Subdivision Application

(Instructions)

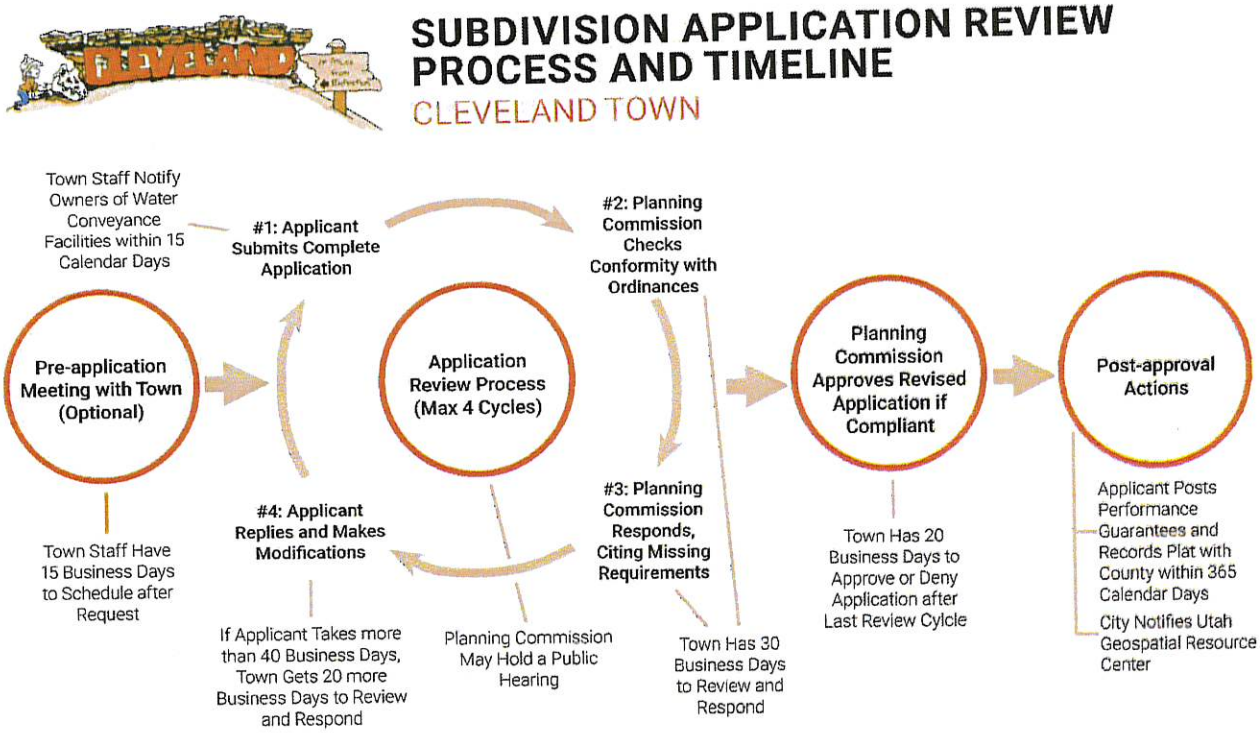
WHAT TO DO:

Submit this completed checklist and all supporting documents to the Town's Clerk (clevelandtown@etv.net). Pay the application fee outlined on the Town website and the applicable Emery County building fee. Before applying, you may schedule a pre-application meeting with Town staff to review a concept plan and/or other elements of your application.

WHAT TO EXPECT:

Town staff will review your application and determine whether it is complete. If your application is complete, or if the Town decides to waive the incomplete requirements, the Planning Commission and Town staff will review and respond to your application within 30 business days. You may be required to revise your application to conform to Town development standards or to better protect the health and safety of Cleveland Town residents.

The subdivision application process is governed by Section 2-10 of the Town's municipal ordinances. The flowchart below summarizes this process:



Subdivision Application for 1-2 Family Residential Uses

Name of Proposed Subdivision: _____

_____

County Tax Parcel Number: _____

Current Zoning of Property: _____

THIS BOX IS FOR OFFICIAL USE ONLY:

Date Received: _____

Receipt #: _____

Amount Paid: _____

---------- CONTACT INFORMATION ----------

Applicant Information Name: _____ Phone: _____ Email: _____	**Property Owner #1 Information** Name: _____ Phone: _____ Email: _____
Property Owner #2 Information (If Applicable) Name: _____ Phone: _____ Email: _____	**Property Owner #3 Information (If Applicable)** Name: _____ Phone: _____ Email: _____
Applicant's Engineer's Information Name: _____ Phone: _____ Email: _____	**Applicant's Surveyor's Information** Name: _____ Phone: _____ Email: _____

If the property to be subdivided has more than three owners, attach supplemental information for remaining owners.

---------- FINAL DOCUMENT CHECKLIST ----------

1 _____ **An approved land use application** that describes how the property will be used after it is subdivided. This land use application must include an approved conditional use permit, an approved variance, or citations to specific municipal ordinances that permit the intended use.

a _____ If the intended use is permitted by right under Town ordinances, the land use application must include citations to the specific ordinance(s) that the applicant believes authorizes the intended use.

b_____ If the intended use requires a conditional use permit or is otherwise conditioned on Town approval, the land use application must include an approved, Town-issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.

c_____ If the intended use is prohibited under Town ordinances and requires a variance or rezone, the land use application must include an approved, Town-issued variance or rezone authorizing the intended use. Should an applicant seek a variance concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance or rezone is issued.

2_____ **A plat**, drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's Office. The plat must include:

a_____ The proposed name and general location of the subdivision, in bold letters at the top of the plat. The proposed subdivision name must be distinct from any subdivision name on a plat recorded in the County Recorder's office.

b_____ The boundaries, course, numbering, and dimensions of all proposed parcels. All lots should be consecutively numbered.

c_____ The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.

d_____ The names and addresses of all adjoining property owners of record, or the names of adjoining developments and the names of adjoining streets.

e_____ The address and phone number of the land surveyor and/or engineer who prepared the plat.

f_____ Sufficient data acceptable to the Town Engineer (including any engineer contracted by the Town) to readily determine the location, bearing and length of all lines on the plat, and to reproduce such lines upon the ground, and the location of all proposed monuments, including contours at intervals of two feet, five feet, or ten feet.

g_____ Whether any parcel is intended to be used as a street or for any other public use.

h_____ The names, numbers, widths, lengths, bearings, and curve data on centerlines for all proposed streets, alleys, and easements (if applicable). All proposed streets shall be numbered and named in accordance with the Town's adopted addressing system.

i_____ The location and width of existing and proposed streets, curbs, gutters, sidewalks, easements, alleys, other public ways and easements and proposed street rights-of-way and building setback lines.

j_____ Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.

k_____ Any known and unrecorded water conveyance facility located, entirely or partially, within the plat.

l_____ Location and size of all proposed water, secondary water, sanitary sewer, storm sewer, irrigation or drainage ditch piping or other subsurface improvements, including detailed provisions for collecting and discharging surface water drainage.

m_____ Whether any parcel is reserved or proposed for dedication for a public purpose.

n_____ The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.

o _____ If any portion of the proposed subdivision is within 300 feet of an Agriculture Protection Area, the notice language found in Utah Code §17-41-403(4).

p _____ If any portion of the proposed subdivision is within 1,000 feet of an Industrial Protection Area, the notice language found in Utah Code §17-41-403(4).

q _____ If any portion of the proposed subdivision is within 1,000 feet of a Critical Infrastructure Materials Protection Area, the notice language found in Utah Code §17-41-403(4).

r _____ If any portion of the proposed subdivision is within 1,000 feet of a Mining Protection Area, the notice language found in Utah Code §17-41-403(4).

s _____ If any portion of the proposed subdivision is within 1,000 feet of a Vested Critical Infrastructure Materials Operation (extracting, excavating, processing, or reprocessing sand, gravel, or rock aggregate where that use is not permitted by City ordinances), the notice language found in Utah Code §10-9a-904.

t _____ If the subdivision includes a condominium, the requirements found in Utah Code §57-8-13, as amended.

3 _____ **Reports and studies, including:**

a _____ A traffic study, if one is required by an applicable UDOT Access Management Plan or requested by the Land Use Authority (for any subdivision creating a road connecting to Highway 155); and

b _____ Any other study or report reasonably necessary to ensure compliance with Town design standards and improvement requirements.

4 _____ **An improvement plan**, created in accordance with applicable portions of Town code sections 2-10 and 2-11, for all public improvements proposed by the applicant or required by Town ordinances.

a _____ In addition to the requirements in sections 2-10 and 2-11, the improvement plan must contain an estimate of the cost of completing the required improvements as outlined in subsection 2-11.22.

5 _____ **Certifications,** including:

a _____ An affidavit from the applicant, certifying that the submitted information is true and accurate and that the applicant understands that the Town is not responsible to guarantee or pay for the construction of any improvements.

b _____ The signature of each owner of record of land described on the plat, signifying their dedication and approval of the plat.

c _____ Certification that the surveyor who prepared the plat:

i _____ Holds a license in accordance with Utah Code §58-22; and

ii _____ Either

(1) _____ Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or

(2) _____ Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

(3) _____ Has placed monuments as represented on the plat.

d _____ Proof of approval by the culinary water authority, the sanitary sewer authority, Southeast Utah Health Department, Castle Valley Special Service District, the local fire department, and the local public safety answering point.

6 _____ **Binding dedication documents**, including:

a _____ As applicable, formal, irrevocable offers for dedication to the public of streets, Town uses, utilities, parks, easements, or other spaces.

b _____ If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas Utah State Code §57-8a-102.

7 _____ **Copies**, including:

a _____ A PDF document of the complete application (including the plat and all other plans and supporting documents required by this Subsection); and

b _____ Three 8.5" x 11" printed copies of the complete application, delivered to the Town office, for review.

8 _____ **Payment** of any application-processing fees required by the Town (e.g., on the Town's Fee Schedule), plus the cost of any engineering, legal, or consulting review reasonably required by the application.

---------- **EXAMPLE CERTIFICATIONS** ----------

[See following pages.]

APPLICANT'S AFFIDAVIT – SUBDIVISION APPLICATION

Name of Proposed Subdivision: _____

County Tax Parcel Number of Property to Be Subdivided: _____

I, _____ (applicant/agent name), certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Cleveland Town may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Cleveland Town Subdivision Ordinance and that items and checklists contained in this application are basic and to the minimum requirements only and that other requirements may be imposed to ensure compliance with municipal ordinances and approved standards and specifications. Additionally, I agree to pay all fees associated with this application, as set by the currently adopted Cleveland Town Consolidated Fee Schedule. I further acknowledge that the Town is not responsible to pay for the guarantee or completion of any improvements proposed by my application or required by Town ordinances or the Land Use Authority.

Signed:

_____ _____

Applicant/Agent Date

Subscribed and sworn to before me:

_____ _____

Notary Public Date

Notary Seal:

PROPERTY OWNER'S CONSENT & DEDICATION – SUBDIVISION APPLICATION

Name of Proposed Subdivision: _____

County Tax Parcel Number of Property to Be Subdivided: _____

We certify under penalty of perjury that we are the sole owners of the property proposed to be subdivided and that we have thoroughly reviewed the final subdivision application. We hereby consent to this final subdivision application and, contingent on Town approval of the final application, we irrevocably dedicate all portions of the property to the public that are so indicated in this application (including streets, Town uses, utilities, parks, easements, or other spaces). We further consent to agents of the Town entering onto the subject property for the purpose of making any inspections required by this application or related improvements.

Signed:

_____ _____
Property Owner #1 Date

_____ _____
Property Owner #2 (if applicable) Date

_____ _____
Property Owner #3 (if applicable) Date

Subscribed and sworn to before me:

_____ _____
Notary Public Date

Notary Seal: