

SECTION 9.0300 EASEMENTS

General

9.0301 General Utility Easements

9.0303 Conservation Easement

9.0304 Open Space Easements

9.0305 Utility Easements Owned by the Public

9.0307 Private Easements

9.0308 Public Access Easement

General

9.0301 General Utility Easements

In the LDR-5, LDR-7, TLDR, TR, LDR-PV, VLDR-SW, LDR-SW and THR-SW Districts, an 8-foot wide general utility easement shall be provided along all lot lines abutting public rights-of-way and along the rear lot line when abutting an alley. Design, dimensioning, and use of general utility easements shall be in accordance with Public Works Standards. All easement documents and plat language relating to general utility easements shall be substantially in the form provided by the City and furnished to the City for review and approval prior to recording. All applicable recording fees shall be the responsibility of the developer and the City shall record the easements. A general utility easement may be used for City easements and by utilities with franchise or utility licenses.

9.0303 Conservation Easement

The Manager may require a perpetual unobstructed easement so that the natural vegetative cover is not disturbed where such disturbance could cause damage to the public right-of-way or adjacent property.

9.0304 Open Space Easements

The approval authority may require a perpetual open space easement over areas of the Floodplain or Hillside Physical Constraint Overlay Districts, areas of unique natural condition, or Greenway System retained in private ownership.

9.0305 Utility Easements Owned by the Public

When topography or other conditions make impractical the location of drainage facilities, sanitary sewers or water lines within the street right-of-way, an unobstructed easement shall be provided across the property with satisfactory access to the street. These easements shall comply with **Section A5.005**.

9.0307 Private Easements

When a Land Division or Lot Line Adjustment creates a property line configuration whereby an existing or future access or utility will encroach on a lot other than the one it serves, an easement shall be granted over the access or utility as a condition of approval of the development permit. If the subject lots are under the same ownership, an agreement shall be executed, as a condition of approval of the development permit, requiring creation of an easement upon the sale of any of the lots.

9.0308 Public Access Easement

The approval authority may require a public access easement for sidewalks, paths and trails which are required for access and connectivity. Improvements within the easement shall be consistent with the Public Works Standards. All applicable recording fees shall be the responsibility of the developer and the City shall record the easements.