MURRAY CITY PLANNING COMMISSION

NOTICE OF MEETING AND AGENDA

December 07, 2023

6:30 p.m.

Murray City Hall, 10 East 4800 South, Council Chambers

The public may view the Murray City Planning Commission meeting via the live stream at www.murraycitylive.com or https://www.facebook.com/Murraycityutah/. You may submit comments via email at planningcommission@murray.utah.gov. Comments are limited to 3 minutes or less, and written comments will be read into the meeting record. Please include your name and contact information.

CALL MEETING TO ORDER

BUSINESS ITEM(S)

1. **Approval of Minutes**

   October 19th, 2023

   Attachments

   1. PC 10.19.23 DRAFT.pdf
2. **Conflict(s) of Interest**
3. **Findings of Fact**

   Cottonwood Security - Conditional Use Permit
   SkinCare Inc. - Conditional Use Permit

   Attachments

   1. Findings of Fact, Cottonwood Security- CUP DRAFT.pdf
   2. Findings of Fact, SkinCare Inc- CUP DRAFT.pdf

CONDITIONAL USE PERMIT(S) - ADMINISTRATIVE ACTION

4. **Take 5 Murray - 696 West 5300 South**

   Drive Through Quick Lube & Oil Business in the C-N Zone
   Project #23-113

   Attachments

   1. Packet - Take 5 Murray - CUP.pdf
5. **Rumble Boxing Murray - 5642 South 900 East, #B4**

Indoor Boxing Facility
Project #23-116

Attachments

1. Packet, Rumble Boxing.pdf

LAND USE TEXT ORDINANCE AMENDMENT(S)

6. **Title 16 Subdivision Ordinance Text Amendment**

Updating Subdivision Ordinance to comply with State regulated changes
Project #23-114

Attachments

1. Packet, Title 16 - TA.pdf

ANNOUNCEMENTS AND QUESTIONS

ADJOURNMENT

The next scheduled meeting will be held on **Thursday, January 4., 2024, at 6:30 p.m. MST in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.**

Those wishing to have their comments read into the record may send an email by 5:00 p.m. the day prior to the meeting date to planningcommission@murray.utah.gov. Comments are limited to three minutes or less (approximately 300 words for emails) and must include your name and address.

Supporting materials are available on Murray City's website at www.murray.utah.gov.

Special Accommodations for the hearing or visually impaired will be made upon a request to the office of Murray City Recorder (801-264-2662). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.

Committee members may participate in the meeting via telephonic communication. If a Committee member does participate via telephonic communication, the Committee member will be on speakerphone. The speakerphone will be amplified so that the other Committee members and all other persons present will be able to hear all discussions.

No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.

At least 24 hours prior to the meeting, a copy of the foregoing notice was sent to the City Recorder to post in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. A copy of this notice was also posted on Murray City's internet website www.murray.utah.gov and the state noticing website at http://pmn.utah.gov.

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Minutes of the Planning Commission meeting held on Thursday, October 19, 2023, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Council Chambers, Murray, Utah.

The public was able to view the meeting via the live stream at http://www.murraycitylive.com or https://www.facebook.com/Murraycityutah/. Anyone who wanted to make a comment on an agenda item may submit comments via email at planningcommission@murray.utah.gov.

Present: Lisa Milkavich, Vice Chair
Ned Hacker
Travis Nay
Michael Henrie
Susan Nixon, Senior Planner
Zachary Smallwood, Senior Planner
Mark Richardson, City Attorney's Office
Russell Platt, Project Architect
Members of the public per sign-in sheet

Excused: Jake Pehrson, Chair
Maren Patterson
Jeremy Lowry

The Staff Review meeting was held from 6:00 p.m. to 6:30 p.m. The Planning Commission members briefly reviewed the applications on the agenda. An audio recording is available at the Murray City Community and Economic Development Department Office.

CALL MEETING TO ORDER

Vice Chair Milkavich conducted the meeting, in the absence of Chair Pehrson.

BUSINESS ITEMS

APPROVAL OF MINUTES

Commissioner Hacker made a motion to approve the minutes for September 7, 2023 and September 21, 2023, with minor corrections. Seconded by Commissioner Henrie. A voice vote was made with all in favor.

CONFLICT(S) OF INTEREST

There were no conflicts of interest for this meeting.

FINDINGS OF FACT

There were no findings of fact for this meeting.

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CONDITIONAL USE PERMIT(S) - ADMINISTRATIVE ACTION

Fairbourne Townhomes - 4429 South Fairbourne Avenue - Project #23-094

Mr. Smallwood presented the application for Destini Cao of Truong Properties for conditional use permit approval for a 5-unit rental townhouse project to be constructed on a 0.27-acre parcel. The property is situated just north of 4500 South and east of State Street in the R-M-20 Multi-Family Residential Zoning District. This zone permits up to 17 dwelling units per acre as a base density. With the size of this lot, it would allow approximately 5 units which is what the applicant is proposing. The plan is to demolish the existing single-family home and detached garage on the site in order to construct the 5 new townhomes. The submitted site plan indicates that the proposed development meets all setback, height, and other zoning requirements specified in the R-M-20 district. This includes a front yard setback of 25 feet, a rear yard setback of 25 feet, an interior side yard setback of 8 feet on one side and 12 feet on the other, and a maximum height of 40 feet versus the proposed 30 feet 9.5 inches. Elevations have been submitted showing the exterior design of the townhomes. Though no specific architectural style is required, it was suggested that relocating the front door of the end unit facing Fairbourne Avenue could improve the curb appeal of that façade. Floor plans depict the units as 3-story buildings with living space on each level.

Vice Chair Milkavich asked the applicant to come up to the podium. Russell Platt, the project's architect, spoke on behalf of the applicant. She asked if he had read and can comply with the conditions. He said they have no problem with the conditions. He stated that he liked the suggestion of having the front door on the street and will be happy to do that.

Commissioner Nay asked the square footage of each unit.

Mr. Platt said they are 1,550 square feet – three bedrooms with three baths.

Vice Chair Milkavich confirmed with Mr. Platt that the square footage is divided between three floors. She stated that she is concerned about building three stories at thirty feet being challenging to build and she wants to make sure they can stay within those parameters.

Mr. Platt stated they can do that.

Vice Chair Milkavich opened the public comment period.

Sonia Jensen spoke. She had some concerns initially when she thought this project involved apartments rather than townhomes. She lives near the apartments across the street that have frequently required police, fire, and ambulance responses, which is not only disruptive but costly for the city. Renters are often just passing through and not invested in the community. However, now that she's learned these will be owner-occupied townhomes instead of rental apartments, my concerns have eased. Owners tend to be more invested in the neighborhood and Murray overall since they plan to live there long-term. She did mention that Murray lacks entertainment options and venues that would keep residents spending local instead of leaving town. We have no movie theater, live music or festivals, and limited dining compared to other nearby cities. As Murray looks to the future, attracting more businesses for entertainment, culture, and nightlife

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would help keep money local and also draw in visitors. She feels this would improve the quality of life while benefiting the local economy.

Vice Chair Milkavich closed the public comment period.

Commissioner Hacker stated he feels this is a good project and should do well for the neighborhood.

Commissioner Henrie asked for clarification that these are rental units, even though they are townhomes.

Mr. Platt stated that they would like to have them individually sold. It's up to the buyer what they do with it.

Vice Chair Milkavich clarified that the buyer could live in the unit or rent the unit out.

Mr. Platt said that's the owner's choice.

Mr. Smallwood said if the applicant decides they want these to be for sale, they'll have to come back with a subdivision application. This application is just approval of the conditional use permit. Mr. Smallwood stated that the planning commission can't dictate whether the units are for sale or for rent.

Vice Chair Milkavich called for a motion.

Commissioner Nay made the motion for the Planning Commission to approve the conditional use permit to allow the proposed Fairborn townhomes, located at 4429 South Fairbourne Avenue, subject to the following six conditions:

1. The project shall meet Murray City Engineering requirements including the following:
   a) Dedicate the portion of property that extends into Fairbourne Avenue as public right-of-way.
   b) Install sidewalk along property frontage.
   c) Meet City storm drainage requirements, on-site detention with a max. the release rate of 0.2 cfs/acre to the storm drain in Fairbourne is required.
   d) Provide a drainage summary report.
   e) Obtain a City excavation permit for work in Fairbourne.
   f) Develop an erosion control plan and implement it prior to beginning site work.
2. The project shall meet all applicable Fire Code standards including the number and placement of hydrants, adequate fire flow, and appropriate emergency service access.
3. The project shall meet all Water, Wastewater, and Power Department requirements.
4. The applicant shall provide complete plans, calculations, and soil reports for building permit submittals and to meet all Building Code requirements.
5. The applicant shall meet all of the R-M-20 Zone (Section 17.124) requirements.
6. The applicant/property owner shall obtain a business license for the rental units.

Seconded by Commissioner Hacker. Roll Call Vote:

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A Milkavich
A Nay
A Hacker
A Henrie

ANNOUNCEMENTS AND QUESTIONS

Announcement of EPA Assessment Grant

Ms. Nixon made an announcement that Murray City intends to apply for an EPA Brownfield Assessment Grant of up to $500,000. The grant would be used to conduct environmental assessments, cleanup planning, and community outreach in the highlighted 520-acre area from 4800 South to State Street and I-15 east to Vine Street and 5300 South. This area was selected because it contains many known contaminated properties and aligns with the city's vision to revitalize the downtown area around the new City Hall. It also follows Little Cottonwood Creek and associated trails leading from the park west toward the freeway. The demographics of this region also fit EPA grant requirements. The city must submit the application by November 13th and will find out in spring 2024 if awarded. If successful, there will be opportunities for public input and meetings to guide the assessment process. Brownfield grants provide funding to inventory, characterize, assess, and conduct planning and community involvement related to contaminated properties. Assessment may include site investigations, cleanup planning, and determining future uses. This allows the city to promote awareness of brownfields, alleviate uncertainties about contamination, and make informed decisions about redevelopment opportunities.

Ms. Nixon asked if the commissioners had questions.

Commissioner Henrie asked if there is a limit on the area that can be included.

Ms. Nixon said there isn't, but they went along 5300 South as a general cut-off, but are aware there are also many contaminated properties south of 5300 South Street. The Ore Mill is one of them.

Commissioner Henrie asked what was going on with that site. Ms. Nixon replied not much was happening, but they recently completed their Voluntary Clean-up Program.

Vice Chair Milkavich asked if that means future grants might cover areas further south.

Ms. Nixon acknowledged that if funds are available, the city should apply for grants related to contaminated or brownfield sites. She noted that many people have a stigma against having their brownfield properties assessed because they are afraid restrictions or conditions will be imposed. However, she explained that assessment is actually beneficial for property owners because it helps identify what is present on the site without imposing any conditions. She added that if owners want to eventually sell commercial or industrial brownfield properties, environmental studies will need to be done anyway, so it is advantageous to know this information upfront, especially if grants can cover the costs. Ms. Nixon stated that this initiative to assess brownfields and make people aware of available funds will help diminish the stigma associated with brownfield sites and incentivize owners to take advantage of the assessments.

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Commissioner Henrie asked if Ms. Nixon expected to receive the full $500,000 grant, to which she replied yes, that is the maximum they are hoping for, but they may not end up spending the entire amount if the full $500,000 is not needed. When Commissioner Henrie inquired if the assessment area could be expanded further south, Ms. Nixon responded that they had selected the current area for now, but she could take the recommendation back to the committee for consideration, as the boundaries were somewhat arbitrarily designated.

The commissioners and Ms. Nixon had further conversations regarding the grant. Vice Chair Milkavich asked if the size of the proposed assessment area and the expected $500,000 cost reflect the level of need in that area. Commissioner Nay inquired if multiple applications could be submitted for different zones, but Ms. Nixon said Murray City was restricted to just one application. Commissioner Nay noted the funding equates to less than $1,000 per acre, so he would be cautious about expanding the area. Ms. Nixon explained they consulted with DEQ and others who recommended this area, including expanding it north to I-15 based on DEQ's suggestion. Commissioner Henrie asked if existing data could be aggregated rather than re-assessing the whole area, but Ms. Nixon said only small pieces have been assessed before, so this would be more comprehensive. When Vice Chair Milkavich asked about the process for landowners to utilize the funds if awarded, Ms. Nixon clarified the city and consultants would administer the spending, but they want landowner input. She added that private properties are included, but this is just for assessment, not implementation. Vice Chair Milkavich indicated guidelines should be developed to prioritize properties. Ms. Nixon welcomed any commissioners to join the grant committee and noted they won't know if they are approved until spring.

ADJOURNMENT

The next scheduled meeting will be held on Thursday, November 2, 2023, at 6:30 p.m. in the Murray City Council Chambers, 10 East 4800 South, Murray, Utah.

Commissioner Henrie made a motion to adjourn the meeting at 6:56 pm. Seconded by Commissioner Hacker. A voice vote was taken, with all in favor of adjournment.

Philip J. Markham, Director
Community & Economic Development Department

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MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: Cottonwood Security

PROJECT NUMBER: 23-105

APPLICANT: Zack French

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The applicant is requesting conditional use permit approval to allow a light duty metal fabrication and construction contractor in the M-G Zone.

II. MUNICIPAL CODE AUTHORITY:

Section 17.152.030. of the Murray City Land Use Ordinance allows contract construction service businesses (LU #6600) within the M-G zoning district subject to Conditional Use Permit approval.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.030 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these findings of fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on November 16, 2023 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given the planning commission found that the request meets the standards contained in Section 17.56.060 based on the findings below:

1. The proposed use for a construction contractor's business (LU #3494 & #6600), is allowed in the M-G Manufacturing General Zoning District subject to Conditional Use Permit approval.

2. With conditions as outlined in the staff report, the proposed use and property will

comply with the standards of the Murray City Land Use Ordinance.

3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VI. DECISION AND SUMMARY

The Planning Commission **APPROVED** the request for allowing a light duty metal fabrication on the property. The vote was 6-0 with Commissioners Hacker, Pehrson, Patterson, Milkavich, Henrie, and Nay in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The applicant shall obtain any building permits for interior remodeling, or signage.
3. The applicant shall comply with Murray City Power and Fire Department requirements.
4. Metal products shall not be stored outside of the shop or in the parking lot.

FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 7th DAY OF December, 2023.

_____

Jake Pehrson, Chair
Murray City Planning Commission

MURRAY CITY PLANNING COMMISSION
FINDINGS OF FACT AND CONCLUSIONS

PROJECT NAME: SkinCare Inc.

PROJECT NUMBER: 23-107

APPLICANT: Cheryl Edvalson

APPLICATION TYPE: Conditional Use Permit

I. REQUEST:

The applicant is requesting conditional use permit to allow massage therapy into an existing business.

II. MUNICIPAL CODE AUTHORITY:

Section 17.140.030. of the Murray City Land Use Ordinance allows massage therapists (#6296) within the R-N-B zoning district subject to Conditional Use Permit approval.

III. APPEAL PROCEDURE:

Municipal Code Section 17.16.030 provides details for requesting an appeal of the Planning Commission's decision on a land use application that is heard by the Hearing Officer. An application for appeal must be presented within 10 calendar days after the approval of these findings of fact.

IV. SUMMARY OF EVIDENCE:

A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as **Exhibit A** and is incorporated herein.

B. The minutes of the public meeting held by the Planning Commission on November 16, 2023 which are attached as **Exhibit B** summarize the oral testimony presented and are hereby incorporated herein.

V. FINDINGS OF FACT:

Based upon the information presented and oral testimony given the planning commission found that the request meets the standards contained in Section 17.140.030 based on the findings below:

1. The proposed use for a massage therapy (#6296), is allowed in the R-N-B Residential Neighborhood Business Zone District subject to Conditional Use Permit approval.

2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.

3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VI. DECISION AND SUMMARY

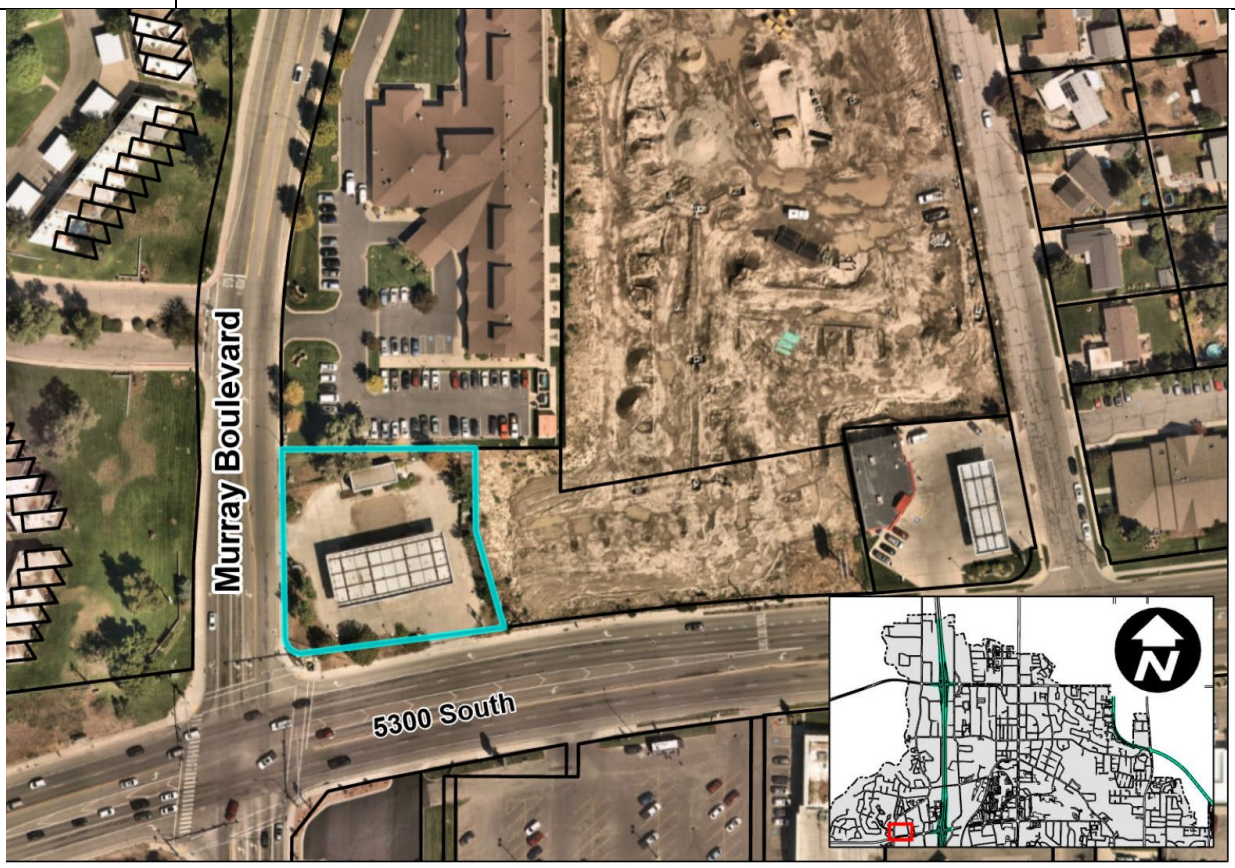
The Planning Commission **APPROVED** the request for a massage therapy business on the property. The vote was 6-0 with Commissioners Hacker, Pehrson, Patterson, Milkavich, Henrie, and Nay in favor and none opposed. The approval is contingent on the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The applicant shall obtain any building permits for interior remodeling, or signage.
3. The applicant shall comply with all applicable building and fire code standards and obtain any necessary permits prior to the operation of the business.

FINDINGS OF FACT APPROVED BY THE MURRAY PLANNING COMMISSION THIS 7th DAY OF December, 2023.

_____
Jake Pehrson, Chair
Murray City Planning Commission

AGENDA ITEM #04 Take 5 Murray			
ITEM TYPE:	Conditional Use Permit to allow a quick lube oil drive-through business		
ADDRESS:	696 West 5300 South	**MEETING DATE:**	December 7, 2023
APPLICANT:	Wildcat T5 LLC, Mitch Vande Guchte	**STAFF:**	Susan Nixon, Senior Planner
PARCEL ID:	21-12-351-017	**PROJECT NUMBER:**	23-113
ZONE:	C-N, Commercial Neighborhood	**Land Use No.**	#5530- Gas & Lube, Oil Stations
SIZE:	.72-acre site | 1,847 ft^2 building		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow a drive-through quick lube shop on the property located at 696 West 5300 South.		



I. LAND USE ORDINANCE

Section 17.156.030 of the Murray City Land Use Ordinance allows a lube and oil business (LU #5530) within the C-N zoning district subject to Conditional Use Permit approval. All new main structures require a Conditional Use Permit and Design Review and approval from the Planning Commission per Section 17.156.030.

The purpose statement for the C-N Zone states:
To provide areas in appropriate locations where convenience buying may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of residential, retail, office and service facilities which in character and scale are necessary to meet day to day needs of area residents.

II. BACKGROUND

Project Location

The subject property is located on the northeast corner of Murray Blvd. and 5300 South Street. The site was previously a Conoco gas station and convenience store.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Residential Facility	C-N
South	Commercial Retail	C-D & C-N
East	Residential Multi-Family	R-M-15
West	Residential Multi-Family	R-M-15

Project Description

The applicant proposes a new 1,847 ft^2 drive-through quick lube shop with three bays. The proposal includes an office area, an oil room, a restroom and three quick lube drive-through bays. There will also be a small 330 ft^2 upper mezzanine area for storage. The elevations provided show a stone veneer for the majority of the exterior with metal roofing and metal coping.

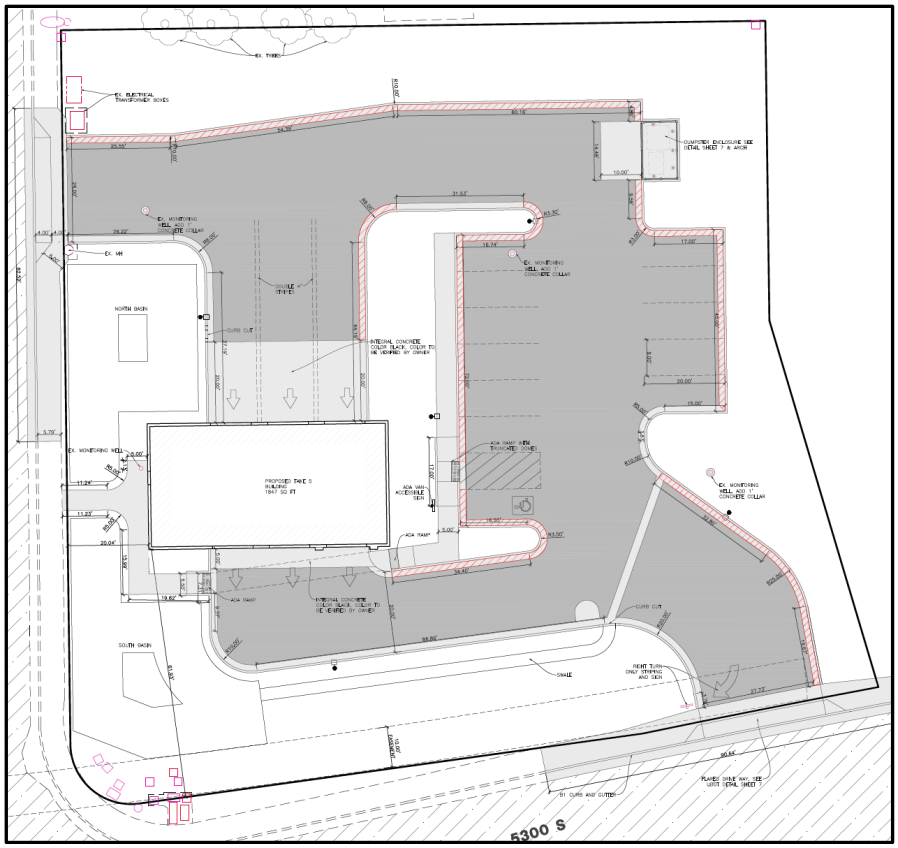


Figure 1: Site Plan

Operations

The anticipated hours of operation are from 7 a.m. to 7 p.m. Monday through Friday; 7 a.m. to 6 p.m. Saturday, and 10 a.m. to 5 p.m. Sunday. It is anticipated that between 2-8 total employees will be at the site at any given time. There is no customer waiting area provided and the customers are to remain in their vehicles while having the oil service.

Setbacks and Floor Plans

The building has a setback between 20'4" from Murray Blvd. and 61'9" from 5300 South. The C-N Zone requires a minimum twenty-foot (20') front setback and twenty-foot (20') corner side yard setback. Additionally, Section 17.156.040 requires that no commercial building be located closer than fifteen feet (15') to any residential district boundary line. The side yard setback from the east boundary line is in excess of seventy feet (70'). Staff has no concerns with the proposed setbacks for the project.

The main floor area consists of 84 ft^2 office, 85 ft^2 restroom and 158 ft^2 oil room. There is an upper mezzanine area of 337 ft^2 for storage only. The customers are to wait inside their cars while having the oil changed. No customer waiting area is provided.

Height

The height of the proposed oil change building is 21'7", and 16'3" for the drive-thru. The maximum allowed is thirty-five (35) feet. Staff has no concerns with the proposed building height.

Access

Entrance to the site will be accessed from Murray Blvd. and 5300 South. Full access from Murray Blvd.is allowed. Egress onto 5300 South is preferred to be a right-hand turn only and the applicant is proposing to post signage indicating right-hand turn only. Both drive approaches must be a minimum of 25' wide and a maximum of 50' wide to meet the access requirements of section 17.72.100.C The site plan shows the Murray Blvd. access to be 26' wide The 5300 South drive access is 27.73' wide . 5300 South Street is controlled by UDOT and the applicant will need to coordinate the access with UDOT. The customer vehicles enter the bays from the north and exit at the south of the building and can either wind back north through the parking lot to exit onto Murray Blvd. or make a right-hand turn onto 5300 South. A 5' wide sidewalk connection is provided from Murray Blvd. into the site and extends through the parking area. Staff has no concerns with the access and circulation for this proposal.

Parking

Chapter 17.156.090 of the Murray City Land Use Ordinance requires 1 parking space for each 250 ft^2 of net usable office space and 1 parking space for every 750 ft^2 of net storage/shop floor area, and 3 spaces per service bay. The office space is calculated to be around 84 ft^2 which will require 1 space, the shop/storage space is 495 ft^2 which will require 2 stalls, and the 3 bays require 9 spaces. Ninety-degree parking stalls are required to be 9'X18' with 24' of aisle space. The total required parking for the site is 12 spaces. The total parking shown on the site plan is 12 stalls including one ADA van-accessible stall. Staff has no concern with parking.

Landscaping

Section 17.156.100 requires ten feet (10') of landscaping along all frontage areas and ten feet (10') of buffer landscaping adjacent to residential zoning in addition to the required buffer wall. Additionally, landscaping must cover at least 10 percent (10%) of the development site. The landscape plan shows a range of 10' to 13' frontage landscaping along Murray Blvd. and a range of 10 'to 30' along 5300 South frontage. There is a minimum 10' landscaping strip on both the north and east boundary lines. Within the frontage landscape areas, ground cover is required to provide fifty percent (50%) bed coverage at time of planting. Ground cover includes grasses, shrubs and other low-growing vegetation, but does not include trees. Landscaping coverage calculations are not provided in the landscape plan and will need to meet the minimum 10% requirement.

Section 17.68.040, Front setback areas require landscaping in these areas shall consist of three (3) trees, and five (5) 5-gallon and ten (10) 1-gallon shrubs per one hundred (100) linear feet of frontage. The trees and shrubs shall either be clustered or spread out at regular intervals. The remaining area shall be planted with living ground cover in order for the front setback area to meet a minimum of fifty percent (50%) of landscape bed coverage at the time of planting.

5300 South Street			
Landscape Table			
Trees and Shrubs are Calculated for every 100 linear feet of frontage			
Linear Feet:	**Trees (3)**	**5-Gallon Shrubs (5)**	**1-Gallon Shrubs (10)**
Required per 159'	**5**	**8**	**16**
Proposed	**5**	**20+**	**20+**

Murray Boulevard			
Landscape Table			
Trees and Shrubs are Calculated for every 100 linear feet of frontage			
Linear Feet:	**Trees (3)**	**5-Gallon Shrubs (5)**	**1-Gallon Shrubs (10)**
Required per 145'	**4**	**7**	**15**
Proposed	**6**	**10**	**20**
Landscape Area (Sq. Feet)	**Required Coverage Area (Sq. Feet)**		
Not provided	**3,136**		

The trees proposed within the frontage area are 1.5"caliper size. A minimum 2.0" caliper is required as measured at 12 inches above the soil surface of the plant's root ball and shall not require a support stake to remain upright. The proposed landscape plan meets the minimum number of trees and shrubs, however; Staff recommends the landscape plan be updated to show the required trees within the front setback area be of 2.0" caliper and verification that the front setback area be planted with living ground cover to meet the minimum of fifty percent (50%) of landscape bed coverage at the time of planting.

Fencing & Signs

Section 17.156.110, C-N Zone requires where the site abuts a residential zone, a six-foot (6') high solid masonry wall shall be located along the property line and meet the city fencing ordinance Section 17.64.030. "*Any fence within the first 10 feet (10') front yard setback shall not be erected to a height greater than three feet (3') if a solid or opaque fence, or four feet (4') if an open type fence. A solid six-foot (6') masonry wall is required to be installed along the east boundary line.*"

There is an existing double pole sign on the property that has not been in use for several years and therefore is considered abandoned and is also a nonconforming sign. The sign will need to be removed prior to construction and any new signage must meet the current sign regulations per code Section 17.48.

Refuse Dumpster

A 9' X 14' garbage dumpster is proposed to be located in the northeast corner of the parking lot which meets the dumpster location per the C-N Zoning regulations. The proposed enclosure will be of solid stone veneer to match the Take 5 Lube building with a 6' high metal gate. Per Section 17.156.080 and 17.76.170, all refuse container areas shall be enclosed by a solid barrier fence not to exceed eight feet (8') in height. Staff has no concerns with the proposed refuse dumpster.

III. LAND USE ORDINANCE STANDARDS REVIEW

Murray City Code Section 17.56.060 outlines the following standards of review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and the neighborhood.

With compliance to city regulations, the proposed use will provide a service that will contribute to the operations of a successful business in an area that is revitalizing and will be a benefit to the larger neighborhood.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

With conditions, the proposed use will not be detrimental to the health, safety, or general welfare of people in the vicinity.

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking, and traffic circulation, use of appropriate gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

With conditions, the proposed use for a drive-through quick lube business will be in harmony with the allowed uses in this zoning district and others found in the area.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed

in order to render a proper decision.

The applicant has submitted sufficient information for the review of this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

The application materials for the proposed drive through quick lube business were made available to Murray City department staff for review and comment on November 21, 2023. The following comments have been provided by the reviewing departments:

- The Murray City Fire Department had no concerns.
- The Police Department had no concerns.
- Murray City Engineering Division stated:
  - Meet City storm drainage requirements, on-site detention with a reduced release rate of 0.2 cfs per acre is required.
  - Provide water quality treatment for stormwater discharge to City system.
  - Repair/replace damaged sidewalk and curb and gutter along the property frontages to Murray Blvd. (700 W) and 5300 S.
  - Upgrade accesses to meet current standards.
  - Obtain a UDOT site access review and any required permits for the 5400 South access.
  - Develop a site erosion control plan and implement BMP's prior to beginning demolition and construction work.
  - Obtain a City Excavation Permit for work in the City right-of-way.

- Wastewater Division stated:
  - All existing onsite sewer that is being proposed to be reused must be CCTV with Murray Wastewater inspector present to determine if it is acceptable for reuse. Line may be required to have a liner installed in the existing line.
  - 1000-gallon oil water separator and sampling manhole will be required to be installed.
  - No 90's are allowed on the sewer line. Must be two 45's with a cleanout on both sides.
  - Please provide a more detailed utility plan, include pipe size, grade etc.
  - Note on plan all work must meet Murray Wastewater specification. Include details directly from the Murray Wastewater Specification Book.
  - https://www.murray.utah.gov/DocumentCenter/View/12589/Wastewater-Spec-Book-2021?bidId=

- Murray Building Division stated to obtain building permits for any and all construction.

- Murray City Power Department stated:
  - There are proposed changes to move an existing primary junction cabinet and an existing transformer on the Northwest side of the property. This could prove to be difficult to accommodate the changes. The developer may want to re-design the West drive if possible, to avoid conflict with existing equipment.
  - When the time comes to build the new building(s), we will want to have an on-site meet to plan the new electrical service(s).
  - The developer must meet all Murray City Power Department requirements, the current NESC/NEC code and provide the required easement/safety clearance(s) for equipment and Power lines.
  - Please contact John Galanis 801-264-2723 for meter placement on the building.

Other reviewing departments did not have any comments or concerns regarding this application.

V. PUBLIC INPUT

Thirty-three (33) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, Staff has not received any public comments.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application to allow a metal fabrication and contract construction services business, staff concludes the following:

1. The proposed use for a drive-through quick lube shop business (LU #5530), is allowed in the C-N Zoning District subject to Conditional Use Permit approval.
2. The proposed use meets the purpose of the C-N Zone which is designed to promote a combination of residential, retail, office and service facilities to meet day to day needs of area residents.
3. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
4. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

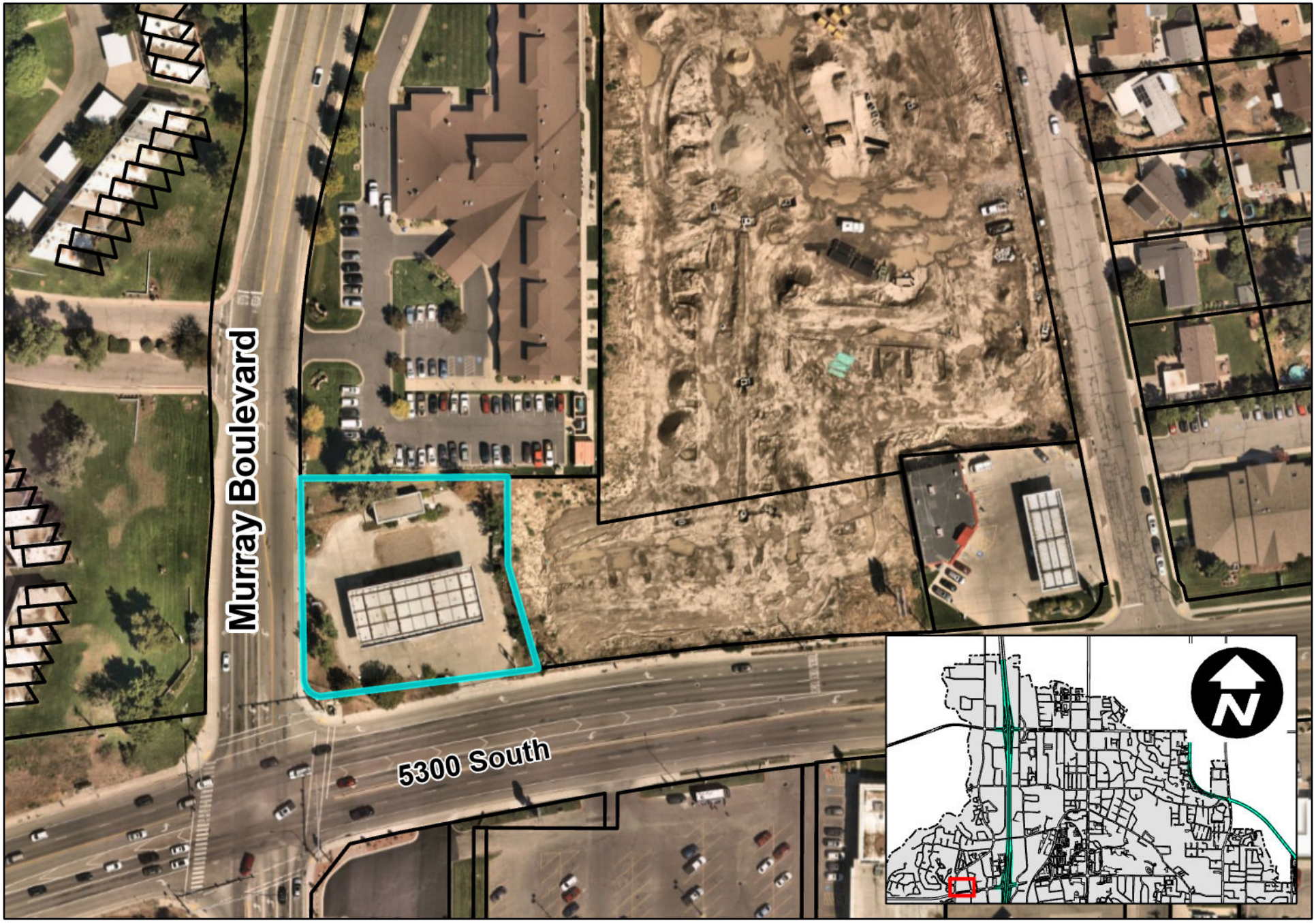
Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use**

Permit to allow the drive-through quick lube shop business at the property addressed 696 West 5300 South, subject to the following conditions:

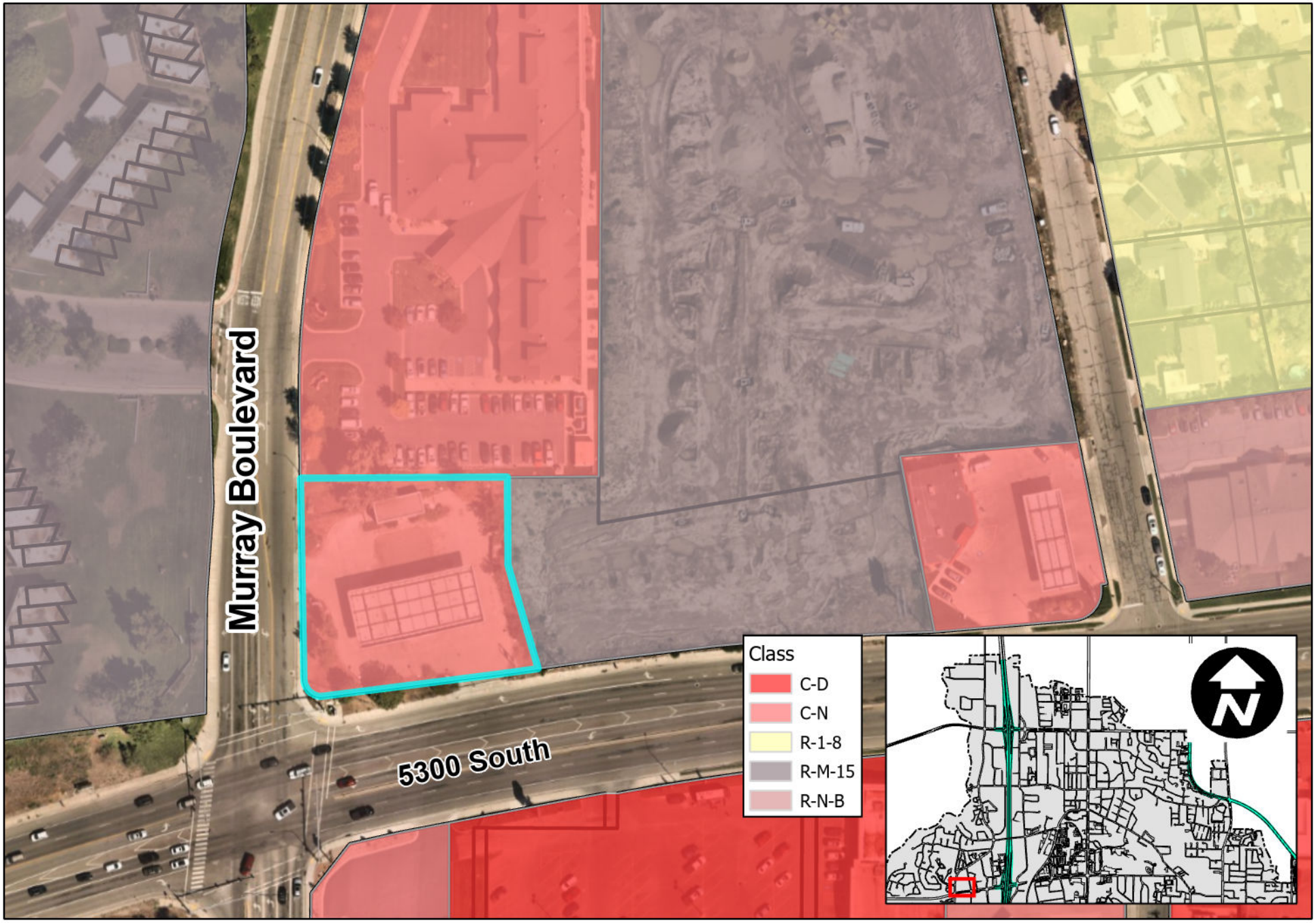
1. To meet the City Engineer requirements:
    a) Meet City storm drainage requirements, on-site detention with a reduced release rate of 0.2 cfs per acre is required.
    b) Provide water quality treatment for stormwater discharge to City system.
    c) Repair/replace damaged sidewalk and curb and gutter along the property frontages to Murray Blvd. and 5400 S.
    d) Upgrade accesses to meet current standards.
    e) Obtain a UDOT site access review and any required permits for the 5400 South access.
    f) Develop a site erosion control plan and implement BMP's prior to beginning demolition and construction work.
    g) Obtain a City Excavation Permit for work in the City right-of-way.

2. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
3. To meet the Murray City Power Department requirements.
4. To meet the Fire Department requirements.
5. To meet the requirements of the Water & Wastewater Divisions.
6. The applicant shall obtain any building permits prior to construction. A demolition permit is required for demolition of any structures.
7. A solid six-foot (6') masonry wall is required to be installed along the east boundary line.
8. The landscape plan be updated to show the required trees within the front setback area be of 2.0" caliper and the front setback area to be planted with living ground cover to meet a minimum of fifty percent (50%) of landscape bed coverage at the time of planting. The updated plans must meet the required minimum 10% landscaping coverage for the site.
9. The existing sign shall be removed prior to construction. Any new signage must meet sign code regulations per Section 17.48 and obtain appropriate building permits.
10. Submit updated civil and landscape plans to match the 11/30/23 Site Plan.

696 West 5300 South



696 West 5300 South



MURRAY CITY CORPORATION
COMMUNITY & ECONOMIC DEVELOPMENT

Building Division 801-270-2400
Planning Division 801-270-2430

NOTICE OF PUBLIC MEETING

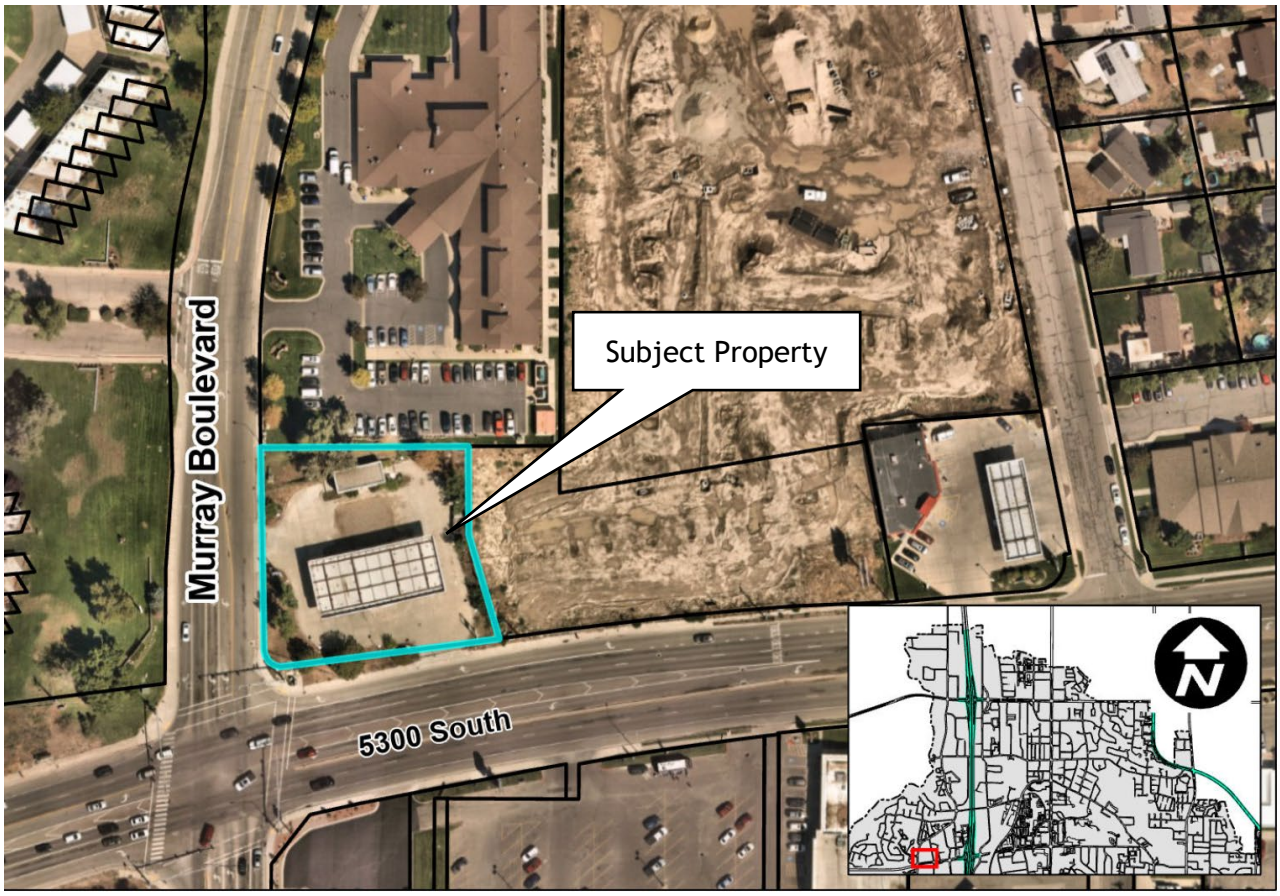
December 7th, 2023, 6:30 PM

The Murray City Planning Commission will hold a public meeting on Thursday, December 7th, 2023, at 6:30 p.m. in the Murray City Municipal Council Chambers, located at 10 East 4800 South to receive public comment on an application for a conditional use permit submitted by representatives of **Take 5 Murray** to allow a drive-through quick lube shop at the property located at **696 West 5300 South Street**. Please see the attached plans. The meeting is open and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

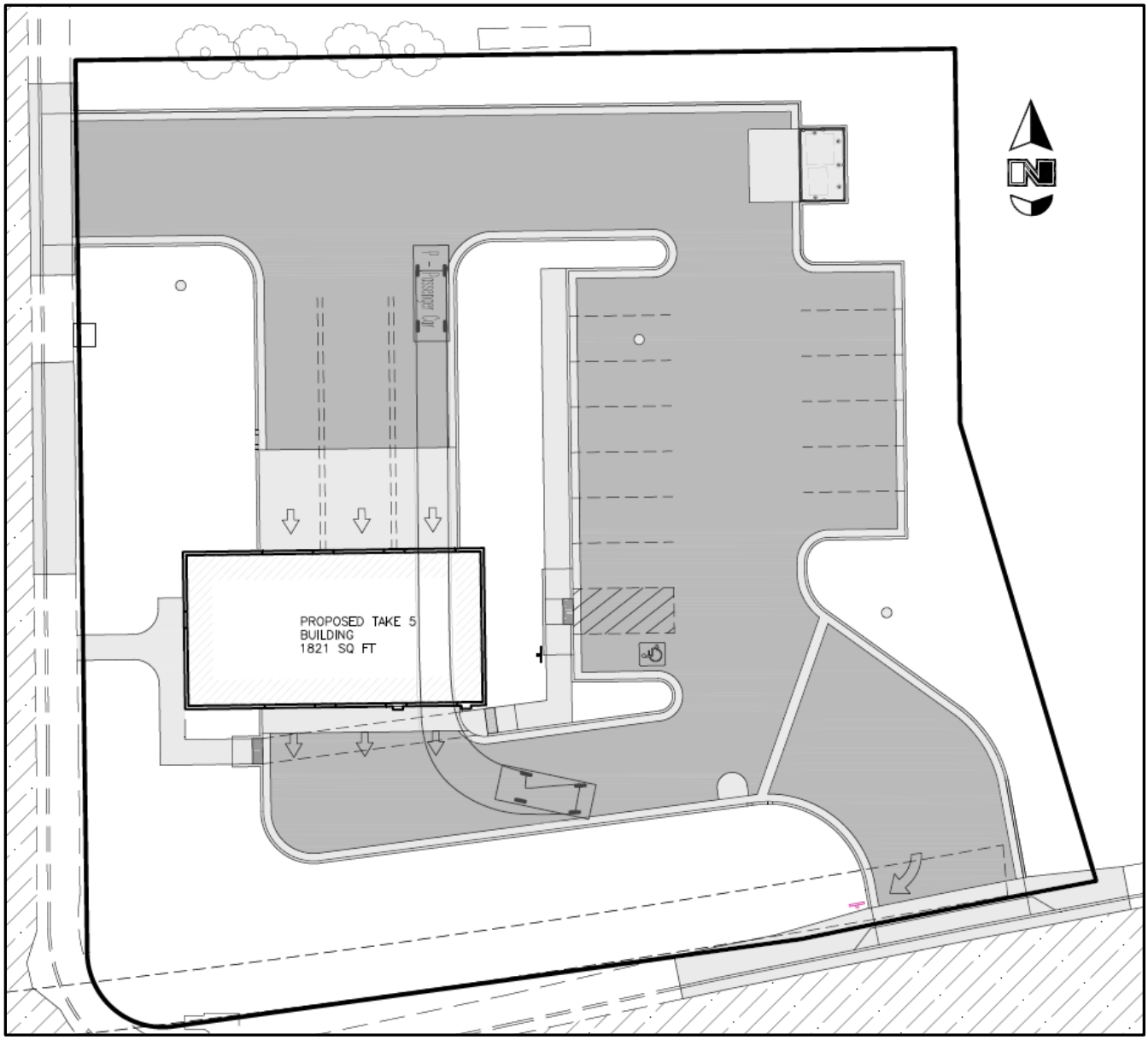
Comments are limited to 3 minutes or less, written comments will be read into the meeting record.

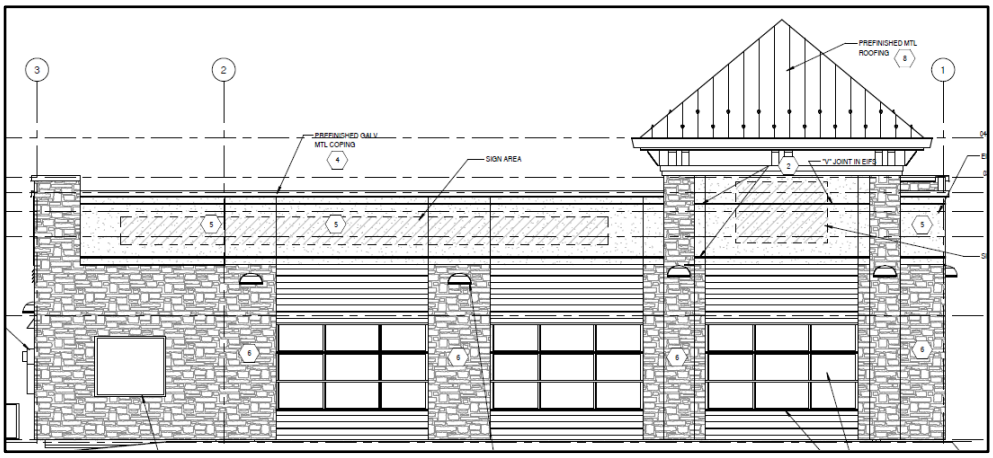
This notice is being sent to you because you own property within 300 feet of the subject property. If you have questions or comments concerning this proposal, please call the Murray City Planning Division at 801-270-2430 or e-mail to planningcommission@murray.utah.gov.

Special accommodations for the hearing or visually impaired will be upon request to the office of the Murray City Recorder (801-264-2660). We would appreciate notification two working days prior to the meeting. TTY is Relay Utah at #711.



Public Notice Dated |November 22, 2023


PROPOSED TAKE 5
BUILDING
1821 SQ FT


PREFINISHED MTL ROOFING
PREFINISHED GALV MTL COPING
SIGN AREA
"V" JOINT IN EIFS

Project # 23-113

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

☒ New Construction ☐ Land use change ☐ Remodel ☐ Addition
☐ CUP Amendment

Subject Property Address:_696 W 5300 S_____

Parcel Identification (Sidwell)
Number:_21123510170000_____

Parcel Area:_.72 acres_____ Current

Use:__Quick Lube Oil Change_____ Floor Area:__1847 Sf_____

Zoning Classification:__C-N_____ LU#_____

Applicant Name:_Wildcat T5, LLC_____ Mailing

Address:_8980 S Redwood Road, West Jordan, UT, 84088

City, State, ZIP:__8980 S Redwood Road, West Jordan, UT, 84088

Daytime Phone#:_919-302-2612 Fax #:_-_ Email: msvandeg@gmail.com

Address:__8980 S Redwood Road, West Jordan, UT, 84088

Business or Project Name :__Take 5 Murray_____

PropertyOwner'sName(If different):_MEGDAL JAMACHA, LLC

PropertyOwner'sMailing Address: 252 S Beverly Drive St C, Beverly Hills, CA 90212

Daytime Phone #:_310-277-0409____Fax #:_____

Email address: _anna@megdalinc.com_____

Describe your request in detail (use additional page if necessary):_This will be a drive through quick lube shop with 3 bays where customers stay in their vehicles during the service that takes about 10 minutes on average.

7 day - W/R
M-F: 7-7
Sat: 7-6
Sun: 10-5

Authorized Signature:_____ Date: 11/14/23

PROPERTY OWNER'S AFFIDAVIT

STATE OF UTAH }
}ss
COUNTY OF UTAH }

I (we), University Aqua, LLC

being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I (we) have received written instructions regarding the process for which I (we) am (are) applying.

I (we) also

_____ (Initial) do authorize as my (our) agent(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent(s) in matters pertaining to the attached application.

X (Initial) do act as my (our) own agent(s), and do not authorize anyone to represent me (us) regarding the attached application.

Signature _____ Signature _____

Print BLAKE MEGDAL Print _____

Signature _____ Signature _____

Print _____ Print _____

Dated this_____day of_____, 20___, personally appeared before me

_____,

the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

Subscribed and sworn to me this _____ day of _____, 20___.

_____

(Notary)

Residing in_____County, Utah

My commission expires: _____

See attached CA Loose Notary

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles)

On 4/5/2023 before me, Michael Kiamzon, Notary Public
(insert name and title of the officer)

personally appeared Blake Megdal,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MICHAEL KIAMZON
COMM. # 2366851
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
MY COMM. EXP. JULY 21, 2025

Signature _____ **(Seal)**

Reeve & Associates, Inc. - Solutions You Can Build On



NOTE:

REPAIR/REPLACE DAMAGED SIDEWALK AND CURB AND GUTTER ALONG THE PROPERTY FRONTAGES, TO CITY STANDARDS ON 700 W AND UDOT STANDARDS ON 5300 S.

Legend

= OUTFLOW CURB

10 0 10 20 30

Scale: 1" = 10'

811 Know what's below. Call before you dig.

Reeve & Associates, Inc.
5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 www.reeve.co
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS

DATE	DESCRIPTION
11-13-23 KH	UDOT Exhibit
11-14-23 ZD	Building Footprint

Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Site Plan

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
STATE OF UTAH

Project Info.

Engineer: JEREMY A. DRAPER, P.E.
Drafter: Z. DECARIA
Begin Date: September 2023
Name: TAKE 5, 90 W 5300 S, MURRAY, UT
Number: 7463-12

4
12 Total Sheets

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

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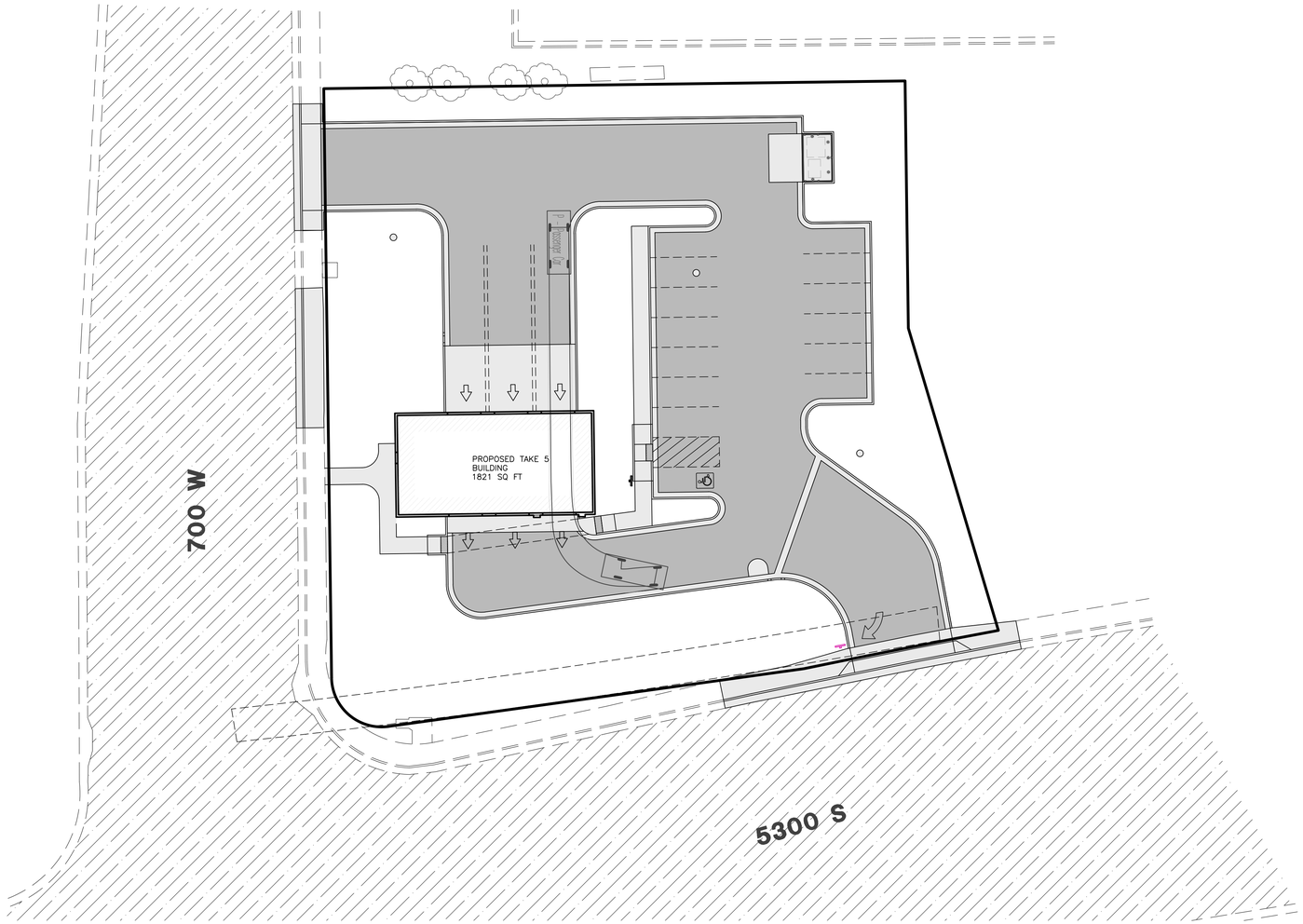
Reeve & Associates, Inc. - Solutions You Can Build On

Project Narrative/Notes/Revisions

1. 11/02/2023 ZD – COMPLETED DESIGN FOR CLIENT & CITY REVIEW.
2. 11/13/2023 KH – REVISED UDOT EXHIBIT SHEET.
3. 11/14/2023 ZD – REVISED BUILDING FOOTPRINT

TAKE 5
696 W 5300 S
Improvement Plans

MURRAY, SALT LAKE COUNTY, UTAH
SEPTEMBER, 2023





Vicinity Map
NOT TO SCALE

SITE DATA

APN# 21-12-351-017-0000
696 W 5300 S, MURRAY, SALT LAKE COUNTY, UTAH

PARKING:	14 STALLS PROVIDED (1 A.D.A.)	
PARCEL AREA:	33,032 S.F. (0.76 ACRES)	
BUILDING AREA:	1,821 S.F.	5.5%
HARDSCAPE AREA:	17,088 S.F	51.7%
LANDSCAPE AREA:	14,123 S.F.	42.7%

Sheet Index

Sheet 1 - Cover/Index Sheet
Sheet 2 - Notes/Legend/Street Cross-Section
Sheet 3 - Existing/Demo Plan
Sheet 4 - Site Plan
Sheet 5 - Utility/Grading Plan
Sheet 6 - UDOT Exhibit
Sheet 7 - Details
Sheet 8 - Storm Water Pollution Prevention Plan Exhibit
Sheet 9 - Storm Water Pollution Prevention Plan Details
Sheet 10 - Landscape Plan
Sheet 11 - Irrigation Plan
Sheet 12 - Irrigation Details

20 0 20 40 60
Scale: 1" = 20'

Engineer's Notice To Contractors:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY OTHERS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE IN ALIGNMENT AND/OR GRADE OF THE PROPOSED IMPROVEMENT. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE DUE PRECAUTIONARY MEASURE TO PROTECT ANY UTILITY LINES SHOWN, AND ANY OTHER LINES OBTAINED BY THE CONTRACTOR'S RESEARCH, AND OTHERS NOT OF RECORD OR NOT SHOWN ON THESE PLANS.

Surveyor:
Jason Felt
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH:(801) 621-3100

Landscape Architect:
Nathan Peterson
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH: (801) 621-3100

Developer Contact:
Mitch Vande Guchte
Wildcat Partners
PH: (919) 302-2612

Project Contact:
Jeremy Draper
Reeve & Associates, Inc.
5160 South 1500 West
Riverdale, Utah, 84405
PH:(801) 621-3100

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REVISIONS

DATE		DESCRIPTION
11-13-23	KH	UDOT Exhibit
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Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Cover/Index Sheet

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
11/14/2023
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MURRAY, UT
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1
12 Total Sheets

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General Notes:

1. ALL CONSTRUCTION MUST STRICTLY FOLLOW THE STANDARDS AND SPECIFICATIONS SET FORTH BY: GOVERNING UTILITY MUNICIPALITY, GOVERNING CITY OR COUNTY (IF UN-INCORPORATED), INDIVIDUAL PRODUCT MANUFACTURERS, AMERICAN PUBLIC WORKS ASSOCIATION (APWA), AND THE DESIGN ENGINEER. THE ORDER LISTED ABOVE IS ARRANGED BY SENIORITY. IF A CONSTRUCTION PRACTICE IS NOT SPECIFIED BY ANY OF THE LISTED SOURCES, CONTRACTOR MUST CONTACT DESIGN ENGINEER FOR DIRECTION.
2. CONTRACTOR TO STRICTLY FOLLOW GEOTECHNICAL RECOMMENDATIONS FOR THIS PROJECT. ALL GRADING INCLUDING BUT NOT LIMITED TO CUT, FILL, COMPACTION, ASPHALT SECTION, SUBBASE, TRENCH EXCAVATION/BACKFILL, SITE GRUBBING, RETAINING WALLS AND FOOTINGS MUST BE COORDINATED DIRECTLY WITH THE PROJECT GEOTECHNICAL ENGINEER.
3. TRAFFIC CONTROL, STRIPING & SIGNAGE TO CONFORM TO CURRENT GOVERNING AGENCIES TRANSPORTATION ENGINEER'S MANUAL AND MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
4. ANY AREA OUTSIDE THE LIMIT OF WORK THAT IS DISTURBED SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT NO COST TO OWNER.
5. CONSULT ALL OF THE DRAWINGS AND SPECIFICATIONS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
6. AT ALL LOCATIONS WHERE EXISTING PAVEMENT ABUTS NEW CONSTRUCTION, THE EDGE OF THE EXISTING PAVEMENT SHALL BE SAWCUT TO A CLEAN, SMOOTH EDGE.
7. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE MOST RECENT, ADOPTED EDITION OF ADA ACCESSIBILITY GUIDELINES.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED THOROUGHLY REVIEWED PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING AND NOTIFYING ENGINEER OR INSPECTING AUTHORITY 48 HOURS IN ADVANCE OF COVERING UP ANY PHASE OF CONSTRUCTION REQUIRING OBSERVATION.
10. ANY WORK IN THE PUBLIC RIGHT-OF-WAY WILL REQUIRE PERMITS FROM THE APPROPRIATE CITY, COUNTY OR STATE AGENCY CONTROLLING THE ROAD, INCLUDING OBTAINING REQUIRED INSPECTIONS.
11. ALL DIMENSIONS, GRADES & UTILITY DESIGNS SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES.
12. CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS BEFORE BIDDING AND BRING UP ANY QUESTIONS BEFOREHAND.
13. SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH BY THE GEOTECHNICAL ENGINEER.
14. CATCH SLOPES SHALL BE GRADED AS SPECIFIED ON GRADING PLANS.
15. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FLAGGING, CAUTION SIGNS, LIGHTS, BARRICADES, FLAGMEN, AND ALL OTHER DEVICES NECESSARY FOR PUBLIC SAFETY.
16. CONTRACTOR SHALL, AT THE TIME OF BIDDING AND THROUGHOUT THE PERIOD OF THE CONTRACT, BE LICENSED IN THE STATE WHERE THE PROJECT IS LOCATED AND SHALL BE BONDABLE FOR AN AMOUNT EQUAL TO OR GREATER THAN THE AMOUNT BID AND TO DO THE TYPE OF WORK CONTEMPLATED IN THE PLANS AND SPECIFICATIONS. CONTRACTOR SHALL BE SKILLED AND REGULARLY ENGAGED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PLANS AND SPECIFICATIONS.
17. CONTRACTOR SHALL INSPECT THE SITE OF THE WORK PRIOR TO BIDDING TO SATISFY HIMSELF BY PERSONAL EXAMINATION OR BY SUCH OTHER MEANS AS HE MAY PREFER OF THE LOCATIONS OF THE PROPOSED WORK AND OF THE ACTUAL CONDITIONS OF AND AT THE SITE OF WORK. IF, DURING THE COURSE OF HIS EXAMINATION, A BIDDER FINDS FACTS OR CONDITIONS WHICH APPEAR TO HIM TO BE IN CONFLICT WITH THE LETTER OR SPIRIT OF THE PROJECT PLANS AND SPECIFICATIONS, HE SHALL CONTACT THE ENGINEER FOR ADDITIONAL INFORMATION AND EXPLANATION BEFORE SUBMITTING HIS BID. SUBMISSION OF A BID BY THE CONTRACTOR SHALL CONSTITUTE ACKNOWLEDGMENT THAT, IF AWARDED THE CONTRACT, HE HAS RELIED AND IS RELYING ON HIS OWN EXAMINATION OF (1) THE SITE OF THE WORK, (2) ACCESS TO THE SITE, AND (3) ALL OTHER DATA AND MATTERS REQUISITE TO THE FULFILLMENT OF THE WORK AND ON HIS OWN KNOWLEDGE OF EXISTING FACILITIES ON AND IN THE VICINITY OF THE SITE OF THE WORK TO BE CONSTRUCTED UNDER THIS CONTRACT. THE INFORMATION PROVIDED BY THE ENGINEER IS NOT INTENDED TO BE A SUBSTITUTE FOR, OR A SUPPLEMENT TO, THE INDEPENDENT VERIFICATION BY THE CONTRACTOR TO THE EXTENT SUCH INDEPENDENT INVESTIGATION OF SITE CONDITIONS IS DEEMED NECESSARY OR DESIRABLE BY THE CONTRACTOR. CONTRACTOR SHALL ACKNOWLEDGE THAT HE HAS NOT RELIED SOLELY UPON OWNER- OR ENGINEER-FURNISHED INFORMATION REGARDING SITE CONDITIONS IN PREPARING AND SUBMITTING HIS BID.
18. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ALL WATER, POWER, SANITARY FACILITIES AND TELEPHONE SERVICES AS REQUIRED FOR THE CONTRACTOR'S USE DURING CONSTRUCTION.
19. CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY FIELD CHANGES MADE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE OWNER, ENGINEER, AND/OR GOVERNING AGENCIES.
20. CONTRACTOR SHALL EXERCISE DUE CAUTION AND SHALL CAREFULLY PRESERVE BENCH MARKS, CONTROL POINTS, REFERENCE POINTS AND ALL SURVEY STAKES, AND SHALL BEAR ALL EXPENSES FOR REPLACEMENT AND/OR ERRORS CAUSED BY THEIR UNNECESSARY LOSS OR DISTURBANCE.
21. CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
22. CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY SCHEDULING INSPECTION AND TESTING OF ALL FACILITIES CONSTRUCTED UNDER THIS CONTRACT. ALL TESTING SHALL CONFORM TO THE REGULATORY AGENCY'S STANDARD SPECIFICATIONS. ALL TESTING AND INSPECTION SHALL BE PAID FOR BY THE OWNER; ALL RE-TESTING AND/OR RE-INSPECTION SHALL BE PAID FOR BY THE CONTRACTOR.
23. IF EXISTING IMPROVEMENTS NEED TO BE DISTURBED AND/OR REMOVED FOR THE PROPER PLACEMENT OF IMPROVEMENTS TO BE CONSTRUCTED BY THESE PLANS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING IMPROVEMENTS FROM DAMAGE. COST OF REPLACING OR REPAIRING EXISTING IMPROVEMENTS SHALL BE INCLUDED IN THE UNIT PRICE BID FOR ITEMS REQUIRING REMOVAL AND/OR REPLACEMENT. THERE WILL BE NO EXTRA COST DUE TO THE CONTRACTOR FOR REPLACING OR REPAIRING EXISTING IMPROVEMENTS.
24. WHENEVER EXISTING FACILITIES ARE REMOVED, DAMAGED, BROKEN, OR CUT IN THE INSTALLATION OF THE WORK COVERED BY THESE PLANS OR SPECIFICATIONS, SAID FACILITIES SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE WITH MATERIALS EQUAL TO OR BETTER THAN THE MATERIALS USED IN THE ORIGINAL EXISTING FACILITIES. THE FINISHED PRODUCT SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER, THE ENGINEER, AND THE RESPECTIVE REGULATORY AGENCY.
25. CONTRACTOR SHALL MAINTAIN A NEATLY MARKED SET OF FULL-SIZE AS-BUILT RECORD DRAWINGS SHOWING THE FINAL LOCATION AND LAYOUT OF ALL STRUCTURES AND OTHER FACILITIES. AS-BUILT RECORD DRAWINGS SHALL REFLECT CHANGE ORDERS, ACCOMMODATIONS, AND ADJUSTMENTS TO ALL IMPROVEMENTS CONSTRUCTED. WHERE NECESSARY, SUPPLEMENTAL DRAWINGS SHALL BE PREPARED AND SUBMITTED BY THE CONTRACTOR. PRIOR TO ACCEPTANCE OF THE PROJECT, THE CONTRACTOR SHALL DELIVER TO THE ENGINEER ONE SET OF NEATLY MARKED AS-BUILT RECORD DRAWINGS SHOWING THE INFORMATION REQUIRED ABOVE. AS-BUILT RECORD DRAWINGS SHALL BE REVIEWED AND THE COMPLETE AS-BUILT RECORD DRAWING SET SHALL BE CURRENT WITH ALL CHANGES AND DEVIATIONS REDLINED AS A PRECONDITION TO THE FINAL PROGRESS PAYMENT APPROVAL AND/OR FINAL ACCEPTANCE.
26. WHERE THE PLANS OR SPECIFICATIONS DESCRIBE PORTIONS OF THE WORK IN GENERAL TERMS BUT NOT IN COMPLETE DETAIL, IT IS UNDERSTOOD THAT ONLY THE BEST GENERAL PRACTICE IS TO PREVAIL AND THAT ONLY MATERIALS AND WORKMANSHIP OF THE HIGHEST QUALITY ARE TO BE USED.
27. CONTRACTOR SHALL BE SKILLED AND REGULARLY ENGAGED IN THE GENERAL CLASS AND TYPE OF WORK CALLED FOR IN THE PROJECT PLANS AND SPECIFICATIONS. THEREFORE, THE OWNER IS RELYING UPON THE EXPERIENCE AND EXPERTISE OF THE CONTRACTOR. PRICES PROVIDED WITHIN THE CONTRACT DOCUMENTS SHALL INCLUDE ALL LABOR AND MATERIALS NECESSARY AND PROPER FOR THE WORK CONTEMPLATED AND THAT THE WORK BE COMPLETED IN ACCORDANCE WITH THE TRUE INTENT AND PURPOSE OF THESE PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE COMPETENT, KNOWLEDGEABLE AND HAVE SPECIAL SKILLS IN THE NATURE, EXTENT AND INHERENT CONDITIONS OF THE WORK TO BE PERFORMED. CONTRACTOR SHALL ALSO ACKNOWLEDGE THAT THERE ARE CERTAIN PECULIAR AND INHERENT CONDITIONS EXISTENT IN THE CONSTRUCTION OF THE PARTICULAR FACILITIES WHICH MAY CREATE, DURING THE CONSTRUCTION PROGRAM, UNUSUAL OR UNSAFE CONDITIONS HAZARDOUS TO PERSONS, PROPERTY AND THE ENVIRONMENT. CONTRACTOR SHALL BE AWARE OF SUCH PECULIAR RISKS AND HAVE THE SKILL AND EXPERIENCE TO FORESEE AND TO ADOPT PROTECTIVE MEASURES TO ADEQUATELY AND SAFELY PERFORM THE CONSTRUCTION WORK WITH RESPECT TO SUCH HAZARDS.
28. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL STRIPING AND/OR PAVEMENT MARKINGS NECESSARY TO TIE EXISTING STRIPING INTO FUTURE STRIPING. METHOD OF REMOVAL SHALL BE BY GRINDING OR SANDBLASTING.
29. CONTRACTOR SHALL PROVIDE ALL SHORING, BRACING, SLOPING OR OTHER PROVISIONS NECESSARY TO PROTECT WORKMEN FOR ALL AREAS TO BE EXCAVATED TO A DEPTH OF 4 FEET OR MORE. FOR EXCAVATIONS 4 FEET OR MORE IN DEPTH, THE CONTRACTOR SHALL COMPLY WITH LOCAL, STATE AND NATIONAL SAFETY CODES, ORDINANCES. OR REQUIREMENTS FOR EXCAVATION AND TRENCHES.
30. ALL EXISTING GATES AND FENCES TO REMAIN UNLESS OTHERWISE NOTED ON PLANS. PROTECT ALL GATES AND FENCES FROM DAMAGE.

Utility Notes:

1. CONTRACTOR SHALL COORDINATE LOCATION OF NEW "DRY UTILITIES" WITH THE APPROPRIATE UTILITY COMPANY, INCLUDING BUT NOT LIMITED TO: TELEPHONE SERVICE, GAS SERVICE, CABLE, POWER, INTERNET.
2. EXISTING UTILITIES HAVE BEEN SHOWN ON THE PLANS USING A COMBINATION OF ON-SITE SURVEYS (BY OTHERS). PRIOR TO COMMENCING ANY WORK, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO HAVE EACH UTILITY COMPANY LOCATE IN THE FIELD, THEIR MAIN AND SERVICE LINES 48 HOURS IN ADVANCE OF PERFORMING ANY EXCAVATION WORK. THE CONTRACTOR SHALL RECORD THE BLUE STAKES ORDER NUMBER AND FURNISH ORDER NUMBER TO OWNER AND ENGINEER PRIOR TO ANY EXCAVATION. IT WILL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO DIRECTLY CONTACT ANY OTHER UTILITY COMPANIES THAT ARE NOT MEMBERS OF BLUE STAKES. IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO PROTECT ALL EXISTING UTILITIES SO THAT NO DAMAGE RESULTS TO THEM DURING THE PERFORMANCE OF THIS CONTRACT. ANY REPAIRS NECESSARY TO DAMAGED UTILITIES SHALL BE PAID FOR BY THE CONTRACTOR. THE CONTRACTOR SHALL BE REQUIRED TO COOPERATE WITH OTHER CONTRACTORS AND UTILITY COMPANIES INSTALLING NEW STRUCTURES, UTILITIES AND SERVICE TO THE PROJECT.
3. CONTRACTOR SHALL POT HOLE ALL UTILITIES TO DETERMINE IF CONFLICTS EXIST PRIOR TO BEGINNING ANY EXCAVATION. NOTIFY ENGINEER OF ANY CONFLICTS. CONTRACTOR SHALL VERIFY LOCATION AND INVERTS OF EXISTING UTILITIES TO WHICH NEW UTILITIES WILL BE CONNECTED. PRIOR TO COMMENCING ANY EXCAVATION WORK THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES IN ACCORDANCE WITH THE REQUIRED PROCEDURES.
4. CARE SHOULD BE TAKEN IN ALL EXCAVATIONS DUE TO POSSIBLE EXISTENCE OF UNRECORDED UTILITY LINES. EXCAVATION REQUIRED WITHIN PROXIMITY OF EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT HIS EXPENSE.
5. ALL VALVES AND MANHOLE COVERS SHALL BE RAISED OR LOWERED TO MEET FINISHED GRADE.
6. CONTRACTOR SHALL CUT PIPES OFF FLUSH WITH THE INSIDE WALL OF THE BOX OR MANHOLE.
7. CONTRACTOR SHALL GROUT AT CONNECTION OF PIPE TO BOX WITH NON-SHRINKING GROUT, INCLUDING PIPE VOIDS LEFT BY CUTTING PROCESS, TO A SMOOTH FINISH.
8. CONTRACTOR SHALL GROUT WITH NON-SHRINK GROUT BETWEEN GRADE RINGS AND BETWEEN BOTTOM OF INLET LID FRAME AND TOP OF CONCRETE BOX
9. SILT AND DEBRIS IS TO BE CLEANED OUT OF ALL STORM DRAIN BOXES. CATCH BASINS ARE TO BE MAINTAINED IN A CLEANED CONDITION AS NEEDED UNTIL AFTER THE FINAL BOND RELEASE INSPECTION.
10. CONTRACTOR SHALL CLEAN ASPHALT, TAR OR OTHER ADHESIVES OFF OF ALL MANHOLE LIDS AND INLET GRATES TO ALLOW ACCESS.
11. EACH TRENCH SHALL BE EXCAVATED SO THAT THE PIPE CAN BE LAID TO THE ALIGNMENT AND GRADE AS REQUIRED. THE TRENCH WALL SHALL BE SO BRACED THAT THE WORKMEN MAY WORK SAFELY AND EFFICIENTLY. ALL TRENCHES SHALL BE DRAINED SO THE PIPE LAYING MAY TAKE PLACE IN DE-WATERED CONDITIONS.
12. CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.
13. MAINTAIN A MINIMUM 18" VERTICAL SEPARATION DISTANCE BETWEEN ALL UTILITY CROSSINGS.
14. CONTRACTOR SHALL START INSTALLATION AT LOW POINT OF ALL NEW GRAVITY UTILITY LINES.
15. ALL BOLTED FITTINGS MUST BE GREASED AND WRAPPED.
16. UNLESS SPECIFICALLY NOTED OTHERWISE, MAINTAIN AT LEAST 2 FEET OF COVER OVER ALL STORM DRAIN LINES AT ALL TIMES (INCLUDING DURING CONSTRUCTION).
17. ALL WATER LINES SHALL BE INSTALLED A MINIMUM OF 60" BELOW FINISHED GRADE.
18. ALL SEWER LINES AND SEWER SERVICES SHALL HAVE A MINIMUM SEPARATION OF 10 FEET, PIPE EDGE TO PIPE EDGE, FROM THE WATER LINES. IF A 10 FOOT SEPARATION CAN NOT BE MAINTAINED, THE SEWER LINE AND WATER LINE SHALL BE LAID IN SEPARATE TRENCHES AND THE BOTTOM OF THE WATER LINE SHALL BE AT LEAST 18" ABOVE THE TOP OF THE SEWER LINE.
19. CONTRACTOR SHALL INSTALL THRUST BLOCKING AT ALL WATERLINE ANGLE POINTS AND TEES.
20. ALL UNDERGROUND UTILITIES SHALL BE IN PLACE PRIOR TO INSTALLATION OF CURB, GUTTER, SIDEWALK AND STREET PAVING.
21. CONTRACTOR SHALL INSTALL MAGNETIC LOCATING TAPE CONTINUOUSLY OVER ALL NONMETALLIC PIPE.
22. THRUST BLOCKS & RESTRAINED JOINTS WITH MEGA-LUG ADAPTERS REQUIRED ON ALL BENDS AND FITTINGS USING BLUE BOLTS. PROTECT ALL BOLTS FROM BEING ENCASED IN CONCRETE. INSTALL PER MANUFACTURER RECOMMENDATIONS.

Notice to Contractor:

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON RECORDS OF THE VARIOUS UTILITY COMPANIES AND/OR MUNICIPALITIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.

THE CONTRACTOR AGREES THAT THEY SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER AND THE ENGINEERS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.

NOTE:
1. SAWCUT EXISTING ASPHALT INSIDE FROM OUTER EDGE FOR TACK SEAL OF NEW ASPHALT
2. CONTRACTOR TO VERIFY 2% MIN. AND 5% MAX SLOPE FROM EDGE OF ASPHALT TO LIP OF GUTTER

Survey Control Note:

THE CONTRACTOR OR SURVEYOR SHALL BE RESPONSIBLE FOR FOLLOWING THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS (NSPS) MODEL STANDARDS FOR ANY SURVEYING OR CONSTRUCTION LAYOUT TO BE COMPLETED USING REEVE & ASSOCIATES, INC. SURVEY DATA OR CONSTRUCTION IMPROVEMENT PLANS. PRIOR TO PROCEEDING WITH CONSTRUCTION STAKING, THE SURVEYOR SHALL BE RESPONSIBLE FOR VERIFYING HORIZONTAL CONTROL FROM THE SURVEY MONUMENTS AND FOR VERIFYING ANY ADDITIONAL CONTROL POINTS SHOWN ON AN ALTA SURVEY, IMPROVEMENT PLAN, OR ANY ELECTRONIC DATA PROVIDED. THE SURVEYOR SHALL ALSO USE THE BENCHMARKS AS SHOWN ON THE PLAN, AND VERIFY THEM AGAINST NO LESS THAN FIVE (5) EXISTING HARD IMPROVEMENT ELEVATIONS INCLUDED ON THESE PLANS OR ON ELECTRONIC DATA PROVIDED. IF ANY DISCREPANCIES ARE ENCOUNTERED, THE SURVEYOR SHALL IMMEDIATELY NOTIFY REEVE & ASSOCIATES, INC. AND RESOLVE THE DISCREPANCIES BEFORE PROCEEDING WITH ANY CONSTRUCTION STAKING.

Erosion Control General Notes:

THE CONTRACTOR TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT. ALL MATERIAL AND WORKMANSHIP SHALL CONFORM TO GOVERNING AGENCIES ORDINANCES AND ALL WORK SHALL BE SUBJECT TO INSPECTION BY THE COUNTIES. ALSO, INSPECTORS WILL HAVE THE RIGHT TO CHANGE THE FACILITIES AS NEEDED.

CONTRACTOR SHALL KEEP THE SITE WATERED TO CONTROL DUST. CONTRACTOR TO LOCATE A NEARBY HYDRANT FOR USE AND TO INSTALL TEMPORARY METER. CONSTRUCTION WATER COST TO BE INCLUDED IN BID.

WHEN GRADING OPERATIONS ARE COMPLETED AND THE DISTURBED GROUND IS LEFT OPEN FOR 14 DAYS OR MORE, THE AREA SHALL BE FURROWED PARALLEL TO THE CONTOURS.

THE CONTRACTOR SHALL MODIFY EROSION CONTROL MEASURES TO ACCOMMODATE PROJECT PLANNING.

ALL ACCESS TO PROPERTY WILL BE FROM PUBLIC RIGHT-OF-WAYS. THE CONTRACTOR IS REQUIRED BY STATE AND FEDERAL REGULATIONS TO PREPARE A STORM WATER POLLUTION PREVENTION PLAN AND FILE A "NOTICE OF INTENT" WITH THE GOVERNING AGENCIES.

Maintenance:

ALL BEST MANAGEMENT PRACTICES (BMP'S) SHOWN ON THIS PLAN MUST BE MAINTAINED AT ALL TIMES UNTIL PROJECT CLOSE-OUT.

THE CONTRACTOR'S RESPONSIBILITY SHALL INCLUDE MAKING BI-WEEKLY CHECKS ON ALL EROSION CONTROL MEASURES TO DETERMINE IF REPAIR OR SEDIMENT REMOVAL IS NECESSARY. CHECKS SHALL BE DOCUMENTED AND COPIES OF THE INSPECTIONS KEPT ON SITE.

SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF BARRIER.

SEDIMENT TRACKED ONTO PAVED ROADS MUST BE CLEANED UP AS SOON AS PRACTICAL, BUT IN NO CASE LATER THAN THE END OF THE NORMAL WORK DAY. THE CLEAN UP WILL INCLUDE SWEEPING OF THE TRACKED MATERIAL, PICKING IT UP, AND DEPOSITING IT TO A CONTAINED AREA.

EXPOSED SLOPES:

ANY EXPOSED SLOPE THAT WILL REMAIN UNTOUCHED FOR LONGER THAN 14 DAYS MUST BE STABILIZED BY ONE OR MORE OF THE FOLLOWING METHODS:
A) SPRAYING DISTURBED AREAS WITH A TACKIFIER VIA HYDROSEED
B) TRACKING STRAW PERPENDICULAR TO SLOPES
C) INSTALLING A LIGHT-WEIGHT, TEMPORARY EROSION CONTROL BLANKET

Legend

- SW LAT = PROPOSED SECONDARY WATER LATERAL
- LD LAT = PROPOSED LAND DRAIN LATERAL
- W LAT = PROPOSED WATER LATERAL
- SS LAT = PROPOSED SEWER LATERAL
- W/8 = PROPOSED CULINARY WATER LINE
- EX.W = EXISTING CULINARY WATER LINE
- SW/8 = PROPOSED SECONDARY WATER LINE
- EX.SW = EXISTING SECONDARY WATER LINE
- SS/8 = PROPOSED SANITARY SEWER LINE
- EX.SS = EXISTING SANITARY SEWER LINE
- SD/15 = PROPOSED STORM DRAIN LINE
- EX.SD = EXISTING STORM DRAIN LINE
- LD/8 = PROPOSED LAND DRAIN LINE
- EX.LD = EXISTING LAND DRAIN LINE
- IRR/18 = PROPOSED IRRIGATION LINE
- EX.IRR = EXISTING IRRIGATION LINE
- = EXISTING FENCE LINE
- = PROPOSED FENCE LINE
- = DRAINAGE SWALE
- OHP = OVERHEAD POWER LINE
- = PROPOSED FIRE HYDRANT
- = EXISTING FIRE HYDRANT
- = PROPOSED MANHOLE
- = EXISTING MANHOLE
- = PROPOSED SEWER CLEAN-OUT
- = PROPOSED GATE VALVE
- = EXISTING GATE VALVE
- = PLUG & BLOCK
- = AIR VAC ASSEMBLY
- = DUAL SECONDARY METER
- = PROPOSED WATER METER
- = EXISTING WATER METER
- = PROPOSED REDUCER
- = EXISTING REDUCER
- = PROPOSED CATCH BASIN
- = EXISTING CATCH BASIN
- = PLUG W/ 2" BLOW-OFF
- = STREET LIGHT
- = SIGN
- = POWER POLE
- BFE = BASEMENT FLOOR ELEVATION
- BLDG = BUILDING
- BOS = BOTTOM OF STAIRS
- BOW = BOTTOM OF WALL
- BP = BEGINNING POINT
- C&G = CURB & GUTTER
- CB = CATCH BASIN
- CF = CUBIC FEET
- CFS = CUBIC FEET PER SECOND
- EP = EDGE OF PAVEMENT
- FF = FINISH FLOOR
- FFE = FINISH FLOOR ELEVATION
- FG = FINISHED GRADE
- FH = FIRE HYDRANT
- FL = FLOW LINE
- GB = GRADE BREAK
- GFE = GARAGE FLOOR ELEVATION
- INV = INVERT
- LF = LINEAR FEET
- NG = NATURAL GRADE
- OHP = OVERHEAD POWER
- PC = POINT OF CURVATURE
- PP = POWER/UTILITY POLE
- PRC = POINT OF RETURN CURVATURE
- PT = POINT OF TANGENCY
- PUE = PUBLIC UTILITY EASEMENT
- RCP = REINFORCED CONCRETE PIPE
- RIM = RIM OF MANHOLE
- ROW = RIGHT-OF-WAY
- SD = STORM DRAIN
- SL = STREET LIGHT
- SS = SANITARY SEWER
- TBC = TOP BACK OF CURB
- TOA = TOP OF ASPHALT
- TOC = TOP OF CONCRETE
- TOFF = TOP OF FINISHED FLOOR
- TOS = TOP OF STAIRS
- TOW = TOP OF WALL
- TSW = TOP OF SIDEWALK
- UGP = UNDERGROUND POWER
- W = CULINARY WATER
- WM = WATER METER
- = EXISTING ASPHALT PAVEMENT
- = PROPOSED ASPHALT PAVEMENT
- = PROPOSED CONCRETE
- = PROPOSED GRAVEL
- 4800 = EXISTING CONTOUR GRADE
- 4800 = PROPOSED CONTOUR GRADE
- = PROPOSED RETAINING WALL

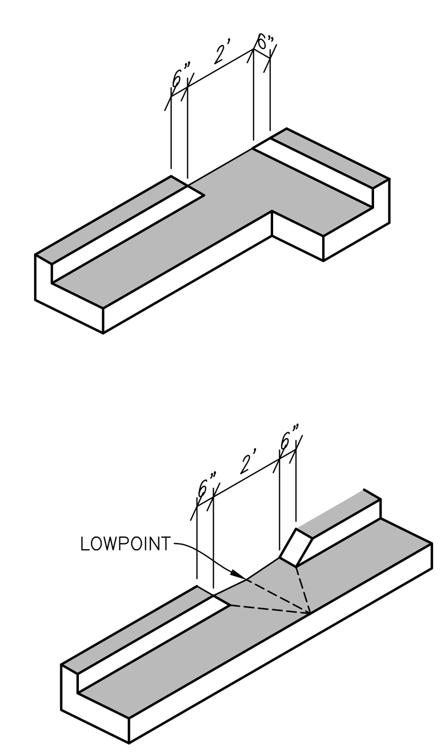
MUTCD R7-8 MUTCD R7-8



MUTCD R7-8P

NOTES:
1) WHERE PARKING SPACES THAT ARE RESERVED FOR PERSONS WITH DISABILITIES ARE DESIGNATED TO ACCOMMODATE WHEELCHAIR VANS, A "VAN ACCESSIBLE" (R7-8P) PLAQUE SHALL BE MOUNTED BELOW THE R7-8 SIGN.
2) SIGNS SHALL BE MOUNTED A MINIMUM OF 80" FROM BOTTOM OF SIGN TO TOP OF SIDEWALK.
3) SIGNS TO MEET ALL STATE AND LOCAL REGULATIONS.

ADA Parking Signage



2' Curb Cut
SCALE: NONE

UDOT Notes:

1. UDOT RESERVES THE RIGHT, AT ITS OPTION, TO INSTALL A RAISED MEDIAN ISLAND OR RESTRICT THE ACCESS TO A RIGHT-IN OR RIGHT-OUT AT ANY TIME.
2. WORK ON THE UDOT RIGHT-OF-WAY IS SEASONALLY RESTRICTED FROM OCTOBER 15 TO APRIL 15.
3. ROW WORK: WORK IS NOT ALLOWED ON THE RIGHT-OF-WAY DURING THE AM/PM PEAK TRAFFIC HOURS (6:00 – 9:00 AM AND 3:30 – 6:00 PM). ADDITIONAL WORK RESTRICTIONS OR MODIFICATIONS MAY BE IMPOSED AT THE TIME OF THE ENCROACHMENT PERMIT.
4. REPLACE ALL PAVEMENT MARKINGS IN KIND (TAPE WITH TAPE AND PAINT WITH PAINT). INSTALL ALL PAINT LINES WITH PERMANENT PAINT APPLICATION PER UDOT SPECIFICATION 02765. PAINT MUST HAVE AT LEAST 6 MONTHS LIFE AS DETERMINED BY UDOT'S PERMITS OFFICER.
5. ALL NEW PAVEMENT WORDS, ARROWS AND SYMBOLS MARKING WITHIN THE RIGHT-OF-WAY SHALL BE PRE-FORMED THERMO PLASTIC. ALL LETTERS, ARROWS, AND SYMBOLS SHALL CONFORM WITH THE "STANDARD ALPHABET FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" ADOPTED BY THE FEDERAL HIGHWAY ADMINISTRATION.
6. ALL SIGNS INSTALLED ON THE UDOT RIGHT-OF-WAY MUST BE HIGH INTENSITY GRADE (TYPE XI SHEETING) WITH A B3 SLIP BASE. INSTALL ALL SIGNS PER UDOT SN SERIES STANDARD DRAWINGS.
7. BEFORE COMMENCING WORK ON THE STATE HIGHWAY, THE GENERAL CONTRACTOR IS REQUIRED TO OBTAIN AN ENCROACHMENT PERMIT FROM THE APPLICABLE REGION'S PERMITS OFFICE BEFORE WORKING WITHIN THE STATE RIGHT-OF-WAY.
8. NO ROAD CUTS ALLOWED ON THIS JOB.
9. FOR ALL UTILITY TAPS (ROAD CUTS), USE FLOWABLE FILL PER UDOT'S CURRENT MIX DESIGN (50-150 PSI) UDOT SPEC. 03575.
10. ALL UTILITIES WITHIN THE PAVED SURFACE MUST BE BORED.
11. FOR EXCAVATIONS OUTSIDE OF THE ROADWAY, BACK FILL WITH UDOT APPROVED GRANULAR BORROW AND ROAD BASE. COMPACTION PER UDOT SPEC. 2056 AND 2721.
12. OWNER, DEVELOPER, AND/OR THE CONTRACTOR IS REQUIRED TO HIRE AN INDEPENDENT COMPANY FOR ALL TESTING WITHIN THE UDOT RIGHT-OF-WAY.
13. OWNER, DEVELOPER, AND THE CONTRACTOR ARE RESPONSIBLE FOR ANY DAMAGE TO THE UDOT RIGHT-OF-WAY THAT MAY BE DIRECTLY OR INDIRECTLY CAUSED BY THE DEVELOPMENT ACTIVITY.
14. TRAFFIC SIGNAL INSTALLATION OR MODIFICATION REQUIRES A SEPARATE WARRANTY BOND ONCE THE WORK HAS BEEN COMPLETED AND ACCEPTED. THE PERMITTEE IS RESPONSIBLE FOR HIRING AN INDEPENDENT INSPECTION COMPANY TO PERFORM INSPECTION SERVICES FOR ALL SIGNAL WORK COMPLETED. FOR A LIST OF THE UDOT APPROVED CONTRACTORS AND CONSULTANTS CONTACT THE APPROPRIATE REGIONS TRAFFIC SIGNALS ENGINEER.
15. PARTIAL CONCRETE PANEL REPLACEMENT IS NOT ALLOWED. WHEN PANELS ARE REMOVED, THE ENTIRE PANEL IS REQUIRED TO BE REPLACED PER UDOT STANDARDS, SPECIFICATIONS, AND STANDARD DRAWINGS.
16. DOUBLE SAW CUT THE CONCRETE TO PREVENT THE SPALLING OF OTHER CONCRETE PANELS AND TO AVOID OVER CUTS. OVER CUTS AND SPALLS WILL REQUIRE FULL PANEL REPLACEMENT.
17. ALL ABOVE GROUND FEATURES INCLUDING UTILITIES (POLES, FIRE HYDRANTS, BOXES, ETC.) MUST BE RELOCATED OUT OF THE AASHTO CLEAR ZONE OR A MINIMUM OF 18" BEHIND CURB.
18. REMOVAL OF EXISTING STRIPING SHALL BE BY WATERBLASTING ONLY.
19. ALL CONSTRUCTION WITHIN THE UDOT RIGHT-OF-WAY SHALL CONFORM TO THE MOST CURRENT UDOT STANDARD (INCLUDING SUPPLEMENTAL) DRAWINGS AND SPECIFICATIONS, FOUND AT WWW.UDOT.UTAH.GOV > INSIDE UDOT > PROJECT DEVELOPMENT > STANDARDS AND SPECIFICATIONS.

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Reeve & Associates, Inc.
5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 www.reeve.co
LAND PLANNERS * CIVIL ENGINEERS * LAND SURVEYORS
TRAFFIC ENGINEERS * STRUCTURAL ENGINEERS * LANDSCAPE ARCHITECTS

REVISIONS

DATE	DESCRIPTION
11-13-23 KH	UDOT Exhibit
11-14-23 ZD	Building Footprint

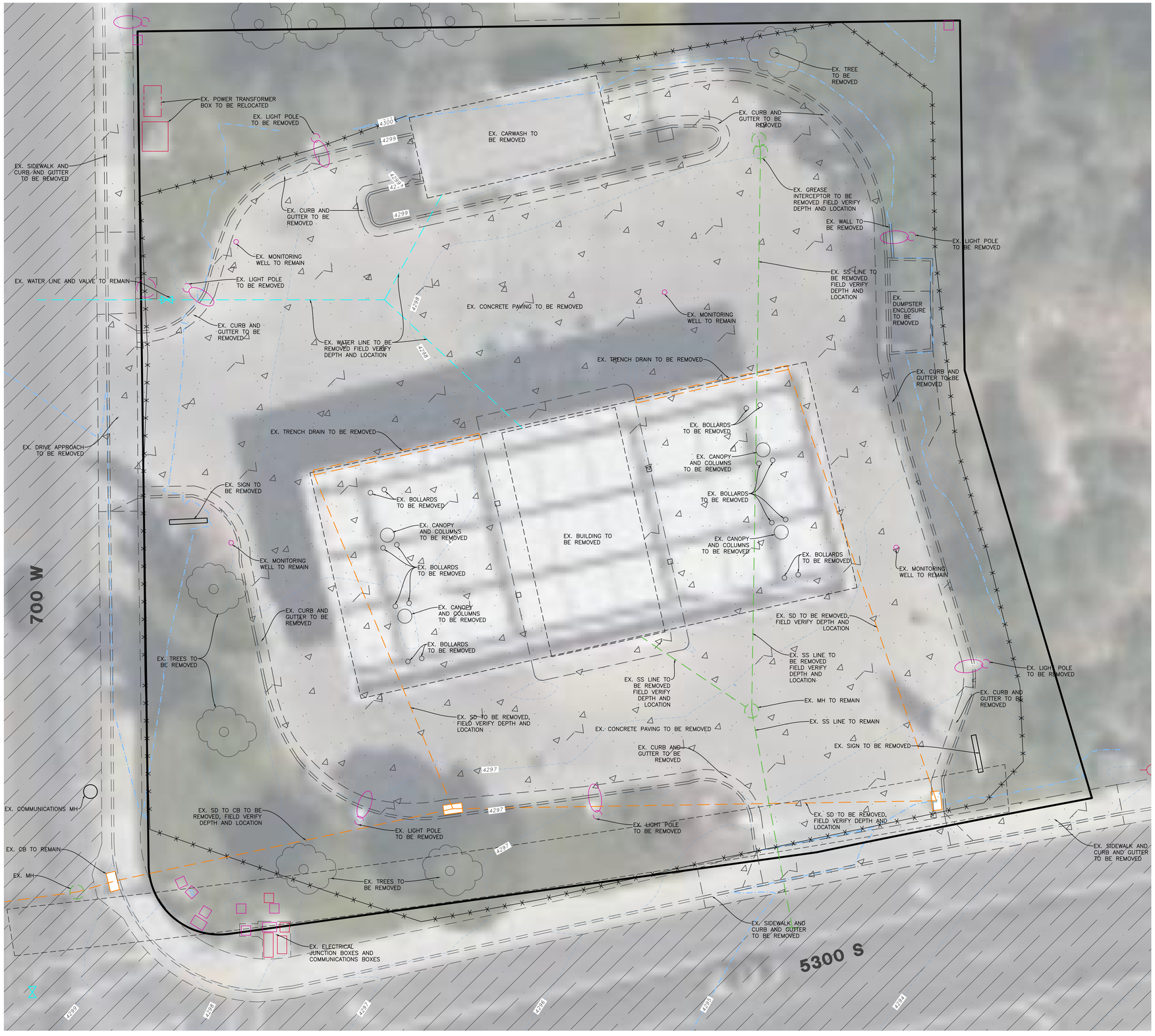
Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Notes/Legend/ Street Cross-Section

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
11/14/2023
STATE OF UTAH

Project Info.
Engineer: JEREMY A. DRAPER, P.E.
Drafter: Z. DECARIA
Begin Date: September 2023
Name: TAKE 5
90 W 5300 S
MURRAY, UT
Number: 7463-12

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10 0 10 20 30

Scale: 1" = 10'

811 Know what's below. Call before you dig.

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Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Existing/Demo Plan

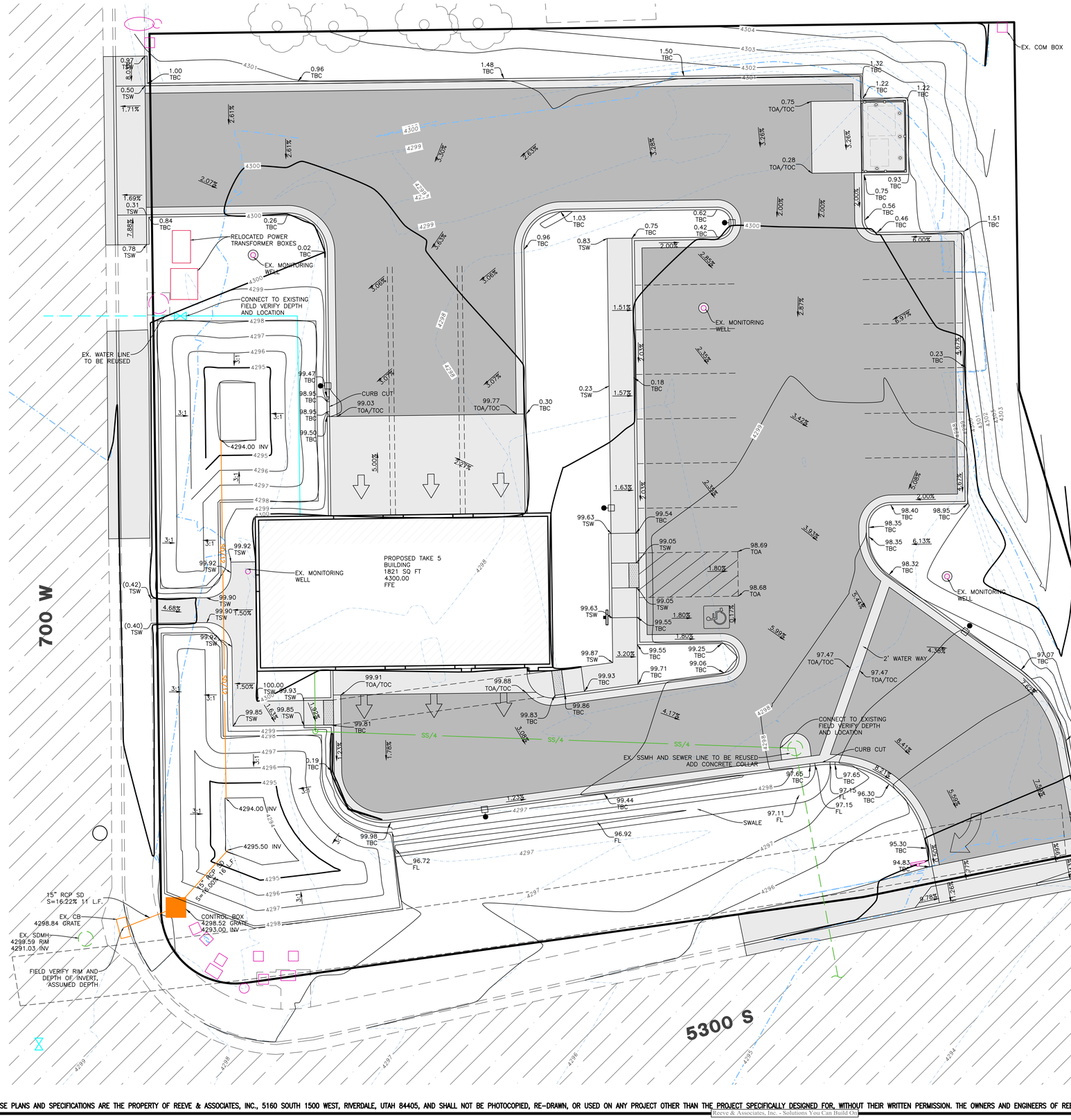
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3
12 Total Sheets

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10 0 10 20 30

Scale: 1" = 10'

Storm Runoff Calculations

Take 5 Murray, UT

7463-12 10/2/2023 KAR

The following runoff calculations are based on the Rainfall - Intensity - Duration Frequency Curve for the Murray area taken from the NOAA Atlas 14 database. Calculations have been completed for the 100-yr 24-hr storm event. Storm water runoff has been calculated for a fully developed site and limited to a release rate of 0.2 cfs/acre.

The calculations are as follows:

Drainage Area:

Total Area = 0.76 acre or 33,032 ft²

Runoff Coefficients

Paved Area	16,876	C = 0.9
Roof	1889.94	C = 0.9
Landscaped Area	14,266	C = 0.2
Weighted Runoff Coefficient	18,766	C = 0.60

LID Retention

80th Percentile Rainfall Event (d)	0.46 in
Is the site Feasible for LID?	Yes
Site Imperviousness (i)	0.57
NRCS Soil Group	C/D
Rv Equation	0.83i^1.122
R_v (Soil Group A: 0.84i^1.302; B: 0.84i^1.169; C/D: 0.83i^1.122)	0.44
V_{goal} = Rv x d x Total Site SF	557 c.f.

Volume of Run-off for 100-year Storm Event:

C = 0.60
I = See Below in/hr
A = 33032.00 ft²
Q(out) = 0.15 ft³/s (0.2 cfs per acre)

time (min)	time (sec)	i (in./hr.)	Q (cfs)	Vol. in (cf)	Vol. out (cf)	Difference (cf)
0	0	0.00	0.00	0	0	0
5	300	6.46	2.95	886	45	840
10	600	4.91	2.24	1346	91	1255
15	900	4.06	1.86	1670	136	1533
30	1800	2.74	1.25	2254	273	1981
60	3600	1.69	0.77	2780	546	2234
120	7200	0.92	0.42	3027	1092	1935
180	10800	0.622	0.28	3070	1638	1432
360	21600	0.334	0.15	3297	3276	21
720	43200	0.195	0.09	3850	6552	-2702
1440	86400	0.103	0.05	4067	13104	-9037

Orifice Sizing

Given:
Q = 0.15 cfs
2g = 64.4 ft/s²
H = 2.00 ft
Cd = 0.62 for circular openings
R = SQRT(Q/pi/(0.7*(64.4*H)^0.5))
R = 0.08 feet
0.99 inches
D = 1.99 inches
A = 3.11 inches ^2 0.0216 ft ^2

SUMMARY:

The required 100-yr storage volume is	**2,234**	**cubic feet**
The required LID Retention volume is	**557**	**cubic feet**
Orifice size is	**2.0**	**inches**

USE MINIMUM 3" DIAMETER ORIFICE TO PREVENT CLOGGING

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REVISIONS

DATE	DESCRIPTION
11-13-23 KH	UDOT Exhibit
11-14-23 ZD	Building Footprint

Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Grading/Utility Plan

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
11/14/2023
STATE OF UTAH

Project Info.

Engineer: JEREMY A. DRAPER, P.E.
Drafter: Z. DECARIA
Begin Date: September 2023
Name: TAKE 5
90 W 5300 S
MURRAY, UT
Number: 7463-12

5
12 Total Sheets

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20 0 20 40 60

Scale: 1" = 20'

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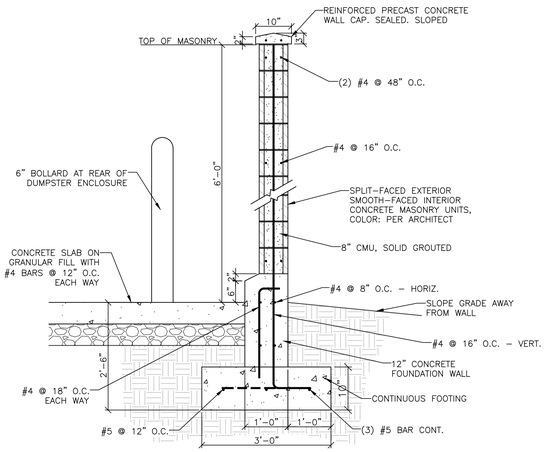
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12 Total Sheets

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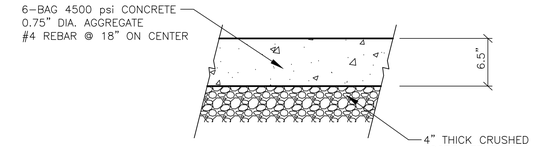
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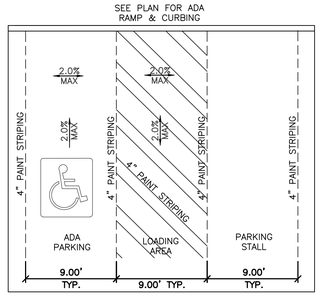


Trash Enclosure Wall Section
SCALE: NONE

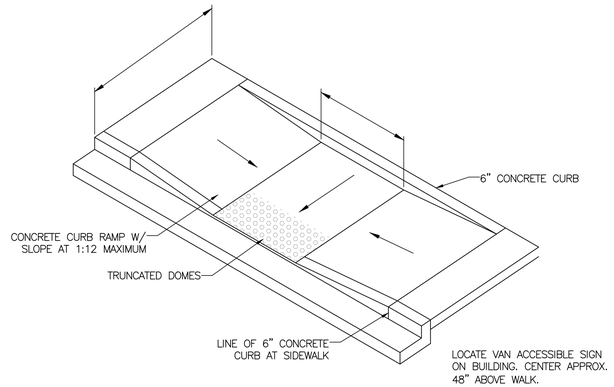


(REFER TO THE SITE SPECIFIC GEOTECHNICAL REPORT; GEOTECHNICAL REPORT TO GOVERN & CONTROL.)

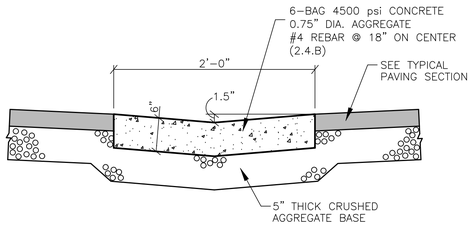
Dumpster Enclosure Concrete Pad
SCALE: NONE



Typical ADA Parking Stall Detail
SCALE: NONE

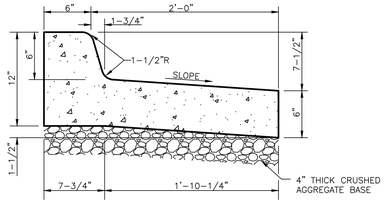


ADA Ramp Detail
SCALE: NONE
REFERENCE APWA STANDARD PLAN NO. 236



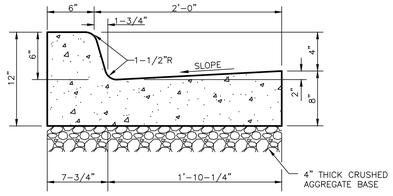
(REFER TO THE SITE SPECIFIC GEOTECHNICAL REPORT; GEOTECHNICAL REPORT TO GOVERN & CONTROL.)

2' Concrete Waterway
SCALE: NONE

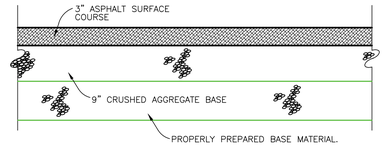


FOR USE ON PERIMETER AREA WHERE WATER DRAINS AWAY FROM CURB
SEE GRADING PLAN FOR DIRECTION OF DRAINAGE

On-Site Outfall 'L' Curb & Gutter
SCALE: NONE

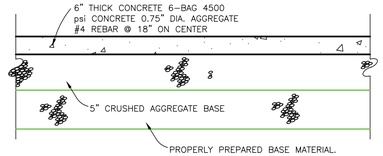


On-Site 'L' Curb & Gutter
SCALE: NONE



(REFER TO THE SITE SPECIFIC GEOTECHNICAL REPORT; GEOTECHNICAL REPORT TO GOVERN & CONTROL.)

Typical On-Site Asphalt Paving
SCALE: NONE



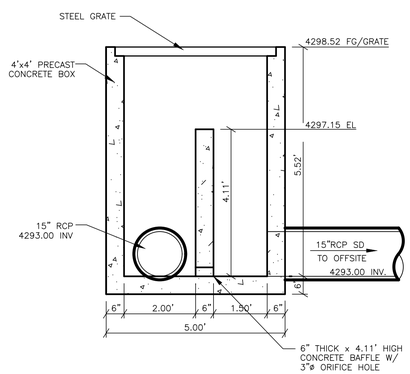
(REFER TO THE SITE SPECIFIC GEOTECHNICAL REPORT; GEOTECHNICAL REPORT TO GOVERN & CONTROL.)

Typical On-Site Concrete Paving
SCALE: NONE

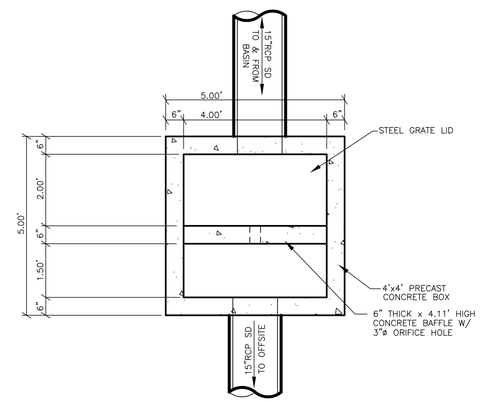
NORTH BASIN STAGE STORAGE TABLE					
ELEV	AREA (sq. ft.)	DEPTH (ft)	CONIC INC. VOL. (cu. ft.)	CONIC TOTAL VOL. (cu. ft.)	
4,294.00	91	N/A	N/A	0	BOTTOM
4,294.15	100	0.15	14	14	
4,295.00	237	0.85	139	153	
4,295.15	267	0.15	37	191	
4,295.50	346	0.35	107	298	LID
4,296.00	477	0.50	205	504	
4,296.15	523	0.15	75	579	
4,297.00	864	0.85	583	1162	
4,297.15	931	0.15	134	1297	HIGH WATER
4,298.00	1341	0.85	960	2258	
4,298.15	1378	0.15	67	2325	TOP

SOUTH BASIN STAGE STORAGE TABLE					
ELEV	AREA (sq. ft.)	DEPTH (ft)	CONIC INC. VOL. (cu. ft.)	CONIC TOTAL VOL. (cu. ft.)	
4,294.00	8	0.00	0	0	BOTTOM
4,294.15	153	0.15	9	9	
4,295.00	319	0.85	196	206	
4,295.15	356	0.15	50	257	
4,295.50	451	0.35	141	398	LID
4,296.00	607	0.50	263	661	
4,296.15	662	0.15	95	757	
4,297.00	1074	0.85	731	1488	
4,297.15	1152	0.15	166	1655	HIGH WATER
4,298.00	1626	0.85	1175	2830	
4,298.15	1737	0.15	250	3081	TOP

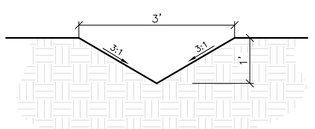
TOTAL STORAGE REQUIRED - 2234
TOTAL STORAGE PROVIDED - 2952
TOTAL LID REQUIRED - 557
TOTAL LID PROVIDED - 696



4'x4' Control Box Detail
SCALE: NONE



4'x4' Control Box Plan
SCALE: NONE



Swale Detail
NOT TO SCALE

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Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Details

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
11/14/2023
STATE OF UTAH

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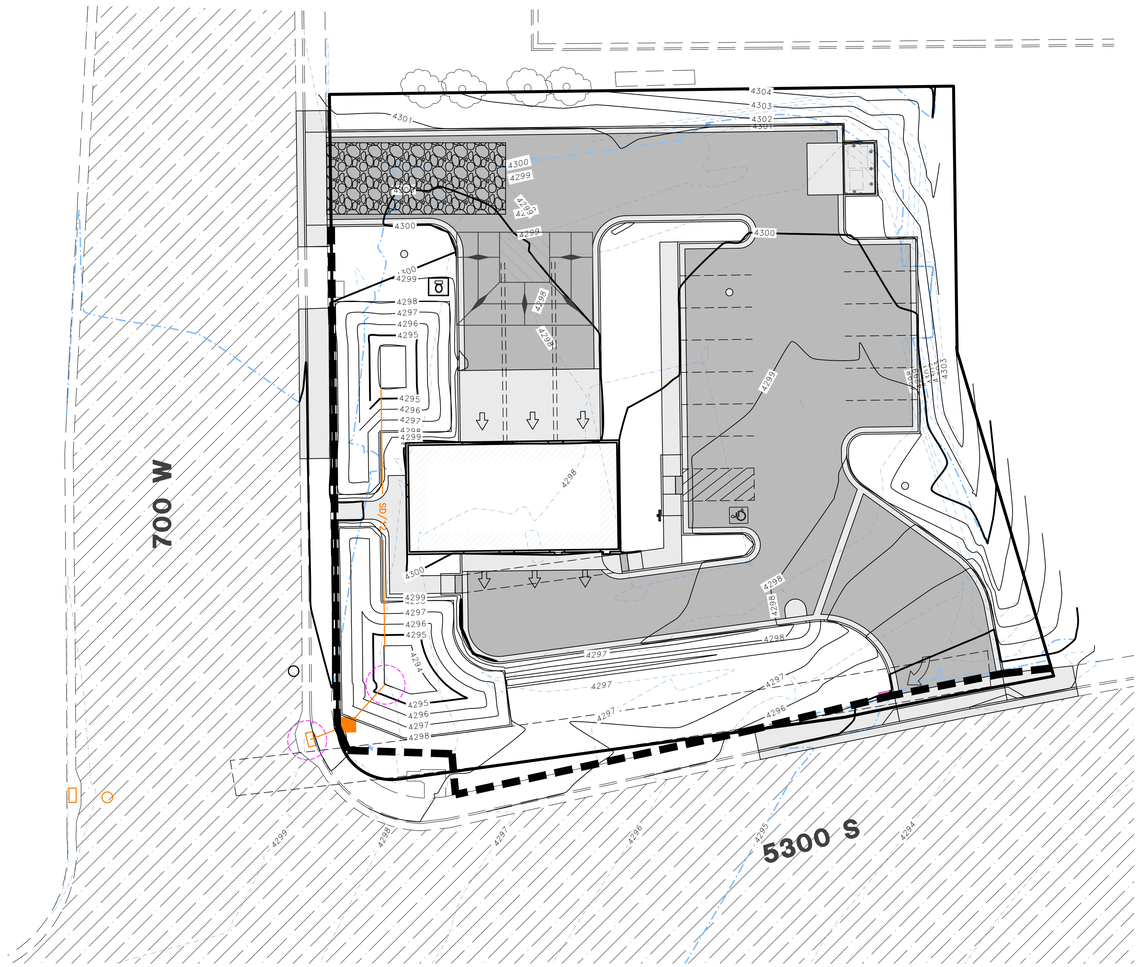
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TAKE 5
696 W 5300 S
Storm Water Pollution Prevention Plan Exhibit

MURRAY, SALT LAKE COUNTY, UTAH
SEPTEMBER, 2023





Vicinity Map
NOT TO SCALE

SWPPP Legend

- = PORTABLE TOILET
- = INLET PROTECTION TYP. (SEE DETAIL)
- = SILT FENCE (SEE DETAIL)
- = 50'x20' CONSTRUCTION ENTRANCE W/8" CLEAN GRAVEL
- = CONCRETE WASH AREA (SEE DETAIL) OR AS SELECTED BY CONTRACTOR

20 0 20 40 60
Scale: 1" = 20'

SWPPP NOTES:
1. ALL VEHICLES EXITING SITE TO PROCEED THROUGH CONSTRUCTION ENTRANCE TO REDUCE AMOUNTS OF SEDIMENT TRACKED ONTO ROADWAYS.
2. STREETS TO BE SWEPT WITHIN 1000 FEET OF CONSTRUCTION ENTRANCE DAILY IF NECESSARY

Construction Activity Schedule

- PROJECT LOCATION.....MURRAY CITY, SALT LAKE COUNTY, UTAH
- PROJECT BEGINNING DATE.....NOVEMBER 2023
- BMP'S DEPLOYMENT DATE.....NOVEMBER 2023
- STORM WATER MANAGEMENT CONTACT / INSPECTOR.....TBD (000) 000-0000
- SPECIFIC CONSTRUCTION SCHEDULE INCLUDING BMP CONSTRUCTION SCHEDULE TO BE INCLUDED WITH SWPPP BY OWNER/DEVELOPER

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Storm Water Pollution Prevention Plan Exhibit

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90 W 5300 S
MURRAY, UT
Number: 7463-12

8
12 Total Sheets

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Notes:

1. Describe all BMP's to protect storm water inlets:
All storm water inlets to be protected by straw wattle barriers, or gravel bags (see detail).

2. Describe BMP's to eliminate/reduce contamination of storm water from:
   a. Equipment / building / concrete wash areas:
      To be performed in designated areas only and surrounded with silt fence barriers.
   b. Soil contaminated by soil amendments:
      If any contaminates are found or generated, contact environmental engineer and contacts listed.
   c. Areas of contaminated soil:
      If any contaminates are found or generated, contact environmental engineer and contacts listed.
   d. Fueling area:
      To be performed in designated areas only and surrounded with silt fence.
   e. Vehicle maintenance areas:
      To be performed in designated areas only and surrounded with silt fence.
   f. Vehicle parking areas:
      To be performed in designated areas only and surrounded with silt fence.
   g. Equipment storage areas:
      To be performed in designated areas only and surrounded with silt fence.
   h. Materials storage areas:
      To be performed in designated areas only and surrounded with silt fence.
   i. Waste containment areas:
      To be performed in designated areas only and surrounded with silt fence.
   j. Service areas:
      To be performed in designated areas only and surrounded with silt fence.

3. BMP's for wind erosion:
Stockpiles and site as needed to be watered regularly to eliminate / control wind erosion

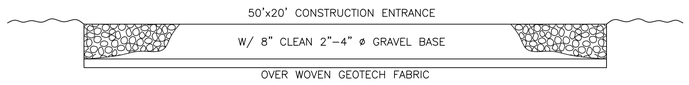
4. Construction Vehicles and Equipment:
   a. Maintenance
      – Maintain all construction equipment to prevent oil or other fluid leaks.
      – Keep vehicles and equipment clean, prevent excessive build–up of oil and grease.
      – Regularly inspect on–site vehicles and equipment for leaks, and repair immediately.
      – Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment on–site.
      – Segregate and recycle wastes, such as greases, used oil or oil filters, antifreeze, cleaning solutions, automotive batteries, hydraulic, and transmission fluids.
   b. Fueling
      – If fueling must occur on–site, use designated areas away from drainage.
      – Locate on–site fuel storage tanks within a bermed area designed to hold the tank volume.
      – Cover retention area with an impervious material and install in in a manner to ensure that any spills will be contained in the retention area. To catch spills or leaks when removing or changing fluids.
      – Use drip pans for any oil or fluid changes.
   c. Washing
      – Use as little water as possible to avoid installing erosion and sediment controls for the wash area.
      – If washing must occur on–site, use designated, bermed wash areas to prevent waste water discharge into storm water, creeks, rivers, and other water bodies.
      – Use phosphate–free, biodegradable soaps.
      – Do not permit steam cleaning on–site.

5. Spill Prevention and Control
   a. Minor Spills:
      Minor spills are those which are likely to be controlled by on–site personnel. After contacting local emergency response agencies, the following actions should occur upon discovery of a minor spill:
      – Contain the spread of the spill.
      – If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (i.e. absorbent materials, cat litter, and / or rags).
      – If the spill occurs in dirt areas, immediately contain the spill by constructing an earth dike. Dig up and properly dispose of contaminated soil.
      – If the spill occurs during rain, cover the impacted area to avoid runoff.
      – Record all steps taken to report and contain spill.
   b. Major Spills:
      On–site personnel should not attempt to control major spills until the appropriate and qualified emergency response staff have arrived at the site. For spills of federal reportable quantities, also notify the National Response Center at (800) 424–8802. A written report should be sent to all notified authorities. Failure to report major spills can result in significant fines and penalties.

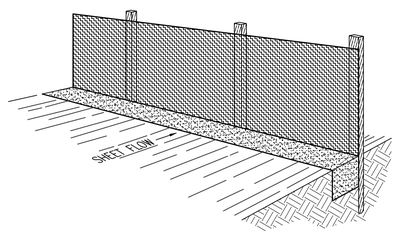
6. Post Roadway / Utility Construction
   a. Maintain good housekeeping practices.
   b. Enclose or cover building material storage areas.
   c. Properly store materials such as paints and solvents.
   d. Store dry and wet materials under cover, away from drainage areas.
   e. Avoid mixing excess amounts of fresh concrete or cement on–site.
   f. Perform washout of concrete trucks offsite or in designated areas only.
   g. Do not wash out concrete trucks into storm drains, open ditches, streets or streams.
   h. Do not place material or debris into streams, gutters or catch basins that stop or reduce the flow of runoff water.
   i. All public streets and storm drain facilities shall be maintained free of building materials, mud and debris caused by grading or construction operations. Roads will be swept within 1000' of construction entrance daily, if necessary.
   j. Install straw wattle around all inlets contained within the development and all others that receive runoff from the development.

7. Erosion Control Plan Notes
   a. The contractor will designate an emergency contact that can be reached 24 hours a day 7 days a week.
   b. A stand–by crew for emergency work shall be available at all times during potential rain or snow runoff events. Necessary materials shall be available on site and stockpiled at convenient locations to facilitate rapid construction of emergency devices when rain or runoff is eminent.
   c. Erosion control devices shown on the plans and approved for the project may not be removed without approval of the engineer of record. If devices are removed, no work may continue that have the potential of erosion without consulting the engineer of record. If deemed necessary erosion control should be reestablished before this work begins.
   d. Graded areas adjacent to fill slopes located at the site perimeter must drain away from the top of the slope at the conclusion of each working day. this should be confirmed by survey or other means acceptable to the engineer of record.
   e. All silt and debris shall be removed from all devices within 24 hours after each rain or runoff event.
   f. Except as otherwise approved by the inspector, all removable protective devices shown shall be in place at the end of each working day and through weekends until removal of the system is approved.
   g. All loose soil and debris, which may create a potential hazard to offsite property, shall be removed from the site as directed by the engineer of record of the governing agency.
   h. The placement of additional devices to reduce erosion damage within the site is left to the discretion of the engineer of record.
   i. Desilting basins may not be removed or made inoperable without the approval of the engineer of record and the governing agency.
   j. Erosion control devices will be modified as need as the project progresses and plans of these changes submitted for approval by the engineer of record and the governing agency.

8. Conduct a minimum of one inspection of the erosion and sediment controls every two weeks. Maintain documentation on site.
   a. Part III.D.4 of general permit UTRC00000 identifies the minimum inspection requirements.
   b. Part II.D.4.C identifies the minimum inspection report requirements.
   c. Failure to complete and/or document storm water inspections is a violation of part III.D.4 of Utah General Permit UTR 300000.

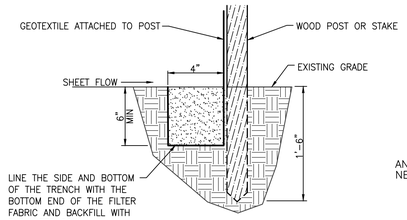


Cross Section 50' x 20' Construction Entrance



Perspective View

Figure 2



Section

INSTALLATION
The silt fence should be installed prior to major soil disturbances in the drainage area. The fence should be placed across the slope along a line of uniform elevation wherever flow of sediment is anticipated. Table 1 shows generally–recommended maximum slope lengths (slope spacing between fences) at various site grades for most silt fence applications.

TABLE 1:
Recommended Maximum Slope Lengths for Silt Fence
(Richardson & Middlebrooks, 1991)

Slope Steepness (%)	Max. Slope Length m (ft)
<2%	30.5m (100ft)
2–5%	22.9m (75ft)
5–10%	15.2m (50ft)
10–20%	7.6m (25ft)
>20%	4.5m (15ft)

PREFABRICATED SILT FENCE ROLLS
*Excavate a minimum 15.2cm x 15.2cm (6"x6") trench at the desired location.
*Unroll the silt fence, positioning the post against the downstream wall of the trench.
*Adjacent rolls of silt fence should be joined be nesting the end post of one fence into the other. Before nesting the end posts, rotate each post until the geotextile is wrapped completely around the post, then abut the end posts to create a tight seal as shown in Figure 1.
*Drive posts into the ground until the required fence height and/or anchorage depth is obtained.
*Bury the loose geotextile at the bottom of the fence in the upstream trench and backfill with natural soil, tamping the backfill to provide good compaction and anchorage. Figure 2 illustrates a typical silt fence installation and anchor trench placement.

FIELD ASSEMBLY:
*Excavate a minimum 15.2cm x 15.2cm (6"x6") trench at the desired location.
*Drive wooden posts, or steel posts with fastening projections, against the downstream wall of the trench. Maximum post spacing should be 2.4–3.0m (8–10ft). Post spacing should generally be less than three (3) times the height of the fence.
*If a steel or plastic mesh is required to reinforce the geotextile, it shall have a minimum mesh opening of 15.2cm (6").
*Fasten the mesh to the upslope side of the posts using heavy duty wire staples, tie wires or hog strings. Extend the mesh into the bottom of the trench.
*The geotextile shall then be stapled or wired to the posts. An extra 20–50cm (8–20") of geotextile shall extend into the trench.

INSPECTION
*Inspect the silt fence daily during periods of rainfall, immediately after significant rainfall event and weekly during periods of no rainfall. Make any repairs immediately.
*When sediment deposits behind the silt fence are one–third of the fence height, remove and properly dispose of the silt accumulations. Avoid damage to the fabric during cleanout.

REMOVAL
*Silt fence should not be removed until construction ceases and the upslope area has been properly stabilized and/or revegetated.

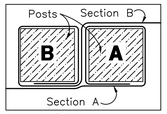
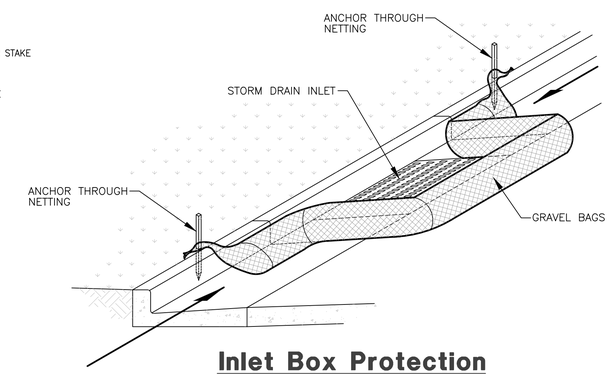


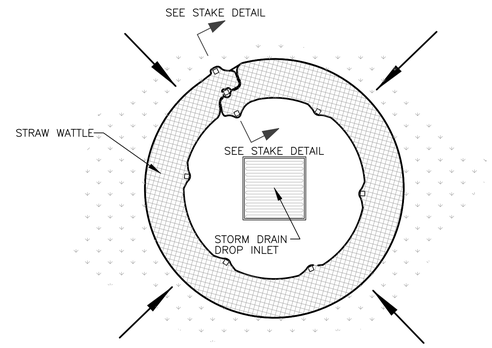
Figure 1:
Top View of
Roll–to–Roll Connection

Silt Fence Detail

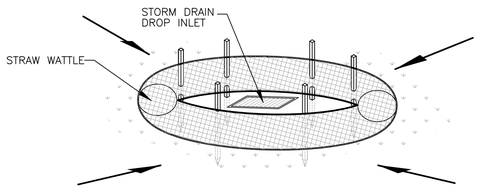
SCALE: NONE



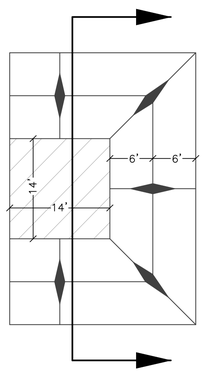
Inlet Box Protection

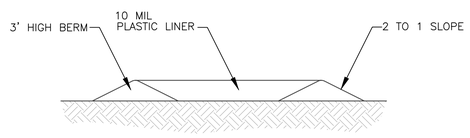


Plan View



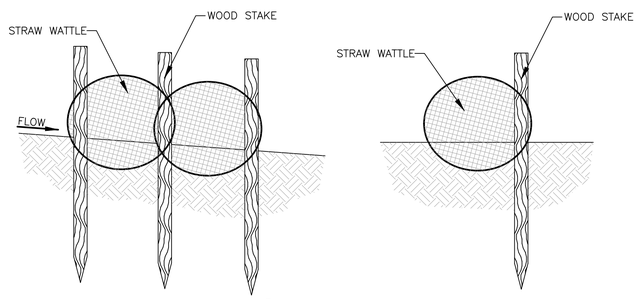
Drop Inlet Protection





Concrete Washout Area w/ 10 mil Plastic Liner

SCALE: NONE



Stake Detail

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REVISIONS

DATE		DESCRIPTION
11–13–23	KH	UDOT Exhibit
11–14–23	ZD	Building Footprint

Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Storm Water Pollution Prevention Plan Details

REGISTERED PROFESSIONAL ENGINEER
5338480
JEREMY A. DRAPER
11/14/2023
STATE OF UTAH

Project Info.
Engineer: JEREMY A. DRAPER, P.E.
Drafter: Z. DECARIA
Begin Date: September 2023
Name: TAKE 5
90 W 5300 S
MURRAY, UT
Number: 7463–12

9
12 Total Sheets

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PLANT TABLE

TREES

	Symb.	Scientific Name	Common Name	Size
5		Koelreuteria p. 'Gocanzam'	Golden Rain Tree	1.5" cal.
6		Malus sp. 'Red Barron'	Red Barron Crab.	1.5" cal.

SHRUBS

	Symb.	Scientific Name	Common Name	Size
13		Buddleia x weyeriana 'Sungold'	Sungold Butterfly Bush	5 gal.
12		Forsythia x intermedia 'Lynwood Gold'	Lynwood Gold Forsythia	5 gal.
21		Juniperus communis 'Mondap'	Alpine Carpet Juniper	5 gal.
25		Physocarpus opulifolius 'Dart's Gold'	Dart's Gold Ninebark	5 gal.
18		Rhus aromatica 'Autumn Amber'	Autumn Amber Sumac	5 gal.
24		Rosa sp. 'Blushing Knockout'	Blushing Knockout Rose	5 gal.
10		Taxus media 'Hicksii'	Hicks Yew	5 gal.

ORNAMENTAL GRASS

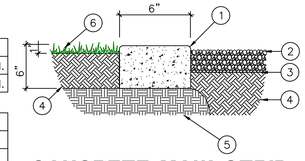
	Symb.	Scientific Name	Common Name	Size
45		Calamagrostis 'Karl Foerster'	Karl Foerster Grass	1 gal.

PERENNIALS

	Symb.	Scientific Name	Common Name	Size
21		Echinacea p. 'Double Decker'	Coneflower	1 gal.

OTHER

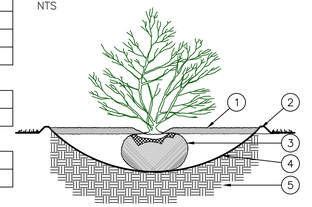
Symb.	Description	Type
	Turf Grass – Sod Kentucky Bluegrass Mix – 3 Species Minimum	Sod
	Rock Mulch – Place mulch over 5 ounce Professional weed barrier cloth in all planting beds. Contractor to provide samples to owner for approval prior to delivery.	1" Diameter 3" Depth
	Rock Mulch – Place mulch over 5 ounce Professional weed barrier cloth in all planting beds. Contractor to provide samples to owner for approval prior to delivery.	4–6" Dia. 4" Depth
	Concrete Mow Strip	6"x6"
	Landscape Boulders	3'–5' Diameter



1. 6"X6" CONCRETE MOW STRIP WITH RADIUS EDGES
2. BARK/ROCK MULCH
3. FINISH GRADE/WEED FABRIC
4. TOPSOIL
5. COMPACTED SUBGRADE
6. LAWN

CONCRETE MOW STRIP

NTS

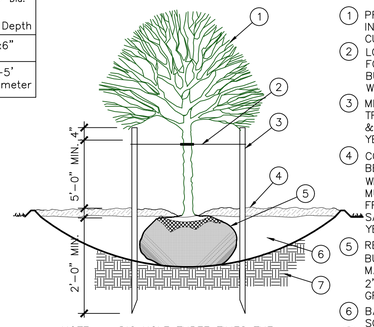


1. 3" OF BARK/ROCK MULCH. BRUSH AWAY FROM STEM
2. 3" EARTH BERM SAUCER. REMOVE AFTER ONE YEAR
3. REMOVE BURLAP/PACKAGING MAT. PLANT SHRUBS 2"–3" HIGHER THAN GRADE.
4. BACKFILL WITH NATIVE SOIL
5. UNDISTURBED SOIL

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

SHRUB PLANTING

NTS



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

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

DECIDUOUS TREE PLANTING

NTS

PLANTING NOTES

1. This planting plan is diagrammatic and plant locations are approximate. Contractor to verify all quantities and do their own takeoffs.
2. Field survey, stake, and string the layout and locations of site construction features for approval before actual construction. The layout shall conform to the exact location and grades of the intended work to be done.
3. Coordinate all aspects of the planting plans with the irrigation system and call the attention of the owners representative to any conflict in placement of plants in relation to sprinkler heads, lines and valves at the time the landscape installation phase takes place.
4. Finish grade of soil in lawn areas shall be 2" below pads, walks, paving, headers and curbs to accommodate sod. Grades in areas when seeded shall be 1" lower than adjacent edge.
5. Native topsoil shall be stockpiled and stored on site whenever possible for use in landscape areas.
6. All sod areas shall receive a minimum 4" depth of native topsoil and shrub beds shall receive a minimum of 8" of native topsoil.
7. Imported topsoil, when required, shall come from a reputable source, have a loam consistency and be free of weeds and debris.
8. Face each shrub to give the most pleasing look as seen from a line perpendicular to the wall or walk to/from which it is viewed.
9. Edging or Curbing shall be installed as shown on the plan to separate grass from shrub beds.
10. Shrub beds shall drain properly to prevent standing water from occurring. Call improperly draining planters or planting beds to the attention of the owners representative before planting. Provide positive drainage away from all structures and walls. Slope landscape areas 2% minimum.
11. Place mulch in all shrub beds and perennial areas. See schedule for depth and type. Do not crowd out small perennial plants with excessive mulch.
12. Provide a 3' minimum diameter circle "tree ring" around trees that are placed within lawn areas. Place a 3" min. depth of mulch. Use shredded bark mulch or match mulch being used for shrub beds.
13. The contractor shall maintain all work until work is complete and accepted by the Owner. The contractor shall maintain and guarantee all work for a period of THIRTY DAYS from the date of final acceptance by the Owner. Maintenance shall include mowing, weeding, fertilizing and irrigating.

811 Know what's below. Call before you dig.

10 0 10 20 30

Scale: 1" = 10'

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REVISIONS

DESCRIPTION	DATE

Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Landscape

LICENSED LANDSCAPE ARCHITECT
6431681
NATHAN C. PETERSON
11/14/2023
STATE OF UTAH

Project Info.

Engineer: JEREMY A. DRAPER, P.E.
Drafter: N. PETERSON
Begin Date: September 2023
Name: TAKE 5
90 W 5300 S
MURRAY, UT
Number: 7463–12

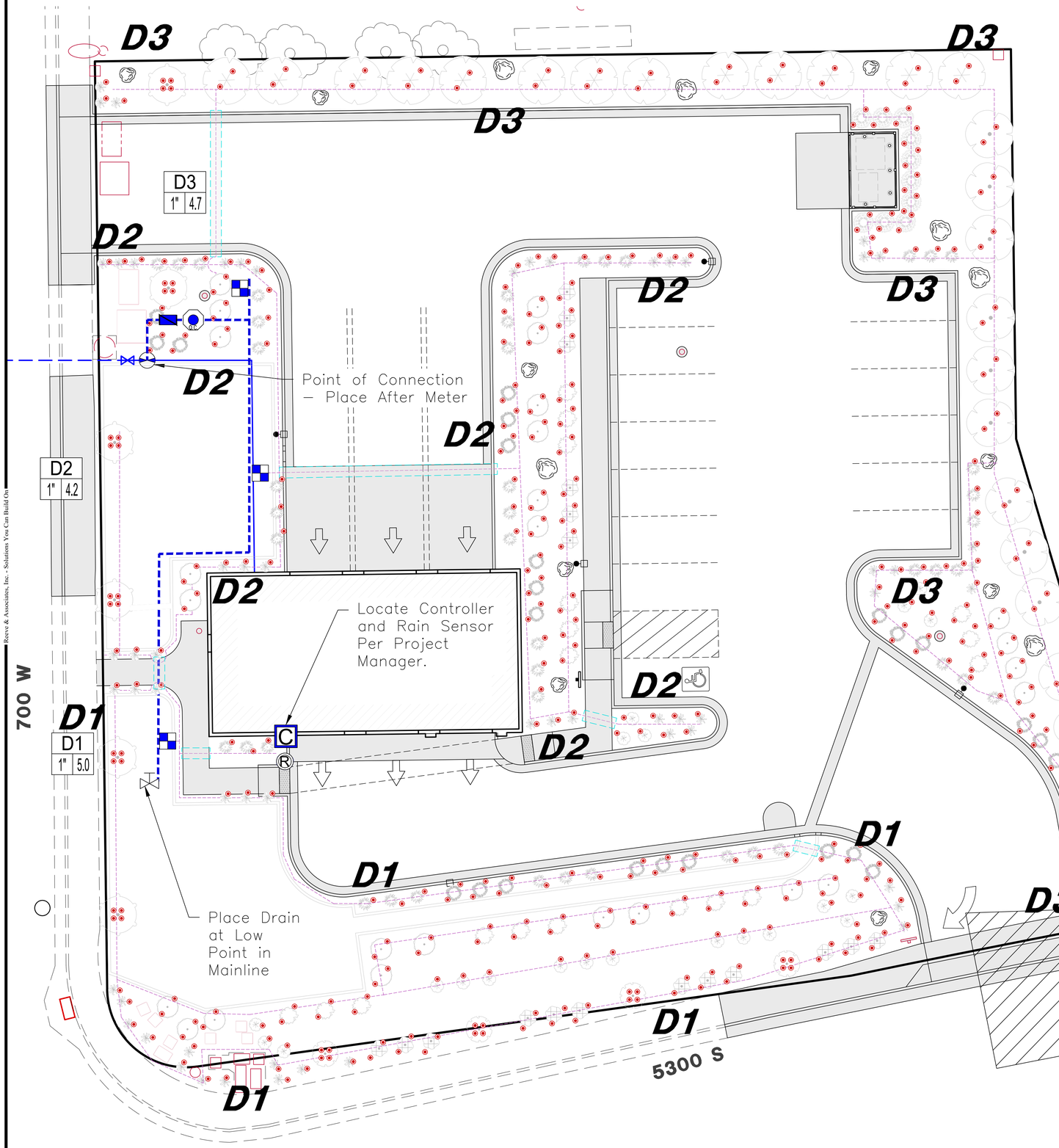
10

12 Total Sheets

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IRRIGATION SCHEDULE

EQUIP.	SYMBOL	MANUFACT.	CATALOG #	DESCRIPTION
		FORD	BC11–444SWM–NL	STOP AND WASTE
		WILKINS STRONGBOX	975XL2 SBBC–30AL	BACKFLOW PREVENTION ASSEMBLY ALUMINUM BACKFLOW ENCLOSURE
		RAINBIRD	MODEL 44LRC	1" QUICK COUPLING VALVE
		FORD	B111–333–NL 3/4"	MANUAL DRAIN VALVE ASSEMBLY
	C	RAINBIRD	ESP LXME	120 VAC–INDOOR/OUTDOOR CONTROLLER
	R	RAINBIRD	WR2–RC	WIRELESS RAIN SENSOR
		RAINBIRD	XCZ–100–PRB–COM	DRIP REMOTE CONTROL VALVE

PIPE	SYMBOL		CATALOG #	DESCRIPTION
		SCH. 40	PVC MAIN LINE	PRESSURIZED IRRIGATION MAIN LINE
1"		SCH. 40	PVC LATERAL LINE	IRRIGATION LINE; SIZE AS FOLLOWS: 3/4" (0–8 gpm), 1" (8–12 gpm), 1 1/4" (12–22 gpm), 1 1/2" (22–30 gpm), 2" (30–50 gpm)
		SCH. 40	PVC SLEEVE	2 X DIA. – USE UNDER PAVEMENT

DRIP	SYMBOL	MANUFACT.	CATALOG #	DESCRIPTION
		RAINBIRD	XB–T–20–PC	XERIBUG DRIP EMITTERS, 2 GAL/HOUR 1 EMITTER PER 1 GALLON PLANT 2 EMITTERS PER 5 GALLON PLANT 4 EMITTERS PER TREE (OUTSIDE TURF AREAS)
		PVC/POLY	DRIP LATERAL LINE	1/2"–3/4" LATERAL SUPPLY LINE

LABELS

D1 ← DRIP VALVE NUMBER
1" | 5 ← GALLONS PER MINUTE
VALVE SIZE

D1 DRIP IRRIGATION ZONE NUMBER

Know what's below. Call before you dig.

10 0 10 20 30
Scale: 1" = 10'

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TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS
DESCRIPTION
DATE

Take 5
696 W 5300 S
MURRAY CITY, SALT LAKE COUNTY, UTAH

Irrigation Plan

LICENSED LANDSCAPE ARCHITECT
6418861
NATHAN C. PETERSON
11/14/2023
STATE OF UTAH

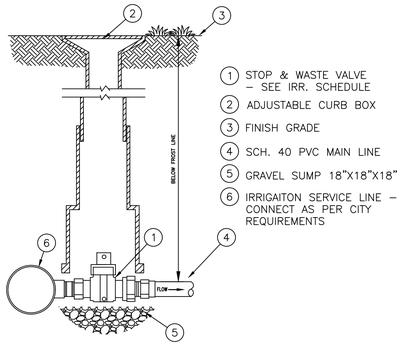
Project Info.
Engineer: JEREMY A. DRAPER, P.E.
Drafter: N. PETERSON
Begin Date: September 2023
Name: TAKE 5
90 W 5300 S
MURRAY, UT
Number: 7463–12

11
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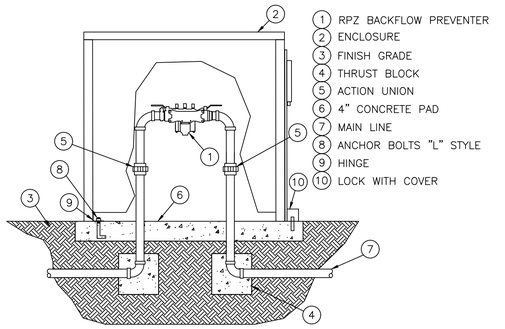
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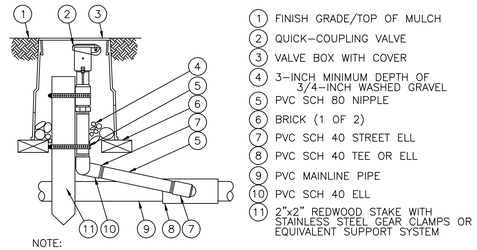
STOP & WASTE ASSEMBLY

N.T.S.



BACKFLOW PREVENTER

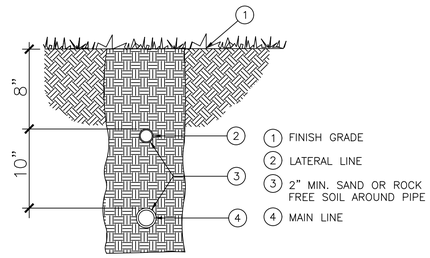
N.T.S.



NOTE:
FURNISH FITTINGS AND PIPING NOMINALLY SIZED IDENTICAL TO NOMINAL QUICK COUPLING VALVE INLET SIZE.

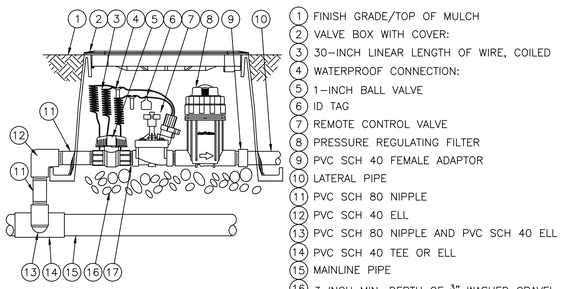
QUICK COUPLING VALVE

N.T.S.



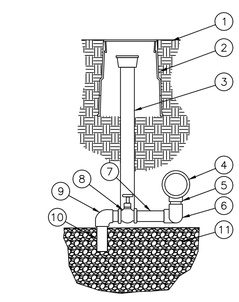
TRENCH SECTION

N.T.S.



REMOTE CONTROL DRIP VALVE

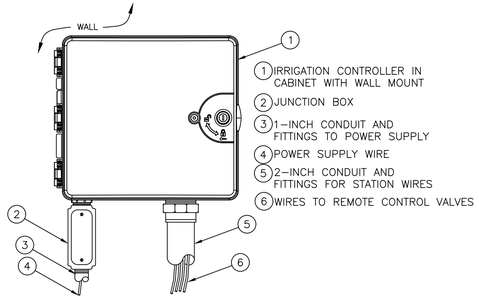
N.T.S.



MANUAL DRAIN VALVE

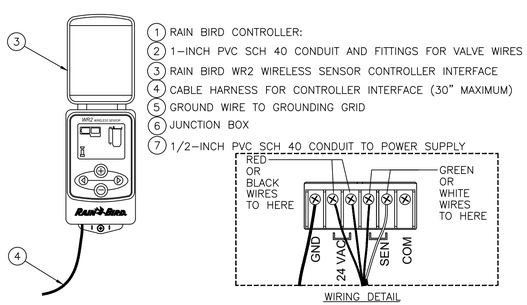
N.T.S.

Note: Place at low spot(s) in Mainline to allow for proper winterization



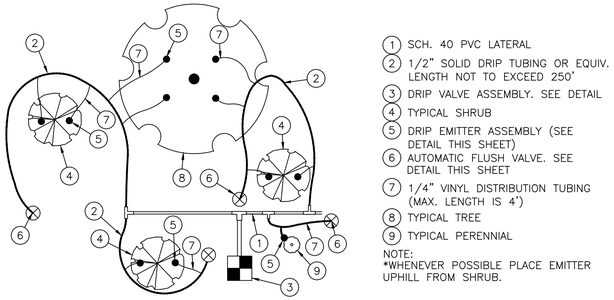
IRRIGATION CONTROLLER

N.T.S.



WIRELESS RAIN SENSOR

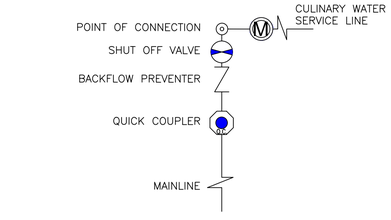
N.T.S.



NOTE:
*WHENEVER POSSIBLE PLACE EMITTER UPHILL FROM SHRUB.

DRIP ZONE LAYOUT

N.T.S.



POINT OF CONNECTION–CULINARY

N.T.S.

IRRIGATION NOTES

1. This irrigation plan is diagrammatic and equipment locations are approximate. Equipment and piping may be shown outside landscape areas for graphic purposes only.
2. Place sleeves where piping crosses under paved areas prior to being paved. Sleeves shall be twice the diameter of the largest irrigation line to be sleeved.
3. The intention of the Contracting Officer's rep and consultant is to have constructed, under the construction contract, a complete project ready for use. The general contractor and his sub–contractors should view these documents accordingly. Any apparent question, incomplete area, areas of discrepancy or contradiction in these documents should be brought to the attention of the Contracting Officer's rep prior to bidding. By submitting a bid on this project, the bidder certifies that he has fully informed himself of the requirements of the construction drawings, as they relate to his work, and has read and understands the notes and specifications. Also, that any questions, incomplete areas, discrepancies or contradictions have been brought to the attention of the Contracting Officer's rep and that they have been resolved.
4. Willful installation of this work when it is obvious there exists job/site conditions or discrepancies on the plans that are detrimental to the project and that should be brought to the attention of the Contracting Officer's rep will be back–charged to the installer. The installer assumes full responsibility to correct the work at his own expense if he fails to give the required notification for resolution.
5. Existing landscape outside the limits of disturbance shall be protected and repaired, if damaged, at no additional cost to the owner.
6. Refer to irrigation schedule and details for more information.
7. Hand trenching only shall occur within the drip line of existing trees. Machine trenching is strictly prohibited.
8. Consult with General Contractor, in conjunction with the design team, before cutting through tree roots 2" or larger.
9. Spray, rotor and rotary heads are intended to provide head to head coverage with minimal over–spray onto non–irrigated areas.
10. Quantities provided are for convenience only. The contractor is required to verify quantities and adjust bid and construction accordingly. If major discrepancies exist, notify Contracting Officer's rep immediately.
11. Water pressure shall be verified on site by landscape contractor.
12. See Irrigation schedule for lateral line sizing, typical for all irrigated areas.

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REVISIONS
DESCRIPTION | DATE

Take 5
696 W 5300 S
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Irrigation Details

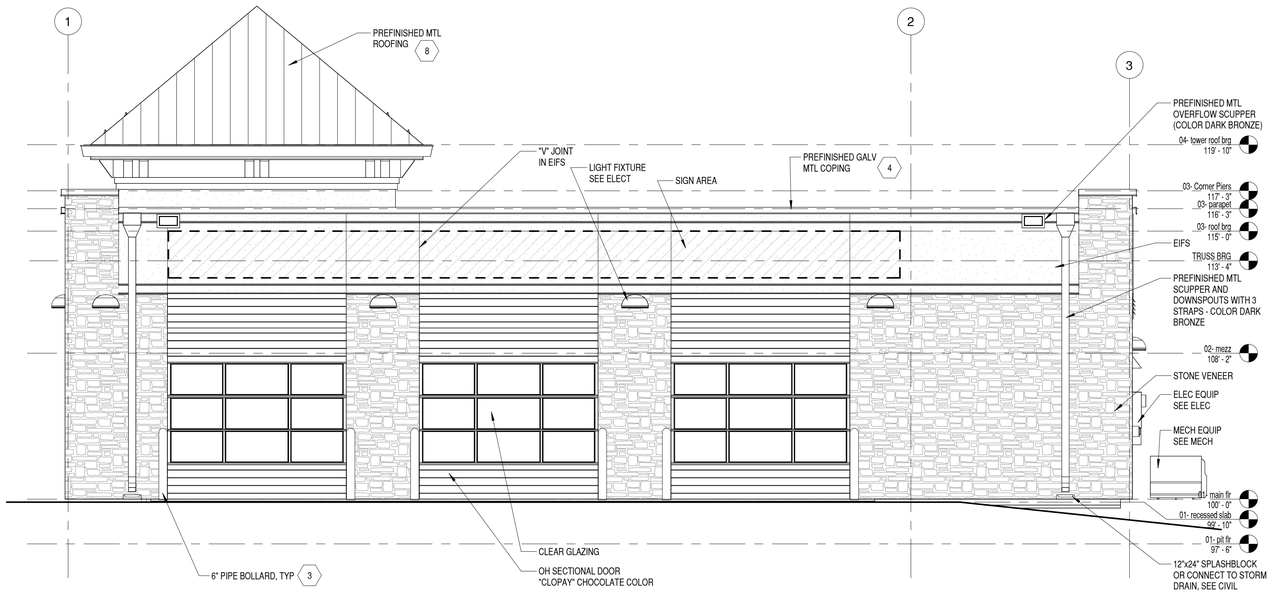
LICENSED LANDSCAPE ARCHITECT
NATHAN C. PETERSON
11/14/2023
STATE OF UTAH

Project Info.
Engineer: JEREMY A. DRAPER, P.E.
Drafter: N. PETERSON
Begin Date: September 2023
Name: TAKE 5, 90 W 5300 S, MURRAY, UT
Number: 7463–12

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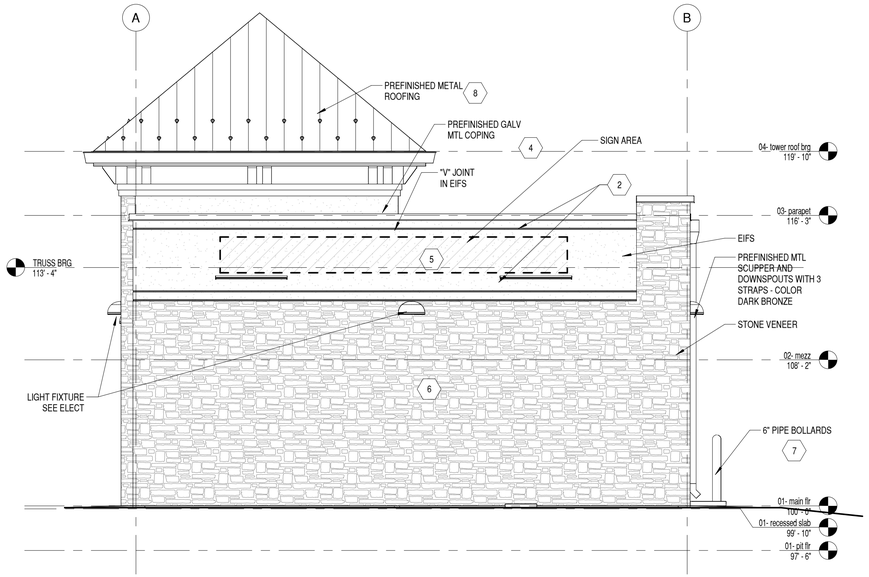
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C1 NORTH EXTERIOR ELEVATION

1/4" = 1'-0"

0 2' 4' 8'



A1 EAST EXTERIOR ELEVATION

1/4" = 1'-0"

0 2' 4' 8'

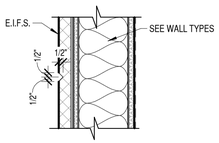
NOTE: SIGNAGE TO BE PERMITTED SEPARATELY

EXTERIOR FINISH SCHEDULE

MARK	AREA	COATS	COLOR	FINISH
1	EIFS MAIN COLOR	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #7693, STONEBRIAR	FINISH TO MATCH STO "MEDIUM SAND" OR DRYVIT "SANDPEBBLE FINE"
2	EIFS ACCENT BAND AND FACE EIFS CORNICE	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #7678, COTTAGE CREAM	FINISH TO MATCH STO "MEDIUM SAND" OR DRYVIT "SANDPEBBLE FINE"
3	EIFS WAINSCOT	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #6097, STURDY BROWN	FINISH TO MATCH STO "MEDIUM SAND" OR DRYVIT "SANDPEBBLE FINE"
4	COPING	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #6871, POSITIVE RED	FINISH TO MATCH KYNAR 500 PREFINISHED
5	EIFS SECONDARY	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #6871, POSITIVE RED	FINISH TO MATCH STO "MEDIUM SAND" OR DRYVIT "SANDPEBBLE FINE"
6	BUILDING STONE	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	SAN FRANCISCO	"CULTURE STONE" COBBLEFIELD
7	BOLLARDS	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #6871, POSITIVE RED	FINISH TO MATCH KYNAR 500 PREFINISHED
8	ROOFING	SEE SPECIFICATION AND MANUFACTURER'S REQMENTS	MATCH SW COLOR #6871, POSITIVE RED	FINISH TO MATCH KYNAR 500 PREFINISHED

EXTERIOR FINISH NOTES:

1. EIFS TO BE STO THERM CI CLASSIC, DRYIT OUTSULATION PLUS MD OR APPROVED EQUAL.
2. EIFS TO HAVE ULTRA-HIGH IMPACT MESH TO 4'-0" AFF
3. EIFS TO HAVE HIGH IMPACT MESH FROM 4'-0" AFF TO 8'-0" AFF
4. EIFS TO HAVE STANDARD IMPACT MESH ABOVE 8'-0" AFF
5. METAL COPING TO BE PREFINISHED, 24 FA GALVALUME WITH KYNAR 500, 2.0 MILS THICK FLOUROCARBON FINISH
6. CULTURE STONE:
   A. INSTALL MANUFACTURED STONE MASONRY VENEER IN ACCORDANCE WITH MVMA INSTALLATION GUIDE FOR ADHERED MANUFACTURED STONE VENEER, ASTM C 1780 AND APPLICABLE CODES.
   B. INSTALL/APPLY RELATED MATERIALS IN ACCORDANCE WITH TYPE OF SUBSTRATE AND MANUFACTURED STONE VENEER MANUFACTURE'S INSTALLATION INSTRUCTIONS.
   C. WALLS: PROVIDE WITH SINGLE COLOR AND TEXTURE THROUGHOUT.
   D. WALLS: PROVIDE WITH BLENDED COLOR / TEXTURE SPECIFIED.
      1. SPECIAL SHAPES: COLOR TO MATCH STONES SPECIFIED.
         a. PROVIDE STONES MANUFACTURED SPECIFICALLY FOR INSTALLATION AT CORNERS WHERE LOCATED ON THE DRAWINGS.
      2. MORTAR JOINTS
         a. STYLE:
            1. TIGHT FIT JOINTS.
         b. STRIKE ALL GROUT JOINTS FLUSH.
      3. STONE DIRECTION:
         a. RANDOM PLACEMENT
      4. WINDOWS, DOORS & WALL OPENINGS:
         a. BUTT FIELD STONES TO WALL OPENING.
      5. SILLS: INSTALL SILLS AT ALL WINDOWS



A5 EIFS V-JOINT

1 1/2" = 1'-0"

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TAKE 5 OIL CHANGE

x MURRAY, UTAH

MARK	DATE	DESCRIPTION
A	11/15/22	RFI

ISSUE DATE:	11/14/23
PROJECT NO:	23610
CAD DWG FILE:	
DRAWN BY:	Author
CHK'D BY:	Checker

CONCEPT PLAN

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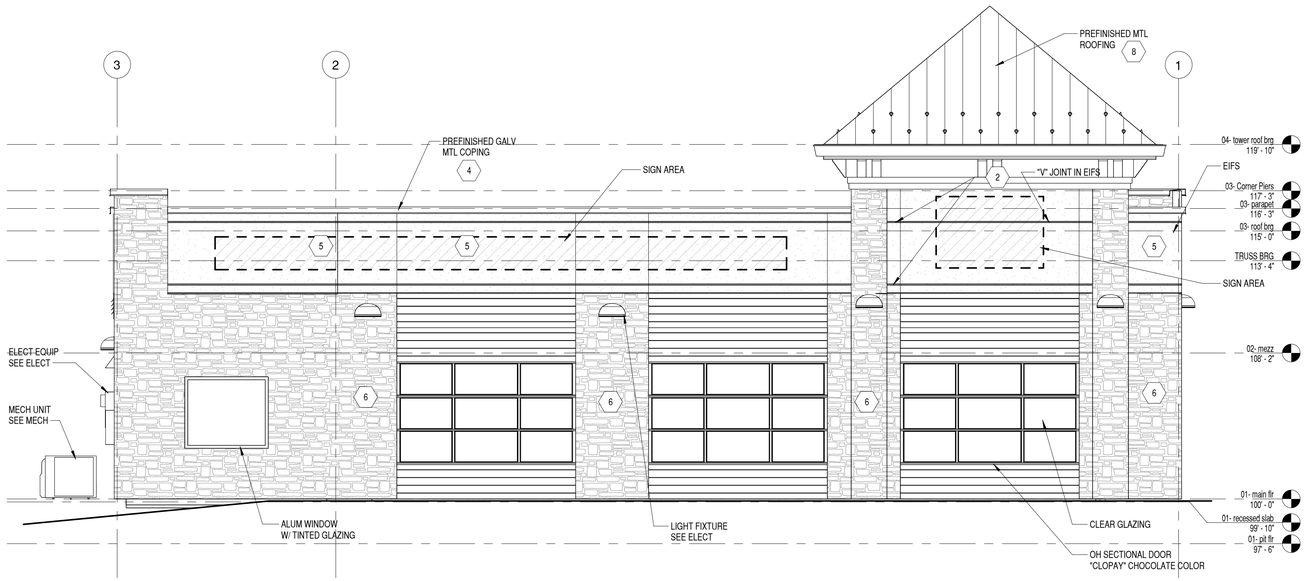
EXTERIOR ELEVATIONS

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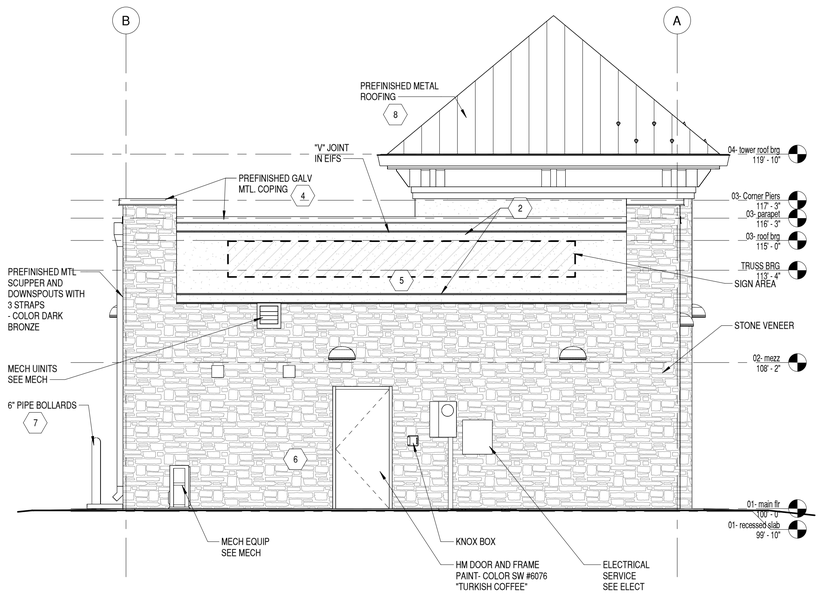
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C1 SOUTH EXTERIOR ELEVATION

1/4" = 1'-0"

0 2' 4' 8'



A1 WEST EXTERIOR ELEVATION

1/4" = 1'-0"

0 2' 4' 8'

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NOTE: SIGNAGE TO BE PERMITTED SEPARATELY

EXTERIOR FINISH SCHEDULE

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EXTERIOR FINISH NOTES:

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      5. SILLS: INSTALL SILLS AT ALL WINDOWS

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x MURRAY, UTAH

MARK	DATE	DESCRIPTION

ISSUE DATE:	11/14/23
PROJECT NO:	23610
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CHK'D BY:	Checker

CONCEPT PLAN

14 NOV 2023

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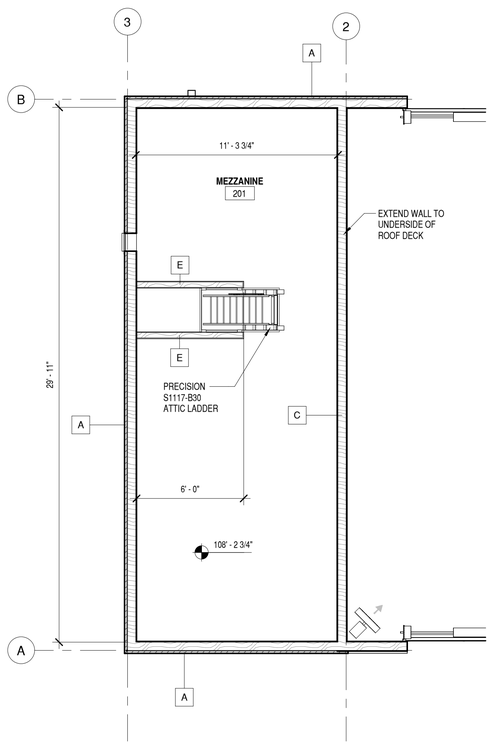
EXTERIOR ELEVATIONS

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A-202

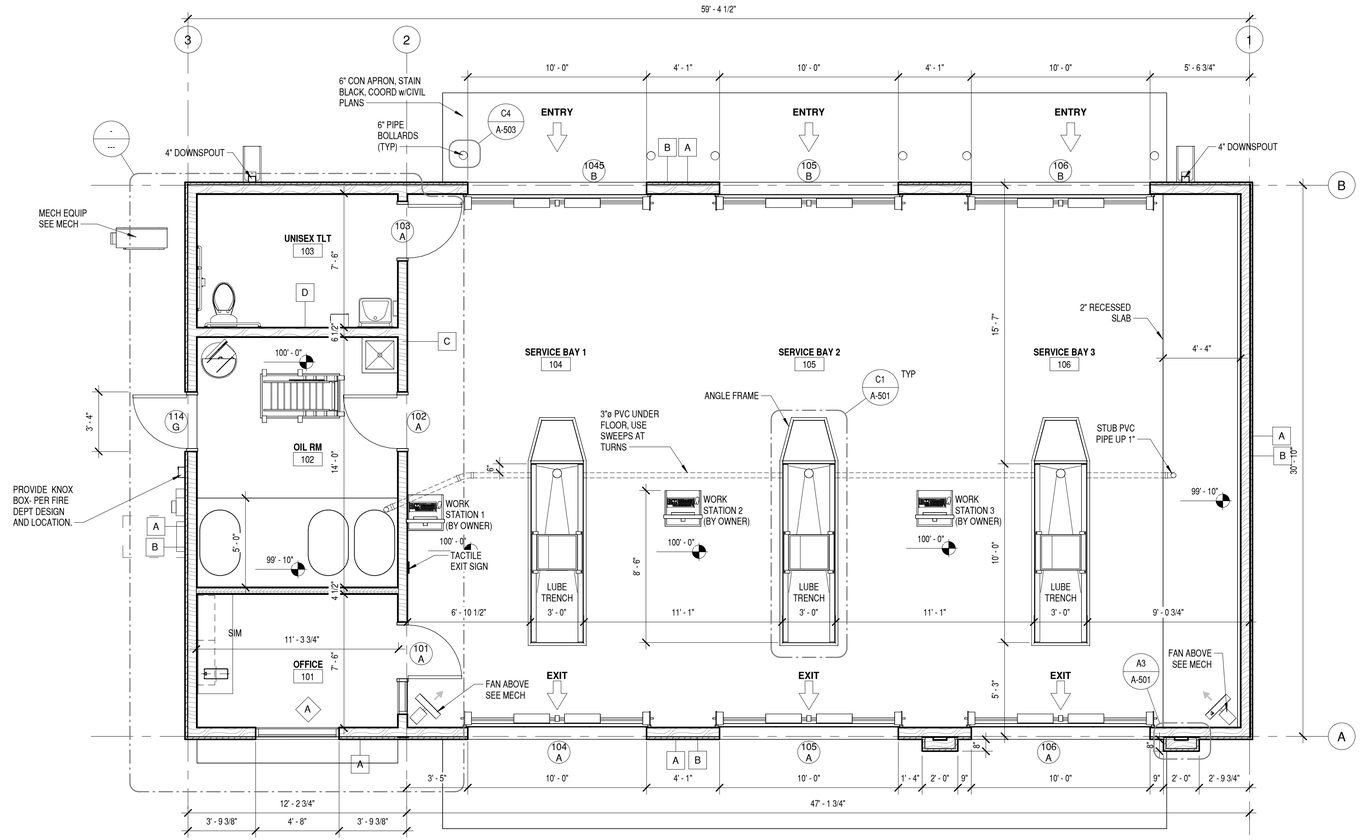
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B1 MEZZANINE PLAN

1/4" = 1'-0"



B2 MAIN FLOOR PLAN

1/4" = 1'-0"

NOTES:

GENERAL:
1. INSULATE OFFICE WALLS R-21 VALUE FACED BATT INSULATION.
2. CUSTOMERS WAIT INSIDE THIER CARS. NO WAITING AREA IS PROVIDED.

OPERATIONAL NOTES:
1. CLASS 1 LIQUIDS ARE NOT STORED IN TAKE 5 BUILDINGS.

2. CLASS IIIB LIQUID (MOTOR OIL) IS STORED IN THE BACK ROOM AREA WHICH IS VENTILATED AS REQUIRED. SEE MECHANICAL SHEETS.

3. NO LIQUIDS ARE STORED IN THE LUBE TRENCHES

4. VEHICLES ARE OPERATED ONLY FOR THE DURATION OF MOVING THEM INTO AND OUT OF THE BUILDING.

TRENCH FINISH
(2) COATS OF EPOXY AT WALLS AND FLOOR OF TRENCHES. RUST-OLEUM 2-PART EPOXY 6500 SYSTEM. COLOR: NAVY GRAY

LUBE PITS
PIT FRAMES AND ROLLING DRAIN PANS TO BE PROVIDED BY G.C., G.C. IS TO COORDINATE MANUFACTURE OF PIT RAILS AND TO CONTACT MANUFACTURER OF OIL DRAIN PANS AND SCHEDULE DELIVERY. G.C. IS TO TAKE DELIVERY AND INSTALL FRAMES AND ROLLING PANS PRIOR TO SUBSTANTIAL COMPLETION.
OIL DRAIN PAN MANUFACTURER CONTACT INFORMATION:
JEFF JOHNSON, JEFF@OFAB.NET
(352)427-1713

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STATE OF UTAH LICENSED ARCHITECT STEVEN J. PETERSON 6830295-0301

10/07/22

TAKE 5 OIL CHANGE

5504 W 13400 S HERRIMAN, UTAH

MARK	DATE	DESCRIPTION
A	11/15/22	RFI

ISSUE DATE:	10/07/22
PROJECT NO:	22190
CAD DWG FILE:	
DRAWN BY:	Author
CHK'D BY:	Checker

PERMIT SET

07 OCT 2022

SHEET TITLE

FLOOR PLANS

SHEET NO:

A-101

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TAKE 5 OIL CHANGE, LLC
STORAGE SYSTEM REVIEW

SYSTEMS ARE DIVIDED INTO 2 SEPARATE PROCESSES.

1. **USED OIL -**
AFTER A TAKE 5 TECHNICIAN DIRECTS AND GUIDES THE CUSTOMER OVER A SHALLOW TRENCH THE USED OIL IS DRAINED INTO A ROLLING DRAIN PAN THAT IS POSITIONED UNDER THE VEHICLE. THE OIL FILTER IS ALSO CHANGED ABOVE THE DRAIN PAN. WHEN NECESSARY, THE DRAIN PANS ARE EMPTIED TO DESIGNATED OIL TANKS VIA ¾ GASOLINE-RATED HOSE, ROUTED THROUGH CHASES TO THE STORAGE ROOM. THE HOSES ARE CONNECTED VIA A VACUUM DIAPHRAGM PUMP, SO THE SYSTEM IS TOTALLY NON-PRESSURIZED. 100% OF TAKE 5'S USED OIL AND OIL FILTERS ARE RECLAIMED AND RECYCLED BY OSHA CERTIFIED USED OIL RECYCLING COMPANIES.

2. **NEW OIL -**
WE STORE NEW BULK OILS IN RHINO GRAVITY FEED SYSTEMS INSIDE THE BAY AREAS. THESE SYSTEMS HAVE NO PUMPS OR PRESSURE, ARE APPROVED BY OSHA AND DOT, AND ARE LOCATED WITHIN A RECESSED AREA WITHIN THE SHOP. TAKE 5 ALSO CARRIES A MINIMUM AMOUNT OF RETAIL BOTTLED OILS FOR SPECIALTY VEHICLES AS NECESSARY.

NOTES -
1. TYPE OF LIQUIDS BEING STORED ARE CLASS IIIB LUBRICANTS ONLY.
2. ALL TANKS ARE ABOVE GROUND, SINGLE WALL. 3 ARE STEEL AND 12 ARE HIGH-DENSITY POLYETHYLENE.
3. VOLUME OF TANKS:
(3) WASTE OIL TANKS OF APPROXIMATELY 330 GALLONS EACH
(9) NEW OIL RHINO TANKS OF 120 GALLONS EACH
(4) NEW OIL RHINO TANKS OF 220 GALLONS EACH

FOR CONTAINMENT - BULK TANKS ARE PLACED WITHIN RECESSED AREAS. THE RECESSED AREAS ARE CONNECTED VIA 3" CHASES TO THE SHALLOW TRENCHES, PROVIDING SECONDARY CONTAMINATION. EACH TRENCH MEASURES 10' X 3' X 30", YIELDING A TOTAL EXTRA VOLUME OF 1,683 GALLONS, IN ADDITION TO THE RECESSED AREAS WHERE THE TANKS ARE LOCATED.
4. TAKE 5 DOES NOT INCORPORATE DRAINS IN THEIR SHOP, SHALLOW TRENCH, OR STORAGE AREAS. THE ONLY DRAIN IN A TAKE 5 IS LOCATED IN THE RESTROOM.
5. WE MOP OUR FLOORS, RINSING THE MOP IN A MOP SINK THAT IS CONNECTED DIRECTLY TO AN OIL SEPARATOR.
6. THE OIL SEPARATOR IS CLEANED/EMPTIED/MAINTAINED BY THE OSHA CERTIFIED RECYCLING COMPANY THAT COLLECTS AND RECYCLES THE USED OIL.
7. SOME TANKS ARE PLACED ON SHOP FLOOR BETWEEN BAYS.

GENERAL NOTES:
1. ALL ITEMS ARE TO BE PURCHASED, PROVIDED AND INSTALLED BY THE GENERAL CONTRACTOR. UNLESS NOTED OTHERWISE. GENERAL CONTRACTOR SHALL USE NATIONAL PURCHASING ACCOUNTS FOR VENDORS LISTED BELOW.

#	EQUIPMENT SCHEDULE		PURCHASED BY	INSTALLED BY	VENDOR
1.	NEW OIL TOTE TANKS		VENDOR	VENDOR	
2.	USED OIL TANKS		GC	VENDOR	
3.	PIT FRAMES		GC	GC	
4.	ROLLING DRAIN PANS		GC	GC	
5.	OFFICE SHELVING		GC	GC	
6.	OIL SEPARATOR	PLUMBER	GC	GC	
7.	COOLANT MACHINE		CORP	FZ	
8.	PODIUM WORK STATIONS		CORP	FZ	
9.	COMPUTERS		CORP	FZ	
10.	COMPUTER MONITORS		CORP	FZ	
11.	DROP SAFE		CORP	FZ	
12.	AIR COMPRESSOR		VENDOR	VENDOR	
13.	USED OIL PUMPS		VENDOR	VENDOR	

GC GENERAL CONTRACTOR
FZ FRANCHISEE
CORP TAKE 5 CORPORATE
VENDOR PREFERRED INSTALLER

Current list of
Equipment Installers
Take 5 Oil Change
February 11, 2019

Texas, Oklahoma and Louisiana--

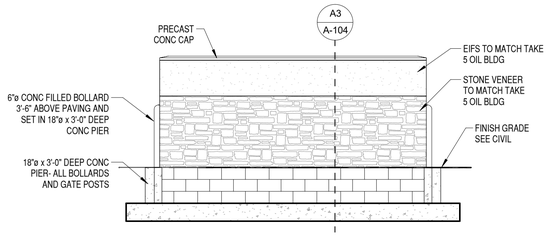
KT Equipment Services Inc
Tim Harryman
1530 Rutherford Rd
Waxahachie, TX 75165
214-675-9516
Tim@ktequipserv.com

Florida up to Atlanta

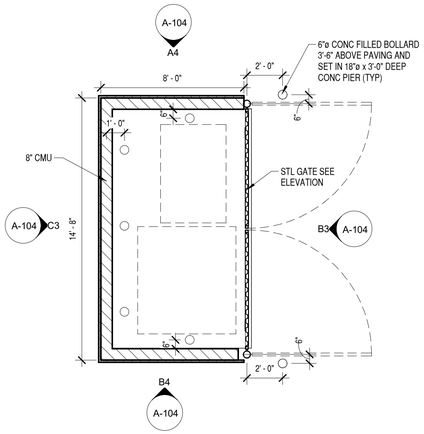
Best Lubrication Equipment, LLC
Glenn Best
P.O. Box 819
Sharpes, FL 32959
321-261-6450
Glennbest1@gmail.com

North Carolina, South Carolina, Virginia and Tennessee

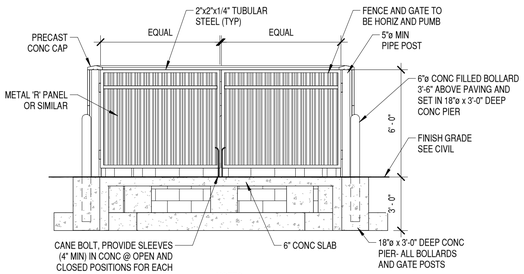
Professional Maintenance and Equipment
Mark Holden
8015 Maxwell Road
Wade, NC 28395
910-591-8915
Mark@Promaineequip.com



C3 DUMPSTER ENCLOSURE ELEVATION
1/4" = 1'-0"

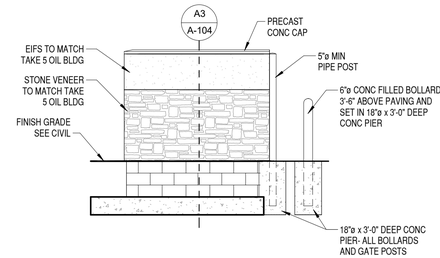


C4 DUMPSTER ENCLOSURE PLAN
1/4" = 1'-0"

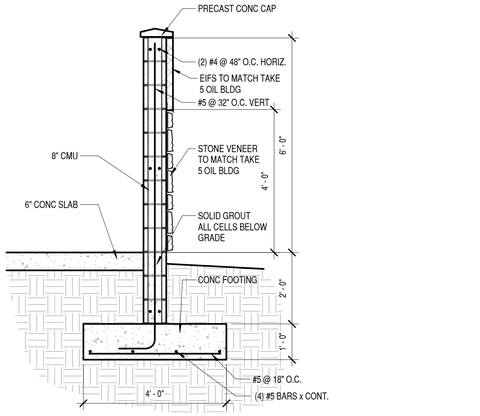


NOTES:
1. ALL HARDWARE TO BE GALVANIZED UNLESS OTHERWISE NOTED.
2. ALL METAL FRAMING, STEEL GATE ASSEMBLY, POST AND HARDWARE TO BE PRIMED AND PAINTED WITH MIN 1 COAT PRIMER AND 2 COATS FINISH. PAINT TO BE OIL BASED AND COLOR TO BE DARK BRONZE SW6076.

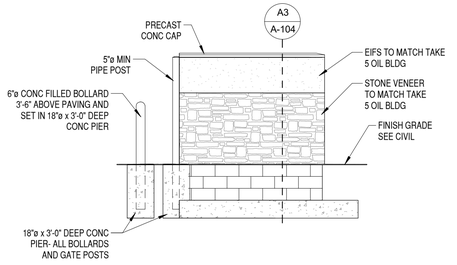
B3 DUMPSTER GATE ELEVATION
1/4" = 1'-0"



B4 DUMPSTER ENCLOSURE ELEVATION
1/4" = 1'-0"



A3 DUMPSTER WALL SECTION
1/2" = 1'-0"



A4 DUMPSTER ENCLOSURE ELEVATION
1/4" = 1'-0"

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X MURRAY, UTAH

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ISSUE DATE:	11/14/23
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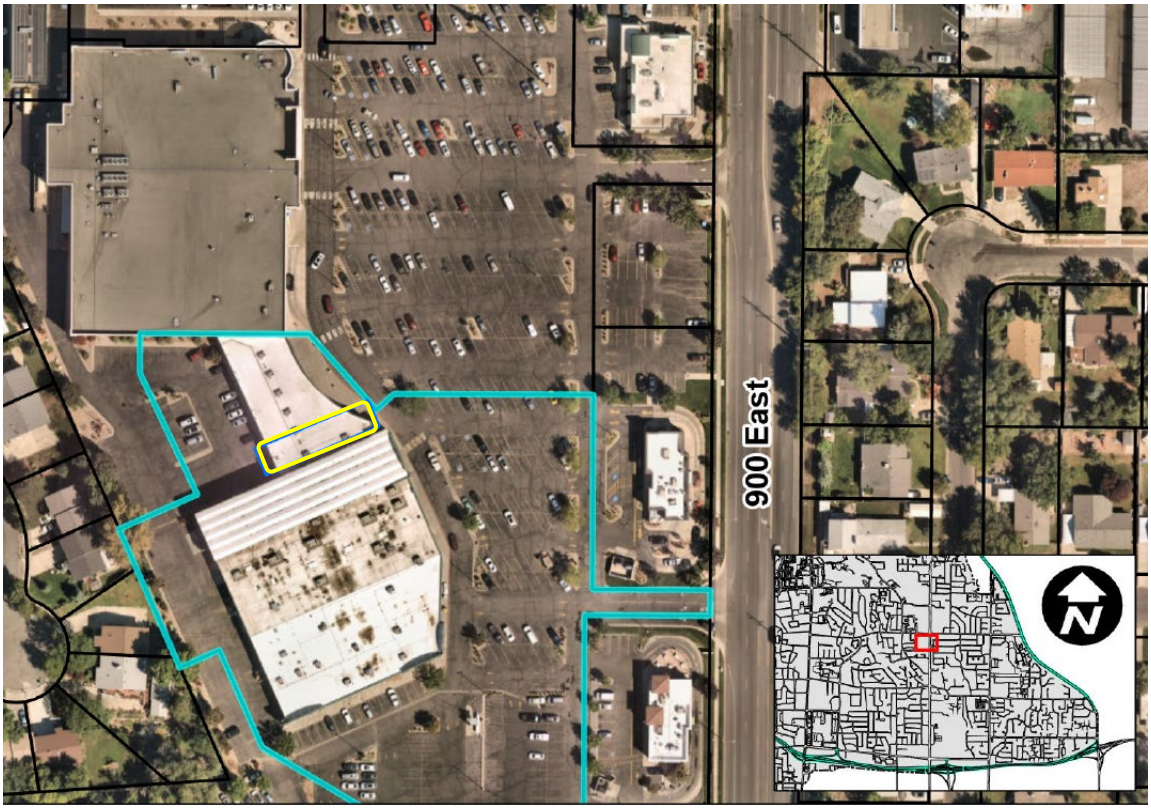
CONCEPT PLAN
14 NOV 2023

SHEET TITLE
DUMPSTER ENCLOSURE PLAN AND ELEVATIONS

SHEET NO:
A-104

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AGENDA ITEM # 05 Rumble Boxing Murray			
ITEM TYPE:	Conditional Use Permit to allow a boxing gym.		
ADDRESS:	5642 South 900 East, Unit B6	**MEETING DATE:**	December 7th, 2023
APPLICANT:	Kristopher Allison	**STAFF:**	Mustafa Al Janabi, Planner I
PARCEL ID:	22-17-154-021	**PROJECT NUMBER:**	PZ-23-116
ZONE:	C-D, Commercial Development	**LAND USE NUM:**	7426
SIZE:	4.86-acre site | 52,516.2 sq ft building | 2,681 sq ft unit		
REQUEST:	The applicant is requesting Conditional Use Permit approval to allow a boxing gym within the C-D Zone on the property located 5642 South 900 East.		



I. LAND USE ORDINANCE

Section 17.160.030 of the Murray City Land Use Ordinance allows gyms (LU #7425) within the C-D zoning district subject to Conditional Use Permit approval.

II. BACKGROUND

Project Location

The subject property is in an established retail center on the west side of 900 East, and south of 5600 South. The applicant proposes to occupy a 2,861 square foot unit, surrounded by stores such as Macey's, European Tan, and Ace Hardware Murray.

Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Commercial	C-D
South	Residential	R-M-20
East	Commercial	C-D
West	Residential	R-1-6

Project Description

The applicant is requesting a Conditional Use Permit to allow a boxing gym. The gym will operate differently than other boxing gyms, stations will be located in the studio area for a group workout. Each participant would have their own station. There are no anticipated changes to the structure of the unit. The entry area will be taken used for a membership, sales, and front desk space. Storage would be located in the area behind the membership sale space. Then there would be an open studio space, and the back room will be used as an office.

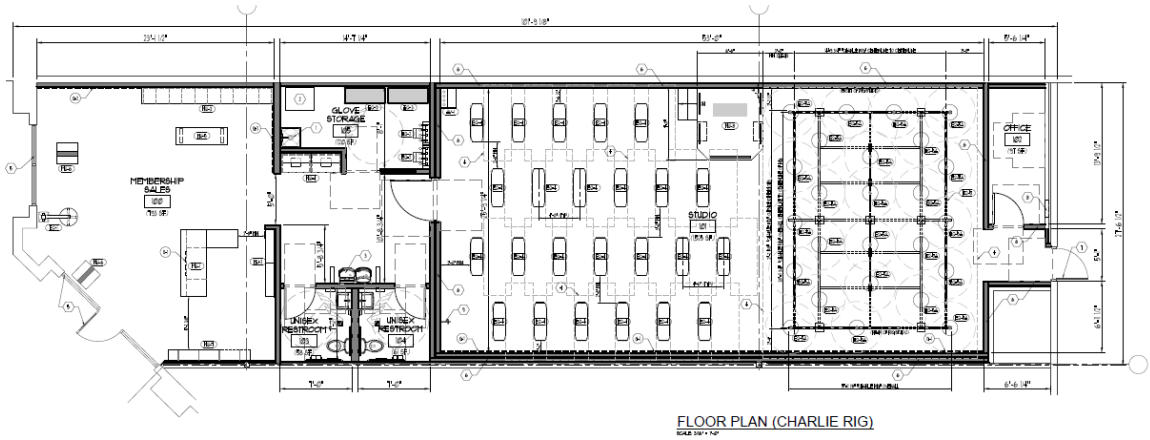


Figure 1: Floor Plan

Operations

The applicant expects to open Tuesday and Thursday at 5am. While Saturday and Sunday would be 8am to 1pm, as well as Monday, Wednesday, and Friday to be open 6am to 8pm. The applicant anticipates having clients ranging from 25-40 with a maximum of 40 spots during these hours, doing 45min. group workouts. The applicant stated they would have up to 10 employees available.

Access

The subject property has five (5) accesses, three (3) are from 900 East, with approximately 35ft width for each entrance. The northern access at 5600 South has two (2) access, these also have 35ft width. These access points allow full turning movements for ingress and egress purposes to the shopping center.

Parking

The Transportation Engineer's Parking Generation Handbook recommends 5.7 parking stalls for every 1,000 square feet of gross floor area in workout facilities. This would require Salt Lake Powerlifting to provide 15 parking stalls. The space is part of a large, multi-building commercial center with shared parking and accesses. Staff is confident that there are an adequate number of spaces available directly adjacent to the proposed gym to accommodate the proposed use.

Landscape

This property has no direct frontage on 900 east. The properties that abut 900 East are owned by others and requiring additional landscaping improvements would be inappropriate at this time. Staff has no issue with the current landscape.

III. LAND USE ORDINANCE STANDARDS REVIEW

Murray City Code Section 17.56.060 outlines the following standards of review for conditional uses.

A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well- being of the community and the neighborhood.

With compliance to city regulations, the proposed use will provide a service that will contribute to the operations of a successful shopping center and will be a benefit to the larger neighborhood by ensuring that and other business' continued success.

B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of person residing or working in the vicinity, or injurious to property or improvements in the vicinity.

The proposed use will not be detrimental to the health, safety, or general welfare of persons

living and working in the vicinity.

C. That the proposed use will stress quality development with emphasis towards adequate buffering, landscaping, proper parking, and traffic circulation, use of appropriate gradation of building height away from single family districts and density to create privacy and compatibility with surrounding uses, use of building materials which are in harmony with the area, impact on schools, utilities, and streets.

With conditions, the proposed use will integrate well into the area. Staff is anticipating very little impact on the surrounding area because the applicant only expects approximately 20-40 people in the gym with a maximum of 10 employees in the peak hours of operation. The existing shopping center is well laid out with and has good property management.

D. That the applicant may be required to provide such reports and studies which will provide information relating to adequate utilities, traffic impacts, school impacts, soil and water target studies, engineering reports, financing availability, market considerations, neighborhood support and any other information which may be needed in order to render a proper decision.

The applicant has submitted sufficient information for the review of this Conditional Use Permit application by Murray City Staff and the Murray City Planning Commission.

IV. CITY DEPARTMENT REVIEW

The application materials for the Rumble boxing gym were made available to Murray City department staff for review and comment on November 21, 2023. Reviewing personnel included the Engineering Division, Water, Sewer, Power, and Fire Departments. All reviewing departments recommended approval without conditions or concerns.

V. PUBLIC INPUT

Sixteen (16) notices of the public meeting were sent to all property owners for parcels located within 300 feet of the subject property. As of the date of this report, staff has not received any public comments.

VI. FINDINGS

Based on the analysis of the Conditional Use Permit application to allow a boxing gym, staff concludes the following:

1. The proposed use for a boxing gym (LU #7425), is allowed in the C-D Zoning District subject to Conditional Use Permit approval.
2. With conditions as outlined in the staff report, the proposed use and property will comply with the standards of the Murray City Land Use Ordinance.
3. The proposed use is not contrary to the goals and objectives of the Murray City General Plan in this area.

VII. CONCLUSION/RECOMMENDATION

Based on the information presented in this report, application materials submitted and a site review, staff recommends that the **Planning Commission APPROVE a Conditional Use Permit to allow Rumble Boxing Gym at the property addressed 5642 South 900 East, Unit# B6,** subject to the following conditions:

1. The applicant shall obtain a Murray City Business License prior to beginning operations at this location.
2. The project shall comply with all applicable building and fire code standards.
3. The project shall comply with all power department requirements.
4. The applicant shall obtain permits for any new attached or detached signs proposed for the business.

Project #_____

CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

☐ **New Construction** ☐ **Land use change** ☑ **Remodel** ☐ **Addition**
☐ **CUP Amendment**

Subject Property Address: 5642 SOUTH 900 EAST, UNIT B6, MURRAY, UT 84117

Parcel Identification (Sidwell) Number: 22-17-154-021-000

Parcel Area: Parcel 7 Current Use: Vacant- Former Dental Office

Floor Area: 2,681 Zoning Classification: _____ LU# _____

Applicant Name: Kristopher Allison

Mailing Address: 5690 Aidan Ct

City, State, ZIP: Park City, Utah 84098

Daytime Phone #: (949) 228-3540 Fax #: _____

Email Address: kris.a@rumbleboxinggym.com

Business or Project Name : Rumble Boxing Murray

Property Owner's Name (If different): Market Place 900, LLC

Property Owner's Mailing Address: 445 S. Douglas St Suite 100

City, State, Zip: El Segundo, Ca 90245

Daytime Phone #: 310-360-3646 Fax #: _____

Email address: Evitt@dpiretail.com

Describe your request in detail (use additional page if necessary): CUP to operate a Rumble Boxing Gym

Project #_____

Residing in _____ My commission expires: _____

OWNERS CERTIFICATION FORM
(To Be Complete and Signed by Property Owner)

Property Owner Name: Marketplace 900, LLC Phone: 310-458-9800

Property Address: 5642 South 900 East #B6 Murray, UT 84121

Name of Organization/Business: Commercial Real Estate Owner

Contact Person: Noah Kim Phone: 310-263-3575

Email address: nkim@dpiretail.com

Address: 445 S. Douglas St. #100 City: El Segundo ~~UT~~ CA Zip 90245

Project Description: Rumble Boxing Gym

Additional information or comments:

_____

_____

_____

Per City Code Section 17.76.180: Multi Warehouse Facilities:

A. Owners Certification: Upon application for planning and zoning commission or community development division approval for each tenant of a multiuse warehouse facility, the owner's affidavit must reflect in addition to other required information:

1. Certification that the Owners property complies in all respects to all applicable zoning ordinances; and

2. Where applicable, further certification that the Owner's property will comply with any further conditions imposed as a result of each tenant's application for approval.

B. Parking Stalls: Each tenant shall have designated parking stalls meeting all city, state and federal requirements, including signage clearly assigning the required number of stalls to each tenant's business.

As owner of the property being considered for site plan review/conditional use permit, I will comply with Section 17.76.180 as specified above.

Signature: Frederick Kim Date: 4/14/23

Project #_____

Authorized Signature: _____ Date: 11/15/2023

Property Owners Affidavit

I (we) Marketplace 900, LLC, Fred Utt, President, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application: that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

_____ _____

Owner's Signature Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

Subscribed and sworn to before me this _____ day of _____, 20_____.

See Attached

_____

Notary Public

Residing in _____ My commission expires: _____

Agent Authorization

I (we), _____, the owner(s) of the real property located at

_____, in Murray City, Utah, do hereby appoint

_____, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize

_____ to appear on my (our) behalf before any City board or commission considering this application.

_____ _____

Owner's Signature Owner's Signature (co-owner if any)

State of Utah

County of Salt Lake §

On the _____day of _____, 20 _____, personally appeared

before me_____ the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.

_____

Notary public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

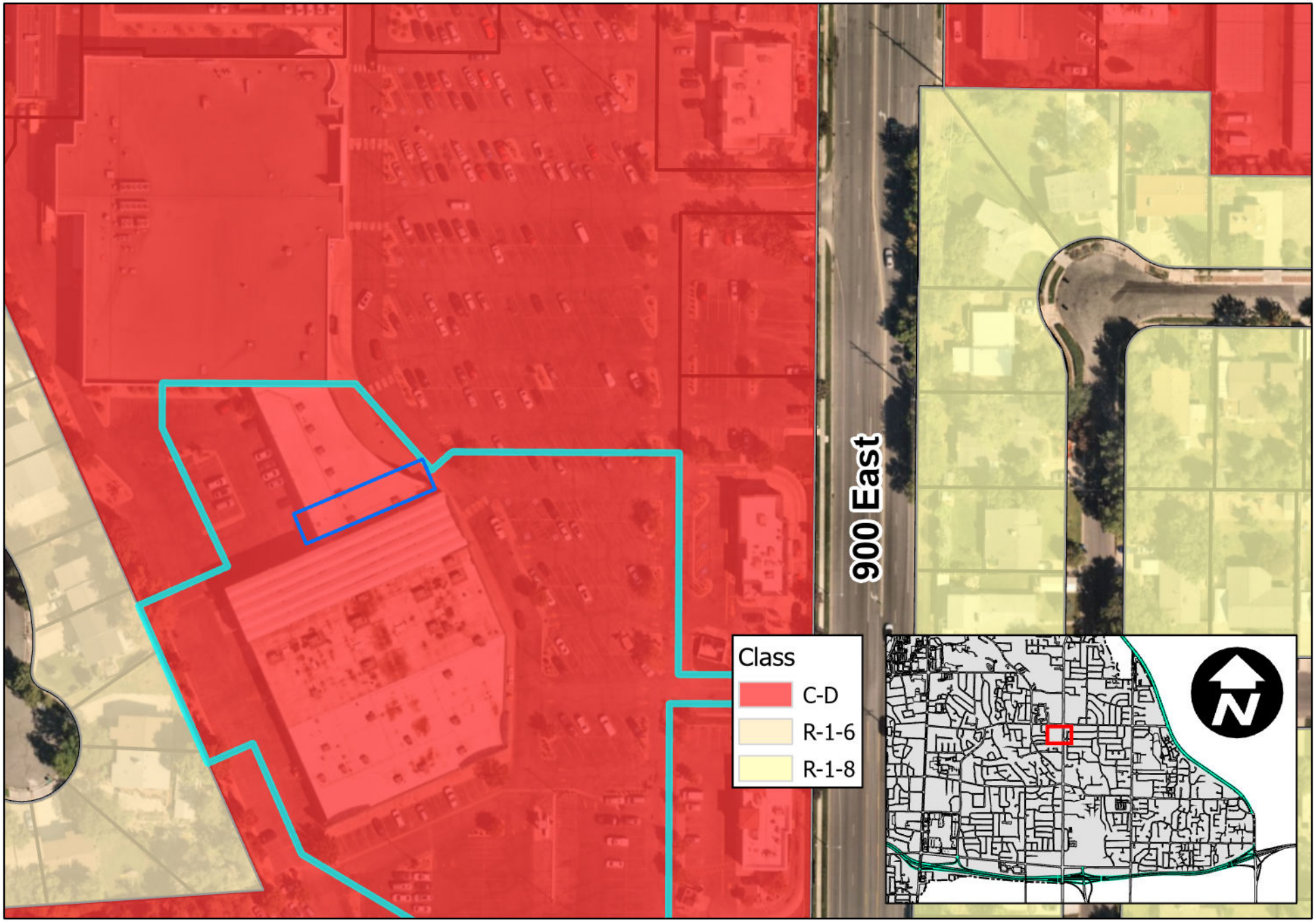
County of Los Angeles

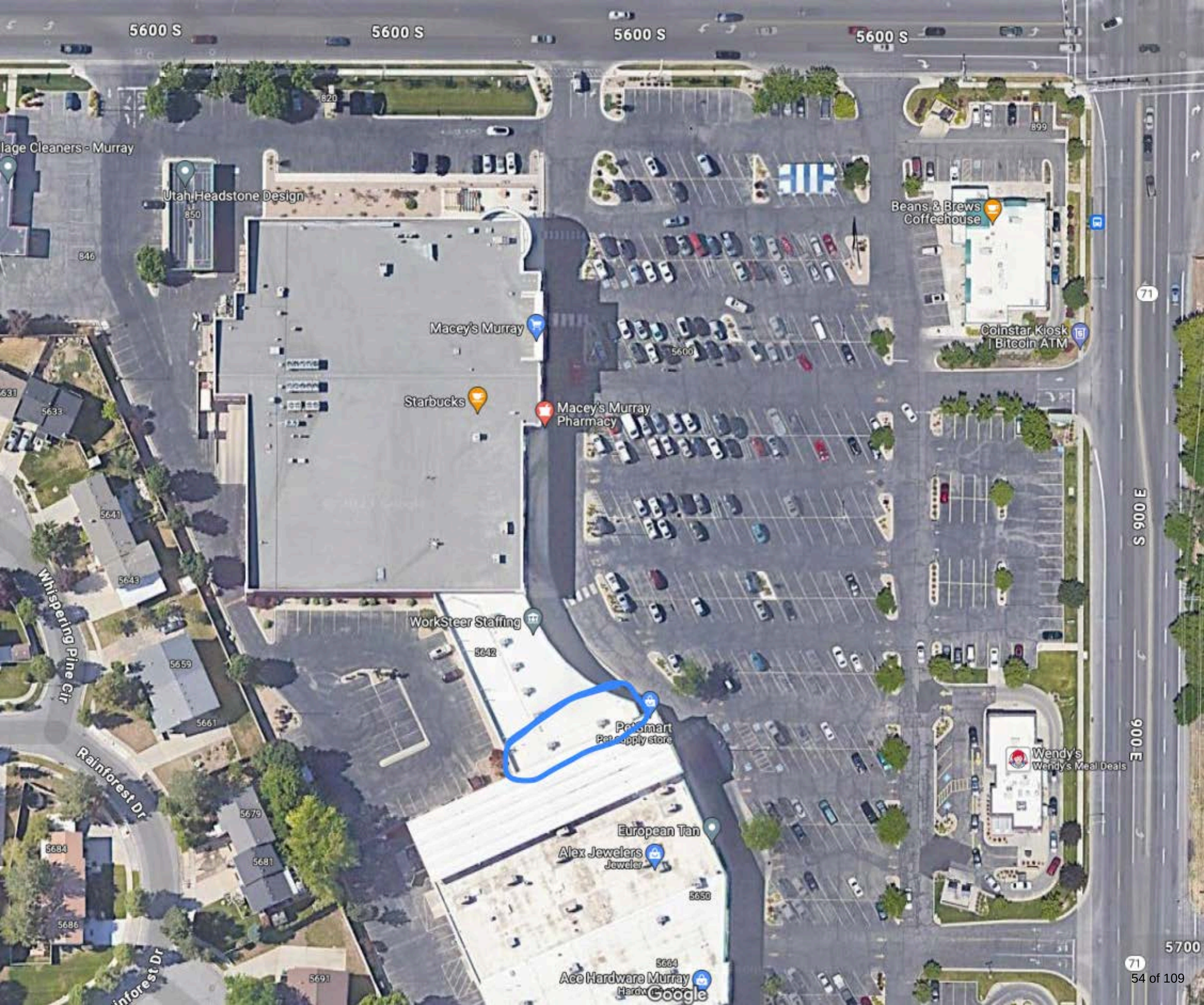
Subscribed and sworn to (or affirmed) before me on this 16th day of November, 2023 by Frederick J. Vitt, proved to me on the basis of satisfactory evidence to be the person~~(s)~~ who appeared before me.

BETH A. SVIHRA
Notary Public - California
Los Angeles County
Commission # 2428552
My Comm. Expires Dec 1, 2026

Signature: _____ (Seal)

5642 South 900 East #4




5600 S
5600 S
5600 S
5600 S
820
899
lage Cleaners - Murray
Utah Headstone Design
850
846
Beans & Brews Coffeehouse
Macey's Murray
5600
Coinstar Kiosk | Bitcoin ATM
Starbucks
Macey's Murray Pharmacy
631
5633
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5641
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Whispering Pine Cir
WorkSteer Staffing
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Rainforest Dr
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European Tan
Alex Jewelers
Jeweler
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5664
Ace Hardware Murray
Hardware store
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Wendy's
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EQUIPMENT/FURNITURE SCHEDULE

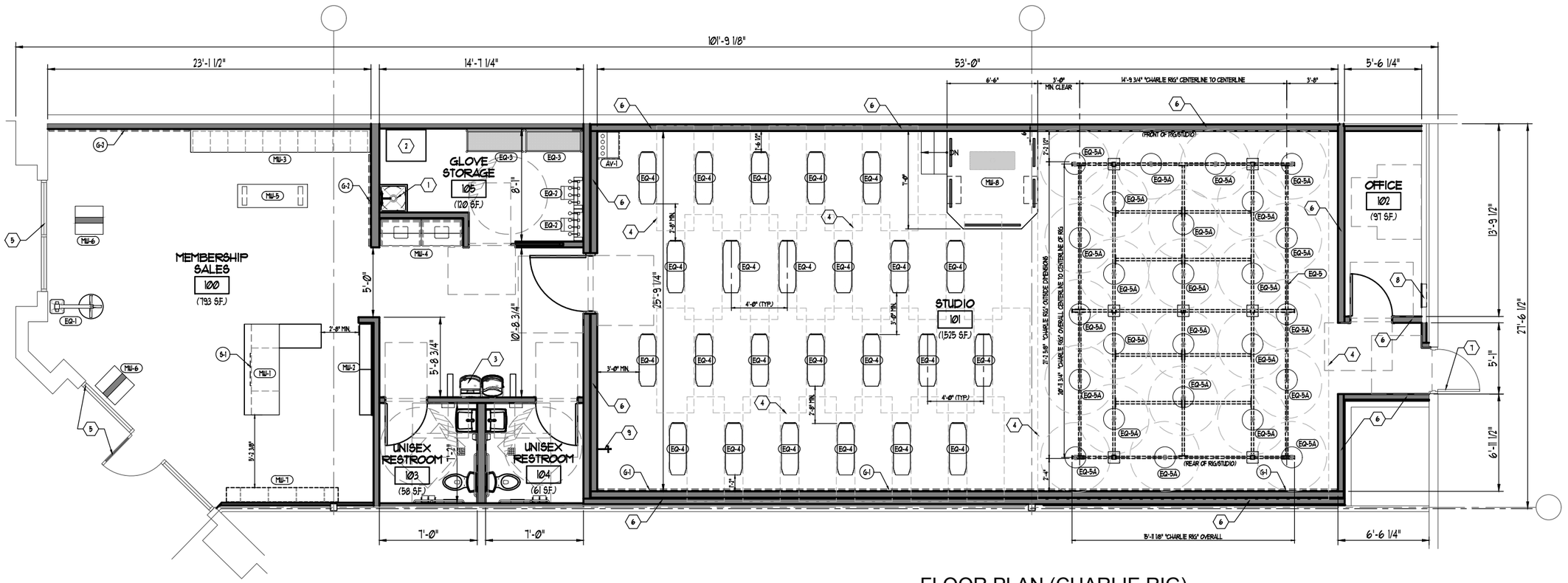
ITEM NO	QTY.	EQUIPMENT/MILLWORK DESCRIPTION	PROVIDED BY
MW-1	1	FRONT DESK WITH ADA COUNTER FOR IPADS	MILLWORK SUPPLIER
MW-2	1	BACK CABINET STORAGE WITH GLOVE DISPLAY ABOVE	MILLWORK SUPPLIER
MW-3	50	LOCKERS	MILLWORK SUPPLIER
MW-4	1	ROLLING TOWEL AND GLOVE BINS	MILLWORK SUPPLIER
MW-5	1	BENCH	MILLWORK SUPPLIER
MW-6	2	(2) WAY RETAIL DISPLAY	MILLWORK SUPPLIER
MW-7	1	8'-0" WIDE X 8'-0" HIGH SLATWALL	**MILLWORK SUPPLIER**
MW-8	1	INSTRUCTOR'S PLATFORM WITH DJ PODIUM	**MILLWORK SUPPLIER**
EQ-1	1	HANGMAN RACK	EQUIPMENT SUPPLIER
EQ-2	2	GLOVE DRYERS	EQUIPMENT SUPPLIER
EQ-3	2	18"x 48"x 82" HIGH ROLLING WIRE SHELVING	EQUIPMENT SUPPLIER
EQ-4	24	WEIGHT BENCHES	EQUIPMENT SUPPLIER
EQ-5	1	'CHARLIE RIG' SYSTEM	EQUIPMENT SUPPLIER
EQ-5A	24	HANGING AQUA BAGS	EQUIPMENT SUPPLIER
AV-1	1	A/V RACK	A/V SUPPLIER

NO. NOTES

1. NEW MOP SINK WITH WATER HEATER ABOVE
2. FUTURE STACKABLE WASHER/DRYER (BY TENANT)
3. HI-LO WATER COOLER WITH FILTERED BOTTLE WATER FILLER
4. DASHED LINES INDICATES CLEAR FLOOR SPACE
5. EXISTING ALUMINUM STOREFRONT FRAMING, GLAZING AND DOORS TO REMAIN
6. PROPOSED LOCATIONS OF SOUND WALL
7. EXISTING REAR EXIT DOOR IN EXISTING EXTERIOR STOREFRONT
8. NEW ELECTRICAL PANEL
9. PROPOSED LOCATION FOR HOSE BIB

GRAPHIC AND SIGNAGE:

- G-1 PROPOSED STUDIO MURAL WALL
- G-2 PROPOSED SALES AREA MURAL WALL LOCATIONS
- S-1 PROPOSED "RUMBLE" LOGO AT FRONT DESK



FLOOR PLAN (CHARLIE RIG)

SCALE: 3/16" = 1'-0"

9TH STREET MARKETPLACE VTF1 (2,654 S.F.)
5642 SOUTH 900 EAST - UNIT B6
MURRAY, UT 84117

11/10/2023

PSA ARCHITECTS
9392 Montgomery Road
Cincinnati, Ohio 45242
513-984-4000
PSAarchitect.com
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AGENDA ITEM # 06 Title 16, Subdivision Code Text Amendment			
ITEM TYPE:	Text Amendment		
ADDRESS:	Citywide	**MEETING DATE:**	December 7, 2023
APPLICANT:	Community & Economic Development Department	**STAFF:**	Zachary Smallwood, Senior Planner
PARCEL ID:		**PROJECT NUMBER:**	23-116
REQUEST:	Planning Division Staff proposes amendments to Title 16, Subdivision Ordinance to comply with state requirements.		

I. STAFF REVIEW & ANALYSIS

Background

The Utah State Legislature passed Senate Bill 174 (SB 174) in March of 2023, requiring that municipalities speed up the process for approving subdivisions. In many other communities across Utah there was a complicated and cumbersome process to get a subdivision approved. Many cities required a Concept Review which is conducted at a staff level to address broad issues and get the city aware of the project. After that was complete, a preliminary plat was prepared and reviewed by the Planning Commission, which is where the similarities between Murray and other cities end. In many other communities the City/Town Council would then review the Preliminary Plat and approve or deny. The Plat then would go through the final plat process and again be reviewed by the Planning Commission and City/Town Councils. Between each of those reviews could be many reviews between the applicant and the city with regards to standards that needed to be completed.

The state has since mandated that municipalities streamline the process to better process these types of applications. As a result, Murray needs to update some language and do some cleanup to meet the standards outlined by the state.

Staff has been working on these changes in earnest since the legislation passed and are prepared to move this forward to be reviewed by the Planning Commission and the City Council before the required deadline date of February 1, 2024. The remainder of this report will review the major changes that have been made and how it affects the Planning

Commission's role in subdivision review.

Review of Required Changes

State Statute 10-9a-602 states that the Planning Commission shall review and provide a recommendation to the legislative body (City Council) on any proposed ordinance that regulates (or amends the regulations) the subdivision of land in the Municipality. Because the planning staff is requiring a text amendment, this will be reviewed by the Planning Commission and a recommendation forwarded onto the City Council for adoption.

Review Process

Planning staff has provided a diagram outlining the current process to subdivide property within Murray City below. The items in orange are requirements; but are reviewed at the staff level. The items in blue are reviews by the Planning Commission.

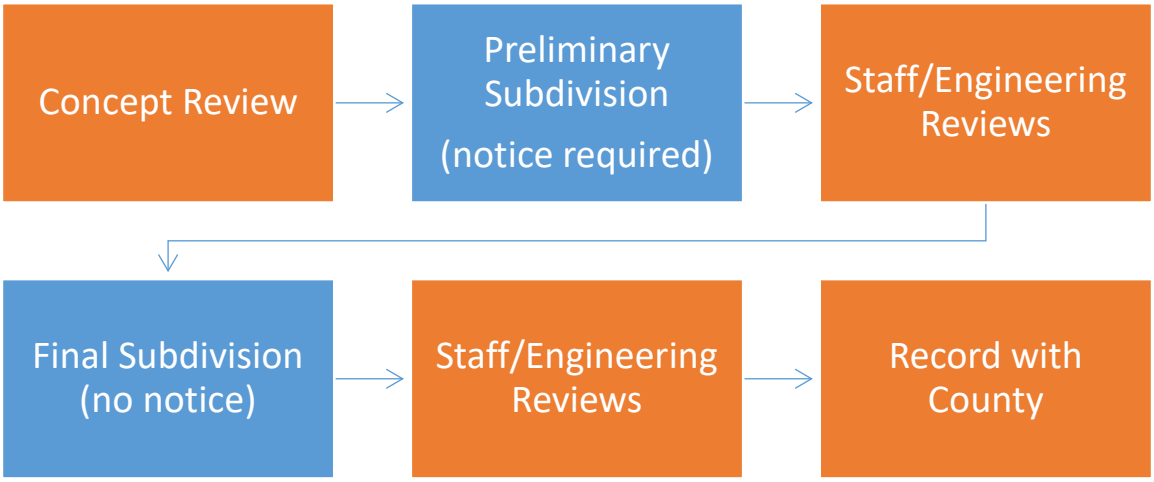


Figure 1: Current Subdivision Process

All things considered; Murray is not one of the "problem" cities when it comes to subdivisions. We have a fairly straight forward process and move fairly quickly in approving subdivisions. Most of the time, we are waiting on developers to resubmit plans that address concerns or standards that need to be adjusted.

Unfortunately, the state did make changes that affect Murray. As mentioned above, we require a concept review to be conducted internally prior to submitting an application for Preliminary Subdivision approval. We are no longer able to require this, we can encourage (which staff has already started to do) the Concept Review because it genuinely does make a big difference in the quality of Preliminary Subdivision applications we receive.

Preliminary Subdivision reviews are the main review moving forward. This will be the only opportunity for the Commission to review and make recommendations to the applicant. The state statute now reads that this is the only public hearing required. A point of discussion to have at the meeting is whether the commission feels that these are substantive,and

worthwhile public hearings. As a reminder, subdivisions items are considered an *administrative action*, meaning that if the application meets the standards in the ordinance, that they shall be approved. The state wrote into the language that the Planning Commission 'may' have a public hearing. This means that if the commission feels that these types of applications would benefit from not having the public hearing, it is within the purview of the commission to recommend changing the proposed text. The Planning and Attorney's office wrote in the draft to require a public hearing , but it is by no means required to stay. Staff believes that this is a worthwhile conversation to have at the meeting to determine the merits of the public hearing.

Final Subdivision Reviews will now be conducted by Planning staff as dictated by the State. This means that after the Planning Commission has approved a preliminary subdivision application the applicant will work with the Planning Staff and Engineering Division to complete items that were addressed or needed to be cleaned up from the preliminary review and submit for a Final Subdivision approval. This will be verified against the preliminary approval and then approved or denied accordingly.

Below is an updated outline as in Figure 1, but with slightly different colors. A new color green was added to the Concept Review as this is now encouraged but NOT required. The blue still requires to come before the Planning Commission, and the orange is reviews at the staff level. Of note, is that staff and engineering reviews are limited to two (2) for each stage of the process. That is a significant change for the city and necessitates the need to review the quality of applications.

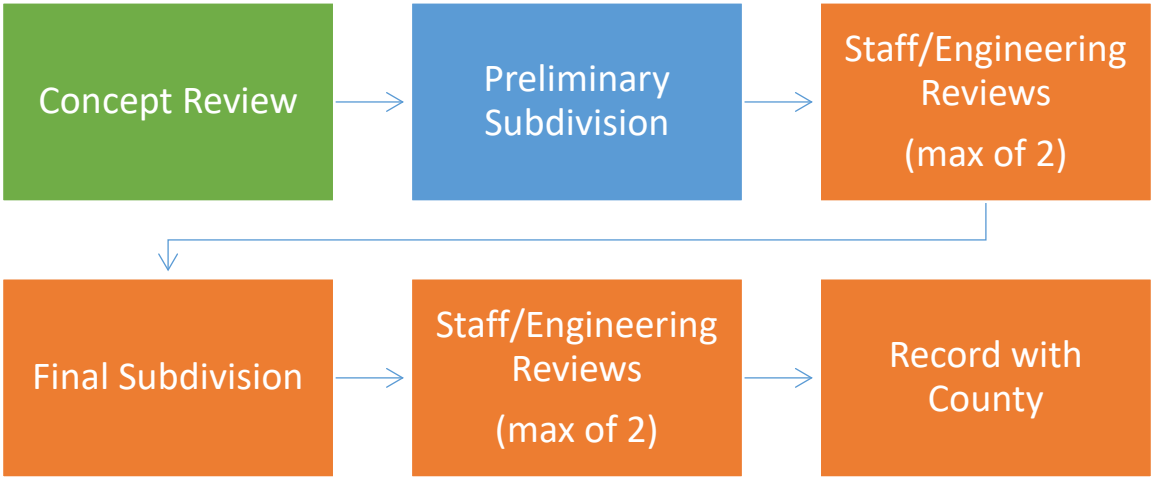


Figure 2: State Mandated Changes

Reviews and Timelines

Though this does not directly impact the Planning Commission, the state has instituted shot-clocks to review subdivision applications. In a nutshell, once the Planning staff accepts an application as complete, the preliminary review by the Planning Commission will need to occur within fifteen (15) business days of that date. This will have an impact on staff, as we

typically need to provide notice (for public hearings), get reviews by the individual departments, and prepare staff reports. We have written into the code a buffer to allow us time to review each application (up to fifteen (15) business days) for 'completeness'. Once Planning staff has determined an application as complete we can then go about doing our business as usual.

Definitions

Though not a significant change to the ordinance; a number of definition changes have occurred. Largely these are to be included as part of the state-mandated changes. There were a couple of minor updates to the definitions that were not required. Planning staff have outlined each below:

Required:

Complete Application: An application that clearly demonstrates that the applicant has met all objective ordinance-based application criteria and has paid the application fees.

This definition is required because once the Planning Staff accepts an application and determines that it is complete, a shot clock begins for timing for review. Usually, the preliminary review has to be completed within fifteen (15) business days from a completed application.

Land Use Authority: For purposes of Title 16, the Planning Commission is the land use authority for review and approval of a preliminary subdivision application and Planning Staff is the land use authority for review and approval of a final subdivision application. LAND USE AUTHORITY does not include the City Council or a member of the City Council.

This definition is to help define roles for each reviewing body. The legislature has mandated that City/Town Councils may no longer review subdivision applications. Additionally, the legislature has determined that the Planning Commission shall be the approver of the Preliminary Review and staff's responsibility is to ensure that during the final subdivision review that all the items that were addressed in the preliminary review have been addressed.

Review Cycle: Means the occurrence of:

a. *The applicant's submittal of a complete subdivision land use application including the City's written determination of completeness;*
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 City's required modifications or requests for additional information.*

This definition is required to determine what a review is. The city is allowed four (4) review cycles for the subdivision process.

Not Required:
Lot: A tract of land, regardless of any label, that is created by an shown on a subdivision plat that has been recorded in the office of the county recorder.

Parcel: Any real property that is not a lot.

Staff included both of these definitions together, there is often confusion on what to call properties. This clearly designates that any piece of property that is in a Subdivision is called a Lot and any property (typically a metes and bounds property) is called a parcel. This helps staff determine whether something will require a subdivision amendment, or simply a boundary line adjustment.

Planning Staff relabeled the "street" definitions so that they are all grouped together instead of looking for each individual street type. This was not required, but does streamline the language with the Transportation Masterplan and makes it easier to read.

Coming Soon

As stated earlier in this report, Planning Staff and the Attorney's Staff have been working on the proposed changes for many months. To make sure we are compliant with state requirements, we are bringing these changes to the Commission now. In a follow-up meeting early next year, we will be bringing additional items that relate to the subdivision ordinance such as the process for subdivision appeals and specific design standards. It was most important to get the process information taken care of before the deadline and any "wants" that the city would like to make come after the "needs". Planning staff encourages the commission to review any of the design standards and provide feedback to the planning staff so that we can evaluate them and make recommendations accordingly.

II. DEPARTMENT REVIEWS

The draft changes were provided to each department for their reviews the week of November 22nd. The Engineering division provided small modifications that were incorporated into the draft that is provided to the Planning Commission. Other departments did not have any additional information to add or change.

III. PUBLIC INPUT

Notices were sent to Affected Entities for this amendment. As of the date of this report, there was one request by Taylorsville City to see our redline draft. No public comment has been made.

IV. FINDINGS

Based on the analysis of the proposed amendments and review of the Murray City General Plan, staff concludes the following:

1. The proposed amendments have been carefully considered and provide direction for the city to work towards simplifying the subdivision process.
2. The proposed amendments support the goals and objectives of the General Plan by facilitating greater collaboration within the city and furthering the development and preservation of housing.
3. The proposed amendments are necessary to ensure compliance with current Utah State Code.

V. CONCLUSION/RECOMMENDATION

Based on the background, analysis, and the findings within this report, Staff recommends that the Planning Commission **forward a recommendation of APPROVAL to the City Council for the proposed amendments to Title 16, Subdivisions Ordinance as reviewed in the Staff Report.**

NOTICE OF PUBLIC HEARING

December 7th, 2023, 6:30 PM

The Murray City Planning Commission will hold a public hearing in the Murray City Municipal Council Chambers, located at 10 East 4800 South, Murray, UT to receive public comment on the following application:

Amendments to Title 16; Subdivision Ordinance to comply with Utah State Code regarding timing, application, and review of subdivisions.

The meeting is open, and the public is welcome to attend in person or you may submit comments via email at planningcommission@murray.utah.gov. If you would like to view the meeting online, you may watch via livestream at www.murraycitylive.com or www.facebook.com/MurrayCityUtah/.

Comments are limited to 3 minutes or less, written comments will be read into the meeting record.

If you have questions or comments concerning this proposal, please contact the Murray City Planning Division at 801-270-2430, or e-mail planning@murray.utah.gov.

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TITLE 16
SUBDIVISIONS

CHAPTER 16.04
GENERAL PROVISIONS

SECTION:

16.04.010: Purposes

16.04.020: Definitions

16.04.030: Necessity Of Subdivision Plat Approval

16.04.040: General Responsibilities

16.04.050: Review Cycles

16.04.0~~5~~60: Compliance Required

16.04.0~~6~~70: Concept Review

~~16.04.070: Staff Authority~~

~~16.04.080: Submission~~

~~16.04.090: Submission For Preliminary Review~~

16.04.~~1~~080: Exemption From Plat Requirement (Lot Split Subdivisions)

16.04.~~11~~090: Modifications; Permitted When; Petition From Subdivider

16.04.1~~2~~00: Penalties

16.04.010: PURPOSES:

A. The purposes of this title are:

1. To promote the health, safety and general welfare of the residents of the City;

2. To ensure the efficient and orderly development of land within the City;

3. To prevent the uncontrolled division and development of real property, which may be done without considering the rights and best interests of adjoining property owners and the City as a whole;

4. To avoid poorly planned developments that:

a. Do not comply with the City general plan or ordinances,

b. Cannot be adequately served by existing utilities or public services,

c. May prove to be dangerous or unsafe,

d. May cause an undue burden on existing traffic or transportation services, or

e. May require the future expenditure of public funds to correct problems caused by the development;

5. To provide design standards for public improvements, facilities and utilities, to provide for reasonable accesses to public rights of way, to provide for the dedication of land and streets deemed necessary for the proper development of the subdivision, and to provide for easements or rights of way that are necessary to service the property.

B. This title is designed to inform the subdivision developer and the public of the requirements for obtaining subdivision plat approval. Because each parcel of real property has unique site/situation characteristics, there may be some aspects of subdivision development that cannot easily be articulated. For this reason, it is not possible to cover every possible contingency. Therefore, the City Engineer, Planning Commission, and Community and Economic Development Director have the authority to impose reasonable conditions upon a subdivider in addition to those expressly required, provided that:

1. The conditions are not arbitrary or capricious;

2. The conditions do not conflict with any applicable law.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-01)

16.04.020: DEFINITIONS:

~~ARTERIAL OR MAJOR STREET: A street which functions or is intended to function as a major traffic way 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.~~

AVERAGE PERCENT OF SLOPE: The rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot. A vertical rise of one hundred feet (100') between two (2) points one hundred feet (100') apart measured on a horizontal plane is a one hundred percent (100%) grade or a one to one (1:1) slope.

~~COLLECTOR STREET: A street which is of considerable continuity which functions or is intended to function as the principal trafficway between large and separated areas or districts, and which is the means of access to the major or arterial street system.~~

~~CUL-DE-SAC: A street closed at one end by an enlarged, circular turnaround area.~~

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COMPLETE APPLICATION: An application that clearly demonstrates that the applicant has met all objective ordinance-based application criteria and has paid the application fees.

CUT: Either excavated material, or the void resulting from the excavation of earth material. The reference for a cut is the distance from a survey elevation stake to a required lower adjacent elevation.

DEPARTMENT: The Community and Economic Development Department.

DEVELOPER: Any subdivider or any person or organization that develops, or intends to develop, property after it has been divided.

EXCAVATION: Either the removal of earth from its natural position, or the cavity resulting from the removal of earth.

FILL: Earth materials used either as a manmade deposit or to raise an existing grade, or shall mean the depth or the volume of such material. The reference for a fill is the distance from a survey elevation stake to a required higher adjacent elevation.

FINAL GRADING: The last stage of grading a soil or gravel material prior to landscaping or the installation of concrete or bituminous paving, or other required final surfacing material.

FINAL PLAT: A map and supporting documents, prepared in accordance with the provisions of this title and prepared for recording in the office of the county recorder.

GRADING: Either an excavation or fill, or the act of excavating or filling.

IMPROVEMENTS: Curbs, gutters, sidewalks, gradings, pavings, landscaping, water, sewer and power systems, drainage systems, fences, public facilities, amenities and other such requirements of this title.

LAND USE AUTHORITY: For purposes of Title 16, the Planning Commission is the land use authority for review and approval of a preliminary subdivision application and Planning staff is the land use authority for review and approval of a final subdivision application. LAND USE AUTHORITY does not include the City Council or a member of the City Council.

LOT: ~~Either a division of land platted and placed on record in accordance with the laws and ordinances of the city, or a division of land described by metes and bounds on the records of the county recorder.~~A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

LOT, DOUBLE FRONTAGE: A subdivision lot which has access from an interior subdivision street and also abuts the right-of-way of a collector or arterial street along the rear lot line.

MONUMENT: A permanent survey marker established by the county surveyor and shown on a final plat with state plane coordinates, and/or a survey marker set in accordance with the City Engineer's specifications and referenced to county survey monuments.

NATURAL STATE: The condition of land which has not been graded, disturbed, or built upon.

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PARCEL: Any real property that is not a lot.

~~RESIDENTIAL STREET: A local street which is supplementary to a collector street and of limited continuity which functions as or is intended to serve the local needs of a neighborhood and which is the means of access to the collector street system.~~

REVIEW CYCLE: Means the occurrence of:

a. The applicant's submittal of a complete subdivision land use application including the City's written determination of completeness;

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 City's required modifications or requests for additional information.

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SENSITIVE AREA: An area of land which contains environmental or geological elements which, if altered, may cause damage to the environment or the improvements thereon.

STREET: A right of way for the purpose of vehicular and pedestrian traffic.

STREET, ARTERIAL: a street that functions or intended to function as a major traffic way and is designated on the master transportation plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of a street plan.

STREET, COLLECTOR: a street that is of considerable continuity that functions or is intended to function as the principal traffic way between large or separated areas or districts, and that is the means of access to the major or arterial street system.

STREET, CUL-DE-SAC: a street closed at one end by an enlarged, circular turnaround area.

STREET, LOCAL: a street which is supplementary to a collector street and of limited continuity which functions as or is intended to serve the local needs of a neighborhood, and which is the means of access to the collector street system. Local streets primarily serve land-access functions. Local street design and control facilitates the movement of vehicles onto and off the street system from land parcels. Through-movement is difficult and discouraged by both the design and control of this type of facility. This level of street network is likely to provide the highest level of comfort to bicyclists and pedestrians. Local streets will have the lowest speeds and be mostly absent of large vehicles. Existing local streets are identified in the Master Transportation Plan.

SUBDIVIDER: Any person who: a) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; or who b) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or who c) engages directly, or through an agent, in the

business of selling, leasing, developing or offering for sale, lease, or development a subdivision; or who d) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, 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. "Subdivision" includes: a) the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument; and b) divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

SUBDIVISION IMPROVEMENT PLANS: the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

SUBDIVISION ORDINANCE REVIEW: review by the City to verify that a subdivision land use application meets the criteria of the City's subdivision ordinances.

SUBDIVISION PLAN REVIEW: 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.

UTILITIES: Natural gas, electric power, cable television, telephone, storm system, sewer, culinary water and other services deemed to be of a public utility nature by the City.

UTILITY EASEMENT: The area designated for access to construct or maintain utilities on privately or publicly owned land.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-02)

16.04.030: NECESSITY OF SUBDIVISION PLAT APPROVAL:

A. Terms: Any division of real property located within the City is subject to the terms of this title. The division of real property includes any sale, gift, transfer, conveyances, split or other division that results in changing the boundaries or legal description of a given parcel of real property.

B. Unlawful Subdivision: It is unlawful to transfer, sell, convey, give or assign any subdivided property before a final subdivision plat for the property to be transferred, sold, conveyed, gifted or assigned is approved and recorded pursuant to the requirements of this title and applicable state law.

1. A parcel of real property is subdivided when it is divided into two (2) or more parts for the purpose, whether immediate or future, of sale or building development;

2. Any developer desiring to develop property that has been subdivided illegally must comply with the requirements of this title before developing the property, regardless of whether the developer was the illegal subdivider.

C. City Approval Of Modifications: It is unlawful to amend, vacate, alter or modify any plat which has already been approved and/or recorded, without first receiving city approval of the amended, vacated, altered or modified plat.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-03)

16.04.040: GENERAL RESPONSIBILITIES:

A. The subdivider shall prepare concept plans and plats consistent with the standards contained herein and shall pay for the design, construction and inspection of the public improvements required. The city shall process said plans and plats in accordance with the regulations set forth herein. The subdivider may not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until subdivider has obtained the necessary approvals as outlined herein. The subdivider is responsible to obtain and be familiar with all applicable subdivision ordinances, rules and standards of the City.

B. The ~~Community and Economic Development Director or designee~~ City shall review the plans and plats for design; for conformity to the general plan and to title 17 of this code; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title.

C. Plats and/or plans of proposed subdivisions may be referred by the Community and Economic Development Director or designee to any City departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment.

D. The City Engineer shall review the engineering plans and specifications for the subdivision to determine if the proposed City required improvements are consistent with this title and other applicable ordinances and shall be responsible for inspecting the City requirement improvements. Review of street layout and lot design shall be coordinated between the City Engineer and the Community and Economic Development Department.

E. The City Engineer shall review the engineering plans and specifications for the public improvements.

F. The Planning Commission shall act as the ~~final~~ Land Use Authority to approve (1) preliminary subdivision plats; and (2) the establishment of requirements and design standards for public improvements. It shall make investigations, reports and recommendations on proposed subdivisions as to their conformance to the general plan and title 17 of this code, and other pertinent documents as it deems necessary. ~~After completing its review of the final plat,~~

~~the Planning Commission shall approve or disapprove the final plat in accordance with section 16.12.070 of the Code.~~

G. The Planning staff shall act as the final Land Use Authority to approve final subdivision plats. After completing its review of the final plat, the Planning staff shall approve or disapprove the final plat in accordance with section 16.12.070 and 16.04.045 of this chapter.

~~G~~H. The City Attorney shall verify that the bond provided by the subdivider is acceptable, that the subdivider dedicating land for use of the public is the owner of record, that the land is free and clear of unacceptable encumbrances according to the title report submitted by the subdivider, and may review other matters which may affect the City's interests.

~~H~~I. The Mayor may sign, as a non-discretionary and ministerial act, final subdivision plats for the acceptance of lands and public improvements that may be proposed for dedication to the city.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-04)

16.04.050: REVIEW CYCLES

In reviewing a completed subdivision land use application, the review cycles set forth in Utah Code sections 10-9a-604.1 and 10-9a-604.2, or successor provisions, shall apply.

A. In reviewing a completed subdivision land use application, the City may require:

1. additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements; and

2. 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 (A)(1) or (2) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

C. The City will not require more than four complete review cycles.

D.

1. Subject to Subsection (D)(2), 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 the City's plan review is waived.

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2. A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.

3. 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.

E. If an applicant does not submit a revised plan within 20 business days after the City requires a modification or correction, the City shall have an additional 20 business days to respond to the plans.

F. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City's previous review cycle, the City 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.

G.

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

2. 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.

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

H. 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:

1. for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Subsection 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; 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 the hearing officer.

16.04.0~~5~~60: COMPLIANCE REQUIRED:

A. It is unlawful for a person to subdivide a tract or parcel of land which is located wholly or in part in the City except in compliance with this title.

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1. Plat Approval Required: A plat of any subdivision may not be recorded until it has been submitted and approved as herein.

2. Plat Must Not Conflict With Plans, Ordinances Or Laws: A plat shall not be approved if the ~~Planning Commission~~City determines such plat to be in conflict with any provision or portion of the general plan, the transportation master plan, title 17 of this code, this chapter, and any other state law or City ordinance.

3. Adequate And Available Public Utilities: The City may deny or delay approval of a development project if there is not adequate capacity or availability of public utilities for a proposed development.

B. Land may not be transferred or sold nor shall a building permit be issued for a structure thereon, until a final plat of a subdivision shall have been recorded in accordance with this title and any applicable provisions of state law, and until the improvements required in connection with the subdivision have been guaranteed as provided herein.

C. All lots, plots or tracts of land located within a subdivision are subject to this title whether the tract is owned by the subdivider or a subsequent purchaser, transferee, devisee, or contract purchaser of the land.

(Ord. 19-24 § 2: Ord. 15-26: Ord. 94-40 § 1: prior code § 30-05)

16.04.0~~6~~70**: CONCEPT REVIEW:**

A. A concept review ~~is required~~ may be requested by the subdivider for all proposed subdivisions ~~unless the Community and Economic Development Director or designee determines that a concept plan is not necessary~~. A concept review provides the subdivider with an opportunity to consult with and receive information from the City regarding the regulations and design requirements applicable to the proposed subdivision. The concept review procedure may be informal and may consist of one or more meetings with affected departments, all as determined by the Community and Economic Development Director.

B. If a concept review is requested, the City shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.

C. At the concept review, City staff shall provide or have available on the City website:

1. copies of applicable land use regulations;

2. a complete list of standards required for the project;

3. preliminary and final application checklists; and

4. feedback on the concept plan

D. The subdivider shall provide the following items:

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1. The proposed name of the subdivision;

2. A vicinity plan showing significant natural and manmade features or existing structures on the site and within five hundred feet (500') of any portion of it; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than two feet (2'); north arrow; and scale of the drawing;

3. A proposed lot and street layout;

4. Availability of utilities as evidenced by letters from the utility companies;

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

6. The total acreage of the entire tract proposed for subdivision;

7. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.

E. After the concept review has been completed the subdivider may apply for preliminary plat review consistent with the concept review. If preliminary plat review is not requested within twelve (12) months after a concept review is completed, the Community and Economic Development Director may require a new concept review before the preliminary plat review may proceed.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-06)

~~**16.04.070: STAFF AUTHORITY:**~~

~~The City's planning staff and all other officers and employees of the City act in advisory capacity to the Planning Commission and have no authority to make binding decisions or to make authoritative representations, approvals or determinations other than in a purely advisory and recommending capacity.~~

~~(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-07)~~

~~**16.04.080: SUBMISSION:**~~

~~If the Community and Economic Development Director or designee requires a subdivision concept review, the subdivider shall provide the following items:~~

~~A. The proposed name of the subdivision;~~

~~B. A vicinity plan showing significant natural and manmade features or existing structures on the site and within five hundred feet (500') of any portion of it; the property boundaries of the~~

~~proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than two feet (2'); north arrow; and scale of the drawing;~~

~~C. A proposed lot and street layout;~~

~~D. Availability of utilities as evidenced by letters from the utility companies;~~

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

~~F. The total acreage of the entire tract proposed for subdivision;~~

~~G. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.~~

~~(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-08)~~

~~16.04.090: SUBMISSION FOR PRELIMINARY REVIEW:~~

~~After the concept review, if required, has been completed, as determined by the Community and Economic Development Director or designee, the subdivider may apply for preliminary plat review consistent with the concept review. If preliminary plat review is not requested within twelve (12) months after a concept review is completed, the Community and Economic Development Director may require a new concept review before the preliminary plat review may proceed.~~

~~(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-09)~~

16.04.~~1~~0<u>8</u>0: EXEMPTION FROM PLAT REQUIREMENT (LOT SPLIT SUBDIVISIONS):

A. Purpose: It is the intent of this section to allow the owner of property, which may be divisible into not more than two (2) legal size lots, to divide the property while minimizing delay and expense.

B. Approval Required: Prior to dividing any parcel or tract of land which may be divisible into not more than two (2) legal size lots, the division must first be approved by the Community and Economic Development Director or designee. The approval shall be based on the compliance of the proposed lot split with all ordinances of the City regarding street and other off site improvements, zoning, lot size and configuration, etc.

1. A plat is required if the proposed subdivision requires a dedication of real property for public street, utility easements, or other similar public purposes, as determined by the Community and Economic Development Department after consultation with affected City departments. If a plat is required by this subsection, the plat must be ~~(1)~~ reviewed and

approved by the Planning staff~~Commission;~~ and ~~(2)~~ dedications accepted by the Mayor before recording.

C. Application: The subdivider shall submit a complete application which shall include one reproducible copy and two (2) prints of the property survey and legal description certified by a licensed land surveyor, together with any necessary improvement plans and bond agreements. The property survey shall show all existing improvements on the property being divided.

D. Review: The Community and Economic Development Department shall review the proposed subdivision and shall request recommendations from the Public Works Department and other appropriate City departments.

~~E. Referral For Review: The subdivision may be approved, approved with conditions, or disapproved by the Community and Economic Development Department. The proposed subdivision may be referred to the Planning Commission for review if the Community and Economic Development Director or designee determines it is in the City's best interest.~~

~~F~~E. Final Approval: If the survey and proposed division are in compliance with all City ordinances and conditions imposed, the lot split subdivision shall be approved by the Community and Economic Development Director or designee, and no further approval from the City is required.

~~G~~F. Subdivision: After final approval, the property may be subdivided as approved and conveyed by metes and bounds legal descriptions.

~~H~~G. Fee: The City charges a fee for applications for lot split subdivisions, which must be paid at the time the application is submitted. The fee will be established by the Mayor in a written fee schedule in an amount reasonably necessary to defray costs of processing an application. The written fee schedule will be made available for public inspection in the ~~City's Public Works~~ Department.

~~I~~H. Appeal: A final decision of the Community and Economic Development Director or designee~~the Planning Commission~~ may be appealed to the Appeal Authority by any aggrieved person or by any officer, department, board or agency of the City affected by the decision or action. Appeals must be filed, in writing, with the ~~City's Community and Economic~~ Department within ten (10) days after the decision is made. The appeal will then be heard according to the rules and bylaws of the Appeal Authority. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the Appeal Authority. Appeal of the decision of the Appeal Authority is governed by title 10 chapter 9a of the Utah Code.

(Ord. 19-24 § 2: Ord. 18-06: Ord. 14-10: Ord. 11-22: Ord. 94-40 § 1: Prior Code § 30-27)

16.04.~~11~~090: MODIFICATIONS; PERMITTED WHEN; PETITION FROM SUBDIVIDER:

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Whenever the land involved in any proposed 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 regulations contained in this title, the Planning Staff and City Engineer may recommend that the Planning Commission permit such modifications as may be reasonably necessary if such modifications are in conformity with the spirit and purpose of this chapter, and will not be detrimental to the public welfare or safety, or injurious to other property in the territory in which the property is situated.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-28)

16.04.1~~2~~0: PENALTIES:

A person who fails to comply with the provisions of this title is guilty of a class C misdemeanor. In addition to any criminal prosecution, the City may pursue any other legal remedy available according to law.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-26)

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CHAPTER 16.08
PRELIMINARY PLATS

SECTION:

16.08.010: Purpose

16.08.020: Application

16.08.030: Preliminary Plat Submittal

16.08.040: Planning Commission Review

16.08.050: Preliminary Plat Remains Effective

16.08.010: PURPOSE:

The purpose of the preliminary plat is to require formal preliminary review of a subdivision as provided herein in order to minimize changes and revisions on the final plat. The preliminary plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this title and any other applicable City ordinances.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-10)

16.08.020: APPLICATION:

A. The City shall maintain and publish a list of items comprising the complete preliminary subdivision land use application. Compliance with the application is mandatory. The application for preliminary subdivision applications and materials can be found on the City's website and at the Department Office. These materials include, among other requirements, provisions for:

1. the owner's affidavit;

2. an electronic copy of all plans in PDF format;

3. the preliminary subdivision plat drawings; and

4. a breakdown of fees due upon application.

B. The subdivider of a subdivision, after completing a concept review, if ~~required~~requested, shall file an application for preliminary plat approval with the Community and Economic Development Department on a form prescribed by the City, together with at least two (2)~~five (5)~~ copies of the preliminary plat, one of which shall be electronic. An application may not be forwarded to or scheduled for hearing before the Planning Commission until all required information has been received by the City demonstrating that the applicant has met all objective ordinance-based criteria and the fees have been paid for the submission of a

preliminary subdivision application. The City shall review and determine whether the application is complete within fifteen (15) business days after receipt of an application.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-11)

16.08.030: PRELIMINARY PLAT SUBMITTAL:

The preliminary plat shall be prepared, stamped and signed by a professional engineer licensed by the state of Utah. The preliminary plat shall include, at a minimum, the ~~following~~ information~~:~~ required by the preliminary subdivision application. Additional information may be required by the Staff or Planning Commission.

~~A. Vicinity map:~~

~~1. Drawn at a scale of one thousand feet (1,000') to the inch or other appropriate scale to adequately depict surrounding development, streets, and property;~~

~~2. Show all existing and proposed roadways in the vicinity of the proposed development;~~

~~3. A north arrow;~~

~~4. The nearest section corner tie;~~

~~5. Subdivision name.~~

~~B. Preliminary plat (all facilities within 100 feet of the plat shall be shown):~~

~~1. Drawn at a scale not smaller than one hundred feet (100') to the inch;~~

~~2. A north arrow;~~

~~3. Subdivision name;~~

~~4. The layout and names and widths of existing and future road right of ways;~~

~~5. A tie to a permanent survey monument at a section corner;~~

~~6. The boundary lines of the subdivision with bearings and distances;~~

~~7. The layout and dimensions of proposed lots with lot areas in square feet;~~

~~8. The location and dimensions and labeling of other spaces including, open spaces, parks, or public spaces;~~

~~9. The location of manmade features including bridges, railroad tracks, and buildings;~~

~~10. Topography at two foot (2') intervals;~~

~~11. Location and ownership of all adjoining tracts of land.~~

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~~C. Grading and drainage plan:~~

~~1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout;~~

~~2. Topography at two foot (2') contour intervals;~~

~~3. North arrow;~~

~~4. Subdivision name;~~

~~5. Areas of substantial earth moving with an erosion control plan;~~

~~6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains;~~

~~7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA);~~

~~8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, orifice plates, outlets to off site facilities, and off site drainage facilities planned to accommodate the project drainage. Drainage plans are to facilitate the 10-year storm event. An off site discharge rate of 0.1 cubic feet per second is permitted;~~

~~9. Show any existing wetlands;~~

~~10. Dust and mud tracking control plan (see subsection 16.16.150B of this title).~~

~~D. Utility plan:~~

~~1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout;~~

~~2. North arrow;~~

~~3. Subdivision name;~~

~~4. Show all existing and proposed utilities including: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines (existing only), and streetlights;~~

~~5. Show location and dimensions of all utility easements.~~

~~E. The subdivider shall provide the following documents with the application:~~

~~1. Hydraulic and hydrologic storm drainage calculations;~~

~~2. A traffic study when required by the Planning Commission or City Engineer;~~

~~3. Preliminary title report, or other evidence of title satisfactory to the City Attorney;~~

~~4. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval;~~

~~5. Maintenance agreements for subsurface drains serving the subdivision.~~

~~F. The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the City.~~

~~(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-12)~~

16.08.040: PLANNING COMMISSION REVIEW:

A. No later than fifteen (15) business days after the day on which an applicant submits a complete preliminary subdivision application, ~~T~~the Planning Commission shall review the submitted preliminary plat and determine compliance with the standards, specifications, and criteria set forth in this title and all other applicable ordinances of the City, including, but not limited to, title 17 of this code, general plan and the transportation master plan. The subdivision plan review shall include receiving public comment in no more than one (1) public hearing. ~~The planning commission may approve, approve subject to modification, or disapprove the submitted preliminary plat, and shall make findings specifying any inadequacy in the application, such as noncompliance with City regulations, questionable or undesirable design and/or engineering. The subdivider shall be notified in writing of the action taken by the findings of the planning commission regarding the submitted preliminary plat.~~

B. In reviewing the preliminary subdivision land use application, the Planning Commission may require:

1. additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements; and

2. modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.

The City's request for additional information or modifications to plans under Subsection (B)(1) or (2) 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.

C. The planning commission may approve, approve subject to modification, or disapprove the submitted preliminary plat, and shall make findings specifying any inadequacy in the application, such as noncompliance with City regulations, questionable or undesirable design and/or engineering. The subdivider shall be notified in writing of the action taken by the findings of the planning commission regarding the submitted preliminary plat.

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~~B~~D. Completion of preliminary plat review by the planning commission does not constitute a final acceptance of the subdivision by the City~~planning commission, and does not create any vested rights for the subdivider~~.

~~C~~E. Preliminary and ~~F~~final ~~S~~subdivision ~~R~~review ~~for a standard subdivision of ten (10) lots or less~~ may be done concurrently ~~with the Planning Commission~~.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-13)

16.08.050: PRELIMINARY PLAT REMAINS EFFECTIVE:

A. A completed preliminary plat must be submitted for final approval within one year. The planning commission may grant a one year extension if the plat complies with all applicable ordinances at the time the extension is sought. The extension must be requested prior to preliminary plat expiration.

B. If a final plat which covers only a portion of the approved preliminary plat is recorded within the one year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat shall be extended for one year from the date of recording the final plat.

C. The preliminary plat must be amended if the developer desires to increase the number of lots in the subdivision, or change the grade or location of streets within the subdivision.

D. The preliminary plat need not be amended to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes if the community development director or designee and the city engineer find that amending the preliminary plat is not necessary to protect the interest of the City or adjoining property owners.

E. If a subdivision is proposed to be developed in phases, preliminary plat approval for the remaining portions of the subdivision shall not be voided if final plat for the first phase is approved and recorded within one year of the date of preliminary plat approval.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-14)

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CHAPTER 16.12
FINAL PLATS

SECTION:

16.12.010: Final Plat Review and Approval

16.12.0~~1~~20: Filing Data For Final Plat

16.12.0~~2~~30: Preparation And Materials Of Final Plat

16.12.0~~3~~40: Public Improvement Agreement

16.12.045~~0~~: Bond And Security Requirements

16.12.0~~5~~60: No Public Right Of Action

16.12.0~~6~~70: City Engineer Review And Certification

16.12.0~~7~~80: Approval By Planning Commission

16.12.0~~8~~90: Acceptance Of Offers Of Dedication By Mayor

16.12.10~~9~~0: Recordation With County

16.12.110~~0~~: Amendments To Final Plat

16.12.010: FINAL PLAT REVIEW AND APPROVAL

A. Final Subdivision Application.

The City shall publish a list of items that comprise a complete and final subdivision land use application. Compliance with the application is mandatory. The application for final subdivision applications and materials can be found on the City's website and at the Department City Office.

B. Review Process and Timing

No later than 20 business days after the day on which an applicant submits a complete final application, the Planning staff shall complete a review of the applicant's final subdivision land use application including all subdivision plan reviews. In reviewing the final subdivision land use application, the Planning staff 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.

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The Planning staff's request for additional information or modifications to plans under Subsection (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.

16.12.0~~1~~20**: FILING DATA FOR FINAL PLAT:**

At the time a final plat of a subdivision is submitted to the City Engineer, the subdivider shall submit therewith the ~~following~~information and documents~~:~~ required by the final subdivision application. Additional information may be required by Staff.

~~A. Calculation and traverse sheets, in a form approved by the City Engineer, giving bearings, distance and coordinates of the boundary of the subdivision, and blocks and lots as shown on the final plat;~~

~~B. A no access rights certificate, if required, shall be shown on the final plat;~~

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

~~D. A current report naming the persons whose consent is necessary for the preparation and recordation of such plat and for dedication of the streets, alleys and other public places shown on the plat, and certifying that as of the date of the preparation of the report, the persons therein named are all the persons necessary to give clear title to such subdivision;~~

~~E. A soils report based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the state of Utah, shall be required prior to preliminary approval of any subdivision plat. If the soil report indicates the presence of critically expansive soils, high water table or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water or premature deterioration of the public improvements, a soil investigation of each lot in the subdivision may be required by the Public Works Department. The soil investigation shall recommend corrective action intended to prevent damage to the proposed structure or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application. The City Engineer may determine that a soils report is not necessary and may waive this requirement;~~

~~F. An affidavit, in a form as directed by the City Attorney, from the developer and the owner of the subdivision property, describing:~~

~~1. The use history of the property for the previous fifty (50) years, including the type of business activities which have been conducted on the property;~~

~~2. Whether the property is at natural grade or has been filled; and~~

~~3. Whether the developer or owner of the property is aware of the presence of any tailings, hazardous waste, or petroleum products in or on the property.~~

~~If the City Engineer has reason to believe the property may constitute a health hazard, the developer or owner of the property shall provide written evidence of an environmental assessment and, if applicable, written certification of abatement from all regulatory agencies having jurisdiction over the property and the related contamination.~~

~~G. Evidence of title in form of a commitment for title insurance or other documentation as approved by the City Attorney.~~

~~H. The agreement and bonds specified in sections 16.12.030 and 16.12.040 of this chapter, or successor sections;~~

~~I. Proposed deed restrictions if required by City Attorney.~~

~~(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-15)~~

16.12.0~~2~~30: PREPARATION AND MATERIALS OF FINAL PLAT:

A. 1. The requirements for the final plat, or drawing to be submitted, as above provided, shall consist of a sheet of approved industrial grade tracing linen or Mylar to the outside, or trim line dimensions of twenty two by thirty four inches (22 x 34") and the borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (11/2") on the left hand margin of the sheet for binding, and not less than a one-half inch (1/2") margin, in from the outside or trim line, around the other three (3) edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or west, whichever accommodates the drawing best. All lines, dimension and markings shall be made on the tracing linen with approved ink;

2. The actual plat drawing shall be made on a scale large enough to clearly show all details, and the workmanship on the finished drawing shall be neat, clear cut and readable. The subdivider must also furnish, in addition to the original plat or drawing, an approved and acceptable reproduction of the original plat or drawing made on tracing linen, and to the same dimension and size as the original, or shall furnish two (2) original tracings, as above provided, whichever is preferred;

3. The printing or reproduction process used shall not incur any shrinkage or distortions, and the reproduced tracing furnished shall be of good quality, to true dimension, clear and readable, and in all respects comparable to the original plat or drawing so that the lines, dimensions and markings will not rub off or smear. Both of the tracings, whether originals or one original and a reproduction, shall be signed separately by all required and authorized parties, and the final drawings or plats shall contain the information set forth in this chapter. The location of the subdivision within the City shall be shown by a small scale map on the first sheet.

B. The title of each sheet of such final plat shall consist of the approved name and unit number of the subdivision (if any) at the lower right hand corner of the sheet, followed by the words "Murray City".

C. Wherever the City Engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision named and place of record, or other proper designation.

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

E. The final plat shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angles, radius, and arc length of curves, and such information as may be necessary to determine the location of the centers of curves.

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

G. The map shall show the right-of-way lines of each street and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within one hundred feet (100') of the subdivision shall be shown. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown. Whenever the centerline of a street has been established or recorded, the date shall be shown on the final map.

H. The plat shall indicate buildable areas and square footage for each lot. The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. All lots must have a ten foot (10') rear yard utility easement, a ten foot (10') front yard utility easement. All lots must have side yard utility and drainage easements as follows: In the R-1-6 Zone, lots must have a five foot (5') utility and drainage easement in one side yard. Each side yard easement must line up with the side yard easement on an adjacent lot. For developments with an odd number of lots, on one lot the required side yard easement may be located in either side yard, as determined by City staff.

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Lots within the R-1-8 Zone must have a five foot (5') easement in each side yard. Lots within the R-1-10 and R-1-12 Zones must have a seven foot six inch (7'6") easement in each side yard. The plat shall provide a signature line to indicate approval of utility easements by the City Power Department and any other affected City department as determined by the City Engineer.

I. If the subdivision is adjacent to a waterway, the map shall show the location of any 100-year floodplain as designated by the Army Corps of Engineers or other Federal authority.

J. The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the City Engineer. The following required monuments shall be shown on the final plat:

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

2. All rear lot corner pipes and front lot corner pipes or offset cross marks in the concrete surface of the public sidewalk.

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

1. Registered, professional engineer's and/or land surveyor's "certificate of survey";

2. Owner's dedication certificate;

3. Notary public's acknowledgment;

4. A description of all property being subdivided, with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the County. The description shall also include reference to any vacated area with the vacation ordinance number indicated;

5. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law and by this title. (Ord. 17-34: Ord. 94-40 § 1: Prior Code § 30-16)

16.12.0~~3~~40: PUBLIC IMPROVEMENT AGREEMENT:

A. Prior to the approval by the Planning ~~Commission~~ staff of the final plat, the subdivider shall execute and file an agreement between the subdivider and the City specifying the period within which the subdivider shall complete all public improvement work to the satisfaction of affected City departments, and providing that if the subdivider shall fail to complete the work within such period, the City may complete the same and recover the full cost and expense thereof from the subdivider or the subdivider's surety. The agreement shall also provide for

inspection of all public improvements by the City Engineer and that the cost of such inspections shall be reimbursed to the City by the subdivider.

B. Such agreement may also provide the following:

1. Construction of the improvements in phases;

2. An extension of time under conditions therein specified.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-17)

16.12.0450: BOND AND SECURITY REQUIREMENTS:

A. The subdivider shall file with the agreement required by section 16.12.030 of this chapter, or its successor, a performance bond in an amount equal to one hundred twenty five percent (125%) of the estimated cost of the public improvements for which the subdivider is responsible, as determined by the City Engineer. These bonds may be either cash bonds, corporate surety bonds or letters of credit. The guarantees shall extend for a one year period beyond the date the improvements are completed, as certified by the City Engineer to guarantee the replacement of defective improvements.

B. In the case of a corporate surety bond, in the event a subdivider shall fail to complete all improvement work in accordance with the provisions of this chapter and the improvement agreement, the City may require the subdivider's surety to complete the work, or the City may complete the work and, in the case of a corporate surety, call upon the surety for reimbursement; in the case of a cash bond, the subdivider shall forfeit to the City the money to pay for the cost of completion. If the amount of the bond exceeds all costs and expenses incurred by the City, the City shall release the remainder of the bond, and if the amount of the bond shall be less than the costs and expenses incurred by the City, the subdivider(s) shall be personally liable to the City for the difference.

C. In the case of a letter of credit, the terms shall be that the letter of credit shall be irrevocable without the express written consent of the City.

D. In the case of corporate surety bonds, copies of the partial releases from the City Engineer's Office shall be sent to the Recorder's Office for inclusion with the bond for attachment to the bond.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-18)

16.12.0560: NO PUBLIC RIGHT OF ACTION:

The provisions of sections 16.12.030 and 16.12.040 of this chapter, or successor sections, shall not be construed to provide any private right of action on either tort, contract, third party contract or any other basis on behalf of any property holder in the subdivision as against the

City or on the cash bond, corporate surety bond or letter of credit required under section 16.12.040 of this chapter or its successor in the event that the improvements are not constructed as required. (Ord. 94-40 § 1: Prior Code § 30-19)

16.12.0~~6~~70: CITY ENGINEER REVIEW AND CERTIFICATION:

Upon receipt of the final plat and other data submitted therewith, the City Engineer shall examine such to determine that the subdivision as shown is substantially the same as it appeared on the preliminary plat and any approved alterations thereof. (Ord. 94-40 § 1: Prior Code § 30-20)

16.12.0~~7~~80: APPROVAL BY PLANNING ~~COMMISSION~~STAFF:

Upon receipt of the final plat, the Planning ~~Commission~~ staff shall examine the same to determine whether the plat conforms with the preliminary plat. If in conformity with the preliminary plat and City ordinances, the Planning ~~Commission~~ staff shall approve the plat. If the plat is not in conformity with (1) the preliminary plat; or (2) the requirements of the ordinances of the City, the Planning ~~Commission~~ staff shall disapprove the plat, specifying the reasons for such disapproval. Within thirty (30) days after the Planning ~~Commission~~ staff has disapproved any plat, the subdivider may file with the City Engineer a plat altered to meet the requirements of the Planning ~~Commission~~staff. No final plat shall have any force or effect until the same has been approved by the Planning ~~Commission~~staff.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-21)

16.12.0~~8~~90: ACCEPTANCE OF OFFERS OF DEDICATION BY MAYOR:

Before a plat may be recorded with the County Recorder, the Mayor shall perform the non-discretionary and ministerial act of signing the plat solely to accept offers of dedication.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-22)

16.12.1~~0~~90: RECORDATION WITH COUNTY:

A. When the Planning ~~Commission~~ staff has approved the final plat, all required fees have been paid, and the subdivider has filed the approved agreement and bond required in this chapter, the plat may be presented to the County Recorder for recordation.

B. The subdivision plat shall be recorded within one year of the final approval by the Planning ~~Commission~~ staff or the final plat shall be null and void. The applicant may request a one-time

extension of up to twelve (12) months for special circumstances. The extension must be requested prior to final plat expiration.

(Ord. 19-24 § 2: Ord. 15-25)

16.12.1100: AMENDMENTS TO FINAL PLAT:

The Community and Economic Development and Public Works Directors may approve minor amendments to approved final plats before the plat is recorded, if they find that a proposed amendment does not jeopardize the interests of the City or adjoining property owners. The types of minor amendments contemplated by this section include legal description mistakes, minor boundary changes, and items that should have been included on the original final plats. Major amendments to unrecorded approved final plats shall go back through the approval process. Amendments to recorded final plats shall be in accordance with State law and any policies or procedures adopted by the City.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-25)

TITLE 16
SUBDIVISIONS

CHAPTER 16.04
GENERAL PROVISIONS

SECTION:

16.04.010: Purposes

16.04.020: Definitions

16.04.030: Necessity Of Subdivision Plat Approval

16.04.040: General Responsibilities

16.04.050: Review Cycles

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16.04.080: Exemption From Plat Requirement (Lot Split Subdivisions)

16.04.090: Modifications; Permitted When; Petition From Subdivider

16.04.100: Penalties

16.04.010: PURPOSES:

A. The purposes of this title are:

1. To promote the health, safety and general welfare of the residents of the City;

2. To ensure the efficient and orderly development of land within the City;

3. To prevent the uncontrolled division and development of real property, which may be done without considering the rights and best interests of adjoining property owners and the City as a whole;

4. To avoid poorly planned developments that:

a. Do not comply with the City general plan or ordinances,

b. Cannot be adequately served by existing utilities or public services,

c. May prove to be dangerous or unsafe,

d. May cause an undue burden on existing traffic or transportation services, or

e. May require the future expenditure of public funds to correct problems caused by the development;

5. To provide design standards for public improvements, facilities and utilities, to provide for reasonable accesses to public rights of way, to provide for the dedication of land and streets deemed necessary for the proper development of the subdivision, and to provide for easements or rights of way that are necessary to service the property.

B. This title is designed to inform the subdivision developer and the public of the requirements for obtaining subdivision plat approval. Because each parcel of real property has unique site/situation characteristics, there may be some aspects of subdivision development that cannot easily be articulated. For this reason, it is not possible to cover every possible contingency. Therefore, the City Engineer, Planning Commission, and Community and Economic Development Director have the authority to impose reasonable conditions upon a subdivider in addition to those expressly required, provided that:

1. The conditions are not arbitrary or capricious;

2. The conditions do not conflict with any applicable law.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-01)

16.04.020: DEFINITIONS:

AVERAGE PERCENT OF SLOPE: The rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of land to the lowest point of land within a lot. A vertical rise of one hundred feet (100') between two (2) points one hundred feet (100') apart measured on a horizontal plane is a one hundred percent (100%) grade or a one to one (1:1) slope.

COMPLETE APPLICATION: An application that clearly demonstrates that the applicant has met all objective ordinance-based application criteria and has paid the application fees.

CUT: Either excavated material, or the void resulting from the excavation of earth material. The reference for a cut is the distance from a survey elevation stake to a required lower adjacent elevation.

DEPARTMENT: The Community and Economic Development Department.

DEVELOPER: Any subdivider or any person or organization that develops, or intends to develop, property after it has been divided.

EXCAVATION: Either the removal of earth from its natural position, or the cavity resulting from the removal of earth.

FILL: Earth materials used either as a manmade deposit or to raise an existing grade, or shall mean the depth or the volume of such material. The reference for a fill is the distance from a survey elevation stake to a required higher adjacent elevation.

FINAL GRADING: The last stage of grading a soil or gravel material prior to landscaping or the installation of concrete or bituminous paving, or other required final surfacing material.

FINAL PLAT: A map and supporting documents, prepared in accordance with the provisions of this title and prepared for recording in the office of the county recorder.

GRADING: Either an excavation or fill, or the act of excavating or filling.

IMPROVEMENTS: Curbs, gutters, sidewalks, gradings, pavings, landscaping, water, sewer and power systems, drainage systems, fences, public facilities, amenities and other such requirements of this title.

LAND USE AUTHORITY: For purposes of Title 16, the Planning Commission is the land use authority for review and approval of a preliminary subdivision application and Planning staff is the land use authority for review and approval of a final subdivision application. LAND USE AUTHORITY does not include the City Council or a member of the City Council.

LOT: A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

LOT, DOUBLE FRONTAGE: A subdivision lot which has access from an interior subdivision street and also abuts the right-of-way of a collector or arterial street along the rear lot line.

MONUMENT: A permanent survey marker established by the county surveyor and shown on a final plat with state plane coordinates, and/or a survey marker set in accordance with the City Engineer's specifications and referenced to county survey monuments.

NATURAL STATE: The condition of land which has not been graded, disturbed, or built upon.

PARCEL: Any real property that is not a lot.

REVIEW CYCLE: Means the occurrence of:

a. The applicant’s submittal of a complete subdivision land use application including the City’s written determination of completeness;

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 City’s required modifications or requests for additional information.

SENSITIVE AREA: An area of land which contains environmental or geological elements which, if altered, may cause damage to the environment or the improvements thereon.

STREET: A right of way for the purpose of vehicular and pedestrian traffic.

STREET, ARTERIAL: a street that functions or intended to function as a major traffic way and is designated on the master transportation plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of a street plan.

STREET, COLLECTOR: a street that is of considerable continuity that functions or is intended to function as the principal traffic way between large or separated areas or districts, and that is the means of access to the major or arterial street system.

STREET, CUL-DE-SAC: a street closed at one end by an enlarged, circular turnaround area.

STREET, LOCAL: a street which is supplementary to a collector street and of limited continuity which functions as or is intended to serve the local needs of a neighborhood, and which is the means of access to the collector street system. Local streets primarily serve land-access functions. Local street design and control facilitates the movement of vehicles onto and off the street system from land parcels. Through-movement is difficult and discouraged by both the design and control of this type of facility. This level of street network is likely to provide the highest level of comfort to bicyclists and pedestrians. Local streets will have the lowest speeds and be mostly absent of large vehicles. Existing local streets are identified in the Master Transportation Plan.

SUBDIVIDER: Any person who: a) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; or who b) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit, or plat in a subdivision; or who c) engages directly, or through an agent, in the business of selling, leasing, developing or offering for sale, lease, or development a subdivision; or who d) is directly or indirectly controlled by, or under direct, or indirect common control with any of the foregoing.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, 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. "Subdivision" includes: a) the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument; and b) divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

SUBDIVISION IMPROVEMENT PLANS: the civil engineering plans associated with required infrastructure and municipally controlled utilities required for a subdivision.

SUBDIVISION ORDINANCE REVIEW: review by the City to verify that a subdivision land use application meets the criteria of the City's subdivision ordinances.

SUBDIVISION PLAN REVIEW: 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.

UTILITIES: Natural gas, electric power, cable television, telephone, storm system, sewer, culinary water and other services deemed to be of a public utility nature by the City.

UTILITY EASEMENT: The area designated for access to construct or maintain utilities on privately or publicly owned land.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-02)

16.04.030: NECESSITY OF SUBDIVISION PLAT APPROVAL:

A. Terms: Any division of real property located within the City is subject to the terms of this title. The division of real property includes any sale, gift, transfer, conveyances, split or other division that results in changing the boundaries or legal description of a given parcel of real property.

B. Unlawful Subdivision: It is unlawful to transfer, sell, convey, give or assign any subdivided property before a final subdivision plat for the property to be transferred, sold, conveyed, gifted or assigned is approved and recorded pursuant to the requirements of this title and applicable state law.

1. A parcel of real property is subdivided when it is divided into two (2) or more parts for the purpose, whether immediate or future, of sale or building development;

2. Any developer desiring to develop property that has been subdivided illegally must comply with the requirements of this title before developing the property, regardless of whether the developer was the illegal subdivider.

C. City Approval Of Modifications: It is unlawful to amend, vacate, alter or modify any plat which has already been approved and/or recorded, without first receiving city approval of the amended, vacated, altered or modified plat.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-03)

16.04.040: GENERAL RESPONSIBILITIES:

A. The subdivider shall prepare concept plans and plats consistent with the standards contained herein and shall pay for the design, construction and inspection of the public improvements required. The city shall process said plans and plats in accordance with the

regulations set forth herein. The subdivider may not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until subdivider has obtained the necessary approvals as outlined herein. The subdivider is responsible to obtain and be familiar with all applicable subdivision ordinances, rules and standards of the City.

B. The City shall review the plans and plats for design; for conformity to the general plan and to title 17 of this code; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title.

C. Plats and/or plans of proposed subdivisions may be referred by the Community and Economic Development Director or designee to any City departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment.

D. The City Engineer shall review the engineering plans and specifications for the subdivision to determine if the proposed City required improvements are consistent with this title and other applicable ordinances and shall be responsible for inspecting the City requirement improvements. Review of street layout and lot design shall be coordinated between the City Engineer and the Community and Economic Development Department.

E. The City Engineer shall review the engineering plans and specifications for the public improvements.

F. The Planning Commission shall act as the Land Use Authority to approve (1) preliminary subdivision plats; and (2) the establishment of requirements and design standards for public improvements. It shall make investigations, reports and recommendations on proposed subdivisions as to their conformance to the general plan and title 17 of this code, and other pertinent documents as it deems necessary.

G. The Planning staff shall act as the final Land Use Authority to approve final subdivision plats. After completing its review of the final plat, the Planning staff shall approve or disapprove the final plat in accordance with section 16.12.070 and 16.04.045 of this chapter.

H. The City Attorney shall verify that the bond provided by the subdivider is acceptable, that the subdivider dedicating land for use of the public is the owner of record, that the land is free and clear of unacceptable encumbrances according to the title report submitted by the subdivider, and may review other matters which may affect the City's interests.

I. The Mayor may sign, as a non-discretionary and ministerial act, final subdivision plats for the acceptance of lands and public improvements that may be proposed for dedication to the city.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-04)

16.04.050: REVIEW CYCLES

In reviewing a completed subdivision land use application, the review cycles set forth in Utah Code sections 10-9a-604.1 and 10-9a-604.2, or successor provisions, shall apply.

A. In reviewing a completed subdivision land use application, the City may require:

1. additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements; and

2. 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 (A)(1) or (2) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

C. The City will not require more than four complete review cycles.

D.

1. Subject to Subsection (D)(2), 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 the City's plan review is waived.

2. A modification or correction necessary to protect public health and safety or to enforce state or federal law may not be waived.

3. 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.

E. If an applicant does not submit a revised plan within 20 business days after the City requires a modification or correction, the City shall have an additional 20 business days to respond to the plans.

F. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City's previous review cycle, the City 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.

G.

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

2. 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.

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

H. 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:

1. for a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Subsection 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; 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 the hearing officer.

16.04.060: COMPLIANCE REQUIRED:

A. It is unlawful for a person to subdivide a tract or parcel of land which is located wholly or in part in the City except in compliance with this title.

1. Plat Approval Required: A plat of any subdivision may not be recorded until it has been submitted and approved as herein.

2. Plat Must Not Conflict With Plans, Ordinances Or Laws: A plat shall not be approved if the City determines such plat to be in conflict with any provision or portion of the general plan, the transportation master plan, title 17 of this code, this chapter, and any other state law or City ordinance.

3. Adequate And Available Public Utilities: The City may deny or delay approval of a development project if there is not adequate capacity or availability of public utilities for a proposed development.

B. Land may not be transferred or sold nor shall a building permit be issued for a structure thereon, until a final plat of a subdivision shall have been recorded in accordance with this title and any applicable provisions of state law, and until the improvements required in connection with the subdivision have been guaranteed as provided herein.

C. All lots, plots or tracts of land located within a subdivision are subject to this title whether the tract is owned by the subdivider or a subsequent purchaser, transferee, devisee, or contract purchaser of the land.

(Ord. 19-24 § 2: Ord. 15-26: Ord. 94-40 § 1: prior code § 30-05)

16.04.070: CONCEPT REVIEW:

A. A concept review may be requested by the subdivider for all proposed subdivisions. A concept review provides the subdivider with an opportunity to consult with and receive information from the City regarding the regulations and design requirements applicable to the proposed subdivision. The concept review procedure may be informal and may consist of one or more meetings with affected departments, all as determined by the Community and Economic Development Director.

B. If a concept review is requested, the City shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.

C. At the concept review, City staff shall provide or have available on the City website:

1. copies of applicable land use regulations;

2. a complete list of standards required for the project;

3. preliminary and final application checklists; and

4. feedback on the concept plan

D. The subdivider shall provide the following items:

1. The proposed name of the subdivision;

2. A vicinity plan showing significant natural and manmade features or existing structures on the site and within five hundred feet (500') of any portion of it; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than two feet (2'); north arrow; and scale of the drawing;

3. A proposed lot and street layout;

4. Availability of utilities as evidenced by letters from the utility companies;

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

6. The total acreage of the entire tract proposed for subdivision;

7. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.

E. After the concept review has been completed the subdivider may apply for preliminary plat review consistent with the concept review. If preliminary plat review is not requested within twelve (12) months after a concept review is completed, the Community and Economic Development Director may require a new concept review before the preliminary plat review may proceed.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-06)

16.04.080: EXEMPTION FROM PLAT REQUIREMENT (LOT SPLIT SUBDIVISIONS):

A. Purpose: It is the intent of this section to allow the owner of property, which may be divisible into not more than two (2) legal size lots, to divide the property while minimizing delay and expense.

B. Approval Required: Prior to dividing any parcel or tract of land which may be divisible into not more than two (2) legal size lots, the division must first be approved by the Community and Economic Development Director or designee. The approval shall be based on the compliance of the proposed lot split with all ordinances of the City regarding street and other off site improvements, zoning, lot size and configuration, etc.

1. A plat is required if the proposed subdivision requires a dedication of real property for public street, utility easements, or other similar public purposes, as determined by the Community and Economic Development Department after consultation with affected City departments. If a plat is required by this subsection, the plat must be reviewed and approved by the Planning staff and dedications accepted by the Mayor before recording.

C. Application: The subdivider shall submit a complete application which shall include one reproducible copy and two (2) prints of the property survey and legal description certified by a licensed land surveyor, together with any necessary improvement plans and bond agreements. The property survey shall show all existing improvements on the property being divided.

D. Review: The Community and Economic Development Department shall review the proposed subdivision and shall request recommendations from the Public Works Department and other appropriate City departments.

E. Final Approval: If the survey and proposed division are in compliance with all City ordinances and conditions imposed, the lot split subdivision shall be approved by the Community and Economic Development Director or designee, and no further approval from the City is required.

F. Subdivision: After final approval, the property may be subdivided as approved and conveyed by metes and bounds legal descriptions.

G. Fee: The City charges a fee for applications for lot split subdivisions, which must be paid at the time the application is submitted. The fee will be established by the Mayor in a written fee schedule in an amount reasonably necessary to defray costs of processing an application. The written fee schedule will be made available for public inspection in the Department.

H. Appeal: A final decision of the Community and Economic Development Director or designee may be appealed to the Appeal Authority by any aggrieved person or by any officer,

department, board or agency of the City affected by the decision or action. Appeals must be filed, in writing, with the Department within ten (10) days after the decision is made. The appeal will then be heard according to the rules and bylaws of the Appeal Authority. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the Appeal Authority. Appeal of the decision of the Appeal Authority is governed by title 10 chapter 9a of the Utah Code.

(Ord. 19-24 § 2: Ord. 18-06: Ord. 14-10: Ord. 11-22: Ord. 94-40 § 1: Prior Code § 30-27)

16.04.090: MODIFICATIONS; PERMITTED WHEN; PETITION FROM SUBDIVIDER:

Whenever the land involved in any proposed 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 regulations contained in this title, the Planning Staff and City Engineer may recommend that the Planning Commission permit such modifications as may be reasonably necessary if such modifications are in conformity with the spirit and purpose of this chapter, and will not be detrimental to the public welfare or safety, or injurious to other property in the territory in which the property is situated.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-28)

16.04.100: PENALTIES:

A person who fails to comply with the provisions of this title is guilty of a class C misdemeanor. In addition to any criminal prosecution, the City may pursue any other legal remedy available according to law.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-26)

CHAPTER 16.08
PRELIMINARY PLATS

SECTION:

16.08.010: Purpose

16.08.020: Application

16.08.030: Preliminary Plat Submittal

16.08.040: Planning Commission Review

16.08.050: Preliminary Plat Remains Effective

16.08.010: PURPOSE:

The purpose of the preliminary plat is to require formal preliminary review of a subdivision as provided herein in order to minimize changes and revisions on the final plat. The preliminary plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this title and any other applicable City ordinances.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-10)

16.08.020: APPLICATION:

A. The City shall maintain and publish a list of items comprising the complete preliminary subdivision land use application. Compliance with the application is mandatory. The application for preliminary subdivision applications and materials can be found on the City's website and at the Department Office. These materials include, among other requirements, provisions for:

1. the owner's affidavit;

2. an electronic copy of all plans in PDF format;

3. the preliminary subdivision plat drawings; and

4. a breakdown of fees due upon application.

B. The subdivider of a subdivision, after completing a concept review, if requested, shall file an application for preliminary plat approval with the Community and Economic Development Department on a form prescribed by the City, together with at least two (2) copies of the preliminary plat, one of which shall be electronic. An application may not be forwarded to or scheduled for hearing before the Planning Commission until all required information has been received by the City demonstrating that the applicant has met all objective ordinance-based criteria and the fees have been paid for the submission of a preliminary subdivision application.

The City shall review and determine whether the application is complete within fifteen (15) business days after receipt of an application.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-11)

16.08.030: PRELIMINARY PLAT SUBMITTAL:

The preliminary plat shall be prepared, stamped and signed by a professional engineer licensed by the state of Utah. The preliminary plat shall include, at a minimum, the information required by the preliminary subdivision application. Additional information may be required by the Staff or Planning Commission.

16.08.040: PLANNING COMMISSION REVIEW:

A. No later than fifteen (15) business days after the day on which an applicant submits a complete preliminary subdivision application, the Planning Commission shall review the submitted preliminary plat and determine compliance with the standards, specifications, and criteria set forth in this title and all other applicable ordinances of the City, including, but not limited to, title 17 of this code, general plan and the transportation master plan. The subdivision plan review shall include receiving public comment in no more than one (1) public hearing.

B. In reviewing the preliminary subdivision land use application, the Planning Commission may require:

1. additional information relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements; and

2. modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.

The City's request for additional information or modifications to plans under Subsection (B)(1) or (2) 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.

C. The planning commission may approve, approve subject to modification, or disapprove the submitted preliminary plat, and shall make findings specifying any inadequacy in the application, such as noncompliance with City regulations, questionable or undesirable design and/or engineering. The subdivider shall be notified in writing of the action taken by the findings of the planning commission regarding the submitted preliminary plat.

D. Completion of preliminary plat review by the planning commission does not constitute a final acceptance of the subdivision by the City.

E. Preliminary and final subdivision review may be done concurrently.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-13)

16.08.050: PRELIMINARY PLAT REMAINS EFFECTIVE:

A. A completed preliminary plat must be submitted for final approval within one year. The planning commission may grant a one year extension if the plat complies with all applicable ordinances at the time the extension is sought. The extension must be requested prior to preliminary plat expiration.

B. If a final plat which covers only a portion of the approved preliminary plat is recorded within the one year time limit or extension thereof, the validity of the unrecorded portion of the preliminary plat shall be extended for one year from the date of recording the final plat.

C. The preliminary plat must be amended if the developer desires to increase the number of lots in the subdivision, or change the grade or location of streets within the subdivision.

D. The preliminary plat need not be amended to decrease the number of lots in the subdivision, to make minor lot boundary changes, or to make other minor changes if the community development director or designee and the city engineer find that amending the preliminary plat is not necessary to protect the interest of the City or adjoining property owners.

E. If a subdivision is proposed to be developed in phases, preliminary plat approval for the remaining portions of the subdivision shall not be voided if final plat for the first phase is approved and recorded within one year of the date of preliminary plat approval.

(Ord. 19-24 § 2: Ord. 94-40 § 1: prior code § 30-14)

CHAPTER 16.12
FINAL PLATS

SECTION:

16.12.010: Final Plat Review and Approval

16.12.020: Filing Data For Final Plat

16.12.030: Preparation And Materials Of Final Plat

16.12.040: Public Improvement Agreement

16.12.050: Bond And Security Requirements

16.12.060: No Public Right Of Action

16.12.070: City Engineer Review And Certification

16.12.080: Approval By Planning Commission

16.12.090: Acceptance Of Offers Of Dedication By Mayor

16.12.100: Recordation With County

16.12.110: Amendments To Final Plat

16.12.010: FINAL PLAT REVIEW AND APPROVAL

A. Final Subdivision Application.

The City shall publish a list of items that comprise a complete and final subdivision land use application. Compliance with the application is mandatory. The application for final subdivision applications and materials can be found on the City's website and at the Department City Office.

B. Review Process and Timing

No later than 20 business days after the day on which an applicant submits a complete final application, the Planning staff shall complete a review of the applicant's final subdivision land use application including all subdivision plan reviews. In reviewing the final subdivision land use application, the Planning staff 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.

The Planning staff's request for additional information or modifications to plans under Subsection (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.

16.12.020: FILING DATA FOR FINAL PLAT:

At the time a final plat of a subdivision is submitted to the City Engineer, the subdivider shall submit therewith the information and documents required by the final subdivision application. Additional information may be required by Staff.

16.12.030: PREPARATION AND MATERIALS OF FINAL PLAT:

A. 1. The requirements for the final plat, or drawing to be submitted, as above provided, shall consist of a sheet of approved industrial grade tracing linen or Mylar to the outside, or trim line dimensions of twenty two by thirty four inches (22 x 34") and the borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (11/2") on the left hand margin of the sheet for binding, and not less than a one-half inch (1/2") margin, in from the outside or trim line, around the other three (3) edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or west, whichever accommodates the drawing best. All lines, dimension and markings shall be made on the tracing linen with approved ink;

2. The actual plat drawing shall be made on a scale large enough to clearly show all details, and the workmanship on the finished drawing shall be neat, clear cut and readable. The subdivider must also furnish, in addition to the original plat or drawing, an approved and acceptable reproduction of the original plat or drawing made on tracing linen, and to the same dimension and size as the original, or shall furnish two (2) original tracings, as above provided, whichever is preferred;

3. The printing or reproduction process used shall not incur any shrinkage or distortions, and the reproduced tracing furnished shall be of good quality, to true dimension, clear and readable, and in all respects comparable to the original plat or drawing so that the lines, dimensions and markings will not rub off or smear. Both of the tracings, whether originals or one original and a reproduction, shall be signed separately by all required and authorized parties, and the final drawings or plats shall contain the information set forth in this chapter. The location of the subdivision within the City shall be shown by a small scale map on the first sheet.

B. The title of each sheet of such final plat shall consist of the approved name and unit number of the subdivision (if any) at the lower right hand corner of the sheet, followed by the words "Murray City".

C. Wherever the City Engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision named and place of record, or other proper designation.

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

E. The final plat shall show all survey and mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angles, radius, and arc length of curves, and such information as may be necessary to determine the location of the centers of curves.

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

G. The map shall show the right-of-way lines of each street and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within one hundred feet (100') of the subdivision shall be shown. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown. Whenever the centerline of a street has been established or recorded, the date shall be shown on the final map.

H. The plat shall indicate buildable areas and square footage for each lot. The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. All lots must have a ten foot (10') rear yard utility easement, a ten foot (10') front yard utility easement. All lots must have side yard utility and drainage easements as follows: In the R-1-6 Zone, lots must have a five foot (5') utility and drainage easement in one side yard. Each side yard easement must line up with the side yard easement on an adjacent lot. For developments with an odd number of lots, on one lot the required side yard easement may be located in either side yard, as determined by City staff. Lots within the R-1-8 Zone must have a five foot (5') easement in each side yard. Lots within the R-1-10 and R-1-12 Zones must have a seven foot six inch (7'6") easement in each side yard. The plat shall provide a signature line to indicate approval of utility easements by the City Power Department and any other affected City department as determined by the City Engineer.

I. If the subdivision is adjacent to a waterway, the map shall show the location of any 100-year floodplain as designated by the Army Corps of Engineers or other Federal authority.

J. The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the City Engineer. The following required monuments shall be shown on the final plat:

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

2. All rear lot corner pipes and front lot corner pipes or offset cross marks in the concrete surface of the public sidewalk.

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

1. Registered, professional engineer's and/or land surveyor's "certificate of survey";

2. Owner's dedication certificate;

3. Notary public's acknowledgment;

4. A description of all property being subdivided, with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the County. The description shall also include reference to any vacated area with the vacation ordinance number indicated;

5. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law and by this title. (Ord. 17-34: Ord. 94-40 § 1: Prior Code § 30-16)

16.12.040: PUBLIC IMPROVEMENT AGREEMENT:

A. Prior to the approval by the Planning staff of the final plat, the subdivider shall execute and file an agreement between the subdivider and the City specifying the period within which the subdivider shall complete all public improvement work to the satisfaction of affected City departments, and providing that if the subdivider shall fail to complete the work within such period, the City may complete the same and recover the full cost and expense thereof from the subdivider or the subdivider's surety. The agreement shall also provide for inspection of all public improvements by the City Engineer and that the cost of such inspections shall be reimbursed to the City by the subdivider.

B. Such agreement may also provide the following:

1. Construction of the improvements in phases;

2. An extension of time under conditions therein specified.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-17)

16.12.050: BOND AND SECURITY REQUIREMENTS:

A. The subdivider shall file with the agreement required by section 16.12.030 of this chapter, or its successor, a performance bond in an amount equal to one hundred twenty five percent (125%) of the estimated cost of the public improvements for which the subdivider is responsible, as determined by the City Engineer. These bonds may be either cash bonds, corporate surety bonds or letters of credit. The guarantees shall extend for a one year period beyond the date the improvements are completed, as certified by the City Engineer to guarantee the replacement of defective improvements.

B. In the case of a corporate surety bond, in the event a subdivider shall fail to complete all improvement work in accordance with the provisions of this chapter and the improvement agreement, the City may require the subdivider's surety to complete the work, or the City may complete the work and, in the case of a corporate surety, call upon the surety for reimbursement; in the case of a cash bond, the subdivider shall forfeit to the City the money to pay for the cost of completion. If the amount of the bond exceeds all costs and expenses incurred by the City, the City shall release the remainder of the bond, and if the amount of the bond shall be less than the costs and expenses incurred by the City, the subdivider(s) shall be personally liable to the City for the difference.

C. In the case of a letter of credit, the terms shall be that the letter of credit shall be irrevocable without the express written consent of the City.

D. In the case of corporate surety bonds, copies of the partial releases from the City Engineer's Office shall be sent to the Recorder's Office for inclusion with the bond for attachment to the bond.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-18)

16.12.060: NO PUBLIC RIGHT OF ACTION:

The provisions of sections 16.12.030 and 16.12.040 of this chapter, or successor sections, shall not be construed to provide any private right of action on either tort, contract, third party contract or any other basis on behalf of any property holder in the subdivision as against the City or on the cash bond, corporate surety bond or letter of credit required under section 16.12.040 of this chapter or its successor in the event that the improvements are not constructed as required. (Ord. 94-40 § 1: Prior Code § 30-19)

16.12.070: CITY ENGINEER REVIEW AND CERTIFICATION:

Upon receipt of the final plat and other data submitted therewith, the City Engineer shall examine such to determine that the subdivision as shown is substantially the same as it appeared on the preliminary plat and any approved alterations thereof. (Ord. 94-40 § 1: Prior Code § 30-20)

16.12.080: APPROVAL BY PLANNING STAFF:

Upon receipt of the final plat, the Planning staff shall examine the same to determine whether the plat conforms with the preliminary plat. If in conformity with the preliminary plat and City ordinances, the Planning staff shall approve the plat. If the plat is not in conformity with (1) the preliminary plat; or (2) the requirements of the ordinances of the City, the Planning staff shall disapprove the plat, specifying the reasons for such disapproval. Within thirty (30) days after the Planning staff has disapproved any plat, the subdivider may file with the City Engineer a plat altered to meet the requirements of the Planning staff. No final plat shall have any force or effect until the same has been approved by the Planning staff.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-21)

16.12.090: ACCEPTANCE OF OFFERS OF DEDICATION BY MAYOR:

Before a plat may be recorded with the County Recorder, the Mayor shall perform the non-discretionary and ministerial act of signing the plat solely to accept offers of dedication.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-22)

16.12.100: RECORDATION WITH COUNTY:

A. When the Planning staff has approved the final plat, all required fees have been paid, and the subdivider has filed the approved agreement and bond required in this chapter, the plat may be presented to the County Recorder for recordation.

B. The subdivision plat shall be recorded within one year of the final approval by the Planning staff or the final plat shall be null and void. The applicant may request a one-time extension of up to twelve (12) months for special circumstances. The extension must be requested prior to final plat expiration.

(Ord. 19-24 § 2: Ord. 15-25)

16.12.110: AMENDMENTS TO FINAL PLAT:

The Community and Economic Development and Public Works Directors may approve minor amendments to approved final plats before the plat is recorded, if they find that a proposed amendment does not jeopardize the interests of the City or adjoining property owners. The types of minor amendments contemplated by this section include legal description mistakes, minor boundary changes, and items that should have been included on the original final plats. Major amendments to unrecorded approved final plats shall go back through the approval process. Amendments to recorded final plats shall be in accordance with State law and any policies or procedures adopted by the City.

(Ord. 19-24 § 2: Ord. 94-40 § 1: Prior Code § 30-25)