



**OAKLEY CITY APPLICATION**  
**MAJOR (4 or more lots) SUBDIVISION**  
**MASTER PLANNED DEVELOPMENT SUBDIVISION**

**\$1250 Fee + \$250 per lot after the 4th lot**  
**+**  
**\$1000 Retainer for fewer than 8 lots or**  
**\$3000 Retainer for 8 or more lots**

*Read Oakley City Land Management and Development Code: 13-5-5 AND 13-5-10 (Master Planned Developments) AND Chapter 6 (Affordable Housing) before submitting this application. Discussion with the City Planner is recommended as there may be other applicable requirements*

Proposed Subdivision Name: \_\_\_\_\_

Physical Address of Parcel(s): \_\_\_\_\_

Parcel Number(s) of property: \_\_\_\_\_

Current Zoning: \_\_\_\_\_ Zoning Change Required:    Yes    No

Number of Lots Proposed: \_\_\_\_\_ Density Exhausted: \_\_\_\_\_

Culinary Water:    City Water    Well    Wastewater:    City Sewer    Septic  
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Name of Owners: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address of Owners: \_\_\_\_\_  
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If owner is being represented by an attorney or agent, please provide the following information:

Authorized Agent: \_\_\_\_\_

Relationship to Owner/Firm Name (if applicable:) \_\_\_\_\_

Agent Telephone: \_\_\_\_\_ Agent Email: \_\_\_\_\_  
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Surveyor and Contact Info: \_\_\_\_\_

## **SUBMISSION REQUIREMENTS**

\*A Master Planned Development approval is required pursuant to section 13-5-10 of Oakley Land Management and Development Code for the following 1) **Any application to subdivide at base density resulting in four (4) or more lots or parcels** or 2) Any proposal which includes the movement of density between zones on a single parcel which results in the creation of four (4) or more lots. For Master Plan Development Requirements – see below.

- a. Completed subdivision application signed by the owner(s);
- b. The payment by the applicant of the subdivision application fee;
- c. The subdivision shall contain sufficient land area necessary to meet the density requirements of the zone;
- d. Title Report(s) (no older than 60 days) for all parcels involved in the application
- e. One (1) copy of a survey prepared by a surveyor licensed in the State of Utah including the following information:
  - (1) The name of the land surveyor;
  - (2) Approximate true north arrow;
  - (3) Legal description and location of property, including citation of any existing legal rights-of-way, public and private roads, streets, irrigation ditches, water bodies, water wells, streams/rivers, structures, and/or other physical improvements affecting the property and existing covenants on the property, if any;
  - (4) A delineation of environmentally sensitive areas, floodplains, delineated wetlands, ridgelines, and slopes exceeding thirty percent (30%);
- f. Two (2) copies (one 11" x 17" copy and one 24" x 36" copy) of the proposed final subdivision plat and one (1) electronic copy of a scaled final subdivision plat prepared by a surveyor or civil engineer licensed in the State of Utah, including:
  - (1) The subdivision name and date of plat creation. The subdivision name may not be the same name as any existing recorded subdivision in Oakley City or in Summit County, Utah;
  - (2) The name of the land surveyor;
  - (3) Approximate true north arrow;
  - (4) The plat scale and the location and dimensions of all boundary lines of the property (expressed in feet and in decimals of a foot), the locations, dimensions, and areas of all proposed lots, rights-of-way, and easements;
  - (5) Consecutively numbered or lettered lots with addresses (subject to final review and approval by the City);
  - (6) Notation of any self-imposed plat restrictions;
  - (7) Signature blocks for the Oakley City, Land Use Authority, City Engineer, Public Health Officer, City Attorney, applicable fire district, local electrical power provider, local natural gas provider (if applicable), and local culinary water provider (if different from City);
  - (8) Notarized signatures on the plat by every person having a security interest in the property which sets forth that he/she is subordinating his/her liens to

all covenants, servitude and easements imposed on the property, and all conditions of development approval proposed by the City;

- (9) All monuments erected, corners, and other points established in the field;
- (10) Plat notes stating that:

*"Further subdivision of such lands, whether by deed, bequest, divorce, decree, or other recorded instrument, shall not result in a buildable lot until the same has been approved in accordance with the Oakley City Land Management and Development Code."*

*"The owners of property within Oakley City recognize the importance of agricultural lands and operations and small rural business enterprises. It is recognized that agricultural lands and operations and rural business enterprises have unique operating characteristics that must be respected. Owners of each lot platted in this subdivision/the owner of the residence constructed upon this lot have/has been given notice and recognize(s) that there are active agriculture lands and operations and rural business enterprises within Oakley City and acknowledge(s) and accept(s) that, so long as such lands and operations exist, there may be dust, noise, odor, prolonged work hours, use of roadways for the purposes of herding/moving livestock, and other attributes associated with normal agricultural operations and rural businesses."*

If serviced by a private water system:

*"Water has not been approved for this site. It shall be the responsibility of each lot owner to demonstrate that water of adequate quality and quantity is available for each lot prior to the issuance of a building permit. This shall be accomplished with a memorandum of decision from the state engineer for a private well, spring or a written commitment from a private water company."*

- g. Following final action on the final subdivision plat which results in an approval, a current (within 30 days) preliminary title report covering all property located within the subdivision;
  - h. Following final action on the final subdivision plat which results in an approval, a 24" x 36" mylar of a scaled (1" = 100') final subdivision plat prepared by a surveyor or civil engineer licensed in the State of Utah, including all items listed in subsection B2f of this section.
- (11) Water design/plan – if using well, proof of water shares. If using Oakley City water, water line design.
  - (12) Landscaping/agricultural water use plan.
  - (13) Sewer design/plan – if using septic systems, please note. If using Oakley City sewer, sewer line design
  - (14)

**\*\* Please note that you will be invoiced for the cost of public noticing. Invoice must be paid prior to date of public hearing.**

### **SUBDIVISION APPLICATION PROCESS**

1. Review of application for completeness. City planner will perform the preliminary review and then send the application and survey to the city public works department, city engineer, city attorney and fire marshal. Certain requirements/changes may be applicable after review by these entities. **Depending on the scope of the application, this review will result in additional fees by these entities which will be passed on to and paid by the applicant.**
2. After review, the application will be submitted to the Oakley City Planning Commission for a public hearing. **Please note that the notice required for the public hearing is two weeks from the date of the planning commission meeting.** For the city to meet the public noticing requirements, please have your application submitted at least 45 days in advance of the anticipated meeting date.
3. Upon approval of the preliminary plat by the Oakley City Planning Commission, the application is then forwarded to the Oakley City Council for public hearing of preliminary plat approval at the next available Oakley City Council meeting which requires the same noticing time frame as listed above.
4. Upon preliminary plat approval applicant, applicant will make any necessary changes to the plat or plan and then notify planner that they are ready for final plat hearing.
5. Final Plat approval hearing is then scheduled with the Oakley City Council
6. Upon final approval, the plat may then be circulated for signatures. Plat will be returned to the city for Mayor signature and for recording with the Summit County Recorder's office.

### **CRITERIA FOR APPROVAL**

Before a subdivision can be approved; it must conform to all of the following criteria:

- a. All of the land required for the density needed to create the lots within the subdivision, including a remnant parcel, which on its own would not be large enough to qualify for any density, shall be contained within the boundaries of the final subdivision plat, and any remnant parcel shall bear a plat note stating that no density exists on such remnant parcel until such time (if ever) as the zone is changed to permit additional density rights and the remnant parcel is, if necessary, re-subdivided in accordance with this chapter; or the remnant parcel is otherwise vacated from the final subdivision plat for the purposes of a parcel boundary adjustment, which shall constitute good cause thereof under State law.
- b. In the event that the parcel(s) being subdivided contain more land than that which is needed to establish the density for the subdivision, such remainder parcel(s) do not need to be included within the boundaries of the final subdivision plat if each of such remainder parcel(s) (or such number of them if contiguous) conform to the minimum size requirement of the applicable zone at the time. In such cases, a certificate executed by the City shall be recorded with the Summit County

Recorder, at the same time as the final subdivision plat is recorded, against the remainder parcel(s) located outside of the final subdivision plat stating that such remainder parcel(s) are conforming parcels pursuant to this chapter.

- c. Each proposed lot shall have legal access through a recorded right-of-way or easement. The applicant shall demonstrate that adequate access to the property from a public road may be granted by the State, County, or City, whichever is applicable.
- d. Compliance with the development evaluation standards provided in chapter 3 of Oakley Land Management and Development Code.
- e. Compliance with the infrastructure standards in chapter 9 of Oakley Land Management and Development Code.
- f. The minimum lot size for new lots created through this process will meet the minimum lot size requirements for the applicable zone.
- g. If the subdivision includes any land located within one hundred feet (100') of the center line of a canal, the City Planner shall:
  - (1) Within thirty (30) days after the day on which the application is filed, notify the canal company or canal operator responsible for the canal, if the canal company or canal owner has provided information under Utah Code Annotated 10-9a-213.
  - (2) Wait at least ten (10) days after the day on which the City Planner notifies a canal company or canal operator to approve, approve with conditions or reject the final subdivision plat.
- h. An approval from the Summit County Health Department.
- i. Proof that property taxes for the applicable property have been paid.
- j. All on-site and required off-site improvements are completed or properly guaranteed as per Chapter 13-7 of Oakley Land Management and Development Code.
- k. Compliance with Oakley Land Management and Development Code and all applicable City regulations.

*\*Please note that Oakley City will not release/sign any plats until all fees are collected and approvals received.*

By signing this application, I understand and agree to abide by the rules and procedures set forth under the Oakley City Land Use and Development Code. I understand that Oakley City may rescind any approval or take appropriate legal action if any of the information or representations in connection with this application are false or misleading. I understand that approvals may be conditional and require further requirements be met due to the unique nature of individual projects. I also understand that there may be additional engineering or specialty fees incurred by the city that are associated with this application and that said fees are the responsibility of the applicant.

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Applicant Acknowledgement

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Date

**MPD Requirements:** All applications for a master planned development shall meet the following minimum requirements. Additional project information necessary for the project analysis may be required at the discretion of the City Planner, Planning Commission, or City Council.

1. **Density:** The maximum density permitted on the project site will be determined as a result of a site analysis. The maximum density shall not exceed that set forth in the proposed or existing zone, except as otherwise provided in this section. In cases where a project site contains more than one (1) zone, the City Council may permit the clustering of density irrespective of zone boundaries so long as the relocation results in the project advancing the goals set forth in the General Plan.
2. **Density Bonus:** A density bonus may be permitted based on a site analysis and in accordance with the provisions and formula outlined in appendix B of this Title. Bonus density is a negotiated process and is not an entitlement or guarantee. Bonus density may be granted through a development agreement by one or more of the following as detailed in Appendix B:
  - a. Provision of permanent deed restricted open space.
  - b. Protection of the Weber River corridor.
  - c. Provision of public non-motorized trails.
  - d. Provision of water efficient landscape designs.
  - e. Other critical public infrastructure contributions
3. **Setbacks:** The minimum setback around the exterior boundary of an MPD shall match the setbacks of the more restrictive/larger abutting zone setback. In some cases, that setback may be increased to create an adequate buffer to adjacent uses. The City Council may reduce or increase setbacks within the project from those otherwise required provided the project meets minimum Building Code and Fire Code requirements and can demonstrate that such change:
  - a. Maximizes agricultural land or open space; and/or
  - b. Avoids important natural features of the site.
4. **Building Height:** The maximum building height for all structures within a master planned development shall not exceed the zone standard. The City Council may grant additional building height beyond the maximum zone standard up to forty-five feet (45') based on demonstrated good cause related, but not limited to, structured parking, affordable housing, deed restricted open space, community outdoor common area improvements or superior architectural design.
5. **Reduction of Minimum Lot Size Requirements:** The City Council may reduce the minimum lot size specified in a zone if it finds the proposed decrease in minimum lot size improves the site design, clustering of buildings, and/or preservation of agricultural land or open space.
6. **Open Space:** Master planned developments shall provide for open space or greenspace of at least ten percent (10%) of the site area regardless of any possible bonus density approved. This minimum open space does not need to be permanently deed restricted but may be part of the existing lots and designated as such.
7. **Off-Street Parking:** Master planned developments shall meet the following off-street parking standards:
  - a. Residential uses:
    - (1) Single family dwelling unit (Minimum 2 spaces/unit)
    - (2) Duplex dwelling unit (Minimum 2 spaces/unit [total of 4/building])
    - (3) Accessory dwelling unit (Minimum 1 space/unit)
    - (4) Guest house (Minimum 1 space/unit)

- (5) Multi-unit (3 or more units) (Minimum 1 space/unit)
- b. Non-residential uses:
  - (1) Commercial/retail:  
3 spaces/1,000 sq. ft. of net leasable floor area
  - (2) Commercial/restaurant-café:  
3 spaces/1,000 sq. ft. of net leasable floor area
  - (3) Hotel/lodging:  
1 space/guest room or suite; 2 spaces/1,000 sq. ft. support commercial
  - (4) Offices:  
2.5 spaces/1,000 sq. ft. net leasable area

The off-street parking requirements for any other uses not listed above shall be determined by the City Council based on a project-specific parking study. The City Council may reduce or increase the overall parking requirement for a master planned development based upon the applicant demonstrating reasonable justifications for the increase/decrease in parking spaces. The City Council may grant additional exterior/surface parking provided such parking is designed to include permeable surfaces, additional landscaping and buffering. Additional off-street parking regulations are found in section 13-9-22.

- 8. **Designing with The Topography:** Master planned developments shall be designed to fit into the topography of the site. The City Council may consider flexibility in the siting of development so as to best fit into the natural terrain, minimize excessive site grading and mitigate impacts on the natural environment and resources of the surrounding area. The project design shall demonstrate the preservation of watercourses, drainage areas, wooded areas, rough terrain and similar natural features and areas.
- 9. **Designing with Adjacent Uses:** The master planned development plan shall take adjacent land uses into consideration. Development along the project perimeter shall adequately mitigate any potentially adverse effects, including but not limited to flooding, erosion, subsidence, sloping of the soil or other dangers and nuisances.
- 10. **Access:** All master planned developments shall have vehicular access from a public road or suitable private road. All projects of eight (8) or more lots shall have a secondary point of access/emergency access unless otherwise mitigated to the satisfaction of the City Engineer and/or Fire Marshal. All roads/streets shall follow the natural contours of the site wherever possible to minimize the amount of grading.
- 11. **Utilities:** Existing or proposed utilities, including private and public services for master planned developments will be adequate to support the proposed project at normal service levels and will be designed in a manner to avoid adverse impacts on adjacent land uses, public services, and utility resources. Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite infrastructure standards found in chapter 9 of this Title.
- 12. **Building Locations:** All buildings shall be located to avoid, to the extent practicable, valuable greenspaces, wetlands, riparian areas, steep slopes and ridgelines. Building locations and associated lot configurations should be oriented to encourage active and passive solar design principles wherever practicable.
- 13. **Connectivity:** Internal and external vehicular/pedestrian/bicycle circulation should be demonstrated at the time of application as deemed necessary by the City

Council. Pedestrian/equestrian/bicycle circulation trails and paths should be separated from vehicular circulation wherever reasonable.

14. **Snow Storage:** Master planned developments shall include adequate areas for snow removal and snow storage. An appropriate form of landscaping plan shall allow for snow storage areas. Structures shall be set back from any hard surfaces so as to provide adequate areas to remove and store snow. The assumption is that snow should be able to be stored on site and not removed to an off-site location.
15. **Outdoor Lighting:** All outdoor lighting shall meet the City's Dark Sky standards and will be down directed and fully shielded. All outdoor lighting shall be designed and installed to prevent light trespass on adjacent properties. See section 13-9-18 for further regulations.
16. **Compliance with Development Evaluation Standards:** Unless otherwise permitted by this chapter, all master planned developments shall comply with all requisite development evaluation standards found in chapter 3 of this Title.
17. **Site Design Narrative:** An application for a master planned development shall include a written explanation of how the project plan addresses the following design questions:
  - a. **Neighborhood Connectivity:** How does the proposed development interconnect and the surrounding properties, neighborhood, and area? Including but not limited to:
    - (1) Where will vehicles enter and exit the site?
    - (2) Where will new streets be developed?
    - (3) Is there a need for pedestrian and bicycle routes (including trails and sidewalks) through the project area? If so, how are such needs addressed?
  - b. **Availability of Neighborhood Facilities and Services:** Is the location of the proposed development within reasonable proximity (including walking and biking) to community facilities such as schools, retail centers, parks, etc.?
  - c. **Meeting Housing Needs:** How does the proposed development advance the community need for a mix of housing types and affordability?
  - d. **Character:** What are the architectural design character objectives of the proposed development? How do these design objectives address the local context, climate, and/or community needs?
  - e. **Site Design:** How is the proposed development designed to take advantage of the existing topography, landscape features, trees, wildlife corridors, existing structures, minimize site grading, etc.?
  - f. **Complete Street Design:** How is the proposed development street/circulation system designed to accommodate a variety of transportation modes (where appropriate), easy route finding, and safe speeds?
  - g. **Parking Areas:** How does the proposed development balance the need for parking with the need to design parking areas in a manner that minimize visibility, site grading, and exterior lighting?
  - h. **Public and Private Outdoor Spaces:** What are the proposed development's need(s) for outdoor space, open space, greenspace, habitat/wildlife areas, parks, or outdoor amenity areas? How does the proposed development address these needs?

- i. **External Storage:** How does the proposed project address needs for garbage collection, equipment storage, etc.?