



# PLANNING COMMISSION MEETING STAFF REPORT

## MEETING DATE

May 7, 2026

## PREPARED BY

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City Engineer's Office

Jones & Associates  
Consulting Engineers

## ITEM TYPE

Legislative

## ATTACHMENTS

Redlined and Proposed  
versions of Chapters 17.18  
and 17.20

## AGENDA ITEM

Consideration and recommendation to City Council for the amendment of:  
Chapter 17.18 – Subdivision Development Standards  
Chapter 17.20 – Required Improvements and Guarantees

## PURPOSE

Revisions to Chapters 17.18 and 17.20 of the City Ordinances.

## RECOMMENDATION

Staff recommends approval of the City Ordinance amendments.

## BACKGROUND

During the process of revising the Public Works Standards, it was found that several items in the subdivision chapters of the City Code need to be revised in order to make the terminology consistent with and avoid conflicts with the proposed Public Works Standards.

Additional miscellaneous clarifications and revisions are proposed.

Revisions of note include:

1. Added exception requests when limited by topography, hazards, other physical constraints
2. Updated the number of permanent accesses versus number of lots or units served
3. Removed minimum and maximum street grades (now included in the Public Works Standards)
4. Revised Lot arrangement and design, including the location of access
5. Updated Street lights to be paid and installed by developer
6. Deleted Special Exception for Sidewalk under Conditional Acceptance
7. Added Special Exception for Street Lighting under Conditional Acceptance

## 17.18 - SUBDIVISION DEVELOPMENT STANDARDS

### 17.18.010 Relation to Adjoining Street Systems:

1. Arrangement of Streets: The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) as required for public utilities and improvements. The street arrangement shall not cause unnecessary hardships to owners of adjoining property when such property is subdivided and access is required.

2. Master ~~p~~Planned ~~S~~streets: All streets designated on the City's Master Street Plan shall be incorporated in the development design.

3. Street improvements, including all utilities, shall extend to the subdivision boundary. Exceptions for infeasible extensions may be granted by the Development Review Committee (DRC). ~~Angle of Minor Streets: Minor streets shall approach the major or collector streets at an angle of not less than eighty (80) degrees.~~ (Ord.2008-5, dated 4/8/08)

### 17.18.020 Streets, ~~and Alley Widths~~, Cul-de-sacs, Alleys, Trails, and Easements:

1. Street Dedication: All streets in subdivisions in the City shall be dedicated to the City, except that private streets may be approved under special circumstances as determined by the ~~City Council~~Approval Authority. Except for width, walks and curbing designs specifically approved otherwise by the ~~city~~City Council as part of a special approval development, ~~design and construction of all streets shall comply with Development, Design, and Construction Standards (also known as the City Standards) and be approved by the City Engineer.~~

2. Collector and Arterial~~Major and Collector~~ Streets: Collector and arterial ~~Major and collector~~streets shall conform to the width designated on the ~~major street plan~~Master Street Plan wherever a subdivision falls in an area for which a ~~major street plan~~Master Street Plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission, ~~major or collector~~collector and/or arterial streets shall be provided as required by the Planning Commission, with minimum right-of-way widths of ~~sixty-six feet (66) feet for minor collector streets, seventy (70) feet for major collector streets, and eighty (80) feet or one hundred feet ten (110) feet for major~~minor arterial streets ~~and sixty-six feet (66) feet for collector streets.~~

3. Minor or Local Streets: Minor or local residential streets shall have a minimum width of sixty feet (60) feet.

4. Minor Terminal Streets (Cul-De-Sacs):

a. Length. Minor terminal streets (cul-de-sacs) shall be not longer than ~~six hundred and fifty (650) feet~~ as measured from the center of the intersecting street to the center of the turnaround. ~~Where topography or existing street geometry causes infeasibility of meeting this maximum distance, a variance request together with any proposed mitigation measures may be submitted to the DRC for review and possible recommendation to the Approval Authority.~~

a-b. Turnaround Diameter. Each cul-de-sac must be terminated by a turnaround of not less than ~~one hundred feet (100) feet~~ in diameter ~~of the right-of-way~~. If surface water drainage is into the turnaround, due to the grade of the street, necessary catch basins and drainage easements shall be provided.

b-c. ~~Minor terminal streets (Cul-de-sacs)~~ shall not be allowed to be back--to--back or adjacent to each other (without an intervening street). In such circumstances, looping of streets or eliminating one of the cul-de-sacs is required.

~~e.d.~~ Temporary Dead-End. Except where a temporary dead-end is not greater than 150 feet, ~~where~~ a street is designed to remain only temporarily as a ~~dead-end~~ dead-end street, an adequate temporary turning area shall be provided at the dead end thereof to remain and be available for public use so long as the ~~dead-end~~ dead-end condition exists. Such streets may only be allowed where reasonable opportunity for potential development exists, as determined by the city. Except in special circumstances, as determined by the city, no subdivision may be approved containing more than one (1) such dead end street (looping of streets would be required).

~~d. Subdivisions with a single permanent access may contain no more than twenty (20) lots.~~

~~5. Except as specifically approve otherwise by the Land Use Authority, all subdivision of five or more lots must have a minimum of two permanent access points, subdivisions of more than fifty (50) lots including all phases must have three or more access points as determined appropriate by the city.~~ Access. For the safety and protection of citizens, permanent access shall be provided as follows:

a. A cul-de-sac may serve a maximum of twenty (20) lots or units, not including the corner lots.

b. A single permanent access may serve a maximum of thirty (30) residential lots or 100 multi-family units, not including corner lots located at the single access point.

c. Two (2) permanent accesses may serve a maximum of 100 residential lots or 200 multi-family units, provided that the accesses are approved by the City Engineer and Fire Code Official and are designed to meet applicable fire apparatus access requirements, including but not limited to access road width, grade, turning radius, dead-end road limitations, hydrant access, emergency response circulation, and access separation. Additional access may be required where site conditions, project phasing, topography, traffic circulation, emergency response needs, or applicable fire code provisions warrant additional access. Access counts listed above are minimum subdivision access standards and shall not relieve the applicant from complying with applicable fire code, building code, public works, engineering, and emergency access requirements.

d. Commercial and industrial subdivision access shall be evaluated on a case-by-case basis by the DRC.

~~5.e.~~ Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).

6. Marginal Access Streets: Marginal access streets of not less than forty ~~feet~~(40) feet in ~~right-of-way~~ width may parallel all limited access major streets, as required by the City Engineer and approved by the City Council.

7. Half Streets: Half streets proposed along a subdivision boundary or within any part of a subdivision are prohibited.

8. Standard Street Sections: All proposed streets, whether public or private, shall conform to the street cross section standards as ~~recommended by the city engineer and adopted by the City.~~ found in the City Standards, unless otherwise approved by City Council via a development agreement or other means.

9. Street Grades: Minimum and maximum grades for all streets shall be as found in the City Standards. ~~not be less than 0.5 percent. Except where due to special circumstances, street grades for any length of road at any point shall not exceed the following percentages:~~

~~a. Major public streets eight percent (8%);~~

~~b. Collector streets twelve percent (12%);~~

~~c. Minor public streets twelve percent (12%);~~

~~d. Private streets twelve percent (12%).~~

10. Alleys: Alleys may be required in the rear of business lots, but will not be accepted in residential blocks unless part of a PRUD or other Special Approval Development as determined by the ~~City~~ Approval Authority.

11. Trails: Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.

12. Protection strips: Where a subdivision street parallels contiguous property of other owners, the ~~city~~ Approval Authority may approve the retention of a protection strip of not less than one (1) foot in width between the street and adjacent property, provided, that an agreement with the city and approved by the city attorney has been made by the applicant, contracting to dedicate the one (1) foot or larger protection strip free of charge to the city for street purposes upon payment by the then owners of the contiguous property to the applicant of a consideration named in the agreement, such consideration to be equal to the fair cost of the street improvements properly chargeable to the contiguous property, plus the value of one-half (1/2) of the land in the street at the time of the agreement, together with interest at a fair rate from time of agreement until time of subdivision of such contiguous property. ~~Said agreement shall not be valid for longer than twenty (20) years.~~

~~13. Pioneering agreement: The city may require and enter into a pioneering agreement for construction of roads off site of the project as the need is determined by the city.~~ Public Utility Easements. Public utility easements parallel to street rights-of-way of not less than ten (10) feet in width shall be dedicated to the City.

~~13-14. Natural Drainage, Municipal Utility, and Other Easements: The City may require easements for drainage from or through adjoining property be provided by the Applicant for any natural or historical drainage area and may allow or require piping and other improvements to protect adjoining property and/or water rights. Municipal Utility Easements of not less than twenty (20) feet in width shall be provided in the subdivision where required by the City for culinary water, sewers, and storm drainage . Other easements may be required by other utility providers. (Ord.2022-8, dated 3/8/22 and Ord.2008-5, dated 4/8/08)~~

**17.18.030 Lots:** ~~All lots shall comply with standards as found herein.~~

1. Lot Arrangement and Design:

a. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography and to existing and future development.

b. Reasonable access shall be provided to each lot.

c. Lots shall be arranged, whenever possible, such that access is to a local/residential road.

d. Unless restrained by topography, access for corner lots shall be onto the road of lesser classification.

e. Lots shall generally be rectangularly shaped with four (4) sides. Irregularly shaped lots are discouraged. Where lots are irregularly shaped, side and rear yard lines shall be defined on the subdivision plat.

~~1.—~~

2. Compliance with Zoning Ordinance: All lots shown on the subdivision plat must comply with requirements of the Zoning Ordinance.

3. Abut on Public or Private Street: Each lot shall abut on a public street or private street dedicated by the subdivision plat or an existing publicly dedicated street. Interior lots having

frontage on two (2) streets shall be prohibited unless specifically determined by the ~~City Approval Authority~~ that such design is the most appropriate use of the property, would not create any additional nuisance or hazardous conditions, and vehicular access to one (1) of the streets (except for commercial or industrial uses), as determined by the City, is prohibited as recorded on the plat.

4. Side Lines: Side lines of lots shall be approximately at right angles, or radial to the street line ~~for not less than the front yard setback distance. Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).~~

5. Remnants: All remnants of ~~parcels or~~ lots below the minimum size required in the zone, left-over after subdividing a larger tract, must be added to adjacent lots, rather than allowed to remain as unusable parcels.

~~5. Natural Drainage And Other Easements: The City may require easements for drainage from or through adjoining property be provided by the Applicant for any natural or historical drainage area and may allow or require piping and other improvements to protect adjoining property and/or water rights. Easements of not less than ten feet (10') in width for water, sewers, drainage, power lines and other utilities shall be provided in the subdivision where required by the City.~~

~~6. All lots shall have a reasonable building area (defined as land with a slope less than 15%) of at least 7500 square feet with a minimum width of 50 feet.~~

~~7. Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.~~

6. Flag Lots: Flag lots are not allowed.

7. Skyline Drive: No new lots shall access Skyline Drive (4300 N) between 900 West and Pleasant View Drive unless no other physical option remains, as determined by the DRC.

8. Corner Lots: For all corner lots, a no-access line shall be shown on the plat along the street rights-of-way for a distance of the lesser of one-half of the frontage or fifty (50) feet, beginning at the apparent intersection of the right-of-way lines. (Ord.2022-8, dated 3/8/22 and Ord.2008-5, dated 4/8/08)

#### **17.18.040 Blocks:**

1. The maximum length of blocks generally shall be ~~thirteen hundred~~ 1,300 feet, and the minimum length of blocks shall be ~~five hundred~~ 500 feet. Greater block lengths may be permitted ~~when topography prohibits such, as determined by the DRC.~~ Blocks over ~~eight hundred~~ 800 feet in length may, at the discretion of the City, be required or approved with a dedicated walkway through the block at approximately the center of the block. Such walkway shall not be less than ten (10) feet in width.

2. The width of blocks shall be sufficient to allow two (2) tiers of lots or as otherwise approved by the City because of design, terrain, or other unusual conditions.

3. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities. (Ord.2008-5, dated 4/8/08)

#### **17.18.050 Slope Special Requirements:**

In order to appropriately evaluate and protect against any potential impacts to adjacent properties and city infrastructure and services, the following special requirements apply to all development in the city.

1. Based on a contour map at intervals no greater than ten (10) feet, a slope calculation is required for the average slope of the site, ~~subdivision, or sub-area~~ prior to any grading, utilizing

the following formula:

$$S = .00229 (I) (L) / A$$

Where:

- S is the average slope
- I is the contour interval in feet
- L is the summation in length in feet of all contour lines
- A is the total number of acres

Alternate methods of calculation may be approved by the City Engineer.

2. If the calculation results in an average slope exceeding 15%, then additional standards and evaluations shall be placed on the subdivision including:

- a. As overall slope increases, density shall decrease.
  - i. Slopes ~~between~~ greater than 15% and up to and including 20% shall have no more than one (1) unit per acre.
  - ii. Slopes greater than 20% and up to and including 25% shall have no more than one (1) unit for every two (2) acres.
  - iii. Slopes greater than 25% and up to and including 30% shall have no more than one (1) unit for every five (5) acres.
  - ~~a-iv.~~ No development is allowed on slopes greater than 30%.
- b. As slope increases, allowable impermeable surfaces shall decrease.
  - i. For lots with slopes greater than 15% and up to and including 20%, ~~of 15-20%~~, not more than 25% of the lot shall be impermeable surfaces.
  - ii. For lots with slopes greater than 20% and up to and including 25%, not more than 15% of the lot shall be impermeable surfaces.
  - ~~b-iii.~~ For lots with slopes of greater than 25% and up to and including 30%, not more than 7.5% of the lot shall be impermeable surfaces.
- c. ~~Either by natural topography or mass grading,~~ All lots having an average slope exceeding 15% shall have a reasonable building area (defined as land with a slope less than 15%) of at least 7,500 square feet and with a minimum width-dimension of fifty (50) feet.
- d. Additional fire safety/emergency vehicle related reviews may be required including but not limited to, access, fire hydrants, driveway (grades, lengths, and widths), road surfacing, turnarounds, building distances from the street, and so on.
- e. Spark arresters shall be installed on all indoor and outdoor fireplaces.
- f. A grading and drainage plan shall be submitted with the subdivision improvement drawings. The plan shall clearly identify how the developer intends on grading each lot to ~~insure~~ ensure that storm water runoff is either directed to the fronting or intersection roadways or collected and conveyed in such a manner that it will not have an adverse effect on adjacent or neighboring properties. Building ~~pad-areas and~~ elevations, cuts and fills, drainage swales, slopes, and proposed drainage easements shall be minimum design elements and shall assure reasonable access and safety.
- g. Existing vegetation shall be preserved to the greatest extent possible. A map of areas to be disturbed shall be submitted. Disturbed areas shall be re-vegetated within two months, in accordance with an approved re-vegetation plan. Rock outcropping shall be avoided.
- ~~h. Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.~~

3. For any portions of one-half (1/2) acre or greater of the subdivision that have slopes over 15%, the appropriate design and safety provisions above (2b thru fg) shall apply to the development of sub-areas within the subdivision where such slopes are found. (Ord.2008-5,

dated 4/8/08)

**17.18.060 Adequate Public Facilities Ordinance:**

Every subdivision, new development, conditional use permit, and site plan resulting in additional impact on existing infrastructure shall also meet and are subject to the terms and conditions of the Adequate Public Facilities requirements of the City described in *Chapter 18.70 Adequate Public Facilities*. (Ord 2017-2, dated 2/15/17; prior code: Ord.2014-6, dated 7/22/14)

## 17.20 - REQUIRED IMPROVEMENTS AND GUARANTEES

**17.20.10 Required improvements:** The applicant/owner of any land to be part of a subdivision shall, at his own expense, ~~design and construct~~ install all required improvements and guarantee the installation of such improvements, as provided herein, ~~as per this Title 17, and as required by the Development, Design, and Construction Standards according to the City Development Standards and Specifications~~ (also known as the City Standards), and as inspected and approved through the office of the City Engineer. All utilities, including power, gas, phones, cable, ~~fiber optic~~, and as found herein, shall be provided for all lots in the subdivision and shall be underground facilities unless specifically approved otherwise by the city engineer.

1. Water Supply:

a. The applicant(s) shall install culinary water lines, or shall contract with the local culinary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall be provided to the city engineer. The ~~City Engineer applicant(s)~~ shall ~~have an engineer~~ determine the adequacy of the existing water system to provide culinary water and fire protection as required by the ~~State Office Utah Department of Environmental Quality, and Division of Drinking Water., and shall submit the information to the City Engineer for review and approval.~~

b. The applicant(s) shall install secondary water lines, and shall contract with the local secondary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to the property of each lot as required by the water distributing agency or fifteen (15) feet beyond the property line with a permanent mark approved by the city placed on the curb.

2. Sewage Disposal: All sanitary sewer systems are required to connect to the public sanitary sewer system and provide adequate lateral lines to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Such sewer connections and subdivision sewer systems shall comply with the ~~City Development Standards and Specifications~~ and shall be approved by the City Engineer.

3. Storm Water: The applicant(s) is/are required to dispose of storm water and surface drainage into an approved City storm drain system. If easements are required across adjoining property to permit drainage of the subdivision, it shall be the responsibility of the applicant(s) to acquire such easements. ~~Initial d~~Detention of storm water may be required for all subdivisions, as determined by the City Engineer. All construction shall comply with the City storm water management plan.

4. Street Grading and Surfacing: ~~Design and construction shall be as per this Title 17 and Aas~~ required by the ~~City Development~~City Standards ~~and Specifications~~.

5. Curbs, Gutters and Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the applicant(s) unless specifically determined by the ~~City Council Approval Authority~~ that such is not necessary for safety or other reasons such as in a PRUD or other Special Approval Development. ~~Unless otherwise approved, design and construction shall be as required by the City Standards.~~

6. Street Drainage: ~~Drainage infrastructure shall be as required by the City Standards~~Drainage structures shall be required by the City Engineer where necessary.

7. Monuments: Permanent monuments shall be accurately set and established at such

points as are necessary to definitely establish all lines of the plat. Monuments shall be of a type approved by the City Engineer. All subdivision plats shall be tied to at least two (2) approved county monuments.

8. Street Trees: Street trees may be required by the Approval Authority to be planted along street rights-of-way by the applicant(s).

9. Fire Hydrants: Fire hydrants shall be installed. Such fire hydrants shall be of the type, size, number and be installed in such locations as determined by the City Engineer in concert with the City Fire Marshall.

10. Street Signs: Street signs shall be paid for by developer and installed by the City ~~and the cost of labor and materials charged to the applicant(s).~~

11. Street Lighting: ~~The applicant shall provide appropriate street lighting, as a part of any development, as required by the City~~ Street lights and appurtenances shall be provided and installed by the Applicant in accordance with the City Standards.

~~11.12.~~ Chip Seal: Chip seal shall be paid for by developer and installed by the City.

~~12.13.~~ Fencing:

a. A solid board, chain link, or other non-climbable fence not less than six (6) feet ~~(6)~~ in height shall be installed on both sides of existing irrigation canals, bordering open reservoirs, parks, sloughs, railroad rights-of-way or non-access streets, and which are located within or adjacent to the subdivision, except where the Approval Authority determines that park areas, including streams or bodies of water, shall remain unfenced. The Approval Authority shall determine the appropriate fence in each case. ~~Such fences shall be installed prior to the issuance of any building permit in the subdivision.~~

b. The Approval Authority ~~+~~ may also require a fence of the type to be determined in each instance to be erected when any subdivision adjoins a use to which uncontrolled access might result in damage or nuisance to the subdivision or adjoining property, or where the Approval Authority determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or adjoining property. Specific consideration shall be given for requiring fencing where the subdivision is adjacent to existing animal uses and producing agriculture uses. ~~Such fences shall be installed prior to the issuance of any building permit in the subdivision.~~

~~13.14.~~ Staking of Lots: Survey stakes shall be placed at all lot corners, and nails shall be placed in curbing, so as to completely identify the lot boundaries on the ground.

~~14.15.~~ Pioneering agreement: The city may require and enter into a pioneering agreement for installation of off-site improvements and upsizing of roads and/or utilities to serve other properties as the need is determined by the city.

~~15.16.~~ Special Improvements: The applicant shall install and guarantee any and all special improvements required by the City as part of subdivision or development approvals. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

#### **17.20.20 Installation of ~~h~~Improvements, ~~h~~Improvement ~~e~~Completion ~~a~~Assurance and ~~w~~Warranty**

1. ~~Installation of improvements~~ Construction may commence upon a) the approval of the Preliminary Subdivision Application by the approval authority, and b) the holding of a preconstruction meeting.

~~1.2.~~ All subdivision improvements shall be completed within two (2) years of the earlier of the date of approval of the final plat by the city ~~the preconstruction meeting or the date of final subdivision recordation.~~ The city engineer may, for good cause, extend this completion time

requirement for no more than one (1) additional year, provided that the completion assurance required to be filed with the city, as set forth below, is extended for the same one (1) year period.

3. ~~Prior to the expiration of the final subdivision application approval, the applicant shall provide the city with an acceptable improvement completion assurance. Said improvement assurance shall be:~~

- a. ~~A~~ corporate surety bond for any amount deemed necessary,
- b. ~~a~~ cash bond or escrow account for any amount deemed necessary, or
- c. ~~a~~ letter of credit ~~option when with a~~ the total improvement completion amount ~~of is \$1-1 million dollars~~ or more,

~~2.~~ as acceptable assurances to the city in an amount to be determined by the city engineer and in accordance with Utah Code Ann. § ~~10-9-604.510-20-807~~. An agreement associated with the improvement assurance and terms of application, approved as to form by the city attorney, shall be approved by the City Council and recorded in the Weber County Recorder's Office ~~concurrently~~ with the approved final plat.

~~3.4.~~ The applicant shall warranty said improvements in the amount equal to 10% of the total cost of the improvements, according to the estimate approved by the city engineer and in accordance with Utah Code Ann. § ~~10-9-604.510-20-807~~. Warranty shall be provided by means of a corporate surety bond, a cash bond, or a letter of credit as acceptable to the city.

~~4.5.~~ The accepted and approved improvement guarantee form, (surety bond, cash bond, escrow account, or letter of credit) shall be filed with the city recorder. (Ord.2023-2, dated 1/24/23; prior code: Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

**17.20.030 Administration:** The Mayor or City Administrator is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision, and compliance with the requirements of this title. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

**17.20.040 Phased Development:** Whenever the applicant(s) develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time hereinabove specified. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

**17.20.50 Inspection of Improvements:**

1. The City Engineer shall inspect or cause to be inspected all improvements to public systems including but not limited to streets; water, sewer, and storm drain lines and appurtenances; mass grading; and detention/retention ponds, ~~fire hydrants and water supply, storm water and sewage disposal systems in the course of~~during construction, installation, ~~and/or~~ repair.

~~2.—Excavations for fire hydrants, water, storm water and sewer mains and laterals shall not be covered over or backfilled until such installation shall have been approved by the City Engineer or his designee. If any such installation is covered before being inspected and approved,~~

~~it shall be uncovered after notice to uncover has been issued to the applicant(s) or responsible party by the City Engineer.~~

~~3.—Televiewing Lines: Prior to approval and acceptance by the city, applicant shall inspect all sanitary sewer and storm water pipe lines by means of remote televiewing equipment and shall record the entire televiewing inspection on video tape or other acceptable reproduction means for review by city officials.~~

~~4.2. The eCity eEngineer shall inspect or cause to be inspected, in the course of during construction, installation or repair, all special improvements required by the City as part of a subdivision or development approval.~~

~~5.3. The applicant shall be responsible for the payment of all costs for such inspections. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)~~

**17.20.60 Condition of Improvements Guaranteed:**

1. Except as found elsewhere in this section, the applicant shall warrant and guarantee ~~that~~ the improvements provided for herein and every part thereof, will remain in good condition for a period of one (1) year, ~~after the City Engineer has initially accepted the improvements following Conditional Acceptance,~~ and agree to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period with no cost to the City.

2. Conditional ~~A~~acceptance to begin the guarantee period may be granted by the City Engineer once all improvements required for the development have been installed, inspected and approved, ~~all outstanding fees have been paid,~~ and as-built drawings in a form acceptable to the eCity eEngineer have been provided.

a. The applicant, in accordance with Utah Code ~~10-9a-509.510-20-807,~~ may request a determination of acceptance or rejection of completed improvements, and the city shall respond with due diligence.

3. A special exception for Conditional ~~a~~Acceptance may be granted by the City Engineer if the following items are not completed:

~~a.—Special Exception for Sidewalk: The city engineer, at his discretion, may allow the applicant developer an additional one year from the date of conditional acceptance of the improvements to install the sidewalk in the subdivision provided that:~~

~~i.—The subdivision does not front on a major street where installation of the sidewalks is necessary for the safety of the general citizenry;~~

~~ii.—All lots built on in the subdivision have sidewalk installed on the lot where shown on the construction plan;~~

~~iii.—Sidewalk must be installed prior to the issuance of a Certificate of Occupancy for any dwelling in the subdivision;~~

~~iv.—No more than 75% of the lots are built on in the subdivision. When the percentage of lots built on exceeds 75%, all sidewalks must be installed before any additional building permits are issued;~~

~~v.—Guarantee Period. Once completed, the applicant shall warrant and guarantee that the sidewalk will remain in good condition for a period of one year after the date of conditional acceptance by the city and shall make all repairs to and maintain the sidewalk in good condition during the guarantee period at no cost to the city. The determination of the necessity for repairs and maintenance or work rests with the city engineer, whose decision upon the~~

~~matter shall be final and binding on the developer.~~

~~vi. The escrow for any uncompleted sidewalk is to be kept in place, plus 15% of the engineer's estimate for all sidewalk in the project. The city may allow the establishment of a separate escrow guarantee, by agreement as found herein and based on current estimates approved by the City Engineer.~~

~~vii. Final acceptance of the sidewalk will follow the same procedure as outlined in number 4.~~

~~b. Seal coat: Where the city determines that the application of the seal coat is not appropriate due to weather or other factors, the guarantee period may be started without completing the seal coat provided the escrow for such, plus any anticipated cost increases, is kept in place.~~

~~a. Street signs and lighting: Where the city is ordering and/or installing street signs and street lighting, the guarantee period may be started begin provided the escrow guarantee amount remains in place for such items.~~

~~e.b. Street lighting: Where the applicant has installed all related improvements (conduit and boxes) and can provide proof of street light order, the guarantee period may begin provided the guarantee amount remains in place for such items.~~

4. Upon completion of all required improvements, the applicant must request in writing to the city planner a review of the project status. The planner shall refer the request to the city engineer and shall also notify all property owners in the project by mail or in person of the request and allow such owners two weeks for comments, to the planner, regarding the status of the project. The planner shall endeavor to resolve, with the applicant and city engineer, any problems received. If matters cannot be resolved, and at the discretion of the planner, the request may be referred to the City Council for resolution. Final acceptance may be granted by the City Engineer provided all required improvements have been completed, any problems addressed with the city planner and/or City Council are resolved, and improvements are judged to be in acceptable condition. The city may allow a separate escrow for special exception items as found in ~~number paragraph 3three~~, to be established by agreement, and acceptance may then be granted on original items.

5. The applicant shall be responsible for all inspection costs.

6. As allowed in Utah Code ~~10-9-604.510-20-8074~~, if the city determines, based on the specifics of the applicant's property or prior performance, that a two (2) year guarantee period is necessary to protect the public health, safety, and welfare, the city may require such two (2) year guarantee period. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

## **17.18 - SUBDIVISION DEVELOPMENT STANDARDS**

### **17.18.010 Relation to Adjoining Street Systems**

1. Arrangement of Streets: The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) as required for public utilities and improvements. The street arrangement shall not cause unnecessary hardships to owners of adjoining property when such property is subdivided and access is required.

2. Master Planned Streets: All streets designated on the City's Master Street Plan shall be incorporated in the development design.

3. Street improvements, including all utilities, shall extend to the subdivision boundary. Exceptions for infeasible extensions may be granted by the Development Review Committee (DRC). (Ord.2008-5, dated 4/8/08)

### **17.18.020 Streets, Cul-de-Sacs, Alleys, Trails, and Easements**

1. Street Dedication: All streets in subdivisions in the City shall be dedicated to the City, except that private streets may be approved under special circumstances as determined by the Approval Authority. Except for width, walks and curbing designs specifically approved otherwise by the City Council as part of a special approval development, design and construction of all streets shall comply with Development, Design, and Construction Standards (also known as the City Standards) and be approved by the City Engineer.

2. Collector and Arterial Streets: Collector and arterial streets shall conform to the width designated on the Master Street Plan wherever a subdivision falls in an area for which a Master Street Plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plat is submitted to the Planning Commission, collector and/or arterial streets shall be provided as required by the Planning Commission, with minimum right-of-way widths of sixty-six feet (66) feet for minor collector streets, seventy (70) feet for major collector streets, and eighty (80) feet for minor arterial streets.

3. Minor or Local Streets: Minor or local residential streets shall have a minimum width of sixty feet (60) feet.

4. Minor Terminal Streets (Cul-De-Sacs):

a. Length. Minor terminal streets (cul-de-sacs) shall be not longer than 650 feet as measured from the center of the intersecting street to the center of the turnaround. Where topography or existing street geometry causes infeasibility of meeting this maximum distance, a variance request together with any proposed mitigation measures may be submitted to the DRC for review and possible recommendation to the Approval Authority.

b. Turnaround Diameter. Each cul-de-sac must be terminated by a turnaround of not less than 120 feet in diameter of the right-of-way. If surface water drainage is into the turnaround, due to the grade of the street, necessary catch basins and drainage easements shall be provided.

c. Cul-de-sacs shall not be allowed to be back-to-back or adjacent to each other (without an intervening street). In such circumstances, looping of streets or eliminating one of the cul-de-sacs is required.

d. Temporary Dead-End. Except where a temporary dead-end is not greater than 150 feet, where a street is designed to remain only temporarily as a dead-end street, an adequate temporary turning area shall be provided at the dead end thereof to remain

and be available for public use so long as the dead-end condition exists. Such streets may only be allowed where reasonable opportunity for potential development exists, as determined by the city. Except in special circumstances, as determined by the city, no subdivision may be approved containing more than one (1) such dead end street (looping of streets would be required).

5. Access. For the safety and protection of citizens, permanent access shall be provided as follows:

- a. A cul-de-sac may serve a maximum of twenty (20) lots or units, not including the corner lots.
- b. A single permanent access may serve a maximum of thirty (30) residential lots or 100 multi-family units, not including corner lots located at the single access point.
- c. Two (2) permanent accesses may serve a maximum of 100 residential lots or 200 multi-family units, provided that the accesses are approved by the City Engineer and Fire Code Official and are designed to meet applicable fire apparatus access requirements, including but not limited to access road width, grade, turning radius, dead-end road limitations, hydrant access, emergency response circulation, and access separation. Additional access may be required where site conditions, project phasing, topography, traffic circulation, emergency response needs, or applicable fire code provisions warrant additional access. Access counts listed above are minimum subdivision access standards and shall not relieve the applicant from complying with applicable fire code, building code, public works, engineering, and emergency access requirements.
- d. Commercial and industrial subdivision access shall be evaluated on a case-by-case basis by the DRC.
- e. Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).

6. Marginal Access Streets: Marginal access streets of not less than forty (40) feet in right-of-way width may parallel all limited access major streets, as required by the City Engineer and approved by the City Council.

7. Half Streets: Half streets proposed along a subdivision boundary or within any part of a subdivision are prohibited.

8. Standard Street Sections: All proposed streets, whether public or private, shall conform to the street cross section standards as found in the City Standards, unless otherwise approved by City Council via a development agreement or other means.

9. Street Grades: Minimum and maximum grades for all streets shall be as found in the City Standards.

10. Alleys: Alleys may be required in the rear of business lots but will not be accepted in residential blocks unless part of a PRUD or other Special Approval Development as determined by the Approval Authority.

11. Trails: Trail accesses and connections to existing and planned trails shall be considered in the subdivision design.

12. Protection strips: Where a subdivision street parallels contiguous property of other owners, the Approval Authority may approve the retention of a protection strip of not less than one (1) foot in width between the street and adjacent property, provided that an agreement with the city and approved by the city attorney has been made by the applicant, contracting to dedicate the one (1) foot or larger protection strip free of charge to the city for street purposes upon payment by the then owners of the contiguous property to the applicant of a consideration named in the agreement, such consideration to be equal to the fair cost of the street

improvements properly chargeable to the contiguous property, plus the value of one-half (1/2) of the land in the street at the time of the agreement, together with interest at a fair rate from time of agreement until time of subdivision of such contiguous property. Said agreement shall not be valid for longer than twenty (20) years.

13. Public Utility Easements. Public utility easements parallel to street rights-of-way of not less than ten (10) feet in width shall be dedicated to the City.

14. Natural Drainage, Municipal Utility, and Other Easements: The City may require easements for drainage from or through adjoining property be provided by the Applicant for any natural or historical drainage area and may allow or require piping and other improvements to protect adjoining property and/or water rights. Municipal Utility Easements of not less than twenty (20) feet in width shall be provided in the subdivision where required by the City for culinary water, sewers, and storm drainage . Other easements may be required by other utility providers. (Ord.2022-8, dated 3/8/22 and Ord.2008-5, dated 4/8/08)

### **17.18.030 Lots**

1. Lot Arrangement and Design:

a. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and to existing and future development.

b. Reasonable access shall be provided to each lot.

c. Lots shall be arranged, whenever possible, such that access is to a local/residential road.

d. Unless restrained by topography, access for corner lots shall be onto the road of lesser classification.

e. Lots shall generally be rectangularly shaped with four (4) sides. Irregularly shaped lots are discouraged. Where lots are irregularly shaped, side and rear yard lines shall be defined on the subdivision plat.

2. Compliance with Zoning Ordinance: All lots shown on the subdivision plat must comply with requirements of the Zoning Ordinance.

3. Abut on Public or Private Street: Each lot shall abut on a public street or private street dedicated by the subdivision plat or an existing publicly dedicated street. Interior lots having frontage on two (2) streets shall be prohibited unless specifically determined by the Approval Authority that such design is the most appropriate use of the property, would not create any additional nuisance or hazardous conditions, and vehicular access to one (1) of the streets (except for commercial or industrial uses), as determined by the City, is prohibited as recorded on the plat.

4. Side Lines: Side lines of lots shall be approximately at right angles, or radial to the street line for not less than the front yard setback distance. Special exceptions may be made by the DRC if justified by topography, hazards, or other physical constraint(s).

5. Remnants: All remnants of parcels or lots below the minimum size required in the zone, leftover after subdividing a larger tract, must be added to adjacent lots, rather than allowed to remain as unusable parcels.

6. Flag Lots: Flag lots are not allowed.

7. Skyline Drive: No new lots shall access Skyline Drive (4300 N) between 900 West and Pleasant View Drive unless no other physical option remains, as determined by the DRC.

8. Corner Lots: For all corner lots, a no-access line shall be shown on the plat along the street rights-of-way for a distance of the lesser of one-half of the frontage or fifty (50) feet, beginning at the apparent intersection of the right-of-way lines. (Ord.2022-8, dated 3/8/22 and

Ord.2008-5, dated 4/8/08)

**17.18.040 Blocks**

1. The maximum length of blocks generally shall be 1,300 feet, and the minimum length of blocks shall be 500 feet. Greater block lengths may be permitted when topography prohibits such, as determined by the DRC. Blocks over 800 feet in length may, at the discretion of the City, be required or approved with a dedicated walkway through the block at approximately the center of the block. Such walkway shall not be less than ten (10) feet in width.

2. The width of blocks shall be sufficient to allow two (2) tiers of lots or as otherwise approved by the City because of design, terrain, or other unusual conditions.

3. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities. (Ord.2008-5, dated 4/8/08)

**17.18.050 Slope Special Requirements**

In order to appropriately evaluate and protect against any potential impacts to adjacent properties and city infrastructure and services, the following special requirements apply to all development in the city.

1. Based on a contour map at intervals no greater than ten (10) feet, a slope calculation is required for the average slope of the site, subdivision, or sub-area prior to any grading, utilizing the following formula:

$$S = .00229 (I) (L) / A$$

Where:

S is the average slope I is the contour interval in feet

L is the summation in length in feet of all contour lines

A is the total number of acres

Alternate methods of calculation may be approved by the City Engineer.

2. If the calculation results in an average slope exceeding 15%, then additional standards and evaluations shall be placed on the subdivision including:

a. As overall slope increases, density shall decrease.

i. Slopes greater than 15% and up to and including 20% shall have no more than one (1) unit per acre.

ii. Slopes greater than 20% and up to and including 25% shall have no more than one (1) unit for every two (2) acres.

iii. Slopes greater than 25% and up to and including 30% shall have no more than one (1) unit for every five (5) acres.

iv. No development is allowed on slopes greater than 30%.

b. As slope increases, allowable impermeable surfaces shall decrease.

i. For lots with slopes greater than 15% and up to and including 20%, not more than 25% of the lot shall be impermeable surfaces.

ii. For lots with slopes greater than 20% and up to and including 25%, not more than 15% of the lot shall be impermeable surfaces.

iii. For lots with slopes of greater than 25% and up to and including 30%, not more than 7.5% of the lot shall be impermeable surfaces.

c. Either by natural topography or mass grading, all lots having an average slope exceeding 15% shall have a reasonable building area (defined as land with a slope less than 15%) of at least 7,500 square feet with a minimum dimension of fifty (50) feet.

d. Additional fire safety/emergency vehicle related reviews may be required

including but not limited to, access, fire hydrants, driveway (grades, lengths, and widths), road surfacing, turnarounds, building distances from the street, and so on.

e. Spark arresters shall be installed on all indoor and outdoor fireplaces.

f. A grading and drainage plan shall be submitted with the subdivision improvement drawings. The plan shall clearly identify how the developer intends on grading each lot to ensure that storm water runoff is either directed to the fronting or intersection roadways or collected and conveyed in such a manner that it will not have an adverse effect on adjacent or neighboring properties. Building areas and elevations, cuts and fills, drainage swales, slopes, and proposed drainage easements shall be minimum design elements and shall assure reasonable access and safety.

g. Existing vegetation shall be preserved to the greatest extent possible. A map of areas to be disturbed shall be submitted. Disturbed areas shall be re-vegetated within two months, in accordance with an approved re-vegetation plan. Rock outcropping shall be avoided.

3. For any portions of one-half (1/2) acre or greater of the subdivision that have slopes over 15%, the appropriate design and safety provisions above (2b thru g) shall apply to the development of sub-areas within the subdivision where such slopes are found. (Ord.2008-5, dated 4/8/08)

**17.18.060 Adequate Public Facilities Ordinance**

Every subdivision, new development, conditional use permit, and site plan resulting in additional impact on existing infrastructure shall also meet and are subject to the terms and conditions of the Adequate Public Facilities requirements of the City described in *Chapter 18.70 Adequate Public Facilities*. (Ord 2017-2, dated 2/15/17; prior code: Ord.2014-6, dated 7/22/14)

## 17.20 - REQUIRED IMPROVEMENTS AND GUARANTEES

**17.20.10 Required improvements:** The applicant/owner of any land to be part of a subdivision shall, at his own expense, design and construct all required improvements and guarantee the installation of such improvements, as provided herein, as per this Title 17, and as required by the Development, Design, and Construction Standards (also known as the City Standards), and as inspected and approved through the office of the City Engineer. All utilities, including power, gas, phones, cable, fiber optic, and as found herein, shall be provided for all lots in the subdivision and shall be underground facilities unless specifically approved otherwise by the city engineer.

1. Water Supply:

a. The applicant(s) shall install culinary water lines, or shall contract with the local culinary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Information concerning the residual water pressure in the existing mains at the approximate point of connection shall be provided to the city engineer. The City Engineer shall determine the adequacy of the existing water system to provide culinary water and fire protection as required by the Utah Department of Environmental Quality, Division of Drinking Water.

b. The applicant(s) shall install secondary water lines and shall contract with the local secondary water distributing agency to make the water supply available to each lot within the subdivision, including laterals to the property of each lot as required by the water distributing agency or fifteen (15) feet beyond the property line with a permanent mark approved by the city placed on the curb.

2. Sewage Disposal: All sanitary sewer systems are required to connect to the public sanitary sewer system and provide adequate lateral lines to a point at least fifteen (15) feet beyond the property line of each lot with a permanent mark approved by the city placed on the curb. Such sewer connections and subdivision sewer systems shall comply with the City Standards and shall be approved by the City Engineer.

3. Storm Water: The applicant(s) is/are required to dispose of storm water and surface drainage into an approved City storm drain system. If easements are required across adjoining property to permit drainage of the subdivision, it shall be the responsibility of the applicant(s) to acquire such easements. Detention of storm water may be required for all subdivisions, as determined by the City Engineer. All construction shall comply with the City storm water management plan.

4. Street Grading and Surfacing: Design and construction shall be as per this Title 17 and as required by the City Standards.

5. Curbs, Gutters and Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the applicant(s) unless specifically determined by the Approval Authority that such is not necessary for safety or other reasons such as in a PRUD or other Special Approval Development. Unless otherwise approved, design and construction shall be as required by the City Standards.

6. Street Drainage: Drainage infrastructure shall be as required by the City Standards.

7. Monuments: Permanent monuments shall be accurately set and established at such points as are necessary to definitely establish all lines of the plat. Monuments shall be of a type approved by the City Engineer. All subdivision plats shall be tied to at least two (2) approved county monuments.

8. Street Trees: Street trees may be required by the Approval Authority to be planted along street rights-of-way by the applicant(s).
9. Fire Hydrants: Fire hydrants shall be installed. Such fire hydrants shall be of the type, size, number and be installed in such locations as determined by the City Engineer in concert with the Fire Marshall.
10. Street Signs: Street signs shall be paid for by developer and installed by the City.
11. Street Lighting: Street lights and appurtenances shall be provided and installed by the Applicant in accordance with the City Standards.
12. Chip Seal: Chip seal shall be paid for by developer and installed by the City.
13. Fencing:
  - a. A solid board, chain link, or other non-climbable fence not less than six (6) feet in height shall be installed on both sides of existing irrigation canals, bordering open reservoirs, parks, sloughs, railroad rights-of-way or non-access streets, and which are located within or adjacent to the subdivision, except where the Approval Authority determines that park areas, including streams or bodies of water, shall remain unfenced. The Approval Authority shall determine the appropriate fence in each case.
  - b. The Approval Authority may also require a fence of the type to be determined in each instance to be erected when any subdivision adjoins a use to which uncontrolled access might result in damage or nuisance to the subdivision or adjoining property, or where the Approval Authority determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or adjoining property. Specific consideration shall be given for requiring fencing where the subdivision is adjacent to existing animal uses and producing agriculture uses.
14. Staking of Lots: Survey stakes shall be placed at all lot corners, and nails shall be placed in curbing, so as to completely identify the lot boundaries on the ground.
15. Pioneering agreement: The city may require and enter into a pioneering agreement for installation of off-site improvements and upsizing of roads and/or utilities to serve other properties as the need is determined by the city.
16. Special Improvements: The applicant shall install and guarantee any and all special improvements required by the City as part of subdivision or development approvals. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

**17.20.20 Installation of Improvements, Improvement Completion Assurance and Warranty**

1. Construction may commence upon a) the approval of the Preliminary Subdivision Application by the approval authority, and b) the holding of a preconstruction meeting.
2. All subdivision improvements shall be completed within two (2) years of the earlier of the date of the preconstruction meeting or the date of final subdivision recordation. The city engineer may, for good cause, extend this completion time requirement for no more than one (1) additional year, provided that the completion assurance required to be filed with the city, as set forth below, is extended for the same one (1) year period.
3. Prior to the expiration of the final subdivision application approval, the applicant shall provide the city with an acceptable improvement completion assurance. Said improvement assurance shall be:
  - a. A corporate surety bond for any amount deemed necessary,
  - b. A cash bond or escrow account for any amount deemed necessary, or
  - c. A letter of credit when the total improvement completion amount is

\$1 million or more,

as acceptable assurances to the city in an amount to be determined by the city engineer and in accordance with Utah Code Ann. § 10-20-807. An agreement associated with the improvement assurance and terms of application, approved as to form by the city attorney, shall be approved by the City Council and recorded in the Weber County Recorder's Office concurrently with the approved final plat.

4. The applicant shall warranty said improvements in the amount equal to 10% of the total cost of the improvements, according to the estimate approved by the city engineer and in accordance with Utah Code Ann. § 10-20-807. Warranty shall be provided by means of a corporate surety bond, a cash bond, or a letter of credit as acceptable to the city.

5. The accepted and approved improvement guarantee form (surety bond, cash bond, escrow account, or letter of credit) shall be filed with the city recorder. (Ord.2023-2, dated 1/24/23; prior code: Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

**17.20.030 Administration:** The Mayor or City Administrator is authorized to prescribe by administrative rule or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision, and compliance with the requirements of this title. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

**17.20.040 Phased Development:** Whenever the applicant(s) develops a subdivision a portion at a time, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the said improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the lands subdivided within the time hereinabove specified. (Ord.2011-1, dated 2/22/11; prior codes: Ord.2008-5, dated 4/8/08)

**17.20.50 Inspection of Improvements:**

1. The City Engineer shall inspect or cause to be inspected all improvements to public systems including but not limited to streets; water, sewer, and storm drain lines and appurtenances; mass grading; and detention/retention ponds during construction, installation, and/or repair.

2. The City Engineer shall inspect or cause to be inspected, during construction, installation or repair, all special improvements required by the City as part of a subdivision or development approval.

3. The applicant shall be responsible for the payment of all costs for such inspections. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)

**17.20.60 Condition of Improvements Guaranteed:**

1. Except as found elsewhere in this section, the applicant shall warrant and guarantee that the improvements provided for herein and every part thereof will remain in good condition for a period of one (1) year following Conditional Acceptance, and agree to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period with no cost to the City.

2. Conditional Acceptance to begin the guarantee period may be granted by the City

Engineer once all improvements required for the development have been installed, inspected and approved, all outstanding fees have been paid, and as-built drawings in a form acceptable to the City Engineer have been provided.

a. The applicant, in accordance with Utah Code 10-20-807, may request a determination of acceptance or rejection of completed improvements, and the city shall respond with due diligence.

3. A special exception for Conditional Acceptance may be granted by the City Engineer if the following items are not completed:

a. Street signs: Where the city is ordering and/or installing street signs, the guarantee period may begin provided the guarantee amount remains in place for such items.

b. Street lighting: Where the applicant has installed all related improvements (conduit and boxes) and can provide proof of street light order, the guarantee period may begin provided the guarantee amount remains in place for such items.

4. Upon completion of all required improvements, the applicant must request in writing to the city planner a review of the project status. The planner shall refer the request to the city engineer and shall also notify all property owners in the project by mail or in person of the request and allow such owners two weeks for comments, to the planner, regarding the status of the project. The planner shall endeavor to resolve, with the applicant and city engineer, any problems received. If matters cannot be resolved, and at the discretion of the planner, the request may be referred to the City Council for resolution. Final acceptance may be granted by the City Engineer provided all required improvements have been completed, any problems addressed with the city planner and/or City Council are resolved, and improvements are judged to be in acceptable condition. The city may allow a separate escrow for special exception items as found in paragraph 3 to be established by agreement, and acceptance may then be granted on original items.

5. The applicant shall be responsible for all inspection costs.

6. As allowed in Utah Code 10-20-8074, if the city determines, based on the specifics of the applicant's property or prior performance, that a two (2) year guarantee period is necessary to protect the public health, safety, and welfare, the city may require such two (2) year guarantee period. (Ord.2011-1, dated 2/22/11; prior code: Ord.2008-5, dated 4/8/08)