

**CHAPTER 11***(Amended 10/09/18)***DEVELOPMENT APPLICATION REQUIREMENTS**

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**Section 11.010. Concept Plan - Applicability.***(Amended 08/13/02)*

A. To promote efficiency in the approval process, to create an opportunity for an understanding of the applicable public policies, to promote an understanding of the development issues and development approval process, and to allow applicants to present their initial development proposals, the applicant may present, and the City may require the applicant to provide a concept plan.

B. The concept plan gives the applicant, staff, Planning Commission and City Council an opportunity to discuss the project in the conceptual stage. The applicant can use the concept plan meetings to receive direction on project layout as well as discuss the procedure for approval, the specifications and requirements that may be required for the layout of streets, drainage, water, sewerage, fire protection, and similar matters prior to the preparation of a more detailed preliminary subdivision plat.

**Section 11.020. Concept Plan Approval Process.** *(New 08/13/02; Amended 02/10/15)*

The approval process for a concept plan varies depending upon the type of project, as per the following:

A. PRDs, PUDs, Planned Communities, TODs, and other processes requiring a Concept Plan. Following review of a concept plan by the Reviewing Departments, the Planning Commission may recommend approval, approval with conditions, or denial of the concept plan. The City Council, following review of the concept plan and the Planning Commission's recommendations may approve, amend and approve, approve with conditions, remand the application back to the Planning Commission for further discussion, or deny approval of the concept plan.

B. Site Plans, Subdivisions without PRD or PUD overlay, and other processes that do not require a Concept Plan. Although these processes do not require a concept plan, the approval process follow the approval process that is required by subsequent project approvals. The Reviewing Departments, Planning Commission and City Council may advise the applicant of specific changes or additions, if any, they will require as a prerequisite to subsequent project approvals.

**Section 11.030. Consideration and Effect of**

**Concept Plan.** *(Amended 08/13/02; 02/10/15)*

A. Approval of a concept plan indicates the general trend of a development and may be used as a guide for preparing the preliminary plat or site plan. The subsequent submittals may refine and/or alter the concept plan based on changed circumstances, hearing input, compliance with City, State, or other codes, infrastructure requirements, technical data, and interactions with adjacent properties and roads. Substantial deviations from the approved concept plan may require a new concept review by the Reviewing Departments, Planning Commission and City Council.

B. The concept plan is an informal discussion document designed to allow the identification of City policies, development issues, application procedures, development standards, requirements of this Code, and other items that may be considered in the review and approval processes of the City once a formal development application is received. The concept plan shall not constitute a development permit.

**Section 11.040. Concept Plan Requirements.***(Amended 08/13/02)*

To promote the identification of all items necessary for consideration by the applicant, the following submission requirements are identified:

- A. overall layout and locations of uses including potential civic and religious uses;
- B. proposed density and intensity of uses and a description of amenities if a density bonus is proposed;
- C. proposed site-planning standards including architecture and materials of buildings;
- D. park areas, open space areas, trails, and other community amenities;
- E. proposed landscaping, buffering, and transitioning treatments;
- F. location of critical lands;
- G. any other item deemed necessary to evaluate the merits of the proposed development by the Planning Division, Planning Commission, and City Council.

**Section 11.050. Single Lot Building Permits Outside a Recorded Subdivision.***(Amended 02/13/01)*

A. An application for a single lot development outside a recorded subdivision is exempt from the regular subdivision review and approval process but must, as a minimum, meet the requirements of Table 12.230 and the following requirements prior to the issuance of a building permit:

1. The development shall comply with the development requirements of the zoning district in which the property is located.
2. The developer shall provide to the City a copy of the deed conveying the property to the current owner.
3. The developer shall post a 110% cash bond for the estimated cost, as determined by the City Engineer, of all public and private improvements as required herein. Interim draws for payment of improvements may be arranged.

B. The City's Chief Building Official shall be the designated review and approval authority for all matters concerning single lot development. Upon request of the owner, the City Council may modify the public improvement requirements of Table 12.230 in cases where such requirements present exceptionally difficult design problems or where such improvements are not in the best interest of the City.

**Section 11.060. Two-Lot Subdivision with an Existing Home.***(Amended 5/22/01; 04/09/02; 08/13/02; 11/18/03; 03/27/07; 04/27/10; 07/10/12)*

A. Two-Lot Subdivision Criteria. For the purposes of this section, a two-lot subdivision is defined as a subdivision which includes an existing home at least five years old, and where both lots can meet the criteria outlined under the "Urban Lot Less Than One Acre" category of Table 12.230 and are in compliance with all other development requirements and standards with the following exceptions:

1. The lot with an existing home shall be exempt from the curb and sidewalk improvements. However, this exemption does not apply to a two-lot subdivision with a flag lot.
2. Both lots shall be exempt from the Right to Farm mitigation requirements specified in Section 18.020 of this Code, including the agricultural no climb fence.
3. In determining whether connection to the City sewer and water systems is required, the ad-

ditional 150 feet sewer in Note 1 and the additional 250 feet water in note 3 of Table 12.230 shall not apply for the lot with an existing home.

B. General Requirements. The subdivision plat shall be prepared by a land surveyor licensed to practice in the State of Utah. All engineering and surveying documents submitted for City review shall bear the seal of the professional engineer and professional land surveyor in accordance with UCA85-22-602. The plat shall be of such size and material as is acceptable for filing in the office of the Utah County Recorder, but shall not be less than 24 x 36 inches. The applicant shall submit one electronic copy in PDF format of the proposed final plat and any necessary construction drawings. Following Planning Commission approval of the subdivision, a reproducible Mylar copy of the final plat shall also be provided for recording which has been endorsed by each person having a security interest in the subdivision.

C. Features to be Shown on the Final Plat. The final plat shall show, at a minimum, the following information. The applicant may be required to provide other information required by the Reviewing Departments, Planning Commission or Chief Building Official necessary to evaluate the merits of the proposed plat:

1. a title block which contains the following:
  - (a) name of the subdivision;
  - (b) type of development, whether residential, commercial, or mixed use;
  - (c) surveyor's certificate that has been signed and dated, showing the name and registration number of the surveyor responsible for making the survey;
  - (d) a legal description of the subdivision boundaries that includes the quarter-quarter section, section, township, range, principal median and the County of its location;
  - (e) the owner's dedication that includes the dedication of all public ways or spaces, signed by every person having a security interest in the subdivision property, dated, and notarized;
  - (f) signature blocks for the dated signatures of the Chief Building Official, City Engineer, and Notary Public's acknowledgment.
2. north point and scale;
3. a vicinity map;
4. the exterior boundaries of the platted areas, giving lengths and bearings of the boundary

lines;

5. location of existing and proposed easements, including any required easements for water, sewer, drainage, or irrigation, and a ten-foot public utility easement shown along front lot lines and any rear lot lines adjacent to a public right-of-way or as otherwise required by the City in order to accommodate necessary public utilities;

6. indication of lot areas in square feet;

7. lot addresses for the new lot as obtained from the Lehi City Planning Division and the existing home;

8. Location, names, and zoning of adjacent properties and property owners and platted subdivisions;

9. an indication of the zoning on the property being subdivided;

10. location of the existing home and any other buildings within the proposed subdivision that are to remain;

11. all existing and proposed monuments including property corners, and other points established in the field;

12. a notation of the distance, shown as a dimension and note on the plat, from the centerline of each existing road right-of-way or the centerline of existing asphalt to the new property line of the subdivision; and

13. if the proposed subdivision is adjacent to or in close proximity to an existing agricultural area or activity, the following note regarding the Right to Farm shall be added to the Plat:

*"This area is subject to the normal, everyday sounds, odors, sights, equipment, facilities, and any other aspects associated with agricultural lifestyle. Future residents should also recognize the risk inherent with livestock."*

D. Construction Drawings. Construction plan and profile drawings of all required public improvements consistent with Lehi City Design Standards and Public Improvement Specifications shall be provided with the subdivision plat. Construction drawings shall bear the seal of the professional engineer and professional land surveyor in accordance with Utah Code Ann. §58-22-602. Construction drawings shall include:

1. plan and profile of the curb and sidewalk with the street width, name, and cross-section;
2. plan and profile of sewer line extensions with manholes, line sizes and beginning elevation tied to U.S.G.S. benchmark;
3. plan and profile plans for surface water, storm water, irrigation water and ground water culverts, and drainage channels with pipe sizes, and types;
4. location of fire hydrants, valves, and blowoffs; and
5. location of existing and proposed water and sewer service laterals.

E. Additional Required Information. In addition to the information required on the preliminary and final plats, the applicant shall provide the following:

1. a copy of the deed conveying property to current owner;
2. drainage system calculations and an explanatory narrative stamped and signed by a licensed engineer;
3. for detention and retention areas, calculations to justify sizing based on a 100-year design storm; and
4. a written statement from the appropriate agency, which may include irrigation companies and private land owners, regarding the effect of the proposed subdivision on any irrigation channels or ditches and any piping or other mitigation required.

F. Approval Process. The review and approval process for a two-lot subdivision with an existing home is identified in the appendix of this Code, including review by the Reviewing Departments and approval by the Planning Commission. A preliminary plat is not required, and the Chief Building Official is designated as the land use authority, on behalf of the City Council, to approve and sign the final plat.

G. Approvals and Guarantees. A two-lot subdivision shall be subject to the other provisions of Final Subdivision Plat approval and subdivision construction as contained in Sections 11-140 through 11-180, including the posting of a bond for the estimated cost, as determined by the Chief Building Official, of all

public improvements as required.

**Section 11.070. Application Requirements for Preliminary Subdivision Plats** *(Amended 5/22/01; 04/27/10; 07/10/12; 02/10/15; 08/09/16)*

The following information is required for all preliminary subdivision plats, in addition to other information as may be required by the Reviewing Departments, Commission, or City Council necessary to evaluate the merits of the proposed subdivision plat:

A. General Requirements. The preliminary plat shall be prepared by a licensed engineer or land surveyor licensed to practice in the State of Utah. All engineering and surveying documents submitted for City review shall bear the seal of the professional engineer and professional land surveyor in accordance with Utah Code Ann. §58-22-602. The sheets shall be numbered in sequence if more than one sheet is used, and shall be of such size as is acceptable for filing in the office of the Utah County Recorder, but shall not be less than 36 x 24 inches. The applicant shall submit one electronic copy in PDF format. The City may request additional copies if required.

B. Features to be shown on Preliminary Plat. The preliminary plat shall contain at a minimum the following information:

1. a title block showing:
  - (a) name of the subdivision;
  - (b) type of development;
  - (c) name and address of owner of record, developer, and designer;
  - (d) name and address of engineer or land surveyor;
  - (e) date of preparation; and
  - (f) tabulation of acres, lots, open space, and units per acre;
2. proposed subdivision boundary lines, existing property lines, and adjacent existing property lines.
3. graphic and written scale at no more than one inch equals 100 feet or as recommended by City Engineer;
4. north arrow;
5. vicinity map at a scale of one inch equals 1,000 feet;
6. topographic contour intervals of no greater than two feet.

7. surveyed boundary of the development, accurate in scale, dimension, and bearing including:
  - (a) Location and names of adjacent properties/property owners and platted subdivisions.
8. location of zoning boundary lines within and adjacent to the proposed subdivision;
9. location, height, and type of existing fence lines within and contiguous to the subdivision;
10. location and dimensions of all existing buildings within the proposed subdivision. Indicate which buildings are to remain and which are to be removed;
11. location of all proposed lots including:
  - (a) lot dimensions;
  - (b) lot frontage;
  - (c) lot area in square feet; and
  - (d) building setback lines also known as building envelopes;
12. lots consecutively numbered or lettered in alphabetical order;
13. location of existing features within and contiguous to the proposed subdivision including:
  - (a) existing public utility easements;
  - (b) existing major utilities
  - (c) irrigation ditches;
  - (d) drain pipes;
  - (e) drainage channels;
  - (f) culverts;
  - (g) railroads;
  - (h) bridges;
  - (i) power lines;
  - (j) water bodies;
  - (k) springs or water sources within or adjacent to the property;
  - (l) existing wells. Show and label whether the well is to remain or be abandoned; and
  - (m) equestrian, pedestrian, and bicycle trails;
14. location and dimensions of any common space or open space areas including property to be set aside for parks, playgrounds, trails, or other public or private uses, with a designation of the purpose of those areas, and conditions, if any, of the dedication or reservation. Add labels identifying if each area is to be public or private;
15. location and width of all existing and proposed roads, rights-of-way, alleys, and other public ways, with all main roads complying with the Lehi City Master Transportation Plan;
16. cross-sections of all existing and proposed roads;
17. proposed names of all new roads;
18. location of all existing and proposed curb, gutter, and sidewalk within the subdivision including:
  - (a) an indication of the roadway grades, retaining wall locations, and steep cuts and fills, and areas where roadway grades are expected to exceed 6% or be less than 1%; and
  - (b) flow arrows showing direction of storm water surface flows;
19. location of any necessary temporary turnaround easements for emergency access on dead end roads;
20. if adjacent to a state road, specify UDOT access size and location, noting UDOT approval will be required at final plat;
21. location and size of existing and proposed culinary and pressure irrigation water lines, including existing lines adjacent to or affected by the proposed subdivision;
22. location of existing and proposed sewer mains, including existing lines adjacent to or affected by the proposed subdivision;
23. existing and proposed storm drainage improvements including:
  - (a) major drainage facilities, outfalls, and discharge; and
  - (b) drainage pipe locations;
24. location of detention/retention basins with an indication that the basin will include the following:
  - (a) minimum one-foot freeboard;
  - (b) 3:1 slopes or flatter;
  - (c) grass covering and underground sprinkler system;
  - (d) designation of the purpose and conditions, if any, of the dedication or reservation;
25. location, and size, of any required piping for irrigation ditches as per the irrigation company letter;

26. identification of natural features or sensitive lands including, but not limited to:
- (a) wetlands;
  - (b) floodplains, floodways and areas, which would be covered in water in a 100-year storm event;
  - (c) areas where ground water rises periodically to within two feet of the surface of the ground;
  - (d) slopes exceeding 30 percent;
  - (e) vegetation areas including name and size of all existing trees and shrubs which could be incorporated into the subdivision; and
  - (f) threatened or endangered species habitat areas;
27. the proposed treatment of the perimeter of the development, including materials and techniques used, which may be required to comply with Chapter 18, Right to Farm, such as:
- (a) fences;
  - (b) berms; and
  - (c) walls;
28. a circulation plan including:
- (a) the proposed road, sidewalks, and trails layout;
  - (b) required and proposed street connectivity index;
  - (c) block and cul-de-sac lengths; and
  - (d) proposed traffic calming features; and
29. a note on the preliminary plat which states that the following items will be reviewed at the time of Final Plat review:
- (a) plan and profiles and construction drawings of public improvements;
  - (b) all pipe types, specific locations, and details including bends and detector tape;
  - (c) valves;
  - (d) blowoffs, including size type & protection;
  - (e) manholes, boxes, and related details;
  - (f) water and sewer service details;
  - (g) fire hydrants;
  - (h) lot line utility easements;
  - (i) street lights, street signs, and traffic signs; and
  - (j) power line extensions and dome or transformer locations.
- C. Additional Information Required. In addition to the Preliminary Plat, the applicant shall provide:
1. a copy of the surveyor's plat showing existing fence lines, existing deed lines, existing road rights-of-way and their widths, and proposed subdivision boundary lines;
  2. a development phasing schedule if applicable, including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of public improvements, recreation, and common open space areas;
  3. an explanation of any proposed restrictive covenants, reservations, or private easements;
  4. if the subdivision is proposed as a PRD or PUD, an application for PRD or PUD providing detailed information regarding proposed features including building elevations, materials, and amenities;
  5. a Right to Farm Analysis for all subdivisions adjacent to or in close proximity to an existing agricultural area or activity, an agricultural or irrigation right-of-way or easement, or an agricultural open space or agricultural preservation area, in accordance with Chapter 18 of the Lehi City Development Code;
  6. drainage system calculations and an explanatory narrative stamped and signed by a licensed engineer, and for detention and retention basins, calculations to justify sizing based on a 100-year design storm;
  7. a written statement from the appropriate agency such as irrigation companies or private landowners, accepting responsibility for all surface and subsurface drainage that is directed into channels owned by the agency;
  8. a written statement from the appropriate agency such as irrigation companies and private land owners, regarding the effect of the proposed subdivision on any irrigation channels or ditches, and any piping or other mitigation required;
  9. three copies of the geotechnical report with California bearing ratio (CBR) test results;
  10. letters of intent for any necessary offsite utility easements across privately owned land;
  11. a letter from the Army Corp of Engineers regarding any wetland areas within boundaries of the proposed plat;

12. a landscaping plan for all park, open space, and common ownership areas including:
  - (a) location, name, and size of all proposed trees, shrubs, and plants;
  - (b) an indication of proposed seed mix for grass areas; and
  - (c) an indication of proposed irrigation facilities; and
  
13. stamped, addressed envelopes of all owners of real property within 300 feet of the parcel of land proposed for development, in accordance with Section 03.100.

**Section 11.080. Preliminary Plat Approval Process.** *(Amended 05/22/01; 07/10/12)*

The review and approval process for a preliminary subdivision plat is identified in the appendix of this Code, including review by the Reviewing Departments, review and recommendation following a public hearing by the Planning Commission, and review and approval by the City Council.

**Section 11.090. Lack of Preliminary Subdivision Application Information.** *(Amended 08/13/02)*

The lack of information under any item specified in Section 11.060, or improper information supplied by the applicant, may be cause to find the application incomplete or for disapproval of a preliminary subdivision plat application.

**Section 11.100. Effect of Preliminary Subdivision Plat Approval.**

A preliminary subdivision plat shall not authorize the development of land. After a preliminary subdivision plat has been approved by the City Council, the applicant may file an application for final subdivision plat approval.

**Section 11.110. Effective Period of Preliminary Plat Approval.** *(Amended 07/28/09; 07/10/12)*

The approval of a preliminary plat shall be effective for two years from the date the preliminary plat is approved by the City Council, by the end of which time the applicant must have submitted a final subdivision plat for approval for the entire preliminary plat, or portion thereof. If a final subdivision plat is not submitted for approval within the two-year period, or as extended by the City Council according to the provisions of Section 10.120, the preliminary plat approval shall be void and the applicant shall be required to submit a new preliminary plat for review and approval subject to the then existing provisions of this Code and the General Plan.

**Section 11.120. Application Requirements for Final Subdivision Plat.** *(Amended 04/09/02; 05/22/01; 02/10/15; 02/27/18; 06/23/20)*

The following information is required for all final subdivision plats, in addition to any other information required by the Reviewing Departments, Commission or City Council to evaluate the merits of the proposed subdivision:

A. General Requirements. The final plat shall be prepared by a land surveyor licensed to practice in the State of Utah and shall be presented in India ink on reproducible Mylar. The final plat shall comply with the approved preliminary plat, including any changes or additions as required by the City Council.

B. Features to be shown on the Final Plat. The final plat shall contain at a minimum the following information:

1. a title block which contains:
  - (a) the name of the subdivision;
  - (b) type of development;
  - (c) a surveyor's certificate that has been signed and dated, showing the name and registration number of the surveyor responsible for making the survey;
  - (d) a legal description of the subdivision boundaries including the quarter-quarter section, section, township, range, principal meridian and the County of its location;
  - (e) the owner's dedication of all public ways or spaces, signed by every person having a security interest in the subdivision property, dated, and notarized, including a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording; and
  - (f) signature blocks for the dated signatures of the Mayor, City Recorder, Planning Commission Chair, City Engineer, and the Notary Public's acknowledgment;
  
2. written and graphic scale, not smaller than 1" to 100' or as recommended by the City Engineer;
  
3. the basis of bearings used and a north point;
  
4. a vicinity map locating the subdivision within the section, identifying adjoining or nearby plats or certificates of survey, and showing prominent landmarks;

5. a notation of any adjoining plats or certificates of survey and titles thereto;
6. the exterior boundaries of the platted area, giving lengths and bearings of the boundary lines, and if the subdivision is bounded by a water body or watercourse, a closing meander traverse of that boundary;
7. where curving boundaries are used, sufficient data to establish the boundary on angle, and arc length, showing proper closures in all boundaries of the subdivision, and no final plat will be approved that shows a plus or minus distance for closure;
8. location of existing easements or rights-of-way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the County's records;
9. location of proposed easements including any required easements for water, sewer, drainage or irrigation, temporary turnaround easements and a ten-foot public utility easement shown along front lot lines and any rear or side lot lines adjacent to a public right-of-way, or as otherwise required by the City to accommodate necessary public utilities; A fifteen foot public utility easement shall be required on both sides of a private roadway, alley, or access way where there is not a planter strip. Adequate building setback distance to accommodate code mandated clearances to various utilities is required. The public utility easement shall be free and clear of permanent structures including but not limited to: building footings, foundation walls, window wells, retaining walls, retention and detention facilities, geotextile reinforcing, and tie-backs.
10. all lots, blocks, and rights-of-way, including open space, created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, including for curved boundaries, the curve radius, central angle, and length of arc;
11. an indication of lot areas in square feet;
12. lots consecutively numbered or lettered in alphabetical order;
13. proposed addresses shown on each lot, with corner lots showing two addresses, as obtained from the Lehi City Planning Division;
14. all proposed new streets named or numbered in accordance with the street naming and numbering system of the City;
15. location and names of adjacent properties and property owners and platted subdivisions;
16. location of zoning boundary lines within and adjacent to the proposed subdivision;
17. location of all existing homes or buildings within the proposed subdivision that are to remain;
18. all existing monuments found during the course of the survey, including a physical description such as "brass cap";
19. all monuments erected or to be erected, including corners and other points established in the field, with the monuments made of brass and the legend indicating the diameter, length, and weight of the monuments, and all exterior boundary angle points of the subdivision and lot corners marked in accordance with the Lehi City Design Standards and Public Improvements Specifications including brass pins in the back of curb for all front property lines;
20. location, type, and height of any new fencing, berming, or other buffering to be installed as part of the development, including any fencing required to comply with Chapter 18, Right to Farm indicating new fencing on the Final Plat and new and existing fencing on the construction drawings;
21. a notation of the distance from the asphalt centerline of each existing road to the new property line of the subdivision;
22. a detail diagram showing typical setbacks for corner and interior lots;
23. a summary of total project acreage, total acreage in lots, total number of units, total acreage of open space or other dedicated parcels, and total acreage in roads and lane miles of road;
24. a notation of any limited access restrictions on the lots that are affected;
25. if surface drainage is to be directed onto a privately owned area for detention or retention as part of the storm drainage system, an easement around the detention or retention area on the final



plat with the following note on the easement area:

*“Permanent detention/retention (which-ever is applicable) facility to be owned and maintained by the owners of this prop-erty.”; and*

26. if the proposed subdivision is adjacent to or in close proximity to an existing agricultural area or activity, the following note regarding the Right to Farm:

*“This area is subject to the normal, every-day sounds, odors, sights, equipment, facil-ities, and any other aspects associated with agricultural lifestyle. Future residents should also recognize the risk inherent with livestock.”*

C. Construction Drawings. Final construction and plan and profile drawings of all required public improvements consistent with Lehi City Design Standards and Public Improvement Specifications shall be provided with the final plat. Construction drawings shall bear the seal of the professional engineer and professional land surveyor in accordance with Utah Code Ann. §58-22-602. All revision dates must be shown on the construction drawings. If any revision is included on the final plat which was not present on the preliminary plat or came as a requirement of approval by the City Council, it is the applicant’s responsibility to inform the Reviewing Departments, Planning Commission, and City Council of the changes. Failure to inform the Reviewing Departments, Planning Commission, and City Council of revisions may result in revocation of any or all approvals. Construction drawings shall include:

1. an overall public improvement plan or index sheet that includes a summary of all improvement and utility information, for use by the Reviewing Departments to prepare the bond for public improvements;
2. location of water and sewer service laterals for each lot including the location of the laterals in relation to each other, with water laterals located at the center of the lot and sewer laterals ten feet downstream from the water laterals;
3. location, depth, pipe type noted in a legend, and slope of all drainage and sewer lines, including the location and spacing of all boxes, man-holes, and other improvements and details of any detention basins and related piping and orifices;

4. if the placement of irrigation system im-provements is required, a separate sheet within the construction drawings showing the irrigation improvements including all piping, head gates, boxes, and grates, all in conformance with letter issued by the irrigation company, with the sheet stamped and signed by the irrigation company;

5. location, pipe type, and size of existing and proposed culinary and pressurized irrigation lines and associated fire hydrants, valves, and blowoffs, with a note where bends are required on water lines;

6. cross sections of all roads including the location of underground utilities, pavement design, base, and subbase amounts, indicating the CBR value used to determine the amount of subbase required on the cross section;

7. location of power line extensions, street-lights, domes, and transformers;

8. a landscaping plan for all park, open space, and common ownership areas including:

- (a) planting areas with a list of the name, number, and size of plants designated for each area;
- (b) location, name and size of all existing and proposed trees and shrubs;
- (c) location and sizes of proposed irrigation facilities adequate to maintain the planting areas;
- (d) an indication of proposed seed mix for grass areas and rate of application;

9. street signs and traffic control signs;

10. two eight-inch utility casings where required at intersections and utility crossings;

11. a note stating that three sets of as-built draw-ings shall be submitted to the City upon comple-tion of the public improvements;

12. all other specifications, details, and refer-ences required by the Design Standards and Pub-lic Improvements Specifications and Standard Drawings.

D. Additional Information Required. In addition to the final plat and construction drawings, the appli-cant shall provide:

1. prepared easements for any necessary offsite water, sewer, and drainage lines, and temporary

turnarounds, across privately owned land;

2. any deeds or boundary line agreements necessary for recording the final plat;
3. any required UDOT approvals for access;
4. an engineer's estimate of costs for construction of all required public improvements;
5. evidence that all property taxes are current, that rollback taxes have been paid, and that no other debts or obligations are outstanding and no liens or encumbrances are placed on the property.
6. a preliminary title report covering all the property located within the subdivision, prepared or updated within 30 days of the date of recording of the final plat;
7. a final copy of any restrictive covenants, reservations, or private easements;
8. a letter from the Utah County Health Department regarding any proposed septic tanks or leach fields; and
9. prior to recording the final plat, staking of the new property line adjacent to existing roads.

#### **Section 11.130. Revisions.**

*(Amended 5/22/01; 3/27/07; 04/27/10)*

A. If any revision is included on the final plat that was not present on the Preliminary Plat or came as a requirement of approval by the City Council, it is the applicant's responsibility to inform the Reviewing Departments, Planning Commission and City Council of the change. Failure to inform the Planning Commission or City Council of the revisions may result in revocation of any or all approvals.

B. Revisions to approved construction drawings for subdivisions or site plans shall be coordinated with the Public Works Director. The Public Works Director may require Reviewing Departments review of the proposed revisions. The applicant shall provide one electronic copy in PDF format of the revisions, unless otherwise approved by the Public Works Director. The copies shall be made on colored paper where available; otherwise a red revision stamp shall be required on the drawings in the right hand margin to distinguish revised pages from the original approved pages, as directed by the Public Works Director. All revisions shall be indicated with clouding. The plans shall include a revision block

filled out including the date of the revisions.

#### **Section 11.140 Final Plat Approval Process.**

*(Amended 5/22/01; 11/15/11)*

The review and approval process for a final subdivision plat is identified in the appendix of this Code, including review by the Reviewing Departments, and review and approval by the City Council. In reviewing an application for final subdivision plat approval, the Reviewing Departments may, at their discretion, require review of the final plat by the Planning Commission prior to a final decision by the City Council. Following approval by the City Council, the Mayor is authorized to sign the Mylar plat on behalf of the City Council.

#### **Section 11.150. Plat Materials; Size and Copies.**

*(Amended 05/22/01; 04/27/10; 07/10/12)*

The final subdivision plat shall be prepared on linen or on a stable base polyester Mylar film. The plat shall be of such size as is acceptable for filing in the office of the Utah County Recorder, but shall not be less than 24 x 36 inches. The applicant shall provide one electronic copy in PDF format of the final plat and construction drawings. The City may request additional copies if required. A computer disk copy, in a computer format acceptable to the City Engineer, shall also be provided.

#### **Section 11.160. Multiple Sheets and Plat Accuracy.**

Multiple sheet plats may be used. All sheets shall be numbered and referenced to an index map, and all required certificates shall appear on a single sheet, along with the index and vicinity maps. Bearings shall be shown to the nearest second, lengths to the nearest hundredth foot, and areas to the nearest hundredth acre.

#### **Section 11.170. Nature and Effect of Final Subdivision Plat.**

It is the intent of this Code that approval of a final subdivision plat be a ministerial action by the City assuring compliance with the requirements of Section 11.060 and Section 11.100 of this Code and any conditions imposed by the City Council for preliminary plat approval. After a final subdivision plat has been approved by the City Council and recorded in the Office of the Utah County Recorder, the applicant may apply for building permits consistent with the approved final subdivision plat.

**Section 11.180. Effective Period of Final Subdivision Plat Approval.***(Amended 07/28/09; 02/10/15)*

The approval of a final subdivision plat shall be effective for a period of two years from the date the final plat is approved and signed by the City Council, by the end of which time the final plat shall have been recorded in the office of the Utah County Recorder. If the approved final plat is not recorded within two years of the date of approval, or as extended according to the provisions of Section 10.120, the final plat approval shall be void and the applicant shall be required to submit a new preliminary plat for review and approval subject to the existing provisions of this Code and the General Plan.

**Section 11.190. Recording the Approved Final Subdivision Plat.***(Amended 01/08/02; 07/28/09)*

One Mylar drawing of the final subdivision plat, following the receipt of all necessary approvals, shall be submitted by the City for review, checking, and recording in the office of the Utah County Recorder. Any deficiency, gap, or overlap identified during the County and City review process shall be corrected prior to plat recording. All approvals shall become void unless the plat is offered to the City for recording within one year from the date of approval or as extended according to the provisions of Section 10.120. The filing of any unapproved plat is prohibited and any recording officer who records such a plat shall be guilty of a misdemeanor. Any sale or contract to sell any land in violation of the legal controls of this Code is voidable at the option of the purchaser.

**Section 11.200. Proceeding With Subdivision Construction.***(Amended 02/13/01; 08/09/16)*

Following the recording of the final subdivision plat in the office of the Utah County Recorder, the developer or landowner may proceed with construction of the approved subdivision in accordance with the applicable provisions of the Lehi City Design Standards and Public Improvement Specifications. A grading permit application is not required for an approved final subdivision to proceed with construction if all pre-construction meeting prerequisites have been satisfied, including posting of the bond. A grading permit may be obtained in advance of final subdivision approval in accordance with Development Code Chapter 12-B, Grading Permits.

**Section 11.210. Completion Assurance and Improvement Warranty.***(Amended 02/13/01; 11/18/03; 11/15/05; 05/22/07; 01/08/08; 07/28/09; 04/26/11; 07/08/14; 02/28/17)*

A. A developer or owner must complete to the

City's satisfaction all required public and private improvements, as well as any required landscaping, known as the "Required Improvements," associated with a particular subdivision before the corresponding subdivision plat can be recorded with the Utah County Recorder and before any development activity that requires a building permit takes place thereon. Prior to commencing work on the Required Improvements, the developer or owner must first demonstrate its practical and financial ability to complete all such Required Improvements to the City's satisfaction. The developer or owner shall also pay all necessary inspection fees and any up-front supply costs required by the City for power supplies, water system supplies, public signs, and any other associated costs so the City can order all necessary supplies for the development. In the event the developer or owner begins the Required Improvements as contemplated by this Section 11.220(A), but is unable to complete the same, any approvals, permits, licenses, and the like which are applicable to the unfinished subdivision and which have been issued by the City, shall be void.

B. In the event a developer or owner desires to record a subdivision plat with the Utah County Recorder before starting the Required Improvements, the developer or owner must first post an improvement completion Assurance consistent with applicable City codes, which Assurance shall guarantee the proper and timely completion of all such Required Improvements. The developer or owner shall also pay all necessary inspection fees and any up-front supply costs required by the City for power supplies, water system supplies, public signs, and any other associated costs so the City can order all necessary supplies for the development. The Assurance must be posted, and all inspection and supply fees must be paid, prior to the developer or owner beginning any work on the Required Improvements, and before the recordation of any corresponding subdivision plat. The Assurance shall be posted in the full amount of the City's Estimate. The Assurance must also be in a form acceptable to the City, approved by the City Attorney, and must be issued by a financial institution insured by the Federal Deposit Insurance Corporation or National Credit Union Association.

C. If a developer or owner decides to begin work as contemplated by Section 11.220(A), then subsequently desires to record a plat by posting the Assurance as contemplated by Section 11.220(B) for any remaining unfinished improvements, the developer or owner shall first:

1. submit new plans and drawings to the City from the developer or owner's engineer and surveyor;

2. submit as-built plans for any improvements already begun;
3. submit a revised cost estimate from the developer or owner's engineer for any remaining improvements to be completed;
4. submit a new development application to the City, along with any applicable fees;
5. be subject to a new review process by the Reviewing Departments; and
6. obtain any necessary approvals and permits from the City.

D. Whether the developer or owner completes all of the Required Improvements prior to plat recordation as contemplated by Section 11.220(A) or posts an Assurance as contemplated by Section 11.220(B), the developer or owner shall post an improvement warranty security evidencing the developer's or owner's unconditional warranty that the corresponding Required Improvements comply with the City's written standards for design, materials, and workmanship, and that said Required Improvements will not fail in any material respect within the improvement warranty period as a result of poor workmanship or materials. The improvement warranty security shall be in an amount equal to ten percent of the lesser of: (i) the City's estimated cost of completion; or (ii) the developer's or owner's reasonable proven completion costs for all Required Improvements. The improvement warranty security shall be posted prior to recording the final plat or simultaneously with the developer's or owner's Assurance. All public improvement costs and inspection fees shall be paid prior to scheduling a preconstruction meeting. The form of the improvement warranty security shall be acceptable to the City, approved by the City Attorney, and shall be issued by a financial institution insured by the FDIC or NCUA. The improvement warranty period shall commence upon the City's acceptance of all Required Improvements, and shall expire one year from the date of said acceptance, unless a longer improvement warranty period is allowed by Title 10 of the Utah State Code. For the purposes of this Section 11.220, the City's written approval of all Required Improvements, in addition to the release of the entire Assurance, shall constitute acceptance of all Required Improvements.

E. The City shall be entitled to payment of all amounts remaining in any Assurance posted by the developer or owner in the event the developer or

owner is unable to complete the Required Improvements pursuant to a corresponding written agreement with the City. The individual line-item amounts set forth in the City's Estimate, which shall serve as a basis for and correspond with the developer's or owner's Assurance, shall be considered separate with respect to releases by the City, but each amount shall be applicable and available to every other line item in the event of the developer or owner's failure to perform one or more of the Required Improvements to the City's satisfaction. Notwithstanding the itemization of type and cost of any improvement or landscaping, any sum available pursuant to the Assurance may be used by the City, and not released to the developer or owner, for any other improvement or landscaping covered by the Assurance, in addition to the specified improvement or landscaping. The defaults and corresponding remedies contemplated by this Section 11.220(E) shall be made by certification from the City Engineer evidencing any such default. Moreover, the remedies contemplated herein are not exhaustive, and the City may pursue any other remedies available in law or in equity.

F. The City Engineer or designee shall have authority to release to the developer or owner from any portion of the Assurance. However, the City Engineer shall not release, prior to final acceptance, any amount of an Assurance for each specified improvement in excess of 90% thereof. Through the City's established inspection process, the City Engineer may authorize two base releases per each line item in the Assurance. One final release shall be authorized when the corresponding improvement or landscaping is completed by the developer or owner, and subsequently approved by the City. For Assurances in excess of one million dollars, an additional release per line item may be authorized for each additional million dollars contemplated by the Assurance.

G. In the event of an emergency requiring a more expeditious completion of the Required Improvements, the City may, after providing the developer or owner with a 30-day notice, complete the Required Improvements and compensate itself for its expenses from any remaining amount in the corresponding Assurance and improvement warranty security, plus 15% to recover overhead and other costs incurred by the City.

H. Assurances and improvement warranty securities contemplated by this Section 11.220 are for the sole benefit of the City and are not for the individual benefit of any other entity, citizen, or identifiable class of citizens, including the owners or purchasers of lots or

units within a subdivision. The Assurances and improvement warranty securities are not for the purpose of ensuring payment of contractors, subcontractors or suppliers of labor or materials, and no contractors, subcontractors or suppliers of labor or materials shall have a cause of action against the City or the Assurance or improvement warranty security.

### **Section 11.220. Site Plan Approval Required.**

A. The following applications shall be required to obtain site plan approval:

1. development requests to allow multi-family residential, mixed use, and nonresidential uses; and
2. requests for conditional use approval.

B. A request for permitted use approval may be required to obtain site plan approval.

### **Section 11.230. Application Requirements for Site Plans.** *(Amended 5/22/01; 08/13/02; 04/27/10; 07/10/12; 08/09/16)*

The following information is required for all site plans, in addition to other information required by the Reviewing Departments, Commission, or City Council to evaluate the merits of the proposed site plan:

A. General Requirements. The site plan shall be prepared in pen and the sheets shall be numbered in sequence if more than one sheet is used and shall not be less than 36 x 24 inches. All engineering and surveying documents shall bear the seal of the professional engineer and professional land surveyor in accordance with Utah Code Ann. §58-22-602. The applicant shall provide one electronic copy in PDF format. The City may request additional copies if required.

B. Features to be shown on Site Plan. The site plan shall show:

1. name of development;
2. surveyed boundary of the site plan accurate in scale, dimension, and bearing, including all adjacent and contiguous property under the control of the owner, even if only a portion is to be developed, giving the location and ties to the nearest horizontal control monument and section corner, benchmark, or monument if a survey is required;

3. graphic and written scale at no more than one inch equals 100 feet or as recommended by City Engineer;

4. north arrow;

5. topographic contour intervals of no greater than two feet, unless otherwise stipulated by City Engineer;

6. location and names of adjacent properties, property owners, and platted subdivisions;

7. location of zoning boundary lines within and adjacent to the proposed site plan;

8. location of existing easements or rights-of-way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the County's records;

9. location of proposed easements, including any required easements for water, sewer, drainage or irrigation, temporary turnaround easements and a ten-foot public utility easement along front lot lines and any rear lot lines adjacent to a public right-of-way, or as otherwise required by the City in order to accommodate necessary public utilities;

10. location, height, and type of existing fence lines within and contiguous to the site plan;

11. location, type, and height of any new fencing, berming, or other buffering to be installed as part of the development including any fencing required to comply with Section 12.080 – Project Buffering and Screening Requirements or Section 18.010, Right to Farm;

12. location and dimensions of all existing buildings within the proposed site plan, with an indication of whether the buildings are to remain or be removed;

13. location, dimensions, and square footage of all proposed buildings as part of the site plan;

14. building setback lines and building envelopes;

15. location and extent of all cuts and fills exceeding three feet anywhere on the project site and any associated retaining walls;

16. location of existing features within and contiguous to the proposed site plan including:
  - (a) existing public utility easements;
  - (b) irrigation ditches;
  - (c) drain pipes;
  - (d) drainage channels;
  - (e) culverts;
  - (f) railroads;
  - (g) bridges;
  - (h) power lines;
  - (i) water bodies;
  - (j) springs or water sources within 2,500 feet; and
  - (k) equestrian, pedestrian, and bicycle trails;
17. the location of existing and proposed roads including their names, dimensions, and cross sections;
18. the location and width of all existing and proposed entrances onto adjacent roads;
19. the location, dimensions, and surface type of all parking facilities, including ADA accessible stalls and loading areas, the location and dimension of backup aisles, bike parking locations, and bike parking detail;
20. location of all existing and proposed curb, gutter, and sidewalk within the site plan including:
  - (a) an indication of the grades; and
  - (b) flow arrows showing direction of storm water surface flows;
21. location of any necessary temporary turn-around easements for emergency access on dead-end roads;
22. if adjacent to a state road, UDOT access size and location and UDOT approval;
23. location and size of existing and proposed culinary and pressure irrigation water lines, including existing lines adjacent to or affected by the proposed site plan;
24. location of existing and proposed sewer mains including size, depth, and slope, including existing lines adjacent to or affected by the proposed site plan;
25. existing and proposed storm drainage improvements including:
  - (a) major drainage facilities, outfalls, and discharge; and
  - (b) drainage pipe locations, sizes, and depths;
26. location of detention and retention basins with an indication that the basins will include the following:
  - (a) minimum one-foot freeboard;
  - (b) 3:1 slopes or flatter;
  - (c) grass covering and underground sprinkler system; and
  - (d) a designation of the purpose and conditions, if any, of the dedication or reservation;
27. the location, size, and grade of any required piping for irrigation ditches;
28. location of solid waste containers;
29. The location, dimensions, materials, and colors of signs, including the type and height of those signs.
30. location, type, and height of any fencing, berming, or other buffering to be installed as part of the development, including any fencing required to comply with Section 12.080 – Project Buffering and Screening Requirements or Section 18.010, Right to Farm;
31. identification of natural features or sensitive lands including:
  - (a) wetlands;
  - (b) floodplains, floodways, and areas, which would be covered in water in a 100-year storm event;
  - (c) areas where ground water rises periodically to within two feet of the surface of the ground;
  - (d) slopes exceeding 30 percent;
  - (e) vegetation areas, including name and size of all existing trees and shrubs which could be incorporated into the site plan; and
  - (f) threatened or endangered species habitat areas;
32. A landscaping plan for all landscaped areas which includes:
  - (a) planting areas with a list of the name, number, and size of plants designated for each area;
  - (b) location, name, and size of all existing trees and shrubs to be incorporated as part of the landscape plan; and
  - (c) location and sizes of any proposed irrigation facilities adequate to maintain the

- planting areas;
33. the location of all existing and proposed outdoor lighting fixtures and the manufacturer's specifications of the area to be lighted with such fixtures including:
    - (a) exterior lights;
    - (b) parking lot lighting; and
    - (c) transformers;
  34. location of solid waste containers including design provisions for screening;
  35. if roadway dedication is required, a notation of the distance from the asphalt centerline of each existing road to the new property line of the site plan;
  36. calculation of site plan areas including:
    - (a) total acreage;
    - (b) total project density for multi-family residential site plans;
    - (c) square footage and percentage of all landscaped areas including:
      - (i) total landscaped area;
      - (ii) total irrigated area; and
      - (iii) total parking lot landscape;
    - (d) square footage of all impervious surfaces, including:
      - (i) rooftop area of all buildings;
      - (ii) roads and parking facilities;
      - (iii) curb and gutters;
      - (iv) walks;
      - (v) loading areas; and
      - (vi) asphalt or concrete aprons for solid waste containers or outdoor mechanical equipment;
    - (e) gross building square footage;
    - (f) parking calculations including:
      - (i) required number of parking stalls;
      - (ii) proposed number of parking stalls;
      - (iii) required number of bicycle stalls; and
      - (iv) proposed number of bicycle stalls;
  37. a circulation plan showing:
    - (a) pedestrian walkways;
    - (b) crosswalks;
    - (c) master planned trail connections; and
    - (d) cross access points;
  38. construction and plan and profile drawings of all required public improvements consistent with Lehi City Design Standards and Public Improvement Specifications, including:
    - (a) a utility index or cover sheet at the same scale as the Preliminary Plat which includes all of the information from the approved Preliminary Plat, including any changes or modifications required for preliminary approval and all public utility information;
    - (b) location, depth, pipe type, and slope of all drainage, sewer, and irrigation lines in conformance with the letter issued by the irrigation company, including the location and spacing of all boxes, manholes, and other improvements and details of any detention basins and related piping and orifices;
    - (c) location, pipe type, and size of existing and proposed culinary and pressurized irrigation lines, and associated fire hydrants, valves, and blowoffs, noting where bends are required on water lines;
    - (d) cross sections of all roads including pavement design, base, and subbase amounts, indicating the CBR value used to determine the amount of subbase required on the cross section;
    - (e) location of power line extensions, streetlights, domes, and transformers;
    - (f) street signs and traffic control signs;
    - (g) two eight-inch utility casings where required at intersections and utility crossings;
    - (h) a note stating that three sets of as-built drawings shall be submitted to the City upon completion of the public improvements;
    - (i) all other specifications, details, and references required by the Design Standards and Public Improvements Specifications and Standard Drawings.
- C. Additional Information Required. In addition to the site plan, the applicant shall provide:
1. proposed building elevations including dimensions, colors, and proposed building materials with a breakdown showing percentages of each material;
  2. a development phasing schedule if applicable, including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of public improvements, recreation, and common open space areas;
  3. drainage system calculations and an explanatory narrative sealed by a licensed engineer, and for detention and retention basins, calculations to justify sizing based on 100-year design storm;
  4. a statement from the appropriate agency ac-

cepting responsibility for all surface and subsurface drainage that is directed into channels owned by the agency;

5. a written statement from the appropriate agency such as irrigation companies and private land owners, regarding the effect of the proposed subdivision on any irrigation channels or ditches, and any piping or other mitigation required;
6. a letter from the Army Corp of Engineers regarding any wetland areas within the boundaries of the proposed plat;
7. if the site plan is proposed as a PUD, an application for a PUD providing detailed information regarding proposed features including building elevations, materials, and amenities;
8. where required, three copies of the California bearing ratio test results;
9. prepared easements for any necessary offsite water, sewer, or drainage easements across privately owned land, and for temporary turnarounds;
10. any deeds or boundary line agreements necessary for approval of the site plan;
11. any required UDOT approvals for access;
12. an engineer's estimate of costs for construction of all required public improvements;
13. a preliminary title report covering all the property located within the site plan, prepared or updated within 30 days of the date of the site plan approval;
14. a final copy of any restrictive covenants, reservations, or private easements;
15. a letter from the Utah County Health Department regarding any proposed septic tanks or leach fields;
16. prior to issuance of a building permit, staking of the new property line adjacent to existing roads; and
17. other information required by the Reviewing Departments, Commission, or City Council necessary to evaluate the merits of the proposed site plan.

#### **Section 11.240. Site Plan Approval Process.**

*(Amended 5/22/01; 08/13/02; 11/09/04)*

The review and approval process for a site plan shall be as follows:

##### **A. Permitted Uses.**

1. Site plans associated with a permitted use and with a total valuation, including building and all associated site improvements, of less than \$500,000 require review and approval by the Zoning Administrator and Public Works Director. The Zoning Administrator or the Public Works Director may request that the approval of a site plan be forwarded to the Planning Commission following a Reviewing Departments review, if they determine a project is likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents.

2. Site plans associated with a permitted use and with a total valuation, including building and all associated improvements, of \$500,000 or more require approval by the Planning Commission, following a review by the Reviewing Departments. The Planning Commission may require that the approval of a site plan be forwarded to the City Council if they determine a project is likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents. The Planning Commission and or City Council may hold a public hearing on any project likely to have a significant impact on the surrounding property, values, or residents.

**B. Conditional Uses.** The approval process for Site Plans associated with a Conditional Use shall be the same as that required for the issuance of a Conditional Use Permit as outlined in Section 09.020, including review by the Reviewing Departments and approval by the Planning Commission following a public hearing.

#### **Section 11.250. Lack of Site Plan Information.**

*(Amended 08/13/02)*

The lack of information under any item specified in Section 11.210, or improper information supplied by the applicant, may be cause to find the application incomplete or for disapproval of a site plan application.

#### **Section 11.260. Multiple Sheets and Plan Accuracy.**



Multiple sheet site plans may be used. All sheets shall be numbered and referenced to an index map, and all required certificates shall appear on a single sheet along with the index and vicinity maps. Bearings shall be shown to the nearest second, lengths to the nearest hundredth foot, and areas to the nearest hundredth acre.

**Section 11.270. Nature and Effect of Site Plan Approval.** *(Amended 08/13/02)*

It is the intent of this Code that approval of a site plan be a ministerial action by the City assuring compliance with the requirements of Section 11.210 and Section 11.250 of this Code and any conditions imposed by the Reviewing Departments, Planning Commission or City Council for site plan approval. After a site plan has been approved by the Reviewing Departments, Planning Commission, or City Council and no subdivision plat is required, the applicant may apply for building permits consistent with the approved site plan. No building permit application may be approved by the Chief Building Official unless the approved building permit conforms to the approved site plan.

**Section 11.280. Effective Period of Site Plan Approval.** *(Amended 08/13/02; 07/28/09)*

The approval of a site plan shall be effective for two years from the date that the site plan is approved by the City, by the end of which time construction shall have commenced or a building permit application shall have been submitted and a building permit issued. If site improvements have not commenced within the two-year period or as extended according to the provisions of Section 10.120, or if a building permit application has not been submitted and a building permit issued, the site plan approval shall be void and the applicant shall be required to submit a new site plan for review and approval subject to the then existing provisions of this Code and General Plan.

**Section 11.290. Proceeding With Construction.** *(Amended 2/13/01; 08/13/02; 08/09/16)*

Following the approval of a site plan the developer or owner may proceed with construction in accordance with the applicable provisions of the Lehi City Design Standards and the Public Improvement Specifications. A grading permit application is not required for an approved site plan to proceed with construction if all preconstruction meeting prerequisites have been satisfied, including posting the bond. A grading permit may be obtained in advance of site plan approval in accordance with Development Code Chapter 12-B, Grading Permits.

**Section 11.300. Guarantees and Bonds.**

*(Amended 02/13/01; 3/11/03; 11/18/03; 11/15/05; 05/22/07; 01/08/08; 07/28/09; 04/26/11; 02/28/17)*

A. Based on a cost estimate submitted by the developer's or owner's engineer, the City Engineer or designee shall prepare the bond estimate, revising the costs as required to match prevailing conditions for the construction and installation of all required public improvements as well as all private improvements required pursuant to the site plan approval process, and including a ten percent contingency fee. A bond shall be posted by the developer or owner guaranteeing the construction of all required public improvements and private landscaping. The bond shall be in the form of an Escrow Bond or Irrevocable Letter of Credit. The form must be approved by the City Attorney and must be issued by a financial institution having an operating branch in the State of Utah and insured by the Federal Deposit Insurance Corporation or National Credit Union Association. The form shall be acceptable to the City, unless otherwise approved by the City Council due to extraordinary circumstances. The properly issued and executed bond, together with all required inspection fees, shall be submitted to Lehi City before any building permits will be issued. The bond shall be held for a two-year construction period, unless extended in writing by Lehi City.

B. The amounts stated in the bond estimate shall be considered separate with respect to releases by Lehi City, but each amount shall be applicable to every other part in the event of the developer's or owner's failure to perform one or more of the improvements as required by the Code. Notwithstanding the itemization of type and cost of improvements, any sum available pursuant to the bond may be used by the City, and not released to the developer for any other improvement covered by the bond as well as the specified improvement.

C. The City Engineer or designee shall have authority to release to the developer or owner any funds held by the City. The City Engineer shall not release, prior to final acceptance, any amount for each specified improvement in excess of 90% thereof. The City Engineer shall authorize through the normal inspection process two base releases per each line item in the bond. For bonds over one million dollars, an additional release per line item shall be authorized for each additional million dollars in the bond.

D. After final acceptance, ten percent of the amount pertaining to all specified improvements shall be held for a period of one year from the date of final acceptance, notwithstanding the provisions referring to

the two-year obligation. The ten percent may be released any time after six months have passed at the discretion of the City Engineer, the purpose being to guarantee the materials and workmanship of the completed improvements.

E. The City shall have the power to require payment to the City of all amounts remaining in the bond upon certification by the City Engineer that the developer or owner has failed to comply with an obligation to install public improvements and private landscaping in a manner satisfactory to the City Engineer, or that the developer or owner is in default, whether the two-year period has elapsed or not. Any such funds shall be segregated by the City Treasurer in a special account and expended for the purposes set forth in the public improvements and private landscaping contract entered into by the developer or owner. Should an emergency arise the City may, after providing the developer or owner with a 30-day notice period, complete the required improvements and be compensated from all bond amounts plus 15% to recover overhead and other costs incurred by the City to complete the required improvements.

F. Bonds required by this section are for the sole benefit of the City. The bonds are not for the individual benefit of any citizen or identifiable class of citizens, including the owners or purchasers of lots or units within a PUD. The bonds are not for the purpose of ensuring payment of contractors, subcontractors or suppliers of labor or materials, and no contractor, subcontractor or supplier of labor or materials shall have a cause of action against the City or the bond.

G. Developments requiring a site plan shall complete all required private improvements, except private landscaping, prior to the certificate of occupancy being granted.

H. Residential developments shall complete all required private improvements prior to commencing construction on units totaling more than 80% of the allowed units in the development.

### **Section 11.310. Condominium Plats.**

*(Amended 07/10/12)*

A. Reference is made to Section 57-8 Utah Code for definition and specific requirements.

B. Building permits for condominium units may be issued following approval of the final plat by the City Council as provided by this Code. The building permit will be issued based upon a certified architectural

plan of the building elevation and floor plans as approved by the Chief Building Official.

C. All condominium plats shall be filed in the office of the Utah County Recorder following completion of construction and before acceptance of improvements.

### **Section 11.320. Vacating, Altering, or Amending a Recorded Subdivision Plat.**

*(Amended 07/10/12)*

A. The City Council may consider, after Reviewing Departments review, any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any road or lot contained in a subdivision plat.

B. A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file an application to have some or all of the plat vacated or amended.

C. The City Council shall hold a public hearing within 45 days after the day on which the application is filed if:

1. any owner within the plat notifies the City of the owner's objection in writing within ten days of mailed notification; or
2. a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

D. The public hearing requirement of Subsection C does not apply and the City Council may consider at a public meeting an owner's request to vacate or amend a subdivision plat if the application seeks to:

1. join two or more of the applicant fee owner's contiguous lots;
2. subdivide one or more of the applying fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
3. adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join in the application, regardless of whether the lots or parcels are located in the same subdivision;
4. on a lot owned by the applying fee owner,

adjust an internal lot restriction imposed by the City; or

5. alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

- a. owned by the applicant; or
- b. designated as a common area.

E. Each request to vacate or amend a plat that contains a request to vacate or amend a public street, right-of-way, or easement is also subject to the State Code requirements for vacation of a public right-of-way.

F. Each request to vacate or amend an entire plat or a portion of a plat shall include:

1. the name and address of each owner of record of the land contained in the entire plat or on that portion of the plat described in the application; and
2. the signature of each owner described in Subsection F.1 who consents to the application.

### **Section 11.330. Plat Amendment Approval Process and Recordation.** *(Amended 07/10/12)*

A. Following a review by the Reviewing Departments, the City Council may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the Council finds that:

1. there is good cause for the vacation or amendment; and
2. no public street, right-of-way, or easement has been vacated or amended.

B. The City Council shall ensure that the amended plat showing the vacation or amendment is recorded in the Office of the County Recorder.

C. An amended plat may not be submitted to the County Recorder for recording unless it is signed and acknowledged by each owner of record on the portion of the plat that is amended.

### **Section 11.340. Lot Line Adjustments.**

*(Amended 11/09/04; 07/10/12)*

A. The owners of record on adjacent parcels that are described by either a metes and bounds description or a recorded plat may exchange title to portions of those parcels or make lot line adjustments if the exchange

of title or adjustment is approved by the Zoning Administrator in accordance with Subsection B. The Zoning Administrator may require the approval of a lot line adjustment be forwarded to the Reviewing Departments or Planning Commission if the Zoning Administrator determines the adjustment may have an impact on the health, safety, or general welfare of the surrounding properties, property values, or residents.

B. All applications for lot line adjustments shall include:

1. a scaled drawing showing the proposed lot line adjustment, including the location of adjacent streets, the location of each lot affected by the adjustment, lot dimensions and lot sizes of the subject properties before and after the proposed lot line adjustment, and any other information deemed necessary by the Zoning Administrator to determine whether the proposed adjustment will result in a violation of applicable zoning requirements;
2. a legal description of the proposed lot line adjustment prepared by a licensed surveyor; and
3. if the lot line adjustment affects any public utility easements, a Disclaimer of Easement Verification Form provided by the City, signed by each affected public utility necessary to vacate the public utility easement.

C. The Zoning Administrator shall approve an exchange of title under Subsection A if:

1. no new dwelling lot or housing unit will result from the exchange of title;
2. the exchange of title will not result in a violation of applicable zoning requirements; and
3. any affected public utility easements have been vacated or modified as necessary.

D. If an exchange of title is approved under Subsection C, a notice of approval shall be recorded by the Zoning Administrator or designee, in the Office of the County Recorder which:

1. is executed by each owner included in the exchange and by the Zoning Administrator, or Planning Commission Chair, whichever is applicable;

2. contains an acknowledgment for each party executing the notice in accordance with the provisions of Title 57, Chapter 2a, Recognition of Acknowledgments Act; and

3. recites the descriptions of both the original parcels and the parcels created by the exchange of title.

E. A notice of approval recorded under this section does not act as a conveyance of title to real property and is not required for the recording of a document purporting to convey title to real property.

F. Following approval of the lot line adjustment, the applicant is responsible to file the necessary title conveyance documents with the Utah County Recorders' Office.

2. the signature of each owner under Sub-section C.1 who consents to the vacation; and

3. proof of mailed notification to surrounding owners as required by State Code and the Lehi City Development Code.

**Section 11.350. Vacation of a Public Street**

*(New 07/10/12)*

All petitions to vacate a public right-of-way shall follow the approval procedures outlined in the Utah State Code and shall require review by the Reviewing Departments, recommendation by the Planning Commission following a public hearing, and approval by the City Council. Each request to vacate a public right-of-way shall include:

A. a written narrative describing the reasons for the proposed public street vacation;

B. an exhibit showing the portion of public street to be vacated including:

1. north arrow;
2. surrounding streets and buildings;
3. the acreage of the vacated street area;
4. the surveyed boundary of the vacated street area; and
5. the location of all adjacent properties and the ownership identified;

C. a petition to vacate some or all of a public street, right-of-way, or easement, including:

1. the name and address of each owner of record of land that is:
  - a. adjacent to the public street, right-of-way, or easement; or
  - b. accessed exclusively by or within 300 feet of the public street, right-of-way, or easement;