VINEYARD
ORDINANCE 2024-01

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE VINEYARD SUBDIVISION ORDINANCE SECTIONS 14.04.010 PRE-APPLICATION MEETING, 14.06.020 REQUIREMENTS FOR PRELIMINARY SUBDIVISION APPLICATION, 14.06.040 PLANNER TO DETERMINE A COMPLETE APPLICATION, 14.06.070 PRELIMINARY SUBDIVISION APPLICATION REVIEW PROCEDURES, 14.06.010 INTENT, 14.06.030 PRELIMINARY SUBDIVISION APPLICATION; ENGINEERING REVIEW FEES, 14.06.080 EFFECT OF COUNCIL PRELIMINARY SUBDIVISION APPLICATION APPROVAL AND EFFECTIVE PERIOD, 14.06.100 APPEAL OF PRELIMINARY SUBDIVISION APPLICATION DECISIONS, AND 14.06.050 LACK OF PRELIMINARY SUBDIVISION APPLICATION INFORMATION – DETERMINTION OF INCOMPLETE APPLICATION TO UPDATE THE PRELIMINARY SUBDIVISION APPLICATION PROCESS AND CLARIFYING LANGUAGE.

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of the Utah Municipal Code, permits Vineyard to ensure the health, safety and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on January 17, 2024 and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on January 24, 2024; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

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

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 a~~nin~~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~~ 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.

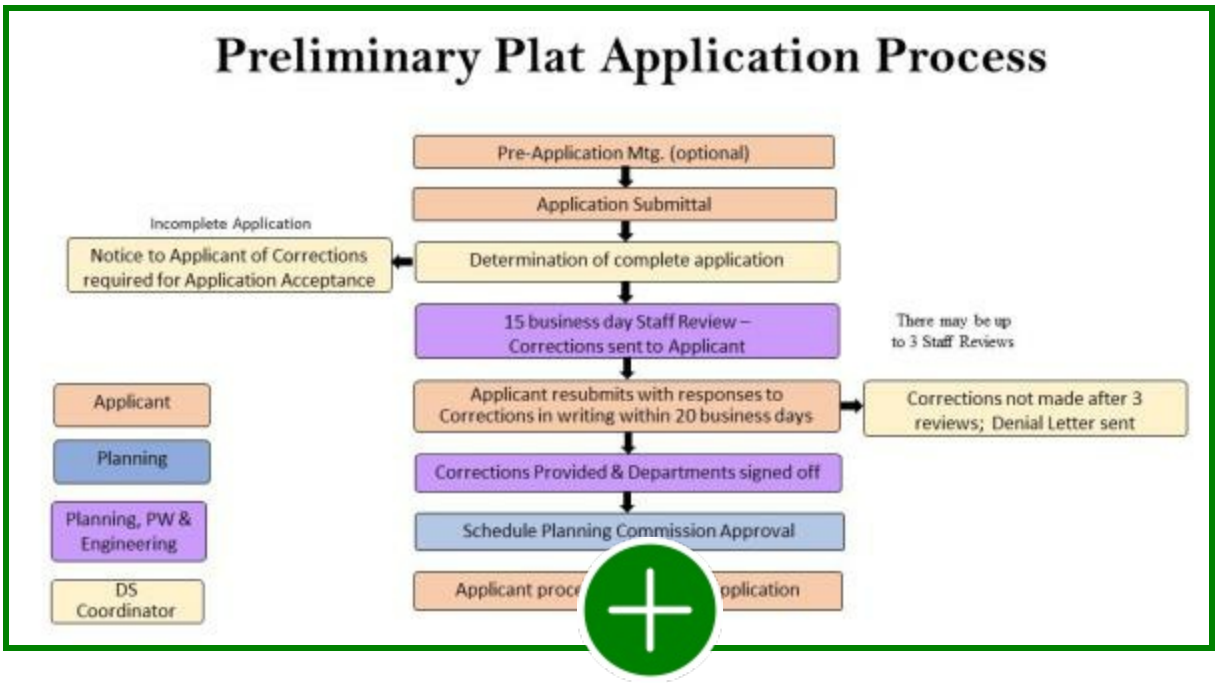
SECTION 3: **<u>AMENDMENT</u>** "14.06.040 Planner To Determine A Complete Application" of the Vineyard Subdivision Code is hereby *amended* as follows:

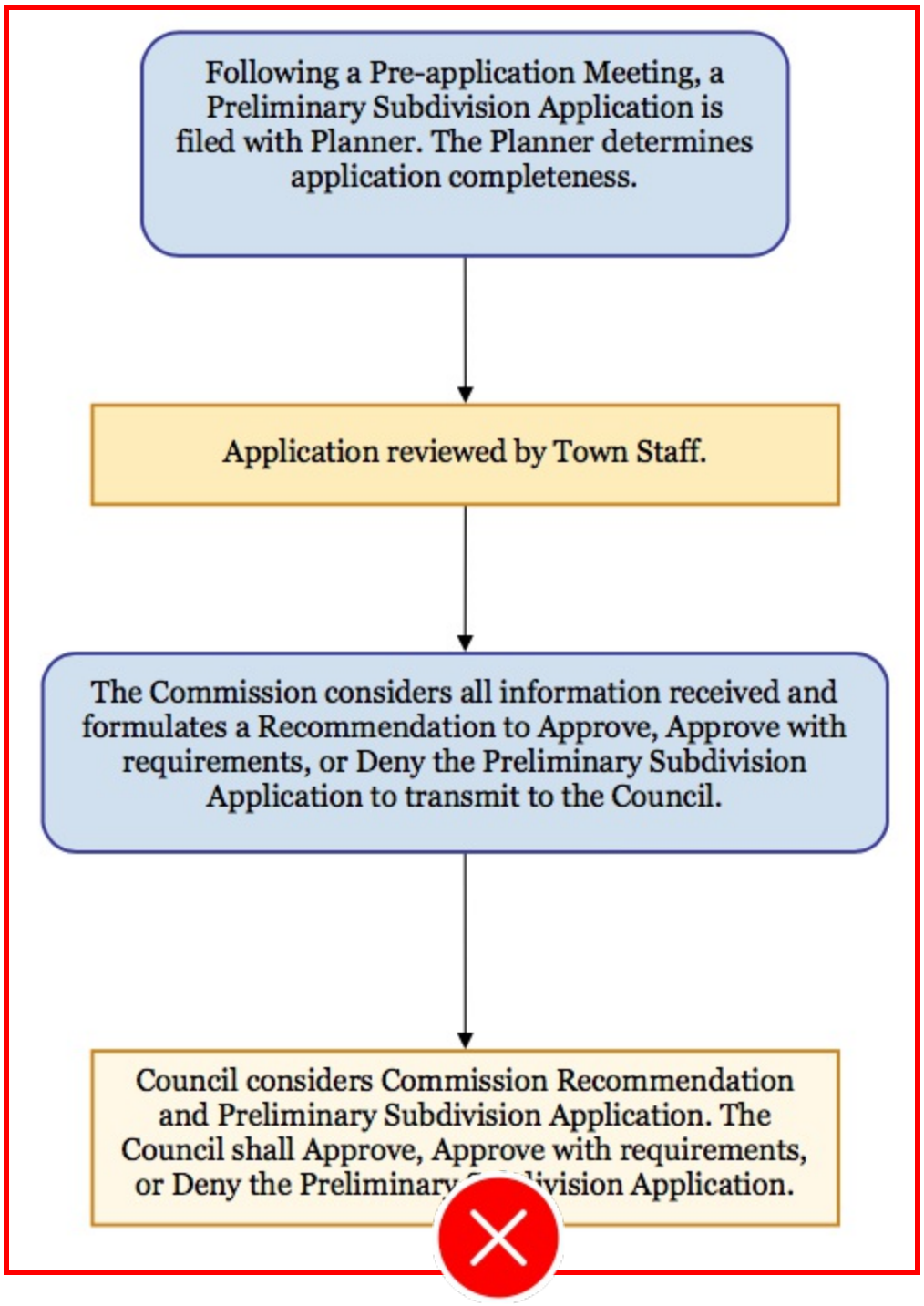
A M E N D M E N T

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~~ Fire 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.~~

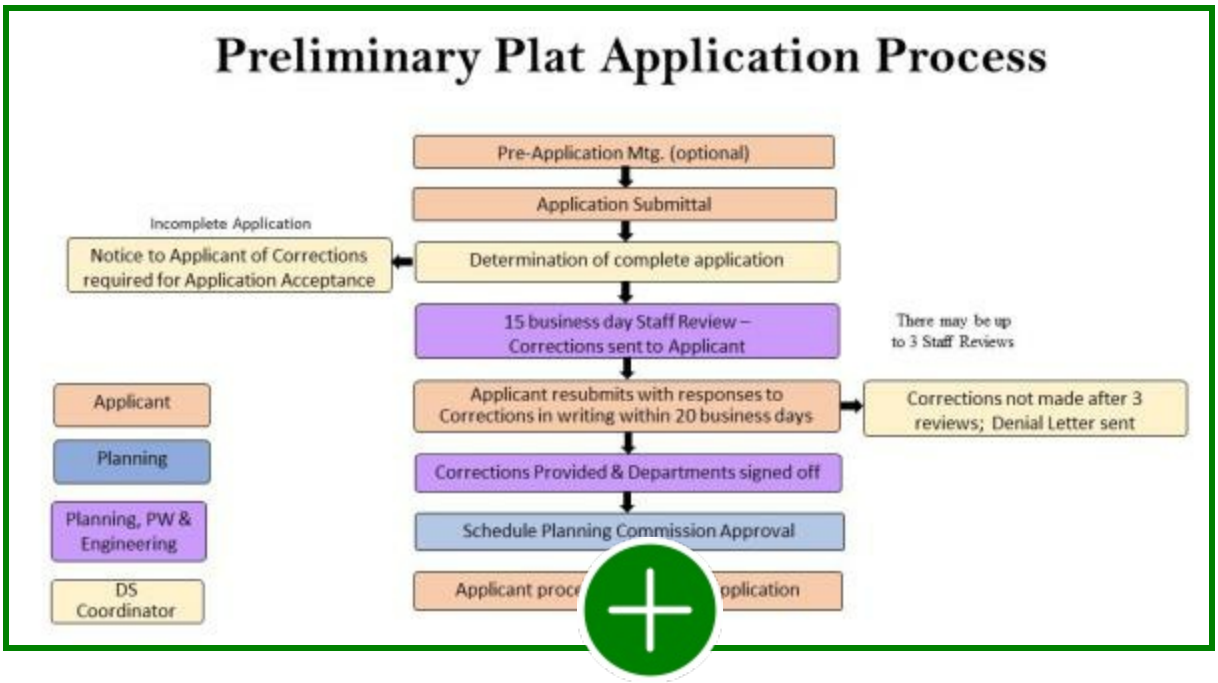
~~4.~~

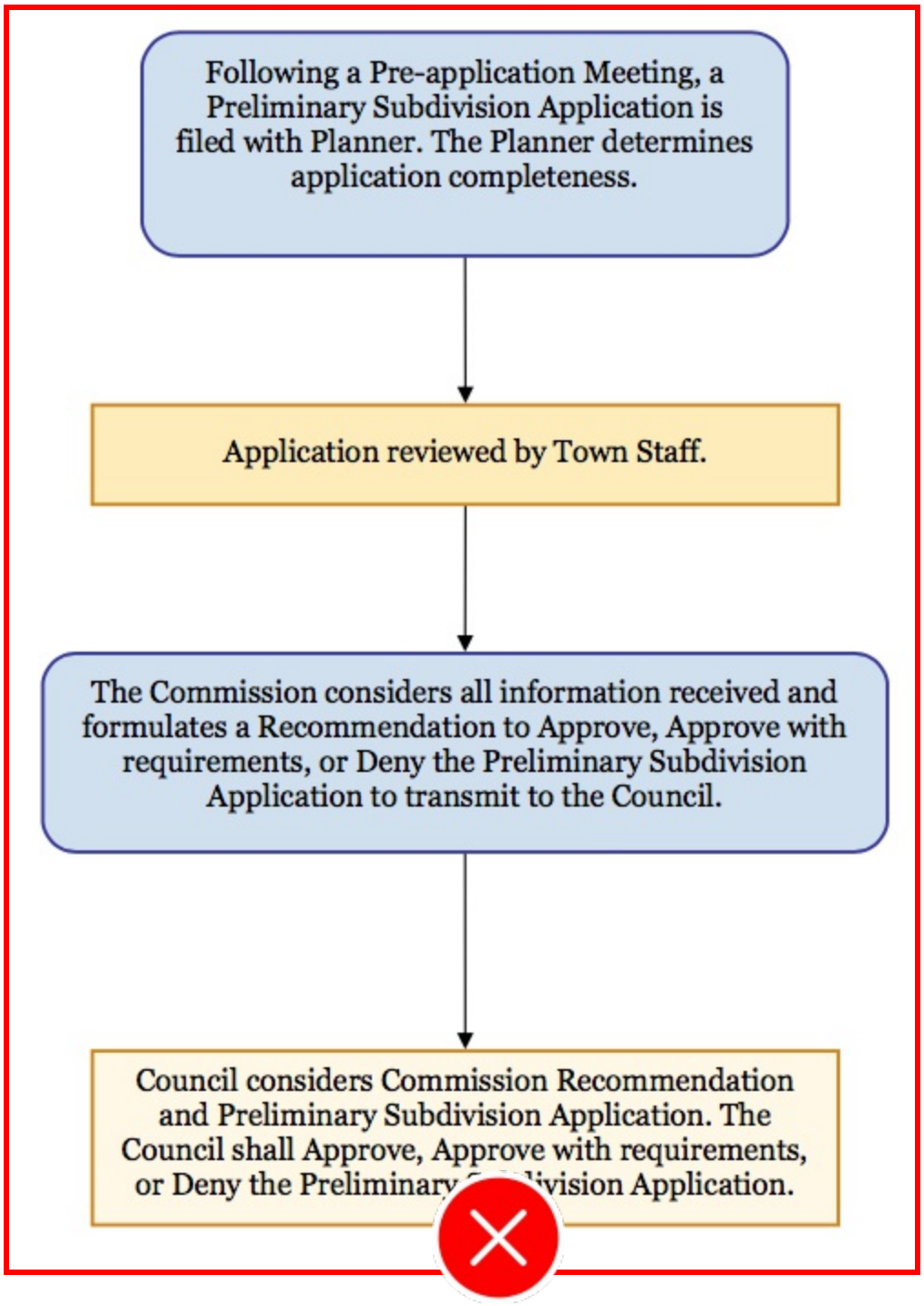
1. ~~Council Review. Following the receipt of the Commission recommendation, the Council shall consider the Preliminary Subdivision Application at a regularly scheduled meeting.~~

   ~~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



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.

SECTION 10: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 11: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 12: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from January 24, 2024 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL JANUARY 24, 2024.

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

Presiding Officer

Attest

_____
Julie Fullmer, Mayor, Vineyard

_____
Pamela Spencer, City Recorder, Vineyard

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code §10-3-711, I hereby certify that the foregoing Ordinance was duly passed and published or posted at:

1) *Vineyard City Website, Utah Public Notice Website, and at City Hall*

on the above referenced dates.

Attest

_____

Pamela Spencer, City Recorder,
Vineyard