

**SALT LAKE CITY
SITE DEVELOPMENT ORDINANCE**

Table of Contents

18.28.10 GENERAL PROVISIONS	1
Adoption of Chapter.....	1
Authority.....	1
Applicability.....	1
Purpose.....	1
Identification of Fault Hazards	2
Format.....	2
18.28.20 DEFINITIONS	2
Definition of Terms	2
18.28.30 SUBDIVISION STANDARDS AND REQUIREMENTS	6
General Regulations and Standards	6
Lot Design Standards	10
Street Design Standards	13
Grading and Erosion Control Design Standards and Regulations	19
Foothill Development Overlay Zone Special Regulations	25
Flood Plain Development Special Regulations	32
Canyon Development Special Regulations	32
Nonresidential Subdivision Special Regulations	33
Inspection and Enforcement	34
18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)	34
General Application.....	34
Permits Required.....	35
Soil Engineering Report or Engineering Geology Required.....	37
Issuance	37
Fees.....	37
Grading and Erosion Control Standards and Regulations	39
Erosion Control and Revegetation.....	43
Drainage	43
Setbacks	43
Site Development Inspections	45
Completion of Work.....	46
18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES	46
General Application.....	46
Permit Application.....	47
Foothill Development Overlay Zone Reports.....	50
Granting Permit.....	56
Inspections	56
Grading and Erosion Control Design Standards and Regulations	56

Special Canyon Site Development Standards	61
18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS.....	63
Interpretation - Conflicts	63
Retention of Plans	63
Expiration, Renewals, and Extensions of Permit.....	63
Action by Planning Commission	63
Appeals	64
General Grounds for Denial	65
Prohibited Activities.....	65
Permit or Approval Revocation.....	65
Property Owner Responsibility	67
Violation and Penalties	67
Severability.....	67
18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED).....	68

TITLE 18 - BUILDINGS AND CONSTRUCTION

CHAPTER 18.28

SITE DEVELOPMENT ORDINANCE

SECTIONS:

- 18.28.10 GENERAL PROVISIONS**
- 18.28.20 DEFINITIONS**
- 18.28.30 SUBDIVISION STANDARDS AND REQUIREMENTS**
- 18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)**
- 18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES**
- 18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS**
- 18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED)**

18.28.10 GENERAL PROVISIONS

A. Adoption of Chapter. That certain pamphlet entitled “SITE DEVELOPMENT REGULATIONS - Procedures, Standards, and Specifications”, dated August 1981, including Chapters 1-7 which were specifically prepared in conjunction with this Title, is hereby adopted by reference by Salt Lake City as ordinances, rules, and regulations of said City to guide all land development activity. Three copies of said pamphlet, hereinafter sometimes referred to as “Regulations” shall be filed for use and examination by the public in the office of the Recorder of Salt Lake City. Hereinafter, all references to the various provisions of Chapters 1-7, or said regulations, shall be considered as references to correspondingly numbered sections and chapters of Title 47. Said provisions may be cited and known as the “Site Development Regulations of Salt Lake City, Utah”.

B. Authority. This Chapter is enacted pursuant to Title 10, Utah Code Annotated, 1953, as amended. This Chapter is further enacted as an element of the Salt Lake City Master Plan.

C. Applicability. The provisions of this Chapter shall apply to all site development within Salt Lake City; however, a permit shall be required only for those types of developments set forth in Sections [47-4-1](#) and [47-5-1](#).

D. Purpose. This Title is adopted: to promote public safety and the general public welfare; to protect property against loss from erosion, earth movement, earthquake hazard, and flooding; to maintain a superior community environment; to provide for the continued orderly growth of the City to ensure maximum preservation of the natural scenic character of major portions of the City by establishing minimum standards and requirements relating to land grading, excavations, and fills; and to establish procedures by which these standards and requirements may be enforced. It is intended that

this Chapter be administered with the foregoing purposes in mind and specifically to:

1. Ensure that the development of each site occurs in a manner harmonious with adjacent lands so as to minimize problems of drainage, erosion, earth movement, and similar hazards;
2. Ensure that public lands and places, water courses, streets, and all other lands in the City are protected from erosion, earth movement, and drainage hazards;
3. Ensure that the planning, design, and construction of all development will be done in a manner which provides maximum safety and human enjoyment, and, except where specifically intended otherwise, makes it as unobtrusive in the natural terrain as possible;
4. Ensure, insofar as practicable, the retention of natural vegetation to aid in protection against erosion, earth movement, and other hazards and to aid in preservation of the natural scenic qualities of the City; and
5. Ensure, insofar as Salt Lake City is located in an active seismic zone, that appropriate earthquake hazard mitigation measures are incorporated into the planning and execution of site development.

E. Identification of Fault Hazards. Pending the completion by the Utah Geological Survey (UGS) of a Fault Hazard Map for Salt Lake City, the Planning Director may rely upon the existing information available from UGS or other publicly or privately prepared geological reports to identify fault hazards.

F. Format. This Chapter is designed to establish administrative and enforcement procedures and minimum standards applicable to site development activities according to the following categories:

1. Section 18.28.30 governs site development associated with the subdivision approval process;
2. Section 18.28.40 governs site development associated with construction of individual buildings under authorized building permits;
3. Section 18.28.50 governs site development not requiring approval or permits under subparagraph F.1 or F.2 above.

18.28.20 DEFINITIONS.

A. Definition of Terms. For the purposes of this Chapter, certain terms used herein are defined as set forth below:

1. **As-graded** means the surface conditions existent upon completion of grading.

2. **Bedrock** means in-place, solid, rock.
3. **Bench** means a relatively level step excavated into earth material on which fill is to be placed.
4. **Borrow** means earth material acquired from an off-site location for use in grading a site.
5. **Buildable Area** means that portion of the platted lot, exclusive of the required front, rear, and side yard setbacks, as established by the base zone for the lot, and all designated undevelopable area.
6. **Building Official** means the Director of the Building and Housing Services Department of Salt Lake City.
7. **Building Permit** means a permit issued by Salt Lake City for the construction, erection, or alteration of a structure or building.
8. **Certify or Certification** means that the specific reports, inspections, and tests that are required have been performed by the person or under their supervision, and that the results of such reports, inspections, and tests comply with the applicable requirements of this ordinance.
9. **City Engineer** means the City Engineer of Salt Lake City.
10. **Civil Engineer** means a professional engineer registered in the State of Utah to practice in the field of civil works.
11. **Civil Engineering** means the application of the knowledge to the forces of nature, principals of mechanics, and the properties of materials to the evaluation, design, and construction of civil works for the beneficial uses of mankind.
12. **Compaction** means the densification of fill by mechanical means.
13. **Cubic Yards** means the volume of material in an excavation and/or fill.
14. **Cul-de-sac** means a street closed at one end.
15. **Cut** (see Excavation)
16. **Driveway** means a way or route for use by a vehicle traffic leading from a parking area or from a house, garage, or other structure, to a road or street.
17. **Earth Material** means any rock, natural soil, or any combination thereof

18. **Engineering Geologist** means graduate in geology or engineering geology of an accredited university, with five or more full years of professional post graduate experience in the application of the geological sciences, of which three full years shall be in the field of engineering geology that has required the application of geological data, techniques, and principles to engineering problems dealing with ground water and naturally occurring rock and soil, for the purpose of assuring that geological factors are recognized and adequately interpreted and presented.

19. **Erosion** means the wearing away of the ground surface as a result of the movement of wind, water, and/or ice.

20. **Excavation** means any act by which vegetation, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and shall include the conditions resulting therefrom.

21. **Existing Grade** means the actual elevation (in relation to mean sea level) of the ground surface before excavation or filling.

22. **Fill** means any earth, sand, gravel, rock, or any other material which is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location and shall include the conditions resulting therefrom.

23. **Fill Material** means earth material free from rock or similar irreducible material exceeding 12 inches in diameter, metal, and organic material except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties.

24. **Fuel Break** means a strategically located strip or block of land, varying in width, on which vegetation has been modified to provide a safer place for firefighters to work and to help reduce the rate of fire spread.

25. **Grading** means excavation or fill or any combination thereof and shall include the conditions resulting from any excavation or fill.

26. **Level Building Site** means a site contained wholly within the buildable area, of a dimension not less than 30 feet by 40 feet, to accommodate the main structure, required off-street parking, and drainage resulting from said improvements. Slope of the Level Building Site shall not exceed 16 percent.

27. **Licensed Architect** means an architect who is registered with the Department of Registration of the State of Utah.

28. **Natural Drainage** means water which flows by gravity in channels formed by the surface topography of the earth prior to changes made by the efforts of man.

29. **One Street Access** means a street that provides the sole access to one or more other streets.

30. **Parcel** means all contiguous land in one ownership, provided, however, each lot conforming to the Zoning Ordinances of Salt Lake City in a subdivision may be considered to be a separate parcel.

31. **Percent of Slope** means the slope of a designated area of land determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value as measured between any two abutting contour lines on the referenced contour map.

32. **Permittee** means any person to which a site development permit has been issued.

33. **Person** means any person, firm or corporation (either public or private), the State of Utah and its agencies or political subdivisions, the United States of America and its agencies and instrumentalities, and any agent, servant, office, or employee of any of the foregoing.

34. **Planning Director** means the Planning Director of Salt Lake City.

35. **Quarry** means an open excavation for the extraction of resources.

36. **Registered Professional Engineer** means a civil engineer who is registered with the Department of Registration of the State of Utah.

37. **Removal** means killing vegetation by spraying, complete extraction, or excavation, or cutting vegetation to the ground, trunks, or stumps.

38. **Seismic** means characteristic of, or produced by, earthquakes or earth vibration.

39. **Site** means a lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

40. **Site Development** means altering terrain and/or vegetation.

41. **Slope Classification Map** means a map prepared as a colored exhibit by a registered professional engineer or land surveyor based upon a contour map of the specified scale and contour interval, upon which the measured and calculated percent of slope (measured between every contour interval on the map) is classified or grouped into percentage of slope data in ten percent slope groupings as follows:

<u>Slope Classification</u>	<u>Percent Of Slope</u>	<u>Mapped Color</u>
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Level	0 - 9.9%	Uncolored
Slight	10 - 19.9%	Yellow
Moderate	20 - 29.9 %	Orange
Severe	30% and greater	Red

42. **Soils Engineer** means a registered civil engineer of the State of Utah, specializing in soil mechanics and foundation engineering, familiar with the application of principles of soil mechanics in the investigation and analysis of the engineering properties of earth materials.

43. **Surcharge** means the temporary placement of fill material on a site in order to compress or compact the natural soil mass.

44. **Testing Laboratory** means a testing laboratory that requires supervisory personnel to be professional engineers registered with the Department of Registration of the State of Utah.

45. **Vacant** means land on which there are no structures or only structures which are secondary to the use or maintenance of the land itself.

18.28.30 SUBDIVISION STANDARDS AND REQUIREMENTS

A. General Regulations and Standards. Except where modified by the Mayor, all subdivision of land within Salt Lake City shall comply and conform with the standards and requirements as set forth and as referred to in this Section, as follows:

1. Supervision. All site development and/or subdivision work performed under this section will be allowed only when said work is performed under the supervision of the City Engineer or Public Utilities Director as is appropriate under the approved subdivision plan, and said work is secured by a performance guarantee bond acceptable to the City Attorney and Mayor.

2. Hazardous Areas to be Fenced. All areas of the subdivision or features adjacent to the subdivision, which present a potential threat to the public safety shall be fenced with a six foot non-climbable fence or acceptable alternative, as required by the Planning Commission. Such hazardous areas may include, but are not limited to, rivers and streams, canals, cliffs, ravines, arterial or collector streets, railroad rights-of-way, and steep slopes. Said fence shall be constructed and included as part of the subdivision improvements and shall be bonded.

3. Buildable Lots. All subdivision shall result in the creation of lots which are developable and capable of being built upon. No subdivision shall create lots, and building permit shall be issued for any lots which would make improvements and services impractical due to size, shape, steepness of terrain, location of water courses, problems of sewerage or

driveway grades, or other physical conditions.

4. Access to Public Streets.

a. All lots or parcels created by the subdivision of land shall have access to a public street improved to standards hereinafter required. Private streets shall not be permitted unless the Planning Commission finds that the most logical development of 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 therefor.

b. As part of the application of any subdivision including private streets, the subdivider shall submit to the Planning Commission for review by the City Engineer the following street plans:

i. A Street Development Plan showing the alignment, width, grades, design, and material specifications; the topography and means of access to each lot; drainage; and, utility easements for servicing the lots served by such private street;

ii. A plan providing for future ownership and maintenance of said street together with payment of taxes and other liability thereon.

c. After review and favorable recommendation by the City Engineer, the Planning Commission may include such approved street plans as part of its recommendations to the Mayor. Construction of the private street or access shall be completed prior to occupancy of any building on lots served by a private street. However, if finished grading has been completed and stabilized to the City Engineer's satisfaction, the subdivider may post a cash bond equal to the cost of completing the street, as determined by the City Engineer, in a form approved by the City Attorney to assure the earliest possible completion of said street. The bond may be posted if, and only if, the street is stabilized and made passable until such time as the completion of the street can be accomplished.

5. Landscaping.

a. A landscaped area shall be required in all subdivisions. Said landscaping shall be located either within the non-paved portion of the street right-of-way, or within a dedicated landscaping easement, not less than five feet wide, adjacent to the street. The location of the landscaping shall be specified by the Planning Commission. The type of landscaping and street trees shall be selected, installed, and maintained in accordance with standard specifications prepared by Salt Lake City.

b. Whenever, in the opinion of the Planning Commission, the cuts and fills 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 according to the plans as outlined in Section 18.28.30 E.4. below and approved by the Parks Department.

c. The subdivision shall be so designed as to preserve the greatest amount of existing on-site vegetation, including trees with a trunk diameter of four inches or greater and other natural ground cover.

6. Utilities and Easements.

a. all utilities shall be provided through underground services.

b. Easements for utility and drainage purposes shall be provided within the subdivision as required by the planning Commission. However, in no event shall such easement be less than seven feet in width of five in width on the front lot line

7. Water Courses. The subdivider shall dedicate a right-of-way for storm drainage conforming substantially with the lines of any natural water course or channel, stream, creek, or flood plain that enters or traverses the subdivision.

8. Block Design.

a. Blocks shall normally have sufficient width for an ultimate layout of two tiers of lots of the size required by the provisions of the Zoning and Subdivision Ordinances of Salt Lake City.

b. Blocks shall not exceed 1,500 feet in length. In any block over 900 feet in length there shall be crosswalk or pedestrian way as required by the Planning Commission.

9. Neighborhood Facilities.

a. The subdivider shall reserve sites, appropriate in area and location, for necessary and desirable residential facilities such as schools, parks, and playgrounds. Such sites shall be located in accordance with the principles and standards contained herein or expressed in the Master Plan.

b. The delimiting of service areas to determine the need for residential facilities at the district or community level shall be based on the Master Plan. When a planning neighborhood is used it will provide the basis for estimating the number of families to be served by facilities at the local level. A planning neighborhood, insofar as possible, exhibits the following characteristics:

i. It is bounded, rather than bisected, by major thoroughfares or other substantial land use or natural barriers to pedestrian traffic;

ii. It is usually not over a mile in width in any direction;

iii. It contains a minimum of 500 families

c. The following principles and standards are intended to serve as a guide in determining the residential facilities within the planning neighborhood for which sites will normally be required:

i. An elementary school site of approximately 10 acres will be required for each 600 families in the neighborhood. Such school site shall be central to the population to be served and shall not front on an arterial street;

ii. Such school site shall be reserved for public purchase for two years at a price not to exceed the acreage value of the raw land in the subdivision, except for a depth along the street forming principle frontage for the site of one tier of lots which may be priced not to exceed the value of said tier of lots;

iii. Whenever possible, playground and neighborhood recreation areas shall be developed in conjunction with elementary school sites. Such a site, if required in a subdivision, shall not normally be less than five acres in area for a service orientation of 600 families or less, and such sites shall specifically include areas with natural advantage for park development. It shall be reserved, made available for purchase, and priced in accordance with subparagraph ii. above

iv. Where wooded ravines and/or natural waterways are included within the boundaries of subdivision, such ravines shall be reserved for public use, including recreation and disposal of storm water. These purposes may be accomplished through dedication and/or storm drainage, scenic, or open space easements

10. Reservation of Land for Park and Recreation Purposes. Pursuant to the recreation or parks elements, plans or standards set forth in the Master Plan, as a condition of final subdivision approval the subdivider shall be required to reserve land for park and recreation purposes According to the following standards:

a. For subdivisions of 100 lots or more, including contiguous land owned or controlled by subdivider or landowner, the subdivider shall reserve land for two years for public purchase at the rate of not less than one and one half acres of land per 100 lots in the subdivision or five percent of the total area in the subdivision, whichever is greater;

b. For subdivision containing between 50 and 100 lots, the subdivider shall reserve land as deemed desirable by the Planning Commission;

c. For proposed multi-family development, the number of dwelling units proposed shall be considered as the number of lots for the requirements specified in this section, or if no particular number of dwelling units per acre permitted in the zoning regulations which apply to the land to be subdivided;

d. All land to be reserved for park or recreational purposes shall be found to be suitable by the Planning Commission and the Parks Department as to location, parcel size, an topography for the park and recreation purpose for which it is indicated in the Master Plan, or as determined by the Planning Commission. Such purpose may include active recreation facilities such as playgrounds, play fields, pedestrian or bicycle paths, or open space areas of particular natural beauty, including canyons, hilltops, and wooded areas to be developed or left in their natural state;

e. Land to be reserved may include all of the proposed park or recreational facility, or may include only part of a facility. Such partial reservation may be supplemented by additional land on adjoining property not owned or controlled by the subdivider;

f. At the time of approval of the final subdivision plat, the City may specify when development of a park or recreation facility is scheduled to begin;

g. The provisions of this Section shall not normally apply to commercial or industrial subdivision. However, the Planning Commission may require, as a condition of approval, that a commercial or industrial subdivider dedicate 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 as an alternative to the normally required easements

B. Lot Design Standards. The size, shape and orientation of lots in a subdivision shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following principles and standards shall be observed:

1. Minimum Area - Size. The minimum area and dimensions of all lots shall conform to the requirements of the Zoning Ordinances of Salt Lake City for the zoning district in which the subdivision is located.

2. Side lot lines. The side lines of all lots, so far as possible, shall be designed to be at right angles to the street which the lot faces, or approximately radial to the center of curvatures, if such street is curved. Side lines of lots shall be designed to be approximately radial to the center of curvature of a cul-de-sac on which the lot faces.

3. Width. The minimum lot width shall conform to the requirements of the zoning district in which the proposed subdivision is located. However, no lot shall have a width less than 50 feet at the front building setback line, or 30 feet at the curb line, unless approved as a flag lot.

4. Corner Lots. Corner lots have more than one side which must maintain required front yard setbacks, and therefore shall be platted wider than interior lots in order to permit conformance with the required street setback requirements of the Zoning Ordinance.

5. Depth. No lot shall have a depth less than 100 feet, unless the area conforms with the Zoning Ordinances of Salt Lake City and a lesser depth is specifically approved by the Planning Commission.

6. Corporate Boundaries. No lot shall be divided by a corporate boundary line. Each such boundary line shall be made a lot line.

7. Remnants. No remnants of property shall be left in the subdivision which do not conform to the lot requirements or are not required or more suitable for designation as common open space, private utility, or other purpose.

8. Lot Numbers. Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision plat, with no omissions or duplications; no block designations shall be used.

9. Double Frontage Lots. Lots other than corner lots, having double frontage shall not be approved except where necessitated by topographic or other unusual conditions. The width of each block shall be sufficient for the ultimate layout of two tiers of lots of a size required by the provisions of this Title unless the general layout of the vicinity, lines of ownership, topographic conditions, or locations of arterial streets or freeways justify or make necessary a variation from this requirement.

10. Flag Lots. Flag lots generally shall not be permitted. In the event the Planning Commission finds that due to unusual topographic conditions, direct lot frontage on a street is precluded, it may recommend waiver of the minimum width requirement on an individual lot basis. In such cases the access strip shall be not less than 20 feet in width and shall not exceed the depth of adjoining lots. In calculating the lot area of a flag lot, the square footage included in the access strip shall not be counted.

11. Developable Area Limitation. The Planning Commission shall review each lot and may determine that certain areas within a proposed subdivision cannot be built upon or landscaped more extensively than its natural state. The Planning Commission shall require all such undevelopable portions of proposed lots or any other special conditions of said lots to be identified by shading and notation upon the final plat. Such limitation shall also be made a part of the subdivision restrictive covenants. This provision may be invoked to protect, among other things, natural slopes or vegetation, special natural topographic features, faults, or visual factors.

12. Fences and Walls. Fences and walls shall only be constructed after first obtaining a building permit subject to the standards of this subsection.

a. Site plan submittal. As part of the site plan process, a fencing plan shall be submitted which shall show:

i. Any specific subdivision approval conditions regarding fencing;

ii. Material specifications and illustrations necessary to determine compliance with specific subdivision approval limitations and the standards of this section.

b. Field fencing of designated undevelopable areas. Fencing on areas identified as "undevelopable areas" or "transitional areas" on any subdivision platted after November 4, 1994 or any lot previously platted which identifies "undevelopable area" or "transitional areas" shall be limited to the following:

i. Low visibility, see-through type, ownership boundary designation fencing, consisting of flat black colored steel "T" posts and not more than four (4) strands of non-barbed steel wire, strung at even vertical spacing between such "T" posts, and erected to a height of not more than 42 inches above the natural ground surface.

ii. Fencing boundary lines shall not be cleared of native brush or vegetation so as to create a devegetation line visible from off site.

iii. The existing surface of the ground along such boundary fences shall not be changed by grading activities.

iv. Fence materials and designs must not create a hazard for big game wildlife species to cross.

v. No field fencing shall be erected in conflict with pedestrian easements dedicated to Salt Lake City.

c. Buildable area fencing. Fencing on any portions of a lot identified as "buildable area" or "required side yard" on any subdivision platted after November 4, 1994 or any lot previously platted which identifies "buildable areas" or similar designations shall be limited to the following:

i. Open, see through fencing constructed of tubular steel, wrought iron or similar materials, finished with a flat black, non-reflective finish constructed to a height of six feet or less; or

ii. Sight obscuring or privacy type fencing shall be of earth tone colors, of similar materials to the primary dwelling, and located to screen from off site view private outdoor living spaces.

d. Front yard fencing. Walls and fences located within the front yards and along roadways shall not exceed a maximum of forty-two inches in height.

C. Street Design Standards. The following minimum standards and design criteria shall apply unless deemed unwarranted by written recommendation of the City Engineer and Traffic Engineer. Said standards and criteria shall be supplemented by other applicable existing engineering and construction requirements and standards as specified by the City Engineer.

1. General.

a. The subdivision design shall conform to the pattern of major streets as designated in the Master Plan and to any official street map right-of-way approved by the City Council. Whenever a subdivision fronts on a street so designated, that street shall be platted and dedicated by the subdivider in the location and width so indicated.

b. Where higher standards have not been established as specified in subsection 1.a. above, all streets and arterials shall be platted according to the following minimum widths, except where it can be shown by the subdivider, to the satisfaction of the Planning Commission, that the topography or the small number of lots served and the probable future traffic development are such as to unquestionably justify a lesser standard. A community master plan or planned unit development, if designated with a comprehensive circulation and parking system including separate pedestrian ways, may justify modification of standards. Higher standards may be required where streets are to serve commercial or industrial property or where warranted by probable traffic conditions.

Type of Street	Right-Of-Way Width	Pavement Width*
Major Streets	As shown in the Master Plan	
Industrial Streets	60	44
Business Streets, Residential Collector Streets, or One Access Streets	50	40
Local Streets where zoned for multi-family	50	36
Local Streets where zoned for single-family	50	30
Frontage Roads (developed one side only)	40	24

Private Streets and Alleys	As determined by the Planning Commission	
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*Pavement width is from face to face of curbing.

c. The street pattern in the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood or district. The following principles shall be observed;

i. Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets, or, if offset, streets shall be offset a minimum of 100 feet between center lines of intersecting residential streets and a minimum of 400 feet between center lines of intersecting major streets;

ii. Proposed streets shall be extended to the boundary lines of the land to be subdivided or proposed as part of a subdivision master plan, 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;

iii. Where streets extend to the boundary of the property, resulting dead-end streets may be approved with a temporary turnaround of a minimum 40-foot radius. In all other cases, a permanent turnaround shall conform to specifications in **paragraph (j)** below or have a design otherwise approved by the Traffic Engineer.

iv. 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 local streets;

v. Straight local residential streets, conducive to high speed traffic, longer than the standard 600 foot block, shall be prohibited unless approved by the Planning Commission;

vi. Alleys shall not normally be permitted in residential subdivisions, but may be permitted in nonresidential subdivisions;

d. Subdivisions adjacent to arterials shall be designed as specified in the Master Plan or by the Planning Commission. The following principles and standards shall be observed:

i. 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 arterials.

ii. The number of intersecting streets along arterials shall be held to

a minimum;

iii. Frontage roads, if required or existing, shall conform to the standards specified in the subsection titled “Minimum Standards” and shall be separated from the arterial or freeway by a strip of permanent landscaping not less than 10 feet in width. A landscaping plan for the strip shall be submitted for approval. frontage roads shall enter arterials by means of intersections designed with turning and stacking capacity adequate for the traffic volume as estimated by the Traffic Engineer;

iv. Where frontage roads are **not** required, residential lots adjacent to an arterial shall be served by:

- A minor residential street paralleling said arterial at a generous lot depth therefrom. the minor residential street shall be separated from the arterial by a strip of permanent landscaping parallel to the arterial right-of-way not less than 10 feet in width. Greater widths may be appropriate and required by the Traffic Engineer; or
- A series of cul-de-sac or loop streets extending towards said arterial from a collector street not more than 500 feet therefrom. In such cases, a wall or fence with masonry pillars of a design approved by the Planning Director may be required at the rear of properties adjacent to the arterial.

v. When the rear of any lot borders an arterial, 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 said arterial to said lot, and a legal document sufficient to guarantee maintenance of said landscaping.

2. Street Grades. Curves and sight distances shall be subject to approval by the City Engineer, to insure proper drainage and safety for vehicles and pedestrians. The following principles and standards shall be observed:

a. Grades of streets shall be not less than .5% and not greater than 12% . However, a short run of not more than 200 feet at a grade of up to 14% may be allowed by the Planning Commission, upon the favorable recommendation of the Traffic Engineer and the City Engineer. Grades shall be controlled at center line, curb and gutter line, and sidewalk line.

b. At street intersections, the lot line at each corner shall be rounded with a curve having a radius of not less than 10 feet. A greater curve radius may be required if streets intersect at other than right angles, or in particular cases at intersections with arterials.

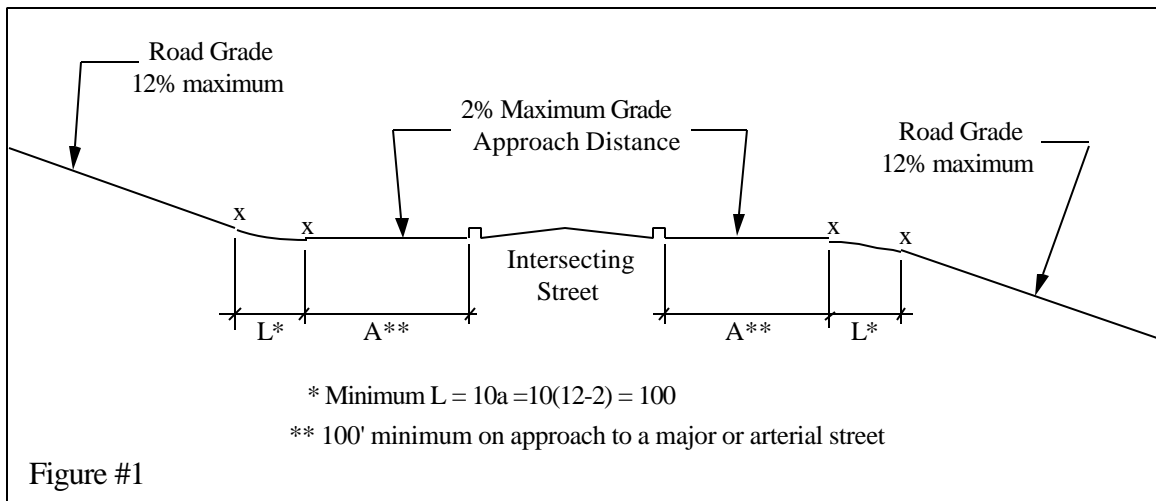
3. Vertical Alignment of Non-intersecting Streets. Transition curves over crest of hills shall be designed to provide both a smooth transition from upward movement to minimize potential roller-coaster effect and to provide safe stopping sight distance at all times. The

stopping sight distance is the distance required to safely stop a vehicle after viewing an object calculated on a formula set forth in standards adopted by the Traffic Engineer. The height of the eye shall be set at 3.75 feet and the height of the object at 6 inches above the surface of the road. Local streets shall be designed for a 30 m.p.h. minimum design speed providing for a minimum “K” value for stopping sight distance for crest curves of 28 and for sag curves of 35. Collector streets shall be designed for 40 m.p.h. minimum design speed with a minimum “K” value for stopping sight distance for both crest and sag curves of 55.

4. Vertical Alignment at Street Intersections. Transition curves shall be required to provide a smooth transition from road grade to intersections. For an approach distance (“A”) from each edge of the intersecting street line, the grade may not exceed 2%. The minimum length of the approaches (“A”) and transition curves (“L”) shall be calculated upon the formulas below.

A = The minimum approach distance required where grade may not exceed 2% from the curb line of the intersecting street. Said distance of “A” shall be not less than 35 feet for intersections with local streets and not less than 100 feet for intersections with major or arterial streets.

L = The minimum transition curve length required between points of tangency, “X”, where $L = 10(a)$, “a” being the difference between the grade of the road less the grade of “A”.



5. Intersection Site Distance. Intersections shall be planned and located to provide as much sight distance as possible. In achieving a safe road design, as a minimum, there shall sufficient corner sight distance for the driver on the approach roadway to cross the intersecting street without requiring approaching traffic to reduce speed. Such corner sight distance is a field of vision which shall be measured from a point on the approach roadway at least 15 feet from the edge of the intersecting roadway pavement at a height of 3.75 feet on the approach roadway. The minimum corner sight distance for local streets (30 m.p.h. design speed) shall be 300 feet. For collector streets (40 m.p.h. design speed) the minimum corner

sight distance shall be 400 feet.

6. Horizontal Alignment of Streets. In addition to the specific street design standards set forth above, horizontal alignment shall be subject to the following criteria.

- a. Consistent with topography, alignments shall be as straight as possible.
- b. Maximum curvatures shall be avoided whenever possible.
- c. Consistent patterns of alignment shall be sought. Sharp curves at the end of long tangents or at the end of long flat curves shall be avoided.
- d. Short lengths of curves shall be avoided even for very small deflection angles.
- e. Flat curvatures shall be provided on long fills.
- f. Compound circular curves with large differences in radii shall be avoided.
- g. Direct reverse curves shall be avoided; a tangent shall be used between them.
- h. "Broken back curves" (two curves in the same direction on either side of a short tangent or large radius curve) shall be avoided.
- i. To effectuate the above general criteria, the minimum curve centerline radii for local streets and collector streets shall be 100 feet and 150 feet, respectively. The maximum allowable degree of curvature shall be 23 degrees for local streets and 12.5 degrees for collector streets.

7. Turn-Around. Cul-de-sacs in residential areas should be no longer than 400 feet (measured from centerline of intersecting street to radius point of turnaround) and shall have a minimum of 42 feet curb radius and 50 feet property line radius. Cul-de-sacs in commercial or industrial areas should be no longer than 650 feet and should have a minimum of 60 foot curb radius, and 70 foot property line radius. Other cul-de-sac lengths or turnaround configurations may be approved by the Traffic Engineer upon his favorable recommendation that the alternative provides equal or better convenience, access, and service.

8. Street Lighting. Street lighting provides for the safety, security, and convenience of the public. It is less expensive to install and provides less disruption if it is installed during the construction of the subdivision. Therefore, all new subdivisions shall be required to install all street lighting systems during construction as part of the bonded subdivision public improvements. The system shall be underground in conduit. Ornamental poles shall be used in all subdivisions. The design of the entire system, including conduit, wiring, pole location(s) and

type, and fixture size and type shall be submitted on subdivision plan sheets. Lighting shall meet the Traffic Engineer's minimum recommended standards for the type of subdivision planned. As a minimum, lighting shall be placed at mid-block and at each intersection on local streets. The Traffic Engineer shall approve street lighting plans.

9. Driveways. Driveways leaving public rights-of-way shall not exceed a maximum grade of 8% from gutter to property line. The slope should be transitioned beyond property line no more than a maximum of 16%. Maximum sight distance should be encouraged with blind entrances or other sight obstructions disallowed.

10. Curb, Gutter, and Sidewalks. The following principles and standards shall apply to the design and installation of curbs, gutters, sidewalks, and pedestrian ways.

a. Vertical curbs and gutters as shown on the City's standard detail drawings shall be required in all subdivisions except for the exceptions specified below.

b. Sidewalks shall be required on both sides of the street in any subdivision.

c. The Planning Commission may recommend that sidewalks be omitted in a subdivision, planned community, or planned unit development having an internal pedestrian system, provided that the Planning Commission shall find that the public safety is not jeopardized by such omission.

d. When required for access to schools, playgrounds, shopping centers, transportation facilities, other community facilities, or for unusually long blocks, the subdivider shall provide, construct, and maintain pedestrian ways not less than 20 feet in width, provided with fencing, landscaping, and a pavement width not less than 10 feet in width. Provision for maintenance shall be satisfactory to the Planning Commission.

e. Sidewalks shall normally be located within the street right-of-way as shown on the City's standard detail drawing.

f. For lots and public strips containing trees with a trunk diameter of four inches or greater, curb cuts for driveways shall be so located as to ensure the preservation of such trees.

11. Where subdivision streets create frontage for contiguous property owned by others, the subdivider may, upon approval by the Planning Commission, create a protection strip not less than one foot in width between said street and adjacent property, to be deeded into joint ownership between the City and subdivider. Such a lot requires an agreement from the subdivider contracting to deed to the owners of the contiguous property the one foot or larger protection strip lot for a consideration named in the agreement, such consideration to be not more than the cost of street improvements properly charged to the contiguous property as determined by the City Engineer in his estimate of cost of improvements for the subdivision. One copy of this agreement shall be submitted as approved by the City Attorney to the Planning

Commission prior to the approval of the final plat. Jointly owned protection strip lots shall not be permitted at the end of or within the boundaries of a public street, or proposed street, or within an area, or abutting and area, intended for future public use.

12. Whenever a proposed subdivision has a street which terminates or abuts against private property of an individual other than the subdivider, a strip of land at least one foot wide across the entire end of the proposed street must be platted as a lot and said lot shall be deeded to the City for future street purposes. The deed, approved by the City Attorney, must be submitted prior to final approval.

13. Traffic Report. New subdivisions have traffic impacts on existing street systems that may or may not be adverse in nature. The City may require the subdivider to provide a detailed traffic engineering report of the effects and impacts of the proposed development. This report shall detail the expected number of trips to be generated, the type of vehicles expected, and the times of day that the most severe impact can be expected. It shall also detail the effect on street capacity by the development, as well as nearby intersections that will be impacted by the development's traffic as may be designated by the Traffic Engineer.

D. Grading and Erosion Control Design Standards and Regulations. All subdivision improvement work shall be accomplished in conformance to the following grading and erosion control design standards and regulations.

1. Hours of Operation. All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The City Engineer may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.

2. Dust and Dirt Control. All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.

3. Undevelopable Slopes. Any natural slopes identified on a Slope Classification Map of 30% or greater shall be designated undevelopable area. Said slope, if retained within the subdivision, may be designated and maintained as common area. In no event shall streets traverse such slopes.

4. Finished Cuts and Slopes. Limitations shall be applied to the extent of cut and fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.

a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.

b. All cut and fill slopes shall be re-contoured and revegetated by the subdivider in accordance with an approved plan.

c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Planning Commission may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering quality of the development.

d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.

e. Exceptions.

i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.

ii. No slopes shall be cut in an existing landslide, mud flow, or other form of naturally unstable slope except as recommended by a qualified geological engineer.

iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.

f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:

i. conducive to revegetation for soil stability and visual impact;

ii. used for selected areas of the site and not as a general application; and

iii. limited to tiers each of which is no higher than six feet, separated by plantable terraces a minimum of two feet in width;

g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall

include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.

h. The City Engineer may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.

5. Abatement of Hazardous Conditions.

a. If, at any stage of grading, the Planning Director or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Planning Director or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:

- i. specification of a more level exposed slope;
- ii. construction of additional drainage facilities, berms, or terraces;
- iii. compaction or cribbing;
- iv. installation of plants for erosion control; and/or
- v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.

Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.

b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Planning Director or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

6. Fill Material and Compaction.

a. Fill material. All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces

may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only on approved public or private landfills or other approved deposit sites.

b. Back fillings. Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.

c. Compaction of fills. Unless otherwise directed by the City Engineer, all fills governed by this Title, intended to support building structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions.

i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and if necessary shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.

ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.

iii. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.

iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the City Engineer for review.

v. The City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.

7. Erosion Control and Revegetation. All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to an approved plan, as outlined in Section 18.28.30 E.4. below. All plant selections must be approved by the Parks Department, Planning Commission, and Planning Director prior to subdivision approval.

8. Drainage.

a. Adequate provisions shall be made to prevent any surface waters from

damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.

b. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

c. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess storm water is otherwise restricted during or after construction, the City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.

d. Notwithstanding any other provisions of this Title, whenever, in the judgment of the City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.

9. Additional Information. The following additional information may be required to be submitted, in sufficient numbers of copies as is determined by the planning staff, at the discretion of the Planning Director or City Engineer:

- a. Slope Classification Map and analysis;
- b. Profiles or cross sections;
- c. Additional drainage calculations;
- d. Soils data including a report from a registered Soils Engineer,

Engineering Geologist, or other qualified person;

e. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required.

f. Detailed revegetation plans for the site and, if appropriate, information relating to the landscaping on adjacent or surrounding areas affected by the proposed development. Such revegetation plans shall be prepared by a licensed engineer, architect, landscape architect, or other qualified person. These plans shall show:

i. Distribution of plant material, existing trees, and work involved as related to slope control and/or physical environment;

ii. A plan describing the methods of planting the areas to be landscaped with special emphasis on soil preparation, plant selection, methods of planting, and initial maintenance of plants and slopes until a specified percentage of plant coverage is uniformly established on cut and fill slopes;

iii. Such other and further details as may be specified and required by the Planning Director to carry out the purpose of this Title. All such plans shall bear the name of the person responsible for the preparation of the plan;

iv. The revegetation plan will be submitted by the Planning Director to the Salt Lake City Parks Department's Landscape Architect for review.

g. The present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not more than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent.

h. The location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;

i. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

j. Whenever a proposed subdivision lies within 500 feet of an identified fault, a geological report and verification as per Section **47-3-5(2)** will be required. These reports will be submitted for review to the Utah Geological Survey by the

Planning Director;

k. Plan showing temporary erosion control measures to prevent erosion during the course of construction and a revegetation plan addressing the requirements of Section **47-3-5(3) & (4)**;

l. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;

m. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;

n. Such other information as shall be required by the Planning Director.

E. Foothill Development Overlay Zone Special Regulations. The following reports and regulations shall be required for the approval of any subdivision request located within a zoning area designated as the “Foothill Development Overlay Zone” (F-1).

1. Soils Reports. The U.S.D.A. Soil Conservation Service publications, “Soil Survey of Salt Lake City Area, Utah”, (April 1974) and “Soil Survey and Interpretation, Summit Soil Survey Area, Wasatch Mountain Portion, Salt Lake County, Utah”, (June 1975), are hereby adopted as the official soil maps and interpretation for soils in salt lake City. These surveys are to be used as a guide to land use planning for those items covered in the survey in Salt Lake City and are not intended to replace on-site soil investigations. The Planning Commission shall require a soil investigation report if the “Salt Lake County 208 Water Quality Soils Map and Interpretation” shows soils in the area proposed for development which present one or more constraints to development as defined on said map. Such soils report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and must contain at least the following information:

a. Slope Classification Map and analysis;

b. Estimate of the normal highest elevation of the seasonal water table;

c. The location and size of swamps, springs and seeps shall be shown on the site plan and an investigation made to determine the reasons for occurrence of these underground water sources. An analysis of the vegetation cover or other surface information may be used to show the presence of underground water;

d. Unified soil classification for the major horizons (layers of soil profile) or of the zone of the footing foundation including, where appropriate, the plasticity index (PI) and liquid limit (LL);

e. Shrink swell potential. Said potential and its characteristics shall be determined and classified according to the test prescribed in Section 2904(a) of the

Uniform Building Code and related references;

f. Potential frost action based on the depth to water table and the unified soil classification;

g. The soil, suitabilities, constraints, and proposed methods of mitigating said constraints in implementing the proposed development plan;

h. A verified written statement by the person or firm preparing the soils report identifying the soil constraints to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said constraints in a manner as to prevent hazard to life, hazard to property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

2. Geology Reports. A geology report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject. Since the nature and distribution of earth materials, faults, folds, slide masses, or other significant features cannot be described fully and effectively in words alone, a geologic map shall accompany the report. Mapping should reflect careful attention to the rock composition structural elements, surfaces, and subsurface distribution of the earth materials exposed or inferred features and/or relationships. It should be understood that Salt Lake City is in Seismic Zone Three, such zone having the highest probability of earthquake damage. Therefore, the report shall contain at least the following information:

a. Location and size of subject area and its general setting with respect to major geographic and/or geologic features;

b. Identification of the person who did the geologic mapping upon which the report is based and the dates when mapping was done;

c. Existing topography and drainage in the subject area;

d. Abundance, distribution, and general nature of exposures of earth materials within the area;

e. Nature and source of available subsurface information;

f. Estimated depth of bedrock;

g. Bedrock - igneous, sedimentary, metamorphic types;

h. Structural features including, but not limited to, stratification, stability, folds, zones of contortion or crushing, joints, fractures, shear zones, faults, and any other geological limitations;

i. a verified written statement by the person or firm preparing the geology report identifying the geological problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

3. Grading and Drainage Plan. A Grading and Drainage Plan, prepared by a professional engineer registered in the State of Utah, shall be submitted with each application. The plan must be sufficient to determine the erosion control measures necessary to prevent soil loss during construction as well as after project completion. The plan shall include, as a minimum, the following information:

a. A map of the entire site showing existing details and contours of the property using, at a maximum, 10 foot contour intervals and a scale of 1" = 100';

b. Supplemental map(s) of area(s) to be graded showing existing details and contours at five foot intervals where terrain will not be modified and proposed details and contours of two foot intervals where terrain modification is proposed, using a scale of 1" = 20'.

c. An investigation of the effects of high intensity rain storm (100 year return frequency storm according to U.S. Department of Commerce Weather Bureau Frequency Curves) evaluating how the proposed drainage system will handle the predicted flows. Include the effect of drainage areas outside the development which drain through the subject area and the anticipated flow and handling of the drainage leaving the development;

d. History, including frequency and duration, of prior flooding;

e. Location of any existing building or structures and the approximate location of any proposed buildings or structures on the area to be developed and any existing buildings or structures on land of adjacent owners which are within 100 feet of the property or which are on the land of adjacent owners beyond said distance but may be affected by the proposed development.

f. The direction of proposed drainage flow and the approximate grade of all streets (not to be construed as the grades used for the final street design);

g. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated

runoff of the areas served by the proposed drainage system;

h. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;

i. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;

j. Plan showing temporary erosion control measures to prevent erosion during the course of construction;

k. A schedule showing when each stage of the development will be completed, including the total area of soil surface which is to be disturbed during each stage and estimated starting and completion dates. The schedule shall be drawn to limit the time that soil is exposed and unprotected to the shortest possible period. In no event shall the existing natural vegetation or groundcover be destroyed, removed, or disturbed more than 15 days prior to commencing grading for development as scheduled.

l. A verified written statement by the person or firm preparing the Grading and Drainage Plan, identifying any grading and drainage problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

4. Vegetation Preservation and Protection Plan.

a. Vegetation shall be removed only when absolutely necessary, i.e., for building, filled areas, roads, and fuel breaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut and fill slopes.

b. All areas of excavation (cut or fill) attendant to new development shall be sufficiently revegetated to assure that they are protected from erosion due to normal wind or surface water conditions. Vegetation sufficient to stabilize the soil shall also be established on all disturbed areas (including lots which may be subject to future grading) as each stage of grading is completed. Disturbed areas not contained within lot boundaries shall be protected with adapted, fire-resistant, species or perennial vegetative cover after grading and/or subdivision improvement related construction is completed. Such revegetation should be in place and of sufficient coverage and maturity to assure that the required protection is existent prior to the release of the improvement bond. The new vegetation shall be equivalent to or exceed the amount of erosion control characteristics of the original vegetation cover. It should be further assured as to duration and establishment by a minimum of two years warranty.

c. The property owner and subdivider shall be fully responsible for any destruction of native vegetation proposed for retention under the approved vegetation plan and shall be responsible for the replacement of such destroyed vegetation. Said duties shall continue from the first day of construction until the certificate of occupancy is issued. During this time the property owner and subdivider shall be strictly liable for its own actions and those of its employees and subcontractors. A bond in the amount specified in the approved vegetation plan shall be posted prior to issuing permit to insure completion of the vegetation plan.

d. A Vegetation Plan and report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and shall include the following:

i. Survey of existing trees, large shrubs, and groundcovers;

ii. Plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planned and any modification to existing vegetation;

iii. Plan for the preservation of existing vegetation during construction activity;

iv. Vegetation maintenance program including initial and continuing maintenance necessary;

v. Determination of proposed bond necessary to insure soil stabilization. A bond should be provided in an amount sufficient to pay cost of grading, planting, and maintenance necessary to stabilize the soil in the event the subdivider fails to complete the same. The bond need not cover the expenses of items which would beautify the terrain beyond its natural condition, but only work necessary to restore the terrain to the relative stability of its previous state.

vi. A verified written statement by the person or firm preparing the Vegetation Plan and report, identifying any vegetation problems to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

5. Fire Protection Report. A Fire Protection Report shall be prepared to assess fire probability and potential hazards by a person or agency qualified by training and experience. Elements of the report shall include the following:

a. The width and approximate location of any easement required for

access of fire protection equipment;

b. Agreements, if any, entered into by the applicant and a fire protection entity or other government agency that could have concerns about fire probability (State and Federal agencies);

c. The approval of the subdivision design and fire protection measures by the fire protection entity;

d. A letter from the Fire Chief of Salt Lake City stating fire flow recommendation by insurance service organization and the existing fire flow capability or the fire flow capability proposed to serve the project.

6. Access to Public and Private Property Report. A report assuring that there is provision made for dedicated rights-of-way to provide access to public or private land adjacent to the area proposed for development. These rights-of-way shall be designed and constructed to standards acceptable to the City Engineer. No access road will be allowed to be constructed if terrain is too steep or unsuitable for use but the right-of-way, nevertheless, be required to be dedicated by the Planning Commission.

7. Notification of Adjacent Landowners (Public or Private). Owners of adjacent lands which may be impacted by the proposed development shall be notified of a request for preliminary approval and given an opportunity to appear before the Planning Commission prior to final approval when it reviews the development proposal. This process will help to insure against future boundary and use conflicts and to avoid "land locking" property, therefore creating a situation beneficial to neither the public nor the private sector.

8. Ridge and Gully Topographic Features Protection. The City has determined that regulations are necessary to limit the inappropriate encroachment of urban development into areas of significant foothill ridges and gullies topographic features. These inappropriate encroachments may negatively impact views, vegetation, fire protection, drainage and other public concerns unless carefully considered.

a. Significant foothill ridge lines are defined, for the purposes of these regulations, to mean any portion of an elaborate system of forking ridge topographic features which dominate the north and east foothill and mountain backdrops to urban Salt Lake City, and which are identified upon the "Protected Ridge line and Gully Maps of Salt Lake City".

b. Significant foothill gullies and drainage courses are defined, for the purposes of these regulations, to mean any stream course or intermittent stream course topographic feature which is identified upon the adopted "Protected Ridge line and Gully Maps of Salt Lake City".

c. The "Protected Ridge line and Gully Maps of Salt Lake City" consisting

of one overview map and twenty detailed maps are hereby adopted and incorporated by reference. The City Recorder shall retain an official copy of the maps which show:

i. Complex, forking ridge lines which are topographic features of the following named mountain ridge systems:

- Ensign Ridge
- Black Mountain Ridge
- Mount VanCott Ridge
- Mount Wire Ridge
- Parley's Ridge

ii. These main mountain ridge systems fork and fork again, defining drainage basins and sub-basins.

iii. Complex drainage streams systems exist between the major mountain ridge lines as follows:

- City Creek Canyon
- Dry Creek Canyon
- Red Butte Canyon
- Emigration Canyon
- Parley's Canyon

iv. These major drainage streams have contributing drainage sub basins, which flow into or separate the major drainage streams, characterized as drainage gullies.

d. Visual assessment and impact study required. Any proposed subdivision which contains a significant foothill ridge line or significant foothill gully or drainage course, or if such a significant foothill ridge line or gully or drainage course lies within 300 feet of the subdivisions boundary, shall submit an assessment study regarding the developments impact on views, natural features and vegetation.

i. The assessment and impact study shall accurately depict conditions before and after the subdivision development including site design, building or buildable area placement, landscaping or other visual features. Visual impacts may be demonstrated by methods including sketches, models, computerized images or other graphic representations necessary to assist the City in determining impacts and appropriate mitigation.

ii. The Planning Commission shall consider the visual and other impacts of the proposed subdivision in determining appropriate lot boundaries and buildable areas as necessary to protect the City's and the public interests regarding the significant foothill ridges, gullies and drainage courses.

F. Flood Plain Development Special Regulations. In addition to the provisions of Chapter 8 of this Title, the following special regulations and design standards shall apply to all subdivision development within areas identified as being within the boundaries of the Flood Hazard Boundary Map, as defined in Section 47-8-2, Revised Ordinances of Salt Lake City, Utah.

1. Design of System. All proposal for subdivision development must provide water supply and sanitary sewage systems which are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water. Other on-site waste disposal systems must be located so as to avoid impairment of them, or contamination from them, during flooding. All public utilities, including sewer, gas, electricity, and water systems shall be designed, located, and constructed to minimize or eliminate flood damage. All public improvements (including, but not limited to, streets, sidewalks, curbs, gutters etc.) shall be designed and constructed with adequate drainage systems to minimize the containment of flood waters on adjacent properties.

2. Lot Base Flood Elevation. The preliminary and final plats for all proposed subdivision, and other proposed areas of new development, which are wholly or partially within the Floodplain Hazard Area shall include base flood elevations for each lot within the Floodplain Hazard Area.

G. Canyon Development Special Regulations. In addition to the other provisions of this Title, the following special regulations and design standards, which may be more restrictive, shall apply to all subdivision development within areas zoned Residential Canyon “R-1C” and Business Canyon “B-3C”.

1. Hydrology.

a. All development including subdivisions, planned or grouped developments, and commercial development shall meet the drainage and flood control regulations established by the City Engineer.

b. No structures, cuts, fills, significant modification of terrain, hardsurfacing, or any activity which would cause deterioration of the natural terrain or vegetation shall be permitted within 100 feet of the stream bank (defined as the mean highwater line), and said area shall be designated as undevelopable area.

c. Additional and undevelopable stream side areas containing extremely severe physical conditions, such as steep slopes, may be declared undevelopable by the Planning Commission as required by the City Engineer to provide additional safety buffer zones.

d. Structures intended to bridge a stream shall be of a design which meets the standards of the City Engineer.

2. Grading.

- a. All excavated material shall be removed from the site or placed behind retaining walls or otherwise replaced, recontoured, and revegetated.
- b. All cut and fill slopes shall be recontoured and revegetated by the subdivider in such a manner as to blend with the natural terrain as specified in this Title.
- c. No cut or fill with a vertical height exceeding 15 feet shall be permitted.
- d. Not more than 5 percent of a lot or PUD site shall be left with a slope steeper than the natural grade of the ground or steeper than 20 percent, whichever is greater.
- e. The total area of all cuts and fills other than the enclosed floor area of the structure(s) shall not exceed 10 percent of the lot or PUD site.
- f. Public streets shall not traverse or disturb slopes of 30 percent or greater.

H. Nonresidential Subdivision Special Regulations. The following special regulations and standards shall apply to all nonresidential subdivision development within areas zoned for commercial or industrial use.

1. General Design. The streets and lot layout of a nonresidential subdivision shall be appropriate to the land for which the subdivision is proposed and shall conform to the proposed land use and standards established in the Salt Lake City Master Plan, any community master plans and the ordinances of Salt Lake City.

2. Industrial and Commercial. Nonresidential subdivision shall include industrial tracts and may include commercial tracts.

3. Principles and Standards. In addition to the principles and standards in this Title which are appropriate to the planning of all subdivisions, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel, and block patterns proposed are specifically adapted to the uses anticipated and take into account other uses in the vicinity. The following principles and standards shall be observed:

- a. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
- b. Street rights-of-way and pavement widths shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon.
- c. Special requirements may be imposed by the City with respect to street, curb, gutter, and sidewalk design and construction.

d. Special requirements may be imposed by the City with respect to the installation of public utilities including water, sewer, and storm water drainage.

e. Every effort shall be made to protect adjacent residential areas from potential nuisance from the proposed non-residential subdivision, including the provision of extra depth in parcels backing against existing or potential residential development and provisions for a permanently landscaped buffer strip or other suitable screening methods, such as berms or walls, as required by the Planning Commission.

f. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas, or connected to streets intended for predominately residential traffic.

g. Subdivision for proposed commercial development shall take into account, and specifically designate, all areas for vehicular circulation and parking, pedestrian circulation, buffer strips, and other landscaping and shall provide for maintenance of such private improvements.

I. Inspection and Enforcement. The Planning Commission, with assistance from the City Engineer and Traffic Engineer, will handle subdivision approval. The City Engineer will have responsibility for inspection and enforcement. At the time the subdivision approval is issued, the City Engineer shall establish a schedule for inspections as specified in Section 47-4-5. Where it is found by inspection that conditions are not substantially as stated or shown in the approved subdivision plans, the City Engineer or his inspectors shall stop further work until approval is obtained for an amended subdivision plan.

18.28.40 LAND DEVELOPMENT REQUIREMENTS (BUILDING SITES)

A. General Application. No person or party shall cause any grading to be done on a building site without first having obtained site development approval in conjunction with the building permit process or a permit from the Building official except as specified below.

1. Work requiring separate approval/permit. A site development approval and/or permit shall be required in all cases where development comes under any one or more of the following provisions.

a. Excavation, fill, or any combination thereof exceeding 1,000 cubic yards;

b. Excavation, fill, or any combination thereof exceeding five feet in vertical depth at its deepest point measured from the adjacent, undisturbed, ground surface;

c. Excavation, fill, or any combination thereof exceeding an area of 1/2 acre;

d. Excavation, fill, or any combination thereof exceeding 75% of a building site including the excavation for foundations and footings;

e. Removal of vegetation from an area in excess of 1/2 acre for purposes other than agricultural;

f. Engineered interior fills or surcharges.

2. Work not requiring separate approval/permit. A separate site development permit shall not be required in the following cases for issuance of a Building Permit shall specify approval of the required grading plan.

a. Excavation below finished grade for basements and footings of buildings or other structures authorized by a valid building permit. This shall not exempt any fill made with material from such excavation, or exempt any excavation having an unsupported height greater than five feet after the completion of such structure.

b. Removal of vegetation as part of work authorized by a valid building permit.

3. Waiver. The following requirements and standards shall apply to all building sites unless deemed unwarranted by the written recommendation of the Building Official.

B. Permits Required. Except as exempted in the foregoing Section 47-4-1, no person or party shall do or cause any grading to be done on a building site without first obtaining site development approval, or permit from the Building Official. A separate approval or permit shall be required for each site, and may cover both excavation and fill.

1. Application. To obtain a permit or approval the applicant shall first file an application therefor in writing on a form furnished by the Building Department for that purpose. Every such application shall:

a. Identify and describe the work to be covered by the permit or approval for which application is made;

b. Describe the land on which the proposed work is to be done by legal description, street address, or similar description that will readily identify and definitely locate the proposed work and identify lots of any platted subdivision included within the proposed building site;

c. indicate the use or occupancy for which the proposed work is intended;

d. be accompanied by plans, diagrams, computations, and specifications and other data as required;

e. Be signed by property owner or permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

f. Show the location of existing and proposed building or structures on the applicant's property, and the location of buildings or structures on adjacent properties which are within 15 feet of the applicant's property, or which may be affected by the proposed site development activities;

g. Show the location of property lines and all existing and proposed streets, roadways, driveways, easements, and rights-of-way on, contiguous, or adjacent to the proposed development site

h. Show the present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not greater than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent. The source of all topographical information shall be indicated.

i. Show the location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;

j. Show detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

k. Present a plan showing temporary erosion control measures to prevent erosion as outlined in Section 47-3-5(3) to prevent erosion during the course of construction;

l. All grading in excess of 5,000 cubic yards shall require professional engineering and shall be designated as "engineered grading". Any application including engineered grading shall contain a grading plan prepared by a registered Professional Engineer or licensed architect;

m. Show a revegetation plan addressing the revegetation requirements specified in Section 47-3-5(4);

n. Make a statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required;

- o. Identify the type of surcharging fill material to be used on the building site;
- p. Estimate the amount of time surcharging fill material will be in place, and show consideration by a soils engineer of the potential for vertical and lateral soil movements on properties adjacent to the surcharge;
- q. Submit a copy of the recorded subdivision plat showing developable area limitations;
- r. Such other information as may be required by the Building Official or City Engineer.

C. Soil Engineering Report or Engineering Geology Required

1. Soil Engineering Report. The soil engineering report required shall include data regarding the nature, distribution,, and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures when necessary, and opinions and recommendations addressing the adequacy of the site under the proposed grading plan to support the proposed development.

2. Engineering Geology Report. The engineering geology report required shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinions and recommendations addressing the adequacy of the site under the proposed grading plan to support the proposed development. This requirement may be waived by written recommendation of the Building Official if it is deemed unwarranted.

D. Issuance. The application, plans, specifications, and other data submitted by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this Title and other pertinent laws and ordinances, and that the fees specified have been paid, he shall issue a permit therefor to the property owner or his authorized agent. When the Building Official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications “APPROVED”. Such approved plans and specifications shall not be changed, modified, or altered without authorization from the Building Official, and all work shall be done in accordance with the approved plans. The Building Official may require that the site development activities and project designs or specifications be modified if delays occur which may create weather-generated problems not considered at the time the permit was issued. No site alteration shall occur during the months of November through March and no applications proposing such work during that time shall be approved.

E. Fees.

1. Plan Checking Fee. for excavation and fill on the same site, the fee shall be based on the volume of the excavation or fill, whichever is greater. Before accepting a set of site development plans and specifications for checking, the Building Official shall collect a site development plan checking fee. Separate permits and fees shall apply to retaining walls or major drainage structures as indicated elsewhere in this Code. There shall be no separate charge for standard terrace drains and similar facilities. The amount of the Plan checking fee for site development plans shall be set forth in the table below. The plan checking fee for a site development permit authorizing additional work to that under a valid permit shall be the difference between such fee paid for the original permit and the fee shown for the entire project.

2. Site Development Fee. A fee for issuance of each Site Development Permit shall be paid to the Building Official as set forth in the table below.

PLAN CHECKING FEES

Volume of Material	Fee
50 Cubic Yards or Less	No Fee
51 to 100 Cubic Yards	\$10.00
101 to 1,000 Cubic Yards	\$15.00
1,001 to 10,000 Cubic Yards	\$20.00
10,001 to 100,000 Cubic Yards:	
• First 10,000	\$20.00
• Each additional 10,000 or fraction thereof	\$10.00
100,001 to 200,000 Cubic Yards:	
• First 100,000	\$110.00
• Each additional 10,000 or fraction thereof	\$ 6.00
200,001 Cubic Yards or more:	
• First 200,000	\$170.00
• Each additional 10,000 or fraction thereof	\$ 3.00
Other Inspections and Fees:	
• Additional plan review required by changes, additions, or revisions to approved plans (minimum charge - 1/2 hour)	\$15.00 / hr.

SITE DEVELOPMENT PERMIT FEES

Volume of Material	Fee
50 Cubic Yards or Less	\$10.00
51 to 100 Cubic Yards	\$15.00

101 to 1,000 Cubic Yards	
• First 100	\$15.00
• Each additional 100 or fraction thereof	\$ 7.00
1,001 to 10,000 Cubic Yards	
• First 1,000	\$78.00
• Each additional 1,000 or fraction thereof	\$ 6.00
100,000 Cubic Yards or more:	
• First 10,000	\$375.00
• Each additional 10,000 or fraction thereof	\$ 15.00
Other Inspections and Fees:	
• Inspections outside of normal business hours (2 hr. min.).	\$15.00 / hr.
• Reinspection fee assessed under provision of 305(h).	\$15.00
• Inspection for which no fee is specifically indicated (1/2 hr. min.)	\$15.00 / hr.

3. Bonds. A performance bond will be required for Site Development Permits in a form approved by the City Attorney and in amounts as may be deemed necessary by the City Engineer to assure that the work, if not completed in accordance with the approved plans and specifications, will be completed or corrected to eliminate hazardous conditions. The performance bond may be provided by a corporate surety, or in lieu thereof, a cash bond or instrument of credit of equal amount. This provision may be waived by the written recommendation of the Building Official if it is deemed unwarranted.

G. Grading and Erosion Control Standards and Regulations. All site development work shall be accomplished in conformance to the following grading and erosion control design standards and regulations.

1. Hours of Operation. All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The Building Official may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.

2. Dust and Dirt Control. All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.

3. Undevelopable Slopes. Any natural slopes identified on a Slope Classification Map of 30% or greater shall be designated undevelopable area. In no event shall streets traverse such slopes.

4. Finished Cuts and Slopes. Limitations shall be applied to the extent of cut and

fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.

a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.

b. All cut and fill slopes shall be recontoured and revegetated by the permittee in accordance with an approved plan.

c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Building Official may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering quality of the development.

d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.

e. Exceptions.

i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.

ii. No slopes shall be cut in an existing landslide, mud flow, or other form of naturally unstable slope except as recommended by a qualified geological engineer.

iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.

f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:

i. conducive to revegetation for soil stability and visual impact;

ii. used for selected areas of the site and not as a general application; and

iii. limited to tiers each of which is no higher than six feet, separated by plantable terraces a minimum of two feet in width;

g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.

h. The City Engineer may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.

5. Abatement of Hazardous Conditions.

a. If, at any stage of grading, the Building Official or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Building Official or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:

- i. specification of a more level exposed slope;
- ii. construction of additional drainage facilities, berms, or terraces;
- iii. compaction or cribbing;
- iv. installation of plants for erosion control; and/or
- v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.

Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.

b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Building Official or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to

insure completion of protective measures or devices prior to the advent of seasonal rains.

6. Fill Material and Compaction.

a. **Fill Material.** All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only in an approved public or private landfills or other approved deposit site.

b. **Back Fillings.** Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.

c. **Compaction of Fills.** Unless otherwise directed by the Building Official, all fills governed by this Title, intended to support building, structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions.

i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and, if necessary, shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.

ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.

iii. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.

iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the Building Official, who shall rely on the expertise of the City Engineer for review.

v. The Building Official or City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.

7. Surcharging. Surcharges shall consist of earth material and shall be applied in

such a manner as to have no effect on soil stability on adjacent or neighboring properties.

H. Erosion Control and Revegetation. All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to an approved plan, as outlined in Section 18.28.30 E.4. below. All plant selections must be approved by the Parks Department and Building Official prior to approval.

I. Drainage.

1. Adequate provisions shall be made to prevent any surface waters from damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.

2. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

3. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the event such passageway is reshaped or its capacity to transport excess storm water is otherwise restricted during or after construction, the Building Official or City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the Building Official or City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.

4. Notwithstanding any other provisions of this Title, whenever, in the judgment of the Building Official or City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the Building Official or City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.

J. Setbacks. The setback and other restrictions specified in this section are minimum and may be increased by the Building Official or by the recommendation of a civil engineer, soils engineer, or

engineering geologist, if necessary for safety and stability, to prevent damage of adjacent properties from deposition or erosion, or to provide access for slope maintenance and drainage. Setbacks deal with distance from property lines, structures, or faults, and must satisfy the requirements of paragraphs 1-3 below. Retaining walls may be used to reduce the required setbacks when approved by the Building Official.

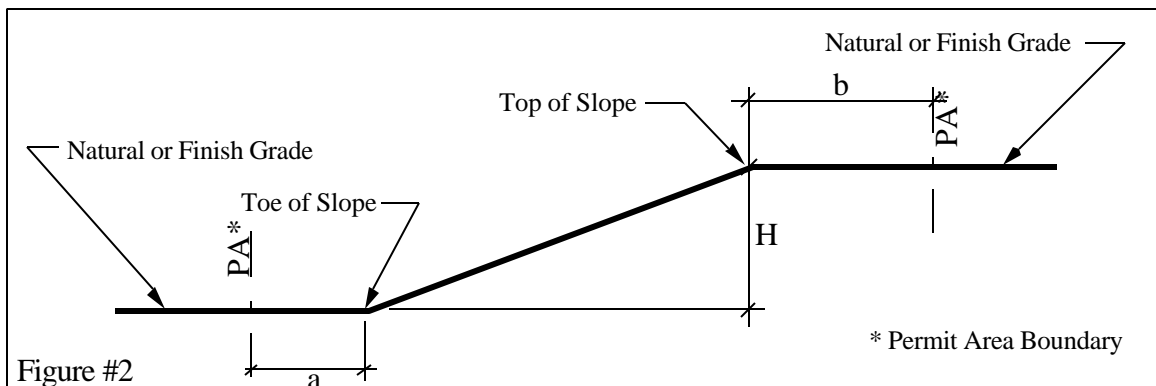
1. Setbacks From Property Lines. The toes and tops of cut and fill slopes where no structures are located shall be set back from the outer boundaries of a "Permit Area" (PA = lot area excluding any undevelopable areas) including yard setbacks, slope-right areas, and easements, in accordance with the Table and Figure #2 below.

- "a" = Setback distance at toe.
- "b" = Setback at top.
- "H" = Height from toe to top of cut/fill slope.

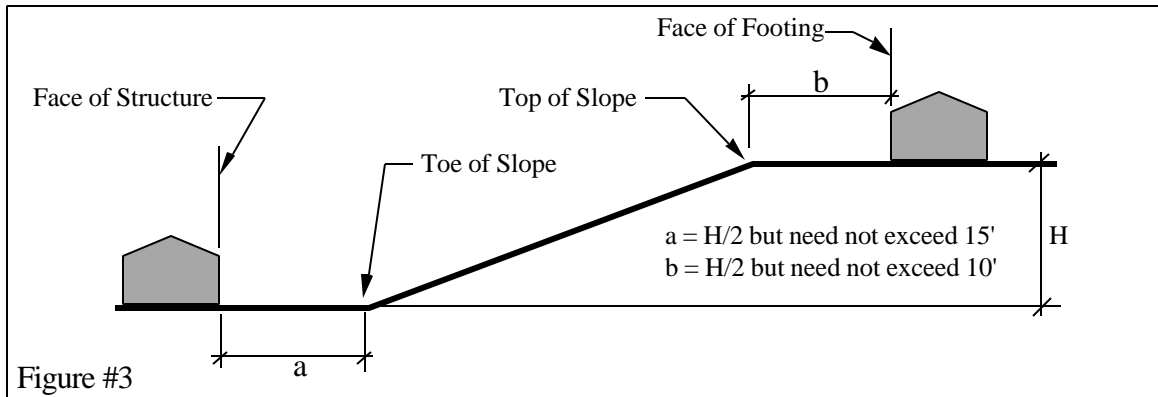
Setbacks From Permit Area Boundary

H	a	b*
less than 5'	0	1
5' to 30'	H/2	H/5
over 30'	15	6

* Additional width may be required for interceptor drain.



2. Setback From Structures. Setback from cut or fill slopes and structures shall be provided in accordance with Figure #3 below.



3. Setbacks from Faults. No Structure shall be located over a fault. Determinations of the appropriate setback distance from the fault shall be made based on recommendations contained in the geological report required by Section 47-4-2(2) of this Chapter.

I. **Site Development Inspections .**

1. Special Inspections. All site development activities for which a permit or approval is required shall be subject to inspection by the Building Official. Special inspections of grading operations and special testing shall be performed to ensure conformity with approved plans and specifications. The following special inspections and testing are required.

a. **Fills.**

- i. The site is to be inspected prior to placement of fill material.
- ii. The fill material is to be inspected prior to placement on the site.
- iii. Final compaction of fill is to be tested.
- iv. The final grade is to be inspected.
- v. Revegetation will be inspected during planting, upon planting completion, and again prior to bond release where applicable.

b. **Cuts.**

- i. The site is to be inspected prior to cutting or removing material.
- ii. The grade is to be inspected after cutting.
- iii. Revegetation will be inspected during planting, upon planting completion, and again prior to bond release where applicable.

2. Inspection Schedule and Enforcement. At the time the Site Development Permit or approval is issued, the Building Official shall establish the stage of development at which required inspections shall be made. In order to obtain inspections, the permittee shall notify the City of readiness at least 24 hours before said inspection is to be made. Where it is found by inspection that conditions are not substantially as stated or shown on the approved plans, the Building Official or his inspectors shall stop further work until approval is obtained for amended plans.

L. Completion of Work.

1. Final Reports. Upon completion of the rough grading work and again at the final completion of the work, reports, drawings, and supplements thereto will be required as follows.

a. An “as-graded” Grading Plan, prepared by a civil engineer, including original ground surface elevations, lot drainage patterns, and locations and elevations of all surface and subsurface drainage facilities. The engineer shall verify that the work was done in accordance with the final approved site development plan.

b. A Soil Grading Report, prepared by a soils engineer, including location and elevations of field density tests, summaries of field and laboratory tests and other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the soil engineering investigation report. The soils engineer shall verify the adequacy of the site for the intended use.

c. A Geologic Grading Report, prepared by an engineering geologist, including a final description of the geology of the site including any new information disclosed during the grading and the effect of the same on recommendations incorporated in the approved site development plan. The engineering geologist shall verify the adequacy of the site for the intended use as affected by geologic factors. This requirement may be modified or waived in writing by the Building Official if circumstances warrant.

2. Notification of Completion. The permittee, or his authorized agent, shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices and all erosion control measures including revegetation, have been completed in accordance with the final approved site development Plan and the required reports have been submitted.

18.28.50 INDEPENDENT SITE DEVELOPMENT ACTIVITIES

A. General Application. No person shall commence, perform, or cause any grading to be done in excess of the limits specified below without first obtaining a Site Development Permit. A separate independent Site Development Permit not otherwise required under Section 10.28.30 and

10.28.40 of this Chapter shall be required for each site on which grading is to be done as specified in Subsection 1 of this Section.

1. General. A Site Development Permit shall be required in all cases where development comes under any one or more of the following provisions:

- a. Excavation, fill, or any combination thereof exceeding 1,000 cubic yards;
- b. Excavation, fill, or any combination thereof exceeding five feet in vertical depth at its deepest point measured from the adjacent, undisturbed, ground surface;
- c. Excavation, fill, or any combination thereof exceeding an area of 1/2 acre;
- d. Excavation, fill, or any combination thereof exceeding 75% of a building site including the excavation for foundations and footings;
- e. Removal of vegetation from an area in excess of 1/2 acre for purposes other than agricultural;
- f. Engineered interior fills or surcharges;
- g. Fuel break for fire protection purposes;
- h. Commercial quarries or mining activities operating in appropriate industrial zone as provided in the Salt lake City Zoning Ordinance;
- i. Excavation or removal of vegetation or tilling of soil within public or private property within the Foothill Development Overlay District (F-1) or the Preservation Zone (P-1).

2. Waiver. All of the following requirements and standards shall apply unless deemed unwarranted by the Building Official and waived in writing.

B. Permit Application. Each application for an independent Site Development Permit shall be made by the owner of the property, or the owner's authorized agent, to the Building Official on a form furnished for that purpose. The application shall include:

1. Three copies of plot plans of the property, drawn to scale, which:
 - a. Identify and describe the work to be covered by the permit for which application is made;
 - b. Describe the land on which the proposed work is to be done by legal

description, street address, or similar description that will readily identify and definitely locate the proposed work and identify lots of any platted subdivision included within the proposed building site;

c. Indicate the use or occupancy for which the proposed work is intended;

d. Be accompanied by plans, diagrams, computations, and specifications and other data as required;

e. Be signed by property owner or permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;

f. Location of existing and proposed building or structures on the applicant's property, and the location of buildings or structures on adjacent properties which are within 15 feet of the applicant's property, or which may be affected by the proposed site development activities;

g. Location of property lines and all existing and proposed streets, roadways, driveways, easements, and rights-of-way on, contiguous, or adjacent to the proposed development site

h. The present contours of the site in dashed lines and the proposed contours in solid lines. Contour intervals shall be not greater than two feet where slopes are predominately five percent or less, and five feet where slopes are predominately steeper than five percent. The source of all topographical information shall be indicated.

i. The location of all drainage to, from, and across the site, the location of intermittent and permanent streams, springs, culverts, and other drainage structures, and size and location of any precipitation catchment areas in, above, or within 100 feet of the site;

j. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

k. Plan showing temporary erosion control measures to prevent erosion as outlined in Section 47-3-5(3) to prevent erosion during the course of construction;

l. All grading in excess of 5,000 cubic yards shall require professional engineering and shall be designated as "engineered grading". Any application including engineered grading shall contain a grading plan prepared by a registered Professional Engineer or licensed architect;

m. A revegetation plan addressing the revegetation requirements specified in Section 47-3-5(4) ;

n. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required;

o. Identify the type of surcharging fill material to be used on the building site;

p. Estimate the amount of time surcharging fill material will be in place, and show consideration by a soils engineer of the potential for vertical and lateral soil movements on properties adjacent to the surcharge;

q. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;

r. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;

s. Whenever a proposed subdivision lies within 500 feet of an identified fault, a geological report and verification as per Section 47-3-5(2) will be required. Said report will be submitted for review to the Utah Geological Survey by the Building Official;

t. If applicable, submit a copy of the recorded subdivision plat showing developable area limitations;

u. Application for commercial quarries shall contain an acceptable plan for the eventual rehabilitation and use of the quarry site after the resources have been removed. Such a plan, at a scale of not less than 1" = 100' with contour intervals not greater than 5 feet, shall be compatible with its surroundings and in general agreement with the City's Master Plan. The plan shall show the proposed treatment of any stream channel adjacent to the resource deposits during extraction operations. Limits of excavation shall be determined to protect any natural or improved channel and any nearby wooded areas considered vital to the function of the rehabilitated area. Include the estimated time period during which quarrying and land rehabilitation operations will be conducted.

2. Additional Information Which May be Required. The following information shall be provided in triplicate if requested by the Building Official or City Engineer.

a. Slope Classification Map and analysis;

b. Profiles or cross sections;

- c. Additional drainage calculations;
- d. Soils data including a report from a registered soils engineer, engineering geologist, or other qualified person;
- e. Statement of the estimated starting and completion dates for the grading work proposed and any revegetation work that may be required.
- f. Detailed revegetation plans for the site and, if appropriate, information relating to the landscaping on adjacent or surrounding areas affected by the proposed development. Such revegetation plans shall be prepared by a licensed engineer, architect, landscape architect, or other qualified person. These plans shall show:
 - i. Distribution of plants, existing trees, and work involved as related to slope control and/or physical environment;
 - ii. A plan describing the methods of planting the areas to be landscaped with special emphasis on soil preparation, plant selection, methods of planting, and initial maintenance of plants and slopes until a specified percentage of plant coverage is uniformly established on cut and fill slopes;
 - iii. Such other and further details as may be specified by the Building Official or City Engineer to carry out the purpose of this Title. All such plans shall bear the name of the person responsible for the preparation of the plan;
 - iv. The revegetation plan will be submitted by the Building Official to the Salt Lake City Parks department's landscape Architect for review.
- g. Such other information as shall be required by the Building Official or City Engineer.

3. Fee. Each site development application made independent and separate from a building permit application shall be accompanied by payment of an application fee of \$25.00.

C. Foothill Development Overlay Zone Reports. Notwithstanding any foregoing provisions appearing to the contrary, the application for a Site Development Permit for any area situated in a zoning area designated as the "Foothill Development Overlay Zone" (F-1) shall also include the following additional information.

1. Soils Reports. The U.S.D.A. Soil Conservation Service publications, "Soil Survey of Salt Lake City Area, Utah", (April 1974) and "Soil Survey and Interpretation, Summit Soil Survey Area, Wasatch Mountain Portion, Salt Lake County, Utah", (June 1975), are hereby adopted as the official soil maps and interpretation for soils in Salt Lake City. These surveys are to be used as a guide to land use planning for those items covered in the survey in Salt Lake City and are not intended to replace on-site soil investigations. The Planning

Commission shall require a soil investigation report if the “Salt Lake County 208 Water Quality Soils Map and Interpretation” shows soils in the area proposed for development which present one or more constraints to development as defined on said map. Such soils report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and must contain at least the following information:

- a. Slope Classification Map and analysis;
- b. An estimate of the normal highest elevation of the seasonal water table;
- c. The location and size of swamps, springs and seeps shall be shown on the site plan and an investigation made to determine the reasons for occurrence of these underground water sources. An analysis of the vegetation cover or other surface information may be used to show the presence of underground water;
- d. Unified Soil Classification for the major horizons (layers of soil profile) or of the zone of the footing foundation including, where appropriate, the plasticity index (PI) and liquid limit (LL);
- e. Shrink swell potential. Said potential and its characteristics shall be determined and classified according to the test prescribed in Section 2904(a) of the Uniform Building Code and related references;
- f. Potential frost action based on the depth to water table and the unified soil classification;
- g. The soil suitability and constraints and proposed methods of mitigating said constraints in implementing the proposed development plan;
- h. A verified written statement by the person or firm preparing the soils report identifying the soil constraints to development and further stating, in his professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said constraints in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

2. Geology Reports. A geology report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject. Since the nature and distribution of earth materials, faults, folds, slide masses, or other significant features cannot be described fully and effectively in words alone, a geologic map shall accompany the report. Mapping should reflect careful attention to the rock composition structural elements, surfaces, and subsurface distribution of the earth materials exposed or inferred features and/or relationships. It should be understood that Salt Lake City is in Seismic Zone Three, such zone having the highest probability of earthquake damage. Therefore, the report shall contain at least the following information:

- a. Location and size of subject area and its general setting with respect to major geographic and/or geologic features;
- b. Identification of the person who did the geologic mapping upon which the report is based and the dates when mapping was done;
- c. Existing topography and drainage in the subject area;
- d. Abundance, distribution, and general nature of exposures of earth materials within the area;
- e. Nature and source of available subsurface information;
- f. Estimated depth to bedrock;
- g. Bedrock - igneous, sedimentary, metamorphic types;
- h. Structural features including, but not limited to, stratification, stability, folds, zones of contortion or crushing, joints, fractures, shear zones, faults, and any other geological limitations;
- i. A verified written statement by the persons preparing the geology report identifying the geological problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

3. Grading and Drainage Plan. A grading and Drainage plan, prepared by a professional engineer registered in the State of Utah, shall be submitted with each application. The plan must be sufficient to determine the erosion control measures necessary to prevent soil loss during construction as well as after project completion. The plan shall include, as a minimum, the following information:

- a. A map of the entire site showing existing details and contours of the property using, at a maximum, 10 foot contour intervals and a scale of 1" = 100';
- b. Supplemental map(s) of area(s) to be graded showing existing details and contours at five foot intervals where terrain will not be modified and proposed details and contours of two foot intervals where terrain modification is proposed, using a scale of 1" = 20'.
- c. An investigation of the effects of high intensity rain storm (100 year return frequency storm according to U.S. Department of Commerce Weather Bureau Frequency Curves) evaluating how the proposed drainage system will handle the

predicted flows. Include the effect of drainage areas outside the development which drain through the subject area and the anticipated flow and handling of the drainage leaving the development;

d. History, including frequency and duration, of prior flooding;

e. Location of any existing building or structures and the approximate location of any proposed buildings or structures on the area to be developed and any existing buildings or structures on land of adjacent owners which are within 100 feet of the property or which are on the land of adjacent owners beyond said distance but may be affected by the proposed development.

f. The direction of proposed drainage flow and the approximate grade of all streets (not to be construed as the grades used for the final street design);

g. Detailed plans and location of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as a part of the proposed work, together with a map showing drainage areas, and the complete drainage network including outfall lines and natural drainage ways which may be affected by the proposed project. Include the estimated runoff of the areas served by the proposed drainage system;

h. A description of the method to be used in obtaining fill to be used on the site and the site of acquisition of such fill;

i. A description of the method to be employed in disposing of soil and other material that is removed from the site, including the location of the disposal site;

j. Plan showing temporary erosion control measures to prevent erosion during the course of construction;

k. A schedule showing when each stage of the development will be completed, including the total area of soil surface which is to be disturbed during each stage and estimated starting and completion dates. The schedule shall be drawn to limit the time that soil is exposed and unprotected to the shortest possible period. In no event shall the existing natural vegetation or groundcover be destroyed, removed, or disturbed more than 15 days prior to commencing grading for development as scheduled.

l. A verified written statement by the persons preparing the Grading and Drainage Plan, identifying any grading and drainage problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

4. Vegetation Preservation and Protection Plan.

a. Vegetation shall be removed only when absolutely necessary, i.e., for building, filled areas, roads, and fuel breaks. Every effort shall be made to conserve topsoil which is removed during construction for later use on areas requiring vegetation or landscaping, i.e., cut and fill slopes.

b. All areas of excavation (cut or fill) attendant to new development shall be sufficiently revegetated to assure that they are protected from erosion due to normal wind or surface water conditions. Vegetation sufficient to stabilize the soil shall also be established on all disturbed areas (including lots which may be subject to future grading) as each stage of grading is completed. Disturbed areas not contained within lot boundaries shall be protected with adapted, fire-resistant, species or perennial vegetative cover after grading and improvement related construction is completed. Such revegetation should be in place and of sufficient coverage and maturity to assure that the required protection is existent prior to the release of the improvement bond. It should be further assured as to duration and establishment by a minimum of two years warranty. The new vegetation shall be equivalent to or exceed the amount of erosion control characteristics of the original vegetation cover.

c. The property owner and subdivider/developer shall be fully responsible for any destruction of native vegetation proposed for retention under the approved vegetation plan and shall be responsible for the replacement of such destroyed vegetation. Said duty shall continue from the first day of construction until the certificate of occupancy or completion is issued. During this time the property owner and subdivider/developer shall be strictly liable for its own actions and those of its employees or subcontractors. A bond in the amount specified in the approved vegetation plan shall be posted prior to issuing permit to insure completion of the vegetation plan

d. A Vegetation Plan and report shall be prepared by a person or firm qualified by training and experience to have knowledge of the subject and shall include the following:

- i. Survey of existing trees, large shrubs, and groundcovers;
- ii. Plan for the proposed revegetation of the site detailing existing vegetation to be preserved, new vegetation to be planted and any modification to existing vegetation;
- iii. Plan for the preservation of existing vegetation during construction activity;
- iv. Vegetation maintenance program including initial and continuing

maintenance necessary;

v. Determination of proposed bond necessary to insure soil stabilization. A bond should be provided in an amount sufficient to pay cost of grading, planting, and maintenance necessary to stabilize the soil in the event the Permittee fails to complete the same. The bond need not cover the expenses of items which would beautify the terrain beyond its natural condition, but only work necessary to restore the terrain to the relative stability of its previous state.

e. A verified written statement by the persons preparing the Vegetation Plan and report, identifying any vegetation problems to development and further stating, in their professional opinion, the ability of the proposed development plan to mitigate and/or eliminate said problems in a manner as to prevent hazard to life and property, adverse effects on the safety, use, or stability of a public way or drainage channel, and adverse impact on the natural environment.

5. Fire Protection Report. A Fire Protection Report shall be prepared to assess fire probability and potential hazards by a person or agency qualified by training and experience. Elements of the report shall include the following:

a. The width and approximate location of any easement required for access of fire protection equipment;

b. Agreements, if any, entered into by the applicant and a fire protection entity or other government agency that could have concerns about fire probability (State and Federal agencies);

c. The approval of the development design and fire protection measures by the fire protection entity;

d. A letter from the Fire Chief of Salt Lake City specifying fire flow recommendation by insurance service organization and the existing fire flow capability or the fire flow capability proposed to serve the project.

6. Access to Public and Private Property Report. A report assuring that there is provision made for dedicated rights-of-way to provide access to public or private land adjacent to the area proposed for development. These rights-of-way shall be designed and constructed to standards acceptable to the City Engineer. No access road will be allowed to be constructed if terrain is too steep or unsuitable for use but the right-of-way, nevertheless, be required to be dedicated by the Planning Commission.

7. Notification of Adjacent Landowners (Public or Private). Owners of adjacent lands which may be impacted by the proposed development shall be notified of a request for preliminary approval and given an opportunity to appear before the Planning Commission prior to final approval when it reviews the development proposal. This process will help to insure

against future boundary and use conflicts and to avoid “land locking” property, therefore creating a situation beneficial to neither the public nor the private sector.

8. Flood Plain Regulations. Where applicable under Chapter 8 of this Title, site development activities shall comply with said Flood plain regulations.

D. Granting Permit. To further the specific purposes of this Title as set forth in Section 47-1-4, the following procedures are established.

1. Referrals. The application shall be referred by the Building Official to the City Engineer and Planning Director for review. Further, applications may also be referred to the Utah Geological Survey and other appropriate advisors for comments and recommendations as deemed necessary or appropriate.

2. Conformity to Plans. The Building Official shall be responsible to arrange for required inspections by appropriate inspectors who shall either approve that portion of the work completed or shall notify the permittee wherein the same fails to comply with this Title. Where it is found by inspection that conditions are not substantially as stated or shown in the Site Development Permit applications, the inspector shall stop further work until the work conforms to the approved plan or approval is obtained for revised plans.

3. Abatement of Hazardous Conditions. If, at any stage of site development, the Building Official determines by inspection that the work is creating hazardous conditions, he may suspend the work until provisions for abatement and/or correction are completed as set forth in Section 47-5-6-(5).

E. Inspections.

1. Inspection Schedule. At the time a Site Development Permit is issued, the Building Official shall establish the stages of development at which inspections required by Section 47-4-5 shall be made. In order to obtain inspections, the Permittee shall notify the City of readiness at least 24 hours before said inspection is to be made.

2. Conformity to Plans. The Building Official shall be responsible to arrange for required inspections by appropriate inspectors who shall either approve that portion of the work completed or shall notify the Permittee wherein the same fails to comply with this Title. Where it is found by inspection that conditions are not substantially as stated or shown in the Site Development Permit applications, the inspector shall stop further work until the work conforms to the approved plan or approval is obtained for revised plans.

3. Abatement of Hazardous Conditions. If, at any stage of site development, the Building Official determines by inspection that the work is creating hazardous conditions, he may suspend the work until provisions for abatement and/or correction are completed as set forth in Section 47-5-6-(5).

F. Grading and Erosion Control Design Standards and Regulations. All site

development work shall be accomplished in conformance to the following provisions.

1. Hours of Operation. All grading operations in or contiguous to residential neighborhoods shall be carried on between the hours of 7:00 a.m. and 5:30 p.m. The City Engineer may waive this requirement if it is shown that by restricting the hours of operation it would unduly interfere with the development of the property and it is shown that the neighboring properties would not be adversely affected.

2. Dust and Dirt Control. All graded surfaces of any nature shall be dampened or suitably contained to prevent dust or spillage on City streets or adjacent properties. Equipment, materials, and roadways on the site shall be used or treated so as to cause the least possible annoyance due to dirt, mud, or dust conditions.

3. Undevelopable Slopes. Any natural slopes identified on a Slope Classification Map of 30% or greater shall be designated undevelopable area. Said slope, if retained within the subdivision, may be designated and maintained as common area. In no event shall streets traverse such slopes.

4. Finished Cuts and Slopes. Limitations shall be applied to the extent of cut and fill slopes to minimize the amount of excavated surface or ground area exposed to potential erosion and settlement.

a. The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded.

b. All cut and fill slopes shall be recontoured and revegetated by the subdivider in accordance with an approved plan.

c. Cut or fill slopes shall normally be limited to 15 feet in vertical height. However, upon review and favorable recommendation of the City Engineer, the Planning Commission may recommend that the Mayor approve cut and fill slopes exceeding 15 feet provided that such variations be allowed on a limited basis after thorough review of each request and only when balanced by offsetting improvements to the overall aesthetic, environmental, and engineering quality of the development.

d. No excavation creating a cut face and no fill creating and exposed surface shall have a slope ratio exceeding one and one half horizontal to one vertical.

e. Exceptions.

i. No slopes shall cut steeper than the bedding plane, fracture, fault, or joint in any formation where the cut slope will lie on the dip of the strike line of the bedding plane, fracture, fault, or joint.

ii. No slopes shall be cut in an existing landslide, mud flow, or

other form of naturally unstable slope except as recommended by a qualified geological engineer.

iii. Where the formation is exposed above the top of the cut which will permit the entry of water along bedding planes, this area shall be sealed with a compacted soil blanket having a minimum thickness of two feet. The soil for this blanket shall be relatively impervious and shall be approved by the Soils Engineer or Engineering Geologist.

f. If the material of a slope is of such composition and character as to be unstable under the anticipated maximum moisture content, the slope angle shall be reduced to a stable value or retained by a method approved by the City Engineer and certified as to its stability by a soils engineer or geologist. Said retaining method shall include design provisions which are:

i. conducive to revegetation for soil stability and visual impact;

ii. used for selected areas of the site and not as a general application; and

iii. limited to tiers each of which is no higher than six feet, separated by plantable terraces a minimum of two feet in width;

g. Any retaining system shall remain and be maintained on the lots until plans for construction are approved and a building permit is issued. The plans shall include provisions to integrate driveway access to the lot while maintaining the structural integrity of the retaining system.

h. The Building Official may require the slope of a cut or fill to be made more level if at any time it is found that the material being, or the fill, is unusually subject to erosion, static or dynamic instability, or if other conditions make such requirements necessary for stability.

5. Abatement of Hazardous Conditions.

a. If, at any stage of grading, the Planning Director or City Engineer determines by inspection that the nature of the formation is such that further work as authorized by an existing permit is likely to imperil any property, public way, watercourse, or drainage structure, the Planning Director or City Engineer shall require, as condition to allowing the work to proceed, that reasonable safety precautions be taken as are considered advisable to avoid likelihood of such peril. Such precautions may include, but shall not be limited to, any of the following:

i. specification of a more level exposed slope;

ii. construction of additional drainage facilities, berms, or terraces;

- iii. compaction or cribbing;
- iv. installation of plants for erosion control; and/or
- v. reports from a registered soils engineer and/or engineering geologist whose recommendations may be made requirements for further work.

Such requirements by the Planning Director or City Engineer shall constitute a required change order in the work to be performed under permit. Said changes may be required to be reflected in amended plans.

b. Where it appears that damage from storm drainage may result from work performed hereunder, such work may be stopped and the permittee required to take such measures as may be necessary to protect adjoining property or the public safety. On large operations, or where unusual site conditions exist, the Planning Director or City Engineer may specify the time at which grading may proceed and the time of completion or may require that the operation be conducted in specific stages so as to insure completion of protective measures or devices prior to the advent of seasonal rains.

6. Fill Material and Compaction.

a. Fill material. All fill shall be earth, rock, or inert material free from organic material and free of metal, except that topsoil spread on cut and fill surfaces may incorporate humus for desirable moisture retention properties. Fill not meeting the definition above shall be placed only on approved public or private landfills or other approved deposit sites.

b. Back fillings. Any pipe trench or trenching, or excavation made in any slope of any excavated or filled site, shall be backfilled and compacted to the level of the surrounding grade.

c. Compaction of fills. Unless otherwise directed by the Building Official or City Engineer, all fills governed by this Title, intended to support building structures, or where otherwise required to be compacted for stability, shall be compacted, inspected, and tested in accordance with the following provisions.

i. The natural ground surface shall be prepared by removal of topsoil and vegetation, and if necessary shall be graded to a series of terraces. If fill material unacceptable under 6.a. above is placed on the site, or the fill is not placed according to procedures of this Title, then it must be removed.

ii. The fill shall be spread and compacted in accordance with the City Engineer's approved standards.

iii. The moisture content of the fill material shall be controlled at the time of spreading and compaction to obtain required maximum density.

iv. A written report of the completed compaction, showing location and depth of test holes, materials used, moisture conditions, recommended soil bearing pressures, and relative density obtained from all tests, prepared by a civil engineer or soils engineer licensed by the State of Utah, or testing laboratory shall be submitted to the Building Official, who will submit it to the City Engineer for review.

v. The Building Official or City Engineer may require additional tests or information if, in his opinion, the conditions or materials are such that additional information is necessary, and may modify or delete any of the above listed requirements that, in his opinion, are unnecessary to further the purpose of this Title.

7. Erosion Control and Revegetation. All cut and fill surfaces created by grading shall be planted with a groundcover that is a drought resistant variety. Topsoils are to be stockpiled during rough grading and used on cut and fill slopes. Cuts and fills along public roads are required to be landscaped according to an approved plan, as outlined in Section 18.28.30 E.4. below. All plant selections must be approved by the Parks Department and Building Official prior to subdivision approval.

8. Drainage.

a. Adequate provisions shall be made to prevent any surface waters from damaging to cut face of an excavation or any portion of a fill. All drainage ways and structures shall carry surface waters, without producing erosion, to the nearest practical street, storm drain, or natural water course as approved by the City Engineer. The City Engineer may also require drainage structures to be constructed, or installed as necessary to prevent erosion damage or to prevent saturation of the fill or material behind cut slopes.

b. An excess storm water passage shall be provided for all storm water storage areas. Such passage shall have capacity to convey through the proposed development the excess storm water from the tributary watershed. The capacity of such excess storm water passages shall be constructed in such a manner as to transport the peak rate of run off from a 100 year return frequency storm assuming all storm sewers are inoperative, all upstream areas are fully developed in accordance with the City's current land use plan, and that antecedent rainfall has saturated the tributary watershed.

c. No buildings or structures shall be constructed within such passage, however, streets, parking lots, playgrounds, park areas, pedestrian walkways, utility easements, and other open space uses shall be considered compatible uses. In the

event such passageway is reshaped or its capacity to transport excess storm water is otherwise restricted during or after construction, the City Engineer shall notify the agency, party, or parties causing said restriction to remove the same and set a reasonable time for its removal. If said parties refuse to, or unable to, comply with said order, the City Engineer shall cause said restrictions to be removed at the expense of said parties. Where a proposed development contains existing natural drainage, appropriate planning measures shall be undertaken or required to preserve and maintain said natural drainage as part of the excess storm water passage.

d. Notwithstanding any other provisions of this Title, whenever, in the judgment of the City Engineer, a condition occurs in a storm water storage area or passageway that creates a dangerous and imminent health and safety hazard, the City Engineer shall order such action as shall be effective immediately or in the time manner prescribed in the order itself.

9. Surcharging. Surcharges shall consist of earth material and shall be applied in such a manner as to have no effect on soil stability on adjacent or neighboring properties.

10. No Structure Shall be Located Over a Fault. Determinations of the appropriate setback distance from the fault shall be made based on recommendations contained in the geological report required by **Section _____** of this Chapter.

G. Special Canyon Site Development Standards. In addition to the other applicable site development procedures and standards of this Title, due to the sensitive character of the natural environment in canyons, the following minimum standards, which may be more restrictive, shall apply to all development in those canyon areas zoned Residential Canyon “R-1C” and Business Canyon “B-3C”.

1. Hydrology.

a. All development including subdivisions, planned or grouped developments, and commercial development shall meet the drainage and flood control regulations established by the City Engineer.

b. No structures, cuts, fills, significant modification of terrain, hardsurfacing, or any activity which would cause deterioration of the natural terrain or vegetation shall be permitted within 100 feet of the stream bank (defined as the mean highwater line), and said area shall be designated as undevelopable area.

c. Additional and undevelopable stream side areas containing extremely severe physical conditions, such as steep slopes, may be declared undevelopable by the Planning Commission as required by the City Engineer to provide additional safety buffer zones.

d. Structures intended to bridge a stream shall be of a design which meets

the standards of the City Engineer.

2. Grading.

- a. All excavated material shall be removed from the site or placed behind retaining walls or otherwise replaced, recontoured, and revegetated.
- b. All cut and fill slopes shall be recontoured and revegetated by the permittee in such a manner as to blend with the natural terrain as specified in this Title.
- c. No cut or fill with a vertical height exceeding 15 feet shall be permitted.
- d. Not more than 5 percent of a lot or PUD site shall be left with a slope steeper than the natural grade of the ground or steeper than 20 percent, whichever is greater.
- e. The total area of all cuts and fills other than the enclosed floor area of the structure(s) shall not exceed 10 percent of the lot or PUD site.
- f. Public streets shall not traverse or disturb slopes of 30 percent or greater.

18.28.60 INTERPRETATION, PERMIT PROCEDURE, APPEALS, GROUNDS FOR DENIAL, AND ENFORCEMENT ACTIONS

A. Interpretation - Conflicts.

1. Minimum Requirements. In their interpretation and application, provisions of this Chapter shall be held to be minimum requirements, except where expressly stated to be maximum requirements. No intent is made to impair, or interfere with, any private restrictions placed upon any property by covenant or deed; provided, however, that where this Chapter imposes higher standards or greater restrictions the provisions of this Chapter shall govern.

2. Application of most Restrictive Standard. Whenever any provision of this Chapter or any other provision of law, whether set forth in this Chapter or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations over the development of land, the most restrictive standards or requirements shall govern.

B. Retention of Plans. Plans, specifications, and reports for all site development submitted to Salt Lake City for approval shall be retained by Salt Lake City.

C. Expiration, Renewals, and Extensions of Permit. Every Site Development Permit or approval shall expire by limitation and become null and void if the work authorized by such permit or approvals has not been commenced within 120 days, or is not completed within one year from date of issuance. Extensions and renewals under Sections 18.28.40 and 18.28.50 shall be governed by Section 303 of the Uniform Building Code. However, the Building Official may not approve any modification to approved plans without prior approval of the Planning Commission conducted under Section D below.

D. Action by Planning Commission.

1. Consideration of Application or Plans. Whenever the Planning Commission's review and/or approval of proposed plans or applications involving site development activities is required under this Chapter, the matter shall be placed on the Planning Commission's agenda at a regularly scheduled meeting. Said meeting shall be conducted in conformance with the applicable requirements of the Open Meetings Act. A copy of said agenda may be sent to the applicant, subdivider, and/or developer and to each adjacent property owner as a courtesy. Failure to mail or receive such notice shall not be a fatal defect. In its discretion, the Planning Commission may also set and hold a special hearing on the pending application where the public and interested parties may have an opportunity to offer testimony. In such event, notices of the public hearing may be sent at least seven days prior to the date of the hearing by the Planning Department to parties specified above, together with such other additional property owners or parties as the Director, in his discretion, may believe to have a substantial interest in, or be substantially affected by, the proposed work. The Planning Commission may also direct that the notice of public hearing be advertised by publication.

2. Action Upon Application. Upon completion of a hearing, if required, and after consideration of the application, recommendations of the City Engineer, Building Official, or

Planning Director, and evaluation of compliance with the provisions of this Chapter, the Planning Commission shall:

a. Upon finding that the plan as it stands, or with modifications, can comply with the provisions of this Chapter, approve the application as submitted or approve a modified plan imposing such reasonable terms or conditions as may be necessary to substantially secure the objectives of this Chapter.

b. Upon finding that the work proposed by the application is contrary to the purpose or provisions of this Chapter, or factors set forth in **Section 47-6-6** as grounds for denial, the Planning Commission shall disapprove the application for a Site Development Permit or approval.

3. Notice of Decision - Appeal. The applicant shall be informed by letter of the Planning Commission's action. Said action is subject to administrative appeal within 30 days of the date of such written notice as provided in Section E. below.

E. Appeals.

1. Time Limitation for Notice of Appeal. Any applicant aggrieved by a determination of any administrative official may appeal such determination to the Planning Commission by filing a written notice of appeal with the Planning Commission secretary within 30 days after the date of notification of the administrative official's determination. Any applicant aggrieved by a determination of the Planning Commission may appeal such determination to the Mayor by filing a written notice of appeal with the City Recorder within 30 days after the date of notice of the Planning Commission determination. The City Recorder shall then schedule the matter for hearing before the Mayor. Said hearing shall be scheduled at least 10 days prior to the date of hearing to enable the City Recorder to give 10 days notice by mail to the Planning Commission, applicant, and any other interested party who has submitted for such purpose a self-addressed, stamped, envelope. Advertised publication of the Notice of Hearing is not required. The administrative decision of the Mayor shall be final and shall be reduced to writing and mailed to the applicant and Planning Commission.

2. Effect of Administrative Appeal. In the event of a notice of an appeal pursuant to the provisions above, the effect of such filing of notice shall act to stay any and all further action and work pending the determination of the matter on administrative appeal.

3. Nature of Hearing. Appeal of an administrative determination shall be a de novo proceeding before the Planning Commission. A further appeal of the Planning Commission decision before the Mayor is not a de novo proceeding. The administrative appellate review focus of the Mayor should be to objections, or alleged errors in the action of the Planning Commission which were unreasonable related to the application or plans before it. Based on the Mayor's administrative findings, the Mayor may affirm, reverse, or otherwise modify or remand the decision of the Planning Commission and may impose as conditions to approval such conditions as are deemed reasonably necessary to secure the objectives and

compliance with the provisions of this Chapter. The Mayor's action upon the administrative appeal shall be reduced to writing within 30 days after the date of hearing. Should the Mayor fail to render a decision on the application within 30 days, the action of the Planning Commission shall be deemed to be affirmed.

4. Judicial Relief - Time Limitation. Any person seeking judicial review of the Mayor's action by certiorari must file an appropriate petition for judicial review with a court of competent jurisdiction within 30 days of the date of the Mayor's decision.

F. General Grounds for Denial. Factors, in addition to deviation from provisions of this Chapter, which may be grounds for denial of a Site Development Permit or approval shall include, but not be limited to:

1. Possible or potential saturation of fill and/or unsupported cuts by water (both natural and/or domestic);
2. Run-off surface waters that produce unreasonable erosion and/or silting of drainage ways;
3. Subsurface conditions (such as rock strata and faults, soil or rock materials, types of formations, etc.) which when disturbed by the proposed site development activity, may create earth movement and/or produce slopes that cannot be landscaped;
4. Result in excessive and unnecessary scarring of the natural landscape through grading or removal of vegetation.

G. Prohibited Activities.

1. Removal of Topsoil. It shall be unlawful to remove topsoil for purposes of resale when unrelated to a bona fide purpose of site development contemplated under this Chapter. The provisions of this Chapter shall not be construed as permitting the removal of topsoil solely for resale.

2. Nuisance. It shall be unlawful to create or maintain a condition which creates a public or private nuisance. After notice by the City, owners shall be strictly responsible to take any necessary action to correct or abate such nuisance. Further, this Chapter shall not be construed to authorize any person or owner to create or maintain a private or public nuisance upon real property and compliance with the provisions of this Chapter shall not be a defense in any action to abate such nuisance.

H. Permit or Approval Revocation. In the event the Building Official or City Engineer requests that a Site Development Permit or approval be permanently suspended or revoked, they shall formally request a revocation hearing before the Planning Commission in compliance with the following procedures.

1. Request. The request shall specify the grounds for complaint or details of deviation with terms and conditions of the approval that justify the proposed permit or approval revocation or suspension.

2. Public Hearing. The Planning Commission shall hold a formal hearing to consider requests and recommendations for permanent revocation or suspension of permits at the next regularly scheduled meeting of the Planning Commission, at which service of the required notice can be satisfied.

3. Notice. The Planning Commission shall cause notice of the time and place of the scheduled hearing to be prepared. Such notice shall be delivered by certified mail or personal service upon the permittee at least five days prior to the date set for the hearing. At any such hearing, the permittee shall be given an opportunity to be heard and may call witnesses and present evidence. Upon conclusion of such hearing, the Planning Commission shall determine whether or not the permit shall be suspended or revoked, and any necessary or appropriate conditions which must be satisfied prior to the renewal or extension of said permit, including any necessary corrective measures to be completed as provided in Subsection "2" below.

4. Planning Commission Determination. Upon the conclusion of the required hearing and its deliberations thereon, should the Planning Commission find that the permittee, or authorized agent(s), have violated the terms of the permit or provisions of this Chapter, have conducted or desire to carry out such site development activity in such a manner which unreasonably adversely affects the health, welfare, or safety of persons residing or working in the vicinity of the site, or have caused the same to be done, the Planning Commission may, as it deems appropriate:

a. Require necessary corrective measures to be undertaken and completed at permittee's expense;

b. Require reimbursement to the City for unusual costs incurred by the necessitation of enforcement action including costs of inspections, mailings, expert technical assistance, etc.;

c. Continue suspension of all work contemplated or associated with the permit permanently until corrective requirements and/or original conditions are satisfied;

d. If circumstances of work conducted have resulted in factors which would have been grounds for denial of the permit, the Planning Commission may order such necessary actions as required to restore the site, insofar as possible, to the preexisting conditions, and revoke the Site Development Permit. If so evoked, and where appropriate, the Planning Commission may preclude acceptance of any site development application for the same site for a period not to exceed 12 months.

5. Appeal. The decision of the Planning Commission on a request for permanent suspension or revocation of a Site Development Permit or approval under this Chapter may be appealed by the permittee, Building Official, or City Engineer to the mayor as provided in Section ___ above.

I. Property Owner Responsibility. Property owners are responsible to maintain their property in a safe, non-hazardous, condition and to otherwise comply with the provisions of this Chapter and other applicable ordinances. Failure of City officials to observe or to recognize hazardous or unsightly conditions, or to recommend denial of the Site Development Permit, shall not relieve the permittee, or property owner, from responsibility for the condition or damages resulting therefrom. Nor shall such action result in the City, its officers, or agents, becoming responsible or liable for conditions and damages resulting therefrom.

J. Violation and Penalties.

1. Violation of Chapter. It shall be unlawful for any person to construct, enlarge, alter, repair, or maintain any grading, excavation or fill or cause the same to be done, contrary to or in violation of any provision of this Chapter.

2. Obstruction Prohibited. It shall be unlawful for any person to willfully or carelessly obstruct or injure any public right-of-way by causing or permitting earth or rock to slump, slough, or erode off private property onto the public right-of-way.

3. Flooding. It shall be unlawful for any person to willfully or carelessly obstruct or injure any public right-of-way by causing or permitting flow or seepage of water, or by willfully or carelessly causing or permitting water under his/her control, possession, or supervision to escape in any manner so as to injure any street or public improvement.

4. Misdemeanor Penalty. Any person violating any of the provisions of this Chapter shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Chapter is committed, continued, permitted, or maintained. Upon conviction of any such violation, such person may be imprisoned for a period not exceeding six months or be fined in the amount not exceeding \$299.00 if the person is an individual, or the greater amount of \$2,000.00 in the event the person is a corporation, association, or partnership, or both so imprisoned or fined.

K. Severability.

1. Severability. If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses, or phrases hereof may be declared invalid

or unconstitutional.

2. Limitation to Applied Facts. If the application of any provision or provisions of this Chapter to any person, property, or circumstance is found to be unconstitutional, invalid, or ineffective, in whole or in part, by any court of competent jurisdiction, or other competent agency, the effect of such provision shall be limited to the person, property, or circumstance immediately involved in the controversy and the application of such provision to other persons, properties, or circumstances shall be unaffected unless the court specifically rules otherwise.

18.28.70 ENERGY EFFICIENT DESIGN INCENTIVES (RESERVED)