

SUMMARY

What is being proposed? An update to the subdivision code. This applies citywide.

Who is proposing the amendment? The Planning Division requested that Mayor Erin Mendenhall initiate the changes to keep the subdivision rules current with state code requirements and improve how the city manages subdivisions.

What is the subdivision code? The subdivision code creates the rules that determine how land can be divided into lots and how those lots may be modified. It also determines what types of public infrastructure are required. An improvement includes:

- Water and sewer lines
- Streets
- Curb and gutter
- Sidewalks
- Streetlights
- Easements for electricity and gas
- Park strips
- Storm water pipes
- Street trees

What else does the subdivision code do?

- Creates review and approval processes, including public notice of proposed subdivisions.
- Establishes standards that all subdivisions must comply with. The standards require the subdivider to:
 - Install all required water, sewer, storm drain, electricity, and access to natural gas.
 - Provide necessary flood control mechanisms, including easements to access rivers and streams.
 - Provide for and connect all streets, sidewalks, bike paths, and trails identified in the city's general plan.
 - Protect all natural features, including rivers, streams, wetlands, wooded areas, and wildlife habitats (this is a new proposed requirement).
 - Requires remediation of pollutants on any land that is proposed to be dedicated to the city, this includes the land where public streets are planned to be located.
 - Establishes requirements for providing midblock streets and public walkways when a subdivision is over 5 acres and where homes are allowed.
 - Requires that each lot complies with zoning requirements.
 - Prohibits development on slopes over 30 degrees for new subdivisions (this is an existing standard).
- Creates rules for changing the dimensions of a lot by adjusting a lot line or combining lots.

What do you have to know?

Most of the subdivision code is not changing. It is being rearranged so that it is in a logical order and easier to administer. The other key changes include:

- More information will be required to be submitted.
- Most subdivisions will not require a public hearing but there will be a public notice and input period. This is the current practice.
- Every department who reviews subdivisions was involved in writing the update, including Salt Lake County.
- The subdivision standards have been expanded to address subdivision impacts, especially to sensitive lands, like wetlands and steep slopes.
- The list of required public improvements has been expanded.

What are the benefits of the changes?

- The state code requires cities to update their subdivision code by February 2024.
- The process recognizes a property owner's rights to subdivide their land provided the subdivision complies with all requirements.
- The subdivision standards ensure that streets and utility needs are provided by the subdivider, not the taxpayers.
- Helps protect natural areas within the city from future subdivisions of land.
- Establishes a predictable timeline for reviews to comply with state code.

What are the impacts of the proposal? The impacts of the potential development include:

- Subdividers will be expected to comply with the subdivision standards, which could increase costs to subdivide land.
- The city will have to update software programs to manage the process of subdivision review.
- Due to state-mandated review times, some subdivisions will have to be prioritized over other types of developments. This may result in the need for more resources if deadlines cannot be adhered to due to an increase in workload.

What are the next steps? The city is required by state code to have an updated subdivision code adopted by February 2024. To comply with the deadline, the following steps and timeline must be followed:

- 45-day public input period starting in the first half of August 2023 and running through September.
- Planning Commission briefing will occur in September or early October.
- Planning Commission public hearing in October.
- Transmittal to City Council in November.
- City Council work session, public hearing, and decision December 2023 through January 2024.

Key definitions:

Subdivision: the dividing of land into multiple lots.

Public Improvement: infrastructure that is required to be built by the person subdividing the land and given (called a dedication) to the public entity that manages the infrastructure.

Infrastructure: all of the roads, curbs, gutters, street lights, street trees, water pipes, sewer lines, electric poles, and gas lines that are necessary for land to be developed.

Subdivision Standard: a requirement that determines what a subdivider must do to divide land.

Subdivision Info:

- Since 2018, an average of 59 subdivision applications per year are submitted to the planning division.
- There are also an average of 59 modifications to existing lots submitted.
- A planner will typically spend about 44 staff hours per application to process a subdivision. This does not include time reviewing public infrastructure plans and necessary agreements or other reviews by different city departments.
- Most of the subdivisions in the city are west of I-215.
- Residential subdivisions tend to be for townhome developments.
- Subdivisions are very technical in nature and most of the review is done by engineers and land surveyors.