

SECTION 17.0

MAJOR SUBDIVISION PROCESS

17.1 GENERAL

The purpose of the major subdivision process is to obtain formal subdivision approval, by the Planning Commission. The subdivision plat, construction drawings and procedures must comply with the provisions of the Municipal Code and the City's design and construction standards.

No regulatory permits will be issued, no clearing, grubbing, grading, drainage work, parking lot construction or other site improvement will be allowed until the subdivision is approved and proper permits obtained.

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

17.2 APPLICANT'S INITIAL CONTACT WITH CITY STAFF

The applicant's initial contact with city staff needs to take place with the planning department either by telephone or by meeting at the community development 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.

17.3 PRE-APPLICATION MEETING

The applicant can contact the community development department staff to schedule a pre-application conference. Pre-applications 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 plat.

PRELIMINARY APPROVAL**17.4 GENERAL**

The purpose of the preliminary subdivision plat is to obtain formal Planning Commission preliminary approval of the subdivision. The preliminary plat, all information and procedures are to be in compliance with the provisions of the Municipal Code.

17.5 PRELIMINARY SUBDIVISION SUBMITTAL

The major preliminary subdivision process can be initiated by submitting the application to the community development department along with items listed on the major subdivision preliminary 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.

17.6 CITY REVIEW OF PRELIMINARY SUBDIVISION

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, based upon the plans submitted 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.

17.7 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 subdivision 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 subdivision 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 subdivision to be considered 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 plat.
 2. Approval with modifications or conditions.
 3. Postpone were further information or input is necessary
 4. Deny the preliminary plat.

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

17.8 EXPIRATION OF PRELIMINARY SUBDIVISION APPROVAL

An approved preliminary subdivision plat is valid for one year following the date of approval. The time period may be extended by the zoning administrator for up to an additional six (6) months period for good cause shown with the applicant petitioning the City prior to expiration of the original time period.

In cases where the subdivision is to be developed in phases, the approval will remain valid, provided that a final plat on at least one phase is approved, recorded and developed within 12 months of the date of preliminary approval and provided that each successive phase is approved, recorded and developed within 12 months of the previous phase's recording date.

FINAL SUBDIVISION

17.9 GENERAL

The purpose of the final plat is to obtain formal approval from the City of West Jordan. The final subdivision, all information and procedures are to be in compliance with the provisions of the Municipal Code.

Processing times will vary based upon availability of city staff time and the applicant's execution of the various tasks. Checklists for a major final subdivision are included in the Development Processing Manual located on the City's website at www.wjordan.com.

17.10 DEVELOPMENT AGREEMENT (if applicable)

The *'Development Agreement'* is a formal written agreement between the city and the applicant that details the responsibilities of both parties. The responsibilities detailed in the Agreement are those, which are provided for in the Municipal Code and are reiterated in 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 main reason for the preparation of a *'Development Agreement'* is to better define the special requirements of both parties.

The *'Development Agreement'* is prepared by the City Attorney, 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 City Attorney and Planning Commission who forwards the Agreement on to the City Council with a recommendation to reject or approve the agreement. The City Council will then review the Agreement, request changes if appropriate and then direct staff to finalize the Agreement and have the Mayor sign the Agreement for the City.

17.11 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 prior to Final Approval of the project detailing the reasons. Facilities included in City master plans and impact fee studies may be subject to reimbursement dependant upon the findings of the City Engineer and Community Development Director who will respond in writing to the Applicant. If the City Engineer and Community 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.

17.12 SUBMIT FINAL SUBDIVISION APPLICATION

The major final subdivision process can be initiated by submitting the application to the community development department along with items listed on the major final subdivision checklist.

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 subdivision submittal, the following may be required.

- A. Impact Fees – Payment of storm drain, engineering inspection and street light fee.
- B. Engineers Estimate - Public improvements engineers estimate is required so a Final Bond Estimate can be prepared.
- C. 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.
- D. Off-site Dedications - Easement and fee parcels required as part of the development will need to be provided separately from the subdivision.
- E. Development Agreement – Submit a signed original of the Development Agreement.
- F. Reimbursement Agreement – Submit a signed original of the Reimbursement Agreement.
- G. 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 the City Attorney prior to recordation.
- H. 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.
- I. Salt Lake County Development and Construction Permit - Obtain and submit this permit if the subdivision 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.
- J. 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.
- K. 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.

L. 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

17.13 STAFF REVIEW OF THE FINAL PLAT AND CONSTRUCTION DRAWINGS

The first review will take from 2 to 3 weeks based upon the complexity of the project and number of projects in for review. Subsequent reviews will be completed in 1 week. Once each review is complete, the applicant will be contacted to pick up the redline comments.

Once the final subdivision and construction drawings are complete the final subdivision can be approved by city staff

17.14 CITY STAFF ACTION ON FINAL PLAT

City staff will prepare a memorandum indicating that the final plat and construction drawings are approved and the final plat in mylar form can be created.

17.15 PREPARATION AND SUBMITTAL OF FINAL DOCUMENT

The applicant will prepare the final plat mylar for signatures

It is the applicant's responsibility to obtain signatures of the following companies:

- a. Natural gas provider
- b. Salt Lake County Flood Control District
- c. Salt Lake County Board of Health
- d. Cable provider
- e. Telephone service provider
- f. Electric power provider
- g. Others as required
- h. Signatures of property owners, beneficiaries.
- i. The Applicant is to submit the mylar and an electronic copy in PDF format to the City, along with a current title report.

After obtaining the required signatures, the original mylar, along with a title report no later than 30 days can be submitted to the city.

17.16 FINAL PLAT CITY SIGNATURES

City staff will be responsible for obtaining the required city department signatures.

Planning Commission
City Engineering
City Attorney
Mayor and City Recorder

17.17 FINAL PLAT RECORDATION

An appointment is made between city staff and developer to meet at the Salt Lake County Recorders Office to record the subdivision plat.

The applicant is responsible for providing all information necessary, including recording fees, to meet the Salt Lake County Recorder's requirements for recordation. The City of West Jordan is only there to provide a continuous chain of custody.

17.18 EXPIRATION OF FINAL PLAT APPROVAL

If the final plat is not recorded within 24-months from the date of final approval, such approval is to be null and void. The time period may be extended by the zoning administrator for up to an additional six (6) months period for good cause shown with the Applicant petitioning the City prior to expiration of the original time period.

17.19 ISSUE 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 Municipal Code.

17.20 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 which 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 after all approvals have been given. 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.

17.21 BUILDING PERMIT ISSUANCE

A building permit may be issued after the final plat has been recorded, a preconstruction held and approvals from the engineering and fire departments.

17.22 WARRANTY PERIOD FOR PUBLIC FACILITIES

After final inspections of the public improvements are completed, a 12-month warranty period begins. The applicant is required to meet all requirements specified in the City's Municipal Code and Development Processing Manual.

17.23 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
