# NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a meeting on Thursday, **Feb 21, 2019** in the Millville City Office, at 510 East 300 South, Millville, Utah, which meeting shall begin promptly at **8:00 p.m**.

1. Roll call
2. Opening remarks/Pledge of Allegiance.
3. Review and approval of agenda
4. Review and approval of minutes from Feb 7, 2019.
5. Swearing in Rachel Thompson.
6. Agenda Items:
   A. Zoning Clearance – Orchid Homes, residence located at 617 E Center St, Canyon Ridge Lot 13, Millville.
   B. Zoning Clearance - Gene Eggleston, Shop to be located at 189 N 100 W, Millville.
   C. Recommendation to the C.C. regarding resolution for setting fees for subdivisions.
   D. Set a Public Hearing for changes to Ord 16.16 and Ord 16.20
   E. Review development request for parcel 02-126-0004
   F. Other
7. Agenda items for next meeting.
8. Calendaring of future Planning Commission Meeting.
9. Adjournment.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Adria Davis at (435) 213-0787 at least three working days prior to the meeting.

Notice was posted on Feb 18, 2019 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notice Website (http://www.utah.gov/pmn/index.html) on Feb 18, 2019.

Adria Davis

Millville City Planning Commission

# *MILLVILLE PLANNING COMMISSION MEETING*

**City Hall - 510 East 300 South - Millville, Utah**
**Feb 7, 2019**

**1. Roll Call:**
Chairman Garrett Greenhalgh, Commissioners Lynette Dickey, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.).

**Others Present:**
Development Coordinator Harry Meadows, Mayor David Hair, Treasurer Tara Hobbs, Chad Kendrick, Cordell Monson, Ezra Eames, and Dan Hunsaker. Secretary Adria Davis recorded the minutes.

**2. Opening Remarks/Pledge of Allegiance**
Chairman Greenhalgh opened the meeting at 8:02 p.m.
Adria Davis offered a prayer.
Then Chairman Greenhalgh led all present in the Pledge of Allegiance.

**3. Review and Approval of agenda**
The agenda for the Planning Commission meeting of Feb 7, 2019 was reviewed. It was clarified that the Logan address given for the sign permit was for a Millville business in the Zollinger complex that uses the Logan grid for their address.
A motion was made by Commissioner Dickey to approve the agenda as presented. Commissioner Anderson (Alt.) seconded. Commissioners Greenhalgh, Dickey, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Thompson and Lewis excused and Commissioner Farmer absent.

**4. Review and Approval of the Minutes from Jan 17, 2019**
The Planning Commission meeting minutes were reviewed. A motion was made by Commissioner Ripplinger (Alt.) to approve the minutes as outlined. Commissioner Anderson (Alt.) seconded. Commissioners Greenhalgh, Dickey, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Thompson and Lewis excused and Commissioner Farmer absent.

**5.A. Sign Permit – Sign Pro, sign located at 725 W 1940 S Logan**
Commissioner Lewis made a motion to approve the sign permit. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Thompson and Lewis excused and Commissioner Farmer absent.

**5.B. Public Hearing for Cripple Creek Estates Preliminary Plat.**
Chairman Greenhalgh made a motion to open the public hearing at 8:05 pm. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Thompson and Lewis excused and Commissioner Farmer absent.
All those listed above were present at the public hearing.

Cordell Monson – owns land west of this area. Wanted to know if the road (200 East) was going to go straight through.
It was explained that the road was planned to extend through this subdivision and currently ends at the creek.

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**Commissioner Bonnie Farmer arrived at the meeting at this time.**

Chairman Greenhalgh moved to close the public hearing. Commissioner Ripplinger (Alt.) seconded. Commissioners Greenhalgh, Dickey, Farmer, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioners Thompson and Lewis excused.

Discussion of subdivision:
Harry has started putting together a grid layout for the future streets in the south fields based off the master plan. There are some difficulties arising from the existing houses in the county at Millville's 400 South location. Their private drive access lane, although opposed by Millville, was still allowed by the county, which prevents the city from putting in a regular road at 400 South.
Since 400 South is unbuildable to the west of Hunsaker's subdivision, Harry has proposed that we connect 400 South into 200 East within this subdivision and create a left turn going east for access to future development.

Other concerns were discussed including the wetlands zone around the canal (no build area), and the prior agreement with Mr. Hunsaker that allows him to subdivide this parcel into 4 half acre lots.

The consensus of the Commission was that including this 400 south road didn't seem logical. It would take away from the lots that were already agreed upon with Mr. Hunsaker. They felt that 400 South should just be excluded entirely and the next arterial road should be 500 South which could connect to the south park.

Mayor Hair discussed Curbing vs. Grassy Swales, stating that many cities are going away from the curbing as it gets very costly to maintain. He suggested that the commissioners drive around and look at all the different options used around the valley to determine what works best for different areas.

After much deliberation it was decided that this subdivision should continue the same look as the neighboring subdivision on the north and install curb and gutter up to the canal, which is a good transition point changing into grassy swales for the 2 acre lots in the south fields.
The road will include a temporary hammerhead on the far south border which will be removed at some future point to connect the road when development occurs to the south.
Beginning on the North end of Hunsaker's property the road width will be 50 feet of blacktop (matching the existing road width at 400 south) and it will gradually narrow to a width of 35 feet of blacktop on the South end of Hunsaker's property (where the hammerhead is located).
The city right of way will remain at 80 feet for the entire length of his property.
A 4 foot sidewalk is required to be installed on both sides of the street paralleling the asphalt (narrowing along with the street).

The commissioners wanted to make sure that enough money was set aside by the developer to complete the bridge over the culvert as well as finish the curb, gutter and sidewalk when the hammerhead is removed.

**5.C. Knowles Minor Subdivision Conceptual.**
This parcel is on the corner of 200 South and 100 East. It's being divided into 3 lots. The larger lot is being considered by the developer for a future possible assisted living center.
This subdivision is no longer on a collector road so no road improvements (or widening) will be required at this time.

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It will have grassy swales for the retention of water, and 5 foot sidewalks along the whole length of all parcels fronting a road.

**5.D. Other**
Development Coordinator Meadows presented some changes to Subdivision fees, Ordinance 16.20 Final Plats, and Ordinance 16.16 Preliminary Plats.
The changes were reviewed and discussed by the commissioners and the final draft will be presented at the next meeting to set a public hearing on.

**6. City Council Report – Jan 24, 2019**
Commissioner Ripplinger (Alt.) brought up the concern from the city council meeting about the crossing guard having to work multiple streets. She is very frustrated about the situation and the dangers to the children as well as the guards themselves. She was wanting crossing lines painted on the roads that had been promised to the schools but no follow up had occurred.
A very lengthy discussion followed about the legalities of what the city could do and the hazardous situations that were occurring daily in every aspect of people arriving to and leaving from the school. Commissioner Ripplinger was going to check with the school district on their laws and Harry will check with UDOT.

**7. Agenda Items for Next Meeting**
Set a Public Hearing for Ordinance Changes

**8. Calendaring of future Planning Commission Meeting**
The next regularly scheduled meeting will be held Thursday, Feb 21, 2019.

**9. Adjournment**
Chairman Greenhalgh moved to adjourn the meeting at 10:21 p.m.

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00835

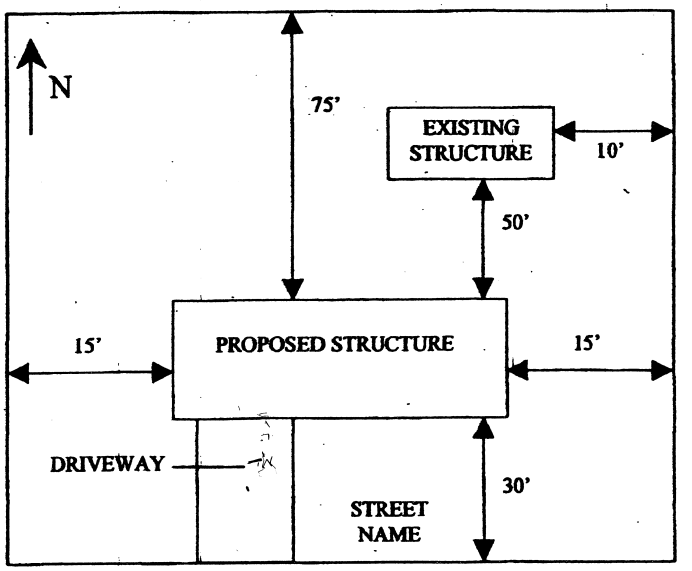
# MILLVILLE CITY
## ZONING CLEARANCE FOR BUILDING PERMIT

**THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL**

## APPLICATION INFORMATION

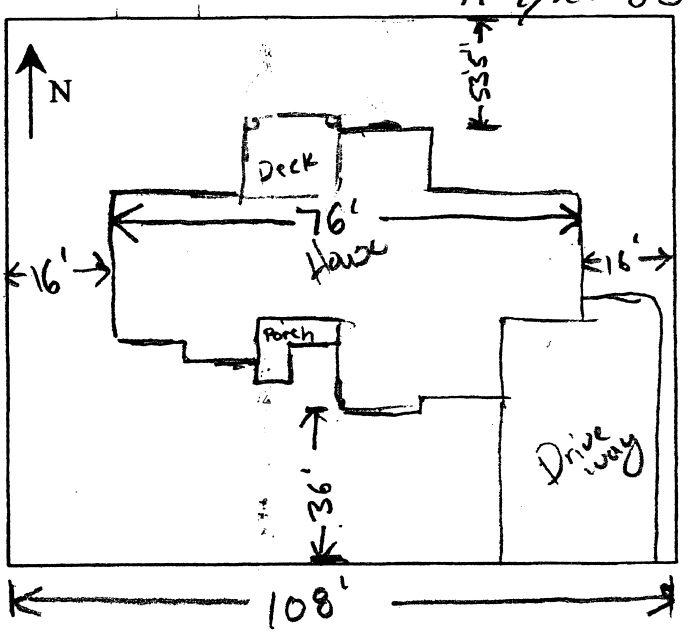
1. Orchid Homes — APPLICANT'S NAME
2. 255 west 2600 south — MAILING ADDRESS
   Nibley — CITY; Utah — STATE; 84321 — ZIP CODE
3. _____ — HOME TELEPHONE
4. 435-770-0809 — BUSINESS TELEPHONE
5. Jordan & Brittani Kohler — OWNER'S NAME (if different from applicant)
6. Home - Single Family — TYPE OF STRUCTURE
7. 2,392 main 2,276 Basement — SQUARE FOOTAGE
8. R1 — ZONE
9. Millville Canyon Ridge #13 — SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 199 - 0013 — TAX IDENTIFICATION NUMBER
11. 617 East Center — ADDRESS OF CONSTRUCTION
12. 17,380 — LOT SIZE
13. 4,700 — LOT ELEVATION
14. SEWER ☐ (choose one) SEPTIC TANK ☒ N/A ☐
15. CITY WATER ☒ (choose one) PRIVATE WELL ☐ N/A ☐
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐ (specify in remarks)
17. _____ — REMARKS

## SAMPLE PLOT PLAN
(numbers do not represent required setbacks)




## PLOT PLAN

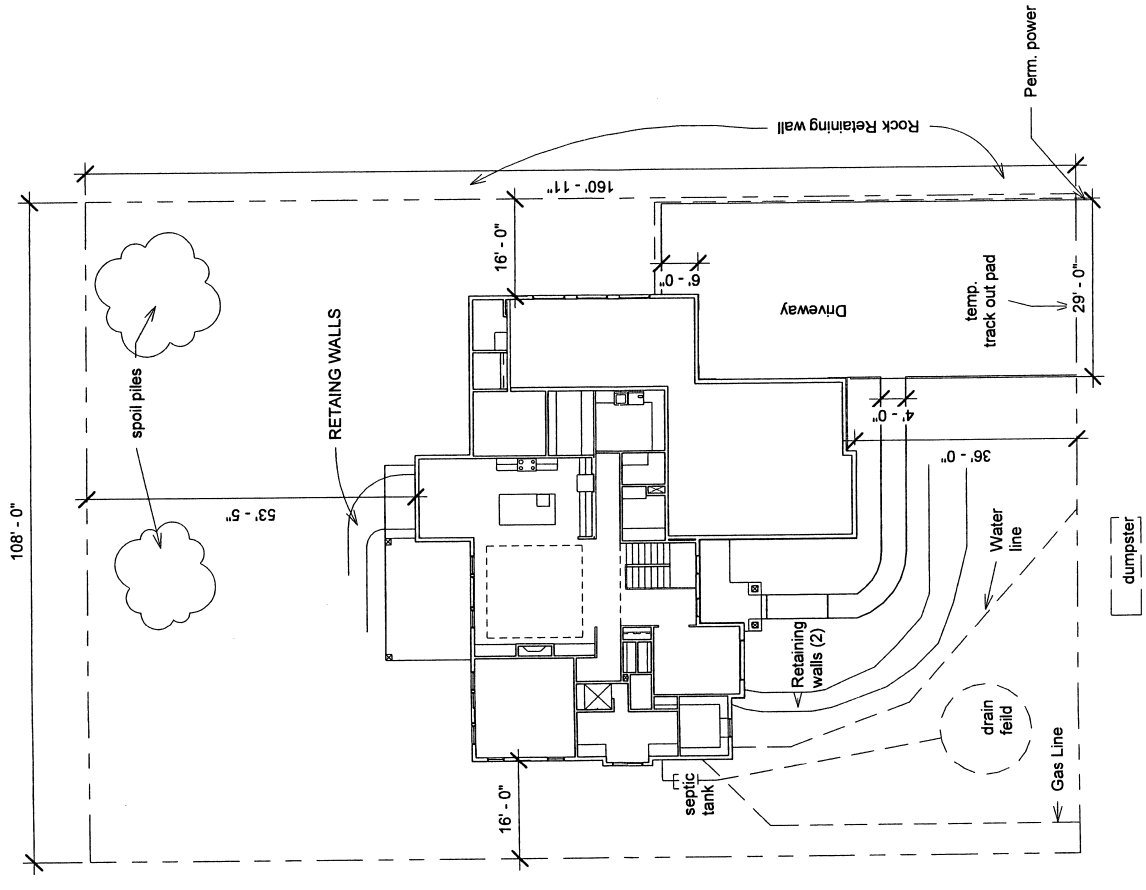
Height 23' 10"




APPROVED – PLANNING AND ZONING _____ DATE _____

FEES PAID – TREASURER _____ DATE _____

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes.
Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)




1 Site Plan Copy 1
1" = 20'-0"

Jordan & Brittani Kohler
Orchid Homes

617 East Center
Millville, UT

| No. | Description | Date |
|---|---|---|
| 1 | Revision 1 | Date 1 |

11x17 Site Plan

| | |
|---|---|
| Date | 01/02/2019 |
| Drawn by | |
| Checked by | Scale 1" = 20'-0" |

00836

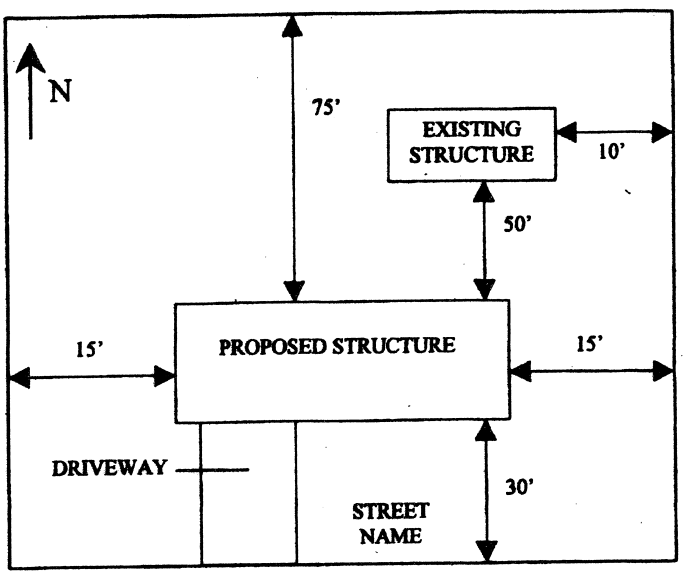
# MILLVILLE CITY
## ZONING CLEARANCE FOR BUILDING PERMIT

**THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL**

### APPLICATION INFORMATION

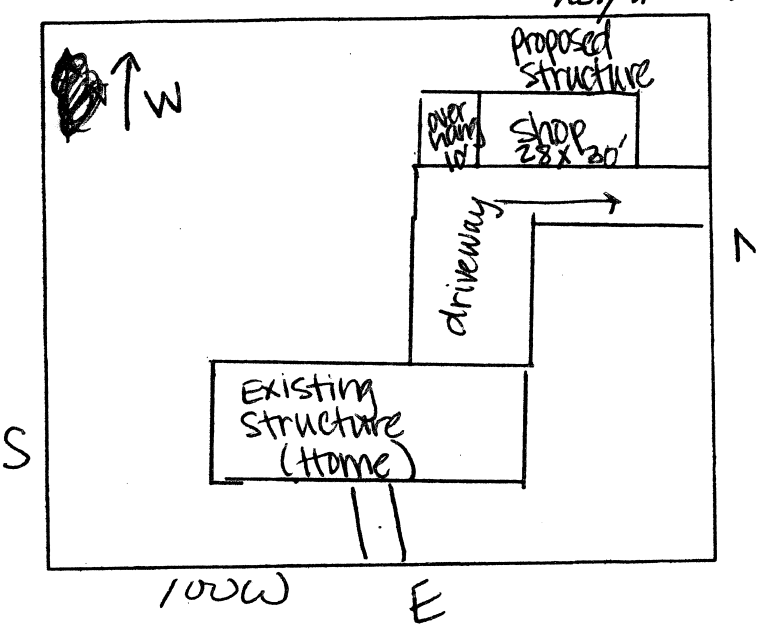
1. Gene & Stephanie Eggleston — APPLICANT'S NAME
2. P.O. Box 92 — MAILING ADDRESS
   Millville, — CITY; Ut — STATE; 84326 — ZIP CODE
3. 435-770-6091 — HOME TELEPHONE
4. 435-770-5886 — BUSINESS TELEPHONE
5. same — OWNER'S NAME (if different from applicant)
6. shop — TYPE OF STRUCTURE
7. 840 — SQUARE FOOTAGE
8. single family residential — ZONE
9. — SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. — — — TAX IDENTIFICATION NUMBER
11. 189 No. 100 West — ADDRESS OF CONSTRUCTION
12. — LOT SIZE
13. — LOT ELEVATION
14. SEWER ☐ (choose one) SEPTIC TANK ☐ N/A ☒
15. CITY WATER ☐ (choose one) PRIVATE WELL ☐ N/A ☒
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐ (specify in remarks)
17. REMARKS: This will be an insulated shop with electricity and gas.

### SAMPLE PLOT PLAN
(numbers do not represent required setbacks)




### PLOT PLAN

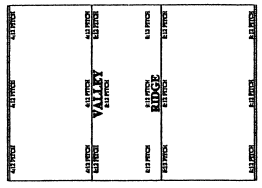
Height 24'




APPROVED – PLANNING AND ZONING — DATE

FEES PAID – TREASURER — DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes.
Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)




**BIRD'S EYE VIEW**

PRESCRIPTIVE METHOD ON INSULATION
R-11 BATT GARAGE WALLS
R-20 GARAGE CEILING
R-40 BETWEEN GARAGE & FLOOR ABOVE
R-23 NBT & BLOWN INSULATION IN WALLS
R-49 INSULATION IN CEILING
U-35 WINDOWS

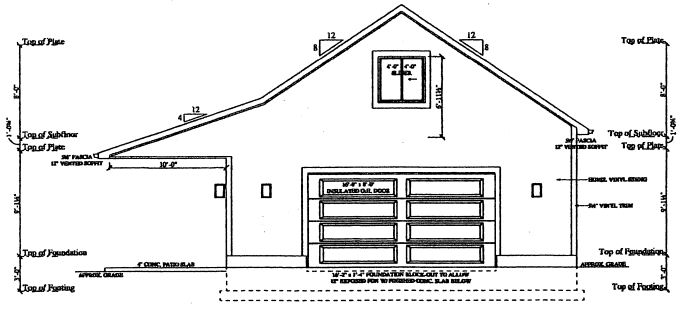
***Building Area***

| | |
|---|---|
| *Shop:* | *840 SF* |
| *Bonus:* | *280 SF* |
| *Patio:* | *446 SF* |

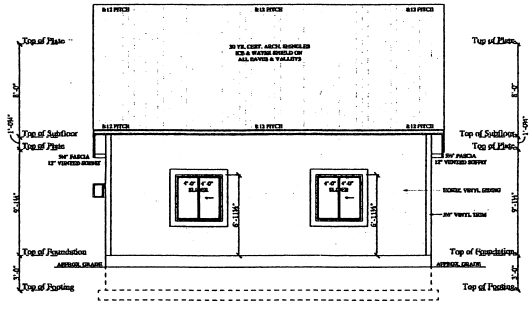
*"Footages are Approximate"*

# JOHNSON RESIDENCE

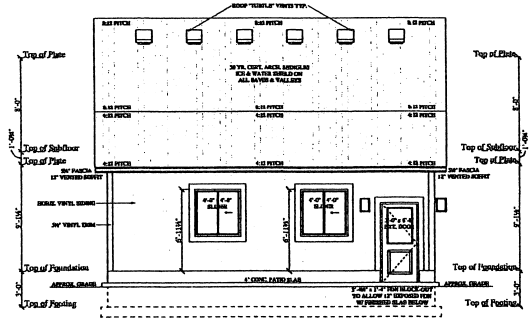
Providence Hollow Subdivision Phase #2, Lot #1
Parcel #02-295-0001, 0.47 Acres
477 North Sarah ST
Providence, UT 84339



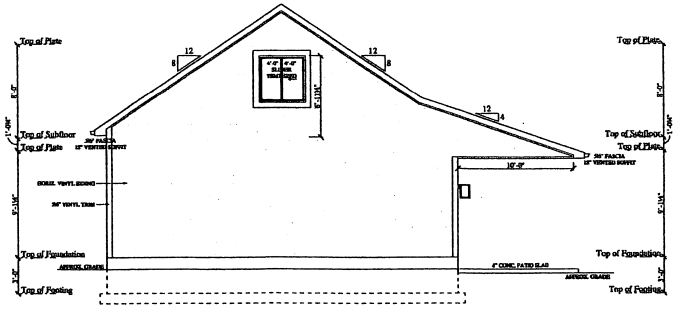

**FRONT ELEVATION**




**RIGHT ELEVATION**




**LEFT ELEVATION**




**REAR ELEVATION**

PLANS PRINTED ON
8 x 11 PAPER ARE
1/2 THE SCALE NOTED.

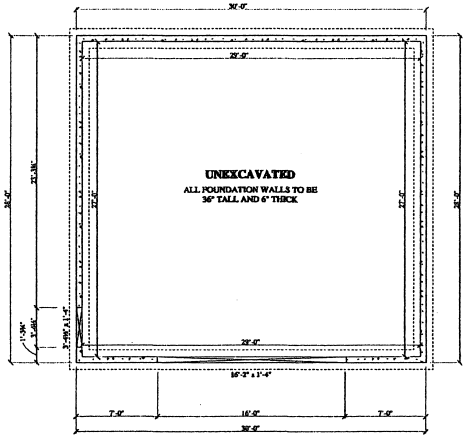
RESIDE DESIGNS
website: www.ResideDesigns.com
drawn by: Curtis Cooper
email: Curtis@ResideDesigns.com
phone: (435) 881-5172

Custom Reside Design for
Vendon Eggleston

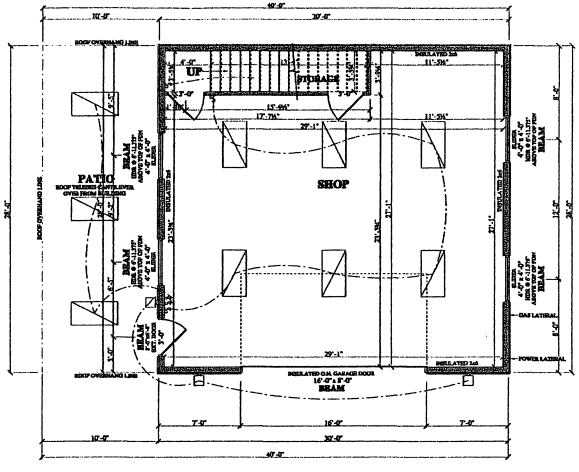
"EGGLESTON SHOP"
EXTERIOR ELEVATIONS,
BIRD'S EYE VIEW
SCALE: 1/4" = 1'-0"
© COPYRIGHT RESIDE DESIGNS 2019
Wednesday, January 30, 2019

RESERVED FOR
MUNICIPALITY STAMP

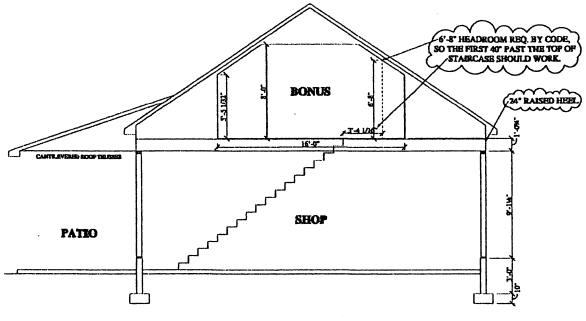
SHEET
1



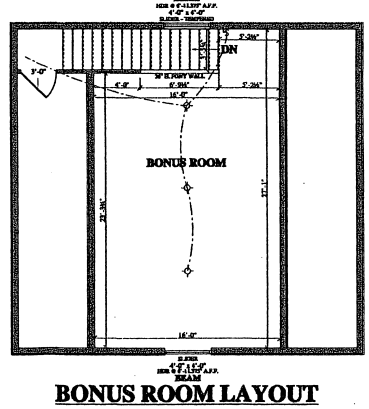

## FOUNDATION LAYOUT




## MAIN LEVEL LAYOUT




## CROSS SECTION




## BONUS ROOM LAYOUT

PLANS PRINTED ON 8 x 11 PAPER ARE 1/2 THE SCALE NOTED.

RESIDE DESIGNS

website: www.ResideDesigns.com
drawn by: Curtis Cooper
email: Curtis@ResideDesigns.com
phone: (435) 881-5172

Custom Reside Design for Vendon Eggleston

# "EGGLESTON SHOP"

FOUNDATION, FLOOR PLANS, BUILDING CROSS SECTION

SCALE: 1/4" = 1'-0"

© COPYRIGHT RESIDE DESIGNS 2019

Wednesday, January 30, 2019

RESERVED FOR MUNICIPALITY STAMP

SHEET 2

18'-0"
22'-5"
10' overhang
30x28 shop
14'-1"
49'-4"
4700-0107
N 100 W

# MILLVILLE CITY
# RESOLUTION 2019-2

## FEES PERTAINING TO MILLVILLE CITY SUBDIVISIONS

WHEREAS, Millville City Ordinance, Chapter 16.12.010 states "All fees required by the subdivision ordinance of the city shall be set by resolution of the city council"; and

WHEREAS, the Millville City Council has reviewed the cost to administer and secure approval for development within the City; and

WHEREAS, Millville City Code has defined a major subdivision as having four (4) or more lots and a minor or small subdivision as having less than four (4) lots;

NOW THEREFORE, be it resolved by the Millville City Council that the following fees be charged:

- Pre Application Conceptual Review, Chapter 16.16.010
    - Minor Subdivision
        - Review Fee $100.00
        - Engineering and/or Legal Review Fee Charged
    - Major Subdivision
        - Review Fee $200.00
        - Engineering and/or Legal Review Fee Charged
- Preliminary Plat, Chapter 16.16.020
    - Major Subdivision or Minor Subdivision that does not meet requirements of 16.20.040 A&B
        - Review Fee $200.00
        - Engineering and/or Legal Review Fee Charged
- Final Plat, Chapter 16.20.010

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- All Subdivisions
  - Review Fee $200.00
  - Recording $50.00
  - Engineering and/or Legal Review Fee Charged

The above fees will cover two reviews at each stage. If additional reviews are required, new fees for each stage will be required. If developer changes to the plat are deemed significant by the City Council, it will be treated as a new submittal; and the process will go back to the conceptual plan and the beginning fees will apply.

THEREFORE, be it resolved that this resolution and the rates set forth in the fee schedule supersede all prior resolutions and fee schedules. All other fees remain as previously stated as of the date of adoption of this resolution.

THEREFORE, be it resolved by the Millville City Council that this resolution shall become effective immediately upon passage.

Passed and approved by the Millville City Council this ___ day of _____ 2019.

SIGNED:

_____
David Hair, Mayor

ATTEST:

_____
Corey Twedt, City Recorder

| COUNCILMEMBER | YES | NO | ABSENT | ABSTAIN |
|---|---|---|---|---|
| Michael Callahan | | | | |
| Cindy Cummings | | | | |
| Mark Williams | | | | |
| Clay G. Wiilker | | | | |
| Daniel Grange | | | | |

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# MILLVILLE CITY CODE
# TITLE 16 - SUBDIVISIONS
# CHAPTER 16.16 - PRELIMINARY PLATS

16.16.010: PREAPPLICATION (CONCEPTUAL)

16.16.020: PRELIMINARY PLAT

## 16.16.010: PREAPPLICATION (CONCEPTUAL)

A. This section shall apply to subdivisions, both large and small.

B. The purpose of this preapplication procedure is to determine any problems with the proposed development before expenses are incurred in the preparation of a preliminary plat. No official action is required of the city planner, planning and zoning commission, or other agencies other than to offer appropriate comments on the proposal and indicate suitability for proceeding through the platting process.

C. Prior to the submission of a preliminary plat, the subdivider shall present a conceptual plan of the proposed subdivision to the commission as required by these regulations (see subsection E of this section). The subdivider shall contact the city planner~~, city engineer,~~ and any other administrative personnel or private agencies to determine:

1. Procedures and requirement for filing the preliminary and final plats;

2. Availability of public water, sewer and other requirements when public systems are not readily available pursuant to subsection 16.04.070M of this title;

3. Zoning requirements on the property;

4. Requirements of the duly adopted roadway corridor study, land uses, schools, parks and other public open space;

5. The location and extent of any floodplains as shown by FEMA maps in the office of the city engineer;

6. Soil types and problems on the property as shown on available soil survey maps prepared by the soil conservation service;

7. The location of well protection and drinking water source protection zones;

8. The location of all property in the development that may fall under the hillside development overlay;

9. Proximity to any established agriculture protection area;

10. Stormwater runoff requirements;

11. Improvement requirements.

D. As a part of this contact, the subdivider may discuss with the city planner or any other appropriate agency its tentative proposals for the development of the property. All fees must be paid prior to consideration.

E. The subdivider shall present at least twelve (12) copies of a conceptual plan, or sketch plan, to the commission for an informal review and discussion of the site plan and the general scope and conditions of the proposed subdivision. The plan shall include the following:

1. The property boundaries of the proposed subdivision as shown with a date certified plat from the county office within the last thirty (30) days;

2. Names of adjacent property owners;

3. Approximate number of lots proposed and the street layout numbering of lots on the plat is adequate;

4. Approximate total acreage of the development as well as lot size range;

5. Description of the type of water (culinary or irrigation) system proposed along with the water rights pursuant to subsection 16.04.070M of this title;

6. Description of the type of sewer or sanitary waste system proposed;

7. Present zoning;

8. Written description of the stormwater drainage system proposed;

9. A written statement describing the intent of the development;

10. Lots within the hillside development overlay zone.

F. In the review and discussion of the proposal, the commission shall consider its concept and compare it with the comprehensive master plan, zoning ordinance, subdivision ordinance and other regulations in the local jurisdiction to determine compliance. A record of the discussion, including the decisions agreed upon, shall be kept in the minutes of the meeting and shall constitute the official record of the meeting. A copy of the minutes shall be furnished to the subdivider within fourteen (14) days of the minutes being approved. The subdivider may then proceed with the preparation of the preliminary plat. In the event the preliminary plat has not been submitted to the commission for approval within six (6) months from the date of the meeting, a new conceptual plan shall be presented for consideration by the commission before a preliminary plat can be submitted.

G. The commission at their sole discretion may seek input from the city engineer if more information is required to determine the requirements for the subdivision. The subdivider may seek input from the city engineer if desired. The subdivider will be responsible for all engineering fees whether requested by the commission or the subdivider.

H. The commission may, at its option, hold a public hearing as part of the review process of the conceptual plan. (Ord. 2019-5, 2019: Ord. 2008-4, 2008: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 §§ 2, 3: Ord. 94-3 § 1)

## 16.16.020: PRELIMINARY PLAT

A. This section shall apply to all subdivisions except those exempted as described in section 16.20.040 of this title.

B. The preliminary plat drawing shall be prepared on twenty four inch by thirty six inch (24" x 36") paper at a scale of one inch equals one hundred feet (1" = 100') or larger for subdivisions where the majority of lots are less than five (5) acres in size. The scale may be reduced to one inch equals two hundred feet (1" = 200') for subdivisions in which the minimum lot size is five (5) acres or more. The design shall conform to the design criteria stipulated in chapter 16.28 of this title. The preliminary plat is to be formatted and scaled in a manner similar to the final plat submittal. See subsection 16.20.010D of this title.

The face of the drawing shall contain the following information:

1. The name of the subdivision. The name shall not duplicate or too closely resemble the name of any subdivision previously filed in the county;

2. Date of preparation, scale and north arrow. The top of each sheet shall represent north wherever possible;

3. A vicinity map drawn at a scale of one inch equals one thousand feet (1" = 1,000') or one inch equals two thousand feet (1" = 2,000'), showing the location of the proposed subdivision in the city and its relationship to surrounding development;

4. A legal description of the subdivision boundary;

5. The boundary lines of the subdivision shown in a heavy, solid line and referenced to section or quarter section lines;

6. All property under the control of the subdivider, even though only a portion is being subdivided, diagramming the prospective street, sanitary and storm sewer, and culinary water systems of the unplatted parts;

7. A symbolic description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey;

8. Existing contours at a maximum interval of two feet (2') for slopes greater than two percent (2%). For slopes of two percent (2%) or less, contour intervals shall be one foot (1'), unless waived by the city engineer;

9. General location and extent of any significant natural features such as slopes, streams or drainageways;

10. Number of lots within the following slope classes labeled on the plat for hillside development overlay zone:

    a. Lot Area: Minimum fourteen thousand (14,000) square feet for slope class 1 lots (see definitions in this title), pending septic tank approval.

       Minimum twenty thousand (20,000) square feet for slope class 2 lots, pending septic tank approval.

Minimum twenty six thousand (26,000) square feet for slope class 3 lots, pending septic tank approval.

Minimum thirty two thousand (32,000) square feet for slope class 4 lots, pending septic tank approval.

b. Variations: Variations from the development standards within the hillside overlay zone will be considered only when a geotechnical (soils) report is prepared and stamp certified by a state of Utah registered professional engineer. The engineer will verify in detail how the proposed building could be safely located on the sloped lot. If retaining systems such as reinforced concrete walls or proprietary retaining wall products such as "reinforced earth" were used as part of the building, they would have to be prepared by a state of Utah registered professional engineer and reviewed by the city engineer. The cost of preparing the soils report and retaining plans would be the responsibility of the developer. A review fee of five hundred dollars ($500.00) is required in addition to the hillside development fee to cover the costs of the city having to review and verify the additional reports, plans, and specifications;

11. Floodplains as delineated on the FEMA maps. These are available in the office of the city engineer;

12. Location, dimensions, numbers (and names if applicable) of existing roads, streets, sidewalks, alleys, railroad rights of way and structures within one hundred feet (100') immediately adjacent to the proposed subdivision showing how they relate to the proposed subdivision layout;

13. Location, size, and grades of existing sanitary and storm sewers and location and size of water mains, wells (active or abandoned), reservoirs, gas lines, pipelines, or other underground utilities or installations within the proposed subdivision or within one hundred feet (100') immediately adjacent thereto;

14. Location and dimensions of all easements of record as shown on a plat signed by the county recorder's office and dated within the last thirty (30) days;

15. Location and width of proposed streets, alleys, pedestrianways and easements;

16. Location, size and capacity of proposed stormwater detention and retention ponds and settling basins;

17. Layout, numbers, frontage, and approximate dimensions of proposed lots and blocks. Do not number blocks; number lots consecutively;

18. Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use with the use noted;

19. Shall identify all lots requiring a hillside overlay permit with the letters "HO" on the plat;

20. Sidewalks will be installed ~~on both sides of the street~~ in accordance with the "Millville City Manual Of Design And Construction Standards", "Concrete Sidewalk Minimum Standards For New Subdivisions And Sidewalks In Millville City Right Of Way".

C. As part of the preliminary plat, preliminary design drawings of the infrastructure shall be prepared at the scale listed in the MDCS. Three (3) copies of the design drawings are required. Separate drawings for each item listed below are required.

1. Preliminary design drawing of the stormwater system to include:

a. Stormwater Improvements: Plan and profile of the stormwater improvements along each street;

b. Plan Of Subdivision: A plan of the subdivision showing the general location and extent of any significant features such as rivers, streams, creeks, arroyos, gullies, diversion ditches, spillways or reservoirs;

c. Floodplains: Floodplains as delineated on FEMA maps. These are available in the office of the city engineer;

2. Preliminary design drawing of water and sewer systems along with a profile showing grades and pipe sizes including:

a. The profile and tentative grade of each street;

b. Locations of pipes, valves and fire hydrants;

c. Size and type of pipe;

3. Preliminary design drawing of proposed streets:

a. The plan and profile of existing and proposed grade for each street;

b. The cross sections of each street showing the width of sidewalks, curb and gutter or grassy swells, and the location of utility mains;

c. Label the slopes of all street tangents.

D. Preliminary design drawings are to be created with the intent that they will be used for final design. Plan and profiles for streets are to be on the same sheet aligned vertically by matching station.

E. The preliminary plat shall be submitted in twelve (12) copies to the commission for review by the commission. The city planner will distribute plats to utility companies, and other affected entities.

F. All fees must be paid prior to consideration. The following information and material shall be a part of any preliminary plat submittal and shall accompany the preliminary plat drawing in a three (3) ring binder with the subdivision name on the cover and spine:

1. Names Of Developer Or Subdivider: The written names, addresses, and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the preliminary plat;

2. Name Of Agent: The developer shall designate, in writing, the name of the agent who shall be available at all times during construction and who shall not be replaced without a written notice to the city engineer. The agent will be the developer's representative at the site and shall have the authority to act on the developer's behalf;

3. Zoning And Land Use: Existing zoning and land use of proposed subdivision and immediately adjacent areas;

4. Summary Of Number Of Lots: A summary of the total number of acres, number of lots, number of lots within the hillside overlay, acreage of commercial or industrial areas, acreage of open space, amount of land in right of way and other descriptive material useful in reviewing the proposed subdivision;

5. Development And Maintenance Responsibility: Three (3) copies of a statement describing the development and maintenance responsibility for any private streets, ways or open space, and retention/detention ponds;

6. Recommendations: Three (3) copies of the recommendations of a qualified professional engineer or the affected soil conservation district regarding soil suitability, erosion control, sedimentation and flooding problems;

7. Schedule Of Phasing: Three (3) copies of a description of the phasing and scheduling of phases for the development if it is to be constructed in separate phases;

8. Petition For Annexation: One copy of a petition for annexation to the city if the land to be subdivided is contiguous to, either itself or as part of a larger tract, the boundaries of the city;

9. Request For City Zoning: One copy of a request for appropriate city zoning for the subdivided area if the area is to be annexed or if the existing zoning district does not allow the type of use proposed;

10. Owners Of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision;

11. Subdivision Application: One copy of a subdivision application on the standard forms provided;

12. Preliminary Plat Checklist: One copy of the completed preliminary plat checklist on the standard forms provided;

13. Lots Within Hillside Overlay Zone: As applicable, all lots identified as within the hillside overlay zone;

14. Erosion Plan: Erosion control plan as approved by the city engineer;

15. Dust Plan: Dust control plan as approved by the city engineer.

G. After receipt of the preliminary plat and all required supporting material from the city planner, the planning commission representative shall schedule the plat for consideration at the next regular meeting of the planning commission which occurs after thirty (30) days from the date on which the plat was submitted; and shall, within three (3) days, transmit copies to appropriate agencies and officials for their review and comment. At a minimum, copies of the plat shall be referred to:

1. The city engineer;

2. The school district;

3. Police department;

4. Any utility or special district;

5. Fire department;

6. Cache County zoning administrator and/or countywide planner;

7. U.S. army corps of engineers (if waterways or wetlands are involved);

8. Other entities as determined necessary.

H. Agencies receiving referral copies of the preliminary plat should return written comments on the plat to the commission within sixteen (16) days after receipt of the plat. Agencies may also present comments on the plat at the planning and zoning commission meeting at which the plat is considered.

I. The comments received at the close of the sixteen (16) day review period will be considered by the commission at its next regularly scheduled meeting.

J. At least seven (7) days prior to the date of the commission meeting at which the plat is to be considered, the commission shall notify the owners of subdivided lots and owners of unplatted land within six hundred feet (600') of the boundaries of the proposed subdivision of the time and date of the meeting.

K. The subdivider, or duly authorized representative, shall attend the commission meeting at which his or her proposal is scheduled for consideration or the preliminary plat will be tabled without consideration. The subdivider, or duly authorized representative, has nine (9) months to appear before the commission with his or her proposal.

L. For all subdivisions requiring the dedication of lands to the public, the commission shall hold a public hearing on the preliminary plat. At the discretion of the commission, a public hearing may be held for all other subdivisions. A notice of the time, date, place and purpose of the hearing shall be published in a local newspaper having general distribution in the city, and/or posted in at least three (3) conspicuous places within the city limits or on the municipality's official website at least ten (10) days prior to the date of the hearing. In its deliberations on the matter, the commission shall consider oral or written statements from the applicant, the public, city staff, and its own members. The commission may recommend approval, disapproval or may continue the preliminary plat to a future meeting. The preliminary plat may not be continued more than two (2) meetings in succession. The commission shall notify the city council within sixteen (16) days in writing of its recommendation. Recommended approval expires in ninety (90) days unless an extension is granted by the city council.

M. Any change to the preliminary plat that requires a review from the city engineer or other outside agencies shall be considered a revised preliminary plat with fees as applicable.

(Ord. 2008-4, 2008: Ord. 2004-9, 2004: Ord. 2003-4 § 1, 2003: Ord. 2002-7 § 1, 2002: Ord. 2002-4 §§ 1, 2, 2002: Ord. 2002-2 §§ 2, 3, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)

# MILLVILLE CITY CODE
# TITLE 16 - SUBDIVISIONS
# CHAPTER 16.20 - FINAL PLATS

16.20.010: FINAL PLAT

16.20.020: FINAL PLAT SUBMITTAL

16.20.030: RESERVED

16.20.040: EXEMPTIONS

16.20.050: CORRECTED PLAT AND RESUBDIVISIONS

## 16.20.010: FINAL PLAT

A. This section shall apply to all subdivisions except those exempted as described in section 16.20.040 of this chapter.

B. After approval of the preliminary plat, a final plat may be prepared and submitted. This includes submitting the final plat checklist. The final plat shall be prepared and certified as to its accuracy by a registered land surveyor licensed to do such work in the State of Utah. The final plat and required supporting material shall conform to the MDCS and to any conditions of approval specified by the Planning Commission and City Council. Submission of the final plat must be completed within twelve (12) months of acceptance of the preliminary plat and must conform to all current ordinances. Failure to submit the final plat within the twelve (12) month time period after approval of preliminary plat will require the landowner/developer to start the preliminary plat submission process again, along with all applicable fees, unless an extension is requested within the twelve (12) month period and granted by the City Council. Any extension will not exceed twelve (12) months. The landowner/developer must meet current ordinances at the time the extension is issued.

C. All fees must be paid prior to submission. Final platting may be accomplished in stages covering reasonable portions of the area of an approved preliminary plat. When this is done, each sheet of the final plat shall contain a vicinity map showing the location of the

portion being submitted in relationship to the area for which the preliminary plat was submitted. All final plats so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire subdivision can be developed. Each stage of the subdivision shall be as nearly self-sustaining and complete as possible and shall by itself, or in conjunction with previous stages, meet the design standards set forth in these regulations so that if development of the entire subdivision is interrupted or discontinued after one or more stages is completed, a viable development will result.

D. The final plat drawing shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger for subdivisions where the majority of lots are less than five (5) acres in size. Required affidavits, certificates and acknowledgments shall be legibly printed on the plat in opaque ink. The sheet size of all final plats shall be twenty four inches (24") high by thirty six inches (36") wide. Information on the plat shall be so positioned that a one and one-half inch ($1^1/_2$") margin is left on the left side of the sheet and a one inch (1") margin on the three (3) remaining sides. The scale may be reduced to one inch equals two hundred feet (1" = 200') for subdivisions in which the minimum lot size is five (5) acres or more. Each sheet of the final plat shall be numbered and the total number of sheets comprising the plat shall be stated on each sheet (for example: sheet 2 of 4). The relationship of one sheet to the other shall be shown by key maps and by match lines.

E. Twelve (12) copies of the final plat and four (4) copies of all required supporting material shall be submitted to the City Planner at least thirty (30) days prior to the commission meeting at which the final plat is to be considered.

F. The mortgagees, if any, shall provide the City with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.

G. All final plats shall include the following information on the face of the plat:

1. The name of the subdivision at the top center of each sheet;

2. General location of the subdivision by section, township, range, county, and state, entered under the name of the subdivision;

3. North arrow, date and scale;

4. Boundary lines of the subdivision in a heavy solid line;

5. Legal description of the subdivision boundary based on an accurate traverse, giving bearing and linear dimensions that result in a maximum allowable error of closure of one part in ten thousand (10,000);

6. The location and description of the point of beginning and its proper reference to the monumented boundary survey;

7. Location and description of all monuments;

8. Bearings, distances, and curve data of all perimeter boundary lines indicated outside of the boundary lines;

9. On curved boundaries and on all curves within the plat, sufficient data to allow the reestablishment of the curves on the ground;

10. The location and layout of lots, blocks, tracts, streets, sidewalks, alleys, easements, and other public grounds within and immediately adjoining the plat, with accurate dimensions in feet and one-hundredths (1/100) of feet, bearings, curve data, length of radii and/or arcs of all curves;

11. Drainage easements clearly labeled as such;

12. The numbers of all streets;

13. All lots logically and consecutively numbered with the numbers in the center of the lot;

14. The street address for each lot. Each street address shall be assigned by the City or its designees. The north and west sides of the streets shall be numbered odd and the south and east shall be numbered even;

15. All dimensions shown on irregularly shaped lots;

16. Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED", and the common boundary with the subdivision shown in a heavy solid line with bearings and distances;

17. A notation of the total acreage of the subdivision and the total number of lots;

18. A signed certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the plat and dedicating public ways, grounds, and easements. The certificate shall read:

*CERTIFICATE OF DEDICATION*

*Know all men by these presents that the undersigned (official name of the subdivider), being the owner, proprietor, or parties of interest in the land shown in this plat, do hereby certify:*

*That the foregoing plat designated as (name of subdivision or addition), is located in (Section, Township, Range, City, County, State), and is more particularly described as follows:*

*(Insert full legal description)*

*and contains an area of (insert acreage) acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s), and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owner(s) of the land shown and described on this plat does (do) hereby dedicate to the City of Millville and its licensees for perpetual public use all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicted and not otherwise dedicated for public use.*

*Executed this day of , A.D., 20 , by:*
*(Designation of interest: owner, mortgagee, etc.)*

19. Show water rights transferred to the City;

20. Certificate of a registered land surveyor as follows:

*I, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Utah, that this plat is a true, correct, and complete plat of (Subdivision Name) as laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Millville regulations governing the subdivision of land to an accuracy of one part in ten thousand (10,000).*

*DATE*
*(Registered Land Surveyor)*

*No.*

21. A utility approval block bearing signatures indicating approval of the plat by the local communications companies, and fuel company, or their successors;

22. An approval block for Rocky Mountain Power acceptance stating:

*1. Pursuant to Utah Code Ann. § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the right and duties described therein.*

*2. Pursuant to Utah Code Ann. § 17-27a-603 (4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:*

*(1) a recorded easement or right-of-way*

*(2) the law applicable to prescriptive rights*

*(3) Title 54, Chapter 8a, Damage to Underground Utility Facilities or*

*(4) any other provision of law.*

*Representative*

*Title:*

*Date:*

23. An approval block for Dominion Energy stating:

Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set in the owner's dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information, please contact Dominion Right-Of-Way Department at 1-800-366-8532.

24. An approval block for Bear River Health Department stating:

*This subdivision has been reviewed for septic tank suitability by the Bear River Health Department.*

*Representative:*

*Title:*

*Date:*

25. Certificate of review of the City Engineer as follows:

*Data on this plat reviewed this day of , A.D., 20 , by the City Engineer of Millville, Utah.*

*City Engineer*

26. Certificate of approval by the City of Millville Planning and Zoning Commission as follows:

*This plat approved by the City of Millville Planning and Zoning commission this day of A.D., 20 .*

*Chairman*

*Attest:*

*Secretary*

27. Certificate of acceptance and approval by the City Council of the City of Millville as follows:

*Approved by the City Council of the City of Millville, Utah, this day of A.D., 20_.*

*Mayor*

*Attest:*

*City Recorder*

28. Certificate for recording by the County Recorder as follows:

*This plat was filed for record in the Office of the County Recorder at o'clock .m., , 20_, and is duly recorded in Book , Page No. .*

*County Recorder*

29. If the subdivision is located in whole or in part within three hundred feet (300') of the boundary of an agriculture protection area, the face of the final plat shall contain the following notice:

    *Agriculture Protection Area*

    *This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.*

30. If the subdivision is located within one hundred feet (100') of the centerline of an irrigation canal, the following acceptance block should be completed by the irrigation company:

    *The (Name of Company) has reviewed this plat and approves the information shown hereon including easements and irrigation infrastructure.*

    *Representative:*

    *Title:*

    *Date:*

H. The final plat shall be accompanied by the items listed in subsection 16.20.020B, "Final Plat Requirements", of this chapter.

I. The final plat shall be accompanied by the total amount of the final plat fee.

J. After receipt of the final plat, the City Planner shall review the submittal for completeness and for conformance with the approved preliminary plat. The City Planner may refer copies of the final plat to and seek comment from the City Attorney and other officials and agencies. Any such comments should be made known to the Planning Commission within sixteen (16) days after the date of submittal of the final plat.

K. The final plat shall be scheduled for the consideration of the Planning and Zoning Commission at its next regular meeting after the thirty (30) day review period. After due deliberation, the Planning Commission shall recommend approval, conditional approval, or disapproval of the final plat. Recommended approval of a final plat by the Planning Commission shall remain effective for eighteen (18) calendar months.

L. Within sixteen (16) days after the date of the meeting at which final action was taken, the commission shall notify the subdivider and City Council of its action. If the final plat is approved, the subdivider may proceed with section 16.20.020 of this chapter. If the final plat is disapproved by the commission or conditionally approved, and the subdivider wishes to appeal the conditions, the subdivider may request a hearing before the City Council appealing the action of the commission. The request shall be in writing, shall be submitted within thirty (30) days of the action or decision appealed from, and shall state the specific relief which the subdivider or landowner seeks. Within thirty (30) days of the receipt of such a request, the City Council shall hold a hearing to determine the proper disposition of the matter. At the hearing, the Council shall consider not only the subdivider's appeal but also the written or verbal comments of the commission. The Council shall either reaffirm or modify the decision of the commission and note the decision in the record of its hearing. The subdivider or landowner may then proceed with the subdivision of his or her land based upon this decision of the Council. This decision shall be binding upon all agencies and administrative personnel of the City. (Ord. 2019-5, 2019: Ord. 2017-5, 2017: Ord. 2008-4, 2008: Ord. 2004-9, 2004: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-4 § 1, 2002: Ord. 2002-2 § 2, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)

## 16.20.020: FINAL PLAT SUBMITTAL

A. Application Of Section: This section shall apply to all subdivisions except those exempted as described in section 16.20.040 of this chapter.

B. Final Plat Requirements: A completed final plat shall be clearly and legibly drawn in black, waterproof India ink upon tracing linen, Mylar of 0.004 inch in thickness (minimum), or some similar stable base material. The complete final plat submittal shall consist of the final plat and all required supporting materials. Following approval of the final plat by the Planning Commission, the subdivider shall submit the following supporting material relating to the final plat to the City Planner:

1. Checklist: A final plat checklist on standard forms provided.

2. Construction Drawings: Construction drawings prepared in accordance with the "Millville City Manual of Design and Construction Standards", section 1.05,

designed per sections 2.0 through 9.0 and as outlined in section 16.16.020 of this title. These drawings are a continuation of those prepared during the preliminary plat submittal.

3. Septic Tank Suitability Report: Septic tank suitability report prepared in accordance with the "Millville City Manual of Design and Construction Standards".

4. Drainage Report: A drainage report prepared in accordance with the "Millville City Manual of Design and Construction Standards".

5. Soils Report: A soils report prepared in accordance with the "Millville City Manual of Design and Construction Standards".

6. Development Layout Plan: A development layout plan if development is to be constructed in phases.

7. Other Studies: Other associated studies if required by Planning and Zoning Commission. (Geological or other hazard studies.)

8. Letter From U.S. Army Corp Of Engineers: Letter from U.S. Army Corp of Engineers indicating their approval if wetlands, stream alterations or other criteria necessitate their involvement.

9. Minimum Building Setbacks: For residential subdivisions, all minimum building setbacks shall be shown. No 50-year flow line shall encroach upon any minimum setback line.

10. Deeds: When required by the City, assurance that a warranty deed or other acceptable instrument conveying to the City or other appropriate public agency any public lands other than streets, alleys or easements shown on the final plat and title insurance if required by the City on the subject parcel, shall be presented to the City upon approval of the final plat. The method of assurance will be approved by the City Attorney.

11. Land In Lieu Of Fees: Dedication of public land, open space or park area may be used in lieu of fees, as determined by the City Council.

12. Title Opinion: Evidence satisfactory to the City must be submitted showing all taxes and assessments due on the property to be subdivided have been paid in full, showing title or control of the property to be subdivided and showing the property to be subdivided as free and clear of liens. An attorney's title opinion or ownership and encumbrance report from a land tile company shall be considered

satisfactory evidence. Such an opinion or report shall also note any reservation for mineral rights and the existence of any mineral or oil and gas leases.

13. Floodplain: If a subdivision lies within any 100-year floodplain, the following statement shall appear on the face fo the final plat and all contracts and agreements relating to the subdivision:

*THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED IN THE ONE HUNDRED YEAR FLOOD PLAIN AS DEFINED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.*

14. Geological Fault Zones: If a subdivision or lot lies within five hundred feet (500') or over a known geological fault, the following statement shall appear on the face of the final plat and all contracts and agreements relating to the subdivision:

*THIS SUBDIVISION IS (OR THE FOLLOWING LOTS ARE) LOCATED WITHIN FIVE HUNDRED FEET OF A KNOWN GEOLOGICAL FAULT.*

C. Financial Guarantee: The City Engineer will determine a reasonable value of the required public improvements to guarantee the complete and timely development of any facilities or improvements, which are the subdivider's responsibility. No site grading or construction of lots or of the public improvements required in this title shall be started unless and until the subdivider shall have furnished to the City a contractor's performance bond equal to one hundred percent (100%) of the City Engineer determined reasonable value including a ten percent (10%) warranty bond or for either an irrevocable letter of credit or funds in escrow, an amount equal to at least one hundred ten percent (110%) of the Engineer determined reasonable value including a ten percent (10%) warranty bond.

D. Agency Review: Upon review of all required supporting materials for the final plat, the City Planner shall review them for completeness to determine whether a complete final plat submittal has been made and shall refer material to appropriate agencies for review and comment. Upon being notified of the comments and any necessary approvals of reviewing agencies, the City Planner shall forward the final plat, comments and approvals of reviewing agencies, pertinent supporting materials, and the recommendations of the Planning Commission to the City Council. Incomplete final plats for which necessary approvals have not been secured shall not be forwarded to the City Council for action.

E. City Council Action: Following receipt of the recommendation of the Planning Commission along with the final plat and accompanying materials, the City Council shall either approve the final plat or disapprove the final plat and notify the subdivider of the conditions to be met to gain approval. If a disapproved final plat is modified and

resubmitted to the City Council at a later date for their consideration, the Council may require the concurrent submittal of an updated ownership and encumbrance report or title opinion.

F. Filing With County Recorder: Upon approval by the City Council of the final plat, the subdivider shall be notified to submit payment for the recording fee, if any, to the City Treasurer. The City Planner shall transmit the duly approved and executed final plat to the County Recorder for the filing of the final plat among the official records of the County. The Treasurer shall submit the recording fee to the County Recorder.

G. Alternate Approval Procedure: As an alternate procedure and at the request of the subdivider, the City Council may approve a final plat and instruct the City Planner to withhold the approved final plat from recording for a period of time to allow the subdivider to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, shall be in lieu of the guarantees for installation or improvements as set forth in subsection C of this section. An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the final plat. The contract shall require that all improvements be completed no later than twelve (12) months from the date the final plat was approved by the City Council. When the completed improvements are inspected and approved by the City Engineer, the plat shall be recorded by the City Planner, and the sale of lots may proceed according to the approved and recorded plat. (Ord. 2017-6, 2017: Ord. 2008-4, 2008: Ord. 2004-9, 2004: Ord. 2003-4 §§ 2, 4, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)

## 16.20.030: RESERVED

(Ord. 2008-4, 2008: Ord. 2002-2 § 1, 2002: Ord. 94-3 § 1)

## 16.20.040: EXEMPTIONS

A. Subdivisions of less than four (4) lots may be subdivided using a simplified procedure for a small subdivision if:

1. A recommendation has been received from the Planning Commission;

2. The subdivision has been approved by:

a. The City Council, or

b. Other officers that the legislative body designates in an ordinance;

3. The subdivision is not traversed by the mapped lines of a proposed street as shown in the General Plan; and

4. The subdivision does not require the dedication of any land for street or other public purposes; and

5. If the subdivision is located in a zoned area, each lot in the subdivision meets the frontage, width, and area requirements of the zoning ordinance or has been granted a variance from those requirements by the Appeal Authority.

B. The commission may consider the above exemptions if the proposed subdivision is not:

1. Located within the Hillside Development Overlay Zone; or

2. Located in a floodplain or natural runoff drainageway.

C. Submittals for the subdivision of land under this exemption shall be made to the Planning and Zoning Commission in accordance with section 16.20.020, "Final Plat Submittal", of this chapter. If the Planning and Zoning Commission finds that the submittal meets the requirements for consideration under this section, it shall, within seven (7) days, forward the submittal along with its recommendation to the City Council for review.

D. Submittals reviewed and approved for consideration under this section by the Planning and Zoning Commission shall require the following items to be submitted to the City Council or its designated representative prior to review by the City Council:

1. A review fee as set by resolution of the City Council.

2. The original Mylar, twelve (12) copies of the final plat and four (4) copies of all required supporting material shall be submitted to the City Planner prior to the commission meeting at which the plat is to be considered.

3. The final plat drawing shall be prepared at a scale of one inch equals one hundred feet (1" = 100') or larger for subdivisions where the majority of lots are less than five (5) acres in size. Required affidavits, certificates and acknowledgments shall be legibly printed on the plat in opaque ink. The sheet size of all final plats shall be twenty four inches (24") high by thirty six inches (36") wide. Information on the plat shall be so positioned that a one and one-half inch ($1^1/_2$") margin is left on the left side of the sheet and a one inch (1") margin

on the three (3) remaining sides. The scale may be reduced to one inch equals two hundred feet (1" = 200') for subdivisions in which the minimum lot size is five (5) acres or more. Each sheet of the final plat shall be numbered and the total number of sheets comprising the plat shall be stated on each sheet (for example: sheet 2 of 4). The relationship of one sheet to the other shall be shown by key maps and by match lines.

4. Any other supporting material as deemed necessary by the city council or its designated representative.

E. The submitted plat shall contain the notarized signatures of the owner or owners of any and all equitable or legal interest in the land of whatever nature and the signature of the registered land surveyor. In addition, the mortgagees, if any, shall provide the city with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.

All plats shall include the following information on the face of the plat:

1. The name of the subdivision at the top center of each sheet;

2. General location of the subdivision by section, township, range, county, and state, entered under the name of the subdivision;

3. North arrow, date and scale;

4. Boundary lines of the subdivision in a heavy solid line;

5. Legal description of the subdivision boundary based on an accurate traverse, giving bearing and linear dimensions that result in a maximum allowable error of closure of one part in ten thousand (10,000);

6. The location and description of the point of beginning and its proper reference to the monumented boundary survey;

7. Location and description of all monuments;

8. Bearings, distances, and curve data of all perimeter boundary lines indicated outside of the boundary lines;

9. On curved boundaries and on all curves within the plat, sufficient data to allow the reestablishment of the curves on the ground;

10. The location and layout of lots, blocks, tracts, sidewalks, alleys, and easements within and immediately adjoining the plat, with accurate dimensions in feet and one-hundredths (1/100) of feet, bearings, curve data, length of radii and/or arcs of all curves;

11. Drainage easements clearly labeled as such;

12. All lots logically and consecutively numbered with the numbers in the center of the lot;

13. The street address for each lot. Each street address shall be assigned by the city or its designees. The north and west sides of the streets shall be numbered odd and the south and east shall be numbered even;

14. All dimensions shown on irregularly shaped lots;

15. Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED", and the common boundary with the subdivision shown in heavy solid line with bearings and distances;

16. A notation of the total acreage of the subdivision and the total number of lots;

17. A notarized certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the plat and dedicating public ways, grounds, and easements. The certificate shall read:

*CERTIFICATE OF DEDICATION*

*Know all men by these presents that the undersigned (official name of the subdivider), being the owner, proprietor, or parties of interest in the land shown in this plat, do hereby certify:*

*The that foregoing plat designated as (name of the subdivision or addition), is located in (Section, Township, Range, City, County, State), and is more particularly described as follows:*

*(Insert full legal description)*

*and contains an area of acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s), and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements, and that the undersigned owner(s) of the land shown and described*

*on this plat does (do) hereby dedicate to the city of Millville and its licensees for perpetual public use all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicated and not otherwise dedicated for public use.*

*Executed this day of , A.D., 20_, by:*

*(Designation of interest: owner, mortgagee, etc.)*

*STATE OF Utah)*
*) ss.*
*CACHE COUNTY)*

*The foregoing instrument was acknowledged before me this day of , A.D., 20_, by:*

*as a free and voluntary act and deed. Witness my hand and official seal.*

*My commission expires:*

*Notary public*

18. Show water rights transferred to the city.

19. Certificate of a registered land surveyor as follows:

*I, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Utah, that this plat is a true, correct, and complete plat of (Subdivision Name) as laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Millville regulations governing the subdivision of land to an accuracy of one part in ten thousand (10,000).*

*_DATE*
*(Registered Land Surveyor)*

*No.*

*STATE OF Utah)*
*) ss.*
*CACHE COUNTY)*

*The foregoing instrument was acknowledged before me this day of , A.D., 20 , by:*

*as a free and voluntary act and deed.*

*Witness my hand and official seal.*

*My commission expires:*

*Notary Public*

20. A utility clearance block bearing signatures indicating approval of the plat by the local communications company, power company, and fuel company, or their successors;

21. An approval block for Rocky Mountain Power acceptance stating:

*1. Pursuant to Utah Code Ann. § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the right and duties described therein.*

*2. Pursuant to Utah Code Ann. § 17-27a-603 (4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:*

*(1) a recorded easement or right-of-way*

*(2) the law applicable to prescriptive rights*

*(3) Title 54, Chapter 8a, Damage to Underground Utility Facilities or*

*(4) any other provision of law.*

*Representative*

*Title:*

*Date:*

22. An approval block for Dominion Energy stating:

    Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set in the owner's dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information, please contact Dominion Right-Of-Way Department at 1-800-366-8532.

23. An approval block for Bear River Health Department stating:

    *This subdivision has been reviewed for septic tank suitability by the Bear River Health Department.*

    *Representative:*

    *Title:*

    *Date:*

24. Certificate of review of the city engineer as follows:

    *Data on this plat reviewed this day of , A.D., 20_, by the City Engineer of Millville, Utah.*

    *City Engineer*

25. Certificate of approval by the city of Millville planning and zoning commission as follows:

    This plat approved by the City of Millville Planning and Zoning commission this day of A.D., 20_.

    Chairman

    Attest:

    Secretary

26. Certificate of acceptance and approval by the city council of the City of Millville as follows:

*Approved by the City Council of the City of Millville, Utah, this day of A.D., 20 .*

*Mayor*

*Attest:*

*City Recorder*

27. Certificate for recording by the county recorder as follows:

*This plat was filed for record in the Office of the County Recorder at o'clock .m., , 20_, and is duly recorded in Book , Page No. .*

*County Recorder*

28. If the subdivision is located in whole or in part within three hundred feet (300') of the boundary of an agriculture protection area, the face of the final plat shall contain the following notice:

*Agriculture Protection Area*

*This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.*

F. The plat shall be accompanied by a dust control plan, erosion control plan, and a separate final design drawing of the stormwater drainage system and shall contain the following information:

1. Detailed design drawings of all proposed system features showing locations, dimensions, elevations and materials;

2. Locations and dimensions of significant features such as rivers, streams, creeks, arroyos, and gullies;

3. Design dimensions and capacities of diversion channels, retention and detention ponds, reservoirs, spillways, curb and gutter, pipelines or other drainage features.

G. If the plat must be reviewed by the U.S. army corp of engineers because of wetlands, streams or other criteria, the plat must be accompanied by a letter from the corp indicating their approval.

H. The plat shall be accompanied by the total amount of the plat fee pursuant to resolution 2007-20.

I. After receipt of the plat, the city planner shall review the submittal for completeness. The city planner may refer copies of the plat to and seek comment from the city attorney and other officials and agencies. Any such comments should be made known to the planning commission.

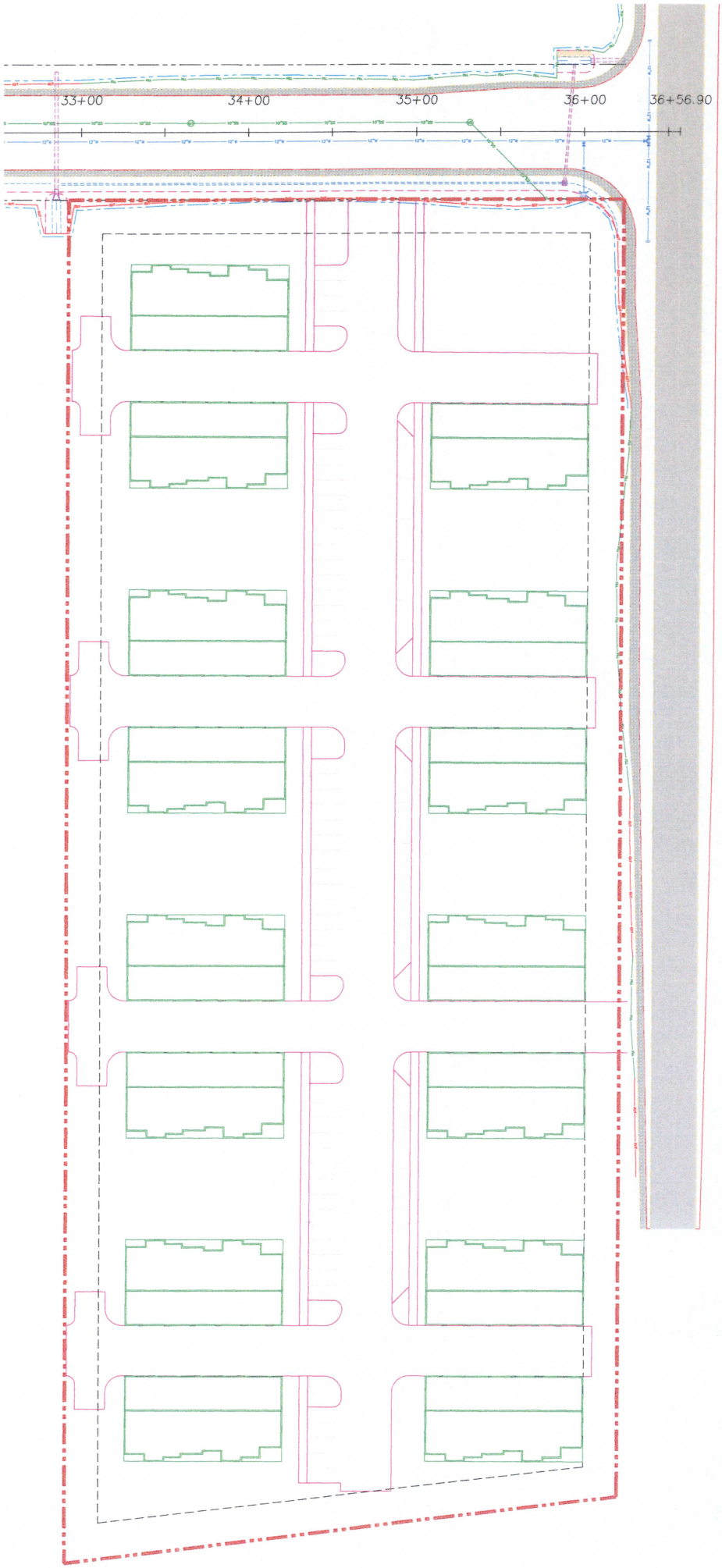
J. The subdivider shall provide such improvements on the existing streets within or contiguous to the subdivision as required by the city council. (Ord. 2019-5, 2019: 2008-4, 2008: Ord. 2007-8, 2007: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)

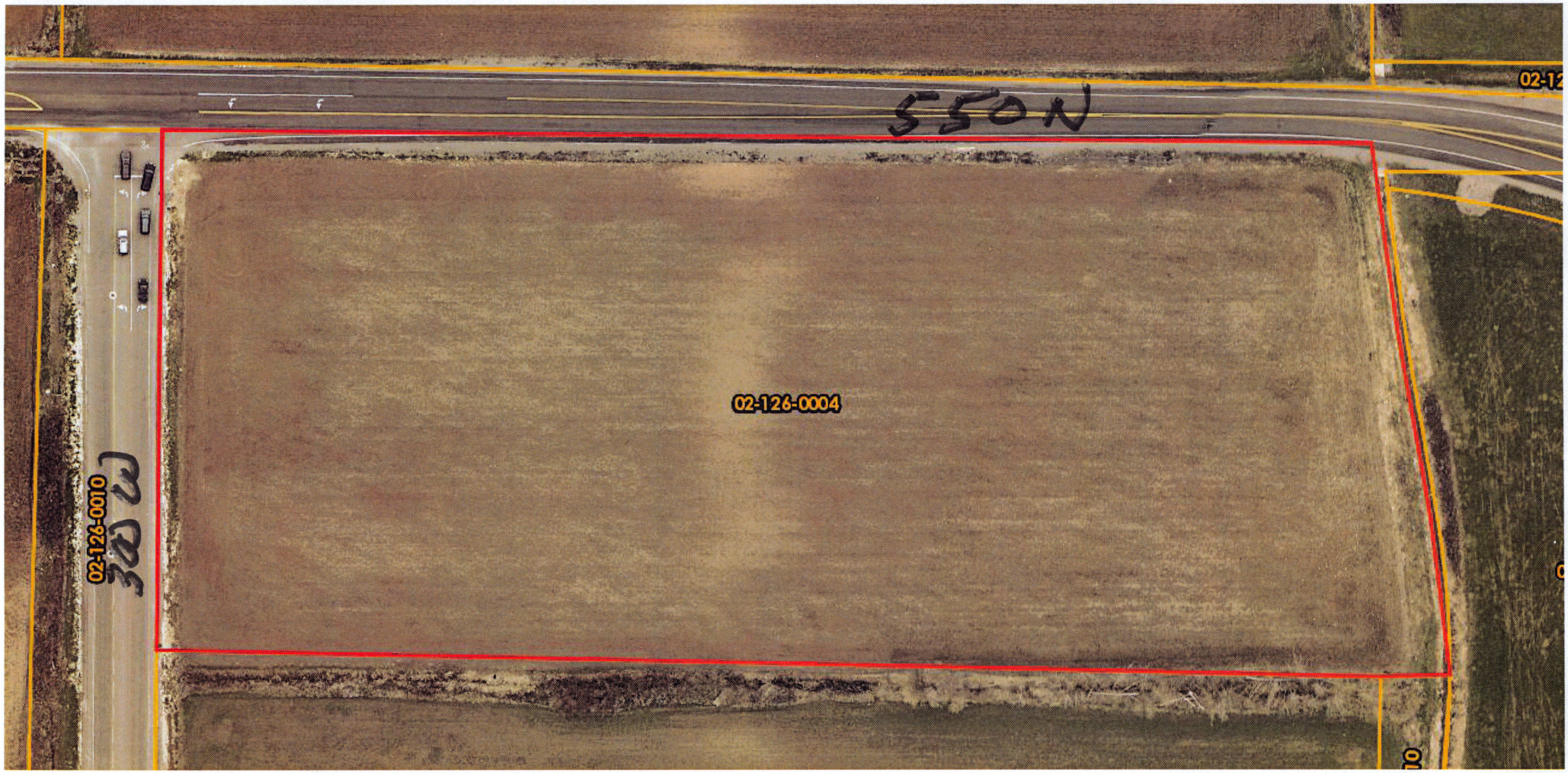
## 16.20.050: CORRECTED PLAT AND RESUBDIVISIONS

A. If, after the approval and recording of a final plat, errors are found in the language or numbers on the recorded plat, the subdivider shall file a properly signed, corrected or revised original Mylar or linen with the city planner. The plat shall be noted "CORRECTED PLAT" under the name of the subdivision. Notations shall be made on the face of the plat listing all corrections made and the book and page numbers where the original plat was recorded. The city planner shall review the plat for correction, secure the signatures of the proper public officials on the corrected plat and present the plat to the city council for the reaffirmation of their approval and to the county recorder for recording. The recording of the corrected plat shall void the incorrect original plat, and the county recorder shall note "VOID" across the face of the incorrect plat.

B. If, after the approval and recording of a final plat, a subdivider wishes to modify the location of lot lines on part or all of the recorded plat, and if there is no change in the location or size of dedicated streets, the subdivider shall submit a new final plat drawing with the lotting arrangement revised. The city planner shall determine which of the required supporting documents shall be submitted with the revised final plat. The plat shall be marked the "RESUBDIVISION OF ", under the name of the subdivision and

shall be reviewed as a final plat. (Ord. 2008-4, 2008: Ord. 2002-2 § 2, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)


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