

Chapter 6

IMPROVEMENTS, RESERVATIONS AND DESIGN

12-6-1: GENERAL IMPROVEMENTS:

A. Conformance To Applicable Rules And Regulations: In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules and regulations:

1. All applicable statutory provisions;
2. The zoning ordinance, building and housing codes, and all other applicable laws of the city;
3. The general plan, official street map and capital facilities plan of the city, including all streets, drainage systems and parks shown on the official street map or general plan, as adopted;
4. The special requirements of these regulations and any rules of the health department and/or appropriate state agencies;
5. The rules of the state highway department if the subdivision or any lot contained therein abuts a state highway;
6. The public works standards and technical specifications of the city.

B. Monuments: The applicant shall place permanent reference monuments in the subdivision as required herein and as approved by the city engineer:

1. Monuments shall be located on street right of way centerlines, at street intersections, and at such other points as determined necessary by the city engineer.
2. All monuments shall be set in an approved ground box as specified in the public works standards for the city.
3. All monuments shall be properly set in the ground by the developer and approved by the city engineer prior to the time the city council grants conditional acceptance of the subdivision.

C. Character Of The Land: Land which the planning commission finds to be unsuitable for subdivision or development due to flooding, wetlands, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other such features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be laid out or platted or developed unless adequate methods are formulated by the developer and approved by the planning commission and city council, upon

recommendation of the city engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses as shall not involve such a danger.

D. Soil Conditions: Buildings or structures shall not be sited on soft or unsuitable soils, where there is a high water table, or a site subject to flooding as noted on the city's floodplain map, or on uncompacted fill in accordance with the city public works standards.

E. Subdivision Name: The proposed name of the subdivision shall not duplicate or too closely approximate phonetically the name of any other subdivision in Weber County. (1987 Code § 16.20.010)

12-6-2: LOT IMPROVEMENTS:

A. Lot Arrangement: The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the zoning ordinance and health regulations and in providing driveway access to building on such lots from an approved street.

B. Flag Lots: All flag lots shall be approved as a special provision to the zoning ordinance by the planning commission in accordance with the provisions the definition of "lot, flag" set forth in section [11-2-1](#) of this code.

C. Lot Dimensions: Lot dimensions shall comply with the minimum standards of the zoning ordinance. Where lots are more than double the minimum required area for the zoning district, the planning commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the zoning ordinance and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to surveying street lines) unless variation from this rule will give a better street to allow for erection of buildings, observing the minimum front yard and side setbacks from both streets. Depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off street parking and loading facilities required for the type of use and development contemplated, as established in the zoning ordinance; all property located within a subdivision shall be included within the boundaries of a road, lot or other improved area such that no parts or parcels of land therein remain unusable.

D. Double/Reversed Frontage Lots And Access To Lots:

1. Double Frontage Lots: Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from streets or to overcome specific disadvantages of topography and orientation.
2. Access From Arterial Streets: Lots should not, in general, derive access exclusively from an arterial street. Where driveway access from a primary or secondary arterial street may be necessary for several adjoining lots, the planning commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major streets.

E. R Lot:

1. All R lots shall be developed in accordance with [title 11, chapter 19](#) of this code.
2. All R lots shall be clearly identified on the recorded plat and on a recordable instrument in form acceptable to the city. The instrument shall be recorded in the office of the Weber County recorder at the time the final plat is recorded in order to provide notice to potential lot purchasers of the existence of limitations imposed upon R lot development.

F. Debris And Waste: No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish or other waste materials of any kind shall be buried on any land, or left or deposited on any lot or street at the time of conditional acceptance of the subdivision by the city council, and removal of the same shall be required prior to final acceptance by the city council.

G. Fencing: Each developer shall be required to furnish and install fences wherever the planning commission determines that a hazardous condition or incompatibilities in land use may exist on a lot. The fences shall be constructed according to the city public works standards and shall be noted as to height and material on the final construction plans. No certificate of occupancy shall be issued until said fence improvements have been duly installed.

H. Staking Of Lots: Permanent corner markers shall be placed at all rear lot corners to completely identify the lot boundaries on the ground. Front lot corners shall be identified with permanent reference plugs or nails in the concrete curb. All lot corner markers must be in place prior to the issuance of building permits and after the completion of all subdivision improvements. All lot corners shall be designated in accordance with state/county survey laws. (1987 Code § 16.20.020)

12-6-3: STREETS:

A. General Requirements:

1. Frontage On Improved Streets: No subdivision shall be approved unless the area to be laid out and platted shall have frontage on and access from an existing street on the official map or if there be no official map, unless the street is:

a. An existing state or county highway; or

b. A street shown upon a plat approved by the city council and recorded in the county recorder's office. Such street or highway must be suitably improved as required by the city public works standards or be secured by a performance bond or escrow required under these subdivision regulations, with the width and right of way required by these subdivision regulations or the official street plan.

Wherever the area to be laid out and platted is to utilize existing street frontage, such street shall be suitably improved as provided hereinabove.

2. Grading And Improvement Plan: Streets shall be graded and improved and conform to the city public works standards and shall be approved as to design and specifications by the city engineer, in accordance with the construction plans required to be submitted prior to final plat approval.

3. Topography And Arrangement:

a. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the public works standards of the city.

b. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights of way established on the official map and/or general plan. Such integration shall take topographical conditions into consideration. The street arrangements shall not cause unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it.

(1) Half streets proposed along a subdivision boundary or within any part of a subdivision shall not be permitted.

(2) Standard residential streets shall approach the arterial or collector streets at an angle of not less than eighty degrees (80°).

c. All streets shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers; to population densities; and to the pattern of existing and proposed land uses.

d. Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

e. Proposed streets shall be extended to the boundary lines of the subdivision. All streets required to be extended to the boundary lines of the subdivision shall be properly barricaded to the satisfaction of the city engineer.

f. In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, and the provision for alleys, truck loading and maneuvering areas, walks and parking areas so as to minimize conflict or movement between the various types of traffic, including pedestrian.

g. All streets in subdivisions in the city shall be dedicated to the city except that private streets may be approved under special circumstances as determined by the planning commission.

h. Arterial, collector and/or residential streets shall conform to the width designated on the master street plan whenever a subdivision falls in an area for which a master street plan has been adopted. For territory where such street plan has not been completed at the time the preliminary plat is submitted to the planning commission, arterial or collector streets shall be provided as required by the city public works standards.

i. Standard residential streets shall have a minimum width of sixty feet (60'). (1987 Code § 16.20.030)

j. Cul-de-sacs shall be not longer than six hundred feet (600'), measured from the center of the cul-de-sac bulb to the center of the intersection of the connecting street. Each cul-de-sac must be terminated by a permanent turnaround bulb that meets the city public works standards. If surface water drainage is into the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided. A cul-de-sac must not serve more than fifteen (15) residential units or lots, whichever is less, nor more than fifty thousand (50,000) square feet of commercial or industrial space. In a situation where a cul-de-sac is serving both residential and nonresidential uses, each dwelling unit shall reduce the maximum commercial or industrial space by two thousand (2,000) square feet. (Ord. 2000-16, 11-14-2000)

k. Utility and drainage easements shall be provided along lot lines of all subdivision lots and at such other locations as deemed necessary and as directed by the city. The easements shall have a minimum width of fourteen feet (14'), but may encumber adjoining lots by extending across adjoining lot lines. In some cases, larger size easements may be required as directed by the city. Proper coordination shall be established between the developer and the applicable utility company for the establishment of utility easements on adjoining properties.

l. All proposed streets, whether public or private, shall conform to the street cross section standards as recommended by the city engineer and adopted by the city council.

m. Streets shall be numbered unless the planning commission determines, based upon topography and other like considerations, that streets should be named.

4. Blocks:

a. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to major streets, waterways or topography concerns. (1987 Code § 16.20.030)

b. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed one thousand three hundred twenty feet (1,320') nor be less than four hundred feet (400') in length. Wherever practicable, blocks along major streets and collector streets shall be not less than six hundred sixty feet (660') in length. (Ord. 2008-13, 7-8-2008)

c. In long blocks, the planning commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities or pedestrian traffic.

Pedestrianways or crosswalks, not less than six feet (6') wide, may be required by the planning commission through the center of blocks more than eight hundred feet (800') long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the planning commission for prospective use.

5. Access To Major Streets: Where a subdivision borders on or contains an existing or proposed major street, the planning commission may require that access to such streets be limited by one of the following means:

a. The subdivision of lots so as to back on the street and front on a parallel local street; no access shall be provided from the street in the rear, and screening shall be provided in a strip of land no less than five feet (5') in width along the rear property line of such lots.

b. A marginal access or service road (separated from the street by a planting or grass strip and having access thereto at suitable points).

6. Street Regulatory Signs:

a. The applicant shall deposit with the city at the time of final subdivision approval a sum determined by the director of public works for each sign required by the city. The city shall install all street signs before issuance of certificates of occupancy for any residence on the streets approved.

b. Street name signs are to be placed at all intersections within or abutting the subdivision, the type and location of which to be approved by the public works director. (1987 Code § 16.20.030)

B. Design Standards:

1. General: In order to accommodate prospective traffic, streets should be of suitable location, width and improvement to afford satisfactory access to police, firefighting, snow removal, sanitation and street maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties. Design standards for streets shall be as outlined in the city public works standards for rights of way, travelled width, grade minimum, radius of curves and design speed. (1987 Code § 16.20.030; amd. 2006 Code)

2. Road Surfacing And Improvements: After pipes, lines and related facilities pertaining to sewer, water, gas, cable TV, electricity and like utility services, where required, have been installed by the developer, the applicant shall construct curbs and gutters and shall surface or cause to be surfaced roadways to the widths prescribed in these regulations. The surfacing shall be in accordance with the city public works standards. Adequate provision shall be made for culverts, drains and bridges. Driveway approaches shall not be installed at the time of placement of curb and gutter unless approval for a building permit has been issued by the city.

3. Intersections:

a. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than eighty degrees (80°) shall not be acceptable. An oblique street shall be curved approaching an intersection and should be approximately at right angles for at least one hundred feet (100') therefrom. Not more than two (2) streets shall intersect at any one point unless specifically approved by the planning commission.

b. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than one hundred fifty feet (150') shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection. Where streets intersect major streets, their alignment shall be continuous. Intersection of major streets shall be at least eight hundred feet (800') apart.

c. Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right of way to the extent deemed necessary to provide an adequate sight distance.

C. Street Dedications And Reservations:

1. New Perimeter Streets:

a. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half streets. Where an existing half street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the developer.

b. The city council, with or without recommendation by the planning commission, may authorize a new perimeter street where the developer improves and dedicates the entire required street right of way width within his own subdivision boundaries. At the discretion of the city council, after recommendation of the planning commission, and in accordance with all city ordinances, the developer may retain a protection strip of one foot (1') in width between the street and adjacent property. An agreement with the city, approved by the city attorney, shall be made by the developer contracting to dedicate the one foot (1') protection strip free of charge to the city for street purposes upon payment by the present owners of the contiguous property to the developer of a consideration named in the agreement. Such consideration is to be equal to the cost, at the time of the agreement, of the street improvements, including utility lines properly chargeable to the contiguous property, plus the value of the land from the right of way line to the centerline of the street at the time of the agreement, together with interest computed at the then statutory rate. Interest shall accrue only from the time of agreement until the time of subdivision of such contiguous property or ten (10) years from the date of the agreement, whichever is less. All charges to be associated with the protection strip, as well as the interest rate, shall be recorded as part of the aforementioned agreement. All property owned by the developer shall be included on both preliminary and final plat.

c. Where the developer is required to improve the full width of an existing city owned right of way on the perimeter of his subdivision, the city council may enter into a similar agreement as outlined above. In this agreement, the developer will not own a one foot (1') protection strip and the consideration named in the agreement will not include the value of the land or any utilities installed in the right of way prior to the agreement. However, the agreement will stipulate that before approval is given to the development on the adjacent property abutting the street, the adjacent property owners will reimburse the aforementioned developer as outlined in the agreement.

2. Widening And Realignment Of Existing Streets: Where a subdivision borders an existing narrow street or when the general plan, official map or zoning setback regulations indicate plans for the realignment or widening of a street that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate, at his expense, such areas for widening or realignment of such streets. Such frontage streets shall be improved and dedicated by the applicant at his own expense to the full width as required by these subdivision regulations. Land reserved for any street purposes may not be counted in satisfying yard or area requirements of the zoning ordinance whether the land is to be dedicated to the municipality in fee simple or an easement is granted to the city. (1987 Code § 16.20.030)

D. Single Access Development: Single access developments are permitted under the following circumstances and with the following conditions:

1. No single-family residentially zoned lot nor multi-family unit shall be more than one thousand six hundred feet (1,600') from a through street.

2. No more than sixty (60) single-family residentially zoned lots or sixty (60) dwelling units, whichever is less, or one hundred thousand (100,000) square feet of commercial or industrial space, whichever is less, shall be located in a single access development.
3. A single access development must adjoin vacant or agricultural properties capable of being developed for future through streets that will make the single access development comply with the cul-de-sac and through street standards of the city upon development of the adjoining property.
4. There shall be stubbed streets at intervals of at least every six hundred feet (600') to the adjoining properties to assure better circulation with future developments.
5. The topography and character of the adjoining land must be such that a through street connection can be made upon development.
6. A temporary turnaround, with one foot (1') nonvehicular access easement around the portion not connecting to a publicly dedicated and accepted street, shall be located at the end of each stubbed street.
7. The temporary turnaround areas shall be all weather surfaced and constructed in accordance with standards required by the city engineer.
8. No parking or storage shall be permitted in temporary turnaround areas.
9. All streets must at least meet the city public works standards. (Ord. 2000-16, 11-14-2000)

12-6-4: DRAINAGE AND STORM SEWERS¹:

A. General Requirements: The planning commission shall not recommend for approval any plat of subdivision which does not make adequate provision for storm or floodwater runoff channels or basins. The city engineer shall make the determination of adequate provision. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm drainage point of discharge from channel or conduit shall be protected from erosion by suitable structure or lining. Storm sewers, where required, shall be protected from erosion by suitable structure or lining, with the design and method approved by the city engineer. A copy of design computations shall be submitted along with the construction plans. All locations and sizes of storm sewer lines and basins shall be in conformance with the city storm sewer master plan. The developer shall deed to the city those areas designated as detention basins and drainage channels, giving the city the ability to control and maintain said areas. For basins that are of a single building lot size and considered as temporary in nature, the city would grant to the developer a reversionary clause on ownership when use is terminated.

B. Nature Of Storm Water Facilities:

1. Location: The applicant may be required by the planning commission to carry away by pipe or open ditch any spring or surface water that may exist either previous to, or as a result of, the subdivision. Such drainage facilities shall be located in the road right of way where feasible or in perpetual unobstructed easements of appropriate width and shall be constructed in accordance with the city public works standards.

2. Accessibility To Public Storm Sewers: Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the city public works standards. However, in commercial zones, underground storm sewer systems shall be constructed throughout and be conducted to an approved outfall. Inspection of facilities shall be conducted by the city engineer and public works director.

3. Accommodation Of Upstream Drainage Areas: A storm sewer line or other drainage facilities shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area whether inside or outside the subdivision. The city engineer shall determine the necessary size of the facility based on the provisions of the city public works standards and city sewer general plan, assuming conditions of maximum potential watershed development permitted by the city comprehensive plan.

4. Effect On Downstream Drainage Areas: The city engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. The city storm sewer general plan, together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the city council may withhold approval of the subdivision until provision has been made for the improvement of the potential condition in a manner the city council shall determine. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

5. Detention Basins: Large multiple use detention basins serving multiple neighborhoods will be located in the city as designated on the city storm sewer general plan map, size of storm capacity to be determined by the city engineer. Single lot detention basins located in individual subdivisions shall not be encouraged. Should on site water detention be desired or necessary for the feasibility of the subdivision, the detention basin must:

- a. Serve as a multiple use area such as an open area for park activities;
- b. Be adequately landscaped with grass and shrubs. Such landscaping shall also include a means to keep it irrigated;
- c. Be designed to hold water only during a storm and shortly thereafter. At all other times, it must remain dry.

6. Temporary Detention Basins: Temporary detention basins may be authorized by the city council in which the above requirements for individual basins may be relaxed.

C. Floodplain Areas: The city council may, when it deems it necessary for the health, safety or welfare of the present and future population of the area and necessary to the conservation of water, drainage and sanitary facilities, prohibit the subdivision of any portion of the property which lies within the floodplain of any stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material or stumps, except at the discretion of the planning commission.

D. Dedication Of Drainage Easements:

1. General Requirements: Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right of way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose.

2. Drainage Easements:

a. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights of way, perpetual unobstructed easements at least fifteen feet (15') in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

b. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.

c. The applicant shall dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses, to a distance to be determined by the planning commission. Said easements shall be deemed rights of way for lawful municipal purposes. (1987 Code § 16.20.040)

12-6-5: SUBSURFACE DRAINAGE:

The applicant is required to provide the design and installation of a subsurface drainage system which meets the city public works standards when determined to be necessary by the city engineer. (1987 Code § 16.20.050)

12-6-6: WATER FACILITIES²:

A. General Requirements:

1. The owner/developer of any land proposed to be developed as a subdivision shall at his expense be required to comply with all regulations of the current city water service development policy in providing domestic water use and fire protection.
2. Where a public water main is accessible, the developer shall install adequate water facilities, including fire hydrants. All water mains shall be at least six inches (6") in diameter, except as otherwise permitted by the city public works standards. All water lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed streets. Main valves shall be installed at all intersections and other locations as required by the city engineer.
3. Water main extensions shall be approved by the city engineer.
4. All proposed water improvements shall comply with the city master water plan.

B. Fire Hydrants: Fire hydrants shall be required for all subdivisions. Fire hydrants shall be located no more than five hundred feet (500') apart and within two hundred fifty feet (250') of any structure and shall be approved by the North View fire department. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements, shall be installed before any final paving of a street shown on the subdivision plat.

C. Closure Of Wells: When an existing well lies on the property being developed, the owner/developer shall, in coordination with and pursuant to applicable regulations of the state water engineer, seal the well and cause the water rights to be transferred to state ownership. All costs associated therewith shall be borne by the owner/developer and included in the cost estimate for improvements. (1987 Code § 16.20.060)

12-6-7: SECONDARY WATER SYSTEM³:

The applicant is required to provide secondary water as a condition of approval, provided the design of the system meets with the approval of the city engineer and the engineer for the secondary water district. (1987 Code § 16.20.070)

12-6-8: SEWERAGE FACILITIES⁴:

A. General Requirements: The applicant shall install sanitary sewer facilities in a manner prescribed by the city public works standards. Sanitary sewerage facilities shall connect with public sanitary sewerage systems. Sewers shall be installed to serve each lot and to grades and sizes required by the city public works standards. No individual disposal system or treatment plants (private or group disposal systems) shall be permitted. All sewer lines must be extended across the entire frontage of all existing streets and to the boundary of the subdivision on all existing or proposed city streets unless determined otherwise by the city engineer.

B. Televiewing Lines: Prior to approval and acceptance by the city, developer shall inspect all sanitary sewer pipe lines by means of remote televiewing equipment and shall record the entire televiewing inspection on video tape or other acceptable reproduction means for review by city officials. (1987 Code § 16.20.080)

12-6-9: SIDEWALKS:

Sidewalks shall be included within the dedicated right of way of all streets as shown in the public works standards or as required by the planning commission in consultation with the city engineer. (1987 Code § 16.20.090)

12-6-10: UTILITIES:

A. Location: The applicant is required to provide for the installation of all utility facilities, including, but not limited to, gas, electric power, telephone and CATV cables, which shall be located underground through the subdivision. Wherever existing utility facilities are located aboveground, except where existing on public roads and rights of way, developer shall cause facilities to be removed and placed underground upon request by the city. Underground service connections to the street property line of each platted lot shall be installed at the developer's expense. Buried electrical transformers shall be located as to avoid all drainage channels or flooding due to final grade.

B. Sharing Of Trenches: All public utilities and cable television operators shall cooperate in good faith in an effort to share the use of underground trenches with all other public utilities and cable television operators in accordance with the city public works standards and subject to the full review and approval of the city engineer.

C. Notice To Utility Operators Of Open Trenches: The developer shall be responsible to provide reasonable notice of at least thirty (30) days to public utilities and cable television operators of the

approximate date on which open trenching will be available for the installation of the pipes, conduits, cables, wires and like means of transmitting the applicable services of public utilities and cable television. (1987 Code § 16.20.100)

12-6-11: PUBLIC USES:

A. Recreation:

1. Recreation Sites: Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, or for other recreation purposes, and shall be relatively level and dry; and shall be improved by the developer to the standards required by the city council, which improvements shall be included in the performance bond or escrow. The planning commission may refer any subdivision proposed to contain a dedicated park to the shade tree committee for a recommendation. All land to be reserved for dedication to the city for park purposes shall have prior approval of the city council and shall be shown marked on the plat "reserved for park and/or recreation purposes".

2. Other Recreation Reservations: The provisions of this section are minimum standards. None of the subsections above shall be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

B. Other Public Uses:

1. Plat To Provide For Public Uses: Except when an applicant utilizes planned unit development or density zoning in which land is set aside by the developer as required by the provisions of the zoning ordinance, whenever the subdivision includes a school, recreation use or other public use as indicated on the general plan or any portion thereof, such space shall be suitably incorporated by the applicant into his preliminary plan. After proper determination of its necessity by the planning commission and the appropriate city officials or other public agency involved in the acquisition and use of each such site and a determination has been made to acquire the site by the public agency, the site shall be suitably incorporated by the applicant into the final plats.

2. Referral To Public Body: The planning commission shall refer the plat to the public body concerned with acquisition for its consideration and report. The planning commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply. The agency's recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.

3. Notice Of Property Owner: Upon receipt of an affirmative report, the planning commission shall notify the property owner and shall designate on the preliminary and final plats that area proposed to be acquired by the public body.

4. Duration Of Land Reservation: The acquisition of land reserved by a public agency on the final plat shall be initiated within twelve (12) months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a plat of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twelve (12) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations. (1987 Code § 16.20.110)

12-6-12: IRRIGATION WATER:

A. No open irrigation ditches shall be permitted within the boundary of a subdivision. All necessary irrigation ditches, whether used for the purpose of transporting irrigation or waste flow water that must be maintained within a subdivision shall be replaced with a pipe culvert. This pipe culvert shall be at least fifteen inch (15") diameter concrete pipe and be satisfactory to the irrigation company. The developer of a subdivision must provide for maintaining the existing rights of all irrigation users, both upstream and downstream of the proposed development.

B. A solid board, chainlink or other nonclimbable fence not less than six feet (6') in height shall be installed along the right of way containing a piped or existing open canal or irrigation ditch adjacent to the subdivision which carries five feet (5') or more of water. Like fencing shall be constructed where the subdivision borders upon open reservoirs, drainage channels, nonaccess streets and adjoining schools, churches and park sites, except where the city council determines that the areas shall remain open and unfenced. All such fences shall be maintained and kept in good repair by the owner of property contiguous to or upon which the fence is erected. (1987 Code § 16.20.120)

12-6-13: PRESERVATION OF NATURAL FEATURES AND AMENITIES:

A. General: Existing features which would add value to a residential development or to the city as a whole, such as trees, historic spots and similar irreplaceable assets, are encouraged to be preserved in the design of the subdivision. Such existing features shall not be removed from any subdivision nor any change of grade of the land affected until approval of the preliminary plan has been granted.

B. Water Rights: All water or water rights used upon, appurtenant to or running with any land located within a proposed subdivision shall be offered to the city for purchase at the market value existing at the time the preliminary plan is submitted for approval. (1987 Code § 16.20.130)

12-6-14: NONRESIDENTIAL SUBDIVISION:

. General:

1. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall make such provisions as the planning commission may require.

2. A nonresidential subdivision shall also be subject to all the requirements of site plan approval set forth in the zoning ordinance. Site plan approval and nonresidential subdivision plat approval may proceed simultaneously at the discretion of the planning commission. A nonresidential subdivision shall be subject to all the requirements of these regulations, as well as such additional standards required by the planning commission, and shall conform to the proposed land use and standards established in the general plan, official map and zoning ordinance.

B. Standards: In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the commission that the street, parcel and block pattern proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated;

2. Street right of way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon;

3. Special requirements may be imposed by the city with respect to street, curb, gutter and sidewalk design and construction;

4. Special requirements may be imposed by the city with respect to the installation of public utilities, including, but not limited to, water, sewer and storm water drainage;

5. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing upon existing or potential residential development and provisions for a fence or other barrier, or a permanently landscaped buffer strip, when necessary;

6. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas. (1987 Code § 16.20.140)

12-6-15: STREETLIGHTS:

The developer shall, at its own cost and expense, erect and install all streetlights, poles, cables, wires,

pedestals and other street lighting facilities and equipment as required and prescribed by the city public works standards in such locations and in such manner as approved by the city engineer. (1987 Code § 16.20.150)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1:](#) See also [title 10, chapter 8](#), including articles A through D, of this code.

[Footnote 2:](#) See also [title 9, chapter 1](#) of this code.

[Footnote 3:](#) See also [title 9, chapter 2](#) of this code.

[Footnote 4:](#) See also [title 9, chapter 3](#) of this code.

