

ORDINANCE NUMBER 23-1011-01

AN ORDINANCE AMENDING ROCKVILLE'S LAND USE CODE
CHAPTER 7 – SUBDIVISION

WHEREAS, the Rockville Planning Commission has held a Public Hearing regarding the proposed amendments; and

WHEREAS, the Planning Commission presented their recommendations to the Town Council on October 11, 2023; and

WHEREAS, the Town Council has reviewed the revised recommendations of the Planning Commission; and

WHEREAS, the Town Council desires to incorporate the recommended amendments into the Rockville Land Use Code,

NOW, THEREFORE, the Rockville Town Council approves the following amendments to the Rockville Land Use Code as summarized below and detailed in the attachment.

- Chapter 7 – Subdivision
 - Addition of Section 7.1.8 – Necessity of Plat; Exemption from Plat Requirements
 - All following sections to be renumbered accordingly.
 - Section 7.1.12(4)(b) – Correction of the distance from three hundred feet to one thousand feet.

THIS ORDINANCE shall go into effect immediately upon signature and posting.

DATED THIS 11th day of October, 2023.

TOWN OF ROCKVILLE

Pam Leach, Mayor

Michael Evenson, Councilmember

Jeff Ballard, Councilmember

Dan McGuire, Councilmember

Megan Honer-Orton, Councilmember

Ordinance No. 21-1011-01
Land Use Code Amendments
Page 2

ATTEST:

Town Clerk

The foregoing Ordinance No. _____ was posted in the cabinet on the north side of SR-9 near
Dennett Lane, the foyer of the Rockville Town Office, and the cabinet on the north side of SR-9 near
Bridge Road by _____ at approximately _____ AM/PM on _____.

Chapter 7. Subdivision

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7.1.7 Approval Required

While it is not illegal to create and record divisions of land, the Town of Rockville does not recognize such divisions unless they have been approved per Rockville's Land Use Code, Chapter 42 7, Subdivision. Furthermore, parcels created by such divisions cannot be developed or sold until the divisions have been approved by the Town and recorded in the Office of the Washington County Recorder.

7.1.8 Necessity of Plat; Exemption from Plat Requirements

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

1. A subdivision creating no more than one new lot may be approved by Town staff without the necessity of preparing and filing a preliminary plat or final plat if:
 - a. Notice is provided by Town as required by this chapter.
 - b. The proposed subdivision:
 - i. Is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes.
 - ii. Does not impact an existing easement or right-of-way or, if it does have an impact, evidence is shown that the impact will not impair the use of any such easement or right-of-way.
 - iii. Is located in a zoned area and conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
2. A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:
 - a. Meets the minimum size requirement of applicable zoning; and
 - b. Is not used and will not be used for any nonagricultural purpose.
3. The creation of a lot under subsection A of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the Joint Utility Committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.
4. The boundaries of each lot or parcel exempted under subsection A or B of this section shall be described by deed and upon approval of Town staff, shall be recorded with the county recorder.

7.1.89 Classification of Subdivision

All following sections to be renumbered accordingly.

7.1.11~~11~~¹² Preliminary Plat

A preliminary plat shall be provided for all proposed land divisions.

1. Application Contents: Major Subdivision applications shall include all the items below.
 - a. Completed preliminary plat application.
2. Feasibility Study: The subdivider shall be required to show the feasibility of the proposed water, sewage and electrical systems necessary to meet the requirements of the Town, the County and the State by providing letters of approval from the appropriate related authorities.
3. Summary statement containing the following:
 - a. Total area within the subdivision showing a phasing plan and indicating the various uses; for example: parking, residential units, open space, or common space and so forth.
 - b. Total area of each parcel.
 - c. Total number of proposed dwelling units.
 - d. Estimated maximum drainage flow (100-year storm) through any natural courses lying within the area to be subdivided expressed in cubic feet per minute.
4. Scaled Drawing: A plan showing the proposed subdivision layout drawn at a minimum scale of one inch equals fifty feet (1" = 50'), which shall show:
 - a. North point, scale, and date.
 - b. The names and addresses of the subdivider, the professional engineer and/or surveyor, currently licensed in the State of Utah, of the subdivision, and the owners of the land within ~~three hundred~~ **one thousand** feet (~~300'~~**1000'**) of the boundaries of the land proposed for subdivision.