

City of
WASHINGTON TERRACE
Utah

Planning Commission Meeting
Thursday, February 29, 2024
City Hall Council Chambers
5249 S. South Pointe Dr. Washington Terrace City
801-393-8681

1. **ROLL CALL** 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **WELCOME**

4. **OATH OF OFFICE**
Rodriguez will administer the oath of office to Commissioners Steve Jacobson, Matt Roper, and Jethro Dee Watson

5. **RECURRING BUSINESS**
 - 5.1 **MOTION: APPROVAL OF AGENDA**
Any point of order or issue regarding items on the Agenda or the order of the agenda need to be addressed here prior to the approval of the agenda.

 - 5.2 **MOTION: APPROVAL OF MINUTES FOR JANUARY 25, 2024**

6. **SPECIAL ORDER**
Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.
 - 6.1 **PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO PROPOSED ORDINANCE AMENDING THE TITLE 16 “SUBDIVISIONS” FOR COMPLIANCE WITH UTAH SB174 “LOCAL LAND USE AND DEVELOPMENT REVISIONS”**

7. **NEW BUSINESS**
 - 6.2 **MOTION/ORDINANCE 24-03: RECOMMENDATION TO APPROVE ORDINANCE REPEALING AND RE-ENACTING TITLE 16 “SUBDIVISIONS REGULATIONS” OF THE MUNICIPAL CODE**

8. **UPCOMING BUSINESS**

9. **MOTION: ADJOURN THE MEETING**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 395-8283

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and faxed to the *Standard Examiner* at least 24 hours prior to the meeting.
Amy Rodriguez, Washington Terrace City Recorder

City of Washington Terrace

Minutes of the Planning Commission Meeting held on
Thursday, January 25, 2024
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

PLANNING COMMISSION AND STAFF MEMBERS PRESENT

Chairman Steve Jacobson
Vice- Chair Dwight Henderson
Commissioner Amy Morgan
Commissioner Dan Johnson
Commissioner Morgan Wilkins
Commissioner Matthew Roper
City Recorder Amy Rodriguez
General Planner Tyler Seaman

Others Present

Mike Lawrence

1. ROLL CALL

6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. RECURRING BUSINESS

4.1 MOTION: APPROVAL OF AGENDA

4.2 MOTION: APPROVAL OF MINUTES FOR DECEMBER 28, 2023

Items 4.1 and 4.2 were approved by general consent.

5. SPECIAL ORDER

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions by commission, Chair opens public hearing, citizen input; Chair closes public hearing, then commission final discussion.

5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND OPPOSITION TO PROPOSED ORDINANCE AMENDING THE INFILL RESIDENTIAL DEVELOPMENT MAP ADDING WEBER COUNTY PARCELS 070660090,070660028, AND 070660089 TO THE INFILL ZONING OVERLAY

47 Seaman explained what the infill ordinance is and why it was created, stating that the
48 intent is to get more density in an area, and make an odd-shaped property that may not fit
49 into the zoning for that area buildable with administrative input.

50 Seaman stated that a zoning overlay allows a development to come into the city with a
51 development agreement worked out with the administrative body and the applicant.
52 Seaman stated that the first step to build on your property is to get the parcels on the infill
53 overlay. The next step would be to meet with the Development Review Committee to
54 discuss the project.

55
56 Seaman stated that there is an application for three parcels to be put on the overlay map.
57 He stated that the Commission is not making a commitment to allow the project, they
58 are only allowing the applicant's parcels to be added to the map so that he can start the
59 process to even talk about the developments.

60
61 Seaman stated that the city has control over density and zoning.
62 Seaman stated that parcels 20 and 21 on the map is owned by one applicant and parcel 22
63 is owned by another applicant who will be joining him in the project.

64
65 Seaman stated that they would have to maintain the density that surrounds them. Seaman
66 is working on the density right now. He stated that apartments will not be applicable
67 because it will need to fit in with the density that surrounds the properties. Seaman stated
68 that we are holding a public hearing tonight and another public hearing will be held when
69 the site plan comes before the Commission.

70
71 Seaman stated that there are several homes around the property that have large yards
72 touching the property. He stated that this is a concern of his and that he will need to make
73 sure that we keep up with the density requirement.

74
75 Commissioner Johnson asked if they are approved to be put on the infill map, does it
76 mean the Commission will have to approve the development that they will be proposing.
77 Seaman stated that it does not. He stated that the being on the infill map only allows them
78 to start the process of planning their development for proposal. The proposal will be
79 brought before the Commission once they have met with the Development Review
80 Committee and all tasks are completed.

81
82 **Motion by Commissioner Henderson**
83 **Seconded by Commissioner Wilkins**
84 **To open the public hearing**
85 **Approved unanimously (6-0)**

86
87 **Commissioner Jacobson opened the public hearing at 6:14 p.m.**

88
89 Mike Lawrence stated that he is neutral on whether the parcels are on the infill map.
90 He stated that his concern is that infill development brings townhomes and the
91 homeowners that are surrounding the property will lose their privacy. He asked how high
92 the buildings will be, noting that he feels that it all comes down to money and that the

93 city will want the townhomes to be built because the state wants them built. He stated
94 that the residents should be made aware so they can voice their opinions.
95 He also pointed out that the ordinance is pre-written already. He noted that one of the
96 parcel numbers is missing from the ordinance. Staff will correct the ordinance before it
97 comes before Council for approval.
98

99 **Motion by Commissioner Wilkins**
100 **Seconded by Commissioner Roper**
101 **To close the public hearing**
102 **Approved unanimously (6-0)**
103

104 **Chairman Jacobson closed the public hearing at 6:20 p.m.**
105

106 Chairman Jacobson stated that Mr. Lawrence's comments were valid. Seaman agreed and
107 stated that it is hard to get resident's involved and invested. Seaman stated that the
108 concerns Mr. Lawrence brought up are things that staff has discussed. He stated that it is
109 staff's intent to mitigate any issues and concerns.
110

111 Commissioner Johnson asked if we would be able to contact the surrounding
112 residents to let them know about what is coming and see if they are interested
113 in coming into Commission meeting and voice their concerns.
114

115 Seaman stated that approving this is allowing the applicant to discuss his plans, it
116 is not approving any proposals.
117

118 Chairman Jacobson stated that the challenge is that we have no idea what the residents
119 know or are aware of. He stated that requirements were followed, howeverm it is
120 hard to know if residents were made aware.
121

122 Seaman stated that he will send notices to the surrounding residents by mail to let them
123 know what is happening to the property next to them.
124

125 **6. NEW BUSINESS**

126 **6.2 MOTION/ORDINANCE 24-02: RECOMMENDATION TO APPROVE** 127 **ORDINANCE AMENDING THE INFILL RESIDENTIAL DEVELOPMENT MAP** 128

129 **Motion by Commissioner Roper**
130 **Seconded by Commissioner Morgan**
131 **To recommend approval of Ordinance 24-02**
132 **To amend the infill residential development map**
133 **Approved unanimously (6-0)**
134

135 **7. UPCOMING BUSINESS**

136 Seaman stated that he has major concerns with the above project, and told the
137 Commission to be prepared for this project to come back to them. He stated that there are
138 a lot of requirements that the applicant will have to do before it even comes before the
139

140 Commission. He stated that there are a lot of concerns with the project that needs to be
141 ironed out.

142 Seaman stated that there is a lot of work to do with the library property before an
143 agreement can be reached. The city would like any agreements with them to be very
144 clean before anything can be developed there.

145
146 Seaman stated that the strip mall by the Playhouse has been purchased by a new owner
147 and they have applied for RDA funding to redo the façade of the area.

148
149 Seaman stated that there has been no movement on the storage units that were approved
150 last year.

151

152

153 **8. MOTION: ADJOURN THE MEETING**

154 **Motion by Commissioner Johnson**

155 **Seconded by Commissioner Roper**

156 **To adjourn the meeting**

157 **Approved unanimously (6-0)**

158 **Time: 6:43 p.m.**

159

160

161

162 _____
Date Approved

City Recorder

**CITY OF WASHINGTON TERRACE
ORDINANCE NO 2024-03**

SUBDIVISION ORDINANCE REVISED

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE CITY, UTAH,
REPEALING AND RE-ENACTING TILE 16 OF THE *WASHINGTON TERRACE
MUNICIPAL CODE* TO BE ENTITLED “SUBDIVISION REGULATIONS” IN
ACCORDANCE WITH RECENT STATE LEGISLATION; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (“City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate subdivisions;

WHEREAS, the Utah State Legislature mandated that the City update and revise its Subdivision Regulations to comply with changes in state law;

WHEREAS, the City desires to comply with state law by adopting this Ordinance;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on _____, to take public comment on this proposed Ordinance, and subsequently gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of the City of Washington Terrace as follows:

Section 1. Repealer. Title 16 of the Washington terrace Municipal Code is hereby repealed in its entirety and all references to the same are hereby vacated.

Section 2. Re-enactment. Title 16 of the Washington terrace Municipal Code is hereby re-enacted to read as set forth in Exhibit “A” attached hereto and incorporated herein by this reference as if fully written herein.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 20__.

Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ day of _____, 20__.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted at: 1) _____, 2) _____, and 3) _____ on the above referenced dates.

City Recorder

DATE: _____

EXHIBIT “A”

Title 16 – Subdivision Regulations

16 Subdivisions

16.01 Subdivisions

16.01 Subdivisions

16.04.010 General

16.04.020 Scope

16.04.030 Definitions

16.04.040 Preliminary ~~Plan~~ Plat

16.04.050 Final Plat

16.04.060 Subdivision Standards

~~16.04.070 Required Improvements~~

16.04.080 Enforcement And Permits

16.04.090 Penalty

16.05.010 Required Improvements

16.04.010 General

- A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience and general welfare of the inhabitants of the city in the matter of subdivision of land and related matters affected by such subdivision.
- B. Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and shall be in harmony with good neighborhood development of the area concerned and the subdivider shall present evidence to this effect when requested to do so by the planning commission.
- C. In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this chapter may be made by the city council after recommendation by the planning commission.

16.04.020 Scope

- A. No person shall subdivide any tract of land which is located wholly or in part in the city, except in compliance with this chapter.
- B. No person shall sell or exchange or offer to sell or exchange any parcel of land which is a part of a subdivision of a larger tract of land, nor offer for recording in the office of the county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter.

16.04.030 Definitions

The following words and phrases used in this chapter shall have the respective meanings set forth in this section, unless a different meaning clearly appears from the context:

- A. “Administrative Land Use Authority” means: (1) the Planning Commission of Washington Terrace who shall act as the approval authority for preliminary plat; and

(2) the Development Review Committee who shall act as the approval authority for the final plat.

- B. "Alley" means a public thoroughfare less than twenty-six feet wide.
- C. "Block" means the land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.
- D. "City" means Washington Terrace, Utah.
- E. "City council" means the city council of Washington Terrace, Utah.
- F. "City engineer" means the city engineer of Washington Terrace, Utah, or a consulting engineering firm designated as the city engineer by the city council.
- G. "County" means Weber County, Utah.
- H. "Development Review Team" means the administrative land use authority whose purpose is to receive, review, consider the subdivision, and if all requirements and standards are met, issue final plat approval. The committee is comprised of members representing the following city departments: Community Development; Engineering and Public Works. These individuals are to provide their respective department's/agency's expertise in the technical and policy requirements and standards regarding development applications subject to the development review provisions of this Title and other city ordinances.
- I. "Easement" means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on or above said lots or lots.
- J. "Lot" means a parcel of land comprising a unit within a subdivision or a unit of land for building development or transfer of ownership together with such yards, open spaces, lot width and area as required by the zoning title of this code, having frontage upon a street or upon a right of way approved by the appeal authority.
- K. "Lot right of way" means a strip of land of not less than twenty feet (20') wide connecting a lot to a street for a use as private access to that lot.
- L. "Major street plan" means a plan, labeled "major street plan of Washington Terrace City", including maps or reports or both, which has been approved by the city council as required by law, or such plan as it may be amended from time to time and so certified to the city council.
- M. "Official map" means a map adopted by the city council of Washington Terrace under the provisions of 10-9-23, Utah code, 1953, as amended.
- N. "Parcel of land" means a contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same claimant or person.
- O. "Person" means any individual, corporation, partnership, firm or association of individuals however styled or designated.
- P. "Planning commission" means the Washington Terrace planning commission, unless another planning commission is specifically named.

Q. “Review Cycle” There shall be no more than four (4) total review cycles. A single review cycle shall be considered complete when:

- Complete Application is submitted to the Administrative Land Use Authority;
- The Administrative Land Use Authority Review is complete;
- The Applicant Response to Review is complete; and
- The Administrative Land Use Authority provides a written statement to the Applicant stating completion of the review cycle and next required steps for approval.

Review Cycle, Exceptions.

- Additional Review Cycle(s). May be required when a modification or correction is necessary to protect public health and safety or to enforce state or federal law when a change or correction is necessitated by the Applicant’s adjustment to a plan set or an update to a phase plan that adjusts infrastructure needed for the specific development.
- Additional Time for Review. If the Applicant does not submit a revised plat within twenty (20) business days after the Administrative Land Use Authority requires a modification or correction, the Administrative Land Use Authority shall have an additional twenty (20) business days to respond.

R. "Protection strip" means a strip of land bordering both the boundary of a subdivision and a street within the subdivision for the purpose of controlling the access of property owners abutting the subdivision, to the street.

S. "Security" means a bond, escrow or irrevocable letter of credit given by the developer to ensure the proper installation of public improvements.

T. "Streets" are variously defined as follows:

1. "Street" means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than twenty six feet (26') wide which has been made public by right of use and which affords the principal access to the abutting property.
2. Street, collector. "Collector street" means a street, existing or proposed, of considerable continuity which is the main means of access to the major street system.
3. Street, cul-de-sac. A "cul-de-sac street" means a minor terminal street provided with a turnaround.
4. Street, major. "Major street" means a street, existing or proposed, which serves or is intended to serve as a major trafficway, and is designated on the master street plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

5. Street, marginal access. "Marginal access street" means a street which is parallel to and adjacent to a limited access major street and which provides access to abutting properties and protection from through traffic.
6. Street, minor. "Minor street" means a street, existing or proposed, which is supplementary to a collector street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.
7. Street, private. "Private street" means a thoroughfare within a subdivision which has been reserved by dedication unto the subdivider or lot owners to be used as a private access to serve the lots platted within the subdivision and complying with the adopted street cross section standards of the city and maintained by the subdivider or other private agency.

U. "Subdivision" is defined as follows:

1. The division of any tract, lot or parcel of land owned at the time of the original subdivision ordinance, dated 1961, as an undivided tract by one individual or by joint tenants or tenants in common or by the entirety, into three (3) or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sales or of building development; provided, that the term shall not include a bona fide division or partition of agricultural land for agricultural development purposes. The word "subdivide" and any derivative thereof shall have reference to the term "subdivision" as defined in this section.
2. For the purpose of this chapter, a subdivision of land shall also include:
 - a. The dedication of a road, highway, or street through a tract of land, regardless of area, which may create a division of lots or parcels constituting a "subdivision"; or
 - b. The resubdivision of land previously divided or platted into lots, sites or parcels.

V. "Zoning ordinance" means title 17 of this code.

16.04.040 Preliminary Plan Plat

~~A. Preliminary Information: Each person who proposes to subdivide land which is located in whole or in part in the city shall confer with the city before preparing any plats, charts or plans in order to become familiar with the city subdivision requirements and existing master plans for the territory in which the proposed subdivision lies and to discuss the proposed plan of development of the tract.~~

A Complete Application. The determination of whether an application is complete shall be made by the Director of Community Development or designee. An application shall not be considered complete, and the first review cycle shall not begin unless and until the Applicant has submitted the following items:

- (1) A completed Preliminary Subdivision Plat Application as provided by the city.
- (2) Additional studies and information as listed on the application form and as necessary to show feasible compliance with applicable codes and regulations.
- (3) A signed Owner-Agent Affidavit (if the Owner is being represented by another party).
- (4) Current Weber County ownership plat depicting property proposed for subdivision and all contiguous property around land proposed to be subdivided.
- (5) A recent Title Report covering the proposed subdivided property identifying ownership, easements of record, liens or other encumbrances and verifies payment of taxes and assessments.
- (6) Will serve letters from all irrigation and sewer providers.
- (7) A digital copy of the preliminary plat as outlined in the Public Works Standards.
- (8) A digital copy of the preliminary improvement plans to include at a minimum the following:
 - i. Grading and drainage plan.
 - a. Storm Drain calculations
 - b. Low Impact Design (LID) analysis and Water Quality Report
 - ii. Utility plan.
- (9) Payment of fees as stated in the city's current adopted Consolidated Fee Schedule

- B. Subdivision Information Form: A subdivision information form supplied to the subdivider by the city shall be filled out and submitted to the planning commission with the preliminary ~~plan~~ plat.
- C. Preliminary Plat Filing: A preliminary plat shall be prepared in conformance with the standards, rules and regulations contained in this chapter and ~~ten (10) copies~~ shall be submitted to the ~~planning commission~~ city for review. ~~The planning commission, or its authorized representative, shall, upon receipt of the complete submission, distribute copies of the plan to such government departments and other agencies of advisors as in the opinion of the planning commission may contribute to a decision in the best interests of the public.~~
- D. Preliminary ~~Plan~~ Plat Application Fee: At the time of filing the preliminary ~~plan~~ plat, the subdivider shall pay an application ~~deposit with the planning commission a non-refundable~~ fee made payable to Washington Terrace. The city council shall, by resolution from time to time, prescribe the amount of such fee, which shall be for the purpose of reimbursing the city for the expense incidental in connection with the checking and approving of such subdivision plans.
- E. Scale: The preliminary ~~plan~~ plat shall be drawn to a scale not smaller than one hundred feet (100') to the inch, and shall show:

1. The proposed name of the subdivision;
2. Its location as forming a part of a larger tract or parcel, where the ~~plan~~ plat submitted covers only a part of the subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts, shall be submitted; and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area.
3. Sufficient information to locate accurately the property shown on the ~~plan~~ plat;
4. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided;
5. Contour map at intervals of two feet, five feet or ten feet as determined by the city engineer;
6. The boundary lines of the tract to be subdivided;
7. The location, widths, and other dimensions of all existing or platted streets and other important features such as railroad lines, watercourses, exceptional topography, and buildings within or immediately adjacent to the tract to be subdivided;
8. Existing sanitary sewers, storm drains, water supply mains, water wells, and culverts within the tract and immediately adjacent thereto;
9. The location, widths and other dimensions of proposed public streets, private streets or private access rights-of-way, alleys, utility easements, parks, other open spaces and lots, with proper labeling of spaces to be dedicated to the public, or designated as private streets or private access rights-of-way;
10. North point, scale and date;
11. Plans or written statements regarding the width and type of proposed pavement, location, size and type of proposed sanitary sewers or other sewage disposal facilities, proposed water mains and hydrants and other proposed utilities, proposed stormwater drainage facilities and other proposed improvements, such as sidewalks, planting and parks, and any grading of individual lots.

F. Following a review of the preliminary ~~plan~~ plat, the planning commission shall be scheduled and act on the ~~plan~~ plat as submitted or modified once the initial 15-business day review has been completed. If approved, the planning commission shall express its written approval with whatever conditions are attached and by returning one approved copy of the preliminary ~~plan~~ plat to the subdivider. If the preliminary ~~plan~~ plat is disapproved the planning commission shall indicate its disapproval in writing and reasons therefor by similarly signed copies. Notification of approval of the preliminary plan shall be authorization for the subdivider to proceed with the preparation of the final plat and specifications for the minimum improvements required in Sections 16.04.050 and 16.05.010 of this chapter.

- G. Approval of the preliminary ~~plan~~ plat by the planning commission shall be valid for a maximum period of eighteen months after approval unless upon application of the subdivider, the planning commission grants an extension. If the final plat has not been submitted within the eighteen months or approved extended period, the preliminary ~~plan~~ plat must again be submitted to the planning commission for reapproval; however, preliminary approval of a large tract shall not be voided; provided, that the final plat of the first section is submitted for final approval within the eighteen-month period.
- H. No large-scale excavation, grading or regrading as determined by the planning commission shall take place on any land for which a preliminary subdivision plan has been submitted until such plan has been given preliminary approval by the planning commission.

16.04.050 Final Plat

~~A. Tentative Final Plat Required.~~

- ~~1. Prior to the submission of the final plat, the subdivider shall submit three copies of the tentative final plat to the city who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plan, and refer one copy to the city engineer for review.~~
- ~~2. The city shall return one copy of the reviewed tentative final plat to the subdivider indicating thereon any changes required by the planning commission.~~

A Final Plat Required.

- 1 After compliance with the provisions of Sections 16.04.040 and ~~16.04.050(A)~~ of this chapter, the subdivider shall complete a final plat application, pay application fees and submit a final plat as prescribed by the ~~with a sufficient number of copies thereof to the planning commission~~ city. Such plat shall be accompanied by a "letter of certification" by the subdivider's engineer, indicating that all lots meet the requirements of the zoning title of this code.
- 2 The final plat and accompanying information shall be submitted to the ~~planning commission~~ Development Review Team ~~at least ten working days prior to a regularly scheduled planning commission meeting in order to be considered at the meeting.~~

The Development Review Team shall complete a review of the plat within twenty 20-business days per review cycle after it is submitted for review. The Development Review Team shall review the final plat and construction plans and determine compliance with all standards and criteria set forth in this Ordinance and all other applicable ordinances of the City and the State of Utah.

- a. If the Development Review Team determines that the final plat is in conformity with the requirements of this Title, other applicable ordinances, and any reasonable conditions, that all fees have been

paid as required, and that the City is satisfied with the final plat of the subdivision, it may approve the final plat. The City Engineer shall sign the final plat if the Development Review Team finds that the subdivision and the construction plans fully complies with this Ordinance and the Development Standards, that the survey description is correct, and that all easements are correctly described and located.

- b. If the Development Review Team determines that the final plat and/or construction plans do not conform with the requirements of this Title, other applicable ordinances, written comment shall be provided to the applicant to be addressed in the subsequent review and submittal.
- c. No final plat shall have any force or effect unless the same has been approved by the Development Review Team, and signed by the Mayor and City Recorder.

B. Final Plat Requirements. The final plat shall consist of a sheet of approved tracing linen or mylar, to the outside or trim dimensions of nineteen by thirty inches and the border of the plat shall be drawn in heavy lines leaving a margin of at least one-half inch on all four sides of the sheet. The plat shall be so drawn that the top of the sheet faces either north or west, whichever accommodates the drawing best. All lines, dimensions and marking shall be made on the tracing linen with approved waterproof black india drawing ink. The plat shall be made to scale large enough to clearly show all details, in any case not smaller than one hundred feet to the inch, and the workmanship on the finished drawing shall be neat, clear-cut and readable. The plat shall be signed by all parties mentioned in subsection F of this section, duly authorized and required to sign, and shall contain the following information:

1. A subdivision name, approved by the county recorder and the general location of the subdivision, in bold letters at the top of the sheet;
2. A north point and scale of the drawing, and the date;
3. Accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to public survey monuments. These lines should be slightly heavier than street and lot lines;
4. The names, widths, lengths, bearings and curve data on centerlines of proposed streets, alleys and easements; also, the boundaries, bearings, and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively under a definite system approved by the ~~planning commission~~ Development Review Team. All proposed streets shall be numbered consecutively under a definite system approved by the planning commission and conform as far as practicable to the adopted street numbering system of the city;
5. Parcels of land to be dedicated as public park or to be permanently reserved

for private common open space shall be included in the lot numbering system and shall also be titled "public park" or "private common open space," whichever is applicable;

6. The standard forms approved by the planning commission for all subdivision plats lettered for the following;
 - a. Description of land to be included in the subdivision,
 - b. Registered land surveyor's "certificate of survey,"
 - c. Owner's dedication certificate,
 - d. Notary public's acknowledgement,
 - e. ~~City planning commission's certificate of approval,~~
 - f. City engineer's certificate of approval,
 - g. City attorney's certificate of approval,
 - h. City council certificate of acceptance attested by the city recorder.

7. A three-inch by three-inch space in the lower righthand corner of the drawing for recording information.

C. Supporting Data Required. The subdivider shall furnish a complete set of reproducible mylar drawings of profiles, construction and design data of all streets, existing and proposed, and all utilities to be constructed within the subdivision to the city engineer prior to the submission of the final plat.

D. Approval of Final Plat.

1. ~~After approving and signing the final plat, the planning shall then submit the plat for approval to the city engineer, who shall check the engineering requirements of the plat, and determine the amount of the security to assure construction of the improvements where necessary. After approval and signature by the city engineer, the plat and development agreement shall be submitted to the city council for its approval and acceptance. The final plat, bearing all official approvals as above required, shall be deposited in the office of the county recorder for recording at the expense of the subdivider, who shall be notified of such deposit by the office of the county recorder. Any final plat, not so approved and signed, or which shall not be offered for recording within one year after the date of final approval, unless the time is extended by the planning commission, shall not be recorded or received for recording and shall have no validity.~~
2. At the time the final plat is approved by the ~~city council~~ Development Review Team, the subdivider shall deposit with the city a nonrefundable fee made payable to the city. The city council shall by resolution from time to time, prescribe the amount of such fee, which shall be for the purpose of reimbursing the city for the expense incidental in connection with the engineering and inspection of subdivision improvements.

3. No street improvements or utilities shall be installed until after approval of the final plat by the ~~city council~~ Development Review Team. No lots included in such plat shall be purchased, sold, exchanged, nor offered for sale or exchange and no construction of buildings upon such lots shall begin until the final plat is so approved and recorded.

16.04.060 Subdivision Standards

A. Relation to Adjoining Street Systems.

1. The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) insofar as such may be deemed necessary by the planning commission for public requirements. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it.
2. Minor streets shall approach major or collector streets at an angle of not less than eighty degrees.

B. Street and Alley Widths, Cul-de-sacs, Easements, etc.

1. All streets in subdivisions in the city shall be dedicated to the city except that private streets may be approved under special circumstances as determined by the planning commission.
2. Major and collector streets shall conform to the width designated on the major street plan wherever a subdivision falls in an area for which a major street plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plat is submitted to the planning commission, major or collector streets shall be provided as required by the planning commission, with minimum widths of one hundred feet for major streets and sixty-six feet for collector streets.
3. Minor streets shall have a minimum width of sixty feet.
4. Minor terminal streets (cul-de-sacs) shall not be longer than four hundred feet to the beginning of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than one hundred feet in diameter. If surface water drainage is into the turnaround, due to the grade of the street, necessary catch basins and drainage easements shall be provided. Where a street is designed to remain only temporarily as a dead-end street, an adequate temporary turning area shall be provided at the dead-end thereof to remain and be available for public use so long as the dead-end condition exists.
5. Marginal access streets of not less than forty feet in width shall be required parallel to all limited access major streets, unless the subdivision is so designed that lots back onto major streets.
6. Half streets proposed along a subdivision boundary or within any part of a subdivision shall not be approved.

7. All proposed streets, whether public or private shall conform to the street cross-section standards as recommended by the city engineer and adopted by the city council.
8. Except where due to special circumstances, street grades over any sustained length shall not exceed the following percentages:
 - On major public streets
08 percent
 - On collector streets 10
percent
 - On minor public streets
10 percent
 - On private streets 15
percent
9. Alleys shall have a minimum width of twenty feet. Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary to the planning commission.
10. Where subdivision streets parallel contiguous property of other owners, the subdivider may retain a protection strip of not less than one foot (1') in width between said street and adjacent property; provided, that an agreement with the city, approved by the city attorney, has been made by the subdivider, contracting to dedicate the one foot (1') or larger protection strip free of charge to the city for street purposes upon payment by the then owners of the contiguous property to the subdivider of a consideration named in the agreement, such consideration to be equal to the fair cost of the street improvements properly chargeable to the contiguous property, plus the value of one-half (1/2) the land in the street at the time of the agreement.

C. Blocks:

1. The maximum length of blocks generally shall be one thousand three hundred feet (1,300') and the minimum length of blocks shall be five hundred feet (500'). Blocks over eight hundred feet (800') in length may, at the discretion of the planning commission, be provided with a dedicated walkway through the block at approximately the center of the block. Such walkway shall not be less than six feet (6') in width.
2. The width of blocks shall be sufficient to allow two (2) tiers of lots or as otherwise approved by the planning commission because of design, terrain or other unusual conditions.
3. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

D. Lots:

1. The lot arrangement and design shall be such that lots will provide

satisfactory and desirable sites for buildings, and be properly related to topography, and to existing and probably future requirements.

2. All lots shown on the subdivision plat must conform to the minimum area and width requirements of the zoning title of this code for the zone in which the subdivision is located, or
 - a. Except as otherwise permitted by the appeal authority, or
 - b. As required by the state board of health as being the minimum area necessary for septic tank disposal and water well protection if greater than the above area requirements.
3. Each lot shall abut on a public street or private street dedicated by the subdivision plat or an existing publicly dedicated street, or on a street which has become public by the right of use and is more than twenty-six feet (26') wide, except as provided in subsection D4 of this section. Interior lots having frontage on two (2) streets shall be prohibited except where unusual conditions make other designs undesirable.
4. Where approved by the appeal authority, lots not having frontage on a street as required by the zoning title of this code for the zone in which the subdivision is located but upon a right of way, may be included within a subdivision, provided the following requirements are met:
 - a. The planning commission determines that it is impractical to extend streets to serve such lots,
 - b. The area of right of way shall be in addition to the minimum lot area requirements of the zone in which the lot is located,
 - c. The grade of any portion of the right of way shall not exceed fifteen percent (15%),
 - d. Lots so created shall be large enough to comply with all yard and area requirements of the zone in which the lot is located.
5. Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.
6. Sidelines of lots shall be approximately at right angles, or radial to the street line.
7. All remnants of lots below the minimum size left over after subdividing a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.
8. Where the land covered by a subdivision included two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the planning commission by the county

recorder.

9. The planning commission may require that easements for drainage through adjoining property be provided by the subdivider, and easements of not less than ten feet (10') in width for water, sewers, drainage, power lines and other utilities shall be provided in the subdivision where required by the planning commission.

E. Parks, School Sites And Other Public Places:

1. In all subdivisions, the planning commission may require the dedication to the city of not more than three percent (3%) of the gross area of the subdivision for parks, open spaces or other public uses in such locations as approved by the planning commission as indicated on the approved preliminary plan.
2. Where it is determined that a greater amount of land is required for parks and open spaces to meet the master plan requirements for that area of the city, or a school site is required, the planning commission after so apprising the appropriate agency, shall so indicate the open space or school site requirements to the subdivider on the approved preliminary plan.
3. The subdivider, at the time of filing the final plat with the planning commission, must offer to sell at a fair market price to the city or other appropriate public agency, within one year immediately following the recording of the final plat, any land so designated for school sites or any land designated for park or open space in excess of the three percent (3%) of the land area required to be dedicated in accordance with subsection E1 of this section.
4. If any such proposed public areas or school sites have not been purchased by the appropriate public agency within one year after the recording of the final plat, such areas may be subdivided into lots and blocks in accordance with the requirements of this chapter.

16.04.070 Required Improvements

~~A. Required Improvements: The owner of any land to be platted as a subdivision shall at his own expense install the following improvements prior to recording the final plat or guarantee the installation of such improvements provided in subsection B of this section, according to the specifications and under the inspection of the city engineer, except for septic tanks which must be installed according to the specifications of the State Board of Health.~~

~~1. Water Supply.~~

- ~~a. The subdivider shall install culinary water lines, including laterals, meter boxes, lids, yokes, etc. to the property line of each lot. The subdivider shall furnish to the city engineer three copies of plans showing the location and size of proposed water lines and fire hydrants and also existing water lines to which a connection is to be made. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall also be~~

furnished.

The city engineer shall determine the adequacy of the existing water system to provide culinary water and fire protection to State Board of Health requirements.

b. The subdivider shall provide secondary water to his subdivision.

- ~~2. Sewage Disposal. Where a public sanitary sewer is within two hundred feet, the subdivider shall connect with such sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations of, and shall be approved by, the city council.~~
- ~~3. Stormwater. The subdivider shall be required to dispose of stormwater and surface drainage. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the subdivider to acquire such easements.~~
- ~~4. Street Grading and Surfacing. All public and private streets shall be graded and surfaced in accordance with the standards and rules and regulations of the city council.~~
- ~~5. Curbs and Gutters. Curbs and gutters shall be installed on existing and proposed streets by the subdivider to remove surface water, or for safety or other reasons.~~
- ~~6. Street Drainage. Drainage structures may be required by the city engineer where necessary.~~
- ~~7. Sidewalks. Sidewalks shall be required where in the opinion of the planning commission they will be necessary for reasons of safety or public welfare.~~
- ~~8. Monuments. Permanent monuments shall be accurately set and established at such points as are necessary to definitely establish all lines of the plat except those outlining individual lots. Monuments shall be of a type approved by the city engineer. All subdivision plats shall be tied to a corner or monument of record or established land office survey corner.~~
- ~~9. Street Trees. Street trees may be planted by the subdivider when so required by the planning commission and of a variety and location as approved by the planning commission.~~
- ~~10. Fire Hydrants. Fire hydrants shall be installed. Such fire hydrants shall be of the type, size, number and installed in such locations as determined by the city engineer after consultation with the fire chief and in accordance with development standards. Fire hydrants or blowoffs shall be provided at all dead-end lines as specified by the city engineer.~~
- ~~11. Street Signs. Street signs shall be furnished and installed by the subdivider. The type and style shall be approved by the city engineer.~~
- ~~12. Fencing.~~

- a. ~~A solid board, chain-link or other non-climbable fence not less than six feet in height shall be installed on both sides of existing irrigation ditches or canals which carry five second-feet or more of water, or bordering open reservoirs, railroad rights-of-way or nonaccess streets, and which are located within or adjacent to the subdivision, except there the planning commission determines that park areas including streams or bodies of water shall remain unfenced.~~
 - b. ~~The planning commission may also require a fence of the type to be determined in each instance by the commission to be erected when any subdivision abuts a use to which uncontrolled access might result in damage or nuisance to the subdivision or adjoining property to the subdivision where the commission determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or adjoining property.~~
13. ~~Street Lights. The subdivider will be responsible for coordinating with Utah Power and Light Company to ensure installation of street lights in a location determined by the city. The entire cost of installation will be the responsibility of the developer.~~
14. ~~Staking of Lots. Survey stakes shall be placed at all lot corners so as to completely identify the lot boundaries on the ground.~~

B. ~~Guarantee of Installation of Improvements.~~

- 1. ~~In lieu of actual installation of the improvements required by this chapter the subdivider may guarantee the installation thereof by one of the methods specified as follows:~~
 - a. ~~The subdivider may furnish and file with the city recorder a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the city engineer to assure the installation of such improvements within a two-year period immediately following the approval of the subdivision plat by the city council, which bond shall be approved by the city council and city attorney and shall be filed with the city recorder.~~
 - b. ~~The subdivider may deposit in escrow with an escrow holder approved by the city council an amount of money equal to the cost of the improvements not then installed as estimate by the city engineer, as aforesaid, under an escrow agreement to assure the installation of said improvements within a two-year period from the approval of the subdivision plat by the city council as aforesaid. The escrow agreement aforesaid shall be approved by the city council and city attorney and shall be filed with the city recorder.~~
 - c. ~~The subdivider may furnish and file with the city recorder an irrevocable letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the city engineer to assure the installation of such improvements within a two-~~

~~year period immediately following the approval of the subdivision plat by the city council, which letter of credit shall be approved by the city council and city attorney and shall be filed with the city recorder.~~

- ~~2. The city council is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision and the strict compliance with the requirements of this chapter.~~
- ~~3. Whenever the subdivider develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time specified in this section.~~

~~C. Inspection of Improvements. The city engineer shall inspect or cause to be inspected all buildings, structures, streets, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair, etc. Excavations for fire hydrants, water and sewer mains and laterals shall not be covered over or backfilled until such installation shall have been approved by the city engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the city engineer.~~

~~D. Guarantee of Improvements. The subdivider shall warrant and guarantee that the improvements provided for in this section, and every part thereof, will remain in good condition for a period of two years, after the city has initially accepted the improvements, and agrees to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period with no cost to the city.~~

16.04.080 Enforcement And Permits

The building official shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration or use fully conform to all provisions of this chapter. No city officer shall issue any permit or license for the use of any building, structure or land when such land is a part of a subdivision as defined in this chapter until such subdivision has been approved and recorded in the county recorder's office and all other provisions of law have been complied with. Any license or permit issued in conflict with this chapter shall be null and void.

16.04.090 Penalty

Any subdivider or other person who violates or fails to comply with any of the provisions of this chapter is guilty of a Class C misdemeanor and shall be punished as provided by law upon conviction. The city may record a certificate of non-compliance for any violations of this Title. Any subdivision not approved by the city in accordance with this Title is null and void.

16.05.010 Required Improvements

A. Required Improvements: The owner of any land to be platted as a subdivision shall at his own expense install the following improvements prior to recording the final plat or guarantee the installation of such improvements provided in subsection B of this section, according to the specifications and under the inspection of the city engineer, except for septic tanks which must be installed according to the specifications of the State Board of Health.

1. Water Supply.

a. The subdivider shall install culinary water lines, including laterals, meter boxes, lids, yokes, etc. to the property line of each lot. The subdivider shall furnish to the city engineer three copies of plans showing the location and size of proposed water lines and fire hydrants and also existing water lines to which a connection is to be made. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall also be furnished.

The city engineer shall determine the adequacy of the existing water system to provide culinary water and fire protection to State Board of Health requirements.

b. The subdivider shall provide secondary water to his subdivision.

2. Sewage Disposal. Where a public sanitary sewer is within two hundred feet, the subdivider shall connect with such sanitary sewer and provide adequate lateral lines to the property line of each lot. Such sewer connections and subdivision sewer systems shall comply with the regulations of, and shall be approved by, the city council.

3. Stormwater. The subdivider shall be required to dispose of stormwater and surface drainage. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the subdivider to acquire such easements.

4. Street Grading and Surfacing. All public and private streets shall be graded and surfaced in accordance with the standards and rules and regulations of the city council.

5. Curbs and Gutters. Curbs and gutters shall be installed on existing and proposed streets by the subdivider to remove surface water, or for safety or other reasons.

6. Street Drainage. Drainage structures may be required by the city engineer where necessary.

7. Sidewalks. Sidewalks shall be required where in the opinion of the planning commission they will be necessary for reasons of safety or public welfare.

8. Monuments. Permanent monuments shall be accurately set and established at such points as are necessary to definitely establish all lines of the plat

except those outlining individual lots. Monuments shall be of a type approved by the city engineer. All subdivision plats shall be tied to a corner or monument of record or established land office survey corner.

9. Street Trees. Street trees may be planted by the subdivider when so required by the planning commission and of a variety and location as approved by the planning commission.
10. Fire Hydrants. Fire hydrants shall be installed. Such fire hydrants shall be of the type, size, number and installed in such locations as determined by the city engineer after consultation with the fire chief and in accordance with development standards. Fire hydrants or blowoffs shall be provided at all dead-end lines as specified by the city engineer.
11. Street Signs. Street signs shall be furnished and installed by the subdivider. The type and style shall be approved by the city engineer.
12. Fencing.
 - a. A solid board, chain-link or other non-climbable fence not less than six feet in height shall be installed on both sides of existing irrigation ditches or canals which carry five second-feet or more of water, or bordering open reservoirs, railroad rights-of-way or nonaccess streets, and which are located within or adjacent to the subdivision, except there the planning commission determines that park areas including streams or bodies of water shall remain unfenced.
 - b. The planning commission may also require a fence of the type to be determined in each instance by the commission to be erected when any subdivision abuts a use to which uncontrolled access might result in damage or nuisance to the subdivision or adjoining property to the subdivision where the commission determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or adjoining property.
13. Street Lights. The subdivider will be responsible for coordinating with Utah Power and Light Company to ensure installation of street lights in a location determined by the city. The entire cost of installation will be the responsibility of the developer.
14. Staking of Lots. Survey stakes shall be placed at all lot corners so as to completely identify the lot boundaries on the ground.

B. Guarantee of Installation of Improvements.

1. In lieu of actual installation of the improvements required by this chapter the subdivider may guarantee the installation thereof by one of the methods specified as follows:
 - a. The subdivider may furnish and file with the city recorder a bond with corporate surety in an amount equal to the cost of the improvements not previously installed as estimated by the city engineer to assure the

installation of such improvements within a one-year period immediately following the approval of the subdivision plat by the city council, which bond shall be approved by the city council and city attorney and shall be filed with the city recorder.

- b. The subdivider may deposit in escrow with an escrow holder approved by the city council an amount of money equal to the cost of the improvements not then installed as estimate by the city engineer, as aforesaid, under an escrow agreement to assure the installation of said improvements within a one-year period from the approval of the subdivision plat by the city council as aforesaid. The escrow agreement aforesaid shall be approved by the city council and city attorney and shall be filed with the city recorder.
- c. The subdivider may furnish and file with the city recorder an irrevocable letter of credit in an amount equal to the cost of the improvements not previously installed as estimated by the city engineer to assure the installation of such improvements within a -one-year period immediately following the approval of the subdivision plat by the city council, which letter of credit shall be approved by the city council and city attorney and shall be filed with the city recorder.

2. Whenever the subdivider develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous, and all of the improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time specified in this section.

- C. Inspection of Improvements. The city engineer shall inspect or cause to be inspected all buildings, structures, streets, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair, etc. Excavations for fire hydrants, water and sewer mains and laterals shall not be covered over or backfilled until such installation shall have been approved by the city engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the city engineer.
- D. Guarantee of Improvements. The subdivider shall warrant and guarantee that the improvements provided for in this section, and every part thereof, will remain in good condition for a period of one year, after the city has initially accepted the improvements, and agrees to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period with no cost to the city.