

Landscaping Draft Summary

Millcreek's code currently includes an extensive section on landscaping. However, it was created at a time when the need to conserve water was not as demanding as it is now. This Statewide issue has resulted in significant changes to the chapter. Part of the intent of the changes is to meet the requirements of the Jordan Valley Water Conservancy District, so that residents can apply for rebates to convert their existing landscaping to more water conserving landscapes. The new draft aims to make the landscaping section easier to administer and make it possible for residents and developers to create truly water smart landscaping.

What is the same:

While the new draft is very different than the existing ordinance, it does incorporate some of the existing regulations such as tree preservation.

What is new:

- New landscape requirements for by type of use, residential, commercial and industrial.
- Localscape design standards for single-unit dwellings.
- New landscape buffers with varying intensity based on the adjacent uses.
- Street Scape landscape requirements.
- Low Impact Development standards
- Parking Lot Landscaping standards have been revised and updated
- Landscape plans are required and now need a certified designer and installer involved in that process for all development except single family homes.

Organization:

The draft chapter is broken into the following sections:

- A. General Provisions
- B. Water Efficiency Requirements
- C. Landscape Design and Installation Standards
- D. Tree Preservation Standards
- E. Screening and Buffering
- F. Commercial, Mixed-Use, Multi-Household Development Landscaping Standards
- G. Industrial Development Landscaping Standards
- H. Single-household and Duplex Residential Development Landscaping Standards
- I. Streetscape Design Standards
- J. Parking Lot Landscaping
- K. Park and Open Space Landscape Standards
- L. Stormwater Detention and Retention Facilities
- M. Landscaping Along Natural Waterways
- N. Landscape Plan Submittal Requirements
- O. Construction Inspection and Compliance Requirements
- P. Post Construction Verification of Compliance

Chapter 19.01 Landscape Standards

19.01.1 General Provisions

19.01.1.1 Organization

- A. General Provisions
- B. Water Efficiency Requirements
- C. Landscape Design and Installation Standards
- D. Tree Preservation Standards
- E. Screening and Buffering
- F. Commercial, Mixed-Use, Multi-Household Development Landscaping Standards
- G. Manufacturing Development Landscaping Standards
- H. Single-household and Duplex Residential Development Landscaping Standards
- I. Streetscape Design Standards
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19.01.1.2 Purpose

- A. The landscape design and development standards set forth in this chapter are intended to facilitate water conservation and promote the following:
 - 1. More efficient use of water resources;
 - 2. Preservation and enhancement of the City's environmental and aesthetic character;
 - 3. Promotion of design continuity between adjacent land uses;
 - 4. Preservation, enhancement, and expansion of the urban tree canopy;
 - 5. Improved management of stormwater runoff;
 - 6. Reduction in the absorption and re-generation of heat from paved vehicular parking areas and other impervious surfaces;
 - 7. Promotion of screening and buffering between land uses by way of providing adequate vegetation;

8. Re-introduction of native and low water use plant species into the developed environment;
9. Reduction of landscape maintenance responsibilities and costs.

19.01.1.3 Applicability

- A. All land development applications shall be accompanied by a landscape plan prepared by a licensed Landscape Architect. Building permit applications for individual single-family residences require a landscape plan but are exempt from the requirement that it be prepared by a licensed Landscape Architect unless applying for rebate program. All landscaping within the City shall comply with this section.
 1. New Development. These landscape standards shall be applied to all new development in the City including surface or at-grade parking areas and the exterior perimeter of parking structures
 2. Existing Development. Development in existence at the effective date of this chapter shall be brought into compliance with these provisions if:
 - a. Commercial, Mixed-use, Multi Household, Manufacturing: The gross floor area of improvements are changed, modified, or expanded by more than twenty percent (20%),
 - b. Single household and/or duplex developments: The gross floor area of improvements are changed, modified or expanded by fifty percent (50%).
 - c. An existing off-street parking area is expanded by ten (10) parking stalls.
 3. Exemptions. The provisions of this chapter do not apply to the following:
 - a. The interior undercover portions of parking structures;
 - b. The interior undercover portions of carports containing ten (10) parking spaces or less;
 - c. The interior display areas of vehicle and equipment sales lots;
 - d. The interior areas of vehicle and equipment storage lots;
 - e.
- B. Certificate of Occupancy. All required landscaping shall be installed in accordance with this Chapter prior to issuance of Certificate of Occupancy. Installation that is delayed due to seasonal implications shall post surety per Section 19.02.110.
- C. These standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

19.01.2 Water Efficiency Requirements

19.01.2.1 Purpose.

- A. To ensure more efficient water consumption in the establishment and long-term maintenance of landscape improvements.

19.01.2.2 Landscape Hydrozones.

- A. Plants with similar water needs shall be grouped together in hydrozones per the following structure¹ with no more than ten percent (10%) of plants to be identified as zones 3 and 4:

Table 19. 77.1 Hydrozones

HYDRO ZONE	IRRIGATION FREQUENCY	NOTES
Zone 0	Little or no water needed	Plant material in hydrozones 0 & 1 with water use requirement, as noted in the City of Millcreek Approved Plant List, shall be used at the interface between urban areas and natural (nonirrigated) open space
Zone 1	Plants require supplemental irrigation once per month	
Zone 2	Plants require supplemental irrigation twice per month	
Zone 3	Plants require supplemental irrigation once per week	No more than ten percent (10%) of plant material may fall under zone 3 and/or 4 watering frequency
Zone 4	Most intensive water-use zone, plants require supplemental irrigation twice per week	

- B. Plant Material Requirements. All plant material used on a site shall be water conserving and adapted to the local climate, per the City of Millcreek Approved Plant List.

19.01.2.3 Water Efficient Irrigation System Requirements.

- A. Designer Qualifications. All landscape irrigation plans required with development applications shall be designed by a qualified professional who is licensed under Utah Code Title 58 or by a person who is exempt from professional licensure requirements for the scope of work performed. Single household residential development is exempt from the designer qualification requirement, however, it is highly encouraged to comply with this section.

¹ Guidance from USU extension

- B. Design Standards. Irrigation design standards applicable to this chapter shall be as outlined in the latest version of the minimum standards for efficient landscape irrigation system design and installation prepared by the Utah Irrigation Association, subject to the following modifications and additions:
1. Drip Irrigation. Drip technology shall be used to the greatest extent possible.
 2. Overhead Sprinklers. Overhead sprinklers shall only be used for turf grass areas. Stream rotary nozzles are to be used for the most efficient watering and shall not be scheduled to operate between the hours of ten a.m. to seven p.m.
 3. Automatic Controller. All irrigation systems shall include an electric automatic controller capable of utilizing an automatic rain shut-off device and shall not be scheduled to operate between the hours of ten (10) a.m. to seven (7) p.m. to reduce water loss from wind and evaporation.
 4. Slope Adjustments. On slopes exceeding thirty percent (30%), the irrigation system shall consist of low angle spray heads, drip emitters, or bubblers.
 5. Elevation Adjustments. Check valves, pressure regulating valves, and pressure compensating heads shall be required where elevation differences will cause low-head drainage.
- C. Operational Efficiency. The minimum efficiency required for irrigation systems established in accordance with the requirements of this chapter is as follows:
1. The minimum efficiency required for the irrigation system is seventy-five percent (75%) for the distribution efficiency for all fixed spray systems and seventy percent (70%) distribution efficiency for all rotor systems.

19.01.3 Landscape Design and Installation Standards

19.01.3.1 Applicability.

- A. All required site landscape improvements shall be provided in accordance with the following standards.

19.01.3.2 Retention of Significant Natural Features.

- A. Features that are unique to a property, such as but not limited to that property's natural topography, existing vegetation, or riparian features shall be taken into consideration in the planning and design of landscape improvements for that property.
- B. Priority is to be given to the preservation or protection of existing, mature trees and wooded riparian areas that are a part of a proposed development site per Section 19.77.13.

19.01.3.3 Plant Material Specifications.

- A. The measurements and specifications for all plant material shall be as set forth in the American Standard for Nursery Stock (ANSI Z60.1-204) as published and periodically amended by the American Nursery and Landscape Association.
- B. Plant Quality. All plant material shall be healthy, well branched, and well rooted, formed true to variety and species.
- C. Prohibited plant material. Noxious or invasive species as declared by Utah Department of Agriculture and Food shall be prohibited from newly installed landscapes.
- D. Plant Coverage and Growth Rate. The quantity and size of materials planted shall be sufficient to cover seventy-five percent (75%) of designated landscape areas within three years of initial planting.
- E. Species Diversity. A variety of plant species shall be utilized in all site landscaping. No one species may make up more than twenty-five percent (25%) of the total non-turf plant material within the landscaped area including a diverse range of tree species. Additionally, tree species shall vary per the table below:

Table 19. 77.2 Species Diversity

TOTAL NUMBER OF TREES ON SITE	MAXIMUM PERCENT OF ANY ONE SPECIES
19 or fewer	50%
20—39	33%
40 or more	25%

- F. All trees shall be provided a plant-free mulched area with a minimum radius of four feet (4') around the trunks in order to expedite tree root establishment.
- G. Lawn and Turf Areas. Areas proposed for planting in turf or lawn shall be a minimum of ten feet (10') in width.
 - 1. Drought-tolerant grass varieties shall be established and maintained.
 - 2. The use of artificial turf shall comprise a maximum of ten (10) percent of any single-household residential landscape area. Artificial turf may be used for putting greens but is otherwise prohibited for use in all other land use types.
- H. Mulch. All landscape areas planted with trees, shrubs, perennials, or other groundcover shall be covered with a minimum three-inch (3") layer of mulch to retain water, inhibit weed growth, and moderate soil temperature.
 - 1. Newly planted trees in areas predominantly improved with turf shall be provided a plant-free mulched area with a minimum radius of four feet (4') around the trunks in order to protect the trunks from turf-maintenance operations and expedite tree root establishment.

- 2. Nonporous materials (e.g., plastic) shall not be placed under the mulch. Bare soil is not permitted.
- I. Root Accommodation. Root barrier collars and root path trenches shall be installed around trees within three feet (3') of sidewalks to protect the pavement and to ensure healthy tree root growth.
- J. Plant Size Requirements at Planting. All new and replacement plant material shall meet the following minimum size requirements at planting:

Table 19. 77.3 Plant Size Requirements

Table 19.77.1 Plant Size Requirements	
Deciduous Trees	two-inch (2") caliper
Ornamental and flowering Trees	two-inch (2") caliper
Evergreen Trees	six feet (6') tall
Shrubs	five (5) gallon container
Perennials and Ornamental Grasses	one (1) gallon container

- K. Applicability. In all zones where a front yard is required the entire frontage and depth of that yard area and any side yard area abutting a street shall be landscaped. Visibility at intersecting streets shall be maintained as set forth in MKZ 19.76.160. Parking areas shall not encroach on these minimum required setbacks except as herein authorized.

19.01.3.4 Installation Specifications

- A. Irrigation System Installer Qualifications. Irrigation Association (IA) certification shall be required for all contractor-installed landscape irrigation systems except where construction observation services are provided by a licensed landscape architect or other qualified professional under Title 58 of Utah Code.
- B. License, Insurance and Bonding Requirements. All installers, designers, and auditors shall meet state and local license, insurance, and bonding requirements and be able to show proof of such.
- C. Plant Delivery and Installation.
 - 1. Plants shall be protected during delivery to prevent leaf desiccation.
 - 2. Upon delivery, unplanted trees, shrubs and other live plants shall be kept in shade, well protected with soil, mulch or other acceptable material and appropriately watered. Plants that have died or show signs of serious deterioration prior to planting shall be replaced.

3. All trees and shrubs shall be planted in such a manner as to ensure their survival and to prevent girdling of trunks. This shall include the planting of intact balls, planting at proper depth, properly backfilling, mulching and watering, and construction of a planting saucer.

4. In order to protect plantings from traffic, de-icing salts, and snow plowing operations, landscaped areas with tree or shrub plantings within six feet (6') of a paved vehicle parking area or access way shall be raised above such areas by use of curbing or edging or, where depressed for stormwater collection and aquifer recharge, clearly posted for protection during periods of inclement weather.

- D. Excavation. Site excavation shall be accomplished in accordance with industry standards and applicable ordinance requirements.

19.01.3.5 **Setback Reduction**

- A. The Planning Director or their designee may approve reductions to landscape setbacks for residential and commercial properties only when the action will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity in which the property is located
1. No setback reductions shall be granted for property that is part of a town center, urban transit center, or village center.
 2. No setbacks shall be granted for property that is zoned light manufacturing or mixed use.
- B. In no event shall the front yard setback be less than the average of the front yard setbacks of neighboring structures, located on the same side of the street, that are located within a three hundred (300) foot distance of the nearest property line of the subject property.
- C. Where a setback reduction is provided by this section, the Planning Director or their designee shall consider the following factors in review of the setback reduction:
1. Where applicable, the setback reduction results in a building site that accommodates a wider buffer between the use and adjacent R-1 or R-2 zones than what is required by this Title.
 2. The setback reduction does not create a situation where the development will result in an increase in the number of residential dwelling units than would occur if the development was built without the reduction.
 3. The setback reduction does not create a situation where the proposed development will cause objectionable noise, odors, trespass lighting, or similar adverse impacts on adjacent properties.

4. The setback reduction does not create a situation where the proposed development substantially reduces the amount of privacy that would be enjoyed by nearby residents any more than would be available if the development was built without the reduction.
 5. The setback reduction does not create a situation where the proposed development will create an obstruction of site triangles.
 6. The setback reduction does not create a situation where it is reasonably anticipated that the proposed development will result in vehicle stacking on a public right-of-way where that right-of-way intersects with the driveway of the proposed development.
- D. Setback reductions along a streetscape shall still meet the landscape requirements set forth in Section 19.77.9.
- E. Encroachments to Within Twelve Feet. Off-street parking areas may encroach into required front and street side setback areas such that a minimum depth of not less than twelve feet is maintained.
- F. Encroachments to Within Eight Feet. Off-street parking areas may encroach into required front and street side setback areas such that a minimum depth of not less than eight feet is maintained subject to provision of the following:
1. A contiguous evergreen hedge or decorative wall is placed along the interior edge of the setback area. Wall or hedge shall have a minimum height of thirty-six (36) inches, a maximum height of forty-eight (48) inches as measured from the adjacent paved parking area.

19.01.4 Tree Preservation Standards

19.01.4.1 Purpose.

- A. To maintain the environmental integrity of trees for shade, evapotranspiration, and habitat along with preserving the aesthetic of mature, and healthy vegetation for Millcreek's streetscapes.

19.01.4.2 Applicability.

- A. All healthy trees having a caliper of four (4) inches in size or larger shall be preserved to the maximum extent feasible.

19.01.4.3 Design Standards

- A. Preserved trees shall be credited toward the satisfaction of the tree planting requirements of this chapter at a rate of 1:1 based on size. For example, a six-inch caliper tree preserved shall count toward three two-inch caliper trees.
- B. Where existing trees are to be protected, the following standards shall apply:

1. A fenced tree protection zone shall be established around the dripline of each tree or cluster of trees to be retained with high-visibility materials at a minimum height of four feet (4').
 2. The storage or movement of equipment, material, debris or fill is prohibited within the tree protection zone so as to minimize soil compaction.
 3. The cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree is prohibited within the tree protection zone.
- C. No cut or fill is permitted within the tree protection zone unless a qualified arborist, forester or landscape architect has evaluated and approved the disturbance.
- D. All protected existing trees shall be pruned as specified by a qualified arborist or forester.
- E. No damaging attachment, wires, signs, or permits may be fastened to any protected tree.
- F. Trees being preserved that are located further than fifty feet (50') from the primary area being disturbed by construction may be "ribboned off," in lieu of erecting protective fencing. This may be accomplished by placing metal t-post stakes a maximum of fifty feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
- G. The removal of trees is allowed under the following circumstances by way of a tree removal permit per Section 19.77.4.4:
1. Where trees have naturally fallen or are determined by a licensed arborist to be dead or dying.
 2. Where trees have been diagnosed by a qualified arborist as unhealthy beyond reasonable rehabilitation.
 3. Where trees are determined to be potentially harmful to the public health, safety or welfare.
 4. Where it has been determined by the City that tree removal is necessary to restore clear visibility at driveways and intersections.
 5. Plants listed in the prohibited plant list per Section 19.77.3.3 may be removed without a replacement requirement.
- H. Trees having a caliper of four (4) inches in size or greater which are removed shall be replaced on the development site at the following rate:

Table 19. 77.4 Tree Replacement Table

Table 19.77.4.1	
Tree to be removed	Replace with
4" to 12" caliper tree	Three trees as 2" caliper min. size
12" to 24" caliper tree	Six trees at 2" caliper min. size
24" or larger caliper tree	Eight trees at 2" caliper min. size

19.01.4.4 Tree Preservation Site Plan Submittal.

- A. All tree removal permits shall submit a tree preservation plan to include the following:
 - 1. Purpose of the requested permit
 - 2. Plan showing: existing and proposed land uses, buildings, parking, utilities, and light poles; existing trees over four (4) inch diameter at breast height to be preserved; and other pertinent elements of development.
 - 3. A boundary survey which shall include the location of all easements, building setback lines, nearby zoning district boundaries;
 - 4. A location map showing the location of the property within the city.
- B. If a permit is denied, the reason for denial shall be furnished to the applicant in writing, either electronically or by mail.

19.01.5 Screening and Buffering

19.01.5.1 Purpose.

- A. Buffers and screening are intended to minimize conflicts between potentially incompatible, land uses and development on abutting property.

19.01.5.2 General Design Standards.

- A. All required buffers shall be located along the entire property line between the two uses and entirely on the developing property's side of the required buffer.
- B. Parking of vehicles and placement of buildings or structures, except for walls, fences, and landscaping, shall not be allowed in the required buffer.
- C. Under no circumstances shall a fence be the only screening material as a buffer between land uses.

19.01.5.3 Buffer Design Standards.

- A. Buffer Type A shall be placed within ten (10') of the property line as site conditions permit and shall consist of trees, shrubs and ornamental grasses at the following rates per one hundred (100) linear feet of buffer:

1. Two (2) trees with a minimum mature height of twenty (20) feet; and
2. One of the following is required:
 - a. Ten (10) shrubs or large ornamental grasses with a minimum height of five (5) feet.
 - b. A six-foot (6') high ornamental fence with five (5) shrubs or large ornamental grasses with a minimum height of five (5) feet.
 - c. A six-foot (6') high wall.

Figure 19.77. 1

Buffer A

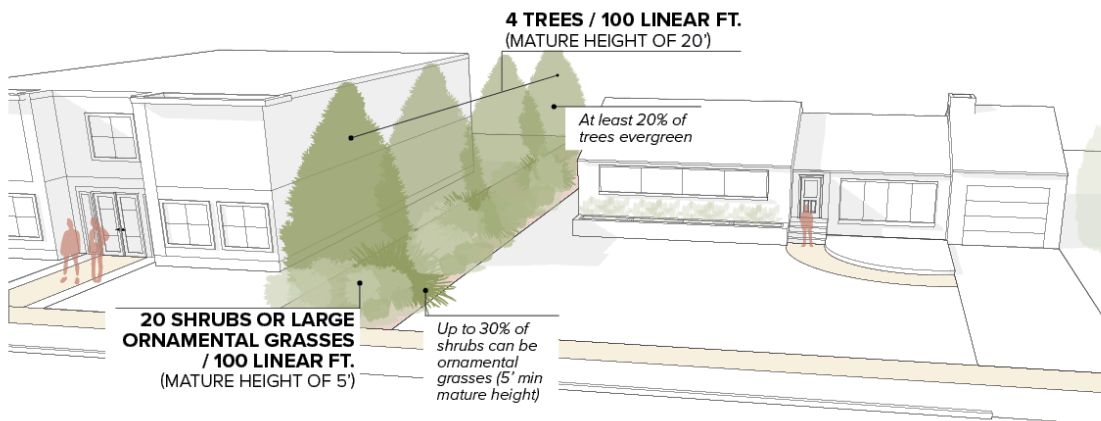


- B. Buffer Type B shall be placed within ten (10') of the property line as site conditions permit and shall consist of trees, shrubs, and ornamental grasses at the following rates per one hundred (100) linear feet of buffer:
 1. Four (4) trees with a minimum mature height of twenty feet (20) with at least twenty percent (20%) being evergreen;
 2. One of the following is required:

- a. Twenty (20) large shrubs with a minimum mature height of five feet (5'), up to thirty percent (30%) can be large ornamental grasses with a minimum mature height of five feet (5') and ten (10) small shrubs or ornamental grasses with a minimum mature height of two feet (2').
- b. A six-foot (6') high ornamental fence with ten (10) large shrubs with a minimum mature height of five feet (5'), up to thirty percent (30%) can be large ornamental grasses with a minimum mature height of five feet (5') and five (5) small shrubs or ornamental grasses with a minimum mature height of two feet (2').
- c. A six-foot (6') high wall.

Figure 19.77. 2

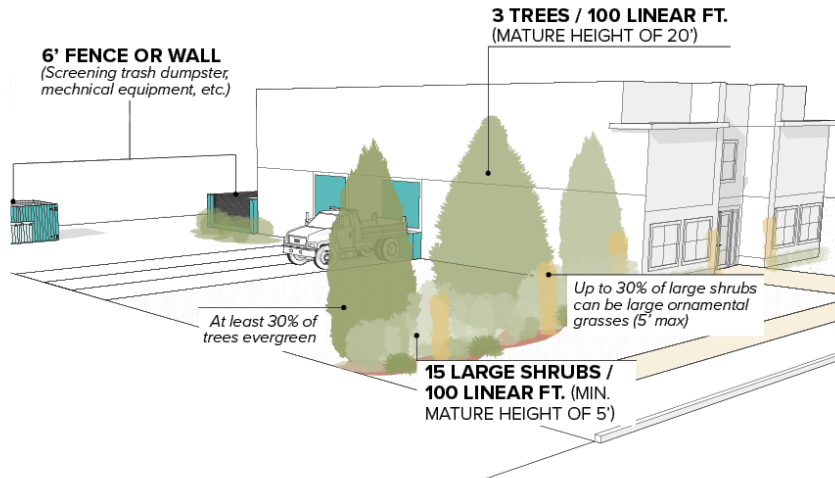
Buffer B



- C. Buffer Type C shall be placed adjacent to the object(s) being screened as site conditions permit and shall consist of a six foot (6') tall solid fence or wall and trees, shrubs, and ornamental grasses at the following rates per one hundred linear feet (100') of buffer:
 1. Three (3) trees with a minimum mature height of twenty feet (20') with at least thirty percent (30%) being evergreen. Items being screened that are less than twenty feet (20') in width do not require trees; and
 2. Fifteen (15) large shrubs with a minimum mature height of five feet (5'), up to thirty percent (30%) can be large ornamental grasses with a minimum mature height of five feet (5'); and
 3. Ten (10) small shrubs or ornamental grasses with a minimum mature height of two feet (2').

Figure 19.77. 3

Buffer C



19.01.5.4 Buffer Requirements

- A. All multi-household development adjacent to a residential use shall incorporate a Buffer Type A along the perimeter between the two uses.
- B. All manufacturing and commercial development adjacent to a residential use shall incorporate a Buffer Type B along the perimeter between the two uses.
- C. All outdoor storage, service areas, and on-grade mechanical equipment shall be screened with from public view with a Buffer Type C. Site elements that are subject to this provision include but are not limited to the following:
 1. Air conditioning units;
 2. Electrical transformers;
 3. Loading areas and docks;
 4. Mechanical equipment;
 5. Outdoor storage areas;
 6. Public utility transformers;
 7. Service yards;
 8. Telephone transformers;
 9. Trash collection areas;
 10. Trash dumpsters.

19.01.6 Commercial, Mixed Use, and Multi-Household Development Landscape Standards

19.01.6.1 Purpose.

- A. To ensure water conscious landscape improvements that are designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and in the surrounding neighborhood.

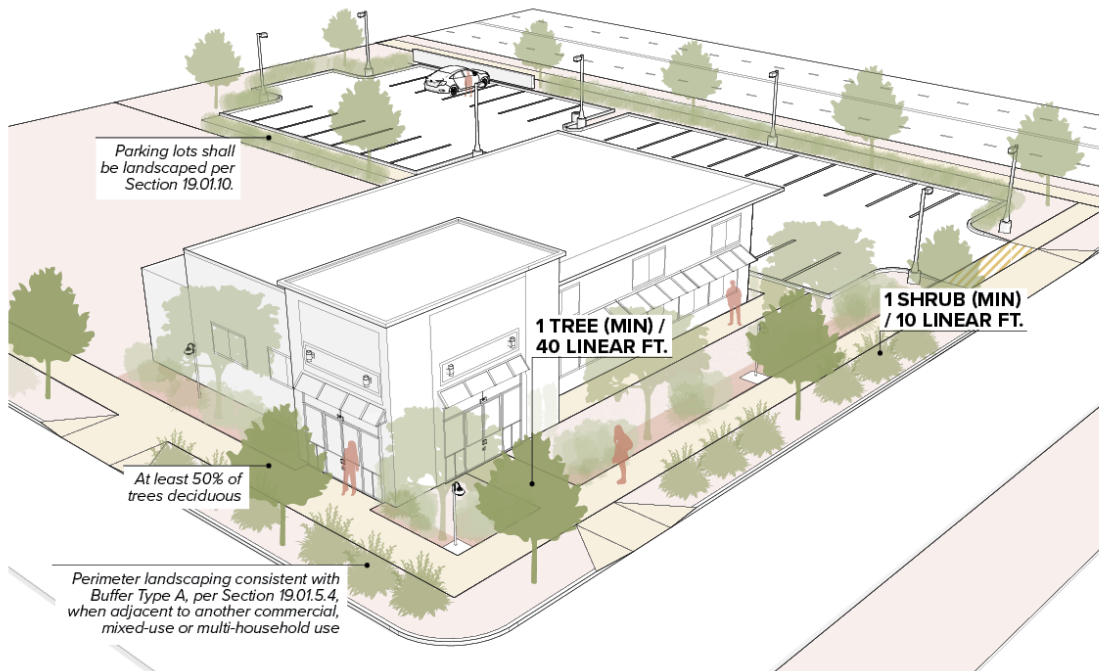
19.01.6.2 Applicability.

- A. All development in the R-4-8.5, R-M, ORD, RMH, MD, MD-3, IF, C-1, C-2, C-3, M, and CCOZ in addition to the General Landscape Standards outlined in this Chapter.

19.01.6.3 General Design Standards.

Figure 19.77. 4

Commercial, Mixed Use, Multi-Household General Design Standard



- A. Landscaping is required around the perimeter of the building along facades that face public streets, transportation corridors, or public open space. Additionally, these design standards are applicable to building entrances, drop off and pick up areas, and outdoor dining areas.

1. A minimum of one (1) tree shall be provided for every forty linear feet (40') of building perimeter landscape area. At least fifty percent (50%) of required trees shall be deciduous with a shade forming canopy.
 2. A minimum of one (1) shrub or ornamental grass shall be provided for every ten (10) linear feet of building perimeter landscape area.
- B. Landscaping is required around the perimeter of the site, along all side and rear property lines, and around the perimeter of drive-through service facilities at the following rates:
1. Consistent with Buffer Type A, per Section 19.77.5, when adjacent to another commercial, mixed-use or multi-household use; or
 2. Consistent with Buffer Type B, per Section 19.77.5, when adjacent to a single-household detached, duplex, or attached use.
- C. Parking lots shall be landscaped per Section 19.77.9.
- D. Turfgrass shall only be allowed as functional space for mixed-use and multi-household developments, is prohibited for ornamental or aesthetic purposes and may not exceed twenty percent (20%) of total landscaped area, outside of designated recreation areas.

19.01.7 Manufacturing Development Landscape Standards

19.01.7.1 Purpose.

- A. To ensure landscape improvements are designed primarily at the public facing building entry to be consistent with commercial landscape standards and at the perimeter for purposes of screening manufacturing activities from the exterior of the property.

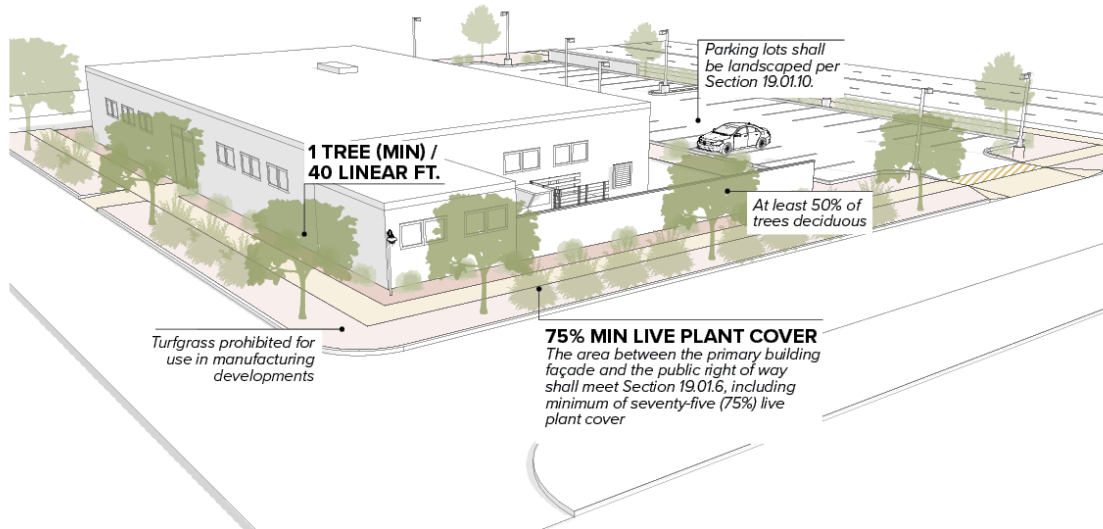
19.01.7.2 Applicability.

- A. All developments of manufacturing uses shall meet the following standards:

19.01.7.3 General design standards:

Figure 19.77. 5

Manufacturing Development General Design Standard



- A. Turfgrass is prohibited for use in manufacturing developments.
- B. The perimeter of the property shall be landscaped one (1) tree per forty (40) linear feet. At least fifty percent (50%) of required trees shall be deciduous with a shade forming canopy.
- C. The area between the primary building façade and the public right of way shall meet the commercial design standards detailed in Section 19.77.6 with all landscape areas including a minimum of seventy-five (75%) live plant cover.
- D. Parking lots shall be landscaped per Section 19.77.9.

19.01.7.4 Single-Household and Duplex Residential Landscaping Standards

- A. Purpose. To provide the opportunity for property owners to apply for Landscaping Rebate Programs as outlined by the Central Utah Water Conservancy District.
- B. Applicability. The following provisions apply to all new single-household residential development and any redevelopment of single-household residential properties in addition to the General Landscaping Requirements outlined in this Chapter.

C. LocalScape Design Standards.

1. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using turfgrass, hardscape, groundcover, gravel, or mulch.
2. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
3. Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than lawn.
4. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.
5. Turfgrass areas shall not exceed the greater of two hundred fifty (250) square feet, or 35% of the total landscaped area.
6. Small residential lots, which the total landscaped area is less than two hundred fifty (250) square feet, and which the front yard dimensions cannot accommodate the minimum eight (8) feet wide lawn area requirement of the landscaping requirements, are exempt from the eight (8) feet minimum width lawn area requirement.

19.01.8 Streetscape Design Standards

19.01.8.1 Purpose

- A. All streetscapes shall be lined with canopy trees to provide shade and include a waterwise and balanced approach to design of plant material for year-round visual interest.

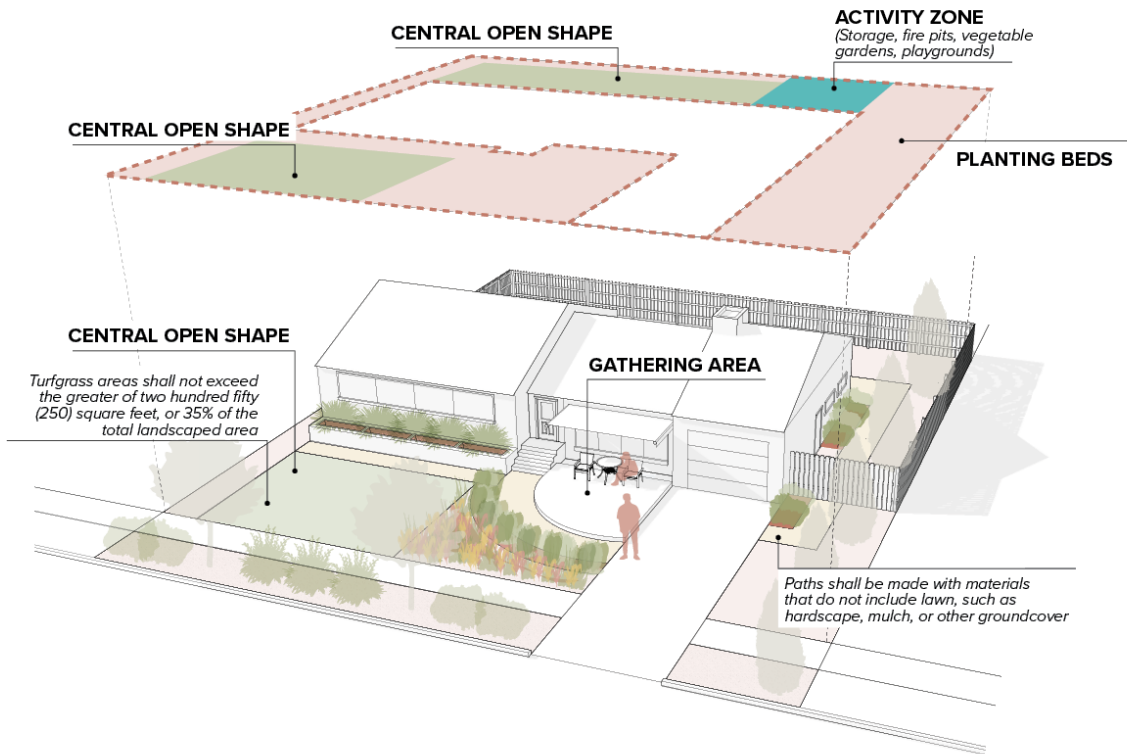
19.01.8.2 Applicability

- A. The following requirements shall apply to all development along collector and arterial streets as well as any single-household subdivisions with frontage along local streets in addition to the General Landscape Standards throughout this Chapter.

19.01.8.3 General Design Standards

Figure 19.77. 6

Localscape Design Standards



- A. Plant Quantities. All landscape areas adjacent to a street (including required park strips) shall be planted and maintained with the following:
 1. One canopy tree to provide shade per forty (40) lineal feet of street frontage
- B. Street trees shall be planted within the right-of-way. If the width of the park strip within the right-of-way is less than six (6) feet wide, street trees shall be planted within a right-of-way, or within 10 feet of a right-of-way line.
- C. Street trees shall be watered via drip or deep root irrigation system with irrigation lines sleeved under sidewalks and pavement for ease of maintenance.
- D. Street trees shall be limbed up to maintain a minimum eight-foot (8') clearance above all sidewalks.
- E. Tree species planted under or within ten (10) feet of overhead powerlines shall have a mature height of no more than twenty-five (25) feet.
- F. A minimum of seventy five percent (75%) of the understory shall be planted in live plant material.

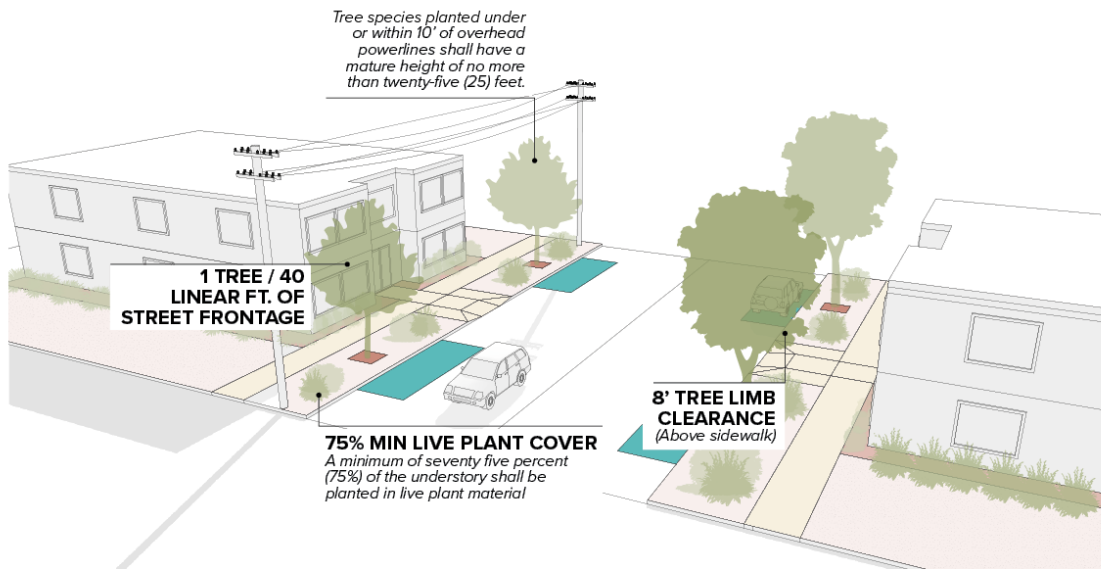
19.01.8.4 Specific Street Type Design Standards

- A. Residential and commercial streetscapes shall be designed per the following dimensions to include landscaping per Section 19.77.9.3:
 - 1. Include curb and gutter per City of Millcreek Engineering Design Standards.
 - 2. Include a park strip with a minimum width of six (6) feet.
 - 3. Include a detached sidewalk per City of Millcreek Engineering Design Standards.

- B. Urban Streetscape
 - 1. Include curb and gutter per City of Millcreek Engineering Design Standards.
 - 2. Include continuous hardscape surface between the curb and the building. Hardscape can include standard concrete or pervious pavement per Low Impact Development Standards.
 - 3. Street trees shall be included at the rate specified in Section 19.77.9.3 and placed in tree grates with a minimum dimension of five (5) feet square.

Figure 19.77. 7

Streetscape Design Standards



- C. Rural Streetscape
 - 1. Curb and gutter are not required.
 - 2. A drainage swale sufficient to convey stormwater shall be incorporated on each side of the street per City of Millcreek Engineering Design Standards.

3. Street trees shall be included at the rate specified in Section 19.77.9.3 and shall be placed within fifty (50) feet of the edge of street pavement.

19.01.9 Parking Lot Landscaping

19.01.9.1 Purpose.

- A. Parking lot landscaping is intended to break up large expanses of pavement, create shade, screen headlights, and enhance the overall appearance of the site.

19.01.9.2 Applicability.

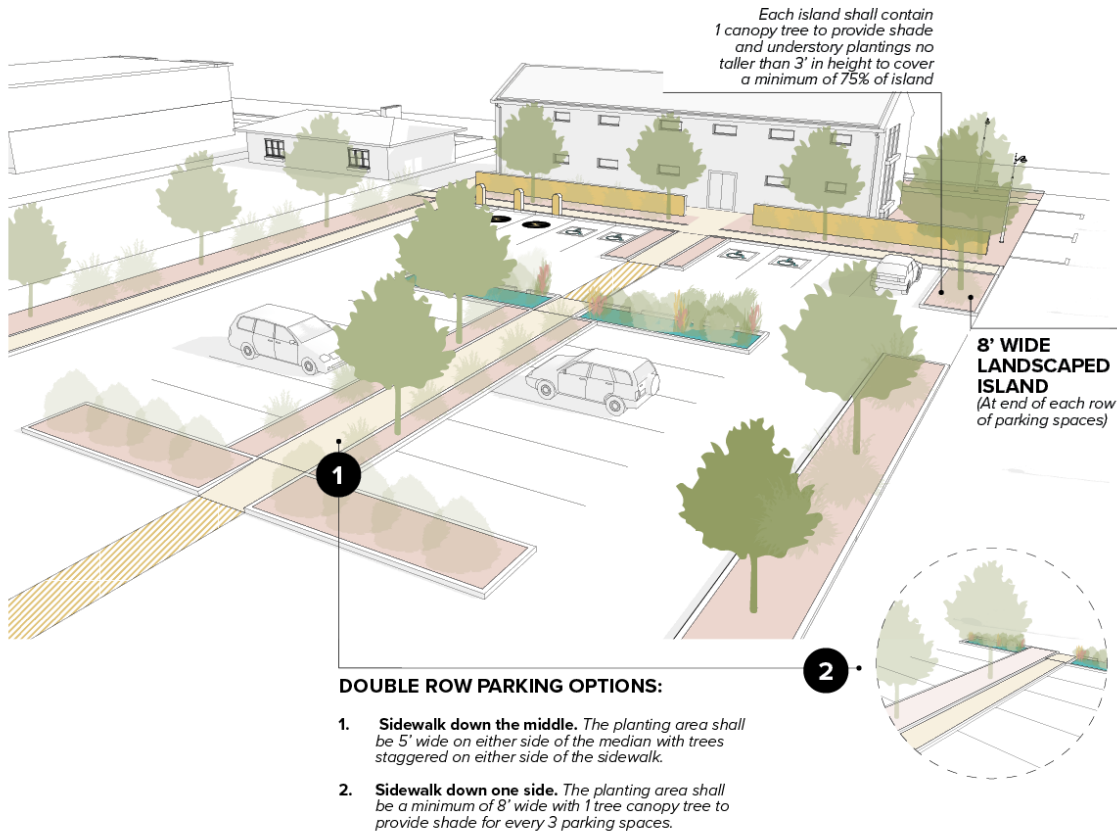
- A. All parking lots with ten (10) spaces or more shall be subject to the following requirements.

19.01.9.3 General Design Standards.

- A. Interior Parking Lot Landscape.
 1. A landscape island with a minimum width of eight (8) feet in width shall be provided at the end of each row of parking spaces.
 2. A landscape island with a minimum width of eight (8) feet and a length matching the parking stall length, shall be provided per every twelve (12) parking spaces.
 3. Each island shall contain one (1) canopy tree to provide shade and understory plantings no taller than three (3) feet in height to cover a minimum of seventy-five (75) percent of the island.
 4. Double rows of parking spaces shall include one (1) shade tree for every three stalls either placed in five foot by five foot (5'x5') planter diamonds or in a planted median between parking rows.
 - a. Planted medians shall be a minimum of eight (8) feet wide and contain understory plantings no taller than three (3) feet in height to cover a minimum of seventy-five (75) percent of the median.
 - b. If a sidewalk is incorporated into the landscape median, the width of the median shall be as follows:
 - i. Sidewalk down the middle. The planting area shall be five (5) feet wide on either side of the median with trees staggered on either side of the sidewalk.
 - ii. Sidewalk down one side. The planting area shall be a minimum of eight (8) feet wide with one (1) canopy tree to provide shade for every three (3) parking spaces.

Figure 19.77. 8

Interior Parking Lot Landscape

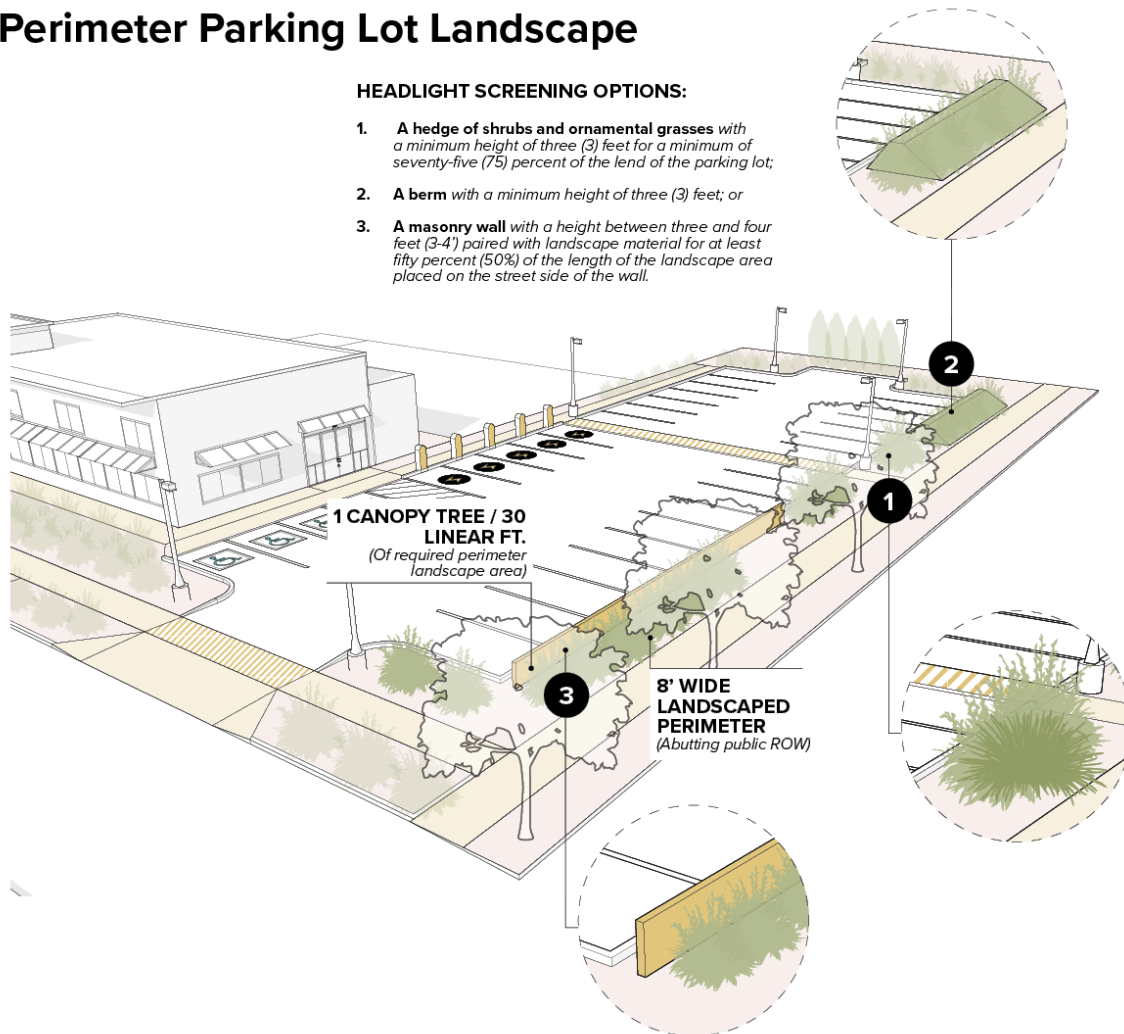


B. Perimeter Parking Lot Landscape.

1. A minimum eight-foot (8') wide landscape area shall be provided at the perimeter of surface parking lots abutting any public right-of-way containing a minimum of one (1) canopy tree to provide shade per thirty (30') linear feet of required perimeter landscape area.
2. Parking spaces facing the public right-of-way or an institutional or residential use shall screen headlights from view by one of the following methods:
 - a. A hedge of shrubs and ornamental grasses with a minimum height of three (3) feet for a minimum of seventy-five (75) percent of the length of the parking lot;
 - b. A berm with a minimum height of three (3) feet; or
 - c. A masonry wall with a height between three and four feet (3-4') paired with landscape material for at least fifty percent (50%) of the length of the landscape area placed on the street side of the wall.

Figure 19.77. 9

Perimeter Parking Lot Landscape



C. Pedestrian Accommodation.

1. Stepping stones or graveled pathways shall be dispersed across and along landscape medians to minimize soil compaction and protect plant root zones from pedestrian traffic.

D. All landscaped areas adjacent to parking spaces shall be constructed of a continuous concrete curb in accordance with applicable standards and of no less than six (6) inches in height.

1. Landscape areas used for collection of stormwater runoff shall be constructed of a continuous concrete curb with curb cuts at regular intervals to allow stormwater to flow into the planter.
2. Where vehicular parking stalls abut landscaping that is not protected by a curb, wheel stops shall be installed at a minimum of two feet (2') from the edge of that landscape area.

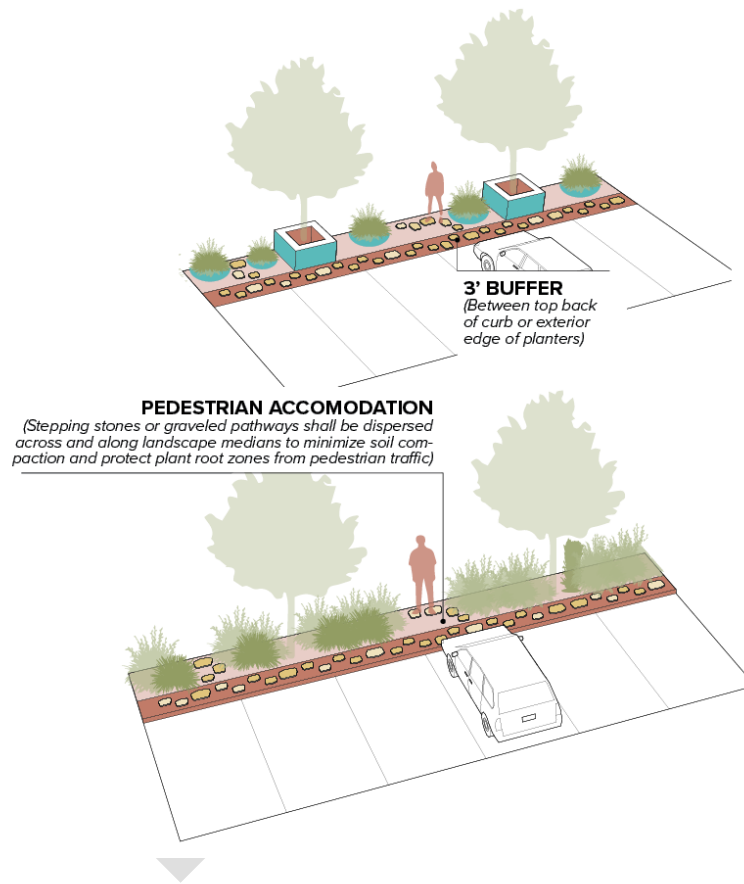
E. Tree and Shrub Distribution.

1. Within landscape islands and medians:

- a. Trees shall not be planted closer than three feet (3') to top back of curb or exterior edge of depressed parking lot landscaped planters.
- b. Shrubs shall be situated such that they remain within the confines of the planter at maturity.

Figure 19.77. 10

Tree and Shrub Distribution



- F. Mulch Required. Organic mulch shall be spread to a minimum depth of three inches (3") and rock to at least two and one-half (2 1/2") inches in depth in all parking lot landscaped planters. Bare dirt is prohibited.
- G. Irrigation. Landscape planters within parking areas shall be irrigated with drip emitter or bubbler type irrigation systems only.
- H. Maintenance of all landscaping within and adjacent to parking lots shall be the responsibility of the landowner

19.01.10 Park and Open Space Landscape Standards

19.01.10.1 Purpose

- A. Landscaping in park and open space areas that are commonly used by the public for passive and active recreation shall be appropriate to the use and function of the area, respectful of water conservation practices, and include canopy trees to provide shade, shrubs, ground cover, and site furnishings appropriate to the use.

19.01.10.2 Applicability

- A. The following requirements shall apply to all new development of public and private parks, pocket parks, detention ponds, trail connections, and common open space areas for public use.

19.01.10.3 General Design Standards

- A. All parks shall be landscaped and programmed to create a balance of plant material with no more than thirty percent (30%) of the total landscaped area comprised of plant species falling in hydrozones 3 and 4.
- B. All park and open space areas shall include site trees at a rate of a minimum of one (1) canopy tree to provide shade per five thousand (5,000) square feet of landscaped area, distributed appropriately throughout the site.
 - 1. Required trees shall be placed in upland areas, above the anticipated high-water mark or floodway of detention ponds or drainage ways.
- C. Only high traffic areas such as sport fields, cemeteries, golf courses, putting greens, and informal play space adjacent to playgrounds shall contain turfgrass.
- D. Park periphery and detention pond areas shall consist of low water or native plant material and grass seed mix.
- E. Common open spaces and trail connections shall be landscaped with a balance of low water or native plant material and grass seed mix to reduce the need for supplemental irrigation in hard to reach areas.
- F. The retention of native areas for purposes of maintaining viewsheds or healthy existing ecosystems are highly encouraged.
 - 1. Existing plant material shall be identified on the landscape plan with a statement explaining how the native area will be protected from construction.
 - 2. These areas shall be excluded from the landscape area used to calculate required site trees per subsection C.1 above.
- G. Green roofs, garden decks, planted building step backs, and other similar landscape elements can count toward overall open space requirements
- H. Parking lots shall be landscaped per Section 19.77.10.

- I. Development shall provide a mechanism such as a homeowners' association and covenants for long-term maintenance of parks, detention ponds, and common open space, in order to ensure the continued upkeep of the property.

19.01.11 Stormwater Detention and Retention Facilities

19.01.11.1 Purpose

- A. Stormwater facilities shall be installed to serve a development to promote innovative and effective land and water management techniques that protect and enhance water quality.

19.01.11.2 Applicability

- A. All required stormwater detention and retention facilities.

19.01.11.3 General Design Standards

- A. Landscaping is required around detention/retention basins and ponds at the following rate:
 1. One (1) canopy tree to provide shade per five thousand (5000) square feet of detention area, located above the anticipated high-water mark.
 2. This requirement is in addition to any site perimeter or street tree requirements herein.
- B. Minimum storm drainage improvements shall be constructed such that:
 1. Landscape improvements enhance the function of the facility.
 2. All facilities shall be seeded with grass appropriate to the function of the area.
 3. Detention areas may be used for passive and active recreation.
 4. Areas to be maintained for habitat enhancement shall be seeded to native grasses and wildflowers.

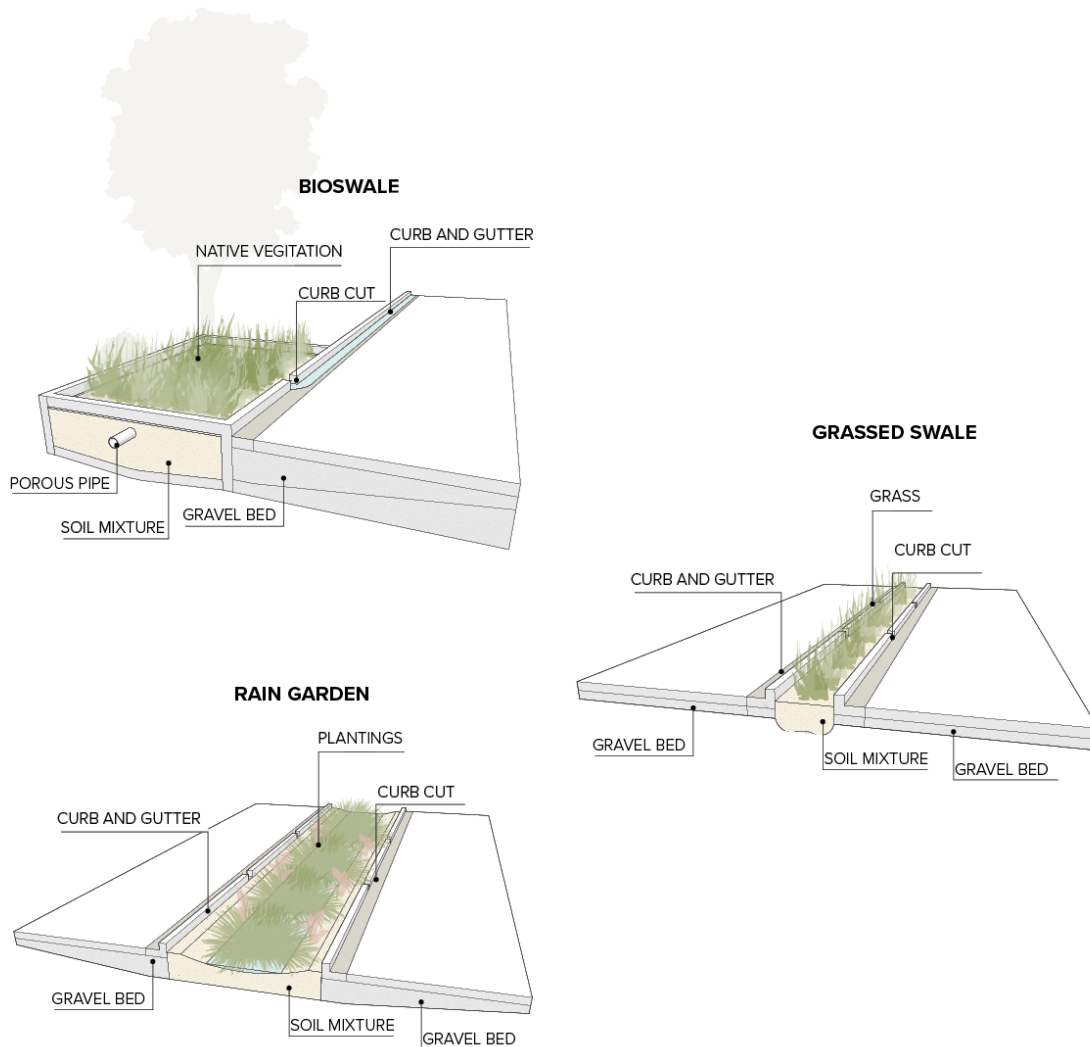
19.01.11.4 Low Impact Development

- A. Low impact development (LID) techniques shall be used to further manage stormwater and reduce the size of required detention and retention ponds per the City of Millcreek Engineering Standards.
- B. Low Impact Development can include but is not limited to the following:
 1. Permeable pavement. Permeable pavement can consist of porous concrete or permeable concrete pavers.
 2. Bioswales. Bioswales are vegetated swales planted with a variety of plant species that can tolerate occasional water inundation and serve to transport, store, and allow infiltration of water.

3. Grassed swales: Grassed swales are designed to convey water over the surface of the ground to a point of disposal and serve to slow the flow of water allowing some particulates to drop out before the water reaches the disposal point.
4. Rain Gardens. Rain gardens are small shallow, depressions planted with a variety of native or ornamental plants that can treat small amounts of runoff to improve water quality.

Figure 19.77. 11

Low Impact Development



19.01.12 Landscaping Along Natural Waterways

19.01.12.1 Purpose.

- A. Riparian buffers are essential to mitigate urban runoff from entering natural waterways and provide wildlife corridors. Vegetation can act as a natural barrier that infiltrates excess nutrients.

19.01.12.2 Applicability.

- A. The following provisions apply to all properties within one hundred feet (100') of a natural waterway.

19.01.12.3 General Design Standards

- A. Utilization of native riparian plants shall be required within fifty feet (50') of waterways.
 - 1. Plant selection shall be made from Salt Lake County's Stream Care Guide. Specifically, plant selection shall correlate with the Foothill and Valley elevations (4,200-6,000).
 - 2. Retention of existing plants shall be the preferred landscaping method unless further restoration of native species is deemed necessary due to:
 - a. Existing plants being unhealthy or invasive.
 - b. Existing plants not meeting the selection guidance of Salt Lake County's Stream Care Guide.
 - 3. Apply multiple vegetation layers to enhance the habitat and attractiveness of the buffered area.
 - 4. Decomposed granite, gravel, or other permeable soft surface path material shall be used for pedestrian access paths in the riparian buffer to minimize impact in the riparian zone.
 - 5. Consider the needs of the water and shade tolerance of the species planted.

19.01.13 Landscape Plan Submittal Requirements

19.01.13.1 General Provisions.

- A. All applications for site development plan approval shall be accompanied by a landscape plan package prepared in accordance with the requirements of this chapter.
- B. Submitted landscape plan packages shall be prepared and certified for compliance with all requirements of this chapter by a Landscape Architect licensed to practice in the state of Utah under Title 58 of Utah Code. A landscape designer certified by the Utah Nursery and Landscape Association may submit a landscape plan package if the certified designer is employed by the contractor installing plantings of the specific project submitted.

- C. All submitted irrigation plans shall be prepared by a qualified professional who is licensed under Utah Code Title 58 or by a person who is exempt from professional licensure requirements for the scope of work performed.

19.01.13.2 Landscape Plan Package Contents.

- A. The landscape plan package shall include the following at a minimum:
 - 1. A landscape plan to include the following information:
 - a. Layout of all plant material representing the size of the plants at maturity.
 - b. Detailed plant list identifying common and botanical names of plant species, specified size of all plant material (including trees, shrubs, perennials and grass species), quantity, and water usage based on the landscape hydrozones detailed in Section 19.77.2.2.
 - c. Planting notes and detail drawings illustrating methods of installation.
 - 2. An irrigation plan to include the following information
 - a. Layout of point of connection, mainline, laterals, spray heads or drip irrigation area.
 - b. Irrigation notes and detail drawings illustrating methods of installation specifications
 - 3. Soils Report. A soils report is required in all cases. Special procedures or requirements shall be incorporated in the preparation and recommendations of the soils report where the past use of a site has resulted in soil contamination or where difficult soil or landscaping conditions are known to exist.

19.01.13.3 Alternative Compliance

- A. As authorized by this chapter, an alternative landscape plan may be substituted in whole or in part for a landscape plan prepared in strict compliance with the chapter's requirements.
 - 1. Alternative Plan Preparation and Submittal. Alternative landscape plans shall be prepared and submitted in accordance with submittal requirements for a landscape plan package.
 - 2. The submittal shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purposes and intent of this chapter than would a plan which strictly complies with the chapter's specified standards.

- B. Alternative Plan Review Criteria. The qualified professional who prepared the plans shall clearly demonstrate how the alternative plans will:
 - 1. Provide exceptional preservation and incorporation of existing site vegetation;
 - 2. Provide significant protection of natural areas and features;
 - 3. Provide for maximum retention of existing tree canopy cover;
 - 4. Create exceptional enhancement of neighborhood continuity and connectivity;
 - 5. Provide for extensive accommodation of nonvehicular access and use;
 - 6. Represent greater innovation in site design and plant use.
- C. Alternative Plan Approval. Final approval shall be as granted by the Planning Director upon completion of review to assure satisfaction of the above criteria.

19.01.13.4 Plan Revisions.

- A. Any revisions to the landscape plan package shall be reviewed and approved in writing by the director prior to commencement of construction. Re-certification of compliance with the requirements of this chapter shall be provided by the qualified professionals who prepared and submitted the plan revisions. Site development plans that are substantially revised may require commensurate revisions to associated landscape plans.

19.01.13.5 Phasing.

- A. Landscape plans for projects proposed for development in multiple phases shall clearly specify the landscape improvements required in conjunction with each phase.

19.01.14 Construction Inspection and Compliance Requirements

19.01.14.1 Construction Verification

- A. Construction observation and monitoring of all required landscape improvements shall be provided by a licensed landscape architect so as to ensure compliance with the approved landscape plans for the site.
 - 1. A letter of compliance with the landscape plan shall be submitted to the Planning Director to verify installation prior to issuance of a certificate of occupancy and bond release.

2. Upon issuance of a certificate of occupancy the property shall be in compliance to the requirements of this chapter and that any re-landscaping per the thresholds listed in Section 19.77.1.3.2 shall be in accordance with the certified landscape plan for the property. In the event that a certificate of occupancy was issued accompanied by a bond for the completion of landscaping, the bond shall not be released till the property is in compliance of this chapter.
- B. Following construction and prior to issuing an approval for occupancy, a water audit shall be conducted by an IA certified landscape irrigation auditor. Irrigation system improvements required to achieve compliance with the requirements of this chapter shall be provided by the property owner as necessary. The following will be verified by the performance audit:
 1. The irrigation system complies with the minimum standards of this chapter;
 2. The minimum efficiency required for the irrigation system is seventy-five percent (75%) for the distribution efficiency for all fixed spray systems and seventy percent (70%) distribution efficiency for all rotor systems;
 3. Copies of the auditor's certification of compliance shall be provided to the director for retention in the project file as well as to the irrigation system designer, installer, and owner/developer of the property; and
 4. Compliance with this provision is required before the City will issue a letter of final acceptance, or certificate of occupancy / bond release.
 - C. The director reserves the right to perform site inspections at any time and to require corrective measures regarding the installation of site landscaping and irrigation system improvements found not to comply with the requirements of this chapter.
 - D. Multi-Phase Projects. Projects approved for development in multiple phases shall be inspected and certified to be in compliance with the approved plans for each respective phase prior to the occupancy or use of the development associated with that phase. Permits shall not be issued for subsequent phases without prior director approval until this requirement has been satisfied.

19.01.14.2 Long-Term Viability of Established Landscapes

- A. Plant Maintenance. The owner, tenant, and any agent shall be jointly and severally responsible for the maintenance of all landscaping in good condition and free from refuse and debris to present a healthy, neat, and orderly appearance.
- B. Plant Survival. All plant material shall be regularly maintained in a healthy condition and shall be guaranteed for survival for two years from planting.

1. During this period, each plant shall show at least seventy-five percent (75%) healthy growth and shall have the natural characteristic of the plant of its species.
2. Any plant found dead or unsatisfactory by the director during the guarantee period shall be replaced until it has lived through the required two-year survival period.

19.01.15 Definitions

For the purposes of this chapter, the following terms shall have the meanings herein prescribed:

"Drought-tolerant plant" means a plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.

"Groundcover" means material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve inches.

"Hardscape" means elements of the landscape such as sidewalks, pathways, benches, patios, decks, seating areas, drives, and areas for vehicular parking typically constructed from nonliving materials like concrete, boulders, brick, blacktop and lumber.

"Hydrozone" means the grouping of plants with similar water requirements so that they can be irrigated with a common zone.

"Landscaped area" means an entire parcel of real property minus that area encompassed by building footprints, driveways, and the nonirrigated portions of parking lots. Water features and areas improved with walkways, benches, seating areas and similar improvements are included in the calculation of the landscaped area.

"Mulch" means any organic material such as leaves, bark, wood chips, straw, or inorganic material such as crushed stone or gravel, or other materials left loose and applied to the soil surface for the beneficial purpose of weed suppression and the conservation of soil moisture.

"Pervious surface" means a layer through which water and air may freely migrate.

"*Activity Zones*" Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.

"*Active Recreation Areas*" Areas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas).

"*Central Open Shape*" An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.

"*Gathering Area*" Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.

"Hardscape" Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.

"Localscapes®" A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).

"Park Strip" A typically narrow landscaped area located between the back-of-curb and sidewalk.

"Paths" Designed routes between landscape areas and features.

"Planting Bed" Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.

Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

Parking and Mobility Draft Summary

Parking has been a topic of interest by the public, staff, and the development community. The updates to this chapter are intended to increase clarity and address issues that have arisen since Millcreek incorporated and modernize the code to meet today's development needs. It also makes clarifications and eliminates discretionary language.

What is the same:

- The new draft maintains the principle of determining the required parking by the use of the property.
- Single unit dwellings and duplex dwellings have largely remained as they are in the existing code.
- RV and commercial vehicle parking regulations in residential areas have not changed.
- Parking space size/layout requirements are the same.
- Shared parking requirements have not changed.
- Valet Parking program is the same.
- Bicycle parking requirements have been carried forward

What is new:

- Updated parking ratios for uses.
- Areas with improved transit access can reduce the required parking by 20%.
- Affordable housing allows a reduced parking ratio.
- Requires a stacking space study for drive-up uses.
- Protected pedestrian access from the street to the building is required.
- New layout standards require cross access to adjacent non-residential uses.
- Some on street parking may count toward parking minimums
- EV charging infrastructure is required for non-residential uses and multiple-unit dwellings.
- Loading spaces are required for townhouses and multiple-dwelling units to provide delivery access.
- Eliminates traffic study reductions but does permit some parking reductions for enhancements like low-impact development practices, pedestrian infrastructure, and enhanced screening.

Organization:

The draft chapter is broken into the following sections:

1. General Provisions
 - a. Purpose
 - b. Applicability
2. Vehicle Parking Requirements
 - a. General Parking Design Specifications
 - b. Design Specifications for Residential Uses with Four or Fewer Units
 - c. Minimum Parking Requirements
 - d. Reductions, Alternative Plans and Required Studies
3. Off Street Loading Requirements
 - a. Loading Space Design Requirements



- b. Off Street Loading Requirements
 - 4. Bicycle Parking Requirements
 - a. Bicycle Parking Design Standards
 - b. Bicycle Parking Requirements

Chapter 19. 80 PARKING AND MOBILITY STANDARDS

19.80.1 General Provisions

19.80.1.1 Organization

1. General Provisions
 - a. Purpose
 - b. Applicability
2. Vehicle Parking Requirements
 - a. General Parking Design Specifications
 - b. Design Specifications for Residential Uses with Four or Fewer Units
 - c. Minimum Parking Requirements
 - d. Reductions, Alternative Plans and Required Studies
3. Off Street Loading Requirements
 - a. Loading Space Design Requirements
 - b. Off Street Loading Requirements
4. Bicycle Parking Requirements
 - a. Bicycle Parking Design Standards
 - b. Bicycle Parking Requirements

19.80.1.2 Purpose

- A. The purpose of this chapter is to reduce street congestion and traffic hazards in the City by incorporating efficient, attractive facilities for off-street parking, loading, bicycle parking, and internal automobile and pedestrian circulation as an integral part of every use of land.

19.80.1.3 Applicability

- A. At the time any building or structure is erected, enlarged, increased in capacity, any change of land use occurs, or any new land use is established, off-street parking, loading, and bicycle parking shall be provided in accordance with the requirements in this chapter.

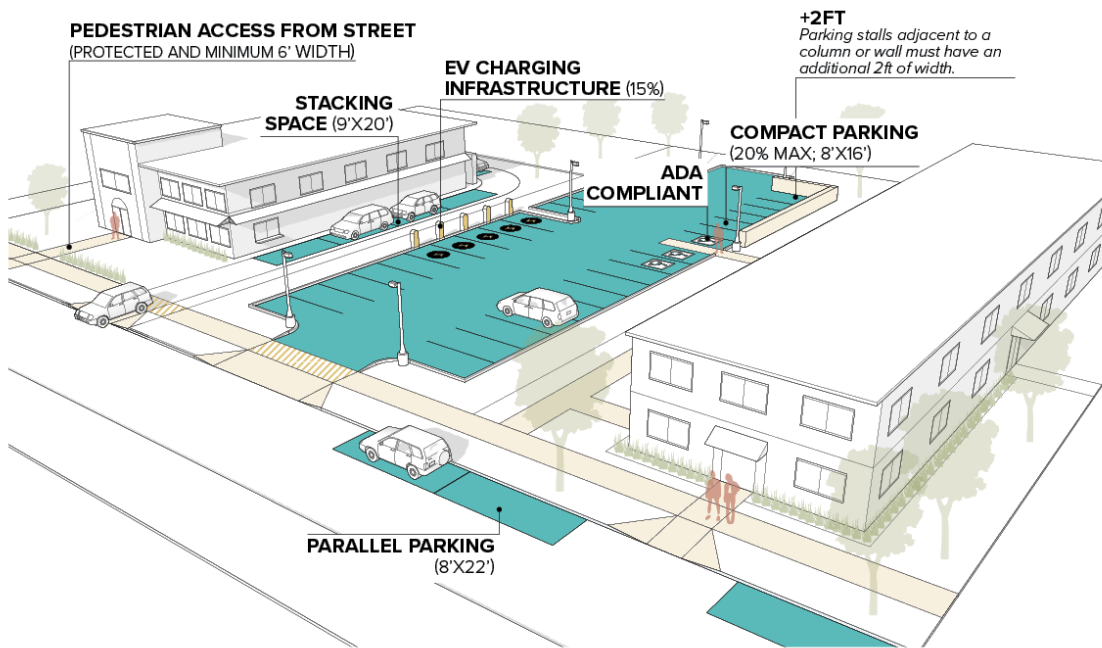
- A. Plans Required to Obtain Building Permit. All applications for a building permit shall be accompanied by a site plan showing a parking layout that complies with the provisions of this chapter that shows ingress and egress, loading areas, internal automobile, bicycle and pedestrian circulation, and landscaping. The plan shall be reviewed and approved by the planning department consistent with the provisions of this chapter. Parking requirements may be calculated separately for each business or land use in a building.
- B. In the event that use changes and parking becomes inadequate, the City may require a revised site plan to evaluate the need for additional required parking.

19.80.2 Vehicle Parking Requirements

19.80.2.1 General Parking Design Specifications

Figure 18.01. 1

Parking Standards



- A. All on-site parking facilities required by this section shall comply with the minimum requirements for parking and maneuvering space specified in this section, as well as the landscape standards specified in Section 19.77.10 Parking Lot Landscaping.
 - 1. Minimum Parking Space Dimensions:
 - 2. Standard Parking Space: nine feet (9') in width by eighteen feet (18') in length.

3. Parallel Parking Space: eight feet (8') in width by twenty-two feet (22') in length.
 4. Compact Parking Space: eight feet (8') in width by sixteen feet (16') in length.
 5. Stacking Space: nine feet (9') in width by twenty feet (20') in length.
 6. Parking stalls adjacent to a column or wall must have an additional two feet of width to accommodate ingress/egress from the vehicle.
- B. Access and maneuverability
1. Off-street parking spaces shall be accessed from private roadways and not from public streets.
 2. A minimum six (6) foot wide pedestrian path from the right-of-way to the entrance(s) of the building shall be provided. Pedestrian paths must be protected from vehicular traffic by grade separation, bollards, landscaping, planters, or other similar methods. Pedestrian paths that cross internal traffic shall be raised and clearly striped as pedestrian priority areas.
 3. Vehicular cross access to adjacent commercial parking lots shall be provided. Should a neighboring property have a topographical change of more than four feet (4') in the vicinity of the logical cross access point, this requirement shall not apply.
- C. Surfacing
1. Required parking and associated access drives, and required internal walkways shall be surfaced with an asphaltic or concrete/cement or other binder pavement, so as to provide a durable and dustless surface.
 2. Surfaces shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles.
 3. Any parking area surface exceeding the number of minimum parking spaces by 10%, as established in this ordinance, shall use pervious pavement and incorporate low impact storm water retention practices per the parking lot Landscaping throughout the parking lot.
- D. Maintenance.
1. Every public or private parking area, including commercial parking lots and open-air sales lots, shall be maintained in accordance with the requirements set out in this chapter.

- E. Parking Structures or Podiums. In any Town Center, Meadowbrook, or Village Center identified in the General Plan where a proposed use shall demand a parking lot of 200 or more spaces, a parking structure or podium is required to accommodate at least 50% of the parking demand. Parking structures or podiums shall incorporate commercial uses fronting on the street for at least 75% of the linear footage facing any public right-of-way. Any other part of the façade facing a public right-of-way shall incorporate decorative front facades facing the street to minimize the visual impact and provide screening of the use.
- F. Electric Vehicle (EV) Charging Infrastructure.
1. EV charging infrastructure is divided into 3 levels:
 - a. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
 - b. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
 - c. Level-3 is considered fast or rapid charging. Voltage is greater than 240.
 2. For non-residential parking lots with eight (8) or more spaces, a 15% minimum of all spaces in a parking area shall provide Level 2 or Level 3 EV charging infrastructure to accommodate the potential future hardware installation of a Level-2 or Level 3 EV charging station.
 3. For multiple-dwelling residential uses with eight (8) or fewer units, a minimum of one Level 2 EV charging station infrastructure must be provided to accommodate the potential future installation of a Level-2 EV charging station. If a dwelling unit has a dedicated parking space or spaces, at least one dedicated Level 1 or Level 2 outlet shall be provided at the dedicated parking space for the use of the dwelling unit.
 4. For multiple-dwelling residential uses with more than eight (8) units, a minimum of 20% of the required minimum parking spaces shall provide Level 2 EV charging infrastructure to accommodate the potential future hardware installation of a Level-2 EV charging station. If a dwelling unit has a dedicated parking space or spaces, at least one dedicated Level 1 or Level 2 outlet shall be provided at the dedicated parking space for the use of the dwelling unit.
 5. For mixed-use the commercial and residential EV charging spaces requirement shall be calculated independently using the standards in 3 and 4 above and then combined to determine the total number of required EV charging spaces. EV spaces for residential portions of the project may be publicly accessible.

6. Charging cords shall be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading areas.
 7. Electric vehicle charging stations may count toward a minimum parking requirement provided that the electrical vehicle charging station is not limited in function to a singular vehicle manufacturer.
 8. The required electric vehicle parking space shall be located in the same lot as the principal use.
 9. EV charging stations may be provided in conjunction with on-street parking, however charging infrastructure must not impede on required walkways, rights-of-way, or other access areas.
- G. Lighting.
1. Lighting used to illuminate any off-street parking area shall utilize dark sky compliant full cut off luminaires to direct light downward and away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area and shall not exceed 0.5 foot candles at the property line.
 2. No display area or parking lot light poles shall be located within 20 feet of the public street. Parking lot lighting adjacent to residential uses shall utilize full cut off luminaires.
- H. Accessible Parking Spaces. For all parking areas, the accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided within the total number of stalls required above.
- I. Compact Spaces. Up to twenty percent (20%) of the total required spaces may be provided as compact spaces.

19.80.2.2 Design Specifications for Residential Uses with Four or Fewer Units.

- A. Access. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling.
- A. Driveways accessing a public street in excess of sixty-six (66) feet in width shall include a means to prevent backing out onto such roadways, such as a circular drive or a perpendicular paved area to the driveway that enables the driver to turn the vehicle around, so that the vehicle can access the street without backing out onto the street. If such driveways are required, the requirement for front yard landscaping in Section 19.77.8 is waived for the driveway area.

- B. Width. Residential driveways shall not exceed thirty (30) feet in width, although a lots with two driveways shall have one of the driveways restricted to twelve (12) feet and such driveways shall be separated by a minimum of twenty (20) feet.
- C. Surfacing. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in MKC 14.12.110 and MKC 14.36.060. Driveways over one hundred fifty feet in length are subject to approval by the fire marshal.
- D. Landscaping. The area within the front yard not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions the regulating landscaping ordinance 19.77.8.
- E. Electric Vehicle Infrastructure. New homes and homes expanded beyond 50% of the original condition shall provide a 220-240-volt / 40 amp outlet on a dedicated circuit and in close proximity to designated vehicle parking to accommodate the potential future hardwire installation of a Level-2 electric vehicle charging station.
- F. Private Vehicle Parking and Storage.
 - 1. Vehicles shall be parked or stored on a paved surface in compliance with this chapter, a private vehicle may be located in the front yard, side yard, or rear yard of a dwelling.
 - 2. If a vehicle is parked or stored on any other type of surface, private vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot, tall (minimum) opaque fence.
- G. Recreational Vehicles (RVs).
 - 1. Residential Driveways in a Front Yard.
 - a. Recreational vehicles shall not be parked within a front setback of a residence unless they are parked on a hard surfaced residential driveway as defined in this chapter.
 - b. Recreational vehicles parked on driveways must be at least ten feet (10') back from the edge of the street or the public right-of-way, whichever is greater.
 - c. Recreational vehicles parked on a driveway in the front yard must be licensed, operable and parked perpendicular to the street.
 - 2. Side or Rear Yards.

- a. Recreational vehicles may be parked or stored on a parking pad in a side or rear yard. A parking pad for a recreational vehicle shall extend the full length and width of the vehicle or trailer. Parking pads shall be constructed of a hard surface as defined in this chapter, or of six inches of compacted gravel and must be kept weed free.
3. Recreational vehicles shall not be stored in excess of 24 hours in the public right of way, including any portions of the public right of way that are not improved.
- H. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property, except in the following circumstances:
 1. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.
 2. One commercial vehicle may be parked behind the front line of the dwelling and, screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence or gate.
 3. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in the R-1 or R-2 zones upon issuance of a permit by the City, as long as all of the following criteria are met:
 - a. No other commercial vehicle is parked or stored on the property.
 - b. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;
 - c. The commercial vehicle is parked on a paved surface in compliance with this chapter; and
 - d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
 - e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.

19.80.2.3 Minimum Parking Requirements:

- A. Unless otherwise specified by this Ordinance, each development or land use listed in Table 19.80.1 Minimum Vehicle Parking Requirements shall provide the minimum number of on-site parking and stacking spaces in accordance with Table 19.80.1 Minimum Vehicle Parking Requirements
- A. Unless stated otherwise in this Chapter, parking calculations are based on gross square footage.

- B. When the computation of the required vehicle parking spaces results in a fraction, the requirement is rounded to the nearest whole interval. Fractions less than one-half are rounded to the next lowest whole number.
- C. Unlisted Uses. For uses not expressly listed in Table 19.80.1 Minimum Vehicle Parking Requirements, the Planning Director or their designee shall have the authority to make the following determinations, in conjunction with a site plan application based on the following considerations:
 - 1. A use that is listed in Table 19.80.1 Minimum Vehicle Parking Requirements is deemed similar to the proposed use, in which case the similar use requirement may be applied; or
 - 2. A new established parking minimum requirement may be determined for an unlisted use by referencing standards in parking resources published by the National Parking Association, American Planning Association, Institute of Traffic Engineers (ITE), Urban Land Institute, International Conference of Shopping Centers, or through a parking study commissioned by the City and performed by a professional engineer.

Table 19. 80.1 Minimum Vehicle Parking Requirements

Table 19.80.1 Minimum Vehicle Parking Requirements		
Use	Minimum Requirement	Notes
<i>RESIDENTIAL USES</i>		
Group Home Housing	A minimum of 2 parking spaces plus 1 parking space for every 5 residents	
Mobile Home Park	2 spaces per unit	
Single, Household Dwelling, Duplex, Triplex and Quadplex	2 spaces per unit	One space must be covered parking Existing dwellings that lack one covered space as of March 12, 2018 are exempt from a covered parking requirement.
Accessory Dwelling Units	1 stall per unit	
Multi-Household Dwelling (5 or more units)	0.75 spaces per studio unit 1 space per one bedroom unit 1.5 spaces per two-bedroom unit	

Table 19.80.1 Minimum Vehicle Parking Requirements		
Use	Minimum Requirement	Notes
	2 spaces per unit for units with three or more bedrooms 0.25 spaces per unit for visitor parking	
Affordable Housing ¹	0.50 spaces per studio unit 0.75 space per one bedroom unit 1 space per unit with two or more bedrooms 0.25 spaces per unit for visitor parking	The application must demonstrate that units are allocated as permanent affordable housing, either through deed restriction, covenant, or other means of legal documentation deemed acceptable by the City Attorney.
Senior (55+) Housing	0.5 spaces per unit	
<i>INSTITUTIONAL USES</i>		
Religious assembly, auditoriums, and other places of public assembly	1 space per 300 square feet in the primary seating area	
Day care, Preschool and Nursery Schools	1 space per 400 square feet of gross floor area	If drop-off facilities are present, a minimum of 3 stacking spaces shall be provided
Primary Schools and Middle Schools	1 parking space per classroom	If drop-off facilities are present, a minimum of 6 stacking spaces shall be provided
High School	1 space per classroom plus 1 space per 5 non-bussed students	If drop-off facilities are present, a minimum of 3 stacking spaces shall be provided
Trade School, College, or University	1 space per classroom plus 1 space per 4 students	
Homeless Resource Center	1 space per 15 beds	
Hospitals	1.5 spaces per bed in the total facility	
Nursing Homes	1 space per 4 beds	
Detention Facility/Jail	2 spaces per 3 employees and 1 space per each service vehicle stored on site.	Parking for non-standard size vehicles such as busses is required if such vehicles are to be stored outdoors in parking areas.

Table 19.80.1 Minimum Vehicle Parking Requirements		
Use	Minimum Requirement	Notes
<i>ENTERTAINMENT AND RECREATION USES</i>		
Amusement Center	1 space per 150 square feet	
Dance Halls, Concert Halls, Club Licensees	1 space for each 150 square feet	
Movie Theater	1 space per 10 seats	
Stadiums	1 space per 1,000 square feet of seating area	
Gym or Fitness Studio	1 per 250 square feet	
Soccer, Baseball, or Football field	20 spaces per field area	
Tennis, Pickleball Handball and Racquetball facility	1 space per court	
Swimming Pools (Commercial and Public)	1 space per 1,000 square feet of usable area	
<i>COMMERCIAL USES</i>		
Automobile Fueling Station	1 space per 300 square feet plus 2 stacking spaces per fueling pump	Fueling pumps may not be located within twenty-four (24) of a property line or street or thirty (30) of a residential zone boundary line. Stacking spaces may not infringe on vehicular access ways. Canopies over fuel pump islands shall be set back not less than ten (10) feet from any street property line and not less than ten (10) feet from any residential zone boundary.
Auto Repair or Service	2 spaces for each service bay	If towing service is provided, sufficient area shall be located on-site for temporary storage of vehicles and the tow truck.
Auto Sales	1 customer parking space per 400 square feet of gross floor area in the automobile sales area or 4	

Table 19.80.1 Minimum Vehicle Parking Requirements		
Use	Minimum Requirement	Notes
	parking spaces, whichever requirement is greater.	
Banks	1 per 400 square feet	If drive through windows, or automobile use Automated Teller Machines (ATM) are provided, a minimum of 3 stacking spaces shall be provided
Hotels and Motels	1 space per room	
Professional Offices	1 space per 400 square feet for the first 20,000 square feet plus 1 space per 1000 square feet excess of 20,000 square feet.	
Medical, Dental, Veterinary Offices	1 space per 300 square feet	
Mortuary or Funeral Home	1 per 300 square feet	
Restaurants without drive through window	1 space per 150 square feet of seating area	
Restaurant with a drive through window	1 space per 150 square feet of seating area plus 4 stacking spaces from place of order and 4 stacking spaces from pick up window.	Stacking spaces may not infringe on vehicular access ways. A traffic study is required to verify that the minimum stacking spaces are sufficient, which is applicable to a change of use.
Retail Sales and Shopping Centers	1 space per 300 square feet of gross floor area for the first 20,000 square feet plus 1 space per 1000 square feet of gross floor area in excess of 20,000 square feet.	
Personal Service	1 per 300 square feet	
<i>INDUSTRIAL</i>		
Manufacturing and Industrial Uses	1 space per 3 employees plus 1 space per company vehicle	
Industrial Flex Center	1 space per 1,000 square feet up to 40,000 square feet, plus 1	

Table 19.80.1 Minimum Vehicle Parking Requirements		
Use	Minimum Requirement	Notes
	space for each 2,000 square feet over 40,000 square feet	
Warehousing	1 space per 2000 square feet of gross floor area for the first 20,000 square feet plus 1 space per 3000 square feet of gross floor area in excess of 20,000 square feet.	
Self-Storage / Mini warehouse	1 per 50 units, plus 1 per 400 square feet of office area, plus 2 vehicle stacking spaces for security gate. Aisles suitable for temporary loading and unloading may be counted as required parking stalls	

1. "Affordable housing", as used in this table, is defined as a development that is the recipient of a low income housing tax credit or other public financing and in which all units in the project provide affordable housing to a target population with a household income less than or equal to 80 percent of Salt Lake County's area median income for a time period of at least 30 years.

19.80.2.4 Reductions, Alternative Plans and Required Studies

- A. Stacking Study. For uses with a drive through window, a stacking study is required to determine if the minimum stacking required per this ordinance is sufficient for the proposed use. A reduction or increase in stacking requirement may be approved by the Planning Director or their designee pursuant to the following criteria:
1. The stacking study shall be commissioned by the City and paid for by the applicant;
 2. The study calculates the projected demand for stacking at the site in comparison to the requirements of Table 19.80.1 Minimum Vehicle Parking Requirements;
 3. The stacking study demonstrates that the proposed site plan will not exacerbate an existing deficiency in circulation, stacking, or parking;
 4. Any proposed stacking spaces are sufficient for the use and will not result in blockage of rights-of way, internal parking, or circulations spaces;
 5. If a reduction in stacking spaces is requested, the stacking study shall provide industry standard evidence of similar uses in similar contexts indicating a lesser number will equally or better meet the intent of this Chapter due any of the following:
 - i. The likelihood that patrons or tenants have reduced car ownership or drive less;
 - ii. The availability and practicality of walking, bicycling or transit access supporting the use; or
 - iii. Other transportation demand management plans proposed by the applicant.

- B. Transit Proximity Reduction.
 - 1. The minimum number of required parking spaces may be reduced up to twenty percent (20%) for uses that are located within one quarter of a mile walking distance to a high frequency transit station such as light rail, commuter rail, or bus rapid transit (BRT) lines.
- C. Valet Parking Program. A valet parking program is a parking plan which has personnel retained to assist parking at a drop-off area and exclusively controls the parking of vehicles into valet spaces until they are returned to a pick-up area. A valet parking program may reduce the required parking of a use up to ninety (90) percent of the required parking minimum if the valet program meets the following requirements:
 - 1. A valet parking plan is provided providing the following:
 - a. A document detailing the location of valet parking lots, pick up and drop off areas, stacking spaces, and egress/ingress information.
 - b. A document detailing the hours of operation, staffing required, a minimum lease time period of 5 years, and any other applicable operational procedure information.
 - 2. A parking study per the requirements of this chapter showing that the proposed valet program provides sufficient parking for the use at peak times.
 - 3. A minimum of 8% of the required parking are reserved for self-parking.
 - 4. Valet parking lots, when located on a major street with a minimum width of sixty-six (66) feet, are required to be located on the same side of the street as the use they are serving. Valet parking lots may be provided on the opposite side of the use being served, of a minor street, a street with a width less than sixty-six (66) feet.
- D. Shared Parking. Shared use of required nonresidential parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Shared use of required nonresidential parking spaces is allowed if following documentation is submitted in writing with the site plan application:
 - 1. Names and addresses of the property owners that are engaging in a shared parking agreement.
 - 2. A parking study per the requirement of this chapter demonstrating the shared spaces are sufficient for each use at peak times. The parking study must include a breakdown of uses, comparing the peak times of weekday night, day, evening, and weekend day and evening hours per Table 19.80.2 Shared Parking Percentage Requirements.

3. A map of shared parking areas along with number of parking spaces to be shared.
4. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.
5. In determining the total requirements for shared parking facilities, the Planning Director or designee or Planning Commission shall use Table 19.80.2 Shared Parking Percentage Requirements according to the following guidelines:
6. For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
7. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
8. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
9. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.

For uses not listed in Table 19.80.2 Shared Parking Percentage Requirements, or in otherwise unique circumstances the Planning Director or their designee shall determine the required parking for the six time periods. These determinations shall be made in accordance to by National Parking Association, International Council of Shopping Centers (ICSC) American Planning Association, Urban Land Institute (ULI), Institute of Traffic Engineers (ITE) or other reputable sources of parking data.

Table 19. 80.2 Shared Parking Percentage Requirements

Table 19.80.2: Shared Parking Percentage Requirements						
General Land Use Category	Weekdays			Weekends		
	12:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 a.m.	12:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 a.m.
Office and Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%

Table 19.80.2: Shared Parking Percentage Requirements						
General Land Use Category	Weekdays			Weekends		
	12:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 a.m.	12:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 12:00 a.m.
Restaurant	50%	70%	100%	70%	50%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/entertainment	5%	20%	100%	5%	50%	100%
Place of worship	0%	30%	50%	0%	100%	75%

E. Community Parking Credits.

1. If community parking is available either on a public property or on property provided by deed, lease, or easement by a public entity or private landowner for community parking, which parking is within 300 feet as measured from the closest property lines of a particular land use, credits may be given toward the parking requirement for said land use.

2. In cases where multiple businesses or land uses qualify to use the same parking spaces for community parking credits, the credits shall be pro-rated for each land use. In calculating the pro-rated community parking credits, the Planning Director or designee shall consider such factors as:

- a. The amount of frontage a property has on the street;
- b. The total number of parking stalls required for a given land use; and
- c. The potential for future development in the immediate vicinity creating further demand for parking spaces. The Planning Director or designee may also use Table 19.80.1 Minimum Vehicle Parking Requirements for land uses in different general categories to consider shared community parking.

3. If community parking is provided by deed, lease, or easement, the deed, lease, or easement shall require the owner and/or heirs, successors or assigns to maintain the required number of parking spaces for a minimum duration of at least ten (10) years. After ten years such agreements shall be renewed with the City. The city shall be notified when a lease or easement is terminated. If for any reason the lease or easement is terminated during the ten (10) year minimum contractual period, the lessee shall either replace the parking being lost through the terminated lease or easement or obtain approval for alternative parking requirements as found in this chapter. A business license may be suspended until such time that a new lease is secured for off-site parking.
 4. Following approval of a building permit or conditional use permit, the lease or easement shall be recorded, making reference to and appearing on the record of title to both the primary use property and the property to be used for off-site parking. Off-site parking areas shall include, at a minimum, one pedestrian connection to the primary use. Such connections shall be approved by the city for use of off-site parking areas. A pedestrian connection shall be installed prior to use of an off-site parking area if one does not exist.
- F. Street Parking Credits. When a striped public parking spaces are present along the street frontage of a site, those spaces may contribute to the minimum parking requirement per the following criteria:
1. Striped on-street parking spaces must be directly along the frontage of a given site. Parking spaces on the opposite side of the street may not contribute to the required parking.
 2. Striped on street spaces may contribute up to fifty percent (50%) of the parking minimum requirement.
 3. In the case that street parking is constructed as an improvement in conjunction with an approved site plan, the striped on street spaces may contribute up to seventy-five percent (75%) of the parking minimum requirement.
 4. These spaces may not be used for community parking credits.
- G. Enhancements Reduction. For sites providing enhancements, a total reduction of up to fifteen percent (15%) of the minimum parking requirement may be granted by the Planning Director or their designee at the time of site planning if the site provides one or more of the following:
1. Permeable pavement is used for a minimum of fifty percent (50%) of the site's paved areas.

2. A paved plaza between the primary structure and the right of way that is a minimum of fifteen percent (15%) of the site square footage. The plaza must provide seating and shade trees.
 3. Enhanced screening of parking areas to adjacent residential or institutional uses. Such enhancements include use of a brick, stone, or similar wall in conjunction with evergreen screening shrubs planted 3' on center.
 4. Low Impact Development (LID) standards meeting the criteria of Section 19.77.12.4 Low Impact Development.
- H. Provisional Parking. Provisional parking is defined as an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved. The following conditions apply to provisional parking areas:
1. Provisional parking spaces must be shown on the site plan as complying with the parking stall size requirements of this chapter as well as the maneuverability and aisle requirements of planning commission policy.

19.80.3 Off-Street Loading Requirements

19.80.3.1 Loading Space Design Requirements

- A. Minimum Dimensions: Each loading space shall not be less than ten (10) feet in width, twenty-five (25) feet in length, and fourteen (14) feet in height.
- B. Loading spaces must be located on the same property that they are intended to serve.
- C. For industrial and commercial uses, a loading space may occupy any required yard or court only if it is enclosed by a brick or stone wall not less than six feet in height.
- D. Loading spaces for Multi-dwelling units must be located in an easily accessible area that will eliminate deliveries and moving vehicles from frequently blocking the right-of-way or other major internal access drives.

19.80.3.2 Off Street Loading Requirements

- A. Each development or land use listed in Table 19.80.3 Minimum Off Street Loading Requirements shall provide the minimum number of on-site loading spaces in accordance with Table 19.80.3 Minimum Off Street Loading Requirements.
- B. When the computation of the required loading spaces results in a fraction, the requirement is rounded to the nearest whole interval. Fractions less than one-half are rounded to the next lowest whole number.

- C. Reductions of up to one hundred (100) percent of the loading space requirement may be considered at time of site planning by the Planning Director or designee. Such request shall be considered according to the following criteria:
 - 1. The required number of loading spaces are not necessary due to the nature of proposed use;
 - 2. A reduction of the requirement will not result in frequent delivery traffic blocking the right-of-way or high traffic internal circulation areas.

Table 19. 80.3 Minimum Off Street Loading Requirements

Table 19.80.2: Minimum Off Street Loading Requirements	
Use	Minimum Requirement
Multi-Household dwelling with 15 or more units	1 loading space per 150 units, maximum of 3
Commercial and industrial uses with no docking facility up to 10,000 gross square feet	1 space

19.80.4 Bicycle Parking Requirements

19.80.4.1 Bicycle Parking Design Standards

- A. Bicycle parking spaces shall be:
 - 1. Located on the same lot as the principal use;
 - 2. Located and designed to prevent damage to bicycles by cars;
 - 3. Located so as not to interfere with pedestrian movements;
 - 4. Located in a highly visible, well-lighted area that is located near entrance(s) to the building;
 - 5. Located to provide safe access from the spaces to the public right-of-way or bicycle lane;
 - 6. Designed with racks to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles;
 - 7. Racks shall be anchored to resist removal by vandalism and resistant to rust or corrosion.
 - 8. Bicycle parking spaces which meet the above requirements may be located within the building.
 - 9. The proposed bicycle parking spaces shall be clearly shown on the site plan indicating location and type.

10. Multiple-dwelling residential uses with more than eight (8) units shall provide an on-site enclosed and secured bicycle storage room with racks for the use of the residents.

19.80.4.2 Bicycle Parking Requirements

- A. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, multi-household residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any use listed above that results in the need for additional automobile parking facilities and is required for all principal uses as outlined in Table 19.80.4 Bicycle Parking Requirements

Table 19. 80.4 Bicycle Parking Requirements

Table 19.80.3: Bicycle Parking Requirements	
Use	Minimum Requirement
Residential, Multi-Household with 3-8 units	2 spaces per 4 dwelling units
Residential, Multi-Household more than 8 units	2 spaces per 4 dwelling units, 50% of which must be in an enclosed and secured bicycle storage room
Office	2 publicly available spaces per establishment or 1 space per 15,000 square feet, whichever is greater
Restaurant	4 publicly available spaces per establishment
Retail	2 publicly available spaces per establishment
Private Education Facilities	1 space per classroom

Subdivisions Draft Summary

Millcreek's subdivision ordinance currently houses a combination of engineering standards, procedures and design requirements for subdivisions. The proposed draft relocates the engineering requirements to Title 14 with other similar engineering standards. The new draft creates streamlined procedures for subdivisions since they are not discretionary and only need to follow the requirements of the code.

What is the same:

- The new draft incorporates many of the existing regulations around construction, bonds, and responsibility for damages, although some language has been updated to reduce vague requirements and discretionary statements.
- The engineering requirements that are to be relocated to Title 14 may also have language updates made, but it should be largely consistent with the existing criteria.

What is new:

- The new subdivisions draft has incorporated elements of the existing flag lot policy into the design standards, but also does provide new criteria/requirements to help mitigate common issues with flag lots.
- Draft design standards for blocks are shorter than currently permitted but would allow the maximum block length to be exceeded in specific situations, such as steep slopes, with additional design standards to allow for elements like turn-arounds.
- Minor Subdivisions have been introduced. These subdivisions are 3 lots or less and processed in a 1 step platting procedure that is processed by staff.
- Major Subdivisions of 4 or more lots will require a 2 step platting procedure. 1- A Preliminary Subdivision which is approved by the Planning Commission, and 2- a subsequent Final Subdivision which is approved by staff.
- Fees have been moved by reference to the annual fee schedule instead of being specified here.

Organization:

The draft chapter is broken into the following sections:

1. General Provisions
2. Design Standards
3. Subdivision Procedures
4. Required Improvements
5. Responsibility for Damages

Chapter 19. 01 Subdivisions

19.01.1 General Provisions

19.01.1.1 Purpose

- A. The purpose of this chapter is to establish standards for the development and construction of subdivisions in Millcreek that comply with all applicable zoning, building, health, and fire requirements, including but not limited to, all adopted use and development standards adopted by Millcreek.

19.01.1.2 Organization

- A. This title is organized into the following sections:
 1. General Provisions
 2. Design Standards
 3. Subdivision Procedures
 4. Required Improvements
 5. Responsibility for Damages

19.01.1.3 Applicability

- A. This chapter applies to any subdivision of land within Millcreek's municipal boundary. The description of a lot or parcel by metes and bounds shall not exempt the transaction from these Subdivision Regulations.
- B. No plat of any subdivision within the application of these regulations shall be entitled to be filed or recorded or have any validity until such plat has been approved by the City, and acknowledged in the manner prescribed by these regulations.
- C. No building permits shall be issued for the construction or reconstruction of structures upon any land or the addition to any building or structure situated on any land, unless such land has been subdivided and platted in accordance with the procedures set out in these regulations. For new developments, a whole platted lot is required to be in compliance with this standard. For existing lots and or parcels that predate the establishment of this ordinance, a building permit may be issued for said parcel and or lot, however further subdivision of said property would require compliance with the standards of this chapter.

19.01.2 Design Standards

19.01.2.1 Blocks

- A. Blocks shall not exceed six hundred feet (600') in length unless adequate turn around space is provided either via a looped roadway or a cul-de-sac with a minimum radius of forty feet (40'). Hammer head or T shaped turnarounds are not considered sufficient to meet this requirement.
- B. The arrangement of streets in new subdivisions shall provide for the continuation of the existing streets in adjoining areas and shall provide access to unsubdivided adjoining areas insofar as such continuation or access is necessary as reasonably determined by the Planning Commission or the Planning Director. New streets shall connect with existing public streets.
- C. Blocks shall accommodate a lot arrangement and design such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, to the character of surrounding development and to existing requirements.
- D. Dedicated walkways on blocks greater than six hundred feet (600') may be required through the block to provide access to schools, existing and planned trails, transit facilities, community facilities, or a similar public amenity at a point designated by the Planning Commission or the Planning Director. For such walkways, the following standards apply:
 1. Walkways shall be a minimum of six feet in width
 2. Walkway surface shall be concrete.
 3. A fence a minimum of four feet high on each side and the full length of each walkway shall be provided, unless alternative screening arrangements have been desired and approved by the city.
 4. Bollards or similar barriers shall be placed at each walkway entrance to prevent the use of the walkway by any vehicles .

19.01.2.2 Lots

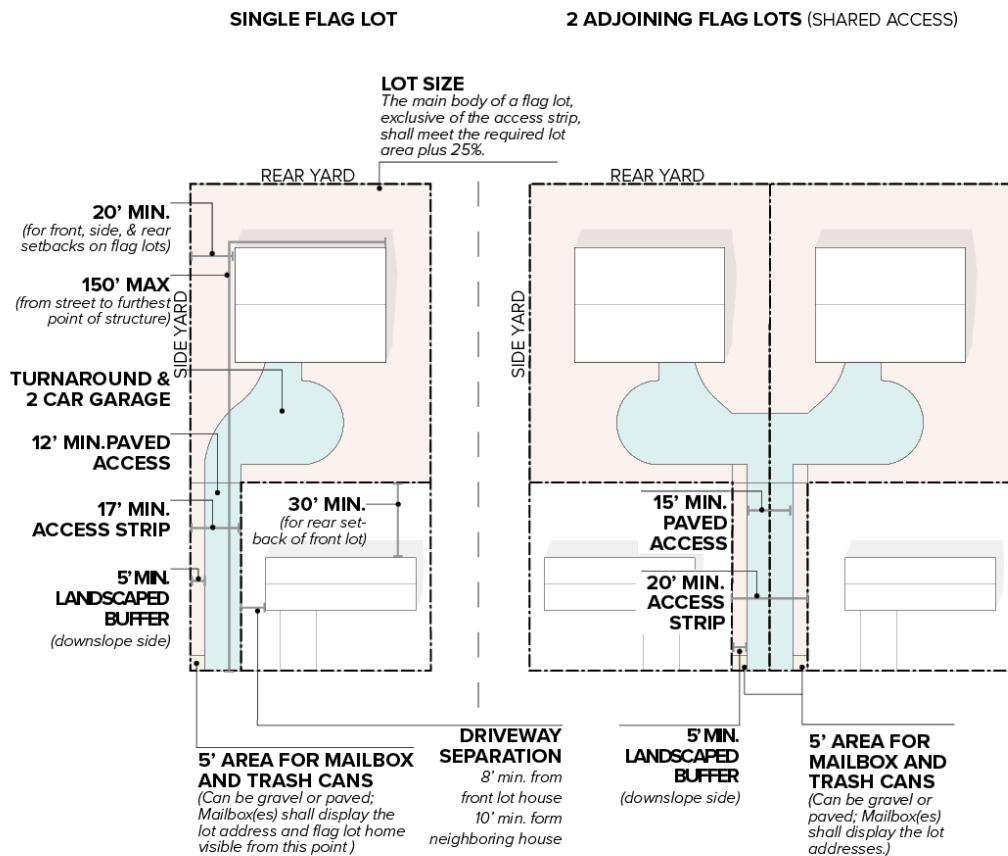
- A. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly designed according to topography, the character of surrounding development, and to existing requirements.
- B. All lots must conform to the minimum requirements of the Zoning District(s) for the zone(s) in which the subdivision is located.
- C. Each lot shall abut on a street shown on the subdivision plat or on an existing public street which is more than twenty-six feet wide or have an approved access via private right-of-way to a public street shown on the plat.
- D. Side lot lines shall be approximately at right angles, or radial to the street lines.
- E. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

- F. Flag lots. Flag lots shall be prohibited unless the following requirements are met:
1. No other viable subdivision design alternatives exist that will allow for a conventional lot, including consideration of:
 - a. The current or proposed zoning;
 - b. The possibility of incorporating the subject property with adjacent property to achieve a more unified development of the area and eliminate the need for a flag lot; and
 - c. Alternative street designs and improvements.
 2. Flag lots shall meet the following conditions:
 - a. Up to two (2) flag lots may be created from an existing parcel of property.
 - b. The flag lot(s) shall be used exclusively for a single-family residential dwelling and shall be located to the rear of the original or front lot.
 - c. The main body of a flag lot, exclusive of the access strip, shall meet the required lot area plus 25%. The minimum lot width of the zone in which the flag lot(s) are proposed shall be met. The minimum side yard, front yard and rear yard shall be 20'.
 - d. The front lot shall meet the required lot area, lot width, front yard, and side yard requirements for the governing zoning district in which it is located. The rear setback shall be a minimum of thirty feet (30').
 - e. Two (2) adjoining flag lots may share a common access strip only if the access strip is twenty (20') wide or greater – this includes a 5' landscaped drainage/snow storage area on the downslope side of the driveway and fifteen feet (15') of pavement and may require a five foot (5') area adjacent to the neighboring lot line for utility access.
 - f. The access strip portion of a flag lot shall be platted as a contiguous portion of the flag lot.
 - g. The subdivision plat shall include an outline of the buildable area proposed for the home. No home shall be taller than two stories, excluding a pitched roof.
 - h. 2 car garages are required for the home, as well as a turnaround area to prevent backing out the driveway.
 3. The access strip portion of a flag lot:
 - a. Shall be at least 17' wide for its entire length from the street to the point where the access strip adjoins the main body of the flag lot.;

- i. Shall be paved except for the 5' reserved for landscaping/drainage/snow storage adjacent to the neighboring property line;
 - ii. Hard surfaced driveways shall be located a minimum of ten feet (10') from existing homes on neighboring lots and a minimum of 8' from the home on the original lot;
 - iii. Shall front on a public street; and
 - iv. Shall not exceed one hundred fifty feet (150') in length unless approved by the Fire Department
 - v. Where the 5' landscaped area abuts the public street, it shall contain a mailbox (s), displaying the lot addresses, and a gravel or paved area for trash cans.
4. The address of the flag lot dwelling shall be clearly visible on the home(s) when viewed from the access strip.

Figure 18.01. 1

Flag Lots



19.01.3 Subdivision Procedures

- A. Table 18.1 summarizes the procedures in this Code and identifies the reviewing and decision-making responsibilities for each application type. Further details of each procedure and application type are contained in this Chapter.

Table 18. 1 Subdivision Approvals Procedures Table

Subdivision Approvals Procedures Table (Administrative – all applications may be appealed to the Land Use Appeal Authority which holds a public meeting)			
Subdivision Type	Pre-application Consultations	City Staff	Planning Commission
Minor Subdivision (3 lots or less)	Required	Review and Decision*	
Major Subdivision-Preliminary	Required	Review and Recommendation	Public Meeting and Decision*
Major Subdivision - Final	Optional	Review and Decision*	
Subdivision Amendment	Required	Review and Recommendation	Decision*
Property Line Adjustment	Optional	Review and Decision*	

* The decision-making body is the Land Use Authority for that application type.

- B. Applications follow the steps in Table 18.2 Subdivision Procedures Table and are further described in this Section.

Table 18. 2 Subdivision Application Procedures

Table 18.2 Subdivision Application Procedures	
Step Number	Step Name
Step 1	Pre-application Consultation
Step 2	Concept Review (DRC)
Step 3	Neighborhood Meeting
Step 4	Application Submittal
Step 5	Application Completeness Review
Step 6	Application Review
Step 7	Notice of Public Meetings / Hearings

Step 8	Public Meetings / Hearings
Step 9	Decision and Findings
Step 10	Amendments to Approved Applications
Step 11	Lapse of Approval
Step 12	Subsequent Action

19.01.3.2 Step 1: Pre-Application Consultation

- A. Purpose. The purpose of a pre-application consultation is to provide an opportunity for an informal evaluation of the applicant's proposal and to familiarize the applicant and the City staff with the applicable provisions of this Land Use Code, the General Plan, infrastructure requirements, and any other issues that may affect the applicant's proposal.
- B. Applicability. A pre-application consultation may be requested by an applicant or the Planning Director prior to submittal of any application. If a pre-application consultation is required, an application shall not be accepted until after the pre-application consultation is completed.
- C. Procedure.
 - 1. The Planning Director shall schedule a pre-application consultation after either requesting the meeting with the potential applicant or after receipt of a written request for the pre-application consultation, and any required fees are paid.
 - 2. At the meeting the applicant, the Planning Director or designee, and any other persons the Planning Director deems appropriate to attend shall discuss the proposed development and the applicable requirements of this Code, based upon the information provided by the applicant.
- D. Informal evaluation not binding. The informal evaluation of the application is not binding upon the applicant or the City.
- E. Application required within six (6) months. After a pre-application consultation has been completed, the associated application must be filed within six (6) months. If an application is not filed within such time frame, a new pre-application consultation shall be required prior to filing an application.

19.01.3.3 Step 2: Concept Review (DRC)

- A. Purpose. A concept review is intended to provide the applicant with applicable information on development standards and the development process for a proposed project. By reviewing a concept plan at a Development Review Committee (DRC) meeting, various City departments are able to discuss potential issues allowing the applicant to address the issues prior to application submittal.
- B. Applicability. A concept review may be requested by an applicant or the Planning Director prior to submittal of any application. If a concept review is required it must be completed prior to submittal.
- C. Procedure.
 - 1. The Planning Director shall schedule the concept review for the next available DRC meeting after either requesting the meeting with the potential applicant or receipt of a written request for the concept review, submittal of a concept plan, and payment of any applicable fees per the adopted fee schedule.
 - 2. The Planning Director or designee, and any other persons the Planning Director deems appropriate to attend shall discuss the proposed development at the DRC meeting based upon the information provided by the applicant.
 - 3. The Planning Director or their designee shall issue written notes to the applicant regarding the findings of the DRC meeting within seven (7) calendar days of the meeting.
- D. Multiple Meetings. Applicants may request additional concept review prior to submittal if the concept plan changes in scope, intensity, or layout. The new meeting shall follow the same procedure as the initial meeting.

19.01.3.4 Step 3: Neighborhood Meeting

- A. Purpose. A neighborhood meeting is intended for an applicant to help solicit neighborhood input on land use application in order to better understand the project, provide any additional local information, and address any neighborhood concerns prior to submittal of an application.
- B. Applicability. A neighborhood meeting is required for Major Subdivisions per the requirements of Section 18.1.3.15.
- C. Procedure. It is the applicant's responsibility to conduct the neighborhood meeting. The applicant shall organize the meeting and provide adequate proof of notice to include the following:
 - 1. The applicant shall send a written notice stating the place, date, and time of the neighborhood meeting to all property owners, as identified in the Salt Lake County recorder's records, whose property is within the required notice radius for the land use applications described in Step 7, Public Notices below.

2. The applicant shall notify these owners at least one week prior to the neighborhood meeting.
3. The neighborhood meeting shall be conducted at a location within Millcreek.
4. Phone calls or informal door to door contacts shall not constitute a neighborhood meeting.
5. The record of a neighborhood meeting shall be submitted with the application and shall include:
 - a. A list of all individuals who were notified;
 - b. A roster of attendees; and
 - c. A copy of the minutes.

19.01.3.5 Step 4: Application Submittal

- A. Purpose. Application Submittals serve as the initial formal interaction between an applicant and the city regarding an application.
- B. Applicability. Application Submittal is necessary for any application type.
- C. Procedure. Application submittals are made electronically through the City website.
- D. Submittal Materials.
 1. Application. An application shall be made on forms provided by the Planning Department including completed submittal checklist and all required documents.
 2. Required Documents. Each application shall be accompanied by a completed submittal checklist, as provided by the Planning Department, and associated required documents.
 3. Fees. Each application shall be accompanied by the corresponding fee as established in the Fee Schedule as adopted by the City Council.

19.01.3.6 Step 5: Application Completeness Review

- A. Purpose. The Purpose of a completeness review is to ensure a given application contains the necessary information for Staff and the pertinent Land Use Authorities to make an informed decision on a given application.
- B. Applicability. All applications are subject to a completeness review to ensure that all necessary information and materials have been provided for review.
- C. Timing. The Planning Director shall make a determination of application completeness within fifteen (15) business days of application filing.

- D. Complete Submittals. If the application is determined to be complete, the Planning Director shall communicate with the applicant, in writing, the timeframe for application review, the application shall then be processed according to the procedures set forth in this Chapter and reviewed for compliance with the applicable regulations of this Code.
- E. Incomplete Submittals. If an application is determined to be incomplete, the Planning Director shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur and a new submittal is required with the corrected materials.
- F. Completeness Criteria. An application will only be considered complete if it:
 - 1. Includes all required forms, all required documents, and any supporting materials.
 - 2. All materials meet the standards of this Code and are in compliance with the requirements specified on the applicable application checklist.
 - 3. Applicable application fees per the adopted fee schedule have been paid.
- G. Additional supplementary materials. Additional supplementary materials may be submitted after a completeness review is complete and the application has been accepted for review. In such events, any additional supplementary materials must be received at least thirty (30) days prior to the first public meeting / hearing to be held on the application. The City may postpone and reschedule a public meeting / hearing or approval deadline if such reports and studies are submitted less than thirty (30) days prior to a public meeting / hearing.

19.01.3.7 Step 6: Application Review

- A. Purpose. The application review is intended to ensure that a given application is in conformance with the requirements of this Code, other applicable City policy, and relevant State Statutes. Application review also provides an opportunity to check for the accuracy of documents provided from the applicant.
- B. Applicability. All applications deemed complete are subject to full review by City Staff and other relevant reviewing authorities.
- C. Procedure.
 - 1. The Planning Director shall review the application and determine if it meets the standards and requirements within this Code. If adjustments are needed to meet approval, these will be communicated to the applicant in writing. The applicant will have the opportunity to amend the application and resubmit for subsequent review.

2. As part of the initial review, the Planning Director shall refer the development application to the appropriate review agencies and specify the timeframe for comments to be due back to the Planning Director.
3. Upon an application's resubmittal for a subsequent review, it shall be reviewed by the agencies who requested revisions.
4. Once the application has been amended to meet the approval of the Planning Director, the first public meeting or hearing (see Procedures Tables above) shall be scheduled, if required, and a staff report prepared. The staff report shall be made available for inspection and copying by the applicant and the public prior to any scheduled public hearing(s) on the application. The staff report shall indicate whether, in the opinion of the Planning Director, the development application complies with all applicable standards of this Code.
5. If the approval authority lies with Staff, an application may be approved upon the finding that all necessary revisions have been made and the application is compliant with the regulations of this Code.
6. No application shall be scheduled for a public hearing without a full review for compliance with the Code and applicable regulations.

19.01.3.8 Step 7: Public Notice

- A. Purpose. Public Notices are required to inform the public about relevant proceedings of an application. The public noticing requirements are intended to provide information regarding the application and relevant public meetings or hearings for the application.
- B. Applicability. The Land Use Authority (LUA) as noted in Table 18.1 Subdivision Approvals Procedures Table shall schedule and hold any required public hearing or public meeting according to the provisions of this Code and State Statute. This section describes the general noticing procedure for public meetings and hearings in Millcreek.
- C. Noticing Summary Table. Table 18.3 summarizes the various types of noticing requirements for each type of application.

Table 18. 3 Noticing Summary Table

Table 18.3 Noticing Table Summary

The number listed in the table is the minimum number of days the notice is required to be sent / posted prior to the first public meeting or hearing, with exception of the " Mailed Notice Distance from Subject Property" column which denotes the minimum number of feet around a subject property that mailed notices must be sent to.

Application Type	Mailed Notice	Mailed Notice Distance from Subject Property	Notice Sign (on subject property)	Hard Copy of Notice
Minor Subdivision (3 lots or less)	10	300'	5	1
Major Subdivision- Preliminary	10	300'	5	1
Major Subdivision - Final	10	300'	5	1
Subdivision Amendment	10	300'	5	1
Property Line Adjustment	10	300'	5	1

- D. Mailed Notices Procedure. Applications requiring mailed notices per Table 18.3 Noticing Table Summary shall follow these procedure.
1. Mailed notices shall be sent by the City for any application requiring a public meeting or public hearing. The applicant shall be responsible for the mailing expenses.
 2. Mailed notices must contain the minimum information:
 - a. The application name and description of the proposed use;
 - b. The time, date, and place of the public hearing or public meeting on the subject.
 - c. Notice of any additional public meeting or hearings on the subject.
 3. Mailed notices shall be sent to all property owners whose property is located partially or entirely within three hundred feet (300') of the subject property.
 4. Mailed notices must be sent a minimum of ten (10) days prior to the first public hearing or seven (7) days prior to a public meeting.
 5. If multiple mailed notices are needed, they may be combined into a single mailed notice with all applicable information.
- E. Notice Sign Procedure. Applications requiring a noticing sign on the subject property per Table 19.XX.5 *Noticing Table Summary* shall follow these procedures.
1. The City shall post notification signage on the subject property in a location clearly visible from the right-of-way.
 2. The notice shall be posted a minimum of five (5) days prior to the first public meeting or hearing on the item, and shall remain posted on sight till after the final Land Use Authority decision on the mater.

3. The notice sign shall state the purpose of the public notice and where interested parties can find out more information on the application and public meeting / hearing schedule.
- F. Hard Copy Notice. A hard copy of any public notice issued by the City shall be posted at City Hall at least twenty-four (24) hours prior to a public hearing or a public meeting.

19.01.3.9 Step 8: Public Meeting(s)

- A. Public Meetings. Public Meetings are required to be open to the public under Utah State Code Title 52, Chapter 4, Open Meetings Act (UCA 10-9a-103(46)). All land use decisions made by the City Council and Planning Commission shall be rendered during open and public meetings. The Planning Director may also conduct public meetings related to land use applications or other land use issues. No public meeting shall commence until all procedures as set up in Step 6, 18.01.3.8 Public Notice are met. The following criteria is applicable to public meetings:
1. At a public meeting to consider a Preliminary Subdivision, the reviewing body shall review the data supplied by the applicant, review the findings and recommendations of the Planning Director, and may take testimony from all interested persons in attendance.
 2. The applicant or their designated agent whose application is before the Planning Commission shall be present at the public meeting.
 3. The applicant shall offer competent evidence in support of the application sufficient to enable the reviewing body to consider the matter and make findings on the subject. The applicant has the burden of presenting all necessary and relevant information and evidence in support of the application.
 4. During the public meeting process the reviewing body may allow for up to two continuances, totaling not more than six months, to hear the matter, so the applicant may make modifications or provide additional information and evidence in support of the application. The Planning Director may provide an exemption to the limitation on continuances when a compelling reason such as financial, materials, or labor issues exists as determined by the Planning Director.
 5. Postponement to a Date Certain. Public meetings may be continued to a date certain and kept open to take additional information until a final decision is made. The property shall be re-posted for a continued public meeting; no further publication or mailed notice for a continued public meeting is required.

6. Postponement with No Date Certain. If an application is not continued to a date certain, the application requires additional public notice per the requirements of Section 18.01.3.8 Public Notice.

19.01.3.10 Step 9: Decision and Findings

- A. Decision. After consideration of the subdivision application, the staff report, comments received from other reviewers (if applicable), and the evidence from the public meeting or hearing (as applicable), the Land Use Authority shall approve, approve with conditions, or deny the application based on the applicable approval criteria. Written notification of the decision shall be provided by the Planning Director to the applicant within seven (7) days after the decision.
- B. Approval criteria. To approve a subdivision application, the Land Use Authority per Table 18.1 Subdivision Approvals Procedures Table, shall find that the development application has satisfied and followed the applicable requirements of this Code and all of the approval criteria required for the applicable development application.
- C. Denial. An application may be denied if the request does not meet the requirements of this Code or other applicable City and State requirements.
- D. Findings. All decisions shall include at the least the following elements:
 - 1. A clear written statement of approval, approval with conditions, or denial, whichever is appropriate; and
 - 2. A clear statement of the basis upon which the decision was made, including specific written findings of fact with reference to the relevant standards of this Code.
- E. Final Action.
 - 1. Applicants are entitled to a written decision from the Land Use Authority. An applicant shall receive a timely written decision in all circumstances.
 - 2. The Planning Director or Planning Commission shall substantively review an application that has been considered complete under the criteria of Step 3, Application Completeness Review, and shall approve, approve with conditions, or deny each application with reasonable diligence.
 - 3. After a reasonable period of time for the Planning Director or Planning Commission to consider an application, the applicant may request in writing that the Planning Director or Planning Commission take final action on the application. The Planning Director or Planning Commission shall take final action within forty five (45) days from the date of receiving the request for final action. If a subsequent application is denied, a written reasoning for the denial shall be included in the official record, which may include official minutes of the meeting the decision was rendered.

- F. Failure to Act on Administrative Decisions: If the Planning Director or Planning Commission fails to take final action on an application within forty-five (45) days of receipt of the written request, this failure may be appealed to the Land Use Appeal Authority (LUAA) within thirty (30) days of the date on which the Planning Director or Planning Commission should have taken final action. Nothing in this section and no inaction of the Planning Director or Planning Commission relieves an applicant's duty to comply with all applicable ordinances and regulations of the City.

19.01.3.11 Step 10: Post Approval Modifications

- A. Purpose. If, after an application has been approved, it becomes necessary to modify the approved plan, minor modifications may be approved by the Planning Department. In no case shall the request for modification exceed what is allowed by zone, to include the result of cumulative requests.
- B. Minor modifications include:
 - 1. Minor adjustments in lot layout for practical reasons related to engineering, grading, or utilities.
 - 2. Minor changes in the location of streets and utilities for reasons not caused by the applicant.
- C. Approval Criteria:
 - 1. The minor modification does not result in an increase in the approved number of lots;
 - 2. The minor modification does not result in a change in the housing unit type;
 - 3. The minor modification does not result in a change in the character of the development; and

19.01.3.12 Step 11: Lapse of Approval

- A. If applicable, the lapse of approval time frames established in this Section may be extended only when all of the following conditions exist:
 - 1. The provisions of this Code must expressly allow the extension;
 - 2. An extension request must be filed prior to the applicable lapse-of-approval deadline;
 - 3. The extension request must be in writing and include justification; and
 - 4. Unless otherwise noted, authority to grant extensions of time shall rest with the land use authority that granted the original approval being extended.
- B. An extension may be granted by the original approving Land Use Authority for a period of up to one (1) year for good cause.

1. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why an application did not commence in a timely manner.
2. Examples of good cause include delays in preparation of construction documents due to new information not available at time of approval, changes in site conditions, lack of materials, financing issues, labor supply problems or similar causes not solely the result of the applicant's failure to pursue the development with due diligence.

19.01.3.13 Step 12: Subsequent Applications

- A. Following denial of an application, the applicable Land Use Authority shall not decide on the same or substantially the same application within one (1) year of the date of denial. The waiting period required by this Section may be waived in an individual case, for good cause shown, by the Land Use Authority upon a written request by the applicant. When the Land Use Authority is the Planning Director or their designee, an administrative decision may be made on the request. When the Land Use Authority is the Planning Commission, an affirmative vote of the majority of the members to waive the waiting period is required.

19.01.3.14 Minor Subdivision

- A. Purpose. The Minor Subdivision is intended to provide for streamlined review for small scale projects with limited impact. A Minor Subdivision shall be required prior to issuance of a grading, if applicable, or building permit, or other minor development activities.
- B. Applicability. An applicant subdivide a property creating or modifying up to three (3) lots or parcels via the Minor Subdivision process. Plats involving four (4) or more lots are not eligible for the Minor Subdivision process.
- C. Procedure. The following application steps, as outlined in Section 18.01.3, are required.
 1. Step 1: Pre-application Consultation
 2. Step 2: Concept Review (DRC)
 3. Step 4: Application Submittal
 4. Step 5: Application Completeness Review
 5. Step 6: Application Review
 6. Step 7: Public Notice
 7. Step 8: Public Meeting(s) and/or Hearing(s)
 - a. The Planning Director shall hold a public meeting and shall be the Land Use Authority for such applications.
 8. Step 9: Decision and Findings

- D. Approval Criteria. The Planning Director shall approve the request if:
1. The minor subdivision creates no more than three (3) lots in total.
 2. The minor subdivision does not create remnant or otherwise unusable parcels.
 3. The minor subdivision is consistent with and complies with the requirements specific zoning district in which it is located;
 4. The lots created with the proposed minor subdivision have a buildable area that would not require a future variance in order to construct the use the lot is intended for;
 5. As applicable, the minor subdivision is consistent with the terms and conditions of any previously approved plat; and
 6. The minor subdivision will not limit the City's ability to effectively provide facilities or services.
 7. No new lot nor any lot affected by the subdivision will have a noncomplying structure or a structure occupied by a nonconforming use.
- E. Submittal. Any person seeking a minor plat shall submit the following documentation to the Planning Department including the following:
1. An application provided by the Planning Department;
 2. A minor subdivision checklist with complete materials as specified on the checklist including:
 - a. A survey
 - b. A letter detailing all the following information:
 - i. The name of applicant or authorized agent and contact information;
 - ii. A property address and parcel number;
 - iii. The address for the subdivision;
 - iv. The subdivision name.
 - v. Any other applicable information per the requirements of the applicable application checklist.
 3. A legal description of the property
 4. A grading and drainage plan
 5. An existing conditions survey, showing original ground surface and topography, locations of existing trees, geologic hazards, floodplain hazards, etc.
 6. A Title report
 7. An ALTA survey.

8. An application fee paid in full for the amount specified in the adopted in the City Fee Schedule.
 9. Additional, relevant, supporting documentation, maps, studies and any other information that would inform Staff and allow the Land Use Authority to make an informed decision.
- F. Improvement Guarantee. Approval of a minor subdivision plat authorizes the subdivider to proceed with the subdivision. However, no lot(s) shall be sold unless either the required improvements have been installed and accepted by the City or the cost of said improvements have been financially assured per Section 18.01.5.2 Bonds.
- G. Expiration. Failure to submit the approved minor subdivision for recording within six months after the date of the approval letter shall void the approval and the subdivider shall be required to submit a new minor subdivision application for review. Prior to expiration of the six month period, the Planning Director may grant one extension for a period of not more than six months upon the subdivider's request and for good cause.
1. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why an application did not commence in a timely manner. Examples of good cause include delays in preparation of documents due to new information not available at time of approval, changes in site conditions, or similar causes not solely the result of the applicant's failure to pursue the development with due diligence.

19.01.3.15 Major Subdivisions

- A. Purpose. The purpose of the Major Subdivision is to ensure that the development is in conformance with zoning regulations, and all applicable City standards.
- B. Applicability. The major subdivision procedure is required for a proposed division of land when any one (1) or more of the following conditions exist:
1. The resultant subdivision will produce four (4) or more lots; or
 2. The subdivision is not otherwise eligible for the minor plat process.
- C. Procedure Overview. Major Subdivisions require two (2) steps.
1. Preliminary Subdivision, which requires approval by the Planning Commission; and
 2. Final Subdivision, which requires approval by the Planning Director.
- D. Preliminary Subdivision Procedure. The following application steps, as outlined in Section 18.01.3, are required.
1. Step 1: Pre-application Consultation
 2. Step 2: Concept Review (DRC)

3. Step 3: Neighborhood Meeting
 4. Step 4: Application Submittal
 5. Step 5: Application Completeness Review
 6. Step 6: Application Review
 - a. Upon completion of the review, the Planning Director or their designee shall make a recommendation.
 7. Step 7: Public Notice
 8. Step 8: Public Meeting(s) and/or Hearing(s)
 - a. Planning Commission shall hold a public meeting and shall be the Land Use Authority for such applications.
 9. Step 9: Decision and Findings
- E. Preliminary Subdivision Approval Criteria. In reviewing a Preliminary Subdivision application, the Planning Commission shall consider whether the Preliminary Subdivision:
1. The Preliminary Subdivision is consistent with and complies with the requirements specific zoning district in which it is located and all other applicable City regulations and policies;
 2. As applicable, the Preliminary Subdivision is consistent with the terms and conditions of any previously approved development plan or Final Subdivision;
 3. Provides a layout of lots, streets, blocks, driveways, utilities, drainage, and other public facilities pursuant to this Chapter.
 4. The project preserves, protects, integrates, or mitigates impacts to any identified sensitive or hazardous natural features associated with the site; and
 5. Will not limit the City's ability to effectively provide facilities or services.
- F. Preliminary Subdivision Submittal. Any person seeking a Preliminary Subdivision shall submit the following documentation to the Planning Department including the following:
1. An application provided by the Planning Department;
 2. A preliminary subdivision checklist with complete materials as specified on the checklist including:
 - a. A letter detailing all the following information:
 - i. The name of applicant or authorized agent and contact information;
 - ii. A property address and parcel number;
 - iii. The address for the subdivision;
 - iv. The subdivision name.

- v. Applicable information per the requirements of the applicable application checklist.
 - b. A legal description of the property
 - c. A grading and drainage plan
 - d. An existing conditions survey, showing original ground surface and topography, locations of existing trees, geologic hazards, floodplain hazards, etc.
 - e. A Title report
 - f. An ALTA survey.
 - g. The metes and bounds description of the property proposed to be subdivided;
 - h. For condominium conversions of existing multifamily developments, additional submittal requirements per the checklist are required.
 - i. Where required, evidence of any agreements with adjacent property owners relative to the subdivision development shall be presented to the planning and development services division in writing prior to its approval of the plat. These agreements may include those relative to drainage, easements, protection strips and improvement bonds.
- 3. An application fee paid in full for the amount specified in the adopted in the City Fee Schedule.
 - 4. Any other relevant supporting documentation, maps, studies and any other information that would inform Staff and allow the Land Use Authority to make an informed decision.
- G. Preliminary Subdivision Post Approval Action. Following an approval or approval with conditions of a Preliminary Subdivision, the Planning Director or their designee shall sign the plat on behalf of the city. One copy of the Preliminary Subdivision shall be provided to the subdivider. One signed copy shall be retained by the planning and development services division, and one copy of the approved plat shall be returned to the developer's engineer. The receipt of a signed copy of the approved Preliminary Subdivision shall be authorization for the subdivider to proceed with the preparation of specifications for the minimum improvements required in this chapter and with the preparation of the Final Subdivision.

- H. Preliminary Subdivision Expiration. Approval of a Preliminary Subdivision shall be effective for one (1) year following the date of the Planning Commission meeting. An approved Preliminary Subdivision shall expire and be of no further force and effect if a complete Final Subdivision application for the subdivision or a phase of the subdivision has not been submitted within one (1) year after the Preliminary Subdivision approval date. In the case of partial Final Subdivision submission, the approval of the remaining portion of the Preliminary Subdivision shall automatically gain an extension of one (1) year, up to a maximum number of years specified by the Planning Commission at the time of approval of the initial phase. If no Final Subdivision is submitted, an extension may be granted by the Planning Director of one, one year period for good cause. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why a Final Subdivision was not approved by the deadline. Examples of good cause include delays in preparation of the Final Subdivision, delays in scheduling a Final Subdivision for the required public hearings, material or labor shortages, financing delays, and similar causes not solely the result of the applicant's failure to pursue the development with due diligence.
- I. Final Subdivision Procedure. The following application steps, as outlined in Section 18.01.3, are required.
1. Step 4: Application Submittal
 2. Step 5: Application Completeness Review
 3. Step 6: Application Review
 4. Step 7: Public Notice
 5. Step 8: Public Meeting(s) and/or Hearing(s)
 - a. The Planning Director shall hold a public meeting and shall be the Land Use Authority for such applications.
 6. Step 9: Decision and Findings
- J. Final Subdivision Approval Criteria. Upon receipt of all final application requirements, the Planning Director shall approve, conditionally approve, or deny the Final Subdivision based on the approval criteria in this section. The Planning Director shall confirm that:
1. The Final Subdivision is in conformance with the previously approved Preliminary Subdivision; and
 2. The Final Subdivision will comply with the applicable technical standards and specifications outlined in this Code.
- K. Final Subdivision Submittal. Any person seeking a final subdivision shall submit the following documentation to the Planning Department including the following:

1. An application provided by the Planning Department;
 2. A Final Subdivision Checklist with complete materials as specified on the checklist including:
 - a. A survey of the subject property per the specifications of the applicable application checklist;
 - b. A letter of intent including all the following information:
 - i. The name of applicant or authorized agent and contact information;
 - ii. A property address and parcel number;
 - iii. The address for the subdivision;
 - iv. The subdivision name.
 - c. The metes and bounds description of the property proposed to be split;
 3. A copy of the previously approved Preliminary Subdivision.
 4. An application fee paid in full for the amount specified in the adopted in the City Fee Schedule.
 5. Any other relevant supporting documentation, maps, studies and any other information that would inform Staff and allow the Land Use Authority to make an informed decision.
- L. Final Subdivision Expiration. Approval of the Final Subdivision by the Planning Director shall be deemed as its certification. Failure to submit the approved Final Subdivision for recording within one year after the date of the approval shall void the approval and the subdivider shall be required to submit a new Major Subdivision application for review. Prior to expiration, the Planning Director may grant one extension for a period of not more than six months upon the subdivider's request and for good cause. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why a Final Subdivision was not approved by the deadline. Examples of good cause include delays in preparation of the Final Subdivision, delays in scheduling a Final Subdivision for the required public hearings, and similar causes not solely the result of the applicant's failure to pursue the development with due diligence.
- M. GIS Data Required. Prior to the final approval and the issuance of any building permit associated with minor plat or Final Subdivision, the applicant shall provide to the city a GIS data corresponding to the approved plans for all required improvements. Any changes during construction will require additional GIS data to be submitted with the final approved as-built drawings. All GIS data shall be submitted per the specifications provided in the approval letter.

- N. Condominium Subdivisions, Condominium Conversions, and Condominium Vacations. Condominium record of survey maps are pursuant to the requirements of the condominium ownership act of 1975, Utah Code 57-8, as amended and shall follow the major subdivision procedure with additional documentation as noted in the Utah Code 57-8, as amended.
- O. Condominium Conversions: Existing multifamily developments may be converted into condominiums, subject to the following standards:
1. Any condominium conversion shall have a minimum of eight (8) legal units or lots. One (1) or more single-family detached dwellings shall not be platted as a condominium development.
 2. In order to be considered for a condominium conversion, an existing multifamily development must have been legally established at least five years prior to filing an application for a condominium conversion.
 3. Submittal. Where conversion of an existing building is proposed as part of the condominium project, the applicant shall submit a property report, prepared by a licensed architect or engineer, including the following information, together with the plan for proposed improvements, renovations and repairs:
 - a. The age of the building or buildings.
 - b. The general condition, useful life and capacity of the building's structural elements, including the roof, foundations, mechanical system, electrical system, plumbing system, boiler, and other structural elements.
 - c. All known conditions constituting deficiencies requiring repair to meet existing building codes.
 - d. All known conditions which may require repair or replacement within the next succeeding five (5) year period.
 - e. The property report shall certify that the structure or structures conform to the international building code minimum standards, or the owner shall present plans to bring the structure or structures into conformity with said standards prior to issuance of certificates of occupancy.

- f. Where it is determined that physical conditions in an existing building do not allow the strict application of the international building code standard, the Land Use Appeal Authority shall review all requests to vary from these standards and may grant variances or approve alternates where it is determined the intent of the requirement will be met. In any event, there shall be disclosure to buyers of any conditions that do not meet code or standards set by the City.
4. Condominium Conversions. Existing apartments that are converted into condominiums shall be subject to the following additional reviews prior to receiving preliminary plat approval by the Planning Commission.
 - a. Building Inspection Staff Review: Upon receipt of the application for approval of a condominium project, the building inspection department shall review the proposed building plans for new construction and/or in the case of a conversion project, the property report and plan of improvement, renovations and repairs to determine conformance with applicable building codes. In the case of a conversion, the department shall require inspections of the property and may require supplementation, revision and resubmission of the property report where necessary. In the preliminary review report to the planning commission, the building inspection department shall note corrections, repairs and replacements which must be made to bring the structures into code compliance, together with a list of renovation improvements proposed by the owner/developer which are not required by code. The chief building official shall also list any requirements of the international building code that needs board of appeal consideration due to unique circumstances associated with the structure. The building official may then recommend denial until such time as existing violations of code are corrected or may recommend preliminary approval of the project and building report subject to correction of the violations prior to final approval.
 - b. Fire Marshal Review: The fire marshal shall inspect each structure proposed for conversion and shall submit a report thereon to the planning staff outlining the conditions of the structures as they relate to fire safety. The marshal shall stipulate those conditions requiring improvement, prior to occupancy, in the report.

- c. Code Compliance Review. The City Code Compliance inspector shall inspect each structure proposed for conversion and shall submit a report thereon to the planning staff outlining the conditions of the structure as they relate to municipal code compliance. The City shall stipulate those conditions requiring improvement, prior to being issued final plat approval, in the report.

5. Tenant Notification. As part of the application for approval of a condominium project, when said project involves the conversion of an existing structure the applicant shall provide written notice of intended conversion to the existing tenants as of the date of the application. Service of the written notice shall be in accordance with a service of a summons as provided in the Utah Rules of Civil Procedure. The applicants shall provide proof of service stating the date, place, and manner of service, including a copy of the notice.

19.01.3.16 Subdivision Amendment

- A. Purpose. The purpose of a subdivision amendment is to make minor changes to lots that are of a small, technical nature, but largely do not affect otherwise approved or existing plats. The Planning Director may allow such modifications according to the criteria within this Section.
- B. Applicability. A subdivision amendment may only be considered on approved minor subdivision or final subdivision.
- C. Procedure. The following application steps, as outlined in Section 18.01.3, are required.
 1. Step 1: Pre-application Consultation
 2. Step 2: Concept Review (DRC)
 3. Step 3: Neighborhood Meeting
 4. Step 4: Application Submittal
 5. Step 5: Application Completeness Review
 6. Step 6: Application Review
 - a. Upon completion of the review, the Planning Director or their designee shall make a recommendation.
 7. Step 7: Public Notice
 8. Step 8: Public Meeting(s) and/or Hearing(s)
 - a. Planning Commission shall be the Land Use Authority for such applications.
 9. Step 9: Decision and Findings

- D. Approval Criteria. To be considered a revised final subdivision or revised minor subdivision and not a replat, the amended subdivision must meet all the following criteria:
1. The amended plat is in substantial conformance with the original approved subdivision.
 2. The amended subdivision does not increase the number of lots or parcels or create new lots or parcels;
 3. The amended subdivision does not eliminate or move a recorded easement without the prior approval of the easement holder;
 4. The amended subdivision will not create any nonconformities or increase the degree of nonconformity of any existing structure or use;
 5. The amended subdivision is compliant with all other applicable requirements of this Code and all other applicable regulations and requirements.
- E. Submittal. Any person seeking a Subdivision Amendment shall submit the following documentation to the Planning Department including the following:
1. An application provided by the Planning Department;
 2. A Subdivision Amendment Checklist with complete materials as specified on the checklist including:
 - a. A letter detailing all the following information:
 - i. The name of applicant or authorized agent and contact information;
 - ii. A property address and parcel number;
 - iii. The address for the subdivision;
 - iv. The subdivision name.
 - v. Any other applicable information per the requirements of the applicable application checklist.
 3. An application fee paid in full for the amount specified in the adopted in the City Fee Schedule.
 4. Any other relevant supporting documentation, maps, studies and any other information that would inform Staff and allow the Land Use Authority to make an informed decision.

- F. Expiration. Approval of the amended final subdivision or amended minor subdivision by the Planning Director shall be deemed as its certification. Failure to submit the approved subdivision for recording within one year after the date of the approval shall void the approval and the subdivider shall be required to submit a new Major Subdivision or Minor subdivision, as applicable, application for review. Prior to expiration, the Planning Director may grant one extension for a period of not more than six months upon the subdivider's request and for good cause. "Good cause" for purposes of this section shall mean justifiable and reasonable reasons why an approved subdivision was not recorded by the deadline. Examples of good cause include causes not solely the result of the applicant's failure to pursue the development with due diligence.

19.01.3.17 Property Line Adjustment

- A. Purpose. The purpose of a property line adjustment is to make minor changes to lots that are of a small, technical nature, but largely do not otherwise affect existing plats.
- B. Applicability. A property line adjustment may only be made to a previously approved final subdivision or minor subdivision and must meet the criteria listed in this section. Only two whole platted lots or a platted lot and a platted tract may be involved in a single action. Neither lot involved may have received a prior property line adjustment. The fifteen percent (15%) limitation in Subsection D below may not be circumvented by submitting a series of property line adjustment requests.
- C. Procedure. The following application steps, as outlined in Section 18.01.3, are required.
1. Step 4: Application Submittal
 2. Step 5: Application Completeness Review
 3. Step 6: Application Review
 4. Step 7: Public Notice
 5. Step 8: Public Meeting(s) and/or Hearing(s)
 - a. The Planning Director shall hold a public meeting and shall be the Land Use Authority for such applications.
 6. Step 9: Decision and Findings
- D. Approval Criteria. To be considered a property line adjustment and not a replat, the proposed property line adjustment must meet all of the following criteria:
1. The property line is not increasing or decreasing an existing lot by more than fifteen percent (15%).
 2. The property line adjustment does not increase or decrease the number of lots, tracts, or parcels or create new lots, tracts, or parcels;

3. The property line adjustment does not affect a recorded easement without the prior approval of the easement holder;
 4. Existing platted easements adjacent to the property line being adjusted remain in their original locations and no new easements are dedicated.
 5. Rights-of-way are not affected or changed;
 6. The property line adjustment will not create any nonconformities or increase the degree of nonconformity of any existing structure or use;
 7. The property line adjustment does not result in a lack of conformance with any other applicable requirements of this Code and all other applicable regulations and requirements.
- E. Submittal. Any person seeking a property line adjustment shall submit the following documentation to the Planning Department including the following:
1. An application provided by the Planning Department;
 2. A Subdivision Amendment Checklist with complete materials as specified on the checklist including:
 - a. A letter detailing all the following information:
 - i. The name of applicant or authorized agent and contact information;
 - ii. A property address and parcel number;
 - iii. The address for the subdivision;
 - iv. The subdivision name.
 - b. The metes and bounds description of the properties proposed to be modified;
 3. An application fee paid in full for the amount specified in the adopted in the City Fee Schedule.
 4. Any other relevant supporting documentation, maps, studies and any other information that would inform Staff and allow the Land Use Authority to make an informed decision.

19.01.4 Required Improvements

19.01.4.1 Required Improvements

- A. The following improvements shall be required and adhere to the standards in Title 14.
1. Storm Water System
 2. Public Sanitary Sewer
 3. Storm Drainage to Comply with Low Impact Design Standards
 4. Street Improvements

5. Street Lighting
6. Curb and Gutter
7. Utility and Facility Systems to be Undergrounded
8. Sidewalks
9. Street Name Signs
10. Trails
11. Fire Hydrants
12. Stormwater Inlets
13. Fencing Along Right-of-Ways Where Lots Rear Public Streets
14. Undergrounding/piping of Canals Where Adjacent to Public Right-of-Way.

19.01.4.2 Construction Of Improvements

- A. Twenty-four hours prior to construction of any required improvements, the Planning and Engineering Departments shall be notified so that proper inspection may be provided and so that it may be determined whether or not proper authorization and/or required permits for construction have been obtained.
- B. As-built plans, profile drawings, and corresponding GIS data shall be furnished to the Planning and Engineering Departments of all street improvements, storm sewer, sanitary sewer and water systems upon completion. The City shall retain the performance bond and associated approved bond agreement until such plans have been submitted.

19.01.4.3 Certification Of Improvements

- A. No final plat of a subdivision of land shall be recorded without receiving a statement signed by the Planning and Engineering Departments certifying that the improvements described in the subdivider's plans and specifications have been completed (or that a bond has been submitted for the required improvements as allowed under this Chapter), that they meet the minimum requirements of all ordinances of the City, that they comply with the standards and requirements of the health department, and the fire authority serving the area.

19.01.5 Responsibility For Damages

- A. All damages to any bonded improvements or facilities incurred during the period of development shall be the sole responsibility of the subdivider and must be replaced to the satisfaction of the City before final acceptance of any improvements caused by the subdivider or any agents of the subdivider shall be repaired by the subdivider to the satisfaction of the City prior to final acceptance and bond release.

19.01.5.2 Bonds

- A. In lieu of actual completion of the improvements listed in this chapter and if the City's estimates that the cost to complete the required improvement is ten thousand dollars or less, then the subdivider must file with the City a surety or cash bond, an escrow agreement, or letter of credit in an amount specified by the City Engineer or their designee to assure actual construction of such improvements within a two-year period or other time period as approved by the City.
- B. Ten (10) percent of the bond amount for public improvements such as curb, gutter, sidewalk, road surfacing, flood control and fire hydrants shall extend for a two-year period beyond the date the improvements are completed to guarantee replacement of defective public improvements. Ten percent of the bond amount for live plant materials in common areas shall extend for a one-year period beyond the date of planting to guarantee replacement of diseased or dead plants.
- C. The bond or agreement shall also secure all lot improvements on individual lots on the subdivision which are required in this Chapter.
- D. If the City Engineer or their designee determines that the required improvements should be completed in a specified sequence and/or in less than a two-year period in order to protect the health, safety and welfare of the City or its residents from traffic, flood, drainage or other hazards, it may require in approving the final subdivision plat that the improvements, including required landscaping be installed in a specified sequence and period which may be less than two years and shall incorporate such requirements in the bond.
- E. Inspections shall be made within the time period established by the City. If inspection shows that standards and specifications have been met in the completion of such improvements, the bond shall be released by City Engineer or their designee within seven days from the time of inspection and filing of the as-built plan, any corresponding GIS data (as required), and profile drawings. If the bonds are not released, refusal to release and the reasons therefor shall be given the subdivider in writing within seven days from the time of the inspection.

- F. Bonds filed pursuant to this section shall be processed and released in accordance with the procedures set forth in MKC Chapter 3.56, Public Works Bonds.

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