REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday January 17, 2024 6:00 p.m.

PUBLIC NOTICE is hereby given that the Vineyard City Planning Commission will hold a regularly scheduled meeting at City Hall, 125 South Main Street, Vineyard, Utah. You can also view the meeting on our live stream channel.

REGULAR SESSION

CALL TO ORDER

1. **INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE**
2. **OPEN SESSION -** Time dedicated for public comment. Comments will be limited to three (3) minutes. No actions may be taken by the Planning Commission due to the need for proper public noticing.
3. **BUSINESS ITEMS**
   - **3.1 PUBLIC HEARING – Subdivision Ordinance Amendments**
     Planner Anthony Fletcher will propose amendments to the following section of the Vineyard City Code: 14.04 *Pre-Application meeting,* 14.06 *Preliminary Subdivision Application,* 14.08 *Final Subdivision Application,* 15.34.060 *Accessory Dwelling Units,* 15.40.080 *Design Standards and Requirements,* and 15.06.060 *Vineyard Development Review Committee.* The Planning Commission will provide a recommendation to the City Council.
4. **WORK SESSION**
   - **4.1 Technology Element of the General Plan**
     Community Development Director Morgan Brim will lead a discussion regarding amendments to the Technology Element to the General Plan.
5. **COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE**
6. **ADJOURNMENT**

The Public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Rachel Stevens, Planning Technician, at least 24 hours prior to the meeting by calling (801) 226-1929 or email at rachels@vineyardutah.org.

The foregoing notice and agenda were posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, and delivered electronically to city staff and each member of the Planning Commission.

AGENDA NOTICING COMPLETED ON: January 11, 2024

NOTICED BY: /s/ Rachel Stevens
Rachel Stevens, Planner

Community Development

Date: January 17, 2024
From: Rachel Stevens, Planner
To: City Council
Item: Work Session regarding amendments to the Preliminary and Final Subdivision Application Process
Applicant: City-initiated

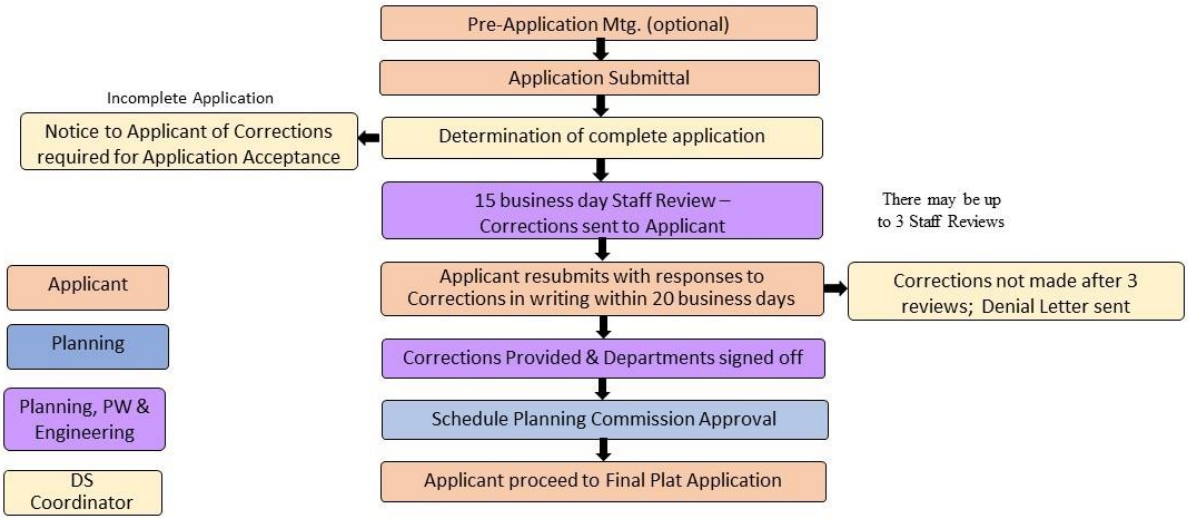
SUMMARY
During the 2023 Utah State Legislature session, Senate Bill 174 introduced a new process for subdivision review and approval for 1-family, 2-family and townhomes. Staff is requesting the application review and approval process is updated for all plats, including mixed-use, condominium, and commercial subdivisions.

The Bill also made amendments to requirements for accessory dwelling units (ADUs) and landscaping bonds. The changes must be adopted by cities with a population of over 5,000 by February 1, 2024.

In addition, to the changes required by Utah State Code, City Staff reviewed the preliminary and final subdivision application process and is requesting several changes to provide clarity to applicants, fix technical errors, and update outdated requirements.

Preliminary Subdivision Process:
A preliminary subdivision is a plat map prepared and made for the purpose of showing a proposed subdivision and the existing conditions. The following figure shows the proposed Preliminary Subdivision Application process.

Preliminary Plat Application Process



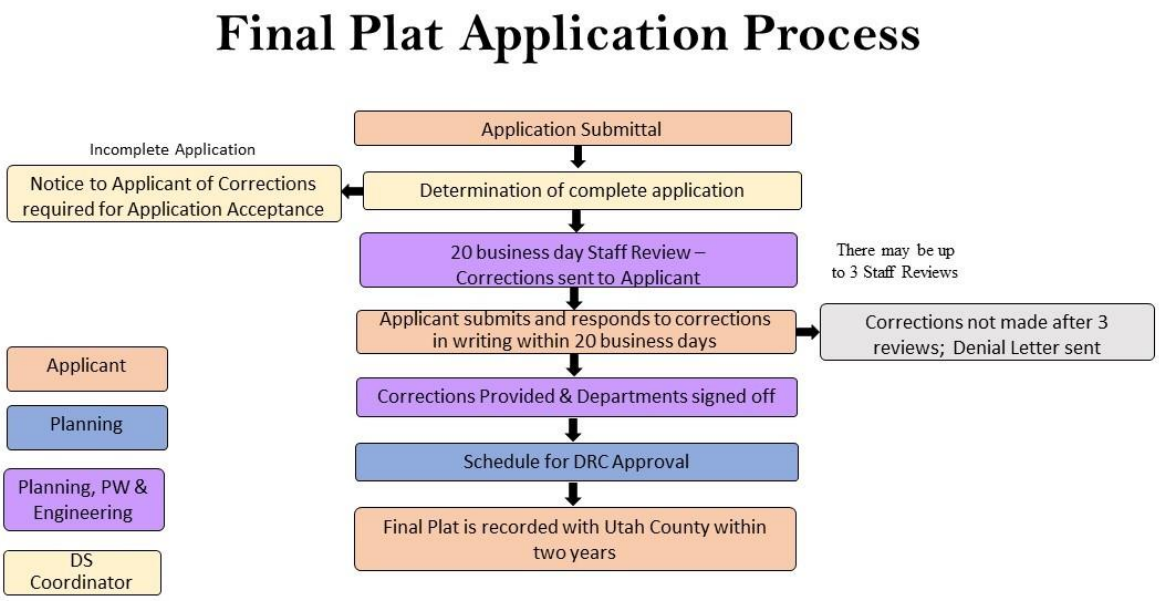
A pre-application meeting is now optional. After a complete application is submitted, staff will complete a review within 15 business days and send corrections to the applicant. After all corrections have been provided, the application will be scheduled for final approval. The final approval body has been changed from the City Council to the Planning Commission approval. The Planning Commission may then approve, approve with conditions, or deny the application.

In addition to updating the process of a preliminary plat application, several changes have been made to provide clarity and fix technical requirements. A copy of the full ordinance is attached for your review.

Final Subdivision Process:

A final subdivision is a plat map showing the final boundaries, including civil drawings, of a proposed subdivision. The approved plat will be recorded at Utah County and show the legal boundaries of parcels. The following figure shows the proposed Final Subdivision Application

process.



After a complete application is submitted, staff will complete a review within 20 business days of the application date. After all corrections by staff have been addressed, the final subdivision application will be scheduled for final approval. The final approval body has been changed from City Council to the Development Review Committee (DRC) approval. The DRC may then approve, approve with conditions, or deny the application.

In addition to updating the process of a final plat application, several changes have been made to provide clarity and fix technical requirements. A new process for disputes relating to public improvement or engineering standards was also established, as outlined by Utah State Code. A copy of the full ordinance is attached for your review.

Additional Text Amendment Changes relating to Senate Bill 174:

The following changes are being proposed to come into compliance with miscellaneous changes made in Senate Bill 174.

- VZC (Vineyard Zoning Code) Section 15.06.060 *Vineyard Development Review Committee.* The proposed change will allow the DRC to act as a Land Use Authority and review Final Subdivision Applications. The DRC will be made up of 7 members including, the Planning Commission Chair, City Manager, RDA Director, and the heads of the following departments, Building, Community Development, Engineering, and Parks and Recreation.
- VZC Section 15.34.060 *Accessory Dwelling Units.* The proposed change alters the minimum number of parking spaces for an ADU from 5 to 4.
- VZC Section 15.04.080 *Design Standards and Requirements.* The proposed change removes the ability for the City to require a bond for landscaping on private property.

A copy of the full ordinance is attached for your review.

ATTACHMENTS:
Ordinance 2024-01
Ordinance 2024-02
Ordinance 2024-03

VINEYARD
ORDINANCE 2024-01

SECTION 1: **AMENDMENT** "14.04.010 Pre-Application Meeting" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.04.010 Pre-Application Meeting

A property owner proposing to subdivide any lands located within the municipal boundaries of the city may ~~shall~~ schedule a pre-application meeting with the City Planner (hereinafter "Planner") and City Engineer (hereinafter "Engineer"). The purpose of the pre-application meeting is to create an opportunity for the applicant to gain an understanding of the city's subdivision requirements and to obtain Ordinance and application processing and review information.

The pre-application conference stage of subdivision review is an investigatory and informational exchange period preceding the preparation and submittal of a preliminary plat application by the subdivider. Pre-application review shall proceed in the following manner:

1. The subdivider and their ~~his~~ engineer shall initially present their proposal and meet with the ~~City~~ Planner and Engineer on an ~~in~~formal basis. The subdivider shall present a general outline of their ~~his~~ proposal which shall include sketch plans and ideas regarding land use, street and lot arrangement, lot sizes, and tentative proposals regarding water supply, sewage disposal, grading and drainage, stormwater, retention, and street improvement. C~~e~~ity staff shall advise the subdivider of specific city objectives, standards, and regulations related to the subject property; the subdivision design expectation details and suggestions regarding subdivision platting procedures and requirements; and related issues. If appropriate, ~~City~~ the Planner may require a subdivider to revise their ~~his~~ initial proposal and present the revised proposal to the ~~City~~ Planner for additional review.
2. Following the pre-application conference with the project team, the subdivider shall have a preliminary plat prepared which contains that information and data required for preliminary plats as identified herein.

The *Request for Pre-Application Meeting* form can be found here. The City shall meet with the applicant within fifteen (15) business days of the request for a Pre-Application Meeting.

SECTION 2: **AMENDMENT** "14.06.020 Requirements For Preliminary Subdivision Applications" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.06.020 Requirements For Preliminary Subdivision Applications

All Preliminary Subdivision Applications, filed with the city, shall provide the following application information:

1. Application Form. A Preliminary Subdivision Application Form completed and signed by the owner(s) of the Subject Property, as identified on the property assessment rolls of Utah County, or authorized agent of the owner(s), of the lands proposed to be subdivided. If the Application Form is signed by an agent of the owner(s), the Application Form shall be accompanied by an affidavit identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Preliminary Subdivision Application. All persons with a fee interest in the Subject Property shall be required to join in and sign the Preliminary Subdivision Application.
2. Preliminary Subdivision Application Fees. The Preliminary Subdivision Application shall include the payment of all Preliminary Subdivision Application fees, as established by the Council~~, and any total amount, or deposit amount, required to provide the services of the City Engineer, as provided and required by VSC 14.06.030.~~
3. Legal Description. A complete and accurate legal description of the entire Subject Property proposed to be subdivided.
4. Preliminary Subdivision Plat. A Preliminary Subdivision Plat shall be prepared by a licensed land surveyor, or engineer, as required by the Act, and drawn at a scale of not less than one inch equals one-hundred feet (1" = 100'), or as recommended by the City Engineer. ~~The Preliminary Subdivision Plat shall be prepared in pen and all sheets shall be numbered. A minimum of fifteen (15) 11 inch x 17 inch size and two (2) 24 inch x 36 inch size paper copies shall be included and accompany the Preliminary Subdivision Application Form. A digital copy of the Preliminary Plat, in a format acceptable to the City's Geographic Information System standards shall also be provided.~~ The Preliminary Subdivision Plat shall show the following:
    a. A vicinity map, at a minimum scale of one inch (1") = one-thousand feet (1000'), clearly identifying the boundaries of the entire Subject Property, accesses, adjoining subdivision outlines and names, as applicable, and other relevant information within one-half (1/2) mile of the boundary of the Subject Property. The location of the Subject Property with respect to surrounding property and roads, and the names of all adjoining property owners of record shall be shown.
    b. A map of the boundary of the Subject Property; accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. The map shall have an error of closure of not greater than 1:10,000. Survey tie to the State grid or other permanent marker established by the Utah County surveyor is required, if practical.
    c. Located at the top-center and lower right-hand corner of the Preliminary Plat, the proposed name of the subdivision that is distinct from any other plat

already recorded in the Utah County Recorder's Office. The basis of bearings used, graphic and written scale, true north point, township, range, section, quarter section, block, and lot number, and total area of the Subject Property shall be shown.

d. Proposed lot and street layout. All existing and proposed street names shall be shown. Addressing of plats shall be completed by the City Engineer.
e. The lot or unit reference, block or building reference, street or site address, the street name or coordinate address, boundaries, course, and dimensions, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots proposed to be created. All parcels, units, lots, or blocks created shall be numbered consecutively.
f. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose.
g. The location of any common space or open space areas, including the location of all property proposed to be set aside for public or private reservation, with the
designation of the purpose of such set asides, and conditions, if any, of the dedication or reservation.
h. All existing and proposed right-of-way and easement grants of record for underground utility facilities, as defined by U.C.A. ~~54-8a-2~~54-3-27 "Public utility easement", and for all other utility facilities within the proposed rights-of-way.
i. Each proposed lot shall identify required setback lines identifying the required front, side, and rear yard areas, as required by the Zoning District in which the Subject Property is located.
j. A title block, placed on the lower right hand corner of the Plat showing:
    i. Proposed name or designation of the subdivision that is distinct from any other plat already recorded in the Office of the Utah County Recorder.
    ii. Name and address of the owner of record and the name, address and license number of the licensed surveyor or engineer responsible for preparing the Preliminary Plat.
    iii. Date of preparation of the Preliminary Plat, and all revision dates, as applicable.
    iv. Signature blocks for the dated signatures of the City Planner, City Engineer, City Manager (representing the will of the Mayor and legislative body), and the City Attorney. City Recorder attests city signatures.
k. Home Owner Association (HOA) ownership and maintenance responsibilities:
    i. Must add as a general note on the plat: "Maintenance of open space must be in compliance with VZC 15.40.060 *Required Landscape*

Maintenance.

ii. Must designate HOA maintained common area

iii. Add note to the plat: "All open areas shall be maintained by the HOA unless specified otherwise."

iv. A maintenance plan must be submitted as a separate sheet with the preliminary plat.

l. Preliminary utility and preliminary landscaping elements shall be provided on the same sheet. Information shall be clearly depicted for convenience of review.

i. A preliminary landscaping plan showing ~~T~~the location of all existing and proposed street trees and other landscape plantings identifying the location and type of all street trees, shrubs and other landscape materials and plantings.

ii. A preliminary utility plan shall be at least fifty (50) percent complete and show connectivity to adjacent properties.

5. Required Subject Property Information. The following information is required and shall be provided on separate sheets at the same scale as the Preliminary Subdivision Plat:
    a. The identification of known natural features including, but not limited to, jurisdictional wetlands as identified by the United States Army Corps of Engineers, flood plains and flood channels as identified by a Federal or State Agency, all water courses, areas where ground water is located within three (3) feet of the ground surface, water bodies, marshy or swampy areas, drainage ways, and any other natural features, as required by the City Planner or City Engineer for the Subject Property, including the total area of each.
    b. All trees over six (6) inches in diameter, measured four (4) feet above the ground. In cases of heavily wooded areas, indication of the outline of wooded area and location of trees which are to remain.
    c. Existing site contours, at intervals of no greater than two (2) feet, overlaid with the proposed subdivision layout. Elevations shall be based on national Geodetic Survey sea level data. In cases of predominately-level topography one (1) foot interval contours may be required.
    d. The location of any known man-made features on, or contiguous to the Subject Property, including existing platted lots, all utility easements, railroads, power lines and power poles, telephone and other telecommunication lines and facilities, bridges, culverts, drainage channels, road rights-of-way and easements, field drains, and well or spring protection areas. Indicate which features will remain and which will be removed.
    e. The location and dimensions of all existing buildings, fence lines and property lines, overlaid with the proposed subdivision layout.
    f. The layout of existing power lines including the source and connection to the existing power supply.
    g. All existing and proposed roadway locations and dimensions, with cross sections and profiles of all new streets and roads, proposed to be dedicated to

the city, showing the grades of all proposed streets and roads, including direction of slope, and all proposed cuts and fills exceeding three (3) feet. The proposed radius of all centerline curves shall be shown.

h. The location and size of existing and proposed culinary water and sanitary sewer lines and the location of all wells and springs, if any, and the location of all secondary water locations, as required by the City Engineer, as applicable, overlaid with the proposed subdivision layout plan. Indicate the direction of slope for all gravity pipelines.
i. Proposed storm drainage and flood control systems including proposed pipe sizes, inlets, detention areas, and drainage arrows.
j. The location of all existing and proposed curb, gutter and sidewalk within and adjacent to the proposed development with an indication of grades and flow arrows showing direction of storm water surface flows.
k. Existing land drain locations and proposed new land drainage system including proposed pipe sizes, inlets, outlets, and drainage arrows.
l. The location of all existing and proposed fire hydrants, including the sizes of all existing and proposed water lines serving all fire hydrants.
m. The location of all existing and proposed streetlights identifying the location, type, height, and light output of all existing and proposed street lights.
n. ~~The location of all existing and proposed street trees and other landscape plantings identifying the location and type of all street trees, shrubs and other landscape materials and plantings.~~

6. Geotechnical Report. A report providing geologic maps, soil type maps, and tables of soil type interpretations based on the national Cooperative Soils Survey, United States Department of Agriculture, and Soil Conservation Service. Other investigation reports regarding the suitability of the Subject Property for the proposed subdivision shall be provided. The location and height of all subsurface ground water areas shall be shown. ~~Preliminary Grading and Drainage Plan. For all Subject Property of one (1) acre or larger, a preliminary grading plan shall be provided indicated by solid-line contours, using two (2) foot intervals, imposed on dashed line contours, also using two (2) foot) intervals, of the existing topography for the entire Subject Property. For Subject Properties that have predominately-level, topography one (1) foot contour intervals may be required by the City Engineer.Preliminary Erosion Control Plan. When required by the City Engineer, a Preliminary Erosion Control Plan shall be provided and included with the Preliminary Subdivision Application.~~
7. Preliminary Civil Drawings. Preliminary Civil Drawings shall include a preliminary site plan and preliminary utility plan. The preliminary civil drawings shall be at least fifty (50) percent complete and show connectivity to adjacent properties.
8. Preliminary Easement Plan. A preliminary easement plan, identifying the location, size, and use of all existing and proposed easements.
9. Title Report. A Title Report for the Subject Property, provided by a Title Company and no older than thirty (30) calendar days from the date of the filing of the Preliminary Subdivision Application. At a minimum, Title Reports shall contain the following information:
    a. Name

b. Date
c. Quality of estate
d. Legal description
e. Easements burdening the property
f. Covenants, Conditions, and Restrictions (CC&R's)
g. Encumbrances
h. Court actions
i. Tax clearance [see 14.06.020(11) below]
j. Liens
k. Any other matter that would burden or interfere with the use or improvement of the property

10. Tax Clearance. A tax clearance from the Utah County Treasurer shall be provided as part of the Preliminary Subdivision Application.
11. Evidence of Availability of Necessary Services. The following information is required to be presented, necessary to establish the availability of required services to the Subject Property.
    a. Culinary Water Requirements. As required and provided by the Act, the Vineyard City Engineer is hereby designated as the Culinary Water Authority for the city. It shall be the responsibility of the Applicant to provide all information and materials, as required by the City Engineer, necessary to review and provide a written approval of the feasibility of the proposed culinary water system and culinary water sources.
    b. Sanitary Sewer Requirements. As required and provided by the Act, the Vineyard City Engineer is hereby designated as the Sanitary Sewer Authority for the city. It shall be the responsibility of the Applicant to provide information and materials, as required by the City Engineer, necessary to review and provide a written approval of the feasibility of the proposed sanitary sewer system.
    c. Subdivision Roads and Streets. The Preliminary Subdivision Application shall identify the proposed road and street layout. Proposed subdivision streets shall make provision for the continuation of existing streets. All subdivision streets shall be designed as required by the Vineyard Development Standards and Design Specifications. If the proposed subdivision will be accessed directly from a State Highway, an appropriate access permit approval, as required by the State of Utah Department of Transportation, shall be provided with the application materials. If the subdivision will be accessed directly from a County Road, authorization from Utah County to allow subdivision access from a County Road shall be provided with the application materials. It shall be the responsibility of the Applicant to provide information and materials, as required by the City Engineer, necessary to review and provide a written recommendation of the proposed road and street system.
    d. Storm Drainage and Flood Control Facilities. The Preliminary Subdivision Application shall identify the storm drainage and flood control system. The proposed subdivision storm drainage and flood control system shall make

provision for the continuation of existing facilities. All subdivision storm drainage and flood control system facilities shall be designed as required by the Vineyard Development Standards and Design Specifications. It shall be the responsibility of the Applicant to provide information and materials, as required by the City Engineer, necessary to review and provide a written recommendation of the proposed storm drainage and flood control system.

e. Fire Protection, Suppression, and Access Facilities. The Preliminary Subdivision Application shall identify the proposed fire protection, fire suppression, and fire access facilities and shall make provisions for the continuation of existing facilities, as required by the Commission and Council. All subdivision fire protection, fire suppression, and fire access facilities shall be designed as required by the Vineyard Development Standards and Design Specifications. The ~~Vineyard~~Orem Fire Marshall is hereby designated as the Fire Protection Authority, and shall review all proposed fire protection, fire suppression, and fire access facilities. It shall be the responsibility of the Applicant to provide information and materials, as required by the City Fire Marshall, necessary to review and provide a written approval of the feasibility of the proposed fire protection, suppression, and access facilities.

12. Additional Information and Materials. When the city staff~~,~~ or Commission~~, or Council~~ deem necessary, the Applicant may be required to provide other information, materials, letters of feasibility, conduct studies, and provide other evidence indicating the suitability of the Subject Property for the proposed subdivision, including, but not limited to, compliance with the City's Transportation Plan(s) including access management plans, adequacy of utilities, public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other infrastructure, physical, environmental, or cultural matters.
13. Phasing Schedule. If the Applicant is proposing phasing the development into two or more sections for purposes of recording final plats, such information must be included as a part of the Preliminary Subdivision Application submission.
    a. A phasing plan describing each phase, the approximate size in area of each phase, the order of phasing and the projected time for recording and development of each phase shall be submitted.
    ~~b. The requirements of the Concept Plan as described in VSC 14.04.010 shall be submitted for all phases not being proposed for preliminary approval.~~
    c. The Planning Commission may impose conditions upon the filing of each section proposed as may be necessary to ensure orderly development of the overall subdivision and the area in which it is located.
    d. Application for subsequent phases must be submitted within one year of recordation of the previous phase.
    e. The submittal of a Concept Plan, as described in VSC 14.04.010 is strongly encouraged for all phases not being proposed for the preliminary approval.
14. Parking Management and Master Plan. The applicant shall provide a narrative describing the parking management strategy to be used within the subdivision. A Parking Master Plan shall be provided on a separate sheet and shall identify all private,

public, and guest parking.

15. The City reserves the right to request additional mapping elements on a separate sheet
16.

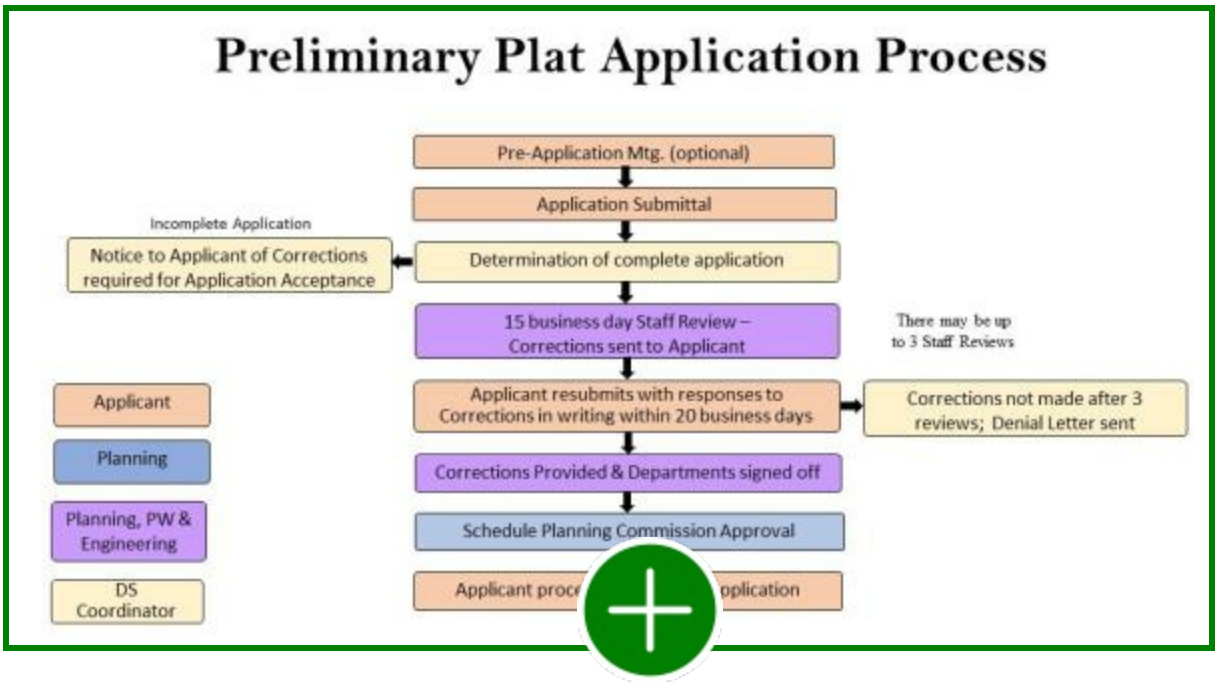
SECTION 3: **AMENDMENT** "14.06.040 Planner To Determine A Complete Application" of the Vineyard Subdivision Code is hereby *amended* as follows:

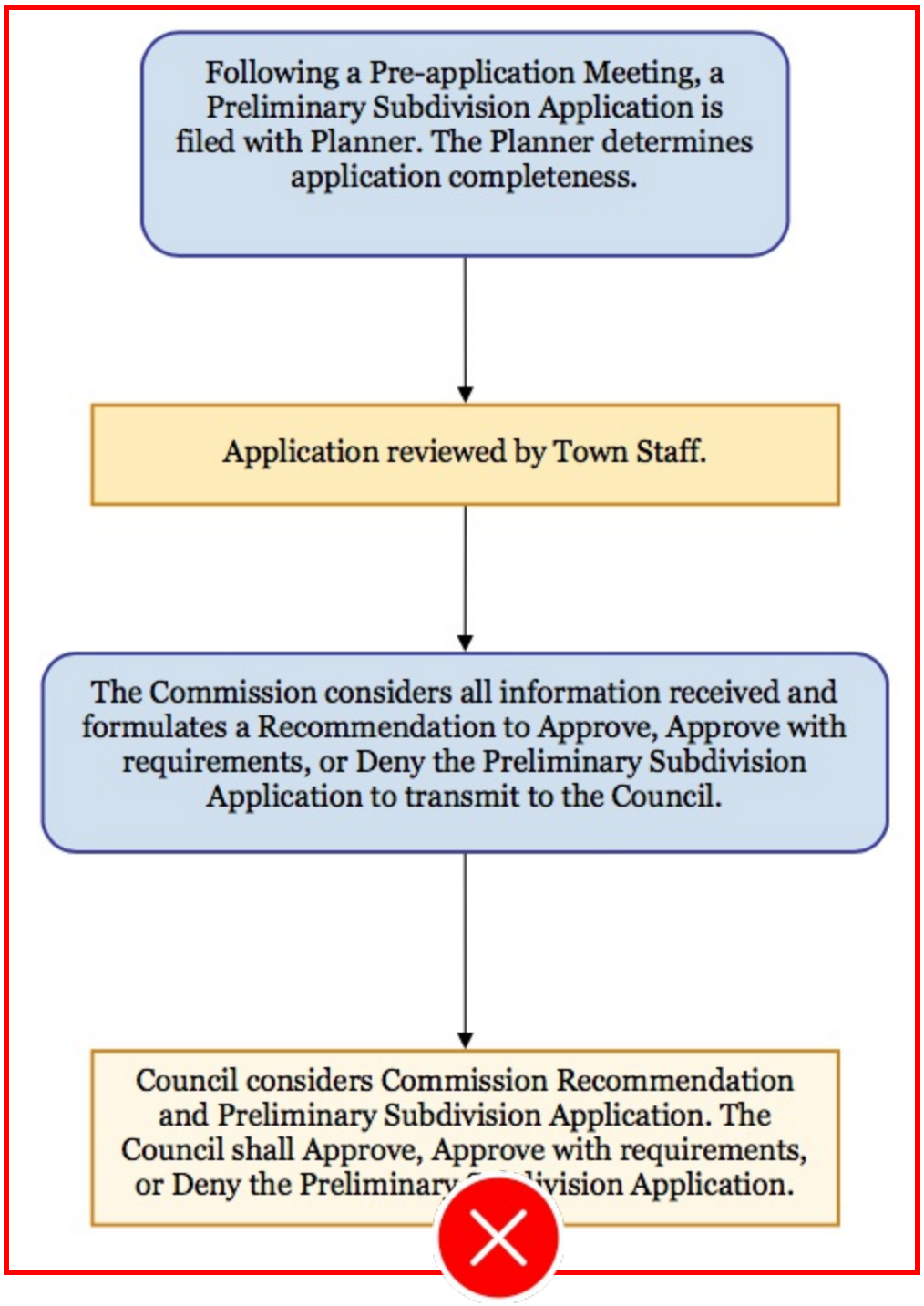
A M E N D M E N T

14.06.040 Planner To Determine A Complete Application

Prior to considering a Preliminary Subdivision Application, the Planner shall determine and find that the Preliminary Subdivision Application is complete and contains all the Preliminary Subdivision Application materials as required by VSC 14.06.020. (See Figure 1)

FIGURE 1 PRELIMINARY SUBDIVISION APPLICATION REVIEW PROCEDURES





SECTION 4: **AMENDMENT** "14.06.070 Preliminary Subdivision Application Review Procedures" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.06.070 Preliminary Subdivision Application Review Procedures

The ~~Council~~Planning Commission is identified and authorized as the Land Use Authority to approve Preliminary Subdivision Applications~~., following a recommendation by the Commission, assuring compliance with all applicable requirements of this Ordinance.~~ The review procedures for the consideration of a Preliminary Subdivision Application are identified in Figure 1.

1. Determination of a Complete Application and City Staff Review.
    a. A determination of a complete Preliminary Subdivision Application shall be made by the Planner as identified in Figure 1 and VSC 14.06.040 and VSC 14.06.050. If incomplete as to the requirements set forth in this ordinance, the submittal will be rejected and returned to the applicant for revision and resubmittal.
    b. City Planner will send copies of the preliminary plat to applicable city staff members for review and comment. As a prerequisite of preliminary plat review by the planning and commission, the City Planner shall inform the appropriate public utility companies, school districts, adjacent municipalities, if the proposed subdivision abuts city limits, and other entities as determined by the City Planner, of the tentative plans and learn the general requirements for sewage disposal, water supply, and public dedications applicable to their needs. Written recommendations from the review agencies shall be transmitted to the City Planner.
2. Commission Public Hearing and Review. Following the review by city staff, the Commission shall consider the Preliminary Subdivision Application at a scheduled meeting. The Commission shall consider all information and input received. The review procedures for the consideration of a Preliminary Subdivision Application are identified in Figure 1. The city staff, or employee, or any State and County Agency, as applicable, any affected Special Service District, Special Service Area, may present information and materials to the Commission for review in considering the Preliminary Subdivision Application.
3. ~~Commission Recommendation.~~ Commission Approval, Approval with conditions, or Denial of the Preliminary Subdivision Application. Following the consideration of the Preliminary Subdivision Application, and all information and materials presented, the Commission shall formulate and ~~transmit a recommendation to the Councilfor approval~~ approve of the Preliminary Subdivision Application, as presented, ~~recommend approval~~ approve of the Preliminary Subdivision Application with requirements, or deny ~~recommend denial of~~ the Preliminary Subdivision Application, with findings of compliance or non-compliance with this Ordinance and all other applicable City, County, State, and Federal requirements.

    Prior to the Commission ~~transmitting a recommendation to the~~ rendering a decision, ~~Council~~, the Commission shall require the following information, necessary to establish the availability of required services to the Subject Property.
        a. Culinary Water. The City Engineer, acting as the Culinary Water Authority,

shall review the proposed culinary water system, and shall provide a written approval to the feasibility of the proposed culinary water system and all culinary water sources for the proposed subdivision.

b. Sanitary Sewer. The City Engineer, acting as the Sanitary Sewer Authority, shall review the proposed sanitary sewer system and shall provide a written approval to the feasibility of the proposed sanitary sewer system for the proposed subdivision.
c. Subdivision Roads and Streets. The City Engineer and Planner shall review the proposed street and road design for compliance with the requirements of the City and shall provide a written recommendation for the proposed street and road layout and design.
d. Storm Drainage and Flood Control Facilities. The City Engineer shall review the proposed storm drainage and flood control system for compliance with the requirements of the City and shall provide a written recommendation for the proposed storm drainage and flood control facilities.
e. Fire Protection, Suppression, and Access Facilities. The ~~Vineyard~~OremFire Marshall is hereby designated as the Fire Protection Authority, and shall review all proposed fire protection, fire suppression, and fire access facilities, and shall provide a written approval of the proposed fire protection, suppression, and access facilities for the proposed subdivision.
f. Special Service District or Special Service Area. If the Subject Property is located within the boundaries of a Special Service District or a Special Service Area, a written recommendation from the governing board of such District or Area shall be provided with the Preliminary Subdivision Application materials, which recommendation may identify any potential impacts resulting from the proposed subdivision.

The Commission may recommend onsite and offsite improvements, facilities and amenities, provided one hundred percent (100%) by the Applicant(s) for preliminary subdivision approval, and determined necessary by the Commission to protect the health, safety, and welfare of anticipated residents of the subdivision, or the existing residents or businesses of the city, including but not limited to:

i. Road and street improvements, including layout, design, grading and surfacing.
ii. Flood control facilities.
iii. Culinary Water facilities.
iv. Sanitary Sewer facilities.
v. Storm Drainage facilities.
vi. Erosion Control facilities.
vii. Traffic Circulation and Access Management facilities.
viii. Land Drainage facilities.
ix. Lot and/or Site drainage.
x. Park and open space areas and facilities.
xi. Fire protection and suppression facilities, including fire hydrants and

water storage facilities.

xii. Electrical power, telecommunication, gas, and other utility facilities.

xiii. Fencing and buffering treatments.

xiv. Street lighting and streetscape enhancements including street trees and park strip improvements.

~~g.~~

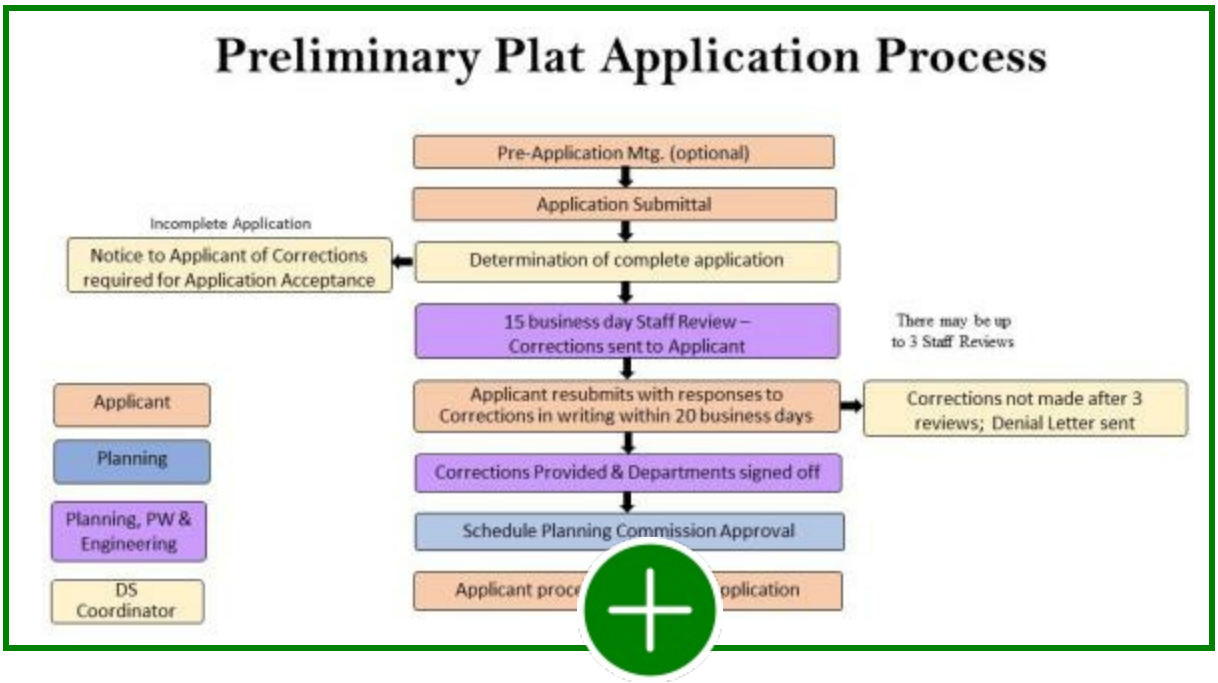
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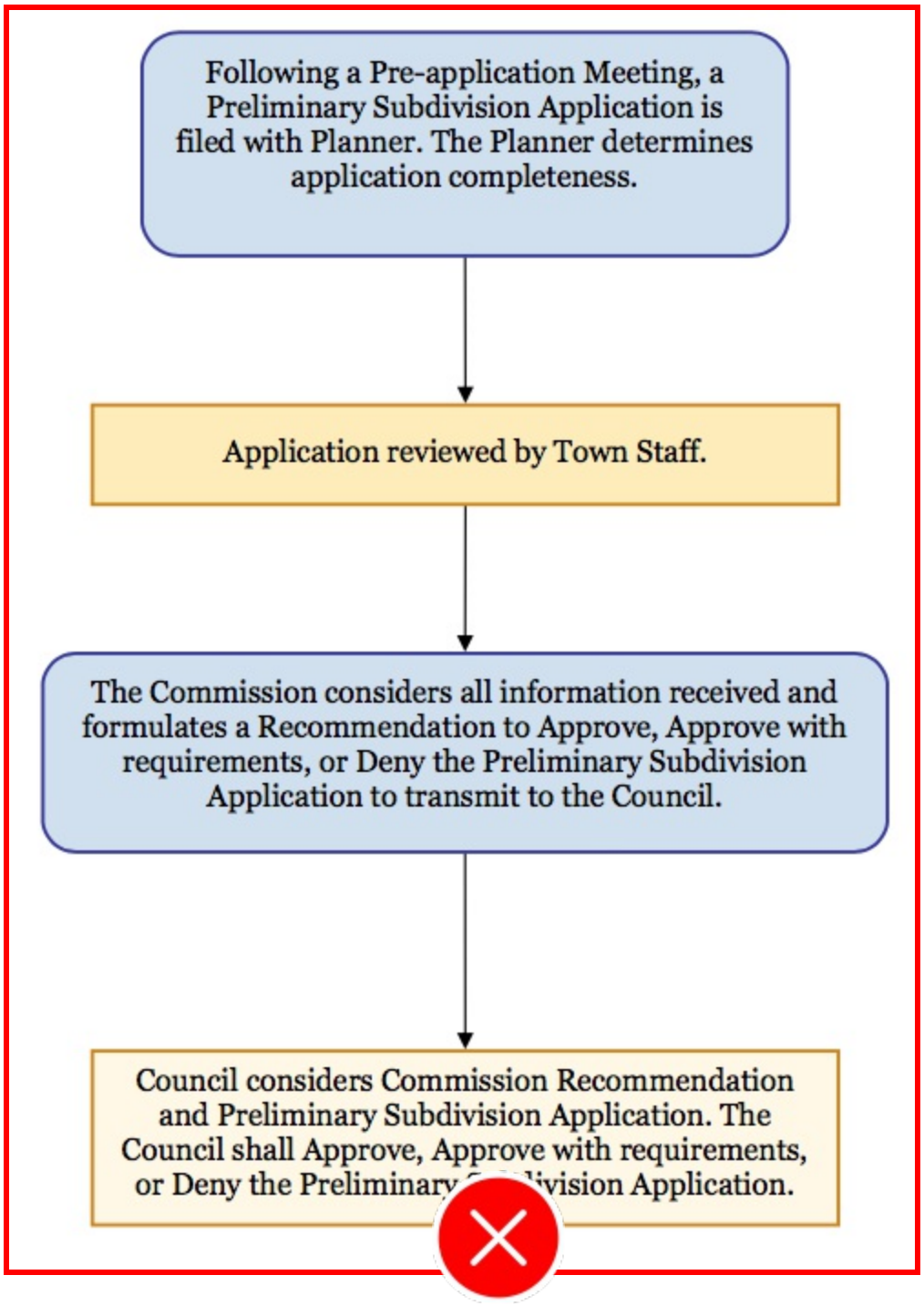
1. ~~Council Review. Following the receipt of the Commission recommendation, the Council shall consider the Preliminary Subdivision Application at a regularly scheduled meeting.~~

   ~~The review procedures for the consideration of a Preliminary Subdivision Application are identified in Figure 1. The city staff or employee, any affected State and County Agency, Special Service District, Special Service Area, or any other affected public agency may present information and materials to the Commission for review in considering the Preliminary Subdivision Application.~~

2. ~~Council Approval, Approval with Requirements, or Denial of the Preliminary Subdivision Application. Following the consideration of the Preliminary Subdivision Application, and all information and materials presented, including the recommendation of the Commission, the Council may approve the Preliminary Subdivision Application, as presented, approve the Preliminary Subdivision Application with requirements, or deny the Preliminary Subdivision Application with findings of compliance or non-compliance with this Ordinance and all other applicable City, County, State, and Federal requirements.The Council may recommend onsite and offsite improvements, facilities and amenities, provided one hundred percent (100%) by the Applicant(s) for Preliminary Subdivision Approval, and determined necessary by the Commission or Council to protect the health, safety, and welfare of anticipated residents of the subdivision, or the existing residents or businesses of the city, including but not limited to:~~
   ~~Road and street improvements, including layout, design, grading and surfacing.Flood control facilities.Culinary Water facilities.Sanitary Sewer facilities.Storm Drainage facilities.Erosion Control facilities.Traffic Circulation and Access Management facilities.Land Drainage facilities.Lot and/or Site drainage.Park and open space areas and facilities.Fire protection and suppression facilities, including fire hydrants and water storage facilities.Electrical power, telecommunication, gas, and other utility facilities.Fencing and buffering treatments.Street lighting and streetscape enhancements including street trees and park strip improvements.~~

FIGURE 1 PRELIMINARY SUBDIVISION APPLICATION REVIEW PROCEDURES


Preliminary Plat Application Process
Pre-Application Mtg. (optional)
Application Submittal
Incomplete Application
Notice to Applicant of Corrections required for Application Acceptance
Determination of complete application
15 business day Staff Review – Corrections sent to Applicant
There may be up to 3 Staff Reviews
Applicant
Planning
Planning, PW & Engineering
DS Coordinator
Applicant resubmits with responses to Corrections in writing within 20 business days
Corrections not made after 3 reviews; Denial Letter sent
Corrections Provided & Departments signed off
Schedule Planning Commission Approval
Applicant proc
oplication



SECTION 5: **AMENDMENT** "14.06.010 Intent" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.06.010 Intent

It is the intent of this Ordinance that a Preliminary Subdivision Application decision is a discretionary action of the ~~Council~~Planning Commission, acting as a Land Use Authority. Any actions by the ~~Council~~Planning Commission related to a Preliminary Subdivision Application shall be accompanied with findings of fact~~, following the receipt of a Commission recommendation.~~

For the purposes of this Ordinance, the procedures and requirements for the consideration of Preliminary Subdivision Applications are provided to allow for the consideration of all items related to the proposed subdivision of land. The Commission shall consider information provided by the City Planner, including information provided by other service providers, and address all items applicable to a Preliminary Subdivision Application prior to ~~providing a recommendation to the Council.The Council shall identify and address all items applicable to a Preliminary Subdivision Application prior to~~ approving, approving with requirements, or denying the Preliminary Subdivision Application.

SECTION 6: **AMENDMENT** "14.06.030 Preliminary Subdivision Application; Engineering Review Fees" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.06.030 Preliminary Subdivision Application; Engineering Review Fees

~~The Applicant(s) for Preliminary Subdivision Application approval shall pay all costs that may be incurred by the city for the provision of City Engineering services necessary to review the Preliminary Subdivision Application materials, for conformity to the requirements of this Ordinance, other applicable Land Use Ordinances, other applicable Local, State, and Federal requirements, and accepted civil engineering practice.~~

SECTION 7: **AMENDMENT** "14.06.080 Effect Of Council Preliminary Subdivision Application Approval And Effective Period" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.06.080 Effect Of ~~Council~~Commission Preliminary Subdivision Application Approval And Effective Period

For all proposed subdivisions, the approval of a Preliminary Subdivision Application by the ~~Council~~ Planning Commission shall not constitute final approval of the subdivision by the city, but permits the Applicant(s) to proceed with the preparation of the Final Subdivision Application and all required documents. For such subdivisions, a Preliminary Subdivision Application approval shall not authorize the division or development of land, but shall allow the presentation to the city of a Final Subdivision Application.

As provided by the Act, the continuing validity of a Preliminary Subdivision Application approval is conditioned upon the Applicant proceeding after approval to implement the approval with reasonable diligence. For the purposes of this Section, and this requirement, the approval of a Preliminary Subdivision Application shall be effective for a period of one (1) year from the date of approval by the Planning Commission ~~Council~~, at the end of which time the Applicant(s) shall have submitted a Final Subdivision Application to the Office of the City Planner. If a Final Subdivision Application is not received by the Planner within the one (1) year period, the Preliminary Subdivision Application approval for the Subject Property shall be rendered void.

SECTION 8: **AMENDMENT** "14.06.100 Appeal Of Preliminary Subdivision Application Decisions" of the Vineyard Subdivision Code is hereby *amended* as follows:

A M E N D M E N T

14.06.100 Appeal Of Preliminary Subdivision Application Decisions

Any person(s) aggrieved by a decision of the Planning Commission ~~Council~~ for a Preliminary Subdivision Application may appeal the Commission ~~Council~~ decision to District Court, as provided by VZC 15.52.

SECTION 9: **AMENDMENT** "14.06.050 Lack Of Preliminary Subdivision Application Information-Determination Of Incomplete Application" of the Vineyard Subdivision Code is hereby *amended* as follows:

A M E N D M E N T

14.06.050 Lack Of Preliminary Subdivision Application Information-Determination Of Incomplete Application

The lack of any information required for a Preliminary Subdivision Application, as required by VSC 14.06.020, shall be cause for the Planner to find the Preliminary Subdivision Application incomplete.

A Planner determination of an incomplete Preliminary Subdivision Application shall prohibit the DRC~~,~~or Commission, ~~or Council~~ from considering any material, items or other information related to the proposed subdivision. The Planner shall notify the Applicant(s), in writing, of the required information lacking from the Preliminary Subdivision Application. The Planner shall thirty (30) calendar days, from the date of notification of an incomplete Preliminary Subdivision Application, for the Applicant(s) to provide the required information to the city. If the Preliminary Subdivision Application remains incomplete after thirty (30) calendar days from date of notification, as required herein, the Planner shall return the entire incomplete application to the Applicant(s), accompanied by any Preliminary Subdivision Application fees paid.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL _____.

	AYE	**NAY**	**ABSENT**	**ABSTAIN**
Mayor Julie Fullmer	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Jacob Holdaway	_____	_____	_____	_____
Sara Cameron	_____	_____	_____	_____

Presiding Officer

_____
Julie Fullmer, Mayor, Vineyard

Attest

_____
Pamela Spencer, City Recorder, Vineyard

VINEYARD
ORDINANCE 2024-02

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "14.08.010 Intent" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.010 Intent

It is the intent of this Ordinance that a Final Subdivision Application decision is an administrative action ~~by the Council~~ by the Development Review Committee (DRC), acting as a Land Use Authority. Any actions by the ~~Council~~Development Review Committee related to a Final Subdivision Applications shall be accompanied with findings of fact.

For the purposes of this Ordinance, the procedures and requirements for the consideration of Final Subdivision Applications are provided to allow for the consideration of all items related to the proposed subdivision of land. The Development Review Committee shall consider information provided by the City Planner, including information provided by other service providers, and address all items applicable to a Final Subdivision Application prior to approving, approving with requirements, or denying an Final Subdivision Application.

~~The Council~~ The Development Review Committee shall consider information provided by the city staff, including information provided by other service providers, and address any requirements and conditions applicable to a Preliminary Subdivision Application approval by the Commission. ~~Council.~~

~~The Council~~ Development Review Committee shall identify and address all items applicable to a Final Subdivision Application prior to approving, approving with requirements, or denying the Final Subdivision Application.

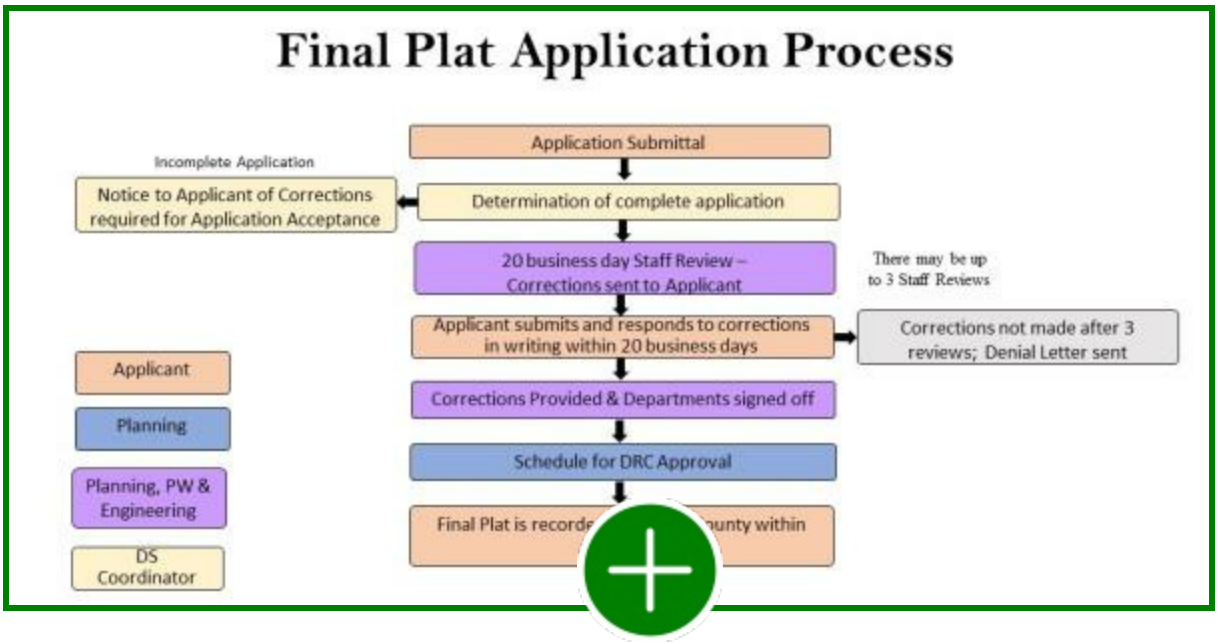
SECTION 2: **AMENDMENT** "14.08.020 Final Subdivision Application; Council Identified As Land Use Authority; City Staff Recommendation Required" of the Vineyard Subdivision Code is hereby *amended* as follows:

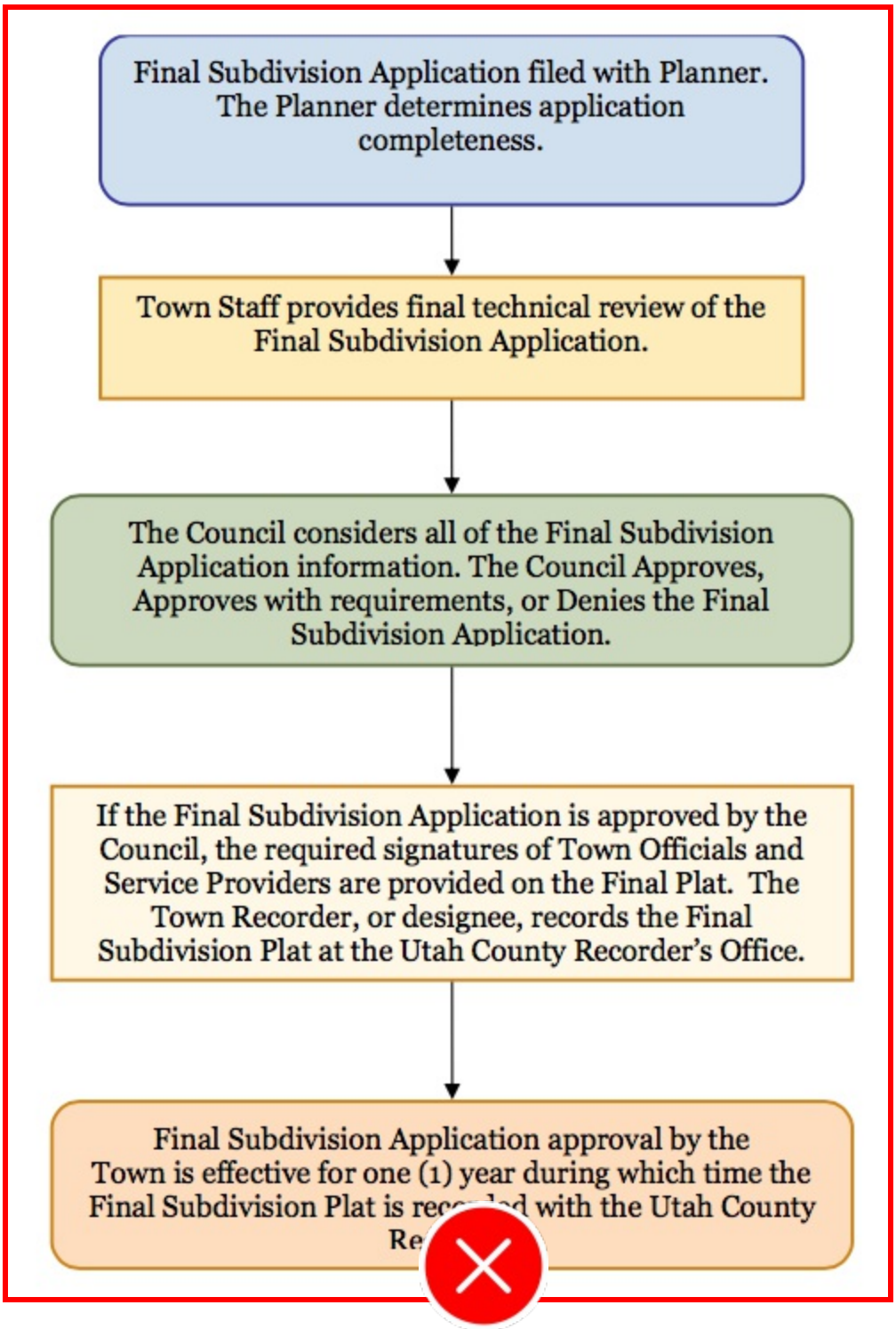
AMENDMENT

14.08.020 Final Subdivision Application; ~~Council~~Development Review Committee Identified As Land Use Authority; City Staff Recommendation Required

1. The Development Review Committee (DRC) ~~Council~~ for Final Subdivision Applications is hereby identified as the Land Use Authority for Final Subdivision Applications.
2. Prior to the Development Review Committee (DRC) ~~Council~~ considering a Final Subdivision Application, the City Planner shall transmit a recommendation to the ~~Council~~ Development Review Committee for consideration. The review procedures for the consideration of a Final Subdivision Application are identified in Figure 4.

FIGURE 4 FINAL SUBDIVISION APPLICATION REVIEW PROCEDURES




Final Subdivision Application filed with Planner. The Planner determines application completeness.
Town Staff provides final technical review of the Final Subdivision Application.
The Council considers all of the Final Subdivision Application information. The Council Approves, Approves with requirements, or Denies the Final Subdivision Application.
If the Final Subdivision Application is approved by the Council, the required signatures of Town Officials and Service Providers are provided on the Final Plat. The Town Recorder, or designee, records the Final Subdivision Plat at the Utah County Recorder's Office.
Final Subdivision Application approval by the Town is effective for one (1) year during which time the Final Subdivision Plat is

SECTION 3: **AMENDMENT** "14.08.030 Requirements For Final Subdivision Applications" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.030 Requirements For Final Subdivision Applications

All Final Subdivision Applications, filed in the Office of the City Planner, shall provide the following information:

1. Application Form. A Final Subdivision Application Form completed and signed by the owner(s) of the Subject Property, as identified on the property assessment rolls of Utah County, or authorized agent of the owner(s), of the Subject Property. If the Application Form is signed by an agent of the owner(s), the Application Form shall be accompanied by an affidavit identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Final Subdivision Application.

   All persons with a fee interest in the Subject Property shall be required to join in and sign the Final Subdivision Application.

2. Final Subdivision Application Fees. The Final Subdivision Application shall include the payment of all Final Subdivision Application fees, as established the Council~~, and any total amount, or deposit amount, required to provide the services of the City Engineer, as provided and required by this section, or engineering inspection services~~.
3. Legal Description. A complete and accurate legal description for the entire Subject Property.
4. Final Subdivision Plat. A Final Subdivision Plat shall be prepared by a licensed land surveyor, as required by the Act, and drawn at a scale of not less than one inch equals one-hundred feet (1" = 100'), or as recommended by the City Engineer, and in a form acceptable to the Utah County Recorder for recordation. The Final Subdivision Plat shall be prepared in pen on mylar and all sheets shall be numbered. All required certificates shall appear on a single sheet (along with the index and vicinity maps). One (1) original mylar copy of the Final Plat and two (2) original copies of the Final Subdivision Design and Construction Plans shall be included with the Final Subdivision Application ~~and a minimum of ten (10) 11inch x 17 inch size and two (2) 24 inch x 36 inch paper copies shall be included and accompany the Final Subdivision Application Form~~. A digital copy of the Final Subdivision Plat, in a format acceptable to the City's Geographic Information System standards by the City Engineer, shall also be provided. The Final Subdivision Plat shall contain the same information as required by VSC 14.06.020, and shall include any revisions or additions, as required by the Commission~~ or Council~~, as part of the Preliminary Subdivision Application approval, as applicable. The Final Subdivision Plat shall show the following:
   a. Notation of any self-imposed restrictions, including proposed restrictive

covenants, signed by all owners of interest, and bearing the acknowledgment of a public notary, and all other restrictions as required by the Commission ~~or Council~~, as applicable.

b. A survey of the perimeter of the Subject Property and all parcels, units, lots and blocks created, accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. Bearings shall be shown to the nearest second; lengths to the nearest hundredth (100th) foot; areas to the nearest hundredth (100th) acre. All parcels, units, lots, or blocks created shall be numbered consecutively. All lands within the boundaries of the Final Subdivision Plat shall be accounted for as lots, roads, streets, alleys, walkways, or as excepted parcels. Excepted parcels shall be marked as "Not Included in the Subdivision" and the boundary of such parcels indicated by distances and bearings.

c. Endorsement of every person having a security interest in the Subject Property subordinating their liens to all covenants, servitudes, and easements imposed on the property.

d. The location of all monuments erected, corners, and other points established in the field. The material of which the monuments, corners, or other points are made shall be noted.

e. All existing and proposed street names shall be shown and the street address and coordinate address of all parcels, units, or lots, created shall be shown, as required by the addressing system of the city.

f. Every existing right-of-way and easement grant of record for underground facilities, as defined by U.C.A. ~~54-8a-2~~ 54-3-27 "Public utility easement.", and for all other utility facilities, and all proposed rights-of-way and easement grants of record for utility facilities.

g. The location of any common space or open space areas including the location of all property set aside for public or private reservation, with the designation of the purpose of such set asides, and conditions, if any, of the dedication or reservation.

h. The name and address of the licensed surveyor responsible for preparing the Final Subdivision Plat.

    i. The surveyor making the Final Plat shall certify that the surveyor:

        (1) Holds a License in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;

        (2) Has completed a survey of the property described on the Final Plat in accordance with U.C.A. 17-23-17 and has verified all measurements; and

        (3) Has placed monuments as represented on the Final Plat.

i. Located at the top-center and lower-right of the Final Subdivision Plat, the name of the subdivision, as approved by the Utah County Recorder's Office. The basis of bearings used, graphic and written scale, true north point, township, range, section, and quarter section, block, lot number, and total are of the Subject Property shall be shown.

j. A title block, placed on the lower right hand corner of the Final Subdivision Plat showing:
    i. The Approved name of the subdivision, as approved by the Utah County Recorder.
    ii. Date of preparation of the Final Subdivision Plat.
    iii. Signature blocks for the dated signatures of the City Planner, City Engineer, City Manager (representing the will of the legislative body), and City Attorney. City Recorder attests city signatures.

5. Other Required Final Subdivision Application Information and Materials. The following information is required and shall be provided on separate sheets at the same scale as the Final Subdivision Plat:
    a. All documents establishing any required agreements, guarantees, or any bonds and the payment of any required guarantees or bonds.
    b. Owner's Dedications. The owner's certificate of dedication(s) including a legal description of the Subject Property boundaries and the dedication of all public ways or spaces. This certificate shall be signed, dated, and notarized. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the Utah County Recorder may enter the book and page number of their recording.
    c. Required Federal, State, and Local Permits. Whenever a Federal, State, or Local department or agency has authority or jurisdiction, all necessary approvals, permits, and licenses, as required, shall be provided by such Federal, State, and Local departments and agencies and shall be required and included with the Final Subdivision Application.
    d. Covenants and Restrictions. Copies of all protective covenants, conditions and restrictions (CC&R's), trust agreements, home owner's association articles and bylaws, and all other required documents, including those required by the Commission ~~or Council~~, as applicable, governing the future use of property, infrastructure, utility and service systems, re-subdivision, and other provisions required to maintain the integrity of the subdivision.
6. Final Construction Drawings. Final design and construction drawings for all proposed, or required public improvements, prepared by a licensed civil engineer, and as required by the "Vineyard Development Standards and Design Specifications" and the City Engineer, including, but not limited to, all culinary water facilities, all sanitary sewer facilities, all storm drainage and flood control facilities, bridges and culverts, the profiles and cross sections of all proposed roads and streets, all secondary water facilities, all fire hydrants and fire protection and suppression facilities, all electrical power facilities, all telecommunications facilities, all street lights, all street trees and other landscape plantings identifying the location and type of all street trees, shrubs and other landscape materials and plantings, and all other provided and required public facilities and improvements.
    a. Improvement Construction Costs. Estimated constriction costs of all proposed, or required public improvements, prepared by a Utah licensed professional ~~civil~~ engineer or Utah licensed general contractor, and as required by the

"Vineyard Development Standards and Design Specifications" and the City Engineer.

b. Final Grading and Drainage Plan. For all Subject Property of one (1) acre or larger a Final Grading Plan shall be provided indicated by solid-line contours, using two (2) foot intervals, imposed on dashed line contours, also using two (2) foot intervals, of the existing topography for the entire Subject Property. For Subject Properties that have predominately-level topography one (1) foot contour intervals may be required by the City Engineer. All stormwater drainage shall be either maintained within the property lines or conveyed into a stormwater system, as approved by the City Engineer.

c. Final Erosion Control Plan. ~~When required by the City Engineer, a~~A Final Erosion Control Plan shall be provided and included with the Final Subdivision Application.

7. Title Report. If the Final Subdivision Application is filed in the Office of the City Planner after one hundred eighty (180) calendar days from the date the Preliminary Subdivision Application is approved, or if any changes or corrections have been made to the Title of the Subject Property since the Preliminary Subdivision Application was filed in the Office of the City Planner, a Title Report for the Subject Property, provided by a Title Company, no older than thirty (30) calendar days from the date of filing the Final Subdivision Application shall be provided. At a minimum, Title Reports shall contain the following information:
    a. Name
    b. Date
    c. Quality of estate
    d. Legal description
    e. Easements burdening the property
    f. Covenants, Conditions, and Restrictions (CC&R's)
    g. Encumbrances
    h. Court actions
    i. Tax clearance
    j. Liens
    k. Any other matter that would burden or interfere with the use or improvement of the property

8. Tax Clearance. A tax clearance from the Utah County Treasurer shall be provided as part of the Final Subdivision Application. The DRC ~~Council~~ may withhold an otherwise valid Final Plat approval until the owner of the Subject Property provides the DRC ~~Council~~ with a tax clearance indicating that all taxes, interest, and penalties owing on the Subject Property have been paid.
9. Additional information and Materials. When the city staff, commission, or DRC~~council~~ deem necessary, the applicant may be required to provide other information, materials, letters of feasibility, conduct studies, and provide other evidence indicating the suitability of the subject property for the proposed subdivision, including, but not limited to, compliance with the city~~n~~'s transportation plan(s)

including access management plans, adequacy of utilities, public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other infrastructure, physical, environmental, or cultural maters.

SECTION 4: **AMENDMENT** "14.08.100 Final Subdivision Review Procedures" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.100 Final Subdivision Review Procedures

The ~~Council~~ Development Review Committee (DRC) is identified and authorized as the Land Use Authority for Final Subdivision Applications, assuring compliance with all applicable requirements of this Ordinance. The review procedures of the city for the consideration of a Final Subdivision Application are identified in Figure 1~~2~~.

1. Determination of a Complete Application. A determination of a complete Final Subdivision Application shall be made by the Planner as identified in Figure 1 and VSC 14.08.070. and VSC 14.08.080. ~~14.08.040 and VSC 14.08.050~~. If incomplete as to the requirements set forth in this ordinance, the submittal will be rejected and returned to the applicant for revision and resubmittal.
2. ~~Council~~Development Review Committee Review. Following the receipt of a staff report, the ~~Council~~Development Review Committee shall consider a Final Subdivision Application. ~~The Council shall consider a Final Subdivision Application at a scheduled Council meeting.~~ The Development Review Committee (DRC) shall review and consider a Final Subdivision Application at a scheduled meeting.
    a. Following the consideration of the Final Subdivision Application, and all information and materials presented, including the recommendation of city staff, the Development Review Committee ~~Council~~ may approve the Final Subdivision Application, as presented, approve the Final Subdivision Application with requirements, or deny the Final Subdivision Application with findings of compliance or non-compliance with this Ordinance, and other Land Use Ordinances and requirements, as applicable.
    b. The Development Review Committee ~~Council~~ may require onsite and offsite improvements, facilities and amenities, provided one hundred percent (100%) by the Applicant for Final Subdivision Application approval, such improvements, facilities and amenities being determined consistent with the requirements herein, and found necessary by the ~~Council~~ DRC to protect the health, safety, and welfare of anticipated residents of the subdivision, or the existing residents or businesses of the city.~~, including but not limited to:~~
        i. ~~Road and street improvements, including layout, design, grading and~~

surfacing.

ii. Flood control facilities.

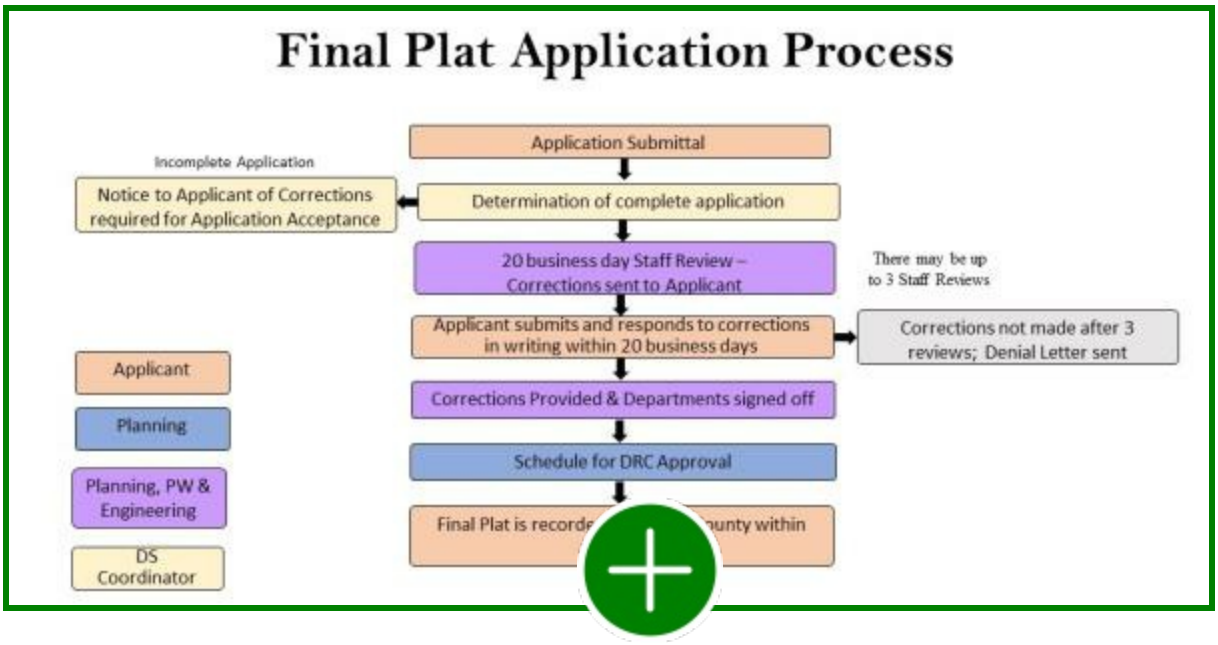
iii. Culinary Water facilities.

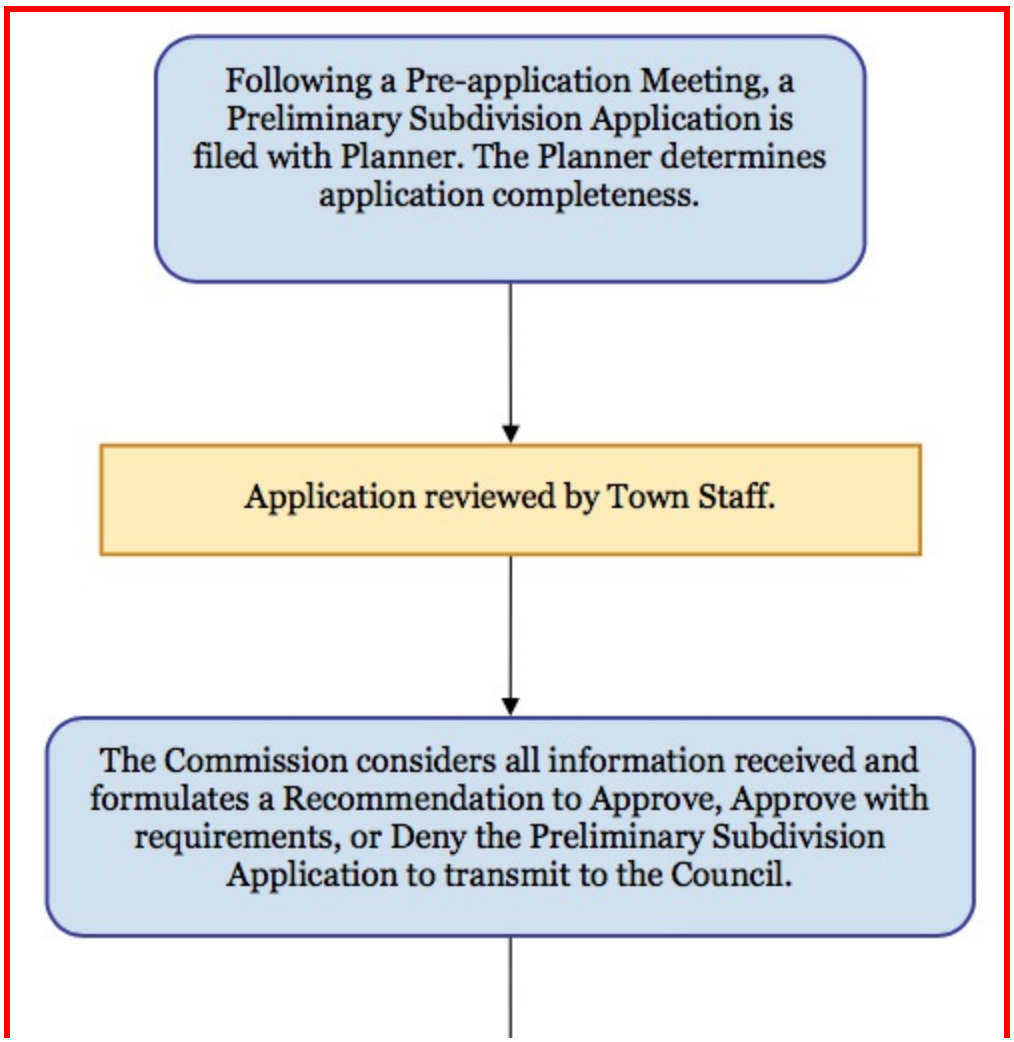
iv. Sanitary Sewer facilities.
v. Storm Drainage facilities.
vi. Land Drainage facilities.
vii. Erosion Control facilities.
viii. Traffic Circulation and Access Management facilities.
ix. Lot and/or Site drainage.
x. Park and open space areas and facilities.
xi. Fire protection and suppression facilities, including fire hydrants, fire access, and water storage facilities.
xii. Electrical power and telecommunications facilities.
xiii. Fencing and buffering treatments.
xiv. Street lighting facilities; and
xv. Streetscape enhancements including street trees and park strip improvements.

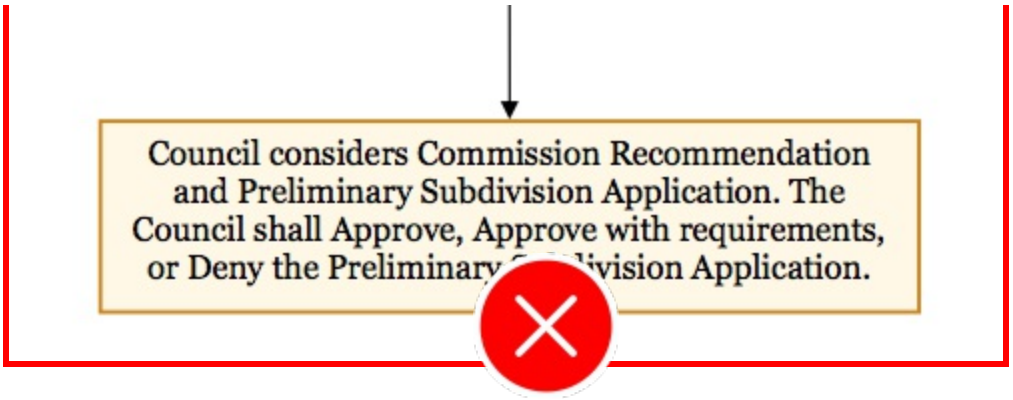
3. Concurrent Review. An applicant may request a concurrent submission of a preliminary and final plat for non-residential (i.e. commercial and industrial) subdivisions so long as they contain all the information that would be required by these regulations. The City Council shall receive a recommendation from the planning commission prior to review of the submittal.
4. Acknowledgement and Necessary Signatures Required. The owner of the Subject Property shall acknowledge the Final Plat before the Development Review Committee Council authorized to take the acknowledgement of conveyances of real estate and shall obtain the signature of the Mayor, acting on behalf of the Council, and authorized to take the acknowledgement of conveyances of real estate on behalf of the city, and the City Attorney.
5. Dedications and Grants of Easements. When the Applicant is proposing, or is required, to provide dedications for any public or quasi-public infrastructure, utilities, or improvements, as applicable, the owner or operator of the infrastructure, utilities, improvements, and underground and utility facilities shall approve the: (i) boundary, course, dimensions, and intended use of the right-of-way and easement grants of record; (ii) location of existing underground and utility facilities; and (iii) conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the subdivision. Such approval shall be provided in writing by the owner or operator of the infrastructure, utilities, improvements, and underground and utility facilities, as applicable. When land within the subdivision is to be purchased by a public or quasi-public agency, a letter of intention to purchase shall be provided. In addition, all subdivisions shall establish and maintain a landscape easement between the subdivision fence and the sidewalk within the right-of-way.
6. Recordation of Final Subdivision Plat and all Subdivision Documents. After a Final

Subdivision Application has been approved, with or without requirements, and signed by all city officials and services providers, the Final Subdivision Plat shall be provided to the City Recorder, for presentation by the City Recorder, or designee, to the Office of the Utah County Recorder for recordation. After the Final Subdivision Plat has been recorded, the Applicant(s) may apply for ~~permits required for the construction and installation of subdivision improvements and~~ building permits consistent with the approved and recorded Final Subdivision Plat and the city requirements for such permits. The Applicant is required to pay all fees, including copies, for the recording of all Final Subdivision documents and the Final Subdivision Plat.

FIGURE 1 PRELIMINARY SUBDIVISION APPLICATION REVIEW PROCEDURES




Following a Pre-application Meeting, a Preliminary Subdivision Application is filed with Planner. The Planner determines application completeness.
Application reviewed by Town Staff.
The Commission considers all information received and formulates a Recommendation to Approve, Approve with requirements, or Deny the Preliminary Subdivision Application to transmit to the Council.



SECTION 5: **AMENDMENT** "14.08.110 Effect Of Approval, With Or Without Requirements, Of Final Subdivision Application And Effective Period" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.110 Effect Of Approval, With Or Without Requirements, Of Final Subdivision Application And Effective Period

After the Final Plat has been acknowledged, certified, and approved by the Development Review Committee~~Council~~, this shall constitute final approval of the subdivision by the city, after which the owner of the Subject Property shall, within ~~one~~ two (~~1~~2) years of the date of approval of the Final Plat, record the Final Plat in the Office of the Utah County Recorder. The Applicant shall pay all fees, including copies, for the recording of the Final Plat and all Final Subdivision documents.

~~The Applicant shall provide one (1) 24 inch x 36 inch copy and two (2) 11 inch x 17 inch copies of the recorded Final Plat and one (1) copy of any additional Final Subdivision documents to the City Planner for inclusion in the files of the city~~. An electronic ~~digital~~ copy of the recorded Final Subdivision Plat, in a format acceptable to the City's Geographic Information System standards by the City Engineer, shall ~~also~~ be provided.

After the Final Plat has been recorded, the Applicant(s) may apply for permits required for the construction and installation of subdivision improvements and building permits consistent with the approved and recorded Final Plat and the city requirements for such permits.

As provided by the Act, the continuing validity of a Final Subdivision Application approval is conditioned upon the Applicant proceeding after approval to implement the approval with reasonable diligence. For the purposes of this Section, and this requirement, the approval of a Final Subdivision Application shall be effective for a period of ~~one (1) year~~ two (2) years from the date of approval, at the end of which time the Applicant shall have presented the Final Plat for recording in the Office of the Utah County Recorder. If the Final Plat is not recorded within two (2) years ~~one (1) year~~, the Final Subdivision Application shall be rendered void, and the Applicant shall be required to submit a new Preliminary Subdivision Application, subject to the requirements of this Ordinance and other Land Use Ordinances and requirements in effect at the time an application is filed.

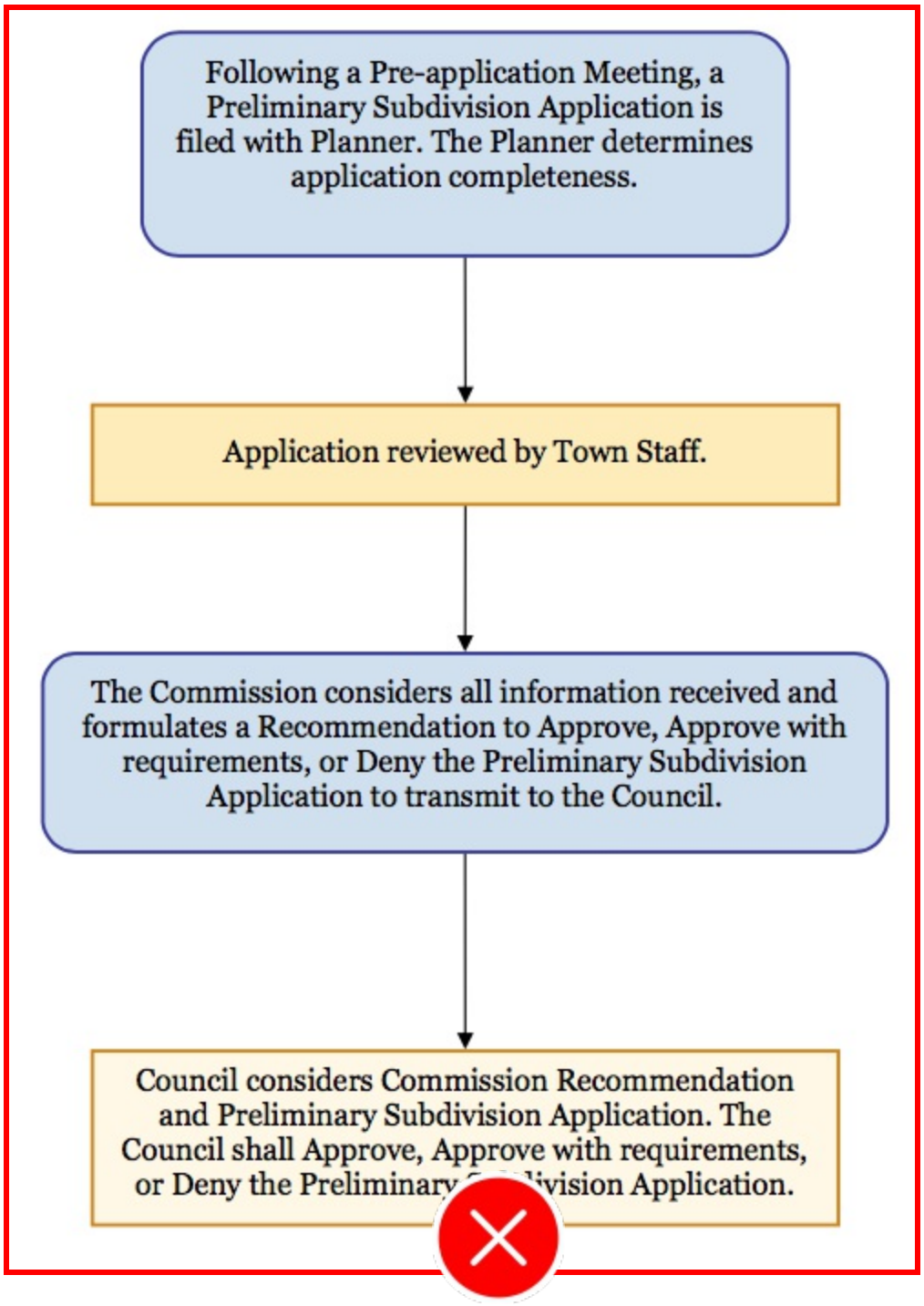
SECTION 6: **AMENDMENT** "14.08.070 Planner To Determine A Complete Final Subdivision Application" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.070 Planner To Determine A Complete Final Subdivision Application

Prior to the consideration of the Final Subdivision Application by the City Staff or ~~Council~~ the Development Review Committee, the Planner ~~s~~ shall determine and find that the Final Subdivision Application is complete and contains all application materials as required herein. ~~(See Figure 1)~~

~~FIGURE 1 PRELIMINARY SUBDIVISION APPLICATION REVIEW PROCEDURES~~



SECTION 7: **AMENDMENT** "14.08.130 Appeal Of Final Subdivision Application Decisions" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.130 Appeal Of Final Subdivision Application Decisions

Any person(s) aggrieved by a decision of the Development Review Committee (DRC) ~~Council~~ concerning a Final Subdivision Application may appeal the decision within twenty (20) business days of the decision. ~~to District Court, as provided by VZC 15.52~~.

1. For disputes relating to public improvement or engineering standards, the City shall assemble a three (3) personal panel of experts. The applicant shall pay fifty (50) percent of the total cost of the panel and the City shall pay for fifty (50) percent of the panel. The panel shall meet within ten (10) business days of receiving an appeal request from the applicant. The panel shall consist of:
    a. One Utah licensed professional engineer designated by the City,
    b. One Utah licensed professional engineer designated by the land use applicant, and
    c. One Utah licensed professional engineer, agreed upon, and designated by the two designated engineers.
    d.
2. The panel's decision shall be final, unless the City or the Applicant petition the District Court for review within thirty (30) business days after the final written decision is issued.-

3. For all other disputes, the applicant may appeal the decision to the District Court, as provided by VZC 15.52.

SECTION 8: **AMENDMENT** "14.08.090 Appeal Of A Decision Of The Planner" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.090 Appeal Of A Decision Of The Planner

Any person(s) aggrieved by a decision of the Planner of a Determination of Application Completeness may appeal the Planner's decision to the Development Review Committee~~Council~~.

SECTION 9: **AMENDMENT** "14.08.060 Final Plat Engineering Review Fees" of the Vineyard Subdivision Code is hereby *amended* as follows:

AMENDMENT

14.08.060 Final Plat Engineering Review Fees

~~The Applicant(s) for Final Subdivision Application approval shall pay all costs that may be incurred by the city for the provision of City Engineering services necessary to review the Final Subdivision Application materials, for conformity to the requirements of this Ordinance, other applicable City Ordinances, other applicable Local, State, and Federal requirements, and accepted civil engineering practice.~~

PASSED AND ADOPTED BY THE VINEYARD COUNCIL _____.

	AYE	**NAY**	**ABSENT**	**ABSTAIN**
Mayor Julie Fullmer	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Jacob Holdaway	_____	_____	_____	_____
Sara Cameron	_____	_____	_____	_____

Presiding Officer

_____
Julie Fullmer, Mayor, Vineyard

Attest

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Pamela Spencer, City Recorder, Vineyard

VINEYARD
ORDINANCE 2024-03

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** "15.06.060 Vineyard Development Review Committee" of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.06.060 Vineyard Development Review Committee

1. **Establishment**. A Development Review Committee (hereinafter identified as the "DRC") may be established and created by the Mayor, with the advice and consent of the Council.
2. **Purpose**. The purpose of the DRC is to assure that any proposed use, activity, building or structure is consistent with the General Plan and complies with all requirements of the City's Land Use Ordinances, including this Ordinance, and all other applicable Ordinances and requirements.
3. **Membership**. The DRC shall consist of seven (7) members, the Chair of the Planning Commission, the City Manager, the RDA director, and the heads of the Departments of Building, Community Development, Engineering, and Parks and Recreation or their designee. The Orem Fire Marshall and Vineyard Public Safety department shall advise the DRC on all Land Use decisions. ~~persons representing City Departments, and other persons, as may be designated by the Mayor, responsible for reviewing and coordinating Applications for any Land Use Application Approval, Permit, or License.~~
4. **Chairperson.** The committee shall designate one member as the Chairperson of the DRC annually.
5. **Powers and Duties**. The DRC shall act under the direction of the Mayor and shall have the following duties and responsibilities:
    a. Before a Land Use Authority considers any Permitted Use (P-2) or Conditional Use (C) Applications, the DRC shall review the Application to determine compliance of the Application with the General Plan and all applicable Ordinances.
    b. The DRC shall provide a report to the Land Use Authority identifying compliance of any Permitted Use (P-2) or Conditional Use (C) Application with the General Plan and all applicable Ordinances prior to review and decision by a Land Use Authority.
    c. The DRC may provide a report to the Planner for any Temporary Use (T) or Permitted Use (P-1) Application identifying compliance with the General Plan and all applicable Ordinances prior to review and decision by the Planner.

d. The DRC may present findings for consideration by the Land Use Authority in the review and decision of any Application for any Approval, Permit, or License.
e. The DRC may act as a Land Use Authority to approve, approve with requirements, or deny Final Subdivision Applications.

6. **Conduct of Meetings**. The DRC shall establish procedures for the conduct of DRC meetings, the scheduling of meetings, field trips, and any other DRC matters, such procedures being reviewed and approved by the Mayor before taking effect.

SECTION 2: **AMENDMENT** "15.34.060 Accessory Dwelling Units" of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.34.060 Accessory Dwelling Units

Purpose: The purpose of the accessory dwelling unit ordinance is to promote areas in the city to accommodate an expanding population, establish regulations to address the health, safety and welfare of the community, to provide flexibility for changes in household size associated with life cycle and to enable a level of financial security for home owners.

1. **Location**: Accessory dwelling units are allowed as an accessory use to a single-family detached residence and are limited to the following development configurations:
    a. Detached accessory structures in accordance with section 15.12.060 Dimensional Standards Table and Section 15.34.030 Accessory Buildings.
    b. Within a home provided access to the accessory dwelling unit shall meet all applicable fire and building codes. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.

2. **Minimum lot size:** A minimum lot size of five thousand two hundred (5,200) square feet is required for homes containing an internal accessory dwelling unit. A minimum lot size of twelve thousand (12,000) square feet is required for lots containing a detached accessory dwelling unit.
3. **detached accessory dwelling unit.**
   size: Detached accessory dwelling units shall not exceed a square footage of one thousand two hundred square feet
4. **External appearance**: The accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family, such as two (2) front doors. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials, and color of the primary building.
5. **Sale of principle dwelling**: An accessory dwelling unit shall not be sold separately

from the sale of the principle dwelling located on the same lot.

6. **Owner occupied**: The property owner shall live within the home or detached structure located on the property containing the accessory dwelling unit.
7. **Number of units**: A maximum of one (1) accessory dwelling unit may be established as a secondary use to a detached single-family dwelling.
8. **Dimensional standards**: Accessory dwelling units shall comply with required building height, setbacks and all applicable dimensional standards listed in VZC 15.64 Table of Uses and Development Standards for attached or detached accessory buildings.
9. **Utilities**: An accessory dwelling unit shall be served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an accessory dwelling unit.
10. **Parking**: A single-family dwelling with an accessory dwelling unit shall provide a minimum of four (4) ~~five (5)~~ onsite parking spaces located on a paved surface or approved driveway. Only driveways or parking pads containing a minimum length of eighteen feet (18') may be counted toward required onsite parking. The minimum length of a driveway counting toward onsite parking shall not include any land associated with street rights-of-way, sidewalks or public property/access. All onsite parking spaces shall contain a minimum width of eight feet (8'). Property owner parking shall not be parked tandem with tenant parking and tenant parking shall not be parked tandem with owner parking. The area dedicated to onsite parking and driveway surfaces shall be limited in compliance with VZC Section 15.38.030(2)(b).
11. **Addresses**: The single-family dwelling and accessory dwelling unit shall have unique addresses.
12. **Entrance**: Entrances and access to the accessory dwelling unit shall meet applicable building and fire codes.. Only one (1) front entrance of the primary home shall be visible from the front yard.
13. **Application:** An accessory dwelling unit application may only be approved if the property meets the standards listed in this section. An accessory dwelling unit shall not be authorized on a property that has outstanding ordinance violations or unpaid taxes.
14. **Business License:** All Accessory Dwelling Units shall maintain a Vineyard City Business License to be renewed biennially, subject to property inspection for code compliance by a Vineyard City staff member.
15. **Compliance with adopted codes**: Accessory dwelling units shall meet all requirements of the adopted Building Code and other applicable city ordinances and regulations.

SECTION 3: **AMENDMENT** "15.40.080 Design Standards And Requirements" of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.40.080 Design Standards And Requirements

1. Generally
    a. Landscape Improvements ~~and Guarantees~~: All landscape improvements (landscape materials, irrigation system, screening walls, etc.) shall be installed and paid for by the developer on the site in accordance with the approved final landscape plan. ~~prior to the issuance of a certificate of occupancy for the building or use. When considered advisable, upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the City Planner may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the City Planner approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the City Planner.~~
    b. Minimum Size of Plantings. Unless otherwise specified herein, all required deciduous trees shall be a minimum of two inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size.
    c. Plant Installation. Plants installed pursuant to this Chapter shall conform to installation standards within the approved Vineyard Tree and Landscape Manual.
    d. Plant Materials. Plant shall be drought tolerant and well-suited to the soil conditions at the project site. Plants with similar water needs shall be grouped together in landscape zones as much as possible. The applicant shall provide the water requirements for all plant material. Plant materials shall be chosen from the approved Vineyard Tree and Landscape Manual.
    e. Limitation on the Use of Turf [see also VZC 15.40.090(5) for additional requirements]. Turf shall be limited to 35% of the total landscaped area. All landscape areas, other than those designated for recreation purposes such as parks and playfields as determined by the City Planner are subject to this limitation.
    f. Natural Topping of Landscape Areas. All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: turf, groundcover, planting, decorative rock (two (2) inches minimum depth and a minimum size of one-half inch), or wood mulch (four (4) inches minimum depth). A pre-emergent herbicide shall be applied to the ground prior to the placement of natural surface materials in any landscaped area to prevent weed growth.
    g. Irrigation Standards
        i. All landscaped areas shall be supported by an automatic irrigation system which may be a soaker, drip-type, or otherwise approved system. The irrigation system shall meet all State and City requirements for potential cross-connections that must be protect against backflow to the culinary water system. All irrigation systems

and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the street, sidewalk, or parking areas.

ii. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip Emitters and sprinklers shall be placed on separate valves.

h. Separate Connection. Any landscaping that will be owned and maintained by the city shall have separate irrigation line connection prior to the master meter. A backflow prevention device shall be installed by the developer or property owner as required by the City Engineer.

i. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soils report.

j. Protection of Landscaped Areas. Permanent containment barriers (concrete curbs or bumper guards) shall be installed and properly secured within or adjacent to all proposed parking areas and along all driveways and vehicular access ways to prevent the destruction of landscape materials by vehicles.

k. Use of Landscaped Areas. No part of any landscape area shall be used for any other use such as parking, signs, or display; except for required on-site retention areas or when such use is shown on the approved final landscape plan.

l. Detention Basins

i. The detention areas shall not occupy more than fifty (50) percent of the on-site street frontage landscape area, unless approved by the City Planner where shallow depths for multi-use are proposed for the basin.

ii. All detention areas shall maintain slopes no steeper than a four to one (4:1) ratio when adjacent to public rights-of-way or where there is pedestrian access to that portion of the basin. Side slopes adjacent to walls, fences, hedges and other areas with limited pedestrian access may have side slopes up to a four to one (4:1) ratio.

iii. Provide a minimum five (5) foot wide level area at the top of the basin slope.

iv. No sidewalk or walkway shall be located closer than five (5) feet to the top of any adjacent basin slope.

v. All basins shall be at least five feet in width at the bottom of the basin.

2. Onsite Landscaped Areas. All development projects covered by VZC 15.40.020 shall provide on-site landscaped areas located in accordance with the following standards and requirements:

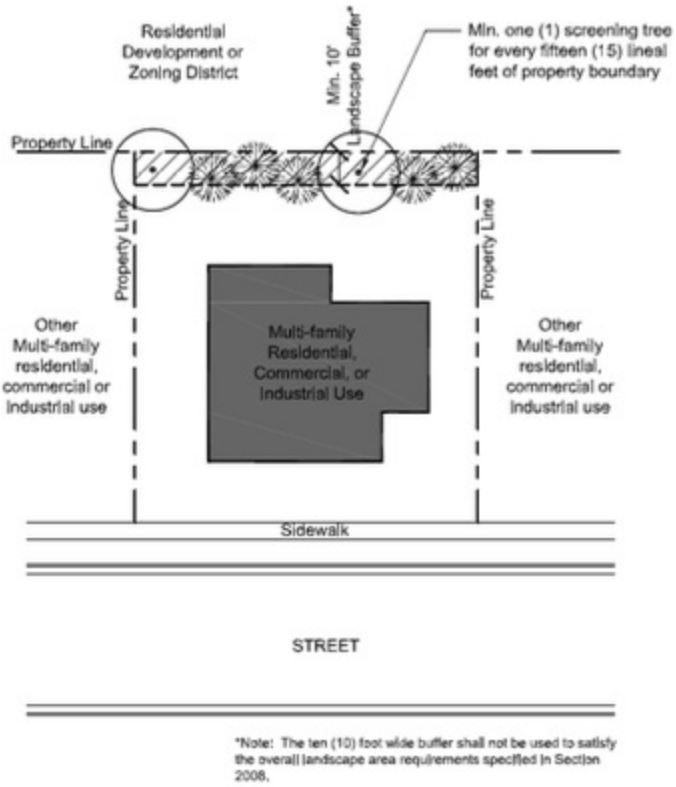
a. For all development within the industrial zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than five (5)

percent of the net site area, whichever is greater.

b. For all development within all other zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than twenty (20) percent of the net site area. For the purposes of this section, landscape areas shall also include plazas.
c. All portions of a development site not occupied by buildings, structures, vehicle access and parking areas, loading/unloading areas, and approved storage areas shall be landscaped in accordance with the provisions of this Chapter. Future building pads within a phased development shall be improved with temporary landscaping, or otherwise maintained weed-free in such a manner as may be approved by the City Planner.
d. The landscaping of all street rights-of-way contiguous with the proposed development site not used for street pavement, curbs, gutters, sidewalks, or driveways shall be required in addition to the on-site landscaped areas required herein.

3. Landscaped Buffers
    a. A minimum ten-foot-wide landscape buffer shall be required along those property lines of a site developed for multiple-family residential, commercial, or industrial uses when such property lines are contiguous with any residential development or residential zoning district; except that no such landscape buffers shall be required for multiple-family residential contiguous with other multiple-family development or a multiple-family zoning district. The area of this landscape buffer shall not be used to satisfy the landscape area requirements of this Section.
    b. The landscape buffer areas shall be improved with a minimum of one (1) screening tree spaced at each fifteen-foot interval of the property boundary being screened.

Landscaped Buffers



4. Parking Lot Landscaping. Parking lot landscaping shall be as required in Title 15.38 Parking and Loading Requirements. The landscaped area within these planters may be used to satisfy, to the extent provided, the landscaped area requirements set forth in this Section.
5. Building Foundations. For each elevation visible from a public or private street, a minimum five (5) foot foundation planting area shall be provided.
6. Street Frontages
    a. The landscape setback, measured from the property line, for non-residential and multi- family uses shall be as follows:

        Arterial Streets: 25 feet
        Collector Streets: 20 feet
        Local Streets: 15 feet

    b. The landscape setback for all residential subdivisions, measured from the back of curb, shall be as follows:

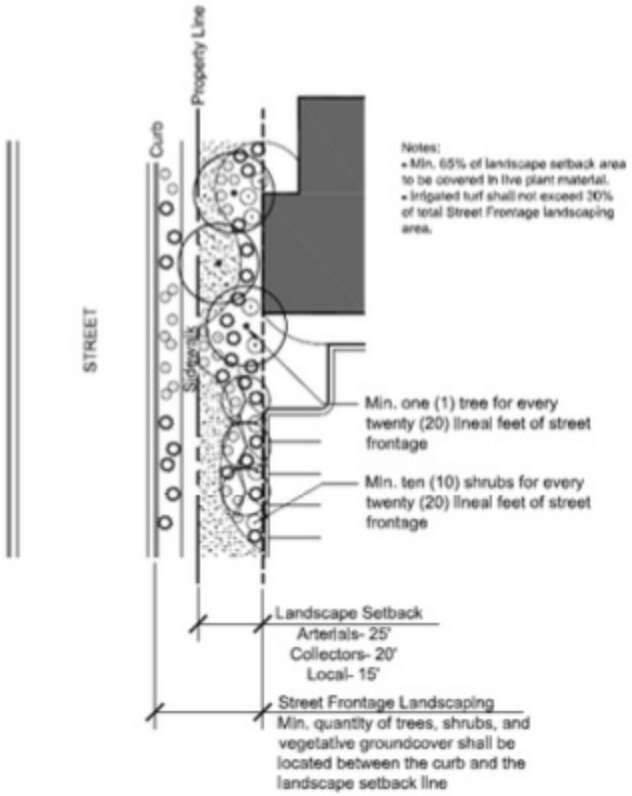
        Arterial Streets: 20 feet
        Collector Streets: 15 feet

    c. The landscape setback identified above shall be established and maintained

along all street frontages between any perimeter wall, building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street curb where no sidewalk is required). However, for reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs.

d. Where parkstrips have a minimum width of eight (8') feet, turf shall be limited to 30% of the total landscape street frontage area [see also VZC 15.40.090(5) for additional requirements]. This minimum quantity of trees, shrubs and vegetative groundcover shall be located between the curb and the landscape setback. The street frontage landscaping shall be designed and located to enhance the proposed development project and the streetscape.
e. The installation of street trees, shrubs and vegetative groundcover shall be required for all applicable projects in an amount equal to or greater than one tree and ten (10) shrubs for every twenty (20) feet of street frontage or one (1) tree and ten (10) shrubs for every forty (40) feet of street frontage for residential subdivisions and vegetative groundcover as required to meet a minimum of sixty-five (65) percent of the total street frontage landscaped area.

Street Frontages



7. Cumulative Totals. Quantities of plants required by each of this Chapter which apply to that project submitted to the city for landscape approval shall be added together to calculate the minimum total quantity of plant materials required for that particular project.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL _____.

	AYE	**NAY**	**ABSENT**	**ABSTAIN**
Mayor Julie Fullmer	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Jacob Holdaway	_____	_____	_____	_____
Sara Cameron	_____	_____	_____	_____

Presiding Officer

_____
Julie Fullmer, Mayor, Vineyard

Attest

_____
Pamela Spencer, City Recorder, Vineyard

Community Development

Date: January 17, 2024
From: Morgan Brim, Community Development Director
To: Planning Commission
Item: Work Session to discuss amendments to General Plan Technology Element to add Privacy
Applicant: City-initiated

SUMMARY

The City Council directed the Planning Commission in June of 2023 to amend the General Plan Technology Element Goal 2 to address privacy concerns about the public use of personal information and privacy. The Planning Commission requested member Chris Bramwell to work with staff to draft language to be added to Goal 2. The proposed language provides general guidance to the City as it implements technological solutions in the future. The city may choose to adopt a more robust policy in the future. The proposed language is provided below:

10.08.020 Goal 2

CONTINUE TO UTILIZE AND ADOPT ADVANCES IN TECHNOLOGY TO ENHANCE CITY SERVICES AND IMPROVE COMMUNICATION AND PUBLIC ACCESS TO ALL SERVICES, PLANNING, AND DECISION MAKING ~~AND ACTIVITIES.~~ WHILE PRIORITIZING THE SAFEGUARDING OF CITIZENS' PERSONAL INFORMATION.

1. STRATEGY 1: Integrate current and future technological advancements to enhance the delivery and sustainability of City services and increase participation and awareness of environmental efforts.
2. STRATEGY 2: Continually update the City website to maintain and expand convenient access to City services and information resources.
3. STRATEGY 3: Utilize communications technologies to increase public awareness and involvement in City planning and decision-making processes and to maximize the sharing of information between the City and public and private entities by adopting secure communication channels and ensuring the exchange of sensitive information follows established privacy guidelines and regulations~~.~~
4. STRATEGY 4~~5~~: Implement security measures to safeguard sensitive data as part of technological advancements, thereby fostering public trust and confidence.

~~3.~~5. STRATEGY 5: Ensure that all current and future city contracts include measures that protect sensitive data and dispose of it properly.