

Planning Commission Staff Report

Legislative Item

SUBDIVISION and SITE DEVELOPMENT REGULATIONS ZONING TEXT AMENDMENTS

PLNPCM2009-00484 & PLNPCM2009-01339

Hearing date: January 23, 2013



Planning and Zoning Division
Department of Community &
Economic Development

Applicant

SLC Corp., Mayor Ralph Becker

Staff

Casey Stewart 535-6260
casey.stewart@slcgov.com

Tax ID:

City-wide

Master Plan Designation:

City-wide

Council District:

City-wide

Community Council:

City-wide

Applicable Land Use Regulations:

- Title 20 Subdivisions
- Chapter 18.28 Site Development Regulations
- Chapter 21A.56 Condominium Approval Procedures

Attachments:

- A. Subdivision Amendments
- B. Site Development Amendments
- C. Zoning Ordinance Amendments

Request

Salt Lake City Corporation and Mayor Ralph Becker are requesting to amend the Salt Lake City subdivision ordinance and site development regulations relating to subdivision and condominium development. Minor related changes would be made to the zoning ordinance. The purpose is to update outdated regulations, include regulations promoting better subdivision design and sustainable urban living, and improve the review process for subdivisions. The Planning Commission is required to transmit a recommendation to the City Council for zoning amendment requests.

Recommendation

Based on the findings listed in the staff report, it is the Planning Staff's opinion that overall both amendment petitions generally meet the applicable standards and therefore, recommends the Planning Commission transmit a favorable recommendation to the City Council relating to these requests.

Recommended Motions

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission recommend to the City Council approval of the requested subdivision ordinance amendments PLNPCM2009-00484, and related chapter 56 (condominiums) of the zoning ordinance, as proposed.

Based on the findings listed in the staff report and the testimony and plans presented, I move that the Planning Commission recommend to the City Council approval of the requested Site Development Regulations amendments PLNPCM2009-01339, and codify the remaining Site Development Regulations into chapter 18.28 of the city code as proposed.

Background

Project Description

In November 2009, as part of the City's sustainability initiatives, Mayor Becker initiated petitions for the purpose of amending the Salt Lake City subdivision regulations and site development regulations to include regulations promoting sustainable urban living, which included improved connectivity in and between new subdivisions, subdivisions that facilitate use of renewable energy, and an updated, improved subdivision review process. The City hired Clarion Associates as a consultant on the project, with the goal of creating appropriate zoning, subdivision and site development regulations that will make Salt Lake City a sustainable community. A portion of that project dealt specifically with subdivision and related site development regulations.

Regulations affecting subdivision design and development were located in primarily two places – a seldom referenced document/pamphlet titled *Site Development Regulations* and the existing subdivision title. Staff has utilized this amendment project to consolidate subdivision regulations into one area for ease of use by moving applicable regulations from the site development chapter to the subdivision title. This has resulted in reorganizing the subdivision title by moving some regulations from one section to another and deleting outdated sections or regulations. Many regulations were further clarified or enhanced to aid in understanding.

SUBDIVISION TITLE (Attachment A)

The major changes to the subdivision title are as follows:

- **Requirements for solar-oriented subdivision lots and improved street/pedestrian connectivity:** As recommended by consultants who provided initial ordinances for the Mayor's sustainability initiative, new requirements are proposed to create "solar-oriented" lots and improve connectivity within and between subdivisions (*pages 18 and 20 of amended Subdivision Title*).
- **Processing:** Subdivision review would focus more on the design standards and requirements and less on gathering general public input. Utah state code does not require public hearings for subdivisions. The amendments will remove public hearings as a "requirement" but continue to utilize them for subdivisions that are contested on grounds of not meeting the standards. This change will emphasize the design standards of a subdivision, rather than the specific likes or dislikes of neighbors. At times in the past, the general public has assumed incorrectly that their preferences should be the basis for a decision on a development on private property. All preliminary subdivision plats, regardless of type or number of lots, could be approved by the Planning Director. Only those approvals that are appealed, or where the developer seeks a significant modification to the standards, or where an existing street right-of-way is being modified, would be heard by the commission. Types of projects affected: typical subdivisions, subdivision amendments, lot line adjustments, and lot consolidations. The amendments increase conformance with state law (*pages 49, 65 and 73 of amended Subdivision Title*).
- **Design Standards updates:** A number of the design standards for subdivisions were located in the dated *Site Development Regulations* chapter that was a stand-alone document, which often resulted in developers and staff missing those standards in reviewing the subdivision application. Those standards are proposed to be moved to the subdivision title and then updated and clarified to meet current engineering, transportation, and site layout design standards. A number of standards from the site development regulations were discovered to be outdated and/or addressed by other more current standards of other City departments – and thus are proposed for deletion (*page 14 of amended Subdivision Title*).

The design requirements that are proposed to be added or were substantially modified are listed below with a brief summary of the changes:

- Block design – went from one standard dimension to two tiers of block dimensions (based on smart code model) to encourage smaller blocks and increase street connectivity.
 - Park land – converted to a sliding scale for amount of park land to set aside in new subdivisions.
 - Connectivity – additional language to require pedestrian and bicyclist accessways and street connections to surrounding developments.
 - Solar-Oriented Lots – new regulations requiring a percentage of lots be oriented for optimum solar access.
 - Street Design – replaced specified street widths with a reference to new flexible standards administered by the City’s Transportation division.
 - Street Lighting – replaced specified lighting requirements with a requirement that lighting shall comply with City’s Street Lighting Master Plan; allowing flexibility in lighting design.
 - Sidewalks – included specific width requirements based on location within the City.
- **Digital application submittal:** Application requirements for subdivision applications would be updated to include drawings in digital formats for ease in review, reduced paper costs, and more efficient reviews by city departments. Current requirements still reference tracing paper (*page 45 of amended Subdivision Title*).
 - **Improve process for lot line adjustments and lot consolidations:** At times the ordinance has been confusing and limiting in regard to how and when lot line adjustments could be accomplished. The proposed changes attempt to clarify lot line adjustments and also include a specific section for consolidating lots (*pages 65 and 73 of amended Subdivision Title*).
 - **Standardize neighborhood notification for subdivisions:** In the past, different types of subdivision applications had different noticing requirements. The noticing requirements will be standardized and also moved to one section for ease of reference and updating when needed (*page 75 of amended Subdivision Title*).
 - **Move “condominium” regulations from the Zoning Ordinance to the Subdivision Ordinance:** Condominium regulations are currently located in the zoning ordinance. Condominiums are more related to subdivisions and legal ownership than zoning regulations; therefore, planning staff determined that they would be more appropriate adjoined with the subdivision title. Moving them required minor modifications to the section numbers referenced within the condominium regulations to reflect the new location. Staff also modified the review process to be similar to subdivision review by utilizing a “notice of condominium application”. Decisions on condominiums would continue to be handled administratively unless a public hearing was requested (*page 85 of amended Subdivision Title*).

SITE DEVELOPMENT REGULATIONS (*Attachment B*)

The major changes to the site development regulations are as follows:

- **Move the design standards for subdivisions to the Subdivision Ordinance and codify the remaining Site Development Regulations:** The site development regulations were adopted in the 1970’s and contained some design standards intended for development of subdivisions. The regulations were located in a pamphlet and merely referenced by the city code. Given their obscure location and outdated standards, they were seldom utilized in more recent years. The various City departments responsible for administering the applicable engineering, transportation, and public utilities standards/requirements have adopted more current standards and/or best practices and have been using those for some time. For ease of use and to reflect current standards, planning staff proposes to move the subject standards to the subdivision title and where applicable delete outdated standards and include

current standards or refer developers to current standards utilized by the various departments involved with subdivision development. This will allow for the updating of standards more easily when they change in the future. Furthermore, the remaining site development regulations should be codified so they are easily accessible and part of the larger city code (*see Attachment B, page of amended Site Development Regulations*).

ZONING ORDINANCE (Attachment C)

The changes to the zoning ordinance are as follows:

- **Move “condominium” regulations from the Zoning Ordinance to the Subdivision Ordinance** (discussed previously in this report under changes to Subdivision Ordinance).
- **Remove references of “minor subdivision”,** which term is proposed to be eliminated, although the concept would remain as a subdivision of ten lots or less.

Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project:

- Planning staff conducted three open houses related to subdivision and site development ordinance amendments. The open houses generated inquiries from two citizens: Anne Cannon sought clarification on the proposed subdivision review process changes; Lisette Gibson sought clarification on the proposed lot consolidation process and standards.
 - Open houses: December 17, 2009; May 19, 2011; March 15, 2012
- June 11, 2012: A draft of the subdivision amendments was printed and mailed to a focus group of more than 25 subdivision developers, engineers, and surveyors requesting their input. No input or feedback was received from this group.
- A public briefing was held with the Planning Commission on October 24, 2012.

Notice of the public hearing for the proposal included:

- Public hearing notice posted in newspaper on January 11, 2013
- Public hearing notice mailed on or before January 11, 2013
- Public notice posted on City and State websites January 11, 2013
- Public hearing notice emailed to the Planning Division list serve on January 11, 2013

City Department Comments

Numerous city departments reviewed the proposed amendments and a handful returned comments. Planning staff met multiple times with the Transportation and Engineering divisions because they have critical roles in administering the subdivision and site development regulations. Their comments primarily focused on the definitions, design standards and requirements, and final plat processing. The comments were implemented and are reflected in the proposed amendments.

Analysis and Findings

Standards for General Amendments; Section 21A.50.050

A decision to amend the text of this title or the zoning map by general amendment is a matter committed to the legislative discretion of the city council and is not controlled by any one standard. In making a decision to amend the zoning map, the city council should consider the following factors:

- 1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;**

Analysis: The executive summary section of the City’s Futures Commission Report of 1998 states, “Vibrant neighborhoods are fundamental to the health and vitality of the city and citizens, business owners, and local government each have a role to play in creating and sustaining ideal neighborhoods.” Promoting sustainability by encouraging responsible subdivision development; efficient review processes; improved connectivity within and among new developments and existing developments; and renewable energy incorporation is a priority in Salt Lake City. The proposed amendments related to these areas of the subdivision and site development regulations offer opportunities to improve urban development and sustain the health of citizens and neighborhoods.

Finding: The proposed text amendments further the objectives, goals and policies of the City particularly the City’s initiatives for sustainability. The amendments enhance and update base standards for subdivision design and development thereby fostering responsible subdivision development.

2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;

Analysis: In this case, the bulk of the proposed amendments are not within the zoning ordinance, but rather the subdivision ordinance (Title 20). The purpose of the subdivision ordinance is to “...*regulate and control the design and improvement of land for all purposes within Salt Lake City in order to preserve and enhance the health, safety, welfare and amenities of the community.*” The proposed amendments further this same purpose by improving the design standards (as discussed under the project description), improving the review process, and implementing new standards for renewable energy focus and pedestrian and vehicle connectivity.

The portion of the amendments related to the zoning ordinance is the transfer of the condominium regulations to the subdivision regulations to consolidate land ownership regulations in one place versus the existing two places. With responsible subdivision development, updated standards, and more efficient administration of regulations via consolidation, some of the applicable purposes of the zoning ordinance that the proposed amendment supports are – *distribute land development and utilization; protect the tax base, and; foster the city’s business and residential development.*

Finding: The proposed amendments would further the purposes of the both the subdivision ordinance and related purposes of the zoning ordinance.

3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and

Analysis: There are no overlay zoning districts involved with the amendments and all overlay zoning districts would continue to regulate subdivisions within those overlay districts as normal.

Finding: This factor is not applicable because there are no overlay zoning districts affected.

4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Analysis: The proposed text amendments are intended to update the City’s subdivision development regulations to reflect current standards and best practices in lot, block, and street layout and connectivity; to make the review process more efficient and user-friendly; and facilitate incorporation of solar energy systems in new developments. Many of the standards proposed for deletion are outdated and not considered best practices because they facilitate suburban type development within the city.

The proposed regulations would be easier to administer because they consolidate the review process while still allowing for public participation and better public notice, and they remove confusion about which process to use and what standards to apply.

Finding: The proposed amendments strive to implement current best practices related to subdivision review and development and allow flexibility for future updates when new practices are preferred. The proposed amendments would have a positive effect on subdivision review, design, and development city-wide.

Alternatives

Alternatives in relation to the proposal would be to recommend the subdivision and site development ordinances remain unchanged. This option would continue the current review process and standards.

Another alternative would be to approve only a portion of the proposed amendments or suggest other amendments. There is some risk with this option in that the modifications or suggestions have not had a chance to be considered by other departments. If suggesting new amendments, additional staff review time should be conducted and followed by another public hearing.

Commission Options

If the proposed amendments are denied in their entirety, no changes would be made to the subdivision review process and development standards.

If the request is modified, depending on the extent, additional city staff review time and public input should occur in order to assess impacts to current practices.

If the amendment is approved as proposed, the new review processes and standards could be implemented if adopted by the City Council.

Potential Motions

Not Consistent with Staff Recommendation (modify): Based on the testimony presented and the following findings, I move that the Planning Commission transmit a favorable recommendation to the City Council relating to the proposed amendments to the subdivision ordinance and site development regulations with the following modifications: *(list the modifications and their section number for clarification)*.

Not Consistent with Staff Recommendation (no amendments): Based on the testimony presented and the following findings, I move that the Planning Commission transmit a negative recommendation to the City Council relating to the proposed amendments to subdivision ordinance and site development regulations.

The Planning Commission shall make findings on the zoning text amendment standards as listed below:

1. Whether a proposed text amendment is consistent with the purposes, goals, objectives, and policies of the City as stated through its various adopted planning documents;
2. Whether a proposed text amendment furthers the specific purpose statements of the zoning ordinance;
3. Whether a proposed text amendment is consistent with the purposes and provisions of any applicable overlay zoning districts which may impose additional standards; and
4. The extent to which a proposed text amendment implements best current, professional practices of urban planning and design.

Attachment A
Subdivision Amendments Proposed

Title 20
SUBDIVISIONS **AND CONDOMINIUMS**

Table of Contents

Chapters:

- 20.04 General Provisions
- 20.08 Definitions
- 20.12 ~~Preliminary Design Maps~~ **Design Standards and Requirements**
- 20.16 Preliminary Plats
- 20.20 ~~Minor Subdivisions~~ Final Plats
- 20.24 ~~Final Plats~~ Lot Line Adjustments
- 20.28 ~~Improvements and Flood Control~~ Subdivision Amendments
 - Article I. General Provisions
 - Article II. Subdivision Amendments Not Involving Streets
 - Article III. Subdivision Amendments Involving Streets
 - ~~Article IV. Appeals and Enforcement~~
- 20.32 ~~Modifications and Appeals~~ Consolidation of Parcels
- 20.36 ~~Enforcement~~ **Noticing Requirements**
- 20.40** Improvements and Flood Control
- 20.44** **Modifications of Standards and Requirements**
- 20.48** **Appeals**
- 20.52** Enforcement
- 20.56** **Condominiums**

Chapter 20.04

GENERAL PROVISIONS

20.04.010: TITLE FOR CITATION:

This title shall be known and cited as *TITLE 20, SUBDIVISION AND CONDOMINIUM ORDINANCE OF SALT LAKE CITY, UTAH*. (Prior code § 42-1-1)

20.04.020: STATUTORY AUTHORITY:

This title is enacted pursuant to title 10, Utah ~~Code Annotated~~ Municipal Code, ~~1953~~1977, or its successor and title 57 Real Estate of the Utah Code. This title is further enacted as an implementation element of the adopted Salt Lake City master plan. (Ord. 7-99 § 1, 1999: prior code § 42-1-2)

20.04.030: PURPOSE OF PROVISIONS:

The purpose of this title, and any rules, regulations and specifications hereafter adopted, is to regulate and control the ~~design~~ subdivision of land, and condominiums ~~and improvement of land for all purposes~~ within Salt Lake City in order to preserve and enhance the health, safety, welfare and amenities of the community. (Prior code § 42-1-3)

20.04.040: MASTER PLAN STANDARDS:

The master plan for Salt Lake City shall guide the use of all land within the corporate boundaries of the city. ~~When planned community plans have been adopted for certain areas, they shall provide more detailed guidance.~~ The size and design of lots, the nature of utilities, the design and improvement of streets, the type and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the master plan, and the zoning ordinance of the city, ~~and any planned community plans designed for the area.~~ (Prior code § 42-1-4(1))

20.04.050: SUBDIVIDER'S RESPONSIBILITIES:

The subdivider shall prepare ~~maps~~ plats, improvement plans, and related documents consistent with the standards contained in this title ~~and, where applicable, to the standards contained in title 18, chapter 18.28 of this code,~~ and will pay for the design review and inspection of public improvements by the city officers as required. The subdivider shall process said ~~maps~~ plats, improvement plans, and related documents in accordance with the regulations set forth in this title. The subdivider shall not alter the terrain or remove any vegetation from the proposed subdivision site, or engage in any site ~~development~~ preparation until he has obtained a site preparation (aka site development) permit has been obtained as specified in title 18, chapter 18.28 of this code, or its successor. (Prior code § 42-1-5(1))

20.04.060: PLANNING DIRECTOR POWERS AND DUTIES:

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

41 The planning director shall review the plats and other instruments for design, for conformity
42 with community master plans, ~~for any planned community plans~~ and the zoning ordinances of
43 the city, and as well as for the environmental quality of the subdivision design, and shall
44 process the subdivision ~~maps~~ plats and reports and other actions as provided for in this title.
45 (Prior code § 42-1-5(2))
46

47 **20.04.070: ~~CITY ENGINEER RESPONSIBILITIES~~ OF CERTAIN CITY DEPARTMENTS:**

48 ~~The city engineer shall be responsible for reporting to the planning and zoning commission and~~
49 ~~the mayor as to engineering requirements including street widths, grades and alignments, and~~
50 ~~whether the proposed public improvements are consistent with the regulations contained in~~
51 ~~this title, and for the inspection and approval of all such public improvements. (Prior code § 42-~~
52 ~~1-5(3))~~ The City Engineering Division, Public Utilities Department, Fire Department, and City
53 Transportation Engineer Division shall make comments and provide direction as to the
54 engineering requirements for: street widths, grades, alignments; drainage, flood control,
55 sanitary sewer and culinary water systems; street layout and overall circulation; and whether
56 the proposed public improvements are consistent with this title and other applicable
57 ordinances and shall be responsible for inspection and approval of all construction or public
58 improvements.
59

60 **20.04.075: CITY COUNCIL AUTHORITY:**

61 The City Council shall have final decision authority for subdivision amendments involving ~~streets~~
62 closure, vacation (in whole or in part), alteration, amendment, or dedication of public right-of-
63 way or public easements, as found in Chapter 20.28, Article III.
64

65 **~~20.04.080: PLANNING AND ZONING COMMISSION AUTHORITY:~~**

66 Except as may be specified elsewhere, the city planning ~~and zoning~~ commission, or its designee
67 when applicable, shall:

- 68
- 69 A. Act as an advisory agency to the mayor;
 - 70 B. Make investigations, and reports ~~and recommendations~~ on proposed subdivisions and in
71 cases of subdivision amendments involving streets per Section 20.28, Article III make
72 recommendations to the City Council ~~or amendments~~ as to their conformance to the master
73 plan, ~~site development ordinance~~, zoning ordinances of the city, and other pertinent
74 documents;
 - 75 C. Approve preliminary plats and, when requested by the mayor, report its actions and
76 recommendations concerning the subdivision to the mayor. (Ord. 71-94 § 1, 1994: prior
77 code § 42-1-5(4))
78

79 **20.04.090: CITY ATTORNEY POWERS AND DUTIES:**

80 The city attorney shall be responsible for reporting to the mayor as to the form of the final plat
81 or other recordable instruments evidencing any action under this title. The city attorney shall
82 certify that any lands dedicated to the public are dedicated in fee simple and that the person or

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

83 persons dedicating the land are the owners of record. (Ord. 71-94 § 1, 1994: prior code § 42-1-
84 5(5))

85

86 **20.04.100: MAYOR'S POWERS AND DUTIES:**

87 The mayor, or the mayor's designee, shall have final approval of final subdivision plats or other
88 recordable instruments evidencing any action under this title, the establishment of
89 requirements for and standards of design of public improvements, and the acceptance of lands
90 and public improvements that may be proposed for dedication. (Ord. 71-94 § 1, 1994: prior
91 code § 42-1-5(6))

92

93 ~~**20.04.110: MAPS REFERRED FOR COMMENT:**~~

94 ~~Maps of proposed subdivisions shall be referred for information and comment to all special
95 districts, governmental boards, bureaus, utility companies, and other agencies which will
96 provide public and private facilities and services to the subdivision, and to such other agencies
97 which the planning director determines may be affected. (Prior code § 42-1-5(7))~~

98

99 ~~**20.04.120: PRESERVATION OF NATURAL FEATURES; RELATION TO OLDER
100 SUBDIVISIONS:**~~

101 ~~A. Trees, native land cover, natural watercourses, and topography shall be preserved when
102 possible, and the subdivision shall be so designed as to prevent excessive grading and
103 scarring of the landscape in conformance with title 18, chapter 18.28 of this code.~~

104 ~~B. The design of new subdivisions shall consider and relate to present street widths, alignments
105 and names. (Prior code § 42-1-4(2))~~

106

107 **20.04.110: COMMUNITY FACILITIES AND UTILITIES:**

108 Community facilities such as schools, parks, recreation areas, etc., shall be provided in the
109 subdivision in accordance with master plan standards ~~and, where applicable, planned~~
110 ~~community plan standards.~~ This title establishes procedures for the referral of proposed
111 subdivision data to interested boards, bureaus and other governmental agencies, and utility
112 companies, both private and public, so that the extension of community facilities and utilities
113 may be accomplished in an orderly manner, coordinated with the development of the
114 subdivision. In order to facilitate the acquisition of land areas required to implement this policy,
115 the Planning Commission **or its designee** may require that the subdivider dedicate, grant
116 easements over or otherwise reserve land for schools, parks, playgrounds, thoroughfares, utility
117 easements, and other public purposes as specified. ~~(Prior code § 42-1-4(3))~~

118

119 **20.04.120: FEE SCHEDULE:**

120

121 City fees associated with review, processing, and site development of subdivisions, subdivision
122 amendments, lot line adjustments, consolidations and appeals shall be those listed on the Salt
123 Lake City Consolidated Fee Schedule.

124 ~~The following fees shall be charged, and the city treasurer shall collect the following fees~~
125 ~~associated with subdivision review:~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144

~~A. Engineering Fees: The engineer shall charge and the city treasurer shall collect the following fees:~~

- ~~1. Preliminary subdivision review fee (shall be based upon the number of lots in the original preliminary plat, whichever is higher): Five dollars (\$5.00) per lot; minimum charge, fifty dollars (\$50.00).~~
- ~~2. Final subdivision engineering design review and inspection fee: Five percent (5%) of the estimated cost of public improvements.~~
- ~~3. Main line sewer extension, engineering design, field surveying and inspection fee: Eight percent (8%) of the estimated cost of public improvements.~~

~~B. Planning Director Fees: The planning director shall charge, and the city treasurer shall collect the following fees:~~

- ~~1. A fee for review of preliminary plans, which fee shall be based upon the number of lots in the original preliminary or the approved preliminary plat, whichever is higher, upon submission of the preliminary plat, as specified in the zoning ordinance fee schedule;~~
- ~~2. Final approval fees for against approved preliminary plat shall be amounts designated in the zoning ordinance fee schedule. (Prior code § 42-10-5)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

145

146

147

Chapter 20.08 DEFINITIONS

148 **20.08.010: DEFINITIONS GENERALLY:**

149 Whenever any words or phrases used in this title are not defined in this title, but are defined in
150 related sections of the Utah code or in the zoning ordinances of the city, such definitions are
151 incorporated in this chapter and shall apply as though set forth herein in full, unless the context
152 clearly indicates a contrary intention. (Prior code § 42-2-1) Any words or terms not defined in
153 this title shall be defined using the following sources in the order listed: Title 21A Zoning
154 Ordinance of Salt Lake City, Utah Code, "Webster's Collegiate Dictionary."
155

156 **20.08.020: ~~ALLEY:~~ DEFINITION OF TERMS:**

157 "~~Alley~~" means ~~a street providing only secondary access to abutting property.~~ (Prior code § 42-
158 2-2) a public or private right-of-way within a block primarily intended for service and access to
159 abutting property by vehicles and not designated for general travel. ~~(Prior code title 46, art. 1§~~
160 ~~2)~~
161

162 **20.08.025: AMENDMENT PETITION:**

163 "**Amendment petition**" means a written petition to the city seeking approval for a proposed
164 vacation, alteration or amendment of a subdivision plat, any portion of a subdivision plat, or
165 any street, lot or alley contained in a subdivision plat. (Ord. 71-94 § 1, 1994)
166

167 "Arterial Street" means a street that facilitates through traffic movement over relatively long
168 distances such as from one end of the city to the other. Arterials are generally multi-lane
169 streets carrying high traffic volumes at relatively high speed limits. These are commuter streets
170 and sometimes offer controlled access to abutting property, and curbside parking may be
171 restricted or prohibited. Arterial Streets are designated as such on the Major Street Plan map of
172 the Transportation Master Plan.
173

174 **20.08.030: BLOCK:**

175 "**Block**" means an area of land within a subdivision entirely bounded by streets (other than
176 alleys), freeways, railroad rights of way, natural barriers, or the exterior boundaries of the
177 subdivision. (Prior code § 42-2-3)
178

179 "Buildable Area" means that portion of the platted lot, exclusive of the required front, rear,
180 and side yard setbacks, as established by the base zone for the lot, and all designated
181 undevelopable area portion of the lot remaining after required yards have been provided and
182 after the limitations of any pertinent environmental regulations have been applied. Buildings
183 may be placed in any part of the buildable area, but if there are limitations on percent of the lot

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

184 which may be covered by buildings, some open space may be required within the buildable
185 area.

186

187 **~~20.08.040: CITY ATTORNEY:~~**

188 "City attorney" means the Salt Lake City attorney. (Prior code § 42-2-4)

189

190 **~~20.08.050: CITY ENGINEER:~~**

191 "City engineer" means the Salt Lake City engineer. (Prior code § 42-2-6)

192

193 **~~20.08.060: CITY RECORDER:~~**

194 "City recorder" means the Salt Lake City recorder. (Prior code § 42-2-7)

195

196 **~~20.08.070: COLLECTOR STREET:~~**

197 "Collector street" means a street ~~designed to collect and distribute traffic between streets and~~
198 ~~arterials. (Prior code § 42-2-8)~~ that provides the connection between Arterial and Local streets.
199 Collector Streets can be multi-lane, but they are meant to carry less traffic at lower speeds and
200 for shorter distances than Arterial Streets s. They provide direct access to abutting property
201 and carry a mix of local and commuter traffic headed for nearby destinations. Collector Streets
202 are identified as such on the Major Street Plan map of the Transportation Master Plan.

203

204 "Compaction" means the densification of fill by mechanical means.

205

206 **~~20.08.075: COMMERCIAL/INDUSTRIAL/AGRICULTURAL SUBDIVISION:~~**

207 ~~"Commercial/industrial/agricultural subdivision" means any subdivision of land located in any~~
208 ~~commercial, industrial or agricultural zoning district which will allow or provide for the~~
209 ~~construction of nonresidential uses in buildings which are allowed as permitted or conditional~~
210 ~~uses within the district or within an area shown in an adopted general plan for commercial,~~
211 ~~industrial or agricultural uses of varying intensities. (Ord. 71-94 § 1, 1994)~~

212

213 **~~20.08.080: CONDOMINIUM:~~**

214 "Condominium" means a property or portions thereof conforming to the definition set forth in
215 section 57-8-3, Utah Code Annotated, 1953, or its successor. (Prior code § 42-2-9)

216

217 **~~20.08.090: COUNTY RECORDER:~~**

218 "County Recorder" means the Salt Lake County Recorder. (Prior code § 42-2-10)

219

220 **~~20.08.100: CUL-DE-SAC:~~**

221 "Cul-de-sac" means a local street open at only one end which has a turnaround for vehicles at
222 the closed end. (Prior code § 42-2-11)

223

224 "Development Limit Line" means a legally described line, determined by the Planning
225 Commission or its designee and shown on the final subdivision plat, which defines the

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

226 boundary between developable and undevelopable areas. In those portions of the plat
227 designated as undevelopable, grading, landscaping, construction activities, and other
228 disturbances of the land are prohibited.

229
230 "Driveway" means a way or route for use by a vehicle ~~traffic~~ leading from a parking area or
231 from a house, garage, or other structure, to a road or street.

232
233 "Excavation" means any act by which vegetation, earth, sand, gravel, rock, or any other similar
234 material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and
235 shall include the conditions resulting therefrom.

236
237 **20.08.110: FINAL PLAT:**
238 "Final plat" means a map of real property in the form of lands and/or building units being laid
239 out and prepared in accordance with the provisions of titles ~~57~~ 10, 17, or 57, Utah Code
240 Annotated, 1953, or its successor, and of this title, designed to be placed on record in the office
241 of the Salt Lake County recorder. (Prior code § 42-2-12)

242
243 **20.08.120: FLAG LOT:**
244 "Flag lot" means a lot ~~with the buildable area at a distance from a public street, and with a~~
245 ~~narrow extension or access strip to connect the buildable area to the street. (Prior code § 42-2-~~
246 ~~13)~~ of irregular configuration in which an access strip (a strip of land of a width less than the
247 required lot width) connects the main body of the lot to the street frontage.

248
249 **20.08.130: FREEWAY:**
250 "Freeway" means routes, typically divided arterial highways, which provide for rapid
251 movement of large volumes of vehicles between urban areas. No local access to individual sites
252 is provided ~~a divided arterial highway designed for through traffic, having grade-separated~~
253 ~~intersections and full control of access. (Prior code § 42-2-14)~~

254
255 "Grading" means excavation or fill or any combination thereof that alters the elevation of the
256 terrain and shall include the conditions resulting from any excavation or fill.

257
258 **z20.08.135: IMPROVEMENT AGREEMENT:**
259 ~~"Improvement agreement" means an agreement described in section 20.20.040 of this title~~
260 ~~(Ord. 94-98 § 1, 1998)~~

261
262 **20.08.140: INDUSTRIAL STREET:**
263 ~~"Industrial street" means a street which serves an industrial area and connects such area to the~~
264 ~~major street system. (Prior code § 42-2-16)~~

265
266 **20.08.150: INTERSECTION:**
267 "Intersection" means the place at which two (2) or more streets meet. (Prior code § 42-2-17)

268

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

269 **~~20.08.160: LOCAL STREET:~~**
270 "Local street" means a street which provides direct access to and from abutting properties they
271 serve abutting that street, primarily in residential districts. Local streets are usually one lane in
272 each direction meant to carry traffic over short distances and at low speeds. (Prior code § 42-2-
273 18)

274
275 **~~20.08.170: LOOP STREET:~~**
276 "~~Loop street~~" means a local street which intersects the same collector street at both its ends
277 and has no intermediate intersections with through streets. (Prior code § 42-2-19)

278
279 **~~20.08.180: LOT:~~**
280 "Lot" means a ~~parcel or portion of land established for purposes of sale, lease, finance, division~~
281 ~~of interest or separate use, separated from other lands by description on a subdivision map~~
282 ~~and/or parcel map~~ piece of land identified on a plat of record or in a deed of record of Salt Lake
283 County and of sufficient area and dimensions to meet Salt Lake City zoning district
284 requirements for width, area, use and coverage, and to provide such yards and open space as
285 are required and has been approved as a lot through the City's subdivision process. A lot may
286 consist of combinations of adjacent individual lots and/or portions of lots so recorded; except
287 that no division or combination of any residual lot, portion of lot, or parcel shall be created
288 which does not meet the requirements of the subdivision regulations and Zoning Ordinance
289 (Title 21A) of the City. (Prior code § 42-2-20)

290
291 **~~20.08.185: LOT LINE ADJUSTMENT:~~**
292 "~~Lot line adjustment~~" in a subdivision means the relocation of the property boundary lines,
293 with the consent of the owners of record as required by this title, between ~~two (2)~~ adjoining
294 lots or parcels that are described by either a metes and bounds description or a recorded plat.
295 ~~with the consent of the owners of record as required by this title.~~ (Ord. 7-99 § 2, 1999; Ord. 71-
296 94 § 1, 1994)

297
298 **~~20.08.190: MAJOR THOROUGHFARE:~~**
299 "~~Major thoroughfare~~" means a street designed to serve high volume city traffic and to act as a
300 distributor between freeways, other arterial roads and major traffic generators. (Prior code
301 § 42-2-21)

302
303 **~~20.08.200: MASTER PLAN:~~**
304 "Master plan" means the area-specific community master plan for the future development of
305 Salt Lake City, as adopted, and any subsequent amendments thereto, including small area plans
306 and block plans. (Prior code § 42-2-22)

307
308 **~~20.08.205: MINOR RESIDENTIAL SUBDIVISION AMENDMENT:~~**
309 ~~(Rep. by Ord. 7-99 § 3, 1999)~~

310

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

311 **~~20.08.210: MINOR SUBDIVISION:~~**

312 "~~Minor subdivision~~" means:

313 A. ~~The division of real property, including condominiums and planned unit developments,~~
314 ~~into thirty (30) or fewer lots which have frontage on an existing dedicated street or on a~~
315 ~~street to be dedicated as part of the subdivision and which are not located within the~~
316 ~~foothills FR-1, FR-2, FR-3 district or FP foothills protection district;~~

317 B. ~~The division of any real property for the creation of a commercial/industrial/agricultural~~
318 ~~subdivision. (Ord. 7-99 § 4, 1999; Ord. 71-94 § 1, 1994; prior code § 42-2-23)~~

319

320 "Natural Drainage" means water which flows by gravity in channels formed by the surface
321 topography of the earth prior to changes made by the efforts of man.

322

323 "~~Parcel~~" means ~~all contiguous land in one ownership, provided, however, each lot conforming~~
324 ~~to the Zoning Ordinances of Salt Lake City in a subdivision may be considered to be a separate~~
325 ~~parcel.~~

326

327 **~~20.08.220: PLANNING COMMISSION OR PLANNING AND ZONING COMMISSION:~~**

328 "~~Planning commission~~" or "~~planning and zoning commission~~" means the Salt Lake City
329 ~~planning and zoning commission. (Prior code § 42-2-24)~~

330

331 **~~20.08.230: PLANNING DIRECTOR:~~**

332 "~~Planning director~~" means the director of the Salt Lake City ~~planning and zoning~~ division. (Prior
333 ~~code § 42-2-25)~~

334

335 **~~20.08.240: PRELIMINARY DESIGN MAP:~~**

336 "~~Preliminary design map~~" means a map to be submitted to the planning director prior to the
337 ~~filing of a preliminary plat to show the general characteristics of the proposed subdivision.~~
338 ~~(Prior code § 42-2-26)~~

339

340 **~~20.08.250: PRELIMINARY PLAT:~~**

341 "~~Preliminary plat~~" means a plat showing the design of a proposed subdivision and the existing
342 ~~conditions in and around the subdivision. It need not be based upon a detailed final survey of~~
343 ~~the property, except as provided in chapter 20.16 of this title; however, it shall be graphically~~
344 ~~accurate to reasonable tolerance. (Prior code § 42-2-27)~~

345

346 **~~20.08.260: PUBLIC IMPROVEMENT:~~**

347 "~~Public improvement~~" means street work, utilities and other facilities proposed or required to
348 ~~serve a subdivision and~~ be installed within the subdivision the public way ~~for the general use of~~
349 ~~the subdivision lot owners and for local neighborhood or community needs. (Prior code § 42-2-~~
350 ~~28)~~

351

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

352 **~~20.08.265: SECURITY DEVICE:~~**

353 "Security device" means any of the following, in a form acceptable to the city attorney, who
354 secures the performance of the subdivider's obligations under the improvement agreement: a)
355 a separate payment bond and a separate performance bond provided by a corporate surety
356 company; b) a cash bond or escrow agreement; or c) a letter of credit. (Ord. 94-98 § 2, 1998)

357
358 "Significant Steep Slope" means an area of 30% or greater slope, as determined using ten-foot
359 averaging, which is intended to be protected from development or other disturbance.

360
361 "Site" means a lot or parcel of land, or a contiguous combination thereof, where grading work
362 is performed as a single unified operation.

363
364 "Site Development Preparation" means grading and underground utility installation in
365 preparation for an approved, pending development.

366
367 "Slope Classification Map" means a map prepared as a colored exhibit by a registered
368 professional engineer or land surveyor based upon a contour map of the specified scale and
369 contour interval, upon which the measured and calculated percent of slope (measured
370 between every contour interval on the map) is classified or grouped into percentage of slope
371 data in ten percent slope groupings as follows:

<u>Slope Classification</u>	<u>Percent of Slope</u>	<u>Mapped Color</u>
Level	0 - 9.9%	Uncolored
Slight	10 - 19.9%	Yellow
Moderate	20 - 29.9 %	Orange
Severe	30% and greater	Red

372
373
374
375
376
377
378
379
380 "Soils Engineer" means a registered civil engineer of the State of Utah, specializing in soil
381 mechanics and foundation engineering, familiar with the application of principles of soil
382 mechanics in the investigation and analysis of the engineering properties of earth materials.

383
384 "Solar-Oriented Lot" means:

- 385 A. A lot with a front line oriented to within thirty (30) degrees of a true east-west line.
- 386 When the lot line abutting a street is curved, the "front lot line" shall mean, for the purposes
- 387 of subsection, the straight line connecting ends of the curve. For a flag lot, the "front lot line"
- 388 shall mean the lot line that is most parallel to the closest street, excluding the pole portion of
- 389 the flag lot, or
- 390 B. A lot that, when a straight line is drawn from a point midway between the side lot lines
- 391 at the required front yard setback to a point midway between the side lot lines at the
- 392 required rear yard setback, is oriented to within thirty (30) degrees of true north along such
- 393 line, or
- 394 C. A corner lot with a south lot line oriented to within thirty (30) degrees of a true east-
- 395 west line, where the south lot line adjoins a public street or open space and the abutting

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

396 street right-of-way or open space has a minimum north-south dimension of at least fifty (50)
397 feet. For purposes of this definition, "open space" shall include, without limitation, parks,
398 cemeteries, golf courses and similar outdoor recreation areas, drainage ditches and ponds,
399 irrigation ditches and reservoirs, lakes, ponds, wetlands, open spaces reserved for use of
400 residents of the development, and other similar open space.

401
402 "Special Natural Topographic Feature" means a naturally occurring feature which is
403 determined to be unique among similar features of its kind (i.e., rock formation, water feature)
404 or has historical associations (e.g. Ensign Peak).

405
406 **~~20.08.270: STANDARD SPECIFICATIONS:~~**

407 "Standard specifications" means all the standard specifications and standard detailed drawings
408 prepared adopted, utilized and administered by the responsible city departments ~~and approved~~
409 ~~by resolution of the city council.~~ (Prior code § 42-2-29)

410
411 **~~20.08.280: STREET:~~**

412 "Street" means a public or private vehicular way, between property or boundary lines and
413 including parking, sidewalks, and gutters, that may also serve for all or part of its width as a way
414 for pedestrian traffic, whether called street, highway, thoroughfare, parkway, throughway,
415 road, avenue, boulevard, lane, place, alley, mall or otherwise designated ~~all parts of a public~~
416 ~~street between the property or boundary lines, including parking, sidewalks, gutters and~~
417 ~~roadways including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys,~~
418 ~~viaducts, subways, tunnels, bridges, public easements and other ways. (Ord. 71-94 § 1, 1994:~~
419 ~~prior code § 42-2-30)~~

420
421 **~~20.08.290: SUBDIVIDER:~~**

422 "Subdivider" means ~~and shall be defined as~~ any person, firm, corporation, partnership or
423 association who causes land to be divided into a subdivision. (Prior code § 42-2-31)

424
425 **~~20.08.300: SUBDIVISION:~~**

426 "Subdivision" means any land that is divided, resubdivided or proposed to be divided into two
427 (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether
428 immediate or future, for offer, sale, lease, or development ~~either on the installment plan or~~
429 ~~upon any and all other plans, terms, and conditions.~~ For purposes of this chapter, "subdivision"
430 includes:

- 431
432 A. The division or development of land whether by deed, metes and bounds description,
433 devise and testacy, lease, map, plat, or other recorded instruments, for all residential and
434 nonresidential uses; and
435 ~~B. Divisions of land for all residential and nonresidential uses, including land used or to be~~
436 ~~used for commercial, agricultural, and industrial purposes;~~
437 ~~C. B.~~ Any condominium project which involves dedication of real property to the ownership
438 and use of the public; ~~and~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

439 D. Any planned development project pursuant to title 21A, chapter 21A.54 of this code.
440 (~~Ord. 94-98 § 3, 1998; Ord. 71-94 § 1, 1994; prior code § 42-2-32~~)

441
442 **"Subdivision, Minor"** means:
443 A. ~~The division of real property, including condominiums and planned unit developments,~~
444 ~~into thirty (30) or fewer lots which have frontage on an existing dedicated street or on a~~
445 ~~street to be dedicated as part of the subdivision and which are not located within the~~
446 ~~foothills FR 1, FR 2, FR 3 district or FP foothills protection district;~~
447 B. ~~The division of any real property for the creation of a commercial/industrial/agricultural~~
448 ~~subdivision. (Ord. 7-99 § 4, 1999; Ord. 71-94 § 1, 1994; prior code § 42-2-23)~~

449
450 **~~20.08.305: SUBDIVISION AMENDMENT INVOLVING STREETS:~~**

451 "Subdivision amendment involving streets" means a proposed change to any subdivision for
452 which a subdivision plat has been previously approved and recorded and which proposes to
453 vacate all or a portion of any of the results in any change to the dedicated public streets, rights-
454 of-way, or easements from of the original subdivision plat. (Ord. 7-99 § 5, 1999)

455
456 **~~20.08.307: SUBDIVISION AMENDMENT NOT INVOLVING STREETS:~~**

457 "Subdivision amendment not involving streets" means a proposed change to any subdivision,
458 for which a subdivision or plat has been previously approved and recorded and which does not
459 propose to vacate all or a portion of any of the results in any change to the dedicated public
460 streets, rights-of-way, or easements from of the original subdivision plat.. (Ord. 7-99 § 6, 1999)

461
462 **~~20.08.310: SUBDIVISION COMMITTEE:~~**

463 "Subdivision committee" means and includes the planning director, the city engineer and two
464 (2) other members of the planning and zoning commission. (Prior code § 42-2-33)

465
466 **~~20.08.320: SUBDIVISION DESIGN:~~**

467 "Subdivision design" means the overall layout of the proposed subdivision, including, but not
468 limited to, the arrangement of streets and intersections, the layout and size of lots, the widths
469 and locations of easements and rights of way for utilities, drainage structures, sewers and the
470 nature and location of public or semipublic facilities, programs for the preservation of natural
471 features, and the installation of public improvements. (Prior code § 42-2-34)

472
473 "Ten-foot Averaging" means calculating the percent of slope between 10 foot elevation
474 intervals (elevations ending in "0", e.g. 4720 to 4730, 4730 to 4740, etc.) on an accurate Slope
475 Classification Map. This technique is used to determine areas of significant steep slope,
476 insignificant steep slope, and to establish development limit lines.

477

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

478

479

480

~~Chapter 20.12~~ ~~PRELIMINARY DESIGN MAPS~~

481 ~~**20.12.010: PRELIMINARY DESIGN MAP AND CONFERENCE:**~~

482 ~~Prior to the filing of a preliminary plat, the subdivider shall meet with and submit to the~~
483 ~~planning director three (3) copies of a preliminary design map at a scale and in detail sufficient~~
484 ~~to indicate the essential characteristics of the subdivision, including:~~

- 485 ~~A. The number, size and design of lots;~~
- 486 ~~B. The location and width of streets;~~
- 487 ~~C. The location of any important reservations or easements;~~
- 488 ~~D. The general nature and extent of grading;~~
- 489 ~~E. The relation of the subdivision to all surrounding lands; and~~
- 490 ~~F. Any other data necessary to enable the subdivision committee to review the proposed~~
491 ~~subdivision. (Prior code § 42-3-1)~~

492

493 ~~**20.12.020: SITE DEVELOPMENT PERMIT REQUIRED:**~~

494 ~~The subdivision committee, after review of the preliminary design map, shall indicate to the~~
495 ~~subdivider whether a site development permit, as specified in title 18, chapter 18.28 of this~~
496 ~~code, is required prior to the subdivider altering the terrain or vegetation on the proposed~~
497 ~~subdivision. Notwithstanding the foregoing sentence appearing to the contrary, all subdivisions~~
498 ~~within the areas defined in sections 21A.24.020 through 21A.24.040 and 21A.32.040 of this~~
499 ~~code, shall be subject to the provisions of the site development ordinance. (Prior code § 42-3-2)~~

500

501 ~~**20.12.010: PRELIMINARY DESIGN MAP AND CONFERENCE:**~~

502 ~~Prior to the filing of a preliminary plat, the subdivider shall meet with and submit to the~~
503 ~~planning director three (3) copies of a preliminary design map at a scale and in detail sufficient~~
504 ~~to indicate the essential characteristics of the subdivision, including:~~

- 505 ~~A. The number, size and design of lots;~~
- 506 ~~B. The location and width of streets;~~
- 507 ~~C. The location of any important reservations or easements;~~
- 508 ~~D. The general nature and extent of grading;~~
- 509 ~~E. The relation of the subdivision to all surrounding lands; and~~
- 510 ~~F. Any other data necessary to enable the subdivision committee to review the proposed~~
511 ~~subdivision. (Prior code § 42-3-1)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

This entire chapter "20.12" is transferred from the same-titled section of Site Development Regulations 18.28.30. Edits are noted according to the same format as the rest of the document.

512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552

Chapter 20.12

DESIGN STANDARDS AND REQUIREMENTS

20.12.010: GENERAL REGULATIONS AND STANDARDS:

Except where modified by the ~~Mayor~~ Planning Commission or its designee, all subdivision of land within Salt Lake City shall comply and conform with the design standards and requirements as set forth and as referred to in this section, as follows:

- A. Supervision: All site development and/or subdivision development work performed under this section will be allowed only when said work is performed under the supervision of the City Engineer, ~~Transportation Director and/or~~ Transportation Director and/or Public Utilities Director ~~as is appropriate under in accordance with~~ the approved subdivision plan, and said work is secured by a performance guarantee bond or other security device acceptable to the City Attorney and Mayor.
- B. Preservation of Natural Features: Trees, native ground cover, natural watercourses, and topography shall be preserved when possible, and the subdivision shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with this title.
- C. Hazardous Areas to be Fenced: All areas of the subdivision or features adjacent to the subdivision, which present a potential threat to the public safety shall be fenced with a six foot non-climbable fence or acceptable alternative, as required by the Planning Commission or its designee. Such hazardous areas may include, but are not limited to, rivers and streams, canals, cliffs, ravines, ~~arterial or collector streets,~~ railroad rights-of-way, and steep slopes. ~~Said~~ Required fencing shall be constructed and included as part of the subdivision improvements and shall be bonded.
- D. Buildable Lots: All subdivisions shall result in the creation of lots which are developable and capable of being built upon, unless a different purpose for the lot is clearly intended and approved by the Planning Commission or its designee. No subdivision shall create lots, and a building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of water courses, problems of sewerage or driveway grades, or other physical conditions.
- E. Access to Public Streets:
 - 1. All lots or parcels created by the subdivision of land shall have access to a public street improved to standards ~~hereinafter~~ required by this Title 20, unless a private street or modified standards are approved by the Planning Commission as part of a Planned Development. Private streets shall not be permitted unless the Planning Commission finds that the most logical development of land requires that lots be created which are

553 served by a private street or other means of access, and makes such findings in writing
554 with the reasons therefore.

555 2. As part of the application of **for** any subdivision including **proposing** private streets, the
556 subdivider shall **provide** ~~submit to the Planning Commission~~ for review by the City
557 Engineer the following ~~street plans~~:

558 a. A Street Development Plan showing the alignment, width, grades, design, and
559 material specifications; the topography and means of access to each lot; drainage;
560 and, utility easements for servicing the lots served by such private street;

561 b. A plan providing for future ownership and maintenance of said street together with
562 payment of taxes and other liability thereon.

563 3. After review and favorable recommendation by the City Engineer, the Planning
564 Commission may include such approved street plans as part of its recommendations to
565 the Mayor. Construction of the private street or access shall be completed prior to
566 occupancy of any building on lots served by a private street. However, if finished
567 grading has been completed and stabilized to the City Engineer's satisfaction, the
568 subdivider may post a cash bond equal to the cost of completing the street, as
569 determined by the City Engineer, in a form approved by the City Attorney to assure the
570 earliest possible completion of said street. The bond may be posted if, and only if, the
571 street is stabilized and made passable until such time as the completion of the street
572 can be accomplished.

573
574 F. Landscaping:

575 1. A landscaped area shall be required in all **residential** subdivisions **and may be required in**
576 **non-residential subdivisions**. Said landscaping shall be located either within the non-
577 paved portion of the street right-of-way, or within a dedicated landscaping easement,
578 not less than five feet wide, adjacent to the street. The location of the landscaping shall
579 be specified by the Planning Commission **or its designee**. The type of landscaping and
580 street trees shall be selected, installed, and maintained in accordance with standard
581 specifications prepared by Salt Lake City.

582 2. Whenever, in the opinion of the Planning Commission **or its designee**, the cuts and fills
583 created by the subdivision are of sufficient size or visibility to demand special treatment,
584 the subdivider shall be required to landscape such areas with suitable permanent plant
585 materials and to provide for their maintenance ~~according to the plans as outlined in~~
586 ~~Section 18.28.30 E.4. below and approved by the Parks Department.~~

587 ~~c. The subdivision shall be so designed as to preserve the greatest amount of existing on-~~
588 ~~site vegetation, including trees with a trunk diameter of four inches or greater and other~~
589 ~~natural ground cover.~~

590
591 G. Utilities and Easements:

592 1. All utilities shall be provided through underground services.

593 2. Easements for utility and drainage purposes shall be provided within the subdivision as
594 required by the Planning Commission **or its designee**. However, in no event shall such
595 easement be less than ~~seven feet in width of five~~ **feet** in width when proposed along ~~on~~
596 the front lot line

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

597
598 H. Water Courses: The subdivider shall dedicate a right-of-way for storm drainage conforming
599 substantially with the lines of any natural water course or channel, stream, creek, or flood
600 plain that enters or traverses the subdivision.

601
602 I. Block Design:

603 1. Blocks shall normally have sufficient width for an ultimate layout of two tiers of lots of
604 the size required by the provisions of the Zoning and Subdivision Ordinances of Salt Lake
605 City.

606 2. Blocks shall not exceed the following perimeter measurements: 2,400 linear feet for
607 zoning districts with minimum lot sizes that range from no minimum up to and including
608 10,000 square feet, and; 3,000 linear feet for zoning districts with a minimum lot size
609 greater than 10,000 square feet, 500 feet in length. In any block over 900 feet in length
610 there shall be a crosswalk or pedestrian way as required by the Planning Commission.

611
612 ~~9. Neighborhood Facilities.~~

613
614 ~~a. The subdivider shall reserve sites, appropriate in area and location, for~~
615 ~~necessary and desirable residential facilities such as schools, parks, and playgrounds.~~
616 ~~Such sites shall be located in accordance with the principles and standards contained~~
617 ~~herein or expressed in the Master Plan.~~

618 ~~b. The delimiting of service areas to determine the need for residential~~
619 ~~facilities at the district or community level shall be based on the Master Plan. When a~~
620 ~~planning neighborhood is used it will provide the basis for estimating the number of~~
621 ~~families to be served by facilities at the local level. A planning neighborhood, insofar as~~
622 ~~possible, exhibits the following characteristics:~~

623
624 ~~i. It is bounded, rather than bisected, by major thoroughfares or~~
625 ~~other substantial land use or natural barriers to pedestrian traffic;~~

626 ~~ii. It is usually not over a mile in width in any direction;~~

627 ~~iii. It contains a minimum of 500 families~~

628
629 ~~c. The following principles and standards are intended to serve as a guide in~~
630 ~~determining the residential facilities within the planning neighborhood for which sites~~
631 ~~will normally be required:~~

632
633 ~~i. An elementary school site of approximately 10 acres will be~~
634 ~~required for each 600 families in the neighborhood. Such school site shall be~~
635 ~~central to the population to be served and shall not front on an arterial street;~~

636 ~~ii. Such school site shall be reserved for public purchase for two~~
637 ~~years at a price not to exceed the acreage value of the raw land in the~~
638 ~~subdivision, except for a depth along the street forming principle frontage for~~
639 ~~the site of one tier of lots which may be priced not to exceed the value of said~~
640 ~~tier of lots;~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

641 ~~_____ iii. _____ Whenever possible, playground and neighborhood recreation~~
642 ~~areas shall be developed in conjunction with elementary school sites. Such a~~
643 ~~site, if required in a subdivision, shall not normally be less than five acres in area~~
644 ~~for a service orientation of 600 families or less, and such sites shall specifically~~
645 ~~include areas with natural advantage for park development. It shall be reserved,~~
646 ~~made available for purchase, and priced in accordance with subparagraph ii.~~
647 ~~above~~
648 ~~_____ iv. _____ Where wooded ravines and/or natural waterways are included~~
649 ~~within the boundaries of subdivision, such ravines shall be reserved for public~~
650 ~~use, including recreation and disposal of storm water. These purposes may be~~
651 ~~accomplished through dedication and/or storm drainage, scenic, or open space~~
652 ~~easements~~
653

654 J. Reservation of Land for Park and Recreation Purposes: Pursuant to the recreation or parks
655 elements, plans or standards set forth in the Master Plan, as a condition of final subdivision
656 approval the subdivider shall be required to reserve land for park and recreation purposes
657 according to the following standards:
658

- 659 1. For subdivisions of ~~100~~ **25** lots or more, including contiguous land owned or controlled
660 by subdivider or landowner, the subdivider shall reserve land for two years for public
661 purchase at the rate of not less than one and one half acres of land per 100 lots **a**
662 **minimum ratio of one-quarter (1/4) acre of land per 25 lots** in the subdivision or five
663 percent of the total area in the subdivision, whichever is greater;
- 664 2. ~~For subdivision containing between 50 and 100 lots, the subdivider shall reserve land as~~
665 ~~deemed desirable by the Planning Commission;~~
- 666 3. ~~For proposed multi-family development, the number of dwelling units proposed shall be~~
667 ~~considered as the number of lots for the requirements specified in this section, or if no~~
668 ~~particular number of dwelling units per acre permitted in the zoning regulations which~~
669 ~~apply to the land to be subdivided;~~
- 670 4. All land to be reserved for park or recreational purposes shall be found to be suitable by
671 the Planning Commission **or its designee** and the ~~Parks~~ **Public Services** Department as to
672 location, parcel size, and **d** topography for the park and recreation purpose for which it is
673 indicated in the Master Plan, or as determined by the Planning Commission **or its**
674 **designee**. Such purpose may include active recreation facilities such as playgrounds,
675 play fields, pedestrian or bicycle paths, or open space areas of particular natural beauty,
676 including canyons, hilltops, and wooded areas to be developed or left in their natural
677 state;
- 678 5. ~~Land to be reserved may include all of the proposed park or recreational facility, or may~~
679 ~~include only part of a facility. Such partial reservation may be supplemented by~~
680 ~~additional land on adjoining property not owned or controlled by the subdivider;~~
- 681 6. At the time of approval of the final subdivision plat, the City may specify when
682 development of a park or recreation facility is scheduled to begin;
- 683 7. ~~The provisions of this Section shall not normally apply to commercial or industrial~~
684 ~~subdivisions. However, the Planning Commission may require, as a condition of~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

685 ~~approval, that a commercial or industrial subdivider dedicate that portion of a stream~~
686 ~~bed or drainage channel falling within an industrial subdivision when such portion forms~~
687 ~~part of an open space network designated in the Master Plan as an alternative to the~~
688 ~~normally required easements.~~

690 K. Connectivity.

691 Public Accessways:

- 692 1. The city shall require within the development site the improvement of accessways
693 for pedestrian and bicyclist use to connect the development site to adjacent cul-de-
694 sacs or to an adjacent site that is undeveloped, publicly owned, or developed with
695 an accessway that connects to the subject site.

696 Street Connectivity Standards:

- 697 1. The proposed subdivision shall include street connections to any streets that abut,
698 are adjacent to, or terminate at the subdivision site. The proposed development
699 shall also include street connections in the direction of all existing or planned
700 streets adjacent to the development site as determined by the Planning Director.
- 701 2. The proposed development shall include streets that extend to undeveloped or
702 partially developed land that is adjacent to the development site or that is
703 separated from the development site by a drainage channel, transmission
704 easement, survey gap, or similar property condition. The streets shall be in
705 locations that will enable adjoining properties to connect to the proposed
706 development's street system.

707 Cul-de-Sacs:

- 708 1. Except for streets that are less than 150 feet long all streets that terminate shall be
709 designed as a cul-de-sac bulb or other design acceptable to the Transportation
710 Director in order to provide an emergency vehicle turnaround.
- 711 2. Public accessways to provide safe circulation for pedestrians, bicyclists and
712 emergency vehicles shall be required from a cul-de-sac or emergency vehicle
713 turnaround, unless the subdivider adequately demonstrates that a connection
714 cannot be made because of the existence of one or more of the following
715 conditions:
 - 716 a. Physical conditions preclude development of the connecting street. Such
717 conditions may include, but are not limited to, topography or likely impact
718 to natural resource areas such as wetlands, ponds, streams, channels, rivers,
719 lakes or upland wildlife habitat area, or a resource on the National Wetland
720 Inventory or under protection by state or federal law.
 - 721 b. Buildings or other existing development on adjacent lands, including
722 previously subdivided but vacant lots or parcels, physically preclude a
723 connection now or in the future, considering the potential for
724 redevelopment.

725 **Legend of edits:**

726 deleted (strikethrough)

727 new language (dark red, bold underline)

728 language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

729 **20.12.020: LOT DESIGN STANDARDS:**

730 The size, shape and orientation of lots in a subdivision shall be appropriate to the location of
731 the proposed subdivision and to the type of development contemplated. The following
732 principles and standards shall be observed:

733
734 A. Minimum Area – Size: The minimum area and dimensions of all lots shall conform to
735 the requirements of the Zoning Ordinances of Salt Lake City for the zoning district in which
736 the subdivision is located.

737
738 B. Side lot lines: The side lines of all lots, so far as possible, shall be designed to be at right
739 angles to the street which the lot faces, or approximately radial to the center of curvatures, if
740 such street is curved. Side lines of lots shall be designed to be approximately radial to the
741 center of curvature of a cul-de-sac on which the lot faces.

742
743 C. Width: The minimum lot width shall conform to the requirements of the zoning district
744 in which the proposed subdivision is located. ~~However, no lot shall have a width less than 50~~
745 feet at the front building setback line, or 30 feet at the curb line, unless approved as a flag lot.

746
747 D. Corner Lots: Corner lots have more than one side which must maintain required front
748 yard setbacks, and therefore shall be platted wider than interior lots in order to permit
749 conformance with the required street setback requirements of the Zoning Ordinance.

750
751 E. Depth: ~~No lot shall have a depth less than 100 feet, unless the area conforms with the~~
752 Zoning Ordinances of Salt Lake City and a lesser depth is specifically approved by the Planning
753 Commission.

754 ~~F. Corporate Boundaries: No lot shall be divided by a corporate boundary line. Each such~~
755 ~~boundary line shall be made a lot line.~~

756 G. Remnants: No remnants of property shall be left in the subdivision which do not
757 conform to the lot requirements or are not required or more suitable for designation as
758 common open space, private utility, or other purpose.

759
760 ~~7. Lot Numbers. Lot numbers shall begin with the number “1” and shall continue~~
761 ~~consecutively through the subdivision plat, with no omissions or duplications; no block~~
762 ~~designations shall be used.~~

763
764 ~~9H. Double Frontage Lots: Lots other than corner lots, having double frontage shall not be~~
765 ~~approved except where necessitated by topographic or other unusual conditions. ~~The width~~~~
766 ~~of each block shall be sufficient for the ultimate layout of two tiers of lots of a size required by~~
767 ~~the provisions of this Title unless the general layout of the vicinity, lines of ownership,~~
768 ~~topographic conditions, or locations of arterial streets or freeways justify or make necessary a~~
769 ~~variation from this requirement.~~

770
771 ~~10. Flag Lots. Flag lots generally shall not be permitted. In the event the Planning~~
772 ~~Commission finds that due to unusual topographic conditions, direct lot frontage on a street~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

773 ~~is precluded, it may recommend waiver of the minimum width requirement on an individual~~
774 ~~lot basis. In such cases the access strip shall be not less than 20 feet in width and shall not~~
775 ~~exceed the depth of adjoining lots. In calculating the lot area of a flag lot, the square footage~~
776 ~~included in the access strip shall not be counted.~~

777
778 41. Developable Area Limitation:

- 779 1. The Planning Commission or its designee shall review each proposed foothill subdivision
780 and, using “ten-foot averaging”, shall determine the extent of significant steep slopes
781 within the subdivision. The Planning Commission or its designee shall require all such
782 undevelopable portions of proposed subdivisions to be identified by placement of a
783 development limit line and legal description upon the final plat. Such limitation shall
784 also be made a part of the subdivision restrictive covenants. In addition to protecting
785 significant steep slopes, development limit lines may also be established to protect
786 natural vegetation, special natural topographic features, faults, or unique views.
- 787 2. Significant steep slopes identified by development limit lines on a subdivision plat shall
788 be designated as undevelopable area. Said slopes if retained within the subdivision,
789 shall be designated and maintained as common area and shall be protected from
790 subsequent alteration or encroachment by a vegetation and open space preservation
791 easement granted to Salt Lake City by dedication on the subdivision plat. In no event
792 shall roads traverse such slopes.
- 793 3. Undevelopable area shall not be used to determine the minimum lot size as required by
794 the underlying zone, unless specifically approved by the Planning Commission through
795 the planned development review process.
- 796 4. Once established on the subdivision plat, the development limit line shall be delineated
797 on all building permit site plans and shall be staked in the field prior to construction on
798 any lot affected by the development limit line.

799
800 J. Solar-Oriented Requirements:

801 For subdivisions with 25 or more single-family residential lots at least fifty percent (50%)
802 of lots less than 15,000 square feet, upon which detached single-family dwelling units
803 are planned for construction, shall conform to the definition of “solar-oriented lot” in
804 order to preserve the potential for usage of solar energy systems.

- 805 1. Street Layout: Where, as determined by the planning director, topographic,
806 environmental, and soil conditions, and existing street configurations permit, the
807 predominant pattern of new streets in subdivisions subject to solar-oriented
808 requirements shall be oriented within thirty (30) degrees of east-west
809 orientation.
- 810 2. Modifications: Where unusual topographic, environmental, soil, and similar
811 conditions exist that, as determined by the Planning Director, make compliance
812 with these provisions either physically or economically infeasible, the planning
813 director may modify the solar-oriented requirements. However, the
814 modifications shall be the minimum necessary and shall maintain overall solar
815 access in the subdivision.

816
Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

817 12. Fences and Walls. Fences and walls shall only be constructed after first obtaining a building
818 permit subject to the standards of this subsection.

819 a. Site plan submittal. As part of the site plan process, a fencing plan shall
820 be submitted which shall show:

821 i. Any specific subdivision approval conditions regarding fencing;

822 ii. Material specifications and illustrations necessary to determine
823 compliance with specific subdivision approval limitations and the standards
824 of this section.

825
826 b. Field fencing of designated undevelopable areas. Fencing on areas
827 identified as "undevelopable areas" or "transitional areas" on any subdivision
828 platted after November 4, 1994 or any lot previously platted which identifies
829 "undevelopable area" or "transitional areas" shall be limited to the following:

830 i. Low visibility, see through type, ownership boundary designation
831 fencing, consisting of flat black colored steel "T" posts and not more than
832 four (4) strands of non-barbed steel wire, strung at even vertical spacing
833 between such "T" posts, and erected to a height of not more than 42 inches
834 above the natural ground surface.

835 ii. Fencing boundary lines shall not be cleared of native brush or
836 vegetation so as to create a devegetation line visible from off site.

837 iii. The existing surface of the ground along such boundary fences
838 shall not be changed by grading activities.

839 iv. Fence materials and designs must not create a hazard for big
840 game wildlife species to cross.

841 v. No field fencing shall be erected in conflict with pedestrian
842 easements dedicated to Salt Lake City.

843
844 c. Buildable area fencing. Fencing on any portions of a lot identified as
845 "buildable area" or "required side yard" on any subdivision platted after November
846 4, 1994 or any lot previously platted which identifies "buildable areas" or similar
847 designations shall be limited to the following:

848
849 i. Open, see through fencing constructed of tubular steel, wrought
850 iron or similar materials, finished with a flat black, non-reflective finish
851 constructed to a height of six feet or less; or

852 ii. Sight obscuring or privacy type fencing shall be of earth tone
853 colors, of similar materials to the primary dwelling, and located to screen
854 from off site view private outdoor living spaces.

855
856 d. Front yard fencing. Walls and fences located within the front yards and
857 along roadways shall not exceed a maximum of forty two inches in height.

858

859 **20.12.030: STREET DESIGN STANDARDS:**

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

860 The following minimum standards and design criteria shall apply unless deemed unwarranted
 861 by written recommendation of the City Engineer and ~~Traffic Engineer~~ Transportation Division
 862 Director. Said standards and criteria shall be supplemented by other applicable existing
 863 engineering and construction requirements and standards as specified by the City Engineering
 864 and Transportation Divisions.

865
 866 A. General:

- 867 1. The subdivision design shall conform to the pattern of major streets as designated in
 868 on the Major Street Plan Map of the City Transportation Master Plan and to any
 869 official street map right-of-way approved by the City Council. Whenever a
 870 subdivision fronts on a street so designated, that street shall be platted and
 871 dedicated by the subdivider in the location and width so indicated.
- 872 2. Where higher standards have not been established as specified in subsection 1
 873 above, all streets and arterials shall be platted according to the Transportation
 874 Division’s standard for Typical Street and Right-of-Way Cross Sections (Diagram
 875 E1.a1 available from the Transportation Division) following minimum widths, except
 876 where it can be shown by the subdivider, to the satisfaction of the Planning
 877 Commission, that the topography or the small number of lots served and the
 878 probable future traffic development are such as to unquestionably justify a lesser
 879 standard. A community master plan or planned-unit development, if designated
 880 with a comprehensive circulation and parking system including separate pedestrian
 881 ways, may justify modification of standards. Higher standards may be required
 882 where streets are to serve commercial or industrial property or where warranted by
 883 probable traffic conditions.

Type of Street	Right-Of-Way Width	Pavement Width*
Major Streets	As shown in the Master Plan	
Industrial Streets	60	44
Business Streets, Residential Collector Streets, or One Access Streets	50	40
Local Streets where zoned for multi-family	50	36
Local Streets where zoned for single-family	50	30
Frontage Roads (developed one side only)	40	24
Private Streets and Alleys	As determined by the Planning Commission	

885
 886 *Pavement width is from face to face of curbing.

- 887 3. The street pattern in the subdivision shall be in general conformity with a plan for
 888 the most advantageous development of adjoining areas and the entire

885
 886 **Legend of edits:**

887 deleted (strikethrough)

888 new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 889 neighborhood or district. The following principles shall be observed;
- 890
- 891 a. Where appropriate to the design and terrain, proposed streets shall be
- 892 continuous and in alignment with existing planned or platted streets, or, if offset,
- 893 streets shall be offset a minimum of 100 feet between center lines of intersecting
- 894 local and residential streets and a minimum of 400 feet between center lines of
- 895 intersecting ~~major~~ collector and arterial streets;
- 896 b. Proposed streets shall be extended to the boundary lines of the land to be
- 897 subdivided or proposed as part of a subdivision master plan, unless prevented by
- 898 topography or other physical conditions, or unless, in the opinion of the Planning
- 899 Commission or its designee, such extension is not desirable for the coordination
- 900 of the subdivision with the existing layout or the most advantageous future
- 901 development of adjacent tracts;
- 902 c. Where streets extend to the boundary of the property, resulting dead-end streets
- 903 may be approved with a temporary turnaround of a minimum ~~40~~ 45-foot radius.
- 904 In all other cases, a permanent turnaround shall conform to specifications in
- 905 paragraph (j) below or have a design otherwise approved by the Traffic Engineer
- 906 Transportation Division.
- 907 d. Proposed streets shall intersect one another as nearly at right angles as
- 908 topography and other limiting factors of good design permit. "T" intersections
- 909 rather than "cross" intersections shall be used wherever possible for local streets;
- 910 ~~Straight local residential streets, conducive to high speed traffic, longer than the~~
- 911 ~~standard 600 foot block, shall be prohibited unless approved by the Planning~~
- 912 ~~Commission;~~
- 913 e. ~~Public Alleys ~~alleys~~ shall not normally be permitted in residential subdivisions, but~~
- 914 ~~may be permitted in nonresidential subdivisions;~~
- 915
- 916 4. Subdivisions adjacent to arterials shall be designed as specified in the Master Plan or
- 917 by the Planning Commission or its designee. The following principles and standards
- 918 shall be observed:
- 919
- 920 a. Street design shall have the purpose of making adjacent lots, if for residential
- 921 use, desirable for such use by cushioning the impact of heavy traffic and of
- 922 minimizing the interference with traffic on arterials.
- 923 b. The maximum block size established in Section 20.12.010.I of these design
- 924 standards shall be the primary factor in determining the allowable number of
- 925 intersecting streets along arterials ~~shall be held to a minimum;~~
- 926 ~~Frontage roads, if required or existing, shall conform to the standards specified~~
- 927 ~~in the subsection titled "Minimum Standards" and shall be separated from the~~
- 928 ~~arterial or freeway by a strip of permanent landscaping not less than 10 feet in~~
- 929 ~~width. A landscaping plan for the strip shall be submitted for approval.~~
- 930 ~~Frontage roads shall enter arterials by means of intersections designed with~~
- 931 ~~turning and stacking capacity adequate for the traffic volume as estimated by~~
- 932 ~~the Traffic Engineer;~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

933 d. Where frontage roads are not required, residential lots adjacent to an arterial
934 shall be served by:

935
936 i. A minor local residential street paralleling said arterial at a generous lot
937 depth therefrom distance determined by the Planning Director in
938 consultation with the Transportation Division. The minor residential
939 street shall be separated from the arterial by a strip of permanent
940 landscaping parallel to the arterial right of way not less than 10 feet in
941 width. Greater widths may be appropriate and required by the Traffic
942 Engineer; or

943 ii. A series of cul-de-sac or loop streets extending towards said arterial from
944 a collector street not more than 500 feet from the arterial right of way
945 edge therefrom. In such cases, a wall or fence with masonry pillars of a
946 design approved by the Planning Director may be required at the rear of
947 properties adjacent to the arterial.

948
949 e. When the rear of any lot borders an arterial, the subdivider may be required to
950 execute and deliver to the City an instrument, deemed sufficient by the City
951 Attorney, prohibiting the right of ingress and *egress from said arterial to said
952 lot, and a legal document sufficient to guarantee maintenance of said
953 landscaping.

954
955 B. Street Grades: Curves and sight distances shall be subject to approval by the City
956 Engineering Division, to insure proper drainage and safety for vehicles and pedestrians.
957 The following principles and standards shall be observed:

958
959 1. Grades of streets shall be not less than 0.5% and not greater than ~~12~~10%. However, a
960 short run of not more than 200 feet at a grade of up to 14% may be allowed by the
961 Planning Commission upon the favorable recommendation of the Traffic Engineer and
962 the City Engineer. Grades shall be controlled at center line, curb and gutter line, and
963 sidewalk line. Maximum grade applies at the street centerline. Short runs of steeper
964 grades may be permitted by the Planning Commission or its designee after review and
965 no objections from the Fire department, Transportation Division, and Engineering
966 Division.

967 2. At street intersections, the lot line at each corner shall be rounded with a curve having a
968 radius of not less than 10 feet. A greater curve radius may be required if streets
969 intersect at other than right angles, or in particular cases at intersections with arterials.

970
971 C. Vertical Alignment of Non-intersecting Streets: Transition curves over crest of hills shall be
972 designed to provide both a smooth transition from upward movement to minimize
973 potential roller-coaster effect and to provide safe stopping sight distance at all times. The
974 stopping sight distance is the distance required to safely stop a vehicle after viewing an
975 object calculated on a formula set forth in standards adopted by the Traffic Engineer
976 Transportation Division. The height of the eye shall be set at 3.75 feet and the height of

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

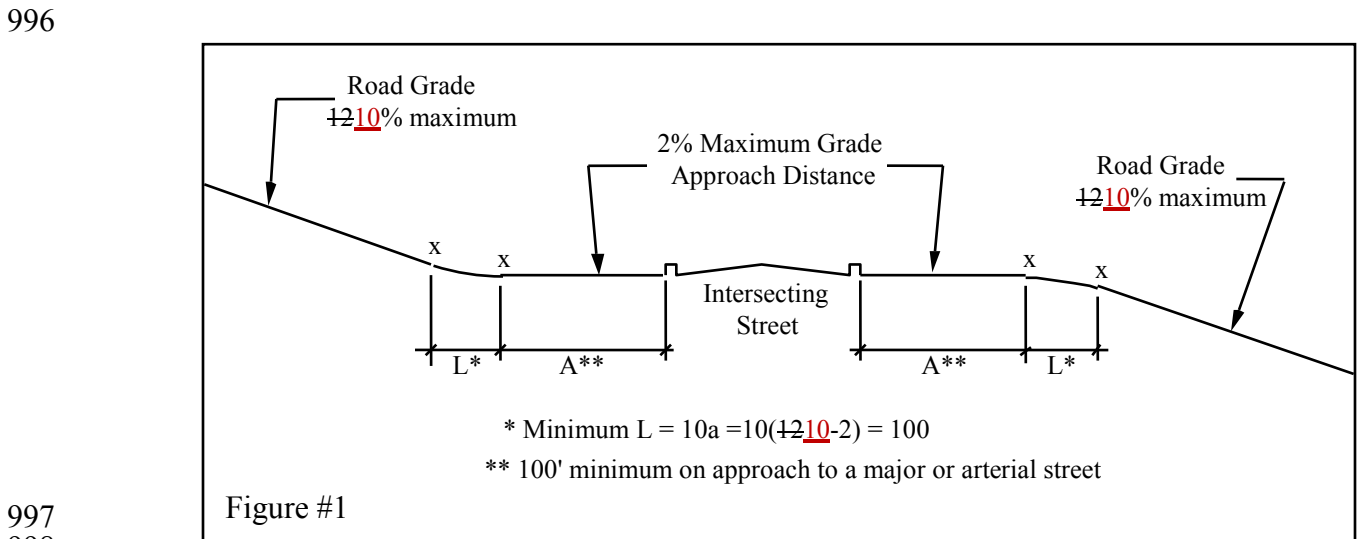
language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

977 the object at 6 inches above the surface of the road. Local streets shall be designed for a
 978 30-M.P.H. miles per hour minimum design speed providing for a minimum "K" value for
 979 stopping sight distance for crest curves of 28 and for sag curves of 35. Collector streets
 980 shall be designed for 40-M.P.H. miles per hour minimum design speed with a minimum "K"
 981 value for stopping sight distance for both crest and sag curves of 55.

982
 983 D. Vertical Alignment at Street Intersections: Transition curves shall be required to provide a
 984 smooth transition from road grade to intersections. For an approach distance ("A") from
 985 each edge of the intersecting street line, the grade may not exceed 2%. The minimum
 986 length of the approaches ("A") and transition curves ("L") shall be calculated upon the
 987 formulas below.

989 A = The minimum approach distance required where grade may not exceed 2% from the
 990 curb line of the intersecting street. Said distance of "A" shall be not less than 35 feet
 991 for intersections with local streets and not less than 100 feet for intersections with
 992 major or arterial streets.

993 L = The minimum transition curve length required between points of tangency, "X",
 994 where $L = 10(a)$, "a" being the difference between the grade of the road less the
 995 grade of "A".



997
 998
 999 E. Intersection Site Distance: Intersections shall be planned and located to provide as much
 1000 sight distance as possible. In achieving a safe road design, as a minimum, there shall be
 1001 sufficient corner sight distance for the driver on the approach roadway to cross the
 1002 intersecting street without requiring approaching traffic to reduce speed. Such corner
 1003 sight distance is a field of vision which shall be measured from a point on the approach
 1004 roadway at least 15 feet from the edge of the intersecting roadway pavement at a height
 1005 of 3.75 feet on the approach roadway. The minimum corner sight distance for local streets
 1006 (30 M.P.H. miles per hour design speed) shall be ~~300~~ 350 feet. For collector streets (40
 1007 M.P.H. miles per hour design speed) the minimum corner sight distance shall be ~~400~~ 450
 1008 feet.

- 1009
- 1010 F. Horizontal Alignment of Streets: In addition to the specific street design standards set
- 1011 forth above, horizontal alignment shall be subject to the following criteria.
- 1012
- 1013 a. Consistent with topography, alignments shall be as straight as possible.
- 1014 b. Maximum curvatures shall be avoided whenever possible.
- 1015 c. Consistent patterns of alignment shall be sought. Sharp curves at the end of long
- 1016 tangents or at the end of long flat curves shall be avoided.
- 1017 d. Short lengths of curves shall be avoided even for very small deflection angles.
- 1018 e. Flat curvatures shall be provided on long fills.
- 1019 f. Compound circular curves with large differences in radii shall be avoided.
- 1020 g. Direct reverse curves shall be avoided; a tangent shall be used between them.
- 1021 h. “Broken back curves” (two curves in the same direction on either side of a short
- 1022 tangent or large radius curve) shall be avoided.
- 1023 i. To effectuate the above general criteria, the minimum curve centerline radii for local
- 1024 streets and collector streets shall be 100 feet and 150 feet, respectively. The
- 1025 maximum allowable degree of curvature shall be 23 degrees for local streets and
- 1026 12.5 degrees for collector streets.
- 1027
- 1028 G. Turn-Around: Cul-de-sacs in residential areas should be no longer than 400 feet (measured
- 1029 from centerline of intersecting street to radius point of turnaround) and shall have a
- 1030 minimum of ~~42~~ **45** feet curb radius ~~and 50 feet property line radius.~~ Cul-de-sacs in
- 1031 commercial or industrial areas should be no longer than 650 feet and should have a
- 1032 minimum of 60 foot curb radius, ~~and 70 foot property line radius.~~ Other cul-de-sac lengths
- 1033 or turnaround configurations may be approved by the ~~Traffic Engineer~~ **Transportation**
- 1034 **Division Director and Planning Division Director** upon ~~his~~ **their** favorable recommendation
- 1035 that the alternative provides equal or better convenience, access, and service **in**
- 1036 **coordination with the City Fire and Life Safety Examiner and the Fire department for**
- 1037 **emergency services.**
- 1038
- 1039 H. Street Lighting: ~~Street lighting provides for the safety, security, and convenience of the~~
- 1040 ~~public. It is less expensive to install and provides less disruption if it is installed during the~~
- 1041 ~~construction of the subdivision. Therefore, all new subdivisions shall be required to install~~
- 1042 ~~all street lighting systems during construction as part of the bonded subdivision public~~
- 1043 ~~improvements. The system shall be underground in conduit. Ornamental poles shall be~~
- 1044 ~~used in all subdivisions. The design of the entire system, including conduit, wiring, pole~~
- 1045 ~~location(s) and type, and fixture size and type shall be submitted on subdivision plan~~
- 1046 ~~sheets. Lighting shall **comply with the policies and standards outlined in the Salt Lake City**~~
- 1047 **Street Lighting Master Plan** and meet the Traffic Engineer’s Transportation Division’s
- 1048 ~~minimum recommended standards for the type of subdivision planned. As a minimum,~~
- 1049 ~~lighting shall be placed at mid-block and at each intersection on local streets. The Traffic~~
- 1050 ~~Engineer shall approve street lighting plans.~~
- 1051
- 1052 I. Driveways: Driveways leaving public rights-of-way shall not exceed a maximum **breakover**

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1053 angle of 16% on residential and 10% on non-residential drive approaches ~~grade of 8% from~~
1054 ~~gutter to property line.~~ The slope should be transitioned beyond property line no more
1055 than a maximum of 16%. Maximum sight distance should be encouraged with blind
1056 entrances or other sight obstructions ~~disallowed~~ complying with the Transportation
1057 Division's standard E2.c1 "Clear Site Zone Area".

1059 J. Curb, Gutter, and Sidewalks: The following principles and standards shall apply to the
1060 design and installation of curbs, gutters, sidewalks, and pedestrian ways.

1061
1062 a. Vertical curbs and gutters as shown on the City's standard detail drawings shall be
1063 required in all subdivisions except for the exceptions specified below.

1064 b. Sidewalks shall be required on ~~at least one side~~ both sides of the street in any
1065 subdivision. ~~In residential subdivisions the Planning Commission or designee may~~
1066 require a sidewalk on both sides of a street.

1067 c. ~~The Planning Commission may recommend that sidewalks be omitted in a~~
1068 ~~subdivision, planned community, or planned unit development having an internal~~
1069 ~~pedestrian system, provided that the Planning Commission shall find that the public~~
1070 ~~safety is not jeopardized by such omission.~~

1071 d. ~~When required for access to schools, playgrounds, shopping centers, transportation~~
1072 ~~facilities, other community facilities, or for unusually long blocks, the subdivider shall~~
1073 ~~provide, construct, and maintain pedestrian ways not less than 20 feet in width,~~
1074 ~~provided with fencing, landscaping, and a pavement width not less than 10 feet in~~
1075 ~~width. Provision for maintenance shall be satisfactory to the Planning Commission.~~

1076 e. Sidewalks shall normally be located within the street right-of-way as shown on the
1077 City's standard detail drawing and shall be a minimum of four (4) feet wide in
1078 residential zoning districts when adjacent to a park strip; five (5) wide in residential
1079 zoning districts when the sidewalk is directly adjacent to the back of curb'; six (6)
1080 feet wide in commercial, manufacturing, downtown, and gateway districts unless
1081 specified otherwise in those districts; eight (8) feet wide in the Central Business
1082 District, and; ten (10) feet wide along Main Street in the Central Business District.
1083 The Planning Commission or its designee may require additional width subject to a
1084 pedestrian impact study as determined by the Transportation Division Director.

1085 f. For lots and public strips containing ~~existing~~ trees with a trunk diameter of four
1086 inches or greater, ~~the Planning Division shall consult the City Forester for~~
1087 recommendations on locating ~~curb cuts for driveways shall be so located as to~~
1088 ensure the and preservation of such trees.

1089
1090 K. Protection Strips: Where subdivision streets create frontage for contiguous property
1091 owned by others, the subdivider may, upon approval by the Planning Commission ~~or its~~
1092 designee, create a protection strip not less than one foot in width between said street and
1093 adjacent property, to be deeded into joint ownership between the City and subdivider.
1094 Such a lot requires an agreement from the subdivider contracting to deed to the owners of
1095 the contiguous property the one foot or larger protection strip lot for a consideration
1096 named in the agreement, such consideration to be not more than the cost of street

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1097 improvements properly charged to the contiguous property as determined by the City
1098 Engineering Division in his ~~his~~ **their** estimate of cost of improvements for the subdivision. One
1099 copy of this agreement shall be submitted as approved by the City Attorney to the Planning
1100 Commission **or its designee** prior to the approval of the final plat. Jointly owned protection
1101 strip lots shall not be permitted at the end of or within the boundaries of a public street, or
1102 proposed street, or within an area, or abutting and area, intended for future public use.

1103
1104 ~~12. Whenever a proposed subdivision has a street which terminates or abuts against private~~
1105 ~~property of an individual other than the subdivider, a strip of land at least one foot wide~~
1106 ~~across the entire end of the proposed street must be platted as a lot and said lot shall be~~
1107 ~~deeded to the City for future street purposes. The deed, approved by the City Attorney,~~
1108 ~~must be submitted prior to final approval.~~

1109
1110 ~~13L. Traffic Report: New subdivisions have traffic impacts on existing street systems that~~
1111 ~~may or may not be adverse in nature. The City may require the subdivider to provide a~~
1112 ~~detailed traffic engineering report of the effects and impacts of the proposed~~
1113 ~~development. This report shall detail the expected number of trips to be generated, the~~
1114 ~~type of vehicles expected, and the times of day that the most severe impact can be~~
1115 ~~expected. It shall also detail the effect on street capacity by the development, as well as~~
1116 ~~nearby intersections that will be impacted by the development's traffic as may be~~
1117 ~~designated by the Traffic Engineer **Transportation Division Director**.~~

1118
1119 ~~**D. Grading and Erosion Control Design Standards and Regulations.** All subdivision~~
1120 ~~improvement work shall be accomplished in conformance to the following grading and~~
1121 ~~erosion control design standards and regulations.~~

1122
1123 ~~1. **Hours of Operation.** All grading operations in or contiguous to residential~~
1124 ~~neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The City~~
1125 ~~Engineer may waive this requirement if it is shown that by restricting the hours of operation~~
1126 ~~it would unduly interfere with the development of the property and it is shown that the~~
1127 ~~neighboring properties would not be adversely affected.~~

1128
1129 ~~2. **Dust and Dirt Control.** All graded surfaces of any nature shall be dampened or suitably~~
1130 ~~contained to prevent dust or spillage on City streets or adjacent properties. Equipment,~~
1131 ~~materials, and roadways on the site shall be used or treated so as to cause the least possible~~
1132 ~~annoyance due to dirt, mud, or dust conditions.~~

1133
1134 ~~3. **Undevelopable Slopes.** Significant steep slopes identified on a Slope Classification Map~~
1135 ~~shall be designated undevelopable area. Said slopes, if retained within the subdivision, may~~
1136 ~~be designated and maintained as common area. In no event shall streets traverse such~~
1137 ~~slopes.~~

1138
1139 ~~4. **Slopes Altered From Their Natural Condition.** The following standards shall be used in~~
1140 ~~determining whether or not altered slopes are developable:~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174
1175
1176
1177
1178
1179
1180
1181
1182
1183
1184

~~a. Slopes Altered Prior to August 18, 1981.~~

- ~~i. **Roads and driveways.** Roads and driveways established prior to August 18, 1981 which traverse significant steep slopes may remain but shall not be widened or re-graded in order to meet minimum standards for primary access to new development. Existing roads and driveways established prior to August 18, 1981, which cross slopes less than 30% may be re-graded and widened if necessary. Re-grading shall not create new areas of slope over 30%.~~
- ~~ii. **Buildable Areas.**~~

~~A. Lots shown on any subdivision plat recorded prior to August 18, 1981, shall be considered legal building lots subject to current zoning requirements.~~

~~B. Sites altered from their natural condition prior to August 18, 1981, that meet the current standard to qualify as buildable area (less than 30% slope), may be approved as building sites if driveway or street access to such sites, which also meet current development standards, are available or can be provided. Sites that are isolated within areas of significant steep slopes shall not be considered buildable areas.~~

~~b. Slopes Altered Between August 18, 1981 and November 1, 1994.~~

~~i. **Roads and driveways.** Roads and driveways that were legally constructed between August 18, 1981, and November 1, 1994, which traverse slopes up to but not exceeding 40% may be used as access to new development but shall not be widened or re-graded in order to meet minimum standards for primary access for such development. Existing roads and driveways established between August 18, 1981 and November 1, 1994, which cross slopes less than 30% may be re-graded and widened if necessary. Re-grading shall not create new areas of slope over 30%. Roads or driveways which were established without first obtaining a permit from the City shall be restored to the original grade and revegetated.~~

~~ii. **Buildable Areas.** Lots shown on any subdivision plat recorded between August 18, 1981, and November 1, 1994, on which slopes up to 40% were designated as buildable areas shall be considered legal nonconforming lots but are subject to current zoning requirements. Illegal grading which occurred after August 18, 1981, and created slopes less than 40% on natural slopes which were originally greater than 40%, shall not be considered as buildable area, shall be restored to the original grade, and shall be revegetated.~~

~~c. Slopes Altered After November 1, 1994.~~

~~i. **Roads and driveways.** Roads and driveways that were legally~~

Legend of edits:
deleted (strikethrough)
new language (dark red, bold underline)
language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1185 constructed after November 1, 1994, may be used as access to new
1186 development. Roads or driveways which were established without first
1187 obtaining a permit from the City shall be restored to the original grade and
1188 revegetated.

1189 ii. **Buildable Areas.** Illegal grading occurring after November 1, 1994, which
1190 created slopes less than 30% on natural slopes which were originally greater
1191 than 30%, shall not be considered as buildable area, shall be restored to the
1192 original grade, and shall be revegetated.

1193
1194 **d. Slopes Altered Prior to Annexation of Property to Salt Lake City.**

1196 i. **Roads and driveways.** Roads and driveways which were legally
1197 constructed and designated for public use prior to the effective date of this
1198 ordinance which are located on property that is subsequently annexed to Salt
1199 Lake City may be used as access to new development. However, if such roads
1200 cross areas of significant steep slope, they shall not be widened or re-graded in
1201 order to meet minimum City standards.

1202 ii. **Buildable Areas.** Lots shown on any subdivision plat recorded prior to
1203 the effective date of this ordinance and subsequently annexed to Salt Lake City
1204 shall be considered legal building lots but are subject to current zoning
1205 requirements. Illegal grading which created slopes less than 30% on natural
1206 slopes which were originally greater than 30%, shall not be considered as
1207 buildable area, shall be restored to the original grade, and shall be revegetated.

1209 **e. Verifying Limits of Disturbance.** If the City and developer cannot agree on the
1210 limits of man-made slope disturbance, the developer shall be responsible for
1211 providing a geotechnical evaluation sufficient to establish such limits of disturbance.

1213 **f. Verifying Date of Disturbance.** The date of slope disturbance shall be
1214 established based on the best available information. This may include, among other
1215 things, evaluation of historic aerial photography, surveys, or development plans for
1216 adjacent properties.

1218 **g. Burden of Proof.** It shall be the responsibility of the owner/petitioner to provide
1219 documentation and other evidence to verify the original and current slope of a site,
1220 the date and extent of any site disturbance, and the legality of any action in grading
1221 a site.

1223 **5. Finished Cuts and Slopes.** Limitations shall be applied to the extent of cut and fill slopes
1224 to minimize the amount of excavated surface or ground area exposed to potential erosion and
1225 settlement.

1227 a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly
1228 graded.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 1229 ~~b. All cut and fill slopes shall be re-contoured and revegetated by the subdivider in~~
1230 ~~accordance with an approved plan.~~
- 1231 ~~c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However,~~
1232 ~~upon review and favorable recommendation of the City Engineer, the Planning~~
1233 ~~Commission may recommend that the Mayor approve cut and fill slopes exceeding 15~~
1234 ~~feet provided that such variations be allowed on a limited basis after thorough review of~~
1235 ~~each request and only when balanced by offsetting improvements to the overall~~
1236 ~~aesthetic, environmental, and engineering quality of the development.~~
- 1237 ~~d. No excavation creating a cut face and no fill creating and exposed surface shall~~
1238 ~~have a slope ratio exceeding one and one half horizontal to one vertical.~~
- 1239 ~~e. Exceptions:~~
- 1240
- 1241 ~~i. No slopes shall cut steeper than the bedding plane, fracture, fault, or~~
1242 ~~joint in any formation where the cut slope will lie on the dip of the strike line of~~
1243 ~~the bedding plane, fracture, fault, or joint.~~
- 1244 ~~ii. No slopes shall be cut in an existing landslide, mud flow, or other form of~~
1245 ~~naturally unstable slope except as recommended by a qualified geological~~
1246 ~~engineer.~~
- 1247 ~~iii. Where the formation is exposed above the top of the cut which will~~
1248 ~~permit the entry of water along bedding planes, this area shall be sealed with a~~
1249 ~~compacted soil blanket having a minimum thickness of two feet. The soil for this~~
1250 ~~blanket shall be relatively impervious and shall be approved by the Soils Engineer~~
1251 ~~or Engineering Geologist.~~
- 1252
- 1253 ~~f. If the material of a slope is of such composition and character as to be unstable~~
1254 ~~under the anticipated maximum moisture content, the slope angle shall be reduced to a~~
1255 ~~stable value or retained by a method approved by the City Engineer and certified as to~~
1256 ~~its stability by a soils engineer or geologist. Said retaining method shall include design~~
1257 ~~provisions which are:~~
- 1258
- 1259 ~~i. conducive to revegetation for soil stability and visual impact;~~
1260 ~~ii. used for selected areas of the site and not as a general application; and~~
1261 ~~iii. limited to tiers each of which is no higher than six feet, separated by~~
1262 ~~plantable terraces a minimum of two feet in width;~~
- 1263
- 1264 ~~g. Any retaining system shall remain and be maintained on the lots until plans for~~
1265 ~~construction are approved and a building permit is issued. The plans shall include~~
1266 ~~provisions to integrate driveway access to the lot while maintaining the structural~~
1267 ~~integrity of the retaining system.~~
- 1268 ~~h. The City Engineer may require the slope of a cut or fill to be made more level if~~
1269 ~~at any time it is found that the material being, or the fill, is unusually subject to erosion,~~
1270 ~~static or dynamic instability, or if other conditions make such requirements necessary~~
1271 ~~for stability.~~
- 1272

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1273 **6. Abatement of Hazardous Conditions.**

1274
1275 ~~a. If, at any stage of grading, the Planning Director or City Engineer determines by~~
1276 ~~inspection that the nature of the formation is such that further work as authorized by an~~
1277 ~~existing permit is likely to imperil any property, public way, watercourse, or drainage~~
1278 ~~structure, the Planning Director or City Engineer shall require, as condition to allowing~~
1279 ~~the work to proceed, that reasonable safety precautions be taken as are considered~~
1280 ~~advisable to avoid likelihood of such peril. Such precautions may include, but shall not~~
1281 ~~be limited to, any of the following:~~

- 1282
1283 ~~i. specification of a more level exposed slope;~~
1284 ~~ii. construction of additional drainage facilities, berms, or terraces;~~
1285 ~~iii. compaction or cribbing;~~
1286 ~~iv. installation of plants for erosion control; and/or~~
1287 ~~v. reports from a registered soils engineer and/or engineering geologist~~
1288 ~~whose recommendations may be made requirements for further work.~~

1289
1290 ~~Such requirements by the Planning Director or City Engineer shall constitute a~~
1291 ~~required change order in the work to be performed under permit. Said changes~~
1292 ~~may be required to be reflected in amended plans.~~

1293
1294 ~~b. Where it appears that damage from storm drainage may result from work~~
1295 ~~performed hereunder, such work may be stopped and the permittee required to take~~
1296 ~~such measures as may be necessary to protect adjoining property or the public safety.~~
1297 ~~On large operations, or where unusual site conditions exist, the Planning Director or City~~
1298 ~~Engineer may specify the time at which grading may proceed and the time of~~
1299 ~~completion or may require that the operation be conducted in specific stages so as to~~
1300 ~~insure completion of protective measures or devices prior to the advent of seasonal~~
1301 ~~rains.~~

1302
1303 **7. Fill Material and Compaction.**

1304
1305 ~~a. Fill material. All fill shall be earth, rock, or inert material free from organic~~
1306 ~~material and free of metal, except that topsoil spread on cut and fill surfaces may~~
1307 ~~incorporate humus for desirable moisture retention properties. Fill not meeting the~~
1308 ~~definition above shall be placed only on approved public or private landfills or other~~
1309 ~~approved deposit sites.~~

1310 ~~b. Back fillings. Any pipe trench or trenching, or excavation made in any slope of~~
1311 ~~any excavated or filled site, shall be backfilled and compacted to the level of the~~
1312 ~~surrounding grade.~~

1313 ~~c. Compaction of fills. Unless otherwise directed by the City Engineer, all fills~~
1314 ~~governed by this Title, intended to support building structures, or where otherwise~~
1315 ~~required to be compacted for stability, shall be compacted, inspected, and tested in~~
1316 ~~accordance with the following provisions.~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 1317
1318 ~~i. The natural ground surface shall be prepared by removal of topsoil and~~
1319 ~~vegetation, and if necessary shall be graded to a series of terraces. If fill material~~
1320 ~~unacceptable under 6.a. above is placed on the site, or the fill is not placed according to~~
1321 ~~procedures of this Title, then it must be removed.~~
1322 ~~ii. The fill shall be spread and compacted in accordance with the City Engineer's~~
1323 ~~approved standards.~~
1324 ~~iii. The moisture content of the fill material shall be controlled at the time of~~
1325 ~~spreading and compaction to obtain required maximum density.~~
1326 ~~iv. A written report of the completed compaction, showing location and depth of~~
1327 ~~test holes, materials used, moisture conditions, recommended soil bearing pressures,~~
1328 ~~and relative density obtained from all tests, prepared by a civil engineer or soils~~
1329 ~~engineer licensed by the State of Utah, or testing laboratory shall be submitted to the~~
1330 ~~City Engineer for review.~~
1331 ~~v. The City Engineer may require additional tests or information if, in his opinion,~~
1332 ~~the conditions or materials are such that additional information is necessary, and may~~
1333 ~~modify or delete any of the above listed requirements that, in his opinion, are~~
1334 ~~unnecessary to further the purpose of this Title.~~
1335

1336 ~~**8. Erosion Control and Revegetation.** All cut and fill surfaces created by grading shall be~~
1337 ~~planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled~~
1338 ~~during rough grading and used on cut and fill slopes. Cuts and fills along public roads are~~
1339 ~~required to be landscaped according to an approved plan, as outlined in Section 18.28.30 E.4.~~
1340 ~~below. All plant selections must be approved by the Parks Department, Planning Commission,~~
1341 ~~and Planning Director prior to subdivision approval.~~
1342

1343 ~~**9. Drainage.**~~
1344

- 1345 ~~a. Adequate provisions shall be made to prevent any surface waters from damaging~~
1346 ~~to cut face of an excavation or any portion of a fill. All drainage ways and structures~~
1347 ~~shall carry surface waters, without producing erosion, to the nearest practical street,~~
1348 ~~storm drain, or natural water course as approved by the City Engineer. The City~~
1349 ~~Engineer may also require drainage structures to be constructed, or installed as~~
1350 ~~necessary to prevent erosion damage or to prevent saturation of the fill or material~~
1351 ~~behind cut slopes.~~
1352 ~~b. An excess storm water passage shall be provided for all storm water storage~~
1353 ~~areas. Such passage shall have capacity to convey through the proposed development~~
1354 ~~the excess storm water from the tributary watershed. The capacity of such excess~~
1355 ~~storm water passages shall be constructed in such a manner as to transport the peak~~
1356 ~~rate of run off from a 100 year return frequency storm assuming all storm sewers are~~
1357 ~~inoperative, all upstream areas are fully developed in accordance with the City's current~~
1358 ~~land use plan, and that antecedent rainfall has saturated the tributary watershed.~~
1359 ~~c. No buildings or structures shall be constructed within such passage, however,~~
1360 ~~streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements,~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1361 ~~and other open space uses shall be considered compatible uses. In the event such~~
1362 ~~passageway is reshaped or its capacity to transport excess storm water is otherwise~~
1363 ~~restricted during or after construction, the City Engineer shall notify the agency, party,~~
1364 ~~or parties causing said restriction to remove the same and set a reasonable time for its~~
1365 ~~removal. If said parties refuse to, or unable to, comply with said order, the City~~
1366 ~~Engineer shall cause said restrictions to be removed at the expense of said parties.~~
1367 ~~Where a proposed development contains existing natural drainage, appropriate~~
1368 ~~planning measures shall be undertaken or required to preserve and maintain said~~
1369 ~~natural drainage as part of the excess storm water passage.~~
1370 ~~d. Notwithstanding any other provisions of this Title, whenever, in the judgment of~~
1371 ~~the City Engineer, a condition occurs in a storm water storage area or passageway that~~
1372 ~~creates a dangerous and imminent health and safety hazard, the City Engineer shall~~
1373 ~~order such action as shall be effective immediately or in the time manner prescribed in~~
1374 ~~the order itself.~~

1375
1376 ~~10. Additional Information. The following additional information may be required to be~~
1377 ~~submitted, in sufficient numbers of copies as is determined by the planning staff, at the~~
1378 ~~discretion of the Planning Director or City Engineer:~~

- 1379
1380 ~~a. Slope Classification Map and analysis;~~
1381 ~~b. Profiles or cross sections;~~
1382 ~~c. Additional drainage calculations;~~
1383 ~~d. Soils data including a report from a registered Soils Engineer,~~
1384 ~~Engineering Geologist, or other qualified person;~~
1385 ~~e. Statement of the estimated starting and completion dates for the~~
1386 ~~grading work proposed and any revegetation work that may be required.~~
1387 ~~f. Detailed revegetation plans for the site and, if appropriate,~~
1388 ~~information relating to the landscaping on adjacent or surrounding areas~~
1389 ~~affected by the proposed development. Such revegetation plans shall be~~
1390 ~~prepared by a licensed engineer, architect, landscape architect, or other~~
1391 ~~qualified person. These plans shall show:~~

- 1392
1393 ~~i. Distribution of plant material, existing trees, and work~~
1394 ~~involved as related to slope control and/or physical environment;~~
1395 ~~ii. A plan describing the methods of planting the areas to be~~
1396 ~~landscaped with special emphasis on soil preparation, plant selection,~~
1397 ~~methods of planting, and initial maintenance of plants and slopes until a~~
1398 ~~specified percentage of plant coverage is uniformly established on cut~~
1399 ~~and fill slopes;~~
1400 ~~iii. Such other and further details as may be specified and required~~
1401 ~~by the Planning Director to carry out the purpose of this Title. All such~~
1402 ~~plans shall bear the name of the person responsible for the preparation~~
1403 ~~of the plan;~~
1404 ~~iv. The revegetation plan will be submitted by the Planning Director~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1405 to the Salt Lake City Parks Department's Landscape Architect for review.

1406

1407 g. The present contours of the site in dashed lines and the proposed
1408 contours in solid lines. Contour intervals shall be not more than two feet where
1409 slopes are predominately five percent or less, and five feet where slopes are
1410 predominately steeper than five percent.

1411 h. The location of all drainage to, from, and across the site, the location of
1412 intermittent and permanent streams, springs, culverts, and other drainage
1413 structures, and size and location of any precipitation catchment areas in, above,
1414 or within 100 feet of the site;

1415 i. Detailed plans and location of all surface and subsurface drainage
1416 devices, walls, dams, sediment basins, storage reservoirs, and other protective
1417 devices to be constructed with, or as a part of the proposed work, together with
1418 a map showing drainage areas, and the complete drainage network including
1419 outfall lines and natural drainage ways which may be affected by the proposed
1420 project. Include the estimated runoff of the areas served by the proposed
1421 drainage system;

1422 j. Whenever a proposed subdivision lies within 500 feet of an identified
1423 fault, a geological report and verification as per Section ~~47-3-5(2)~~ will be
1424 required. These reports will be submitted for review to the Utah Geological
1425 Survey by the Planning Director;

1426 k. Plan showing temporary erosion control measures to prevent erosion
1427 during the course of construction and a revegetation plan addressing the
1428 requirements of Section ~~47-3-5(3) & (4)~~;

1429 l. A description of the method to be employed in disposing of soil and other
1430 material that is removed from the site, including the location of the disposal site;

1431 m. A description of the method to be used in obtaining fill to be used on the
1432 site and the site of acquisition of such fill;

1433 n. Such other information as shall be required by the Planning Director.

1434

1435 **E. Foothill Development Overlay Zone Special Regulations.** The following reports
1436 and regulations shall be required for the approval of any subdivision request located within a
1437 zoning area designated as the "Foothill Development Overlay Zone" (F-1).

1438

1439 1. Soils Reports. The U.S.D.A. Soil Conservation Service publications, "Soil Survey of
1440 Salt Lake City Area, Utah", (April 1974) and "Soil Survey and Interpretation, Summit Soil
1441 Survey Area, Wasatch Mountain Portion, Salt Lake County, Utah", (June 1975), are
1442 hereby adopted as the official soil maps and interpretation for soils in salt lake City.
1443 These surveys are to be used as a guide to land use planning for those items covered in
1444 the survey in Salt Lake City and are not intended to replace on-site soil investigations.
1445 The Planning Commission shall require a soil investigation report if the "Salt Lake County
1446 208 Water Quality Soils Map and Interpretation" shows soils in the area proposed for
1447 development which present one or more constraints to development as defined on said
1448 map. Such soils report shall be prepared by a person or firm qualified by training and

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1449 experience to have knowledge of the subject and must contain at least the following
1450 information:

- 1451
- 1452 a. Slope Classification Map and analysis;
1453 b. Estimate of the normal highest elevation of the seasonal water table;
1454 c. The location and size of swamps, springs and seeps shall be shown on the
1455 site plan and an investigation made to determine the reasons for occurrence of
1456 these underground water sources. An analysis of the vegetation cover or other
1457 surface information may be used to show the presence of underground water;
1458 d. Unified soil classification for the major horizons (layers of soil profile) or
1459 of the zone of the footing foundation including, where appropriate, the plasticity
1460 index (PI) and liquid limit (LL);
1461 e. Shrink swell potential. Said potential and its characteristics shall be
1462 determined and classified according to the test prescribed in Section 2904(a) of
1463 the Uniform Building Code and related references;
1464 f. Potential frost action based on the depth to water table and the unified
1465 soil classification;
1466 g. The soil, suitability's, constraints, and proposed methods of mitigating
1467 said constraints in implementing the proposed development plan;
1468 h. A verified written statement by the person or firm preparing the soils
1469 report identifying the soil constraints to development and further stating, in his
1470 professional opinion, the ability of the proposed development plan to mitigate
1471 and/or eliminate said constraints in a manner as to prevent hazard to life, hazard
1472 to property, adverse effects on the safety, use, or stability of a public way or
1473 drainage channel, and adverse impact on the natural environment.

1474

1475 2. Geology Reports. A geology report shall be prepared by a person or firm
1476 qualified by training and experience to have knowledge of the subject. Since the nature
1477 and distribution of earth materials, faults, folds, slide masses, or other significant
1478 features cannot be described fully and effectively in words alone, a geologic map shall
1479 accompany the report. Mapping should reflect careful attention to the rock
1480 composition structural elements, surfaces, and subsurface distribution of the earth
1481 materials exposed or inferred features and/or relationships. It should be understood
1482 that Salt Lake City is in Seismic Zone Three, such zone having the highest probability of
1483 earthquake damage. Therefore, the report shall contain at least the following
1484 information:

- 1485
- 1486 a. Location and size of subject area and its general setting with respect to
1487 major geographic and/or geologic features;
1488 b. Identification of the person who did the geologic mapping upon which
1489 the report is based and the dates when mapping was done;
1490 c. Existing topography and drainage in the subject area;
1491 d. Abundance, distribution, and general nature of exposures of earth
1492 materials within the area;

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 1493 e. Nature and source of available subsurface information;
1494 f. Estimated depth of bedrock;
1495 g. Bedrock – igneous, sedimentary, metamorphic types;
1496 h. Structural features including, but not limited to, stratification, stability,
1497 fold, zones of contortion or crushing, joints, fractures, shear zones, faults, and
1498 any other geological limitations;
1499 i. a verified written statement by the person or firm preparing the geology
1500 report identifying the geological problems to development and further stating, in
1501 his professional opinion, the ability of the proposed development plan to
1502 mitigate and/or eliminate said problems in a manner as to prevent hazard to life
1503 and property, adverse effects on the safety, use, or stability of a public way or
1504 drainage channel, and adverse impact on the natural environment.
1505
1506 3. Grading and Drainage Plan. A Grading and Drainage Plan, prepared by a
1507 professional engineer registered in the State of Utah, shall be submitted with each
1508 application. The plan must be sufficient to determine the erosion control measures
1509 necessary to prevent soil loss during construction as well as after project completion.
1510 The plan shall include, as a minimum, the following information:
1511
1512 a. A map of the entire site showing existing details and contours of the
1513 property using, at a maximum, 10 foot contour intervals and a scale of 1" = 100';
1514 b. Supplemental map(s) of area(s) to be graded showing existing details and
1515 contours at five foot intervals where terrain will not be modified and proposed
1516 details and contours of two foot intervals where terrain modification is
1517 proposed, using a scale of 1" = 20'.
1518 c. An investigation of the effects of high intensity rain storm (100 year
1519 return frequency storm according to U.S. Department of Commerce Weather
1520 Bureau Frequency Curves) evaluating how the proposed drainage system will
1521 handle the predicted flows. Include the effect of drainage areas outside the
1522 development which drain through the subject area and the anticipated flow and
1523 handling of the drainage leaving the development;
1524 d. History, including frequency and duration, of prior flooding;
1525 e. Location of any existing building or structures and the approximate
1526 location of any proposed buildings or structures on the area to be developed and
1527 any existing buildings or structures on land of adjacent owners which are within
1528 100 feet of the property or which are on the land of adjacent owners beyond
1529 said distance but may be affected by the proposed development.
1530 f. The direction of proposed drainage flow and the approximate grade of all
1531 streets (not to be construed as the grades used for the final street design);
1532 g. Detailed plans and location of all surface and subsurface drainage
1533 devices, walls, dams, sediment basins, storage reservoirs, and other protective
1534 devices to be constructed with, or as a part of the proposed work, together with
1535 a map showing drainage areas, and the complete drainage network including
1536 outfall lines and natural drainage ways which may be affected by the proposed

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1537 ~~project. Include the estimated runoff of the areas served by the proposed~~
1538 ~~drainage system;~~
1539 ~~h. A description of the method to be used in obtaining fill to be used on the~~
1540 ~~site and the site of acquisition of such fill;~~
1541 ~~i. A description of the method to be employed in disposing of soil and other~~
1542 ~~material that is removed from the site, including the location of the disposal site;~~
1543 ~~j. Plan showing temporary erosion control measures to prevent erosion~~
1544 ~~during the course of construction;~~
1545 ~~k. A schedule showing when each stage of the development will be~~
1546 ~~completed, including the total area of soil surface which is to be disturbed during~~
1547 ~~each stage and estimated starting and completion dates. The schedule shall be~~
1548 ~~drawn to limit the time that soil is exposed and unprotected to the shortest~~
1549 ~~possible period. In no event shall the existing natural vegetation or groundcover~~
1550 ~~be destroyed, removed, or disturbed more than 15 days prior to commencing~~
1551 ~~grading for development as scheduled.~~
1552 ~~l. A verified written statement by the person or firm preparing the Grading~~
1553 ~~and Drainage Plan, identifying any grading and drainage problems to~~
1554 ~~development and further stating, in his professional opinion, the ability of the~~
1555 ~~proposed development plan to mitigate and/or eliminate said problems in a~~
1556 ~~manner as to prevent hazard to life and property, adverse effects on the safety,~~
1557 ~~use, or stability of a public way or drainage channel, and adverse impact on the~~
1558 ~~natural environment.~~
1559
1560 4. Vegetation Preservation and Protection Plan.
1561
1562 ~~a. Vegetation shall be removed only when absolutely necessary, i.e., for~~
1563 ~~building, filled areas, roads, and fuel breaks. Every effort shall be made to~~
1564 ~~conserve topsoil which is removed during construction for later use on areas~~
1565 ~~requiring vegetation or landscaping, i.e., cut and fill slopes.~~
1566 ~~b. All areas of excavation (cut or fill) attendant to new development shall be~~
1567 ~~sufficiently revegetated to assure that they are protected from erosion due to~~
1568 ~~normal wind or surface water conditions. Vegetation sufficient to stabilize the~~
1569 ~~soil shall also be established on all disturbed areas (including lots which may be~~
1570 ~~subject to future grading) as each stage of grading is completed. Disturbed areas~~
1571 ~~not contained within lot boundaries shall be protected with adapted, fire-~~
1572 ~~resistant, species or perennial vegetative cover after grading and/or subdivision~~
1573 ~~improvement related construction is completed. Such revegetation should be in~~
1574 ~~place and of sufficient coverage and maturity to assure that the required~~
1575 ~~protection is existent prior to the release of the improvement bond. The new~~
1576 ~~vegetation shall be equivalent to or exceed the amount of erosion control~~
1577 ~~characteristics of the original vegetation cover. It should be further assured as to~~
1578 ~~duration and establishment by a minimum of two years warranty.~~
1579 ~~c. The property owner and subdivider shall be fully responsible for any~~
1580 ~~destruction of native vegetation proposed for retention under the approved~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1581 vegetation plan and shall be responsible for the replacement of such destroyed
1582 vegetation. Said duties shall continue from the first day of construction until the
1583 certificate of occupancy is issued. During this time the property owner and
1584 subdivider shall be strictly liable for its own actions and those of its employees
1585 and subcontractors. A bond in the amount specified in the approved vegetation
1586 plan shall be posted prior to issuing permit to insure completion of the
1587 vegetation plan.

1588 d. A Vegetation Plan and report shall be prepared by a person or firm
1589 qualified by training and experience to have knowledge of the subject and shall
1590 include the following:

1591
1592 i. Survey of existing trees, large shrubs, and groundcovers;

1593 ii. Plan for the proposed revegetation of the site detailing existing
1594 vegetation to be preserved, new vegetation to be planned and any
1595 modification to existing vegetation;

1596 iii. Plan for the preservation of existing vegetation during
1597 construction activity;

1598 iv. Vegetation maintenance program including initial and continuing
1599 maintenance necessary;

1600 v. Determination of proposed bond necessary to insure soil
1601 stabilization. A bond should be provided in an amount sufficient to pay
1602 cost of grading, planting, and maintenance necessary to stabilize the soil
1603 in the event the subdivider fails to complete the same. The bond need
1604 not cover the expenses of items which would beautify the terrain beyond
1605 its natural condition, but only work necessary to restore the terrain to
1606 the relative stability of its previous state.

1607 vi. A verified written statement by the person or firm preparing the
1608 Vegetation Plan and report, identifying any vegetation problems to
1609 development and further stating, in his professional opinion, the ability of
1610 the proposed development plan to mitigate and/or eliminate said
1611 problems in a manner as to prevent hazard to life and property, adverse
1612 effects on the safety, use, or stability of a public way or drainage channel,
1613 and adverse impact on the natural environment.

1614
1615 5. Fire Protection Report. A Fire Protection Report shall be prepared to assess fire
1616 probability and potential hazards by a person or agency qualified by training and
1617 experience. Elements of the report shall include the following:

1618
1619 a. The width and approximate location of any easement required for access
1620 of fire protection equipment;

1621 b. Agreements, if any, entered into by the applicant and a fire protection
1622 entity or other government agency that could have concerns about fire
1623 probability (State and Federal agencies);

1624 c. The approval of the subdivision design and fire protection measures by

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1625 the fire protection entity;

1626 d. A letter from the Fire Chief of Salt Lake City stating fire flow

1627 recommendation by insurance service organization and the existing fire flow

1628 capability or the fire flow capability proposed to serve the project.

1629

1630 6. Access to Public and Private Property Report. A report assuring that there is

1631 provision made for dedicated rights of way to provide access to public or private land

1632 adjacent to the area proposed for development. These rights of way shall be designed

1633 and constructed to standards acceptable to the City Engineer. No access road will be

1634 allowed to be constructed if terrain is too steep or unsuitable for use but the right of

1635 way, nevertheless, be required to be dedicated by the Planning Commission.

1636

1637 7. Notification of Adjacent Landowners (Public or Private). Owners of adjacent

1638 lands which may be impacted by the proposed development shall be notified of a

1639 request for preliminary approval and given an opportunity to appear before the

1640 Planning Commission prior to final approval when it reviews the development proposal.

1641 This process will help to insure against future boundary and use conflicts and to avoid

1642 "land locking" property, therefore creating a situation beneficial to neither the public

1643 nor the private sector.

1644

1645 8. Ridge and Gully Topographic Features Protection. The City has determined that

1646 regulations are necessary to limit the inappropriate encroachment of urban

1647 development into areas of significant foothill ridges and gullies topographic features.

1648 These inappropriate encroachments may negatively impact views, vegetation, fire

1649 protection, drainage and other public concerns unless carefully considered.

1650

1651 a. Significant foothill ridge lines are defined, for the purposes of these

1652 regulations, to mean any portion of an elaborate system of forking ridge

1653 topographic features which dominate the north and east foothill and mountain

1654 backdrops to urban Salt Lake City, and which are identified upon the "Protected

1655 Ridge line and Gully Maps of Salt Lake City".

1656 b. Significant foothill gullies and drainage courses are defined, for the

1657 purposes of these regulations, to mean any stream course or intermittent

1658 stream course topographic feature which is identified upon the adopted

1659 "Protected Ridge line and Gully Maps of Salt Lake City".

1660 c. The "Protected Ridge line and Gully Maps of Salt Lake City" consisting of

1661 one overview map and twenty detailed maps are hereby adopted and

1662 incorporated by reference. The City Recorder shall retain an official copy of the

1663 maps which show:

1664

1665 i. Complex, forking ridge lines which are topographic features of the

1666 following named mountain ridge systems:

1667 • Ensign Ridge

1668 • Black Mountain Ridge

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1669 ~~• Mount VanCott Ridge~~
1670 ~~• Mount Wire Ridge~~
1671 ~~• Parley's Ridge~~
1672 ~~ii. These main mountain ridge systems fork and fork again, defining~~
1673 ~~drainage basins and sub-basins.~~
1674 ~~iii. Complex drainage streams systems exist between the major~~
1675 ~~mountain ridge lines as follows:~~
1676 ~~• City Creek Canyon~~
1677 ~~• Dry Creek Canyon~~
1678 ~~• Red Butte Canyon~~
1679 ~~• Emigration Canyon~~
1680 ~~• Parley's Canyon~~
1681 ~~iv. These major drainage streams have contributing drainage sub~~
1682 ~~basins, which flow into or separate the major drainage streams,~~
1683 ~~characterized as drainage gullies.~~
1684 ~~d. Visual assessment and impact study required. Any proposed subdivision~~
1685 ~~which contains a significant foothill ridge line or significant foothill gully or~~
1686 ~~drainage course, or if such a significant foothill ridge line or gully or drainage~~
1687 ~~course lies within 300 feet of the subdivisions boundary, shall submit an~~
1688 ~~assessment study regarding the developments impact on views, natural features~~
1689 ~~and vegetation.~~

1690
1691 ~~i. The assessment and impact study shall accurately depict~~
1692 ~~conditions before and after the subdivision development including site~~
1693 ~~design, building or buildable area placement, landscaping or other visual~~
1694 ~~features. Visual impacts may be demonstrated by methods including~~
1695 ~~sketches, models, computerized images or other graphic representations~~
1696 ~~necessary to assist the City in determining impacts and appropriate~~
1697 ~~mitigation.~~
1698 ~~ii. The Planning Commission shall consider the visual and other~~
1699 ~~impacts of the proposed subdivision in determining appropriate lot~~
1700 ~~boundaries and buildable areas as necessary to protect the City's and the~~
1701 ~~public interests regarding the significant foothill ridges, gullies and~~
1702 ~~drainage courses.~~

1703
1704 ~~**F. Flood Plain Development Special Regulations.** In addition to the provisions of Chapter~~
1705 ~~8 of this Title, the following special regulations and design standards shall apply to all~~
1706 ~~subdivision development within areas identified as being within the boundaries of the Flood~~
1707 ~~Hazard Boundary Map, as defined in Section 47-8-2, Revised Ordinances of Salt Lake City, Utah.~~
1708

1709 ~~1. Design of System. All proposal for subdivision development must provide water~~
1710 ~~supply and sanitary sewage systems which are designed to minimize or eliminate~~
1711 ~~infiltration of flood waters into the systems and discharges from the systems into flood~~
1712 ~~water. Other on-site waste disposal systems must be located so as to avoid impairment~~

1713 ~~of them, or contamination from them, during flooding. All public utilities, including~~
1714 ~~sewer, gas, electricity, and water systems shall be designed, located, and constructed to~~
1715 ~~minimize or eliminate flood damage. All public improvements (including, but not~~
1716 ~~limited to, streets, sidewalks, curbs, gutters etc.) shall be designed and constructed with~~
1717 ~~adequate drainage systems to minimize the containment of flood waters on adjacent~~
1718 ~~properties.~~

1719 ~~2. Lot Base Flood Elevation. The preliminary and final plats for all proposed~~
1720 ~~subdivision, and other proposed areas of new development, which are wholly or~~
1721 ~~partially within the Floodplain Hazard Area shall include base flood elevations for each~~
1722 ~~lot within the Floodplain Hazard Area.~~

1723
1724 ~~**G. Canyon Development Special Regulations.** In addition to the other provisions of this~~
1725 ~~Title, the following special regulations and design standards, which may be more restrictive,~~
1726 ~~shall apply to all subdivision development within areas zoned Residential Canyon "R-1C" and~~
1727 ~~Business Canyon "B-3C".~~

1728
1729 ~~1. Hydrology.~~

1730
1731 ~~a. All development including subdivisions, planned or grouped~~
1732 ~~developments, and commercial development shall meet the drainage and flood~~
1733 ~~control regulations established by the City Engineer.~~

1734 ~~b. No structures, cuts, fills, significant modification of terrain, hardsurfacing,~~
1735 ~~or any activity which would cause deterioration of the natural terrain or~~
1736 ~~vegetation shall be permitted within 100 feet of the stream bank (defined as the~~
1737 ~~mean highwater line), and said area shall be designated as undevelopable area.~~

1738 ~~c. Additional and undevelopable stream side areas containing extremely~~
1739 ~~severe physical conditions, such as steep slopes, may be declared undevelopable~~
1740 ~~by the Planning Commission as required by the City Engineer to provide~~
1741 ~~additional safety buffer zones.~~

1742 ~~d. Structures intended to bridge a stream shall be of a design which meets~~
1743 ~~the standards of the City Engineer.~~

1744
1745 ~~2. Grading.~~

1746
1747 ~~a. All excavated material shall be removed from the site or placed behind~~
1748 ~~retaining walls or otherwise replaced, recontoured, and revegetated.~~

1749 ~~b. All cut and fill slopes shall be recontoured and revegetated by the~~
1750 ~~subdivider in such a manner as to blend with the natural terrain as specified in~~
1751 ~~this Title.~~

1752 ~~c. No cut or fill with a vertical height exceeding 15 feet shall be permitted.~~

1753 ~~d. Not more than 5 percent of a lot or PUD site shall be left with a slope~~
1754 ~~steeper than the natural grade of the ground or steeper than 20 percent,~~
1755 ~~whichever is greater.~~

1756 ~~e. The total area of all cuts and fills other than the enclosed floor area of the~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1757 structure(s) shall not exceed 10 percent of the lot or PUD site.
1758 f. Public streets shall not traverse or disturb slopes of 30 percent or greater.
1759

1760 **H. Nonresidential Subdivision Special Regulations.** The following special regulations and
1761 standards shall apply to all nonresidential subdivision development within areas zoned for
1762 commercial or industrial use.
1763

1764 1. General Design. The streets an lot layout of a nonresidential subdivision shall be
1765 appropriate to the land for which the subdivision is proposed and shall conform to the
1766 proposed land use and standards established in the Salt Lake City Master Plan, any
1767 community master plans and the ordinances of Salt Lake City.

1768 2. Industrial and Commercial. Nonresidential subdivision shall include industrial
1769 tracts and may include commercial tracts.

1770 3. Principles and Standards. In addition to the principles And standards in this Title
1771 which are appropriate to the planning of all subdivisions, the subdivider shall
1772 demonstrate to the satisfaction of the Planning Commission that the street, parcel, and
1773 block patterns proposed are specifically adapted to the uses anticipated and take into
1774 account other uses in the vicinity. The following principles and standards shall be
1775 observed:
1776

1777 a. Proposed industrial parcels shall be suitable in area and dimensions to
1778 the types of industrial development anticipated.

1779 b. Street rights of way and pavement widths shall be adequate to
1780 accommodate the type and volume of traffic anticipated to be generated
1781 thereon.

1782 c. Special requirements may be imposed by the City with respect to street,
1783 curb, gutter, and sidewalk design and construction.

1784 d. Special requirements may be imposed by the City with respect to the
1785 installation of public utilities including water, sewer, and storm water drainage.

1786 e. Every effort shall be made to protect adjacent residential areas from
1787 potential nuisance from the proposed non-residential subdivision, including the
1788 provision of extra depth in parcels backing against existing or potential
1789 residential development and provisions for a permanently landscaped buffer
1790 strip or other suitable screening methods, such as berms or walls, as required by
1791 the Planning Commission.

1792 f. Streets carrying non-residential traffic, especially truck traffic, shall not
1793 normally be extended to the boundaries of adjacent existing or potential
1794 residential areas, or connected to streets intended for predominately residential
1795 traffic.

1796 g. Subdivision for proposed commercial development shall take into
1797 account, and specifically designate, all areas for vehicular circulation and
1798 parking, pedestrian circulation, buffer strips, and other landscaping and shall
1799 provide for maintenance of such private improvements.
1800

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1801 **20.12.040: INSPECTION AND ENFORCMENT:**
1802 ~~The Planning Commission, with assistance from the City Engineer and Traffic Engineer, will~~
1803 ~~handle subdivision approval.~~ The City Engineer**ing Division** will have responsibility for
1804 inspection and enforcement **of subdivision design standards and requirements of this section**
1805 **20.12.** ~~At the time the subdivision approval is issued, the City Engineer shall establish a~~
1806 ~~schedule for inspections as specified in Section 47-4-5.~~ Where it is found by inspection that
1807 conditions are not substantially as stated or shown in the approved subdivision plans, the City
1808 Engineer**ing Division** ~~or his inspectors~~ shall stop further work until approval is obtained for an
1809 amended subdivision plan.
1810

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1811
1812
1813
1814
1815
1816
1817
1818
1819
1820
1821
1822
1823
1824
1825
1826
1827
1828
1829
1830
1831
1832
1833
1834
1835
1836
1837
1838
1839
1840
1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851

Chapter 20.16 PRELIMINARY PLATS

20.16.005: APPLICABILITY:

This chapter applies to all subdivisions and subdivision amendments as defined in this title.

~~20.16.010: FILING OF PLAT; NUMBER OF COPIES; IDENTIFICATION:~~

The subdivider shall file, with the planning division, digital and paper preliminary plat drawings, a written explanation of the proposed subdivision or subdivision amendment ~~with the planning director ten (10) white copies, and one duplicate tracing and such other copies and data as may be required of the preliminary plat application~~ of each proposed subdivision. ~~The planning director shall indicate upon all copies of the preliminary plat and accompanying data the date of filing, which shall be the date on which all required maps, tracings and accompanying data are deposited in the office of the planning director. (Prior code § 42-4-1)~~

20.16.020: FEES:

At the time a preliminary plat is filed, the subdivider shall pay an application fee ~~as established by resolution of the city council~~ according to the adopted Salt Lake City Consolidated Fee Schedule. (Prior code § 42-4-2)

20.16.030: PREPARATION OF MAP; CERTIFICATION OF BOUNDARIES:

The subdivider shall cause the preliminary plat of the land proposed to be subdivided to be prepared by a person authorized by state law to prepare such a map. ~~The accuracy of the boundaries of the preliminary plat shall be certified by a registered civil engineer or licensed surveyor. (Prior code § 42-4-3)~~

~~20.16.040: SCALE OF MAP~~PLAT; REPRODUCTION:

The preferred scales are 1 inch equals 20 feet or 1 inch equals 30 feet, but in no cases shall the scale be smaller than 1 inch equals 100 feet. ~~The scale of a preliminary plat of a subdivision shall be not less than one inch equals one hundred feet (1" = 100'), and such map plat shall be clearly and legibly reproduced. (Prior code § 42-4-4)~~

20.16.050: VICINITY SKETCH:

A vicinity sketch at a scale of one thousand feet (1,000') or more to the inch shall be drawn on the preliminary plat. It shall show the street and tract lines and names and numbers of all existing subdivisions, and the outline and acreage of parcels of land adjacent to the proposed subdivision. (Prior code § 42-4-5)

20.16.060: INFORMATION ON MAP OR IN DATA STATEMENT:

A. The following information shall be shown on the preliminary plat or in an accompanying data statement:

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 1852 1. Any subdivision ~~containing ten (10) lots or more~~ that includes recordation of a final plat
1853 shall be given a name ~~and unit number, if applicable~~. Such subdivision names shall not
1854 duplicate or nearly duplicate the name of any subdivision in the city or county;
1855
1856 2. The name and address of the record owner or owners;
1857
1858 3. The name and address of the subdivider; if different from the recorded owner, there shall
1859 be a statement from the recorded owner authorizing the subdivider to act;
1860
1861 4. The name, ~~and~~ address and phone number of the person, firm or organization preparing
1862 the preliminary plat, and a statement indicating the recorded owner's permission to file the
1863 plat;
1864
1865 5. The date, north ~~point~~ direction, written and graphic scales;
1866
1867 6. A sufficient description to define the location and boundaries of the proposed
1868 subdivision;
1869
1870 7. The locations, names and existing widths and grades of adjacent streets;
1871
1872 8. The names and numbers of adjacent subdivisions and the names of owners of adjacent
1873 unplatted land;
1874
1875 9. The contours, at one foot (1') intervals, for predominant ground slopes within the
1876 subdivision between level and five percent (5%), and five foot (5') contours for predominant
1877 ground slopes within the subdivisions over five percent (5%). Such contours shall be based
1878 on the Salt Lake City datum. The closest city bench mark shall be used, and its elevation
1879 called out on the map. Bench mark information shall be obtained from the city engineer;
1880
1881 10. A grading plan, showing by appropriate graphic means the proposed grading of the
1882 subdivision;
1883
1884 11. The approximate location of all isolated trees with a trunk diameter of four inches (4")
1885 or greater, within the boundaries of the subdivision, and the outlines of groves or orchards;
1886
1887 12. The approximate boundaries of areas subject to inundation or storm water overflow,
1888 and the location, width and direction of flow of all watercourses;
1889
1890 13. The existing use or uses of the property, and the outline of any existing buildings and
1891 their locations in relation to existing or proposed street and lot lines, drawn to scale;
1892
1893 14. A statement of the present zoning and proposed use of the property, as well as
1894 proposed zoning changes, whether immediate or future;
1895

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 1896 15. Any proposed public areas;
1897
1898 16. Any proposed lands to be retained in private ownership for community use. When a
1899 subdivision contains such lands, the subdivider shall submit, with the preliminary plat, the
1900 name and articles of incorporation of the owner or organization empowered to own,
1901 maintain and pay taxes on such lands;
1902
1903 17. The approximate widths, locations and uses of all existing or proposed easements for
1904 drainage, sewerage and public utilities;
1905
1906 18. The approximate radius of each curve;
1907
1908 19. The approximate layout and dimensions of each lot;
1909
1910 20. The area of each lot to the nearest one hundred (100) square feet;
1911
1912 21. A statement of the water source;
1913
1914 22. A statement of provisions for sewerage and sewage disposal;
1915
1916 23. Preliminary indication of needed major storm drain facilities;
1917
1918 24. The locations, names, widths, approximate grades and a typical cross section of curbs,
1919 gutters, sidewalks and other improvements of the proposed street and access easements,
1920 including proposed locations of all underground utilities;
1921
1922 25. Any existing or proposed dedications, easements and deed restrictions;
1923
1924 26. A preliminary landscaping plan, including, where appropriate, measures for irrigation
1925 and maintenance;
1926
1927 26. The location of any of the foregoing improvements which may be required to be
1928 constructed beyond the boundaries of the subdivision shall be shown on the subdivision
1929 plat or on the vicinity map as appropriate;
1930
1931 27. If it is contemplated that the development will proceed by units, the boundaries of such
1932 units shall be shown on the preliminary plat; (Prior code § 42-4-6)
1933
1934 28. If required by the planning director, a preliminary soil report prepared by a civil
1935 engineer specializing in soil mechanics and registered by the state of Utah, based upon
1936 adequate test borings or excavations. If the preliminary soil report indicates the presence of
1937 critically expansive soils or other soil problems which, if not corrected, would lead to
1938 structural defects, a soil investigation of each lot in the subdivision may be required. The
1939 soil investigation shall recommend corrective action intended to prevent structural damage.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

1940
1941
1942
1943
1944
1945
1946
1947
1948
1949
1950
1951
1952
1953
1954
1955
1956
1957
1958
1959
1960
1961
1962
1963
1964
1965
1966
1967
1968
1969
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980
1981
1982

20.16.070: STREET NAME PRINCIPLES:

The following principles shall govern street names in a subdivision:

- A. Each street which is a continuation or an approximate continuation of any existing dedicated street shall be shown on the preliminary plat and shall be given the name of such existing street. When any street forms a portion of a proposed street previously ordered by the city to be surveyed, opened, widened or improved, the street shall be given the name established in said order.
- B. The names of newly created streets of a non-continuous or noncontiguous nature shall not duplicate or nearly duplicate the name of any streets in the city or county. All street names must be approved by Salt Lake County’s Public Works Addressing Office.
- C. The words, "street", "avenue", "boulevard", "place", "way", "court" or other designation of any street shall be spelled out in full on the map. ~~and shall be subject to approval by the Planning Commission~~ designee. (Prior code § 42-4-7)

20.16.080: ACCOMPANYING DATA STATEMENT:

Such information as cannot be conveniently shown on the preliminary plat of a subdivision shall be contained in a written statement accompanying the map. (Prior code § 42-4-8)

20.16.090: DISTRIBUTION OF PLAT FOR REVIEW AND COMMENT:

- A. ~~Within five (5) days of filing of a preliminary plat of a subdivision, the planning director shall transmit the requested number of copies of such map, together with accompanying data, to such public agencies and utilities as may be concerned. Each of the public agencies and utilities may, within twenty one (21) days after the plat has been filed, forward to the planning director a written report of its findings and recommendations thereon.~~ The planning director shall transmit a copy of the preliminary plat to, and request comments from, city departments and divisions that are part of the subdivision review process, and any other applicable departments or government agencies ~~special districts, governmental boards, bureaus, utility companies, or other agencies which may be affected~~ as determined by the planning director.
- B. The planning director shall prepare a written report on the conformity of the preliminary plat to the provisions of ~~the master plan,~~ any applicable ~~planned community plan,~~ the zoning ordinance, and all other applicable requirements of this title and other ordinances and regulations of the city.
- C. The city engineer, or designee, shall prepare a written report of requirements and/or recommendations on the preliminary plat ~~in~~ relating to the public improvement requirements of this title. (Prior code § 42-4-9)

1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025

20.16.100: STANDARDS OF APPROVAL FOR PRELIMINARY PLATS

All preliminary plats for subdivisions and subdivision amendments shall meet the following standards:

- A. The subdivision complies with the general design standards and requirements for subdivisions as established in Section 20.12.
- B. All buildable lots comply with all applicable zoning standards;
- C. All necessary and required dedications are made;
- D. Water supply and sewage disposal shall be satisfactory to the Public Utilities Department director;
- E. Provisions for the construction of any required public improvements, per section 20.40.010, are included.
- F. The subdivision otherwise complies with all applicable laws and regulations.
- G. If the proposal is an amendment to an existing subdivision and involves vacating a street, right-of-way, or easement, the amendment does not materially injure the public or any person who owns land within the subdivision or immediately adjacent to it and there is good cause for the amendment.

20.16.095~~110~~: ISSUES ONLY HEARING NOTICE OF SUBDIVISION APPLICATION AND PENDING DECISION:

- A. ~~Within thirty (30) days after the filing of a preliminary plat of a subdivision, in a foothills FR-1, FR-2, FR-3 district or FP foothills protection district, and any other information required, unless such time is extended by agreement with the subdivider, the planning commission shall hold a hearing. The subdivider shall make a presentation of the subdivision proposal to the planning commission. The planning staff shall present a report preliminarily identifying any issues relating to the project based on either the project's location, topography, relationship to city improvements, master plans or otherwise. Any interested party may also present their comments regarding the proposed subdivision. Prior to any administrative decision for preliminary plat approval of a proposed subdivision or subdivision amendment not involving a public street, right-of-way, or easement, the planning director shall provide a notice of subdivision or subdivision amendment application and pending decision in accordance with the noticing requirements in chapter 20.36 of this title.~~
- B. ~~Notice of the issues only hearing shall be mailed, at the subdivider's expense, to the owners of all land abutting the proposed subdivision and the portions of any streets to be constructed as part of the subdivision and all registered or recognized organizations pursuant to title 2, chapter 2.62 of this code or its successor. (Ord. 7-99 § 7, 1999; Ord. 71-94 § 1, 1994)~~

20.16.100~~120~~: PLANNING COMMISSION DIRECTOR AUTHORITY AND ACTION:

~~Within sixty (60) days after the filing of a preliminary plat of a subdivision and any other information required, unless such time is extended by agreement with the subdivider, Except as may be specified elsewhere in this title, the planning director, under delegation from the~~

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2026 planning commission, shall have decision-making authority for preliminary plats and shall act
2027 ~~thereon~~ on all preliminary plat applications in a timely manner. If the planning commission
2028 ~~director shall find~~s that the proposed plat complies with the standards of approval for
2029 preliminary plats requirements of this chapter, it, the director shall approve recommend
2030 approval of the preliminary plat. If the planning ~~director finds~~ commission shall find that the
2031 proposed ~~map~~ preliminary plat does not meet the requirements of the city ordinances, it ~~the~~
2032 director shall recommend conditional approval, refer the preliminary plat to the planning
2033 commission for a decision, or deny the application.
2034

2035 **20.16.110~~130~~: NOTICE OF COMMISSION ACTION TO SUBDIVIDER:**

2036 The ~~planning director shall notify the subdivider, in writing, of the action taken by the city~~
2037 ~~planning commission together with one copy of the preliminary plat and one copy of the~~
2038 ~~planning commission's report thereon. One copy of the plat and accompanying data and the~~
2039 ~~planning commission's report shall be retained in the permanent file of the planning~~
2040 ~~commission. (Prior code § 42-4-11)~~ The subdivider shall be notified of the action taken by the
2041 planning director.
2042

2043 **20.16.140: SITE PREPARATION PERMIT REQUIRED:**

2044 The planning director, or designee, upon approval of the preliminary plat, shall indicate to the
2045 subdivider whether a site preparation permit (aka site development permit), as specified in
2046 chapter 18.28 of the city code, is required prior to the subdivider performing any site
2047 preparations on the proposed subdivision site.
2048

2049 **20.16.150: APPEALS OF PLANNING DIRECTOR OR PLANNING COMMISSION**
2050 **DECISION:**

2051 A. Refer to chapter 20.48 Appeals for information and regulations regarding filing an appeal of
2052 a preliminary plat decision.
2053

2054 **20.16.120~~160~~: COMPLIANCE WITH ALL CITY REQUIREMENTS:**

2055 Approval of the preliminary plat shall in no way relieve the subdivider of his/her responsibility
2056 to comply with all required conditions and ordinances, and to provide the improvements and
2057 easements necessary to meet all city standards. (Prior code § 42-4-12)
2058

2059 **~~20.16.130~~: APPEAL OF PLANNING COMMISSION DECISION:**

2060 Any person adversely affected by any final decision made by the planning commission under
2061 this chapter may file a petition for review of the decision with the land use appeals board
2062 within thirty (30) days after the decision is rendered. (~~Ord. 77-03 § 1, 2003; Ord. 7-99 § 8, 1999~~)
2063

2064 **20.16.170: PLANNING DIRECTOR FINAL APPROVAL OF RECORDABLE**
2065 **INSTRUMENT:**

2066 The planning director, or designee, shall have final approval for preliminary plats approved by
2067 them, or in the case of preliminary plat approvals issued by the planning commission is

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2068 designated to execute for the planning commission the final recordable instrument for any
2069 approved subdivision or subdivision amendment upon the planning director's or designee's
2070 satisfaction that all regulations and conditions of approval have been fulfilled.

2071

2072 **20.16.180: RECORDABLE INSTRUMENT:**

2073 A. Subdivisions that obtain preliminary plat approval for more than ten (10) lots and/or
2074 include the dedication or construction of streets or other public rights of way or the
2075 construction of public improvements shall be processed as a final plat and recorded on a
2076 subdivision plat map with the County Recorder.

2077 B. Subdivisions that obtain preliminary approval for ten (10) lots or less and do not involve
2078 streets, public rights of way or the construction of public improvements may be
2079 recorded by Planning Division staff as a *notice of subdivision approval for ten lots or less*
2080 in the office of the County Recorder, and must be accompanied by deeds that transfer
2081 ownership of the new lots.

2082

2083 **20.16.190: EXPIRATION OF PRELIMINARY PLAT:**

2084 A preliminary plat approval, or conditional approval, is valid for 24 months from the issuance
2085 date of approval. If no plat, notice of subdivision approval, or other appropriate instrument has
2086 acquired the necessary final approval and been recorded within this time frame, the
2087 preliminary plat approval shall be void. For those subdivisions that require a final plat as the
2088 recording instrument, the application for final plat must be submitted within 18 months of
2089 preliminary plat approval, per Section 20.20.010

2090

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2091

2092

2093

~~Chapter 20.20~~ ~~MINOR SUBDIVISIONS~~

This chapter is removed. Minor Subdivision would not be a separate option; all subdivisions will follow the same process and standards.

2094

2095 **~~20.20.010: APPLICABILITY OF CHAPTER:~~**

2096 ~~Notwithstanding any other provisions of this title to the contrary, the procedure set forth in this~~
2097 ~~chapter shall govern the processing of and the requirements pertaining to minor subdivisions.~~
2098 ~~(Ord. 71-94 § 1, 1994: prior code § 42-5-1)~~

2099

2100 **~~20.20.020: REQUIRED CONDITIONS AND IMPROVEMENTS:~~**

2101 ~~A minor subdivision shall conform to the standards specified in section 20.28.010, or its~~
2102 ~~successor, of this title, and shall also meet the following standards:~~

2103

2104 ~~A. The general character of the surrounding area shall be well defined, and the minor~~
2105 ~~subdivision shall conform to this general character;~~

2106 ~~B. Lots created shall conform to the applicable requirements of the zoning ordinances of~~
2107 ~~the city;~~

2108 ~~C. Utility easements shall be offered for dedication as necessary;~~

2109 ~~D. Water supply and sewage disposal shall be satisfactory to the city engineer;~~

2110 ~~E. Public improvements shall be satisfactory to the planning director and city engineer.~~
2111 ~~(Ord. 71-94 § 1, 1994: prior code § 42-5-5)~~

2112

2113 **~~20.20.030: FILING OF PLAT AND INFORMATION:~~**

2114 ~~The subdivider of a minor subdivision shall file an application with the planning office on a form~~
2115 ~~prescribed by the city. The application shall include:~~

2116

2117 ~~A. Twelve (12) copies of a preliminary plat drawing, showing the land to be subdivided, properly~~
2118 ~~and accurately drawn to scale, and with sufficient additional information to determine the~~
2119 ~~boundaries of the proposed subdivision. The plat shall be certified as accurate by a~~
2120 ~~registered civil engineer or licensed surveyor;~~

2121

2122 ~~B. The names and addresses, on gummed mailing labels, from the current county recorder's~~
2123 ~~assessment rolls of the owners of all real property abutting the proposed subdivision. (Ord.~~
2124 ~~7-99 § 9, 1999: Ord. 71-94 § 1, 1994: prior code § 42-5-2)~~

2125

2126 **~~20.20.040: SITE DEVELOPMENT PERMIT REQUIRED WHEN:~~**

2127 ~~The planning director, or designee, after receiving the minor subdivision plat, shall indicate to~~
2128 ~~the subdivider whether a site development permit, as specified in title 18, chapter 18.28 of this~~
2129 ~~code, is required prior to the subdivider altering the terrain or vegetation on the proposed~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2130 subdivision site. The site development permit will be issued at the time of planning commission
2131 approval of the minor subdivision. (Ord. 7-99 § 10, 1999; Ord. 71-94 § 1, 1994: prior code § 42-
2132 5-2)

2133

2134 **~~20.20.050: CITY INTERNAL REVIEW:~~**

2135 The planning director, or designee, shall obtain comments regarding the minor subdivision
2136 application from all interested city departments or divisions. (Ord. 7-99 § 11, 1999; Ord. 71-94
2137 § 1, 1994: prior code § 42-5-4)

2138

2139 **~~20.20.060: PUBLIC NOTICE OF ADMINISTRATIVE CONSIDERATION:~~**

2140 A. ~~The planning director, or designee, shall schedule the time for a public administrative~~
2141 ~~consideration of the proposed minor subdivision. The administrative consideration shall~~
2142 ~~not be scheduled less than fourteen (14), nor more than twenty eight (28), days after~~
2143 ~~the notices required by this section have been mailed.~~

2144 B. ~~Notice of the proposed minor subdivision shall be mailed to all property owners~~
2145 ~~specified in subsection 20.20.030B of this chapter or its successor.~~

2146 C. ~~The mailed notice shall include a plan or drawing of the proposed minor subdivision. The~~
2147 ~~notice shall inform the notified party of the date and time of the administrative~~
2148 ~~consideration of the proposed minor subdivision. The notice shall specify that if no prior~~
2149 ~~objection to the administrative consideration is received, the planning director, or~~
2150 ~~designee, may approve the minor subdivision. The notice shall further specify that if no~~
2151 ~~objection is received within fourteen (14) days after approval at the administrative~~
2152 ~~consideration, such approval shall be final.~~

2153 D. ~~For any petition filed after January 1, 1995, notice shall also be posted at least fourteen~~
2154 ~~(14) days prior to the scheduled administrative consideration pursuant to regulations~~
2155 ~~adopted by the planning director. (Ord. 7-99 § 12, 1999; Ord. 71-94 § 1, 1994: prior code~~
2156 ~~§ 42-5-6)~~

2157

2158 **~~20.20.070: ADMINISTRATIVE APPROVAL:~~**

2159 If no objection is received as required by section 20.20.080 of this chapter or its successor, the
2160 planning director, or designee, may, at the administrative consideration, approve the proposed
2161 minor subdivision if the planning director, or designee, finds that:

2162 A. ~~The minor subdivision will be in the best interests of the city;~~

2163 B. ~~All lots comply with all applicable zoning standards;~~

2164 C. ~~All necessary and required dedications are made;~~

2165 D. ~~Provisions for the construction of any required public improvements are included; and~~

2166 E. ~~The subdivision otherwise complies with all applicable laws and regulations. (Ord. 7-99 § 13,~~
2167 ~~1999; Ord. 71-94 § 1, 1994)~~

2168

2169 **~~20.20.080: APPEAL OF ADMINISTRATIVE CONSIDERATION:~~**

2170 A. ~~The petitioner or any person who objects to the planning director, or designee,~~
2171 ~~administratively considering the minor subdivision may request a hearing before the~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2172 planning commission by filing a written notice within fourteen (14) days after the planning
2173 director's scheduled administrative consideration.

2174 B. The notice shall specify all reasons for the objection to the minor subdivision.

2175 C. The planning commission shall hear testimony and make a recommendation on the minor
2176 subdivision. (~~Ord. 7-99 § 14, 1999; Ord. 71-94 § 1, 1994~~)

2177

2178 **~~20.20.090: APPEAL OF PLANNING COMMISSION DECISION:~~**

2179 The petitioner, or any person who is aggrieved by a planning commission decision concerning a
2180 minor subdivision and who objected to the administrative consideration, may appeal the
2181 finding of the planning commission by filing a written notice of appeal to the land use appeals
2182 board within thirty (30) days of the planning commission's decision becoming final. (~~Ord. 77-03
2183 § 2, 2003; Ord. 7-99 § 15, 1999; Ord. 71-94 § 1, 1994~~)

2184

2185 **~~20.20.100: PLANNING DIRECTOR FINAL APPROVAL OF RECORDABLE
2186 INSTRUMENT:~~**

2187 The planning director, or designee, is designated to execute for the city the final recordable
2188 instrument for any approved minor subdivision upon the planning director's or designee's
2189 satisfaction that all conditions required by law have been fulfilled. (~~Ord. 7-99 § 16, 1999; Ord.
2190 71-94 § 1, 1994~~)

2191

2192 **~~20.20.110: RECORDABLE INSTRUMENT:~~**

2193 A. ~~Minor subdivisions which include the dedication or construction of streets or other public
2194 rights of way or the construction of public improvements shall be processed as a final plat
2195 and recorded on a subdivision plat map with the county recorder.~~

2196 B. ~~Minor subdivisions not involving streets, public rights of way or the construction of public
2197 improvements shall be recorded as a notice of minor subdivision approval. (~~Ord. 7-99 § 17,
2198 1999; Ord. 71-94 § 1, 1994~~)~~

2199

2200 **~~20.20.120: REPORT OF PLANNING DIRECTOR'S ACTIONS:~~**

2201 The planning director shall periodically report to the mayor and the planning commission of any
2202 action taken by the planning director, or designee regarding minor subdivisions pursuant to this
2203 chapter. (~~Ord. 7-99 § 18, 1999; Ord. 71-94 § 1, 1994~~)

2204

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2205

2206

Chapter 20.2420 FINAL PLATS

2207

20.2420.010: FILING DATE FOR FINAL PLAT:

2208 Within 18 ~~eighteen (18)~~ months after the approval or conditional approval of the preliminary
 2209 plat, a subdivider shall submit to the planning director ~~cause his/her subdivision, or any part~~
 2210 ~~thereof, to be surveyed and~~ a final plat thereof prepared in conformance with the preliminary
 2211 plat as approved, including conformance with any conditions attached to such approval.
 2212 Subject to expiration of preliminary plats pursuant to section 20.16.140, The the final plat
 2213 ~~tracing and paper prints of the final plat~~ may be approved by the mayor upon recommendation
 2214 by the planning commission, the planning director, or designee, ~~provided that written~~
 2215 application is filed by the subdivider not less than thirty (30) days in advance of the expiration
 2216 of the preliminary plat. If the final plat is part of, or the result of, a City enforcement case, the
 2217 applicant must complete the final plat review and record the final plat within six months (6) of
 2218 preliminary approval. (Ord. 7-99 § 19, 1999: prior code § 42-6-1)
 2219
 2220

20.2420.20: DOCUMENTS AND DATA REQUIRED:

2221 At the time a final plat of a subdivision is submitted to the city engineer, the subdivider shall
 2222 submit therewith the following documents:
 2223

2224

2225 A. Calculation and traverse sheets, in a form approved by the city engineer, giving bearings,
 2226 distances and coordinates of the boundary of the subdivision, and blocks and lots as shown
 2227 on the final plat;
 2228

2229 ~~B. A no access rights certificate shall be shown on the final plat where required;~~
 2230

2231 ~~C. Design data, assumptions and computations, for proper analysis in accordance with sound~~
 2232 ~~engineering practice;~~
 2233

2234 B. The final plat shall be accompanied by a current property title report naming the persons
 2235 whose consent is necessary for the preparation and recordation of such plat and for
 2236 dedication of the streets, alleys and other public places shown on the plat, and certifying
 2237 that as of the date of the preparation of the report, the persons therein named are all the
 2238 persons necessary to give clear title to such subdivision;
 2239

2240 E. If a preliminary soil report was required for the preliminary plat review, a copy of that
 2241 report shall be included with the final plat, ~~prepared by a civil engineer specializing in soil~~
 2242 ~~mechanics and registered by the state of Utah, based upon adequate test borings or~~
 2243 ~~excavations.~~ The fact that a soil report has been prepared shall be noted on the final plat
 2244 and the report shall be recorded as a supporting document with the plat;

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2245
2246 F. ~~If the preliminary soil report indicates the presence of critically expansive soils or other soil~~
2247 ~~problems which, if not corrected, would lead to structural defects, a soil investigation of~~
2248 ~~each lot in the subdivision may be required. The soil investigation shall recommend~~
2249 ~~corrective action intended to prevent structural damage;~~

2250
2251 D. The agreement and bonds specified in sections 20.20.040 and 20.20.050 of this chapter, or
2252 successor sections;

2253
2254 E. ~~Three (3)~~ eCopies of all proposed deed restrictions. (Prior code § 42-6-2)

2255

2256 **20.2420.030: PREPARATION AND MATERIALS OF FINAL PLAT:**

2257 A. 1. Initially the plat shall be furnished as full size (24" x 36") paper copies and/or digital copies.
2258 The final product to be used for recording shall be of typical Mylar material or the common
2259 material for plats at the time. The dimension and orientation requirements for the final plat
2260 drawing, or drawing to be submitted, as above provided, shall be consist of a sheet of
2261 approved industrial grade tracing linen or Mylar to the outside, or trim line, dimensions of
2262 twenty-two four by thirty-four six inches (~~22~~24" x ~~34~~36") and the border line of the plat shall
2263 be drawn in heavy lines leaving a space of at least one and one half inches ($1\frac{1}{2}$ "") on the left
2264 hand margin of the sheet for binding, and not less than a one-half inch ($\frac{1}{2}$ "") margin, in from
2265 the outside or trim line, around the ~~other three (3)~~ edges of the sheet. The plat shall be so
2266 drawn that the top of the sheet either faces north or west, whichever accommodates the
2267 drawing best. All feature labels and descriptions shall be oriented with the north direction
2268 on the plat. All lines, dimensions and markings shall be made on the tracing linen with
2269 approved waterproof black India drawing ink.

2270

2271 2. The actual plat drawing shall be made on a scale large enough to clearly show all details,
2272 and the workmanship on the finished drawing shall be neat, clear-cut and readable. The
2273 preferred scales are 1 inch equals 20 feet or 1 inch equals 30 feet, but in no cases shall the
2274 scale be smaller than 1 inch equals 100 feet. The subdivider must also furnish, in addition to
2275 the original Mylar plat or drawing, an approved and acceptable reproduction of the original
2276 plat or drawing made on tracing linen, and to the same dimension and size as the original,
2277 or shall furnish two (2) original tracings, as above provided, whichever is preferred.

2278

2279 3. The printing or reproduction process used shall not incur any shrinkage or distortions,
2280 and the reproduced tracing copy furnished shall be of good quality, to true dimension, clear
2281 and readable, and in all respects comparable to the original plat or drawing so that the
2282 lines, dimensions and markings will not rub off or smear. Both of the tracings, whether
2283 originals or one original and a reproduction, The Mylar plat shall be signed separately by all
2284 required and authorized parties and shall contain the information set forth in this chapter.
2285 The location of the subdivision within the city shall be shown by a small scale vicinity map
2286 inset on the ~~first~~ title sheet.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2287 B. The title of each sheet of such final plat shall consist of the approved name and unit number
2288 of the subdivision (if any) at the top center and lower right hand corner of the sheet,
2289 followed by the words "Salt Lake City". Plats filed for the purpose of showing land
2290 previously subdivided as acreage shall be conspicuously marked with the words "Reversion
2291 to Acreage".
2292

2293 ~~C. Wherever the city engineer has established a system of coordinates, the survey shall use
2294 such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and
2295 block numbers, subdivision name and place of record, or other proper designation.~~
2296

2297 C. An accurate and complete boundary survey to second order accuracy shall be made of the
2298 land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block,
2299 when computed from field measurements on the ground, shall close within a tolerance of
2300 one foot (1') to ~~ten~~ fifteen thousand feet (~~10~~15,000') of perimeter.
2301

2302 D. The final plat shall show all survey and mathematical information and data necessary to
2303 locate all monuments and to locate and retrace all interior and exterior boundary lines
2304 appearing thereon, including bearing and distance of straight lines, and central angle,
2305 radius, and arc length of curves, ~~and such information as may be necessary to determine
2306 the location of the centers of curves.~~ Identify the basis of bearing between to existing
2307 monuments.
2308

2309 E. All lots and blocks and all parcels offered for dedication for any purpose shall be delineated
2310 and designated with all dimensions, boundaries, size and courses clearly shown and defined
2311 in every case. Parcels offered for dedication other than for streets or easements shall be
2312 designated by letter. Sufficient linear, angular and curve data shall be shown to determine
2313 readily the bearing and length of the boundary lines of every block, lot and parcel which is a
2314 part thereof. Sheets shall be so arranged that no lot is split between two (2) or more sheets
2315 and, wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto
2316 marks shall be used for lot dimensions. Lot numbers shall begin with the numeral "1" and
2317 continue consecutively throughout the subdivision with no omissions or duplications.
2318

2319 F. The plat shall show the right of way lines of ~~each street~~ existing and new streets with the
2320 street name and number, and the width of any portion being dedicated, and widths of any
2321 existing dedications. The widths and locations of adjacent streets and other public
2322 properties within fifty feet (50') of the subdivision shall be shown. If any street in the
2323 subdivision is a continuation or an approximate continuation of an existing street, the
2324 conformity or the amount of nonconformity of such street to such existing streets shall be
2325 accurately shown. ~~Whenever the centerline of a street has been established or recorded,
2326 the date shall be shown on the final map.~~
2327

2328 G. ~~The side lines of all~~ All easements shall be shown by fine dashed lines. The widths of all
2329 easements and sufficient ties thereto to definitely locate the same with respect to the
2330 subdivision shall be shown. All easements shall be clearly labeled and identified.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2331
2332 H. If the subdivision is adjacent to a waterway, the map shall show the line of high water with a
2333 continuous line, and shall also show with a fine continuous line any lots subject to
2334 inundation by a one percent (1%) frequency flood, i.e., a flood having an average frequency
2335 of occurrence in the order of once in one hundred (100) years although the flood may occur
2336 in any year. (The 100-year floodplain is defined by the army corps of engineers.)
2337

2338 I. The plat shall show fully and clearly:

- 2339 1. All monuments found, set, re-set, replaced or removed, stated at each point or in
2340 legend. Monument caps set by surveyor must be stamped with L.S. number or surveyor
2341 and /or company name, and date. Drawings of brass caps, showing marked and
2342 stamped data for any existing monuments and the monuments to be set, shall be
2343 included on the plat;
2344 2. Type of boundary markers and lot markers used, and;
2345 3. ~~stakes, monuments and o~~Other evidence indicating the boundaries of the subdivision as
2346 found on the site.
2347

2348 Any monument or bench mark that is disturbed or destroyed before acceptance of all
2349 improvements, shall be replaced by the subdivider under the direction of the city engineer.
2350

2351 ~~The following required monuments shall be shown on the final plat:~~

- 2352 1. ~~The location of all monuments placed in making the survey, including a statement as~~
2353 ~~to what, if any, points were reset by ties;~~
2354 2. ~~All real lot corner pipes and front lot corner pipes or offset cross marks in the~~
2355 ~~concrete surface of the public sidewalk.~~
2356

2357 J. ~~The title sheet of the map below the title, the name of the engineer or surveyor, together~~
2358 ~~with the date of the survey, the scale of the map and the number of sheets. The following~~
2359 ~~certificates, acknowledgments and description shall appear on the title sheet of the final~~
2360 ~~maps, and such certificates may be combined where appropriate:~~

- 2361 1. ~~Registered, professional engineer's and/or land surveyor's "certificate of survey";~~
2362 2. ~~Owner's dedication certificate;~~
2363 3. ~~Notary public's acknowledgment;~~
2364 4. ~~A description of all property being subdivided, with reference to maps or deeds of the~~
2365 ~~property as shall have been previously recorded or filed. Each reference in such~~
2366 ~~description shall show a complete reference to the book and page of records of the~~
2367 ~~county. The description shall also include reference to any vacated area with the~~
2368 ~~vacation ordinance number indicated;~~
2369 5. ~~Such other affidavits, certificates, acknowledgments, endorsements and notarial seals~~
2370 ~~as are required by law and by this chapter.~~

2371 The title sheet of the plat shall show the following information:

- 2372 1. name of the subdivision at the top center and lower right hand corner of the sheet, with
2373 location indicated by ¼ section, Township, Range, Base, and Meridian,
2374 2. number of sheets in the lower right hand corner

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 2375 3. name of the engineer or surveyor with the date of the survey
- 2376 4. north direction
- 2377 5. scale of the drawing
- 2378 6. The location of the subdivision within the city shall be shown by a small scale vicinity
- 2379 map inset.
- 2380 7. Plats filed for the purpose of showing land previously subdivided as acreage shall be
- 2381 conspicuously marked with the words "Reversion to Acreage".
- 2382 8. The following certificates, acknowledgments and boundary descriptions:
 - 2383 a. Registered, professional land surveyor's "certificate of survey" together with the
 - 2384 surveyor's professional stamp, signature, name, business address, and phone
 - 2385 number;
 - 2386 b. Owner's dedication certificate (with subdivision name included);
 - 2387 c. Notary public's acknowledgment (with subdivision name included);
 - 2388 d. A boundary description of all property being subdivided, with sufficient ties to
 - 2389 section corner, ¼ corner, land corner or recorded subdivision, etc, and with
 - 2390 reference to maps or deeds of the property as shall have been previously
 - 2391 recorded or filed. Each reference in such description shall show a complete
 - 2392 reference to the book and page of records of the county. The description shall
 - 2393 also include reference to any vacated area with the vacation ordinance number
 - 2394 indicated;
 - 2395 e. The tax parcel identification numbers for all parcels shown on the plat, and;
 - 2396 f. Such other affidavits, certificates, acknowledgments, endorsements and ~~notarial~~
 - 2397 notary seals as are required by law and by this chapter.

2399 K. Prior to the filing of the final plat with the mayor, the subdivider shall file the necessary tax
 2400 lien certificates and documents. (Prior code § 42-6-3)

2402 **20.2420.040: PUBLIC IMPROVEMENT CONSTRUCTION AGREEMENT:**

2404 A. Prior to the approval by the mayor of the final plat, and if public improvements were
 2405 conditions of preliminary approval, the subdivider shall execute and file an agreement
 2406 between the subdivider and the city, specifying the period within which the subdivider shall
 2407 complete all public improvement work to the satisfaction of the city engineer, and providing
 2408 that if the subdivider shall fail to complete the public improvement work within such period,
 2409 the city may complete the same and recover the full cost and expense thereof from the
 2410 subdivider's security device or, if not recovered therefrom, from the subdivider personally.
 2411 The agreement shall also provide for inspection and testing of all public improvements and
 2412 that the cost of such inspections and testing shall be paid for by the subdivider.

2414 B. Such agreement may also provide the following:
 2415 1. Construction of the improvements in units or phases; or
 2416 2. An extension of time under conditions specified in such agreement. (Ord. 94-98 § 4,
 2417 1998: prior code § 42-6-4)

2418
2419
2420
2421
2422
2423
2424
2425
2426
2427
2428
2429
2430
2431
2432
2433
2434
2435
2436
2437
2438
2439
2440
2441
2442
2443
2444
2445
2446
2447
2448
2449
2450
2451
2452
2453
2454
2455
2456
2457
2458
2459
2460

20.2420.050: BOND AND SECURITY REQUIREMENTS:

- A. The subdivider shall file with the city engineer, together with the improvement agreement, a security device. With the consent of the city attorney, the subdivider may, during the term of the improvement agreement, replace a security device with any other type of security device. If a corporate surety performance bond and a corporate surety payment bond are used, each shall be in an amount equal to not less than one hundred percent (100%) of the estimated cost of the public improvements. If a cash bond, escrow agreement, or letter of credit is used to secure the performance and payment obligations, the aggregate amount thereof shall be not less than one hundred percent (100%) of the estimated cost of the public improvements. The estimates of the cost of the public improvements pursuant to this subsection shall be subject to the approval of the city engineer. Except as otherwise provided hereafter, each security device shall extend for at least a one year period beyond the date the public improvements are completed and accepted by the city, as ~~certified~~ **determined** by the city engineer, to secure the subdivider's obligations under the improvement agreement, including, without limitation, the replacement of defective public improvements.

- B. In the event the subdivider fails to complete all public improvement work in accordance with the provisions of this chapter and the improvement agreement: 1) in the case of a corporate surety performance bond, the city shall have the following options, which shall be set forth in the bond: a) the city may require the subdivider's surety to complete the work, or b) the city may complete the work and call upon the surety for reimbursement; 2) in the case of a cash bond or escrow agreement, the subdivider shall forfeit to the city such portion of the money as is necessary to pay for the costs of completion; and 3) in the case of a letter of credit, the city may draw on the letter of credit to pay for the costs of completion. The subdivider shall be liable for, and the city may draw on the security device for, the city's costs and expenses incurred in realizing on the security device and otherwise pursuing its remedies hereunder and under the improvement agreement. If the amount of the security device exceeds all costs and expenses incurred by the city, the city shall release the remainder of the security device to the subdivider after the expiration of the one year period described in subsection A of this section, and if the amount of the security device shall be less than the costs and expenses incurred by the city, the subdivider shall be personally liable to the city for such deficiency.

- C. The office of the city engineer shall monitor the progress of the work. Ninety (90) days following the completion and acceptance by the city (as ~~certified~~ **determined** by the city engineer) of all of the public improvements work and upon the receipt by the city of any lien waivers required by the city engineer and provided that the city has not received any claims or notices of claim upon the security device pursuant to section 20.2420.052 of this chapter, the city engineer shall release or consent to the release of seventy five percent (75%) of the security device to the subdivider. The remaining twenty five percent (25%) shall be held for one year from the date of completion and acceptance by the city (as

2461 ~~certified~~ determined by the city engineer) of the public improvements work to make certain
2462 that the public improvements remain in good condition during that year and to secure the
2463 subdivider's other obligations under the improvement agreement. At the end of that year
2464 and upon the receipt by the city of any lien waivers required by the city engineer, and
2465 provided that the city has not received any claims or notices of claim upon the security
2466 device pursuant to section 20.~~2420~~.052 of this chapter and that the public improvements
2467 remain in good condition and the subdivider has performed the subdivider's obligations
2468 under the improvement agreement, the city engineer shall release or consent to the release
2469 of the final twenty five percent (25%) of the security device to the subdivider. All sums, if
2470 any, held by the city in the form of cash shall be returned to the subdivider without interest,
2471 the interest on such money being reimbursement to the city for the costs of supervision of
2472 the account. If the security device is a corporate surety bond, copies of the partial releases
2473 from the engineer's office shall be sent to the recorder's office for inclusion with and
2474 attachment to the bond. The foregoing provisions of this subsection shall not apply to
2475 amounts required for erosion control and slope stabilization requirements, and any release
2476 with respect to such amounts shall be made as provided in subsection E of this section and
2477 in the improvement agreement.

2478
2479 D. A letter of credit shall be irrevocable unless otherwise expressly consented to in writing by
2480 the city engineer. All other terms of and conditions for a letter of credit shall be the same as
2481 those required for a cash bond or escrow agreement.

2482
2483 E. Where a subdivider is required to provide erosion control and slope stabilization facilities in a
2484 subdivision, the estimated cost of such facilities, as approved by the city engineer, shall be
2485 set forth as a separate figure in the security device. Upon the completion and acceptance by
2486 the city engineer of such facilities, and upon the receipt by the city of any lien waivers
2487 required by the city engineer, and provided that the city has not received any claims or
2488 notices of claim upon the security device pursuant to section 20.~~2420~~.052 of this chapter,
2489 fifty percent (50%) of the money held as security for such facilities shall be returned to the
2490 subdivider and fifty percent (50%) shall be retained for two (2) growing seasons to ensure
2491 that growth has taken hold and to secure the subdivider's other obligations under the
2492 improvement agreement. All dead vegetation shall be replaced through replanting at the
2493 end of the second growing season. At the end of that two (2) year period and upon receipt
2494 by the city of any lien waivers required by the city engineer, and provided that the city has
2495 not received any claims or notices of claim upon the security device pursuant to section 20.
2496 2420.052 of this chapter and that the erosion control and/or slope stabilization remains
2497 acceptable to the city, the city engineer shall release or consent to the release of the final
2498 fifty percent (50%) of the security device to the subdivider. All sums, if any, held by the city
2499 in the form of cash shall be returned to the subdivider without interest, the interest on such
2500 money being reimbursement to the city for the costs of supervision of the account. If the
2501 security device is a corporate surety bond, copies of the partial release from the engineer's
2502 office shall be sent to the recorder's office for inclusion with and attachment to the bond.

2503

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2504 ~~F. Within twenty (20) days after entering into a contract for the construction of the public~~
2505 ~~improvements, the subdivider shall file with the city engineer a copy of the payment bond~~
2506 ~~required by section 14-2-1, Utah Code Annotated 1953, as amended, which section requires~~
2507 ~~the obtaining of such a bond to secure payment for material furnished and labor performed~~
2508 ~~under the subdivider's contract with the contractor for the public improvements. (Ord. 94-~~
2509 ~~98 § 5, 1998; prior code § 42-6-5)~~

2510

2511 **20.2420.052: SECURITY DEVICES SECURING PAYMENT RISK:**

2512 The terms of a corporate surety payment bond held by the city as a security device shall govern
2513 claims to the corporate surety by a claimant. Subsections A through E of this section shall
2514 govern claims by claimants on any security device which is a cash bond held by the city, a letter
2515 of credit, or an escrow agreement. For purposes of this section, "claim" means a request or
2516 demand by a claimant that: a) a corporate surety pay the claimant from a corporate surety
2517 payment bond or b) that the city either: 1) pay the claimant from a cash bond, or 2) make a
2518 draw request under a letter of credit or make a request for payment under an escrow
2519 agreement. For purposes of this section, "claimant" means a person who, pursuant to contract,
2520 furnished labor, materials, supplies, or equipment with respect to the public improvements. For
2521 purposes of this section, "contractor" means the person with whom the claimant has
2522 contracted to furnish labor, materials, supplies, or equipment with respect to the public
2523 improvements. For purposes of this section, "original contractor" means the person with whom
2524 the subdivider contracted to construct the public improvements.

2525

2526 A. The city shall be obligated to make a payment or request a payment to be made only to the
2527 extent of monies available under the security device, and shall have no duty to defend any
2528 person in any legal action relating to a claim.

2529

2530 B. The city shall have no obligation to a claimant under a security device until:

2531 1. The claimant has furnished written notice to the contractor, with a copy to the original
2532 contractor, the subdivider and the city, within ninety (90) days after having last performed
2533 labor or last furnished materials, supplies or equipment included in the claim, stating, with
2534 substantial accuracy, the amount of the claim and the name of the party to whom the
2535 materials, supplies or equipment were furnished or for whom the labor was done or
2536 performed; and

2537 2. Not having been paid within thirty (30) days after having furnished the above notice, the
2538 claimant has sent written claim to the city, with a copy to the original contractor and the
2539 subdivider, stating that a claim is being made under the security device and enclosing a
2540 copy of the previous written notice furnished to the contractor and to the city.

2541

2542 C. When the claimant has satisfied the conditions in subsection B of this section, the city shall,
2543 within thirty (30) days after receipt of the claim, take the following actions:

2544 1. Send an answer to the claimant, with a copy to the original contractor and to the
2545 subdivider, stating the amounts that are undisputed and the basis for challenging any
2546 amounts that are disputed;

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 2547 2. Pay or arrange for the payment of any undisputed amounts.
 2548
 2549 D. No suit or action shall be commenced by a claimant under a security device after the
 2550 expiration of one year after the date of completion of the public improvements and
 2551 acceptance thereof by the city (as certified by the city engineer). Any such suit or action
 2552 shall be commenced only in a court of competent jurisdiction in Salt Lake City.
 2553
 2554 E. If the subdivider provides a security device comprising a cash bond, a letter of credit or
 2555 escrow agreement, the subdivider and the contractor shall be deemed to have waived any
 2556 right to sue the city because of any payment or draw made by the city under or pursuant to
 2557 such security device. (Ord. 94-98 § 6, 1998)
 2558

2559 **20.24.20.055: NO PUBLIC RIGHT OF ACTION:**

2560 The provisions of sections 20.24.20.040 and 20.24.20.050 of this chapter, or successor sections,
 2561 shall not be construed to provide any private right of action on either tort, contract, third party
 2562 contract or any other basis on behalf of any property holder in the subdivision as against the
 2563 city or on the security device required under section 20.24.20.050 of this chapter or its
 2564 successor in the event that the public improvements are not constructed as required.
 2565 Notwithstanding the foregoing sentence, any security device obtained pursuant to section 20.
 2566 24.20.050 of this chapter to secure payment obligations with respect to the public
 2567 improvements shall provide a private right of action to any person, at any tier, who supplies
 2568 labor, material or equipment with respect to the public improvements. (Ord. 94-98 § 7, 1998;
 2569 Ord. 63-87 § 1, 1987; prior code § 42-6-5.1)
 2570

2571 ~~**20.24.060: PLANNING DIRECTOR CERTIFICATION:**~~

2572 ~~The planning director shall certify in writing to the planning commission and to the city~~
 2573 ~~engineer that the final plat is in full conformity with all provisions of the zoning ordinance and~~
 2574 ~~all other applicable regulations of the city and this title. (Prior code § 42-6-6)~~
 2575

2576 ~~**20.24.70**~~**20.060: CITY ENGINEER REVIEW AND CERTIFICATION APPROVAL:**

2577 Upon receipt of the final plat and other data submitted therewith, the city engineer shall
 2578 examine such to determine that the subdivision as shown is substantially the same as it
 2579 appeared on the preliminary plat and any approved alterations thereof. If the city engineer
 2580 shall determine that full conformity therewith has been made, ~~and upon receipt of certification~~
 2581 ~~of conformity from the planning director as set forth in section 20.24.060 of this chapter, or its~~
 2582 ~~successor, the city engineer shall so certify on~~ approve ~~the plat. and shall transmit the plat to~~
 2583 ~~the planning commission. (Prior code § 42-6-7)~~
 2584

2585 ~~**20.24.80**~~**20.070: APPROVAL BY PLANNING DIRECTOR:**

2586 Upon receipt of the final plat, the planning director shall, ~~within fourteen (14) days,~~ examine
 2587 the same to determine whether the plat conforms with the preliminary plat, with all changes
 2588 permitted, and with all requirements imposed as a condition of its acceptance. If the planning
 2589 director determines that the final plat conforms to the preliminary plat or the minor subdivision

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2590 approval and all permitted changes or conditions, the planning director shall approve the plat
2591 for execution by the mayor. If the planning director determines that the final plat does not
2592 conform fully to the preliminary plat as approved, the planning director shall advise the
2593 subdivider of the changes or additions that must be made for approval. (Ord. 71-94 § 1, 1994:
2594 prior code § 42-6-8)
2595

2596 **20.24.85~~20.080~~: APPROVAL BY THE CITY ATTORNEY:**

2597 After the planning director's approval of the final plat, the city attorney shall review the final
2598 plat to determine the plat's conformity to law and the validity of any dedications granted to the
2599 city. (Ord. 71-94 § 1, 1994)

2600

2601 **20.24~~20.090~~: APPROVAL BY THE MAYOR:**

2602 After the city attorney's approval of the final plat, the mayor shall consider the plat, the planss of
2603 subdivision, and the offers of dedication. The mayor may reject any or all offers of dedication.
2604 As a condition precedent to the acceptance of any streets or easements or the approval of the
2605 subdivision, the mayor may require the subdivider, at the city's option, to either improve or
2606 agree to improve the streets and install such drainage and utility structures and services~~as and~~
2607 within the period the mayor shall specify. Such agreement shall include and have incorporated
2608 as part thereof, the plans, specifications and profiles referred to and required under section 20.
2609 ~~24~~20.020 of this chapter, or its successor. If the mayor determines that the plat is in conformity
2610 with the requirements of the ordinances of the city and that the mayor is satisfied with the
2611 plans of the subdivision and the city's acceptance of all offers of dedication, the mayor shall
2612 approve the plat. (Ord. 71-94 § 1, 1994: prior code § 42-6-9)
2613

2614

2614 **20.24~~20.100~~: DISAPPROVAL OF PLAT BY MAYOR; REILING:**

2615 If the mayor ~~shall~~ determiness either that the plat is not in conformity with the requirements of
2616 the ordinances of the city, or that he/she is not satisfied with the plans of the subdivision, or if
2617 he/she ~~shall~~ rejectss any offer or offers of dedication, the mayor shall disapprove the plat,
2618 specifying reasons for such disapproval. Within thirty (30) days after the mayor has disapproved
2619 any plat, the subdivider may file with the city engineer a plat altered to meet the mayor's
2620 requirements. No final plat shall have any force or effect until the same has been approved by
2621 the mayor. (Prior code § 42-6-10)
2622

2623

2623 **20.24~~20.110~~: RECORDATION WITH COUNTY:**

2624 When the mayor ~~shall have~~ has approved the final plat, as aforesaid, and ~~once~~ the subdivider
2625 ~~shall have~~ has filed with the city recorder the agreement and security device described in
2626 sections 20.~~24~~20.040 and 20.~~24~~20.050 of this chapter, or successor sections, and when such
2627 agreement and security device ~~shall~~ have been approved by the City Attorney as to form, the
2628 plat shall be presented by the subdivider to the Salt Lake County recorder for recordation
2629 within 180 days of the mayor's approval, otherwise all approvals both final and preliminary
2630 shall be void. (Ord. 94-98 § 8, 1998: prior code § 42-6-11)
2631

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2632

2633

Chapter 20.29~~29~~24

2634

~~ROUTINE AND UNCONTESTED LOT LINE ADJUSTMENTS~~

2635

20.29~~29~~24.010: PURPOSE:

The purpose of this chapter is to enable ~~routine and uncontested~~ lot line adjustments ~~between two (2) lots~~ to be considered and approved administratively by the planning division director or designee. (Ord. 7-99 § 21, 1999)

2640

20.29~~29~~24.020: APPLICABILITY:

This chapter applies to ~~routine and uncontested~~ lot line adjustments of ~~between two (2) legally existing adjoining agricultural, residential, commercial or industrial subdivision parcels or lots that are described by either a metes and bounds description, a notice of subdivision approval, or a recorded plat.~~ Applications processed pursuant to this chapter shall:

2646

20.29~~29~~24.025: STANDARDS OF REVIEW:

Applications processed pursuant to this chapter shall meet the following standards:

2649

- A. The proposed lot line adjustment(s) comply with ~~Meet~~ all applicable zoning requirements, or reduce the amount of non-compliance.
- B. ~~Receive the consenting signatures of all abutting property owners as specified in section 20.29.030 of this chapter.~~ Not yield two principal buildings on one lot, unless permitted in the zoning district or by an approved planned development.
- C. Not affect any street right of way.
- D. Not create any new lots. (Ord. 7-99 § 21, 1999)

2657

20.29~~29~~24.030: GENERAL APPLICATION CONTENTS:

The application for ~~routine and uncontested~~ lot line adjustments shall include:

2660

- A. ~~The signatures of approval of all abutting property owners and property owners directly across any abutting street(s) on a form provided by the planning division~~ all property owners of record whose land is involved in the adjustment.
- B. ~~Six (6) copies of a preliminary plat drawing in accordance with chapter 20.16 and section 20.08.250 of this title, showing the land to be subdivided, properly and accurately drawn to scale, certified as accurate by a registered land surveyor or professional engineer.~~ Digital and/or paper copies of a site plan and other items necessary for proper review as specified by the planning director. The site plan shall be verified by a Utah registered land surveyor or licensed engineer and include the following information:

2671

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 2672 1. current lot lines,
 2673 2. proposed adjustment(s),
 2674 3. location of the home(s) and/or building(s) on the parcels involved, including
 2675 accessory buildings, and
 2676 4. setbacks from all buildings to the existing and adjusted parcel line(s).
 2677
 2678 C. ~~A current Sidwell map (with aerial photograph and ownership lines) from the Salt Lake~~
 2679 ~~County recorder's office showing the entire subject area. (Ord. 7-99 § 21, 1999)~~ A deed or
 2680 other recordable instrument that will be used to execute the adjustment, and
 2681
 2682 D. Verification that ~~elimination or~~ relocation of a parcel line(s) will not leave in place a utility
 2683 easement(s) that will impede future development.
 2684

2685 **20.20.040: FEES:**

2686 ~~The petitioners shall pay an application review fee of two hundred dollars (\$200.00). (Ord. 7-99~~
 2687 ~~§ 21, 1999)~~ Lot line adjustment fees shall be paid according to the Salt Lake City Consolidated
 2688 Fee Schedule.
 2689

2690 ~~20.29~~ ~~24.050~~ **040: CITY INTERNAL REVIEW AND DECISION:**

2691 The planning director or designee shall review the application for completeness and for
 2692 compliance to with the regulations of the zoning ordinance standards of review for this type of
 2693 application. The planning director or designee shall also forward the lot line application to the
 2694 City Surveyor for review of the new legal descriptions. Upon review of the application, ~~and~~
 2695 ~~preliminary plat~~ site plan and finding that the standards of review are complied with, the
 2696 planning director, or designee, may either approve the lot line adjustment or forward the
 2697 application ~~through the minor subdivision process as described in chapter 20.20 of this title.~~
 2698 ~~(Ord. 7-99 § 21, 1999)~~ for a public hearing with the planning commission. If the standards of
 2699 review are not met, the planning director shall deny the application for lot line adjustment.
 2700

2701 ~~20.29~~ ~~24.060~~ **050: RECORDABLE INSTRUMENT:**

2702 If the lot line adjustment is approved, ~~The~~ the planning director or designee shall record a
 2703 notice of lot line adjustment with the Salt Lake County recorder's office that is signed by the
 2704 planning director and each owner included in the exchange. The notice shall contain ~~containing~~
 2705 the descriptions of both the original parcels and the modified parcels and ~~legal description of~~
 2706 ~~each new lot and stating~~ state any conditions of approval. A document of conveyance shall be
 2707 recorded by the applicant, property owner, or their representative at the same time as the
 2708 notice of approval. The lot line adjustment is not valid unless the document of conveyance is
 2709 recorded. (Ord. 7-99 § 21, 1999)
 2710

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2712 **Chapter 20.3128**
2713 **SUBDIVISION AMENDMENTS**

2714 **Article I. General Provisions**

2715 **20.3128.010: AMENDMENT INITIATION:**

2716 The city may, ~~with or without an amendment petition,~~ consider any proposed vacation,
2717 alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street,
2718 lot or alley contained in a subdivision plat pursuant to the provisions of this chapter. (Ord. 7-99
2719 § 23, 1999)

2720

2721 **20.3128.020: PETITION FILING:**

2722 The owner of ~~any~~ land within a recorded subdivision may submit an amendment petition for
2723 the land they have ownership interest in or, in the case of proposed closure of a public street or
2724 right-of-way that they propose ownership interest in, to the ~~city~~ planning director or designee
2725 pursuant to the provisions of this chapter. (Ord. 7-99 § 23, 1999)

2726

2727 **20.3128.030: GENERAL PETITION CONTENTS:**

2728 An amendment petition shall include the same items required for preliminary plat review as
2729 specified in chapter 20.16 in addition to the following:

2730

- 2731 A. ~~A letter to the mayor planning director requesting a subdivision plat amendment~~ The name
2732 and address of each owner of record of the land contained in the entire plat, and;
2733 B. ~~Ten (10) copies of a preliminary plat drawings showing the land to be subdivided, properly~~
2734 ~~and accurately drawn to scale, certified as accurate by a registered land surveyor or~~
2735 ~~professional engineer~~ The signature of each of these owners who consents to the petition.
2736 C. ~~One reduced eleven inch by seventeen inch (11" x 17") or eight and one half inch by eleven~~
2737 ~~inch (8.5" x 11") copy of the preliminary plat drawing;~~
2738 D. ~~The name and address, on gummed mailing labels, of the following:~~
2739 1. ~~All owners, as shown in the last county assessment rolls, of the land contained in the~~
2740 ~~entire original or previously amended subdivision plat and of all property owners~~
2741 ~~within three hundred feet (300') of the property (excluding streets) that is the subject~~
2742 ~~of the proposed plat change;~~
2743 2. ~~All owners, as shown in the last county assessment rolls, of land within the~~
2744 ~~subdivision plat or adjacent to any street that is proposed to be closed, vacated,~~
2745 ~~altered or amended;~~
2746 3. ~~The name and address of the petitioner;~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2747 4. The name and address of the chairperson(s) of the affected community council(s) of
2748 affected recognized or registered organizations pursuant to title 2, chapter 2.62 of
2749 this code or its successor; and
2750 E. A current Sidwell map (with aerial photograph and ownership lines) from the Salt Lake
2751 County recorder's office showing the entire subdivision plat and notice area. (Ord. 7-99
2752 § 23, 1999)

2753

2754 **20.3128.040: FEES:**

2755 The petitioners shall pay, with the amendment petition, the appropriate fees pursuant to the
2756 following schedule: Subdivision amendment fees shall be paid according to the adopted Salt
2757 Lake City Consolidated Fee Schedule.

2758

2759 A. Petition Filing Fee: Three hundred fifty dollars (\$350.00) plus twenty five dollars (\$25.00) per
2760 lot;

2761 B. Postage: The cost of postage for each mailing label as required by subsection 20.31.030D of
2762 this chapter. (Ord. 7-99 § 23, 1999)

2763

2764 **Article II. Subdivision Amendments Not Involving**
2765 **Streets**

2766 **20.3128.050: APPLICABILITY:**

2767 Residential, commercial, industrial or agricultural Subdivision amendments not involving the
2768 closure, vacation of all or a portion of, alteration or amendment of any public street, right-of-
2769 way, or easement, or that cannot be processed under chapter 20.2924 of this title as routine
2770 and uncontested lot line adjustments, shall be processed pursuant to this article. (Ord. 7-99
2771 § 23, 1999)

2772

2773 **20.3128.060: CITY INTERNAL REVIEW:**

2774 A. The planning director or designee shall ~~obtain comments regarding the amendment~~
2775 ~~petition from all interested city departments or divisions~~ transmit a copy of the
2776 preliminary plat to, and request comments from, city departments and divisions that are
2777 part of the subdivision review process, as determined by the planning director.

2778 B. The division of transportation may, if the division determines that the proposed
2779 amendment petition may have an adverse material impact on traffic, require the
2780 applicant to submit a professionally prepared traffic impact study prior to the hearing
2781 on the application.

2782 C. The departmental comments shall be transmitted to the petitioner. (Ord. 7-99 § 23,
2783 1999)

2784

2785

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2786 **~~20.31.070:~~ STAFF REPORT:**

2787 The planning director or designee shall assign a member of the director's staff to prepare a
2788 written report regarding the amendment petition after completion of the internal review or
2789 receipt of the traffic study, whichever is later. (~~Ord. 7-99 § 23, 1999~~)

2791 **~~20.31.28.080~~070: ADMINISTRATIVE HEARING REVIEW:**

2792 The subdivision amendment application is considered a preliminary plat and shall be processed
2793 and reviewed using those same standards according to the procedures outlined for preliminary
2794 plats in chapter 20.16; however, notice shall be provided according to chapter 20.36.

- 2796 ~~A. The planning director or designee shall hold a public administrative hearing to consider the~~
2797 ~~amendment petition.~~
- 2798 ~~B. Notice of the administrative hearing shall be mailed to all individuals and entities identified~~
2799 ~~in subsection 20.31.030D of this chapter or its successor, and shall also be posted on the~~
2800 ~~subject property at least fourteen (14) days prior to the scheduled hearing.~~
- 2801 ~~C. The planning director or designee shall review all city departmental comments, comments~~
2802 ~~from the petitioner and other individuals and may either:~~
 - 2803 ~~1. Approve or deny the petition based upon the standards set forth in section~~
2804 ~~20.31.090 of this chapter; or~~
 - 2805 ~~2. Forward the amendment petition to the planning commission. (~~Ord. 7-99 § 23, 1999~~)~~

2807 **~~20.31.090:~~ STANDARDS FOR APPROVAL OF AMENDMENT PETITION:**

2808 An amendment petition shall be approved only if it meets all of the following requirements:

- 2810 ~~A. The amendment will be in the best interests of the city;~~
- 2811 ~~B. All lots comply with all applicable zoning standards;~~
- 2812 ~~C. All necessary and required dedications are made;~~
- 2813 ~~D. Provisions for the construction of any required public improvements are included;~~
- 2814 ~~E. The amendment complies with all applicable laws and regulations; and~~
- 2815 ~~F. The amendment does not materially injure the public or any person and there is good~~
2816 ~~cause for the amendment. (~~Ord. 7-99 § 23, 1999~~)~~

2818 **~~20.31.28.100~~080: APPEALS FROM OF ADMINISTRATIVE DECISION:**

2819 Refer to Chapter 20.48 Appeals for information and regulations regarding filing an appeal of a
2820 decision on subdivision amendments.

- 2822 ~~A. If the petitioner, or any notified individual or organization disagrees with the planning~~
2823 ~~director's decision, a written objection, clearly specifying the reasons therefore, shall be~~
2824 ~~filed with the city within fourteen (14) days following the administrative hearing.~~
- 2826 ~~B. The objection shall be heard before the planning commission subject to the following~~
2827 ~~provisions of section 20.28.120 of this chapter. (~~Ord. 7-99 § 23, 1999~~)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2829 **~~20.31.120: PLANNING COMMISSION HEARING:~~**
2830 A. The planning commission shall hold a public hearing to consider the amendment petition.
2831 B. Notice of the planning commission hearing shall be mailed to all individuals and entities
2832 identified in subsection 20.31.030.C of this chapter, or its successor, and shall also be
2833 posted on the subject property at least fourteen (14) days prior to the scheduled hearing.
2834 C. The planning commission shall review all city departmental comments, comments from the
2835 petitioner and other individuals, and shall approve or deny the amendment petition with
2836 specific findings of fact, according to the standards for approval set forth in section
2837 20.31.090 of this chapter. (Ord. 7-99 § 23, 1999)

2838
2839 **~~20.31.130~~ 28.130 **090: RECORDABLE INSTRUMENT:****

2840 If the amendment petition is approved, ~~the planning director shall execute and record the final~~
2841 amended subdivision plat and such other documents as may be required shall be executed by
2842 the Planning Director. The plat and documents shall be recorded in the office of the County
2843 Recorder either by the applicant or by the Planning Director. (Ord. 7-99 § 23, 1999)

2845 **Article III. Subdivision Amendments Involving Streets**

2846 **~~20.31.140~~ 28.140 **100: PURPOSE AND AUTHORIZATION:****

2847 If the amendment petition involves closure, vacation (in whole or in part), alteration or
2848 amendment of any public street, right-of-way, or easement, or the dedication of a private
2849 street to a public street, the amendment petition shall be processed pursuant to the provisions
2850 of this article. (Ord. 7-99 § 23, 1999)

2851
2852 **~~20.31.150~~ 28.150 **110: CITY INTERNAL REVIEW:****

2853 A. The planning director or designee shall ~~obtain comments regarding the amendment~~
2854 ~~petition from all interested city departments or divisions~~ transmit a copy of the
2855 preliminary plat to, and request comments from, city departments and divisions that are
2856 part of the subdivision review process, as determined by the planning director.

2857 B. The division of transportation may, if the division determines that the proposed
2858 amendment petition may have an adverse material impact on traffic, require the
2859 applicant to submit a professionally prepared traffic impact study prior to the hearing
2860 on the application.

2861 C. The departmental comments shall be transmitted to the petitioner. (Ord. 7-99 § 23,
2862 1999)

2863
2864 **~~20.31.160: STAFF REPORT:~~**

2865 ~~The planning director shall assign a member of the director's staff to prepare a written report~~
2866 ~~regarding the amendment petition after completion of the internal review and/or receipt of the~~
2867 ~~traffic study, whichever is later. (Ord. 7-99 § 23, 1999)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2869 **20.31~~28.180~~120: PLANNING COMMISSION HEARING:**

- 2870 A. The planning commission shall hold a public hearing to consider the amendment
- 2871 petition and shall provide a recommendation to the city council to approve, approve
- 2872 with conditions, or deny the amendment according to the standards for preliminary
- 2873 plats set forth in section 20.16.100 of this chapter.
- 2874 B. Notice of the planning commission hearing shall be ~~mailed to all individuals and entities~~
- 2875 ~~identified in subsection 20.31.030D of this chapter or its successor, and shall also be~~
- 2876 ~~posted on the subject property at least fourteen (14) days prior to the scheduled~~
- 2877 ~~hearing~~ provided in accordance with noticing requirements in section 20.36 of this
- 2878 chapter.
- 2879 ~~C. The planning commission shall review all city departmental requirements, comments~~
- 2880 ~~from the petitioner and other individuals, and shall approve or deny the amendment~~
- 2881 ~~petition with specific findings of fact, according to the standards for approval set forth in~~
- 2882 ~~section 20.31.090 of this chapter. (Ord. 7-99 § 23, 1999)~~

2883
2884 **20.31~~28.190~~130: CITY COUNCIL HEARING:**

- 2885 A. The city council shall hold a public hearing to consider the amendment petition and shall
- 2886 either approve, approve with conditions, or deny the amendment according to the
- 2887 standards for preliminary plats set forth in section 20.16.100 of this chapter, and in the
- 2888 case of dedication of street from private ownership to public ownership, according to
- 2889 the policies and standards found in chapter 14.54 of the city code.
- 2890 B. A notice of public hearing before the Salt Lake City council shall be ~~mailed to all~~
- 2891 ~~individuals and entities identified in subsection 20.31.030D of this chapter, or its~~
- 2892 ~~successor, shall be posted on the subject property at least fourteen (14) days prior to~~
- 2893 ~~the scheduled administrative hearing, and shall be published once a week for four (4)~~
- 2894 ~~consecutive weeks before the hearing in a newspaper of general circulation in the city~~
- 2895 provided in accordance with noticing requirements for public hearings of chapter 20.36
- 2896 of this title.
- 2897 ~~C. The city council shall review all city departmental requirements, comments from the~~
- 2898 ~~petitioner and other individuals, the recommendation of the planning commission and~~
- 2899 ~~shall approve or deny the amendment petition with specific findings of fact, according~~
- 2900 ~~to the standards for approval set forth in section 20.31.090 of this chapter. (Ord. 7-99~~
- 2901 ~~§ 23, 1999)~~

2902
2903 **20.31~~28.200~~140: RECORDABLE INSTRUMENT:**

2904 If the amendment petition is approved by the council, ~~the planning director shall execute and~~

2905 ~~record~~ the final amended subdivision plat and such other documents as may be required shall

2906 be executed by the Planning Director. The plat and documents shall be recorded in the office of

2907 the County Recorder either by the applicant or by the Planning Director. (Ord. 7-99 § 23, 1999)

2908
2909 **20.28.150: APPEALS OF CITY COUNCIL DECISION:**

2910 Refer to Chapter 20.48 Appeals for information and regulations regarding filing an appeal of a

2911 decision on subdivision amendments.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2912
2913
2914
2915
2916
2917
2918
2919
2920
2921
2922
2923
2924
2925
2926
2927
2928
2929
2930
2931
2932
2933
2934
2935
2936
2937
2938
2939
2940
2941
2942
2943
2944
2945
2946
2947
2948
2949
2950

~~Article IV. Appeals and Enforcement~~

Article IV was parceled out and moved to other, new sections within this Subdivision Ordinance, specifically chapters 20.48 (Appeals) and 20.52 (Enforcement)

~~**20.31.310: EXHAUSTION OF ADMINISTRATIVE REMEDIES:**~~

~~No person may challenge in district court the city's actions on an amendment petition under this chapter until that person has exhausted all available administrative remedies. (Ord. 7-99 § 23, 1999)~~

~~**20.31.320: APPEAL FROM PLANNING COMMISSION DECISION:**~~

~~Any person adversely affected by a final decision made by the planning commission under this chapter may appeal to the appeals hearing officer in accordance with the provisions of title 21A, chapter 21A.16 of this code. (Ord. 8-12, 2012)~~

~~**20.31.330: APPEALS FROM APPEALS HEARING OFFICER AND CITY COUNCIL DECISIONS:**~~

~~Any person adversely affected by a final decision made by the appeals hearing officer or the city council under this chapter may file a petition for review of the decision with the district court within thirty (30) days after the decision is rendered. (Ord. 8-12, 2012)~~

~~**20.31.340: ENFORCEMENT:**~~

~~A. The city, in addition to any other remedy provided by law, may seek to prevent any remedy or violation of this chapter which has occurred or is about to occur by instituting a proceeding for an injunction, mandamus, abatement or any other appropriate action.~~

~~B. The city may enforce the provisions of this chapter by refusing to issue building permits. (Ord. 7-99 § 23, 1999)~~

~~**20.31.350: CIVIL PENALTIES:**~~

~~Any violations of the provisions of this chapter shall subject the violator to a civil penalty in the following amounts:~~

~~A. Two hundred dollars (\$200.00) per day of the violation if the violation occurs in the foothills FR-1, FR-2, FR-3 district and FP foothills protection district.~~

~~B. One hundred dollars (\$100.00) per day of the violation for any other violation. (Ord. 7-99 § 23, 1999)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

Chapter 20.32

CONSOLIDATION OF PARCELS

20.32.010: PURPOSE:

The purpose of this chapter is to allow for the consolidation of adjacent parcels and/or subdivision lots.

20.32.020: APPLICABILITY:

This section applies to adjacent land parcels or lots whether or not they are part of a previously recorded subdivision. In order for two or more adjacent lots to be consolidated into one lot, the following criteria shall be met:

- A. Compliance with all applicable zoning regulations including maximum lot size, if applicable.
- B. A lot consolidation cannot yield two principal buildings on one lot, unless permitted in the zoning district or by an approved planned development.

20.32.030: GENERAL APPLICATION REQUIREMENTS:

The application for consolidation of parcels shall include:

- A. A site plan, verified by a Utah registered land surveyor or professional engineer, depicting the following information
 1. current lot lines,
 2. location of any home(s) and/or building(s) on the parcels involved, including accessory buildings, and
- B. Verification that elimination of a parcel line(s) will not leave in place any utility easement(s) that will impede future development.
- C. A copy of the deed or other recordable instrument that will be used to execute the consolidation. The instrument shall clearly indicate that the parcels are to be consolidated into one parcel and one legal description.

20.32.040: CITY INTERNAL REVIEW:

The planning director or designee shall review the application for completeness and for compliance to the regulations of the zoning ordinance. Upon review of the application, the planning director, or designee, may either approve or deny the lot consolidation.

20.32.050: RECORDABLE INSTRUMENT:

- A. When the consolidation does not involve any lots that are part of a previously recorded subdivision, City approval of the consolidation shall be in the form of a notarized findings and order executed by the Planning Director or designee and provided to the applicant and/or owners. The findings and order shall specify, according to Section 20.32.060 of this chapter, the time period after which City approval shall expire. The

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

2992 applicant shall record the approved recordable instrument and the associated findings
2993 and order in the Office of the Salt Lake County Recorder.
2994 B. When the consolidation involves lots, either in whole or in part, that are part of a
2995 previously recorded subdivision, City approval of the consolidation shall be in the form
2996 of a notarized notice of subdivision lot consolidation executed by the Planning Director
2997 or designee, which the City shall record in the Office of the Salt Lake County Recorder.
2998 The notice shall specify, according to Section 20.32.060 of this chapter, the time period
2999 after which City approval shall expire. The applicant shall record the approved
3000 recordable document of conveyance in the Office of the Salt Lake County Recorder to
3001 validate the City approval.
3002

3003 **20.32.060: EXPIRATION OF APPROVAL:**

3004 City approval for lot consolidations is only valid upon recording of the approved deed or other
3005 recordable instrument, and any document of approval issued by the City shall clearly indicate
3006 the same. Furthermore, City approval shall expire 90 calendar days from the date the City
3007 document was notarized unless both the City approval document and the approved recordable
3008 instrument for transferring property are recorded within that time.
3009

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3010

3011

3012

Chapter 20.36 NOTICING REQUIREMENTS

3013

20.36.010: REQUIRED NOTICING FOR PLANNING DIRECTOR DECISION ON PRELIMINARY PLAT APPLICATIONS

3014

3015 When the review process involves a preliminary decision by the Planning Director the
3016 application shall be noticed as follows:

3017

A. Subdivisions:

3018

1. Mailing: Written notice of subdivision application shall be provided by first class mail a
3019 minimum of twelve (12) calendar days in advance of the pending decision to all owners
3020 and tenants of the land subject to the application, and all abutting property owners, as
3021 shown on the Salt Lake City geographic information system records.

3019

3020

3021

3022

2. Posting: Notice by sign, in accordance with subsection 20.36.030 of this section, shall
3023 also be posted on the property at least ten (10) days prior to the scheduled
3024 administrative decision.

3023

3024

3025

3. Notification to Recognized Organizations: The city shall give notification in accordance
3026 with subsection 20.36.040 of this section.

3026

3027

3028

B. Subdivision amendments not involving vacating or altering a public street, right-of-way, or
3029 easement:

3030

1. Amendments not involving a public street, right-of-way, or easement:

3031

a. Mailing: Written notice of subdivision application shall be provided by first class mail
3032 a minimum of twelve (12) calendar days in advance of the pending decision to:

3032

3033

i. All property owners or tenants, as shown on the City's computerized geographic
3034 information system, of land contained in the entire original or previously
3035 amended subdivision plat and all property owners whose property abuts the
3036 land being amended and is located outside of the subject subdivision; and

3034

3035

3036

3037

b. Posting: Notice by sign, in accordance with subsection 20.36.030 of this section, shall
3038 also be posted on the property at least ten (10) days prior to the scheduled
3039 administrative decision.

3037

3038

3039

3040

c. Notification to Recognized Organizations: The city shall give notification in
3041 accordance with subsection 20.36.040 of this section.

3041

3042

3043

20.36.020: REQUIRED NOTICING FOR PUBLIC HEARING:

3044

When the review process involves a public hearing, the application and hearing shall be noticed
3045 as follows:

3045

3046

A. Subdivisions: excluding subdivision amendments involving a public street, right-of-way, or
3047 easement, which have different noticing requirements as specified in subsection
3048 20.36.020.B, whenever a public hearing with the planning commission is required for
3049 preliminary plat decision, the following public noticing is required:

3047

3048

3049

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 3050 1. **Mailing:** Notice by first class mail shall be provided a minimum of twelve (12)
3051 calendar days in advance of the public hearing, to all abutting property owners of
3052 the subject land, as shown on the Salt Lake City Geographic Information System
3053 records.
- 3054 2. **Posting:** The land subject to an application shall be posted by the City with a sign, in
3055 accordance with subsection 20.36.030 of this section, giving notice of the public
3056 hearing a minimum of ten (10) calendar days in advance of the public hearing.
- 3057 3. **Notification to Recognized Organizations:** The city shall give notification in
3058 accordance with subsection 20.36.040 of this section.
- 3059
- 3060 B. Subdivision amendments involving vacating or altering a public street, right-of-way, or
3061 easement:
- 3062 1. Notice of the public hearing shall be provided in the following manner at least 12
3063 days before the hearing:
- 3064 a. mailed to the record owner of each parcel that is accessed by the subject portion
3065 of public street, right-of-way, or easement;
- 3066 b. mailed to each affected entity;
- 3067 c. published in a newspaper of general circulation in the municipality in which the
3068 land subject to the petition is located; and
- 3069 d. published on the Utah Public Notice Website created in Section 63F-1-701 of the
3070 Utah Code.
- 3071 2. **Posting:** The land subject to an application shall be posted by the City with a sign, in
3072 accordance with subsection 20.36.030 of this section, giving notice of the public
3073 hearing a minimum of ten (10) calendar days in advance of the public hearing.
- 3074 3. **Notification To Recognized Organizations:** The city shall give notification in
3075 accordance with subsection 20.36.040 of this section.
- 3076

20.36.030: SIGN POSTING; LOCATION AND REMOVAL

- 3077
- 3078 1. **Location:** One notice sign shall be posted for each five hundred feet (500') of
3079 frontage, or portion thereof, along a public street. At least one sign shall be posted
3080 on each public street. The sign(s) shall be located on the property subject to the
3081 request or petition and shall be set back no more than twenty-five feet (25') from
3082 the front property line and shall be visible from the street. Where the land does not
3083 have frontage on a public street, signs shall be erected on the nearest street right-
3084 of-way with an attached notation indicating generally the direction and distance to
3085 the land subject to the application.
- 3086 2. **Removal:** If the sign is removed through no fault of the applicant before the hearing,
3087 such removal shall not be deemed a failure to comply with the standards, or be
3088 grounds to challenge the validity of any decision made on the application.
- 3089

20.36.040: NOTIFICATION TO RECOGNIZED AND REGISTERED ORGANIZATIONS: 3091 When it is required, notification to recognized organizations, shall be given by e-mail 3092 notification, or other form of notification chosen by the planning director, a minimum of twelve

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3093 (12) calendar days in advance of a planning director decision and/or a public hearing to any
3094 organization which is entitled to receive notice pursuant to title 2, chapter 2.60 of the city code.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3095

3096

Chapter 20.28~~40~~40

3097

IMPROVEMENTS AND FLOOD CONTROL

3098

~~20.2840~~20.2840.010: REQUIRED IMPROVEMENTS; IMPROVEMENT AGREEMENT

3099

CONDITIONS:

3100

A. The subdivider shall improve, ~~or agree to improve,~~ all streets, pedestrian ways or easements in the subdivision, and adjacent streets required to serve the subdivision. No permanent improvement work shall be commenced until improvement plans and profiles have been approved by the city engineer and a subdivision improvement agreement contract has been ~~concluded~~ executed between the subdivider and the city. Improvements shall be installed to permanent line and grade and to the satisfaction of the city engineer, and in accordance with the standard subdivision specifications contained in ~~title 18, chapter 18.28~~ Section 20.12 of this ~~code~~ Title or its successor, as adopted by the city. The cost of inspection shall be paid by the subdivider. The subdivider may request that certain public improvements be waived by the City's Complete Streets Committee. The Complete Streets Committee may waive those improvements for which it has authority.

3111

B. The minimum improvements which the subdivider normally shall ~~make, or agree to make,~~ install at the cost of the subdivider, prior to acceptance and approval of the final subdivision map by the city shall be:

3115

1. Grading, curbs and gutter, paving, drainage, and drainage structures necessary for the proper use and drainage of streets and pedestrian ways, and for the public safety;

3118

2. Site grading and drainage, taking into consideration the drainage pattern of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved. All site grading shall conform to the specifications contained in ~~title 18, chapter 18.28~~ Section 20.12 of this ~~code~~ Title, ~~on site development regulations;~~

3123

3. All streets and pedestrian ways shall be graded, and surfaced to widths and grades shown on the improvement plans and profiles. The subdivider shall improve the extension of all subdivision streets and pedestrian ways to any intercepting or intersecting streets;

3127

4. Sidewalks shall be installed as shown on the improvement plans and profiles;

3129

5. Sanitary sewer facilities connecting with the existing city sewer system shall be installed to serve the subdivision, with a separate private lateral for each lot, and to grades and sizes shown on the plans;

3133

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 3134 6. Stormwater drains and detention/retention basins shall be installed as shown on the
3135 plans;
3136
- 3137 7. Water mains and fire hydrants connecting to the water system serving the city shall be
3138 installed as shown on the plans signed by the city engineer. Mains and individual lot services
3139 shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the
3140 subdivision and to provide adequate fire protection;
3141
- 3142 8. Street trees, if required, shall be of a type approved by the city and planted in approved
3143 locations;
3144
- 3145 9. Barricades, street signs and traffic safety devices shall be placed as required by the city
3146 engineer and city transportation engineer;
3147
- 3148 10. Street lighting facilities shall be provided in accordance with city policy for the area of
3149 the city where the subdivision is located, and shall be so screened as not to interfere with
3150 views from hillsides of the city;
3151
- 3152 11. All natural gas lines, and telephone, electric power, cable television or other wires or
3153 cables shall be placed underground. Equipment appurtenant to the underground facilities,
3154 such as surface mounted transformers, pedestal mounted terminal boxes and meter
3155 cabinets, and concealed ducts may be aboveground subject to compliance with Zoning
3156 Ordinance chapter 21A.40.160 Ground Mounted Utility Boxes or its successor. The
3157 subdivider shall make necessary arrangements with the utilities involved for the installation
3158 of the underground facilities;
3159
- 3160 12. Provisions shall be made for any railroad crossings necessary to provide access to or
3161 circulation within the proposed subdivision. (Ord. 7-99 § 20, 1999: prior code § 42-8-1)
3162

3163 **20.2840.20: UNDERGROUND UTILITY INSTALLATION:**

3164 All underground utilities, sanitary sewers and storm drains installed in streets or alleys shall be
3165 constructed prior to the surfacing of such streets or alleys. Connections for all underground
3166 utilities and sanitary sewers shall be laid to such length as will ~~obviate~~ avert the necessity for
3167 disturbing the street or alley improvements, when service connections thereto are made. (Prior
3168 code § 42-8-2)
3169

3170 **20.2840.030: IMPROVEMENTS; AS BUILT PLAN FILED ON COMPLETION:**

3171 A complete improvement plan "as built" (aka "Record Documents") shall be filed with the city
3172 engineer upon completion of said improvements. ~~Such as built plans shall be drawn on copies~~
3173 ~~of the original tracings and certified as to accuracy and completeness by the subdivider's~~
3174 ~~licensed contractor. Upon receipt and acceptance of the as built plan, the city engineer will~~
3175 ~~recommend formal acceptance by the mayor. (Amended during 1/88 supplement: prior code~~
3176 ~~§ 42-8-3)~~

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3177
3178
3179
3180
3181
3182
3183
3184
3185
3186
3187
3188
3189
3190
3191

20.2840.040: FLOOD CONTROL REQUIREMENTS:

Notwithstanding the provisions of this section and sections 20.2840.010 through 20.2840.030 of this chapter, or successor sections, the following requirements shall be imposed as a condition of approval of a subdivision located within a floodplain area, as defined by title 18, chapter 18.68 of ~~this~~ Salt Lake City Code code:

- A. The subdivision design shall be consistent with the need to minimize flood damage;
- B. Adequate drainage must be provided so as to reduce exposure to flood hazards; and
- C. All public utilities and facilities such as sewer, gas, electrical and water systems shall be located, elevated or constructed so as to minimize or eliminate flood damage. (Prior code § 42-7-14)

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3192

3193

3194

3195

Chapter 20.3244
MODIFICATIONS OF STANDARDS AND
REQUIREMENTS ~~AND APPEALS~~

3196

**20.3244.010: MODIFICATIONS; PERMITTED WHEN; PETITION FROM
SUBDIVIDER:**

3197

3198

3199

3200

3201

3202

3203

3204

3205

3206

A. Whenever the land involved in any subdivision is of such size or shape, or is subject to such title limitations of record, or is affected by such topographical location or conditions, or is to be devoted to such use that it is impossible, impractical or undesirable in a particular case for the subdivider fully to conform to the ~~standard specifications~~ design standards and requirements contained in ~~title 18, chapter 18.28~~ chapter 20.12 of this ~~code~~ Title, or its successor, the planning commission or its designee may recommend and the mayor may permit such modification thereof as may be reasonably necessary if such modifications are in conformity with the spirit and purpose of this title.

3207

3208

3209

3210

B. Application for any such modification shall be made by a verified petition of the subdivider, stating fully the grounds of the application and the facts relied upon by the petitioner. Such petition shall be filed with or after the filing of the preliminary plat of the subdivision.

3211

3212

3213

3214

C. In order for the property referred to in the petition to come within the provisions of this section, it shall be necessary that the planning commission or its designee shall find the following facts with respect thereto:

3215

3216

3217

3218

3219

3220

3221

1. There are special circumstances or conditions affecting said property;
2. The modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
3. The granting of the modification will not be detrimental to the public welfare or safety, or injurious to other property in the ~~territory~~ vicinity in which the property is situated. (Ord. 7-99 § 24, 1999: prior code § 42-9-1)

3222

**20.3244.020: MODIFICATIONS; SUBDIVISIONS AS OR PART OF PLANNED
DEVELOPMENTS:**

3223

3224

3225

3226

3227

3228

3229

3230

~~A. The planning commission shall review applications on planned developments, and may approve modifications of zoning ordinances as may be appropriate and necessary, in accordance with the criteria established in title 21A of this code regarding planned developments.~~

A. ~~Additionally, upon an~~ For application of a planned development that desires approval as a subdivision of lots under this title, the planning commission shall review the application, pursuant to the procedure governing subdivisions, but, in its discretion, may

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3231 waive portions of the requirements of this title or title 21A of this code applicable to lot
3232 area, size, minimum side yards, public road dedication and minimum road frontage
3233 setbacks upon terms or conditions as it deems appropriate and consistent with criteria
3234 set forth in title 21A of this code regarding planned developments. (Ord. 7-99 § 25,
3235 1999: prior code § 42-9-2)
3236

3237 **20.32.30: APPEALS:**

3238 ~~A. Any person adversely affected by any final decision made by the mayor under section~~
3239 ~~20.32.010 of this chapter, concerning modifications to the standard subdivision~~
3240 ~~specifications contained in title 18, chapter 18.28 of this code, or its successor, may file a~~
3241 ~~petition for review of the decision with the district court within thirty (30) days after the~~
3242 ~~decision is rendered.~~

3243
3244 ~~B. Any person adversely affected by any final decision made by the planning commission under~~
3245 ~~section 20.32.020 of this chapter, concerning modifications to a subdivision involving a~~
3246 ~~planned development, may file an appeal with the land use appeals board within thirty (30)~~
3247 ~~days after the decision is rendered. (Ord. 77-03 § 4, 2003: Ord. 7-99 § 26, 1999: prior code~~
3248 ~~§ 42-9-3)~~
3249

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3250

3251

Chapter 20.48

3252

APPEALS

3253

~~20.31.48.310~~ 48.110: EXHAUSTION OF ADMINISTRATIVE REMEDIES:

3254

No person may challenge in district court the city's actions on ~~an amendment~~ any petition

3255

under this chapter until that person has exhausted all available administrative remedies. (Ord.

3256

7-99 § 23, 1999)

3257

3258

~~20.31.320~~ 48.115: APPEAL OF ADMINISTRATIVE DECISION:

3259

Any person adversely and materially affected by any final decision made by the planning

3260

director or designee under this chapter may file a petition for review of the decision with the

3261

planning commission within ten (10) days after the record of decision is posted to the City's

3262

internet site.

3263

3264

~~20.31.330~~ 48.120: APPEAL FROM OF PLANNING COMMISSION DECISION:

3265

Any person adversely affected by any final decision made by the planning commission under

3266

this chapter may file a petition for review of the decision with the land use appeals ~~board~~

3267

authority within ~~thirty (30)~~ ten (10) days after the decision is rendered. (Ord. 77-03 § 3, 2003:

3268

Ord. 7-99 § 23, 1999)

3269

3270

~~20.31.330~~ 48.130: APPEALS FROM OF LAND USE APPEALS-BOARD AUTHORITY

3271

AND CITY COUNCIL DECISIONS:

3272

Any person adversely affected by any final decision made by the land use appeals ~~board~~

3273

authority or the city council under this chapter may file a petition for review of the decision

3274

with the district court within ~~thirty (30)~~ ten (10) days after the decision is rendered. (Ord. 7-99

3275

§ 23, 1999)

3276

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3277

3278

Chapter 20.36~~52~~ ENFORCEMENT

3279

3280 ~~20.36~~**52.010: UNLAWFUL ACTS INVOLVING SALE OR LEASE OF PROPERTY:**

3281 A. No person shall offer to sell, contract to sell, sell, deed or convey any property contrary
3282 to the provisions of this title.

3283
3284 ~~B. Any deed of conveyance, sale or contract to sell made contrary to the provisions of this~~
3285 ~~title is voidable at the sole option of the grantee, buyer or person contracting to~~
3286 ~~purchase, his/her heirs, personal representative, or trustee insolvency or bankruptcy~~
3287 ~~within one year after the date of execution of the deed of conveyance, sale or contract~~
3288 ~~to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee~~
3289 ~~or transferee of the grantee, buyer or person contracting to purchase, other than those~~
3290 ~~above enumerated, and upon the grantor, vendor or person contracting to sell, or his or~~
3291 ~~her assignee, heir or devisee. (Prior code § 42-10-1)~~

3292
3293 C. The city, in addition to any other remedy provided by law, may seek to prevent any
3294 remedy or violation of this chapter which has occurred or is about to occur by instituting
3295 a proceeding for an injunction, mandamus, abatement or any other appropriate action.

3296
3297 D. The city may enforce the provisions of this chapter by refusing to issue building permits.
3298 (Ord. 7-99 § 23, 1999)

3299

3300 ~~20.36~~**52.020: VIOLATION; PENALTY:**

3301 It shall be unlawful for any person to fail to comply with the provisions of this title, and failure
3302 to comply with the provisions of this title shall constitute a class C misdemeanor. (Prior code
3303 § 42-10-2)

3304

3305 ~~20.31-350~~**52.030: CIVIL PENALTIES:**

3306 Any violations of the provisions of this chapter shall subject the violator to a civil penalty in the
3307 following amounts:

3308 A. Two hundred dollars (\$200.00) per day of the violation if the violation occurs in the
3309 foothills FR-1, FR-2, FR-3 district and FP foothills protection district.

3310 B. One hundred dollars (\$100.00) per day of the violation for any other violation. (Ord. 7-
3311 99 § 23, 1999)

3312

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

This entire chapter "20.56" is transferred from chapter 21A.56 "Condominium Approval Procedure" of the Zoning Ordinance. Edits are noted according to the same format as the rest of the document.

Chapter 20.56

CONDOMINIUMS

20.56.010: PURPOSE OF PROVISIONS:

This chapter establishes procedures for the review and approval of condominium projects to ensure they comply with applicable Salt Lake City ordinances and state laws. (Ord. 25-98 § 1, 1998)

20.56.020: DEFINITIONS:

For the purposes of this chapter:

Building Official: The director of the division of building services and licensing or such person as the director shall designate.

Common areas and facilities: The property and improvements of the condominium project conforming to the definition set forth in section 57-8-7, Utah Code Annotated, 1975, as amended or its successor.

Condominium, Condominium Project, or condominium unit: Property or portions thereof conforming to the definition set forth in section 57-8-3, Utah Code Annotated, 1975, as amended or its successor.

Condominium Ownership Act of 1975: The provisions of chapter 8 of title 57 of Utah Code Annotated, as amended in 1975.

Conversion: A proposed change in the type of ownership of a parcel or parcels of land together with the existing attached structure from single ownership of said parcel, such as an apartment house, into that defined as a condominium project involving separate ownership of individual units combined with joint collective ownership of common areas.

Planning Official: The director of the planning division or such person as the director may designate.

Plat: "Record of survey map" as defined in section 57-8-13, Utah Code Annotated, 1975, as amended or its successor. (Ord. 25-98 § 1, 1998)

20.56.030: APPLICABILITY OF PROVISIONS:

Legend of edits:

~~deleted (strikethrough)~~

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3351 The procedures and requirements of this chapter apply to the processing and approval of
3352 condominium record of survey maps for condominium projects. Such provisions shall
3353 supplement zoning, site development, health, building or other ordinances which may be
3354 applicable to the condominium project, and shall apply to the approval of projects involving
3355 new construction, as well as projects involving the conversion of existing structures. In addition,
3356 projects which involve dedication of real property to the ownership and use of the public shall
3357 also be considered subdivisions and require compliance with applicable provisions for
3358 subdivisions found in this of title ~~20 of this code~~. (Ord. 25-98 § 1, 1998)
3359

3360 **20.56.040: PROPOSED PROJECT; APPLICATION; FEES:**

- 3361 A. Information Required: The owner or developer of a proposed condominium project
3362 desiring approval shall file both a preliminary application and a final application with the
3363 Salt Lake City planning division on forms prescribed by the city together with:
- 3364 1. ~~Six (6)~~ Digital and paper copies of the proposed map, accurately drawn to scale,
3365 as required by section 57-8-13, Utah Code Annotated, 1975, as amended or its
3366 successor, which shall be made by a registered Utah land surveyor. Such map
3367 shall set forth: a) the angular and linear data along the exterior boundaries of the
3368 property; b) the linear measurement and location, with reference to the exterior
3369 boundaries, of the building or buildings; c) the diagrammatic floor plans of the
3370 buildings, including identifying number or symbol; d) the elevations of the
3371 finished or unfinished interior surfaces of the floors and ceilings and the linear
3372 measurements of the finished or unfinished interior surfaces of the perimeter
3373 walls, and the lateral extensions of every unit; e) a distinguishing number or
3374 symbol for every physical unit identified on the record of survey map; f) the
3375 limited common and common areas and intended use/uses.
 - 3376 2. ~~Two (2)~~ Digital and paper copies of the proposed condominium bylaws and
3377 declarations, including itemizing those facilities which will be commonly owned
3378 and maintained by the owners, and the plan for providing long term funding, as
3379 required by city ordinance. The declaration shall also contain the following:
 - 3380 a. A statement that the homeowners' association may regulate, limit, or
3381 prohibit rentals of condominium units;
 - 3382 b. A statement that the homeowners' association may require the rental
3383 of condominium units to be conducted through the homeowners'
3384 association or a designated management company, and may require
3385 that all lease agreements be reviewed and approved by the
3386 homeowners' association or the management company, that any
3387 tenants be screened and approved by the homeowners' association or
3388 the management company prior to renting the condominium, and that
3389 the approval of the homeowners' association or the management
3390 company shall not be unreasonably withheld;
 - 3391 c. A statement that prior to renting any condominium unit, the
3392 condominium owner and the tenant shall execute a written lease
3393 agreement which shall include the following provisions:

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 3394 (1) The tenant shall agree to comply with all of the terms and
3395 conditions of the condominium declaration and bylaws;
3396 (2) The tenant shall agree not to allow or commit any nuisance,
3397 waste, unlawful or illegal act upon the premises; and
3398 (3) The owner and the tenant shall acknowledge that the
3399 homeowners' association is an intended third party beneficiary of
3400 the lease agreement, that the homeowners' association shall have
3401 the right to enforce compliance with the condominium
3402 declaration and bylaws and to abate any nuisance, waste,
3403 unlawful or illegal activity upon the premises; and that the
3404 homeowners' association shall be entitled to exercise all of the
3405 owner's rights and remedies under the lease agreement to do so;
3406 d. A statement requiring that prior to a tenant's occupancy of a
3407 condominium unit, the condominium owner must provide to the
3408 homeowners' association the name, address and telephone number of
3409 the tenant and a copy of the written lease agreement;
3410 e. A statement that the homeowners' association shall have the right and
3411 the obligation to enforce compliance with the condominium
3412 declaration and bylaws against any owner and/or occupant of any
3413 condominium unit, and shall have all rights and remedies available
3414 under state or local law, in addition to its rights and remedies as a third
3415 party beneficiary under any lease agreement, to enforce such
3416 compliance.
- 3417 3. Noticing requirements ~~shall be met~~ as specified in chapter ~~21A.10~~ 20.36 of this
3418 title.
- 3419 4. Where conversion of an existing building is proposed, a property report must be
3420 prepared consistent with the requirements of section 18.32.050 of ~~this~~ the city
3421 code (adopted building code appendix; nonconforming building conversion), and
3422 submitted as part of the application, together with a plan for proposed
3423 improvements, renovations or repairs to existing structures/facility.
- 3424 5. Where conversion of an existing residential building is proposed, proof of notice
3425 to occupants shall be required before final approval. The notice shall include the
3426 estimated purchase price of the units, and information regarding proposed
3427 improvements. The notice shall describe any financing packages or economic
3428 incentives being offered to tenants to assist in unit purchase. The notice shall
3429 also include a date occupants must vacate or purchase, said date shall be no
3430 earlier than ninety (90) days after service of the notice. Relocation information
3431 for the tenants, specifying available housing relocation resource agencies, and a
3432 plan of any services to be voluntarily provided by the owner/developer, shall be
3433 included in the notice.
- 3434
- 3435 B. Filing Fees: To assist the city in defraying costs incurred in review of the project, fees
3436 shall be submitted with each application as shown on the Salt Lake City consolidated fee
3437 schedule.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3438
3439 C. Determination of Complete Application: The application for either preliminary or final
3440 condominium approval shall not be considered complete until all required fees are paid
3441 to the city by the applicant and the planning staff has reviewed the material and
3442 determined that the material is adequate and correctly details the condominium
3443 request. If the application is found to be incomplete, the staff will inform the applicant
3444 of the necessary additional information. (Ord. 62-11, 2011: Ord. 61-11, 2011: Ord. 24-
3445 11, 2011)

3446

3447 **20.56.050: NEW CONSTRUCTION PROCESS:**

3448 A. Zoning Administrator Duties And Responsibility: The zoning administrator shall perform
3449 a zoning compliance review and report the findings to the building official and the
3450 planning official. The review shall document the site plan compliance under the zoning
3451 ordinance.

3452

3453 B. Building Official Duties and Responsibility: The building official shall obtain the zoning
3454 compliance review from the zoning administrator. The building official shall review plans
3455 for new construction to determine if such plans conform with applicable building codes.

3456

3457 C. Planning Official Duties and Responsibility: The planning official shall review the
3458 application, the zoning compliance review and related documents to determine
3459 compliance with requirements of Utah condominium ownership act of 1975 and
3460 applicable provisions of this part.

3461

3462 D. Preliminary Approval Procedures:

3463 1. ~~Public Hearing~~ Notice of Condominium Application and Pending Decision
3464 Required: No condominium project shall be approved without ~~a public hearing~~
3465 notice being provided in accordance with section 20.16.110 of this title. ~~The~~
3466 ~~planning official shall schedule the time for, and hold an administrative public~~
3467 ~~hearing to consider the condominium application. Noticing requirements shall be~~
3468 ~~met as specified in chapter 21A.10 of this title.~~

3469 2. Planning Official Action: The planning official, or designee, ~~may grant preliminary~~
3470 ~~approval~~ shall render a decision in accordance with section 20.16.120 of this
3471 title, ~~with or without conditions, or may deny the proposal at the administrative~~
3472 ~~hearing.~~

3473 3. Building Official Action: No building permit for a proposed condominium project
3474 shall be issued without preliminary approval from the planning official. The
3475 building official, or designee, may approve the plans and issue applicable permits
3476 for construction. The issuance of building permits shall serve as evidence of
3477 preliminary condominium approval.

3478

3479 E. Final Approval Procedures: In addition to the final plat requirements stated in chapter
3480 20.20, No ~~no~~ condominium shall have final approval, or shall said units be sold, until the
3481 plat has been recorded with the Salt Lake County recorder.

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

- 3482
3483
3484
3485
3486
3487
3488
3489
3490
3491
3492
3493
3494
3495
3496
3497
3498
1. Planning Official Approval: Upon receipt of the final record of survey map, the planning official shall examine the plat to determine whether the plat conforms with the preliminary plat and all conditions of approval. The planning official shall approve and sign the plat.
 2. Building Official Approval: The building official shall conduct a final inspection of the building and shall approve and sign the plat.
 3. City Attorney Approval: The city attorney shall advise the mayor as to the form of the final plat and other recordable documents. The city attorney shall certify that any lands dedicated to the public are dedicated in fee simple and that the applicant is the owner of record. The city attorney shall approve and sign the plat.
 4. Mayor Approval: The mayor shall examine the plat to determine conformity with the requirements of the ordinances of the city and may approve the record of survey map. No final plat shall have any force or effect until it has been approved by the mayor and recorded with the Salt Lake County recorder. (Ord. 62-11, 2011: Ord. 25-98 § 1, 1998)

3499 **20.56.060: CONDOMINIUM CONVERSION PROCESS:**

3500 A. Building Official Duties And Responsibility:

- 3501
3502
3503
3504
3505
3506
3507
3508
3509
3510
3511
3512
3513
3514
1. Property Report Required: In the case of a proposed conversion to condominium of an existing building, the building official shall review the property report prepared in response to section 18.32.050 of ~~this~~ the city code governing building conversions, and any plans for renovation and improvement to determine compliance with applicable codes or ordinances. The building official may require revision and resubmission of the property report if a determination is made that required information is missing.
 2. Inspection Required: The building official shall require inspection of the property. Any items identified, either through the inspection or in the property report, as needing repair or replacement within five (5) years, shall be included on the list of required improvements.
 3. Disclosure: The building official shall identify any building conditions to be disclosed on the record of survey map.

3515 B. Planning Official Duties And Responsibility:

- 3516
3517
3518
3519
3520
3521
3522
3523
3524
3525
1. Coordination of Review: The planning official shall review the application material submitted for accuracy and completeness and transmit the submittal to pertinent departments for review and comment.
 2. Consistent with State Law: The planning official shall review the application and related documents to determine compliance with requirements of the Utah condominium ownership act of 1975 and applicable provisions of this part.
 3. Previous Conditions: The planning official shall review applicable conditions on the use or building imposed by ordinances, variances, and conditional uses.
 4. Site Improvements: The planning official shall review the proposed building and site plans and shall have the authority to require additional improvements to be

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3526 made to the existing site including, but not limited to, landscaping, exterior
3527 repairs, and improvements to common areas. This review shall include an
3528 analysis of the parking, including internal circulation issues, such as surfacing and
3529 control curbs. The analysis shall also include the number of existing parking
3530 stalls, noting any deviation from current standards. Based upon this information,
3531 the planning official may require construction of additional parking stalls on the
3532 site, or may require reasonable alternative parking solutions as outlined in
3533 section 21A.44.030, "Alternative Parking Requirements", of ~~this title~~ the zoning
3534 ordinance. Any additional parking developed on site or alternative parking
3535 solutions may not increase the parking impacts on neighboring properties, and
3536 will not develop existing common areas used as open space or green space.
3537 Additionally any remodeling proposal which increases the number of bedrooms
3538 would require compliance with existing parking requirements. The total number
3539 of parking stalls available to the owners of the project shall be disclosed on the
3540 condominium plat.

- 3541 5. Staff Report: The planning official shall direct city staff in the preparation of a
3542 written report based on the above research, and site plan and building
3543 assessment, describing the recommended improvements to the building, the site
3544 and the surrounding public way. The report will summarize the above referenced
3545 review detailing any noted deficiencies should summarize deficiencies and
3546 nonconformities relating to Title 21A Zoning, along with recommended
3547 improvements that may be required for final approval.
3548

3549 C. Preliminary Approval Procedures:

- 3550 1. ~~Public Hearing~~ Notice of Condominium Application and Pending Decision
3551 Required: No condominium conversion project shall be approved without ~~a~~
3552 ~~public hearing~~ notice being provided in accordance with section 20.16.110 of this
3553 title. The planning director shall schedule the time for an administrative public
3554 hearing to consider the condominium conversion application. Notice for the
3555 public hearing shall be pursuant to chapter 21A.10 of this title.
3556 2. Building Official Action: The building official shall identify any improvements,
3557 repairs or replacements which must be made to bring the structure into
3558 compliance with applicable building codes. The building official may recommend
3559 denial until existing code violations identified are corrected, or may recommend
3560 preliminary approval, subject to violations being corrected prior to final
3561 approval.
3562 3. Planning Official Action: The planning official shall consider the public benefits of
3563 condominium ownership to the community and balance those benefits against
3564 the loss of rental housing. The planning official, or designee, may grant
3565 preliminary approval, with or without conditions, or may deny the proposal ~~at~~
3566 ~~the administrative hearing.~~
3567 4. Planning Commission Consideration: The planning official may, because of
3568 project complexity or public concern, determine that a public hearing before the
3569 planning commission is required. The planning commission shall schedule and

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

3570 hold a public hearing in accordance with standards and procedures set forth in
3571 chapter ~~21A.10~~ 20.36 of this title. Following the public hearing, the planning
3572 commission shall grant preliminary approval, with or without conditions, or deny
3573 the application.

3574
3575 D. Final Approval Procedures: No condominium shall have final approval until the record of
3576 survey map has been recorded with the Salt Lake County recorder.

- 3577 1. Planning Official Approval: Upon receipt of the final record of survey map, ~~and~~
3578 ~~final application and fees~~, the planning official shall examine the plat to
3579 determine whether the plat conforms with the preliminary plat and all
3580 conditions of approval. The planning official shall approve and sign the plat.
- 3581 2. Building Official Approval: The building official shall conduct a final inspection on
3582 the structure to determine completion of any planned or required repairs and
3583 improvements. The building official may recommend final approval subject to
3584 completion of required work, provided the applicant files a performance bond in
3585 an amount equal to the estimated cost to correct conditions of approval. The
3586 building official shall approve and sign the plat.
- 3587 3. City Attorney Approval: The city attorney shall advise the mayor as to the form of
3588 the final plat and other recordable documents. The city attorney shall certify that
3589 any lands dedicated to the public are dedicated in fee simple and that the
3590 applicant is the owner of record. The city attorney shall approve and sign the
3591 plat.
- 3592 4. Mayor Approval: The mayor shall examine the plat to determine conformity with
3593 the requirements of the ordinances of the city and may approve the record of
3594 survey map. No final plat shall have any force or effect until it has been approved
3595 and signed by the mayor and recorded with the Salt Lake County recorder. (Ord.
3596 62-11, 2011; Ord. 70-09 § 1, 2009; Ord. 25-98 § 1, 1998)

3597
3598 **20.56.070: AMENDMENTS TO CONDOMINIUM PLAT**
3599 A. Condominium unit boundary adjustments, consolidations and all other plat
3600 amendments shall be processed in accordance with the procedures for a condominium
3601 plat for new construction in section 20.56.050 of this chapter.
3602

3603 **20.56.070~~080~~: APPEAL OF ~~ADMINISTRATIVE~~ CONDOMINIUM DECISIONS:**
3604 ~~Any person adversely affected by the administrative decision of the planning official may,~~
3605 ~~within ten (10) days after such decision, file an appeal to the planning commission. The appeal~~
3606 ~~shall specify any alleged error made by the planning official. The planning commission shall~~
3607 ~~schedule a public hearing for consideration of the merits of the appeal at its earliest~~
3608 ~~convenience. (Ord. 25-98 § 1, 1998)~~ Refer to Chapter 20.48 Appeals for information and
3609 regulations regarding filing an appeal of a decision on condominiums.
3610

3611 ~~**20.56.080: APPEAL OF PLANNING COMMISSION DECISIONS:**~~

3612 ~~Any person adversely affected by a final decision of the planning commission may appeal to the~~
3613 ~~appeals hearing officer in accordance with the provisions of chapter 21A.16 of this title. (Ord. 8~~
3614 ~~12, 2012)~~

3615

3616 ~~**20-56-090: ANNUAL REPORT TO THE PLANNING COMMISSION:**~~

3617 ~~At the end of each fiscal year, the planning division shall provide a report to the planning~~
3618 ~~commission identifying the number of condominium conversions, including the number of units~~
3619 ~~involved, which have occurred during the prior year. (Ord. 25-98 § 1, 1998)~~

3620

Legend of edits:

deleted (strikethrough)

new language (dark red, bold underline)

language transferred directly from the Site Development Ordinance of City Code Title 18 Buildings and Construction. (single underline)

Attachment B
Site Development Regulation Amendments Proposed

SALT LAKE CITY
SITE DEVELOPMENT ORDINANCE

Table of Contents

18.28.10 GENERAL PROVISIONS	3
Adoption of Chapter	3
Authority	3
Applicability	3
Purpose	3
Identification of Fault Hazards	4
Format	4
18.28.20 DEFINITIONS	4
Definition of Terms	4
<u>18.28.30 SUBDIVISION STANDARDS AND REQUIREMENTS (RESERVED)</u>	8
General Regulations and Standards	8
Lot Design Standards	13
Street Design Standards	15
Grading and Erosion Control Design Standards and Regulations	22
Foothill Development Overlay Zone Special Regulations	29
Flood Plain Development Special Regulations	36
Canyon Development Special Regulations	37
Nonresidential Subdivision Special Regulations	38
Inspection and Enforcement	39
18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)	39
General Application	39
Permits Required	40
Soil Engineering Report or Engineering Geology Required	42
Issuance	42
Fees	42
Grading and Erosion Control Standards and Regulations	44
Erosion Control and Revegetation	48
Drainage	48
Setbacks	48
Site Development Inspections	50
Completion of Work	51
18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES	51
General Application	52
Permit Application	52
Foothill Development Overlay Zone Reports	56
Granting Permit	61
Inspections	61
Grading and Erosion Control Design Standards and Regulations	62
Special Canyon Site Development Standards	66

18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS	68
Interpretation - Conflicts	68
Retention of Plans	68
Expiration, Renewals, and Extensions of Permit	68
Action by Planning Commission.....	68
Appeals.....	69
General Grounds for Denial	70
Prohibited Activities	70
Permit or Approval Revocation.....	70
Property Owner Responsibility	72
Violation and Penalties	72
Severability	72
18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED)	73

TITLE 18 - BUILDINGS AND CONSTRUCTION

CHAPTER 18.28

SITE DEVELOPMENT ORDINANCE

SECTIONS:

- 18.28.10 GENERAL PROVISIONS**
- 18.28.20 DEFINITIONS**
- 18.28.30 ~~SUBDIVISION STANDARDS AND REQUIREMENTS~~ **(RESERVED)****
- 18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)**
- 18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES**
- 18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS**
- 18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED)**

18.28.10 GENERAL PROVISIONS

~~**A. Adoption of Chapter.** That certain pamphlet entitled "SITE DEVELOPMENT REGULATIONS - Procedures, Standards, and Specifications", dated August 1981, including Chapters 1-7 which were specifically prepared in conjunction with this Title, is hereby adopted by reference by Salt Lake City as ordinances, rules, and regulations of said City to guide all land development activity. Three copies of said pamphlet, hereinafter sometimes referred to as "Regulations" shall be filed for use and examination by the public in the office of the Recorder of Salt Lake City. Hereinafter, all references to the various provisions of Chapters 1-7, or said regulations, shall be considered as references to correspondingly numbered sections and chapters of Title 47. Said provisions may be cited and known as the "Site Development Regulations of Salt Lake City, Utah".~~

~~**A.**~~ **Authority.** This Chapter is enacted pursuant to Title 10, Utah Code Annotated, 1953, as amended. This Chapter is further enacted as an element of the Salt Lake City Master Plan.

~~**B.**~~ **Applicability.** The provisions of this Chapter shall apply to all site development within Salt Lake City; however, a permit shall be required only for those types of developments set forth in Sections ~~47-4-1 and 47-5-1~~ **18.28.40 General Application and 18.28.50 General Application.**

~~**C.**~~ **Purpose.** This Title is adopted: to promote public safety and the general public welfare; to protect property against loss from erosion, earth movement, earthquake hazard, and flooding; to maintain a superior community environment; to provide for the continued orderly growth of the City to ensure maximum preservation of the natural scenic character of major portions of the City by establishing minimum standards and requirements relating to land

grading, excavations, and fills; and to establish procedures by which these standards and requirements may be enforced. It is intended that this Chapter be administered with the foregoing purposes in mind and specifically to:

1. Ensure that the development of each site occurs in a manner harmonious with adjacent lands so as to minimize problems of drainage, erosion, earth movement, and similar hazards;
2. Ensure that public lands and places, water courses, streets, and all other lands in the City are protected from erosion, earth movement, and drainage hazards;
3. Ensure that the planning, design, and construction of all development will be done in a manner which provides maximum safety and human enjoyment, and, except where specifically intended otherwise, makes it as unobtrusive in the natural terrain as possible;
4. Ensure, insofar as practicable, the retention of natural vegetation to aid in protection against erosion, earth movement, and other hazards and to aid in preservation of the natural scenic qualities of the City; and
5. Ensure, insofar as Salt Lake City is located in an active seismic zone, that appropriate earthquake hazard mitigation measures are incorporated into the planning and execution of site development.

D. **Identification of Fault Hazards.** Pending the completion by the Utah Geological Survey (UGS) of a Fault Hazard Map for Salt Lake City, the Planning Director may rely upon the existing information available from UGS or other publicly or privately prepared geological reports to identify fault hazards.

E. **Format.** This Chapter is designed to establish administrative and enforcement procedures and minimum standards applicable to site development activities according to the following categories:

- ~~1. Section 18.28.30 governs site development associated with the subdivision approval process;~~
1. Section 18.28.40 governs site development associated with construction of individual buildings under authorized building permits;
2. Section 18.28.50 governs site development not requiring ~~approval or~~ permits under subparagraph ~~F.1 or F.2~~ F.1 above.

18.28.20 DEFINITIONS.

A. Definition of Terms. For the purposes of this Chapter, certain terms used herein are defined as set forth below:

1. **As-graded** means the surface conditions existent upon completion of grading.
2. **Bedrock** means in-place, solid, rock.
3. **Bench** means a relatively level step excavated into earth material on which fill is to be placed.
4. **Borrow** means earth material acquired from an off-site location for use in grading a site.
- ~~5. **Buildable Area** means that portion of the platted lot, exclusive of the required front, rear, and side yard setbacks, as established by the base zone for the lot, and all designated undevelopable area.~~
6. **Building Official** means the Director of the Building and Housing Services Department of Salt Lake City.
7. **Building Permit** means a permit issued by Salt Lake City for the construction, erection, or alteration of a structure or building.
8. **Certify or Certification** means that the specific reports, inspections, and tests that are required have been performed by the person or under their supervision, and that the results of such reports, inspections, and tests comply with the applicable requirements of this ordinance.
9. **City Engineer** means the City Engineer of Salt Lake City.
10. **Civil Engineer** means a professional engineer registered in the State of Utah to practice in the field of civil works.
11. **Civil Engineering** means the application of the knowledge to the forces of nature, principals of mechanics, and the properties of materials to the evaluation, design, and construction of civil works for the beneficial uses of mankind.
12. **Compaction** means the densification of fill by mechanical means.
13. **Cubic Yards** means the volume of material in an excavation and/or fill.
14. **Cul-de-sac** means a street closed at one end.
15. **Cut** (see Excavation)

~~16. **Development Limit Line** means a legally described line, determined by the Planning Commission and shown on the final subdivision plat, which defines the boundary between developable and undevelopable areas. In those portions of the plat designated as undevelopable, grading, landscaping, construction activities, and other disturbances of the~~

~~land are prohibited.~~

17. **Driveway** means a way or route for use by a vehicle traffic leading from a parking area or from a house, garage, or other structure, to a road or street.
18. **Earth Material** means any rock, natural soil, or any combination thereof
19. **Engineering Geologist** means graduate in geology or engineering geology of an accredited university, with five or more full years of professional post graduate experience in the application of the geological sciences, of which three full years shall be in the field of engineering geology that has required the application of geological data, techniques, and principles to engineering problems dealing with ground water, naturally occurring rock and soil, and geologic hazards for the purpose of assuring that geological factors are recognized and adequately interpreted and presented.
20. **Erosion** means the wearing away of the ground surface as a result of the movement of wind, water, and/or ice.
21. **Excavation** means any act by which vegetation, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and shall include the conditions resulting therefrom.
22. **Existing Grade** means the actual elevation (in relation to mean sea level) of the ground surface before excavation or filling.
23. **Fill** means any earth, sand, gravel, rock, or any other material which is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location and shall include the conditions resulting therefrom.
24. **Fill Material** means earth material free from rock or similar irreducible material exceeding 12 inches in diameter, metal, and organic material except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties.
25. **Fuel Break** means a strategically located strip or block of land, varying in width, on which vegetation has been modified to provide a safer place for firefighters to work and to help reduce the rate of fire spread.
26. **Grading** means excavation or fill or any combination thereof that alters the elevation of the terrain and shall include the conditions resulting from any excavation or fill.
27. ~~**Insignificant Steep Slope** means an area of 30% or greater slope which is located within a larger area of slope which is less than 30% as determined by ten-foot averaging.~~
28. ~~**Level Building Site** means a site contained wholly within the buildable area, of a dimension not less than 30 feet by 40 feet, to accommodate the main structure, required off-street parking, and drainage resulting from said improvements. Slope of the Level Building Site shall not exceed 16 percent.~~

Legend of Edits:

deleted (strikethrough)

new language (dark red, bold underline)

29. **Licensed Architect** means an architect who is registered with the Department of Registration of the State of Utah.
30. **Natural Drainage** means water which flows by gravity in channels formed by the surface topography of the earth prior to changes made by the efforts of man.
31. **One Street Access** means a street that provides the sole access to one or more other streets.
32. **Parcel** means all contiguous land in one ownership, provided, however, each lot conforming to the Zoning Ordinances of Salt Lake City in a subdivision may be considered to be a separate parcel.
33. **Percent of Slope** means the slope of a designated area of land determined by dividing the horizontal run of the slope into the vertical rise of the same slope, measured between contour lines on the referenced contour map and converting the resulting figure into a percentage value.. This calculation is described by the following formula:

$$S = \frac{V}{H}$$
where “S” is the percent of slope;
“V” is the vertical distance; and
“H” is the horizontal distance.
34. **Permittee** means any person to which a site development permit has been issued.
35. **Person** means any person, firm or corporation (either public or private), the State of Utah and its agencies or political subdivisions, the United States of America and its agencies and instrumentalities, and any agent, servant, office, or employee of any of the foregoing.
36. **Planning Director** means the Planning Director of Salt Lake City.
37. **Quarry** means an open excavation for the extraction of resources.
38. **Registered Professional Engineer** means a civil engineer who is registered with the Department of Registration of the State of Utah.
39. **Removal** means killing vegetation by spraying, complete extraction, or excavation, or cutting vegetation to the ground, trunks, or stumps.
40. **Seismic** means characteristic of, or produced by, earthquakes or earth vibration.
- ~~41. **Significant Steep Slope** means an area of 30% or greater slope, as determined using ten-foot averaging, which is intended to be protected from development or other disturbance.~~
42. **Site** means a lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.
43. **Site Development** (also known as Site Preparation) means ~~altering terrain and/or vegetation~~ grading and underground utility installation in preparation for an approved.

pending development or use for the subject site.

44. **Slope Classification Map** means a map prepared as a colored exhibit by a registered professional engineer or land surveyor based upon a contour map of the specified scale and contour interval, upon which the measured and calculated percent of slope (measured between every contour interval on the map) is classified or grouped into percentage of slope data in ten percent slope groupings as follows:

<u>Slope Classification</u>	<u>Percent Of Slope</u>	<u>Mapped Color</u>
Level	0 - 9.9%	Uncolored
Slight	10 - 19.9%	Yellow
Moderate	20 - 29.9 %	Orange
Severe	30% and greater	Red

45. **Soils Engineer** means a registered civil engineer of the State of Utah, specializing in soil mechanics and foundation engineering, familiar with the application of principles of soil mechanics in the investigation and analysis of the engineering properties of earth materials.

~~46. **Special Natural Topographic Feature** means a naturally occurring feature which is determined to be unique among similar features of its kind (i.e., rock formation, water feature) or has historical associations (e.g. Ensign Peak).~~

47. **Surcharge** means the temporary placement of fill material on a site in order to compress or compact the natural soil mass.

~~48. **Ten-foot Averaging** means calculating the percent of slope (see definition 18.28.20.A.33. above) between 10-foot elevation intervals (elevations ending in "0", e.g. 4720 to 4730, 4730 to 4740, etc.) on an accurate Slope Classification Map. This technique is used to determine areas of significant steep slope, insignificant steep slope, and to establish development limit lines.~~

49. **Testing Laboratory** means a testing laboratory that requires supervisory personnel to be professional engineers registered with the Department of Registration of the State of Utah.

50. **Vacant** means land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

~~18.28.30~~ ~~SUBDIVISION STANDARDS AND REQUIREMENTS~~ **RESERVED (previous regulations in this section were moved to Title 20 Subdivisions and Condominiums, chapter 20.12 and subsequently revised or eliminated).**

~~A. **General Regulations and Standards.** Except where modified by the Mayor, all subdivision of land within Salt Lake City shall comply and conform with the standards and requirements as set forth and as referred to in this Section, as follows:~~

~~1. Supervision. All site development and/or subdivision work performed under this section will be allowed only when said work is performed under the supervision of the City Engineer or Public Utilities Director as is appropriate under the approved subdivision plan, and said work is secured by a performance guarantee bond acceptable to the City Attorney and Mayor.~~

~~2. Hazardous Areas to be Fenced. All areas of the subdivision or features adjacent to the subdivision, which present a potential threat to the public safety shall be fenced with a six foot non climbable fence or acceptable alternative, as required by the Planning Commission. Such hazardous areas may include, but are not limited to, rivers and streams, canals, cliffs, ravines, arterial or collector streets, railroad rights of way, and steep slopes. Said fence shall be constructed and included as part of the subdivision improvements and shall be bonded.~~

~~3. Buildable Lots. All subdivision shall result in the creation of lots which are developable and capable of being built upon. No subdivision shall create lots, and building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of water courses, problems of sewerage or driveway grades, or other physical conditions.~~

~~4. Access to Public Streets.~~

~~a. All lots or parcels created by the subdivision of land shall have access to a public street improved to standards hereinafter required. Private streets shall not be permitted unless the Planning Commission finds that the most logical development of land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons therefor.~~

~~b. As part of the application of any subdivision including private streets, the subdivider shall submit to the Planning Commission for review by the City Engineer the following street plans:~~

~~i. A Street Development Plan showing the alignment, width, grades, design, and material specifications; the topography and means of access to each lot; drainage; and, utility easements for servicing the lots served by such private street;~~

~~ii. A plan providing for future ownership and maintenance of said street together with payment of taxes and other liability thereon.~~

~~c. After review and favorable recommendation by the City Engineer, the Planning Commission may include such approved street plans as part of its recommendations to the Mayor. Construction of the private street or access shall be completed prior to occupancy of any building on lots served by a private street. However, if finished grading has been completed and stabilized to the City~~

~~Engineer's satisfaction, the subdivider may post a cash bond equal to the cost of completing the street, as determined by the City Engineer, in a form approved by the City Attorney to assure the earliest possible completion of said street. The bond may be posted if, and only if, the street is stabilized and made passable until such time as the completion of the street can be accomplished.~~

~~5. Landscaping.~~

~~a. A landscaped area shall be required in all subdivisions. Said landscaping shall be located either within the non-paved portion of the street right-of-way, or within a dedicated landscaping easement, not less than five feet wide, adjacent to the street. The location of the landscaping shall be specified by the Planning Commission. The type of landscaping and street trees shall be selected, installed, and maintained in accordance with standard specifications prepared by Salt Lake City.~~

~~b. Whenever, in the opinion of the Planning Commission, the cuts and fills are of sufficient size or visibility to demand special treatment, the subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance according to the plans as outlined in Section 18.28.30 E.4. below and approved by the Parks Department.~~

~~c. The subdivision shall be so designed as to preserve the greatest amount of existing on-site vegetation, including trees with a trunk diameter of four inches or greater and other natural ground cover.~~

~~6. Utilities and Easements.~~

~~a. all utilities shall be provided through underground services.~~

~~b. Easements for utility and drainage purposes shall be provided within the subdivision as required by the planning Commission. However, in no event shall such easement be less than seven feet in width of five in width on the front lot line~~

~~7. Water Courses. The subdivider shall dedicate a right-of-way for storm drainage conforming substantially with the lines of any natural water course or channel, stream, creek, or flood plain that enters or traverses the subdivision.~~

~~8. Block Design.~~

~~a. Blocks shall normally have sufficient width for an ultimate layout of two tiers of lots of the size required by the provisions of the Zoning and Subdivision Ordinances of Salt Lake City.~~

~~b. Blocks shall not exceed 1,500 feet in length. In any block over 900 feet in length there shall be crosswalk or pedestrian way as required by the~~

~~Planning Commission.~~

~~9. Neighborhood Facilities:~~

~~a. The subdivider shall reserve sites, appropriate in area and location, for necessary and desirable residential facilities such as schools, parks, and playgrounds. Such sites shall be located in accordance with the principles and standards contained herein or expressed in the Master Plan.~~

~~b. The delimiting of service areas to determine the need for residential facilities at the district or community level shall be based on the Master Plan. When a planning neighborhood is used it will provide the basis for estimating the number of families to be served by facilities at the local level. A planning neighborhood, insofar as possible, exhibits the following characteristics:~~

~~i. It is bounded, rather than bisected, by major thoroughfares or other substantial land use or natural barriers to pedestrian traffic;~~

~~ii. It is usually not over a mile in width in any direction;~~

~~iii. It contains a minimum of 500 families~~

~~c. The following principles and standards are intended to serve as a guide in determining the residential facilities within the planning neighborhood for which sites will normally be required:~~

~~i. An elementary school site of approximately 10 acres will be required for each 600 families in the neighborhood. Such school site shall be central to the population to be served and shall not front on an arterial street;~~

~~ii. Such school site shall be reserved for public purchase for two years at a price not to exceed the acreage value of the raw land in the subdivision, except for a depth along the street forming principle frontage for the site of one tier of lots which may be priced not to exceed the value of said tier of lots;~~

~~iii. Whenever possible, playground and neighborhood recreation areas shall be developed in conjunction with elementary school sites. Such a site, if required in a subdivision, shall not normally be less than five acres in area for a service orientation of 600 families or less, and such sites shall specifically include areas with natural advantage for park development. It shall be reserved, made available for purchase, and priced in accordance with subparagraph ii. above~~

~~iv. Where wooded ravines and/or natural waterways are~~

~~included within the boundaries of subdivision, such ravines shall be reserved for public use, including recreation and disposal of storm water. These purposes may be accomplished through dedication and/or storm drainage, scenic, or open space easements~~

~~10. **Reservation of Land for Park and Recreation Purposes.** Pursuant to the recreation or parks elements, plans or standards set forth in the Master Plan, as a condition of final subdivision approval the subdivider shall be required to reserve land for park and recreation purposes. According to the following standards:~~

~~a. For subdivisions of 100 lots or more, including contiguous land owned or controlled by subdivider or landowner, the subdivider shall reserve land for two years for public purchase at the rate of not less than one and one half acres of land per 100 lots in the subdivision or five percent of the total area in the subdivision, whichever is greater;~~

~~b. For subdivision containing between 50 and 100 lots, the subdivider shall reserve land as deemed desirable by the Planning Commission;~~

~~c. For proposed multi-family development, the number of dwelling units proposed shall be considered as the number of lots for the requirements specified in this section, or if no particular number of dwelling units per acre permitted in the zoning regulations which apply to the land to be subdivided;~~

~~d. All land to be reserved for park or recreational purposes shall be found to be suitable by the Planning Commission and the Parks Department as to location, parcel size, and topography for the park and recreation purpose for which it is indicated in the Master Plan, or as determined by the Planning Commission. Such purpose may include active recreation facilities such as playgrounds, play fields, pedestrian or bicycle paths, or open space areas of particular natural beauty, including canyons, hilltops, and wooded areas to be developed or left in their natural state;~~

~~e. Land to be reserved may include all of the proposed park or recreational facility, or may include only part of a facility. Such partial reservation may be supplemented by additional land on adjoining property not owned or controlled by the subdivider;~~

~~f. At the time of approval of the final subdivision plat, the City may specify when development of a park or recreation facility is scheduled to begin;~~

~~g. The provisions of this Section shall not normally apply to commercial or industrial subdivision. However, the Planning Commission may require, as a condition of approval, that a commercial or industrial subdivider dedicate that portion of a stream bed or drainage channel falling within an industrial subdivision when such portion forms part of an open space network designated in the Master Plan as an alternative to the normally required easements~~

~~**B. Lot Design Standards.** The size, shape and orientation of lots in a subdivision shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following principles and standards shall be observed:~~

~~1. **Minimum Area Size.** The minimum area and dimensions of all lots shall conform to the requirements of the Zoning Ordinances of Salt Lake City for the zoning district in which the subdivision is located.~~

~~2. **Side lot lines.** The side lines of all lots, so far as possible, shall be designed to be at right angles to the street which the lot faces, or approximately radial to the center of curvatures, if such street is curved. Side lines of lots shall be designed to be approximately radial to the center of curvature of a cul-de-sac on which the lot faces.~~

~~3. **Width.** The minimum lot width shall conform to the requirements of the zoning district in which the proposed subdivision is located. However, no lot shall have a width less than 50 feet at the front building setback line, or 30 feet at the curb line, unless approved as a flag lot.~~

~~4. **Corner Lots.** Corner lots have more than one side which must maintain required front yard setbacks, and therefore shall be platted wider than interior lots in order to permit conformance with the required street setback requirements of the Zoning Ordinance.~~

~~5. **Depth.** No lot shall have a depth less than 100 feet, unless the area conforms with the Zoning Ordinances of Salt Lake City and a lesser depth is specifically approved by the Planning Commission.~~

~~6. **Corporate Boundaries.** No lot shall be divided by a corporate boundary line. Each such boundary line shall be made a lot line.~~

~~7. **Remnants.** No remnants of property shall be left in the subdivision which do not conform to the lot requirements or are not required or more suitable for designation as common open space, private utility, or other purpose.~~

~~8. **Lot Numbers.** Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision plat, with no omissions or duplications; no block designations shall be used.~~

~~9. **Double Frontage Lots.** Lots other than corner lots, having double frontage shall not be approved except where necessitated by topographic or other unusual conditions. The width of each block shall be sufficient for the ultimate layout of two tiers of lots of a size required by the provisions of this Title unless the general layout of the vicinity, lines of ownership, topographic conditions, or locations of arterial streets or freeways justify or make necessary a variation from this requirement.~~

~~10. **Flag Lots.** Flag lots generally shall not be permitted. In the event the~~

~~Planning Commission finds that due to unusual topographic conditions, direct lot frontage on a street is precluded, it may recommend waiver of the minimum width requirement on an individual lot basis. In such cases the access strip shall be not less than 20 feet in width and shall not exceed the depth of adjoining lots. In calculating the lot area of a flag lot, the square footage included in the access strip shall not be counted.~~

~~11. Developable Area Limitation:~~

~~a. The Planning Commission shall review each proposed foothill subdivision and, using "ten-foot averaging", shall determine the extent of significant steep slopes within the subdivision. The Planning Commission shall require all such undevelopable portions of proposed subdivisions to be identified by placement of a development limit line and legal description upon the final plat. Such limitation shall also be made a part of the subdivision restrictive covenants. In addition to protecting significant steep slopes, development limit lines may also be established to protect natural vegetation, special natural topographic features, faults, or unique views.~~

~~b. Significant steep slopes identified by development limit lines on a subdivision plat shall be designated as undevelopable area. Said slopes if retained within the subdivision, shall be designated and maintained as common area and shall be protected from subsequent alteration or encroachment by a vegetation and open space preservation easement granted to Salt Lake City by dedication on the subdivision plat. In no event shall roads traverse such slopes.~~

~~e. Undevelopable area shall not be used to determine the minimum lot size as required by the underlying zone, unless specifically approved by the Planning Commission through the planned development review process.~~

~~d. Once established on the subdivision plat, the development limit line shall be delineated on all building permit site plans and shall be staked in the field prior to construction on any lot affected by the development limit line.~~

~~12. Fences and Walls: Fences and walls shall only be constructed after first obtaining a building permit subject to the standards of this subsection.~~

~~a. Site plan submittal: As part of the site plan process, a fencing plan shall be submitted which shall show:~~

~~i. Any specific subdivision approval conditions regarding fencing;~~

~~ii. Material specifications and illustrations necessary to determine compliance with specific subdivision approval limitations and the standards of this section.~~

~~b. Field fencing of designated undevelopable areas: Fencing on areas identified as "undevelopable areas" or "transitional areas" on any subdivision~~

~~platted after November 4, 1994 or any lot previously platted which identifies "undevelopable area" or "transitional areas" shall be limited to the following:~~

~~i. Low visibility, see through type, ownership boundary designation fencing, consisting of flat black colored steel "T" posts and not more than four (4) strands of non-barbed steel wire, strung at even vertical spacing between such "T" posts, and erected to a height of not more than 42 inches above the natural ground surface.~~

~~ii. Fencing boundary lines shall not be cleared of native brush or vegetation so as to create a devegetation line visible from off site.~~

~~iii. The existing surface of the ground along such boundary fences shall not be changed by grading activities.~~

~~iv. Fence materials and designs must not create a hazard for big game wildlife species to cross.~~

~~v. No field fencing shall be erected in conflict with pedestrian easements dedicated to Salt Lake City.~~

~~c. Buildable area fencing. Fencing on any portions of a lot identified as "buildable area" or "required side yard" on any subdivision platted after November 4, 1994 or any lot previously platted which identifies "buildable areas" or similar designations shall be limited to the following:~~

~~i. Open, see through fencing constructed of tubular steel, wrought iron or similar materials, finished with a flat black, non-reflective finish constructed to a height of six feet or less; or~~

~~ii. Sight obscuring or privacy type fencing shall be of earth tone colors, of similar materials to the primary dwelling, and located to screen from off site view private outdoor living spaces.~~

~~d. Front yard fencing. Walls and fences located within the front yards and along roadways shall not exceed a maximum of forty two inches in height.~~

~~**C. Street Design Standards.** The following minimum standards and design criteria shall apply unless deemed unwarranted by written recommendation of the City Engineer and Traffic Engineer. Said standards and criteria shall be supplemented by other applicable existing engineering and construction requirements and standards as specified by the City Engineer.~~

~~**1. General:**~~

~~a. The subdivision design shall conform to the pattern of major streets as designated in the Master Plan and to any official street map right of way approved by the City Council. Whenever a subdivision fronts on a street so~~

~~designated, that street shall be platted and dedicated by the subdivider in the location and width so indicated.~~

~~b. Where higher standards have not been established as specified in subsection 1.a. above, all streets and arterials shall be platted according to the following minimum widths, except where it can be shown by the subdivider, to the satisfaction of the Planning Commission, that the topography or the small number of lots served and the probable future traffic development are such as to unquestionably justify a lesser standard. A community master plan or planned unit development, if designated with a comprehensive circulation and parking system including separate pedestrian ways, may justify modification of standards. Higher standards may be required where streets are to serve commercial or industrial property or where warranted by probable traffic conditions.~~

Type of Street	Right Of Way Width	Pavement Width*
Major Streets	As shown in the Master Plan	
Industrial Streets	60	44
Business Streets, Residential Collector Streets, or One Access Streets	50	40
Local Streets where zoned for multi-family	50	36
Local Streets where zoned for single-family	50	30
Frontage Roads (developed one side only)	40	24
Private Streets and Alleys	As determined by the Planning Commission	

~~*Pavement width is from face to face of curbing.~~

~~c. The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed;~~

~~i. Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets, or, if offset, streets shall be offset a minimum of 100 feet between center lines of intersecting residential streets and a minimum of 400 feet between center lines of intersecting major streets;~~

~~ii. Proposed streets shall be extended to the boundary lines of the land to be subdivided or proposed as part of a subdivision master plan,~~

~~unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;~~

~~iii. Where streets extend to the boundary of the property, resulting dead-end streets may be approved with a temporary turnaround of a minimum 40-foot radius. In all other cases, a permanent turnaround shall conform to specifications in paragraph (j) below or have a design otherwise approved by the Traffic Engineer.~~

~~iv. Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. "T" intersections rather than "cross" intersections shall be used wherever possible for local streets;~~

~~v. Straight local residential streets, conducive to high-speed traffic, longer than the standard 600-foot block, shall be prohibited unless approved by the Planning Commission;~~

~~vi. Alleys shall not normally be permitted in residential subdivisions, but may be permitted in nonresidential subdivisions;~~

~~d. Subdivisions adjacent to arterials shall be designed as specified in the Master Plan or by the Planning Commission. The following principles and standards shall be observed:~~

~~i. Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on arterials.~~

~~ii. The number of intersecting streets along arterials shall be held to a minimum;~~

~~iii. Frontage roads, if required or existing, shall conform to the standards specified in the subsection titled "Minimum Standards" and shall be separated from the arterial or freeway by a strip of permanent landscaping not less than 10 feet in width. A landscaping plan for the strip shall be submitted for approval. frontage roads shall enter arterials by means of intersections designed with turning and stacking capacity adequate for the traffic volume as estimated by the Traffic Engineer;~~

~~iv. Where frontage roads are **not** required, residential lots adjacent to an arterial shall be served by:~~

~~• A minor residential street paralleling said arterial at a generous lot depth therefrom. the minor residential street shall be separated from the arterial by a strip of permanent landscaping parallel to the arterial right of way not less than 10 feet in width. Greater widths may be appropriate and required by the Traffic Engineer; or~~

- ~~• A series of cul-de-sac or loop streets extending towards said arterial from a collector street not more than 500 feet therefrom. In such cases, a wall or fence with masonry pillars of a design approved by the Planning Director may be required at the rear of properties adjacent to the arterial.~~

~~v. When the rear of any lot borders an arterial, the subdivider may be required to execute and deliver to the City an instrument, deemed sufficient by the City Attorney, prohibiting the right of ingress and egress from said arterial to said lot, and a legal document sufficient to guarantee maintenance of said landscaping.~~

~~2. Street Grades. Curves and sight distances shall be subject to approval by the City Engineer, to insure proper drainage and safety for vehicles and pedestrians. The following principles and standards shall be observed:~~

~~a. Grades of streets shall be not less than .5% and not greater than 12%. However, a short run of not more than 200 feet at a grade of up to 14% may be allowed by the Planning Commission, upon the favorable recommendation of the Traffic Engineer and the City Engineer. Grades shall be controlled at center line, curb and gutter line, and sidewalk line.~~

~~b. At street intersections, the lot line at each corner shall be rounded with a curve having a radius of not less than 10 feet. A greater curve radius may be required if streets intersect at other than right angles, or in particular cases at intersections with arterials.~~

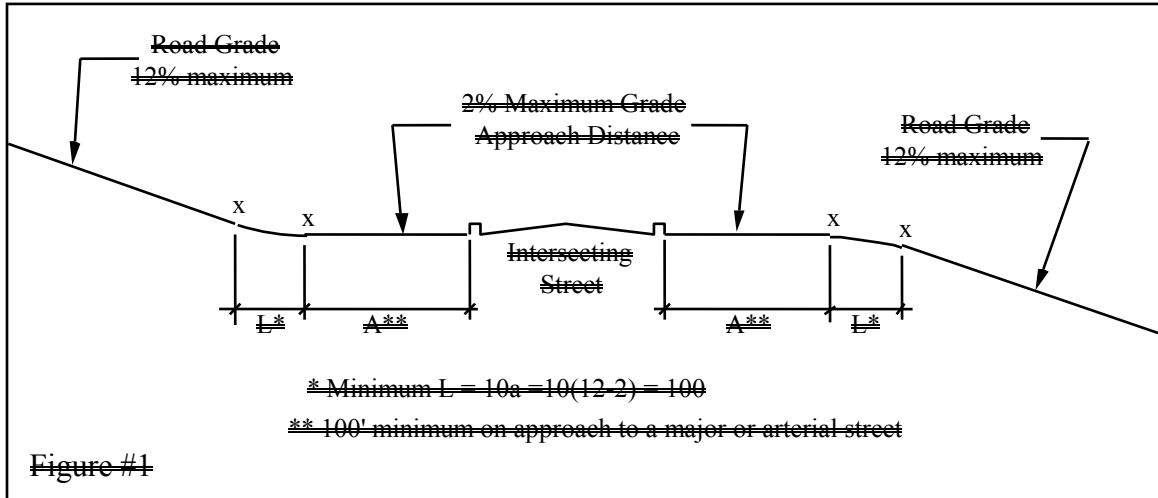
~~3. Vertical Alignment of Non-intersecting Streets. Transition curves over crest of hills shall be designed to provide both a smooth transition from upward movement to minimize potential roller coaster effect and to provide safe stopping sight distance at all times. The stopping sight distance is the distance required to safely stop a vehicle after viewing an object calculated on a formula set forth in standards adopted by the Traffic Engineer. The height of the eye shall be set at 3.75 feet and the height of the object at 6 inches above the surface of the road. Local streets shall be designed for a 30 m.p.h. minimum design speed providing for a minimum "K" value for stopping sight distance for crest curves of 28 and for sag curves of 35. Collector streets shall be designed for 40 m.p.h. minimum design speed with a minimum "K" value for stopping sight distance for both crest and sag curves of 55.~~

~~4. Vertical Alignment at Street Intersections. Transition curves shall be required to provide a smooth transition from road grade to intersections. For an approach distance ("A") from each edge of the intersecting street line, the grade may not exceed 2%. The minimum length of the approaches ("A") and transition curves ("L") shall be calculated upon the formulas below:~~

~~A = The minimum approach distance required where grade may not exceed 2% from the curb line of the intersecting street. Said distance of "A" shall be not less than 35 feet for intersections with local streets and not less than 100 feet~~

~~for intersections with major or arterial streets.~~

~~L = The minimum transition curve length required between points of tangency, "X", where $L = 10(a)$, "a" being the difference between the grade of the road less the grade of "A".~~



~~5. Intersection Site Distance. Intersections shall be planned and located to provide as much sight distance as possible. In achieving a safe road design, as a minimum, there shall sufficient corner sight distance for the driver on the approach roadway to cross the intersecting street without requiring approaching traffic to reduce speed. Such corner sight distance is a field of vision which shall be measured from a point on the approach roadway at least 15 feet from the edge of the intersecting roadway pavement at a height of 3.75 feet on the approach roadway. The minimum corner sight distance for local streets (30 m.p.h. design speed) shall be 300 feet. For collector streets (40 m.p.h. design speed) the minimum corner sight distance shall be 400 feet.~~

~~6. Horizontal Alignment of Streets. In addition to the specific street design standards set forth above, horizontal alignment shall be subject to the following criteria:~~

~~a. Consistent with topography, alignments shall be as straight as possible.~~

~~b. Maximum curvatures shall be avoided whenever possible.~~

~~c. Consistent patterns of alignment shall be sought. Sharp curves at the end of long tangents or at the end of long flat curves shall be avoided.~~

~~d. Short lengths of curves shall be avoided even for very small deflection angles.~~

~~e. Flat curvatures shall be provided on long fills.~~

~~f. Compound circular curves with large differences in radii shall be avoided.~~

~~g. Direct reverse curves shall be avoided; a tangent shall be used between them.~~

~~h. "Broken back curves" (two curves in the same direction on either side of a short tangent or large radius curve) shall be avoided.~~

~~i. To effectuate the above general criteria, the minimum curve centerline radii for local streets and collector streets shall be 100 feet and 150 feet, respectively. The maximum allowable degree of curvature shall be 23 degrees for local streets and 12.5 degrees for collector streets.~~

~~7. Turn Around. Cul-de-sacs in residential areas should be no longer than 400 feet (measured from centerline of intersecting street to radius point of turnaround) and shall have a minimum of 42 feet curb radius and 50 feet property line radius. Cul-de-sacs in commercial or industrial areas should be no longer than 650 feet and should have a minimum of 60 foot curb radius, and 70 foot property line radius. Other cul-de-sac lengths or turnaround configurations may be approved by the Traffic Engineer upon his favorable recommendation that the alternative provides equal or better convenience, access, and service.~~

~~8. Street Lighting. Street lighting provides for the safety, security, and convenience of the public. It is less expensive to install and provides less disruption if it is installed during the construction of the subdivision. Therefore, all new subdivisions shall be required to install all street lighting systems during construction as part of the bonded subdivision public improvements. The system shall be underground in conduit. Ornamental poles shall be used in all subdivisions. The design of the entire system, including conduit, wiring, pole location(s) and type, and fixture size and type shall be submitted on subdivision plan sheets. Lighting shall meet the Traffic Engineer's minimum recommended standards for the type of subdivision planned. As a minimum, lighting shall be placed at mid-block and at each intersection on local streets. The Traffic Engineer shall approve street lighting plans.~~

~~9. Driveways. Driveways leaving public rights-of-way shall not exceed a maximum grade of 8% from gutter to property line. The slope should be transitioned beyond property line no more than a maximum of 16%. Maximum sight distance should be encouraged with blind entrances or other sight obstructions disallowed.~~

~~10. Curb, Gutter, and Sidewalks. The following principles and standards shall apply to the design and installation of curbs, gutters, sidewalks, and pedestrian ways:~~

~~a. Vertical curbs and gutters as shown on the City's standard detail drawings shall be required in all subdivisions except for the exceptions specified below.~~

~~b. Sidewalks shall be required on both sides of the street in any~~

~~subdivision.~~

~~c. The Planning Commission may recommend that sidewalks be omitted in a subdivision, planned community, or planned unit development having an internal pedestrian system, provided that the Planning Commission shall find that the public safety is not jeopardized by such omission.~~

~~d. When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities, or for unusually long blocks, the subdivider shall provide, construct, and maintain pedestrian ways not less than 20 feet in width, provided with fencing, landscaping, and a pavement width not less than 10 feet in width. Provision for maintenance shall be satisfactory to the Planning Commission.~~

~~e. Sidewalks shall normally be located within the street right-of-way as shown on the City's standard detail drawing.~~

~~f. For lots and public strips containing trees with a trunk diameter of four inches or greater, curb cuts for driveways shall be so located as to ensure the preservation of such trees.~~

~~11. Where subdivision streets create frontage for contiguous property owned by others, the subdivider may, upon approval by the Planning Commission, create a protection strip not less than one foot in width between said street and adjacent property, to be deeded into joint ownership between the City and subdivider. Such a lot requires an agreement from the subdivider contracting to deed to the owners of the contiguous property the one foot or larger protection strip lot for a consideration named in the agreement, such consideration to be not more than the cost of street improvements properly charged to the contiguous property as determined by the City Engineer in his estimate of cost of improvements for the subdivision. One copy of this agreement shall be submitted as approved by the City Attorney to the Planning Commission prior to the approval of the final plat. Jointly owned protection strip lots shall not be permitted at the end of or within the boundaries of a public street, or proposed street, or within an area, or abutting and area, intended for future public use.~~

~~12. Whenever a proposed subdivision has a street which terminates or abuts against private property of an individual other than the subdivider, a strip of land at least one foot wide across the entire end of the proposed street must be platted as a lot and said lot shall be deeded to the City for future street purposes. The deed, approved by the City Attorney, must be submitted prior to final approval.~~

~~13. Traffic Report. New subdivisions have traffic impacts on existing street systems that may or may not be adverse in nature. The City may require the subdivider to provide a detailed traffic engineering report of the effects and impacts of the proposed development. This report shall detail the expected number of trips to be generated, the type of vehicles expected, and the times of day that the most severe impact can be expected. It shall also detail the effect on street capacity by the development, as well as~~

~~nearby intersections that will be impacted by the development's traffic as may be designated by the Traffic Engineer.~~

~~**D. Grading and Erosion Control Design Standards and Regulations.** All subdivision improvement work shall be accomplished in conformance to the following grading and erosion control design standards and regulations:~~

~~1. **Hours of Operation.** All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The City Engineer may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.~~

~~2. **Dust and Dirt Control.** All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.~~

~~3. **Undevelopable Slopes.** Significant steep slopes identified on a Slope Classification Map shall be designated undevelopable area. Said slopes, if retained within the subdivision, may be designated and maintained as common area. In no event shall streets traverse such slopes.~~

~~4. **Slopes Altered From Their Natural Condition.** The following standards shall be used in determining whether or not altered slopes are developable:~~

~~a. **Slopes Altered Prior to August 18, 1981.**~~

~~i. **Roads and driveways.** Roads and driveways established prior to August 18, 1981 which traverse significant steep slopes may remain but shall not be widened or re-graded in order to meet minimum standards for primary access to new development. Existing roads and driveways established prior to August 18, 1981, which cross slopes less than 30% may be re-graded and widened if necessary. Re-grading shall not create new areas of slope over 30%.~~

~~ii. **Buildable Areas.**~~

~~A. Lots shown on any subdivision plat recorded prior to August 18, 1981, shall be considered legal building lots subject to current zoning requirements.~~

~~B. Sites altered from their natural condition prior to August 18, 1981, that meet the current standard to qualify as buildable area (less than 30% slope), may be approved as building sites if driveway or street access to such sites, which also meet current development standards, are available or can be provided. Sites that are isolated within areas of significant steep slopes shall not be considered buildable areas.~~

~~b. Slopes Altered Between August 18, 1981 and November 1, 1994.~~

~~i. **Roads and driveways.** Roads and driveways that were legally constructed between August 18, 1981, and November 1, 1994, which traverse slopes up to but not exceeding 40% may be used as access to new development but shall not be widened or re-graded in order to meet minimum standards for primary access for such development. Existing roads and driveways established between August 18, 1981 and November 1, 1994, which cross slopes less than 30% may be re-graded and widened if necessary. Re-grading shall not create new areas of slope over 30%. Roads or driveways which were established without first obtaining a permit from the City shall be restored to the original grade and revegetated.~~

~~ii. **Buildable Areas.** Lots shown on any subdivision plat recorded between August 18, 1981, and November 1, 1994, on which slopes up to 40% were designated as buildable areas shall be considered legal nonconforming lots but are subject to current zoning requirements. Illegal grading which occurred after August 18, 1981, and created slopes less than 40% on natural slopes which were originally greater than 40%, shall not be considered as buildable area, shall be restored to the original grade, and shall be revegetated.~~

~~c. Slopes Altered After November 1, 1994.~~

~~i. **Roads and driveways.** Roads and driveways that were legally constructed after November 1, 1994, may be used as access to new development. Roads or driveways which were established without first obtaining a permit from the City shall be restored to the original grade and revegetated.~~

~~ii. **Buildable Areas.** Illegal grading occurring after November 1, 1994, which created slopes less than 30% on natural slopes which were originally greater than 30%, shall not be considered as buildable area, shall be restored to the original grade, and shall be revegetated.~~

~~d. Slopes Altered Prior to Annexation of Property to Salt Lake City.~~

~~i. **Roads and driveways.** Roads and driveways which were legally constructed and designated for public use prior to the effective date of this ordinance which are located on property that is subsequently annexed to Salt Lake City may be used as access to new development. However, if such roads cross areas of significant steep slope, they shall not be widened or re-graded in order to meet minimum City standards.~~

~~ii. **Buildable Areas.** Lots shown on any subdivision plat recorded prior to the effective date of this ordinance and subsequently annexed to Salt Lake City shall be considered legal building lots but are subject to current zoning requirements. Illegal grading which created slopes less than 30% on natural slopes which were originally greater than 30%, shall not be considered as~~

~~buildable area, shall be restored to the original grade, and shall be revegetated.~~

~~e. **Verifying Limits of Disturbance.** If the City and developer can not agree on the limits of man-made slope disturbance, the developer shall be responsible for providing a geotechnical evaluation sufficient to establish such limits of disturbance.~~

~~f. **Verifying Date of Disturbance.** The date of slope disturbance shall be established based on the best available information. This may include, among other things, evaluation of historic aerial photography, surveys, or development plans for adjacent properties.~~

~~g. **Burden of Proof.** It shall be the responsibility of the owner/petitioner to provide documentation and other evidence to verify the original and current slope of a site, the date and extent of any site disturbance, and the legality of any action in grading a site.~~

~~5. **Finished Cuts and Slopes.** Limitations shall be applied to the extent of cut and fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.~~

~~a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.~~

~~b. All cut and fill slopes shall be re-contoured and revegetated by the subdivider in accordance with an approved plan.~~

~~c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Planning Commission may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering quality of the development.~~

~~d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.~~

~~e. Exceptions:~~

~~i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.~~

~~ii. No slopes shall be cut in an existing landslide, mud flow, or other form of naturally unstable slope except as recommended by a qualified geological engineer.~~

~~iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.~~

~~f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:~~

~~i. conducive to revegetation for soil stability and visual impact;~~

~~ii. used for selected areas of the site and not as a general application; and~~

~~iii. limited to tiers each of which is no higher than six feet, separated by plantable terraces a minimum of two feet in width;~~

~~g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.~~

~~h. The City Engineer may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.~~

~~6. Abatement of Hazardous Conditions.~~

~~a. If, at any stage of grading, the Planning Director or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Planning Director or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:~~

~~i. specification of a more level exposed slope;~~

~~ii. construction of additional drainage facilities, berms, or terraces;~~

~~iii. compaction or cribbing;~~

~~iv. installation of plants for erosion control; and/or~~

~~v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.~~

~~Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.~~

~~b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Planning Director or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.~~

~~7. **Fill Material and Compaction.**~~

~~a. Fill material. All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only on approved public or private landfills or other approved deposit sites.~~

~~b. Back fillings. Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.~~

~~c. Compaction of fills. Unless otherwise directed by the City Engineer, all fills governed by this Title, intended to support building structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions:~~

~~i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and if necessary shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.~~

~~ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.~~

~~iii. The moisture content of the fill material shall be controlled~~

~~at the time of spreading and compaction to obtain required maximum density.~~

~~iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the City Engineer for review.~~

~~v. The City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.~~

~~8. **Erosion Control and Revegetation.** All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to an approved plan, as outlined in Section 18.28.30 E.4. below. All plant selections must be approved by the Parks Department, Planning Commission, and Planning Director prior to subdivision approval.~~

~~9. **Drainage.**~~

~~a. Adequate provisions shall be made to prevent any surface waters from damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.~~

~~b. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.~~

~~c. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to~~

~~transport excess storm water is otherwise restricted during or after construction, the City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.~~

~~d. Notwithstanding any other provisions of this Title, whenever, in the judgment of the City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.~~

~~10. **Additional Information.** The following additional information may be required to be submitted, in sufficient numbers of copies as is determined by the planning staff, at the discretion of the Planning Director or City Engineer:~~

~~a. Slope Classification Map and analysis;~~

~~b. Profiles or cross sections;~~

~~c. Additional drainage calculations;~~

~~d. Soils data including a report from a registered Soils Engineer, Engineering Geologist, or other qualified person;~~

~~e. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required.~~

~~f. Detailed revegetation plans for the site and, if appropriate, information relating to the landscaping on adjacent or surrounding areas affected by the proposed development. Such revegetation plans shall be prepared by a licensed engineer, architect, landscape architect, or other qualified person. These plans shall show:~~

~~i. Distribution of plant material, existing trees, and work involved as related to slope control and/or physical environment;~~

~~ii. A plan describing the methods of planting the areas to be landscaped with special emphasis on soil preparation, plant selection, methods of planting, and initial maintenance of plants and slopes until a specified percentage of plant coverage is uniformly established on cut and fill slopes;~~

~~iii. Such other and further details as may be specified and~~

~~required by the Planning Director to carry out the purpose of this Title. All such plans shall bear the name of the person responsible for the preparation of the plan;~~

~~iv. The revegetation plan will be submitted by the Planning Director to the Salt Lake City Parks Department's Landscape Architect for review.~~

~~g. The present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not more than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent.~~

~~h. The location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;~~

~~i. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;~~

~~j. Whenever a proposed subdivision lies within 500 feet of an identified fault, a geological report and verification as per Section 47-3-5(2) will be required. These reports will be submitted for review to the Utah Geological Survey by the Planning Director;~~

~~k. Plan showing temporary erosion control measures to prevent erosion during the course of construction and a revegetation plan addressing the requirements of Section 47-3-5(3) & (4);~~

~~l. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;~~

~~m. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;~~

~~n. Such other information as shall be required by the Planning Director.~~

~~**E. Foothill Development Overlay Zone Special Regulations.** The following reports and regulations shall be required for the approval of any subdivision request located within a zoning area designated as the "Foothill Development Overlay Zone" (F-1).~~

~~1. Soils Reports. The U.S.D.A. Soil Conservation Service publications, “Soil Survey of Salt Lake City Area, Utah”, (April 1974) and “Soil Survey and Interpretation, Summit Soil Survey Area, Wasatch Mountain Portion, Salt Lake County, Utah”, (June 1975), are hereby adopted as the official soil maps and interpretation for soils in salt lake City. These surveys are to be used as a guide to land use planning for those items covered in the survey in Salt Lake City and are not intended to replace on-site soil investigations. The Planning Commission shall require a soil investigation report if the “Salt Lake County 208 Water Quality Soils Map and Interpretation” shows soils in the area proposed for development which present one or more constraints to development as defined on said map. Such soils report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and must contain at least the following information:~~

~~a. Slope Classification Map and analysis;~~

~~b. Estimate of the normal highest elevation of the seasonal water table;~~

~~c. The location and size of swamps, springs and seeps shall be shown on the site plan and an investigation made to determine the reasons for occurrence of these underground water sources. An analysis of the vegetation cover or other surface information may be used to show the presence of underground water;~~

~~d. Unified soil classification for the major horizons (layers of soil profile) or of the zone of the footing foundation including, where appropriate, the plasticity index (PI) and liquid limit (LL);~~

~~e. Shrink swell potential. Said potential and its characteristics shall be determined and classified according to the test prescribed in Section 2904(a) of the Uniform Building Code and related references;~~

~~f. Potential frost action based on the depth to water table and the unified soil classification;~~

~~g. The soil, suitability’s, constraints, and proposed methods of mitigating said constraints in implementing the proposed development plan;~~

~~h. A verified written statement by the person or firm preparing the soils report identifying the soil constraints to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said constraints in a manner as to prevent hazard to life, hazard to property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~2. Geology Reports. A geology report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject. Since the nature~~

~~and distribution of earth materials, faults, folds, slide masses, or other significant features cannot be described fully and effectively in words alone, a geologic map shall accompany the report. Mapping should reflect careful attention to the rock composition structural elements, surfaces, and subsurface distribution of the earth materials exposed or inferred features and/or relationships. It should be understood that Salt Lake City is in Seismic Zone Three, such zone having the highest probability of earthquake damage. Therefore, the report shall contain at least the following information:~~

~~a. Location and size of subject area and its general setting with respect to major geographic and/or geologic features;~~

~~b. Identification of the person who did the geologic mapping upon which the report is based and the dates when mapping was done;~~

~~c. Existing topography and drainage in the subject area;~~

~~d. Abundance, distribution, and general nature of exposures of earth materials within the area;~~

~~e. Nature and source of available subsurface information;~~

~~f. Estimated depth of bedrock;~~

~~g. Bedrock igneous, sedimentary, metamorphic types;~~

~~h. Structural features including, but not limited to, stratification, stability, folds, zones of contortion or crushing, joints, fractures, shear zones, faults, and any other geological limitations;~~

~~i. a verified written statement by the person or firm preparing the geology report identifying the geological problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~3. Grading and Drainage Plan. A Grading and Drainage Plan, prepared by a professional engineer registered in the State of Utah, shall be submitted with each application. The plan must be sufficient to determine the erosion control measures necessary to prevent soil loss during construction as well as after project completion. The plan shall include, as a minimum, the following information:~~

~~a. A map of the entire site showing existing details and contours of the property using, at a maximum, 10 foot contour intervals and a scale of 1" = 100';~~

~~b. Supplemental map(s) of area(s) to be graded showing existing~~

~~details and contours at five foot intervals where terrain will not be modified and proposed details and contours of two foot intervals where terrain modification is proposed, using a scale of 1" = 20'.~~

~~e. An investigation of the effects of high intensity rain storm (100 year return frequency storm according to U.S. Department of Commerce Weather Bureau Frequency Curves) evaluating how the proposed drainage system will handle the predicted flows. Include the effect of drainage areas outside the development which drain through the subject area and the anticipated flow and handling of the drainage leaving the development;~~

~~d. History, including frequency and duration, of prior flooding;~~

~~e. Location of any existing building or structures and the approximate location of any proposed buildings or structures on the area to be developed and any existing buildings or structures on land of adjacent owners which are within 100 feet of the property or which are on the land of adjacent owners beyond said distance but may be affected by the proposed development.~~

~~f. The direction of proposed drainage flow and the approximate grade of all streets (not to be construed as the grades used for the final street design);~~

~~g. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;~~

~~h. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;~~

~~i. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;~~

~~j. Plan showing temporary erosion control measures to prevent erosion during the course of construction;~~

~~k. A schedule showing when each stage of the development will be completed, including the total area of soil surface which is to be disturbed during each stage and estimated starting and completion dates. The schedule shall be drawn to limit the time that soil is exposed and unprotected to the shortest possible period. In no event shall the existing natural vegetation or groundcover be destroyed, removed, or disturbed more than 15 days prior to commencing grading for development as scheduled.~~

~~1. A verified written statement by the person or firm preparing the Grading and Drainage Plan, identifying any grading and drainage problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~4. Vegetation Preservation and Protection Plan.~~

~~a. Vegetation shall be removed only when absolutely necessary, i.e., for building, filled areas, roads, and fuel breaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut and fill slopes.~~

~~b. All areas of excavation (cut or fill) attendant to new development shall be sufficiently revegetated to assure that they are protected from erosion due to normal wind or surface water conditions. Vegetation sufficient to stabilize the soil shall also be established on all disturbed areas (including lots which may be subject to future grading) as each stage of grading is completed. Disturbed areas not contained within lot boundaries shall be protected with adapted, fire-resistant, species or perennial vegetative cover after grading and/or subdivision improvement related construction is completed. Such revegetation should be in place and of sufficient coverage and maturity to assure that the required protection is existent prior to the release of the improvement bond. The new vegetation shall be equivalent to or exceed the amount of erosion control characteristics of the original vegetation cover. It should be further assured as to duration and establishment by a minimum of two years warranty.~~

~~c. The property owner and subdivider shall be fully responsible for any destruction of native vegetation proposed for retention under the approved vegetation plan and shall be responsible for the replacement of such destroyed vegetation. Said duties shall continue from the first day of construction until the certificate of occupancy is issued. During this time the property owner and subdivider shall be strictly liable for its own actions and those of its employees and subcontractors. A bond in the amount specified in the approved vegetation plan shall be posted prior to issuing permit to insure completion of the vegetation plan.~~

~~d. A Vegetation Plan and report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and shall include the following:~~

~~i. Survey of existing trees, large shrubs, and groundcovers;~~

~~ii. Plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planned and any~~

~~modification to existing vegetation;~~

~~iii. Plan for the preservation of existing vegetation during construction activity;~~

~~iv. Vegetation maintenance program including initial and continuing maintenance necessary;~~

~~v. Determination of proposed bond necessary to insure soil stabilization. A bond should be provided in an amount sufficient to pay cost of grading, planting, and maintenance necessary to stabilize the soil in the event the subdivider fails to complete the same. The bond need not cover the expenses of items which would beautify the terrain beyond its natural condition, but only work necessary to restore the terrain to the relative stability of its previous state.~~

~~vi. A verified written statement by the person or firm preparing the Vegetation Plan and report, identifying any vegetation problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~5. Fire Protection Report. A Fire Protection Report shall be prepared to assess fire probability and potential hazards by a person or agency qualified by training and experience. Elements of the report shall include the following:~~

~~a. The width and approximate location of any easement required for access of fire protection equipment;~~

~~b. Agreements, if any, entered into by the applicant and a fire protection entity or other government agency that could have concerns about fire probability (State and Federal agencies);~~

~~c. The approval of the subdivision design and fire protection measures by the fire protection entity;~~

~~d. A letter from the Fire Chief of Salt Lake City stating fire flow recommendation by insurance service organization and the existing fire flow capability or the fire flow capability proposed to serve the project.~~

~~6. Access to Public and Private Property Report. A report assuring that there is provision made for dedicated rights-of-way to provide access to public or private land adjacent to the area proposed for development. These rights-of-way shall be designed and constructed to standards acceptable to the City Engineer. No access road will be allowed to be constructed if terrain is too steep or unsuitable for use but the right-of-way,~~

~~nevertheless, be required to be dedicated by the Planning Commission.~~

~~7. Notification of Adjacent Landowners (Public or Private). Owners of adjacent lands which may be impacted by the proposed development shall be notified of a request for preliminary approval and given an opportunity to appear before the Planning Commission prior to final approval when it reviews the development proposal. This process will help to insure against future boundary and use conflicts and to avoid "land locking" property, therefore creating a situation beneficial to neither the public nor the private sector.~~

~~8. Ridge and Gully Topographic Features Protection. The City has determined that regulations are necessary to limit the inappropriate encroachment of urban development into areas of significant foothill ridges and gullies topographic features. These inappropriate encroachments may negatively impact views, vegetation, fire protection, drainage and other public concerns unless carefully considered.~~

~~a. Significant foothill ridge lines are defined, for the purposes of these regulations, to mean any portion of an elaborate system of forking ridge topographic features which dominate the north and east foothill and mountain backdrops to urban Salt Lake City, and which are identified upon the "Protected Ridge line and Gully Maps of Salt Lake City".~~

~~b. Significant foothill gullies and drainage courses are defined, for the purposes of these regulations, to mean any stream course or intermittent stream course topographic feature which is identified upon the adopted "Protected Ridge line and Gully Maps of Salt Lake City".~~

~~c. The "Protected Ridge line and Gully Maps of Salt Lake City" consisting of one overview map and twenty detailed maps are hereby adopted and incorporated by reference. The City Recorder shall retain an official copy of the maps which show:~~

~~i. Complex, forking ridge lines which are topographic features of the following named mountain ridge systems:~~

- ~~• Ensign Ridge~~
- ~~• Black Mountain Ridge~~
- ~~• Mount VanCott Ridge~~
- ~~• Mount Wire Ridge~~
- ~~• Parley's Ridge~~

~~ii. These main mountain ridge systems fork and fork again, defining drainage basins and sub-basins.~~

~~iii. Complex drainage streams systems exist between the major mountain ridge lines as follows:~~

- ~~• City Creek Canyon~~
- ~~• Dry Creek Canyon~~
- ~~• Red Butte Canyon~~
- ~~• Emigration Canyon~~
- ~~• Parley's Canyon~~

~~iv. These major drainage streams have contributing drainage sub basins, which flow into or separate the major drainage streams, characterized as drainage gullies.~~

~~d. Visual assessment and impact study required. Any proposed subdivision which contains a significant foothill ridge line or significant foothill gully or drainage course, or if such a significant foothill ridge line or gully or drainage course lies within 300 feet of the subdivisions boundary, shall submit an assessment study regarding the developments impact on views, natural features and vegetation.~~

~~i. The assessment and impact study shall accurately depict conditions before and after the subdivision development including site design, building or buildable area placement, landscaping or other visual features. Visual impacts may be demonstrated by methods including sketches, models, computerized images or other graphic representations necessary to assist the City in determining impacts and appropriate mitigation.~~

~~ii. The Planning Commission shall consider the visual and other impacts of the proposed subdivision in determining appropriate lot boundaries and buildable areas as necessary to protect the City's and the public interests regarding the significant foothill ridges, gullies and drainage courses.~~

~~**F. Flood Plain Development Special Regulations.** In addition to the provisions of Chapter 8 of this Title, the following special regulations and design standards shall apply to all subdivision development within areas identified as being within the boundaries of the Flood Hazard Boundary Map, as defined in Section 47-8-2, Revised Ordinances of Salt Lake City, Utah.~~

~~1. Design of System. All proposal for subdivision development must provide water supply and sanitary sewage systems which are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water. Other on-site waste disposal systems must be located so as to avoid impairment of them, or contamination from them, during flooding. All public utilities, including sewer, gas, electricity, and water systems shall be designed, located, and constructed to minimize or eliminate flood damage. All public improvements (including, but not limited to, streets, sidewalks, curbs, gutters etc.) shall be designed and constructed with adequate drainage systems to minimize the containment of flood waters on adjacent properties.~~

~~2. Lot Base Flood Elevation. The preliminary and final plats for all proposed subdivision, and other proposed areas of new development, which are wholly or partially within the Floodplain Hazard Area shall include base flood elevations for each lot within the Floodplain Hazard Area.~~

~~G. Canyon Development Special Regulations. In addition to the other provisions of this Title, the following special regulations and design standards, which may be more restrictive, shall apply to all subdivision development within areas zoned Residential Canyon "R-1C" and Business Canyon "B-3C".~~

~~1. Hydrology:~~

~~a. All development including subdivisions, planned or grouped developments, and commercial development shall meet the drainage and flood control regulations established by the City Engineer.~~

~~b. No structures, cuts, fills, significant modification of terrain, hardsurfacing, or any activity which would cause deterioration of the natural terrain or vegetation shall be permitted within 100 feet of the stream bank (defined as the mean highwater line), and said area shall be designated as undevelopable area.~~

~~c. Additional and undevelopable stream side areas containing extremely severe physical conditions, such as steep slopes, may be declared undevelopable by the Planning Commission as required by the City Engineer to provide additional safety buffer zones.~~

~~d. Structures intended to bridge a stream shall be of a design which meets the standards of the City Engineer.~~

~~2. Grading:~~

~~a. All excavated material shall be removed from the site or placed behind retaining walls or otherwise replaced, recontoured, and revegetated.~~

~~b. All cut and fill slopes shall be recontoured and revegetated by the subdivider in such a manner as to blend with the natural terrain as specified in this Title.~~

~~c. No cut or fill with a vertical height exceeding 15 feet shall be permitted.~~

~~d. Not more than 5 percent of a lot or PUD site shall be left with a slope steeper than the natural grade of the ground or steeper than 20 percent, whichever is greater.~~

~~e. The total area of all cuts and fills other than the enclosed floor area~~

~~of the structure(s) shall not exceed 10 percent of the lot or PUD site.~~

~~f. Public streets shall not traverse or disturb slopes of 30 percent or greater.~~

~~**H. Nonresidential Subdivision Special Regulations.** The following special regulations and standards shall apply to all nonresidential subdivision development within areas zoned for commercial or industrial use.~~

~~1. **General Design.** The streets and lot layout of a nonresidential subdivision shall be appropriate to the land for which the subdivision is proposed and shall conform to the proposed land use and standards established in the Salt Lake City Master Plan, any community master plans and the ordinances of Salt Lake City.~~

~~2. **Industrial and Commercial.** Nonresidential subdivision shall include industrial tracts and may include commercial tracts.~~

~~3. **Principles and Standards.** In addition to the principles and standards in this Title which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block patterns proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity. The following principles and standards shall be observed:~~

~~a. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.~~

~~b. Street rights-of-way and pavement widths shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon.~~

~~c. Special requirements may be imposed by the City with respect to street, curb, gutter, and sidewalk design and construction.~~

~~d. Special requirements may be imposed by the City with respect to the installation of public utilities including water, sewer, and storm water drainage.~~

~~e. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed non-residential subdivision, including the provision of extra depth in parcels backing against existing or potential residential development and provisions for a permanently landscaped buffer strip or other suitable screening methods, such as berms or walls, as required by the Planning Commission.~~

~~f. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets intended for predominately residential~~

~~traffic.~~

~~g. Subdivision for proposed commercial development shall take into account, and specifically designate, all areas for vehicular circulation and parking, pedestrian circulation, buffer strips, and other landscaping and shall provide for maintenance of such private improvements.~~

~~**I. Inspection and Enforcement.** The Planning Commission, with assistance from the City Engineer and Traffic Engineer, will handle subdivision approval. The City Engineer will have responsibility for inspection and enforcement. At the time the subdivision approval is issued, the City Engineer shall establish a schedule for inspections as specified in Section 47.4.5. Where it is found by inspection that conditions are not substantially as stated or shown in the approved subdivision plans, the City Engineer or his inspectors shall stop further work until approval is obtained for an amended subdivision plan.~~

18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)

A. General Application. No person or party shall cause any grading to be done on a building site without first having obtained site development approval in conjunction with the building permit process or a permit from the Building official except as specified below.

1. Work requiring separate approval/permit. A site development approval and/or permit shall be required in all cases where development comes under any one or more of the following provisions.

- a. Excavation, fill, or any combination thereof exceeding 1,000 cubic yards;
- b. Excavation, fill, or any combination thereof exceeding five feet in vertical depth at its deepest point measured from the adjacent, undisturbed, ground surface;
- c. Excavation, fill, or any combination thereof exceeding an area of 1/2 acre;
- d. Excavation, fill, or any combination thereof exceeding 75% of a building site including the excavation for foundations and footings;
- e. Removal of vegetation from an area in excess of 1/2 acre for purposes other than agricultural;
- f. Engineered interior fills or surcharges.

2. Work **not** requiring separate approval/permit. A separate site development permit shall not be required in the following cases for issuance of a Building Permit shall specify approval of the required grading plan.

a. Excavation below finished grade for basements and footings of buildings or other structures authorized by a valid building permit. This shall not exempt any fill made with material from such excavation, or exempt any excavation having an unsupported height greater than five feet after the completion of such structure.

b. Removal of vegetation as part of work authorized by a valid building permit.

3. Waiver. The following requirements and standards shall apply to all building sites unless deemed unwarranted by the written recommendation of the Building Official.

B. Permits Required. Except as exempted in the foregoing Section ~~47-4-~~
~~18.28.40.A~~, no person or party shall do or cause any grading to be done on a building site without first obtaining site development approval, or permit from the Building Official. A separate approval or permit shall be required for each site, and may cover both excavation and fill.

1. Application. To obtain a permit or approval the applicant shall first file an application therefor in writing on a form furnished by the Building Department for that purpose. Every such application shall:

a. Identify and describe the work to be covered by the permit or approval for which application is made;

b. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed work and identify lots of any platted subdivision included within the proposed building site;

c. indicate the use or occupancy for which the proposed work is intended;

d. be accompanied by plans, diagrams, computations, and specifications and other data as required;

e. Be signed by property owner or permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

f. Show the location of existing and proposed building or structures on the applicant's property, and the location of buildings or structures on adjacent properties which are within 15 feet of the applicant's property, or which may be affected by the proposed site development activities;

g. Show the location of property lines and all existing and proposed streets, roadways, driveways, easements, and rights-of-way on, contiguous, or

adjacent to the proposed development site

h. Show the present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not greater than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent. The source of all topographical information shall be indicated.

i. Show the location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;

j. Show detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

k. Present a plan showing temporary erosion control measures to prevent erosion as outlined in Section 47-3-5(3) ~~18.28.40.G~~ to prevent erosion during the course of construction;

l. All grading in excess of 5,000 cubic yards shall require professional engineering and shall be designated as “engineered grading”. Any application including engineered grading shall contain a grading plan prepared by a registered Professional Engineer or licensed architect;

m. Show a revegetation plan including: ~~addressing the revegetation requirements specified in Section 47-3-5(4)~~

- 1) a survey of existing trees, shrubs, and groundcovers,
- 2) a plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planned and any modification to existing vegetation, and
- 3) a plan for the preservation of existing vegetation during construction activity;

n. Make a statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required;

o. Identify the type of surcharging fill material to be used on the building site;

p. Estimate the amount of time surcharging fill material will be in place, and show consideration by a soils engineer of the potential for vertical and

lateral soil movements on properties adjacent to the surcharge;

q. Submit a copy of the recorded subdivision plat showing developable area limitations;

r. Such other information as may be required by the Building Official or City Engineer.

C. Soil Engineering Report or Engineering Geology Required.

1. Soil Engineering Report. The soil engineering report required shall include data regarding the nature, distribution,, and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations addressing the adequacy of the site under the proposed grading plan to support the proposed development.

2. Engineering Geology Report. The engineering geology report required shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations addressing the adequacy of the site under the proposed grading plan to support the proposed development. This requirement may be waived by written recommendation of the Building Official if it is deemed unwarranted.

D. Issuance. The application, plans, specifications, and other data submitted by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Title and other pertinent laws and ordinances, and that the fees specified have been paid, he shall issue a permit therefor to the property owner or his authorized agent. When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications “APPROVED”. Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work shall be done in accordance with the approved plans. The Building Official may require that the site development activities and project designs or specifications be modified if delays occur which may create weather-generated problems not considered at the time the permit was issued. No site alteration shall occur during the months of November through March and no applications proposing such work during that time shall be approved.

E. Fees.

City fees associated with reviewing and processing site development (aka “preparation”) permits shall be those listed on the Salt Lake City Consolidated Fee Schedule.

~~1. Plan Checking Fee. for excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill, whichever is greater. Before accepting a set of~~

~~site development plans and specifications for checking, the Building Official shall collect a site development plan checking fee. Separate permits and fees shall apply to retaining walls or major drainage structures as indicated elsewhere in this Code. There shall be no separate charge for standard terrace drains and similar facilities. The amount of the Plan checking fee for site development plans shall be set forth in the table below. The plan checking fee for a site development permit authorizing additional work to that under a valid permit shall be the difference between such fee paid for the original permit and the fee shown for the entire project.~~

~~2. Site Development Fee. A fee for issuance of each Site Development Permit shall be paid to the Building Official as set forth in the table below.~~

~~PLAN CHECKING FEES~~

Volume of Material	Fee
50 Cubic Yards or Less	No Fee
51 to 100 Cubic Yards	\$10.00
101 to 1,000 Cubic Yards	\$15.00
1,001 to 10,000 Cubic Yards	\$20.00
10,001 to 100,000 Cubic Yards:	
• First 10,000	\$20.00
• Each additional 10,000 or fraction thereof	\$10.00
100,001 to 200,000 Cubic Yards:	
• First 100,000	\$110.00
• Each additional 10,000 or fraction thereof	\$6.00
200,001 Cubic Yards or more:	
• First 200,000	\$170.00
• Each additional 10,000 or fraction thereof	\$3.00
Other Inspections and Fees:	
• Additional plan review required by changes, additions, or revisions to approved plans (minimum charge 1/2 hour)	\$15.00 / hr.

~~SITE DEVELOPMENT PERMIT FEES~~

Volume of Material	Fee
50 Cubic Yards or Less	\$10.00
51 to 100 Cubic Yards	\$15.00
101 to 1,000 Cubic Yards	
• First 100	\$15.00
• Each additional 100 or fraction thereof	\$7.00

1,001 to 10,000 Cubic Yards • First 1,000 • Each additional 1,000 or fraction thereof	\$78.00 \$ 6.00
100,000 Cubic Yards or more: • First 10,000 • Each additional 10,000 or fraction thereof	\$375.00 \$ 15.00
Other Inspections and Fees: • Inspections outside of normal business hours (2 hr. min.) • Reinspection fee assessed under provision of 305(h) • Inspection for which no fee is specifically indicated (1/2 hr. min.)	\$15.00 / hr. \$15.00 \$15.00 / hr.

~~3. Bonds. A performance bond will be required for Site Development Permits in a form approved by the City Attorney and in amounts as may be deemed necessary by the City Engineer to assure that the work, if not completed in accordance with the approved plans and specifications, will be completed or corrected to eliminate hazardous conditions. The performance bond may be provided by a corporate surety, or in lieu thereof, a cash bond or instrument of credit of equal amount. This provision may be waived by the written recommendation of the Building Official if it is deemed unwarranted.~~

G. Grading and Erosion Control Standards and Regulations. All site development work shall be accomplished in conformance to the following grading and erosion control design standards and regulations.

1. Hours of Operation. All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The Building Official may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.

2. Dust and Dirt Control. All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.

3. Undevelopable Slopes. Any natural slopes identified on a Slope Classification Map of 30% or greater shall be designated undevelopable area. In no event shall streets traverse such slopes.

4. Finished Cuts and Slopes. Limitations shall be applied to the extent of cut and fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.

a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.

b. All cut and fill slopes shall be recontoured and revegetated by the permittee in accordance with an approved plan.

c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Building Official may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering quality of the development.

d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.

e. Exceptions.

i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.

ii. No slopes shall be cut in an existing landslide, mud flow, or other form of naturally unstable slope except as recommended by a qualified geological engineer.

iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.

f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:

i. conducive to revegetation for soil stability and visual impact;

ii. used for selected areas of the site and not as a general application; and

iii. limited to tiers each of which is no higher than six feet,

separated by plantable terraces a minimum of two feet in width;

g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.

h. The City Engineer may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.

5. Abatement of Hazardous Conditions.

a. If, at any stage of grading, the Building Official or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Building Official or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:

- i. specification of a more level exposed slope;
- ii. construction of additional drainage facilities, berms, or terraces;
- iii. compaction or cribbing;
- iv. installation of plants for erosion control; and/or
- v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.

Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.

b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Building Official or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

6. Fill Material and Compaction.

a. Fill Material. All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only in an approved public or private landfills or other approved deposit site.

b. Back Fillings. Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.

c. Compaction of Fills. Unless otherwise directed by the Building Official, all fills governed by this Title, intended to support building, structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions.

i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and, if necessary, shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.

ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.

iii. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.

iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the Building Official, who shall rely on the expertise of the City Engineer for review.

v. The Building Official or City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.

7. Surcharging. Surcharges shall consist of earth material and shall be applied in such a manner as to have no effect on soil stability on adjacent or neighboring properties.

H. Erosion Control and Revegetation. All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to ~~an approved~~ **a revegetation plan approved by the City** ~~as outlined in Section 18.28.30 E.4. below.~~ All plant selections must be approved by the Parks Department and Building Official prior to approval.

I. Drainage.

1. Adequate provisions shall be made to prevent any surface waters from damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.

2. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

3. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess storm water is otherwise restricted during or after construction, the Building Official or City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the Building Official or City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.

4. Notwithstanding any other provisions of this Title, whenever, in the judgment of the Building Official or City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the Building Official or City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.

J. Setbacks. The setback and other restrictions specified in this section are minimum and may be increased by the Building Official or by the recommendation of a civil engineer, soils engineer, or engineering geologist, if necessary for safety and stability, to prevent

damage of adjacent properties from deposition or erosion, or to provide access for slope maintenance and drainage. Setbacks deal with distance from property lines, structures, or faults, and must satisfy the requirements of paragraphs 1-3 below. Retaining walls may be used to reduce the required setbacks when approved by the Building Official.

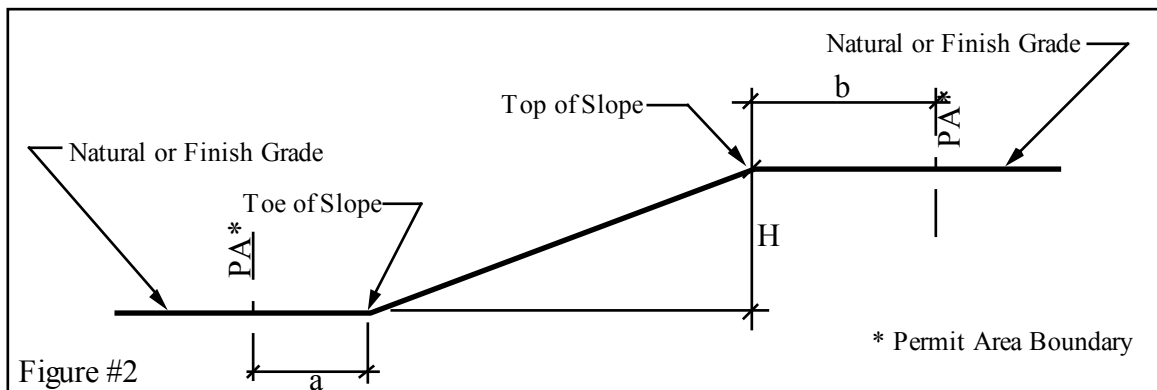
1. Setbacks From Property Lines. The toes and tops of cut and fill slopes where no structures are located shall be set back from the outer boundaries of a “Permit Area” (PA = lot area excluding any undevelopable areas) including yard setbacks, slope-right areas, and easements, in accordance with the Table and Figure #2 below.

- “a” = Setback distance at toe.
- “b” = Setback at top.
- “H” = Height from toe to top of cut/fill slope.

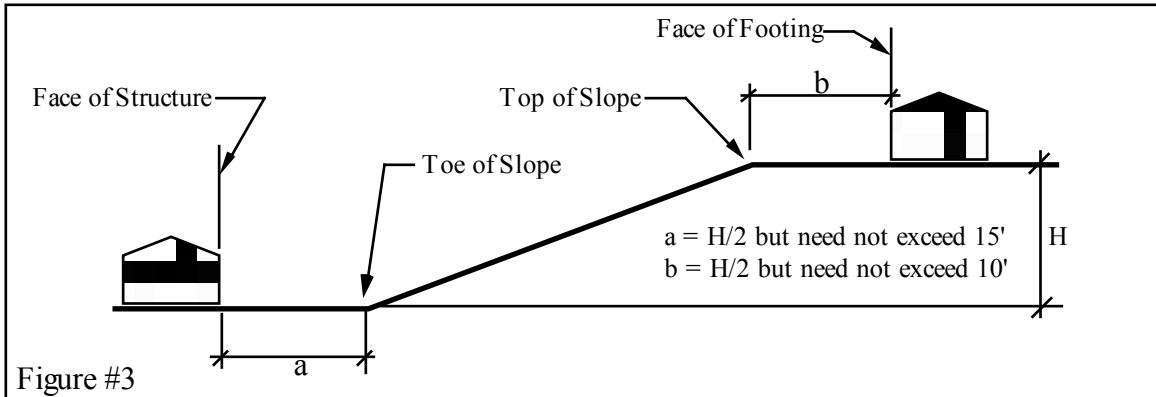
Setbacks From Permit Area Boundary

H	a	b*
less than 5'	0	1
5' to 30'	H/2	H/5
over 30'	15	6

* Additional width may be required for interceptor drain.



2. Setback From Structures. Setback from cut or fill slopes and structures shall be provided in accordance with Figure #3 below.



3. Setbacks from Faults. No Structure shall be located over a fault. Determinations of the appropriate setback distance from the fault shall be made based on recommendations contained in the geological report required by Section ~~47-4-2(2)~~18.28.40.C of this Chapter.

I. Site Development Inspections.

1. Special Inspections. All site development activities for which a permit or approval is required shall be subject to inspection by the Building Official. Special inspections of grading operations and special testing shall be performed to ensure conformity with approved plans and specifications. The following special inspections and testing are required.

a. Fills.

- i. The site is to be inspected prior to placement of fill material.
- ii. The fill material is to be inspected prior to placement on the site.
- iii. Final compaction of fill is to be tested.
- iv. The final grade is to be inspected.
- v. Revegetation will be inspected during planting, upon planting completion, and again prior to bond release where applicable.

b. Cuts.

- i. The site is to be inspected prior to cutting or removing material.
- ii. The grade is to be inspected after cutting.

- iii. Revegetation will be inspected during planting, upon planting completion, and again prior to bond release where applicable.

2. Inspection Schedule and Enforcement. At the time the Site Development Permit or approval is issued, the Building Official shall establish the stage of development at which required inspections shall be made. In order to obtain inspections, the permittee shall notify the City of readiness at least 24 hours before said inspection is to be made. Where it is found by inspection that conditions are not substantially as stated or shown on the approved plans, the Building Official or his inspectors shall stop further work until approval is obtained for amended plans.

L. Completion of Work.

1. Final Reports. Upon completion of the rough grading work and again at the final completion of the work, reports, drawings, and supplements thereto will be required as follows.

a. An “as-graded” Grading Plan, prepared by a civil engineer, including original ground surface elevations, lot drainage patterns, and locations and elevations of all surface and subsurface drainage facilities. The engineer shall verify that the work was done in accordance with the final approved site development plan.

b. A Soil Grading Report, prepared by a soils engineer, including location and elevations of field density tests, summaries of field and laboratory tests and other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. The soils engineer shall verify the adequacy of the site for the intended use.

c. A Geologic Grading Report, prepared by an engineering geologist, including a final description of the geology of the site including any new information disclosed during the grading and the effect of the same on recommendations incorporated in the approved site development plan. The engineering geologist shall verify the adequacy of the site for the intended use as affected by geologic factors. This requirement may be modified or waived in writing by the Building Official if circumstances warrant.

2. Notification of Completion. The permittee, or his authorized agent, shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices and all erosion control measures including revegetation, have been completed in accordance with the final approved site development Plan and the required reports have been submitted.

18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES

A. General Application. No person shall commence, perform, or cause any grading to be done in excess of the limits specified below without first obtaining a Site Development Permit. A separate independent Site Development Permit not otherwise required under Section ~~10.28.30 and~~ 10.28.40 of this Chapter shall be required for each site on which grading is to be done as specified in Subsection 1 of this Section.

1. General. A Site Development Permit shall be required in all cases where development comes under any one or more of the following provisions:

- a. Excavation, fill, or any combination thereof exceeding 1,000 cubic yards;
- b. Excavation, fill, or any combination thereof exceeding five feet in vertical depth at its deepest point measured from the adjacent, undisturbed, ground surface;
- c. Excavation, fill, or any combination thereof exceeding an area of 1/2 acre;
- d. Excavation, fill, or any combination thereof exceeding 75% of a building site including the excavation for foundations and footings;
- e. Removal of vegetation from an area in excess of 1/2 acre for purposes other than agricultural;
- f. Engineered interior fills or surcharges;
- g. Fuel break for fire protection purposes;
- h. Commercial quarries or mining activities operating in appropriate industrial zone as provided in the Salt lake City Zoning Ordinance;
- ~~i. Excavation or removal of vegetation or tilling of soil within public or private property within the Foothill Development Overlay District (F-1) or the Preservation Zone (P-1).~~

2. Waiver. All of the following requirements and standards shall apply unless deemed unwarranted by the Building Official and waived in writing.

B. Permit Application. Each application for an independent Site Development Permit shall be made by the owner of the property, or the owner's authorized agent, to the Building Official on a form furnished for that purpose. The application shall include:

1. Three copies of plot plans of the property, drawn to scale, which:
 - a. Identify and describe the work to be covered by the permit for which application is made;

b. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed work and identify lots of any platted subdivision included within the proposed building site;

c. Indicate the use or occupancy for which the proposed work is intended;

d. Be accompanied by plans, diagrams, computations, and specifications and other data as required;

e. Be signed by property owner or permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

f. Location of existing and proposed building or structures on the applicant's property, and the location of buildings or structures on adjacent properties which are within 15 feet of the applicant's property, or which may be affected by the proposed site development activities;

g. Location of property lines and all existing and proposed streets, roadways, driveways, easements, and rights-of-way on, contiguous, or adjacent to the proposed development site

h. The present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not greater than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent. The source of all topographical information shall be indicated.

i. The location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;

j. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

k. Plan showing temporary erosion control measures to prevent erosion ~~as outlined in Section 47-3-5(3) to prevent erosion~~ during the course of construction;

l. All grading in excess of 5,000 cubic yards shall require

professional engineering and shall be designated as “engineered grading”. Any application including engineered grading shall contain a grading plan prepared by a registered Professional Engineer or licensed architect;

m. A revegetation plan including: ~~addressing the revegetation requirements specified in Section 47-3-5(4)~~

- 1) a survey of existing trees, shrubs, and groundcovers.
- 2) a plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planned and any modification to existing vegetation, and
- 3) a plan for the preservation of existing vegetation during construction activity;

n. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required;

o. Identify the type of surcharging fill material to be used on the building site;

p. Estimate the amount of time surcharging fill material will be in place, and show consideration by a soils engineer of the potential for vertical and lateral soil movements on properties adjacent to the surcharge;

q. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;

r. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;

s. ~~Whenever a~~ If the proposed ~~subdivision~~ development lies within 500 feet of an identified fault, a geological report and verification as per Section ~~47-3-5(2)~~ 18.28.40.C.2 will be required. Said report ~~will~~ may be submitted for review to the Utah Geological Survey by the Building Official;

t. If applicable, submit a copy of the recorded subdivision plat showing developable area limitations;

u. Application for commercial quarries shall contain an acceptable plan for the eventual rehabilitation and use of the quarry site after the resources have been removed. Such a plan, at a scale of not less than 1” = 100’ with contour intervals not greater than 5 feet, shall be compatible with its surroundings and in general agreement with the City’s Master Plan. The plan shall show the proposed treatment of any stream channel adjacent to the resource deposits during extraction operations. Limits of excavation shall be determined to protect any natural or improved channel and any nearby wooded areas considered vital to the function of the rehabilitated area. Include the estimated time period during which

quarrying and land rehabilitation operations will be conducted.

2. Additional Information Which May be Required. The following information shall be provided in triplicate if requested by the Building Official or City Engineer.

- a. Slope Classification Map and analysis;
- b. Profiles or cross sections;
- c. Additional drainage calculations;
- d. Soils data including a report from a registered soils engineer, engineering geologist, or other qualified person;
- e. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required.
- f. Detailed revegetation plans for the site and, if appropriate, information relating to the landscaping on adjacent or surrounding areas affected by the proposed development. Such revegetation plans shall be prepared by a licensed engineer, architect, landscape architect, or other qualified person. These plans shall show:
 - i. Distribution of plants, existing trees, and work involved as related to slope control and/or physical environment;
 - ii. A plan describing the methods of planting the areas to be landscaped with special emphasis on soil preparation, plant selection, methods of planting, and initial maintenance of plants and slopes until a specified percentage of plant coverage is uniformly established on cut and fill slopes;
 - iii. Such other and further details as may be specified by the Building Official or City Engineer to carry out the purpose of this Title. All such plans shall bear the name of the person responsible for the preparation of the plan;
 - iv. The revegetation plan will be submitted by the Building Official to the Salt Lake City Parks department's landscape Architect for review.
- g. Such other information as shall be required by the Building Official or City Engineer.

3. Fee. Each site development application made independent and separate from a building permit application shall be accompanied by payment of an application fee of \$25.00.

~~C. Foothill Development Overlay Zone Reports. Notwithstanding any foregoing provisions appearing to the contrary, the application for a Site Development Permit for any area situated in a zoning area designated as the “Foothill Development Overlay Zone” (F-1) shall also include the following additional information:~~

~~1. Soils Reports. The U.S.D.A. Soil Conservation Service publications, “Soil Survey of Salt Lake City Area, Utah”, (April 1974) and “Soil Survey and Interpretation, Summit Soil Survey Area, Wasatch Mountain Portion, Salt Lake County, Utah”, (June 1975), are hereby adopted as the official soil maps and interpretation for soils in Salt Lake City. These surveys are to be used as a guide to land use planning for those items covered in the survey in Salt Lake City and are not intended to replace on-site soil investigations. The Planning Commission shall require a soil investigation report if the “Salt Lake County 208 Water Quality Soils Map and Interpretation” shows soils in the area proposed for development which present one or more constraints to development as defined on said map. Such soils report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and must contain at least the following information:~~

~~a. Slope Classification Map and analysis;~~

~~b. An estimate of the normal highest elevation of the seasonal water table;~~

~~c. The location and size of swamps, springs and seeps shall be shown on the site plan and an investigation made to determine the reasons for occurrence of these underground water sources. An analysis of the vegetation cover or other surface information may be used to show the presence of underground water;~~

~~d. Unified Soil Classification for the major horizons (layers of soil profile) or of the zone of the footing foundation including, where appropriate, the plasticity index (PI) and liquid limit (LL);~~

~~e. Shrink swell potential. Said potential and its characteristics shall be determined and classified according to the test prescribed in Section 2904(a) of the Uniform Building Code and related references;~~

~~f. Potential frost action based on the depth to water table and the unified soil classification;~~

~~g. The soil suitability and constraints and proposed methods of mitigating said constraints in implementing the proposed development plan;~~

~~h. A verified written statement by the person or firm preparing the soils report identifying the soil constraints to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said constraints in a manner as to prevent hazard to life and~~

~~property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~2. Geology Reports. A geology report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject. Since the nature and distribution of earth materials, faults, folds, slide masses, or other significant features cannot be described fully and effectively in words alone, a geologic map shall accompany the report. Mapping should reflect careful attention to the rock composition structural elements, surfaces, and subsurface distribution of the earth materials exposed or inferred features and/or relationships. It should be understood that Salt Lake City is in Seismic Zone Three, such zone having the highest probability of earthquake damage. Therefore, the report shall contain at least the following information:~~

~~a. Location and size of subject area and its general setting with respect to major geographic and/or geologic features;~~

~~b. Identification of the person who did the geologic mapping upon which the report is based and the dates when mapping was done;~~

~~c. Existing topography and drainage in the subject area;~~

~~d. Abundance, distribution, and general nature of exposures of earth materials within the area;~~

~~e. Nature and source of available subsurface information;~~

~~f. Estimated depth to bedrock;~~

~~g. Bedrock igneous, sedimentary, metamorphic types;~~

~~h. Structural features including, but not limited to, stratification, stability, folds, zones of contortion or crushing, joints, fractures, shear zones, faults, and any other geological limitations;~~

~~i. A verified written statement by the persons preparing the geology report identifying the geological problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~3. Grading and Drainage Plan. A grading and Drainage plan, prepared by a professional engineer registered in the State of Utah, shall be submitted with each application. The plan must be sufficient to determine the erosion control measures necessary to prevent soil loss during construction as well as after project completion. The plan shall include, as a minimum, the following information:~~

~~a. A map of the entire site showing existing details and contours of the property using, at a maximum, 10 foot contour intervals and a scale of 1" = 100';~~

~~b. Supplemental map(s) of area(s) to be graded showing existing details and contours at five foot intervals where terrain will not be modified and proposed details and contours of two foot intervals where terrain modification is proposed, using a scale of 1" = 20';~~

~~c. An investigation of the effects of high intensity rain storm (100 year return frequency storm according to U.S. Department of Commerce Weather Bureau Frequency Curves) evaluating how the proposed drainage system will handle the predicted flows. Include the effect of drainage areas outside the development which drain through the subject area and the anticipated flow and handling of the drainage leaving the development;~~

~~d. History, including frequency and duration, of prior flooding;~~

~~e. Location of any existing building or structures and the approximate location of any proposed buildings or structures on the area to be developed and any existing buildings or structures on land of adjacent owners which are within 100 feet of the property or which are on the land of adjacent owners beyond said distance but may be affected by the proposed development.~~

~~f. The direction of proposed drainage flow and the approximate grade of all streets (not to be construed as the grades used for the final street design);~~

~~g. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;~~

~~h. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;~~

~~i. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;~~

~~j. Plan showing temporary erosion control measures to prevent erosion during the course of construction;~~

~~k. A schedule showing when each stage of the development will be completed, including the total area of soil surface which is to be disturbed during each stage and estimated starting and completion dates. The schedule shall be~~

~~drawn to limit the time that soil is exposed and unprotected to the shortest possible period. In no event shall the existing natural vegetation or groundcover be destroyed, removed, or disturbed more than 15 days prior to commencing grading for development as scheduled.~~

~~1. A verified written statement by the persons preparing the Grading and Drainage Plan, identifying any grading and drainage problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~4. Vegetation Preservation and Protection Plan:~~

~~a. Vegetation shall be removed only when absolutely necessary, i.e., for building, filled areas, roads, and fuel breaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut and fill slopes.~~

~~b. All areas of excavation (cut or fill) attendant to new development shall be sufficiently revegetated to assure that they are protected from erosion due to normal wind or surface water conditions. Vegetation sufficient to stabilize the soil shall also be established on all disturbed areas (including lots which may be subject to future grading) as each stage of grading is completed. Disturbed areas not contained within lot boundaries shall be protected with adapted, fire-resistant, species or perennial vegetative cover after grading and improvement related construction is completed. Such revegetation should be in place and of sufficient coverage and maturity to assure that the required protection is existent prior to the release of the improvement bond. It should be further assured as to duration and establishment by a minimum of two years warranty. The new vegetation shall be equivalent to or exceed the amount of erosion control characteristics of the original vegetation cover.~~

~~c. The property owner and subdivider/developer shall be fully responsible for any destruction of native vegetation proposed for retention under the approved vegetation plan and shall be responsible for the replacement of such destroyed vegetation. Said duty shall continue from the first day of construction until the certificate of occupancy or completion is issued. During this time the property owner and subdivider/developer shall be strictly liable for its own actions and those of its employees or subcontractors. A bond in the amount specified in the approved vegetation plan shall be posted prior to issuing permit to insure completion of the vegetation plan.~~

~~d. A Vegetation Plan and report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and shall include the following:~~

~~i. Survey of existing trees, large shrubs, and groundcovers;~~

~~ii. Plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planted and any modification to existing vegetation;~~

~~iii. Plan for the preservation of existing vegetation during construction activity;~~

~~iv. Vegetation maintenance program including initial and continuing maintenance necessary;~~

~~v. Determination of proposed bond necessary to insure soil stabilization. A bond should be provided in an amount sufficient to pay cost of grading, planting, and maintenance necessary to stabilize the soil in the event the Permittee fails to complete the same. The bond need not cover the expenses of items which would beautify the terrain beyond its natural condition, but only work necessary to restore the terrain to the relative stability of its previous state.~~

~~c. A verified written statement by the persons preparing the Vegetation Plan and report, identifying any vegetation problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.~~

~~5. Fire Protection Report. A Fire Protection Report shall be prepared to assess fire probability and potential hazards by a person or agency qualified by training and experience. Elements of the report shall include the following:~~

~~a. The width and approximate location of any easement required for access of fire protection equipment;~~

~~b. Agreements, if any, entered into by the applicant and a fire protection entity or other government agency that could have concerns about fire probability (State and Federal agencies);~~

~~c. The approval of the development design and fire protection measures by the fire protection entity;~~

~~d. A letter from the Fire Chief of Salt Lake City specifying fire flow recommendation by insurance service organization and the existing fire flow capability or the fire flow capability proposed to serve the project.~~

~~6. Access to Public and Private Property Report. A report assuring that there is provision made for dedicated rights of way to provide access to public or private land adjacent to the area proposed for development. These rights of way shall be designed and constructed to standards acceptable to the City Engineer. No access road will be allowed to be constructed if terrain is too steep or unsuitable for use but the right of way, nevertheless, be required to be dedicated by the Planning Commission.~~

~~7. Notification of Adjacent Landowners (Public or Private). Owners of adjacent lands which may be impacted by the proposed development shall be notified of a request for preliminary approval and given an opportunity to appear before the Planning Commission prior to final approval when it reviews the development proposal. This process will help to insure against future boundary and use conflicts and to avoid "land locking" property, therefore creating a situation beneficial to neither the public nor the private sector.~~

~~8. Flood Plain Regulations. Where applicable under Chapter 8 of this Title, site development activities shall comply with said Flood plain regulations.~~

DC. **Granting Permit.** To further the specific purposes of this Title as set forth in Section ~~47-4-4~~ **18.28.10.C**, the following procedures are established.

1. Referrals. The application shall be referred by the Building Official to the City Engineer and Planning Director for review. Further, applications may also be referred to the Utah Geological Survey and other appropriate advisors for comments and recommendations as deemed necessary or appropriate.

2. Conformity to Plans. The Building Official shall be responsible to arrange for required inspections by appropriate inspectors who shall either approve that portion of the work completed or shall notify the permittee wherein the same fails to comply with this Title. Where it is found by inspection that conditions are not substantially as stated or shown in the Site Development Permit applications, the inspector shall stop further work until the work conforms to the approved plan or approval is obtained for revised plans.

3. Abatement of Hazardous Conditions. If, at any stage of site development, the Building Official determines by inspection that the work is creating hazardous conditions, he may suspend the work until provisions for abatement and/or correction are completed as set forth in Section ~~47-5-6(5)~~ **18.28.50.E**.

ED. **Inspections.**

1. Inspection Schedule. At the time a Site Development Permit is issued, the Building Official shall establish the stages of development at which inspections required by Section ~~47-4-5~~ **18.28.40.I** shall be made. In order to obtain inspections, the Permittee shall notify the City of readiness at least 24 hours before said inspection is to be made.

2. Conformity to Plans. The Building Official shall be responsible to arrange

for required inspections by appropriate inspectors who shall either approve that portion of the work completed or shall notify the Permittee wherein the same fails to comply with this Title. Where it is found by inspection that conditions are not substantially as stated or shown in the Site Development Permit applications, the inspector shall stop further work until the work conforms to the approved plan or approval is obtained for revised plans.

3. Abatement of Hazardous Conditions. If, at any stage of site development, the Building Official determines by inspection that the work is creating hazardous conditions, he may suspend the work until provisions for abatement and/or correction are completed as set forth in Section ~~47-5-6(5)~~ 18.28.50.E.

FE. **Grading and Erosion Control Design Standards and Regulations.** All site development work shall be accomplished in conformance to the following provisions.

1. Hours of Operation. All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The City Engineer may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.

2. Dust and Dirt Control. All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.

3. Undevelopable Slopes. Any natural slopes identified on a Slope Classification Map of 30% or greater shall be designated undevelopable area. Said slope, if retained within the subdivision, may be designated and maintained as common area. In no event shall streets traverse such slopes.

4. Finished Cuts and Slopes. Limitations shall be applied to the extent of cut and fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.

a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.

b. All cut and fill slopes shall be recontoured and revegetated by the subdivider in accordance with an approved plan.

c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Planning Commission may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering

quality of the development.

d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.

e. Exceptions.

i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.

ii. No slopes shall be cut in an existing landslide, mud flow, or other form of naturally unstable slope except as recommended by a qualified geological engineer.

iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.

f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:

i. conducive to revegetation for soil stability and visual impact;

ii. used for selected areas of the site and not as a general application; and

iii. limited to tiers each of which is no higher than six feet, separated by plantable terraces a minimum of two feet in width;

g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.

h. The Building Official may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.

5. Abatement of Hazardous Conditions.

a. If, at any stage of grading, the Planning Director or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Planning Director or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:

- i. specification of a more level exposed slope;
- ii. construction of additional drainage facilities, berms, or terraces;
- iii. compaction or cribbing;
- iv. installation of plants for erosion control; and/or
- v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.

Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.

b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Planning Director or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

6. Fill Material and Compaction.

a. Fill material. All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only on approved public or private landfills or other approved deposit sites.

b. Back fillings. Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.

c. Compaction of fills. Unless otherwise directed by the Building Official or City Engineer, all fills governed by this Title, intended to support

building structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions.

i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and if necessary shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.

ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.

iii. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.

iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the Building Official, who will submit it to the City Engineer for review.

v. The Building Official or City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.

7. Erosion Control and Revegetation. All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to ~~an approved~~ **a revegetation plan approved by the City** ~~as outlined in Section 18.28.30 E.4. below.~~ All plant selections must be approved by the Parks Department and Building Official prior to subdivision approval.

8. Drainage.

a. Adequate provisions shall be made to prevent any surface waters from damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.

b. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

c. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess storm water is otherwise restricted during or after construction, the City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.

d. Notwithstanding any other provisions of this Title, whenever, in the judgment of the City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.

9. Surcharging. Surcharges shall consist of earth material and shall be applied in such a manner as to have no effect on soil stability on adjacent or neighboring properties.

10. No Structure Shall be Located Over a Fault. Determinations of the appropriate setback distance from the fault shall be made based on recommendations contained in the geological report required by Section 18.28.40.C.2 of this Chapter.

~~**G. Special Canyon Site Development Standards.** In addition to the other applicable site development procedures and standards of this Title, due to the sensitive character of the natural environment in canyons, the following minimum standards, which may be more restrictive, shall apply to all development in those canyon areas zoned Residential Canyon "R-1C" and Business Canyon "B-3C".~~

~~1. Hydrology.~~

~~a. All development including subdivisions, planned or grouped developments, and commercial development shall meet the drainage and flood~~

~~control regulations established by the City Engineer.~~

~~b. No structures, cuts, fills, significant modification of terrain, hardsurfacing, or any activity which would cause deterioration of the natural terrain or vegetation shall be permitted within 100 feet of the stream bank (defined as the mean highwater line), and said area shall be designated as undevelopable area.~~

~~c. Additional and undevelopable stream side areas containing extremely severe physical conditions, such as steep slopes, may be declared undevelopable by the Planning Commission as required by the City Engineer to provide additional safety buffer zones.~~

~~d. Structures intended to bridge a stream shall be of a design which meets the standards of the City Engineer.~~

~~2. Grading:~~

~~a. All excavated material shall be removed from the site or placed behind retaining walls or otherwise replaced, recontoured, and revegetated.~~

~~b. All cut and fill slopes shall be recontoured and revegetated by the permittee in such a manner as to blend with the natural terrain as specified in this Title.~~

~~c. No cut or fill with a vertical height exceeding 15 feet shall be permitted.~~

~~d. Not more than 5 percent of a lot or PUD site shall be left with a slope steeper than the natural grade of the ground or steeper than 20 percent, whichever is greater.~~

~~e. The total area of all cuts and fills other than the enclosed floor area of the structure(s) shall not exceed 10 percent of the lot or PUD site.~~

~~f. Public streets shall not traverse or disturb slopes of 30 percent or greater.~~

18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS

A. Interpretation - Conflicts.

1. Minimum Requirements. In their interpretation and application, provisions of this Chapter shall be held to be minimum requirements, except where expressly stated to be maximum requirements. No intent is made to impair, or interfere with, any private restrictions placed upon any property by covenant or deed; provided, however, that where this Chapter imposes higher standards or greater restrictions the provisions of this Chapter shall govern.

2. Application of most Restrictive Standard. Whenever any provision of this Chapter or any other provision of law, whether set forth in this Chapter or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations over the development of land, the most restrictive standards or requirements shall govern.

B. Retention of Plans. Plans, specifications, and reports for all site development submitted to Salt Lake City for approval shall be retained by Salt Lake City.

C. Expiration, Renewals, and Extensions of Permit. Every Site Development Permit or approval shall expire by limitation and become null and void if the work authorized by such permit or approvals has not been commenced within 120 days, or is not completed within one year from date of issuance. Extensions and renewals under Sections 18.28.40 and 18.28.50 shall be governed by Section 303 of the Uniform Building Code. However, the Building Official may not approve any modification to approved plans without prior approval of the Planning Commission conducted under Section D below.

D. Action by Planning Commission.

1. Consideration of Application or Plans. Whenever the Planning Commission's review and/or approval of proposed plans or applications involving site development activities is required under this Chapter, the matter shall be placed on the Planning Commission's agenda at a regularly scheduled meeting. Said meeting shall be conducted in conformance with the applicable requirements of the Open Meetings Act. A copy of said agenda may be sent to the applicant, subdivider, and/or developer and to each adjacent property owner as a courtesy. Failure to mail or receive such notice shall not be a fatal defect. In its discretion, the Planning Commission may also set and hold a special hearing on the pending application where the public and interested parties may have an opportunity to offer testimony. In such event, notices of the public hearing may be sent at least seven days prior to the date of the hearing by the Planning Department to parties specified above, together with such other additional property owners or parties as the Director, in his discretion, may believe to have a substantial interest in, or be substantially affected by, the proposed work. The Planning Commission may also direct that the notice of public hearing be advertised by publication.

2. Action Upon Application. Upon completion of a hearing, if required, and

after consideration of the application, recommendations of the City Engineer, Building Official, or Planning Director, and evaluation of compliance with the provisions of this Chapter, the Planning Commission shall:

a. Upon finding that the plan as it stands, or with modifications, can comply with the provisions of this Chapter, approve the application as submitted or approve a modified plan imposing such reasonable terms or conditions as may be necessary to substantially secure the objectives of this Chapter.

b. Upon finding that the work proposed by the application is contrary to the purpose or provisions of this Chapter, or factors set forth in Section ~~47-6-6~~ 18.28.60.F as grounds for denial, the Planning Commission shall disapprove the application for a Site Development Permit or approval.

3. Notice of Decision - Appeal. The applicant shall be informed by letter of the Planning Commission's action. Said action is subject to administrative appeal within 30 days of the date of such written notice as provided in Section E. below.

E. Appeals.

1. Time Limitation for Notice of Appeal. Any applicant aggrieved by a determination of any administrative official may appeal such determination to the Planning Commission by filing a written notice of appeal with the Planning Commission secretary within 30 days after the date of notification of the administrative official's determination. Any applicant aggrieved by a determination of the Planning Commission may appeal such determination to the Mayor by filing a written notice of appeal with the City Recorder within 30 days after the date of notice of the Planning Commission determination. The City Recorder shall then schedule the matter for hearing before the Mayor. Said hearing shall be scheduled at least 10 days prior to the date of hearing to enable the City Recorder to give 10 days notice by mail to the Planning Commission, applicant, and any other interested party who has submitted for such purpose a self-addressed, stamped, envelope. Advertised publication of the Notice of Hearing is not required. The administrative decision of the Mayor shall be final and shall be reduced to writing and mailed to the applicant and Planning Commission.

2. Effect of Administrative Appeal. In the event of a notice of an appeal pursuant to the provisions above, the effect of such filing of notice shall act to stay any and all further action and work pending the determination of the matter on administrative appeal.

3. Nature of Hearing. Appeal of an administrative determination shall be a de novo proceeding before the Planning Commission. A further appeal of the Planning Commission decision before the Mayor is not a de novo proceeding. The administrative appellate review focus of the Mayor should be to objections, or alleged errors in the action of the Planning Commission which were unreasonable related to the application or plans before it. Based on the Mayor's administrative findings, the Mayor may affirm, reverse, or otherwise modify or remand the decision of the Planning Commission and

may impose as conditions to approval such conditions as are deemed reasonably necessary to secure the objectives and compliance with the provisions of this Chapter. The Mayor's action upon the administrative appeal shall be reduced to writing within 30 days after the date of hearing. Should the Mayor fail to render a decision on the application within 30 days, the action of the Planning Commission shall be deemed to be affirmed.

4. Judicial Relief - Time Limitation. Any person seeking judicial review of the Mayor's action by certiorari must file an appropriate petition for judicial review with a court of competent jurisdiction within 30 days of the date of the Mayor's decision.

F. General Grounds for Denial. Factors, in addition to deviation from provisions of this Chapter, which may be grounds for denial of a Site Development Permit or approval shall include, but not be limited to:

1. Possible or potential saturation of fill and/or unsupported cuts by water (both natural and/or domestic);

2. Run-off surface waters that produce unreasonable erosion and/or silting of drainage ways;

3. Subsurface conditions (such as rock strata and faults, soil or rock materials, types of formations, etc.) which when disturbed by the proposed site development activity, may create earth movement and/or produce slopes that cannot be landscaped;

4. Result in excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.

G. Prohibited Activities.

1. Removal of Topsoil. It shall be unlawful to remove topsoil for purposes of resale when unrelated to a bona fide purpose of site development contemplated under this Chapter. The provisions of this Chapter shall not be construed as permitting the removal of topsoil solely for resale.

2. Nuisance. It shall be unlawful to create or maintain a condition which creates a public or private nuisance. After notice by the City, owners shall be strictly responsible to take any necessary action to correct or abate such nuisance. Further, this Chapter shall not be construed to authorize any person or owner to create or maintain a private or public nuisance upon real property and compliance with the provisions of this Chapter shall not be a defense in any action to abate such nuisance.

H. Permit or Approval Revocation. In the event the Building Official or City Engineer requests that a Site Development Permit or approval be permanently suspended or revoked, they shall formally request a revocation hearing before the Planning Commission in

compliance with the following procedures.

1. Request. The request shall specify the grounds for complaint or details of deviation with terms and conditions of the approval that justify the proposed permit or approval revocation or suspension.

2. Public Hearing. The Planning Commission shall hold a formal hearing to consider requests and recommendations for permanent revocation or suspension of permits at the next regularly scheduled meeting of the Planning Commission, at which service of the required notice can be satisfied.

3. Notice. The Planning Commission shall cause notice of the time and place of the scheduled hearing to be prepared. Such notice shall be delivered by certified mail or personal service upon the permittee at least five days prior to the date set for the hearing. At any such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence. Upon conclusion of such hearing, the Planning Commission shall determine whether or not the permit shall be suspended or revoked, and any necessary or appropriate conditions which must be satisfied prior to the renewal or extension of said permit, including any necessary corrective measures to be completed as provided in Subsection “2” below.

4. Planning Commission Determination. Upon the conclusion of the required hearing and its deliberations thereon, should the Planning Commission find that the permittee, or authorized agent(s), have violated the terms of the permit or provisions of this Chapter, have conducted or desire to carry out such site development activity in such a manner which unreasonably adversely affects the health, welfare, or safety of persons residing or working in the vicinity of the site, or have caused the same to be done, the Planning Commission may, as it deems appropriate:

a. Require necessary corrective measures to be undertaken and completed at permittee’s expense;

b. Require reimbursement to the City for unusual costs incurred by the necessitation of enforcement action including costs of inspections, mailings, expert technical assistance, etc.;

c. Continue suspension of all work contemplated or associated with the permit permanently until corrective requirements and/or original conditions are satisfied;

d. If circumstances of work conducted have resulted in factors which would have been grounds for denial of the permit, the Planning Commission may order such necessary actions as required to restore the site, insofar as possible, to the preexisting conditions, and revoke the Site Development Permit. If so evoked, and where appropriate, the Planning Commission may preclude acceptance of any site development application for the same site for a period not to exceed 12 months.

5. Appeal. The decision of the Planning Commission on a request for permanent suspension or revocation of a Site Development Permit or approval under this Chapter may be appealed by the permittee, Building Official, or City Engineer to the mayor as provided in Section ___ above.

I. Property Owner Responsibility. Property owners are responsible to maintain their property in a safe, non-hazardous, condition and to otherwise comply with the provisions of this Chapter and other applicable ordinances. Failure of City officials to observe or to recognize hazardous or unsightly conditions, or to recommend denial of the Site Development Permit, shall not relieve the permittee, or property owner, from responsibility for the condition or damages resulting therefrom. Nor shall such action result in the City, its officers, or agents, becoming responsible or liable for conditions and damages resulting therefrom.

J. Violation and Penalties.

1. Violation of Chapter. It shall be unlawful for any person to construct, enlarge, alter, repair, or maintain any grading, excavation or fill or cause the same to be done, contrary to or in violation of any provision of this Chapter.

2. Obstruction Prohibited. It shall be unlawful for any person to willfully or carelessly obstruct or injure any public right-of-way by causing or permitting earth or rock to slump, slough, or erode off private property onto the public right-of-way.

3. Flooding. It shall be unlawful for any person to willfully or carelessly obstruct or injure any public right-of-way by causing or permitting flow or seepage of water, or by willfully or carelessly causing or permitting water under his/her control, possession, or supervision to escape in any manner so as to injure any street or public improvement.

4. Misdemeanor Penalty. Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed, continued, permitted, or maintained. Upon conviction of any such violation, such person may be imprisoned for a period not exceeding six months or be fined in the amount not exceeding \$299.00 if the person is an individual, or the greater amount of \$2,000.00 in the event the person is a corporation, association, or partnership, or both so imprisoned or fined.

K. Severability.

1. Severability. If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses, or

phrases hereof may be declared invalid or unconstitutional.

2. Limitation to Applied Facts. If the application of any provision or provisions of this Chapter to any person, property, or circumstance is found to be unconstitutional, invalid, or ineffective, in whole or in part, by any court of competent jurisdiction, or other competent agency, the effect of such provision shall be limited to the person, property, or circumstance immediately involved in the controversy and the application of such provision to other persons, properties, or circumstances shall be unaffected unless the court specifically rules otherwise.

18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED)

Attachment C
Zoning Ordinance Amendments

**ZONING ORDINANCE AMENDMENTS (TITLE 21A)
RESULTING FROM PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS (TITLE 20)**

21A.24.020: FR-1/43,560 FOOTHILLS ESTATE RESIDENTIAL DISTRICT:

J. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed sixty five thousand three hundred forty (65,340) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.030: FR-2/21,780 FOOTHILLS RESIDENTIAL DISTRICT:

J. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed thirty two thousand six hundred seventy (32,670) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.040: FR-3/12,000 FOOTHILLS RESIDENTIAL DISTRICT:

J. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed eighteen thousand (18,000) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and

**ZONING ORDINANCE AMENDMENTS (TITLE 21A)
RESULTING FROM PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS (TITLE 20)**

3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.050: R-1/12,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

G. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed eighteen thousand (18,000) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.060: R-1/7,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

G. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed ten thousand five hundred (10,500) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.070: R-1/5,000 SINGLE-FAMILY RESIDENTIAL DISTRICT:

G. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed seven thousand five hundred (7,500) square feet. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

**ZONING ORDINANCE AMENDMENTS (TITLE 21A)
RESULTING FROM PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS (TITLE 20)**

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.080: SR-1 AND SR-1A SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT:

G. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed one hundred fifty percent (150%) of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.100: SR-3 SPECIAL DEVELOPMENT PATTERN RESIDENTIAL DISTRICT:

H. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County recorder, the maximum size of a new lot shall not exceed two hundred percent (200%) of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.24.110: R-2 SINGLE- AND TWO-FAMILY RESIDENTIAL DISTRICT:

G. Maximum Lot Size: With the exception of lots created by a subdivision ~~plat, notice of minor subdivision or minor~~ or subdivision amendments recorded in the office of the Salt Lake County

**ZONING ORDINANCE AMENDMENTS (TITLE 21A)
RESULTING FROM PROPOSED AMENDMENTS TO THE SUBDIVISION REGULATIONS (TITLE 20)**

recorder, the maximum size of a new lot shall not exceed one hundred fifty percent (150%) of the minimum lot size allowed by the base zoning district. Lots in excess of the maximum lot size may be created through the subdivision process subject to the following standards:

1. The size of the new lot is compatible with other lots on the same block face;
2. The configuration of the lot is compatible with other lots on the same block face; and
3. The relationship of the lot width to the lot depth is compatible with other lots on the same block face.

21A.52.030: SPECIAL EXCEPTIONS AUTHORIZED:

10. Dividing existing lots containing two (2) or more separate residential structures into separate lots that would not meet lot size, frontage width or setbacks provided:

- a. The residential structures for the proposed lot split already exist and were constructed legally.
- b. The planning director agrees and is willing to approve a ~~minor~~ subdivision application.
- c. Required parking equal to the parking requirement that existed at the time that each dwelling unit was constructed.