure improvements, as specified within this chapter, are  
757 required, the application shall be accompanied by improvement drawings for such improvements. The  
758 city engineer may require that a soil report be provide which meets the requirements set forth in  
759 section 13-5-040 of this title be provided. At the time the application is submitted, the developer shall  
760 pay the appropriate application fee as set forth in the city's consolidated fee schedule.

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

765 **13-4-060: DEVELOPMENT REVIEW:**

766 Within a reasonable time after receipt of a minor subdivision application and comments and/or  
767 approval from all appropriate reviewing entities, the development review committee shall include the  
768 application on the planning commission agenda and prepare a report on the application's compliance  
769 with the general plan, city ordinances, rules and regulations. The developer's application and the report  
770 of the community development department shall then be presented to the planning commission.

771 **13-4-070: PLANNING COMMISSION ACTION:**

772 A. Scope Of Action: Within a reasonable time following the receipt of an application for minor  
773 subdivision approval from the community development department, the planning commission shall act  
774 thereon. The planning commission shall assure that the plat is in conformity with the requirements of  
775 this chapter and title, other applicable ordinances or regulations, and any conditions of approval  
776 deemed necessary by the planning commission. If the planning commission finds that the proposed plat  
777 complies with the requirements of this title and that it is satisfied with the plat of the subdivision, it shall  
778 approve or approve with conditions the minor plat subdivision.

779 B. Disapproval: If the planning commission determines that the proposed plat is not in conformity with  
780 the ordinances of the city or any reasonable conditions imposed, it shall not approve the plat, specifying  
781 the reasons for such disapproval. If a proposed plat is disapproved by the planning commission, no

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782 further plat shall be submitted and a new minor subdivision application shall be required to initiate  
783 minor subdivision approval, including the payment of the required fee.

784 **13-4-080: EXPIRATION OF FINAL APPROVAL:**

785 If the plat is not recorded within six (6) months from the date of planning commission approval, such  
786 approval shall be null and void. This time period may be extended for additional six (6) month periods by  
787 the city manager. The developer must petition for an extension, prior to the expiration of the original six  
788 (6) months, or an extension previously granted. An extension may be granted only if it is determined  
789 that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision  
790 approval, including, but not limited to, inspection fees, park fees, impact fees, as well as the amounts  
791 the city uses to estimate bonds to insure completion of improvements have increased, the city manager  
792 may require that the bond estimate be recalculated and that the developer pay any applicable fee  
793 increases as a condition of granting the extension.

794 **13-4-090: BOND AGREEMENT:**

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

797 **13-4-100: PLAT REQUIREMENTS:**

798 A. Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:

- 799 1. The boundaries, courses and dimensions of the parcels of ground to be subdivided;  
800 2. The number, temporary address and length and width of the blocks and lots intended for sale;  
801 3. Existing right of way and easement grants of record for underground facilities, as defined in Utah  
802 Code Annotated section 54-8a-2, and for other utility facilities;  
803 4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the  
804 preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;  
805 5. A certification from the surveyor preparing the plat; and  
806 6. Signatures from owners or operators of all underground facilities and utility providers approving of  
807 the plat and the dedication of the required easements thereon.

808 B. Additional Requirements: In addition to the plat requirements of subsection A of this section, the plat  
809 shall comply with any of the requirements set forth in section 13-5-110 of this title.

810 **13-4-110: RECORDING OF PLAT:**

811 Upon approval of a minor subdivision application under this chapter, and approval of a proposed plat  
812 prepared in accordance with this chapter, the developer shall provide the city with a current title report  
813 to be reviewed by the city attorney. A "current title report" is considered to be one which is prepared  
814 and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to

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815 the property has been approved by the city attorney, the approved plat shall be signed by the mayor  
816 and may then be recorded with the Davis County recorder's office.

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**13-5: MAJOR SUBDIVISIONS**

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- 13-5-010: PRELIMINARY PLAT; PURPOSE:
- 13-5-020: APPLICATION AND FEES:
- 13-5-030: PRELIMINARY PLAT; PREPARATION AND REQUIRED INFORMATION:
- 13-5-040: EVALUATION OF PRELIMINARY PLAT:
- 13-5-050: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:
- 13-5-060: NOTIFICATION OF ACTION:
- 13-5-070: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:
- 13-5-080: FINAL PLAT; PURPOSE:
- 13-5-090: FILING DEADLINE, APPLICATION AND FEES:
- 13-5-100: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:
- 13-5-110: EVALUATION OF FINAL PLAT:
- 13-5-120: PLANNING COMMISSION ACTION; FINAL PLAT:
- 13-5-130: DISAPPROVAL BY THE PLANNING COMMISSION:
- 13-5-140: SECURITY BOND; DEVELOPER:
- 13-5-150: DELAY AGREEMENT:
- 13-5-160: RECORDING OF PLAT:
- 13-5-170: EXPIRATION OF FINAL APPROVAL:

**10-3-4: STEP 2 – PRELIMINARY DESIGN PLAN:**

**A. Submit Preliminary Design Plan To Zoning Administrator:**

~~1. Required: Following concept plan approval, the applicant shall submit a preliminary design plan application to the zoning administrator. The preliminary design plan shall provide design solutions to problems identified in the approved concept plan and the design process. The planning commission shall either recommend the plan or recommend the plan with conditions to the city council, or reject the preliminary plan. The city council shall either approve the preliminary plan or approve the preliminary plan with conditions or reject the preliminary plan.~~

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

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision 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: APPLICATION AND FEES:**

The developer of a major subdivision, after completing the conceptual plan required by this title, shall file an application for preliminary plat approval on a form provided by the city. The application shall include two (2) 24" x 35" copies and one (1) 11" x 17" copy of the preliminary plat and one electronic copy of all required documents. At the same time, the developer shall pay an application fee as published in the consolidated fee schedule of the city. The community development department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have

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858 been paid. If all requirements are met, a letter of acknowledgment will be provided by the community  
859 development department, and the developer shall distribute plans, accompanied by the letter, for  
860 comment to all appropriate public and private entities.

861 **13-5-030: PRELIMINAR PLAT; PREPARATION AND REQUIRED INFORMATION:**

862 A. Form: The preliminary plat shall be clearly and legibly drawn with approved waterproof drawing ink at  
863 a scale not less than one inch equaling one hundred feet (1" = 100'). The plat shall be so drawn that the  
864 top of the sheet is either north or east, whichever accommodates the drawing best. Dimensions shall be  
865 in feet and decimals thereof and bearings in degrees, minutes and seconds.

866 (The sections below are from current code 10-3-4)

867 B2. Document Requirements: The following items shall be submitted in an application to the zoning  
868 administrator for preliminary design plan plat review:

869 1a. A preliminary title report covering the entire land in the proposed project, or other approved  
870 evidence of title insurability.

871 2b. Evidence that the applicant has sufficient control and financial capability over the land to  
872 effectuate the proposed use.

873 3e. When applicable, letters from the public agencies which will provide water and sewer service  
874 to the proposed development. The letter should state what type, if any, of interim system will  
875 be allowed until full service can be provided by the public agency; and that potable water will be  
876 available to the developer in quantities and quality as required by state requirements for the  
877 project.

878 ~~d. A letter from each utility company serving the project, stating that they have reviewed the~~  
879 ~~plan and are setting forth their comments concerning the extent of services availability, the~~  
880 ~~design of utility easements, and the approximate costs to the developer. A copy of the plan~~  
881 ~~approved by the utility company shall be returned, initialed and stamped by the company.~~

882 4e. Statement of the estimated starting and completion dates for each phase of development,  
883 including proposed grading work and any landscape work.

884 5f. A copy of proposed protective covenants, articles of incorporation, association or  
885 condominium.

886 6g. Tabulations showing the square footage and percent of total area proposed in:

887 a.(1) Off street parking;

888 b.(2) Streets;

889 c.(3) Developed parks;

890 d.(4) Natural open spaces or undeveloped parks.

891 7h. Tabulations showing the square footage and percent of area covered by buildings.

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892 ~~8i.~~ Tabulations showing the square footage and total floor space by type of use, i.e., residential,  
893 commercial, industrial, etc.

894

895 ~~9j.~~ Copies of any agreements with adjacent property owners relevant to the proposed  
896 subdivision.

897 ~~k. Appropriate supporting documents showing compliance with state air emissions and water~~  
898 ~~discharge standards.~~

899 ~~10l.~~ An adequate traffic report prepared by a qualified traffic engineer when required by the city  
900 engineer or planning commission.

901 C. Required Information: The following information shall be included on the preliminary plat or within  
902 the preliminary construction drawing set:

903 ~~B. Project Design Information And Plans:~~

904 ~~15.~~ A vicinity map of the proposed subdivision, drawn at a scale of five hundred feet to the inch  
905 (1" = 500'), which defines the location of the subdivision within the city; showing all lots and streets  
906 in the project, and all abutting streets, with names of the streets.

907 ~~23.~~ The proposed name of the ~~development subdivision.~~ Such subdivision names shall not duplicate  
908 or nearly duplicate the name of any subdivision in the city or in the incorporated and  
909 unincorporated area of Davis County;

910 ~~36.~~ The names and addresses of the ~~subdivider developer developer developer or agent, if applicable,~~  
911 the engineer ~~or~~ and surveyor of the development, and the owners of the land immediately adjoining  
912 the land to be developed. If the developer is represented by an agent, there shall be a statement  
913 from the recorded owner authorizing the agent to act

914 ~~41.~~ The date, north point, written and graphic scales. A drawing to scale not smaller than one  
915 hundred feet to the inch (1" = 100'), and shall show a north arrow. (Ord. 93-5, 7-6-1993, eff. 7-15-  
916 1993)

917 ~~5.9.~~ The boundary lines of the tract to be subdivided, with all dimensions shown and a legal  
918 description to defining the location and boundaries of the proposed subdivision;

919 ~~614.~~ The location, widths and other dimensions of proposed streets, alleys, easements, - or other  
920 public or private rights of ways;

921 ~~7.~~ The location and size of all sites proposed to be dedicated or reserved for parks, ~~and other~~ open  
922 spaces, common area, or other recreational uses. All sites shall be clearly labeled as proposed for  
923 public or private dedication and use. and lots with the size of each lot in square footage and proper  
924 labeling of spaces to be dedicated to the public.

925 ~~815.~~ Boundary lines of adjacent subdivisions and the names of owners of adjacent unplatted land  
926 tracts of unsubdivided land within one hundred feet (100') of the tract proposed for subdivision,  
927 showing ownership and property monuments.

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928 97. A contour map at one foot (1') intervals, for predominant ground slopes within the subdivision  
929 between level and five percent (5%), and at intervals of at least two feet-foot (2') intervals, for  
930 predominant ground slopes within the subdivision over five percent (5%), showing all unusual  
931 topographic features with verification by a qualified engineer or land surveyor. Such contours shall  
932 be based on Davis County datum. The closest city survey monument shall be used and its elevation  
933 called out on the map. Survey monument information shall be obtained from the Davis County  
934 surveyor or city engineer;

935 1019. Grading plan showing existing and proposed contour lines at no greater than two foot (2')  
936 intervals at a scale of not less than one inch equals one hundred feet (1" = 100').

937 112. For developments that are not within the sensitive lands overlay area, a soils data report from a  
938 registered soils engineer, engineering geologist or other qualified person, based upon adequate test  
939 boring or excavations within the proposed project. (Ord. 01-05, 4-3-2001) The soil report shall  
940 include, among other things, a description of the soil types and characteristics on the site, describe  
941 whether or not groundwater was encountered in any of the test borings and at what elevation it  
942 was encountered, and shall identify the location of any seismic zones or flood zones on the  
943 property.

944 a. Investigation: If the soil report indicates the presence of critically expansive soils, high water  
945 table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected,  
946 would lead to structural defects of the proposed buildings, damage to the buildings from the  
947 water, premature deterioration of the essential infrastructure improvements, or which would  
948 represent a public health hazard, a soil investigation of each lot in the subdivision may be  
949 required by the city engineer. The soil investigation shall recommend corrective actions  
950 intended to prevent damage to proposed structures and/or essential infrastructure  
951 improvements. The fact that a soil report has been prepared shall be noted on the final plat and  
952 a copy attached to the preliminary plat application.

953 12. A geologic hazard study prepared in accordance with Title 10, Chapter 12 for all developments  
954 on properties: within the sensitive lands overlay area; with an average slope of fifteen percent  
955 (15%) or greater; with known, suspect, or probable geologic hazards; critical wildlife habitat or  
956 natural features; critical drainage channels; or other vital infrastructure.

957 13. The boundaries of areas subject to 100-year flooding or stormwater overflow, as determined by  
958 the city, and the location, width and direction of flow of all watercourses, including all existing and  
959 proposed irrigation and natural runoff channels and courses~~The location of existing bridges,~~  
960 ~~culverts, surface or subsurface drainageways, utilities, buildings or other structures, pumping~~  
961 ~~stations or appurtenances,~~ within the subdivision or within two hundred feet (200') thereof, and all  
962 known wells or springs (consult state engineer's office), ~~and location of the 100-year floodplain as~~  
963 ~~determined by the federal emergency management agency (FEMA).~~

964 14. The existing use or uses and zoning of the property and the outline of any existing buildings and  
965 their locations in relation to existing or proposed street and lot lines drawn to scale;

966 1512. The location, proposed names, widths and a typical cross section of curbs, gutters, sidewalks  
967 and other improvements of the proposed street and access easements~~principal dimension,~~ and

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968 names of all existing or recorded streets, alleys and easements, both within the proposed project  
969 and within one hundred feet (100') of the boundary thereof, showing whether recorded or claimed  
970 by usage;

971 16. The location and dimensions to the nearest existing bench mark or monument, and section line;  
972 the location and principal dimensions of all watercourses, public utilities, and other important  
973 features and existing structures within the land adjacent to the tract to be developed, including  
974 railroads, power lines and exceptional topography.

975 17. Layout of all lots, including the average and minimum lot size, lot divisions and consecutive  
976 numbering;

977 1814. Proposed off site and on site culinary and secondary water facilities, sanitary sewers, storm  
978 drainage facilities, ~~and~~ fire hydrants, and any other public or private utility, as applicable.

979 1910. Existing off site and on site culinary and secondary water facilities, sanitary sewers, storm  
980 drainage facilities, subdrains, ~~culinary and secondary water supply mains and culverts~~ fire hydrants,  
981 and any other public or private utilities-utility within the tract or within one hundred feet (100')  
982 thereof.

983 2017. Location and size of all existing and proposed easements, dedications, and deed restrictions,  
984 including solar, public utility lines, water and sewage lines, storm drains and facilities, watercourses,  
985 irrigation systems, land drains, etc.

986 21. Stormwater drainage plan and management plan in accord with 8-5-21 by which the  
987 ~~subdivider/developer/developer-developer~~ proposes to handle stormwater drainage for an event with  
988 a ten (10) year return period for all storm drain pipe, and for an event with a one hundred (100)  
989 year return period for all storm drain detention basins. (Ord. 07-01, 1-9-2007) The calculation must  
990 size the detention basin, size the orifice plate and determine the amount of flow which can be  
991 released (the release rate can be 0.2 cfs/acre). Detention basin shall retain the required 24-hour  
992 storm equivalent, as required under the Utah pollutant discharge elimination system (UPDES)  
993 general discharge permit. All development and redevelopment that warrants compliance with the  
994 UGCP regulation must include an LID analysis that meets the objective of mirroring the  
995 predevelopment hydrology and meets the objective of retaining on site, with no discharge, the 0.6-  
996 inch, 24-hour rainfall event.

997 2216. If the site requires substantial cutting, clearing, grading or other earthmoving operations in  
998 the construction of improvements, the application shall include a soil erosion and sedimentation  
999 control plan prepared by a registered civil engineer.

1000 2318. Dimensioned parking layout showing location of individual parking stalls, driveways and other  
1001 areas of ingress and egress.

1002 2420. Landscaping plan. Generalized landscaping plans for the site and, if appropriate, information  
1003 relating to the landscaping on adjacent or surrounding areas affected by the proposed development.  
1004 Such landscaping plans shall be prepared by a qualified professional team showing:

1005 a. Distribution of plant material, existing trees, as related to energy conservation and solar  
1006 access, and work involved as related to slope control and/or physical environment;

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- 1007 b. Special effects and decorative materials;
- 1008 c. Automatic irrigation systems (sprinkler, bubbler, etc.);
- 1009 d. Recreation equipment. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1010 ~~254.~~ The location of the development as it forms part of a larger tract or parcel. The submittal shall  
1011 include a ~~sketch-concept~~ of the prospective future street system of the unplatted portion of the  
1012 property, and the street system of the part submitted shall be considered in light of adjustments  
1013 and connections with the future street system of the surrounding area and in accordance with the  
1014 city general plan.

1015 ~~268.~~ Certification of the accuracy of the preliminary plat of the development and any traverse to  
1016 permanent survey monuments by a land surveyor, registered to practice in the state.

1017 ~~27. If it is contemplated that the development will proceed by phases, the boundaries of such~~  
1018 ~~phases shall be shown on the preliminary plat along with the estimated construction schedule for~~  
1019 ~~each phase;~~

1020 ~~28. The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat.~~

1021 **13-5-040: EVALUATION OF PRELIMINARY PLAT:**

1022 ~~C. Review Procedure For Preliminary Design Plan:~~ (Previous Code 10-3-3(B))

1023 ~~A1. The community development department will determined if the appropriate plan and application is~~  
1024 ~~submitted, if the application is complete and if all the fees have been paid. If the application is deemed~~  
1025 ~~to be incomplete the applicant shall be notified in writing within ten (10) days of the application date, or~~  
1026 ~~as reasonably practical upon discovery of a deficiency. The zoning administrator shall, u~~Upon receipt of  
1027 the complete preliminary design plan submission, ~~the department shall~~ distribute copies of the plan to  
1028 the city engineer ~~and to,~~ other members of the development review committee, and to such other  
1029 governmental departments and agencies for review and comment as ~~in the opinion of the planning~~  
1030 ~~commission or zoning administrator may contribute to a decision based on the best information for the~~  
1031 ~~necessary and in the~~ public interest. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

1032 ~~B. The developer shall distribute plans for comment to all appropriate public or private agencies or~~  
1033 ~~utilities for review and approval and obtain letters of approval as required. After reviewing the plans,~~  
1034 ~~each of the agencies and utilities will provide the acknowledgment letter to the developer indicating~~  
1035 ~~whether the plans are acceptable or need to be revised, and may forward to the developer a written~~  
1036 ~~report of its findings and recommendations. These agencies shall include, but are not necessarily limited~~  
1037 ~~to, water and sewer improvement districts, and the metro fire agency.~~

1038 ~~C2.~~ Failure of any of the recipient departments or agencies to respond to the ~~zoning administrator~~city  
1039 with comments concerning the development within fourteen (14) days of receipt of a copy of the  
1040 preliminary design plan ~~application from the planning commission~~ shall be construed as indicating that  
1041 such agency or department has no adverse concern with the proposed development.

1042 ~~D. The development review committee (DRC) shall review the preliminary plat application for~~  
1043 ~~compliance with all applicable regulations and shall notify the developer of the preliminary plat review~~

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1044 findings, redlines and comments, and identify any other information necessary for review by the  
1045 planning commission to evaluate the proposed development.

1046 C. The developer shall be afforded a reasonable period of time to submit corrected drawings and  
1047 documents which address the DRC findings, redlines comments, and requested information.

1048 D. The DRC shall review any corrected drawings or documents within ten (10) days of receipt and  
1049 provide additional feedback to the developer regarding findings of compliance with city regulations and  
1050 confirming the date for review by the Planning Commission.

1051 E. If the DRC finds that the application is not in compliance with city regulations for preliminary plat  
1052 review, the developer shall be provided notice in writing of corrective actions required prior to  
1053 placement on the planning commission agenda.

1054 **13-5-050: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:**

1055 3A. Within a reasonable time after the filing of a preliminary plat application and any other information  
1056 required, ~~the~~ the planning commission shall consider the application for preliminary design plan approval  
1057 at its next regularly scheduled public meeting following a forty five (45) day review and processing  
1058 period, except as may be limited by planning commission agenda, or as may be scheduled otherwise by  
1059 the chairperson of the planning commission or the zoning administrator. This review and processing  
1060 period shall be measured from the date on which the preliminary design plan application is determined  
1061 by the zoning administrator to be substantially complete. If the planning commission finds that the  
1062 proposed plat complies with the requirements of this chapter and that it is satisfied with the plat of the  
1063 subdivision, it shall approve, or approve with conditions, the plat. If the planning commission finds that  
1064 the proposed plat does not meet the requirements of this title or other applicable ordinances, it shall  
1065 deny approval of such plat.

1066 B. Findings: The planning commission may approve or deny the preliminary plat and shall make findings  
1067 regarding the submitted plat, specifying any inadequacy in the information submitted, noncompliance  
1068 with city regulations, inconsistencies with the conceptual plan, and the need for any additional  
1069 information which may assist the planning commission to evaluate the preliminary plat and in making a  
1070 final determination.~~4-~~ The planning commission shall approve only those preliminary design plans which  
1071 the commission finds:

1072 1a. To be developed in accordance with the intent, standards and criteria specified in this title and  
1073 other applicable regulations.

1074 2b. To conform to an approved conceptual plan.

1075 3c. To create no substantial financial hardship to the city.

1076 4d. To create no substantial environmental consequence which will adversely impact upon adjacent  
1077 properties and the health, safety or welfare of the inhabitants of the city when weighed against the  
1078 positive impacts of such development.

1079 5e. To mitigate possible adverse impacts from the proposed development, the planning commission  
1080 shall determine from a review of the preliminary design plan whether the soil, slope, vegetation and  
1081 the drainage characteristics of the site are such as to require substantial cutting, clearing, grading,

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1082 and other earthmoving operations in the construction of the development, or otherwise threaten an  
1083 erosion hazard and, if so, the planning commission shall require the developer to provide soil  
1084 erosion, geological hazard and sedimentation control plans and specifications. Such control plans  
1085 and specifications shall be prepared by a qualified professional team with the costs of preparation of  
1086 such plans and specifications being borne by the developer. Also, when in the opinion of the  
1087 planning commission public facilities should be constructed within the boundaries of a proposed  
1088 development for the benefit of the community as established in the comprehensive general plan of  
1089 the city, the developer shall reserve a site appropriate in area and location for such public facility.

1090 ~~f. After review of the preliminary design plan at a public meeting, the planning commission and then~~  
1091 ~~the city council shall approve, disapprove, or approve with conditions, the preliminary design plan,~~  
1092 ~~and notify the developer of such action, or may postpone action to allow the developer time to~~  
1093 ~~provide materials or additional information needed by the planning commission, to then determine~~  
1094 ~~appropriate action. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~

1095 C. Examination Of Plat: Upon receipt of the preliminary plat, the planning commission shall also examine  
1096 the plat to determine whether the plat is consistent with the concepts set forth in the approved  
1097 conceptual plan and with all changes requested and all requirements imposed as conditions of  
1098 acceptance. In the event that the preliminary plat has been altered substantially from the approved  
1099 conceptual plan, at the discretion of the planning commission chair, with the recommendation of the  
1100 community development department, the chair may suspend planning commission review of the  
1101 preliminary plat and require that the developer resubmit the plan subject to the conceptual plan review  
1102 process. The chair may also defer such decisions related to conceptual plan resubmittal and/or  
1103 preliminary plat review to the planning commission for its approval.

1104 D. Substantial Change: The planning commission shall determine whether a proposed modification to an  
1105 approved conceptual plan is a "substantial" change. Alterations of the following types shall define a  
1106 substantial change:

- 1107 1. A significant change to the roadway alignment or configuration;
- 1108 2. Significant changes to lot areas or lot configuration;
- 1109 3. Any increase to the number of lots;
- 1110 4. Any change to the configuration and amount of open space required;
- 1111 5. A significant change to culinary water, sanitary sewer, or storm drain plans related to the  
1112 application;
- 1113 6. Any deviation from the approved conceptual plan as determined by the provisions set forth in  
1114 this title;
- 1115 7. A modification of any other aspect of the conceptual plan that would significantly change its  
1116 character.

1117 **13-5-060: NOTIFICATION OF ACTION:**

1118 The community development department shall notify the developer, in writing, of the action taken by  
1119 the planning commission. Notification of the approval of the preliminary plat shall be authorization for

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1120 the developer to proceed with the preparation of detailed plans and specifications for the  
1121 improvements required by city ordinances and the planning commission, and with the preparation of  
1122 the final plat.

1123 **13-5-070: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:**

1124 Approval of the preliminary plat shall in no way relieve the developer of the responsibility to comply  
1125 with all required conditions and ordinances, and to provide the improvements and easements necessary  
1126 to meet all city standards.

1127 **10-3-5: STEP 3 – FINAL PLAT AND FINAL CONSTRUCTION PLANS:**

1128 **13-5-080: FINAL PLAT; PURPOSE:**

1129 The purpose of the final plat is to require formal approval by the planning commission before a major  
1130 subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all  
1131 respects be in compliance with the provisions of this title. The final plat and improvement plans  
1132 submitted shall conform in all respects to those regulations and requirements specified during the  
1133 preliminary plat procedure. Pursuant to Utah Code Annotated section 10-9a-604, as amended, the  
1134 planning commission designates the planning commission chair as its agent to sign final subdivision  
1135 plats. The planning commission chair shall not sign any final plat until such plat has been approved by  
1136 the planning commission in accordance with the provisions set forth herein.

1137 **13-5-090: FILING DEADLINE, APPLICATION AND FEES:**

1138 The developer shall file an application for final plat approval with the community development  
1139 department on a form prescribed by the city, together with one reproducible copy and prints of the final  
1140 plat, the number of which shall be determined by city staff, and all required fees. The preliminary plat  
1141 shall become null and void unless the developer submits an application for and obtains final plat  
1142 approval for all phases encompassing the area of the preliminary plat within twelve (12) months after  
1143 approval or conditional approval of the preliminary plat by the planning commission, except as  
1144 otherwise provided for by written agreement with the city. This time period may be extended for up to  
1145 twelve (12) months for good cause shown if the developer petitions the planning commission in writing  
1146 for an extension prior to the expiration date of the preliminary plat together with any applicable fees.  
1147 Only one extension of the preliminary plat approval may be granted. In the event the final plat approval  
1148 expires, or the city does not grant an extension of final plat approval, or the city does not reapprove a  
1149 previously approved final plat, the preliminary plat approval shall also expire, unless twelve (12) months  
1150 has not lapsed from the date of its approval and/or a twelve (12) month extension of time has been  
1151 granted as provided herein.

1152 **13-5-100: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

1153 A. Submit Final Plan To Zoning Administrator: Following preliminary design plan approval, the applicant  
1154 shall submit a final plan to the zoning administrator. The final plan shall provide technical and  
1155 engineering solutions to all identified problems as required by the ~~city council~~ planning commission. The  
1156 planning commission shall either approve the final plan or approve with conditions or reject the final  
1157 plan.

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1158 ~~1. Document Requirements:~~The following items shall be submitted to the zoning  
1159 ~~administrator~~community development department for final plat review:

1160 ~~1a. An application including:~~The developer of a major subdivision, after completing the preliminary  
1161 ~~plat required by this title, shall file an application for final plat approval on a form provided by the~~  
1162 ~~city. The application shall include two (2) 24" x 35" copies and one (1) 11" x 17" copy of the final plat~~  
1163 ~~and final construction drawings and one electronic copy of all required documents. At the same~~  
1164 ~~time, the developer shall pay an application fee as published in the consolidated fee schedule of the~~  
1165 ~~city. The community development department will determine if the appropriate plan is submitted, if~~  
1166 ~~the application is complete and if all the fees have been paid. If all requirements are met, a letter of~~  
1167 ~~acknowledgment will be provided by the community development department.~~

1168 ~~2.(1)~~ A certificate of title insurance for any land to be dedicated to the city via the city council.

1169 ~~3.(2)~~ Trust agreement for perpetual care funds when required as a condition of approval.

1170 B. Final Plan Drawing Requirements:

1171 1. Drawings shall be prepared and certification made as to plat accuracy by a registered professional  
1172 licensed to do such work in the state of Utah. A workmanlike execution of the plat shall be made in  
1173 every detail. A poorly drawn or illegible plan is sufficient cause for final plat rejection.

1174 2. The final plat shall consist of a sheet of approved ~~tracing linen~~mylar ~~with to~~ the outside or trim  
1175 line dimensions of nineteen inches by thirty inches (19" x 30") and the border line of the plat shall  
1176 be drawn in heavy lines leaving a space of at least one and one-half inches (1½") on the left side  
1177 and at least one-half inch (½") margin on the other sides. The plat shall be so drawn that the top of  
1178 the drawing faces either north or west, whichever accommodates the drawing best. All lines,  
1179 dimensions and markings shall be made on the ~~tracing linen~~, mylar, or comparable material, with  
1180 approved waterproof black ink.

1181 ~~3.~~The plat shall be made to a scale large enough to clearly show all details, and in any case not  
1182 smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing  
1183 shall be neat, clean cut and readable.

1184 ~~4.3.~~ An accurate and complete survey to second order accuracy shall be made of the land to be  
1185 subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed  
1186 from field measurements on the ground, shall close within a tolerance of one foot (1') to twenty  
1187 thousand feet (20,000'). A survey tie into two (2) legal corners or other permanent markers  
1188 established, or approved by the Davis County survey, is required.

1189 ~~5.4.~~ The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside  
1190 the boundary line, not inside with the lot dimensions, and tied to two (2) existing land monuments  
1191 within the subdivision shall show the calculated Davis County coordinates. When the plat is  
1192 bounded by an irregular shoreline or a body of water, the bearings and distances of a closing  
1193 meander traverse should be given and a notation made that the plan includes all land to the water's  
1194 edge or otherwise.

1195 ~~6.5.~~ If a plat is revised, the redlined copy of the old plan shall be returned for comparison purposes.

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1196 76. In subdivisions, all blocks and all lots within each block shall be consecutively numbered.

1197 87. On curved boundaries and all curves in the plat, sufficient data shall be given to enable the  
1198 reestablishment of the curves on the ground. This curve data shall include the following for circular  
1199 curves:

1200 a. Radius of curve;

1201 b. Central angle;

1202 c. Tangent;

1203 d. Arc length;

1204 e. Chord (bearing and length).

1205 98. Excepted parcels shall be marked "not included in this development" and the boundary  
1206 completely indicated by bearings and distances.

1207 109. All streets within the project shall be numbered (named streets shall also be numbered) in  
1208 accordance with and in conformity with the adopted street numbering system adopted by the city.  
1209 Each lot shall show the street addresses assigned thereto, by and shall be according to the standard  
1210 addressing methods approved by the city. In the case of corner lots, the address will be assigned for  
1211 each part of the lot having street frontage.

1212 11. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever  
1213 practicable, blocks in their entirety shall be shown on one sheet.

1214 12. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision  
1215 with no omissions or duplications. When a subdivision is developed in phases, the phase number  
1216 shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.

1217 13.10. The side lines of all easements shall be shown by fine dashed lines. The width of all  
1218 easements and sufficient ties thereto to definitely locate the same with respect to the subdivision  
1219 shall be shown. All easements shall be clearly labeled and identified.

1220 1411. All lands within the boundaries of the plan shall be accounted for either as lots, walkways,  
1221 streets, alleys, excepted parcels, common areas, building areas, parking areas, drainage facilities,  
1222 landscape areas, and permanent open space, etc.

1223 1512. All dimensions of irregularly shaped lots shall be indicated in each lot.

1224 1613. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need  
1225 not be given for interior lot lines where the bearings and lengths are the same as those of both end  
1226 lot lines.

1227 1714. Parcels not contiguous shall not be included in one plat. Contiguous parcels owned by  
1228 different parties may be embraced in one plat, provided all owners join in dedication and  
1229 acknowledgment.

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1230 1815. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to  
1231 seconds of arc.

1232 1916. The information on the plat shall include description of project boundaries, public streets and  
1233 easements (utility, drainage, access, etc.), as well as other design elements and the following:

1234 a. Name of development, astronomic north arrow and basis thereof, and date, and names of  
1235 developer and engineer. The title of each sheet of the final plat shall consist of the approved  
1236 name and unit number of the subdivision in bold letters, and if applicable, the words "a Planned  
1237 Unit Development (PUD)", followed by the words "City of North Salt Lake" at the top of the  
1238 sheet.

1239 b. Name and address of owner or owners of record.

1240 c. Total acreage of development project; total number of lots and acreage of each.

1241 d. Township, range, section (and quarter section, if portion).

1242 e. Graphic scale.

1243 2017. The final plat shall contain the name of the surveyor, together with the date of the survey, the  
1244 scale of the map and number of sheets. The following certificates, acknowledgments and  
1245 descriptions shall appear on the title sheet of the final plat, and such certificates may be combined  
1246 where appropriate:

1247 a. Registered land surveyor's certificate of survey;

1248 b. Owner's dedication certificate;

1249 c. Notary public's acknowledgment for each signature on the plat;

1250 d. A correct metes and bounds description of all property included within the subdivision or  
1251 project;

1252 e. Plats shall contain blocks for signatures of the planning commission, city engineer, city  
1253 attorney, city council (a signature line for the mayor and an attestation by the city recorder). A  
1254 block for the Davis County recorder shall be provided in the lower right corner of the final plat;

1255 f. Such other affidavits, certificates, acknowledgments, endorsements and notaries seals as are  
1256 required by law, by this title or by the city attorney;

1257 g. Prior to recordation of the plat, the ~~subdivider~~developer~~developer~~ developer shall submit a  
1258 current title report to be reviewed by the city attorney. A "current title report" is considered to  
1259 be one which correctly discloses all recorded matters of title regarding the property and which is  
1260 prepared and dated not more than thirty (30) days before the proposed recordation of the final  
1261 plat;

1262 h. The owner's dedication certificate, registered land surveyor's certificate of survey, and any  
1263 other certificates contained on the final plat shall be in the form prescribed by the city  
1264 subdivision standards and specifications;

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1265 i. When a subdivision contains lands which are reserved in private ownership for community  
1266 use, including common areas, the ~~subdivider~~~~developer~~~~developer~~~~developer~~ shall submit with the  
1267 final plat the name, proposed articles of incorporation and bylaws of the owner, or organization  
1268 empowered to own, maintain and pay taxes on such lands and common areas.

1269 ~~2148~~. The plat shall fully and clearly show all stakes, monuments and other evidence indicating the  
1270 boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed  
1271 or destroyed before acceptance of all improvements, shall be replaced by the  
1272 ~~subdivider~~~~developer~~~~developer~~ -under the direction of the city engineer. The following required  
1273 monuments shall be shown on the final plat:

1274 a. The location of all monuments placed in making the survey, including a statement as to what,  
1275 if any, points were reset by ties;

1276 b. All right of way monuments at angle points and intersections as approved by the city  
1277 engineer.

1278 C. Final Construction Plan Requirements:

1279 1. Standards for design, construction specifications, inspection of the street improvements, curbs,  
1280 gutters, sidewalks and standards for design, construction specifications and inspection of water  
1281 distribution systems, sewage disposal facilities, storm drainage and flood control facilities shall be  
1282 prepared by the city engineer. Standards for fire hydrants shall meet the requirements of any  
1283 federal, state and local governmental entities having jurisdiction over the same. All subdivision  
1284 standards and specifications and amendments thereto which are under the control of the city shall  
1285 be approved by the city council before becoming effective. The city council may by resolution adopt  
1286 subdivision standards and specifications of the city which may be amended from time to time. All  
1287 ~~subdivider~~~~developer~~~~developer~~s shall comply with any subdivision standards and specifications  
1288 adopted by the city council. All ~~public improvements~~~~essential infrastructure improvements~~ shall be  
1289 installed in accordance with the city subdivisions standards and specifications, the requirements of  
1290 the city engineer, the subdivision improvements agreement between the ~~subdivider~~~~developer~~- and  
1291 the city, and all other applicable city ordinances and regulations.

1292 2. Complete and detailed construction plans and drawings of all improvements shall be prepared in  
1293 conformance to the design standards of the city. They shall be submitted to the city engineer for  
1294 review at the same time the final plat is being reviewed. Final approval of the project shall not be  
1295 granted until the plans have been reviewed and recommended for approval by the city engineer. No  
1296 construction shall be started until the final plat has been recorded and the construction plans have  
1297 been approved by the city. Plans for all the street utilities shall be drawn on the same plans.

1298 3. Standards are set for the purpose of standardizing the drawings and to obtain uniformity in  
1299 appearance, clarity, size and reproduction.

1300 a. Three (3) copies of construction plans shall be submitted with one set to be retained by the  
1301 city engineer, one set to be ~~furnished to the~~~~retained in the official city development file~~ city, and  
1302 one set returned to the ~~subdivider~~~~developer~~~~developer~~ for corrections and revisions. After  
1303 corrections and revisions by the ~~subdivider~~~~developer~~~~developer~~, three (3) sets shall be submitted  
1304 for final review by the city engineer.

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1305 b. All drawings and/or prints shall be clear and legible and conform to good engineering and  
1306 drafting practice. Size of drawings shall be twenty four inches by thirty six inches (24" x 36")  
1307 (trim line) with one-half inch (1/2") border on top, bottom and right sides, left side one and one-  
1308 half inches (1 1/2").

1309 c. The plans shall include the following information:

1310 (1) North arrow (plan);

1311 (2) Elevations referenced to USGS datum;

1312 (3) Stationing and elevations for profiles;

1313 (4) Title block located in lower right corner of sheet, to include, project title (subdivision,  
1314 etc.). Specific type and location of work, and name of engineer or firm preparing drawings  
1315 with license number. Utah engineer's stamp shall be required on all construction plans;

1316 (5) Scale one inch equals twenty feet (1" = 20') or one inch equals forty feet (1" = 40')  
1317 horizontally; one inch equals two feet (1" = 2') or four feet (4') vertical;

1318 (6) Both plan view and profiles for curb and gutter plans shall be shown for each side of the  
1319 street; street centerline profile may be eliminated. Top of curb elevations with curve data  
1320 must be shown for all curb returns;

1321 (7) Size and location of culinary water lateral mains, meters, valves and hydrants;

1322 (8) Type of pipe;

1323 (9) Size and location of irrigation lateral mains, valves, fittings, etc.;

1324 (10) Size, location and profile of sewer, storm drains and subdrains and their manhole  
1325 cleanouts.

1326 (11) Calculation, Traverse Sheets: Calculation and traverse sheets giving bearings, distances  
1327 and coordinates of the boundary of the subdivision and blocks and lots as shown on the final  
1328 plat.

1329 (12) Data, Assumptions, Computations: Design data, assumptions and computations for  
1330 proper analysis in accordance with sound engineering practice, along with appropriate plan,  
1331 section and profile sheets for all essential infrastructure improvements.

1332 4. As needed, each set of plans shall be accompanied by a separate sheet of details for structures  
1333 which are to be constructed. All structures shall be designed in accordance with minimum  
1334 requirements established by the subdivision standards of the city.

1335 **13-5-110: EVALUATION OF FINAL PLAT:**

1336 A. Community development department: The community development department will determine if  
1337 the final plat submission is complete and if all the fees have been paid. If all requirements are met, a  
1338 letter of acknowledgment will be provided by the community development department, and the

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1339 developer shall distribute plans, accompanied by the letter, for comment to all appropriate public and  
1340 private entities.

1341 B. Reviewing Entities: After reviewing the plans, each of the public agencies and utilities will provide the  
1342 acknowledgment letter to the developer indicating whether the plans are acceptable or need to be  
1343 revised, and may forward to the developer a written report of its findings and recommendations. These  
1344 agencies shall include, but are not necessarily limited to, water and sewer improvement districts, and  
1345 the metro fire agency.

1346 C. Additional Reviews: In cases where developer's submission or plat is incomplete, incorrect or  
1347 otherwise fails to comply with city ordinances and/or development standards as determined by the city  
1348 and where such failure makes additional or repeat reviews on the part of the city engineer and/or other  
1349 consultants to the city necessary, developer shall be required to resubmit the plans to those reviewing  
1350 entities that will be affected by changes. After reviewing the plans, each of the public agencies and  
1351 utilities will provide the acknowledgment letter to the developer indicating whether the plans are  
1352 acceptable or need to be revised. This process shall continue until all reviewing entities have accepted  
1353 the plans.

1354 D. Report To Planning Commission: Within a reasonable time after receipt of a final plat and approval or  
1355 comments from all appropriate reviewing entities, the community development department shall  
1356 include the final plat on the planning commission agenda and prepare a report on the plat's compliance  
1357 with the general plan, city ordinances, rules and regulations. The plat and the report of the city  
1358 community development department shall then be presented to the planning commission.

1359 **13-5-120: PLANNING COMMISSION ACTION; FINAL PLAT:**

1360 A. Scope: The planning commission shall not be bound by the recommendations of the city departments  
1361 or the city manager, and may set its own conditions and requirements consistent with this title.

1362 B. Examination Of Plat: Upon receipt of the final plat, the planning commission shall examine the plat to  
1363 determine whether the plat conforms with the preliminary plat and with all changes requested and all  
1364 requirements imposed as conditions of acceptance. If the planning commission determines that the plat  
1365 is in conformity with the preliminary plat, the requirements of this title, other applicable ordinances and  
1366 any reasonable conditions as recommended by the city departments, city manager or on its own  
1367 initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.

1368 **13-5-130: DISAPPROVAL BY THE PLANNING COMMISSION:**

1369 If the planning commission determines that the final plat is not in conformity with this title or other  
1370 applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the  
1371 reasons for such disapproval. Within one year after the planning commission has disapproved any plat,  
1372 the developer may file with the community development department a plat altered to meet the  
1373 requirements of the planning commission. No plat shall have any force or effect until the same has been  
1374 approved by the planning commission.

1375 ~~D. Final Plat And Construction Plan Review And Approval:~~

1376 ~~1. When a final plat and construction plan has been received, it shall be acted upon at a planning~~  
1377 ~~commission meeting scheduled for development review within thirty (30) days of receipt of final~~

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1378 plat and construction plan application by the zoning administrator; provided, that the planning  
1379 commission shall not approve any final plan unless it is certified by the city engineer in the space  
1380 provided.

1381 2. The zoning administrator will distribute copies of the final plat and construction plan for final  
1382 review by those who reviewed the preliminary plan, and such others as may be determined, for final  
1383 comment before docketing the application for final approval on the planning commission agenda.

1384 3. The planning commission shall review the final plat and construction plan at a regularly scheduled  
1385 public meeting. If the final plan and all supplementary data comply with the applicable requirements  
1386 of these regulations and the requirements of the approved preliminary design plan, the planning  
1387 commission shall certify approval of the plan on the space provided.

1388 4. After review of the final plat and construction plan at the public meeting, the planning  
1389 commission shall send written notification of its review and official action taken to the city council.  
1390 This notification shall specify any modifications to the final plat and construction plan, if any, which  
1391 were made incident to final approval of such plan by the planning commission.

1392 5. The city council shall review the final plat and construction plan within forty five (45) days of  
1393 receipt of transmittal from the planning commission, at a regularly scheduled public meeting, or as  
1394 otherwise scheduled by the city council.

1395 6. The only basis for rejection of a final plat and construction plan shall be its nonconformance to  
1396 adopted rules, regulations and ordinances currently in force and affecting the land and its  
1397 development, its lack of conformance with the approved preliminary design plan, technical  
1398 inaccuracies or insufficiencies, and poor workmanship in preparation of the plans and documents.

1399 7. The city council shall review and execute a developer's improvement agreement and establish the  
1400 kind and amount of financial security necessary to guarantee completion of the required public  
1401 improvements.

1402 8. If the city council determines that the final plat and construction plan submission complies with  
1403 the applicable requirements of this title, they shall certify approval of the plat and construction plan,  
1404 an improvements agreement including such guarantees as may be required, and by certificate of  
1405 legal review as to form by the city attorney.

1406 9. The developer shall provide an adequate number of approved plats or prints marked approved,  
1407 together with the official notification of the action, to be distributed as required:

- 1408 a. One copy to planning commission files.
- 1409 b. One copy to city council files.
- 1410 c. One copy to developer.
- 1411 d. One copy to engineer and surveyor of subdivider.
- 1412 e. One original copy to county recorder when required.
- 1413 f. One copy to each utility company serving the development.

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1414 ~~g. One copy to the health department.~~

1415 ~~h. One copy to the city engineer.~~

1416 ~~i. One copy to the city post office.~~

1417 ~~j. One copy to the building official.~~

1418 ~~E. Submit Approved Final Plat And Construction Plan To City Council: Following final plat and~~  
1419 ~~construction plan approval by the planning commission, the zoning administrator shall forward~~  
1420 ~~the approved final plat and construction plan to the city council for review. The applicant shall~~  
1421 ~~appear before the city council to answer questions, to negotiate any required bond or financial~~  
1422 ~~security, and to negotiate any proposed dedications. The city council shall either approve or~~  
1423 ~~reject the final plat and construction plan and, upon approval, shall authorize the county~~  
1424 ~~recorder to record (as required) any of the approved material in the final plat. The costs of~~  
1425 ~~recording shall be paid by the applicant. (Ord. 93-5,~~

1426 **13-5-140: SECURITY BOND; DEVELOPER:**

1427 Prior to the installation of or any work on any required essential infrastructure improvements, the  
1428 developer shall enter into a subdivision improvement agreement including a security bond acceptable to  
1429 the city to insure completion of all essential infrastructure improvements required to be installed in the  
1430 subdivision. The agreement shall be in a form and contain such provisions as approved by the city  
1431 attorney. The agreement shall include, but not be limited to, the following:

1432 A. Incorporation: Incorporation by reference of the final plat and all accompanying data required herein  
1433 which is used to compute the cost of the improvements by the city engineer;

1434 B. Completion Of Improvements: Completion of the improvements within a period of time not to exceed  
1435 two (2) years from the date the agreement is executed;

1436 C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the city and  
1437 according to city standards specified in this title;

1438 D. Amount: The bond amount shall be equal to one hundred percent (100%) of the city engineer's  
1439 estimated cost of the essential infrastructure improvements to be installed;

1440 E. Exclusive Control By City: The bond proceeds may be released only upon written approval of the city  
1441 engineer;

1442 F. Reduction: The bond proceeds may be reduced upon request of the developer as the improvements  
1443 are installed. The amount of the reduction shall be determined by the city. Such requests may be made  
1444 only once every thirty (30) days and no reductions shall be authorized until such time as the city has  
1445 inspected the improvements and found them to be in compliance with city standards and approved  
1446 improvement plans. All reductions shall be by the written authorization of the city engineer. The bond  
1447 shall not be reduced below ten (10%) of the required bond amount, until such time that all  
1448 improvements have been accepted and upon the expiration of the one (1) year warranty period.

1449 G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion  
1450 of the improvements according to city standards for whatever reason, including previous reductions, the

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1451 developer shall be responsible for the deficiency and no further building permits shall be issued in the  
1452 subdivision or development until the improvements are completed or new bond, satisfactory to the city,  
1453 has been executed and delivered to the city to ensure completion of the remaining improvements;

1454 (from 10-7-3-H-2)

1455 H2. In the event the developer defaults or fails or neglects to satisfactorily install the required  
1456 improvements within one year from the date of approval of the development by the city council or to  
1457 pay all liens in connection therewith, the city council may declare the bond or other assurance forfeited  
1458 and the city may install or cause the required improvements to be installed using the proceeds from the  
1459 collection of the bond or other assurance to defray the expense thereof, includiong attorney fees and  
1460 court costs. After required improvements have been made, any balance after expenses shall be returned  
1461 to the developer at the end of the assurance period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012  
1462 Code)

1463 I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period,  
1464 the costs of completion shall include reimbursement to the city for the costs of administration incurred  
1465 by the city in obtaining the completion of the improvements;

1466 J. Nonliability: The developer shall agree to hold the city harmless from any and all liability which may  
1467 arise as a result of the improvements which are installed until such time as the city certifies the  
1468 improvements as complete;

1469 K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by the  
1470 city:

1471 1. A cash bond agreement accompanied by a cashier's check or a money market certificate made  
1472 payable only to the city;

1473 2. An escrow bond agreement and an escrow account with a financial institution federally insured;

1474 3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial  
1475 institution federally insured; or

1476 4. A corporate surety performance bond in favor of the city.

1477 L. Right Of Rejection: The city reserves the right to reject any bond. The bonds required by this section  
1478 are for the sole benefit of the city. The bonds are not for the benefit of any individual citizen or  
1479 identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;

1480 M. Extension: The time period for the completion of the required essential infrastructure improvements  
1481 may be extended in the following manner upon approval of the city council:

1482 1. The developer may submit a new bond for approval;

1483 2. The existing bond may be extended upon payment, by the developer, of the actual administrative  
1484 costs incurred in reevaluating the sufficiency of the bond amount.

1485 **13-5-150: DELAY AGREEMENT:**

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1486 In lieu of the bond requirements outlined above, at the city's sole option, the developer may be  
1487 permitted to execute an agreement, in a form acceptable to the city attorney, delaying the installation  
1488 of any or all of the essential infrastructure improvements required pursuant to this title.

1489 **13-5-160: RECORDING OF PLAT:**

1490 After planning commission approval, completion of the required essential infrastructure improvements  
1491 or filing of the bond agreement described herein, and signing of the plat by all those required, the plat  
1492 shall be presented by the city recorder to the Davis County recorder for recordation.

1493 **13-5-170: EXPIRATION OF FINAL APPROVAL:**

1494 If the plat is not recorded within six (6) months from the date of planning commission approval, such  
1495 approval shall be null and void. This time period may be extended for additional six (6) month periods by  
1496 the city manager. The developer must petition for an extension, prior to the expiration of the original six  
1497 (6) months, or an extension previously granted. An extension may be granted only if it is determined  
1498 that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision  
1499 approval, including, but not limited to, inspection fees, parks fees, flood control fees, as well as the  
1500 amounts the city uses to estimate bonds to ensure completion of improvements, have increased, the  
1501 city manager may require that the bond estimate be recalculated and that the developer pay any  
1502 applicable fee increases as a condition of granting the extension.

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**13-6: PLANNED UNIT, CONDOMINIUM, RECREATIONAL VEHICLE AND MOBILE HOME DEVELOPMENTS**

**13-6-010 ~~10-7-4~~: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:**

**13-6-020 ~~10-19~~: CONDOMINIUM SUBDIVISIONS**

**13-6-030 ~~10-7-5~~: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE PARKS; SPECIAL REQUIREMENTS:**

**13-6-010~~10-7-4~~: 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. and to allow diversification in the interrelationships of various uses and structures within their sites and thus offers an alternative method to the traditional type of development.~~ 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.~~

~~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. Through the flexibility of the planned unit development regulations, the city seeks to achieve the following specific objectives:~~

- ~~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~~

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1540 In return for greater flexibility in site development, the PUD introduces some special requirements and  
1541 standards for design approval. These conditions will be employed to maximize quality of site design.  
1542 They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more  
1543 conventional development. The PUD process will not be used as a device to force a decrease in  
1544 residential density below that otherwise allowed by the comprehensive plan and underlying zoning.

1545 B. Condominiums To Be Developed As Planned Unit Development: Where, in the opinion of the planning  
1546 commission, the unique features of a condominium project (i.e., ownership, financing, topography,  
1547 types of land uses, etc.) require more flexibility in design solutions in order to protect the public interest,  
1548 the proposed condominium project shall comply with the provisions of this chapter, and contrary  
1549 provisions of other ordinances adopted by the city may be waived by the planning commission.

1550 B. Planned Unit Developments Approval: A development which is to be developed as a PUD shall be  
1551 processed in the same manner as minor or major subdivisions. PUD developments shall comply with the  
1552 underlying zoning requirements except as specifically varied by this section.

1553 C. Planned Unit Developments To Meet Use Limitations Of Districts Wherein Located:

1554 1. Land uses permitted within a PUD subdivisions shall comply with the underlying zone district.  
1555 Multi-family attached dwellings shall only be allowed to the extent permitted in the underlying  
1556 zone. No conditional use permit for a planned unit development shall be granted unless such  
1557 development will meet the use limitations of the zoning district in which it is to be located, including  
1558 planned unit developments in planned districts, and

1559 2. The density allowed in a residential PUD shall be determined by calculating the net developable  
1560 area of the development divided by the minimum land area required per dwelling unit within the  
1561 zone district. Net developable area is defined as the total development parcel less the area required  
1562 for private or public road rights of ways and including the required adjacent pedestrian walkways  
1563 and park strips. meet the density and other limitations of such districts, except as such requirements  
1564 may be lawfully modified as provided by this chapter or by district regulations. Compliance with the  
1565 regulations of this title in no sense excuses the development from the applicable requirements of  
1566 the subdivision regulations, except as modifications thereof are specifically authorized in the  
1567 approval of the application for the planned unit development.

1568 D. Required Conditions:

1569 1. Area: No planned unit development shall have an area less than that approved by the planning  
1570 commission as adequate for the proposed development.

1571 2. Arrangement Of Structures; (residential)

1572 a. Open Space: The planning commission shall require such arrangements of structures ~~and to~~  
1573 consolidate and maximize usable open spaces for the enjoyment and convenience of future  
1574 residents of the development. Care shall be taken ~~as necessary~~ to assure that adjacent properties  
1575 will not be adversely affected. ~~In particular:~~

1576 ab. Perimeter Setback: All structures within a PUD shall be setback from the perimeter boundary  
1577 of the development a minimum of fifteen (15) feet. Where feasible, buildings of least height and

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1578 ~~the least intensity of buildings and uses shall be arranged around the boundaries of the~~  
1579 ~~development.~~

1580 c. Front Setback (street façade): All front façades of buildings which face a private or public  
1581 street right of way shall be setback a minimum distance of twenty (20) feet from the edge of the  
1582 right of way, including any required sidewalk and park strip.

1583 d. Front Setback (other): All front facades of buildings which face a perimeter development  
1584 boundary or other physical feature or barrier, such as a retaining wall greater than 4 feet in  
1585 height, shall be setback from the perimeter boundary or wall a minimum distance of twenty-five  
1586 feet.

1587 e. Building Separation-front façade(s): Residential structures which front a courtyard or other  
1588 shared common open space have a minimum building separation of thirty (30) feet. Front  
1589 porches, patios, awnings, or above ground decks may extend into the separation distance up to  
1590 five (5) feet. Fenced limited common area may extend up to ten (10) feet into the separation  
1591 distance. Pedestrian walkways within the front separation shall be a minimum of five (5) feet in  
1592 width.

1593 f. Building Separation-rear facades: Residential structures without rear garage or rear alley  
1594 access, shall have a minimum separation distance of thirty (30) feet. Fenced limited common  
1595 area may extend up to fifteen (15) feet into the separation distance.

1596 g. Building Separation-side facades: Adjacent side building facades shall have a minimum  
1597 separation distance of twenty-five (25) feet. Adjacent side yards may be used for common open  
1598 space, pedestrian circulation, or landscaping. Prohibited use in adjacent side yards shall be  
1599 parking and fenced limited common area. Pedestrian walkways within the side separation shall  
1600 be a minimum of five (5) feet in width.

1601 h. Rear Setback (alley loaded): Residential structures with alley loaded garages shall be setback  
1602 from the private street right of way a minimum distance of five (5) feet.

1603 ~~i~~. Lot area, width, yard, height and coverage requirements shall be determined by approval of  
1604 the preliminary design plan.

1605 ~~j~~. Where feasible, buildings or landscaping shall not prohibit the free flow of air or direct  
1606 exposure to sunlight, specifically in regard to solar heating or cooling structures by solar energy  
1607 systems.

1608 ~~k~~. The development will be planned so as to provide solar access to all of the residential units,  
1609 unless waived by the Planning Commission.

1610 3. Plan Preparation: All plans must be prepared by a qualified professional team.

1611 4. Tax Liability For Private Open Space: Ownership for tax liability of private open space reservations  
1612 shall be established in a manner acceptable to the City Council and made a part of the conditions of  
1613 the plan approval.

1614 E. Preservation, Maintenance And Ownership: Preservation, maintenance and ownership of required  
1615 open spaces within development shall be accomplished by:

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- 1616 1. Dedication: Dedication of the land to the City as a public park or parkway system, including a  
1617 certificate of title insurance; or
- 1618 2. Easement:
- 1619 a. Granting to the City a permanent, open space easement on and over the said private open  
1620 spaces to guarantee that the open space remains perpetually in recreational or park use, with  
1621 ownership and maintenance being the responsibility of an owners' association established with  
1622 articles of association and bylaws which are satisfactory to the City Council; or
- 1623 b. Granting to the City a permanent, open space easement on and over the said private open  
1624 spaces to guarantee that the open space remains perpetually in recreational or park use, to be  
1625 maintained from the proceeds of a Perpetual Maintenance Trust Fund established by the  
1626 developer in an amount satisfactory to the City Council; or by
- 1627 3. Condominium Ownership Act: Complying with the provisions of the Condominium Ownership Act,  
1628 Utah Code Annotated title 57, chapter 8, as amended, which provides for the payment of common  
1629 expenses for the upkeep of the common areas and facilities. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1630 **13-6-020 10-19: Chapter 19** CONDOMINIUM SUBDIVISIONS

- 1631 **10-19-1: PURPOSE AND INTENT:**
- 1632 **10-19-2: SUBMISSION OF APPLICATION:**
- 1633 **10-19-3: STAFF REVIEW:**
- 1634 **10-19-4: PRELIMINARY APPROVAL BY PLANNING COMMISSION:**
- 1635 **10-19-5: NOTICE TO TENANTS IN CONVERSION PROJECT:**
- 1636 **10-19-6: TENANT PROTEST REVIEW:**
- 1637 **10-19-7: FINAL APPROVAL BY PLANNING COMMISSION:**
- 1638 **10-19-8: APPROVAL BY CITY COUNCIL:**
- 1639

1640 **10-19-1: PURPOSE AND INTENT:**

- 1641 A. The procedures and requirements of this ~~chapter~~ section shall apply to and govern the processing of  
1642 condominium record of survey maps pursuant to the requirements of the condominium ownership act,  
1643 Utah Code Annotated title 57, chapter 8. Said procedures and requirements shall supplement zoning,  
1644 site development, health, building and other ordinances applicable to a particular condominium project,  
1645 and shall apply to the approval of such projects involving new construction, as well as those involving  
1646 the conversion of existing structures. In addition, condominium projects which contemplate dedication  
1647 of real property or improvements for the use of the public, or condominium projects in which units are  
1648 not contained in existing or proposed buildings, shall also be considered subdivisions requiring  
1649 compliance with all applicable codes of the city.
- 1650 B. It is the intent of this chapter to establish a reasonable process whereby the city can assess the  
1651 impact of mixing collective and individual ownerships, as presented in a particular condominium project,  
1652 upon the public health, safety, convenience and general welfare of present and future inhabitants of the  
1653 city. In the case of commercial or residential conversions of existing buildings, corrections of building  
1654 code violations, the upgrading of vehicle parking facilities and safety of common functional elements of

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1655 the structure or structures are of prime importance. It is also recognized the conversion of existing  
1656 apartments or similar multi-family rental dwelling structures present the potential of relocation  
1657 hardship to existing tenants, especially senior citizens, and warrants that reasonable notice and  
1658 disclosure requirements be established by the city to minimize said hardships. (Ord. 93-5, 7-6-1993, eff.  
1659 7-15-1993)

1660 **10-19-2: SUBMISSION OF APPLICATION:**

1661 CA. Application Requirements: The owner or developer of a proposed condominium project desiring  
1662 approval shall file an application with the ~~zoning administrator~~ community development department in  
1663 accordance with applicable major subdivision process.

1664 1. ~~Two (2) or more copies of the p~~Proposed map accurately drawn to scale as required by Utah Code  
1665 Annotated section 57-8-13, as amended, which shall be made by a registered Utah land surveyor  
1666 ~~using a scale no smaller than one inch to equal forty feet (1" = 40')~~. In addition, said map or an  
1667 additional site plan shall include diagrammatic floor plans identifying boundaries of the project  
1668 units, convertible and expandable areas or spaces and common areas. Said map or plan should  
1669 designate the intended use of common areas (e.g., storage, recreational, parking for guests as  
1670 opposed to unit owners, open space, etc.) and should indicate whether such common areas are to  
1671 be open to the public, assigned to specific units or semiprivate and available only to unit owners.  
1672 Said map or site plan shall also identify and describe in detail the location of existing or proposed  
1673 driveways, pedestrianways, curb cuts, walls, structures, fences, landscaping and sprinkling systems.

1674 2. Two (2) copies, signed in the original, of the proposed condominium declarations and bylaws.

1675 3. Where conversion of an existing building is proposed as part of the condominium project, two (2)  
1676 copies of the property report, prepared by a licensed architect or engineer, including the following  
1677 information, shall be submitted as part of the application, together with the plan for proposed  
1678 improvements, renovations and repairs:

1679 a. The age of the building or buildings.

1680 b. The general conditional, useful life and capacity of the building's structural elements,  
1681 including the roof, foundations, mechanical system, electrical system, plumbing system, boiler,  
1682 and other structural elements.

1683 c. All known conditions constituting deficiencies requiring repair to meet existing Building  
1684 Codes.

1685 d. All known conditions which may require repair or replacement within the next succeeding five  
1686 (5) year period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1687 e. The property report shall certify that the structure or structures conform to the International  
1688 Building Code minimum standards, or the owner shall present plans to bring the structure or  
1689 structures into conformity with said standards prior to issuance of certificates of occupancy.

1690 f. Where it is determined that physical conditions in an existing building do not allow the strict  
1691 application of the International Building Code standard, the City Board of Appeals, as provided  
1692 for in the International Building Code, shall review all requests to vary from these standards and

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1693            may grant variances or approve alternates where it is determined the intent of the requirement  
1694            will be met. In any event, there shall be disclosure to buyers of any conditions that do not meet  
1695            code or standards set by the City. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

1696            4. Proof of notice to tenants as required by section 10-19-5 of this chapter shall be required before  
1697            final approval, but may be submitted, at the owner/developer's option, after preliminary approval is  
1698            obtained from the Planning Commission.

1699            5. To assist the City to defray costs involved with the review of the project, fees shall be submitted  
1700            with a condominium conversion application as outlined in the consolidated fee schedule. (Ord. 93-5,  
1701            7-6-1993, eff. 7-15-1993)

1702            **BD.** Incomplete Applications: Incomplete applications may be proffered and reviewed for advisory  
1703            comment by the ~~Zoning Administrator~~Community development director or Building Inspection  
1704            Department, but shall not be deemed accepted or received until complete, nor shall the condominium  
1705            project be scheduled for any hearings before the Planning Commission until the application is complete,  
1706            except only as provided by subsection A4 of this section. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012  
1707            Code)

1708            **~~10-19-3: STAFF REVIEW:~~**

1709            **EA.** Copies Routed: Upon receipt of a completed application for approval of a condominium project, the  
1710            Community Development Department staff shall route copies of the application and development plans  
1711            in the same manner as a ~~standard-major~~ subdivision as outlined in ~~chapter 3~~ of this title.

1712            **FB.** Review: Additional preliminary review by the planning staff, Fire Marshal and the Building Inspection  
1713            Department shall include, but not be limited to, the following:

1714            1. Planning Staff Review:

1715            a. Letter Of Intent: A letter of intent shall be submitted indicating proposed concept of project  
1716            for review. The condominium declarations and bylaws shall be reviewed as part of the final  
1717            approval process and will include provisions addressing and fixing responsibility for the  
1718            maintenance, upkeep and repair of common areas, including common walls, electrical,  
1719            mechanical, plumbing or utility systems, recreational areas, landscaping and parking areas. The  
1720            declarations shall also restrict the use of any individual residential dwelling unit to single  
1721            "families", as defined in section **10-1-46** of this title. The staff shall also review said declaration  
1722            to require appropriate disclosure of any unusual circumstances, variances or conditions placed  
1723            upon the condominium project for approval.

1724            b. Plans And Related Documents: The staff shall review the plans and related documents to  
1725            determine whether the project conforms to applicable requirements of this title, the status or  
1726            extent of nonconforming rights, applicable conditions imposed upon the building or use by  
1727            ordinance, variance, conditional use permit and/or prior approval under a PUD, clustered or  
1728            group dwelling plan. If the planning staff finds there are violations of applicable zoning  
1729            ordinances or requirements, the staff may recommend denial of the condominium project until  
1730            such violations have been corrected or requirements completed or bonded for prior to final  
1731            approval by the Planning Commission. (Ord. 2012-07, 4-30-2012)

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- 1732 2. Building Inspection Staff Review:
- 1733 a. Upon receipt of the application for approval of a condominium project, the Building  
1734 Inspection Department shall review the proposed building plans for new construction and/or in  
1735 the case of a conversion project, the property report and plan of improvement, renovations and  
1736 repairs to determine conformance with applicable building codes. In the case of a conversion,  
1737 the department shall require inspections of the property and may require supplementation,  
1738 revision and resubmission of the property report where necessary. (Ord. 93-5, 7-6-1993, eff. 7-  
1739 15-1993)
- 1740 b. In the preliminary review report to the planning commission, the building inspection  
1741 department shall note corrections, repairs and replacements which must be made to bring the  
1742 structures into code compliance, together with a list of renovation improvements proposed by  
1743 the owner/developer which are not required by code. The chief building official shall also list  
1744 any requirements of the international building code that needs board of appeal consideration  
1745 due to unique circumstances associated with the structure. The building official may then  
1746 recommend denial until such time as existing violations of code are corrected or may  
1747 recommend preliminary approval of the project and building report subject to correction of the  
1748 violations prior to final approval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 1749 3. Fire Marshal Review: The fire marshal shall inspect each structure proposed for conversion and  
1750 shall submit a report thereon to the planning staff outlining the conditions of the structures as they  
1751 relate to fire safety. The marshal shall stipulate those conditions requiring improvement, prior to  
1752 occupancy, in the report. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1753 ~~10-19-4: PRELIMINARY APPROVAL BY PLANNING COMMISSION:~~

1754 ~~GA. Planning Commission~~ Consideration: Upon completion of the recommendations of the ~~building~~  
1755 ~~inspection department, the planning staff, engineering staff development review committee~~ and the fire  
1756 marshal, the matter shall be set for consideration by the planning commission in the same manner  
1757 prescribed for a major subdivision as provide in this title.

1758 ~~HB.~~ Findings For Approval: If the planning commission finds that the project is in full compliance with:

- 1759 1) ~~1)~~ applicable city ordinances;
- 1760 2) ~~2)~~ the requirements of the condominium ownership act;
- 1761 3) ~~3)~~ that proper notice to tenants has been given; and
- 1762 4) ~~4)~~ that in every way the project is ready for final approval, ~~7)~~

1763 ~~T~~he planning commission may grant final approval of the project, authorize the signature of the  
1764 chairperson to be placed upon the necessary documents ~~and forward the project onto the city council~~  
1765 ~~for their consideration.~~

1766 ~~IC.~~ Preliminary Approval: If the planning commission finds that the project substantially complies with  
1767 the above mentioned criteria but that certain facts of the proposal require changes or modifications  
1768 prior to final approval, or that tenant notification has not been completed, the planning commission

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1769 may grant preliminary approval to the project with instructions as to what criteria must be met prior to  
1770 submission for final approval.

1771 **J.D.** Disapproval: If the planning commission finds the project in conflict with the ordinances of the city  
1772 and/or the state and is not in the best interests of the city as a whole and/or specific neighborhood in  
1773 which the project is proposed to be located, or if it is not satisfied with the site development plans of  
1774 the project, the planning commission may disapprove the project specifying in detail the reasons for  
1775 disapproval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1776 **10-19-5: NOTICE TO TENANTS IN CONVERSION PROJECT:**

1777 **K.A.** Notice: As part of the application for approval of a condominium project, when said project involves  
1778 the conversion of an existing structure where the structure has been occupied by residential or  
1779 commercial tenants prior to application for conversion, the owner/developer shall provide notice of  
1780 intended conversion to said tenants by certified mail. This notice requirement shall not apply to a  
1781 structure that was vacant and remained so during the year prior to filing of the developer's application  
1782 for conversion. Such notice shall include:

- 1783 1. The proposal for the conversion of the building to a condominium project;
- 1784 2. The established dates of construction period and termination of occupancy which shall not be less  
1785 than sixty (60) days from the date notice is served upon occupants or expiration of individual leases,  
1786 whichever is longer;
- 1787 3. The disclosure of the sales price for each unit shall be no greater than the price initially advertised  
1788 and offered to the general public at such time as when the condominiums are offered for public  
1789 sale;
- 1790 4. Relocation information for the tenants specifying available alternative housing relocation  
1791 resource agencies and organizations and a plan of any services to be voluntarily provided by the  
1792 owner/developer. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1793 **L.B.** Dissemination Of Notice: A copy of said notice, together with a list prepared by the owner/developer  
1794 identifying names, apartment or unit numbers, approximate ages, rental rates and other known special  
1795 ~~handicaps disabilities~~ or factors affecting relocation needs of the tenants, shall be submitted to the  
1796 Davis County housing authority and the county social services department to advise said agencies of the  
1797 conversion and/or solicit their assistance with relocation services. No final approval of such a conversion  
1798 project shall be granted by the planning commission until the owner/developer has provided proof of  
1799 notice by certified mail or subsequent proof of actual delivery by method of services allowed under  
1800 state law of such notices and relocation information as required above, and any plans for relocation  
1801 services to be voluntarily provided by the owner/developer and the time designated therein (a  
1802 minimum of 60 days) has expired. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

1803 **10-19-6: TENANT PROTEST REVIEW:**

1804 **M.A.** Protest Review Procedure: When a tenant of a residential dwelling has received written formal  
1805 notice of eviction without cause and without at least sixty (60) days notice of conversion required above  
1806 and has reason to believe that notice was issued because of a proposed condominium project, he may,  
1807 within thirty (30) days of the date of the notice of eviction, initiate an appeal regarding the issue of

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1808 proper notice to the ~~zoning administrator~~community development director in the city planning office.  
1809 The filing of such a protest shall stay the issuance of any approval or issuance of any permits for the  
1810 structure in question for a period not to exceed thirty (30) days and the matter shall be set for hearing  
1811 before the planning commission.

1812 **NB.** Investigation: Upon filing a tenant appeal, the planning staff shall institute an investigation to  
1813 determine if the notice requirements set forth above were satisfied. They shall then report their findings  
1814 to the planning commission within ten (10) days of filing of the appeal. (Ord. 93-5, 7-6-1993, eff. 7-15-  
1815 1993)

1816 ~~**10-19-7: FINAL APPROVAL BY PLANNING COMMISSION:**~~

1817 **O. Final Approval.** If upon submission of the recommendations of the building official and planning staff,  
1818 engineering staff and fire marshal, the planning commission finds that the project is in compliance with  
1819 applicable ordinances and the requirements of preliminary approval, the planning commission may  
1820 grant final approval. The planning commission will review recommendations for the ~~planning staff,~~  
1821 ~~engineering staff, development review committee and~~ the fire marshal and building official for work  
1822 that is proposed for subsequent completion, bonding or waiver and may otherwise impose appropriate  
1823 terms upon such bonding or conditions upon its approval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1824 ~~**10-19-8: APPROVAL BY CITY COUNCIL:**~~

1825 ~~**A. Submission To City Council:** Upon final approval by the planning commission, the planning staff shall~~  
1826 ~~ensure all conditions of approval have been completed, all final documentation is signed and submitted,~~  
1827 ~~including any required bonds or agreements required to be filed, and shall then submit the matter,~~  
1828 ~~together with the recommendation of the planning commission with the chairperson's signature upon~~  
1829 ~~the map before the city council for final approval. If the city council shall determine said project is in~~  
1830 ~~conformity with the requirements of applicable ordinances of the city, or if they reject any offers of~~  
1831 ~~dedication, or if~~

1832 **P. Disapproval.** ~~If the planning commission is~~ not satisfied with plans of a project which constitutes a  
1833 subdivision, the ~~city council~~planning commission may disapprove said map, specifying reasons for  
1834 disapproval.

1835 **BQ.** Reconsideration: Within thirty (30) days after the ~~city council~~planning commission has disapproved  
1836 any project, the developer may file with the planning staff a map or documents altered to meet the  
1837 requirements of the ~~city council~~planning commission or may appeal the denial to the City Council. Upon  
1838 receipt of said map or documents, the matter shall be referred ~~back~~ to the planning commission or city  
1839 council by the planning staff for reconsideration.

1840 **CR.** Force And Effect: No final map shall have any force or effect until the same has been approved by  
1841 the city as reflected by the signature of the mayor and is officially recorded with the city recorder within  
1842 ~~eighteen six (186)~~ months from the date of the mayor's signature. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1843

1844 **13-6-030 10-7-5: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE**  
1845 **PARKS; SPECIAL REQUIREMENTS:**

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- 1846 A. Purpose And Intent: The purpose and intent of this section is to:
- 1847 1. Permit variety and flexibility in land development for residential purposes by allowing the use of
- 1848 mobile homes and recreational vehicles under certain conditions.
- 1849 2. Require that mobile home and recreational vehicle developments will be of such character as to
- 1850 promote the objectives and purposes of this title; to protect the integrity and characteristics of the
- 1851 district contiguous to those in which mobile home parks are located; and to protect other land use
- 1852 values contiguous to or near mobile home or recreational vehicle developments.
- 1853 B. Location:
- 1854 1. Mobile Homes: No mobile home shall be located anywhere within the corporate boundaries of
- 1855 the City except in a licensed mobile home park or approved mobile home subdivision, ~~or as~~
- 1856 ~~temporary living quarters by conditional use permit.~~ Emergency or temporary parking of any
- 1857 unoccupied mobile home outside a licensed mobile home park or mobile home subdivision will be
- 1858 permitted for a period not exceeding twenty four (24) hours. This limitation does not apply to
- 1859 unoccupied mobile homes in licensed mobile home sales areas.
- 1860 2. Recreational ~~Coaches~~Vehicles:
- 1861 a. Recreational coaches which do not include facilities necessary to be "mobile homes", as
- 1862 defined in section [10-1-46](#) of this title, shall not be used at any place within the corporate
- 1863 boundaries of the City, at any time, for living quarters except in designated camping areas or
- 1864 recreational ~~coach-vehicle~~ parks.
- 1865 b. Recreational ~~coaches~~vehicles which are unoccupied for living space may be ~~temporarily~~
- 1866 stored on an ~~owner's~~ private residential lot ~~or larger parcel of land~~, provided ~~they do not violate~~
- 1867 ~~any required setbacks for front or side yards~~the parking complies with the regulations in section
- 1868 10-6-6 of this title. Long term commercial storage of recreational ~~coaches~~vehicles, maintenance
- 1869 operations, reconstruction or construction activities are permitted within enclosures only and in
- 1870 zoning districts allowing such uses.
- 1871 C. Standards And Requirements:
- 1872 1. Determination Of Compliance: The planning commission shall review the proposed development
- 1873 plan to determine its compliance with all portions of the city general plan and, among other things,
- 1874 shall attempt to make sure that such development will constitute a residential environment of
- 1875 sustained desirability and stability and that it will not adversely affect amenities in the surrounding
- 1876 area. Standards higher than the minimum standards contained in this title may be required if
- 1877 necessary for local conditions of health, safety and protection of property, and to ensure that the
- 1878 development will mix harmoniously with contiguous and nearby existing and planned uses.
- 1879 2. Required Facilities: The planning commission shall not approve any application for mobile home
- 1880 park, recreational vehicle park or mobile home subdivision conditional use permit if the developer
- 1881 cannot provide required water supplies and facilities, waste disposal systems, storm drainage
- 1882 facilities, access or improvements, or if the developer cannot assure that the development will be
- 1883 completed within twelve (12) months, or if the planning commission or city council determines

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1884 there would be unusual danger of flood, fire or other hazard, or if the proposed development would  
1885 be of such character or in such a location that it would:

- 1886 a. Create excessive costs for public services and facilities;
- 1887 b. Endanger the health or safety of the public;
- 1888 c. Unreasonably hurt or destroy the environment;
- 1889 d. Cause excessive air or water pollution, or soil erosion; or
- 1890 e. Be inconsistent with any adopted general or specific plan of the area in which it is to be  
1891 placed.

1892 3. Standards And Requirements Specified; Exception: The development shall conform to the  
1893 following standards and requirements, unless modified by an approved planned unit development  
1894 plan:

- 1895 a. The area shall be in one ownership, or if in several, the application for approval of the  
1896 development shall be filed jointly by all owners of the property included in the plan.
- 1897 b. A strip of land at least fifteen feet (15') wide surrounding the entire park shall be left  
1898 unoccupied by mobile homes, recreational vehicles, storage buildings, service buildings, garages  
1899 or any ~~add-ons,~~accessory buildings or uses and shall be planted and maintained in lawn, shrubs  
1900 or trees, with an approved durable permanent wall or fence designed to afford privacy to the  
1901 development.
- 1902 c. All storage and solid waste receptacles outside the confines of any mobile home or  
1903 recreational vehicle shall be housed in a closed structure compatible in design and construction  
1904 to the mobile homes, and to any service buildings within the development; all patios, carports,  
1905 garages and other add ons shall be compatible in design and construction with the mobile  
1906 home. The service buildings shall be constructed in accordance with standard commercial  
1907 practice and kept in good repair ~~as determined by the zoning administrator~~. In mobile home  
1908 developments where units will be situated with long axis perpendicular to the street, streets will  
1909 run in a north-south direction to the greatest extent possible. This is to promote solar  
1910 orientation of the units.
- 1911 d. In addition to meeting the above requirements and conditions, and conforming to the other  
1912 laws of the city, all mobile home parks, recreational vehicle parks, and mobile home subdivisions  
1913 shall also conform to all applicable state regulations. In the event of any conflict between said  
1914 regulations and this chapter, this chapter shall take precedence where its regulations are more  
1915 strict, and the provisions of the state regulations shall take precedence where such regulations  
1916 are more strict.

1917 4. Utilities Underground: Every mobile home park, recreational vehicle park and mobile home  
1918 subdivision shall provide underground utility service to every mobile home stand or lot as required  
1919 by the planning commission, including, but not limited to, water, sewer, power, natural gas,  
1920 telephone and television.

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1921 5. Inspection And Special Regulation Of Mobile Homes: Mobile homes are considered by the city to  
1922 be less durable and less resistant to deterioration than are conventional homes; therefore, all  
1923 mobile homes which are used for human habitation, whether conforming or nonconforming, and  
1924 whether located in mobile home parks, in mobile home subdivisions or on bona fide farms and  
1925 ranches, shall be subject to the following special regulations:

1926 a. Permits are required for mobile home setup, plumbing and electrical hookups, and such  
1927 hookups shall be made only by licensed plumbers and electricians.

1928 ~~b. No mobile home may be placed on a permanent foundation without state approved~~  
1929 ~~modification.~~

1930 c. A certificate of compliance is required for all mobile homes within the city, whether occupied  
1931 or awaiting occupancy, and may be obtained from the building official following an inspection  
1932 wherein the mobile home is found to meet the safety, sanitary and structural standards adopted  
1933 by the city. The state or federal inspection certificate will be honored in lieu of a certificate of  
1934 compliance.

1935 ~~d. Each mobile home may be inspected annually, or upon evidence of need, by the building~~  
1936 ~~official, to determine whether the structure is sound and being kept in a safe and sanitary~~  
1937 ~~condition for human habitation. During the inspection, the building official may revoke the~~  
1938 ~~certificate of compliance or certificate in lieu thereof for cause, including, but not limited to,~~  
1939 ~~violation of the fire or sanitary codes adopted by the city, substantial deterioration of structure~~  
1940 ~~so as to adversely affect the health or safety of the occupants, or deterioration in appearance so~~  
1941 ~~as to be unsightly and to adversely affect the value of neighboring properties.~~

1942 ~~e. Upon the revocation of a certificate of compliance or certificate in lieu thereof, or a finding of~~  
1943 ~~noncompliance, the building official shall order the deficiencies corrected and a certificate of~~  
1944 ~~compliance obtained within thirty (30) days.~~

1945 ~~f. If such deficiencies are not corrected, or cannot be corrected, the mobile home shall be~~  
1946 ~~ordered vacated and removed from the premises upon which located, and shall not thereafter~~  
1947 ~~be used for human habitation within the city, unless all deficiencies are corrected and a~~  
1948 ~~certificate of compliance obtained.~~

1949 6. Compliance With Other Regulations: Any mobile home or recreational vehicle located in any  
1950 permitted area shall comply with and conform to all other zoning laws, rules and regulations, and  
1951 building, plumbing, electrical and fire prevention codes, and all other codes and requirements  
1952 applicable to a structure or building erected within the district in which said mobile home or  
1953 recreational vehicle is located.

1954 7. Guarantees:

1955 a. For mobile home parks and recreational vehicle parks, adequate and reasonable guarantees  
1956 must be provided as determined by the planning commission and city council for permanent  
1957 retention of open spaces and for the maintenance of roadways, storage facilities, service  
1958 facilities and landscaping resulting from the application of these regulations. The developer shall  
1959 record against the property a declaration of covenants, conditions, restrictions, and easements

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1960 (CCRs) which shall provide for an owner’s association or management assignment responsible  
1961 for the maintenance of all common areas and infrastructure. The declaration shall provide  
1962 provisions an initial operating budget, as well as future yearly budgets, estimated payments of  
1963 dues and fees by owners or tenants of the park, and the implementation of a reserve fund for  
1964 future maintenance and repairs for all park infrastructure and improvements. The developer  
1965 shall provide to the Planning Commission a management plan and a copy of the first 3 years  
1966 budget and provide an operating account with funds sufficient to cover the operating expenses  
1967 for said first 3 years. Guarantees shall be in the form of a bond, or a cash deposit, in a sum to be  
1968 determined by the planning commission, which form must be approved by the city council and  
1969 the city attorney. The basis for providing assurance of compliance will be a management plan  
1970 developed by the applicant and approved by the planning commission and city council ~~that will~~  
1971 shall outline standards of operation, remedies for failure to comply with those standards and a  
1972 single responsible person or entity for its administration and ~~dealing communication~~ with the  
1973 city.

1974 b. In any case, when a mobile home park or recreational vehicle park is owned by more than one  
1975 person, the ~~developer owners~~ shall establish and appoint a park manager. The manager shall be  
1976 authorized to receive, process and represent fully the interests of the owners in respect to  
1977 continuing management and maintenance of the park.

1978 c. Prerequisite to the operation of any mobile home park or recreational vehicle park in the city  
1979 shall be the obtaining of an annual business license from the city.

1980 d. In the event a mobile home or recreational vehicle park is not completed according to  
1981 approved plans, or operated and maintained according to the approved management plan, the  
1982 annual business license may be denied or revoked. The mobile homes or recreational vehicles  
1983 and associated property and facilities shall be removed, and all services discontinued before any  
1984 part of the land within the development planning area may be used for any other purpose, or be  
1985 subdivided.

1986 e. The premises on which any mobile home is located, used or occupied shall be maintained in a  
1987 clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds,  
1988 inoperative vehicles or other unsightly material thereon shall constitute a public nuisance and a  
1989 violation of this title. Reasonable guarantees to assure compliance with this requirement will be  
1990 required of the developer and/or owner as a condition of conditional use permit approval and  
1991 ultimately the issuance of the annual city business license.

1992 D. Additional Requirements For Mobile Home Parks: In addition to the requirements for mobile home  
1993 parks outlined in this section, mobile home parks shall meet the following requirements:

1994 1. Number Permitted: The number of mobile homes shall be limited to seven (7) units per acre and  
1995 may be limited to fewer units, depending on mobile home size, topography and other factors of the  
1996 particular site. The mobile homes may be clustered; provided, that the total number of units does  
1997 not exceed the number permitted on one acre, multiplied by the number of acres in the  
1998 development. The remaining land not contained in individual lots, roads or parking shall be set aside  
1999 and developed as parks, playgrounds and service areas for the common use and enjoyment of  
2000 occupants of the development, and the visitors thereto.

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- 2001 2. Distance Between Structures: No home or ~~add-on~~addition shall be located closer than ten feet  
2002 (10') from the nearest portion of any other home or add on. All such homes and ~~add-ons~~additions  
2003 shall be set back at least ten feet (10') from road curbs or walks. If the mobile home tongue remains  
2004 attached, it shall be set back a minimum of six feet (6') from road curbs or walks. All mobile homes,  
2005 storage buildings, service buildings, garages, carports or other ~~add-ons~~additions, etc., shall be set  
2006 back at least fifteen feet (15') from any boundary of the mobile home park.
- 2007 3. Off Street Parking: Off street parking shall be provided at the rate of two (2) parking spaces per  
2008 mobile home space, and each such parking space shall have a minimum width of ten feet (10') and  
2009 minimum depth of twenty feet (20'). In no case shall the parking space be located farther than one  
2010 hundred feet (100') from the mobile home space, as approved by the planning commission.
- 2011 4. Bulk Storage Areas: One-story bulk storage areas shall be provided within a mobile home park,  
2012 equivalent to sixty (60) square feet per mobile home space. The area designated for said bulk  
2013 storage shall be improved, landscaped and screened as approved by the planning commission.
- 2014 5. Residential Accommodations: Not less than ten percent (10%) of the gross land area shall be set  
2015 aside for the joint use and enjoyment of occupants in a parklike setting with both active and passive  
2016 recreational accommodations. The land covered by vehicular roadways, sidewalks, off street parking  
2017 and required setbacks shall not be construed as part of this ten percent (10%) common area  
2018 required; provided, however, that in initial stages of development or special smaller developments,  
2019 the minimum area shall be not less than one acre or ten percent (10%), whichever is greater.
- 2020 6. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for  
2021 protective yard lighting the full length of all driveways and walkways.
- 2022 7. Landscaping: All areas not covered by mobile homes or recreational vehicles, hard surfacing or  
2023 buildings shall be landscaped as approved by the planning commission, and such landscaping shall  
2024 be permanently maintained.
- 2025 8. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be  
2026 hard surfaced before the adjacent spaces may be occupied.
- 2027 9. Roadways: The roadways shall be designed to accommodate anticipated traffic, including the  
2028 following standards, unless modified by an approved planned unit development plan:
- 2029 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for  
2030 maneuvering mobile homes.
- 2031 b. Two-way traffic: A minimum of thirty feet (30') in width.
- 2032 c. Entrance roadways: A minimum of thirty six feet (36') in width.
- 2033 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled  
2034 gutters or an approved equivalent.
- 2035 e. Sidewalks: Thirty six inch (36") minimum width sidewalks shall be installed on all main  
2036 roadways within the development, if required by the planning commission.

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- 2037 f. Access: Each park shall have at least two (2) accesses to public streets, unless more than one  
2038 access is prohibited by a responsible public agency.
- 2039 10. Skirting: Within forty five (45) days of occupancy, each mobile home shall be skirted, or if shields  
2040 are used, they are to be fireproof, well painted or otherwise preserved.
- 2041 11. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents  
2042 of the development as well as adjacent property owners. Such facilities must be of sufficient  
2043 capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or  
2044 adjacent to the development and shall be provide in accordance with City Ordinance, Title 8 Chapter  
2045 5, Stormwater Management-
- 2046 12. Character; Acreage; Construction And Phase Completion Plan: The mobile home park shall:
- 2047 a. Be in keeping with the general character of the district in which it is to be located.
- 2048 b. Be located on a parcel of land not less than ten (10) acres, or on two (2) or more parcels  
2049 separated by a street or alley only, and totaling ten (10) acres, unless modified by an approved  
2050 planned unit development plan.
- 2051 c. Have at least twenty five (25) spaces completed, ready for occupancy, or an approved  
2052 financing plan for construction and phase completion, together with approved security to assure  
2053 compliance, before first occupancy is permitted.
- 2054 13. Laundry Facility: A laundry for convenience of park occupants, but not for the general public,  
2055 may be included in mobile home parks.
- 2056 14. Term Of Occupancy: No mobile home space shall be rented for a period of less than thirty (30)  
2057 days, and occupancy shall be by written lease. Leases shall be made available for inspection by the  
2058 officials of the city upon demand.
- 2059 15. Access: Access shall be provided to each mobile home stand for maneuvering mobile homes into  
2060 position. The accessway shall be kept free from trees and other immovable obstructions. Paving  
2061 under mobile homes will not be required if adequate support is provided as required by state  
2062 regulations. Uses of planks, steel mats or other means to support the mobile home during  
2063 placement shall be allowed, so long as the same are removed upon completion of placement.
- 2064 E. Additional Requirements For Recreational Vehicle Parks: In addition to the requirements for  
2065 recreational vehicle parks outlined in this section, recreational vehicle parks shall meet the following  
2066 requirements:
- 2067 1. Location: Recreational vehicle parks shall generally be located:
- 2068 a. Adjacent to or in close proximity to a major traffic artery or highway.
- 2069 b. Near adequate shopping facilities.
- 2070 c. Within or adjacent to a mobile home park.
- 2071 2. Recreational Area: Not less than ten percent (10%) of the gross land area shall be set aside for the  
2072 joint use or enjoyment of occupants. The land covered by vehicular roadways, sidewalks and off

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2073 street parking shall not be construed as part of the ten percent (10%) common area required for  
2074 parks and playgrounds for occupants; provided, however, that in initial stages of development or in  
2075 special smaller developments, the minimum area shall not be less than one-half (1/2) acre or ten  
2076 percent (10%), whichever is greater.

2077 3. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for  
2078 protective yard lighting the full length of all driveways and walkways.

2079 4. Landscaping: All areas not covered by recreational vehicles, hard surfacing or buildings shall be  
2080 landscaped and permanently maintained pursuant to a plan approved by the planning commission.

2081 5. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be  
2082 ~~hard surfaced~~paved with asphalt or concrete before the adjacent recreational vehicle spaces may be  
2083 occupied.

2084 6. Roadways: The roadways shall be designed to accommodate anticipated traffic, including the  
2085 following standards, unless modified by an approved planned unit development plan:

2086 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for  
2087 maneuvering recreational vehicles.

2088 b. Two-way traffic: A minimum of thirty feet (30') in width.

2089 c. Entrance roadways: A minimum of thirty six feet (36') in width.

2090 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled  
2091 gutters or an approved equivalent.

2092 e. Sidewalks: Thirty six inch (36") minimum width sidewalks shall be installed on all main  
2093 roadways within the development, if required by the planning commission.

2094 f. Access: Each recreational vehicle park shall have at least two (2) accesses to public streets,  
2095 unless more than one access is prohibited by a responsible public agency.

2096 7. Term Of Occupancy: No individual space in a recreational vehicle park shall be used by one  
2097 individual recreational vehicle for more than **ninety (90) days** consecutively, nor shall such space be  
2098 rented or leased to any one individual for a period longer than ninety (90) days in any one calendar  
2099 year.

2100 8. Use As Permanent Living Quarters Prohibited: Recreational vehicles may be stored where  
2101 permitted, but not used for permanent living quarters.

2102 9. Sales Lots: Recreational vehicles may be stored, displayed, sold and serviced, but not used for  
2103 living quarters, in a sales lot in an appropriate zoning district when such use is a permitted or a  
2104 conditional use.

2105 10. Screening; Access: Recreational vehicles may be accommodated in an approved and licensed  
2106 mobile home park; provided, that:

2107 a. The recreational vehicle park portion of the development is separated by barriers, screens or  
2108 otherwise from the area of mobile homes.

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- 2109            b. The recreational vehicle use area shall have direct access to a collector or arterial street.
- 2110            c. Separate ingress and egress shall be provided for recreational vehicles when required by the  
2111            planning commission.
- 2112            11. Area; Construction And Phase Completion Plan: Recreational vehicle parks may be approved by  
2113            the city council in locations permitting such use in this title. Before such approval is given, a report  
2114            to the city council by the planning commission shall find that the proposed development will:
- 2115                   a. Be placed on a parcel of land of not less than five (5) acres, or within a mobile home park,  
2116                   unless modified by a planned unit development plan.
- 2117                   b. Before first occupancy, have at least twenty five (25) spaces completed (10 if in a mobile  
2118                   home park), or an approved schedule of financing, construction and phase completion, and  
2119                   approved security, to assure compliance.
- 2120            F. Additional Requirements For Mobile Home Subdivisions: In addition to the requirements for mobile  
2121            home subdivisions outlined in this section, mobile home subdivisions shall meet the following  
2122            requirements:
- 2123                   1. Area; Lots; Homeowners' Association: Mobile home subdivisions may be approved by the city  
2124                   council in locations permitting such use in this title. Before such approval may be granted, a report  
2125                   to the city council by the planning commission shall find that the proposed development will:
- 2126                       a. Be located on a parcel of land containing not less than five (5) acres.
- 2127                       b. Contain lots with a minimum net area of five thousand (5,000) square feet and a minimum  
2128                       width of fifty feet (50').
- 2129                       c. Be organized in a homeowners' association, if required by the planning commission.
- 2130                   2. Security Compound: The planning commission may require a security compound for the storage  
2131                   of vehicles, boats and other large items, to be provided equivalent to a minimum of three hundred  
2132                   (300) square feet of paved area per mobile home lot, to be maintained by a homeowners'  
2133                   association in the mobile home subdivision.
- 2134                   3. Skirting: Each mobile home shall be skirted or shielded within forty five (45) days of occupancy. If  
2135                   shields are used, they are to be fireproof and painted, or otherwise preserved.
- 2136                   4. Street Widths: Street widths shall be as required by the development regulations, except as may  
2137                   be modified by an approved planned unit development plan.
- 2138                   5. Term Of Occupancy: No mobile home in a mobile home subdivision shall be rented or leased for a  
2139                   period of less than ninety (90) days. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 2140
- 2141

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**13-7: 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:**

13-7-010: Plat Amendments: **[existing language from 10-7-7(H)]**

A.2. The application for a proposed plat amendment shall be submitted to the community development department and shall contain the following:~~Petition To Change Or Vacate Subdivision Plat:~~

~~a. General Petition Contents:~~

~~1.(1) A complete application on forms created by the city;~~

~~2.(2) Ten (10) Two (2) 24" x 36" copies, one (1) reduced 11" x 17" copy, and an electronic copy of a preliminary the proposed plat amendment drawing showing the land to be subdivided lots to be amended, properly and accurately drawn to scale, certified as accurate by a registered land surveyor or professional engineer;~~

~~(3) One reduced eleven inch by seventeen inch (11" x 17"), or eight and one half inch by eleven inch (8½" x 11") copy of the preliminary plat drawing;~~

~~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.(4) For plat amendments which vacate or amend a public right of way or public trail, stamped, addressed envelopes for property owners within 300 feet of the boundary of the plat and all property owners within the boundary of the proposed amended plat. Notice of public hearing shall be delivered as detailed in 10-3-3 Public Hearings. The name and address, on gummed mailing labels, of the following:~~

~~(A) All owners, as shown in the last county assessment rolls, of the land contained in the entire original or previously amended subdivision plat and of all property owners within three hundred feet (300') of the property (excluding streets) that is the subject of the proposed plat change;~~

~~(B) All owners, as shown in the last county assessment rolls, of land within the subdivision plat or adjacent to any street that is proposed to be closed, vacated, altered or amended;~~

~~(C) The name and address of the petitioner.~~

~~(5) A current ownership plat from the Davis County recorder's office showing the entire subdivision plat and notice area.~~

~~5.b. Fees: The petitioners shall pay, with the amendment petition, the appropriate fees pursuant to the consolidated fee schedule for the city.~~

B.3. Review Process: Subdivision Amendments Not Involving Streets:

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- 2177 ~~a~~1. Applicability:
- 2178 ~~a~~. Residential, commercial, industrial or agricultural subdivision amendments ~~not involving the~~  
2179 ~~closure, vacation, alteration, addition or amendment of any street, or~~ that cannot be processed  
2180 as routine and uncontested lot line adjustments, shall be processed pursuant to this subsection.
- 2181 ~~b~~. Plat amendments that create one or more additional lots to the subdivision, shall not be  
2182 processed as a plat amendment, but shall be processed as new subdivision.
- 2183 ~~b~~2. City Internal Review:
- 2184 ~~(1)~~a. The community development department shall obtain comments regarding the  
2185 amendment petition from all interested city departments.
- 2186 ~~(2)~~b. If the development review committee determines that the proposed amendment petition  
2187 may have an adverse material impact on traffic, it may require the applicant to submit a  
2188 professionally prepared traffic impact study ~~prior to the hearing on the application.~~
- 2189 ~~(3)~~c. The departmental comments shall be transmitted to the ~~petitioner~~ applicant.
- 2190 ~~c~~3. Planning Commission Hearing~~Review~~:
- 2191 ~~(1)~~a. Plat amendments which vacate or amend a public right of way or public trail shall be  
2192 noticed for Public Hearing in accordance with Section 10-3-3 of this code and as required by  
2193 Utah State Code Annotated. The planning commission shall hold a public hearing to consider the  
2194 amendment petition.
- 2195 ~~b~~. For plat amendments which amend the location of a public utility easement, the applicant  
2196 shall provide evidence that no public utilities have been located within the existing easement, or  
2197 shall provide letters from all public utilities using the easement consenting to the amendment to  
2198 said public utility easement.
- 2199 ~~(2)~~ Notice of the planning commission hearing shall be mailed to all individuals and entities  
2200 identified in subsection H2a(4) of this section, or its successor.
- 2201 ~~(3)~~c. The planning commission shall review all city departmental comments, comments from the  
2202 ~~petitioner~~ applicant and other individuals, and shall approve or deny the amendment ~~petition~~  
2203 application with specific findings of fact, according to the standards for approval set forth in  
2204 ~~subsection H3d~~ of this section.
- 2205 ~~d~~. For plat amendments which vacate or amend a public right of way or public trail, the planning  
2206 commission shall hold a public hearing on the proposed amendment, consider all city  
2207 departmental comments, comments from the applicant and the public, and shall recommend to  
2208 the city council the approval or denial of the amendment application with specific findings of  
2209 fact, according to the standards for approval set forth in this section. The city council shall  
2210 consider the plat amendment application and approve, approve with conditions, or deny the  
2211 application, according to the same standards and in accordance with state code, as applicable.
- 2212 ~~d~~4. Standards For Approval Of Plat Amendment ~~Petition~~: An plat amendment ~~petition~~ application  
2213 shall be approved only if it meets all of the following requirements:

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- 2214 ~~(1)~~a. The amendment will be in the best interests of the city;
- 2215 ~~(2)~~b. All lots comply with all applicable ~~zoning-land use and subdivision~~ standards;
- 2216 ~~(3)~~c. All necessary and required dedications are made;
- 2217 ~~(4)~~d. Provisions for the construction of any required ~~public improvements~~essential
- 2218 infrastructure improvements are included;
- 2219 ~~(5)~~e. The amendment complies with all applicable laws and regulations; and
- 2220 ~~(6)~~f. The amendment does not materially injure the public or any person and there is good cause
- 2221 for the amendment.

2222 g. No additional lot or parcel is created.

2223 e5. Appeals From Planning Commission Decision Not Involving ~~Streets~~Public Right of Way or Public

2224 Trail:

2225 ~~(1)~~a. If the petitioner, or any ~~notified-affected~~ individual or organization disagrees with the

2226 planning commission decision, a written objection, clearly specifying the reasons therefor, shall

2227 be filed with the city recorder within fourteen (14) days following the planning commission

2228 decision.

2229 ~~(2)~~b. The objection shall be heard before the city council, subject to the ~~provisions of subsection~~

2230 H4d of standards for approval set forth in this sub-section (d) above.

2231 ~~f6.~~ Recordable Instrument: If the amendment petition is approved, the ~~zoning administrator city~~

2232 shall execute and record the final amended subdivision plat and such other documents as may be

2233 required ~~shall be recorded~~ with the Davis County recorder's office.

2234 **13-8-020: Exemptions From Plat Requirement:**

2235 A subdivision plat amendment is not required for a lot line or boundary adjustment as defined in Utah

2236 Code Section 10-9a-523, as amended, but shall be processed as outlined in the following section.

2237 **13-8-030: ~~H.~~Routine and Uncontested Lot Line Adjustments: ~~Vacating Or Changing Subdivision Plat:~~**

2238 1. ~~Routine And Uncontested Lot Line Adjustments:~~

2239 A.a. Purpose: The purpose of this section is to enable routine and uncontested lot line adjustments

2240 between two (2) lots to be considered and approved administratively by the city's development staff.

2241 B.b. Applicability: This section applies to routine and uncontested lot line adjustments between two (2)

2242 legally existing agricultural, residential, commercial or industrial subdivision lots. Applications processed

2243 pursuant to this section shall:

2244 1.~~(1)~~ Meet all applicable ~~zoning-land use code~~ requirements.

2245 2.~~(2)~~ Receive the consenting signatures of all ~~abutting-affected~~ property owners.

2246 3.~~(3)~~ Not affect any street right of way.

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2247 ~~4.(4)~~ Not create any new lots.

2248 ~~5.(5)~~ Not affect any trail right of way.

2249 ~~C.e.~~ General Application Contents: The application for routine and uncontested lot line adjustments shall  
2250 include:

2251 ~~1.(1)~~ The signatures of approval of all ~~abutting affected~~ property owners, ~~and property owners~~  
2252 ~~directly across any abutting streets, whether the property is in the same subdivision or not.~~

2253 ~~2.(2)~~ ~~Three~~ Two ~~(3)~~ copies of a ~~survey drawing~~ preliminary plat drawing, ~~preliminary plat~~, showing  
2254 the ~~lots involved and the lot line to be adjusted, land to be subdivided,~~ properly and accurately  
2255 drawn to scale, certified as accurate by a registered land surveyor or professional engineer, and the  
2256 proposed form of a deed or boundary line agreement for the lot line adjustments.

2257 ~~(3) A current ownership plat from the Davis County recorder's office showing the entire subject area.~~

2258 ~~D.d.~~ Fees: The petitioners shall pay an application review fee consistent with the consolidated fee  
2259 schedule for the city.

2260 ~~E.e.~~ City Internal Review: The development review committee shall review the application for  
2261 completeness and for compliance to the regulations of this title. Upon review of the application and  
2262 ~~preliminary plats~~ survey drawing, the development review committee ~~may either shall~~ approve the lot  
2263 line adjustment if the application conforms the adopted standards and regulations of the land use  
2264 ordinance or deny the lot line adjustment if it does not.

2265 ~~F.~~ Lot line adjustments that are denied by the development review committee may be amended for  
2266 reconsideration or may be appealed to the planning commission by filing a request with the community  
2267 development department.

2268 ~~G.f.~~ Recordable Instrument: If the lot line adjustment is approved, the city ~~recorder or designee~~ shall  
2269 provide a letter of approval signed by the city engineer and community development director, certifying  
2270 that the lot line adjustment conforms to the requirements of the city's land use regulations and  
2271 approving the shall ~~recording of~~ an appropriate deed or ~~deeds~~ boundary line agreement with the  
2272 Davis County recorder's office containing the legal description of each new lot and stating any conditions  
2273 of approval.

2274 ~~4. Subdivision Amendments Involving Streets Or Trails:~~

2275 ~~a. Purpose And Authorization: If the amendment petition involves closure, vacation, alteration,~~  
2276 ~~addition or amendment of any street or trail, the amendment petition shall be processed~~  
2277 ~~pursuant to the provisions of this section. (Ord. 2012-07, 4-30-2012)~~

2278 ~~b. City Internal Review:~~

2279 ~~(1) The community development department shall obtain comments regarding the~~  
2280 ~~amendment petition from all interested city departments or divisions, including, as~~  
2281 ~~applicable, the parks, trails, arts and recreation advisory board. (Ord. 2012-07, 4-30-2012;~~  
2282 ~~amd. Ord. 2014-01, 1-7-2014)~~

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2283 ~~(2) If the development review committee determines that the proposed amendment~~  
2284 ~~petition may have an adverse material impact on traffic, it may require the applicant to~~  
2285 ~~submit a professionally prepared traffic impact study prior to the hearing on the application.~~

2286 ~~(3) The departmental comments shall be transmitted to the petitioner.~~

2287 ~~c. Planning Commission Hearing:~~

2288 ~~(1) The planning commission shall hold a public hearing to consider the amendment~~  
2289 ~~petition.~~

2290 ~~(2) Notice of the planning commission hearing shall be mailed to all individuals and entities~~  
2291 ~~identified in subsection H2a(4)(A) of this section, mailed to the record owner of each parcel~~  
2292 ~~that is accessed by the public street, right of way, or easement, mailed to each affected~~  
2293 ~~entity, published in a newspaper of general circulation, published on the Utah public notice~~  
2294 ~~website, and shall be posted on the subject property at least fourteen (14) days prior to the~~  
2295 ~~scheduled hearing.~~

2296 ~~(3) The planning commission shall review all city departmental comments, comments from~~  
2297 ~~the petitioner and other individuals and shall recommend approval or denial of the~~  
2298 ~~amendment petition to the city council with specific findings of fact, according to the~~  
2299 ~~standards for approval set forth in subsection H3d of this section.~~

2300 ~~d. City Council Meeting:~~

2301 ~~(1) The city council shall hold a public meeting to consider the amendment petition.~~

2302 ~~(2) The city council shall review all city departmental comments, comments from the~~  
2303 ~~petitioner and other individuals, the recommendation of the planning commission and shall~~  
2304 ~~approve or deny the amendment petition with specific findings of fact, according to the~~  
2305 ~~standards for approval set forth in subsection H3d of this section.~~

2306 ~~e. Recordable Instrument: If the amendment petition is approved by the city council, the final~~  
2307 ~~amended subdivision plat and such other documents as may be required shall be recorded with~~  
2308 ~~the Davis County recorder's office.~~

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**13-8: GENERAL REQUIREMENTS**

**13-8-010: GENERAL STANDARDS**

13-8-020: SUBDIVISION LAYOUT:

13-8-030: BLOCKS:

13-8-040: LOTS:

**13-8-050: FLAG LOTS:**

13-8-060: STREETS:

13-8-070: LANDSCAPING:

13-8-080: UTILITIES AND EASEMENTS:

13-8-090: WATERCOURSES:

13-8-100: WARRANTY PERIOD:

**13-8-110: DEDICATIONS OF STREETS AND TRAILS**

**13-8-120: RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

**13-8-010-7-3: GENERAL STANDARDS FOR CONDITIONAL USE DEVELOPMENTS:**

~~When applicable, the following general standards shall apply to all conditional use developments within the city, unless waived for good and sufficient reasons by the planning commission. This section is not intended to apply to single family dwellings unless contained within a multiple home planned unit development (PUD).~~

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 planning commission for approval, together with other required plans for the development.

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 to the planning commission 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, open space, recreational amenities, or public dedications. ~~the entire site to be developed, including especially the yards which abut upon public streets.~~

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 conditional use development.

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2351 G. Water And Sewer Systems: All buildings used for human occupancy when completed shall be served  
2352 by a central water system and central sewage disposal system which have been approved by the  
2353 building official and which are in compliance with applicable local and state law.

~~2354 H. Bond Required: In order to ensure that the development will be constructed to completion in  
2355 accordance with approved plans, the planning commission shall require the developer to post a bond or  
2356 mortgage, or other valuable assurance, acceptable to the city council in an amount equal to the  
2357 estimated cost, plus ten percent (10%), of constructing all required landscaping, road improvements,  
2358 pedestrianways, bike paths, curbs and gutters, hard surfacing, culinary water and sewer lines, as shown  
2359 on the final site plan. Estimates of cost shall be furnished by the city engineer. Final determination of the  
2360 amount of the bond or other assurance shall be made by the city council.~~

~~2361 1. The duration of the bond or other assurance shall be for one or more years from the date of  
2362 approval of the development by the city council. An extension of time for completion may be  
2363 granted by the city council upon application by the developer, provided such application is  
2364 submitted at least sixty (60) days prior to the expiration of the bond or other assurance, and  
2365 provided the issuer of the bond is willing to extend the time of the assurance. (Ord. 93-5, 7-6-1993,  
2366 eff. 7-15-1993)~~

~~2367 2. In the event the developer defaults or fails or neglects to satisfactorily install the required  
2368 improvements within one year from the date of approval of the development by the city council or  
2369 to pay all liens in connection therewith, the city council may declare the bond or other assurance  
2370 forfeited and the city may install or cause the required improvements to be installed using the  
2371 proceeds from the collection of the bond or other assurance to defray the expense thereof. After  
2372 required improvements have been made, any balance after expenses shall be returned to the  
2373 developer at the end of the assurance period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)~~

~~2374 3. The developer shall be responsible for the quality of all materials and workmanship. At the  
2375 completion of the work, or not less than ten (10) days prior to the release date of the bond or other  
2376 assurance, the city engineer shall make a preliminary inspection of the improvements made and  
2377 submit a report to the city council setting forth the conditions of such facilities. If all liens are paid  
2378 and other conditions thereof are found to be satisfactory, the city council shall release the bond or  
2379 other assurance. If the condition of material or workmanship shows unusual depreciation or does  
2380 not comply with the acceptable standards of durability, or if any outstanding liens are not paid, the  
2381 city council may declare the developer in default.~~

2382 H. Design Of Development: In the event that the land contained within a development is traversed by a  
2383 proposed major street, water line, sewer line or drainage channel shown on the general plan, or any  
2384 other official city map, said development shall be designed in accordance therewith. The right of way  
2385 across the development for said major streets, or other right of way, shall be dedicated to the public.

2386 I. Environment Of Residential Areas: Grouping and spacing of buildings and dwellings in residential  
2387 areas shall provide for a restful and uncrowded environment. Landscaped areas shall be encouraged as  
2388 the dominant features of the development. Areas not covered by buildings or by off street parking space  
2389 or driveways shall generally be planted into natural vegetation, lawn, trees and shrubs, and otherwise  
2390 landscaped and maintained in accordance with good landscape practice as approved on the final plan.

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2391 Permanent automatic irrigation systems shall be installed when required by the planning commission to  
2392 provide for maintenance of planted areas.

2393 ~~J.K.~~ Conformance To Standards: Details of plans, plats and documents to be submitted showing the size  
2394 of water lines, sewer lines and other domestic sewage disposal facilities, garbage and trash disposal, the  
2395 quality of material and improvements, protection from adverse influences, lighting, landscaping, off  
2396 street parking, grading and other details of design and construction shall conform to standards as set  
2397 forth in such resolutions pertaining to such standards as may be adopted by the planning commission.

2398 ~~K.L.~~ Ordinance Standards: The development shall meet all standards and requirements of this title and all  
2399 requirements of applicable ordinances.

2400 ~~L.M.~~ Character Of Development: The development shall be in keeping with the general character of the  
2401 district within which it is to be located.

2402 ~~M.N.~~ Plan Preparation: Depending upon the complexity of the project, the planning commission may  
2403 require that plans for the development be prepared by a qualified professional team. In all cases, it is  
2404 recommended that professional design and other assistance be obtained early in the program. It is the  
2405 intent of the city that the developer solve his problems before approval is given and construction begins.

2406 ~~N.O.~~ Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents of  
2407 the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to  
2408 ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the  
2409 development. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

2410 ~~O.P.~~ Inspections: All structures required by this title to have building permits and all uses required to  
2411 have use permits shall be inspected by the building official in accordance with procedures established by  
2412 the international building code, as adopted by the city, and this title; ~~provided, however, that no~~  
2413 ~~building permits for such structures or use permits shall be issued until the planning commission, or the~~  
2414 ~~zoning administrator if authorized by the planning commission and city council, has issued a conditional~~  
2415 ~~use permit for the building site or use, or has determined that a conditional use permit is not required~~  
2416 ~~by this title.~~ (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

2417 ~~(10-7-7-K)~~

2418 ~~K. Design Standards:~~

2419 ~~1. Compliance Required: All developments shall comply with the following standards unless a variance~~  
2420 ~~from one or more provisions of this section is approved by the city council in accordance with the~~  
2421 ~~variance procedure of this title.~~

2422 ~~2. General Standards:~~

2423 ~~Pa.~~ The design of a development shall preserve insofar as possible the natural terrain, natural drainage,  
2424 existing topsoil and trees.

2425 ~~Qb.~~ Land subject to hazardous conditions, such as slides, mudflow, rockfalls, snow avalanches, possible  
2426 mine subsidence, shallow water table, open quarries, floods, and polluted or nonpotable water  
2427 supplies, shall be identified and shall not be developed until the hazards have been eliminated or  
2428 will be eliminated by the development and construction plans.

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2429 ~~22. Permit Required: A conditional use permit shall be required prior to the construction of any~~  
2430 ~~development. Final plan approval shall constitute such conditional use permit for any development.~~  
2431 ~~(Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~

2432

2433

2434 **13-8-020: SUBDIVISION LAYOUT:**

2435 A. Conformance To General Plan: Where a proposed subdivision includes property identified within the  
2436 City General Plan or other Master Planning documents to include specific essential infrastructure  
2437 improvements, such as trails, active transportation improvements, or right of way improvements;  
2438 the developer shall provide a lot layout which accommodates the improvement.

2439 B. Preservation Of Features: Where trees, groves, waterways, scenic points, historic spots or other city  
2440 assets and landmarks, as determined by the city, are located within a proposed subdivision, every  
2441 reasonable means shall be provided to preserve these features.

2442 C. Adjoining Existing Street: Whenever a tract to be subdivided adjoins or contains any part of an  
2443 existing or proposed street so designated on the street plan, such part of the public way shall be  
2444 platted, dedicated and improved by the developer in the location and at the width specified.

2445 **13-8-030: BLOCKS:**

2446 11A. Block StandardsLength: Block lengths shall be reasonable as approved by the planning commission,  
2447 and in total design shall provide for convenient access and circulation for emergency vehicles.  
2448 Generally blocks shall be a minimum of four hundred feet (400') with maximum length of one  
2449 thousand feet (1,000'). In blocks over eight hundred feet (800') in length, a dedicated walkway  
2450 through the block, at approximately the center of the block is required where feasible. Such  
2451 walkways shall be not less than sixteen feet (16') in width with a paved or concrete surface of eight  
2452 feet (8').

2453 B. Double Frontage: Lots having double frontage shall not be approved except where necessitated by  
2454 topographic or other unusual conditions. The planning commission may require that vehicular  
2455 access be restricted for portions of double fronted lots, where access would be deemed difficult due  
2456 to topography or pose a traffic hazard.

2457 C. Width; Variation: The width of each block shall be sufficient for an ultimate layout of two (2) tiers of  
2458 lots therein of a size required by the provisions of this title, unless the general layout of the vicinity,  
2459 lines of ownership, topographical conditions or locations of arterial streets or freeways justify or  
2460 make necessary a variation from this requirement.

2461 **13-8-040: LOTS:**

2462 A. General Requirements: All subdivisions shall result in the creation of lots which are developable and  
2463 capable of being built upon. A subdivision shall not create lots, and no building permit shall be  
2464 issued for any lots which would make improvement impractical due to size, shape, steepness of

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2465 terrain, location of watercourses, problems of sewerage or driveway grades, or other physical  
2466 conditions.

2467 ~~B3~~. Lots: (section 10-7-7-K)

2468 a. No single lot shall be divided by a municipal or county boundary line.

2469 b. A lot shall not be divided by a road, alley or other lot.

2470 c. No wedge shaped lot shall be less than ~~thirty feet (30')~~ in width at the front property line, or the  
2471 lot frontage required in the zoning district, whichever is larger.

2472 d. Side lot lines shall be at right angles to the street which the lot fronts or approximately radial to  
2473 center of street curves or cul-de-sac on which the lot faces.~~street lines, except where justified by~~  
2474 ~~the developer and approved by the planning commission. The planning commission may allow~~  
2475 exceptions to this requirement where considerations are warranted for solar orientation or  
2476 topography.

2477 e. All ~~residential lots in developments created by the subdivision~~ shall front on a public street, or on  
2478 an approved private street, improved to the standards hereinafter required, equal to the  
2479 minimum frontage requirement for the zone, unless modified as part of a planned unit  
2480 development. ~~approved by the planning commission and the city council. Required frontage~~  
2481 ~~shall not be considered to be provided if vehicular access across the street line is prohibited.~~  
2482 ~~Double frontage lots are prohibited unless approved by the planning commission.~~

2483 f. Corner lots shall be so designed as to provide for the same quality and size of building area as  
2484 interior lots by ~~such enlargement as necessary~~ increasing the minimum width by ten feet (10') to  
2485 accommodate the ~~increased~~ required side street setbacks ~~and yards.~~

2486 ~~g. 13-~~ Lot Size Standards: All lots shall conform to area requirements of any existing zoning  
2487 regulations. Where no zoning regulations are in effect, density standards or minimum lot size  
2488 requirements may be specified by the planning commission.

2489 h. All residential lots shall have a buildable area of with an average slope of less than 30% and of at  
2490 least five thousand (5,000) square feet in sized and a minimum dimension of fifty feet (50'). All  
2491 approved lots less than 5,000 sq. ft. in shall be less than 30% average slope.

2492 i. Remnants parcels of property shall not be left which do not conform to lot requirements or are  
2493 not required or suitable for common open space, private utility or public purpose.

2494 j. Lot numbers shall begin with the number "1" and shall continue consecutively through the  
2495 subdivision, with no omissions or duplications. No block designations shall be used. When a  
2496 subdivision is developed in phases, the phase number shall precede each lot number. For  
2497 example, phase 2 would be numbered 201, 202, 203, etc.

2498 **~~13-8-05010-7-8:~~ FLAG LOTS<sup>2</sup>:**

2499 In older areas of the city, certain properties have evolved over time with irregular shapes and sizes,  
2500 some with deep rear lots. As the city continues to see these lots subdivided, there may exist a need to  
2501 develop these deeper lots. Flag lots are one alternative to such development. However, many problems

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2502 can result from the misuse of flag lots, including increased points of traffic access on busy or narrow  
2503 streets, large paved areas created to access rear units, a mass of new units incompatible with an existing  
2504 neighborhood, and the compromising of adequate and safe fire protection to rear units. These problems  
2505 threaten the character and stability of existing neighborhoods. For these reasons, the following  
2506 restrictions and prohibitions are established to better control increasing residential density in  
2507 predominantly single-family neighborhoods through the use of flag lots:

2508 A. Circumstances Permitting: The city discourages and restricts the creation of flag lots. A flag lot should  
2509 be permitted only under certain limited circumstances. Flag lots are prohibited except:

- 2510 1. Where necessary to reduce access onto major streets and thoroughfares;
- 2511 2. To reasonably utilize irregularly shaped land;
- 2512 3. To reasonably utilize land with severe topography;
- 2513 4. To provide for the protection of significant natural or environmentally sensitive areas; or
- 2514 5. To allow a property owner reasonable use and benefit of a parcel of land not otherwise  
2515 developable.

2516 B. Prohibited Flag Lots: Flag lots are expressly prohibited where:

- 2517 1. The creation of the flag lot will increase the number of access points onto a major thoroughfare;
- 2518 2. The density created by the flag lot would exceed the average existing density in the immediately  
2519 adjacent developed residential area; or
- 2520 3. The proposed flag lot would resubdivide an existing lot or lots in a recorded subdivision plat.

2521 C. ~~Conditional Use: Flag lots are conditional uses and must receive planning commission~~  
2522 ~~approval prior to being taken through a subdivision review and approval process.~~ The  
2523 applicant proposing a flag lot must have demonstrated to the planning commission that  
2524 because of topographical features and/or unique situations as set forth in subsection A of this  
2525 section, creation of a flag lot should be allowed.

2526 D. Design Requirements For Flag Lot:

- 2527 1. A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion  
2528 thereof.
- 2529 2. The staff portion of said lot shall front on and be contiguous to a dedicated public street. The  
2530 minimum width of the staff portion of each flag lot shall be thirty feet (30'). Two (2) staffs may be  
2531 placed side by side and be a minimum width of twenty five feet (25') each. The staff shall not be  
2532 longer than one hundred fifty feet (150').
- 2533 3. The flag portion of the lot shall meet the minimum lot size requirement for the zone in which it is  
2534 located. The staff portion shall not count as part of the land area needed to meet the lot area  
2535 requirement.

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- 2536 4. Flag lots must be similar in shape of the buildable area (i.e., rectangular or pie shaped if on a cul-  
2537 de-sac) to the majority of the lots in the immediately adjacent developed residential area.
- 2538 5. The front side of the flag portion of the lot shall be deemed to be that side nearest to the  
2539 dedicated public street upon which the staff portion fronts. The staff portion shall be deemed to end  
2540 and the flag portion shall be deemed to begin at the extension of the front lot line.
- 2541 6. Flag lot units located away from the street shall maintain a presence to the street, be oriented to  
2542 the street, and be visible from the street. A larger building for the flag lot unit in relation to a unit in  
2543 front of the flag lot unit is not acceptable as a means to meet the street presence requirement.
- 2544 7. All minimum required setbacks for the zone in which the flag lot is located shall apply and all front  
2545 setback distances shall be measured from the flag portion of the lot and not from the street.  
2546 Orientation, setbacks and private yards shall conform to the following criteria:
- 2547 a. All units shall orient to the street;
- 2548 b. Each unit shall have both a "front" and "rear" yard on opposite sides of the unit; and (Ord. 07-  
2549 12, 6-5-2007)
- 2550 c. To protect the privacy of yard areas on neighboring properties, large windows and decks on  
2551 the second floor shall not orient to adjacent, surrounding properties. (Ord. 07-12, 6-5-2007;  
2552 amd. 2012 Code)
- 2553 8. An access driveway with a minimum width of twenty feet (20') shall be provided with landscaping  
2554 on each side. The access driveway shall be asphalt or concrete with adequate drainage and shall be  
2555 properly maintained on a continuous basis. Where two (2) flag lots are adjacent to each other, a  
2556 common driveway for both units is encouraged; multiple driveways are discouraged.
- 2557 9. Fire protection for flag lot units. Each proposal to construct a unit on a flag lot more than one  
2558 hundred fifty feet (150') from a public street must first be reviewed and approved by the fire  
2559 marshal and all other criteria listed below prior to receiving a building permit. No primary residential  
2560 structure may be located on a flag lot more than five hundred feet (500') from a public street. All  
2561 measurements shall be taken from the edge of the public right of way along the centerline of the  
2562 driveway or private access driveway to the nearest point of the primary structure. All of the  
2563 following must be met before a building permit may be approved:
- 2564 a. An access road or driveway shall be provided which meets the following standards:
- 2565 (1) An asphalt or concrete surface capable of supporting the imposed load of fire apparatus  
2566 shall be provided and extended to within one hundred fifty feet (150') of all portions of the  
2567 exterior walls of the first story of any building. If constructed of asphalt, the access road or  
2568 driveway shall be a minimum of two and one-half inches (2<sup>1</sup>/<sub>2</sub>" ) of asphalt over a minimum  
2569 of six inches (6") of compacted road base. If constructed of concrete, the access road or  
2570 driveway shall have a minimum of five inches (5") of concrete over a compacted road base.  
2571 The access road or driveway shall be maintained by the property owner or possessor of the  
2572 premises in good condition and repair and with adequate snow removal so as to provide  
2573 free and uninhibited access by emergency service vehicles.

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2574 (2) The access road or driveway shall be a minimum of twenty feet (20') wide. Where such  
2575 roadway is adjacent to required fire hydrants, the width shall be a minimum of twenty six  
2576 feet (26') within twenty feet (20') in either direction from the hydrant. Such required widths  
2577 shall be unobstructed, including parking of vehicles, and shall have a minimum vertical  
2578 clearance of thirteen and one-half feet (13<sup>1</sup>/<sub>2</sub>'). The maximum grade for any access road or  
2579 driveway shall be fifteen percent (15%) at any point measured along the centerline of the  
2580 access road or driveway.

2581 (3) A turnaround approved by the fire marshal shall be provided at the end of the access  
2582 road or driveway.

2583 (4) Each access road or driveway shall be identified and marked by the property owner to  
2584 the satisfaction and approval of the fire marshal. Signs shall be posted near the entrances of  
2585 access roadways and driveways. Signs shall be a minimum of twelve inches by eighteen  
2586 inches (12" x 18") in two and one-half inch (2<sup>1</sup>/<sub>2</sub>" ) block lettering with one-half inch (1/2")  
2587 stroke on a contrasting background. Signs shall read "No Parking - Fire Department Access  
2588 Road".

2589 b. (1) A fire hydrant shall be installed by the city at the expense of the property owner and  
2590 shall be connected by an ~~eight-six~~ eight-inch (68") water line from the water main. The hydrant shall  
2591 be located to the satisfaction and approval of the fire marshal. Fire hydrants shall be located on  
2592 all required access roads or driveways and shall be located within five feet (5') of the required  
2593 access road or driveway.

2594 (2) If, in the opinion of the fire marshal, fire hydrants are vulnerable to vehicular damage,  
2595 appropriate crash posts shall be required. No obstruction shall exist within a three foot (3')  
2596 working area of each fire hydrant. Required crash posts shall be four inch (4") concrete filled  
2597 pipe, having a minimum of three feet (3') in height above grade, with two feet (2') of pipe  
2598 below grade set in concrete. Hydrant shutoff valves shall be located no closer than five feet  
2599 (5') from the hydrant and no further than twenty feet (20').

2600 (3) The fire hydrant, water line and access road or driveway shall be located within a public  
2601 utility easement of at least twenty feet (20') in width such that emergency and utility service  
2602 vehicles and personnel have unimpeded access to the improvements.

2603 c. All dwelling structures shall have installed at the time of construction, and keep continuously  
2604 maintained, a pressurized interior fire protection sprinkling system that complies with the  
2605 minimum standards of the international fire code and is approved by the fire marshal.

2606 d. All of the required improvements shall be installed at the property owner's expense. (Ord. 07-  
2607 12, 6-5-2007)

2608 **Footnotes** – Click any footnote link to go back to its reference.

2609 **Footnote 1:** See section 10-7-8 of this chapter.

2610 **Footnote 2:** See also subsection 10-7-1B1f of this chapter.

2611 **13-8-060: STREETS:**

2612 **A.4. Street Requirements: (10-7-7-K)**

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- 2613 1. ~~a.~~ The street layout shall conform to the general plan of the city.
- 2614 2. ~~b.~~ Minor streets shall be laid out to discharge through traffic.
- 2615 3. ~~c.~~ Stub streets shall be provided where needed to connect to adjacent undeveloped land, and
- 2616 new streets must be provided where needed to connect to existing stub streets in adjacent
- 2617 developments. Not more than six (6) lots shall front on a stub street, except where a temporary
- 2618 cul-de-sac turnaround is provided.
- 2619 4. ~~d.~~ Intersections of minor streets with major collector streets shall be kept to the minimum.
- 2620 5. ~~e.~~ Minimum right of way widths and pavement widths for public and private streets shall be
- 2621 determined by the city standards and specification manual as adopted~~resolution of~~ by the city
- 2622 council for various categories of streets, but shall in no case be less than the following:

Street Category	Minimum ROW	<u>Width to back of curb</u>
Minor arterial	80 feet	<u>62 feet</u>
Major collector street	66 feet	<u>48 feet</u>
Minor collector street	60 feet	<u>42 feet</u>
Local (minor) street	50 feet	<u>32 feet</u>
<u>Private Street</u>	<u>35 feet</u>	<u>26 feet</u>
<u>Private Alley</u>	<u>30 feet</u>	<u>26 feet</u>
<u>Private Alley (one-way)</u>	<u>20 feet</u>	<u>15 feet</u>

- 2623 ~~f.~~ Minimum right of way widths for private streets shall be the same as for public streets of the
- 2624 same use category, unless a different width is approved in a planned unit development. The
- 2625 appropriate use category for a private street shall be determined by the planning commission
- 2626 before a building or use permit is approved along such private street.
- 2627 6. ~~g.~~ Public street shall have roadway widths from, back of curb to back of curb, as adopted by
- 2628 resolution of the city council, but shall in no case be less than the following:

<del>Minor arterial</del>	<del>62 feet</del>
<del>Major collector street</del>	<del>48 feet</del>
<del>Minor collector street</del>	<del>42 feet</del>

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<del>Local (minor) street or frontage road</del>	<del>32 feet</del>
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- ~~h. Minimum roadway widths for private streets shall be the same as for public streets of the same use category, unless a different width is approved in a planned unit development.~~
- ~~i. Where no curbs are required to be installed, a minimum of six foot (6') shoulders shall be provided on each side of the street, not to exceed a two to one (2:1) slope.~~
- ~~1.7.16. Alleys: The planning commission may approve service access to the interior of blocks where deemed to be in the public interest, in which case such alleys must be indicated in the preliminary design plans and on the final plat. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~
- ~~8.~~
- ~~9. j. No half streets are permitted unless approved by the planning commission and city council.~~
- ~~10. k. Dead end streets, including stub streets, shall be permitted or required by the planning commission only to provide future access to adjoining property, except for dead end street systems in cluster developments, in planned unit developments, condominium developments, or similar special projects. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)~~
- ~~11. Streets which provide frontage and access for thirty (30) or more lots or dwelling units are required to have a minimum of two (2) separate means of egress.~~
- ~~12. l. The following standards apply to all temporary and permanent cul-de-sacs:~~
  - ~~a. (1) Cul-de-sacs shall be terminated by a turnaround of not less than one hundred feet (100') in diameter, and the face of curb or pavement edge radius shall be thirty eight and one-half feet (38 1/2') or more.~~
  - ~~b. (2) Temporary cul-de-sacs shall be paved with a minimum of two inches (2") of asphalt or other binder pavement.~~
  - ~~c. (3) Permanent cul-de-sacs shall be paved with a minimum of three inches (3") of asphaltic or portland cement or other binder pavement.~~
  - ~~d. (4) Downhill cul-de-sacs are strongly discouraged and may only be allowed if it can be demonstrated that surface drainage and street grade will be controlled in a manner acceptable by the city engineer. A surface overflow drainage outlet will be designed to protect adjacent properties in the event the curb face inlet(s) become obstructed or clogged.~~
  - ~~e. (5) Cul-de-sac length shall be measured from the centerline of an intersecting street, excluding other cul-de-sacs, along the centerline of the cul-de-sac, to a point at the center of the closed end of the cul-de-sac.~~
  - ~~f. (6) Residential zoning districts:~~
    - (A) A cul-de-sac shall not serve more than twenty (20) lots or exceed six hundred feet (600') in length.
    - (B) The planning commission may recommend to the city council, and the city council may approve, an increase to the maximum length of a cul-de-sac, up to one thousand feet (1,000') in total length, when the following conditions exist:
      - (i) Physical conditions exist which preclude the ability to establish any other practical means of access. Such conditions may include: topography;

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2668 environmentally sensitive areas such as wetlands, ponds, streams, rivers, or lakes;  
2669 or manmade structures that cannot be altered, moved or relocated;

2670 (ii) Construction of a through street will result in undesired cuts and fills or will  
2671 damage natural terrain or drainage; or

2672 (iii) Buildings or existing developments block access to the site, which would result  
2673 in landlocked property or an inefficient development plan; and

2674 (iv) Such an exception has received a favorable recommendation from the South  
2675 Davis metro fire district and the city's development review committee.

2676 (C) Exceptions to cul-de-sac length may also be subject to the following as needed:

2677 (i) Possible modified construction standards such as pavement width and cul-de-sac  
2678 diameter, quantity of fire hydrants, placement of fire hydrants on alternating side of  
2679 street, looped water lines, emergency egress routes or plans, drainage, pedestrian  
2680 easements or other reasonable measures to ensure public safety.

2681 (7) Nonresidential zoning districts:

2682 (A) A cul-de-sac shall not exceed six hundred feet (600') in length. Cul-de-sacs longer  
2683 than six hundred feet (600') may be recommended by the planning commission and  
2684 approved by the city council if the development review committee (DRC) makes a  
2685 written finding that such a cul-de-sac would better preserve the natural terrain and  
2686 vegetation in the area or provide a superior street design or provide needed access to  
2687 landlocked parcels.

2688 (B) The planning commission may require public accessways from a cul-de-sac to  
2689 provide safe circulation for pedestrians and bicyclists. (Ord. 2016-06, 5-17-2016)

2690 13. m. No more than four (4) streets shall enter an intersection.

2691 14. n. Streets shall intersect at ninety degrees (90°), except where otherwise approved as necessary  
2692 by the planning commission upon favorable recommendation of the city engineer.

2693 15. o. The centerlines of two (2) subordinate streets meeting a through street from opposite sides  
2694 shall extend as a continuous line, or the centerlines shall be offset at least one hundred fifty feet  
2695 (150'). (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

2696 16. p. Protection strips are not allowed adjacent to or on public streets and rights of way. (Ord. 93-  
2697 5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

2698 B5. Street Names: The following principles shall govern street names in a subdivision:

2699 1. Streets shall be numbered based on the adopted grid system wherever practical. Alphabetic  
2700 names may be considered for streets of a meandering or diagonal nature or for other  
2701 streets as specifically approved by the planning commission. Streets may also be named but  
2702 there shall be no duplication of street names within the area.

2703 2. All new street names must be approved by the planning commission and shall be given  
2704 to reviewed with the county recorder and building official development review committee  
2705 for review and recommendation prior to the approval of street names by the planning

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2706 ~~commission~~ to avoid duplication or near duplication to any streets in the city or area that  
2707 may lead to confusion of response by public safety agencies.

- 2708 3. Each street which is a continuation of, or an approximate continuation of, any existing  
2709 dedicated street shall be given the name of such existing street.  
2710 4. The words "Street", "Avenue", "Boulevard", "Place", "Way", "Court", or other designation of  
2711 any street shall be spelled out in full on the plat and shall be subject to approval by the  
2712 planning commission. Any street name incorporating one of the terms used above shall  
2713 conform to the established definition of that term. Any named street shall also have the  
2714 proper numerical coordinate as approved by the city engineer.  
2715 5. Street names shall not be permitted that contain a cardinal direction, such as north, south,  
2716 east, or west.

2717 **C6. Curvature And Alignment:**

- 2718 1. a- To ensure adequate sight distances, street roadway line connections shall be made by  
2719 horizontal curves. The minimum centerline radii for minor streets shall be one hundred feet  
2720 (100') and of all other streets shall be three hundred feet (300'). On collector streets, a minimum  
2721 tangent of one hundred feet (100') shall be required between a curve and street intersection; a  
2722 minimum tangent of one hundred feet (100') shall be required between reverse curves.  
2723 2. b- Vertical curves shall be used at all changes of grade exceeding one percent (1%) and shall be  
2724 designed to provide minimum sight distances of two hundred feet (200') for minor streets and  
2725 three hundred feet (300') for all other streets, except that vertical curves for major streets shall  
2726 be as determined by the current specifications of the state department of transportation.

2727 **D7. Frontage On Major Highways:** Where a residential development abuts a major highway, frontage  
2728 roads may be required.

2729 **E8. Roadbed Construction Standards For Paved Roadways For Public and Private Streets:** Minimum  
2730 roadbed grading and paving for ~~minor, collector and major streets~~ all street types shall be  
2731 established within the city standards and specifications manual approved by the city council.  
2732 ~~Reduction of such roadway grading and paving may be approved by the planning commission and~~  
2733 ~~city council for one-way streets, mountain developments or other justifiable design or topographical~~  
2734 ~~reasons.~~

2735 **F9. Street Grades:** All street grades shall be designed as follows:

- 2736 a. ~~a-~~ Major collector streets shall be limited to a maximum grade of ~~twelve ten~~ percent (~~1210~~%).  
2737 b. ~~b-~~ Minor collector streets shall be limited to a maximum grade of ~~twelve ten~~ percent (~~1210~~%).  
2738 c. ~~c-~~ Cul-de-sacs shall terminate with a grade not to exceed three percent (3%) for the last ten feet  
2739 (10') of traveled surface.  
2740 d. ~~d-~~ A street intersection shall have a vertical alignment such that the grade shall not exceed three  
2741 percent (3%) for a minimum distance of fifty feet (50') each way from the centerline of the  
2742 intersection.  
2743 e. ~~e-~~ Maximum grades shall be approved only when accompanied by changes to a lesser grade, and  
2744 where length of that portion of that road at maximum grade is less than six hundred feet (600').  
2745 f. ~~f-~~ All changes in vertical alignment shall be made by vertical curves with minimum length of fifty  
2746 feet (50') for local (minor) streets and one hundred feet (100') for collector streets.

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2747 ~~g.~~ Streets in mountainous terrain shall be designed at less than maximum allowable grade in  
2748 order that they can be safely negotiated and that snow can be removed during winter.

2749 ~~G10.~~ Sidewalks, Curbs And Gutters: Sidewalks, curbs and gutters shall be provided on both sides of all  
2750 streets to be dedicated to the public, ~~unless approved otherwise by the planning commission and~~  
2751 ~~city council.~~ Private streets and one way private alleys shall provide for sidewalk and park strip on  
2752 only one side of the street. Private alleys with rear access garages shall not be required to provide  
2753 sidewalks and park strips. Sidewalks, curbs and gutters may be required by the city council on  
2754 existing streets bordering the development.

2755 ~~H12.~~ Pedestrian Midblock Crosswalks: Where blocks exceed ~~one thousand eight hundred~~ feet (1,0800') in  
2756 length ~~and where a dedicated walkway is required through the block,~~ pedestrian rights a midblock  
2757 crosswalk s of way of not less than ten feet (10') in width may be required by the planning  
2758 commission ~~through blocks~~ where needed for adequate pedestrian circulation. ~~Walk improvements~~  
2759 ~~(paving) of not less than five feet (5') in width shall be placed within the rights of way, when~~  
2760 ~~required by the planning commission.~~

2761 I. Study May Be Required: Where the potential impacts on the existing street systems are considered to  
2762 be great, or in the case of unique circumstances concerning access, topography or street layout, a  
2763 transportation planning/engineering study may be required.

2764 J. Private streets shall not be permitted unless the planning commission finds that the most logical  
2765 development of the land requires that lots be created which are served by a private street or other  
2766 means of access, and makes such findings in writing with the reasons stated therein. All private  
2767 streets shall meet North Salt Lake development standards as it pertains to standard street  
2768 intersections, typical cul-de-sac and standard roadway sections. This includes, but is not limited to,  
2769 submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base  
2770 course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of  
2771 existing improvements, storm drainage systems, boundary markers and survey monuments,  
2772 geotextiles and concrete reinforcement. Land designated as public right of way shall be separate  
2773 and distinct from lots adjoining such right of way and shall not be included in the area of such lots.

2774 **13-8-070: LANDSCAPING:**

2775 A. Special Treatment: Whenever, in the opinion of the planning commission, the cuts and fills in a  
2776 hillside subdivision are of sufficient size or visibility to demand special treatment, the developer shall  
2777 be required to landscape such areas with suitable permanent plant materials and to provide for  
2778 their maintenance.

2779 B. Preservation: The subdivision shall be so designed as to either preserve, or provide for, the greatest  
2780 amount of on site vegetation.

2781 C. Sensitive Lands Overlay: Subdivisions in the sensitive lands overlay zones shall comply with all  
2782 provisions of the city sensitive lands ordinance.

2783 ~~D.23.~~ Landscaping Design Standards For Redwood Road:

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2784 1.a. For development along the west side of Redwood Road, the following development standards  
2785 are adopted:

2786 a. ~~(1)~~ The area behind the curb and gutter of Redwood Road shall include an area not less than  
2787 twenty four feet (24') wide containing improved and irrigated landscaping and an eight foot  
2788 (8') wide meandering asphalt multiuse trail. If any portion of the required twenty-four foot  
2789 (24') landscaped area is outside the dedicated right of way, a public trail easement and  
2790 street tree easement shall be dedicated to the city upon the recorded plat

2791 b. ~~(2)~~ Within the twenty-four foot (24") wide area trees shall be planted in accordance with the  
2792 requirements of Title 7 Chapter 9, Community Forestry.

2793 c. ~~(3)~~ Residential developments along Redwood Road shall, in addition to complying with the  
2794 requirements of chapter 11 of this title, include a solid wall, not less than six feet (6') in  
2795 height as a buffer along the entire length of frontage along Redwood Road. The wall shall be  
2796 constructed of masonry or other hard, permanent materials and shall generally be a sight  
2797 obscuring wall or a combination of berms, rocks, planted materials and manmade materials  
2798 that render the wall sight obscuring. Any solid walls constructed pursuant to this subsection  
2799 shall also be treated with an antigraffiti treatment approved by the city.

2800 2b. For developments along the east side of Redwood Road, the same development standards apply  
2801 except that there shall be a five foot (5') wide concrete sidewalk provided in lieu of an eight foot  
2802 (8') wide meandering asphalt multiuse trail. (Ord. 2012-04, 2-7-2012)

2803

2804 **13-8-080: UTILITIES AND EASEMENTS:**

2805 **14. Easement Standards:**

2806 A. ~~a.~~ Utility Easements shall follow rear and every other side lot lines whenever practical and shall  
2807 have a minimum total width of fifteen feet (15') apportioned equally in abutting properties (7.5 feet  
2808 each lot).

2809 B. ~~b.~~ Where front line yard utility easements are required to be, a minimum of seven feet (7') ~~shall be~~  
2810 ~~allocated as a utility easement.~~ Perimeter easements shall be not less than seven feet (7') in width,  
2811 extending throughout the peripheral area of the development, ~~and will be larger if required by the~~  
2812 ~~planning commission.~~

2813 C. ~~c.~~ All easements shall be designed so as to provide efficient installation of utilities or street  
2814 plantings. Special guying easements at corners may be required if any existing utilities are ~~to be~~  
2815 overhead. Public utility installations shall be so located as to permit multiple installations within the  
2816 easements. The developer shall establish final utility grades prior to utility installations.

2817 D. ~~The planning commission may require additional easements, or increased width of easements, as~~  
2818 ~~necessary to provide for adequate utility service and/or drainage within the subdivision and to or~~  
2819 ~~from adjoining parcels when recommended by the city engineer.~~

2820 A.E. 15. Utilities To Be Underground: Unless the planning commission and city council determine, upon  
2821 application by the developer, and recommendation of the city engineer, that it is not feasible to do  
2822 so, all power lines, telephone lines and other normally overhead utility lines shall be placed  
2823 underground by the developer, including existing overhead utilities. T

2824 F.

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2825 **13-8-090: WATERCOURSES:**

2826 The developer shall dedicate a right of way for storm drainage conforming substantially with the lines of  
2827 any natural watercourse or channel, stream, creek, irrigation ditch or floodplain that enters or traverses  
2828 the subdivision, as determined by Davis County flood control and/or the city engineer. The developer  
2829 shall also dedicate acceptable rights of way for any pipe, conduit, channel, and retention or detention  
2830 area as approved by the city engineer for flood control.

2831 **13-8-100: WARRANTY PERIOD:**

2832 The warranty period shall commence upon the date that all improvements required by the city to be  
2833 installed within the subdivision have been completed to the satisfaction of the city and a final inspection  
2834 thereof has been made approving the same. The warranty period shall commence at that date and shall  
2835 continue for a period of one year thereafter. If any deficiencies are found by the city during the warranty  
2836 period in materials or workmanship, the developer shall promptly resolve such defects or deficiencies  
2837 and request the city engineer to reinspect the improvements. At the end of the one (1) year warranty  
2838 period, the developer shall request the city engineer to make a final warranty period inspection of all  
2839 improvements. If the city engineer verifies that the improvements are acceptable, the city engineer shall  
2840 release the balance of the security posted by the developer under the bond agreement.

2841 **13-8-100: DEDICATIONS OF STREETS AND TRAILS**

2842 **F. Dedication Of Streets And Trails:**

2844 **A. 1-**Requirement: Maps and plats, when made, acknowledged, filed and recorded according to  
2845 procedures specified in this section, operate as a dedication of all streets, trails and other public  
2846 places, and vest the fee of those parcels of land in the city for the public for the uses named or  
2847 intended in those maps or plats.

2848 **B. 2-**Nonliability For Unimproved Dedications: The dedication established by this section does not  
2849 impose liability upon the city for streets, trails and other public places that are dedicated in this  
2850 manner but unimproved.

2851 **13-8-120J. RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

2852 **A. 1-**Regulations May Be Adopted: The city council, in order to protect and ensure access to sunlight  
2853 for solar energy devices, may adopt regulations governing legislative subdivision development plans  
2854 that relate to the use of restrictive covenants of solar easements, height restrictions, side yard and  
2855 setback requirements, street and building orientation and width requirements, height and location  
2856 of vegetation in respect to property boundary lines, and other permissible forms of land use  
2857 controls. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

2858 **2-**Refusal To Approve: The ~~city council~~planning commission may refuse to approve or renew any  
2859 plat or subdivision plan, or dedication of any street or other ground, if the deed restrictions,  
2860 covenants or similar binding agreements running with the land for the lots or parcels covered by the  
2861 plat of subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar  
2862 collectors, or other energy devices based on renewable resources from being installed on buildings  
2863 erected on lots or parcels covered by the plat or subdivision. (Ord. 93-5, 7-6-1993, eff. 7-15-1993;  
2864 amd. 2012 Code)

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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:

13-9-050: STORM DRAINAGE:

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

13-9-060: FENCING OR PIPING OF HAZARDS:

13-9-070: MONUMENTS:

13-9-080: COMPLETION:

13-9-090: PAYBACK AGREEMENTS FOR IMPROVEMENTS:

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

A. Preparation: The city engineer and public works department shall prepare and recommend 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. 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, which are under the control of the city, shall be approved and adopted by the city council before becoming effective. All developers shall comply with the approved standards required herein.

B. 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, pedestrianways 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. **As part of the street improvements, the developer shall deposit with the city sufficient sums to provide a slurry seal for the street as required by the city and additional sums to cover the cost of street signs and regulatory signs which the city determines are required for the subdivision.** The city will utilize funds deposited for street signs to obtain the signs and install the same within the subdivision.

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2905 B. Installation; Inspection: Improvements shall be installed to permanent line and grade to the  
2906 satisfaction of the city and in accordance with the standard specifications adopted by the city council.  
2907 Cost of inspection shall be paid by the developer as outlined in the consolidated fee schedule.

2908 C. Nonresponsibility Of City: Notwithstanding the fact that the land on which the improvements will be  
2909 located is dedicated at the time of the recording of a plat, the city shall not be responsible for the  
2910 improvements, their construction or maintenance, until the warranty period specified in the bond  
2911 agreement has expired, the improvements have been inspected, and the city certifies that they meet  
2912 city standards.

2913 **13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

2914 High back curbs, gutters, sidewalks and asphalt paving shall be provided in front of all commercial and  
2915 residential lots. High back curb, gutter and paving shall be required on all industrial property. At the  
2916 discretion of the planning commission, sidewalks may also be required for industrial property.

2917 **13-9-040: STORM DRAINAGE:**

2918 L. Storm Drainage And Floodplains:

2919 A1. Required Systems: Complete drainage systems for the entire development area shall be designed by  
2920 a professional engineer, licensed in the state and qualified to perform such work, and shall be  
2921 shown graphically. All existing drainage features which are to be incorporated in the design shall be  
2922 so identified. If the final plat is to be presented in sections, a general drainage plan for the entire  
2923 area shall be presented with the first section, and appropriate development stages for the drainage  
2924 system for each section indicated. All drainage plans shall meet adopted flood control standards and  
2925 limit runoff to a maximum of 0.2 second-feet per acre.

2926 B2. Design: The drainage and floodplain systems shall be designed to:

2927 1. a. Unimpeded Flow: Permit the unimpeded flow of natural watercourses.

2928 2. b. Adequate Drainage: Ensure adequate drainage of all low points.

2929 3. c. Designated Floodplain Regulations: Ensure applications of the following regulations regarding  
2930 development in designated floodplains:

2931 a. (1) Construction of buildings shall not be permitted in a designated floodway with a return  
2932 frequency more often than a 100-year storm.

2933 b. (2) Building construction may occur in that portion of the designated floodplain, as  
2934 designated by FEMA, where the return frequency is between a 100-year and a maximum  
2935 probable storm provided all usable floor space is constructed above the designated  
2936 maximum probable flood level.

2937 c. (3) Where flow velocities in a floodplain are generally determined to be under five feet (5')  
2938 per second and maximum flood depth will not exceed three feet (3'), such uses as cultivated  
2939 agriculture, nurseries, parks and recreation facilities and accessory parking may be  
2940 permitted.

2941 d. (4) Any use of land is prohibited where flooding would create a public health hazard or  
2942 problem. This includes shallow wells, noncased deep wells, sanitary landfills, septic tanks  
2943 and on lot sewage disposal systems, water treatment plants, and also sewage disposal  
2944 systems not completely protected from inundation.

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- 2945 e. ~~(5)~~ Any contemplated floodplain encroachment or channeling shall be thoroughly analyzed  
2946 and its effect on stream flow determined before such encroachment is undertaken. Any  
2947 construction, dumping and filling operations in a designated floodway constitute an  
2948 encroachment and must be approved by the planning commission before accomplishment.
- 2949 f. ~~(6)~~ No lot one acre or less in area shall include any portion of a 100-year floodplain when  
2950 computing the size of the lot. All lots containing more than one acre shall contain not less  
2951 than forty thousand (40,000) square feet of land which is at an elevation at least two feet  
2952 (2') above the elevation of the 100-year recurrence interval flood, or, where such data is not  
2953 available, five feet (5') above the elevation of the maximum flood of record.
- 2954 4. ~~d.~~ Drainage Basin: The drainage basin as a whole shall accommodate not only runoff from the  
2955 development area but also, where applicable, the system shall be designed to accommodate the  
2956 runoff from those areas adjacent to and "upstream" from the development itself, as well as its  
2957 effects on lands downstream.
- 2958 5. ~~e.~~ Surface Drainage Structures: All proposed surface drainage structures shall be indicated on  
2959 the plans.
- 2960 6. ~~f.~~ Construction Materials And Elevations: All appropriate designs, details and dimensions needed  
2961 to clearly explain proposed construction materials and elevations shall be included in the  
2962 drainage plans.
- 2963 7. ~~g.~~ Permits: All necessary permits shall be obtained from applicable local, state and federal  
2964 agencies (i.e., state engineer, U.S. army corps of engineers, state division of health, etc.).
- 2965 8. ~~h.~~ Low Impact Development (LID):
- 2966 a. ~~(1)~~ Low impact development (LID) is an approach to land development that uses various  
2967 land planning and design practices and technologies to simultaneously conserve and protect  
2968 natural resource systems and reduce infrastructure costs. LID still allows land to be  
2969 developed, but in a cost effective manner that helps mitigate potential environmental  
2970 impacts.
- 2971 b. ~~(2)~~ As part of the city of North Salt Lake permit, the city requires use of an LID approach,  
2972 which includes the implementation of structural BMPs, where practicable, that infiltrate,  
2973 evapotranspire or harvest and use stormwater for the site to protect water quality.
- 2974 c. ~~(3)~~ All development or redevelopment that warrants compliance with the Utah general  
2975 construction permit (UGCP) regulation must include an LID analysis that meets the objective  
2976 of mirroring the predevelopment hydrology and meets the objective of retaining on site,  
2977 with no discharge, the 0.6-inch, 24-hour rainfall event. Groundwater recharge may be  
2978 considered to meet this requirement, where applicable and feasible. If meeting this  
2979 retention standard is technically infeasible, a rationale shall be provided on a case by case  
2980 basis for the use of an alternative design criteria.
- 2981 d. ~~(4)~~ No LID limits are defined except designs must not negatively impact surrounding  
2982 properties. The LID analysis must identify LID options considered and list the reasons why it  
2983 will be incorporated or why the considered LIDs are not practical for the site use or  
2984 conditions. Submit a report with stormwater calculations that summarizes the analysis and  
2985 results.
- 2986 e. ~~(5)~~ Suggested and preferred LIDs are outlined in the city's "Stormwater Best Management  
2987 Practices Handbook".
- 2988 9. ~~i.~~ Postconstruction Stormwater Maintenance Plan And Agreement:

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2989 a. ~~(1)~~ The purpose of the postconstruction stormwater maintenance plan and agreement is to  
2990 control stormwater runoff and reduce pollutants in stormwater runoff after construction is  
2991 complete and the developed site is in operation. This is achieved by accomplishing the  
2992 following:

2993 i. ~~(A)~~ Controlling erosion.

2994 ii. ~~(B)~~ Controlling discharge of sediment into stormwater drainage facilities or off site.

2995 iii. ~~(C)~~ Preventing illicit discharges into on site soils, storm drainage facilities or off site.

2996 iv. ~~(D)~~ Prevention of debris and garbage from entering the stormwater system.

2997 b. ~~(2)~~ A postconstruction stormwater maintenance plan must be prepared and submitted with  
2998 the plans for approval for all privately owned or maintained facilities that warrant  
2999 compliance with the UGCP regulation. The plan shall be contained on a plan sheet of its  
3000 own, rather than being a part of another plan sheet, and is to contain at least the following:

3001  
3002 i. ~~(A)~~ The site plan, including vicinity map, proposed contours, permanent stormwater  
3003 features, and landscaping.

3004 ii. ~~(B)~~ BMPs to accomplish the purpose of the plan. Examples of appropriate BMPs may  
3005 include those addressing operation and maintenance of storm drainage quality control  
3006 facilities, operation and maintenance of stormwater discharge control facilities,  
3007 maintenance of landscaping, good housekeeping practices, etc.

3008 iii. ~~(C)~~ Showing the following for each BMP specified:

3009 1. ~~(i)~~ Location and extent of specified BMPs, as appropriate.

3010 2. ~~(ii)~~ Detailed schedule of execution for each specified BMP, in terms of starting time,  
3011 duration, frequency, etc., as appropriate.

3012 3. ~~(iii)~~ Any information in addition to or different from that shown on the BMP fact  
3013 sheets as necessary to employ the BMPs on the site.

3014 c. ~~(3)~~ The owner of development that warrants compliance with the UGCP regulation must  
3015 submit a signed stormwater maintenance agreement using the city of North Salt Lake  
3016 agreement template. The postconstruction maintenance agreement needs to be recorded  
3017 at the Davis County recorder's office. (Ord. 2016-12, 8-16-2016)

3018 **13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

3019 A. A. Utilities, Sewers, Drains: All underground utilities, sanitary sewers and storm drains installed in  
3020 streets or alleys should be constructed prior to the surfacing of such streets or alleys. Connections  
3021 for all underground utilities, water lines, pressure irrigation lines, and sanitary sewers for each lot  
3022 should be laid to a point which will eliminate the necessity for disturbing the street or alley  
3023 improvements, when service connections thereto are made.

3024  
3025 B. Wires, Cables: All telephone, electric power, cable television or other wires or cables shall be placed  
3026 underground. Equipment appurtenant to the underground facilities, such as surface mounted  
3027 transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts may be  
3028 above ground. The developer shall make all necessary arrangements with the utilities involved for  
3029 the installation of the underground facilities.  
3030

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- 3031 ~~C. 17.~~ Sanitary Sewage Disposal; General Requirements:
- 3032     1. ~~a.~~ The developer shall provide, or have provided, a piped sanitary sewerage system to the
- 3033         property line of every lot in the development. The sewerage system shall meet the minimum
- 3034         standards and requirements of the city and the regulating health department.
- 3035     2. ~~b.~~ In all, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a
- 3036         complete community or public sanitary system. All sewer mains shall be a minimum of eight
- 3037         inches (8") in diameter. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 3038 ~~D. 18.~~ Test Procedures: Test of sanitary sewer mains, laterals and house connections shall be
- 3039         conducted in accordance with local and state health requirements.
- 3040 ~~E. 19.~~ Water In Sufficient Quantity To Be Obligation Of Developer:
- 3041     1. ~~a.~~ The procurement of water, whether by purchase of water rights, water shares, exchange or
- 3042         service agreement, shall be the responsibility of the developer; and the water shall be provided
- 3043         for the use of the development in an amount sufficient to meet minimum flows of two hundred
- 3044         fifty (250) gallons per person, per day, plus outside irrigation and minimum static pressures of
- 3045         fifty (50) pounds per square inch (psi), unless it can be proved to the planning commission that a
- 3046         lesser amount is adequate.
- 3047     2. ~~b.~~ However, in no event shall the quantity of water provided by the developer be less than that
- 3048         required to meet fire flow standards as established by the fire department and the city council,
- 3049         and the city council shall be given first right of refusal to purchase any excess water formerly
- 3050         used on the land.
- 3051 ~~F. 20.~~ Culinary Water System: The culinary water delivery system shall extend to the property line of
- 3052         every lot and shall be capable of delivering the flows and pressures as required. All water mains shall
- 3053         be a minimum of ~~six-eight~~ inches (~~68~~" ) in diameter.
- 3054 ~~G. Water mains and fire hydrants connecting to the water system owned by the city shall be installed~~
- 3055 ~~as approved by the city. Mains and individual lot services shall be of sufficient size to furnish an~~
- 3056 ~~adequate water supply for each lot or parcel in the subdivision and to provide adequate fire~~
- 3057 ~~protection as determined by the fire marshal and as required under any applicable law, rule or~~
- 3058 ~~regulation.~~
- 3059 ~~H. 21.~~ Irrigation Systems (Including Drainage Facilities):
- 3060     1. ~~a.~~ Where an existing irrigation system consisting of open ditches is located on or adjacent to or
- 3061         within one hundred feet (100') of a proposed development, complete plans for relocation,
- 3062         piping, covering or other safety precautions shall be submitted with an application for
- 3063         preliminary approval of a plat.
- 3064     2. ~~b.~~ In all developments in which the smallest lot is less than one acre, all irrigation systems shall
- 3065         be underground.
- 3066     3. ~~c.~~ All pressure irrigation systems in or within one hundred feet (100') of a proposed
- 3067         development shall be identified and otherwise color coded as to pipe and valve color to meet
- 3068         state standards and regulations.

3069 **13-9-060: FENCING OR PIPING OF HAZARDS:**

3070 A. Requirements: The developer shall install a six foot (6') nonclimbable chainlink fence along all canals,

3071 waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights of way, property in

3072 agricultural use or zoned for agricultural use and other such features of potentially hazardous nature

3073 which are on, cross or are contiguous to, the property being subdivided, except on those features which

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3074 the planning commission shall determine would not be a hazard to life, or where the fence itself would  
3075 create a hazard to the safety of the public. Fences required by this section shall comply with  
3076 construction standards established by the city.

3077 B. Irrigation Ditches: All irrigation ditches shall be piped, unless this requirement is waived by the city  
3078 council.

3079 **13-9-070: MONUMENTS:**

3080 Permanent monuments shall be furnished, accurately established, and set by the developer at such  
3081 points as are necessary to definitely establish all lines of the plat except those defining rear property  
3082 corners of individual lots which will be semipermanent.

3083 **13-9-080: COMPLETION:**

3084 A complete improvement plan "as built" shall be filed with the city upon completion of said  
3085 improvements. The "as built" plans shall be drawn on reproducible copies of the original tracings and  
3086 certified as to accuracy and completeness by the developer's licensed engineer.

3087 **13-9-090: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

3088 A. Scope Of Agreement: A payback agreement entered into between the city and the developer who  
3089 installs the improvements or facilities for water, storm sewer or roads is authorized, where the  
3090 improvements installed are intended to extend, expand or improve the city's water system, storm  
3091 sewers or roads beyond the improvements required to service or benefit the subdivision or  
3092 development proposed by the developer. Such payback agreements shall be for project improvements  
3093 and not system improvements as defined in the Utah impact fees act. The payback agreement is not  
3094 mandatory, but may be used at the option of the city manager, upon approval of the payback  
3095 agreement by the city council. The amount of the payback to the developer shall be determined by the  
3096 city council after receiving a recommendation from the city engineer after considering the  
3097 improvements or facilities required or benefiting developer's development, and those facilities or  
3098 improvements that are specifically oversized to provide for future development of adjacent projects.

3099 B. Nonliability Of City: The city shall, in all cases, be immune and not liable for any payments to the  
3100 developer if the payback agreement is determined to be unenforceable. The payback agreement shall  
3101 not confer a benefit upon any third party and shall be in a form approved by the city council. The  
3102 responsibility for payment of the required improvements or facilities shall rest entirely with the  
3103 developer. The city shall not be responsible for collection of amounts from third parties.

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88 **13-9: ESSENTIAL IMPROVEMENTS**

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**13-1: GENERAL PROVISIONS**

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- 13-1-010: SHORT TITLE:**
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**13-1-010: SHORT TITLE:**

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

**13-1-020: INTRODUCTION:**

A. Scope Of Subdivisions, Generally: Subdivisions in the City shall be designed for building purposes without danger to health or peril from fire, flood, landslide, subsidence, geologic and natural hazards, or other menace. Land should not be subdivided and developed until available public facilities and improvements exist (or adequate guarantees are in place) and proper provision has been made for drainage, water, sewerage and capital improvements, such as schools, parks and recreation facilities, streets and transportation facilities, and related improvements. If necessary and required public facilities, infrastructure and safety protections are not in place or cannot be provided for, the subdivision will not be allowed.

B. Conformance To Adopted Standards: Proposed essential infrastructure improvements shall conform to adopted City standards, specifications, and ordinances.

C. Burden Of Proof: For all proceedings in regard to development approval under this title or amendments to this title, the burden of proof showing satisfaction of all requirements shall rest with the applicant or authorized agent of the proposed development or amendment. The requirements and standards set forth herein are the minimum acceptable standards for land use applications within the City.

D. Assumption Of Validity: The City will assume that all information provided is accurate and valid. If any information provided to the City is found to be outdated, false or in any way misleading, the application for development approval may be denied or revoked by the City Council regardless of previous approvals.

**13-1-030: PURPOSE AND INTENT:**

A. I Purpose: [existing language from 10-7-7(B)]

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- 139 1. The purpose of this section and the intent of the city in its adoption is to promote the health,  
140 safety, convenience and general welfare of the present and future inhabitants of the city.
- 141 2. This section will accomplish this purpose by:
- 142 a. Providing policies, standards, requirements and procedures to regulate and control the design  
143 and improvements of all developments.
- 144 b. Assisting in the implementation of the objectives, policies and programs of the general plan  
145 by ensuring that all proposed developments, together with provisions for their design and  
146 improvements, are consistent with the general plan and all applicable specific plans.
- 147 c. Preserving and protecting, to the maximum extent possible, unique and valuable natural  
148 resources and amenities, including topographic and geologic features, beaches and natural  
149 watercourses, fish and wildlife habitats, historical and cultural places, and scenic vistas and  
150 attractions; and improving the public access to and enjoyment of such resources and amenities  
151 through the dedication or continuance of appropriate public easements thereto.
- 152 d. Preserving and protecting the special environmental quality and aesthetic character of all  
153 hillside and mountainous areas; preventing detrimental impacts on the soil mantle, vegetative  
154 cover and other environmental factors; reducing the hazards of life and property from fire,  
155 flood, erosion, sedimentation and soil slippage; and relating the amount of grading within a  
156 development to the slope of the natural terrain.
- 157 e. Encouraging the clustering of housing and building developments where subdivisions or other  
158 developments are permitted in hillside and mountainous areas, minimizing grading, preserving  
159 the natural terrain and enlarging the open spaces.
- 160 f. Relating land use intensity and population density to existing developments, street capacity  
161 and traffic access, the slope of the natural terrain, the availability and capacity of public facilities  
162 and utilities, and open spaces.
- 163 g. Providing lots of sufficient size and appropriate design for the purposes for which they are to  
164 be used.
- 165 h. Providing streets of adequate capacity and design for the traffic that will utilize them, and  
166 ensuring maximum safety for pedestrians and users of vehicles.
- 167 i. Ensuring adequate access to each building site.
- 168 j. Providing sidewalks, pedestrian ways, bike paths, and equestrian and hiking trails for the  
169 safety, convenience and enjoyment of residents of new developments.
- 170 k. Providing adequate systems of water supply, sanitary sewage disposal, storm drainage, street  
171 lighting and other utilities needed for public health, safety and convenience.
- 172 l. Providing adequate sites for public facilities needed to serve residents of new developments.
- 173 m. Ensuring that costs of providing land for streets, alleys, pedestrian ways, bike paths,  
174 easements and other rights of way and for the improvements therein needed to serve new  
175 developments are borne by the developer.

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

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

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

187 q. Providing space for parking bays (off street parking as needed).

188 r. Providing space for bike paths and jogging trails.

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

192 **13-1-040: INTERPRETATION, CONFLICT, AND SEVERABILITY:**

193 A. Interpretation: These regulations shall be held to be the minimum requirements for the promotion of  
194 the public health, safety and general welfare. The burden of proof shall, in all proceedings pursuant to  
195 this title, rest with the proponent of an application for development approval. Any dispute arising from  
196 the administration of this title shall be forwarded to the city council for resolution.

197 B. Conflict With Other Provisions:

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

202 2. Further, these regulations are not intended to abrogate any easement, covenant, private  
203 agreement or restriction, including, but not limited to, restrictive covenants and declarations of  
204 covenants, conditions and restrictions; provided, however, that the city is under no obligation to  
205 enforce private covenants or agreements.

206 C. Severability: If any part or provision of these regulations or application thereof to any person or  
207 circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined  
208 in its operation to the part, provision or application directly involved in all controversy in which such  
209 judgment shall have been rendered and shall not affect or impair the validity of the remainder of these  
210 regulations or the application thereof to other persons or circumstances.

211 **13-1-050: DEFINITIONS:**

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

### **218 13-1-060: SAVING PROVISION, RELATIONSHIP TO PREVIOUS ORDINANCE:**

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

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

### **230 13-1-070: CONSIDERATIONS:**

231 A. General Plan: The general plan shall guide the use of all land within the corporate boundaries of the  
232 city. The size and design of lots, the nature of utilities, the design and improvement of streets, the type  
233 and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to  
234 the land uses shown and the standards established in the general plan, the land use ordinance and other  
235 applicable ordinances.

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

241 C. Community Facilities: Community facilities, such as parks, recreation areas, trails and transportation  
242 facilities shall be provided in the subdivision in accordance with general plan standards, this title, and  
243 other applicable ordinances and resolutions. This title establishes procedures for the referral of  
244 information on proposed subdivisions to interested boards, bureaus and other governmental agencies  
245 and utility companies, both private and public, so that the extension of community facilities and utilities  
246 may be accomplished in an orderly manner, coordinated with the development of the subdivision. In  
247 order to facilitate the acquisition of land areas required to implement this policy, the developer may be  
248 required to dedicate, grant easements over or otherwise reserve land for schools, parks, playgrounds,  
249 public ways, utility easements and other public purposes as specified.

### **250 13-1-080: GENERAL RESPONSIBILITIES:**

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

256 B. Development Review Committee (DRC): The development review committee, consisting of  
257 representatives from city departments as required by the City Manager and as applicable to each  
258 development application, shall review the plats for design; for conformity to the general plan, town  
259 center master plan, or other applicable plans, and to the land use ordinance; for the environmental  
260 quality of the subdivision design; and shall process the subdivision plats and reports as provided for in  
261 this title.

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

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

273 E. Planning Commission: The planning commission shall act the land use authority for minor  
274 subdivisions, preliminary and final plats, and plat amendments which do not include the vacation of any  
275 public right of way, public trail or municipal utility easement. The planning commission shall act as an  
276 advisory agency to the city council for conceptual subdivision plans and plat amendments which include  
277 the vacation of any public right of way, public trail or municipal utility easement. It is charged with  
278 making investigations, reports and findings on proposed subdivisions as to their conformance to the  
279 general plan, town center master plan and land use ordinance, and other pertinent plans, ordinances, or  
280 regulations.

281 F. City Attorney: The city attorney shall verify, prior to recordation of a plat, that the form of the final  
282 plat is correct and acceptable, that the developer dedicating land for use of the public is the owner of  
283 record, and that the land is free and clear of unacceptable encumbrances, tax clearances according to  
284 the title report submitted by the developer.

285 G. City Manager: The city manager acts as liaison between the planning commission, development  
286 review committee, and the city council. Prior to preliminary approval for a subdivision, the city manager  
287 may review the proposed plat and receive written comments from the city council on the plat. The  
288 comments may then be forwarded to the planning commission for evaluation.

289 H. City Council: The city council has final jurisdiction in the approval of conceptual plans and plat  
290 amendments which include the vacation of any public right of way, public trail or municipal utility

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291 easement, the establishment of requirements and design standards for essential infrastructure  
292 improvements, and the acceptance of lands and essential infrastructure improvements that may be  
293 proposed for dedication, and shall consider appeals regarding the administration of this title as provided  
294 herein.

295 **13-1-090: APPEAL OF PLANNING COMMISSION DECISIONS:**

296 A. City Council: Appeal may be made to the city council from any decision, determination or  
297 requirement of the planning commission under this title by filing with the city recorder a notice thereof  
298 in writing within fifteen (15) days after such decision, determination or requirement is made. Such  
299 notice shall set forth in detail the action and grounds upon which the developer, or other interested  
300 person, deems himself or herself aggrieved. In the event of an appeal, application deadlines set forth in  
301 this title shall be extended to incorporate the time necessary to hear and consider such appeals.

302 B. Hearing: The city recorder shall set the appeal for hearing before the city council to be held within a  
303 reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued  
304 by order of the city council. The appellant shall be notified of the appeal hearing date at least seven (7)  
305 days prior to the hearing. After hearing the appeal, the city council may affirm, modify or overrule the  
306 decision, determination or requirement appealed and enter any such order or orders as are in harmony  
307 with the spirit and purpose of this title. The filing of an appeal shall stay all proceedings and actions in  
308 furtherance of the matter appealed, pending a decision of the city council.

309 **13-1-100: APPEAL FROM CITY COUNCIL DECISION: [existing language from 10-7-7(I)]**

310 A. If the petitioner, or any notified individual or organization disagrees with the city council decision, a  
311 written objection, clearly specifying the reasons therefor, shall be filed with the city recorder within ten  
312 (10) days following the city council decision.

313 B. The objection shall be heard before the hearing officer at a scheduled meeting. (Ord. 2012-07, 4-30-  
314 2012)

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316 **13-2: ADMINISTRATION AND APPLICATION**

317 **13-2-010: SUBDIVISION CONTROL:**

318 **13-2-020: REQUIRED PLAT APPROVAL:**

319 **13-2-030: TRANSFER OF LAND:**

320 **13-2-040: TRANSFER OF LAND; VOIDABLE:**

321 **13-2-050: BUILDING PERMITS:**

322 **13-2-060: CERTIFICATES OF OCCUPANCY:**

323 **13-2-070: PENALTIES:**

324

325 **13-2-010: SUBDIVISION CONTROL:** [existing language from 10-7-7(A)]

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

329 B. Applicability:

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

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

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

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

348 **13-2-020: REQUIRED PLAT APPROVAL** [existing language from 10-7-7(C)]

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

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

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

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

357 1. The surveyor making the plat shall certify it.

358 2. The city council shall approve the plat as provided by law.

359 C. Filing And Recording: After the plat has been acknowledged, certified and approved, the city recorder,  
360 shall file and record it in the county recorder's office in the county in which the lands platted and laid  
361 out are situated. The owner shall pay the expense of such recording.

362 D. PLAT EXPIRATION The recording of the final plat is to be done within one hundred eighty (180)  
363 calendar days of the completed approval of the final plat by the land use authority. Failure to record the  
364 final plat within the allotted time required shall void all approvals for the subdivision. Prior to the  
365 expiration of the final plat approval, the owner or developer may request a onetime extension of one  
366 hundred eighty (180) days, by submitting to the land use authority a written request of the owner or  
367 developer explaining the reasons for the delay. The development review committee shall prepare an  
368 analysis of any amendments to the city code regulations or standards and their effect on the  
369 subdivision. If such amendments to the city regulations or standards are essential to protecting the  
370 health, safety, and welfare of the citizens, the land use authority shall not grant the extension unless the  
371 final plat conforms to the new regulations or standards.

372 E. Subdivision Approval Procedure: No one may file or record a plat of a subdivision of land in the county  
373 recorder's office unless:

374 1. Approval Required: It has been approved by:

375 a. The city council, acting as the city land use authority; or

376 b. Other land use authority that the city council designates in an ordinance; and

377 2. Written Approval: The approvals are entered in writing on the plat by the mayor or by other  
378 officers designated in the ordinance.

379 **13-2-030: TRANSFER OF LAND:**

380 Land shall not be transferred, sold or offered for sale, nor shall a building permit be issued for a  
381 structure thereon, until the final subdivision plat is recorded in the county recorder's office in  
382 accordance with this title and any applicable provisions of state law, and until the improvements  
383 required in connection with the subdivision have been constructed or guaranteed as provided herein.

384 **13-2-040: TRANSFER OF LAND; VOIDABLE:**

385 No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions  
386 of this title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this title  
387 is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal  
388 representative, or trustee in bankruptcy, within one year after the date of execution of the deed of  
389 conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon  
390 any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those

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391 above enumerated, and upon the grantor, vendor or person contracting to sell, or his assignee, heir or  
392 devisee.

393 **13-2-050: BUILDING PERMITS:**

394 A. Requirements:

395 1. No building permit shall be issued for any structure within a subdivision until the final subdivision  
396 plat is recorded in the county recorder's office, a bond is provided acceptable to the city ensuring  
397 the adequate installation of required essential infrastructure improvements and utilities, and the  
398 required improvements and utilities have been installed and are operable as provided herein and as  
399 deemed essential infrastructure (defined by State Code 10-9a-802, as amended) which is necessary  
400 to meet the requirements for of the building code and fire code.

401 2. No building permit shall be issued for any structure within a subdivision until all sanitary sewer,  
402 storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and gutter,  
403 streets, other underground utilities located under the street surface, and required grading and  
404 drainage improvements, are installed and fully functional, as determined by the city, providing  
405 continuous access and/or service to the lot.

406 3. Notwithstanding the foregoing, for lots fronting existing streets that obtain access only from that  
407 street and have existing fully functional utilities, the building official may issue permits, subject to  
408 compliance with applicable requirements, including adequate access for emergency vehicles.

409 B. Issuance Prior To Street Surfacing: A building permit may be issued by the city for the construction of  
410 a structure within a subdivision prior to application of hard surfacing of the streets within the  
411 subdivision under the following conditions:

412 1. The street improvements are being constructed during the months when cold weather prohibits  
413 the laying of a hard surface on the street.

414 2. The streets shall be completed with all utilities, rough grading, and all weather road base  
415 sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base,  
416 including road base gradation and thickness, shall be determined by the city engineer upon review  
417 and consideration of applicable soils reports, drainage factors and existing topographic conditions of  
418 the property.

419 3. The developer enters into an agreement with the city that the developer will take responsibility to  
420 ensure that the road is accessible for emergency vehicles and construction traffic at all times,  
421 including snow removal and other required maintenance.

422 4. The developer enters into an agreement with the city that developer will hard surface the road as  
423 soon as weather permits and as authorized by the city. If developer fails to do so, the city can  
424 declare the developer in default of the applicable improvements bond agreement and may  
425 withdraw any or all of the funds from the bond and cause the improvements to the street to be  
426 constructed, completed and/or repaired in accordance with the terms and procedures set forth in  
427 the bond agreement for the withdrawal of funds.

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428 5. The building contractor, property owner and building permit applicant enters into an assumption  
429 of risk agreement acknowledging the lack of hard surface streets within the subdivision and  
430 developer's obligation regarding maintenance and access of the same and assuming the risk of  
431 proceeding with construction under such circumstances pursuant to the terms and conditions set  
432 forth herein.

433 6. No certificate of occupancy shall be granted by the city for any structure within the subdivision  
434 until all streets are hard surfaced.

435 **13-2-060: CERTIFICATES OF OCCUPANCY:**

436 No building within a subdivision shall be occupied until a certificate of occupancy has been issued for  
437 such structure by the city. No certificate of occupancy shall be issued for any structure within a  
438 subdivision by the city until all required improvements for the subdivision are complete, including the  
439 hard surfacing of the streets, all required street signs are installed for the subdivision and house  
440 numbers are placed on the structure, all required utilities are installed providing service to the structure,  
441 and all other applicable ordinance provisions have been satisfied.

442 **13-2-070: PENALTIES:**

443 It shall be a **class C misdemeanor** for any person to fail to comply with the provisions of this title. In  
444 addition to any criminal prosecution, the city may pursue any other legal remedies provided by law to  
445 ensure compliance with this title, including, but not limited to, instituting an injunction, mandamus,  
446 abatement or other appropriate actions, or proceedings to prevent, enjoin, abate or remove the  
447 unlawful use or act.

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449 **13-3: CONCEPTUAL DEVELOPMENT PLAN:**

450 **13-3-010: CONCEPTUAL PLAN:**

451 **13-3-020: STAFF CANNOT BIND CITY:**

452 **13-3-030: VESTED RIGHTS:**

453 **13-3-040: SUBMISSION:**

454 **13-3-050: NOTIFICATION:**

455 **13-3-060: REVIEW BY THE PLANNING COMMISSION:**

456 **13-3-070: APPROVAL BY THE CITY COUNCIL:**

457 **13-3-080: EXPIRATION OF CONCEPTUAL PLAN APPROVAL:**

458 **13-3-010: CONCEPTUAL PLAN:**

459 A conceptual development plan shall be required of all developers. This provides the developer with an  
460 opportunity to consult with and receive assistance from the city regarding the regulations and design  
461 requirements applicable to the subdivision of property and facilitates resolution of problems and  
462 revisions before the preparation of a preliminary plat. The conceptual plan should be based on an  
463 accurate survey showing boundaries, topography, important physical features, adjacent properties and  
464 the sketch of the proposed subdivision. The applicant or applicant's duly authorized agent shall submit  
465 an application to the community development department for conceptual plan approval and at the  
466 same time, the applicant shall pay an application fee as provided in the city's consolidated fee schedule.

467 **13-3-020: STAFF CANNOT BIND CITY:**

468 The conceptual plan requirement is designed to provide the developer with helpful information and  
469 suggestions before the expense and time involved in preparing a preliminary plat is incurred. However,  
470 only the city council may bind the city and the planning commission can make official recommendations  
471 to the city council. City employees and all other officers of the city act in advisory capacity to the city  
472 council and have no authority to make binding decisions or to make authoritative representations,  
473 approvals or determinations. Employees and officers of the city may make recommendations,  
474 suggestions, and dispense information regarding city ordinances, the general plan, or other adopted  
475 policy documents, but such comments shall in no way whatsoever be binding on the city.

476 **13-3-030: VESTED RIGHTS:**

477 Submission of a conceptual plan shall in no way confer any vested rights upon the developer. Vested  
478 rights may attach only upon the filing of a subdivision plan under [chapter 4, 5, 6 or 7](#) of this title, and the  
479 subdivision being able to meet the requirements of this title and other applicable ordinances at the time  
480 of the application. However, if there is a compelling, countervailing public interest or the city has  
481 initiated proceedings to amend this title or other applicable ordinances at the time of the application,  
482 then there shall be no vested rights.

483 **13-3-040: SUBMISSION:**

484 A. The developer shall submit the proposed conceptual plan which will enable a review of a proposed  
485 project for general scope and conditions which might impact the proposed project and the city. The  
486 community development department will determined if the appropriate plan and application is  
487 submitted, if the application is complete and if all the fees have been paid. If the application is deemed

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488 to be incomplete the applicant shall be notified in writing within ten (10) days of the application date, or  
489 as reasonably practical upon discovery of a deficiency. The planning commission shall either  
490 recommend the plan or recommend the plan with conditions to the city council, or reject the concept  
491 plan. The city council shall either approve the concept plan or approve the concept plan with conditions  
492 or reject the concept plan.

493 B. Document Requirements: The following items shall be submitted to the community development  
494 department for conceptual plan review:

495 1. An application form, as provided by the city detailing the proposed development and addressing  
496 the following:

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

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

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

502 d. A statement regarding the proposed development, it's conformance to the existing zoning  
503 and general plan or other adopted plans or policies, and identifying any opportunity for the  
504 provision of housing which meet the goals and objectives of the city's moderate income housing  
505 plan.

506 e. Any additional pertinent information related to the project.

507

508 2. Two (2) 24" x 35" copies and one (1) 11" x 17" copy of the conceptual plan and one electronic  
509 copy of all required documents.

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

512

513 4. Conceptual plan set shall include the following:

514 a.. Cover Sheet which includes the following:

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

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

520 (3) Drawing index;

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

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

523 (6) General Notes regarding the project; and

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

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

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

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

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

530 (3) Location of existing culinary and irrigation water systems and points of proposed  
531 connection and extension;

532 (4) Location and size of existing utility services and proposed connection and extension  
533 (sewer, power, gas, telephone cable);

534 (5) Watercourses, impoundments, streams, springs, wells, floodplains, and areas subject to  
535 continuous or occasional flooding, including those portions of the property which are  
536 included in the most recent flood insurance rate maps prepared by FEMA;

537 (6) Significant vegetative patterns;

538 (5)i. Geologic hazards, formations and soils type;

539 (7) Public and private easements related to site, including trails and parks as identified  
540 within the adopted general plan or other adopted plans or policies documents; (8) Existing  
541 survey monuments;

542 c. Conceptual Site Plan. The following elements shall be drawn to a scale of a minimum 1"=30':

543 (1) North arrow and scale;

544 (2) Names of all abutting property owners;

545 (3) The dimensions of the site and total acreage, with proposed density;

546 (4) A proposed lot layout showing approximate size of each lot;

547 (5) Location of existing and proposed streets, trails, and sidewalks;

548 (6) Proposed buildings, or building envelopes, as applicable;

549 (7) Proposed public facilities and open spaces;

550 (8) Location of proposed parking;

551 (9) Preliminary location of all proposed on site uses and desired improvements, including  
552 any off site improvements if considered essential to the project.

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553 (10) Any additional information which will convey information that is necessary to  
554 determine feasibility and identify problems that need to be addressed on the preliminary  
555 plat.

556 (4)

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558 (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

559 **13-3-050: NOTIFICATION:**

560 A. Upon receipt of the complete concept plan application, the community development director shall  
561 distribute copies of the conceptual plan application to the development review committee, and other  
562 agencies and, as applicable, to the parks, trails, arts and recreation advisory board for review and  
563 comment. (Ord. 05-14, 12-13-2005; amd. 2012 Code; Ord. 2014-01, 1-7-2014)

564 B. Public Comment Period. The community development department shall notify all appropriate  
565 agencies or other parties with legitimate interests and all landowners of property located within three  
566 hundred feet (300') of the boundary of the proposed development. Notified parties shall have fourteen  
567 (14) days to submit written comments limited to environmental concerns on the following topics:

- 568 1. Erosion, dust, soils and topsoil loss;
- 569 2. Grades, slope stability and geologic hazards;
- 570 3. Groundwater, watercourses, flood hazards and areas;
- 571 4. Vegetative types;
- 572 5. Wildlife and habitat;
- 573 6. Essential urban services presently available;
- 574 7. Fire potential;
- 575 8. Accumulation of solid and liquid wastes;
- 576 9. Potential area wide economic impact of the development.

577 **13-3-060: REVIEW BY THE PLANNING COMMISSION:**

578 A. Scope Of Review: Conceptual plan shall be reviewed for compliance with the city general plan, land  
579 use ordinance, this title, and other appropriate regulations. The planning commission may recommend  
580 approval or denial to the city council, and shall make findings regarding the submitted conceptual plan,  
581 specifying any inadequacy in the information submitted, noncompliance with city regulations,  
582 questionable or undesirable design and/or engineering, and the need for any additional information  
583 which may assist the planning commission to evaluate the proposed subdivision and in making a  
584 recommendation to the city council.

585 B. The development review committee (DRC) shall review the conceptual plan application for  
586 compliance with all applicable regulations and shall notify the developer of the concept plan review

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587 findings, redlines and comments, and identify any other information necessary for review by w the  
588 planning commission to evaluate the proposed development.

589 C. The developer shall be afforded a reasonable period of time to submit corrected drawings and  
590 documents which address the DRC findings, redlines comments, and requested information.

591 D. The DRC shall review any corrected drawings or documents within ten (10) days of receipt and  
592 provide additional feedback to the developer regarding findings of compliance with city regulations and  
593 confirming the date for review by the Planning Commission.

594 E. If the DRC finds that the application is not in compliance with city regulations for conceptual plan  
595 review, the developer shall be provided notice in writing of corrective actions required prior to  
596 placement on the planning commission agenda.

597 F. Timely review:

598 1. If the developer disagrees with the DRC regarding compliance with city regulations for conceptual  
599 plan review, the developer may file a written request for formal review by the planning commission  
600 and final decision within forty-five (45) days of the submittal of the written request [USC 10-9a-  
601 509.5(2)]. The planning commission shall review the application for compliance with city regulations  
602 and shall within thirty (30) days from the written request take one of the following actions:

603 a. Upon request by the developer and in deference to the required forty-five (45) day final  
604 approval deadline, table action on the conceptual plan application to allow modifications to the  
605 plan by the developer for further review;

606 b. Recommend to the City Council denial of the conceptual plan and provide written findings  
607 demonstrating the city regulations which are not in compliance; or

608 c. Recommend to the City Council approval of the conceptual plan with findings of compliance  
609 and where applicable conditions necessary to ensure compliance with city regulations.

610 2. If a developer files a written request for final action in accordance with USC 0-9a-509.5(2), as  
611 amended, the City Council shall take final action on the conceptual plan application within forty-five  
612 (45) days of the date of the written request.

613 F. Additional Information: The planning commission may require additional information, data or studies  
614 to be provided to the planning commission by the developer for the overall development before any  
615 recommendation is given by the planning commission to the city council and the planning commission  
616 may include requirements for the overall development as part of its findings on the concept plan.

617 G. Where the proposed development boundaries are within the city sensitive lands area, conceptual  
618 plan approval shall be conditioned upon submittal and approval of a geologic hazards report as outlined  
619 in the North Salt Lake City Code Title 10, Chapter 12 .

620 **13-3-070: APPROVAL BY THE CITY COUNCIL:**

621 A. Scope Of Approval: After receiving a recommendation from the planning commission, the city council  
622 may grant or deny conceptual plan approval for the proposed subdivision and may adopt, amend or

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623 reject any of the findings and conditions made by the planning commission regarding the submitted  
624 conceptual plan.

625 B. Denial: If the city council denies conceptual plan approval, no further review of the proposed  
626 subdivision shall be made by the city council, and a new conceptual plan submittal shall be required to  
627 reinstate the subdivision process.

628 C. Limitation of Approval: Granting of or denial of a conceptual plan by the city council shall not  
629 constitute an absolute approval or disapproval of the proposed development, but rather shall operate in  
630 a manner as to give the developer general guidance as to the requirements and constraints for  
631 development within the city. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

632 **13-3-080: EXPIRATION OF CONCEPTUAL PLAN APPROVAL:**

633 Once conceptual plan approval has been granted, the developer may apply for preliminary plat approval  
634 consistent with the conceptual plan. If preliminary plat approval for any portion of an approved  
635 conceptual plan has not been obtained within twelve (12) months of the date on which conceptual plan  
636 approval was granted, a resubmittal and reapproval of the conceptual plan may be required by the city.

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**13-4: MINOR SUBDIVISIONS**

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

653 **13-4-010: PURPOSE:**

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

658 **13-4-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:**

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

- 661 A. Less than ten (10) lots shall be created in the subdivision;
- 662 B. The subdivision shall not require the dedication of any land for public streets or other public  
663 purposes;
- 664 C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and  
665 shall not require the extension of any such streets or utilities. The developer shall be required to  
666 complete any essential infrastructure improvements on an existing street which are not in place at the  
667 time the application to develop a minor subdivision is made. Such improvements shall include any  
668 necessary storm drainage facilities, curb, gutter, sidewalk, trail, park strip, including landscaping, and  
669 asphalt paving;
- 670 D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general  
671 plan;
- 672 E. The proposed minor subdivision shall conform to the general character of the surrounding area. New  
673 lot lines shall conform to the general pattern of existing lot lines;
- 674 F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall  
675 conform to the applicable provisions of the zoning ordinance; and

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676 G. Utility easements shall be dedicated.

677 **13-4-030: APPLICABILITY:**

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

680 **13-4-040: CONCEPTUAL PLAN REQUIRED:**

681 Prior to filing a minor subdivision application, all developers of proposed minor subdivisions shall be  
682 required to complete a conceptual plan as set forth in this title.

683 **13-4-050: MINOR SUBDIVISION APPLICATION:**

684 All developers of proposed minor subdivisions shall submit a minor subdivision application on a form  
685 provided by the city. The application shall include two (2) 24" x 35" copies and one (1) 11" x 17" copy of  
686 the plat and one electronic copy of all required documents meeting the requirements of section 13-4-  
687 100 of this chapter. If essential infrastructure improvements, as specified within this chapter, are  
688 required, the application shall be accompanied by improvement drawings for such improvements. The  
689 city engineer may require that a soil report be provide which meets the requirements set forth in  
690 section 13-5-040 of this title be provided. At the time the application is submitted, the developer shall  
691 pay the appropriate application fee as set forth in the city's consolidated fee schedule.

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

696 **13-4-060: DEVELOPMENT REVIEW:**

697 Within a reasonable time after receipt of a minor subdivision application and comments and/or  
698 approval from all appropriate reviewing entities, the development review committee shall include the  
699 application on the planning commission agenda and prepare a report on the application's compliance  
700 with the general plan, city ordinances, rules and regulations. The developer's application and the report  
701 of the community development department shall then be presented to the planning commission.

702 **13-4-070: PLANNING COMMISSION ACTION:**

703 A. Scope Of Action: Within a reasonable time following the receipt of an application for minor  
704 subdivision approval from the community development department, the planning commission shall act  
705 thereon. The planning commission shall assure that the plat is in conformity with the requirements of  
706 this chapter and title, other applicable ordinances or regulations, and any conditions of approval  
707 deemed necessary by the planning commission. If the planning commission finds that the proposed plat  
708 complies with the requirements of this title and that it is satisfied with the plat of the subdivision, it shall  
709 approve or approve with conditions the minor plat subdivision.

710 B. Disapproval: If the planning commission determines that the proposed plat is not in conformity with  
711 the ordinances of the city or any reasonable conditions imposed, it shall not approve the plat, specifying  
712 the reasons for such disapproval. If a proposed plat is disapproved by the planning commission, no

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713 further plat shall be submitted and a new minor subdivision application shall be required to initiate  
714 minor subdivision approval, including the payment of the required fee.

### **715 13-4-080: EXPIRATION OF FINAL APPROVAL:**

716 If the plat is not recorded within six (6) months from the date of planning commission approval, such  
717 approval shall be null and void. This time period may be extended for additional six (6) month periods by  
718 the city manager. The developer must petition for an extension, prior to the expiration of the original six  
719 (6) months, or an extension previously granted. An extension may be granted only if it is determined  
720 that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision  
721 approval, including, but not limited to, inspection fees, park fees, impact fees, as well as the amounts  
722 the city uses to estimate bonds to insure completion of improvements have increased, the city manager  
723 may require that the bond estimate be recalculated and that the developer pay any applicable fee  
724 increases as a condition of granting the extension.

### **725 13-4-090: BOND AGREEMENT:**

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

### **728 13-4-100: PLAT REQUIREMENTS:**

729 A. Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:

- 730 1. The boundaries, courses and dimensions of the parcels of ground to be subdivided;
- 731 2. The number, temporary address and length and width of the blocks and lots intended for sale;
- 732 3. Existing right of way and easement grants of record for underground facilities, as defined in Utah  
733 Code Annotated section 54-8a-2, and for other utility facilities;
- 734 4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the  
735 preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
- 736 5. A certification from the surveyor preparing the plat; and
- 737 6. Signatures from owners or operators of all underground facilities and utility providers approving of  
738 the plat and the dedication of the required easements thereon.

739 B. Additional Requirements: In addition to the plat requirements of subsection A of this section, the plat  
740 shall comply with any of the requirements set forth in section 13-5-110 of this title.

### **741 13-4-110: RECORDING OF PLAT:**

742 Upon approval of a minor subdivision application under this chapter, and approval of a proposed plat  
743 prepared in accordance with this chapter, the developer shall provide the city with a current title report  
744 to be reviewed by the city attorney. A "current title report" is considered to be one which is prepared  
745 and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to

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746 the property has been approved by the city attorney, the approved plat shall be signed by the mayor  
747 and may then be recorded with the Davis County recorder's office.

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**13-5: MAJOR SUBDIVISIONS**

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- 13-5-010: PRELIMINARY PLAT; PURPOSE:
- 13-5-020: APPLICATION AND FEES:
- 13-5-030: PRELIMINARY PLAT; PREPARATION AND REQUIRED INFORMATION:
- 13-5-040: EVALUATION OF PRELIMINARY PLAT:
- 13-5-050: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:
- 13-5-060: NOTIFICATION OF ACTION:
- 13-5-070: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:
- 13-5-080: FINAL PLAT; PURPOSE:
- 13-5-090: FILING DEADLINE, APPLICATION AND FEES:
- 13-5-100: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:
- 13-5-110: EVALUATION OF FINAL PLAT:
- 13-5-120: PLANNING COMMISSION ACTION; FINAL PLAT:
- 13-5-130: DISAPPROVAL BY THE PLANNING COMMISSION:
- 13-5-140: SECURITY BOND; DEVELOPER:
- 13-5-150: DELAY AGREEMENT:
- 13-5-160: RECORDING OF PLAT:
- 13-5-170: EXPIRATION OF FINAL APPROVAL:

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

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision 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: APPLICATION AND FEES:**

The developer of a major subdivision, after completing the conceptual plan required by this title, shall file an application for preliminary plat approval on a form provided by the city. The application shall include two (2) 24" x 35" copies and one (1) 11" x 17" copy of the preliminary plat and one electronic copy of all required documents. At the same time, the developer shall pay an application fee as published in the consolidated fee schedule of the city. The community development department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the community development department, and the developer shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities.

**13-5-030: PRELIMINAR PLAT; PREPARATION AND REQUIRED INFORMATION:**

A. Form: The preliminary plat shall be clearly and legibly drawn with approved waterproof drawing ink at a scale not less than one inch equaling one hundred feet (1" = 100'). The plat shall be so drawn that the top of the sheet is either north or east, whichever accommodates the drawing best. Dimensions shall be in feet and decimals thereof and bearings in degrees, minutes and seconds.

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789 (The sections below are from current code 10-3-4)

790 B. Document Requirements: The following items shall be submitted in an application for preliminary plat  
791 review:

792 1. A preliminary title report covering the entire land in the proposed project, or other approved  
793 evidence of title insurability.

794 2. Evidence that the applicant has sufficient control and financial capability over the land to  
795 effectuate the proposed use.

796 3. When applicable, letters from the public agencies which will provide water and sewer service  
797 to the proposed development. The letter should state what type, if any, of interim system will  
798 be allowed until full service can be provided by the public agency; and that potable water will be  
799 available to the developer in quantities and quality as required by state requirements for the  
800 project.

801 4. Statement of the estimated starting and completion dates for each phase of development,  
802 including proposed grading work and any landscape work.

803 5. A copy of proposed protective covenants, articles of incorporation, association or  
804 condominium.

805 6. Tabulations showing the square footage and percent of total area proposed in:

806 a. Off street parking;

807 b. Streets;

808 c. Developed parks;

809 d. Natural open spaces or undeveloped parks.

810 7. Tabulations showing the square footage and percent of area covered by buildings.

811 8. Tabulations showing the square footage and total floor space by type of use, i.e., residential,  
812 commercial, industrial, etc.

813 9. Copies of any agreements with adjacent property owners relevant to the proposed  
814 subdivision.

815 10. An adequate traffic report prepared by a qualified traffic engineer when required by the city  
816 engineer or planning commission.

817 C. Required Information: The following information shall be included on the preliminary plat or within  
818 the preliminary construction drawing set:

819 1. A vicinity map of the proposed subdivision, drawn at a scale of five hundred feet to the inch  
820 (1" = 500'), which defines the location of the subdivision within the city;

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- 821 2. The proposed name of the subdivision. Such subdivision names shall not duplicate or nearly  
822 duplicate the name of any subdivision in the city or in the incorporated and unincorporated area of  
823 Davis County;
- 824 3. The names and addresses of the developerdeveloperdeveloper or agent, if applicable, the  
825 engineer and surveyor of the development, and the owners of the land immediately adjoining the  
826 land to be developed. If the developer is represented by an agent, there shall be a statement from  
827 the recorded owner authorizing the agent to act
- 828 4. The date, north point, written and graphic scales.
- 829 5. The boundary lines of the tract to be subdivided, with all dimensions shown and a legal  
830 description to defining the location and boundaries of the proposed subdivision;
- 831 6. The location, widths and other dimensions of proposed streets, alleys, easements, or other public  
832 or private rights of ways;
- 833 7. The location and size of all sites proposed to be dedicated or reserved for parks, open spaces,  
834 common area, or other recreational uses. All sites shall be clearly labeled as proposed for public or  
835 private dedication and use.
- 836 8. Boundary lines of adjacent subdivisions and the names of owners of adjacent unplatted land  
837 within one hundred feet (100') of the tract proposed for subdivision, showing ownership and  
838 property monuments.
- 839 9. A contour map at one foot (1') intervals, for predominant ground slopes within the subdivision  
840 between level and five percent (5%), and at two foot (2') intervals, for predominant ground slopes  
841 within the subdivision over five percent (5%), showing all unusual topographic features with  
842 verification by a qualified engineer or land surveyor. Such contours shall be based on Davis County  
843 datum. The closest city survey monument shall be used and its elevation called out on the map.  
844 Survey monument information shall be obtained from the Davis County surveyor or city engineer;
- 845 10. Grading plan showing existing and proposed contour lines at no greater than two foot (2')  
846 intervals at a scale of not less than one inch equals one hundred feet (1" = 100').
- 847 11. For developments that are not within the sensitive lands overlay area, a soils data report from a  
848 registered soils engineer, engineering geologist or other qualified person, based upon adequate test  
849 boring or excavations within the proposed project. (Ord. 01-05, 4-3-2001) The soil report shall  
850 include, among other things, a description of the soil types and characteristics on the site, describe  
851 whether or not groundwater was encountered in any of the test borings and at what elevation it  
852 was encountered, and shall identify the location of any seismic zones or flood zones on the  
853 property.
- 854 a. Investigation: If the soil report indicates the presence of critically expansive soils, high water  
855 table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected,  
856 would lead to structural defects of the proposed buildings, damage to the buildings from the  
857 water, premature deterioration of the essential infrastructure improvements, or which would  
858 represent a public health hazard, a soil investigation of each lot in the subdivision may be  
859 required by the city engineer. The soil investigation shall recommend corrective actions

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860 intended to prevent damage to proposed structures and/or essential infrastructure  
861 improvements. The fact that a soil report has been prepared shall be noted on the final plat and  
862 a copy attached to the preliminary plat application.

863 12. A geologic hazard study prepared in accordance with Title 10, Chapter 12 for all developments  
864 on properties: within the sensitive lands overlay area; with an average slope of fifteen percent  
865 (15%) or greater; with known, suspect, or probable geologic hazards; critical wildlife habitat or  
866 natural features; critical drainage channels; or other vital infrastructure.

867 13. The boundaries of areas subject to 100-year flooding or stormwater overflow, as determined by  
868 the city, and the location, width and direction of flow of all watercourses, including all existing and  
869 proposed irrigation and natural runoff channels and courses within the subdivision or within two  
870 hundred feet (200') thereof, and all known wells or springs (consult state engineer's office).

871 14. The existing use or uses and zoning of the property and the outline of any existing buildings and  
872 their locations in relation to existing or proposed street and lot lines drawn to scale;

873 15. The location, proposed names, widths and a typical cross section of curbs, gutters, sidewalks and  
874 other improvements of the proposed street and access easements and names of all existing or  
875 recorded streets, alleys and easements, both within the proposed project and within one hundred  
876 feet (100') of the boundary thereof, showing whether recorded or claimed by usage;

877 16. The location and dimensions to the nearest existing bench mark or monument, and section line;  
878 the location and principal dimensions of all watercourses, public utilities, and other important  
879 features and existing structures within the land adjacent to the tract to be developed, including  
880 railroads, power lines and exceptional topography.

881 17. Layout of all lots, including the average and minimum lot size, lot divisions and consecutive  
882 numbering;

883 18. Proposed off site and on site culinary and secondary water facilities, sanitary sewers, storm  
884 drainage facilities, fire hydrants, and any other public or private utility, as applicable.

885 19. Existing off site and on site culinary and secondary water facilities, sanitary sewers, storm  
886 drainage facilities, subdrains, fire hydrants, and any other public or private utility within the tract or  
887 within one hundred feet (100') thereof.

888 20. Location and size of all existing and proposed easements, dedications, and deed restrictions,  
889 including solar, public utility lines, water and sewage lines, storm drains and facilities, watercourses,  
890 irrigation systems, land drains, etc.

891 21. Stormwater drainage plan and management plan in accord with 8-5-21by which the  
892 developerdeveloperdeveloper proposes to handle stormwater drainage for an event with a ten (10)  
893 year return period for all storm drain pipe , and for an event with a one hundred (100) year return  
894 period for all storm drain detention basins. (Ord. 07-01, 1-9-2007) The calculation must size the  
895 detention basin, size the orifice plate and determine the amount of flow which can be released (the  
896 release rate can be 0.2 cfs/acre). Detention basin shall retain the required 24-hour storm equivalent,  
897 as required under the Utah pollutant discharge elimination system (UPDES) general discharge  
898 permit. All development and redevelopment that warrants compliance with the UGCP regulation

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899 must include an LID analysis that meets the objective of mirroring the predevelopment hydrology  
900 and meets the objective of retaining on site, with no discharge, the 0.6-inch, 24-hour rainfall event.

901 22. If the site requires substantial cutting, clearing, grading or other earthmoving operations in the  
902 construction of improvements, the application shall include a soil erosion and sedimentation control  
903 plan prepared by a registered civil engineer.

904 23. Dimensioned parking layout showing location of individual parking stalls, driveways and other  
905 areas of ingress and egress.

906 24. Landscaping plan. Generalized landscaping plans for the site and, if appropriate, information  
907 relating to the landscaping on adjacent or surrounding areas affected by the proposed development.  
908 Such landscaping plans shall be prepared by a qualified professional team showing:

909 a. Distribution of plant material, existing trees, as related to energy conservation and solar  
910 access, and work involved as related to slope control and/or physical environment;

911 b. Special effects and decorative materials;

912 c. Automatic irrigation systems (sprinkler, bubbler, etc.);

913 d. Recreation equipment. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

914 25 The location of the development as it forms part of a larger tract or parcel. The submittal shall  
915 include a concept of the prospective future street system of the unplatted portion of the property,  
916 and the street system of the part submitted shall be considered in light of adjustments and  
917 connections with the future street system of the surrounding area and in accordance with the city  
918 general plan.

919 26. Certification of the accuracy of the preliminary plat of the development and any traverse to  
920 permanent survey monuments by a land surveyor, registered to practice in the state.

921 27. If it is contemplated that the development will proceed by phases, the boundaries of such  
922 phases shall be shown on the preliminary plat along with the estimated construction schedule for  
923 each phase;

924 28. The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat.

925 **13-5-040: EVALUATION OF PRELIMINARY PLAT:**

926 **(Previous Code 10-3-3(B))**

927 A. The community development department will determined if the appropriate plan and application is  
928 submitted, if the application is complete and if all the fees have been paid. If the application is deemed  
929 to be incomplete the applicant shall be notified in writing within ten (10) days of the application date, or  
930 as reasonably practical upon discovery of a deficiency. Upon receipt of the complete preliminary design  
931 plan submission, the department shall distribute copies of the plan to the city engineer and to other  
932 members of the development review committee, and to such other governmental departments and  
933 agencies for review and comment as necessary and in the public interest. (Ord. 93-5, 7-6-1993, eff. 7-15-  
934 1993; amd. 2012 Code)

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935 B. The developer shall distribute plans for comment to all appropriate public or private agencies or  
936 utilities for review and approval and obtain letters of approval as required. After reviewing the plans,  
937 each of the agencies and utilities will provide the acknowledgment letter to the developer indicating  
938 whether the plans are acceptable or need to be revised, and may forward to the developer a written  
939 report of its findings and recommendations. These agencies shall include, but are not necessarily limited  
940 to, water and sewer improvement districts, and the metro fire agency.

941 C. Failure of any of the recipient departments or agencies to respond to the city with comments  
942 concerning the development within fourteen (14) days of receipt of a copy of the preliminary design  
943 plan shall be construed as indicating that such agency or department has no adverse concern with the  
944 proposed development.

945 D. The development review committee (DRC) shall review the preliminary plat application for  
946 compliance with all applicable regulations and shall notify the developer of the preliminary plat review  
947 findings, redlines and comments, and identify any other information necessary for review by the  
948 planning commission to evaluate the proposed development.

949 C. The developer shall be afforded a reasonable period of time to submit corrected drawings and  
950 documents which address the DRC findings, redlines comments, and requested information.

951 D. The DRC shall review any corrected drawings or documents within ten (10) days of receipt and  
952 provide additional feedback to the developer regarding findings of compliance with city regulations and  
953 confirming the date for review by the Planning Commission.

954 E. If the DRC finds that the application is not in compliance with city regulations for preliminary plat  
955 review, the developer shall be provided notice in writing of corrective actions required prior to  
956 placement on the planning commission agenda.

### 957 **13-5-050: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:**

958 A. Within a reasonable time after the filing of a preliminary plat application and any other information  
959 required, the planning commission shall consider the application for approval. If the planning  
960 commission finds that the proposed plat complies with the requirements of this chapter and that it is  
961 satisfied with the plat of the subdivision, it shall approve, or approve with conditions, the plat. If the  
962 planning commission finds that the proposed plat does not meet the requirements of this title or other  
963 applicable ordinances, it shall deny approval of such plat.

964 B. Findings: The planning commission may approve or deny the preliminary plat and shall make findings  
965 regarding the submitted plat, specifying any inadequacy in the information submitted, noncompliance  
966 with city regulations, inconsistencies with the conceptual plan, and the need for any additional  
967 information which may assist the planning commission to evaluate the preliminary plat and in making a  
968 final determination. The planning commission shall approve only those preliminary design plans which  
969 the commission finds:

970 1. To be developed in accordance with the intent, standards and criteria specified in this title and  
971 other applicable regulations.

972 2. To conform to an approved conceptual plan.

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973 3. To create no substantial financial hardship to the city.

974 4. To create no substantial environmental consequence which will adversely impact upon adjacent  
975 properties and the health, safety or welfare of the inhabitants of the city when weighed against the  
976 positive impacts of such development.

977 5. To mitigate possible adverse impacts from the proposed development, the planning commission  
978 shall determine from a review of the preliminary design plan whether the soil, slope, vegetation and  
979 the drainage characteristics of the site are such as to require substantial cutting, clearing, grading,  
980 and other earthmoving operations in the construction of the development, or otherwise threaten an  
981 erosion hazard and, if so, the planning commission shall require the developer to provide soil  
982 erosion, geological hazard and sedimentation control plans and specifications. Such control plans  
983 and specifications shall be prepared by a qualified professional team with the costs of preparation of  
984 such plans and specifications being borne by the developer. Also, when in the opinion of the  
985 planning commission public facilities should be constructed within the boundaries of a proposed  
986 development for the benefit of the community as established in the comprehensive general plan of  
987 the city, the developer shall reserve a site appropriate in area and location for such public facility.

988 C. Examination Of Plat: Upon receipt of the preliminary plat, the planning commission shall also examine  
989 the plat to determine whether the plat is consistent with the concepts set forth in the approved  
990 conceptual plan and with all changes requested and all requirements imposed as conditions of  
991 acceptance. In the event that the preliminary plat has been altered substantially from the approved  
992 conceptual plan, at the discretion of the planning commission chair, with the recommendation of the  
993 community development department, the chair may suspend planning commission review of the  
994 preliminary plat and require that the developer resubmit the plan subject to the conceptual plan review  
995 process. The chair may also defer such decisions related to conceptual plan resubmittal and/or  
996 preliminary plat review to the planning commission for its approval.

997 D. Substantial Change: The planning commission shall determine whether a proposed modification to an  
998 approved conceptual plan is a "substantial" change. Alterations of the following types shall define a  
999 substantial change:

1000 1. A significant change to the roadway alignment or configuration;

1001 2. Significant changes to lot areas or lot configuration;

1002 3. Any increase to the number of lots;

1003 4. Any change to the configuration and amount of open space required;

1004 5. A significant change to culinary water, sanitary sewer, or storm drain plans related to the  
1005 application;

1006 6. Any deviation from the approved conceptual plan as determined by the provisions set forth in  
1007 this title;

1008 7. A modification of any other aspect of the conceptual plan that would significantly change its  
1009 character.

1010 **13-5-060: NOTIFICATION OF ACTION:**

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1011 The community development department shall notify the developer, in writing, of the action taken by  
1012 the planning commission. Notification of the approval of the preliminary plat shall be authorization for  
1013 the developer to proceed with the preparation of detailed plans and specifications for the  
1014 improvements required by city ordinances and the planning commission, and with the preparation of  
1015 the final plat.

### **1016 13-5-070: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:**

1017 Approval of the preliminary plat shall in no way relieve the developer of the responsibility to comply  
1018 with all required conditions and ordinances, and to provide the improvements and easements necessary  
1019 to meet all city standards.

### **1020 13-5-080: FINAL PLAT; PURPOSE:**

1021 The purpose of the final plat is to require formal approval by the planning commission before a major  
1022 subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all  
1023 respects be in compliance with the provisions of this title. The final plat and improvement plans  
1024 submitted shall conform in all respects to those regulations and requirements specified during the  
1025 preliminary plat procedure. Pursuant to Utah Code Annotated section 10-9a-604, as amended, the  
1026 planning commission designates the planning commission chair as its agent to sign final subdivision  
1027 plats. The planning commission chair shall not sign any final plat until such plat has been approved by  
1028 the planning commission in accordance with the provisions set forth herein.

### **1029 13-5-090: FILING DEADLINE, APPLICATION AND FEES:**

1030 The developer shall file an application for final plat approval with the community development  
1031 department on a form prescribed by the city, together with one reproducible copy and prints of the final  
1032 plat, the number of which shall be determined by city staff, and all required fees. The preliminary plat  
1033 shall become null and void unless the developer submits an application for and obtains final plat  
1034 approval for all phases encompassing the area of the preliminary plat within twelve (12) months after  
1035 approval or conditional approval of the preliminary plat by the planning commission, except as  
1036 otherwise provided for by written agreement with the city. This time period may be extended for up to  
1037 twelve (12) months for good cause shown if the developer petitions the planning commission in writing  
1038 for an extension prior to the expiration date of the preliminary plat together with any applicable fees.  
1039 Only one extension of the preliminary plat approval may be granted. In the event the final plat approval  
1040 expires, or the city does not grant an extension of final plat approval, or the city does not reapprove a  
1041 previously approved final plat, the preliminary plat approval shall also expire, unless twelve (12) months  
1042 has not lapsed from the date of its approval and/or a twelve (12) month extension of time has been  
1043 granted as provided herein.

### **1044 13-5-100: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

1045 A. The final plan shall provide technical and engineering solutions to all identified problems as required  
1046 by the planning commission. The following items shall be submitted to the community development  
1047 department for final plat review:

1048 1. The developer of a major subdivision, after completing the preliminary plat required by this title,  
1049 shall file an application for final plat approval on a form provided by the city. The application shall

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1050 include two (2) 24" x 35" copies and one (1) 11" x 17" copy of the final plat and final construction  
1051 drawings and one electronic copy of all required documents. At the same time, the developer shall  
1052 pay an application fee as published in the consolidated fee schedule of the city. The community  
1053 development department will determine if the appropriate plan is submitted, if the application is  
1054 complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment  
1055 will be provided by the community development department.

1056 2. A certificate of title insurance for any land to be dedicated to the city via the city council.

1057 3. Trust agreement for perpetual care funds when required as a condition of approval.

1058 B. Final Plan Drawing Requirements:

1059 1. Drawings shall be prepared and certification made as to plat accuracy by a registered professional  
1060 licensed to do such work in the state of Utah. A workmanlike execution of the plat shall be made in  
1061 every detail. A poorly drawn or illegible plan is sufficient cause for final plat rejection.

1062 2. The final plat shall consist of a sheet of approved mylar to the outside or trim line dimensions of  
1063 nineteen inches by thirty inches (19" x 30") and the border line of the plat shall be drawn in heavy  
1064 lines leaving a space of at least one and one-half inches (1½") on the left side and at least one-half  
1065 inch (½") margin on the other sides. The plat shall be so drawn that the top of the drawing faces  
1066 either north or west, whichever accommodates the drawing best. All lines, dimensions and markings  
1067 shall be made on the mylar, or comparable material, with approved waterproof black ink.

1068 3. The plat shall be made to a scale large enough to clearly show all details, and in any case not  
1069 smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing  
1070 shall be neat, clean cut and readable.

1071 4. An accurate and complete survey to second order accuracy shall be made of the land to be  
1072 subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed  
1073 from field measurements on the ground, shall close within a tolerance of one foot (1') to twenty  
1074 thousand feet (20,000'). A survey tie into two (2) legal corners or other permanent markers  
1075 established, or approved by the Davis County survey, is required.

1076 5. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside  
1077 the boundary line, not inside with the lot dimensions, and tied to two (2) existing land monuments  
1078 within the subdivision shall show the calculated Davis County coordinates. When the plat is  
1079 bounded by an irregular shoreline or a body of water, the bearings and distances of a closing  
1080 meander traverse should be given and a notation made that the plan includes all land to the water's  
1081 edge or otherwise.

1082 6. If a plat is revised, the redlined copy of the old plan shall be returned for comparison purposes.

1083 7. In subdivisions, all blocks and all lots within each block shall be consecutively numbered.

1084 8. On curved boundaries and all curves in the plat, sufficient data shall be given to enable the  
1085 reestablishment of the curves on the ground. This curve data shall include the following for circular  
1086 curves:

1087 a. Radius of curve;

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- 1088           b. Central angle;
- 1089           c. Tangent;
- 1090           d. Arc length;
- 1091           e. Chord (bearing and length).
- 1092           9. Excepted parcels shall be marked "not included in this development" and the boundary  
1093           completely indicated by bearings and distances.
- 1094           10. All streets within the project shall be numbered (named streets shall also be numbered) in  
1095           accordance with and in conformity with the adopted street numbering system adopted by the city.  
1096           Each lot shall show the street addresses assigned thereto, by and shall be according to the standard  
1097           addressing methods approved by the city. In the case of corner lots, the address will be assigned for  
1098           each part of the lot having street frontage.
- 1099           11. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever  
1100           practicable, blocks in their entirety shall be shown on one sheet.
- 1101           12. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision  
1102           with no omissions or duplications. When a subdivision is developed in phases, the phase number  
1103           shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.
- 1104           13. The side lines of all easements shall be shown by fine dashed lines. The width of all easements  
1105           and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be  
1106           shown. All easements shall be clearly labeled and identified.
- 1107           14. All lands within the boundaries of the plan shall be accounted for either as lots, walkways,  
1108           streets, alleys, excepted parcels, common areas, building areas, parking areas, drainage facilities,  
1109           landscape areas, and permanent open space, etc.
- 1110           15. All dimensions of irregularly shaped lots shall be indicated in each lot.
- 1111           16. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need not  
1112           be given for interior lot lines where the bearings and lengths are the same as those of both end lot  
1113           lines.
- 1114           17. Parcels not contiguous shall not be included in one plat. Contiguous parcels owned by different  
1115           parties may be embraced in one plat, provided all owners join in dedication and acknowledgment.
- 1116           18. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to  
1117           seconds of arc.
- 1118           19. The information on the plat shall include description of project boundaries, public streets and  
1119           easements (utility, drainage, access, etc.), as well as other design elements and the following:
- 1120               a. Name of development, astronomic north arrow and basis thereof, and date, and names of  
1121               developer and engineer. The title of each sheet of the final plat shall consist of the approved  
1122               name and unit number of the subdivision in bold letters, and if applicable, the words "a Planned

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- 1123 Unit Development (PUD)" , followed by the words "City of North Salt Lake" at the top of the  
1124 sheet.
- 1125 b. Name and address of owner or owners of record.
- 1126 c. Total acreage of development project; total number of lots and acreage of each.
- 1127 d. Township, range, section (and quarter section, if portion).
- 1128 e. Graphic scale.
- 1129 20. The final plat shall contain the name of the surveyor, together with the date of the survey, the  
1130 scale of the map and number of sheets. The following certificates, acknowledgments and  
1131 descriptions shall appear on the title sheet of the final plat, and such certificates may be combined  
1132 where appropriate:
- 1133 a. Registered land surveyor's certificate of survey;
- 1134 b. Owner's dedication certificate;
- 1135 c. Notary public's acknowledgment for each signature on the plat;
- 1136 d. A correct metes and bounds description of all property included within the subdivision or  
1137 project;
- 1138 e. Plats shall contain blocks for signatures of the planning commission, city engineer, city  
1139 attorney, city council (a signature line for the mayor and an attestation by the city recorder). A  
1140 block for the Davis County recorder shall be provided in the lower right corner of the final plat;
- 1141 f. Such other affidavits, certificates, acknowledgments, endorsements and notaries seals as are  
1142 required by law, by this title or by the city attorney;
- 1143 g. Prior to recordation of the plat, the developerdeveloper developer shall submit a current title  
1144 report to be reviewed by the city attorney. A "current title report" is considered to be one which  
1145 correctly discloses all recorded matters of title regarding the property and which is prepared  
1146 and dated not more than thirty (30) days before the proposed recordation of the final plat;
- 1147 h. The owner's dedication certificate, registered land surveyor's certificate of survey, and any  
1148 other certificates contained on the final plat shall be in the form prescribed by the city  
1149 subdivision standards and specifications;
- 1150 i. When a subdivision contains lands which are reserved in private ownership for community  
1151 use, including common areas, the developerdeveloperdeveloper shall submit with the final plat  
1152 the name, proposed articles of incorporation and bylaws of the owner, or organization  
1153 empowered to own, maintain and pay taxes on such lands and common areas.
- 1154 21. The plat shall fully and clearly show all stakes, monuments and other evidence indicating the  
1155 boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed  
1156 or destroyed before acceptance of all improvements, shall be replaced by the developerdeveloper  
1157 under the direction of the city engineer. The following required monuments shall be shown on the  
1158 final plat:

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1159 a. The location of all monuments placed in making the survey, including a statement as to what,  
1160 if any, points were reset by ties;

1161 b. All right of way monuments at angle points and intersections as approved by the city  
1162 engineer.

1163 C. Final Construction Plan Requirements:

1164 1. Standards for design, construction specifications, inspection of the street improvements, curbs,  
1165 gutters, sidewalks and standards for design, construction specifications and inspection of water  
1166 distribution systems, sewage disposal facilities, storm drainage and flood control facilities shall be  
1167 prepared by the city engineer. Standards for fire hydrants shall meet the requirements of any  
1168 federal, state and local governmental entities having jurisdiction over the same. All subdivision  
1169 standards and specifications and amendments thereto which are under the control of the city shall  
1170 be approved by the city council before becoming effective. The city council may by resolution adopt  
1171 subdivision standards and specifications of the city which may be amended from time to time. All  
1172 developerdevelopers shall comply with any subdivision standards and specifications adopted by the  
1173 city council. All essential infrastructure improvements shall be installed in accordance with the city  
1174 subdivisions standards and specifications, the requirements of the city engineer, the subdivision  
1175 improvements agreement between the developer and the city, and all other applicable city  
1176 ordinances and regulations.

1177 2. Complete and detailed construction plans and drawings of all improvements shall be prepared in  
1178 conformance to the design standards of the city. They shall be submitted to the city engineer for  
1179 review at the same time the final plat is being reviewed. Final approval of the project shall not be  
1180 granted until the plans have been reviewed and recommended for approval by the city engineer. No  
1181 construction shall be started until the final plat has been recorded and the construction plans have  
1182 been approved by the city. Plans for all the street utilities shall be drawn on the same plans.

1183 3. Standards are set for the purpose of standardizing the drawings and to obtain uniformity in  
1184 appearance, clarity, size and reproduction.

1185 a. Three (3) copies of construction plans shall be submitted with one set to be retained by the  
1186 city engineer, one set to be retained in the official city development file city, and one set  
1187 returned to the developerdeveloper for corrections and revisions. After corrections and  
1188 revisions by the developerdeveloper, three (3) sets shall be submitted for final review by the city  
1189 engineer.

1190 b. All drawings and/or prints shall be clear and legible and conform to good engineering and  
1191 drafting practice. Size of drawings shall be twenty four inches by thirty six inches (24" x 36")  
1192 (trim line) with one-half inch ( $1/2$ " ) border on top, bottom and right sides, left side one and one-  
1193 half inches ( $1\frac{1}{2}$ " ).

1194 c. The plans shall include the following information:

1195 (1) North arrow (plan);

1196 (2) Elevations referenced to USGS datum;

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- 1197 (3) Stationing and elevations for profiles;
- 1198 (4) Title block located in lower right corner of sheet, to include, project title (subdivision,  
1199 etc.). Specific type and location of work, and name of engineer or firm preparing drawings  
1200 with license number. Utah engineer's stamp shall be required on all construction plans;
- 1201 (5) Scale one inch equals twenty feet (1" = 20') or one inch equals forty feet (1" = 40')  
1202 horizontally; one inch equals two feet (1" = 2') or four feet (4') vertical;
- 1203 (6) Both plan view and profiles for curb and gutter plans shall be shown for each side of the  
1204 street; street centerline profile may be eliminated. Top of curb elevations with curve data  
1205 must be shown for all curb returns;
- 1206 (7) Size and location of culinary water lateral mains, meters, valves and hydrants;
- 1207 (8) Type of pipe;
- 1208 (9) Size and location of irrigation lateral mains, valves, fittings, etc.;
- 1209 (10) Size, location and profile of sewer, storm drains and subdrains and their manhole  
1210 cleanouts.
- 1211 (11) Calculation, Traverse Sheets: Calculation and traverse sheets giving bearings, distances  
1212 and coordinates of the boundary of the subdivision and blocks and lots as shown on the final  
1213 plat.
- 1214 (12) Data, Assumptions, Computations: Design data, assumptions and computations for  
1215 proper analysis in accordance with sound engineering practice, along with appropriate plan,  
1216 section and profile sheets for all essential infrastructure improvements.
- 1217 4. As needed, each set of plans shall be accompanied by a separate sheet of details for structures  
1218 which are to be constructed. All structures shall be designed in accordance with minimum  
1219 requirements established by the subdivision standards of the city.
- 1220 **13-5-110: EVALUATION OF FINAL PLAT:**
- 1221 A. Community development department: The community development department will determine if  
1222 the final plat submission is complete and if all the fees have been paid. If all requirements are met, a  
1223 letter of acknowledgment will be provided by the community development department, and the  
1224 developer shall distribute plans, accompanied by the letter, for comment to all appropriate public and  
1225 private entities.
- 1226 B. Reviewing Entities: After reviewing the plans, each of the public agencies and utilities will provide the  
1227 acknowledgment letter to the developer indicating whether the plans are acceptable or need to be  
1228 revised, and may forward to the developer a written report of its findings and recommendations. These  
1229 agencies shall include, but are not necessarily limited to, water and sewer improvement districts, and  
1230 the metro fire agency.
- 1231 C. Additional Reviews: In cases where developer's submission or plat is incomplete, incorrect or  
1232 otherwise fails to comply with city ordinances and/or development standards as determined by the city  
1233 and where such failure makes additional or repeat reviews on the part of the city engineer and/or other

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1234 consultants to the city necessary, developer shall be required to resubmit the plans to those reviewing  
1235 entities that will be affected by changes. After reviewing the plans, each of the public agencies and  
1236 utilities will provide the acknowledgment letter to the developer indicating whether the plans are  
1237 acceptable or need to be revised. This process shall continue until all reviewing entities have accepted  
1238 the plans.

1239 D. Report To Planning Commission: Within a reasonable time after receipt of a final plat and approval or  
1240 comments from all appropriate reviewing entities, the community development department shall  
1241 include the final plat on the planning commission agenda and prepare a report on the plat's compliance  
1242 with the general plan, city ordinances, rules and regulations. The plat and the report of the city  
1243 community development department shall then be presented to the planning commission.

### **1244 13-5-120: PLANNING COMMISSION ACTION; FINAL PLAT:**

1245 A. Scope: The planning commission shall not be bound by the recommendations of the city departments  
1246 or the city manager, and may set its own conditions and requirements consistent with this title.

1247 B. Examination Of Plat: Upon receipt of the final plat, the planning commission shall examine the plat to  
1248 determine whether the plat conforms with the preliminary plat and with all changes requested and all  
1249 requirements imposed as conditions of acceptance. If the planning commission determines that the plat  
1250 is in conformity with the preliminary plat, the requirements of this title, other applicable ordinances and  
1251 any reasonable conditions as recommended by the city departments, city manager or on its own  
1252 initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.

### **1253 13-5-130: DISAPPROVAL BY THE PLANNING COMMISSION:**

1254 If the planning commission determines that the final plat is not in conformity with this title or other  
1255 applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the  
1256 reasons for such disapproval. Within one year after the planning commission has disapproved any plat,  
1257 the developer may file with the community development department a plat altered to meet the  
1258 requirements of the planning commission. No plat shall have any force or effect until the same has been  
1259 approved by the planning commission.

1260

### **1261 13-5-140: SECURITY BOND; DEVELOPER:**

1262 Prior to the installation of or any work on any required essential infrastructure improvements, the  
1263 developer shall enter into a subdivision improvement agreement including a security bond acceptable to  
1264 the city to insure completion of all essential infrastructure improvements required to be installed in the  
1265 subdivision. The agreement shall be in a form and contain such provisions as approved by the city  
1266 attorney. The agreement shall include, but not be limited to, the following:

1267 A. Incorporation: Incorporation by reference of the final plat and all accompanying data required herein  
1268 which is used to compute the cost of the improvements by the city engineer;

1269 B. Completion Of Improvements: Completion of the improvements within a period of time not to exceed  
1270 two (2) years from the date the agreement is executed;

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1271 C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the city and  
1272 according to city standards specified in this title;

1273 D. Amount: The bond amount shall be equal to one hundred percent (100%) of the city engineer's  
1274 estimated cost of the essential infrastructure improvements to be installed;

1275 E. Exclusive Control By City: The bond proceeds may be released only upon written approval of the city  
1276 engineer;

1277 F. Reduction: The bond proceeds may be reduced upon request of the developer as the improvements  
1278 are installed. The amount of the reduction shall be determined by the city. Such requests may be made  
1279 only once every thirty (30) days and no reductions shall be authorized until such time as the city has  
1280 inspected the improvements and found them to be in compliance with city standards and approved  
1281 improvement plans. All reductions shall be by the written authorization of the city engineer. The bond  
1282 shall not be reduced below ten (10%) of the required bond amount, until such time that all  
1283 improvements have been accepted and upon the expiration of the one (1) year warranty period.

1284 G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion  
1285 of the improvements according to city standards for whatever reason, including previous reductions, the  
1286 developer shall be responsible for the deficiency and no further building permits shall be issued in the  
1287 subdivision or development until the improvements are completed or new bond, satisfactory to the city,  
1288 has been executed and delivered to the city to ensure completion of the remaining improvements;

1289 (from 10-7-3-H-2)

1290 H. In the event the developer defaults or fails or neglects to satisfactorily install the required  
1291 improvements within one year from the date of approval of the development by the city council or to  
1292 pay all liens in connection therewith, the city council may declare the bond or other assurance forfeited  
1293 and the city may install or cause the required improvements to be installed using the proceeds from the  
1294 collection of the bond or other assurance to defray the expense thereof, including attorney fees and  
1295 court costs. After required improvements have been made, any balance after expenses shall be returned  
1296 to the developer at the end of the assurance period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012  
1297 Code)

1298 I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period,  
1299 the costs of completion shall include reimbursement to the city for the costs of administration incurred  
1300 by the city in obtaining the completion of the improvements;

1301 J. Nonliability: The developer shall agree to hold the city harmless from any and all liability which may  
1302 arise as a result of the improvements which are installed until such time as the city certifies the  
1303 improvements as complete;

1304 K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by the  
1305 city:

1306 1. A cash bond agreement accompanied by a cashier's check or a money market certificate made  
1307 payable only to the city;

1308 2. An escrow bond agreement and an escrow account with a financial institution federally insured;

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1309           3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial  
1310           institution federally insured; or

1311           4. A corporate surety performance bond in favor of the city.

1312           L. Right Of Rejection: The city reserves the right to reject any bond. The bonds required by this section  
1313           are for the sole benefit of the city. The bonds are not for the benefit of any individual citizen or  
1314           identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;

1315           M. Extension: The time period for the completion of the required essential infrastructure improvements  
1316           may be extended in the following manner upon approval of the city council:

1317           1. The developer may submit a new bond for approval;

1318           2. The existing bond may be extended upon payment, by the developer, of the actual administrative  
1319           costs incurred in reevaluating the sufficiency of the bond amount.

1320           **13-5-150: DELAY AGREEMENT:**

1321           In lieu of the bond requirements outlined above, at the city's sole option, the developer may be  
1322           permitted to execute an agreement, in a form acceptable to the city attorney, delaying the installation  
1323           of any or all of the essential infrastructure improvements required pursuant to this title.

1324           **13-5-160: RECORDING OF PLAT:**

1325           After planning commission approval, completion of the required essential infrastructure improvements  
1326           or filing of the bond agreement described herein, and signing of the plat by all those required, the plat  
1327           shall be presented by the city recorder to the Davis County recorder for recordation.

1328           **13-5-170: EXPIRATION OF FINAL APPROVAL:**

1329           If the plat is not recorded within six (6) months from the date of planning commission approval, such  
1330           approval shall be null and void. This time period may be extended for additional six (6) month periods by  
1331           the city manager. The developer must petition for an extension, prior to the expiration of the original six  
1332           (6) months, or an extension previously granted. An extension may be granted only if it is determined  
1333           that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision  
1334           approval, including, but not limited to, inspection fees, parks fees, flood control fees, as well as the  
1335           amounts the city uses to estimate bonds to ensure completion of improvements, have increased, the  
1336           city manager may require that the bond estimate be recalculated and that the developer pay any  
1337           applicable fee increases as a condition of granting the extension.

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1338 **13-6: PLANNED UNIT, CONDOMINIUM, RECREATIONAL VEHICLE AND MOBILE HOME**  
1339 **DEVELOPMENTS**

1340 **13-6-010 : PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:**

1341 **13-6-020 : CONDOMINIUM SUBDIVISIONS**

1342 **13-6-030 : MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE PARKS;**  
1343 **SPECIAL REQUIREMENTS:**

1344 **13-6-010: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:**

1345 Purpose: The purpose of planned unit development (PUD) is to permit flexibility in land use regulations  
1346 and for the consolidation of open spaces by clustering dwelling units, in order to preserve natural  
1347 features, allow a variety of land uses, provide meaningful and usable open spaces, and to make efficient  
1348 use of essential infrastructure and public facilities. The application of planned unit development concept  
1349 is intended to encourage neighborhoods, housing, design, open space and facilities compatible with the  
1350 present living environment in the city as described by the general plan, while at the same time ensuring  
1351 compliance with practices which will assure the health, safety and public welfare of the future  
1352 inhabitants of the planned unit development, as well as maximizing the energy utilization efficiency of  
1353 the project.

1354 The PUD approach is expected to result in development that is superior to what could be obtained  
1355 through ordinary lot-by-lot development. It is not intended to circumvent conventional land use  
1356 regulations. Through the flexibility of the planned unit development regulations, the city seeks to  
1357 achieve the following specific objectives:

- 1358 1. The stabilization and preservation of the existing or planned land uses in abutting areas and  
1359 surrounding residential neighborhoods;
- 1360 2. Preservation and enhancement of desirable site characteristics such as natural topography,  
1361 vegetation and geologic features, and the prevention of soil erosion;
- 1362 3. Preservation of buildings which are architecturally or historically significant or contribute to the  
1363 character of the city;
- 1364 4. Maximizing and preserving vegetation and open space and/or other special development  
1365 amenities to provide light, air and privacy, to buffer abutting properties and to provide active and  
1366 passive recreation opportunities for residents of the planned development and/or the community;
- 1367 5. Minimize significant through traffic impacts on adjacent residential neighborhoods;
- 1368 6. Provide an appropriate transition or buffering between uses of differing intensities both on site  
1369 and off site; and
- 1370 7. Provide safe and convenient vehicle and pedestrian connections between adjacent uses

1371 In return for greater flexibility in site development, the PUD introduces some special requirements and  
1372 standards for design approval. These conditions will be employed to maximize quality of site design.  
1373 They will not be used to cause undue delays nor unwarranted increase in costs, when compared to more  
1374 conventional development. The PUD process will not be used as a device to force a decrease in  
1375 residential density below that otherwise allowed by the comprehensive plan and underlying zoning.

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1377 B. Planned Unit Developments Approval: A development which is to be developed as a PUD shall be  
1378 processed in the same manner as minor or major subdivisions. PUD developments shall comply with the  
1379 underlying zoning requirements except as specifically varied by this section.

1380 C. Planned Unit Developments To Meet Use Limitations Of Districts Wherein Located:

1381 1. Land uses permitted within a PUD subdivisions shall comply with the underlying zone district.  
1382 Multi-family attached dwellings shall only be allowed to the extent permitted in the underlying  
1383 zone.

1384 2. The density allowed in a residential PUD shall be determined by calculating the net developable  
1385 area of the development divided by the minimum land area required per dwelling unit within the  
1386 zone district. Net developable area is defined as the total development parcel less the area required  
1387 for private or public road rights of ways and including the required adjacent pedestrian walkways  
1388 and park strips.

1389 D. Required Conditions:

1390 1. Area: No planned unit development shall have an area less than that approved by the planning  
1391 commission as adequate for the proposed development.

1392 2. Arrangement Of Structures; (residential)

1393 a. Open Space: The planning commission shall require such arrangements of structures to  
1394 consolidate and maximize usable open spaces for the enjoyment and convenience of future  
1395 residents of the development. Care shall be taken to assure that adjacent properties will not be  
1396 adversely affected.

1397 b. Perimeter Setback: All structures within a PUD shall be setback from the perimeter boundary  
1398 of the development a minimum of fifteen (15) feet.

1399 c. Front Setback (street façade): All front façades of buildings which face a private or public  
1400 street right of way shall be setback a minimum distance of twenty (20) feet from the edge of the  
1401 right of way, including any required sidewalk and park strip.

1402 d. Front Setback (other): All front facades of buildings which face a perimeter development  
1403 boundary or other physical feature or barrier, such as a retaining wall greater than 4 feet in  
1404 height, shall be setback from the perimeter boundary or wall a minimum distance of twenty-five  
1405 feet.

1406 e. Building Separation-front façade(s): Residential structures which front a courtyard or other  
1407 shared common open space have a minimum building separation of thirty (30) feet. Front  
1408 porches, patios, awnings, or above ground decks may extend into the separation distance up to  
1409 five (5) feet. Fenced limited common area may extend up to ten (10) feet into the separation  
1410 distance. Pedestrian walkways within the front separation shall be a minimum of five (5) feet in  
1411 width.

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- 1412 f. Building Separation-rear facades: Residential structures without rear garage or rear alley  
1413 access, shall have a minimum separation distance of thirty (30) feet. Fenced limited common  
1414 area may extend up to fifteen (15) feet into the separation distance.
- 1415 g. Building Separation-side facades: Adjacent side building facades shall have a minimum  
1416 separation distance of twenty-five (25) feet. Adjacent side yards may be used for common open  
1417 space, pedestrian circulation, or landscaping. Prohibited use in adjacent side yards shall be  
1418 parking and fenced limited common area. Pedestrian walkways within the side separation shall  
1419 be a minimum of five (5) feet in width.
- 1420 h. Rear Setback (alley loaded): Residential structures with alley loaded garages shall be setback  
1421 from the private street right of way a minimum distance of five (5) feet.
- 1422 i. Lot area, width, yard, height and coverage requirements shall be determined by approval of  
1423 the preliminary design plan.
- 1424 j. Where feasible, buildings or landscaping shall not prohibit the free flow of air or direct  
1425 exposure to sunlight, specifically in regard to solar heating or cooling structures by solar energy  
1426 systems.
- 1427 k. The development will be planned so as to provide solar access to all of the residential units,  
1428 unless waived by the Planning Commission.
- 1429 3. Plan Preparation: All plans must be prepared by a qualified professional team.
- 1430 4. Tax Liability For Private Open Space: Ownership for tax liability of private open space reservations  
1431 shall be established in a manner acceptable to the City Council and made a part of the conditions of  
1432 the plan approval.
- 1433 E. Preservation, Maintenance And Ownership: Preservation, maintenance and ownership of required  
1434 open spaces within development shall be accomplished by:
- 1435 1. Dedication: Dedication of the land to the City as a public park or parkway system, including a  
1436 certificate of title insurance; or
- 1437 2. Easement:
- 1438 a. Granting to the City a permanent, open space easement on and over the said private open  
1439 spaces to guarantee that the open space remains perpetually in recreational or park use, with  
1440 ownership and maintenance being the responsibility of an owners' association established with  
1441 articles of association and bylaws which are satisfactory to the City Council; or
- 1442 b. Granting to the City a permanent, open space easement on and over the said private open  
1443 spaces to guarantee that the open space remains perpetually in recreational or park use, to be  
1444 maintained from the proceeds of a Perpetual Maintenance Trust Fund established by the  
1445 developer in an amount satisfactory to the City Council; or by
- 1446 3. Condominium Ownership Act: Complying with the provisions of the Condominium Ownership Act,  
1447 Utah Code Annotated title 57, chapter 8, as amended, which provides for the payment of common  
1448 expenses for the upkeep of the common areas and facilities. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

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1449 **13-6-020 : CONDOMINIUM SUBDIVISIONS**

1450

1451 A. The procedures and requirements of this section shall apply to and govern the processing of  
1452 condominium record of survey maps pursuant to the requirements of the condominium ownership act,  
1453 Utah Code Annotated title 57, chapter 8. Said procedures and requirements shall supplement zoning,  
1454 site development, health, building and other ordinances applicable to a particular condominium project,  
1455 and shall apply to the approval of such projects involving new construction, as well as those involving  
1456 the conversion of existing structures. In addition, condominium projects which contemplate dedication  
1457 of real property or improvements for the use of the public, or condominium projects in which units are  
1458 not contained in existing or proposed buildings, shall also be considered subdivisions requiring  
1459 compliance with all applicable codes of the city.

1460 B. It is the intent of this chapter to establish a reasonable process whereby the city can assess the  
1461 impact of mixing collective and individual ownerships, as presented in a particular condominium project,  
1462 upon the public health, safety, convenience and general welfare of present and future inhabitants of the  
1463 city. In the case of commercial or residential conversions of existing buildings, corrections of building  
1464 code violations, the upgrading of vehicle parking facilities and safety of common functional elements of  
1465 the structure or structures are of prime importance. It is also recognized the conversion of existing  
1466 apartments or similar multi-family rental dwelling structures present the potential of relocation  
1467 hardship to existing tenants, especially senior citizens, and warrants that reasonable notice and  
1468 disclosure requirements be established by the city to minimize said hardships. (Ord. 93-5, 7-6-1993, eff.  
1469 7-15-1993)

1470 C. Application Requirements: The owner or developer of a proposed condominium project desiring  
1471 approval shall file an application with the community development department in accordance with  
1472 applicable major subdivision process.

1473 1. Proposed map accurately drawn to scale as required by Utah Code Annotated section 57-8-13, as  
1474 amended, which shall be made by a registered Utah land surveyor. In addition, said map or an  
1475 additional site plan shall include diagrammatic floor plans identifying boundaries of the project  
1476 units, convertible and expandable areas or spaces and common areas. Said map or plan should  
1477 designate the intended use of common areas (e.g., storage, recreational, parking for guests as  
1478 opposed to unit owners, open space, etc.) and should indicate whether such common areas are to  
1479 be open to the public, assigned to specific units or semiprivate and available only to unit owners.  
1480 Said map or site plan shall also identify and describe in detail the location of existing or proposed  
1481 driveways, pedestrianways, curb cuts, walls, structures, fences, landscaping and sprinkling systems.

1482 2. Two (2) copies, signed in the original, of the proposed condominium declarations and bylaws.

1483 3. Where conversion of an existing building is proposed as part of the condominium project, two (2)  
1484 copies of the property report, prepared by a licensed architect or engineer, including the following  
1485 information, shall be submitted as part of the application, together with the plan for proposed  
1486 improvements, renovations and repairs:

1487 a. The age of the building or buildings.

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- 1488 b. The general conditional, useful life and capacity of the building's structural elements,  
1489 including the roof, foundations, mechanical system, electrical system, plumbing system, boiler,  
1490 and other structural elements.
- 1491 c. All known conditions constituting deficiencies requiring repair to meet existing Building  
1492 Codes.
- 1493 d. All known conditions which may require repair or replacement within the next succeeding five  
1494 (5) year period. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 1495 e. The property report shall certify that the structure or structures conform to the International  
1496 Building Code minimum standards, or the owner shall present plans to bring the structure or  
1497 structures into conformity with said standards prior to issuance of certificates of occupancy.
- 1498 f. Where it is determined that physical conditions in an existing building do not allow the strict  
1499 application of the International Building Code standard, the City Board of Appeals, as provided  
1500 for in the International Building Code, shall review all requests to vary from these standards and  
1501 may grant variances or approve alternates where it is determined the intent of the requirement  
1502 will be met. In any event, there shall be disclosure to buyers of any conditions that do not meet  
1503 code or standards set by the City. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 1504 4. Proof of notice to tenants as required by section 10-19-5 of this chapter shall be required before  
1505 final approval, but may be submitted, at the owner/developer's option, after preliminary approval is  
1506 obtained from the Planning Commission.
- 1507 5. To assist the City to defray costs involved with the review of the project, fees shall be submitted  
1508 with a condominium conversion application as outlined in the consolidated fee schedule. (Ord. 93-5,  
1509 7-6-1993, eff. 7-15-1993)
- 1510 D. Incomplete Applications: Incomplete applications may be proffered and reviewed for advisory  
1511 comment by the Community development director or Building Inspection Department, but shall not be  
1512 deemed accepted or received until complete, nor shall the condominium project be scheduled for any  
1513 hearings before the Planning Commission until the application is complete, except only as provided by  
1514 subsection A4 of this section. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 1515
- 1516 E. Copies Routed: Upon receipt of a completed application for approval of a condominium project, the  
1517 Community Development Department staff shall route copies of the application and development plans  
1518 in the same manner as a major subdivision as outlined in this title.
- 1519 F. Review: Additional preliminary review by the planning staff, Fire Marshal and the Building Inspection  
1520 Department shall include, but not be limited to, the following:
- 1521 1. Planning Staff Review:
- 1522 a. Letter Of Intent: A letter of intent shall be submitted indicating proposed concept of project  
1523 for review. The condominium declarations and bylaws shall be reviewed as part of the final  
1524 approval process and will include provisions addressing and fixing responsibility for the  
1525 maintenance, upkeep and repair of common areas, including common walls, electrical,

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1526 mechanical, plumbing or utility systems, recreational areas, landscaping and parking areas. The  
1527 declarations shall also restrict the use of any individual residential dwelling unit to single  
1528 "families", as defined in section **10-1-46** of this title. The staff shall also review said declaration  
1529 to require appropriate disclosure of any unusual circumstances, variances or conditions placed  
1530 upon the condominium project for approval.

1531 b. Plans And Related Documents: The staff shall review the plans and related documents to  
1532 determine whether the project conforms to applicable requirements of this title, the status or  
1533 extent of nonconforming rights, applicable conditions imposed upon the building or use by  
1534 ordinance, variance, conditional use permit and/or prior approval under a PUD, clustered or  
1535 group dwelling plan. If the planning staff finds there are violations of applicable zoning  
1536 ordinances or requirements, the staff may recommend denial of the condominium project until  
1537 such violations have been corrected or requirements completed or bonded for prior to final  
1538 approval by the Planning Commission. (Ord. 2012-07, 4-30-2012)

1539 2. Building Inspection Staff Review:

1540 a. Upon receipt of the application for approval of a condominium project, the Building  
1541 Inspection Department shall review the proposed building plans for new construction and/or in  
1542 the case of a conversion project, the property report and plan of improvement, renovations and  
1543 repairs to determine conformance with applicable building codes. In the case of a conversion,  
1544 the department shall require inspections of the property and may require supplementation,  
1545 revision and resubmission of the property report where necessary. (Ord. 93-5, 7-6-1993, eff. 7-  
1546 15-1993)

1547 b. In the preliminary review report to the planning commission, the building inspection  
1548 department shall note corrections, repairs and replacements which must be made to bring the  
1549 structures into code compliance, together with a list of renovation improvements proposed by  
1550 the owner/developer which are not required by code. The chief building official shall also list  
1551 any requirements of the international building code that needs board of appeal consideration  
1552 due to unique circumstances associated with the structure. The building official may then  
1553 recommend denial until such time as existing violations of code are corrected or may  
1554 recommend preliminary approval of the project and building report subject to correction of the  
1555 violations prior to final approval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

1556 3. Fire Marshal Review: The fire marshal shall inspect each structure proposed for conversion and  
1557 shall submit a report thereon to the planning staff outlining the conditions of the structures as they  
1558 relate to fire safety. The marshal shall stipulate those conditions requiring improvement, prior to  
1559 occupancy, in the report. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1560 G. Planning Commission Consideration: Upon completion of the recommendations of the development  
1561 review committee and the fire marshal, the matter shall be set for consideration by the planning  
1562 commission in the same manner prescribed for a major subdivision as provide in this title.

1563 H. Findings For Approval: If the planning commission finds that the project is in full compliance with:

1564 1. applicable city ordinances;

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1565           2. the requirements of the condominium ownership act;

1566           3. that proper notice to tenants has been given; and

1567           4. that in every way the project is ready for final approval.

1568   The planning commission may grant final approval of the project, authorize the signature of the  
1569   chairperson to be placed upon the necessary documents.

1570   I. Preliminary Approval: If the planning commission finds that the project substantially complies with the  
1571   above mentioned criteria but that certain facts of the proposal require changes or modifications prior to  
1572   final approval, or that tenant notification has not been completed, the planning commission may grant  
1573   preliminary approval to the project with instructions as to what criteria must be met prior to submission  
1574   for final approval.

1575   J. Disapproval: If the planning commission finds the project in conflict with the ordinances of the city  
1576   and/or the state and is not in the best interests of the city as a whole and/or specific neighborhood in  
1577   which the project is proposed to be located, or if it is not satisfied with the site development plans of  
1578   the project, the planning commission may disapprove the project specifying in detail the reasons for  
1579   disapproval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1580   K. Notice: As part of the application for approval of a condominium project, when said project involves  
1581   the conversion of an existing structure where the structure has been occupied by residential or  
1582   commercial tenants prior to application for conversion, the owner/developer shall provide notice of  
1583   intended conversion to said tenants by certified mail. This notice requirement shall not apply to a  
1584   structure that was vacant and remained so during the year prior to filing of the developer's application  
1585   for conversion. Such notice shall include:

1586           1. The proposal for the conversion of the building to a condominium project;

1587           2. The established dates of construction period and termination of occupancy which shall not be less  
1588           than sixty (60) days from the date notice is served upon occupants or expiration of individual leases,  
1589           whichever is longer;

1590           3. The disclosure of the sales price for each unit shall be no greater than the price initially advertised  
1591           and offered to the general public at such time as when the condominiums are offered for public  
1592           sale;

1593           4. Relocation information for the tenants specifying available alternative housing relocation  
1594           resource agencies and organizations and a plan of any services to be voluntarily provided by the  
1595           owner/developer. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1596   L. Dissemination Of Notice: A copy of said notice, together with a list prepared by the owner/developer  
1597   identifying names, apartment or unit numbers, approximate ages, rental rates and other known special  
1598   disabilities or factors affecting relocation needs of the tenants, shall be submitted to the Davis County  
1599   housing authority and the county social services department to advise said agencies of the conversion  
1600   and/or solicit their assistance with relocation services. No final approval of such a conversion project  
1601   shall be granted by the planning commission until the owner/developer has provided proof of notice by  
1602   certified mail or subsequent proof of actual delivery by method of services allowed under state law of

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1603 such notices and relocation information as required above, and any plans for relocation services to be  
1604 voluntarily provided by the owner/developer and the time designated therein (a minimum of 60 days)  
1605 has expired. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

1606 M. Protest Review Procedure: When a tenant of a residential dwelling has received written formal  
1607 notice of eviction without cause and without at least sixty (60) days notice of conversion required above  
1608 and has reason to believe that notice was issued because of a proposed condominium project, he may,  
1609 within thirty (30) days of the date of the notice of eviction, initiate an appeal regarding the issue of  
1610 proper notice to the community development director. The filing of such a protest shall stay the  
1611 issuance of any approval or issuance of any permits for the structure in question for a period not to  
1612 exceed thirty (30) days and the matter shall be set for hearing before the planning commission.

1613 N. Investigation: Upon filing a tenant appeal, the planning staff shall institute an investigation to  
1614 determine if the notice requirements set forth above were satisfied. They shall then report their findings  
1615 to the planning commission within ten (10) days of filing of the appeal. (Ord. 93-5, 7-6-1993, eff. 7-15-  
1616 1993)

1617 O. Final Approval. If upon submission of the recommendations of the building official and planning staff,  
1618 engineering staff and fire marshal, the planning commission finds that the project is in compliance with  
1619 applicable ordinances and the requirements of preliminary approval, the planning commission may  
1620 grant final approval. The planning commission will review recommendations for the development  
1621 review committee and the fire marshal and building official for work that is proposed for subsequent  
1622 completion, bonding or waiver and may otherwise impose appropriate terms upon such bonding or  
1623 conditions upon its approval. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1624

1625 P. Disapproval. If the planning commission is not satisfied with plans of a project which constitutes a  
1626 subdivision, the planning commission may disapprove said map, specifying reasons for disapproval.

1627 Q. Reconsideration: Within thirty (30) days after the planning commission has disapproved any project,  
1628 the developer may file with the planning staff a map or documents altered to meet the requirements of  
1629 the planning commission or may appeal the denial to the City Council. Upon receipt of said map or  
1630 documents, the matter shall be referred to the planning commission or city council by the planning staff  
1631 for reconsideration.

1632 R. Force And Effect: No final map shall have any force or effect until the same has been approved by the  
1633 city as reflected by the signature of the mayor and is officially recorded with the city recorder within six  
1634 (6) months from the date of the mayor's signature. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

1635

1636 **13-6-030: MOBILE HOME PARKS, MOBILE HOME SUBDIVISIONS AND RECREATIONAL VEHICLE PARKS;**  
1637 **SPECIAL REQUIREMENTS:**

1638 A. Purpose And Intent: The purpose and intent of this section is to:

1639 1. Permit variety and flexibility in land development for residential purposes by allowing the use of  
1640 mobile homes and recreational vehicles under certain conditions.

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1641 2. Require that mobile home and recreational vehicle developments will be of such character as to  
1642 promote the objectives and purposes of this title; to protect the integrity and characteristics of the  
1643 district contiguous to those in which mobile home parks are located; and to protect other land use  
1644 values contiguous to or near mobile home or recreational vehicle developments.

### 1645 B. Location:

1646 1. Mobile Homes: No mobile home shall be located anywhere within the corporate boundaries of  
1647 the City except in a licensed mobile home park or approved mobile home subdivision. Emergency or  
1648 temporary parking of any unoccupied mobile home outside a licensed mobile home park or mobile  
1649 home subdivision will be permitted for a period not exceeding twenty four (24) hours. This  
1650 limitation does not apply to unoccupied mobile homes in licensed mobile home sales areas.

### 1651 2. Recreational Vehicles:

1652 a. Recreational coaches which do not include facilities necessary to be "mobile homes", as  
1653 defined in section [10-1-46](#) of this title, shall not be used at any place within the corporate  
1654 boundaries of the City, at any time, for living quarters except in designated camping areas or  
1655 recreational vehicle parks.

1656 b. Recreational vehicles which are unoccupied for living space may be stored on an owner's  
1657 private residential lot, provided the parking complies with the regulations in section 10-6-6 of  
1658 this title. Long term commercial storage of recreational vehicles, maintenance operations,  
1659 reconstruction or construction activities are permitted within enclosures only and in zoning  
1660 districts allowing such uses.

### 1661 C. Standards And Requirements:

1662 1. Determination Of Compliance: The planning commission shall review the proposed development  
1663 plan to determine its compliance with all portions of the city general plan and, among other things,  
1664 shall attempt to make sure that such development will constitute a residential environment of  
1665 sustained desirability and stability and that it will not adversely affect amenities in the surrounding  
1666 area. Standards higher than the minimum standards contained in this title may be required if  
1667 necessary for local conditions of health, safety and protection of property, and to ensure that the  
1668 development will mix harmoniously with contiguous and nearby existing and planned uses.

1669 2. Required Facilities: The planning commission shall not approve any application for mobile home  
1670 park, recreational vehicle park or mobile home subdivision conditional use permit if the developer  
1671 cannot provide required water supplies and facilities, waste disposal systems, storm drainage  
1672 facilities, access or improvements, or if the developer cannot assure that the development will be  
1673 completed within twelve (12) months, or if the planning commission or city council determines  
1674 there would be unusual danger of flood, fire or other hazard, or if the proposed development would  
1675 be of such character or in such a location that it would:

1676 a. Create excessive costs for public services and facilities;

1677 b. Endanger the health or safety of the public;

1678 c. Unreasonably hurt or destroy the environment;

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- 1679 d. Cause excessive air or water pollution, or soil erosion; or
- 1680 e. Be inconsistent with any adopted general or specific plan of the area in which it is to be
- 1681 placed.
- 1682 3. Standards And Requirements Specified; Exception: The development shall conform to the
- 1683 following standards and requirements, unless modified by an approved planned unit development
- 1684 plan:
- 1685 a. The area shall be in one ownership, or if in several, the application for approval of the
- 1686 development shall be filed jointly by all owners of the property included in the plan.
- 1687 b. A strip of land at least fifteen feet (15') wide surrounding the entire park shall be left
- 1688 unoccupied by mobile homes, recreational vehicles, storage buildings, service buildings, garages
- 1689 or any accessory buildings or uses and shall be planted and maintained in lawn, shrubs or trees,
- 1690 with an approved durable permanent wall or fence designed to afford privacy to the
- 1691 development.
- 1692 c. All storage and solid waste receptacles outside the confines of any mobile home or
- 1693 recreational vehicle shall be housed in a closed structure compatible in design and construction
- 1694 to the mobile homes, and to any service buildings within the development; all patios, carports,
- 1695 garages and other add ons shall be compatible in design and construction with the mobile
- 1696 home. The service buildings shall be constructed in accordance with standard commercial
- 1697 practice and kept in good repair. In mobile home developments where units will be situated
- 1698 with long axis perpendicular to the street, streets will run in a north-south direction to the
- 1699 greatest extent possible. This is to promote solar orientation of the units.
- 1700 d. In addition to meeting the above requirements and conditions, and conforming to the other
- 1701 laws of the city, all mobile home parks, recreational vehicle parks, and mobile home subdivisions
- 1702 shall also conform to all applicable state regulations. In the event of any conflict between said
- 1703 regulations and this chapter, this chapter shall take precedence where its regulations are more
- 1704 strict, and the provisions of the state regulations shall take precedence where such regulations
- 1705 are more strict.
- 1706 4. Utilities Underground: Every mobile home park, recreational vehicle park and mobile home
- 1707 subdivision shall provide underground utility service to every mobile home stand or lot as required
- 1708 by the planning commission, including, but not limited to, water, sewer, power, natural gas,
- 1709 telephone and television.
- 1710 5. Inspection And Special Regulation Of Mobile Homes: Mobile homes are considered by the city to
- 1711 be less durable and less resistant to deterioration than are conventional homes; therefore, all
- 1712 mobile homes which are used for human habitation, whether conforming or nonconforming, and
- 1713 whether located in mobile home parks, in mobile home subdivisions or on bona fide farms and
- 1714 ranches, shall be subject to the following special regulations:
- 1715 a. Permits are required for mobile home setup, plumbing and electrical hookups, and such
- 1716 hookups shall be made only by licensed plumbers and electricians.

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1717 c. A certificate of compliance is required for all mobile homes within the city, whether occupied  
1718 or awaiting occupancy, and may be obtained from the building official following an inspection  
1719 wherein the mobile home is found to meet the safety, sanitary and structural standards adopted  
1720 by the city. The state or federal inspection certificate will be honored in lieu of a certificate of  
1721 compliance.

1722 6. Compliance With Other Regulations: Any mobile home or recreational vehicle located in any  
1723 permitted area shall comply with and conform to all other zoning laws, rules and regulations, and  
1724 building, plumbing, electrical and fire prevention codes, and all other codes and requirements  
1725 applicable to a structure or building erected within the district in which said mobile home or  
1726 recreational vehicle is located.

1727 7. Guarantees:

1728 a. For mobile home parks and recreational vehicle parks, adequate and reasonable guarantees  
1729 must be provided as determined by the planning commission and city council for permanent  
1730 retention of open spaces and for the maintenance of roadways, storage facilities, service  
1731 facilities and landscaping resulting from the application of these regulations. The developer shall  
1732 record against the property a declaration of covenants, conditions, restrictions, and easements  
1733 (CCRs) which shall provide for an owner's association or management assignment responsible  
1734 for the maintenance of all common areas and infrastructure. The declaration shall provide  
1735 provisions an initial operating budget, as well as future yearly budgets, estimated payments of  
1736 dues and fees by owners or tenants of the park, and the implementation of a reserve fund for  
1737 future maintenance and repairs for all park infrastructure and improvements. The developer  
1738 shall provide to the Planning Commission a management plan and a copy of the first 3 years  
1739 budget and provide an operating account with funds sufficient to cover the operating expenses  
1740 for said first 3 years. i The management plan developed by the applicant and approved by the  
1741 planning commission and city council shall outline standards of operation, remedies for failure  
1742 to comply with those standards and a single responsible person or entity for its administration  
1743 and communication with the city.

1744 b. In any case, when a mobile home park or recreational vehicle park is owned by more than one  
1745 person, the owners shall establish and appoint a park manager. The manager shall be authorized  
1746 to receive, process and represent fully the interests of the owners in respect to continuing  
1747 management and maintenance of the park.

1748 c. Prerequisite to the operation of any mobile home park or recreational vehicle park in the city  
1749 shall be the obtaining of an annual business license from the city.

1750 d. In the event a mobile home or recreational vehicle park is not completed according to  
1751 approved plans, or operated and maintained according to the approved management plan, the  
1752 annual business license may be denied or revoked. The mobile homes or recreational vehicles  
1753 and associated property and facilities shall be removed, and all services discontinued before any  
1754 part of the land within the development planning area may be used for any other purpose, or be  
1755 subdivided.

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1756 e. The premises on which any mobile home is located, used or occupied shall be maintained in a  
1757 clean, orderly and sanitary condition. The accumulation of any rubbish, waste, weeds,  
1758 inoperative vehicles or other unsightly material thereon shall constitute a public nuisance and a  
1759 violation of this title. Reasonable guarantees to assure compliance with this requirement will be  
1760 required of the developer and/or owner as a condition of conditional use permit approval and  
1761 ultimately the issuance of the annual city business license.

1762 D. Additional Requirements For Mobile Home Parks: In addition to the requirements for mobile home  
1763 parks outlined in this section, mobile home parks shall meet the following requirements:

1764 1. Number Permitted: The number of mobile homes shall be limited to seven (7) units per acre and  
1765 may be limited to fewer units, depending on mobile home size, topography and other factors of the  
1766 particular site. The mobile homes may be clustered; provided, that the total number of units does  
1767 not exceed the number permitted on one acre, multiplied by the number of acres in the  
1768 development. The remaining land not contained in individual lots, roads or parking shall be set aside  
1769 and developed as parks, playgrounds and service areas for the common use and enjoyment of  
1770 occupants of the development, and the visitors thereto.

1771 2. Distance Between Structures: No home or addition shall be located closer than ten feet (10') from  
1772 the nearest portion of any other home or add on. All such homes and additions shall be set back at  
1773 least ten feet (10') from road curbs or walks. If the mobile home tongue remains attached, it shall be  
1774 set back a minimum of six feet (6') from road curbs or walks. All mobile homes, storage buildings,  
1775 service buildings, garages, carports or other additions, etc., shall be set back at least fifteen feet (15')  
1776 from any boundary of the mobile home park.

1777 3. Off Street Parking: Off street parking shall be provided at the rate of two (2) parking spaces per  
1778 mobile home space, and each such parking space shall have a minimum width of ten feet (10') and  
1779 minimum depth of twenty feet (20'). In no case shall the parking space be located farther than one  
1780 hundred feet (100') from the mobile home space, as approved by the planning commission.

1781 4. Bulk Storage Areas: One-story bulk storage areas shall be provided within a mobile home park,  
1782 equivalent to sixty (60) square feet per mobile home space. The area designated for said bulk  
1783 storage shall be improved, landscaped and screened as approved by the planning commission.

1784 5. Residential Accommodations: Not less than ten percent (10%) of the gross land area shall be set  
1785 aside for the joint use and enjoyment of occupants in a parklike setting with both active and passive  
1786 recreational accommodations. The land covered by vehicular roadways, sidewalks, off street parking  
1787 and required setbacks shall not be construed as part of this ten percent (10%) common area  
1788 required; provided, however, that in initial stages of development or special smaller developments,  
1789 the minimum area shall be not less than one acre or ten percent (10%), whichever is greater.

1790 6. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for  
1791 protective yard lighting the full length of all driveways and walkways.

1792 7. Landscaping: All areas not covered by mobile homes or recreational vehicles, hard surfacing or  
1793 buildings shall be landscaped as approved by the planning commission, and such landscaping shall  
1794 be permanently maintained.

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- 1795 8. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be  
1796 hard surfaced before the adjacent spaces may be occupied.
- 1797 9. Roadways: The roadways shall be designed to accommodate anticipated traffic, including the  
1798 following standards, unless modified by an approved planned unit development plan:
- 1799 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for  
1800 maneuvering mobile homes.
- 1801 b. Two-way traffic: A minimum of thirty feet (30') in width.
- 1802 c. Entrance roadways: A minimum of thirty six feet (36') in width.
- 1803 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled  
1804 gutters or an approved equivalent.
- 1805 e. Sidewalks: Thirty six inch (36") minimum width sidewalks shall be installed on all main  
1806 roadways within the development, if required by the planning commission.
- 1807 f. Access: Each park shall have at least two (2) accesses to public streets, unless more than one  
1808 access is prohibited by a responsible public agency.
- 1809 10. Skirting: Within forty five (45) days of occupancy, each mobile home shall be skirted, or if shields  
1810 are used, they are to be fireproof, well painted or otherwise preserved.
- 1811 11. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents  
1812 of the development as well as adjacent property owners. Such facilities must be of sufficient  
1813 capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or  
1814 adjacent to the development and shall be provide in accordance with City Ordinance, Title 8 Chapter  
1815 5, Stormwater Management
- 1816 12. Character; Acreage; Construction And Phase Completion Plan: The mobile home park shall:
- 1817 a. Be in keeping with the general character of the district in which it is to be located.
- 1818 b. Be located on a parcel of land not less than ten (10) acres, or on two (2) or more parcels  
1819 separated by a street or alley only, and totaling ten (10) acres, unless modified by an approved  
1820 planned unit development plan.
- 1821 c. Have at least twenty five (25) spaces completed, ready for occupancy, or an approved  
1822 financing plan for construction and phase completion, together with approved security to assure  
1823 compliance, before first occupancy is permitted.
- 1824 13. Laundry Facility: A laundry for convenience of park occupants, but not for the general public,  
1825 may be included in mobile home parks.
- 1826 14. Term Of Occupancy: No mobile home space shall be rented for a period of less than thirty (30)  
1827 days, and occupancy shall be by written lease. Leases shall be made available for inspection by the  
1828 officials of the city upon demand.

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1829 15. Access: Access shall be provided to each mobile home stand for maneuvering mobile homes into  
1830 position. The accessway shall be kept free from trees and other immovable obstructions. Paving  
1831 under mobile homes will not be required if adequate support is provided as required by state  
1832 regulations. Uses of planks, steel mats or other means to support the mobile home during  
1833 placement shall be allowed, so long as the same are removed upon completion of placement.

1834 E. Additional Requirements For Recreational Vehicle Parks: In addition to the requirements for  
1835 recreational vehicle parks outlined in this section, recreational vehicle parks shall meet the following  
1836 requirements:

1837 1. Location: Recreational vehicle parks shall generally be located:

1838 a. Adjacent to or in close proximity to a major traffic artery or highway.

1839 b. Near adequate shopping facilities.

1840 c. Within or adjacent to a mobile home park.

1841 2. Recreational Area: Not less than ten percent (10%) of the gross land area shall be set aside for the  
1842 joint use or enjoyment of occupants. The land covered by vehicular roadways, sidewalks and off  
1843 street parking shall not be construed as part of the ten percent (10%) common area required for  
1844 parks and playgrounds for occupants; provided, however, that in initial stages of development or in  
1845 special smaller developments, the minimum area shall not be less than one-half ( $\frac{1}{2}$ ) acre or ten  
1846 percent (10%), whichever is greater.

1847 3. Yard Lighting: Yard lighting with a minimum of 0.2 foot-candle of light shall be required for  
1848 protective yard lighting the full length of all driveways and walkways.

1849 4. Landscaping: All areas not covered by recreational vehicles, hard surfacing or buildings shall be  
1850 landscaped and permanently maintained pursuant to a plan approved by the planning commission.

1851 5. Surfacing Of Parking Spaces And Driveways: All off street parking spaces and driveways shall be  
1852 paved with asphalt or concrete before the adjacent recreational vehicle spaces may be occupied.

1853 6. Roadways: The roadways shall be designed to accommodate anticipated traffic, including the  
1854 following standards, unless modified by an approved planned unit development plan:

1855 a. One-way traffic: A minimum of fifteen feet (15') in width, plus extra width as necessary for  
1856 maneuvering recreational vehicles.

1857 b. Two-way traffic: A minimum of thirty feet (30') in width.

1858 c. Entrance roadways: A minimum of thirty six feet (36') in width.

1859 d. Roadways: All roadways shall be hard surfaced and bordered by twenty four inch (24") rolled  
1860 gutters or an approved equivalent.

1861 e. Sidewalks: Thirty six inch (36") minimum width sidewalks shall be installed on all main  
1862 roadways within the development, if required by the planning commission.

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- 1863 f. Access: Each recreational vehicle park shall have at least two (2) accesses to public streets,  
1864 unless more than one access is prohibited by a responsible public agency.
- 1865 7. Term Of Occupancy: No individual space in a recreational vehicle park shall be used by one  
1866 individual recreational vehicle for more than ninety (90) days consecutively, nor shall such space be  
1867 rented or leased to any one individual for a period longer than ninety (90) days in any one calendar  
1868 year.
- 1869 8. Use As Permanent Living Quarters Prohibited: Recreational vehicles may be stored where  
1870 permitted, but not used for permanent living quarters.
- 1871 9. Sales Lots: Recreational vehicles may be stored, displayed, sold and serviced, but not used for  
1872 living quarters, in a sales lot in an appropriate zoning district when such use is a permitted or a  
1873 conditional use.
- 1874 10. Screening; Access: Recreational vehicles may be accommodated in an approved and licensed  
1875 mobile home park; provided, that:
- 1876 a. The recreational vehicle park portion of the development is separated by barriers, screens or  
1877 otherwise from the area of mobile homes.
- 1878 b. The recreational vehicle use area shall have direct access to a collector or arterial street.
- 1879 c. Separate ingress and egress shall be provided for recreational vehicles when required by the  
1880 planning commission.
- 1881 11. Area; Construction And Phase Completion Plan: Recreational vehicle parks may be approved by  
1882 the city council in locations permitting such use in this title. Before such approval is given, a report  
1883 to the city council by the planning commission shall find that the proposed development will:
- 1884 a. Be placed on a parcel of land of not less than five (5) acres, or within a mobile home park,  
1885 unless modified by a planned unit development plan.
- 1886 b. Before first occupancy, have at least twenty five (25) spaces completed (10 if in a mobile  
1887 home park), or an approved schedule of financing, construction and phase completion, and  
1888 approved security, to assure compliance.
- 1889 F. Additional Requirements For Mobile Home Subdivisions: In addition to the requirements for mobile  
1890 home subdivisions outlined in this section, mobile home subdivisions shall meet the following  
1891 requirements:
- 1892 1. Area; Lots; Homeowners' Association: Mobile home subdivisions may be approved by the city  
1893 council in locations permitting such use in this title. Before such approval may be granted, a report  
1894 to the city council by the planning commission shall find that the proposed development will:
- 1895 a. Be located on a parcel of land containing not less than five (5) acres.
- 1896 b. Contain lots with a minimum net area of five thousand (5,000) square feet and a minimum  
1897 width of fifty feet (50').
- 1898 c. Be organized in a homeowners' association, if required by the planning commission.

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- 1899 2. Security Compound: The planning commission may require a security compound for the storage  
1900 of vehicles, boats and other large items, to be provided equivalent to a minimum of three hundred  
1901 (300) square feet of paved area per mobile home lot, to be maintained by a homeowners'  
1902 association in the mobile home subdivision.
- 1903 3. Skirting: Each mobile home shall be skirted or shielded within forty five (45) days of occupancy. If  
1904 shields are used, they are to be fireproof and painted, or otherwise preserved.
- 1905 4. Street Widths: Street widths shall be as required by the development regulations, except as may  
1906 be modified by an approved planned unit development plan.
- 1907 5. Term Of Occupancy: No mobile home in a mobile home subdivision shall be rented or leased for a  
1908 period of less than ninety (90) days. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 1909
- 1910

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- 1911 **13-7: PLAT AMENDMENTS & LOT LINE ADJUSTMENTS**
- 1912 **13-7-010: PLAT AMENDMENTS**
- 1913 **13-7-020: EXEMPTION FROM PLAT REQUIREMENT**
- 1914 **13-7-030: ROUTINE AND UNCONTESTED LOT LINE ADJUSTMENTS:**
- 1915
- 1916 13-7-010: Plat Amendments: **[existing language from 10-7-7(H)]**
- 1917 A. The application for a proposed plat amendment shall be submitted to the community
- 1918 development department and shall contain the following:
- 1919 1. A complete application on form created by the city;
- 1920 2. Two (2) 24" x 36" copies, one (1) reduced 11" x 17" copy , and an electronic copy of the proposed
- 1921 plat amendment showing lots to be amended, properly and accurately drawn to scale, certified as
- 1922 accurate by a registered land surveyor or professional engineer;
- 1923
- 1924 3. Plat amendments shall be prepared in conformance to the standards outlined in this title for a
- 1925 final plat submission, and shall include all notes, conditions, easements, or other pertinent
- 1926 information included upon the subdivision plat to be amended.
- 1927 4. For plat amendments which vacate or amend a public right of way or public trail, stamped,
- 1928 addressed envelopes for property owners within 300 feet of the boundary of the plat and all
- 1929 property owners within the boundary of the proposed amended plat. Notice of public hearing shall
- 1930 be delivered as detailed in **10-3-3 Public Hearings**.
- 1931 5. Fees: The petitioners shall pay, with the amendment petition, the appropriate fees pursuant to
- 1932 the consolidated fee schedule for the city.
- 1933 B. Review Process:
- 1934 1. Applicability:
- 1935 a. Residential, commercial, industrial or agricultural subdivision amendments that cannot be
- 1936 processed as routine and uncontested lot line adjustments, shall be processed pursuant to this
- 1937 subsection.
- 1938 b. Plat amendments that create one or more additional lots to the subdivision, shall not be
- 1939 processed as a plat amendment, but shall be processed as new subdivision.
- 1940 2. City Internal Review:
- 1941 a. The community development department shall obtain comments regarding the amendment
- 1942 petition from all interested city departments.
- 1943 b. If the development review committee determines that the proposed amendment petition
- 1944 may have an adverse material impact on traffic, it may require the applicant to submit a
- 1945 professionally prepared traffic impact study.

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- 1946 c. The departmental comments shall be transmitted to the applicant.
- 1947 3. Planning Commission Review:
- 1948 a. Plat amendments which vacate or amend a public right of way or public trail shall be noticed  
1949 for Public Hearing in accordance with Section 10-3-3 of this code and as required by Utah State  
1950 Code Annotated. The planning commission shall hold a public hearing to consider the  
1951 amendment petition.
- 1952 b. For plat amendments which amend the location of a public utility easement, the applicant  
1953 shall provide evidence that no public utilities have been located within the existing easement, or  
1954 shall provide letters from all public utilities using the easement consenting to the amendment to  
1955 said public utility easement.
- 1956 c. The planning commission shall review all city departmental comments, comments from the  
1957 applicant and other individuals, and shall approve or deny the amendment application with  
1958 specific findings of fact, according to the standards for approval set forth in this section.
- 1959 d. For plat amendments which vacate or amend a public right of way or public trail, the planning  
1960 commission shall hold a public hearing on the proposed amendment, consider all city  
1961 departmental comments, comments from the applicant and the public, and shall recommend to  
1962 the city council the approval or denial of the amendment application with specific findings of  
1963 fact, according to the standards for approval set forth in this section. The city council shall  
1964 consider the plat amendment application and approve, approve with conditions, or deny the  
1965 application, according to the same standards and in accordance with state code, as applicable.
- 1966 4. Standards For Approval Of Plat Amendment: An plat amendment application shall be approved  
1967 only if it meets all of the following requirements:
- 1968 a. The amendment will be in the best interests of the city;
- 1969 b. All lots comply with all applicable land use and subdivision standards;
- 1970 c. All necessary and required dedications are made;
- 1971 d. Provisions for the construction of any required essential infrastructure improvements are  
1972 included;
- 1973 e. The amendment complies with all applicable laws and regulations; and
- 1974 f. The amendment does not materially injure the public or any person and there is good cause  
1975 for the amendment.
- 1976 g. No additional lot or parcel is created.
- 1977 5. Appeals From Planning Commission Decision Not Involving Public Right of Way or Public Trail:
- 1978 a. If the petitioner, or any affected individual or organization disagrees with the planning  
1979 commission decision, a written objection, clearly specifying the reasons therefor, shall be filed  
1980 with the city recorder within fourteen (14) days following the planning commission decision.

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1981            b. The objection shall be heard before the city council, subject to the standards for approval set  
1982            forth in sub-section (d) above.

1983            6. Recordable Instrument: If the amendment petition is approved, the city shall execute and record  
1984            the final amended subdivision plat and such other documents as may be required with the Davis  
1985            County recorder's office.

1986    **13-8-020: Exemptions From Plat Requirement:**

1987    A subdivision plat amendment is not required for a lot line or boundary adjustment as defined in Utah  
1988    Code Section 10-9a-523, as amended, but shall be processed as outlined in the following section.

1989    **13-8-030: Routine and Uncontested Lot Line Adjustments:**

1990    A. Purpose: The purpose of this section is to enable routine and uncontested lot line adjustments  
1991    between two (2) lots to be considered and approved administratively by the city's development staff.

1992    B. Applicability: This section applies to routine and uncontested lot line adjustments between two (2)  
1993    legally existing agricultural, residential, commercial or industrial subdivision lots. Applications processed  
1994    pursuant to this section shall:

- 1995            1. Meet all applicable land use code requirements.
- 1996            2. Receive the consenting signatures of all affected property owners.
- 1997            3. Not affect any street right of way.
- 1998            4. Not create any new lots.
- 1999            5. Not affect any trail right of way.

2000    C. General Application Contents: The application for routine and uncontested lot line adjustments shall  
2001    include:

- 2002            1. The signatures of approval of all affected property owners.
- 2003            2. Two (2) copies of a survey drawing, showing the lots involved and the lot line to be adjusted,  
2004            properly and accurately drawn to scale, certified as accurate by a registered land surveyor or  
2005            professional engineer, and the proposed form of a deed or boundary line agreement for the lot line  
2006            adjustments.

2007

2008    D Fees: The petitioners shall pay an application review fee consistent with the consolidated fee schedule  
2009    for the city.

2010    E. City Internal Review: The development review committee shall review the application for  
2011    completeness and for compliance to the regulations of this title. Upon review of the application and  
2012    survey drawing, the development review committee shall approve the lot line adjustment if the  
2013    application conforms the adopted standards and regulations of the land use ordinance or deny the lot  
2014    line adjustment if it does not.

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2015 F. Lot line adjustments that are denied by the development review committee may be amended for  
2016 reconsideration or may be appealed to the planning commission by filing a request with the community  
2017 development department.

2018 G Recordable Instrument: If the lot line adjustment is approved, the city shall provide a letter of  
2019 approval signed by the city engineer and community development director, certifying that the lot line  
2020 adjustment conforms to the requirements of the city's land use regulations and approving the  
2021 recordation of an appropriate deed or boundary line agreement with the Davis County recorder's office  
2022 containing the legal description of each new lot and stating any conditions of approval.

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**TITLE 13 SUBDIVISION REGULATIONS**

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**13-8: GENERAL REQUIREMENTS**

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**13-8-010: GENERAL STANDARDS**

**13-8-020: SUBDIVISION LAYOUT:**

**13-8-030: BLOCKS:**

**13-8-040: LOTS:**

**13-8-050: FLAG LOTS:**

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

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

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

**13-8-090: WATERCOURSES:**

**13-8-100: WARRANTY PERIOD:**

**13-8-110: DEDICATIONS OF STREETS AND TRAILS**

**13-8-120: RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

**13-8-010: GENERAL STANDARDS:**

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 planning commission for approval, together with other required plans for the development.

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 to the planning commission 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, 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 conditional use 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 building official 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, or any other official city map, said development shall be designed in accordance therewith. The right of way across the development for said major streets, or other right of way, shall be dedicated to the public.

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2066 I. Environment Of Residential Areas: Grouping and spacing of buildings and dwellings in residential areas  
2067 shall provide for a restful and uncrowded environment. Landscaped areas shall be encouraged as the  
2068 dominant features of the development. Areas not covered by buildings or by off street parking space or  
2069 driveways shall generally be planted into natural vegetation, lawn, trees and shrubs, and otherwise  
2070 landscaped and maintained in accordance with good landscape practice as approved on the final plan.  
2071 Permanent automatic irrigation systems shall be installed when required by the planning commission to  
2072 provide for maintenance of planted areas.

2073 J. Conformance To Standards: Details of plans, plats and documents to be submitted showing the size of  
2074 water lines, sewer lines and other domestic sewage disposal facilities, garbage and trash disposal, the  
2075 quality of material and improvements, protection from adverse influences, lighting, landscaping, off  
2076 street parking, grading and other details of design and construction shall conform to standards as set  
2077 forth in such resolutions pertaining to such standards as may be adopted by the planning commission.

2078 K. Ordinance Standards: The development shall meet all standards and requirements of this title and all  
2079 requirements of applicable ordinances.

2080 L. Character Of Development: The development shall be in keeping with the general character of the  
2081 district within which it is to be located.

2082 M. Plan Preparation: Depending upon the complexity of the project, the planning commission may  
2083 require that plans for the development be prepared by a qualified professional team. In all cases, it is  
2084 recommended that professional design and other assistance be obtained early in the program. It is the  
2085 intent of the city that the developer solve his problems before approval is given and construction begins.

2086 N. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents of  
2087 the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to  
2088 ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the  
2089 development. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

2090 O. Inspections: All structures required by this title to have building permits and all uses required to have  
2091 use permits shall be inspected by the building official in accordance with procedures established by the  
2092 international building code, as adopted by the city, and this title. (Ord. 93-5, 7-6-1993, eff. 7-15-1993;  
2093 amd. 2012 Code)

2094 (10-7-7-K)

2095 .

2096 P. The design of a development shall preserve insofar as possible the natural terrain, natural drainage,  
2097 existing topsoil and trees.

2098 Q. Land subject to hazardous conditions, such as slides, mudflow, rockfalls, snow avalanches, possible  
2099 mine subsidence, shallow water table, open quarries, floods, and polluted or nonpotable water  
2100 supplies, shall be identified and shall not be developed until the hazards have been eliminated or  
2101 will be eliminated by the development and construction plans.

2102 **13-8-020: SUBDIVISION LAYOUT:**

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### (CLEAN 1.24.2020)

2103 A. Conformance To General Plan: Where a proposed subdivision includes property identified within the  
2104 City General Plan or other Master Planning documents to include specific essential infrastructure  
2105 improvements, such as trails, active transportation improvements, or right of way improvements;  
2106 the developer shall provide a lot layout which accommodates the improvement.

2107 B. Preservation Of Features: Where trees, groves, waterways, scenic points, historic spots or other city  
2108 assets and landmarks, as determined by the city, are located within a proposed subdivision, every  
2109 reasonable means shall be provided to preserve these features.

2110 C. Adjoining Existing Street: Whenever a tract to be subdivided adjoins or contains any part of an  
2111 existing or proposed street so designated on the street plan, such part of the public way shall be  
2112 platted, dedicated and improved by the developer in the location and at the width specified.

#### 2113 **13-8-030: BLOCKS:**

2114 A. Block Length: Block lengths shall be reasonable as approved by the planning commission, and in total  
2115 design shall provide for convenient access and circulation for emergency vehicles. Generally blocks  
2116 shall be a minimum of four hundred feet (400') with maximum length of one thousand feet (1,000').  
2117 In blocks over eight hundred feet (800') in length, a dedicated walkway through the block, at  
2118 approximately the center of the block is required where feasible. Such walkways shall be not less  
2119 than sixteen feet (16') in width with a paved or concrete surface of eight feet (8').

2120 B. Double Frontage: Lots having double frontage shall not be approved except where necessitated by  
2121 topographic or other unusual conditions. The planning commission may require that vehicular  
2122 access be restricted for portions of double fronted lots, where access would be deemed difficult due  
2123 to topography or pose a traffic hazard.

2124 C. Width; Variation: The width of each block shall be sufficient for an ultimate layout of two (2) tiers of  
2125 lots therein of a size required by the provisions of this title, unless the general layout of the vicinity,  
2126 lines of ownership, topographical conditions or locations of arterial streets or freeways justify or  
2127 make necessary a variation from this requirement.

#### 2128 **13-8-040: LOTS:**

2129 A. General Requirements: All subdivisions shall result in the creation of lots which are developable and  
2130 capable of being built upon. A subdivision shall not create lots, and no building permit shall be  
2131 issued for any lots which would make improvement impractical due to size, shape, steepness of  
2132 terrain, location of watercourses, problems of sewerage or driveway grades, or other physical  
2133 conditions.

#### 2134 B. Lots: **(section 10-7-7-K)**

2135 a. No single lot shall be divided by a municipal or county boundary line.

2136 b. A lot shall not be divided by a road, alley or other lot.

2137 c. No wedge shaped lot shall be less than the lot frontage required in the zoning district.

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2138 d. Side lot lines shall be at right angles to the street which the lot fronts or approximately radial to  
2139 center of street curves or cul-de-sac on which the lot faces.. The planning commission may allow  
2140 exceptions to this requirement where considerations are warranted for solar orientation or  
2141 topography.

2142 e. All created by the subdivision shall front on a public street or on an approved private street,  
2143 improved to the standards hereinafter required, equal to the minimum frontage requirement  
2144 for the zone, unless modified as part of a planned unit development.

2145 f. Corner lots shall be so designed as to provide for the same quality and size of building area as  
2146 interior lots by increasing the minimum width by ten feet (10') to accommodate the required side  
2147 street setbacks.g. Lot Size Standards: All lots shall conform to area requirements of any existing  
2148 zoning regulations. Where no zoning regulations are in effect, density standards or minimum lot size  
2149 requirements may be specified by the planning commission.

2150 h. All residential lots shall have a buildable area of with an average slope of less than 30% and of at  
2151 least five thousand (5,000) square feet in sized and a minimum dimension of fifty feet (50'). All  
2152 approved lots less than 5,000 sq. ft. in shall be less than 30% average slope.i. Remnants parcels  
2153 of property shall not be left which do not conform to lot requirements or are not required or  
2154 suitable for common open space, private utility or public purpose.

2155 j. Lot numbers shall begin with the number "1" and shall continue consecutively through the  
2156 subdivision, with no omissions or duplications. No block designations shall be used. When a  
2157 subdivision is developed in phases, the phase number shall precede each lot number. For  
2158 example, phase 2 would be numbered 201, 202, 203, etc.

2159 **13-8-050: FLAG LOTS:**

2160 In older areas of the city, certain properties have evolved over time with irregular shapes and sizes,  
2161 some with deep rear lots. As the city continues to see these lots subdivided, there may exist a need to  
2162 develop these deeper lots. Flag lots are one alternative to such development. However, many problems  
2163 can result from the misuse of flag lots, including increased points of traffic access on busy or narrow  
2164 streets, large paved areas created to access rear units, a mass of new units incompatible with an existing  
2165 neighborhood, and the compromising of adequate and safe fire protection to rear units. These problems  
2166 threaten the character and stability of existing neighborhoods. For these reasons, the following  
2167 restrictions and prohibitions are established to better control increasing residential density in  
2168 predominantly single-family neighborhoods through the use of flag lots:

2169 A. Circumstances Permitting: The city discourages and restricts the creation of flag lots. A flag lot should  
2170 be permitted only under certain limited circumstances. Flag lots are prohibited except:

- 2171 1. Where necessary to reduce access onto major streets and thoroughfares;
- 2172 2. To reasonably utilize irregularly shaped land;
- 2173 3. To reasonably utilize land with severe topography;
- 2174 4. To provide for the protection of significant natural or environmentally sensitive areas; or

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2175 5. To allow a property owner reasonable use and benefit of a parcel of land not otherwise  
2176 developable.

2177 B. Prohibited Flag Lots: Flag lots are expressly prohibited where:

2178 1. The creation of the flag lot will increase the number of access points onto a major thoroughfare;

2179 2. The density created by the flag lot would exceed the average existing density in the immediately  
2180 adjacent developed residential area; or

2181 3. The proposed flag lot would resubdivide an existing lot or lots in a recorded subdivision plat.

2182 C. The applicant proposing a flag lot must have demonstrated to the planning commission that  
2183 because of topographical features and/or unique situations as set forth in subsection A of this  
2184 section, creation of a flag lot should be allowed.

2185 D. Design Requirements For Flag Lot:

2186 1. A flag or L-shaped lot shall be comprised of a staff portion contiguous with the flag portion  
2187 thereof.

2188 2. The staff portion of said lot shall front on and be contiguous to a dedicated public street. The  
2189 minimum width of the staff portion of each flag lot shall be thirty feet (30'). Two (2) staffs may be  
2190 placed side by side and be a minimum width of twenty five feet (25') each. The staff shall not be  
2191 longer than one hundred fifty feet (150').

2192 3. The flag portion of the lot shall meet the minimum lot size requirement for the zone in which it is  
2193 located. The staff portion shall not count as part of the land area needed to meet the lot area  
2194 requirement.

2195 4. Flag lots must be similar in shape of the buildable area (i.e., rectangular or pie shaped if on a cul-  
2196 de-sac) to the majority of the lots in the immediately adjacent developed residential area.

2197 5. The front side of the flag portion of the lot shall be deemed to be that side nearest to the  
2198 dedicated public street upon which the staff portion fronts. The staff portion shall be deemed to end  
2199 and the flag portion shall be deemed to begin at the extension of the front lot line.

2200 6. Flag lot units located away from the street shall maintain a presence to the street, be oriented to  
2201 the street, and be visible from the street. A larger building for the flag lot unit in relation to a unit in  
2202 front of the flag lot unit is not acceptable as a means to meet the street presence requirement.

2203 7. All minimum required setbacks for the zone in which the flag lot is located shall apply and all front  
2204 setback distances shall be measured from the flag portion of the lot and not from the street.  
2205 Orientation, setbacks and private yards shall conform to the following criteria:

2206 a. All units shall orient to the street;

2207 b. Each unit shall have both a "front" and "rear" yard on opposite sides of the unit; and (Ord. 07-  
2208 12, 6-5-2007)

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2209 c. To protect the privacy of yard areas on neighboring properties, large windows and decks on  
2210 the second floor shall not orient to adjacent, surrounding properties. (Ord. 07-12, 6-5-2007;  
2211 amd. 2012 Code)

2212 8. An access driveway with a minimum width of twenty feet (20') shall be provided with landscaping  
2213 on each side. The access driveway shall be asphalt or concrete with adequate drainage and shall be  
2214 properly maintained on a continuous basis. Where two (2) flag lots are adjacent to each other, a  
2215 common driveway for both units is encouraged; multiple driveways are discouraged.

2216 9. Fire protection for flag lot units. Each proposal to construct a unit on a flag lot more than one  
2217 hundred fifty feet (150') from a public street must first be reviewed and approved by the fire  
2218 marshal and all other criteria listed below prior to receiving a building permit. No primary residential  
2219 structure may be located on a flag lot more than five hundred feet (500') from a public street. All  
2220 measurements shall be taken from the edge of the public right of way along the centerline of the  
2221 driveway or private access driveway to the nearest point of the primary structure. All of the  
2222 following must be met before a building permit may be approved:

2223 a. An access road or driveway shall be provided which meets the following standards:

2224 (1) An asphalt or concrete surface capable of supporting the imposed load of fire apparatus  
2225 shall be provided and extended to within one hundred fifty feet (150') of all portions of the  
2226 exterior walls of the first story of any building. If constructed of asphalt, the access road or  
2227 driveway shall be a minimum of two and one-half inches (2<sup>1</sup>/<sub>2</sub>" ) of asphalt over a minimum  
2228 of six inches (6") of compacted road base. If constructed of concrete, the access road or  
2229 driveway shall have a minimum of five inches (5") of concrete over a compacted road base.  
2230 The access road or driveway shall be maintained by the property owner or possessor of the  
2231 premises in good condition and repair and with adequate snow removal so as to provide  
2232 free and uninhibited access by emergency service vehicles.

2233 (2) The access road or driveway shall be a minimum of twenty feet (20') wide. Where such  
2234 roadway is adjacent to required fire hydrants, the width shall be a minimum of twenty six  
2235 feet (26') within twenty feet (20') in either direction from the hydrant. Such required widths  
2236 shall be unobstructed, including parking of vehicles, and shall have a minimum vertical  
2237 clearance of thirteen and one-half feet (13<sup>1</sup>/<sub>2</sub>' ). The maximum grade for any access road or  
2238 driveway shall be fifteen percent (15%) at any point measured along the centerline of the  
2239 access road or driveway.

2240 (3) A turnaround approved by the fire marshal shall be provided at the end of the access  
2241 road or driveway.

2242 (4) Each access road or driveway shall be identified and marked by the property owner to  
2243 the satisfaction and approval of the fire marshal. Signs shall be posted near the entrances of  
2244 access roadways and driveways. Signs shall be a minimum of twelve inches by eighteen  
2245 inches (12" x 18") in two and one-half inch (2<sup>1</sup>/<sub>2</sub>" ) block lettering with one-half inch (<sup>1</sup>/<sub>2</sub>" )  
2246 stroke on a contrasting background. Signs shall read "No Parking - Fire Department Access  
2247 Road".

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2248 b. (1) A fire hydrant shall be installed by the city at the expense of the property owner and  
2249 shall be connected by an eight inch (8") water line from the water main. The hydrant shall be  
2250 located to the satisfaction and approval of the fire marshal. Fire hydrants shall be located on all  
2251 required access roads or driveways and shall be located within five feet (5') of the required  
2252 access road or driveway.

2253 (2) If, in the opinion of the fire marshal, fire hydrants are vulnerable to vehicular damage,  
2254 appropriate crash posts shall be required. No obstruction shall exist within a three foot (3')  
2255 working area of each fire hydrant. Required crash posts shall be four inch (4") concrete filled  
2256 pipe, having a minimum of three feet (3') in height above grade, with two feet (2') of pipe  
2257 below grade set in concrete. Hydrant shutoff valves shall be located no closer than five feet  
2258 (5') from the hydrant and no further than twenty feet (20').

2259 (3) The fire hydrant, water line and access road or driveway shall be located within a public  
2260 utility easement of at least twenty feet (20') in width such that emergency and utility service  
2261 vehicles and personnel have unimpeded access to the improvements.

2262 c. All dwelling structures shall have installed at the time of construction, and keep continuously  
2263 maintained, a pressurized interior fire protection sprinkling system that complies with the  
2264 minimum standards of the international fire code and is approved by the fire marshal.

2265 d. All of the required improvements shall be installed at the property owner's expense. (Ord. 07-  
2266 12, 6-5-2007)

2267 **13-8-060: STREETS:**

2268 A.. Street Requirements: (10-7-7-K)

- 2269 1. The street layout shall conform to the general plan of the city.  
2270 2. Minor streets shall be laid out to discharge through traffic.  
2271 3. Stub streets shall be provided where needed to connect to adjacent undeveloped land, and new  
2272 streets must be provided where needed to connect to existing stub streets in adjacent  
2273 developments. Not more than six (6) lots shall front on a stub street, except where a temporary  
2274 cul-de-sac turnaround is provided.  
2275 4. Intersections of minor streets with major collector streets shall be kept to the minimum.  
2276 5. Minimum right of way widths and pavement widths for public and private streets shall be  
2277 determined by the city standards and specification manual as adopted by the city council for  
2278 various categories of streets, but shall in no case be less than the following:

Street Category	Minimum ROW	Width to back of curb
Minor arterial	80 feet	62 feet
Major collector street	66 feet	48 feet

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Minor collector street	60 feet	42 feet
Local (minor) street	50 feet	32 feet
Private Street	35 feet	26 feet
Private Alley	30 feet	26 feet
Private Alley (one-way)	20 feet	15 feet

2279 6.



- 2280 7. Alleys: The planning commission may approve service access to the interior of blocks where  
2281 deemed to be in the public interest, in which case such alleys must be indicated in the  
2282 preliminary design plans and on the final plat. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 2283 8.
- 2284 9. . No half streets are permitted.
- 2285 10. . Dead end streets, including stub streets, shall be permitted or required by the planning  
2286 commission only to provide future access to adjoining property, except for dead end street  
2287 systems in cluster developments, in planned unit developments, condominium developments,  
2288 or similar special projects. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- 2289 11. Streets which provide frontage and access for thirty (30) or more lots or dwelling units are  
2290 required to have a minimum of two (2) separate means of egress.
- 2291 12. . The following standards apply to all temporary and permanent cul-de-sacs:
- 2292 a. Cul-de-sacs shall be terminated by a turnaround of not less than one hundred feet (100') in  
2293 diameter, and the face of curb or pavement edge radius shall be **thirty eight and one-half**  
2294 **feet (38<sup>1</sup>/<sub>2</sub>'**) or more.
- 2295 b. Temporary cul-de-sacs shall be paved with a minimum of two inches (2") of asphalt or  
2296 other binder pavement.
- 2297 c. Permanent cul-de-sacs shall be paved with a minimum of three inches (3") of asphaltic or  
2298 portland cement or other binder pavement.
- 2299 d. Downhill cul-de-sacs are strongly discouraged and may only be allowed if it can be  
2300 demonstrated that surface drainage and street grade will be controlled in a manner

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- 2301 acceptable by the city engineer. A surface overflow drainage outlet will be designed to  
2302 protect adjacent properties in the event the curb face inlet(s) become obstructed or  
2303 clogged.
- 2304 e. Cul-de-sac length shall be measured from the centerline of an intersecting street, excluding  
2305 other cul-de-sacs, along the centerline of the cul-de-sac, to a point at the center of the  
2306 closed end of the cul-de-sac.
- 2307 f. Residential zoning districts:
- 2308 (A) A cul-de-sac shall not serve more than twenty (20) lots or exceed six hundred feet  
2309 (600') in length.
- 2310 (B) The planning commission may recommend to the city council, and the city council  
2311 may approve, an increase to the maximum length of a cul-de-sac, up to one thousand  
2312 feet (1,000') in total length, when the following conditions exist:
- 2313 (i) Physical conditions exist which preclude the ability to establish any other  
2314 practical means of access. Such conditions may include: topography;  
2315 environmentally sensitive areas such as wetlands, ponds, streams, rivers, or lakes;  
2316 or manmade structures that cannot be altered, moved or relocated;
- 2317 (ii) Construction of a through street will result in undesired cuts and fills or will  
2318 damage natural terrain or drainage; or
- 2319 (iii) Buildings or existing developments block access to the site, which would result  
2320 in landlocked property or an inefficient development plan; and
- 2321 (iv) Such an exception has received a favorable recommendation from the South  
2322 Davis metro fire district and the city's development review committee.
- 2323 (C) Exceptions to cul-de-sac length may also be subject to the following as needed:
- 2324 (i) Possible modified construction standards such as pavement width and cul-de-sac  
2325 diameter, quantity of fire hydrants, placement of fire hydrants on alternating side of  
2326 street, looped water lines, emergency egress routes or plans, drainage, pedestrian  
2327 easements or other reasonable measures to ensure public safety.
- 2328 (7) Nonresidential zoning districts:
- 2329 (A) A cul-de-sac shall not exceed six hundred feet (600') in length. Cul-de-sacs longer  
2330 than six hundred feet (600') may be recommended by the planning commission and  
2331 approved by the city council if the development review committee (DRC) makes a  
2332 written finding that such a cul-de-sac would better preserve the natural terrain and  
2333 vegetation in the area or provide a superior street design or provide needed access to  
2334 landlocked parcels.
- 2335 (B) The planning commission may require public accessways from a cul-de-sac to  
2336 provide safe circulation for pedestrians and bicyclists. (Ord. 2016-06, 5-17-2016)
- 2337 13. . No more than four (4) streets shall enter an intersection.

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- 2338 14. . Streets shall intersect at ninety degrees (90°), except where otherwise approved as necessary  
2339 by the planning commission upon favorable recommendation of the city engineer.  
2340 15. . The centerlines of two (2) subordinate streets meeting a through street from opposite sides  
2341 shall extend as a continuous line, or the centerlines shall be offset at least one hundred fifty feet  
2342 (150'). (Ord. 93-5, 7-6-1993, eff. 7-15-1993)  
2343 16. p. Protection strips are not allowed adjacent to or on public streets and rights of way. (Ord. 93-  
2344 5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

2345 B. Street Names: The following principles shall govern street names in a subdivision:

- 2346 1. Streets shall be numbered based on the adopted grid system wherever practical. Alphabetic  
2347 names may be considered for streets of a meandering or diagonal nature or for other  
2348 streets as specifically approved by the planning commission.  
2349 2. All new street names must be reviewed with the county recorder and development review  
2350 committee to avoid duplication or near duplication to any streets in the city or area that  
2351 may lead to confusion of response by public safety agencies.  
2352 3. Each street which is a continuation of, or an approximate continuation of, any existing  
2353 dedicated street shall be given the name of such existing street.  
2354 4. The words "Street", "Avenue", "Boulevard", "Place", "Way", "Court", or other designation of  
2355 any street shall be spelled out in full on the plat and shall be subject to approval by the  
2356 planning commission. Any street name incorporating one of the terms used above shall  
2357 conform to the established definition of that term. Any named street shall also have the  
2358 proper numerical coordinate as approved by the city engineer.  
2359 5. Street names shall not be permitted that contain a cardinal direction, such as north, south,  
2360 east, or west.

2361 C. Curvature And Alignment:

- 2362 1. To ensure adequate sight distances, street roadway line connections shall be made by horizontal  
2363 curves. The minimum centerline radii for minor streets shall be one hundred feet (100') and of  
2364 all other streets shall be three hundred feet (300'). On collector streets, a minimum tangent of  
2365 one hundred feet (100') shall be required between a curve and street intersection; a minimum  
2366 tangent of one hundred feet (100') shall be required between reverse curves.  
2367 2. Vertical curves shall be used at all changes of grade exceeding one percent (1%) and shall be  
2368 designed to provide minimum sight distances of two hundred feet (200') for minor streets and  
2369 three hundred feet (300') for all other streets, except that vertical curves for major streets shall  
2370 be as determined by the current specifications of the state department of transportation.

2371 D. Frontage On Major Highways: Where a residential development abuts a major highway, frontage  
2372 roads may be required.

2373 E. Roadbed Construction Standards For Paved Roadways For Public and Private Streets: Minimum  
2374 roadbed grading and paving for all street types shall be established within the city standards and  
2375 specifications manual approved by the city council. Re

2376 F. Street Grades: All street grades shall be designed as follows:

- 2377 a. Major collector streets shall be limited to a maximum grade of ten percent (10%).

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- 2378 b. Minor collector streets shall be limited to a maximum grade of ten percent (10%).  
2379 c. Cul-de-sacs shall terminate with a grade not to exceed three percent (3%) for the last ten feet  
2380 (10') of traveled surface.  
2381 d. A street intersection shall have a vertical alignment such that the grade shall not exceed three  
2382 percent (3%) for a minimum distance of fifty feet (50') each way from the centerline of the  
2383 intersection.  
2384 e. Maximum grades shall be approved only when accompanied by changes to a lesser grade, and  
2385 where length of that portion of that road at maximum grade is less than six hundred feet (600').  
2386 f. All changes in vertical alignment shall be made by vertical curves with minimum length of fifty  
2387 feet (50') for local (minor) streets and one hundred feet (100') for collector streets.  
2388 g. Streets in mountainous terrain shall be designed at less than maximum allowable grade in order  
2389 that they can be safely negotiated and that snow can be removed during winter.

2390 G. Sidewalks, Curbs And Gutters: Sidewalks, curbs and gutters shall be provided on both sides of all  
2391 streets to be dedicated to the public. Private streets and one way private alleys shall provide for  
2392 sidewalk and park strip on only one side of the street. Private alleys with rear access garages shall  
2393 not be required to provide sidewalks and park strips. Sidewalks, curbs and gutters may be required  
2394 by the city council on existing streets bordering the development.

2395 H. Pedestrian Midblock Crosswalks: Where blocks exceed eight hundred feet (800') in length and where  
2396 a dedicated walkway is required through the block, a a midblock crosswalk of not less than ten feet  
2397 (10') in width may be required by the planning commission where needed for adequate pedestrian  
2398 circulation.

2399 I. Study May Be Required: Where the potential impacts on the existing street systems are considered to  
2400 be great, or in the case of unique circumstances concerning access, topography or street layout, a  
2401 transportation planning/engineering study may be required.

2402 J. Private streets shall not be permitted unless the planning commission finds that the most logical  
2403 development of the land requires that lots be created which are served by a private street or other  
2404 means of access, and makes such findings in writing with the reasons stated therein. All private  
2405 streets shall meet North Salt Lake development standards as it pertains to standard street  
2406 intersections, typical cul-de-sac and standard roadway sections. This includes, but is not limited to,  
2407 submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base  
2408 course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of  
2409 existing improvements, storm drainage systems, boundary markers and survey monuments,  
2410 geotextiles and concrete reinforcement. Land designated as public right of way shall be separate  
2411 and distinct from lots adjoining such right of way and shall not be included in the area of such lots.

### 2412 **13-8-070: LANDSCAPING:**

2413 A. Special Treatment: Whenever, in the opinion of the planning commission, the cuts and fills in a  
2414 hillside subdivision are of sufficient size or visibility to demand special treatment, the developer shall  
2415 be required to landscape such areas with suitable permanent plant materials and to provide for  
2416 their maintenance.

2417 B. Preservation: The subdivision shall be so designed as to either preserve, or provide for, the greatest  
2418 amount of on site vegetation.

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2419 C. Sensitive Lands Overlay: Subdivisions in the sensitive lands overlay zones shall comply with all  
2420 provisions of the city sensitive lands ordinance.

2421 D. Landscaping Design Standards For Redwood Road:

2422 1. For development along the west side of Redwood Road, the following development standards are  
2423 adopted:

2424 a. The area behind the curb and gutter of Redwood Road shall include an area not less than  
2425 twenty four feet (24') wide containing improved and irrigated landscaping and an eight foot  
2426 (8') wide meandering asphalt multiuse trail. If any portion of the required twenty-four foot  
2427 (24') landscaped area is outside the dedicated right of way, a public trail easement and  
2428 street tree easement shall be dedicated to the city upon the recorded plat

2429 b. Within the twenty-four foot (24") wide area trees shall be planted in accordance with the  
2430 requirements of Title 7 Chapter 9, Community Forestry.

2431 c. Residential developments along Redwood Road shall, in addition to complying with the  
2432 requirements of chapter 11 of this title, include a solid wall, not less than six feet (6') in  
2433 height as a buffer along the entire length of frontage along Redwood Road. The wall shall be  
2434 constructed of masonry or other hard, permanent materials and shall generally be a sight  
2435 obscuring wall or a combination of berms, rocks, planted materials and manmade materials  
2436 that render the wall sight obscuring. Any solid walls constructed pursuant to this subsection  
2437 shall also be treated with an antigraffiti treatment approved by the city.

2438 2. For developments along the east side of Redwood Road, the same development standards apply  
2439 except that there shall be a five foot (5') wide concrete sidewalk provided in lieu of an eight foot  
2440 (8') wide meandering asphalt multiuse trail. (Ord. 2012-04, 2-7-2012)

2441

### 2442 **13-8-080: UTILITIES AND EASEMENTS:**

2443 A. Utility easements shall follow rear and every other side lot lines whenever practical and shall have a  
2444 minimum total width of fifteen feet (15') apportioned equally in abutting properties (7.5 feet each  
2445 lot).

2446 B. Front yard utility easements are required to be a minimum of seven feet (7') Perimeter easements  
2447 shall be not less than seven feet (7') in width, extending throughout the peripheral area of the  
2448 development.

2449 C. All easements shall be designed so as to provide efficient installation of utilities or street plantings.  
2450 Special guying easements at corners may be required if any existing utilities are overhead. Public  
2451 utility installations shall be so located as to permit multiple installations within the easements. The  
2452 developer shall establish final utility grades prior to utility installations.

2453 D. The planning commission may require additional easements, or increased width of easements, as  
2454 necessary to provide for adequate utility service and/or drainage within the subdivision and to or  
2455 from adjoining parcels when recommended by the city engineer.

2456 E. Utilities To Be Underground: Unless the planning commission and city council determine, upon  
2457 application by the developer, and recommendation of the city engineer, that it is not feasible to do

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2458 so, all power lines, telephone lines and other normally overhead utility lines shall be placed  
2459 underground by the developer, including existing overhead utilities. T

2460 F.

2461 **13-8-090: WATERCOURSES:**

2462 The developer shall dedicate a right of way for storm drainage conforming substantially with the lines of  
2463 any natural watercourse or channel, stream, creek, irrigation ditch or floodplain that enters or traverses  
2464 the subdivision, as determined by Davis County flood control and/or the city engineer. The developer  
2465 shall also dedicate acceptable rights of way for any pipe, conduit, channel, and retention or detention  
2466 area as approved by the city engineer for flood control.

2467 **13-8-100: WARRANTY PERIOD:**

2468 The warranty period shall commence upon the date that all improvements required by the city to be  
2469 installed within the subdivision have been completed to the satisfaction of the city and a final inspection  
2470 thereof has been made approving the same. The warranty period shall commence at that date and shall  
2471 continue for a period of one year thereafter. If any deficiencies are found by the city during the warranty  
2472 period in materials or workmanship, the developer shall promptly resolve such defects or deficiencies  
2473 and request the city engineer to reinspect the improvements. At the end of the one (1) year warranty  
2474 period, the developer shall request the city engineer to make a final warranty period inspection of all  
2475 improvements. If the city engineer verifies that the improvements are acceptable, the city engineer shall  
2476 release the balance of the security posted by the developer under the bond agreement.

2477

2478 **13-8-100: DEDICATIONS OF STREETS AND TRAILS**

2479

2480 A. Requirement: Maps and plats, when made, acknowledged, filed and recorded according to  
2481 procedures specified in this section, operate as a dedication of all streets, trails and other public  
2482 places, and vest the fee of those parcels of land in the city for the public for the uses named or  
2483 intended in those maps or plats.

2484 B. Nonliability For Unimproved Dedications: The dedication established by this section does not  
2485 impose liability upon the city for streets, trails and other public places that are dedicated in this  
2486 manner but unimproved.

2487 **13-8-120 RESTRICTIONS FOR SOLAR AND OTHER ENERGY DEVICES:**

2488 A. Regulations May Be Adopted: The city council, in order to protect and ensure access to sunlight for  
2489 solar energy devices, may adopt regulations governing legislative subdivision development plans  
2490 that relate to the use of restrictive covenants of solar easements, height restrictions, side yard and  
2491 setback requirements, street and building orientation and width requirements, height and location  
2492 of vegetation in respect to property boundary lines, and other permissible forms of land use  
2493 controls. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)

2494 B. Refusal To Approve: The planning commission may refuse to approve or renew any plat or  
2495 subdivision plan, or dedication of any street or other ground, if the deed restrictions, covenants or  
2496 similar binding agreements running with the land for the lots or parcels covered by the plat of  
2497 subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar collectors,

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2498 or other energy devices based on renewable resources from being installed on buildings erected on  
2499 lots or parcels covered by the plat or subdivision. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012  
2500 Code)

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2501 **Chapter 9 ESSENTIAL IMPROVEMENTS**

2502

2503 **13-9-010: DESIGN STANDARDS & SPECIFICATION:**

2504 **13-9-020: REQUIRED IMPROVEMENTS:**

2505 **13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

2506 **13-9-050: STORM DRAINAGE:**

2507 **13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

2508 **13-9-060: FENCING OR PIPING OF HAZARDS:**

2509 **13-9-070: MONUMENTS:**

2510 **13-9-080: COMPLETION:**

2511 **13-9-090: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

2512

2513 **13-9-010: DESIGN STANDARDS & SPECIFICATIONS MANUAL:**

2514 A. Preparation: The city engineer and public works department shall prepare and recommend for  
2515 adoption by resolution or ordinance the Design Standards & Specifications Manual for the design,  
2516 construction, specifications, and inspection of essential infrastructure, whether publicly dedicated or  
2517 privately owned. The manual shall include street and trail improvements, street trees, water distribution  
2518 systems, storm drainage, flood control facilities, and other specifications as deemed necessary. The  
2519 design standards shall be prepared in cooperation and coordination with the South Davis Sewer District,  
2520 South Davis Metro Fire Agency, and any private special service district or water company providing  
2521 service within the city. The developer shall provide evidence of design approval from any such outside  
2522 agencies, prior to final plat approval. Additional design standards prepared by private utilities shall be  
2523 the responsibility of the individual agency. All such standards for design and construction of essential  
2524 infrastructure improvements and amendments thereto, which are under the control of the city, shall be  
2525 approved and adopted by the city council before becoming effective. All developers shall comply with  
2526 the approved standards required herein.

2527 B. Streets, Blocks, Etc.: The design of the subdivision in relation to streets, blocks, lots, open spaces, and  
2528 other design factors shall be in harmony with design standards recommended by the planning  
2529 commission and other city staff and approved by the city council.

2530 **13-9-020: REQUIRED IMPROVEMENTS:**

2531 A. Scope Of Requirements: The developer shall improve, or agree to improve, all streets, pedestrianways  
2532 or easements in the subdivision and on streets which abut, or serve as access to, the subdivision.  
2533 Permanent improvement work shall not commence until improvement plans and profiles have been  
2534 approved by the city and, if applicable, an improvement agreement, including security bond, has been  
2535 executed between the developer and the city as specified in this title. **As part of the street**  
2536 **improvements, the developer shall deposit with the city sufficient sums to provide a slurry seal for the**  
2537 **street as required by the city and additional sums to cover the cost of street signs and regulatory signs**  
2538 **which the city determines are required for the subdivision.** The city will utilize funds deposited for street  
2539 signs to obtain the signs and install the same within the subdivision.

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2540 B. Installation; Inspection: Improvements shall be installed to permanent line and grade to the  
2541 satisfaction of the city and in accordance with the standard specifications adopted by the city council.  
2542 Cost of inspection shall be paid by the developer as outlined in the consolidated fee schedule.

2543 C. Nonresponsibility Of City: Notwithstanding the fact that the land on which the improvements will be  
2544 located is dedicated at the time of the recording of a plat, the city shall not be responsible for the  
2545 improvements, their construction or maintenance, until the warranty period specified in the bond  
2546 agreement has expired, the improvements have been inspected, and the city certifies that they meet  
2547 city standards.

### **2548 13-9-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

2549 High back curbs, gutters, sidewalks and asphalt paving shall be provided in front of all commercial and  
2550 residential lots. High back curb, gutter and paving shall be required on all industrial property. At the  
2551 discretion of the planning commission, sidewalks may also be required for industrial property.

### **2552 13-9-040: STORM DRAINAGE:**

2553 A. Required Systems: Complete drainage systems for the entire development area shall be designed by a  
2554 professional engineer, licensed in the state and qualified to perform such work, and shall be shown  
2555 graphically. All existing drainage features which are to be incorporated in the design shall be so  
2556 identified. If the final plat is to be presented in sections, a general drainage plan for the entire area  
2557 shall be presented with the first section, and appropriate development stages for the drainage  
2558 system for each section indicated. All drainage plans shall meet adopted flood control standards and  
2559 limit runoff to a maximum of 0.2 second-feet per acre.

2560 B. Design: The drainage and floodplain systems shall be designed to:

- 2561 1. Unimpeded Flow: Permit the unimpeded flow of natural watercourses.
- 2562 2. Adequate Drainage: Ensure adequate drainage of all low points.
- 2563 3. Designated Floodplain Regulations: Ensure applications of the following regulations regarding  
2564 development in designated floodplains:
  - 2565 a. Construction of buildings shall not be permitted in a designated floodway with a return  
2566 frequency more often than a 100-year storm.
  - 2567 b. Building construction may occur in that portion of the designated floodplain, as designated  
2568 by FEMA, where the return frequency is between a 100-year and a maximum probable  
2569 storm provided all usable floor space is constructed above the designated maximum  
2570 probable flood level.
  - 2571 c. Where flow velocities in a floodplain are generally determined to be under five feet (5') per  
2572 second and maximum flood depth will not exceed three feet (3'), such uses as cultivated  
2573 agriculture, nurseries, parks and recreation facilities and accessory parking may be  
2574 permitted.
  - 2575 d. Any use of land is prohibited where flooding would create a public health hazard or  
2576 problem. This includes shallow wells, noncased deep wells, sanitary landfills, septic tanks  
2577 and on lot sewage disposal systems, water treatment plants, and also sewage disposal  
2578 systems not completely protected from inundation.
  - 2579 e. Any contemplated floodplain encroachment or channeling shall be thoroughly analyzed and  
2580 its effect on stream flow determined before such encroachment is undertaken. Any

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- 2581 construction, dumping and filling operations in a designated floodway constitute an  
2582 encroachment and must be approved by the planning commission before accomplishment.
- 2583 f. No lot one acre or less in area shall include any portion of a 100-year floodplain when  
2584 computing the size of the lot. All lots containing more than one acre shall contain not less  
2585 than forty thousand (40,000) square feet of land which is at an elevation at least two feet  
2586 (2') above the elevation of the 100-year recurrence interval flood, or, where such data is not  
2587 available, five feet (5') above the elevation of the maximum flood of record.
- 2588 4. Drainage Basin: The drainage basin as a whole shall accommodate not only runoff from the  
2589 development area but also, where applicable, the system shall be designed to accommodate the  
2590 runoff from those areas adjacent to and "upstream" from the development itself, as well as its  
2591 effects on lands downstream.
- 2592 5. Surface Drainage Structures: All proposed surface drainage structures shall be indicated on the  
2593 plans.
- 2594 6. Construction Materials And Elevations: All appropriate designs, details and dimensions needed  
2595 to clearly explain proposed construction materials and elevations shall be included in the  
2596 drainage plans.
- 2597 7. Permits: All necessary permits shall be obtained from applicable local, state and federal agencies  
2598 (i.e., state engineer, U.S. army corps of engineers, state division of health, etc.).
- 2599 8. Low Impact Development (LID):
- 2600 a. Low impact development (LID) is an approach to land development that uses various land  
2601 planning and design practices and technologies to simultaneously conserve and protect  
2602 natural resource systems and reduce infrastructure costs. LID still allows land to be  
2603 developed, but in a cost effective manner that helps mitigate potential environmental  
2604 impacts.
- 2605 b. As part of the city of North Salt Lake permit, the city requires use of an LID approach, which  
2606 includes the implementation of structural BMPs, where practicable, that infiltrate,  
2607 evapotranspire or harvest and use stormwater for the site to protect water quality.
- 2608 c. All development or redevelopment that warrants compliance with the Utah general  
2609 construction permit (UGCP) regulation must include an LID analysis that meets the objective  
2610 of mirroring the predevelopment hydrology and meets the objective of retaining on site,  
2611 with no discharge, the 0.6-inch, 24-hour rainfall event. Groundwater recharge may be  
2612 considered to meet this requirement, where applicable and feasible. If meeting this  
2613 retention standard is technically infeasible, a rationale shall be provided on a case by case  
2614 basis for the use of an alternative design criteria.
- 2615 d. No LID limits are defined except designs must not negatively impact surrounding properties.  
2616 The LID analysis must identify LID options considered and list the reasons why it will be  
2617 incorporated or why the considered LIDs are not practical for the site use or conditions.  
2618 Submit a report with stormwater calculations that summarizes the analysis and results.
- 2619 e. Suggested and preferred LIDs are outlined in the city's "Stormwater Best Management  
2620 Practices Handbook".
- 2621 9. Postconstruction Stormwater Maintenance Plan And Agreement:
- 2622 a. The purpose of the postconstruction stormwater maintenance plan and agreement is to  
2623 control stormwater runoff and reduce pollutants in stormwater runoff after construction is

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- 2624 complete and the developed site is in operation. This is achieved by accomplishing the  
2625 following:
- 2626 i. Controlling erosion.
  - 2627 ii. Controlling discharge of sediment into stormwater drainage facilities or off site.
  - 2628 iii. Preventing illicit discharges into on site soils, storm drainage facilities or off site.
  - 2629 iv. Prevention of debris and garbage from entering the stormwater system.
- 2630 b. A postconstruction stormwater maintenance plan must be prepared and submitted with the  
2631 plans for approval for all privately owned or maintained facilities that warrant compliance  
2632 with the UGCP regulation. The plan shall be contained on a plan sheet of its own, rather  
2633 than being a part of another plan sheet, and is to contain at least the following:
- 2634
- 2635 i. The site plan, including vicinity map, proposed contours, permanent stormwater  
2636 features, and landscaping.
  - 2637 ii. BMPs to accomplish the purpose of the plan. Examples of appropriate BMPs may  
2638 include those addressing operation and maintenance of storm drainage quality control  
2639 facilities, operation and maintenance of stormwater discharge control facilities,  
2640 maintenance of landscaping, good housekeeping practices, etc.
  - 2641 iii. Showing the following for each BMP specified:
    - 2642 1. Location and extent of specified BMPs, as appropriate.
    - 2643 2. Detailed schedule of execution for each specified BMP, in terms of starting time,  
2644 duration, frequency, etc., as appropriate.
    - 2645 3. Any information in addition to or different from that shown on the BMP fact sheets  
2646 as necessary to employ the BMPs on the site.
  - 2647 c. The owner of development that warrants compliance with the UGCP regulation must submit  
2648 a signed stormwater maintenance agreement using the city of North Salt Lake agreement  
2649 template. The postconstruction maintenance agreement needs to be recorded at the Davis  
2650 County recorder's office. (Ord. 2016-12, 8-16-2016)

2651 **13-9-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

- 2652 A. A. Utilities, Sewers, Drains: All underground utilities, sanitary sewers and storm drains installed in  
2653 streets or alleys should be constructed prior to the surfacing of such streets or alleys. Connections  
2654 for all underground utilities, water lines, pressure irrigation lines, and sanitary sewers for each lot  
2655 should be laid to a point which will eliminate the necessity for disturbing the street or alley  
2656 improvements, when service connections thereto are made.
- 2657
- 2658 B. Wires, Cables: All telephone, electric power, cable television or other wires or cables shall be placed  
2659 underground. Equipment appurtenant to the underground facilities, such as surface mounted  
2660 transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts may be  
2661 above ground. The developer shall make all necessary arrangements with the utilities involved for  
2662 the installation of the underground facilities.
- 2663
- 2664 C. Sanitary Sewage Disposal; General Requirements:

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- 2665 1. The developer shall provide, or have provided, a piped sanitary sewerage system to the property  
2666 line of every lot in the development. The sewerage system shall meet the minimum standards  
2667 and requirements of the city and the regulating health department.
- 2668 2. In all, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a  
2669 complete community or public sanitary system. All sewer mains shall be a minimum of eight  
2670 inches (8") in diameter. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)
- 2671 D. Test Procedures: Test of sanitary sewer mains, laterals and house connections shall be conducted in  
2672 accordance with local and state health requirements.
- 2673 E. Water In Sufficient Quantity To Be Obligation Of Developer:
- 2674 1. The procurement of water, whether by purchase of water rights, water shares, exchange or  
2675 service agreement, shall be the responsibility of the developer; and the water shall be provided  
2676 for the use of the development in an amount sufficient to meet minimum flows of two hundred  
2677 fifty (250) gallons per person, per day, plus outside irrigation and minimum static pressures of  
2678 fifty (50) pounds per square inch (psi), unless it can be proved to the planning commission that a  
2679 lesser amount is adequate.
- 2680 2. However, in no event shall the quantity of water provided by the developer be less than that  
2681 required to meet fire flow standards as established by the fire department and the city council,  
2682 and the city council shall be given first right of refusal to purchase any excess water formerly  
2683 used on the land.
- 2684 F. Culinary Water System: The culinary water delivery system shall extend to the property line of every  
2685 lot and shall be capable of delivering the flows and pressures as required. All water mains shall be a  
2686 minimum of eight inches (8") in diameter.
- 2687 G. Water mains and fire hydrants connecting to the water system owned by the city shall be installed  
2688 as approved by the city. Mains and individual lot services shall be of sufficient size to furnish an  
2689 adequate water supply for each lot or parcel in the subdivision and to provide adequate fire  
2690 protection as determined by the fire marshal and as required under any applicable law, rule or  
2691 regulation.
- 2692 H. Irrigation Systems (Including Drainage Facilities):
- 2693 1. Where an existing irrigation system consisting of open ditches is located on or adjacent to or  
2694 within one hundred feet (100') of a proposed development, complete plans for relocation,  
2695 piping, covering or other safety precautions shall be submitted with an application for  
2696 preliminary approval of a plat.
- 2697 2. In all developments in which the smallest lot is less than one acre, all irrigation systems shall be  
2698 underground.
- 2699 3. All pressure irrigation systems in or within one hundred feet (100') of a proposed development  
2700 shall be identified and otherwise color coded as to pipe and valve color to meet state standards  
2701 and regulations.

### **2702 13-9-060: FENCING OR PIPING OF HAZARDS:**

- 2703 A. Requirements: The developer shall install a six foot (6') nonclimbable chainlink fence along all canals,  
2704 waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights of way, property in  
2705 agricultural use or zoned for agricultural use and other such features of potentially hazardous nature  
2706 which are on, cross or are contiguous to, the property being subdivided, except on those features which  
2707 the planning commission shall determine would not be a hazard to life, or where the fence itself would

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2708 create a hazard to the safety of the public. Fences required by this section shall comply with  
2709 construction standards established by the city.

2710 B. Irrigation Ditches: All irrigation ditches shall be piped, unless this requirement is waived by the city  
2711 council.

2712 **13-9-070: MONUMENTS:**

2713 Permanent monuments shall be furnished, accurately established, and set by the developer at such  
2714 points as are necessary to definitely establish all lines of the plat except those defining rear property  
2715 corners of individual lots which will be semipermanent.

2716 **13-9-080: COMPLETION:**

2717 A complete improvement plan "as built" shall be filed with the city upon completion of said  
2718 improvements. The "as built" plans shall be drawn on reproducible copies of the original tracings and  
2719 certified as to accuracy and completeness by the developer's licensed engineer.

2720 **13-9-090: PAYBACK AGREEMENTS FOR IMPROVEMENTS:**

2721 A. Scope Of Agreement: A payback agreement entered into between the city and the developer who  
2722 installs the improvements or facilities for water, storm sewer or roads is authorized, where the  
2723 improvements installed are intended to extend, expand or improve the city's water system, storm  
2724 sewers or roads beyond the improvements required to service or benefit the subdivision or  
2725 development proposed by the developer. Such payback agreements shall be for project improvements  
2726 and not system improvements as defined in the Utah impact fees act. The payback agreement is not  
2727 mandatory, but may be used at the option of the city manager, upon approval of the payback  
2728 agreement by the city council. The amount of the payback to the developer shall be determined by the  
2729 city council after receiving a recommendation from the city engineer after considering the  
2730 improvements or facilities required or benefiting developer's development, and those facilities or  
2731 improvements that are specifically oversized to provide for future development of adjacent projects.

2732 B. Nonliability Of City: The city shall, in all cases, be immune and not liable for any payments to the  
2733 developer if the payback agreement is determined to be unenforceable. The payback agreement shall  
2734 not confer a benefit upon any third party and shall be in a form approved by the city council. The  
2735 responsibility for payment of the required improvements or facilities shall rest entirely with the  
2736 developer. The city shall not be responsible for collection of amounts from third parties.

2737

2738

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3  
**Chapter 10**  
**RESIDENTIAL AND MULTIPLE RESIDENTIAL**  
**DISTRICTS**

- 4 **10-10-1: PURPOSE:**  
5 **10-10-2: CODES AND SYMBOLS:**  
6 **10-10-3: USE REGULATIONS:**  
7 **10-10-4: LANDSCAPING REQUIREMENTS:**  
8 **10-10-5: HOME OCCUPATIONS:**  
9 **10-10-6: DOMESTIC FARM ANIMALS:**

10 **10-10-1: PURPOSE:**

11  
12 The purpose of the following districts is:

13  
14 ~~A. Multiple Use Districts MU: To provide a Multiple Use District and to establish areas in mountain,~~  
15 ~~hillside, canyon mountain valley, desert and other open and generally undeveloped lands where~~  
16 ~~human habitation should be limited in order to protect land and other open space resources;~~  
17 ~~reduce unreasonable requirements for public utility and service expenditures through~~  
18 ~~uneconomical and unwise dispersal and scattering of population; to encourage use of the land,~~  
19 ~~where appropriate, for forestry, grazing, agriculture, mining, wildlife habitat and recreation; to~~  
20 ~~avoid excessive damage to watersheds, water pollution, soil erosion, danger from brush land~~  
21 ~~fires, damage to grazing and livestock raising, and to wildlife values; to avoid the premature~~  
22 ~~development of lands by discouraging intensive development until the ultimate best use of the~~  
23 ~~land can be recommended by the Planning Commission to the City Council; and to promote the~~  
24 ~~health, safety, convenience, order, prosperity and general welfare of the inhabitants of the~~  
25 ~~community. The minimum lot size shall be twenty (20) acres.~~

26  
27 AB. Residential District R1-12: To provide areas for low density, single-family residential  
28 neighborhoods of spacious and uncrowded character.

29  
30 BC. Residential District R1-10: To provide areas for medium low density, single-family residential  
31 neighborhoods where low and medium costs of development may occur.

32  
33 CD. Multiple Residential District RM-7: To provide areas for medium residential density with the  
34 opportunity for varied housing styles and character.

35  
36 DE. Residential District R1-7: To provide areas for medium low density, single-family or dual-family  
37 residential neighborhoods where low and medium costs of development may occur.

38  
39 EF. Multiple Residential District RM-20: To provide areas for medium high residential density with  
40 the opportunity for varied housing styles and character. (Ord. 03-3, 4-15-2003; amd. Ord., 7-12-  
41 2007)

42 **10-10-2: CODES AND SYMBOLS:**

43

44 In section 10-10-3 of this chapter, uses of land or buildings which are allowed in various districts are  
 45 shown as permitted uses, indicated by a "P" in the appropriate column, or as conditional uses,  
 46 indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not  
 47 named in the use list or it is indicated in the appropriate column by a numeral to show the linear or  
 48 square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the  
 49 appropriate column by a dash. (Ord. 03-3, 4-15-2003; amd. Ord., 7-12-2007)

50 **10-10-3: USE REGULATIONS:**

51

52 No building, structure or land shall be used and no building or structure shall be hereafter erected,  
 53 structurally altered, enlarged or maintained in a Single-Family Residential District or Multiple  
 54 Residential District, except as provided in this title:

	Zone					
	R1-12	R1-10	<del>MU-</del>	R1-7	RM-7	RM-20
Accessory buildings and uses customarily incidental to permitted uses other than those listed below.—	P	P	<del>P</del>	P	P	P
<u>Residential accessory swimming pool.</u>	<del>PC</del>	<del>PC</del>	<del>C</del>	<del>PC</del>	<del>PC</del>	<del>PC</del>
<u>Community (HOA) swimming pool</u>	<del>P</del>	<del>P</del>		<del>P</del>	<del>P</del>	<del>P</del>
Accessory buildings and uses customarily incidental to conditional uses.—	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>	<del>C</del>
<u>Temporary model homes, sales pavilions, or construction office trailers for a period not to exceed three (3) years and to be removed within thirty (30) of final</u>	<del>P</del>	<del>P</del>		<del>P</del>	<del>P</del>	<del>P</del>

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<u>occupancy of the last dwelling in the development.</u>						
<del>Temporary buildings for uses incidental to construction work, including living quarters for guard or night watchman, which building must be removed upon completion or abandonment of the construction work. Mobile homes for temporary uses found appropriate to the Planning Commission.</del>	<del>G</del>	<del>G</del>	<del>G</del>	<del>G</del>	<del>G</del>	<del>G</del>
Special Uses						
<u>In home c</u> Child daycare for 5 to 8 children (see subsection 10-10-5E of this chapter for supplemental regulations).	P	P	<del>P</del>	P	P	P
Preschool for up to 8 children (see subsection 10-10-5F of this chapter for supplemental regulations).	P	P	<del>P</del>	P	P	P
Domestic farm animals.	P	P	<del>N</del>	P	P	P

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
The tilling of the soil, the raising of crops, horticulture and gardening.	P	P	<del>P</del>	P	P	P
Assisted living center. If the assisted living center is an apartment building, the facility shall not exceed the density allowed in the base zoning district. If the assisted living center is a rooming house, for the purpose of calculating the density allowed under the base zoning district, <del>3</del> <u>4</u> boarders shall constitute 1 dwelling unit.	<del>PG</del>	<del>PG</del>	<del>PG</del>	<del>PC</del>	<del>PC</del>	<del>PC</del>
Residential						
Single-family dwelling.	P	P	<del>-</del>	P	P	P
Two-family dwelling.	-	-	<del>-</del>	P	<del>PG</del>	P
Three-family dwelling.	-	-	<del>-</del>	-	<del>PG</del>	P
Four-family dwelling.	-	-	<del>-</del>	-	<del>PG</del>	<del>PG</del>
Multiple-family dwelling ( <u>more than 4</u> ).	-	-	<del>-</del>	-	<del>PG</del>	<del>PG</del>

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<del>Groups of dwellings (including twin homes, etc.) when approved as a planned unit development.</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>C</del>	<del>C</del>
Accessory dwelling units, in accordance with section 10-1-44 of this title.	P	P	<del>-</del>	P	P	P
A two-family dwelling on a corner lot requires 2 front and 2 rear yards.	-	-	<del>-</del>	A	A	A
Residential facilities (group homes) for persons with a disability and the elderly, <del>provided they are separated at least 3/4 mile from another similar facility.</del>	<del>PG</del>	<del>PG</del>	<del>C</del>	<del>PG</del>	<del>PG</del>	<del>PG</del>
Home occupation.	P	P	<del>P</del>	P	P	P
Hospital: medical or dental clinic accessory to a hospital and located on the same premises.	-	-	<del>C</del>	-	C	C
Household pets.	P	P	<del>P</del>	P	P	P
Mobile home developments, including mobile homes parks or subdivisions.	-	-	<del>-</del>	-	C	-

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
Public And Quasi-Public <u>Buildings and Uses</u> –						
Private educational institution having a curriculum similar to that ordinarily given in public schools.	-	-	<del>C</del>	-	C	C
Private recreational grounds and facilities not open to the general public, and to which admission charge is made.	C	C	<del>C</del>	C	C	C
Professional offices when harmonious with the general character of the district where located.	-	-	<del>C</del>	-	C	C
<u>Publicly owned cemeteries, essential services, streets, recreational trails, parks and golf courses, utilities, schools and rights of way.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<del>Public and quasi-public buildings and uses (cemeteries, churches, essential service facilities, golf courses, substation</del> <u>Substation</u> transmission lines 50 kV or greater capacity, <del>recreation</del>	C	C	<del>C</del>	C	C	C

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<del>trails, schools, streets [public and private], and railroad and utility lines and rights-of-way).</del>						
Land excavations <u>in association with an approved building permit or subdivision.</u>	<u>PG</u>	<u>PG</u>	<u>G</u>	<u>PG</u>	<u>PG</u>	<u>PG</u>
Subdivisions.	<u>PG</u>	<u>PG</u>	<u>G</u>	<u>PG</u>	<u>PG</u>	<u>PG</u>
Planned unit developments.	<u>PG</u>	<u>PG</u>	<u>G</u>	<u>PG</u>	<u>PG</u>	<u>PG</u>
Area Regulations <u>(in square feet)</u>						
<del>The minimum lot area in square feet for a <u>Single-family dwelling lot structure in the districts regulated by this chapter shall be:</u></del>	12,000	10,000	<del>96,800</del>	7,000	7,000	7,000
<u>Two-family dwelling lot</u>	=	=		<u>9-10,000</u>	<u>910,000</u>	<u>910,000</u>
<u>Three-family dwelling lot</u>	=	=		=	=	<u>143,000</u>
<u>Four-family dwelling-lot</u>	=	=		=	=	<u>135,000</u>
<u>Single family, attached developments density: PUDs, multi-family buildings, or multiple building</u>				<u>6-8 d.u./net ac. *single family and two</u>	<u>8 d.u./net ac. *single family and two</u>	<u>20 d.u./net ac.</u>

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<u>development on a single lot, under a common development plan (net acreage)</u>				<u>family only</u>	<u>family only</u>	
The additional lot area in square feet for each additional dwelling unit shall be:—	—	—	—	—	<del>6,000</del>	<del>1,900</del>
The lot area in square feet for a duplex:—	—	—	—	<del>8,500</del>	<del>8,500</del>	<del>8,500</del>
Minimum lot area in square feet for all main uses or buildings other than dwelling shall be:	-	-	<del>90,800</del>	5,000	3,500	3,500
Width Regulations- <u>(in feet)</u>						
The minimum width <u>in feet</u> for any lot <u>in the districts regulated by this chapter measured at the setback line</u> , except as modified by planned unit developments, <del>shall be:</del>	90	80	<del>500</del>	60	70	70
Frontage Regulations <u>(in feet)</u>						
The minimum width of any lot at the street right-of-way line <u>in feet in the districts regulated by this chapter</u> , except	45	45	<del>45</del>	45	45	45

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
as modified by <del>conditional use permit, shall be</del> planned unit development:						
Front Yard Regulations <u>(in feet)</u> <u>Corner lots, main buildings shall have 2 front yards, and 1 rear yard opposite the front elevation, and 1 side yard.</u>						
The minimum depth <del>in feet</del> for the front yard for main building <del>in districts regulated by this chapter shall be:</del>	25	25	<del>25</del>	25	25	25
<del>Or the average of the existing building on the block where 50 percent or more of the frontage is developed:—</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
<del>However, in no case shall be (in feet) less than:—</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>	<del>20</del>
<del>Or lot restricted Lots</del> having an average slope of 15 percent or more <del>(in feet) less than:</del>	20	20	<del>20</del>	20	20	20
<u>Maximum front yard setback: Or not to exceed (in feet) unless modified by conditional use (maximum 500')</u> .	100	100	<del>100</del>	<del>100</del> <u>40</u>	<del>100</del> <u>40</u>	<del>100</del> <u>40</u>
Accessory buildings may have the same	6	6	<del>6</del>	6	<del>10</del> <u>6</u>	10

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
minimum front yard depth as main buildings if they have the same side yard required for main buildings; otherwise they shall be set back <del>the following number of feet</del> from the rear of the main building:						
<del>On corner lots, main buildings shall have 2 front yards, and 1 rear yard, and 1 side yard.</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
Rear Yard Regulations <u>(in feet)</u>						
The minimum depth <del>in feet</del> for the back yard <del>in the districts regulated by this chapter shall be:</del> <u>(corner lot rear yard setback: 20 feet)</u>	25	25	<del>60</del>	25	20	20
Accessory buildings <u>(may be reduced to one (1) foot if all roof drainage stays on the lot, the walls of the building have a one (1) hour fire rating with no windows or doors adjacent to the property line, and the building is a minimum of ten (10) feet from any</u>	<del>A</del> <u>53</u>	<del>A</del> <u>53</u>	<del>A</del>	<del>A</del> <u>53</u>	<del>A</del> <u>53</u>	<del>A</del> <u>53</u>

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<del>dwelling on adjacent lot. may have a minimum setback of 1 foot; provided, that all drainage from them stays on the lot. The walls of the building shall have a minimum tested fire resistance of 1 hour and there is at least 10 feet distance to another dwelling on an adjacent lot.</del>						
<del>On corner lots, the rear yard setback may be reduced to 20 feet.</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
<del>Swimming Pools (community or HOA pools shall be setback 15 feet)</del>	<del>5</del>	<del>5</del>		<del>5</del>	<del>5</del>	<del>5</del>
Side Yard Regulations <u>(in feet)</u> –						
<del>The minimum side yard in feet for any dwelling in districts regulated by this chapter shall be:</del>	8	8	<del>60</del>	8	8	8
<del>And the t</del> Total width of the 2 required side yards <del>in feet shall be:</del>	20	20	<del>60</del>	20	20	20
<del>Other main buildings shall have a minimum side yard in feet of:</del>	20	15	<del>15</del>	15	15	15

	Zone					
	R1-12	R1-10	MU	R1-7	RM-7	RM-20
And the <del>t</del> Total width of the 2 required side yards <u>for other main buildings in feet of no less than:</u>	40	35	<del>35</del>	45	45	45
The minimum side yard in feet for an <u>accessory building: (may be reduced to one (1) foot if all roof drainage stays on the lot, the walls of the building have a one (1) hour fire rating with no windows or doors adjacent to the property line, and the building is a minimum of ten (10) feet from any dwelling on adjacent lot.)</u> private garage shall be:-	<del>35</del> 10-	<del>35</del> 6-	6-	<del>35</del> 6-	<del>35</del> 6-	<del>35</del> 6-
<u>Swimming pool (community or HOA pools shall be setback 15 feet)</u>	<del>5</del>	<del>5</del>		<del>5</del>	<del>5</del>	<del>5</del>
<del>(except that private garage and other accessory buildings located 6 feet to the rear of the main buildings may have a minimum side yard of 1 foot if the walls of the building have a minimum</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>

	Zone					
	R1-12	R1-10	<del>MU</del>	R1-7	RM-7	RM-20
<del>tested fire resistance of 1 hour and are located at least 10 feet from a residence on an adjoining lot).</del>						
<del>Provided, that no private garage or other accessory buildings shall be located in feet closer to a dwelling on an adjacent lot than 10 feet.</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
<del>On corner lots, main buildings shall have 2 front yards and 1 rear yard, and 1 side yard--rear yard may have a minimum of 20 feet setback.</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>	<del>A</del>
<del>The side yard in feet shall be not less than:</del>	<del>8</del>	<del>8</del>	<del>8</del>	<del>8</del>	<del>8</del>	<del>8</del>
Height Regulations <u>(in feet)</u>						
The maximum height for all buildings and structures <del>in feet</del> . See section 10-1-25 of this title.	35	35	<del>35</del>	35	35	35
Coverage Regulations <u>(in percentage of lot)</u>						
The maximum coverage <u>by buildings</u> <del>in percent for any lot in the</del>	30	35	<del>—</del>	35	50	50

	Zone					
	R1-12	R1-10	<del>MU-</del>	R1-7	RM-7	RM-20
<del>districts regulated by this chapter shall be:</del>						
The maximum coverage <del>in percent</del> for any rear yard area by accessory buildings <del>shall be:</del>	25	25	—	25	25	25
Depth Regulations <u>(in feet)</u>						
The minimum depth of a lot <del>in feet in districts regulated by this chapter</del> , except as may be modified by <del>conditional use permit</del> <u>planned unit development</u> , shall be:	110	110	<del>500-</del>	100	95	100

55

Improvements Required To Be Completed <u>(C)</u> Or In Progress <u>and bBonded (BP)</u> Before A Building Permit May Be Issued_*						
<u>*Multi-family developments or common planned development sites shall be required to have street/site paving complete in addition to the internal improvements required below prior to issuance of any building permit(s).</u>						
<u>Improvements are to be in compliance with standards adopted by the Municipality. Improvements prefaced by an asterisk (*) are those applicable only to land developments and planned unit developments.</u>						
<u>Improvements are to be in compliance with standards adopted by the Municipality.</u>						
	<u>ZONES</u>					
	<u>R1-12</u>	<u>R1-10</u>		<u>R1-7</u>	<u>RM-7</u>	<u>RM-20</u>
Street grading	<u>CA-</u>	<u>CA-</u>	—	<u>CA-</u>	<u>CA-</u>	<u>CA-</u>

Street base	<del>CA</del>	<del>CA</del>	<del>CA</del>	<del>CA</del>	<del>CA</del>	<del>CA</del>
Street paving	<del>BPA</del>	<del>BPA</del>	—	<del>BPA</del>	<del>BPA</del>	<del>BPA</del>
Curb and gutter	<del>CA</del>	<del>CA</del>	—	<del>CA</del>	<del>CA</del>	<del>CA</del>
Sidewalk	<del>BPA</del>	<del>BPA</del>	—	<del>BPA</del>	<del>BPA</del>	<del>BPA</del>
Surface drainage facilities	<del>CA</del>	<del>A-C</del>	<del>A</del>	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>
Wastewater disposal facilities	<del>A-C</del>	<del>A-C</del>	<del>A</del>	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>
Culinary water facilities	<del>A-C</del>	<del>A-C</del>	<del>A</del>	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>
Firefighting facilities	<del>CA</del>	<del>A-C</del>	<del>A</del>	<del>A-C</del>	<del>A-C</del>	<del>A-C</del>
Street name signs	<del>BPA</del>	<del>BA-P</del>	<del>A</del>	<del>BA-P</del>	<del>BA-P</del>	<del>BA-P</del>
Street monuments	<del>BA-P</del>	<del>BA-P</del>	—	<del>BA-P</del>	<del>BA-P</del>	<del>BA-P</del>
Survey monuments boxes	<del>A-P</del>	<del>A-P</del>	<del>A</del>	<del>A-P</del>	<del>A-P</del>	<del>A-P</del>
Streetlights	<del>BA-P</del>	<del>BA-P</del>	—	<del>BA-P</del>	<del>BA-P</del>	<del>BA-P</del>
Address numbers	<del>BA-P</del>	<del>BA-P</del>	<del>A</del>	<del>BA-P</del>	<del>BA-P</del>	<del>BA-P</del>
Public utilities (power, gas, telephone, cable TV, etc.)	<del>BA-P</del>	<del>BA-P</del>	<del>A</del>	<del>BA-P</del>	<del>BA-P</del>	<del>BA-P</del>

56  
57 (Ord. 03-3, 4-15-2003; amd. Ord. 07-03, 1-9-2007; Ord., 7-12-2007; Ord. 2011-03, 5-3-2011; Ord.  
58 2014-15, 9-2-2014; Ord. 2018-11, 10-2-2018; Ord. 2018-12, 10-2-2018; Ord. 2018-14, 11-20-2018)

59

60

61 **10-1-46: DEFINITIONS:**

62 ACRE, NET: A measurement of the developable portion of an area, after excluding the area required  
63 for public or private streets or access ways, including adjacent park strip and sidewalk(s).

64 DENSITY: A measure of the number of dwelling units per acre of area. It shall be expressed dwelling  
65 units per acre (DU/acre). Unbuildable land (as defined by the Planning Commission) is land with a  
66 slope greater than thirty percent (30%), subject to inundation or other geological hazards.

67 DENSITY, GROSS: A measure of the number of dwelling units per acre of developable, including  
68 any area designated as a public or private street or access way, including adjacent park strip and  
69 sidewalk.

70 DENSITY, NET: A measure of the number of dwelling units per acre of developable land, which shall  
71 not include any area designated as a public or private street or access way, including adjacent park  
72 strip and sidewalk.

73 DWELLING: Any building or portion thereof designed or used as the principal residence or sleeping  
74 place of one or more persons or families, but not including a tent, a recreational coach, hotel, motel,  
75 hospital or nursing home.

76  
77 DWELLING, ATTACHED: A building containing multiple single family dwelling units, sharing a  
78 common wall at the property line.

79 DWELLING, FOUR-FAMILY-~~(FOURPLEX)~~: A building containing only four (4) dwelling units.

80

81 DWELLING, MULTIPLE-FAMILY: A building containing more than one dwelling unit.

82

83 DWELLING, SINGLE-FAMILY: A building containing only one dwelling unit.

84

85 DWELLING, THREE-FAMILY-~~(TRIPLEX)~~: A building containing only three (3) dwelling units.

86

87 DWELLING, TWO-FAMILY-~~(DUPLEX)~~: A building containing only two (2) dwelling units.

88

89 DWELLING UNIT: One or more rooms in a dwelling, apartment complex, hotel or motel, designed for or  
90 occupied by one family for living or sleeping purposes-providing complete, independent living facilities  
91 for a single person or family, including permanent provisions for living, sleeping, eating, cooking and  
92 sanitation.

1 CITY OF NORTH SALT LAKE  
2 PLANNING COMMISSION MEETING  
3 JANUARY 14, 2020  
4

5 **DRAFT**  
6

7 Commission Chair Ted Knowlton called the meeting to order at 6:35 p.m. and Stephen Garn led  
8 those present in the Pledge of Allegiance.  
9

10 PRESENT: Commission Chair Ted Knowlton  
11 Commissioner Stephen Garn  
12 Commissioner Kent Kirkham  
13 Commissioner Brandon Tucker  
14

15 EXCUSED: Commissioner William Ward  
16 Commissioner BreAnna Larson  
17

18 STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Kate Werrett,  
19 Planner; Ali Avery, Long Range Planner; Andrea Bradford, Minutes Secretary.  
20

21 OTHERS PRESENT: Josh Gustaveson, Gusto Builds LLC; Dee Lalliss, Brian Horrocks,  
22 residents; Reid Mosman, Toll Brothers.  
23

24 1. PUBLIC COMMENTS  
25

26 There were no public comments.  
27

28 2. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR A  
29 WELDING AND METAL FABRICATION BUSINESS, GUSTO BUILDS LLC, AT  
30 605 NORTH 700 WEST, JOSH GUSTAVESON, APPLICANT  
31

32 Kate Werrett reported that the applicant, Gusto Builds LLC, was proposing to locate a welding  
33 and metal fabrication shop at 506 North 700 West. As “Fabricated metal product manufacturing”  
34 is a conditional use under “Manufacturing” in the Manufacturing Distribution (MD) zone. There  
35 would be three to five employees on site during the highest shift. The manufacturing processes to  
36 be done on site included welding, metal fabrication, and powder coating. An air compressor and  
37 other machinery would be used. Hours of operation would be 6 a.m. to 3 p.m. during the week.  
38

39 Per the code, manufacturing requires “one stall per every 1,000 square feet of gross floor area or  
40 one stall per employee on the highest shift, whichever is greater.” The applicant intends to rent  
41 the entire building which has 7,800 square feet of manufacturing floor area and requires eight  
42 parking stalls. The location currently has eight stalls and additional paved space for future  
43 parking if necessary. Staff did not identify any issues with the proposed use at the location

44 requested. As the Development Review Committee (DRC) found that this use would require a  
45 fire suppression system they recommended approval with the condition that final approval must  
46 be obtained from the fire marshal prior to business license approval.

47  
48 Commissioner Kirkham asked what would be fabricated onsite. Josh Gustaveson, Gusto Builds,  
49 replied that they would fabricate ornamental iron, fencing, gates, custom siding, etc. and do  
50 powder coating projects.

51  
52 Commissioner Garn asked if the metal and other items would be stored indoors. Josh Gustaveson  
53 replied that the majority of the items would be stored in the warehouse with the exception of  
54 some trailers.

55  
56 Commissioner Garn asked if there would be a paint booth for powder coating. Josh Gustaveson  
57 replied that he would be purchasing new equipment which was OSHA and EPA regulated.

58  
59 Commissioner Kirkham asked where the applicant was moving his business from. Josh  
60 Gustaveson replied that the current business was in Murray.

61  
62 **Commissioner Tucker moved the Planning Commission approve the conditional use permit**  
63 **for Gusto Builds LLC located at 506 North 700 West with the following condition:**

64  
65 **1) Final approval from the fire marshal prior to business license approval.**

66  
67 **Commissioner Garn seconded the motion. The motion was approved by Commissioners**  
68 **Knowlton, Kirkham, Garn and Tucker. Commissioners Larson and Ward were excused.**

69  
70 **3. CONSIDERATION OF A REQUEST FOR A TEMPORARY USE PERMIT FOR A**  
71 **SALES PAVILION, TOLL BROTHERS, AT 105 EAST EDGECREST LANE, REID**  
72 **MOSMAN, APPLICANT**

73  
74 Kate Werrett reported that the applicant, Toll Brothers, was requesting to build a temporary sales  
75 pavilion at 105 East Edgecrest Lane during the construction of the single family homes in The  
76 Ridge development. The pavilion and its parking lot would be built on lots 103 and 104. The  
77 pavilion would serve as a sales office for the duration of the project and would then be  
78 demolished to construct homes on those lots. There would be two sales employees at this  
79 location. They expect 20 to 30 potential homeowners to visit each week. The hours of operation  
80 would be 10 a.m. to 6 p.m. An onsite parking lot with nine or ten stalls would be provided for  
81 employees and prospective homeowners. The DRC recommended that one stall closest to the  
82 pavilion be marked as an ADA parking stall.

83  
84 The structure would be one story with neutral colored stucco and siding. The building would  
85 meet the setback requirements for the site. Toll Brothers intend to landscape around the pavilion

86 and the parking lot. The DRC also recommends that the landscape plan be submitted prior to  
87 issuance of a building permit as a condition of approval.

88  
89 Kate Werrett showed an example of a similarly constructed pavilion and said construction of the  
90 pavilion would begin in late January. She also said that per the development agreement the sales  
91 pavilion would need to be removed from the site within 30 days of issuance of the certificate of  
92 occupancy for the final dwelling unit for which the pavilion was utilized during construction.  
93 The DRC also recommended the inclusion of a condition on the temporary use approval noting  
94 the removal timeframe. Toll Brothers expects the building would be utilized for approximately  
95 three years.

96  
97 Kate Werrett also reported on several engineering findings including a water meter in the  
98 driveway of the temporary pavilion and recommended it be covered or collared, a landscaping  
99 plan, and that the driveway be relocated for the final site plan.

100  
101 Commissioner Kirkham asked if construction took longer than three years if there would be an  
102 issue. Sherrie Llewelyn replied that this would be constructed as a permanent and quality  
103 structure which could be used as a clubhouse if necessary. She said that the development  
104 agreement did not put an end date other than the 30 day removal after the issuance of the  
105 certificate of occupancy for the final dwelling unit.

106  
107 Reid Mosman, Toll Brothers, commented that they were excited to build in Davis County and  
108 had constructed similar pavilions in other locations. He said the purpose of the pavilion was to  
109 make a good impression and sell the lots quickly.

110  
111 Commissioner Tucker said that he did not think temporary use permits should be conditional. He  
112 felt they should be administrative and reviewed by staff. Commissioners Knowlton, Garn and  
113 Kirkham were in agreement.

114  
115 **Commissioner Garn moved that the Planning Commission approve the Toll Brothers**  
116 **temporary sales pavilion for The Ridge at 105 East Edgecrest Lane with the following**  
117 **conditions:**

- 118  
119 **1) The sales pavilion shall be removed from the site within 30 days of issuance of**  
120 **certificate of occupancy for the final dwelling unit for which the pavilion was**  
121 **utilized during construction.**  
122 **2) A landscaping plan must be submitted prior to issuance of a building permit.**  
123 **3) An ADA parking stall shall be located in the parking spaces closest to the pavilion.**  
124 **4) After the temporary use is complete, the driveway must be relocated for the final**  
125 **site plan.**  
126 **5) A building permit shall be obtained prior to construction on the site.**  
127

128 **Commissioner Kirkham seconded the motion. The motion was approved by**  
129 **Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners Larson and Ward**  
130 **were excused.**

131

132 4. PUBLIC HEARING-CONSIDERATION OF AN UPDATE TO THE CITY'S  
133 GENERAL PLAN TO INCLUDE AN ACTIVE TRANSPORTATION PLAN

134

135 Ali Avery reported that the Active Transportation Plan would be an addition to the transportation  
136 element of the General Plan. She said the State Legislature passed a code amendment, which  
137 required the City to address active transportation facilities in the General Plan, this would allow  
138 the City to continue to apply for TIF funds for roadway improvements. Bountiful, North Salt  
139 Lake and Centerville worked together to apply for a TLC grant from Wasatch Front Regional  
140 Council for a consultant to write an active transportation plan. Ms. Avery said the presented plan  
141 was geared towards the City. The project goals were connectivity, safety, recreation,  
142 sustainability, partnership, and health. She said there was an extensive public input process with  
143 an online survey and three pop up events. The results of the survey showed that 27% of the  
144 respondents lived in the City, the top three reasons people walked/rode a bike included  
145 health/fitness, spending time outdoors, or for pleasure/fun/socializing. The survey also showed  
146 that 1/3<sup>rd</sup> of the respondents felt uncomfortable walking with 38% feeling uncomfortable riding a  
147 bike. The deterrent of walking/biking in South Davis included aggressive drivers, facilities not  
148 taking them where they need to go, and streets/sidewalks felt unsafe. The top three priorities for  
149 future transportation were more paved and off-street paths, on-street bike lanes, and better  
150 sidewalks.

151

152 Ali Avery also showed several maps to those present, which highlighted barriers to walking and  
153 bicycling as well as opportunities. The map also showed that Orchard Drive was the most  
154 popular facility in the area for active transportation investment. She said a stakeholder committee  
155 was created which included City staff, Wasatch Front Regional Council, UDOT, UTA, and the  
156 school district. Moving forward the recommendations from residents and the stakeholder  
157 committee included separated and buffered bike lanes, neighborhood byways, shared use paths,  
158 side paths, and rail crossings. She then spoke on the proposed locations for the recommended  
159 bike lanes, byways, paths, etc. including connections to activity centers, trails, etc.

160

161 Ali Avery then said the plan had policy recommendations including a complete streets plan, a  
162 street connectivity plan, and a walkable parking policy with a draft in the appendix for easy  
163 adoptability. The recommended amenity requirements, which would be included in the form  
164 based code, included short/long term bike parking, wayfinding, bike amenities, etc. This plan  
165 also addressed walkable activity centers, multimodal integration, shared mobility (Uber/Lyft),  
166 promotion of active transportation, and parking enforcement. There were also two priority  
167 projects including a buffered bike lane on Eagleridge Drive as well as the Bamberger Trail.

168

169 Commissioner Tucker commented that the consultant, Alta Planning + Design, had done a great  
170 job but felt there were some conflicting recommendations for street cross sections, etc., which  
171 was different than the draft form based code. He asked which would take precedence. Sherrie  
172 Llewelyn said the active transportation plan was part of the general plan and was an advisory  
173 document while the form based code was an ordinance. She said that changes could be made to  
174 the form based code or the active transportation plan based on recommendations from the  
175 Commission and Council.

176

177 **Chair Knowlton opened the public hearing at 7:07 p.m.**

178

179 Dee Lalliss commented that he had lived in the City for approximately 50 years and was on the  
180 Planning Commission when the hillside was developed. He said that there was interesting  
181 topography on the hillside, which may not allow for bike paths on some of those roads. He also  
182 spoke on Highway 89 and Orchard Drive and where bike lanes could be installed. Mr. Lalliss  
183 said that there needed to be better speed enforcements on those roads and asked how to make the  
184 roads safer for bikes.

185

186 Ali Avery spoke on the concerns and said that the proposal for Eagleridge Drive was within the  
187 existing right of way. She said a buffered bike lane should naturally slow traffic there.

188

189 **Chair Knowlton closed the public hearing at 7:13 p.m.**

190

191 Chair Knowlton asked that UDOT and UTA be listed on the acknowledgment page as funding  
192 partners. He also asked that on page 50 under “Walkable Activity Center Policies” that the first  
193 sentence be changed to “Walkable centers such as those in the Wasatch Choice 2050 Vision  
194 (footnote), are areas of activity that draw people from a neighborhood..”.

195

196 Chair Knowlton commented that he also felt this plan was well done. He said a reasonable stance  
197 for the City to take would be some give and take from the driving public to accommodate safe  
198 bike facilities.

199

200 Sherrie Llewelyn said that this plan was also about safe pedestrian activity in addition to safe  
201 bicycling infrastructure.

202

203 Commissioner Kirkham commended the City for thinking ahead for future generations.

204

205 Chair Knowlton asked about the separated lanes on Orchard Drive and what the physical changes  
206 would need to be on the street to fulfill the plan. Ali Avery replied that the City Engineer had  
207 some concerns related to obtaining additional right of way and staff had concerns with parking  
208 enforcement there.

209

210 Sherrie Llewelyn commented that part of the problem with Orchard Drive was that right of way  
211 would be difficult to obtain in some areas and would have to be reviewed at a later date. Orchard  
212 Drive would also be a better alternative than Highway 89 especially if the BRT line was  
213 established there. She stated this Active Transportation Plan was the guiding document for  
214 construction projects on these roads.

215  
216 Ali Avery spoke on several changes that had been made and also reviewed the recommended  
217 connections for the Town Center, Foxboro/Cutler, 2600 South, Five Points, downtown Bountiful,  
218 Centerville Main Street and Parrish Lane, and Centerville Community Park.

219  
220 Chair Knowlton asked about funding sources. Ali Avery replied that the next step was to add  
221 projects to the Capital Facilities plan and then she could start to look for funding. She also spoke  
222 on the sample policies in the appendix including the streets, streets and pathway connectivity,  
223 and walkable parking policies were implementation strategies.

224  
225 Ali Avery asked that the motion include the edits of January 2020 from the consultant.

226  
227 **Commissioner Kirkham moved that the Planning Commission recommend to the City**  
228 **Council the proposed Active Transportation Plan as an amendment to the Transportation**  
229 **Element of the City's General Plan with the listed findings:**

- 230  
231 **1) The State legislature has determined that cities must include the general location**  
232 **and extent of active transportation facilities in the General Plan;**  
233 **2) The proposed draft meets the requirements of the State code to continue to allow the**  
234 **City to apply for Transportation Investment Fund money; and**  
235 **3) With the edits from the consultant with the January 2020 updates.**

236  
237 **Commissioner Tucker seconded the motion.**

238  
239 Chair Knowlton asked if the City applied for the funding before the passing of State Bill SB-34.  
240 Ali Avery replied affirmatively.

241  
242 Chair Knowlton said that as the City was already in the process of creating an active  
243 transportation plan the findings of the motion should be reordered and a finding be added that the  
244 City prepared the active transportation plan prior to the requirement for SB-34 as the City was  
245 not driven to comply based on State law but with the goal of providing improved active  
246 transportation options for the residents of South Davis County.

247  
248 Commissioner Garn asked if the City was bound to this plan or if changes could be made in the  
249 future. Ali Avery replied that this was an amendment to the General Plan.

250

251 **Commissioner Kirkham amended his motion to include an additional finding as the first**  
252 **finding:**

253  
254 **North Salt Lake with Bountiful and Centerville sought to address and improve active**  
255 **transportation in South Davis County and to create safe alternative transportation facilities**  
256 **for citizens.**

257 **Commissioner Tucker seconded the amended motion. The motion was approved by**  
258 **Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners Larson and Ward**  
259 **were excused.**

260

261 Sherrie Llewelyn commented that she was proud of staff, particularly Ali Avery for their  
262 contribution to the project. She said that staff started this process and the moderate income  
263 housing plan before the State Legislature requirements were finalized.

264

265 5. WORK SESSION-REVIEW DRAFT FORM BASED CODE

266

267 Sherrie Llewelyn provided the latest draft with the majority of the requested changes. The  
268 Commission then reviewed the setbacks found on page 42 of the form based code and  
269 clarification of the December 10<sup>th</sup> minutes. The determination was made that the setback on all  
270 zones along Highway 89 should be a range from 10 feet minimum and 15 feet maximum from the  
271 property line without the need for an exception.

272

273 Sherrie Llewelyn then asked about row buildings with a proposed setback range of 15 feet to 20  
274 feet on Orchard Drive and if this was a minimum of 15 feet and a maximum of 20 feet.

275

276 Chair Knowlton said the form based code had minimum and maximum ranges so it would not be  
277 out of character to specify.

278

279 The Commission determined that the range in the Edge subdistrict would be would be 20 feet  
280 minimum for yard buildings minimum and 15 feet minimum for row buildings. They then  
281 discussed the potential for the setbacks in the other subdistricts to be related to the street and not  
282 the subdistrict to maintain a uniform street appearance with a 10 foot minimum and a 15 foot  
283 maximum for the other building types. They also discussed redevelopment on Orchard Drive  
284 related to setbacks, setbacks on Center Street determined by building type, and the setbacks in  
285 the Arts & Parks subdistricts.

286

287 Chair Knowlton suggested that along Orchard Drive the setback would be 15-20 feet regardless  
288 of building type and the other setbacks as drafted would be maintained. He also suggested that in  
289 the Arts & Parks subdistrict that 5 feet be added to the listed setbacks.

290

291 Commissioner Tucker asked if the draft form based code was ready for review by the public.  
292 Sherrie Llewelyn replied that she would like the Commission to review the updated form based

293 code once more before the public outreach and also said the Commission would be reviewing the  
294 subdivision, PUD, and RM-7 changes per the moratorium.

295

296 6. WORK SESSION- DRAFT SUBDIVISION CODE AMENDMENTS

297

298 This item was postponed until a later date.

299

300 7. REPORT ON CITY COUNCIL ACTIONS ON ITEMS RECOMMENDED BY  
301 PLANNING COMMISSION

302

303 Sherrie Llewelyn reported that the City Council approved Wellington Place, which was 23 single  
304 family lots near Foxboro, which the Planning Commission recommended approval of final plat  
305 in July 2019. The applicant removed the soil contamination and obtained final plat approval from  
306 the Council on January 7, 2020.

307

308 Mrs. Llewelyn said that staff had interviewed Planning Commission candidates and the Mayor  
309 would be making a recommendation to replace Commissioner Gordon on January 21<sup>st</sup>.

310

311 8. APPROVAL OF MINUTES

312

313 The Planning Commission meeting minutes of November 26, 2019 were reviewed and approved.  
314 **Commissioner Kirkham moved to approve the minutes for the Planning Commission**  
315 **meeting on November 26, 2019. Commissioner Tucker seconded the motion. The motion**  
316 **was approved by Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners**  
317 **Larson and Ward were excused.**

318

319 The Planning Commission meeting minutes of December 10, 2019 were reviewed and approved.  
320 **Commissioner Tucker moved to approve the meeting minutes for December 10, 2019 with**  
321 **the recommended edits. Commissioner Garn seconded the motion. The motion was**  
322 **approved by Commissioners Knowlton, Kirkham, Garn and Tucker. Commissioners**  
323 **Larson and Ward were excused.**

324

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326  
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336  
337  
338

9. ADJOURN

Chair Knowlton adjourned the meeting at 8:25 p.m.

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Chair

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Recorder

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Secretary