



**RIVERDALE CITY PLANNING COMMISSION AGENDA
CIVIC CENTER - 4600 S. WEBER RIVER DR.
TUESDAY – NOVEMBER 28, 2023**

6:00 p.m. – Planning Commission Work Session Meeting (Conference Room)

The purpose of the work session is to review maps, plans, paperwork, etc. No motions or decisions will be considered during this session, which is open to the public.

Planning Commission Work Session Items -Planning Commission Training *to be determined*

6:30 p.m. – Planning Commission Meeting (Council Chambers)

A. Welcome & Roll Call

B. Public Comment

This is an opportunity to address the Planning Commission regarding your concerns or ideas. Please try to limit your comments to three minutes. No action will be taken during public comment.

C. Presentations and Reports

D. Consent Items

1. Consideration of Meeting Minutes from:

October 24, 2023 Work Session
October 24, 2023 Regular Meeting

November 14 Work Session
November 14 Regular Meeting

E. Action Items

1. a. Review and discussion of proposed updates to Title 10, Chapter 21 “Subdivisions” ordinance as found in the Riverdale City Code.
- b. Consideration to set Public Hearing for proposed updates to Title 10, Chapter 21 “Subdivisions” ordinance as found in the Riverdale City Code, as requested by the Community Development Department and required by the State of Utah.

Items presented by: Mike Eggett, Community Development

F. Comments

1. Planning Commission
2. City Staff

G. Adjournment

In compliance with the Americans with Disabilities Act, persons in need of special accommodation should contact the City Offices (801) 394-5541 at least 48 hours in advance of the meeting.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted on this 22nd day of November, 2023 at the following locations: 1) Riverdale City Hall Noticing Board 2) the City website at <http://www.riverdalecity.com/> and 3) the Public Notice Website: <http://www.utah.gov/pmn/index.html>.

Michelle Marigoni
Riverdale City Recorder

Minutes of the **Work Session** of the Riverdale City **Planning Commission** held Tuesday November 14, 2023, at 6:00 p.m., at the Civic Center, 4600 S Weber River Dr, Riverdale City, Weber County, Utah.

Present: Commissioners: Kathy Eskelsen, Chair
Kent Anderson, Vice Chair
Amy Ann Spiers, Commissioner
Rikard Hermann, Commissioner
Wanda Ney, Commissioner
Celeste Noland, Commissioner
Randy Poulsen, Commissioner

City Employees: Mike Eggett, Community Development
Michelle Marigoni, City Recorder

Excused:

Visitors:

A. Welcome & Roll Call

The Planning Commission Work Session began at 6:00 p.m. Chair Eskelsen welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present.

B. Public Comment

C. Presentations and Reports

Mr. Eggett thanked commissioners for attending the American Freight grand opening, and gave updates on the following:

- Many changes have been made to the West Bench area by America First and Tesla.
- Freeway Park Drive will be messy due to a gas line move for about a week.
- Shake Shack hopes to open on December 13.
- Thrive Appliance has yet to obtain a business license but is getting close to completing their building improvements.
- The 5600 South Project will have work beginning on the bridges soon. They will also make changes to try and help traffic get through the offramp intersection better.

D. Consent Items

E. Action Items

1. **a. Consideration of Conditional Use Permit request for Panera Bread, located at approximately 4122 South Riverdale Road, Riverdale, Utah 84405, as requested by Perigee Consulting and Panera Bread Group.**

Mr. Eggett explained the executive summary covered both items. There were no concerns from staff and the impact should be minimal. Conditional use is required due to the C2 zoning.

- b. Consideration of recommendation to City Council regarding Final Site Plan proposal for Panera Bread Restaurant, located at approximately 4122 South Riverdale Road, Riverdale, Utah 84405 as requested by Perigee Consulting and Panera Bread Group.**

Commissioners Ney and Anderson had concerns about the access on 300 West. Mr. Eggett reported UDOT preferred that to be the only access, but that they were ultimately allowed to keep the Riverdale Road access after evaluation and traffic studies. Many discussions have taken place between the landowners, traffic engineers, and Riverdale City.

F. Comments

Mr. Eggett reminded the Planning Commission about the code changes regarding single-family and townhome subdivision approvals and said the first read of the new code will be on the next Planning Commission agenda. Changes concerning road width will be included as well.

G. Adjournment

Planning Commission Work Session, November 14, 2023

As there was no further business to discuss, the Planning Commission Work Session adjourned at 6:30 p.m.

Date Approved:

Minutes of the **Regular Session** of the Riverdale City **Planning Commission** held Tuesday, November 14, 2023, at 6:30 p.m., at the Civic Center, 4600 S Weber River Drive., Riverdale City, Weber County, Utah.

Present:

Commissioners: Kathy Eskelsen, Chair
Kent Anderson, Vice Chair
Amy Ann Spiers, Commissioner
Rikard Hermann, Commissioner
Wanda Ney, Commissioner
Celeste Noland, Commissioner
Randy Poulsen, Commissioner

City Employees: Mike Eggett, Community Development
Michelle Marigoni, City Recorder

Excused:

Visitors: Russell Haight

A. Welcome & Roll Call

The Planning Commission Meeting began at 6:30 p.m. Chair Eskelsen welcomed everyone to the meeting and stated for the record that all members of the Planning Commission were present, as well as members of city staff.

B. Public Comment

Commissioner Eskelsen asked if any members of the public were present with comments. There were none.

C. Presentations and Reports

Mr. Eggett thanked commissioners for attending the American Freight grand opening, and gave updates on the following:

- Many changes have been made to the West Bench area by America First and Tesla.
- Freeway Park Drive will be messy due to a gas line move for about a week.
- Uptown Cheapskate is open.
- Shake Shack hopes to open on December 13.
- Thrive Appliance has yet to obtain a business license but is getting close to completing their building improvements.
- The 5600 South Project will have work beginning on the bridges soon. They will also make changes to try and help traffic get through the offramp intersection better.

D. Consent Items

Commissioner Anderson moved to approve the consent items. Commissioner Noland seconded the motion, and all were in favor.

E. Action Items

1. a. Consideration of Conditional Use Permit request for Panera Bread, located at approximately 4122 South Riverdale Road, Riverdale, Utah 84405, as requested by Perigee Consulting and Panera Bread Group.

Mr. Eggett explained the executive summary covered both items. There were no concerns from staff and the impact should be minimal. Conditional use is required due to the C2 zoning. Russell Haight was present to represent Panera Bread Group and Perigee Consulting.

Russell Haight offered to address questions from commissioners. There were no questions, but everyone was excited for Panera.

Motion: Commissioner Anderson moved to approve the Conditional Use Permit request for Panera Bread as requested by Perigee Consulting and Panera Bread Group.

Second: Commissioner Noland

Vote:
Commissioner Eskelsen: Yes
Commissioner Anderson: Yes

Commissioner Noland:	Yes
Commissioner: Poulsen	Yes
Commissioner Hermann:	Yes
Commissioner Spiers:	Yes
Commissioner Ney:	Yes

Motion passes unanimously.

b. Consideration of recommendation to City Council regarding Final Site Plan proposal for Panera Bread Restaurant, located at approximately 4122 South Riverdale Road, Riverdale, Utah 84405 as requested by Perigee Consulting and Panera Bread Group.

Mr. Eggett noted the address was originally 4130 when John Paras Furniture was operating, but it should be 4122 and will be changed. He went over the site plan review and corrections that needed to be made, as well as staff and engineer comments, as included in the packet. A design review was scheduled for November 15.

Commissioner Eskelsen requested Commissioner Anderson conduct the remainder of the meeting.

Commissioner Hermann asked about the east side of the building, and if another building was anticipated to be built there. Mr. Haight responded that Panera is leasing the entire area, and that there are no plans to build any more.

Commissioner Noland asked if any of the engineering comments have been addressed. Mr. Haight said the 100-year and orifice plate design have been addressed in the design. There was discussion about UDOT and the Riverdale Road and 300 West access points. UDOT's preferred access is 300 West, but they have asked for a variance for the Riverdale Road access to remain. There will be walking access between Starbucks and Panera without a retaining wall.

Motion: Commissioner Spiers moved to forward a positive recommendation City Council regarding Final Site Plan proposal for Panera Bread Restaurant, located at approximately 4122 South Riverdale Road, Riverdale, Utah 84405 as requested by Perigee Consulting and Panera Bread Group, provided all staff and engineer concerns are resolved prior.

Second: Commissioner Poulsen

Commissioners Polled:	
Commissioner Ney:	Yes
Commissioner Anderson:	Yes
Commissioner Noland:	Yes
Commissioner Poulsen:	Yes
Commissioner Spiers:	Yes
Commissioner Hermann:	Yes
Commissioner Eskelsen:	Yes

Motion passes unanimously.

F. Comments

Mr. Eggett reminded the Planning Commission about the code changes regarding single-family and townhome subdivision approvals and said the first read of the new code will be on the next Planning Commission agenda, along with setting a public hearing. Changes concerning road width will be included as well. These updates are required to be completed by February 1st, 2024.

G. Adjournment

As there was no further business to discuss, Commissioner Noland moved to adjourn. This was seconded by Commissioner Hermann. All were in favor and the Planning Commission meeting adjourned at 7:05 p.m.

Date Approved:

**RIVERDALE CITY
PLANNING COMMISSION AGENDA
November 28, 2023**

AGENDA ITEM: E1

- SUBJECT:**
- a. Review and discussion of proposed updates to Title 10, Chapter 21 “Subdivisions” ordinance as found in the Riverdale City Code.
 - b. Consideration to set Public Hearing for proposed updates to Title 10, Chapter 21 “Subdivisions” ordinance as found in the Riverdale City Code, as requested by the Community Development Department and required by the State of Utah.
- PRESENTER:** Mike Eggett, Community Development
- INFORMATION:**
- a. [Subdivision Rev Process Code Update Draft](#)
 - b. [Dept Staff Reports – RCC 10-21 Amends PC](#)
 - c. [ULCT Subdivisions Template 1.0 – Guide](#)

[BACK TO AGENDA](#)

CHAPTER 21 SUBDIVISIONS

SECTION:

[10-21-1: General Provisions](#)

[10-21-2: Definitions](#)

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[10-21-5: Preliminary Plan](#)

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[10-21-7: Final Plat](#)

[10-21-8: Construction Plans And Profiles](#)

[10-21-9: Design Standards](#)

[10-21-10: Parks, School Sites, Other Public Places](#)

[10-21-11: Improvements](#)

[10-21-12: Small Subdivisions; Special Provisions](#)

[10-21-13: Enforcement And Permits](#)

[10-21-14: Penalty](#)

10-21-1: GENERAL PROVISIONS:

A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience and general welfare of the inhabitants of the city in the matter of the subdivision of land, to encourage the healthful growth of the city and related matters affected by such subdivision.

B. Any proposed subdivision and its ultimate use shall be in the best interests of the public and shall be in harmony with good neighborhood development of the area concerned and the subdivider shall present evidence to this effect when requested to do so by the planning commission.

C. In cases where unusual topographic or other exceptional conditions exist, variations and exceptions from this chapter may be made by the city council, after recommendation by the planning commission. (1985 Code § 19-40-1)

10-21-2: DEFINITIONS:

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

ADMINISTRATIVE LAND USE AUTHORITY: For the purposes of single-family dwelling, two-family dwelling, and townhome subdivisions submittal processes, this is designated

as the Riverdale Planning Commission. This does not include any member of the Riverdale City Council, the Mayor, and/or the City Council.

CITY: City of Riverdale, Utah.

CITY COUNCIL: The city council of the city of Riverdale, Utah.

CITY ENGINEER: The city engineer of the city of Riverdale, Utah.

CITY PLANNING STAFF COMMITTEE: A designated subdivision review and approval committee that shall consist of the community development director, the city administrator, the public works director, the city engineer, and other city staff representatives that may be selected by the designated members of the city planning staff committee.

COUNTY: Weber County, Utah.

CUL-DE-SAC: A minor dead-end street provided with a turnaround.

DWELLING: Any building or structure, or portion thereof, including a trailer house, intended for residential use.

GUEST HOUSE: A separate dwelling structure, including a trailer house, located on a lot with one main structure intended for housing guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main dwelling.

LOT: A portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership. A parcel of land occupied or to be occupied by a building or group of buildings, together with such yards, open spaces, lot width and lot area, as are required by this title, having frontage upon a street or upon a right of way approved by the board of adjustment. Except for group dwellings and guest houses, not more than one dwelling structure shall occupy any one lot.

MAJOR STREET PLAN: A plan, labeled "major street plan of the city of Riverdale", including maps or reports or both, which has been approved by the city council as required by law or such plan as it may be amended from time to time and so certified to the city council.

OFFICIAL MAP: Any map adopted by the city council under provisions of Utah Code Annotated section 10-9-306.

PARCEL OF LAND: Contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same person.

PARTITION OR DIVISION OF AGRICULTURAL LAND: A bona fide "partition or division of agricultural land" for agricultural purposes" shall mean the division of a parcel of land into three (3) or more lots or parcels, none of which lots or parcels are smaller than five (5) acres in area; and provided, that no dedication of any street or road is required to serve any such lots or parcels of agricultural land for the purpose of building development.

PERSON: Any individual, corporation, partnership, firm or association of individuals however styled or designated.

PLANNING COMMISSION: The city planning commission of Riverdale, Utah.

REVIEW CYCLE: means the occurrence of:

A. the applicant's submittal of a complete subdivision land use application;

B. the City's review of that subdivision land use application;

C. the City's response to that subdivision land use application, in accordance with this section; and

D. the applicant's reply to the City's response that addresses each of the municipality's required modifications or requests for additional information.

STREET: A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than twenty six feet (26') wide which has been made public by right of use and which affords the principal access to abutting property.

STREET, COLLECTOR: A street, existing or proposed, of considerable continuity which serves or is intended to serve as the principal trafficway between large and separated areas or districts and which is the main access to the major street system.

STREET, MAJOR: A street, existing or proposed, which serves or is intended to serve as a major trafficway and is designated on the master street plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET, MARGINAL ACCESS: A minor street which is parallel to and adjacent to a major street and which provides access to abutting properties and protection from through traffic.

STREET, MINOR: A street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

SUBDIVIDER, DEVELOPER: The person, persons, partnership, limited company or corporation that is causing or will cause improvements to be made to the benefit of the property designated as a subdivision.

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

ZONING ORDINANCE: The uniform zoning ordinance which is this title. (1985 Code § 19-40-2; amd. 2001 Code)

10-21-3: SCOPE OF REGULATIONS:

A. No person shall subdivide any tract of land which is located wholly or in part of the city except in compliance with this chapter. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a larger tract of land, nor offer for recording in the office of the county recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter; provided, that this chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this chapter.

B. Prior to the review of any property plat amendment, subdivision of land or quit claim of property, Riverdale City requires that any and all of the affected property or properties prior year (delinquent) taxes, interest and penalties be paid. (Ord. 824, 12-4-2012)

10-21-4: APPLICATION FOR A SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISION:

The following process shall be strictly adhered to in order to create a single-family dwelling, two-family dwelling, or townhome dwelling residential subdivision in the city:

A. Preapplication (Concept) Review: Each person or group who proposes to subdivide land within the territorial limits of the city shall have the opportunity to request a preapplication meeting ~~confer~~ with the city planning staff committee (which committee shall consist of the community development director, the city administrator, the public works director, and the city engineer, and other city staff representatives that may be selected by members of the city planning staff committee) ~~before preparing any plats, charts or plans~~ in order to become familiar with the city subdivision requirements and existing general plan for the territory in which the proposed subdivision lies and to discuss the proposed plan of development of the tract. A sketch plan is required to be presented to the planning staff committee to illustrate the proposed subdivision concept. (Ord. 854, 5-6-2014)

B. ~~Submission; Fee~~ Preapplication Sketch Submission: Preliminary ~~If a preapplication meeting is requested, conceptual sketches based on said conferences of the proposed preliminary plat and site plan shall then be prepared for review by the city planning staff committee, prior to submission of the preliminary plat.~~ Two (2) such sketches of the proposed plat and plan shall be submitted ~~on a topographic base map~~ showing the relationship to proposed traffic arteries, existing arteries, utilities, shopping centers, schools, parks, etc. ~~(If more detail is felt to be desirable, ASPQ report no. 116 contains greater detail.) A fee in such amount as established by resolution of the city council to offset the cost of reviewing and other related work performed by the city staff associated with the review of these sketches. The fee amount shall be as provided in the consolidated fee schedule set forth in title 1, chapter 12 of this code. No preliminary plat shall be presented to the planning commission or city council without the payment of said fee being received by the city.~~

C. Information Form and Preliminary Plat Fee: A subdivision information form to be supplied to the subdivider by the ~~planning commission~~ city shall be filled out and submitted to the planning commission ~~prior to~~ with submission of the preliminary plat and site plan. A fee shall be assessed in such amount as established by resolution of the

city council to offset the cost of reviewing and other related work performed by the city and engineering staff associated with the review of the preliminary plat and site plan. The fee amount shall be as provided in the consolidated fee schedule set forth in title 1, chapter 12 of this code. No preliminary plat and site plan shall be presented to the planning commission or city council and city without the payment of said fee being received by the city. (1985 Code § 19-40-4; amd. 2001 Code)

10-21-5: PRELIMINARY PLAN FOR A SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISION:

A. Required: Upon completing the requirements set forth in section 10-21-4 of this chapter, each person who proposes to subdivide land in the city shall prepare a preliminary plan of such subdivision and shall submit ~~eight-four (48)~~ large (24'x36') sized black and white set of prints, one (1) small (11'x17') sized set of prints, and one digital full set submittal of all preliminary plans and plat thereof to the planning commission and city. One print shall be delivered by ~~the planning commission~~ the city staff to each of the following for the information and recommendation of such officials and departments: city engineer, fire department, police department, public works department, city administration, and other associated city departments, and each company or agency furnishing water, electric or gas service. Preliminary plans must be received by the ~~planning commission~~ city no later than -ten (10) business days prior to the next scheduled administrative land use authority (which is the Riverdale Planning Commission) meeting in order to allow sufficient time to be checked and to receive recommendations from the foregoing listed ~~agencies~~ departments. (Ord. 815, 9-25-2012)

B. Scale; Information Required: The preliminary plan shall be drawn to a scale not smaller than one hundred feet to the inch (1" = 100'), and shall show:

1. The proposed name of the subdivision.
2. The location of the subdivision as forming a part of a larger tract or parcel where the plan submitted covers only a part of the subdivider's tract, or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplanned parts shall be submitted and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area.
3. Sufficient information to locate accurately the property shown on the plan.
4. The names and addresses of the subdivider; the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
5. Contour map at appropriate intervals where required by the planning commission.
6. The boundary lines of the tract to be subdivided.
7. The location, widths and other dimensions of all existing or platted streets and other important features such as railroad lines, watercourses, exceptional topography,

Commented [ME1]: By new state code we are allowed a maximum of 15 business days for each review. I kept the number of business days to 10. This allows us to still be business friendly when working on the preliminary subdivision review. However, this can be changed to up to 15 business days, but will tend to make Riverdale subdivision processes slow down.

and buildings within the tract or within two hundred feet (200') of the tract to be subdivided.

8. Existing and proposed sanitary sewers, storm drains, water supply mains and culverts within the tract or within one hundred feet (100') thereof.

9. The location, widths and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots, with proper labeling of spaces to be dedicated to the public.

10. North point, scale and date.

C. Decision Of Planning Commission: The planning commission may approve or reject the preliminary plan, or grant approval on conditions stated by the planning commission. Approval of the preliminary plan by the planning commission shall not constitute final acceptance of the subdivision by the planning commission. One copy of the approved preliminary plan, ~~signed by the chairman of the planning commission,~~ shall be retained in the ~~office of the planning commission~~ city offices and one copy shall be made available to the subdivider, if requested by the subdivider. One signed copy shall be given to the subdivider. Receipt of this signed copy Planning commission approval of the subdivision preliminary plan and plat shall be authorization for the subdivider to proceed with the preparation-finalization of plans and specifications ~~for the minimum improvements required in section 10-21-11~~ of this chapter and with the preparation of the final plat and plan.

D. Improvement Plans: Prior to the construction of any improvements required in section ~~10-21-11~~ 10-21-15 of this chapter, or to the submission of financial guarantees, the subdivider shall furnish to the city engineer all plans, information and data necessary for said improvements. These plans shall be examined by the city engineer and shall be approved if he determines them to be in accordance with the requirements of section ~~10-21-11~~ 10-21-15 of this chapter. No construction of buildings shall have begun until after recording of the final plat.

E. Term Of Approval: Approval of the preliminary plan by the planning commission shall be valid for a maximum period of twelve (12) months after approval, unless upon application of the developer the planning commission grants the developer a six (6) month ~~an~~ extension. If the final plat has not been recorded within the twelve (12) month period, the preliminary plan must again be submitted to the planning commission for reapproval; however, preliminary approval of a large tract shall be voided; provided, that the final plat of the first section is submitted for final approval within one year, and provided an extension of time is granted. (1985 Code § 19-40-5)

10-21-6: FINANCIAL GUARANTEES FOR IMPROVEMENTS FOR A SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISION:

Prior to the final plat being presented to the ~~city council~~ city planning staff committee for final review and approval consideration, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following requirements:

A. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

B. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said bond to be released pursuant to the terms and conditions of the developer's agreement. (Ord. 871, 9-1-2015; amd. Ord. 926, 10-20-2020)

10-21-7: FINAL PLAT FOR A SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISION:

A. Planning Staff Committee Review: Prior to ~~the submission-final consideration review~~ of the final subdivision plan and plat ~~to the planning commission for review~~, the subdivider/developer's engineer shall submit the proposed final plat, with any changes and modifications as directed at the preliminary review by the planning commission, along with a letter of certification that all lots meet the requirements of this title to the city planning staff committee. The planning staff committee, after reviewing the proposed final plat and confirming that all the above fees and financing guarantees have been satisfied, shall ~~present-review~~ the final subdivision plan and plat ~~to the planning commission~~ for appropriate final consideration action.

B. Preparation Of Plat: After compliance with the provisions of subsection A of this section, and sections 10-21-5 and 10-21-6 of this chapter, a final plat of the subdivision covering all or part of an approved preliminary plat shall be prepared by a licensed surveyor not in the employ of the city in conformance with the design standards of section ~~10-21-9-10-21-13~~ of this chapter and submitted within one year from the date of preliminary plan approval unless the time is extended by the planning commission; otherwise, such approval shall be deemed to have been withdrawn. ~~Two-Four (24) black and white-large (24'x36') sized set of prints, one (1) small (11'x17') sized set of prints, and one (1) digital full set submittal of all final plans and~~ of the final plat shall be submitted to the ~~planning commission~~planning staff committee. ~~at least seven (7) days prior to the date of the planning commission meeting at which time such plat is to be considered.~~

C. City Review Cycle Process: The city planning staff committee shall be allowed up to fifteen (15) business days to review the submitted final subdivision plat and plan and provide corrections and review comments thereafter. Subdivision plat and plan responses and revisions, as provided by the subdivider/developer, may thereafter be re-submitted to city planning staff committee to address identified planning staff committee corrections and commentary. However, the city (planning commission and city planning staff committee) may not review the subdivision plan and plat more than four (4) total review cycles, throughout the entire subdivision submittal and review process, excluding the preapplication review process as may be requested by the subdivider/developer. During the final review cycle, the city planning committee staff shall be allowed up to twenty (20) business days to take final consideration action and provide the

subdivider/developer with an official city decision regarding the final plan and plat submittal. Additionally, review and approval of a subdivision land use application is subject to standards and procedures outlined further in UCA 10-9a-604.2.

~~C.D.~~ Drawing: The final city planning staff committee approved plat shall consist of a sheet of approved tracing linen (mylar paper), to the outside or trim line dimensions of nineteen inches by thirty inches (19" x 30") and the border line of the plat shall be drawn in heavy lines leaving a space of at least one-half inch (1/2") margin on all four (4) sides. The approved plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the tracing linen with ~~approved~~ waterproof black ~~india~~ drawing ink. The approved plat shall be made to a scale large enough to clearly show all details, in any case not smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing shall be neat, clean cut and readable. The approved plat shall be signed by all parties listed in subsection C5 of this section, who are duly authorized and required to sign and shall contain the following information:

1. A subdivision name, approved by the county recorder, and the general location of the subdivision, in bold letters at the top of the sheet.
2. A north point and scale of the drawing, and the date.
3. Accurately drawn boundaries, showing the proper bearing and dimensions of all boundary lines of the subdivision, properly tied to public survey monuments. These lines should be slightly heavier than street and lot lines.
4. The names, widths, lengths, bearings and curve data on centerlines of proposed streets, alleys and easements; also the boundaries, bearings and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All lots and blocks are to be numbered consecutively under a definite system approved by the ~~planning commission~~ city planning staff committee. All proposed streets shall be named or numbered in accordance with and in conformity with the adopted street naming and numbering system 1 of the city and Weber County.
5. The standard forms approved by the ~~planning commission~~ city planning staff committee lettered for the following on the final approved plat:
 - a. Description of land to be included in the subdivision.
 - b. Registered professional engineer and/or land surveyor's "certificate of survey".
 - c. Owner's dedication.
 - d. Notary public's acknowledgment.
 - e. Planning commission's signature block for certificate of approval.
 - f. City engineer's signature block for certificate of approval.
 - g. City attorney's signature block for certificate of approval.

Commented [ME2]: By new state code we are allowed a maximum of 20 business days for each review. I changed the number of business days to up to 15. This allows us to still be business friendly, but gives us up to one more week of review time than the current 10 business days. However, this can be changed to up to 20 business days, but will tend to make Riverdale subdivision processes slow down.

gh. ~~City council~~Mayor certificate of acceptance signature block with space to allow the signature to be attested by the city recorder.

6. A three inch by three inch (3" x 3") space in the lower right hand corner of the drawing for recording information.

7. After approving ~~and signing~~ the final plat, the planning ~~commission staff committee~~ shall submit the plat for approval to the city engineer, who shall ~~collect a checking fee from~~ bill the subdivider for this review, and shall check the engineering requirements of the drawing. After approval and signature by the city engineer, the plat shall be submitted to the city attorney, planning commission, and city council mayor for approval signatures and certificate of acceptance. The final plat, bearing all official approvals as above required, shall be returned to the subdivider for recording at the expense of the subdivider. No subdivision shall be recorded in the office of the county recorder and no lot included in such subdivision shall be sold or exchanged and no offer shall be made to sell or exchange any such lot unless and until the plat is so approved and accepted.

~~D-E.~~ Expiration Of Final Subdivision Plat Approval; Extension Of Final Subdivision Plat Approval:

1. After the final subdivision plat has been recorded in the office of the Weber County recorder, the applicant(s) may apply for building permits consistent with the approved and recorded final subdivision plat and consistent with the city requirements for a building permit. The approval of a final subdivision application shall be effective for a period of one (1) year from the date the final subdivision application is approved by the ~~city council~~, at the end of which time the final subdivision plat shall have been recorded in the office of the Weber County recorder.

2. If the approved final subdivision plat is not recorded within the one (1) year period of date of approval, and the planning commission has not extended the approval of the final subdivision plat, the final subdivision approval shall be void and any vested rights thereunder will be lost, whereupon the planning commission may require that a new subdivision plat be submitted and approval obtained pursuant to this section. A written request may be submitted to the planning commission prior to expiration of the final subdivision plat for an extension of up to six (6) months. The planning commission can grant such an extension where good cause can be shown. Once the application has expired, in order to reintroduce the proposed subdivision development, the applicant(s) must submit a new application with all applicable fees. (Ord. 881, 7-20-2016)

10-21-84: APPLICATION FOR A MULTIPLE-FAMILY RESIDENTIAL SUBDIVISION OR COMMERCIAL SUBDIVISION (NOT INCLUDING SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISIONS):

The following process shall be strictly adhered to in order to create a multiple-family residential or commercial subdivision in the city:

A. Preapplication (Concept) Review: Each person who proposes to subdivide land within the territorial limits of the city shall confer with the city planning staff committee (which committee shall consist of the community development director, the city

administrator, the public works director and the city engineer) before preparing any plats, charts or plans in order to become familiar with the city subdivision requirements and existing general plan for the territory in which the proposed subdivision lies and to discuss the proposed plan of development of the tract. A sketch plan is required to be presented to the planning staff committee to illustrate the proposed subdivision concept. (Ord. 854, 5-6-2014)

B. Submission; Fee: Preliminary sketches based on said conferences shall then be prepared for review prior to submission of the preliminary plat. Two (2) such sketches shall be submitted ~~on a topographic base map~~ showing the relationship to proposed traffic arteries, existing arteries, utilities, shopping centers, schools, parks, etc. ~~(If more detail is felt to be desirable, ASPO report no. 116 contains greater detail.) A fee in such amount as established by resolution of the city council to offset the cost of reviewing and other related work performed by the city staff associated with the review of these sketches. The fee amount shall be as provided in the consolidated fee schedule set forth in title 1, chapter 12 of this code. No preliminary plat shall be presented to the planning commission or city council without the payment of said fee being received by the city.~~

C. Information Form and Preliminary Plat Fee: A subdivision information form to be supplied to the subdivider by the ~~planning commission~~city shall be filled out and submitted to the planning commission ~~prior to~~with submission of the preliminary plat and site plan. ~~A fee shall be assessed in such amount as established by resolution of the city council to offset the cost of reviewing and other related work performed by the city and engineering staff associated with the review of the preliminary plat and site plan. The fee amount shall be as provided in the consolidated fee schedule set forth in title 1, chapter 12 of this code. No preliminary plat and site plan shall be presented to the planning commission or city council without the payment of said fee being received by the city.~~ (1985 Code § 19-40-4; amd. 2001 Code)

10-21-95: PRELIMINARY PLAN FOR A MULTIPLE-FAMILY RESIDENTIAL SUBDIVISION OR COMMERCIAL SUBDIVISION (NOT INCLUDING SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISIONS):

A. Required: Upon completing the requirements set forth in section ~~10-21-4-10-21-~~8 of this chapter, each person who proposes to subdivide land in the city shall prepare a preliminary plan of such subdivision and shall submit ~~eight-four (84) large (24'x36') sized black and white set of prints, one (1) small (11'x17') sized set of prints, and one digital full set~~ submittal of all preliminary plans and plat thereof to the planning commission and city. One print shall be delivered by the ~~planning commission~~city staff to each of the following for the information and recommendation of such officials and departments: city engineer, fire department, police department, public works departments, city administration, and other associated city departments. ~~and each company or agency furnishing water, electric or gas service.~~ Preliminary plans must be received by the ~~planning commission~~city no later than the end of the day ten (10) business days prior to the next scheduled planning commission meeting in order to allow sufficient time to be checked and to receive recommendations from the foregoing listed ~~agencies~~departments. (Ord. 815, 9-25-2012)

B. Scale; Information Required: The preliminary plan shall be drawn to a scale not smaller than one hundred feet to the inch (1" = 100'), and shall show:

1. The proposed name of the subdivision.
2. The location of the subdivision as forming a part of a larger tract or parcel where the plan submitted covers only a part of the subdivider's tract, or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplanned parts shall be submitted and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area.
3. Sufficient information to locate accurately the property shown on the plan.
4. The names and addresses of the subdivider; the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
5. Contour map at appropriate intervals where required by the planning commission.
6. The boundary lines of the tract to be subdivided.
7. The location, widths and other dimensions of all existing or platted streets and other important features such as railroad lines, watercourses, exceptional topography, and buildings within the tract or within two hundred feet (200') of the tract to be subdivided.
8. Existing and proposed sanitary sewers, storm drains, water supply mains and culverts within the tract or within one hundred feet (100') thereof.
9. The location, widths and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots, with proper labeling of spaces to be dedicated to the public.
10. North point, scale and date.

C. Decision Of Planning Commission: The planning commission may approve or reject the preliminary plan, or grant approval on conditions stated by the planning commission. Approval of the preliminary plan by the planning commission shall not constitute final acceptance of the subdivision by the planning commission. One copy of the approved preliminary plan, ~~signed by the chairman of the planning commission,~~ shall be retained in the ~~office of the planning commission~~ city offices and one copy shall be made available to the subdivider, if requested by the subdivider. One signed copy shall be given to the subdivider. Receipt of this signed copy-Planning commission approval of the subdivision preliminary plan and plat shall be authorization for the subdivider to proceed with the ~~preparation-finalization~~ of plans and specifications ~~for the minimum improvements required in section 10-21-11~~ of this chapter and with the preparation of the final plat and plan.

D. Improvement Plans: Prior to the construction of any improvements required in section ~~10-21-11-10-21-15~~ of this chapter, or to the submission of financial guarantees, the subdivider shall furnish to the city engineer all plans, information and data

necessary for said improvements. These plans shall be examined by the city engineer and shall be approved if he determines them to be in accordance with the requirements of section ~~10-21-11-10-21-15~~ of this chapter. No construction of buildings shall have begun until after recording of the final plat.

E. Term Of Approval: Approval of the preliminary plan by the planning commission shall be valid for a maximum period of twelve (12) months after approval, unless upon application of the developer the planning commission grants ~~the developer a six (6) month~~an extension. If the final plat has not been recorded within the twelve (12) month period, the preliminary plan must again be submitted to the planning commission for reapproval; however, preliminary approval of a large tract shall be voided; provided, that the final plat of the first section is submitted for final approval within one year, and provided an extension of time is granted. (1985 Code § 19-40-5)

10-21-~~106~~: FINANCIAL GUARANTEES FOR IMPROVEMENTS FOR A MULTIPLE-FAMILY RESIDENTIAL SUBDIVISION OR COMMERCIAL SUBDIVISION (NOT INCLUDING SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISIONS):

Prior to the final plat being presented to the city council for approval, the subdivider/developer (or an individual with legal authority acting on behalf of the subdivider/developer) shall, at the discretion of the city, satisfy one of the following requirements:

A. Escrow Deposit: Enter into a developer's agreement with the city and furnish satisfactory proof of an escrow deposit in favor of the city in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said amounts to be released pursuant to the terms and conditions of the developer's agreement.

B. Performance Bond: Enter into a developer's agreement with the city and furnish to the city a developer's performance bond in an amount equal to the cost of the improvements required for the subdivision, plus ten percent (10%) of said costs, with said bond to be released pursuant to the terms and conditions of the developer's agreement. (Ord. 871, 9-1-2015; amd. Ord. 926, 10-20-2020)

10-21-~~117~~: FINAL PLAT FOR A MULTIPLE-FAMILY RESIDENTIAL SUBDIVISION OR COMMERCIAL SUBDIVISION (NOT INCLUDING SINGLE-FAMILY DWELLING, TWO-FAMILY DWELLING, OR TOWNHOME SUBDIVISIONS):

A. Planning Staff Committee Review: Prior to the submission of the final plat to the planning commission for review, the subdivider/developer's engineer shall submit the proposed final plat, with any changes and modifications as directed at the preliminary review by the planning commission, along with a letter of certification that all lots meet the requirements of this title to the city planning staff committee. The planning staff committee, after reviewing the proposed final plat and confirming that all the above fees and financing guarantees have been satisfied, shall present the final plat to the planning commission for appropriate action.

B. Preparation Of Plat: After compliance with the provisions of subsection A of this section, and sections ~~10-21-5-10-21-9~~ and ~~10-21-6-10-21-10~~ of this chapter, a final plat

of the subdivision covering all or part of an approved preliminary plat shall be prepared by a licensed surveyor not in the employ of the city in conformance with the design standards of section ~~40-21-9-10-21-13~~ of this chapter and submitted within one year from the date of preliminary plan approval unless the time is extended by the planning commission; otherwise, such approval shall be deemed to have been withdrawn. ~~Two~~ Four (24) black and white large (24'x36') sized set of prints, one (1) small (11'x17') sized set of prints, and one (1) digital full set submittal of all final plans and of the final plat shall be submitted to the planning commission at least ~~seven-ten (7-10) business~~ days prior to the date of the planning commission meeting, at which time such final plat and plan is to be considered for a recommendation to the city council.

C. Submittal of Final Plat and Plan: After the proposed final plat and plan have received a planning commission recommendation to the city council, the subdivider/developer shall revise the final plat and plan prior to submittal to the city council for final consideration. Four (4) large (24'x36') sized set of prints, one (1) small (11'x17') sized set of prints, and one (1) digital full set submittal of all final plans and the final plat shall be submitted to the city for the city council review at least ten (10) business days prior to the date of the city council meeting, at which time such final plat and site plan is to be considered by the city council.

C.D. Drawing: The final city council approved plat shall consist of a sheet of approved tracing linen (mylar paper), to the outside or trim line dimensions of nineteen inches by thirty inches (19" x 30") and the border line of the plat shall be drawn in heavy lines leaving a space of at least one-half inch (1/2") margin on all four (4) sides. The approved plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the tracing linen with approved waterproof black india-drawing ink. The approved plat shall be made to a scale large enough to clearly show all details, in any case not smaller than one hundred feet to the inch (1" = 100'), and workmanship on the finished drawing shall be neat, clean cut and readable. The approved plat shall be signed by all parties listed in subsection C5 of this section, who are duly authorized and required to sign and shall contain the following information:

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

streets shall be named or numbered in accordance with and in conformity with the adopted street naming and numbering system 1 of the city and Weber County.

5. The standard forms approved by the ~~planning commission~~city council lettered for the following on the final approved plat:

- a. Description of land to be included in the subdivision.
- b. Registered professional engineer and/or land surveyor's "certificate of survey".
- c. Owner's dedication.
- d. Notary public's acknowledgment.
- e. Planning commission's certificate of approval.
- f. City engineer's certificate of approval.
- g. City council certificate of acceptance attested by the city recorder.

6. A three inch by three inch (3" x 3") space in the lower right hand corner of the drawing for recording information.

7. After approving ~~and signing~~ the final plat, the ~~planning commission~~city staff shall submit the plat for approval to the city engineer, who shall collect ~~a checking fee from bill~~ the subdivider for this review, and shall check the engineering requirements of the drawing. After approval and signature by the city engineer, the plat shall be submitted to the ~~city attorney, planning commission, and city council~~mayor for approval ~~signatures~~ and certificate of acceptance. The final plat, bearing all official approvals as above required, shall be returned to the subdivider for recording at the expense of the subdivider. No subdivision shall be recorded in the office of the county recorder and no lot included in such subdivision shall be sold or exchanged and no offer shall be made to sell or exchange any such lot unless and until the plat is so approved and accepted.

D. Expiration Of Final Subdivision Plat Approval; Extension Of Final Subdivision Plat Approval:

1. After the final subdivision plat has been recorded in the office of the Weber County recorder, the applicant(s) may apply for building permits consistent with the approved and recorded final subdivision plat and consistent with the city requirements for a building permit. The approval of a final subdivision application shall be effective for a period of one (1) year from the date the final subdivision application is approved by the city council, at the end of which time the final subdivision plat shall have been recorded in the office of the Weber County recorder.

2. If the approved final subdivision plat is not recorded within the one (1) year period of date of approval, and the planning commission has not extended the approval of the final subdivision plat, the final subdivision approval shall be void and any vested rights thereunder will be lost, whereupon the planning commission may require that a new subdivision plat be submitted and approval obtained pursuant to this section. A written request may be submitted to the planning commission prior to expiration of the final subdivision plat for an extension of up to six (6) months. The planning commission

can grant such an extension where good cause can be shown. Once the application has expired, in order to reintroduce the proposed subdivision development, the applicant(s) must submit a new application with all applicable fees. (Ord. 881, 7-20-2016)

Notes

1. See also title 9, chapter 5 of this code.

10-21-128: CONSTRUCTION PLANS AND PROFILES:

Prior to commencement of construction, the subdivider shall furnish a complete set of construction plans and profiles prepared by a licensed professional engineer not in the employ of the city of all streets, existing and proposed, within the subdivision to the city engineer with the final plat. The city engineer, within a reasonable time not to exceed twenty (20) days from receipt of plans, shall notify the subdivider of approval or disapproval and in case of disapproval, the reason therefor. (1985 Code § 19-40-7)

10-21-139: DESIGN STANDARDS:

A. Street Arrangement: The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) insofar as such may be deemed necessary by the planning commission for public requirements. The street arrangement shall be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

B. Minor Streets: Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°).

C. Major And Collector Streets: Major and collector streets shall conform to the width designated on the major street plan wherever a subdivision falls in an area for which a major street plan has been adopted. For territory where such street plan has not been completed at the time the subdivision preliminary plan is submitted to the planning commission, major or collector streets shall be provided as required by the planning commission with minimum widths of one hundred feet (100') for major streets and sixty six feet (66') for collector streets.

D. Minor Residential Streets: Minor residential streets shall have a minimum width of sixty feet (60'), except that cul-de-sacs (dead-end streets) or loop streets serving not more than ten (10) lots may have minimum widths of not less than fifty feet (50').

E. Alleys: Alleys shall have a minimum width of twenty feet (20'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the planning commission. (1985 Code § 19-40-8)

F. Cul-De-Sacs: Cul-de-sacs/turnarounds (dead-end streets) shall be used only where unusual conditions exist which make other designs undesirable. Cul-de-sacs are not desirable. Cul-de-sacs/turnarounds are not favorable to the city and will generally not be acceptable in subdivision plans. Each cul-de-sac/turnaround must be terminated by a turnaround not less than one hundred feet (100') in diameter and cannot be a

distance longer than four hundred feet (400') from the center of the intersection to the throat of the cul-de-sac/turnaround. In the event that surface water drains into the cul-de-sac/turnaround, necessary catch basins and drainage easements shall be provided. (Ord. 591, 7-3-2001)

G. Easements: Easements for drainage through the property may be required by the city engineer, and easements of not less than ten feet (10') in width shall be provided where required for utilities or other purposes.

H. Service Roads: Service roads paralleling major streets shall be required unless the planning commission approves double-frontage lots which may back onto major highways or collector streets as designated on the major street plan. Where lots back onto a major highway or collector street, a buffer planting strip of trees or shrubs shall be provided in a width of ten feet (10') or wider, but in no case less than ten feet (10').

I. Protection Strips: Where subdivision streets parallel contiguous property of other owners, the subdivider may, upon approval of the planning commission, retain and deed to the city a protection strip not less than one foot (1') in width between said street and adjacent property; provided, that an agreement approved by the city attorney has been made by the subdivider, contracting to deed to the then owners of the contiguous property, the one foot (1') or larger protection strip for a consideration named in the agreement, such consideration to be not more than the fair cost of land in the protection strip, the street improvements properly chargeable to the contiguous property, plus the value of one-half ($1/2$) the land in the street at the time of agreement, together with interest at a fair rate from the time of agreement until the time of the subdivision of such contiguous property. One copy of the agreement shall be submitted to the city attorney and one to the planning commission prior to approval of the final plat. Protection strips shall not be submitted at the end of or within the boundaries of a public street or proposed street, or within any area intended for future public use.

J. Blocks:

1. Blocks shall not exceed one thousand six hundred feet (1,600') in length. A dedicated walkway through the block may be required where access is necessary to a point designated by the planning commission. Such walkway shall be a minimum of four feet (4') in width, but may be required to be wider where determined necessary by the planning commission. The subdivider shall surface the full width of the walkway with a concrete surface, install a chainlink fence or its equal four feet (4') high on each side and the full length of each walkway, and provide, in accordance with the standards and rules and regulations, barriers at each walkway entrance to allow vehicles no wider than four feet (4').

2. The width of blocks generally shall be sufficient to allow two (2) tiers of lots.

3. Irregular shaped blocks, indented by cul-de-sacs, or containing interior spaces, will be acceptable when properly designed and fitted to the overall plat.

4. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off street parking and delivery facilities.

K. Lots:

1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and to existing and probable future requirements. (1985 Code § 19-40-8)

2. All lots shown on the subdivision plan must conform to the minimum requirements of this title for the zone in which the subdivision is located, and to the minimum requirements of the city engineer and the state board of health for sewage disposal. The minimum width for any residential building lot shall be as required by this title. Where a public sewer is not available, the minimum area of such lot shall be not less than that approved in a letter to the planning commission by the board of health nor less than twenty thousand (20,000) square feet, whichever is greater. (1985 Code § 19-40-8; amd. 2001 Code)

3. Each lot shall abut on a street dedicated by the recording of the subdivision or on an existing publicly dedicated street, or on a street which has become public by right of use and is more than twenty six feet (26') wide. Interior lots abutting on more than one street shall be prohibited except where unusual conditions make other design undesirable.

4. Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.

5. Side lines of lots shall be approximately at right angles, or radial to the street line.

6. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.

7. Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the planning commission by the county recorder. (1985 Code § 19-40-8)

10-21-1410: PARKS, SCHOOL SITES, OTHER PUBLIC PLACES:

A. When the preliminary plan is submitted for the division of property, a part or all of which is deemed suitable by the planning commission for schools, parks, playgrounds or other public use in accordance with the master plan, the planning commission shall require the subdivider to include the required public open space in the subdivision design to the satisfaction of the planning commission.

B. The subdivider, at or before the time of presentation of the final subdivision plat for approval of the city council, shall offer to sell to the city or other appropriate agency, at any time during the two (2) year period immediately following the recording of the final plat, any land which has been set aside for park, playground, school or other public use at a fair market price.

C. In the case of land required for park or playground, the fair market price will be based upon raw land value, but in no event shall such price exceed the price for said

land in the last bona fide sale thereof within the period of five (5) years immediately before the date of the final subdivision plat.

D. The city or other appropriate public agency may accept such offer at any time within a two (2) year period immediately following the recording of the final plat. If any such proposed public areas have not been purchased by the appropriate public agency within two (2) years after the recording of the final plot, such areas may be divided into lots in accordance with the requirements of this chapter, and sold. (1985 Code § 19-40-9)

10-21-1544: IMPROVEMENTS:

A. Time Of Construction: The improvements listed in this section shall not be installed prior to recording the final plat. No improvements shall be installed until their location and specifications are approved by the city engineer. Water and sewer mains and laterals and fire hydrants shall be installed prior to the installation of road base, curbs, gutters, and the surfacing of streets.

B. Performance Guarantees:

1. Before final plat approval by the city council, the subdivider shall have satisfied the financing requirements of section [10-21-6](#) of this chapter. The required performance guarantees are to assure the actual construction of the following improvements within a period of two (2) years in a manner satisfactory to and in an amount specified by the city council. Improvements include part or all of the following: streets, curbs, gutters, water supply systems, fire hydrants, sewer systems, surface water disposal systems, protection from hazards of canals and ditches, safety fences, street trees, monuments, or other improvements required by the city council.

2. Sidewalks shall be installed by the building contractor at the same time as the said contractor installs driveways and walkways on individual lots. Said installation of sidewalks shall be completed and in good repair at or before the time an application for occupancy is made to the community development director.

3. The developer shall be responsible for the satisfactory performance of improvements dedicated to the city for a period of one year after inspection and final acceptance by the city. These improvements include, but are not limited to: streets, curbs, gutters, sidewalks, water main lines, fire hydrants, sewer mains and manholes, storm sewer mains and catch boxes, monuments, and street signs which are in a dedicated easement and are controlled solely by the city.

4. The developer's engineer shall, as each improvement is installed, certify, in writing, that the installed improvements meet city standards and that said improvements have been completed as approved by the city. Said written certification shall be delivered to the city engineer, who shall make periodic on site inspections for plan review and to verify the certification of the developer's engineer. The developer's engineer shall provide evidence to the satisfaction of the city engineer that the installed improvements meet city standards before the developer shall be allowed to proceed with other improvements on the development, or to begin construction of buildings or structures in the subdivision.

5. In the event a utility easement or easements are provided to the city in connection with the installed improvements, the utility line shall be placed as close to the center of said easement as is reasonably possible.

C. Standards: Standards for design, construction, specifications and inspection of street improvements, curbs and gutters, sidewalks and drainage facilities shall be prepared by the city engineer, standards of design and procedure by the planning commission, standards for water distribution and sewage disposal facilities by the state board of health and city engineer, and similar standards for fire hydrants by the city engineer and fire department. Such standards and rules and regulations, and any amendments thereto, before becoming effective, shall be adopted or amended by the city council as a part of this chapter after recommendation by the planning commission and shall be available to the public. (Ord. 871, 9-1-2015)

D. Streets On Property Of Other Public Agencies Or Utility Companies: Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the city attorney.

E. Street Improvements: All streets shall be constructed by the subdivider in accordance with the standards and rules and regulations of the city engineer.

F. Curbs, Gutters And Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the developer of the property in all subdivisions and must be put in prior to the sale of any subdivision or phase.

G. Water Supply: A culinary water supply which must be approved by the city engineer and the state board of health shall be available to each lot in the subdivision and shall be provided in conformance with the standards and rules and regulations of the city. (Ord. 766, 9-7-2010)

H. Fire Hydrants: Fire hydrants shall be installed by the subdivider at locations determined by the city engineer and fire department in all subdivisions in accordance with the standards, rules and regulations of the city. (Ord. 815, 9-25-2012)

I. Sewage Disposal: Whether by individual disposal system or by public disposal facilities, sewage disposal shall be provided and approved by the city engineer and public works director for each lot in the subdivision in accordance with the standards, rules and regulations of the city. (Ord. 766, 9-7-2010; amd. Ord. 854, 5-6-2014)

J. Surface Water: The subdivider shall provide adequate methods of conveyance and disposal of stormwater and surface water at his expense, the plans for which shall be prepared by a licensed engineer not in the employ of the city and which shall be approved by the planning commission after recommendation by the city engineer. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the subdivider to acquire such easements.

K. Ditches And Canals: Open ditches or canals shall not be allowed within or adjoining a subdivision. It shall be the subdivider's responsibility to work with the

irrigation, drainage or ditch companies and arrange for the covering, realigning or elimination of open ditches or canals. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the city engineer.

L. Safety Fences: The subdivider shall install a six foot (6') nonclimbable chainlink fence, or equivalent thereof, in conformance with all applicable standards, rules and regulations of the city, along all nonaccess streets, open reservoirs, bodies of water or railroad rights of way.

M. Street Trees: Street trees may be provided at the option of the subdivider, but when so provided, the variety and location of such trees shall be recommended by the planning commission staff and approved by the planning commission.

N. Monuments: Permanent monuments shall be accurately set and established at such points as are necessary to definitively establish all lines of the plat, except those outlining individual lots. Monuments shall be of a type approved by the city engineer. All subdivision plats shall be tied to a corner or monument of record or established land office survey corner.

O. Streetlights: The city shall install streetlights at each intersection of the subdivision. The installation shall be under the direction of the public works director and shall conform to the standards set forth in the city street lighting policy. The expense for the cost of materials and installation shall be borne by the developer/subdivider.

P. Administrative Rules, Regulations; Authority: The city council is authorized to prescribe by administrative rule or regulation filed for record with the city recorder forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision and the strict compliance with the requirements of this chapter.

Q. Fees Deposited; Inspections: The subdivider, upon submission of his plans, shall deposit with the city such fees as may be prescribed by resolution of the city council. The public works inspector shall be in charge of inspecting all improvements, and may request the assistance of the city engineer if the public works inspector deems it necessary. The subdivider shall, prior to beginning any improvements as set forth herein, enter into a written agreement with the city to pay any and all fees or assessments associated with the services provided by the city or which become necessary for the enforcement of this chapter, as said services are rendered. (Ord. 766, 9-7-2010)

10-21-~~1642~~: SMALL SUBDIVISIONS; SPECIAL PROVISIONS:

A preliminary plan shall be required for all subdivisions but under the conditions listed below, approval of the preliminary plan by the planning commission and by the city council shall be authorization for the subdivider to sell lots within the subdivision covered by the preliminary plan by metes and bounds, and the requirements of a final plan shall be waived. When final plans are not required, the subdivider shall provide such improvements on existing streets within the subdivision as shall be required by the city council. Final plans shall not be required where all of the following conditions exist:

- A. The subdivision consists of not more than ten (10) lots.
- B. The subdivision does not require the dedication of any land for street or other public purposes.
- C. The subdivision is not traversed by the mapped lines of a proposed street or a street to be widened as shown on the major street plan.
- D. Each of the lots in the subdivision meets the frontage, width and area requirements of this title, or has been granted a variance from such requirements by the board of adjustment. (1985 Code § 19-40-11)

10-21-~~1743~~: ENFORCEMENT AND PERMITS:

- A. Official: The community development director is hereby designated and authorized as the officer charged with the enforcement of this chapter. He shall enforce all the provisions of this chapter, entering actions in the courts when necessary and his failure to do so shall not legalize any violation of such provisions.
- B. Permits: The community development director shall not grant a permit, nor shall any city officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any provisions of this chapter or on a lot in a subdivision created by judicial decree, until a subdivision plat therefor has been recorded, or approved under section [10-21-7](#) of this chapter. Any license or permit issued in conflict with such provisions shall be null and void.
- C. Inspections: The community development director shall inspect or cause to be inspected all buildings, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair. Excavations for fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by the city engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the community development director. (Ord. 854, 5-6-2014)
- D. Fee: At the time any building permit is applied for to construct any building or structure in any subdivision which may be established, there shall be paid, along with such application for such building permit, a fee in such amount as prescribed by the city council as provided in the consolidated fee schedule set forth in title 1, chapter 12 of this code, which additional fee shall be in addition to the usual building permit fee which might otherwise be applicable. This additional fee shall be used to assist in defraying the expenses of the city in the creation of such subdivision. (1985 Code § 19-40-12; amd. 2001 Code)

10-21-~~1814~~: PENALTY:

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be guilty of a class C misdemeanor and punished as is provided in section [1-4-1](#) of this code. (1985 Code § 19-40-13)

DEPARTMENTAL STAFF REPORTS – 11/21/2023

From: Shawn Douglas

Sent: Tue 11/21/2023 11:22 AM

To: Mike Eggett

Subject: RE: Updated review and comment requested on 10-21 Subdiv Code revision second draft

Couple of thoughts is there anyway to put something in this section that building permits will not be approved until the subdivision has reached a certain state of completion? Is there anything that can be done during the plat process that would help eliminate problems or confusion with addressing? I think it looks good, I'm sure things will come up that we need to tweak once we start using it. sd

Shawn Douglas

Riverdale City Public Works

801-394-5541 ext 1217

Sdouglas@Riverdalecity.com

**ULCT Suggested Guidelines¹ to
comply with Senate Bill 174 (2023)
Subdivision Process for Single Family, Two Family and Townhome
Dwellings only**

See Utah League Legislative [summary](#) for SB 174 2023 legislation key highlights.

Statutory Compliance Dates:

- 1. February 1, 2024.** [See list of cities with this deadline here](#)
 - (i) a city of the first, second, third, or fourth class;
 - (ii) a city of the fifth class with a population of 5,000 or more, if the city is located within a county of the first, second, or third class; or
 - (iii) a metro township with a population of 5,000 or more.

- 2. December 31, 2024**
 - (i) All others not specified above.

These guidelines are intended to meet UCA Title 10, Chapter 9a, [Part 6 Sections 604.1, 604.2](#) and [Part 5 Section 508 \(5\)\(d\)](#).

Section 1. Applicability.

Meets 10-9a-604.1 2(a)(b) and 10-9a-604.2 (2)

1. This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes².
2. This section does not apply to land use regulations adopted, approved, or agreed upon by the City³ Council exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.
3. The review cycle restrictions and requirements of this section do not apply to the review of single-family dwellings, two-family dwellings, or townhomes subdivision applications affecting property within identified geological hazard areas under the City Code.

¹ "The information provided on this website does not, and is not intended to, constitute legal advice. All information provided herein, including materials obtained through embedded links, are for general informational purposes only. All individuals or entities should not rely on or act upon information on this site without first seeking legal advice from counsel in the relevant jurisdiction. Use of and access to this information does not create an attorney-client relationship between ULCT, its board, officers, and employees and any other persons or entities. All liability or loss arising from or relating to actions taken or not taken based on the contents of this information are hereby disclaimed."

² Note: Policy choice here to decide at local level to broaden the scope and process to other types of subdivision applications.

³ Note: Please replace City with Town, Metro Township, or County as applicable throughout the document.

Section 2. Defined Terms⁴.

Meets 10-9a-604.1 1(a)(b) and 10-9a-604.2 (1)

1. "Administrative land use authority" means an individual, board, or commission, appointed or employed by municipality⁵, including the staff or the planning commission.
2. "Administrative land use authority" does not include the municipal⁶ City Council or a member of the City Council.
3. "Review cycle" means the occurrence of:
 - (i) the applicant's submittal of a complete subdivision land use application;
 - (ii) the City's review of that subdivision land use application;
 - (iii) the City's response to that subdivision land use application, in accordance with this section; and
 - (iv) the applicant's reply to the City's response that addresses each of the municipality's required modifications or requests for additional information.
4. "Subdivision improvement plans" means the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.
5. "Subdivision ordinance review" means review by the City to verify that a subdivision land use application meets the criteria of the City's subdivision ordinances.
6. "Subdivision plan review" means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.⁷

Section 3. Designation of a Single Administrative Land Use Authority for Review and Approval of Preliminary and Final Subdivision Applications.

Meets 10-9a-604.1, 3(a)(b)

1. Preliminary Subdivision Applications.
 - a) (Add municipality name here) hereby designates (insert policy choice here) to review and approve preliminary subdivision applications.
2. Final Subdivision Applications.
 - b) (Add municipality name here) hereby designates (insert policy choice here) to review and approve final subdivision applications.

⁴ Note: We advise that you define a complete application and the notification process for that determination process in this section. We recommend 48 hours to determine a complete application in this section.

⁵ Note: Add your jurisdiction's name here

⁶ Note: Add your jurisdiction's name here

⁷ Note: Policy choice here on designation within the statutory limitation cited in Section 2. Defined Terms 1 and 2

Section 4. Process for a Pre-Application meeting prior to Application Submission.

Meets 10-9a-604.1, 4(a)(b)

1. If an applicant requests a pre-application meeting, the municipality⁸ shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the staff shall provide or have available on the city website the following:
 - (i) copies of applicable land use regulations;
 - (ii) a complete list of standards required for the project;
 - (iii) preliminary and final application checklists; and
 - (iv) feedback on the concept plan.

Section 5. Establishment of Process and application for Preliminary Subdivision Application.

Meets 10-9a-604.1 4(a)(b), 6 and 7 and 10-9a-604.2. 3 (a)(b) and 5

1. Preliminary Subdivision Application.

The application for preliminary subdivision applications and materials can be found on the City's website and at the City Office. These materials include provisions for:

 - (ii) the owner's affidavit;
 - (iii) an electronic copy of all plans in PDF format;
 - (iv) the preliminary subdivision plat drawings; and
 - (v) a breakdown of fees due upon application.
2. Review Process and Timing
 - A. The administrative land use authority may complete a preliminary subdivision application review in a public meeting or at a municipal staff level.⁹
 - B. The administrative land use authority may¹⁰:
 - (a) receive public comment; and
 - (b) hold no more than one public hearing.

⁸ Note: add your jurisdiction's name here.

⁹ Note: Policy choice here to decide the process for your community

¹⁰ Note: Policy choice here to decide how you want to process the input. Please select and insert your choice here so the process is clear and objective.

C. No later than 15 business days after the day on which an applicant submits a complete application, the municipality shall complete a review of the applicant's preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, including subdivision improvement plans.¹¹

D. In reviewing the preliminary subdivision land use application, the City may require:

- A. (i) additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
- (ii) modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.
- B. The City's request for additional information or modifications to plans under Subsection (D)(a)(i) or (ii) shall be specific and include citations to all City ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

Section 6. Establishment of Process and application for Final Subdivision Application.

Meets 10-9a-604.2. 4 (a)(b) and 5

1. Final Subdivision Application.

The application for final subdivision applications and materials can be found on the City's website and at the City Office.

2. Review Process and Timing

- A. No later than 20 business days after the day on which an applicant submits a complete application, the municipality shall complete a review of the applicant's final subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes including all subdivision plan reviews.¹²

¹¹ Note: This may be new to many communities so please be advised and concurrently make sure your engineering standards and specification documents are updated and codified to assist you in developing a checklist of submittals required for a complete application.

¹² Note: This means a review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with municipal ordinances and applicable standards and specifications.

- B. In reviewing the final subdivision land use application, the City may require:
 - (i) additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
 - (ii) modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.
- C. The City's request for additional information or modifications to plans under Subsection (2)(B)(i) or (ii) shall be specific and include citations to all City ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

Section 7. Specific Review Cycle Process for Review of Preliminary and Final applications.¹³

Meets 10-9a-604.2. 5(c)(d)

- A. Municipality¹⁴ requires the following review cycles with no more than four in total permitted:
 - A. (i) Detail your policy selection here.
 - B. (i) Subject to Subsection (B)(ii), unless the change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a municipality's plan review is waived.
 - (ii) A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.
- C. If an applicant makes a material change to a plan set, the City has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the material change substantively effects.
- D. If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.

¹³ Note: Policy decision required here. You may have no more than a total of 4 review cycles for both preliminary and final application review. Decide here how many in each review period. For example, 2 reviews at preliminary and 2 reviews at final or all 4 reviews after preliminary. The choice is yours but in this section, you must designate when those cycles occur.

¹⁴ Note: Insert your jurisdiction's name here.

E. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the municipality's previous review cycle, the municipality may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

F. (i) In addition to revised plans, an applicant shall provide a written explanation in response to the City' review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

(ii) The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

(iii) If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle by the City may not begin until all comments are addressed.

G. 1. If, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received:

(i) for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with [Subsection 10-9a-508\(5\)\(d\)](#) et seq. to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the municipality, the panel shall consist of the following three experts:

- a. one licensed engineer, designated by the City;
- b. one licensed engineer, designated by the land use applicant; and
- c. one licensed engineer, agreed upon and designated by the two designated engineers as appointed in subsection (i) a and b.

(ii) A member of the panel assembled by the City under Subsection (i) may not have an interest in the application that is the subject of the appeal.

(iii) The land use applicant shall pay:

- a. 50% of the cost of the panel; and
- b. the City's published appeal fee.; or

2. for a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.

Section 8. Concurrent Processing of the Final Subdivision application with the Preliminary Subdivision application.¹⁵

Meets 10-9a-604.1 (9)

The City shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and municipal ordinances, which provides for or permits concurrent processing of the final subdivision plat application with the preliminary subdivision plat application. Final subdivision review cycle restrictions will apply to concurrent processing applications.

1. Application (include items required in combined application)
2. Review Process:
 - may not require planning commission or city council approval; and
 - Must concur with Section 7 A-G

¹⁵ Note: The option to combine review and approval of a preliminary and final plat is allowed and is optional. If you choose to utilize this option then you must make policy decisions on the type it applies to, the application details and adhere to the review cycles. See highlighted areas in yellow that need to be completed based on your local policy choices.