

FARMINGTON CITY

SUBDIVISION

AND

LAND DEVELOPMENT

ORDINANCE

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Farmington City
Subdivision and Land Development Ordinance

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CHAPTER 1

GENERAL PROVISIONS

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12-1-010 Short Title.

This Title shall be known as the "Farmington City Subdivision Ordinance." This Title shall also be known as Title 12, Farmington City Code. It may be cited and pleaded under either designation.

12-1-020 Purpose.

(1) Purpose. The purpose of this Title, and any rules, regulations and specifications hereafter adopted, are to promote and protect the public health, safety and general welfare through provisions designed to:

- (a) Provide for the harmonious and coordinated development of the City, and to assure sites suitable for building purposes and human habitation.
- (b) Insure adequate open space for traffic, recreation, light, and air.
- (c) Facilitate the conservation of, or production of, adequate transportation, water, sanitation, drainage and energy resources.
- (d) Avoid scattered and premature subdivisions which would cause insufficient public services and facilities, or necessitate an excessive expenditure of public funds for the supply of such services and facilities.
- (e) Preserve outstanding natural, cultural or historic features.

(2) Intent. This Title is designed to inform the Subdivider and public of the requirements and conditions necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are expressly delineated in this Title or other applicable

ordinances. However, since it is impossible to cover every possibility, and there are some aspects which do not lend themselves to being easily articulated, this Title allows the Planning Commission and City Council to impose reasonable conditions upon a Subdivider in addition to those expressly required, so long as such conditions do not conflict with any requirements set forth in this Title or other applicable ordinances.

12-1-030 Interpretation.

In their interpretation and application, the provisions of this Title shall be considered as minimum requirements. Where the provisions of this Title impose greater restrictions than any statute, other regulation, ordinance or covenant, the provisions of this Title shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provisions of this Title, the provision of such statute, other regulation, ordinance or covenant shall prevail. The provisions of this Title are not intended to abrogate any easement, covenant, or any other private agreement or restriction which is not inconsistent with these regulations.

12-1-040 Definitions.

Whenever any word or phrase used in this Title is not defined herein, but is defined in related sections of the Utah Code or in the Farmington City Zoning Ordinance, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive. The following terms as used in this Title shall have the respective meanings hereinafter set forth.

- (1) Agricultural Use means land used for the production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural, industry or business.
- (2) Alley means a public way which generally affords a secondary means of vehicular access to abutting properties and not intended for general traffic circulation.
- (3) Applicant means the owner of land proposed to be subdivided or such owner's duly authorized agent.
- (4) Bond means an agreement to install improvements secured by cash, a letter of credit, or escrow funds on deposit in a financial institution, or with the City, in an amount corresponding to an engineering estimate and in a form satisfactory to the City Attorney.
- (5) Condominium means property conforming to the definition set forth in Section

57-8-3 of Utah Code Annotated, 1953, as amended. A condominium is also a "subdivision" subject to these regulations.

- (6) Capital Project means an organized undertaking which provides, or is intended to provide, the City with a capital asset. "Capital Asset" is defined according to generally accepted accounting principles.
- (7) City means Farmington City.
- (8) City Council means the City Council of Farmington City.
- (9) City Manager means the City Manager of Farmington City.
- (10) Consolidated Fee Schedule means the schedule of fees adopted periodically by resolution of the City Council setting forth the various fees charged by the City.
- (11) Cul-de-sac means a minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic.
- (12) Dedication of Land refers to land set aside by the Subdivider to be used by the public, such land being conveyed to the City or other governmental entity.
- (13) Developer means, as the case may be, either: (1) an applicant for subdivision approval; (2) an applicant for a building permit or another permit issued; or (3) the owner of any right, title, or interest in real property for which subdivision approval or site plan approval is sought.
- (14) Dwelling Unit means one or more rooms in a dwelling, designed for or occupied by one family for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other potable cooling units or wet bars.
- (15) Easement means a nonprofitable interest in property owned by another that entitles its holder to specific use on, under, or above said property.
- (16) Final Plat means a map of a subdivision, required of all major subdivisions, which is prepared for final approval and recordation, which has been accurately surveyed, so that streets, alleys, blocks, lots and other divisions thereof can be identified; such plat being in conformity with the ordinances of the City and the Municipal Land Use Development and Management Act, set forth at Title 10, Chapter 9, Utah Code Annotated, 1953, as amended.
- (17) Flag Lot means a lot that has been approved by the City with access provided to

the bulk of the lot by means of a narrow corridor.

- (18) Flood Damage Prevention Ordinance means the Farmington City Flood Control and Storm Drainage Ordinance, as amended.
- (19) Flood, One Hundred Year means a flood having a one percent (1%) chance of being equalled or exceeded in any given year.
- (20) Flood, Ten Year means a flood having a ten percent (10%) chance of being equalled or exceeded in any given year.
- (21) Flood Plain, One Hundred Year means that area adjacent to a drainage channel which may be inundated by a one hundred year flood.
- (22) Freeway means a street with fully controlled access designed to link major destination points. A freeway is designed for high speed traffic with a minimum of four travel lanes.
- (23) General Plan means the document adopted by the City which sets forth general guidelines for proposed future development of land within the City, as provided in Title 10, Chapter 9, Utah Code Annotated 1953, as amended. "General Plan" includes what is also commonly referred to as a "master plan."
- (24) Lot means a parcel of land occupied or capable of being occupied by one (1) building or a group of buildings together with such yards, open spaces and yard areas as are required by this Title and the Farmington City Zoning Ordinance, and having frontage on a public street equal to fifty percent (50%) of the minimum required frontage for the lot except for flag lots.
- (25) Lot Split means the division of a property which may be divided into no more than two (2) legal size lots.
- (26) Major Street Plan means the plan which defines the future alignments of streets and their rights-of-way, including maps or reports or both, which has been approved by the Planning Commission and City Council. Also known as an "official map" as referred to in the Utah Municipal Land Use Development Act.
- (27) Natural Drainage Course means any natural watercourse which is open continuously for flow of water in a definite direction or course.
- (28) Owner means the owner in fee simple of real property as shown in the records of the Davis County Recorder's Office and includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, limited

liability company, trust, private corporation, public or quasi-public corporation, or any combination thereof.

- (29) Parcel of Land means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same owner.
- (30) Planned Unit Development means a development designed pursuant to the Planned Unit Development Ordinance set forth in the Farmington City Zoning Ordinance. Such development is a subdivision and shall comply with the applicable provisions of these regulations.
- (31) Planning Commission means the Farmington City Planning Commission.
- (32) Planning Department means the Planning Department of Farmington City.
- (33) Preliminary Plat means the initial map of a proposed land division or subdivision required for major subdivisions.
- (34) Protection Strip means a strip of land bordering a subdivision, or a street within a subdivision, which serves to bar access of adjacent property owners to required public improvements installed within the subdivision until such time as the adjacent owners share in the cost of such improvements.
- (35) Public Improvements means streets, curb, gutter, sidewalk, water and sewer lines, storm sewers, and other similar facilities which are required to be dedicated to the City in connection with subdivision, conditional use, or site plan approval.
- (36) Public Way means any road, street, alley, lane, court, place, parkway, walk, public easement, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right-of-way.
- (37) Public Works Department means the Public Works Department of Farmington City.
- (38) Reservation of Land refers to land set aside for common use within a subdivision, such land to be developed and maintained by the Subdivider or by the residents of the subdivision.
- (39) Right-of-way means a strip of land used or intended to be used for a street, sidewalk, sanitary or storm sewer, drainage, utility, railroad, or other similar use.
- (40) Schematic Plan means a sketch prior to the preliminary plat for major

subdivisions or prior to final plat in the case of minor subdivisions to enable the Subdivider to save time and expense in reaching general agreement with the Planning and Zoning Division as to the form of the plat and the objectives of these regulations.

- (41) Sidewalk means a passageway for pedestrians, excluding motor vehicles.
- (42) Street, Dead-end, means a street with only one outlet which is intended to be extended at a future time to connect with other streets and to provide future access for abutting properties.
- (43) Street, Local means a street for which the principal function is access to abutting land. Traffic movement is a secondary function.
- (44) Street, Major Collector, means a street which carries traffic from minor streets and minor collector streets to the arterial street system. The primary function of such streets is the movement of traffic. Providing access to abutting properties is a secondary function.
- (45) Street, Minor Arterial, means a street for which the principal function is movement of large volumes of traffic from collector streets to freeways. Providing access to abutting land is a secondary function.
- (46) Street, Minor Collector, means a street which carries traffic from minor streets to the collector and major street system. Such streets include the principal entrance streets of residential developments and the primary circulating streets within such developments.
- (47) Street, Private means a privately owned and maintained way used, or intended to be used, for passage or travel by motor vehicles and to provide access to abutting properties.
- (48) Street, Public means a public way, having a width of at least fifty (50) feet, used or intended to be used for passage or travel by motor vehicles and to provide access to abutting properties, which has been accepted and is maintained by the City.
- (49) Subdivider means the owner of the real property proposed to be subdivided, including any successors or assigns.
- (50) Subdivision means any land that is divided, redivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development, either

on the installment plan or upon any and all other plans, terms and conditions including resubdivision. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument, and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

- (51) Subdivision, Major means all subdivisions of ten (10) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities.
- (52) Subdivision, Minor means any subdivision of land that results in nine (9) or fewer lots, provided that each lot thereby created has frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets.
- (53) Survey Monument means a mark affixed to a permanent object along a line of survey to furnish a survey control.
- (54) Utilities includes culinary water lines, pressure and gravity irrigation lines, sanitary and storm sewer lines, sub-surface drainage systems, electric power, natural gas, and telephone transmission lines, cable television lines, and underground conduits and junction boxes.
- (55) Water and Sewer Improvement Districts means the Farmington Area Pressure Irrigation District and the Central Davis Sewer District and any other water or sewer improvement district existing or hereinafter organized, whichever has jurisdiction over the land proposed to be subdivided.
- (56) Zoning Ordinance means the Farmington City Zoning Ordinance, as amended.

12-1-050 Considerations.

(1) General Plan. The General Plan shall guide the use of all land within the corporate boundaries of the City. The size and design of lots, the nature of utilities, the design and improvement of streets, the type and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the General Plan, the Zoning Ordinance, and other applicable ordinances.

(2) Natural Landscape. Trees, native land cover, natural watercourses, and topography shall be preserved when possible. Subdivisions shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with the Foothill Development Ordinance. The design of new subdivisions shall consider, and relate to, existing street widths,

alignments and names.

(3) Community Facilities. Community facilities, such as parks, recreation areas, and transportation facilities shall be provided in the subdivision in accordance with General Plan standards, this Title, and other applicable ordinances. This Title establishes procedures for the referral of information on proposed subdivisions to interested boards, bureaus, and other governmental agencies and utility companies, both private and public, so that the extension of community facilities and utilities may be accomplished in an orderly manner, coordinated with the development of the subdivision. In order to facilitate the acquisition of land areas required to implement this policy, the Subdivider may be required to dedicate, grant easements over or otherwise reserve land for schools, parks, playgrounds, public ways, utility easements, and other public purposes as specified.

12-1-060 General Responsibilities.

(1) Subdivider. The Subdivider shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The City shall process said plats in accordance with the regulations set forth herein. The Subdivider shall not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until the necessary approvals as outlined herein have been obtained.

(2) Planning Department. The Planning Department shall review the plats for design; for conformity to the Master Plan and to the Zoning Ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this Title.

(3) Other Agencies. Plats of proposed subdivisions may be referred by the Planning Department to such City departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment. The Planning Department is responsible for coordinating the comments received from all public and private entities and shall decide which agencies to refer proposed subdivision plats to.

(4) Public Works and Engineer. The Public Works Department and City Engineer shall make comments as to engineering requirements for street widths, grades, alignments, and flood control, whether the proposed public improvements are consistent with this Title and other applicable ordinances and shall be responsible for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with transportation planning in the Planning Department.

(5) Planning Commission. The Planning Commission shall act as an advisory agency to the City Council. It is charged with making investigations, reports and recommendations on

proposed subdivisions as to their conformance to the Master Plan and Zoning Ordinance, and other pertinent documents. The Planning Commission shall recommend approval, approval with conditions, or disapproval of the final plat to the City Council.

(6) City Attorney. The City Attorney shall verify, prior to recordation of a plat, that the form of the final plat is correct and acceptable, that the Subdivider dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report submitted by the Subdivider.

(7) City Manager. The City Manager acts as liaison between the Planning Commission, Planning Department staff, and the City Council. Prior to preliminary approval for a subdivision, the City Manager may review the proposed plat and receive written comments from the City Council on the plat. The comments may then be forwarded to the Planning Commission for evaluation. Upon final approval by the Planning Commission, the plat will be sent to the City Manager who will present it to the City Council.

(8) City Council. The City Council has final jurisdiction in the approval of subdivision plats, the establishment of requirements and design standards for public improvements, and the acceptance of lands and public improvements that may be proposed for dedication.

12-1-070 Appeal of Planning Commission Decisions.

(1) City Council. Appeal may be made to the City Council from any decision, determination or requirement of the Planning Commission under this Title by filing with the City Recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made. Such notice shall set forth in detail the action and grounds upon which the Subdivider, or other interested person, deems himself or herself aggrieved.

(2) Hearing. The City Recorder shall set the appeal for hearing before the City Council to be held within a reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued by order of the City Council. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing. After hearing the appeal, the City Council may affirm, modify, or overrule the decision, determination or requirement appealed and enter any such order or orders as are in harmony with the spirit and purpose of this Title. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the City Council.

12-1-080 Judicial Review of City Council Decisions.

Any person aggrieved by any decision of the City Council under this Title may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of the

decision by the City Council. No person may challenge in district court any land use decision made by the City under this Title until that person has exhausted his or her administrative remedies as provided herein.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-1-104 (now 12-1-040) Amended, 4-21-93, Ord. 93-18
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24

CHAPTER 2

CONTROL AND APPLICATION

- 12-2-010 Subdivision Control.**
- 12-2-020 Required Plat Approval.**
- 12-2-030 Transfer of Land.**
- 12-2-040 Transfer of Land - Voidable.**
- 12-2-045 Building Permits.**
- 12-2-047 Certificates of Occupancy.**
- 12-2-050 Penalties.**

12-2-010 Subdivision Control.

It shall be unlawful for any owner, or agent of the owner, of any land within the corporate limits and jurisdiction of the City to subdivide such land unless and until:

- (1) A plat, or metes and bounds description(s) based upon a survey as specified in Chapter 4 of this Title, of such subdivision is made in accordance with the requirements set forth herein;
- (2) Approval of such plat or metes and bounds description(s) based upon a survey is secured as provided herein; and
- (3) The approved plat, or metes and bounds description(s) based on a survey as approved herein, is recorded in the Office of the Davis County Recorder by the City Recorder or, in the case of a metes and bounds description, by the Subdivider.

12-2-020 Required Plat Approval.

No plat of any subdivision shall be recorded in the County Recorder's Office until it has been submitted and approved as provided herein and unless a recommendation has been received from the Planning Commission and it has been approved by the City Council and such approvals are entered in writing on the plat by the Mayor. A plat shall not be approved if such plat is in conflict with any provision or portion of the General Plan, Major Street Plan, Zoning Ordinance, this Title, or any other State law or City ordinance.

12-2-030 Transfer of Land.

Land shall not be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure thereon, until the final subdivision plat is recorded in the Davis County

Recorder's Office in accordance with this Title and any applicable provisions of State Law, and until the improvements required in connection with the subdivision have been constructed or guaranteed as provided herein.

12-2-040 Transfer of Land - Voidable.

No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions of this Title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this Title is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in bankruptcy, within one (1) year after the date of execution of the deed of conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee.

12-2-045 Building Permits.

(a) No building permit shall be issued for any structure within a subdivision until the final subdivision plat is recorded in the Davis County Recorder's Office and the required improvements and utilities have been installed and are operable as provided herein. No building permit shall be issued for any structure within a subdivision until all sanitary sewer, storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and gutter, streets, other underground utilities located under the street surface, and required grading and drainage improvements, are installed and fully functional, as determined by the City, providing continuous access and/or service to the lot. For purposes of this Section, street improvements shall require asphalt or concrete hard surfacing of the streets, except as otherwise provided in Subsection (b).

(b) A building permit may be issued by the City for the construction of a structure within a subdivision prior to application of hard surfacing of the streets within the subdivision under the following conditions:

- (1) The street improvements are being constructed during the months when cold weather prohibits the laying of a hard surface on the street.
- (2) The streets shall be completed with all utilities, rough grading, and all-weather road base sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base, including road base gradation and thickness, shall be determined by the City Engineer upon review and consideration of applicable soils reports, drainage factors and existing topographic conditions of the property.
- (3) The developer enters into an agreement with the City that the developer will take responsibility to ensure that the road is accessible for emergency

vehicles and construction traffic at all times, including snow removal and other required maintenance.

- (4) The developer enters into an agreement with the City that developer will hard surface the road as soon as weather permits and as authorized by the City. If developer fails to do so, the City can declare the developer in default of the applicable improvements bond agreement and may withdraw any or all of the funds from the bond and cause the improvements to the street to be constructed, completed and/or repaired in accordance with the terms and procedures set forth in the bond agreement for the withdrawal of funds.
- (5) The building contractor, property owner, and building permit applicant enters into an Assumption of Risk Agreement acknowledging the lack of hard surface streets within the subdivision and developer's obligation regarding maintenance and access of the same and assuming the risk of proceeding with construction under such circumstances pursuant to the terms and conditions set forth herein.
- (6) No certificate of occupancy shall be granted by the City for any structure within the subdivision until all streets are hard surfaced.

12-2-047 Certificates of Occupancy.

No building within a subdivision shall be occupied until a certificate of occupancy has been issued for such structure by the City. No certificate of occupancy shall be issued for any structure within a subdivision by the City until all required improvements for the subdivision are complete, including the hard surfacing of the streets, all required street signs are installed for the subdivision and house numbers are placed on the structure, all required utilities are installed providing service to the structure, and all other applicable ordinance provisions have been satisfied.

12-2-050 Penalties.

It shall be a Class "C" misdemeanor for any person to fail to comply with the provisions of this Title. In addition to any criminal prosecution, the City may pursue any other legal remedies provided by law to ensure compliance with this Title including, but not limited to, instituting an injunction, mandamus, abatement, or other appropriate actions, or proceedings to prevent, enjoin, abate, or remove the unlawful use or act.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-2-045 and 12-2-047 Enacted, 3-21-01, Ord. 2001-01
12-2-030 and 12-2-045 and 12-2-047 Amended, 4-04-01, Ord. 2001-13

CHAPTER 3

SCHEMATIC PLAN

- 12-3-010 Schematic Plan.**
- 12-3-020 Staff Cannot Bind City.**
- 12-3-030 Vested Rights.**
- 12-3-040 Submission.**
- 12-3-050 Notification.**
- 12-3-060 Review by the Planning Commission.**
- 12-3-070 Approval by the City Council.**
- 12-3-080 Expiration of Schematic Plan Approval.**

12-3-010 Schematic Plan.

A schematic plan shall be required of all Subdividers. This provides the Subdivider with an opportunity to consult with and receive assistance from the City regarding the regulations and design requirements applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat. The schematic plan should be based on an accurate survey showing boundaries, topography, important physical features, adjacent properties, and the sketch of the proposed subdivision. The applicant or applicant's duly authorized agent shall submit an application to the City Planning Department for schematic plan approval and at the same time, the applicant shall pay an application fee as provided in the City's Consolidated Fee Schedule.

12-3-020 Staff Cannot Bind City.

The schematic plan requirement is designed to provide the Subdivider with helpful information and suggestions before the expense and time involved in preparing a preliminary plat is incurred. However, only the City Council may bind the City and only the City Manager and Planning Commission can make official recommendations to the City Council. City employees and all other officers of the City act in advisory capacity to the City Council and have no authority to make binding decisions or to make authoritative representations, approvals or determinations. Employees and officers of the City may make recommendations, suggestions, and dispense information regarding City ordinances and the Master Plan, but such comments shall in no way whatsoever be binding on the City.

12-3-030 Vested Rights.

Submission of a schematic plan shall in no way confer any vested rights upon the Subdivider. Vested rights may attach only upon the filing of a subdivision plan under Chapters 4, 5, 6 or 7, below, and the subdivision being able to meet the requirements of this Title and other

applicable ordinances at the time of the application. However, if there is a compelling, countervailing public interest or the City has initiated proceedings to amend this Title or other applicable ordinances at the time of the application, then there shall be no vested rights.

12-3-040 Submission.

The Subdivider shall submit three copies of the proposed schematic plan to the City Planning Department. The proposed schematic plan shall include the following items:

- (1) The proposed name of the subdivision.
- (2) A Subdivision Yield Plan pursuant to Chapter 12 of Title 11 if a Conservation Subdivision or a Planned Unit Development is proposed by the Applicant.
- (3) A vicinity plan showing significant natural and manmade features on the site and within five hundred (500) feet of any portion of it; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than five (5) feet; and north arrow.
- (4) A proposed lot and street layout.
- (5) A description of the type of culinary and irrigation water system(s) proposed; also, documentation of water rights and secondary water shares.
- (6) A description of the size and location of sanitary sewer and stormwater drain lines and subsurface drainage.
- (7) A description of those portions of the property which are included in the most recent flood insurance rate maps prepared by FEMA.
- (8) The total acreage of the entire tract proposed for subdivision.
- (9) Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.

12-3-050 Notification.

(1) The Farmington City Planning Department, upon receipt of the complete submission, shall distribute copies of the plan to such government departments and other agencies or advisors as in the opinion of the Department and the Planning Commission may contribute to a decision in the best interest of the public.

- (2) The Planning Department shall mail to all owners of property located within three

hundred (300) feet of the boundary of the proposed subdivision a written notice of the time, date, and place where the Planning Commission will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

(3) The Planning Department shall mail to all owners of property located within three hundred (300) feet of the boundary of the proposed subdivision a written notice of the time, date, and place where the City Council will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

12-3-060 Review by the Planning Commission.

(1) At the time and place specified in the written notice described in Section 12-3-050 above, the Planning Commission shall review the submitted schematic plan and check compliance with the City's Master Plan, Zoning Ordinance, this Subdivision Ordinance, and other appropriate regulations. The Planning Commission may recommend approval or denial to the City Council, and shall make findings regarding the submitted schematic plan, specifying any inadequacy in the information submitted, non-compliance with City regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the proposed subdivision and in making a recommendation to the City Council.

(2) The Planning Commission may require additional information, data or studies to be provided to the Planning Commission by the subdivider for the overall development before any recommendation is given by the Planning Commission to the City Council and the Planning Commission may include requirements for the overall development as part of its findings on the concept plan.

12-3-070 Approval by the City Council.

(1) After receiving a recommendation from the Planning Commission together with any information related thereto and at the time and place specified in the written notice described in Section 12-3-050, the City Council may grant or deny schematic plan approval for the proposed subdivision and may adopt, amend or reject any of the findings made by the Planning Commission regarding the submitted concept plan.

(2) If the City Council denies schematic plan approval, no further review of the proposed subdivision shall be made by the City Council, and a new schematic plan submittal shall be required to re-initiate the subdivision process.

(3) Granting of schematic plan approval by the City Council shall not constitute an absolute approval or disapproval of the proposed subdivision, but is intended to give the

subdivider general guidance as to the requirements and constraints for subdivider's proposed subdivision within the City.

12-3-080 Expiration of Schematic Plan Approval.

Once schematic plan approval has been granted, the subdivider may apply for preliminary plat approval consistent with the schematic plan. If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the City.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
Chapter 3 Amended, 4-19-00, Ord. 2000-13

CHAPTER 4

SUBDIVISION BY METES AND BOUNDS

- 12-4-010 Purpose.**
- 12-4-020 Metes and Bounds Subdivision, When Permitted.**
- 12-4-030 Application.**
- 12-4-040 City Planner Review.**
- 12-4-050 Planning Commission Review.**
- 12-4-060 Requirements.**
- 12-4-070 Statement of Approval.**

12-4-010 Purpose.

The intent of this Chapter is to allow the division of lots located in agricultural and residential zones into two (2) lots through the recording of approved deeds in restricted situations rather than requiring the recording of a subdivision plat.

12-4-020 Metes and Bounds Subdivisions; When Permitted.

An owner or developer of property consisting of a single parcel of land or lot located within an agricultural or residential zone may subdivide the parcel of land or lot into not more than two (2) lots for residential dwellings or accessory buildings related to the primary use by recording deeds containing metes and bounds descriptions of the lots without the necessity of recording a plat, provided that:

- (1) The area to be divided is immediately adjacent to existing streets and utilities and does not involve the extension of any such streets or utilities;
- (2) The area to be divided is not traversed by the mapped lines of a proposed street as shown in the Comprehensive General Plan and does not require the dedication of any land for street or other public purposes;
- (3) That the proposed lots conform to the City's zoning regulations and Comprehensive General Plan for the area;
- (4) That no remnant parcels are created which, due to size, configuration or location, cannot be developed under the provisions of the Farmington City Zoning Ordinance;
- (5) No land immediately adjacent to the parcel of land or lot has been divided by the recording of metes and bounds deeds within five (5) years of the date of the

application; and

- (6) The division of the property is approved by the City as set forth in this Chapter.

12-4-030 Application.

An Owner or Subdivider wishing to divide a single parcel of land or lot within an agricultural or residential zone within the City into not more than two lots shall submit an application to the City Planner on a form approved by the City. The Application shall include one reproducible copy and two prints of a preliminary layout of the proposed boundaries of the property to be divided with a legal description prepared by a licensed surveyor. The application shall also be accompanied by any necessary plans for the installation of required public improvements and accompanying bond agreements. At the time the application is submitted, the applicant shall also pay the required application fee, as set forth in the City's Consolidated Fee Schedule.

12-4-040 City Planner Review.

Upon receipt of the application, the City Planner shall schedule a date for the application to be reviewed by the Planning Commission, which date shall not be more than sixty (60) days from the receipt of the application. The City Planner shall also review the application with applicable City Departments to assure compliance with City Ordinances and shall determine if the application should be submitted to the providers of any utility service for comment.

12-4-050 Planning Commission Review.

Upon review of all information submitted by the applicant and all comments or recommendations from City Departments and utility providers, the City Planner shall prepare a report on the application recommending either approval, approval with conditions, or disapproval of the application and shall submit such report to the Planning Commission for its consideration prior to the scheduled hearing. With the exception of applications for flag lots which shall be reviewed and considered for approval by the City Council after receiving a recommendation from the Planning Commission, the Planning Commission shall either approve the application, approve the application with conditions, or deny the application. Such decision shall be made by the Planning Commission within a reasonable time after the hearing.

12-4-060 Requirements.

- (1) As a condition of approval of a metes and bounds subdivision, the applicant may be required to install or provide the following improvements, unless specifically waived by the Planning Commission:

- (a) Boundary monuments, established in accordance with standards set forth

by the Davis County Surveyor and Title 17, Chapter 23, Utah Code Annotated;

- (b) curb and gutter;
- (c) sidewalk;
- (d) asphalt or concrete paving of rights-of-way;
- (e) appropriate storm drainage facilities; and
- (f) public utility easements.

(2) All required public improvements shall be installed in accordance with the provisions of Chapter 8 of this Title and the City's Construction Standards and Specifications.

(3) The installation of any required public improvements shall be secured as provided in Section 12-6-170 of this Title.

12-4-070 Statement of Approval.

Upon approval of an application under this Chapter and the performance of all required conditions by the applicant, the applicant shall submit to the City such proposed deeds as the applicant intends to record to accomplish the division of the property provided for under this Chapter, along with one reproducible copy and two prints of the record of survey map filed in accordance with Title 17, Chapter 23, Utah Code Annotated. The City shall review such deeds to assure that they conform to the representations made in the application. Upon approval, the Chair of the Planning Commission shall sign a statement to be attached to the deeds reflecting the City's approval of the division of the property into two (2) lots. The Chair of the Planning Commission shall not sign the statement until at least fifteen (15) days have passed from the date of approval from the Planning Commission.

CHAPTER 5

MINOR SUBDIVISIONS

- 12-5-010 Purpose.**
- 12-5-020 Requirements for Minor Subdivisions.**
- 12-5-030 Applicability.**
- 12-5-040 Schematic Plan Required.**
- 12-5-050 Minor Subdivision Application.**
- 12-5-060 Planning Department Review.**
- 12-5-070 Planning Commission Action.**
- 12-5-080 City Council Action.**
- 12-5-090 Bond Agreement.**
- 12-5-100 Plat Requirements.**
- 12-5-110 Recording of Plat.**

12-5-010 Purpose.

The intent of this Chapter is to provide an efficient review process for minor subdivisions. Minor subdivisions include those developments of less than ten (10) lots which also meet the requirements set forth herein. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined.

12-5-020 Requirements for Minor Subdivisions.

A subdivider of property located within Farmington City may submit an application for a minor subdivision, provided that the property to be subdivided meets the following conditions:

- (1) Less than ten lots shall be created in the subdivision;
- (2) The subdivision shall not require the dedication of any land for public streets or other public purposes;
- (3) The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The Subdivider shall be required to complete any public improvements on an existing street which are not in place at the time the application to develop a minor subdivision is made. Such improvements shall include any necessary storm drainage facilities, highback curb, gutter, sidewalk, and/or asphalt paving;
- (4) The subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan;

- (5) The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;
- (6) Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the Zoning Ordinance; and,
- (7) Utility easements shall be dedicated.

12-5-030 Applicability.

The procedures set forth in this Chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions to the contrary.

12-5-040 Schematic Plan Required.

Prior to filing a minor subdivision application, all Subdividers of proposed minor subdivisions within Farmington City shall be required to complete a Schematic Plan as set forth in this Title.

12-5-050 Minor Subdivision Application.

All Subdividers of proposed minor subdivisions within Farmington City shall submit a minor subdivision application to the City Planner on a form approved by the City. The application shall include one reproducible copy and six (6) prints of a plat meeting the requirements of Section 12-5-100. If public improvements, as specified within this Chapter, are required, the application shall be accompanied by improvement drawings for such improvements. The City Planner may also, upon advice from the City Engineer, require that a soil report meeting the requirements set forth in Section 12-6-040 be provided. At the time the application is submitted, the Subdivider shall pay the appropriate application fee as set forth in the City's Consolidated Fee Schedule.

12-5-060 Planning Department Review.

Within a reasonable time after receipt of a minor subdivision application, the Planning Department shall review the application and prepare a report on the application's compliance with the General Plan, City Ordinances, Rules and Regulations. The Subdivider's application and the report of the City Planning Department shall then be presented to the Planning Commission.

12-5-070 Planning Commission Action.

Within a reasonable time after receipt of an application for minor subdivision approval from the Planning Department, the Planning Commission shall act thereon. If the Planning Commission finds that the proposed plat complies with the requirements of this Title and that it is satisfied with the plat of the subdivision, it shall recommend to the City Council that the plat be approved or that the plat be approved, with conditions. If the Planning Commission finds that the proposed plat does not meet the requirements of this Title, it shall recommend disapproval of such plat. If the Planning Commission denies minor subdivision plat approval, no further review of the proposed subdivision shall be made by the Planning Commission and a new plat shall be required to re-initiate the minor subdivision process. If a new plat is presented to the City for review within one (1) year of the date of the original minor subdivision application, no new application or application fee shall be required.

12-5-080 City Council Action.

(1) Within a reasonable time following a recommendation of approval of a minor subdivision plat by the Planning Commission, the City Council shall review the plat. The City Council shall assure that the plat is in conformity with the requirements of this Chapter and Title, other applicable ordinances or regulations, and any conditions of approval deemed necessary by the Planning Commission, or the City Council. Additionally, the City Council may, as a condition of giving its approval, require such other conditions as it deems appropriate and in keeping with the intent of the City's ordinances and regulations.

(2) If the City Council determines that the proposed plat is not in conformity with the Ordinances of the City or any reasonable conditions imposed, it shall not approve the plat, specifying the reasons for such disapproval. If a proposed plat is disapproved by the City Council, no further plat shall be submitted and a new minor subdivision application shall be required to initiate minor subdivision approval, including the payment of the required fee.

12-5-090 Bond Agreement.

In the event public improvements are required within the subdivision, the Subdivider shall comply with the bond requirements of Section 12-6-170 of this Title.

12-5-100 Plat Requirements.

- (1) Each plat submitted under this Chapter shall, at a minimum, contain the following:
- (a) the boundaries, courses, and dimensions of the parcels of ground to be subdivided;
 - (b) the number, temporary address, and length and width of the blocks and lots intended for sale;

- (c) existing right-of-way and easement grants of record for underground facilities as defined in Section 54-8a-2, Utah Code Annotated, and for other utility facilities;
- (d) an acknowledgment from the owner(s) of the property to be subdivided acknowledging the preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
- (e) a certification from the surveyor preparing the plat; and,
- (f) signatures from owners or operators of all underground facilities and utility providers approving of the plat and the dedication of the required easements thereon.

(2) In addition to the plat requirements of Subsection (1), the Planning Commission and City Council may require that the plat comply with any of the requirements set forth in Section 12-6-110 of this Title.

12-5-110 Recording of Plat.

Upon approval of a minor subdivision application under this Chapter, and approval of a proposed plat prepared in accordance with this Chapter, the Subdivider shall provide the City with a current title report to be reviewed by the City Attorney. A "current title report" is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to the property has been approved by the City Attorney, the approved plat shall be signed by the City Council and may then be recorded with the Davis County Recorder's Office.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
Chapter 5 Amended 9-14-94, Ord. 94-37
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
Chapter 5 Enacted and Recodified, 2-03-99, Ord. 99-06

CHAPTER 6

MAJOR SUBDIVISIONS

- 12-6-010 Preliminary Plat - Purpose.**
- 12-6-020 Application and Fees.**
- 12-6-030 Preliminary Plat - Preparation and Required Information.**
- 12-6-040 Soil Report.**
- 12-6-050 Evaluation of Preliminary Plat.**
- 12-6-060 Planning Commission Action.**
- 12-6-070 Notification of Action.**
- 12-6-080 Effect of Approval of the Preliminary Plat.**
- 12-6-090 Final Plat - Purpose.**
- 12-6-100 Filing Deadline, Application and Fees.**
- 12-6-110 Final Plat - Preparation and Required Information.**
- 12-6-120 Data to Accompany Final Plat.**
- 12-6-130 Evaluation of Final Plat.**
- 12-6-140 Planning Commission Action.**
- 12-6-150 City Council Action.**
- 12-6-160 Disapproval by the City Council.**
- 12-6-170 Security Bond - Subdivider.**
- 12-6-180 Delay Agreement.**
- 12-6-190 Recording of Plat.**
- 12-6-200 Expiration of Final Approval.**

12-6-010 Preliminary Plat - Purpose.

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall, in all respects, be in compliance with the provisions of this Title and any other applicable ordinances.

12-6-020 Application and Fees.

The Subdivider of a major subdivision, after completing the schematic plan required by this Title, shall file an application for preliminary plat approval with the Planning Department on a form prescribed by the City, together with twelve (12) prints of the preliminary plat. At the same time, the Subdivider shall pay an application fee as published in the Consolidated Fee Schedule of the City.

12-6-030 Preliminary Plat - Preparation and Required Information.

(1) Form. The preliminary plat shall be clearly and legibly drawn with approved waterproof drawing ink at a scale not less than one inch (1") equaling one hundred (100) feet . The plat shall be so drawn that the top of the sheet is either north or east, whichever accommodates the drawing best. Dimensions shall be in feet and decimals thereof and bearings in degrees, minutes and seconds.

(2) Required Information. The following information shall be included on or with the preliminary plat:

- (a) A vicinity sketch at a scale of not less than one thousand (1000) feet to the inch which defines the location of the subdivision within the City;
- (b) The name of the subdivision. Such subdivision names shall not duplicate or nearly duplicate the name of any subdivision in the City or in the incorporated and unincorporated area of Davis County;
- (c) The name and address of the Subdivider and his or her agent, if applicable;
- (d) If the Subdivider is represented by an agent, there shall be a statement from the recorded owner authorizing the Agent to act;
- (e) The name and address of the person, firm or organization preparing the preliminary plat and a statement indicating the recorded owner's permission to file the plat;
- (f) The date, north point, written and graphic scales;
- (g) A legal description to define the location and boundaries of the proposed subdivision;
- (h) The location, names and existing widths of adjacent streets;
- (i) The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land;
- (j) The contours, at one (1) foot intervals, for predominant ground slopes within the subdivision between level and five percent (5%), and two (2) foot contours for predominant ground slopes within the subdivision over five percent (5%). Such contours shall be based on Davis County datum. The closest City survey monument shall be used and its elevation called out on the map. Survey monument information shall be obtained from the Davis County Surveyor or City Engineer;

- (k) At the discretion of the City, a grading plan showing, by appropriate graphic means, the proposed grading of the subdivision. Contours should be consistent with Subsection (j). Proposed subdivisions located in the Foothill Zone shall comply with requirements of the Farmington City Foothill Development Ordinance set forth in the Zoning Ordinance;
- (l) The location of all isolated trees worthy of preservation with a trunk diameter of four (4) inches or greater, within the boundaries of the subdivision, and the outlines of groves or orchards;
- (m) The boundaries of areas subject to one hundred (100) year flooding or storm water overflow, as determined by the City, and the location, width and direction of flow of all watercourses, including all existing and proposed irrigation and natural runoff channels and courses;
- (n) The existing use or uses of the property and the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines drawn to scale;
- (o) A statement of the present zoning and proposed use of the property, as well as proposed zoning changes, whether immediate or future;
- (p) Location and dimensions of proposed sites to be dedicated or reserved for open space or recreational use;
- (q) Any proposed lands to be reserved in private ownership for community use;
- (r) The locations, proposed names, widths and a typical cross section of curbs, gutters, sidewalks and other improvements of the proposed street and access easements;
- (s) Layout of all lots, including the average and minimum lot size, lot divisions, and consecutive numbering;
- (t) Preliminary location and size of sanitary sewers, water mains, pressurized irrigation lines, and any other public or private utility;
- (u) The dimensions and locations of all existing or proposed dedications, easements, and deed restrictions. These shall include easements for drainage, sewerage and public utilities;

- (v) Preliminary indication of needed storm drainage facilities with preliminary runoff calculations and location, size, and outlets of the drainage system;
- (w) The location of any of the foregoing improvements which may be required to be constructed beyond the boundaries of the subdivision shall be shown on the subdivision plat or on the vicinity map as appropriate;
- (x) If it is contemplated that the development will proceed by phases, the boundaries of such phases shall be shown on the preliminary plat along with the estimated construction schedule for each phase;
- (y) The words "Preliminary Plat - Not to be Recorded" shall be shown on the plat.

12-6-040 Soil Report.

(1) Form. A soil report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the State of Utah, shall be required prior to preliminary approval of any subdivision plat. The soil report shall include, among other things, a description of the soil types and characteristics on the site, describe whether or not ground water was encountered in any of the test borings and at what elevation it was encountered, and shall identify the location of any seismic zones or flood zones on the property.

(2) Investigation. If the soil report indicates the presence of critically expansive soils, high water table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water, premature deterioration of the public improvements, or which would represent a public health hazard, a soil investigation of each lot in the subdivision may be required by the City Engineer. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application.

12-6-050 Evaluation of Preliminary Plat.

The Planning Department shall check the preliminary plat for general compliance with these regulations, design standards and other applicable ordinances. If the preliminary plat is not complete or not in general compliance, the Planning Department shall notify the Subdivider and specify the respects in which it is deficient. If the submission is complete and in general compliance, the Subdivider shall transmit the requested number of copies of such plat, together with accompanying data, to such public agencies and utilities as may be concerned. Each of the public agencies and utilities may forward to the Planning Department a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to,

Water and Sewer Improvement Districts, Davis County Health Department, the Public Works Department, the City Engineer, the Fire Department, telephone company, gas company and power company. The Planning Department will also provide the City Manager with one (1) full set of plans for comment and review.

12-6-060 Planning Commission Action.

Within a reasonable time after the filing of a preliminary plat of a subdivision and any other information required, the Planning Commission shall act thereon. If the Planning Commission finds that the proposed plat complies with the requirements of this Chapter and that it is satisfied with the plat of the subdivision, it shall recommend approval, or approval with conditions, of the plat. If the Planning Commission finds that the proposed plat does not meet the requirements of this Title or other applicable ordinances, it shall recommend disapproval of such plat.

12-6-070 Notification of Action.

The Planning Department shall notify the Subdivider, in writing, of the action taken by the Planning Commission. One (1) copy of the plat and accompanying conditions, if applicable, and the minutes of the Planning Commission meeting shall be retained in the permanent file of the Planning Commission. Notification of the approval of the preliminary plat shall be authorization for the Subdivider to proceed with the preparation of detailed plans and specifications for the improvements required by City ordinances and the Planning Commission, and with the preparation of the final plat.

12-6-080 Effect of Approval of the Preliminary Plat.

Approval of the preliminary plat shall in no way relieve the Subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all City standards.

12-6-090 Final Plat - Purpose.

The purpose of the final plat is to require formal approval by the Planning Commission and City Council before a major subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this Title. The final plat and improvement plans submitted shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure. Pursuant to Section 10-9-805, Utah Code Annotated, 1953 as amended, the City Council designates the Mayor as its agent to sign final subdivision plats. The Mayor shall not sign any final plat until such plat has been approved by the Planning Commission and the City Council in accordance with the provisions set forth herein.

12-6-100 Filing Deadline, Application and Fees.

The Subdivider shall file an application for final plat approval with the Planning Department on a form prescribed by the City, together with the original tracing and six (6) prints of the final plat and all required fees. Application for final plat approval shall be made within twelve (12) months after approval or conditional approval of the preliminary plat by the Planning Commission. This time period may be extended for up to twelve (12) months for good cause shown if the Subdivider petitions the Planning Commission for an extension prior to the expiration date together with the required fees. Only one (1) extension may be granted.

12-6-110 Final Plat - Preparation and Required Information.

(1) The final plat shall consist of a sheet of approved tracing linen or mylar to the outside or trim line dimensions of nineteen by thirty inches (19" x 30") , and the border line of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inch (1½") on the left margin of the sheet for binding, and not less than a one-half inch (½") margin in from the outside or trim line around the other three edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or east, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the tracing linen with approved waterproof black drawing ink.

(2) The final plat shall be drawn at a scale of not less than one inch (1") equaling one hundred feet (100'), and the workmanship on the finished drawing shall be neat, clear and readable.

(3) The plat shall be signed by all required and authorized parties and the final drawings shall contain all information set forth in this Section. The location of the subdivision within the City shall be shown by a small scale vicinity map on the first sheet.

(4) The title of each sheet of the final plat shall consist of the approved name and unit number of the subdivision in bold letters followed by the words "Farmington City" at the top of the sheet.

(5) Wherever the City Engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision name and place of record, or other proper designation.

(6) An accurate and complete boundary survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground shall close within a tolerance of one (1) foot to twenty thousand (20,000) feet of perimeter.

(7) The final plat shall show all survey, mathematical information, and data necessary

to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius, and arc length of curves, and such information as may be necessary to determine the location of the beginning and ending points of curves.

(8) All lots, blocks, and parcels offered for dedication for any purpose shall be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision with no omissions or duplications. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase two would be numbered 201, 202, 203, etc.

(9) The plat shall show the right-of-way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown.

(10) All streets within the subdivision shall be assigned a name. Numerical names are preferred. Streets which have an alphabetic name shall also be assigned a coordinate reference number which conforms to the numbering system adopted by the City. All numbering shall be accomplished by the City Building Official.

(11) The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.

(12) If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a one hundred (100) year flood.

(13) The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the Subdivider under the direction of the City Engineer. The following required monuments shall be shown on the final plat:

- (a) The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;
- (b) All right-of-way monuments at angle points and intersections as approved by the City Engineer.

(14) The title sheet of the map shall show the name of the engineer or surveyor, together with the date of the survey, the scale of the map and the number of sheets. The following certificates, acknowledgments and description shall appear on the title sheet of the final maps, and such certificates may be combined where appropriate:

- (a) Registered land surveyor's "Certificate of Survey;"
- (b) Owner's dedication certificate;
- (c) Notary public's acknowledgment for each signature on the plat;
- (d) A description of all property being subdivided with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the County and commence from Section corners of known location, bearing, and distance. The description shall also include reference to any vacated area with the vacation ordinance number indicated;
- (e) Blocks for authorized signatures of the Planning Commission, City Engineer, Farmington Area Pressurized Irrigation System, Central Davis Sewer District, City Attorney, and City Council shall be provided along the bottom or right side of the plat. A block for the Davis County Recorder shall be provided in the lower right corner of the plat.
- (f) Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law, by this Title or by the City Attorney;
- (g) Prior to recordation of the plat, the Subdivider shall submit a current title report to be reviewed by the City Attorney. A "current" title report is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.

(15) A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the City for the proposed subdivision in accordance with the provisions of this Title.

(16) When a subdivision contains lands which are reserved in private ownership for community use, the Subdivider shall submit, with the final plat, the name, proposed articles of incorporation, and bylaws of the owner or organization empowered to own, maintain and pay taxes on such lands.

(17) An address shall be placed on each lot shown on the final plat. Addresses shall conform to the established grid system for Davis County and shall include optional addresses for corner lots.

12-6-120 Data to Accompany Final Plat.

At the time a final plat of a subdivision is submitted to the City, the Subdivider shall also submit the following documents:

- (1) Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.
- (2) Design data, assumptions and computations for proper analysis in accordance with sound engineering practice, along with appropriate plan, section, and profile sheets for all public improvements.

12-6-130 Evaluation of Final Plat.

(1) Planning Department. The Planning Department shall check the final plat for completeness and compliance with this Title and for incorporation of any changes required during the preliminary plat procedure. If the submission is not complete, not in compliance with all requirements, or does not incorporate required changes, the Planning Department shall notify the applicant and specify the respects in which it is deficient. If the submission is complete, in compliance, and incorporates required changes, the Planning Department shall refer the plat and application to the City Engineer and other applicable agencies for their approval.

(2) City Engineer. Upon receipt of the final plat and other required data, the City Engineer shall examine such to determine that the subdivision, as shown, complies with the City's engineering and construction standards and is substantially the same as it appeared on the preliminary plat and any approved alterations thereof. If the City Engineer determines that full conformity therewith has been made, he shall so certify and shall transmit the plat back to the Planning Department who shall bring it before the Planning Commission.

(3) Additional Reviews. In cases where Subdivider's submission or plat is incomplete, incorrect or otherwise fails to comply with Farmington City ordinances and/or development standards as determined by the City and where such failure makes additional or repeat reviews on the part of the City Engineer and/or other consultants to the City necessary, Subdivider shall be required to pay those fees incurred by the City for such repeat or additional

reviews, unless otherwise waived by the City Manager. "Additional reviews" are defined as any reviews beyond one (1) for preliminary plat approval and two (2) for final plat approval. The amount of such fees shall be established by the City based upon cost to the City for conducting such additional and repeat reviews and shall be paid by Subdivider to the City prior to signing of an approved plat by the Mayor and prior to recording of a plat as provided in Section 12-6-190 of this Ordinance.

12-6-140 Planning Commission Action.

Upon receipt of the final plat, the Planning Commission shall examine the plat to determine whether the plat conforms with the preliminary plat and with all changes requested and all requirements imposed as conditions of acceptance. If the Planning Commission determines that the plat is in conformity therewith, it shall recommend approval of the plat. If the Planning Commission determines that the final plat does not fully conform to the preliminary plat as approved, it shall advise the Subdivider of the changes or additions that must be made for approval. After the plat is approved by the Planning Commission, the Subdivider shall be responsible for notifying the Planning Department when the application is ready to go to the City Council for final plat approval. If such notification is not given within twelve (12) months from the date of final approval by the Planning Commission, such approval shall be null and void. This time period may be extended for up to twelve (12) months for good cause shown if the Subdivider petitions the Planning Commission for an extension prior to the expiration date. Only one (1) extension may be granted.

12-6-150 City Council Action.

(1) The City Council shall not be bound by the recommendations of the City Departments, the Planning Commission or the City Manager, and may set its own conditions and requirements consistent with this Title.

(2) Within a reasonable time following the approval of the final plat by the Planning Commission and receipt of the same from the Planning Department upon notification from the Subdivider, the City Council shall consider the plat. If the City Council determines that the plat is in conformity with the requirements of this Title, other applicable ordinances and any reasonable conditions as recommended by the City departments, Planning Commission, City Manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.

12-6-160 Disapproval by the City Council.

If the City Council determines that the plat is not in conformity with this Title or other applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval. Within one (1) year after the City Council has disapproved any plat, the Subdivider may file with the Planning Department a plat altered to

meet the requirements of the City Council. No plat shall have any force or effect until the same has been approved by the City Council.

12-6-170 Security Bond - Subdivider.

Prior to recordation of a final plat, the Subdivider shall install all required public improvements or shall enter into a security bond agreement acceptable to the City to insure completion of all public improvements required to be installed in the subdivision. The bond agreement shall be in a form and contain such provisions as approved by the City Attorney. The bond agreement shall include, but not be limited to, the following:

- (a) Incorporation by reference of the final plat and all accompanying data required herein which is used to compute the cost of the improvements by the City Engineer;
- (b) Completion of the improvements within a period of time not to exceed two (2) years from the date the bond agreement is executed;
- (c) The improvements shall be completed to the satisfaction of the City and according to City standards, as established by the City Engineer and as specified in Chapter 8 of this Title;
- (d) The bond amount shall be equal to one hundred twenty percent (120%) of the City Engineer's estimated cost of the public improvements to be installed;
- (e) The City shall have exclusive control over the bond proceeds and they may be released only upon written approval of the City Manager;
- (f) The bond proceeds may be reduced upon request of the Subdivider as the improvements are installed. The amount of the reduction shall be determined by the City. Such requests may be made only once every thirty (30) days and no reductions shall be authorized until such time as the City has inspected the improvements and found them to be in compliance with City standards. All reductions shall be by the written authorization of the City Manager;
- (g) If the bond proceeds are inadequate to pay the cost of the completion of the improvements according to City standards for whatever reason, including previous reductions, the Subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until the improvements are completed or, with City Council approval, a new bond, satisfactory to the City, has been

executed and delivered to the City to insure completion of the remaining improvements;

- (h) If, upon written demand by the City after expiration of the time period, bond proceeds are not transferred to the City within thirty (30) days, the City's costs of obtaining the proceeds, including attorney's fees and court costs, shall be deducted from the bond proceeds;
- (i) Upon receipt of the bond proceeds, after the expiration of the time period, the costs of completion shall include reimbursement to the City for the costs of administration incurred by the City in obtaining the completion of the improvements;
- (j) The Subdivider shall agree to hold the City harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the City certifies the improvements as complete;
- (k) The bond agreement shall be one of the following types as dictated by the City:
 - (i) A Cash Bond Agreement accompanied by a cashier's check or a money market certificate made payable only to the City;
 - (ii) An Escrow Bond Agreement and an escrow account with a financial institution Federally insured;
 - (iii) A Letter of Credit Bond Agreement accompanied by an irrevocable letter of credit with a financial institution Federally insured; or
 - (iv) A Surety Bond Agreement executed by an acceptable bonding company authorized to do business in the State of Utah guaranteeing completion of all improvements required by the City.
- (l) The City reserves the right to reject any bond. The bonds required by this Section are for the sole benefit of the City. The bonds are not for the benefit of any individual citizen or identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;
- (m) The time period for the completion of the required public improvements

may be extended in the following manner upon approval of the City Council;

- (i) The Subdivider may submit a new bond for approval.
- (ii) The existing bond may be extended upon payment, by the Subdivider, of the actual administrative costs incurred in reevaluating the sufficiency of the bond amount.

12-6-180 Delay Agreement.

In lieu of the bond requirements outlined above, at the City's sole option, the Subdivider may be permitted to execute an agreement, in a form acceptable to the City Attorney, delaying the installation of any or all of the public improvements required pursuant to this Title.

12-6-190 Recording of Plat.

After City Council approval, completion of the required public improvements or filing of the bond agreement described herein, and signing of the plat by the Mayor, the plat shall be presented by the City Recorder to the Davis County Recorder for recordation.

12-6-200 Expiration of Final Approval.

If the plat is not recorded within six (6) months from the date of City Council approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the City Manager. The Subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the City. If any of the fees charged as a condition of subdivision approval, including but not limited to, inspection fees, parks fee, flood control fees, as well as the amounts the City uses to estimate bonds to insure completion of improvements, have increased, the City Manager may require that the bond estimate be recalculated and that the Subdivider pay any applicable fee increases as a condition of granting the extension.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-6-113 (now 12-6-130) Amended, 2-03-92, Ord. 93-04
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-6-170 Amended, 2-03-99, Ord. 99-05
12-6-170 Amended, 6-21-00, Ord. 2000-23

CHAPTER 7

GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS

12-7-010	Subdivision Layout.
12-7-020	Blocks.
12-7-030	Lots.
12-7-040	Streets.
12-7-050	Protection Strips.
12-7-060	Dedication and Reservation.
12-7-070	Landscaping.
12-7-080	Utilities and Easements.
12-7-090	Water Courses.
12-7-100	Warranty Period.

12-7-010 Subdivision Layout.

- (1) The subdivision layout shall conform to the official Master Plan.
- (2) Where trees, groves, waterways, scenic points, historic spots or other City assets and landmarks, as determined by the City, are located within a proposed subdivision, every reasonable means shall be provided to preserve these features.
- (3) Whenever a tract to be subdivided adjoins or embraces any part of an existing or proposed street so designated on the major street plan, such part of the public way shall be platted, dedicated, and improved by the Subdivider in the location and at the width specified.
- (4) Where a railroad right-of-way abuts a subdivision, the plat shall make provisions for future grade separations whenever the City shall find such a requirement to be necessary.

12-7-020 Blocks.

- (1) Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions.
- (2) The width of each block shall be sufficient for an ultimate layout of two (2) tiers of lots therein of a size required by the provisions of this Title, unless the general layout of the vicinity, lines of ownership, topographical conditions or locations of arterial streets or freeways justify or make necessary a variation from this requirement.
- (3) The maximum length of blocks shall be one thousand (1000) feet and the minimum length of blocks shall be four hundred (400) feet. In blocks over eight hundred (800)

feet in length a dedicated walkway through the block, at approximately the center of the block, may be required. Such walkways shall be not less than ten (10) feet in width.

12-7-030 Lots.

(1) All subdivisions shall result in the creation of lots which are developable and capable of being built upon. A subdivision shall not create lots, and no building permit shall be issued for any lots which would make improvement impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions.

(2) All lots or parcels created by the subdivision shall have frontage on a dedicated street, improved to standards hereinafter required, equal to at least fifty percent (50%) of its minimum required width except for flag lots which shall have a minimum of twenty feet (20') of frontage. Private streets shall not be permitted unless the Planning Commission finds that the most logical development of the land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons stated therein. Land designated as public right-of-way shall be separate and distinct from lots adjoining such right-of-way and shall not be included in the area of such lots.

(3) The minimum area and dimensions of all lots shall conform to the requirements of the Zoning Ordinance for the district in which the subdivision is located.

(4) The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or approximately radial to the center of curves, if such street is curved. Side lines of lots shall be approximately radial to the center of a cul-de-sac on which the lot faces. The Planning Commission may allow exceptions to this requirement where considerations for solar orientation are involved.

(5) Corner lots for residential use shall be platted ten feet (10') wider than interior lots in order to facilitate conformance with the required street setback requirements of the Zoning Ordinance.

(6) A lot shall not be divided by a City limit line. Each such boundary line shall be made a lot line.

(7) Remnants of property shall not be left in the subdivision which do not conform to lot requirements or are not required or suitable for common open space, private utility, or public purpose.

(8) Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision, with no omissions or duplications. No block designations shall be used. When a subdivision is developed in phases, the phase number shall precede each lot number. For

example, phase two would be numbered 201, 202, 203, etc.

(9) Except for group dwellings and planned unit developments, as specifically authorized by this Title and the Zoning Ordinance, not more than one dwelling unit shall occupy any one lot.

(10) Flag lots may be approved by the Planning Commission in any residential zone where, due to unusual parcel dimension, configuration, or topographic conditions, traditional lot design is not feasible. Approval of flag lots shall not be permitted solely on the basis of economic benefit. Such lots shall meet the following criteria:

- (a) The stem of the lot shall be not less than twenty feet (20') in width and shall not exceed one hundred fifty feet (150') in length;
- (b) The stem of the lot shall serve one lot only and shall have direct access to a dedicated and improved street;
- (c) The nearest fire hydrant shall be located no further than one hundred fifty feet (150') from the nearest corner of the proposed building on the lot; and
- (d) The body of the lot shall meet the lot size and dimensional requirements of the applicable zone. The stem area shall not be used in computing lot size. Proposed buildings shall comply with the minimum setbacks required for the zone. Determinations as to which are the front, side, and rear setbacks shall be made by the Zoning Administrator at the time a building permit is requested and shall be based on the orientation of the proposed home on the lot.
- (e) The number of flag lots shall not exceed ten percent (10%) of the total lots in the subdivision unless it is determined by the City that the property could not reasonably be developed otherwise.

(11) On lots with available access only onto a Major Street, a circular drive or some other type of vehicular maneuvering area shall be provided to enable vehicles to enter traffic moving forward rather than backing. The minimum depth of such lots shall be not less than one hundred ten feet (110').

12-7-040 Streets.

(1) All streets shall be designated and constructed with the appropriate street classification requirements specified herein:

STREET CLASSIFICATION

	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Important Local	Local
R-O-W width	106 ft.	100 ft.	80 ft.	66 ft.	60 ft.	55 ft.
width to back of curb	86 ft.	65 ft.	57 ft.	42 ft.	37 ft.	32 ft.

(2) Where the potential impacts on the existing street systems are considered to be great, or in the case of unique circumstances concerning access, topography or street layout, a Transportation Planning/Engineering Study may be required.

(3) The following principles shall govern street names in a subdivision:

- (a) Street Names, wherever practical, shall be assigned numerical names. Alphabetic names may be considered for streets of a meandering or diagonal nature or for other streets as specifically approved by the City Council.
- (b) Each street which is a continuation of, or an approximate continuation of, any existing dedicated street shall be given the name of such existing street. When any street forms a portion of a proposed street previously ordered by the City Council to be surveyed, opened, widened or improved, the street shall be given the name established in said Council order;
- (c) The names of newly created streets of a noncontinuous or noncontiguous nature shall not duplicate or nearly duplicate the name of any streets in the City;
- (d) The words "Street," "Avenue," "Boulevard," "Place," "Way," "Court," or other designation of any street shall be spelled out in full on the plat and shall be subject to approval by the Planning Commission. Any street name incorporating one of the terms used above shall conform to the established definition of that term. Any named street shall also have the proper numerical coordinate as approved by the City Building Inspector.

(4) Street patterns in the subdivision shall be in conformity with a master street plan for the most advantageous development of adjoining areas and the entire neighborhood or district. In the event a master street plan does not exist, the subdivider shall prepare such a plan for review and approval by the Planning Commission and City Council prior to consideration of a subdivision application. The following principles shall be observed:

- (a) Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets with

which they are to connect;

- (b) Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not desirable for the coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;
- (c) Dead-end streets which exceed one lot depth in length shall have a forty-foot (40') radius temporary turnaround area at the end. The turnaround shall have an all-weather surface acceptable to the City. The following standards shall apply to dead-end streets:
 - (i) Dead-end streets shall serve as access for not more than twenty-four (24) residential lots and shall not exceed one thousand (1000) feet in length.
 - (ii) When a dead-end street reaches its maximum length and/or maximum number of lots, it shall not be extended except to connect to another street which provides a second point of independent access.
 - (iii) Exceptions to the requirement for a second point of independent access may be granted by the City Council, after receiving a recommendation from the Planning Commission, upon a finding that the topography or other physical conditions of the development site make it impossible to provide a second access which complies with street design standards established by the City and that an increased street length and/or density will not unreasonably impact the ability to provide emergency and other public services.
- (d) Nonconforming Dead-end Streets - The provisions of this section shall not be construed to prevent construction on approved residential lots fronting on nonconforming streets exceeding one thousand (1000) feet in length which existed prior to January 9, 1991. These streets include, but are not necessarily limited to, 1400 North Street, Summerwood Drive, Cherry Blossom Drive, Welling Way, and 1100 West Street (south of Shepard Lane). Extension of these nonconforming streets may be permitted but shall be subject to the following standards and restrictions:
 - (i) Extension of a nonconforming street may be approved by the City Council only after receiving recommendations from the Planning

Commission, Fire Department, Police Department, Public Works Department, and the City Engineer. The Fire Department and/or Police Department may recommend additional conditions to facilitate public safety and emergency services;

- (ii) All streets shall be fully improved and shall be designed and constructed at locations shown on an approved street master plan;
 - (iii) A temporary turnaround, with a radius of forty feet (40'), shall be provided at the end of the street. The temporary turnaround shall have an all-weather surface acceptable to the Fire Department; and
 - (iv) Until such time as nonconforming streets can be connected to a second access, lots on such streets shall not be approved which are less than two (2) acres in size, unless the City Council in consideration of all circumstances shall differently approve by resolution.
- (e) The following standards shall govern the development of cul-de-sacs:
- (i) Cul-de-sacs shall serve as access for not more than twenty-four (24) residential lots, shall not exceed one thousand (1000) feet in length, and shall have a fully improved turnaround at the end with a minimum radius of forty-two feet (42') to back of curb and fifty feet (50') to the right-of-way line. Exceptions to the maximum length or maximum number of lot standards may be granted by the City Council, after receiving a recommendation from the Planning Commission, upon a finding that the topography or other physical conditions of the development site make it impossible to develop the property any other way and that an increased street length and/or density will not unreasonably impact the ability to provide emergency and other public services;
 - (ii) Transverse grades within the turnaround of a cul-de-sac shall not exceed five percent (5%);
 - (iii) If surface water drains into the cul-de-sac due to the grade of the street, necessary catch basins and drainage easements shall be provided;
 - (iv) Driveways, mailboxes, fire hydrants, or any other obstruction at the terminal of a cul-de-sac shall be designed in such a way as to provide an area for the piling of snow;

- (f) Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. "T" intersections rather than "cross" intersections shall be used wherever possible for minor streets;
- (g) Minor residential streets longer than six hundred (600) feet, which may be conducive to high-speed traffic, shall be prohibited;
- (h) Alleys shall not be permitted in residential subdivisions except when approved for access to lots abutting an arterial. Alleys in nonresidential subdivisions may be permitted;
- (i) The maximum grade for any street in the City shall be ten percent (10%). Where unusual and unique topographic or environmental conditions exist on a proposed development site, exceptions may be specifically approved by the City Council to permit streets with grades up to, but not exceeding, twelve percent (12%) for collector streets and fourteen percent (14%) for local streets. Such exceptions may be granted only after careful review of each individual application and after receiving a recommendation from the Planning Commission. The maximum length of a street segment at grades steeper than ten percent (10%) shall also be determined, and specifically approved, by the City Council.

(5) Subdivisions adjacent to major streets and freeways shall be designed as specified in the Major Street Plan and as determined by the Planning Commission. The following principles and standards shall be observed:

- (a) Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on major streets. The number of intersecting streets along major streets shall be held to a minimum;
- (b) Sidewalks along major streets shall be not less than five feet (5') in width;
- (c) When the rear line of a double-frontage lot borders a major street, the Subdivider may be required to execute and deliver to the City an instrument, deemed sufficient by the City Attorney, prohibiting the right of ingress and egress from the street to the lot. The Subdivider shall also be required to install such paving as necessary to construct the street or to bring it up to standard width and shall install curb, gutter and sidewalk, along the street. However, the City may for good cause waive the foregoing requirements.

12-7-050 Protection Strips.

Protection strips shall not be permitted under any circumstances.

12-7-060 Dedication and Reservation.

(1) In order to satisfy increased recreation facility needs created by new development, a fee shall be paid for the acquisition and development of park land. The fee shall be listed in the Consolidated Fee Schedule and may be amended from time to time. The fee shall be deposited in a designated account with monies expended only for planned park and recreation facilities which will be of some demonstrable benefit to the subdivision for which fees have been assessed. The fee shall be paid prior to recordation of a subdivision plat.

(2) The Planning Commission may, at its discretion, require the dedication of land for park and recreation purposes in lieu of some or all of the fee. In subdivisions containing less than forty (40) lots the Subdivider may be required to dedicate up to 1/25 of the total area of all lots for parks and recreation purposes in lieu of a fee. For subdivisions containing more than forty (40) lots, additional dedication may be required at the same ratio as for less than forty (40) lots. The Subdivider shall be notified, prior to preliminary plat approval, if dedication of land is to be required in lieu of some or all of the fee.

(3) When land in the subdivision in excess of that required by Subsection (2) is determined to be needed in order to meet the recreation needs of the City, the Subdivider shall not be required to hold such excess land for more than one (1) year without payment being made on the basis of land and improvement costs.

(4) All land to be dedicated for park or recreational purposes shall be found to be suitable by the Planning Commission, the Planning Department, Public Works Department, and Recreation Department as to location, parcel size and topography for the park and recreation purposes for which it is indicated in the Master Plan or any planned community plan. Such purposes may include active recreation facilities such as playgrounds, play fields, pedestrian or bicycle paths, areas of particular natural beauty and wooded areas to be developed or left in their natural state.

(5) When park or recreational facilities are reserved, the developer shall establish conditions as to ownership, maintenance and use of such areas as deemed necessary by the Planning Commission to assure preservation of the intended use.

(6) The provisions of this section shall not normally apply to commercial or industrial subdivisions; however, the Planning Commission may recommend as a condition of approval, that a commercial or industrial Subdivider dedicate to the City that portion of a stream bed or drainage channel falling within an industrial subdivision when such portion forms part of an open

space network designated in the Master Plan or a planned community plan.

(7) In addition to subdivisions, the provisions of this Section requiring the payment of a fee, or dedication in lieu of a fee, shall apply to all residential developments which require conditional use approval. Such developments shall include, but not be limited to, condominiums, planned unit developments, and dwelling groups. However, open space normally provided in these types of developments may apply toward the required fee or dedication of land up to a maximum of fifty percent (50%) of the required fee. The percentage of credit shall be determined by the Planning Commission prior to final approval of a development plan. The fee shall be paid prior to issuance of a building permit for the first dwelling unit in the development.

(8) If the Subdivider or Developer feels that the impact of the proposed subdivision or other residential development is substantially different than that presumed by this Section, the Subdivider or Developer may apply for a hearing before the City Council to request a modification of the fee, or in-lieu-of dedication requirement of this Section. The request for the hearing shall be made prior to the final approval by the Planning Commission of the subdivision or conditional use approval of the residential development. The Planning Commission may recommend the modification only if the Subdivider or developer proves that what is required under this Section bears no reasonable relationship to the need for parks and recreation facilities created by the subdivision or development. If the Planning Commission recommends such a modification, the request shall be submitted to the City Council for final determination. If the Planning Commission finds that no modification is warranted, that finding may be appealed as provided in the appeal provisions provided in Chapter 1.

12-7-070 Landscaping.

(1) Whenever, in the opinion of the Planning Commission, the cuts and fills in a hillside subdivision are of sufficient size or visibility to demand special treatment, the Subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance.

(2) The subdivision shall be so designed as to either preserve, or provide for, the greatest amount of on-site vegetation.

(3) Subdivisions in the Foothill Overlay Zones shall comply with all provisions of the City's Foothill Development Ordinance.

12-7-080 Utilities and Easements.

(1) All utilities shall be provided through underground service, except where existing utilities are already in place.

(2) Utility easements shall be provided within the subdivision as required for public

utility purposes. All lots shall have front and rear yard easements of ten feet (10') and at least one side yard easement which shall be the same dimension as the minimum side yard required by the Zoning Ordinance. Additional easements, or increased width of easements, may be required as necessary to provide for adequate utility service and/or drainage within the subdivision and to or from adjoining parcels.

12-7-090 Water Courses.

The Subdivider shall dedicate a right-of-way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream, creek, irrigation ditch, or floodplain that enters or traverses the subdivision as determined by Davis County Flood Control and/or the City Engineer. The Subdivider shall also dedicate acceptable rights-of-way for any pipe, conduit, channel, and retention or detention area as approved by the City Engineer for flood control.

12-7-100 Warranty Period.

The warranty period shall commence upon the date that all improvements required by the City to be installed within the subdivision have been completed to the satisfaction of the City and a final inspection thereof has been made approving the same. The warranty period shall commence at that date and shall continue for a period of two (2) years thereafter. If any deficiencies are found by the City during the warranty period in materials or workmanship, the Subdivider shall promptly resolve such defects or deficiencies and request the City Engineer to reinspect the improvements. At the end of the two-year warranty period, the Subdivider shall request the City Engineer to make a final warranty period inspection of all improvements. If the City Engineer verifies that the improvements are acceptable, the City Engineer shall notify the City Manager, who shall refer the matter to the City Council. The City Council shall then review the matter and upon approval of the same shall release the balance of the security posted by the subdivider under the bond agreement.

Title 6 Section 2.1.12 (now 12-7-040(4)(c)) Amended, 1-09-91, Ord. 91-1
Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-1-104(4) (now 12-7-040(4)) Amended, 9-16-92, Ord. 92-31
6-7-104(1)(2) and (4) (now 12-7-040) Amended, 4-21-93, Ord. 93-18
6-7-104(4)(d) (now covered under 12-7-040(4)(d)) Amended, 8-02-95, Ord. 95-35
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-7-100 Enacted, 6-21-00, Ord. 2000-23
12-7-040 Amended, 8-18-04, Ord. 2004-47

CHAPTER 8

PUBLIC IMPROVEMENTS

- 12-8-010 Design Standards.**
- 12-8-020 Required Improvements.**
- 12-8-030 Curb, Gutter, Sidewalk and Asphalt Paving.**
- 12-8-040 Storm Drainage.**
- 12-8-050 Underground Utilities and Sanitary Sewer.**
- 12-8-060 Fencing or Piping of Hazards.**
- 12-8-070 Monuments.**
- 12-8-080 Completion.**
- 12-8-090 Payback Agreements for Improvements.**
- 12-8-100 Administrative Review for Public Street Standards Not Listed.**

12-8-010 Design Standards.

(1) Standards for design, construction, specifications, and inspection of street improvements, water distribution systems, storm drainage, and flood control facilities shall be prepared by the City Engineer. Standards for fire hydrants shall be prepared by the Fire Department. Standards for sewage disposal facilities shall be prepared by the Central Davis County Sewer Improvement District. Standards for pressure irrigation systems shall be prepared by the Farmington Area Pressure Irrigation District. All such standards for design and construction of public improvements and amendments thereto, which are under the control of the City, shall be approved and adopted by the City Council before becoming effective. All Subdividers shall comply with the approved standards required herein.

(2) The design of the subdivision in relation to streets, blocks, lots, open spaces, and other design factors shall be in harmony with design standards recommended by the Planning Commission and other City staff and approved by the City Council.

12-8-020 Required Improvements.

(1) The Subdivider shall improve, or agree to improve all streets, pedestrian ways or easements in the subdivision and on streets which abut, or serve as access to, the subdivision. Permanent improvement work shall not commence until improvement plans and profiles have been approved by the City and, if applicable a bond agreement has been executed between the Subdivider and the City as specified in Chapter 6 of this Title. As part of the street improvements, the subdivider shall deposit with the City sufficient sums to provide a slurry seal for the street as required by the City and additional sums to cover the cost of street signs and regulatory signs which the City determines are required for the subdivision. The City will utilize funds deposited for street signs to obtain the signs and install the same within the subdivision.

(2) Improvements shall be installed to permanent line and grade to the satisfaction of the City and in accordance with the standard specifications adopted by the City Council. Cost of inspection shall be paid by the Subdivider as outlined in the Consolidated Fee Schedule.

(3) Notwithstanding the fact that the land on which the improvements will be located is dedicated at the time of the recording of a plat, the City shall not be responsible for the improvements, their construction or maintenance, until the warranty period specified in the Bond Agreement has expired, the improvements have been inspected, and the City certifies that they meet City standards.

12-8-030 Curb, Gutter, Sidewalk and Asphalt Paving.

Highback curbs, gutters, sidewalks and asphalt paving shall be provided in front of all commercial and residential lots. Highback curb, gutter and paving shall be required on all industrial property. At the discretion of the Planning Commission, sidewalks may also be required for industrial property. At the discretion of the City Council, after receiving a recommendation from the Planning Commission, curb, gutter and sidewalk improvements may be omitted in major residential subdivisions where each lot has a frontage of at least one hundred fifty feet (150') and an average minimum lot size of one (1) acre if adequate provisions have been made for storm water runoff and pedestrian traffic.

12-8-040 Storm Drainage.

(1) Site grading shall be performed taking into consideration the drainage patterns of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved.

(2) In every subdivision, provision shall be made for the satisfactory drainage of storm water by means of underground storm sewer pipes, and/or surface drainage ditches. No storm water lines may be connected or constructed so as to flow into sanitary sewers. Major natural drainage courses shall not be appreciably altered from their natural condition except for stabilization and erosion control. Subdividers shall be responsible for the drainage of after-development storm water in conformity with the City's Master Storm Drainage Plan or as determined by the City Engineer.

(3) Storm water drains shall be installed as shown on the subdivision development plans.

12-8-050 Underground Utilities and Sanitary Sewer.

(1) All underground utilities, sanitary sewers and storm drains installed in streets or alleys should be constructed prior to the surfacing of such streets or alleys. Connections for all underground utilities, water lines, pressure irrigation lines, and sanitary sewers for each lot should be laid to a point which will eliminate the necessity for disturbing the

street or alley improvements, when service connections thereto are made.

(2) All telephone, electric power, cable television or other wires or cables shall be placed underground. Equipment appurtenant to the underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets and concealed ducts may be above ground. The Subdivider shall make all necessary arrangements with the utilities involved for the installation of the underground facilities.

(3) Water mains and fire hydrants connecting to the water system owned by the City shall be installed as approved by the City. Mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection as determined by the Fire Chief and as required under any applicable law, rule, or regulation. Water system plans shall be reviewed and approved by the Utah State Health Department prior to recordation of a subdivision.

12-8-060 Fencing or Piping of Hazards.

(1) The Subdivider shall install a six (6) foot nonclimbable chain link fence along all canals, waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights-of-way, property in agricultural use or zoned for agricultural use and other such features of potentially hazardous nature which are on, cross, or are contiguous to, the property being subdivided, except on those features which the Planning Commission shall determine would not be a hazard to life, or where the fence itself would create a hazard to the safety of the public. Fences required by this section shall comply with construction standards established by the City.

(2) All irrigation ditches shall be piped, unless this requirement is waived by the City Council.

12-8-070 Monuments.

Permanent monuments shall be furnished, accurately established, and set by the Subdivider at such points as are necessary to definitely establish all lines of the plat except those defining rear property corners of individual lots which will be semi-permanent.

12-8-080 Completion.

A complete improvement plan "as built" shall be filed with the City upon completion of said improvements. The "as built" plans shall be drawn on reproducible copies of the original tracings and certified as to accuracy and completeness by the Subdivider's licensed engineer.

12-8-090 Payback Agreements for Improvements.

(1) A payback agreement entered into between Farmington City and the developer who

installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the City's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah Impact Fees Act. The payback agreement is not mandatory, but may be used at the option of the City Manager, upon approval of the payback agreement by the City Council. The amount of the payback to the developer shall be determined by the City Council after receiving a recommendation from the City Engineer after considering the improvements or facilities required or benefitting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of adjacent projects.

(2) The City shall, in all cases, be immune and not liable for any payments to the developer if the payback agreement is determined to be unenforceable. The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The City shall not be responsible for collection of amounts from third parties.

12-8-100 Administrative Review for Public Street Standards Not Listed

(1) The City Council, after receiving a recommendation from the Planning Commission, may review and approve street standards not listed in the Farmington City Development Standards but shall consider only modifications and alternatives to Standard Street Intersections, Typical Cul-de-sac, and Standard Roadway Sections. The Planning Commission shall not consider changes to remaining standards including, but not limited to, Submittals, Quality Control, Site Preparation, Grading, Excavating, Backfilling and Compaction, Base Course, Asphalt/ Concrete, Curbs, Gutters, Drive Aprons, and Walks, Slurry Sealing, Restoration of Existing Improvements, Storm Drainage Systems, Boundary Markers and Survey Monuments, Geo-textiles, and Concrete Reinforcement. Notwithstanding the foregoing, amendments to the Farmington City Development Standards may be approved from time to time by resolution of the City Council.

(2) An application requesting a street standard not listed shall be filed with the City Planner. The application shall include a detailed description of the proposed standard and other such information as may be required.

(3) The City Planner, City Engineer, City Public Works Director, and any other City official as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter a recommendation shall be provided to the Planning Commission.

(4) The final determination by the City Council and all information pertaining to it shall

be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the Community Development Department.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-8-101 (now covered under 12-8-010) Amended, 4-21-93, Ord. 93-18
6-8-102 (now 12-8-020(1)) Amended, 2-15-95, Ord. 95-05
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-8-090 Enacted, 5-17-00, Ord. 2000-21
12-8-100 Enacted, 10-04-00, Ord. 2000-39

CHAPTER 9

DEVELOPMENT FEES

- 12-9-010** **Definitions.**
- 12-9-020** **Findings and Purposes.**
- 12-9-030** **Service Areas Established.**
- 12-9-040** **Impact Fees Levied.**
- 12-9-050** **Time of Collection.**
- 12-9-060** **Use of Fees.**
- 12-9-070** **Adjustments.**
- 12-9-080** **Accounting, Expenditures and Refund.**
- 12-9-090** **Impact Fee Challenges and Appeals.**

12-9-010 **Definitions.**

(A) "Capital Facilities Plan" means the Capital Facility Plan most recently adopted by Resolution of the City Council.

(B) "City" means Farmington City, a Utah municipal corporation.

(C) "Development activity" means an construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land that creates additional demand and need for public facilities.

(D) "Development approval" means any written authorization from the City that authorizes the commencement of development activity.

(E) "Impact fee" means a payment of money imposed upon development activity as a condition of development approval.

(F) "Service area" means the geographic area designated by the City which a defined set of public facilities provides service within the area.

12-9-020 **Findings and Purposes.**

The City Council hereby finds and determines:

- (A) There is a need for public facilities for new developments which have not been constructed and are required to be consistent with the City's General Plan and to protect the public's health, safety, and welfare.

- (B) The rapid and continuing growth of Farmington City necessitates the imposition and collection of impact fees pursuant to law that require development to pay its fair share of the cost of providing public facilities occasioned by the demands and needs of the development project at service levels necessary to promote and preserve the public health, safety, and welfare.
- (C) The City Council hereby adopts the reports from Tischler & Associates, Inc., dated April 25, 2003, entitled "Impact Fees and Capital Facilities Plan" which establishes the costs for providing public facilities occasioned by development projects within the City and certain credits allowable against impact fees in the City.
- (D) The impact fees established by this Ordinance are based upon the cost which are generated through the need for new facilities and other capital acquisition costs required, incrementally, by new development within the City.
- (E) The impact fees established by this Ordinance do not exceed the reasonable cost of providing public facilities occasioned by development projects within the City.

12-9-030 Service Areas Established.

Except for storm water facilities, the City shall constitute a single service area and all real property located within the corporate boundaries of the City shall be included within such service area. There shall be two (2) service areas for storm water facilities.

12-9-040 Impact Fees Levied.

The impact fees for the City's service areas are hereby established and/or levied and are contained in Exhibit "A" attached hereto and by this reference made a part hereof.

12-9-050 Time of Collection.

Unless otherwise provided by the City Council, impact fees shall be payable prior to the issuance of a building permit by the City except for impact fees for parks, storm sewer, and water which shall be payable prior to recordation of a final subdivision plat for new subdivisions.

12-9-060 Use of Fees.

The fees shall be used solely to:

- (A) Pay for the described public facilities to be constructed by the City;
- (B) For reimbursing the City for the development's share of those capital

improvements already constructed by the City; or

- (C) To reimburse developers who have constructed public facilities where those facilities were beyond that needed to mitigate the impacts of the developer's project(s).

12-9-070 Adjustments.

The City may, upon a proper showing, adjust the standard impact fee at the time the fee is charged to:

- (A) Respond to unusual circumstances in specific cases; and
- (B) Ensure that the impact fees are imposed fairly; and
- (C) Allow credits as specified in the Impact Fee report for the City of Farmington, Utah.
- (D) Adjust the amount of the fee based upon studies and data submitted by the Developer which are approved by the City after review of the same; and
- (E) Allow credits as approved by the City for dedication of land for, improvement to, or new construction of, public facilities providing services to the community at large, provided such facilities are identified in the capital facilities plan and are required by the City as a condition of approving the development activity. No credit shall be given for project improvements as defined in the Act.

12-9-080 Accounting, Expenditure and Refund.

The City shall account for, expend, and refund impact fees in accordance with the provisions of the Act.

12-9-090 Impact Fee Challenges and Appeals.

A. Any person or entity residing in or owning property within a service area, and any organization, association, or corporation representing the interests of persons or entities owning property within a service area, may file a declaratory judgment action challenging the validity of the fee.

B. Any person or entity required to pay an impact fee imposed by the City who believes the fee does not meet the requirements of law may file a written request for information with the City as provided by law.

C. Within two (2) weeks of the receipt of the request for information, the City shall provide the person or entity with the written analysis required by the Act and with any other relevant information relating to the impact fee.

D. Within thirty (30) days after paying an impact fee, any person or entity who has paid the fee and wishes to challenge the fee shall:

1. File a written appeal with the Farmington City Council by delivering a copy of such appeal to the Farmington City Administrator setting forth in detail all grounds for the appeal and all facts relied upon by the appealing party with respect to the fees appealed. Upon receipt of appeal the City Council shall thereafter schedule a public hearing on the appeal at which time all interested persons will be given an opportunity to be heard. The City Council shall schedule the appeal hearing and thereafter render its decision on the appeal no later than thirty (30) days after the challenge to the impact fee is filed. Any person or entity who has failed to comply with the administrative appeal remedies established by this section may not file or join an action challenging the validity of any impact fee.
2. Within ninety (90) days of a decision upholding an impact fee by the City or within one hundred twenty (120) days after the date the challenge to the impact fee was filed, whichever is earlier, any party to the appeal that is adversely affected by the City Council's decision may petition the Second Judicial District Court in and for Davis County for review of the decision.
3. In the event of a petition to the Second Judicial District Court, the City shall transmit to the reviewing Court the record of its proceedings including its minutes, findings, orders and, if available, a true and correct transcript of its proceedings.
4. If the proceeding was tape recorded, a transcript of that tape recording is a true and correct transcript for purposes of Subsection 3. above.
5. If there is a record:
 - i. the District Court's review is limited to the record provided by the City; and
 - ii. the District Court may not accept or consider any evidence outside the City's record unless that evidence was offered to the City and the Court determines that it was improperly excluded by the City.
6. If there is an inadequate record, the District Court may call witnesses and take evidence.

7. The District Court shall affirm the decision of the City if the decision is supported by substantial evidence in the record.
8. The judge may award reasonable attorney's fees and costs to the prevailing party in any action brought under this section.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-9-101(2) and (5) (now covered under 12-9-020) Amended, 7-07-93, Ord. 93-27
Chapter 9 Amended and Recodified, 6-19-96, Ord. 96-24
Chapter 9 Amended, 6-11-97, Ord. 97-32
Amended 12-9-010(A); 12-9-020(C); & 12-9-040 5-7-03, Ord. 2003-16.

EXHIBIT "A"
Impact Fees

EAST

Water Storm Water Parks and Trans- Police Fire & EMS

	System*	Facilities**	Recreation	portation	Facilities	Facilities	TOTAL
Residential Per Housing Unit							
Single Family Detached		\$ 563	\$ 2,097	\$ 516	\$ 167	\$ 133	\$ 3,476
All Other Housing		306	1,371	314	109	87	2,187
Nonresidential Per 1,000 Square Feet of Floor Area							
Com/Shop Ctr 50,000 SF or less		355		1,662	140	184	2,341
Com/Shop Ctr 50,001 - 100,000 SF		355		1,465	123	161	2,104
Com/Shop Ctr 100,001-200,000 SF		355		1,276	107	143	1,881
Com/Shop Ctr over 200,000 SF		355		1,103	93	129	1,680
Office/Inst 25,000 SF or less		335		1,725	145	260	2,465
Office/Inst 25,001- 50,000 SF		335		1,090	91	244	1,760
Office/Inst 50,001- 100,000 SF		335		768	64	230	1,397
Office/Inst over 100,000 SF		335		611	51	216	1,213
Business Park		335		518	43	203	1,099
Light Industrial		335		434	36	149	954
Warehousing		335		245	20	82	682
All Development Per Water Meter Size (inches)							
	0.75	\$ 2,156					\$ 2,156
	1.00	3,665					3,665
	1.50	7,114					7,114
	2.00	11,426					11,426
	3.00	23,716					23,716
	4.00	36,652					36,652
WEST							
	Water System*	Storm Water Facilities**	Parks and Recreation	Trans- portation	Police Facilities	Fire & EMS Facilities	TOTAL
Residential Per Housing Unit							
Single Family Detached		\$ 554	\$ 2,097	\$ 516	\$ 167	\$ 133	\$ 3,467
All Other Housing		Not Applicable	1,371	314	109	87	1,881
Nonresidential Per 1,000 Square Feet of Floor Area							
Com/Shop Ctr 50,000 SF or less		327		1,662	140	184	2,313
Com/Shop Ctr 50,001-100,000 SF		327		1,465	123	161	2,076
Com/Shop Ctr 100,001-200,000 SF		327		1,276	107	143	1,853
Com/Shop Ctr over 200,000 SF		327		1,103	93	129	1,652
Office/Inst 25,000 SF or less		327		1,725	145	260	2,457
Office/Inst 25,001-50,000 SF		327		1,090	91	244	1,752
Office/Inst 50,001- 100,000 SF		327		768	64	230	1,389
Office/Inst over 100,000 SF		327		611	51	216	1,205
Business Park		327		518	43	203	1,091
Light Industrial		327		434	36	149	946
Warehousing		327		245	20	82	674
All Development Per Water Meter Size (inches)							
	0.75	\$2,156					2,156
	1.00	3,665					3,665
	1.50	7,114					7,114
	2.00	11,426					11,426
	3.00	23,716					23,716
	4.00	36,652					36,652

*Impact fees for meters larger than four inches (4") will be based on annualized average day demand and the net capital cost per gallon of capacity.

For ease of comparison, storm water fees are shown per housing unit and per KSF of nonresidential development. However, Farmington will impose storm water impact fees on a per-acre basis. In east Farmington, the storm water impact fee for single-family detached housing is **\$1,692 (Rural/Low Density) **\$2,449** (Medium Density); **\$3,867** (Commercial/Mixed Use); and **\$3,660** (Office/Inst/Bus/Park/Man) per acre. In west Farmington, the storm water impact fee for single family detached housing is **\$1,664** (Rural Res/Low Density) and **\$3,570** (Mixed Use/Lt. Manufacturing) per acre.