

TITLE 11

CHAPTER 5

REVIEW AND PLAT REQUIREMENTS - MINOR SUBDIVISIONS

SECTION:

- 11-5-1: Applicability
- 11-5-2: Procedure for Approval
- 11-5-3: Submittal Process
- 11-5-4: Required Improvements
- 11-5-5: Conditions, Covenants and Restrictions

11-5-1: APPLICABILITY

The provisions of this article apply only to minor subdivisions, where a parcel of land is subdivided into three (3) or fewer lots that either front a dedicated city street or are located to the rear of a lot and are accessed by a dedicated or non-dedicated street (private lane).

11-5-2: PROCEDURE FOR APPROVAL

The procedure for obtaining approval of a minor subdivision is a simplified subdivision plat review and approval process.

- A. The Applicant shall submit a Minor Subdivision application to the Development Review Committee (DRC), which must review, approve, or reject the final plat.
- B. The Review Cycle is Capped. A maximum of three review cycles is permitted for determination of Final Approval. The DRC must complete each review cycle within 20 business days following submittal and acceptance of the original application, and 20 days for each subsequent review cycle as applicable.
- C. A review cycle is not considered complete until the applicant has adequately addressed any redlines identified by the municipality. The city may only add new redlines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law.
- D. With fully engineered construction drawings approved by the city, an approved final plat is recorded in the office of the county recorder.

11-5-3: SUBMITTAL PROCESS

- A. Application to Development Review Committee:
 - 1. The applicant must complete and file an application with the DRC.

2. The following items shall be included or accompany the application:
 - a. Legal description of the proposed lots.
 - b. Site plan drawn to scale showing the layout of the proposed lots in relation to the existing roads, buildings, fences, topographical features of the property, utilities and utility easements, distances and dimensions of the proposed lots and other features, and any proposed improvements.
 - c. A non-refundable application fee in such amount as established by resolution of the city council.
- B. Minor Subdivision Review and Approval Process:
 1. Eight (8) copies of the application site plan as described herein drawn to scale shall be submitted to the DRC for consideration.
 2. The Development Review Committee shall review the application and determine compliance with all standards and criteria set forth in this Ordinance and all other applicable ordinances of the City and the State of Utah.
 3. If the Development Review Committee determines that the minor subdivision application is in conformity with the requirements of this Title, other applicable ordinances, and any reasonable conditions, that all fees have been paid as required, and that the City is satisfied with the final plat of the subdivision, it may approve the final plat.
 4. If the Development Review Committee determines that the final plat is not in conformity with this Title or other applicable ordinances, it may disapprove the final plat specifying the reasons for such disapproval. No final plat shall have any force or effect unless the same has been approved by the Development Review Committee, City Engineer, City Attorney, and signed by the Mayor and City Recorder.
- C. The receipt of a signed copy of the approved preliminary plat shall authorize the applicant to proceed with the preparation of the final plat and construction documents.
 1. Upon the approval of the DRC, with or without modification, the final plat may then be recorded in the office of the county recorder.
 2. The plat shall be recorded no more than one year after the date of approval unless an extension is granted by the city council.
 3. Any waivers as to the requirements for improvements or any postponement of the obligation to complete such improvements must be specifically approved by the city council as a prerequisite to the approval and recording of the final plat.
- D. Improvements:

1. Construction plans for the required improvements shall meet the standards of this title and shall be submitted to the city engineer for approval prior to the recording of the final plat.
 2. No final plat shall be approved by the DRC until the city engineer has signed the final contract in which the developer agrees to construct the required improvements as shown in the plat, construction plans and supporting documents. The improvements in said contract must be completed and approved before any building permit shall be issued for the construction of buildings upon the lots, unless waived or postponed by the city council, with the conditions of waiver or postponement being specified in a written agreement between the developer and the city.
- E. Appeals: The appeals process described in Title 11-3-9 shall apply.

11-5-4: REQUIRED IMPROVEMENTS

The following improvements shall be required for minor subdivisions:

- A. Water Supply:
1. Culinary water rights and well drilling permits must be secured to accommodate the culinary needs of the proposed development, or approved arrangements made for the hookup of the minor subdivision to the city water system.
 2. In addition to the culinary water supply, a plan for an adequate amount of water, and distribution thereof (fire hydrants) to fulfill fire protection requirements shall also be approved and developed. Where no domestic water source is proposed by the subdivider the words "no proposed domestic water source" shall appear on the final plat.
- B. Sewage Disposal: The developer must provide for sewage disposal, including the possibility of a dry line sewer by connection with the city sewer system unless the city engineer deems it unreasonable, not feasible, or unnecessary, and the planning commission and city council approve the waiver or postponement of the requirement for a wet or dry line sewer, with the conditions of such waiver or postponement being set forth in written agreement between the developer and the city. In cases where connections to the city sewer lines are not made, the developer must obtain a permit for each lot according to its capacity to support an individual septic tank and drain field system from the county health department.
- C. Storm Water Drainage: The developer must obtain an approval from the city engineer for the storm water drainage system impact to assure that any increase in storm water drainage will not flow from the minor subdivision to adjacent properties or irrigation ditches unless drainage easements have been first obtained from such property owners or relevant irrigation companies.
- D. Street Improvements: Streets which are interior and/or act as ingress/egress to minor subdivisions shall have a minimum width of twenty-two feet (22') paved with

six and one-half foot (6 1/2') graveled shoulders on each side, and a thirty five foot (35') right of way. On inner block developments (perpendicular to a dedicated city street), there must be adequate turnaround capacity on the dedicated streets to accommodate public safety and garbage collection vehicles. The standards for such roads shall be set forth in the other chapters of this title, unless specifically waived by the commission and upon the approval of the city engineer. The commission may waive any requirements as to the construction of roads which are not dedicated and are interior; provided, that all roads shall be shown on the plat and specifically that the words "this road is not dedicated" and "no public maintenance of this road" must appear on these streets as they appear on the final plat. The commission may waive any requirements. for curb, gutter and sidewalk. Construction of streets for minor subdivisions, unless waived, shall be governed by the same standards as apply to regular subdivisions.

- E. Fire Protection: The subdivider must provide and obtain approval of a fire protection system. The system must be based upon the recommendations of the fire marshal and approved by the city engineer, and may consist of either fire hydrants, water storage or such systems as would be approved by the fire marshal and city engineer.

11-5-5: CONDITIONS, COVENANTS AND RESTRICTIONS (CCRs)

CCRs shall be approved by the DRC, together with the final plat. The CCRs shall thereupon be recorded with the final plat.

(6-2024, 11-19-24)