

## **SECTION 14.0**

### **SITE PLAN PROCESS**

#### **14.1 GENERAL**

The purpose of the site plan process is to obtain formal approval by the Planning Commission before a site plan is ready for construction. The site plan, construction drawings and all information and procedures relating to the site plan must comply with the provisions of the Municipal Code and the City's design and construction standards

Site plan approval is required for the following uses:

1. Multi-family or multi-unit residential development
2. Retail, professional office, industrial and institutional
3. Development of public facilities, open space and parks
4. Mixed use projects
5. Condominium projects; commercial or residential

No regulatory permits will be issued, no clearing, grubbing, grading, drainage work, parking lot construction or other site improvements will be allowed until the site plan is approved.

Processing times will vary based upon availability of city staff time and the applicant's execution of the various tasks. The checklists for a site plan are contained in the Development Processing Manual located on the City's website *www.wjordan.com*

Projects located in the M1 zone may be reviewed as a type I administrative process when there is no change to design standards as determined by the City Planner.

#### **14.2 APPLICANT'S INITIAL CONTACT WITH CITY STAFF**

The applicant's initial contact with city staff needs to take place with Planning and Zoning, either by telephone or by meeting at the Community Development Department counter.

If the applicant is not familiar with City processes and requirements, the applicant will need to receive some assistance in understanding them. This can best take place through the planning department briefly discussing the processes and requirements with the applicant.

#### **14.3 PRE-APPLICATION MEETING**

The applicant can contact the development department staff to schedule a pre-application conference. Pre-application meetings are held weekly as needed.

The purposes of the pre-application conference are:

1. To better facilitate the development process by establishing initial contacts between City staff and the applicant.
2. Provide an opportunity for the applicant to present the project to city staff and receive comments from them.

3. Provide an opportunity for the applicant to ask questions regarding city requirements in order to eliminate unnecessary delays to the proposed project

If the applicant is familiar with the city's processes and requirements, they may skip this step and go directly to preparation of the preliminary site plan.

### **OPTIONAL CONCEPT SITE PLAN**

#### **14.4 GENERAL**

The site concept plan is for large-scale or complex developments as determined by the City Planner. The site concept plan is intended to provide the applicant and the city the opportunity to discuss at a very conceptual level what the city's requirements are, prior to proceeding forward with the preliminary site plan and to verify that the project is feasible.

#### **14.5 SUBMIT CONCEPT SITE PLAN APPLICATION**

The concept site plan process can be initiated by submitting the application to the development department along with items listed on the concept site plan checklist.

Once the application is received, the development department staff will determine if it is complete. No application will be scheduled for Planning Commission review until a determination has been made that the application is complete. The application will be distributed to other city departments, their reviews will be completed, and the development department will collect and summarize their comments. Comments will be transmitted to the applicant.

### **PRELIMINARY SITE PLAN**

#### **14.6 GENERAL**

The purpose of the preliminary site plan is to obtain formal preliminary approval from the Planning Commission. The preliminary site plans are to be in compliance with the provisions of the Municipal Code and the City's design and construction standards.

Processing times will vary based upon availability of City staff time and the applicant's execution of the various tasks. The checklists for a preliminary site plan are included in Development Processing Manual located on the City's web site [www.wjordan.com](http://www.wjordan.com)

#### **14.7 SUBMIT PRELIMINARY SITE PLAN APPLICATION**

The preliminary site plan process can be initiated by submitting the application to the development department along with items listed on the preliminary site plan and engineering department requirement checklists.

The development department staff will check to make sure the application is complete. No application will be accepted until a determination has been made that the application is complete.

## **14.8 CITY REVIEW OF PRELIMINARY SITE PLAN**

The initial review of these documents will be completed as individual departments, however, a city staff project team will be assembled which will include a member from each department.

The first review may take between 2 to 3 weeks to complete based on the complexity of the project and number of projects in for review. Subsequent reviews, if needed, will be completed in 1 week. The applicant should work directly with the project team to satisfy each department's requirements.

## **14.9 PLANNING COMMISSION REVIEW AND ACTION**

Once the development team has completed their review and determined it is complete, the City Planner will schedule the preliminary site plan for a Planning Commission meeting for their review and action. The following items will be completed as part of this task:

- A. Scheduling and Public Notices - The City Planner will schedule the preliminary site plan for review by the Planning Commission and arrange for publication of notice of a public hearing.
- B. Staff Report Preparation - The Planning Division will prepare a staff report for Planning Commission review.
- C. Review and Action –For a preliminary site plan to be approved by the Planning Commission, the applicant must attend the Planning Commission meeting to explain the proposal and answer questions. Once all questions have been answered to the satisfaction of the Planning Commission, the Planning Commission will take action in one of the following forms:
  - 1. Approval of the preliminary site plan.
  - 2. Approval with modifications or conditions.
  - 3. Postponement where further information or input is necessary.
  - 4. Deny the preliminary site plan.

Notice of the action will be sent, by the community development department, to the applicant regarding the Planning Commissions action.

## **14.10 EXPIRATION OF PRELIMINARY SITE PLAN APPROVAL**

An approved preliminary site plan shall remain valid for 12 months following the date of approval. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the City. The decision of the zoning administrator may be appealed to the planning commission.

## **FINAL SITE PLAN**

### **14.11 GENERAL**

The purpose of the final site plan is to obtain formal approval from the City of West Jordan. The final site plan and all information are to be in compliance with the provisions of the Municipal Code and the City's design and construction standards.

Processing times will vary based upon availability of City staff time and the applicant's execution of the various tasks. The checklists for a final site plan included in the Development Processing Manual located on the City's web site *www.wjordan.com*

#### **14.12 DEVELOPMENT AGREEMENT (if applicable)**

The Development Agreement is a formal written agreement between the city and the applicant, which details the responsibilities of both parties. The responsibilities detailed in the agreement for the city are those that are provided for in the Municipal Code and are reiterated in the Agreement. In addition to the standard items the city agrees to provide, any project specific items the city agrees to do are outlined in the 'Special Provisions' section of the agreement. The agreement also details items the applicant will provide along with any special requirements, which are also outlined in the 'Special Provisions' section.

The Development Agreement is prepared by the city attorney's office, then distributed and reviewed by other city departments who provide input into the Agreement. The Agreement is then reviewed as part of the project by the Planning Commission and approved, rejected, or returned for changes. A Development Agreement for a project will require City Council approval.

#### **14.13 REIMBURSEMENT AGREEMENT (if applicable)**

If the applicant feels that certain facilities being constructed may be subject to reimbursement, the applicant shall prepare a letter addressed to the City Engineer, pay current reimbursement deposit, and application, detailing the reasons. Failure to do so will disqualify the Applicant for any reimbursements. Facilities included in city master plans and impact fee studies may be subject to reimbursement dependant upon the findings of the City Engineer and Development Director who will respond in writing to the Applicant. If the City Engineer and Development Director agree that such facilities may be subject to reimbursement, the City Attorney will prepare an Agreement. Reimbursement from the City for any facility is subject to the approval of a reimbursement agreement by the City Council prior to issuance of a Land Disturbance Permit.

#### **14.14 SUBMIT FINAL SITE PLAN APPLICATION**

The final site plan process can be initiated by submitting the application along with items listed on the final site plan and engineering department requirements checklists.

The development department staff will check to make sure the application is complete. No application will be accepted until a determination has been made that the application is complete.

Along with the final site plan submittal the following may be required.

- A. Engineers Estimate - If the site plan has public improvements an engineers estimate is required so a Final Bond Estimate can be prepared.
- B. Escrow Deposit, Surety, Letter of Credit or Cash Agreement - The bond agreement is to be in the amount indicated in the final bond estimate, and is to meet the requirements of City Attorney and the Municipal Code.

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- C. Off-site Dedications - Easement and fee parcels required as part of the development will need to be provided separately from the Site Plan.
- D. Development Agreement – Submit a signed original of the Development Agreement.
- E. Reimbursement Agreement – Submit a signed original of the Reimbursement Agreement.
- F. Public Easements – The applicant is to prepare, sign and submit all necessary easements required for publicly dedicated facilities for the project. These easements are to be approved by City staff and the City Attorney prior to recordation.
- G. Salt Lake County Flood Control Permit – The applicant is responsible for coordinating with Salt Lake County Flood Control District in preparing and obtaining a flood control permits. A flood control permit must be applied for if:
- a. The project will discharge into a canal, creek, Jordan River or other facility under the jurisdiction of Salt Lake County Flood Control District, or
  - b. The project abuts or is adjacent to a canal, creek, Jordan River or other facility under the jurisdiction of Salt Lake County Flood Control District.
- H. Salt Lake County Development and Construction Permit - Obtain and submit this permit if the site is within 100 feet of a critical flood area as defined by Salt Lake County Flood Control District. If the project is not within 100-Feet of a critical flood area, the applicant is to submit a letter from Salt Lake County to the City so indicating.
- I. Canal/Ditch Company Approvals - If the project discharges into an irrigation company canal, a letter of approval from the canal/ditch company is to be submitted. Evidence must also be presented to the City that indicates that all required fees have been paid to the canal/ditch company.
- J. Other Agency Approvals - Other agency approvals may include the Utah Department of Transportation and other agencies that may be affected. The applicant is responsible for identifying these agencies and meeting their requirements.
- K. Federal, State, and Local Permits - The applicant is responsible for acquiring all of the necessary Federal, State and local permits required to design and construct the proposed project. The following is a list of the known permits; however, there may be other permits the applicant will need to acquire.
1. Storm Water Pollution Prevention Permit
  2. Corps of Engineer (COE) 404 Permit
  3. City of West Jordan, Encroachment Permit
  4. Utah Department of Transportation (UDOT) Access Permit
  5. Utah Department of Transportation (UDOT) Encroachment Permit
  6. Canal Company Discharge Permit
  7. Salt Lake County Flood Control Permit

**14.15 CITY REVIEW OF FINAL SITE PLAN**

The first review may take between 2 to 3 weeks to complete based on the complexity of the project and number of projects in for review. Subsequent reviews will be completed in 1 week.

Once the final site plan and construction drawings are complete the final site plan can be approved by city staff.

**14.16 STAFF APPROVAL AND ACTION ON FINAL SITE PLAN**

City staff will prepare a memorandum indicating that the final site plan and construction drawings are approved.

**14.17 EXPIRATION OF FINAL SITE PLAN APPROVAL**

An approved final site plan shall remain valid for 24 months following the date of approval. One 6-month extension may be granted by the zoning administrator if, upon written request by the owner, the zoning administrator finds that the extension will not adversely affect the public health, safety or welfare of the City. The decision of the zoning administrator may be appealed to the planning commission.

**14.18 CITY ATTORNEY REVIEW**

Documents that require the Mayor's signature or recordation with Salt Lake County Recorder's office will require review and approval from the City Attorney. All documents are to be original documents.

**14.19 RECORDATION OF DOCUMENTS**

The approved documents will be record at the Salt Lake County Recorder's Office. The Applicant is responsible for payment of any recordation fees.

**14.20 LAND DISTURBANCE PERMIT**

The applicant or his/her contractor is to obtain a land disturbance permit prior to the beginning of any construction activity on-site. The requirements for obtaining this permit are located in the Municipal Code.

**14.21 PRECONSTRUCTION MEETING**

The community development department will schedule a preconstruction meeting with the applicant, his contractor and city staff. During the meeting a set of approved site plan construction drawings will be given to the applicant and must be on site at all times during the construction of the project.

The applicant or his/her contractor is not to begin construction until all approvals have been given, a preconstruction meeting is held and all requirements of the City's Municipal Code have been met. Construction is defined as any activity which creates a land disturbance such as excavation, clearing, grubbing, construction of buildings, site or public improvements or any other activity, which disturbs existing soil on-site.

Public improvements are subject to inspection.

#### **14.22 COMPLETION AND MAINTENANCE OF SITE**

Every site plan must be constructed in accordance with the approved site plan drawings, or if the plan has been revised, in accordance with the revised plans reviewed and approved by the city. The site must be maintained in a clean and orderly manner or the city may take legal action against the applicant.

#### **14.23 BUILDING PERMIT ISSUANCE**

A building permit may be issued after the preconstruction meeting has been held and erosion control measures have been installed, inspected and approved, fire department requirements have been met and applicable impact fees paid.

#### **14.24 CERTIFICATE OF OCCUPANCY**

A permanent certificate of occupancy will be issued after all Building Division requirements of the Municipal Code have been met.

Before a certificate of occupancy can be issued for commercial, industrial and other developments requiring site plan approval, certain inspections have to be completed by different departments in the city. In order to coordinate these inspections and make the procedure less confusing for the contractors, the Building Division will schedule all final inspections and collect and process escrow deposits, if other City departments agree the project is ready to proceed.

#### **14.25 TEMPORARY CERTIFICATE OF OCCUPANCY**

A temporary certificate of occupancy, not to exceed 6 months, may be issued if the City Manager or his designee makes a written determination that conditions of zoning, site plan, or other required approvals have been substantially met, but that acceptable circumstances have prevented or a delay in the installation of certain improvements required by the approved site plan. During the months of October to April, a cash bond equal to 100 percent of the estimated completion costs shall be required prior to issuance of the temporary certificate. During the months of May to September, a cash bond of 150 percent of the estimated completion costs shall be required prior to issuance of the temporary certificate.

#### **14.26 WARRANTY PERIOD FOR PUBLIC FACILITIES**

After final inspections of the public improvements are completed, a 12-month warranty period begins. The applicant also needs to be familiar with the City's bond release procedure as indicated in the City's Municipal Code and Development Processing Manual.

#### **14.27 FINAL INSPECTION OF PUBLIC FACILITIES**

After the 12 month warranty period, a final inspection of the improvements will take place in accordance with the City's Municipal Code and Development Processing Manual.

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