

CHAPTER 13

ADEQUATE PUBLIC FACILITIES REQUIREMENTS

(Amended 07/10/18)

- Section 13.010. Adequate Public Facilities to be Available Concurrent with Approval.
- Section 13.020. Essential Public Facilities.
- Section 13.030. Procedures.
- Section 13.040. Level of Service Standards.
- Section 13.050. Compliance with Adequate Public Facilities Required.

Section 13.010. Adequate Public Facilities to be Available Concurrent with Development Approval (APF Requirement).

No request for development approval, and no development permit or license shall be granted, approved, or issued unless the applicant has provided information necessary to establish that adequate public facilities in the area affected by the proposed development have been determined to have sufficient capacity available at the adopted level of service (LOS) standards to accommodate the proposed development within a reasonable period of time following the issuance of final subdivision plat or final site plan approval.

Section 13.020. Essential Public Facilities.

(Amended 02/14/17)

Essential public facilities to which the adequate public facilities (APF) requirement applies include the following:

- A. culinary water system, including water quality, treatment, storage capacity, transmission, distribution, and looped system capacity;
- B. secondary water (pressurized irrigation), including source, storage capacity, transmission, and distribution;
- C. sanitary sewer system, including treatment facilities, outfall lines, lateral, and collector lines;
- D. storm drainage, including surface and subsurface, and flood control facilities;
- E. power, including adequate source, capacity,

distribution, transmission lines, and redundancy;

F. transportation facilities, including streets, roads, highways, and intersections; and

G. parks and related recreational facilities.

Section 13.030. Procedures.

An application for a development approval shall include information necessary to demonstrate that adequate public facilities will be available at the specified levels of service (LOS) within a reasonable period of time, following the issuance of a development permit for the proposed development. Such a determination may include the timing, phasing, and sequencing of the proposed development. Compliance with level of service standards shall be measured in accordance with the adopted level of service standards as set forth in this Chapter as they may from time to time be amended. The Reviewing Departments, Planning Commission, and City Council may request additional information from the applicant to address the adequacy and availability of public facilities to include the culinary water system, secondary water (pressurized irrigation), sanitary sewer system, storm drainage, including surface and subsurface and flood control facilities, power, transportation facilities and planning, including a traffic impact analysis, and an evaluation of the impact of the proposed development on parks and related recreational facilities.

Section 13.040. Level of Service Standards.

(Amended 02/14/17)

The level of service (LOS) standards by which the adequate public facilities requirement shall be measured are as follows:

- A. Culinary Water System. Source, treatment, storage, transmission, distribution capacity and sizing, and looping to accommodate peak instantaneous flows with a minimum of 20 pounds per square inch (psi) pressure existing in the system at all points in order to comply with Utah Administrative Code R-309-105-9.
- B. Secondary Water (Pressurized Irrigation). Source, storage, transmission, and distribution capacity and sizing to accommodate peak instantaneous flows with a minimum of 40 psi dynamic pressure. This requirement shall be subject to review by the Reviewing Departments, Planning Commission, and City Council to determine if it is

reasonably attainable by the applicant based on the specific facts and circumstances posed by the proposed development.

C. Sanitary Sewer System. The applicant shall submit information demonstrating that no surcharge would result in the lines servicing the proposed development by the increased flows anticipated to be generated by the proposed new development.

D. Storm Drainage, including surface and subsurface, and flood control facilities. The applicant shall submit information demonstrating compliance with the design standards for storm drainage, including surface and subsurface, and flood control facilities as required by the Lehi City Design Standards and Public Improvement Specifications as amended.

E. Power. Connection to Lehi City's municipal power system is required for all new development. Sufficient source, transmission and distribution capacity, sizing, and redundancy is required.

F. Transportation Facilities, including streets, roads, highways and intersections. The applicant shall submit information demonstrating that all existing roads adjacent to, or impacted by the proposed development are capable of accommodating the anticipated traffic loads generated by the proposed development for a 20-year design period. The City has adopted a Level of Service "C" for all city roads and streets.

G. Parks and Related Recreational Facilities. The applicant shall submit information demonstrating that parks and related recreational facilities will be available at the adopted levels of service as determined by the inventory completed by the Lehi City.

Section 13.050. Compliance with Adequate Public Facilities Required.

If it is determined that adequate public facilities will not be available at the specified levels of service (LOS) within a reasonable period of time following the issuance of final development approval so as to assure that such services will be available at the time of occupancy of the new development being proposed, the Reviewing Departments, Planning Commission and City Council, in the exercise of their discretion, may:

- A. deny development approval;
- B. defer final development approval and the issuance of building permits until all necessary public facilities are adequate and available;
- C. require timing, sequencing, and phasing of the proposed development consistent with the available capacity of public facilities; or
- D. allow the applicant to voluntarily advance the costs necessary to provide those public facilities which are necessary to service the proposed development and meet the applicable level of service standards by entering into an appropriate form of agreement, which may include, as appropriate, provisions for credits or reimbursement of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or benefit conferred upon the proposed development.