

Ordinance 2017-14

SHORT TITLE:

An ordinance amending Provo City Code with regard to development and subdivision plan application submittal requirements and expiration deadlines. (16-00200A)

I

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	DAVID SEWELL	√		
CW 2	GEORGE STEWART	√		
CD 1	GARY WINTERTON	√		
CD 2	KIM SANTIAGO	√		
CD 3	DAVID KNECHT	√		
CD 4	KAY VAN BUREN		√	
CD 5	DAVID HARDING	√		
TOTALS		6	1	0

This ordinance was passed by the Municipal Council of Provo City, on the 11th day of April 2017, on a roll call vote as described above. Signed this 27th day of April 2017.



Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 27th day of April 2017.



Mayor

Ordinance 2017-14

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the
28th day of April 2017, with a short summary being published on the 15th day of April
2017, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest
that the foregoing constitutes a true and accurate record of proceedings with respect to
Ordinance Number 2017-14.





City Recorder

46 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
47 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
48 invalid, the remainder of the ordinance shall not be affected thereby.

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50 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
51 updated to reflect the provisions enacted by this ordinance.

52
53 D. This ordinance shall take effect immediately after it has been posted or published in
54 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
55 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

56
57 END OF ORDINANCE.

EXHIBIT A

**CHAPTER 14.02
Administration and Procedures**

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14.02.020. Amendments - Procedure.

(1) This Planning and Zoning Title, including the Map, may be amended by the Provo Municipal Council after said amendments shall have first been submitted for recommendation to the Planning Commission. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be the public policy that amendments shall not be made to the Planning and Zoning Title and Map except to promote more fully the objectives and purposes of this Title and the Provo City General Plan or to correct manifest errors. Any person seeking an amendment to the Planning and Zoning Title or Map shall:

(a) Submit to the Planning Commission a written petition containing the following information:

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(v) If a Map amendment is proposed, the following shall also be submitted:

(A) An accurate plan, drawn to scale, showing all areas to be included within the proposed rezoning, designating the present zoning of the property subject of the petition, and properties immediately adjacent thereto.

(B) A ~~preliminary project concept~~ plan ~~that~~ meets the requirements of Provo City Code Section 15.03.300, Provo City Code and/or a preliminary subdivision plan that meets the requirements of Provo City Code Section 15.04.130, whichever is applicable.

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(2) Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the ~~preliminary project concept~~ plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

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~~(4) If a building permit is not issued within one (1) year after rezoning and approval of a preliminary project plan, the preliminary project plan shall expire and be of no further force or effect. In such cases, the Planning Commission shall initiate proceedings to revert the subject property to the previous zone designation unless an applicant requests and is granted an extension of time by the Planning Commission for good cause shown.~~

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Chapter 14.31 PD - Performance Development Overlay Zone.

- 14.31.010. Purpose and Objectives.
- 14.31.020. Definitions.
- 14.31.030. Use in Combination.
- 14.31.040. Zones With Which the Planned Development Zone May Be Combined.
- 14.31.050. Permitted Uses.
- 14.31.060. Variations to Underlying Zone Permitted.
- 14.31.070. Density Determination.
- 14.31.080. Minimum Performance Standards.
- 14.31.090. Density Bonus.
- 14.31.100. Density Bonus Calculations.
- 14.31.110. Density Bonus Design Requirements.
- 14.31.130. ~~Preliminary Project~~ **Concept** Plan Approval.
- 14.31.140. Final **Project** Plan Approval.
- 14.31.150. Guarantees and Covenants.
- 14.31.160. Fees.
- 14.31.170. Appendix.

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14.31.130. ~~Preliminary Project~~ **Concept** Plan Approval.

Concurrent with any request to rezone property to the Performance Development Overlay Zone, and prior to final plan approval, a ~~preliminary project concept~~ plan which meets the requirements of [Provo City Code](#) Section 15.03.300, ~~Provo City Code~~, shall be submitted to the Provo City Planning Commission.

14.31.140. Final **Project** Plan Approval.

~~(4)~~ Prior to the construction of any building or structure in the PD zone, a final project plan shall be submitted and approved ~~that meets the requirements of Provo City Code Section 15.03.310~~. Said plan may be submitted in units or phases, provided each such phase can exist as a separate entity capable of independently meeting all of the requirements and standards of this Chapter and of the underlying zone with which the PD zone has been combined. The separate development of said phases shall not be detrimental to the performance development nor to the adjacent properties in the event that the remainder of the project is not completed. ~~Said project plan shall be drawn to scale and, in addition to the information required in Section 14.02.090, Provo City Code, shall contain the following information:~~

- ~~(a) All of those requirements designated for submission with preliminary development plans.~~
- ~~(b) A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and overlaps with adjoining property descriptions.~~
- ~~(c) Tabulations of all dwelling units to be constructed by types and number of bedrooms per unit.~~
- ~~(d) Detailed project plan with completed dimension showing precise locations of all buildings and structures, lot or parcel sizes and locations, designations or common open spaces and special use areas, detailed circulation pattern including proposed ownership and typical cross section of streets.~~

~~(e) Final exterior design for all building types, presented as exterior perspectives or exterior elevations.~~

~~(f) Detailed landscaping plans showing the types and sizes of all plant materials and their locations, decorative materials, recreation equipment, special effects, and sprinkler or irrigation systems.~~

~~(g) Dimensioned parking layout showing location of individual parking stalls and all areas of ingress or egress.~~

~~(h) Detailed engineering plans or final subdivision plat showing site grading, street improvements, drainage, and public utility locations, and submission of engineering feasibility studies, if required by the City Engineer.~~

~~(i) Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees, or agreements as required herein or as deemed necessary by the Planning Commission and/or the City Attorney to meet the objectives of this Chapter.~~

~~(j) A time schedule for the completion of landscaping, parking, street improvements and other improvements and amenities which are guaranteed by bonds or other securities.~~

~~(2) Any failure to submit a final project plan within two (2) years of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary project plan null and void. The City may, at such time, initiate proceedings to rezone the property back to the zone classification that existed on the property prior to the PD approval. In the case of multiple phase PD's, failure to submit a project plan within two (2) years of the last previous phase project plan, shall also terminate all proceedings and render the preliminary project plan null and void, as it applies to the remaining balance of the site. The City may then entertain a new application for preliminary plan approval, or it may initiate proceedings to rezone the remaining property.~~

~~(a) Under the terms of this section, a project has a "vested right to develop" at the time of rezoning and preliminary project approval. With the exception of Building Codes, no changes in zoning portion of the Provo City Code, or other City ordinances, shall apply to the project, so long as an approved preliminary plan is in force.~~

~~(b) If an applicant seeks to revise a preliminary project plan (Except for minor changes described elsewhere in this Title), the new plan shall be subject to all new sections of the Provo City Code and other new City ordinances in effect at that time.~~

~~(3) If during preparation and consideration of a Final Plan any sensitive land area is encountered that is not shown on the Concept Plan submitted under Section 14.31.120, no development shall be permitted within such area. Development within such areas that may have been shown on an approved Concept Plan or Preliminary Plan shall not be approved in any Final Plan.~~

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14.31.170. Appendix.

~~(1) Identifying Impacts on Compatibility. In order to facilitate citizen participation in the development process which would be meaningful to individuals at the neighborhood level, the City of Provo requires informal meetings between citizen groups, and developers on development projects perceived as having significant neighborhood impact. The City of Provo urges citizens to attend and actively participate in these meetings. Within the participation framework provided below, the citizens give direction to the development of their neighborhood by delineating neighborhood values, goals, and objectives; by participating in choosing among alternative project designs; and by participating in the approval and modification of project plans. It is during the conceptual planning stage that the City staff sounds out the neighborhoods on an informal basis before time and effort have been expended by the developer to submit a formal development application. The process for citizen participation in the conceptual planning stage of development shall be as follows:~~

~~(a) At the Conceptual Review meeting with City staff, the Planning Director will determine whether the project has significant neighborhood impact.~~

~~(b) Within a reasonable period of time following the Conceptual Review meeting, the developer shall attempt to notify the impacted neighborhood of the development proposal by written notice to the neighborhood Chair and owners of property within five hundred (500) feet of the project, and/or notification of applicable homeowners associations.~~

~~(c) A meeting will be held with the neighborhood prior to preliminary plan application before the Planning Commission. The developer and/or his/her representative is required to attend this meeting. The meeting~~

~~will typically be held in the neighborhood, for example, at the nearest public school. A Planning Department staff member will be responsible for setting up and coordinating the neighborhood meeting. The purpose of the meeting is for the developer to interact with the neighborhood, and for the developer to inform and obtain feedback from the neighborhood on a specific development proposal in a relaxed atmosphere.~~

~~(d) The developer makes application for preliminary plan approval, and a hearing is scheduled with the Planning Commission.~~

~~(e) Planning Department staff prepares a report reviewing the issues and recommendations of the informal public meeting for Planning Commission review.~~

~~(2)~~(1) Land Use Conflicts. The matrix indicates the conflicts that are presumed to exist between land uses. The types of mitigation measures listed in the following Sections are the design tools that may be employed either separately or in combination to mitigate existing or potential land use conflicts. Minimum Performance Standards require that such conflicts be mitigated as a condition for approval of the development plan.

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CHAPTER 15.01 Development Review Process

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15.01.040. Application Expiration.

- (1) Except as provided in Subsection (4) of this Section, if within twelve (12) months after an application has been submitted pursuant to the requirements of this Title or Title 14, ~~Provo City Code~~, the applicant fails to diligently pursue approval of the application, the application shall expire and any vested right to proceed with the application shall terminate.
- (2) Except as provided in Subsection (4) of this Section, if within twelve (12) months after an application has been approved pursuant to the requirements of this Title or Title 14, the applicant fails to exercise development rights authorized by such approval prior to the expiration date, the approval and associated development rights shall expire. The exercise of development rights shall be evidenced by the issuance of a building permit and subsequent commencement of construction.
- (3) An applicant whose application has been approved shall continually conform to all conditions of approval. An applicant's failure to do so shall constitute the applicant's knowing and willful waiver of the applicant's development rights authorized by such application.
- (4) Upon written request of an applicant, the expiration date of an application or its approval, as the case may be, shall be extended for ~~twelve (12) months~~ ninety (90) days beyond the original expiration date provided that:
- (a) an application for an extension of time is submitted prior to the original twelve (12) month expiration date; and
 - (b) the Planning Commission or its designee finds, based on substantial evidence placed in the record:
 - (i) substantial progress is being made toward obtaining approval of the application, or the exercise of development rights authorized by an approved application, as the case may be; ~~and~~
 - (ii) in the case of an unapproved application, no changes to this Title or Title 14, ~~Provo City Code~~, have occurred or are being considered that may affect the application; ~~and~~
 - (iii) in the case of an approved application, any conditions of approval are still viable based on currently applicable requirements of the Provo City Code.
 - (c) In no case shall the time period be extended for more than twelve (12) months from the original expiration date.

CHAPTER 15.03 General Development Standards

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15.03.300. Preliminary Project **Concept** Plan Submittal Requirements.

(1) Concurrent with any request to rezone or annex property, a **preliminary project development plan concept plan application** shall be submitted to the Community Development Department.

(a) Any development plan that includes a **preliminary** subdivision ~~consisting of three (3) acres or more~~ shall comply with this Section and ~~Section 15.04.130, Provo City Code.~~ **Provo City Code Chapter 15.04.**

~~(2) Applicant submits a PDF of the preliminary project plan with a completed application, required fees and any required supporting documents. Upon receipt of a complete application with all necessary supporting drawings and documents, the plan shall be distributed to the various City departments for review, comments and approval. After each City department reviews the plan, they shall either request revisions to the submittal or approve the project as submitted. If the plan must be revised, then a revised preliminary project development plan shall be prepared which addresses the matters raised by City staff and then shall be submitted to the Planning Commission along with the rezoning request for approval.~~

~~(3)~~**(2)** A **preliminary project concept** plan application shall vest, for purposes of Section 14.02.130, when:

- (a) The developer has signed an application form and submitted it to the City;
- (b) The developer has paid all application fees as evidenced by a receipt from the City; and
- (c) The developer has submitted to the City a plan ~~on a disk, in PDF~~ **in an approved electronic** format, - showing the proposed development layout, drawn to scale, and the following information:
 - (i) A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, public streets, private streets, landscaping, etc.
 - (ii) Proposed circulation pattern including private driveways, public and private streets, pedestrian paths, location of parking spaces and ingress or egress.
 - (iii) Parks, common open spaces, playgrounds, school sites, and other public or private recreation facilities and improvements proposed within the **planned proposed** development.

(iv) General location of all dwellings and other structures in the ~~planned~~ **proposed** development, and an indication of proposed population densities and building densities (units per net acre).

(v) Preliminary elevations or perspectives of all building types proposed within the development including floor plans.

(vi) A workable infrastructure plan for providing necessary streets, water, sewer, storm drainage, and electrical distribution for the entire tract including the point from which said services are to be extended.

~~(4)~~**(3)** Based on the size, scope or complexity of the development proposal, staff may require any or all of the following additional information in order to obtain ~~preliminary project~~ **concept** plan approval:

(a) A complete and accurate legal description of the property;

(b) A preliminary title search showing legal ownership of the property. If the applicant is not the property owner, the applicant shall also provide written proof that the applicant has sufficient legal claim on the property, and each parcel therein, to proceed with development plans;

(c) A grading plan of the entire site with contour intervals no greater than two (2) feet, and identifying natural slopes of thirty percent (30%) or greater;

~~(d) A preliminary site plan including locations of street improvements (i.e., driveways, curb, gutter and sidewalks) and existing and proposed utilities including connections;~~

~~(e)~~**(d)** A preliminary subdivision plat, if required by the City Engineer, ~~showing a general layout of all proposed lots~~ **meeting the requirements of Provo City Code 15.04.130**;

~~(f)~~**(e)** Landscaping plans showing the types and sizes of plants and materials to be used;

~~(g)~~**(f)** A draft of the covenants, conditions and restrictions;

~~(h)~~**(g)** A phasing plan with a construction timetable for all phases;

~~(i)~~**(h)** A preliminary traffic study as directed by the City Engineer;

~~(j)~~**(i)** Any other information that is deemed pertinent to the project.

(4) A final project plan, meeting the requirements of Provo City Code Section 15.03.310, shall be submitted within twelve (12) months of the Planning Commission approval of the concept plan. If a final project plan is not

submitted within the required time period, the City may initiate proceedings to rezone the property back to the zone classification that existed on the property prior to the approval.

(5) If an applicant seeks to revise a concept plan, the new plan shall be subject to all new sections of the Provo City Code and other new City ordinances in effect at that time.

~~(5) A preliminary project plan application will be considered expired twelve (12) months from the date of when the application was vested unless a decision by the Planning Commission has been rendered. An applicant, or applicant's agent, may request one (1) ninety (90) day continuance if the request is made in writing to the Planning Division within twelve (12) months of the application date.~~

15.03.310. Final Project Plan Submittal Requirements.

(1) No building or structure shall be erected or substantially altered and no nonstructural improvements shall be made to open land unless a final project plan is approved by the Coordinator Review Committee. ~~If the proposed project includes an industrial, commercial, institutional, or multiple-family residential building, structure or use (including groupings of more than one (1) two-family residential structure), the project plan shall include necessary duplicate maps and drawings which demonstrate compliance with applicable provisions of the Provo City Code.~~

(2) A final project plan application shall vest, for purposes of Provo City Code Section 14.02.130, Provo City Code, when:

- (a) The developer has signed an application form and submitted it to the City;
- (b) The developer has paid all application fees as evidenced by a receipt from the City; and
- (c) The developer has submitted to the City a final project plan on a disk in PDF in an approved electronic format including the following information:
 - (i) Detailed siteSite plan ~~information~~, including:
 - (A) Dimensions of existing and proposed property lines;
 - (B) Distance from buildings to property lines;
 - (C) Square footage of existing and proposed structures;
 - (D) Use of existing and proposed structures;

(E) Trash storage container location, size, and how enclosed;

(F) Designations of common open spaces and special use areas;

(G) Proposed street, sidewalk and driveway layout;

(H) A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses (e.g. parking, buildings, open space, streets, etc.);

(I) Any dimensions or notations necessary to exhibit compliance with applicable ordinances.

(ii) Parking plan information, including:

(A) Parking space ~~count~~ analysis (proposed and required);

(B) Parking space dimensions, including back up area;

(C) Ingress and egress;

(D) Parking for persons with disabilities; and

(E) Location of supporting columns in ~~subgrade~~ structured parking;

(iii) Building design plan information, including:

(A) Exterior elevations of proposed buildings, indicating roofing materials, type of construction, exterior materials and colors;

(B) Conceptual sign plans;

(C) Total square footage for all floors, including rough floor plans; and

(D) Note all existing buildings proposed for use or for demolition.

(iv) Detailed landscaping plans meeting the requirements of Provo City Code Section 15.20.050.

(3) Based on the size, scope or complexity of the development staff may require the following additional information:

(a) ~~A legal description of the property~~A certified survey of the property showing any survey conflicts with adjoining properties, any discrepancies between the survey descriptions and existing fence lines, and any overlaps with adjoining property descriptions;

(b) Location of all fire hydrants within five hundred (500) feet or fire suppression methods;

(c) Locations of existing and proposed easements or rights-of-way;

(d) Location of power, telephone and cable facilities;

(e) Proposed density ~~range~~ for each phase;

(f) An existing features site analysis plan including steep slopes, wetlands, watercourses, drainage channels, one hundred (100) year floodplains, potential landslide areas, fault lines, rock fall areas, woodlands, tree lines, open fields or meadows, scenic views, outcrops, roads, power lines and trails;

~~(g) Landscaping plans;~~

~~(h) Detailed site plan, including:~~

~~(i) Proposed street and driveway layout;~~

~~(ii) Location of curb, gutter and sidewalks;~~

~~(iii) Utility plan, including location and size of existing and proposed main lines and services;~~

(g) Utility plan, including location and size of existing and proposed main lines and services;

(h) Fully executed declaration of covenants, conditions, and restrictions, together with open space easements and other bonds, guarantees, or agreements as required herein or as deemed necessary by the Planning Commission and/or the City Attorney to meet the objectives of this Chapter;

(i) Subdivision plat, if required by the City Engineer, including all necessary information;

- (j) Traffic study;
- (k) Drainage plans and a storm water pollution prevention plan (SWPPP);
- (l) A grading plan of the entire site with contour intervals no greater than one (1) foot, and identifying natural slopes of thirty percent (30%) or greater, and identifying quantities of borrowed or excess material;
- (m) Proof of single ownership or control of the subject property by title report, deeds, etc.;
- (n) Market study or cost/benefit study;
- (o) Phasing plan and/or schedule for the completion of landscaping, parking, street improvements, and other improvements and amenities that are guaranteed by bonds or other securities; and
- (p) Any other information required to ensure that the proposed project complies with applicable requirements of the Provo City Code and standards and specifications adopted by the City.

(4) If during preparation and consideration of a Final Project Plan any sensitive land area is encountered that is not shown on the Concept Plan submitted under Provo City Code Section 15.03.300, no development shall be permitted within such area. In such cases, development that was shown on an approved Concept Plan shall not be approved in any Final Project Plan.

~~(4) A final project plan application will be considered expired twelve (12) months from the date of when the application was vested unless a decision from the Planning Commission has been rendered. An applicant, or applicant's agent, may request one (1) ninety (90) day continuance if the request is made in writing to the Planning Division within twelve (12) months of the application date.~~

(5) Prior to consideration of a final project plan for any development of three (3) or more residential units or any nonresidential project, the Design Review Committee shall review the project plan pursuant to Provo City Code Sections 14.04A.020 and 14.34.280, ~~Provo City Code~~.

~~(6) An approved project plan which has not proceeded to actual construction within twelve (12) months, as evidenced by the issuance of a building permit, shall expire and be of no further force or effect unless such time period is extended pursuant to the terms of this Subsection.~~

~~(a) Subject to the criteria in Subsection (6)(b) of this Section, the twelve (12) month time period referred to above may be extended for twelve (12) months by the Planning Commission.~~

~~(i) In no case shall the time period be extended for more than twelve (12) months from the original expiration date. A project plan approval shall expire and shall become null and void if a building permit for the project plan is not issued within twenty-four (24) months from the original effective date of the project plan approval.~~

~~(ii) An application for an extension of time shall be submitted prior to the original twelve (12) month expiration date.~~

~~(b) In order to approve an extension of time, the Planning Commission shall find, based on substantial evidence placed in the record, that:~~

~~(i) Substantial progress is being made toward obtaining site plan approval or a building permit, as the case may be;~~

~~(ii) No building permit has been issued for the project plan due to reasons beyond the control of the applicant;~~

~~(iii) The project plan conditions of approval are still viable based on currently applicable requirements of the Provo City Code; and~~

~~(iv) No ordinance changes have occurred or are being considered that may affect the activity or project authorized by the project plan approval.~~

~~(7) This Section shall not apply to project plans governed by the following provisions:~~

~~(a) Detailed project plan requirements for manufactured home parks set forth in Section 14.15.170, Provo City Code;~~

~~(b) Detailed project plan requirements for the Planned Industrial Commercial (PIC) zone set forth in Section 14.29.140, Provo City Code; and~~

~~(c) Detailed project plan requirements for the Research and Business Park (R&BP) zone set forth in Section 14.44.110, Provo City Code.~~

CHAPTER 15.04 Conventional and Open Space Subdivision Requirements

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15.04.130. Preliminary Subdivision Plan.

(1) A preliminary subdivision plan shall be furnished for all proposed developments consisting of three (3) acres or greater or ten (10) lots or greater.

(2) A preliminary subdivision plan application shall vest, for purposes of Provo City Code Section 14.02.130, ~~Provo City Code~~, when:

- (a) The developer has signed an application form and submitted it to the City;
- (b) The developer has paid all application fees as evidenced by a receipt from the City; and
- (c) The developer has submitted to the City a plan, on a disk in PDF in an approved electronic format, showing the proposed development layout, drawn to scale, and the following information:
 - (i) North point, scale and date;
 - (ii) The names and addresses of the property owner, developer, the engineer, and/or surveyor of the development, and the owners of the land immediately adjoining the land to be subdivided;
 - (iii) Proposed name of the development;
 - (iv) The location of the development as forming a part of the larger tract or parcel where the plan submitted covers only a part of the developer's tract; ~~and a vicinity drawing at a readable scale.~~
 - (v) A conceptual integrated development plan meeting the requirements of 15.04.030;
 - (vi) An infrastructure plan for providing necessary streets, water, sewer, storm drainage, and electrical distribution for the entire tract including the point from which said services are to be extended;
 - (vii) A summary indicating the total area within the development, total area and dimensions of each lot, and proposed net density of the development.

(3) Based on the size, scope or complexity of the development proposal, staff may require any or all of the following additional information in order to obtain preliminary subdivision plan approval:

- (a) The legal description, and information sufficient to accurately locate property shown on the plan, with reference to survey markers, monuments, or section corners;
- ~~(b) The location, width and other dimensions of the existing or platted streets, and buildings within the tract;~~
- ~~(b)~~ (e) The location, width and other dimensions of ~~the~~ existing and/or proposed streets, lots, buildings, alleys, easements, parks and other open spaces (primary and secondary conservation areas) with proper labeling of spaces to be dedicated to the public;

~~(d)~~ Existing and proposed sanitary sewers, storm drains, street lights, water supply mains, natural gas lines, telephone lines, television cable locations, electric power lines, easements and irrigation ditches and other waterways within the tract and within one hundred (100) feet of the boundary of the proposed development;

~~(c)~~~~(e)~~ All wetlands and/or subsurface drainage systems;

~~(f)~~ Preliminary engineering drawings including:

~~(i)~~ Typical cross-sections;

~~(ii)~~ Sidewalks, curbs and gutters;

~~(iii)~~ Plans and/or written statements indicating width, type and size of proposed:

~~(A)~~ On-site and off-site water mains;

~~(B)~~ Sanitary sewers;

~~(C)~~ Drainage facilities, including sizes of all pipe and calculations;

~~(D)~~ Water valves;

~~(E)~~ Sewer manholes;

~~(F)~~ Fire hydrants;

~~(d)~~~~(g)~~ Preliminary grading plans showing areas of proposed cut and fill including:

(i) Existing and proposed contours;

(ii) Identify natural slopes of thirty percent (30%) or greater;

(iii) Quantities of borrowed or excess material;

~~(e)~~~~(h)~~ A vegetation plan showing existing vegetation to remain and the size, type and location of vegetation to be replaced;

~~(f)~~~~(i)~~ A storm water pollution prevention plan;

~~(j)~~ A summary statement indicating the following:

~~(i)~~ Total area within the development;

~~(ii)~~ Total area of each lot;

~~(iii)~~ Total number of proposed dwelling units;

~~(k)~~~~(g)~~ Letter of agreement from the owner of any irrigation ditch, canal or other such waterway passing through the proposed development;

~~(h)~~ Estimated total peak water demand on the City water system expressed in gallons per day and estimated peak hourly demand with fire flow requirements shown in gallons per minute;

~~(i)~~ Estimated total peak sewer flow to be treated by the City treatment facilities expressed in gallons per day;

~~(j)~~ Estimated maximum flow (one hundred (100) year storm) through any natural courses lying within the area to be developed;

~~(k)~~ A utility maintenance agreement for all private utility systems; ~~and~~

(l) Any other information that is deemed pertinent to the project.

~~(4) A preliminary plan application will be considered expired twelve (12) months from the date of when the application was vested unless a decision by the Planning Commission has been rendered. An applicant, or applicant's agent, may request one (1) ninety (90) day continuance if the request is made in writing to the Planning Division within twelve (12) months of the application date.~~

(4) A final subdivision plan, meeting the requirements of Provo City Code Section 15.04.140, shall be submitted within twelve (12) months of the Planning Commission approval of the preliminary subdivision plan. If a final subdivision plan is not submitted within the required time period, the City may initiate proceedings to rezone the property back to the zone classification that existed on the property prior to the approval.

(5) If an applicant seeks to revise a preliminary subdivision plan, the new plan shall be subject to all new sections of the Provo City Code and other new City ordinances in effect at that time.

15.04.140. Final Subdivision Plan.

(1) A final subdivision plan shall be prepared for all developments which require a recorded plat as determined by the City Engineer unless a final plat is necessary. In instances where a plat is not required, a Lot Line Adjustment application must be verified and signed by the City Engineer and Community Development Director, or designee, and recorded with all other applicable documents required by the Utah County Recorder.

(2) A final subdivision plan application shall vest, for purposes of Provo City Code Section 14.02.130, ~~Provo City Code~~, when:

(a) The developer has signed an application form and submitted it to the City;

(b) The developer has paid all application fees as evidenced by a receipt from the City; and

(c) The developer has submitted to the City final drawings, on a disk in PDF in an approved electronic format. The final drawings or plans shall be reviewed, stamped and signed by a Professional Engineer and include the following:

(i) Development name and the general location of the development;

(ii) A north point and scale on the drawing and the date;

(iii) Accurately drawn boundaries, showing the proper bearings and distances, properly tied to public survey monuments. These lines should be heavier than street and lot lines to clearly define said subdivision boundaries;

(iv) The names, width, lengths, bearings, and curve data on center lines of proposed public or private streets, alleys or easements; ~~also the boundaries, bearings and dimensions of all portions within the development, as intended to be dedicated to the use of the public; the lines, dimensions, bearings, and numbers of all lots; blocks and parks reserved for any reason within the development. All lots and blocks shall be numbered consecutively under a definite system.~~ All proposed streets shall be named or numbered in accordance and in conformity with the street naming and numbering system of the City;

(v) Boundaries, bearings and dimensions of all portions within the development, as intended to be dedicated to the use of the public;

(vi) Lines, dimensions, bearings, and numbers of all lots;

(vii) Blocks and parks reserved for any reason within the development. All lots and blocks shall be numbered consecutively under a definite system.

(viii)(v) Drawings showing plan layout, profile, and detailed design for sewer systems, water systems, storm systems and electrical service lines, including street lights;

(ix)(vi) Plan, profile and typical cross-section drawings of all streets, bridges, culverts and other drainage structures;

(x)(vii) Grading and drainage plan indicating the finished grade by solid line contours superimposed on dashed line contours indicating the existing topography for the area of the final plan. The plan shall identify natural slopes which exceed thirty percent (30%) or greater slope and include quantities of borrowed or excess material;

(xi) All fences, barriers or landscaping as required;

(xii) All special improvements required as conditions of development approval;

(xiii)(viii) A final plat, meeting Provo City Standards, prepared by a professional land surveyor, in ~~the standard plat forms approved by the Planning Commission lettered for the following:~~

~~(A) Description of land to be included in development;~~

~~(B) Registered professional engineer and/or land surveyor's "certificate of survey";~~

~~(C) Owners' dedication;~~

~~(D) Notary public's acknowledgment;~~

~~(E) Community Development Director's certificate of approval;~~

~~(F) City Engineer's certificate of approval; and~~

~~(G) The Mayor's certificate of acceptance attested by the City Recorder.~~

(3) Upon notice of final approval, one (1) copy ~~Two (2) copies~~ of the final plat on a twenty-four (24) inch by thirty-six (36) inch mylar shall be submitted as part of the final plan approval.

~~(3) An improvement plan shall be submitted, and include the following:~~

- (a) All sewer mains and manholes including sizes of lines and appurtenant infrastructures;
- (b) All water mains, valves and fire hydrants including sizes of lines and appurtenant infrastructures;
- (c) All storm drains, irrigation ditches, canals and other waterways, along with any required improvements;
- (d) The location of all curb, gutter, sidewalk, and other street improvements to be constructed;
- (e) All fences, barriers or landscaping as required;
- (f) All special improvements required as conditions of development approval; and
- (g) The location of all gas, phone, television and electrical service lines.
- (h) All improvement plans shall be reviewed, stamped and signed by a Professional Engineer.

~~(4)~~(4) All final subdivision plans which are part of a previously approved preliminary plan shall reference any related previously approved preliminary subdivision plan. such preliminary plan on all final plans which pertain thereto.

~~(5)~~(5) The final subdivision plan shall conform to the preliminary subdivision plan, except in those instances where modifications have been required.

~~(6)~~ A final subdivision plan application shall be subject to the expiration terms stated in Provo City Code Section 15.01.040.

~~(6)~~ A final plan application will be considered expired twelve (12) months from the date of when the application was vested unless a decision by the Planning Commission is rendered. An applicant, or applicant's agent, may request one (1) ninety (90) day continuance if the request is made in writing to the Planning Division within twelve (12) months of the application date.

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