NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **July 7, 2022** at the Millville City Offices, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at **8:00 p.m**.

1. Call to Order / Roll Call
2. Opening Remarks / Pledge of Allegiance
3. Approval of agenda
4. Approval of minutes from June 16, 2022
5. Agenda Items
   - A. Annexation Policy Plan Review
   - B. Millville City Code Chapter 16.28- Design Criteria Code Review
   - C. Millville City Code Chapter 16.12- Administration and Enforcement Code Review
   - D. Millville City Code Chapter 16.16- Preliminary Plats Code Review
   - E. Millville City Code Chapter 16.20- Final Plats and Plans Code Review
   - F. Code Review: Slope Classes & Buildable Lot Requirements
   - G. Other
6. City Council Report from June 23, 2022
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- Public Hearing- July 21, 2022
9. Adjournment

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Kara Everton at (480) 528-1467 at least three days prior to the meeting.

This agenda was posted on/before July 5, 2022 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.

Kara Everton, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah
June 16, 2022

PRESENT: Lynette Dickey, Bonnie Farmer, Rachel Thompson, Larry Lewis, Matt Anderson, Darcy Ripplinger, Kara Everton, Pam June, Tara Hobbs, Gary Stauffer, Lisa Haymne, Mike Olsen, Scott Stauffer, Shane Jessop, David Hair

Call to Order/Roll Call:
Commissioner Dickey opened the meeting for June 16, 2022 at 8:00p.m. Commissioners Lynette Dickey, Bonnie Farmer, Rachel Thompson, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) were present with Commissioner Greenhalgh was excused. Development Coordinator Kara Everton was present and took the minutes.

Opening Remarks/Pledge of Allegiance
Commissioner Dickey led all present in the Pledge of Allegiance.

Approval of Agenda
The agenda for the Planning Commission Meeting was reviewed. **Commissioner Thompson moved to approve the agenda June 16, 2022.** Commissioner Farmer seconded. Commissioners Lynette Dickey, Bonnie Farmer, Rachel Thompson, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh was excused.

Approval of the Minutes of the Previous Meeting
The Planning Commission reviewed the Planning Commission Meeting for June 2, 2022 **Commissioner Ripplinger moved to approve the minutes.** Commissioner Thompson seconded. Commissioners Lynette Dickey, Bonnie Farmer, Rachel Thompson, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh was excused.

5.A. Zoning Clearance: Accessory Bldg- Jake Forsgren-36 N 100 W, Millville UT 84326
There are plenty of room with the setbacks.

Commissioner Thompson moved to approve the Zoning Clearance for an Accessory Bldg for Jake Forsgren located at 36 N 100 W, Millville UT 84326. Commissioner Lewis seconded. Commissioners Lynette Dickey, Bonnie Farmer, Rachel Thompson, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh was excused.

5.B. Pre-Conceptual Plan: Gary Stauffer- 700 North Main St, Millville UT 84326
Gary Stauffer's property aligns Gary Gettman's and is across the street from the Zollinger Subdivision. Gary wants to subdivide his property into 4 lots, which is a major subdivision and currently not able to be developed. His children are anywhere from 2-5 plus years away from building. Gary had a few questions regarding development. The first is curb and gutter. Gary would like curb and gutter along the north side of the road and around the circle cul-de-sac but just gutter on the south side. Commissioner Anderson said that water drainage would be the main concern. Currently there are 3 cement pads that have grates to drain into the lower canal. Commissioner Anderson said that they may need to have a retention pond. Gary asked why the Zollinger's don't have one. Matt said that it is all engineering and the need to prevent

contamination. Commissioner Lewis stated that this is a state requirement, and the city doesn't have any sway with it. If the engineers will say if the state requires it. Commissioner Thompson suggested considering grassy swells, and Commissioner Anderson said that the owners should ask their engineers. Gary asked if the radius of the cul-de-sac needs to be 60' and was told that a firetruck needs to be able to turn around in. Gary asked about fire hydrants stating that there is a fire hydrant on the Gettman's property line and asked if that would be sufficient and was told that it would be an engineering question. Commissioner Thompson asked the Mayor Hair if a cul-de-sac would be okay there with plows.

5.C. Other

- Celco Development was discussed
- Commissioner Lewis brought up the first house that the Funk's built looks like there is an apartment. Tara knows about that already.
- Commissioner Farmer mentioned a few different cities around us that have codes on accessory dwellings.

City Council Report- June 9, 2022

Agenda Items for Next Meeting

Future Planning Commission Meeting

The next regularly scheduled meeting will be held **Thursday, July 7, 2022** at 8:00 pm.

Adjournment

Chairman Dickey moved to adjourn the meeting at 8:58 p.m.

DRAFT

ANNEXATION POLICY PLAN UPDATE June 2022

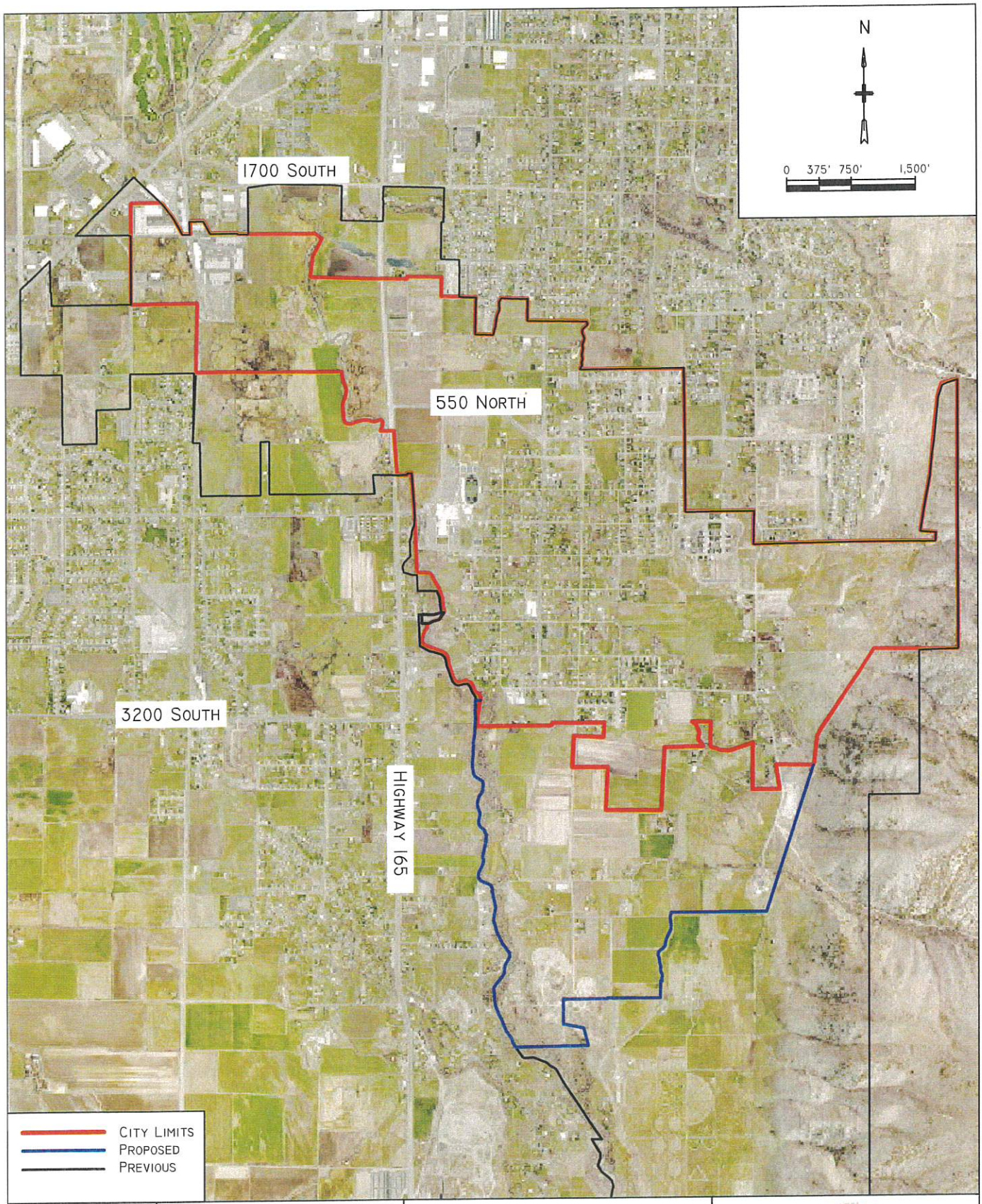
Background

Due to cost constraints with the Millville City sewer project, there was a need to reduce costs. Millville City looked at many options for cost reductions. Because of the size of the existing annexation expansion area, Millville would have had to have paid more for larger sewer pipes for the potential of growth that may never be a part of Millville City. By reducing those pipe sizes to accommodate a reasonable amount of future growth to the south of the existing City limits, Millville City was able to save hundreds of thousands of dollars on the cost of the sewer project.

This new proposed Annexation Policy Plan shows a reduction in the amount of land in the annexation expansion area to the south. Millville City will be able to provide utility services to all of the property shown in the new proposed annexation policy plan.

Included Documents

- Proposed annexation boundary maps showing the entire expansion area and a closer up view of just the southern portion
- Proposed Annexation Policy Plan Write-Up



FRANSON CIVIL ENGINEERS

DATE: JUNE 21, 2022

SCALE:

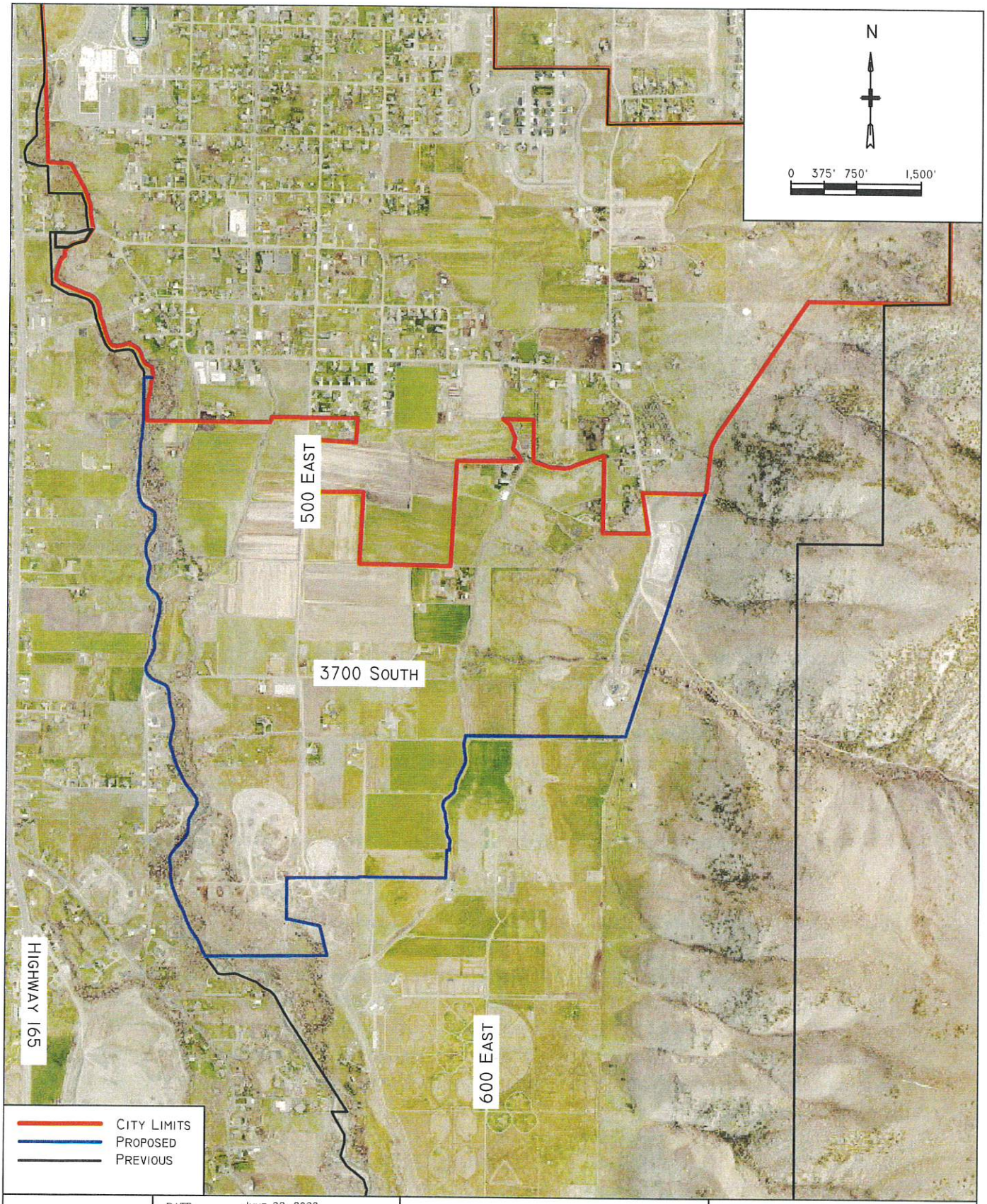
Annexation Boundary.dwg

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MILLVILLE CITY

FUTURE ANNEXATION BOUNDARY

MILLVILLE



FRANSON CIVIL ENGINEERS

DATE: JUNE 22, 2022

SCALE:

Annexation Boundary.dwg

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MILLVILLE CITY

FUTURE ANNEXATION BOUNDARY

MILLVILLE

MILLVILLE CITY
ANNEXATION POLICY PLAN

I. The Character of the Community

Mormon Pioneers originally settled the Millville area in 1860. The area spawned large successful farms and agriculture continued as the basic industry and lifestyle until recently.

The general area occupied by Millville is bordered on the west by the Blacksmith Fork River, on the southwest by Nibley City, on the north by Providence City and on the east by Providence City and the Wasatch Mountains. Within this unique and aesthetically beautiful setting exists diverse ecosystems supporting a wide range of wildlife habitat. Meanwhile, a short distance away to the east projects the Wasatch National Forest containing stands of Pine and Quaking Aspen trees. Millville is a family-oriented community known for its pastoral setting, rural atmosphere and small-town character.

Millville has experienced growth in the last decade as urban development continues to expand. The majority of residential dwellings are single-family detached units in standard subdivisions or within the current grid system.

Commercial and industrial activity in limited in Millville. Future expansion of the City may include residential, commercial, industrial and agricultural areas.

Neighborhoods within which residents feel a sense of identity with the adjacent municipality should not be excluded from the municipality or divided between municipalities.

II. The Need for Municipal Services in Developed and Undeveloped Unincorporated Areas

The areas considered for annexation are located within the areas illustrated on the included map. If annexed into Millville, municipal services would be able to be provided either by the City or by Special Service Districts. New annexations may include certain areas which are largely undeveloped, and which contain unique features and characteristics. Such areas may include open space, riparian areas, foothills, view areas and natural resource areas. Expansion of the City into these areas will allow appropriate preservation while blending in development and providing appropriate growth and management opportunities to benefit property owners and the residents of Millville City.

Millville City believes it is in the interest of its residents and will promote public health, safety and welfare to assume the responsibility for providing municipal services to the expansion area shown on the included map. The provision of municipal services to this area will assure the City

of the ability to protect the interests of its residents in maximizing the benefit of the economies of scale in the provision of municipal services and in minimizing the harmful impacts of conflicting uses of land that may be proposed or occur within the expansion area.

The expansion area is currently served by Cache County. Existing residents receive culinary water from springs and wells. Providing water, sewer and storm drainage services to the expansion area would present no serious difficulties for Millville City. The infrastructure needed to provide these utilities will be constructed when annexations or development occur.

Annexation should include areas in which services can be provided efficiently. The annexation should not create topographically isolated areas, areas for which the provision of services would be costly or difficult, or an area in which ground water runoff would create multi-jurisdictional problems.

III. Plans and Time Frame for Extension of Municipal Services

The expansion area is close to the existing community and utility infrastructure of Millville City. Major traffic facilities extend to these areas along which all services, whether on, beneath, or above ground, could be extended. Fire, law enforcement, sewer, street maintenance and similar municipal services not dependent on the extension of infrastructure could be commenced when appropriate. Extension of infrastructure would be undertaken where needed as capital improvement funds become available. Municipal services would follow development and the City's budget capability.

Areas not now considered for new infrastructure and services beyond the City's budget capability would be serviced over a period of time as development takes place.

When development proposals are submitted for specific urban developments, agreements for the provision of services and improvements are to be entered into between the City and the developer resolving issues before final approvals are given. All developments are required to provide supporting site-specific infrastructure related to that development (not system of citywide improvements that benefit the community as a whole.)

IV. How Services will be Financed

The financing of services for annexed areas will be accomplished by various means. The City will place requirements on developers in such areas to install public improvements as set forth in Millville City's annexation policy and ordinances.

Previously developed areas for which annexation petitions are submitted to the City will be reviewed for adequacy of services before approval. If deficiencies are discovered, the financing of improvements may be determined by agreements between the City, the petitioners,

property owners and/or developers of adjacent property. The financing may be accomplished by various means; i.e., the City's General Fund, debt financing, special improvement districts, or be developer contributions. General government and public safety services will be provided to such areas as soon as possible. Inter-local cooperation agreements may be used to cover transition periods.

Lands that are the subject of petitions for annexations that are undeveloped and not serviced will be reviewed carefully by the City Engineer and appropriate City departments to determine the most feasible means of financing infrastructure and needed improvements. In most cases, the developer of the property will finance installation of such improvements and services.

V. An Estimate of a Tax Consequence to Residences Both Currently Within the Municipal Boundaries and in the Expansion Area

The areas presented herein as favorable for annexation to Millville represent a variety of terrain within potential development areas. City services will be provided to annexed areas within a reasonable time frame. Some of the land within these areas may be suitable for industrial/commercial development and could be considered for such. Millville's property tax base relies primarily upon taxing of residential property. The development of additional non-residential uses in some newly annexed areas could ultimately result in some relief for the residential properties throughout the City.

It is generally believed that annexation in the general areas shown, if monitored by the City to assure a satisfactory balance of land uses, would not alter the distribution of taxes to any great extent. It is recognized also that the potential exists for commercial development and the generation of sales tax to augment the City's revenues.

Exact analysis of the tax consequences of any annexation will not be possible until a specific petition is presented to the City, which describes the land and proposed land uses.

VI. The Interest of All Affected Entities

Prior to the approval of any property for annexation, petitioners may be required by the City to provide recommendations from neighboring local governmental jurisdictions regarding the proposal and potential impact of annexation on the general County economic needs, goals or objectives. Applicants for annexation may also have to identify any special districts or county departments that are currently providing services to the property. If the proposed area is receiving services that are to be assumed by Millville City, a statement should be included indicating that steps can be taken to assure an effective transition in the delivery of services. A timetable for extending services should be included if the City is unable to provide services immediately. If the proposal includes a specific urban development, an agreement for the

provision of services and improvements should be concluded between the City and the applicant.

All affected entities as defined by Utah State Code may review the proposed annexation policy plan or amendments thereto and may submit oral or written comments and recommendations to the Planning Commission as invited to do so by notice posted and mailed pursuant to State Law. The City shall address any comment made by affected entities at or within 10 days after the public meeting that is held by the Planning Commission to receive said input from affected entities as stated in the law.

MILLVILLE CITY CODE
TITLE 16 - SUBDIVISIONS
CHAPTER 16.28 - DESIGN CRITERIA

16.28.010: PUBLIC IMPROVEMENT STANDARDS

16.28.020: STREET STANDARDS

16.28.030: OTHER SUBDIVISION STANDARDS

16.28.010: PUBLIC IMPROVEMENT STANDARDS

All public improvements shall be designed and built to the specifications as may be adopted by the city, by resolution, and contained in the "Millville City Manual Of Design And Construction Standards". They will include, but will not be limited to:

A. Streets;

B. Public water supply systems;

C. Sewerage ~~disposal~~ systems~~;~~

D. Stormwater drainage systems;

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

16.28.020: STREET STANDARDS

All public improvements shall be designed and built to the specifications as adopted by the city, by resolution and contained in the "Millville City Manual Of Design And Construction Standards". (Ord. 2008-4, 2008: Ord. 2002-2 § 2, 2002: Ord. 94-3 § 1)

16.28.030: OTHER SUBDIVISION STANDARDS

All subdivisions shall be designed and built in compliance with the following:

A. Millville City Manual of Design and Construction Standards
B. Utah Division of Water Quality Rules and Regulations (R317)
C. Utah Division of Drinking Water Rules and Regulations (R309)
D. Stormwater Construction General Permit

MILLVILLE CITY CODE
TITLE 16 - SUBDIVISIONS
CHAPTER 16.12 - ADMINISTRATION AND ENFORCEMENT

16.12.010: SUBDIVISION ORDINANCE FEES

16.12.020: FEES FOR APPEAL

16.12.030: ADMINISTRATION

16.12.040: RESERVED

16.12.050: VACATIONS

16.12.060: PENALTIES

16.12.070: ADMINISTRATIVE LIABILITY

16.12.010: SUBDIVISION ORDINANCE FEES

All fees required by the subdivision ordinance of the city shall be set by resolution of the city council and shall be published by the city in the fee schedule. (Ord. 2008-4, 2008: Ord. 94-3 § 1)

16.12.020: FEES FOR APPEAL

There shall be no fee for an appeal to the city council from a decision of the commission with respect to this title.

The fee for an appeal to the appeal authority from a decision made by the city council with respect to this title shall be set by resolution of the council. (Ord. 2008-4, 2008: Ord. 2007-8, 2007: Ord. 94-3 § 1)

16.12.030: ADMINISTRATION

A. These regulations shall be administered and enforced by the city planner or other entity as designated by the city council.

B. All subdivision plats, plans, and other required associated information (subdivision plans) submitted to the city shall first have been examined by the city engineer, the city planner, land use authority, culinary water authority and sanitary use authority in accordance with the procedures established by these regulations. As part of their examination, the city planner and the planning commission may consult with other public or private agencies to determine whether or not the subdivision plans~~plat~~, as proposed, will contribute to the orderly growth and development of the city. The actions of the city planner, the planning commission and the council shall be governed by the procedures and schedules hereinafter set forth.

C. Pursuant to the provisions for urban development (as defined in the Utah code as amended), when any part of a subdivision lies outside of, but within one-half (½) mile of the city, that subdivision shall be approved by the city council of the city before it is finally approved by the Cache County board of commissioners.

D. The city shall not extend utilities and services and shall not approve any proposed subdivision of land which, by itself or as a part of a larger tract, is contiguous to the boundaries of the city unless the preliminary subdivision plans~~plat~~ submitted to the city planner is accompanied by a properly acknowledged petition for annexation to the city and a separate application for proper zoning.

E. The city planner shall review both the annexation petition and the preliminary subdivision plans~~plat~~ for accuracy and completeness and shall process the subdivision plans~~plats~~ as if the land were already part of the city. The required subdivision plans~~plats~~ and the annexation petition may be considered simultaneously by the city, however, final action by the city council on the annexation petition and zoning shall be preceded or be taken concurrently with final action on the final subdivision plans~~plat~~. (Ord. 2008-4, 2008: Ord. 2000-13 § 2: Ord. 94-3 § 1)

16.12.040: RESERVED

(Ord. 2008-4, 2008: Ord. 2003-4 § 3, 2003: Ord. 94-3 § 1)

16.12.050: VACATIONS

A. Pursuant to the provisions of sections 10-9-808 through 10-9-810 of the Utah code any plat may be vacated by the owners before any substantial improvements have been made in the subdivision, by submitting a copy of the plat to the commission along with a written request for a vacation. The written request shall be by all of the owners. The commission shall make a recommendation on the vacation to the city council, and the council shall approve or disapprove the vacation. The recording of an instrument vacating the plat shall operate to destroy the force and effect of the recording of the original plat and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such a plat.

B. Streets and alleys platted and laid out under the provisions of these regulations or laid out under any prior law of the state of Utah may be altered or vacated in the manner provided by law for the alteration or discontinuance of highways.

C. Any part of a plat may be vacated under the provisions and subject to the conditions of subsection A of this section, provided such vacating does not abridge or destroy any of the rights and privileges of other proprietors in such plat and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any public highways laid out according to law. The request for vacation shall be made by all of the owners.

D. When any part of a plat shall be vacated as aforesaid, streets, alleys, and other public grounds shall be assigned to all lots or parcels adjacent to the public area being vacated in equal proportions.

E. The county recorder shall write in plain, legible letters across that part of the plat so vacated the word "vacated" and also make a reference on the same to the volume and page in which the instrument of vacation is recorded.

F. Land covered by a vacated plat may be replatted as described by these regulations. Any later replatting of an area already platted and not vacated shall be construed to be a request for the vacation of the original plat or portion thereof. Any such plat, once approved and recorded, shall act to vacate the original plat which it replaces. (Ord. 2008-4, 2008: Ord. 2000-17 § 2: Ord. 94-3 § 1)

16.12.060: PENALTIES

A. Violation Of Provisions: Any person who violates any provision of these regulations and any person who, as an agent for a subdivider, developer or owner of subdivided lands, offers for sale any subdivided lands or subdivisions without first complying with the provisions of these regulations shall be guilty of a class C misdemeanor and shall be subject to fine, imprisonment or both. The city may bring a suit to enjoin any violation of the provisions of this title by action for injunction and may recover the penalty by civil action. If such penalty has not been paid when the subdivision plan is admitted for final approval, the city council shall not approve the plan until the penalty is paid. Each day of violation constitutes a new offense.

B. Removal, Destruction Or Defacement Of Monuments Or Corners:

1. No person shall wrongfully, wilfully or negligently remove, destroy or deface any survey monument, corner, or witness corner.

2. Any person who violates this subsection is guilty of a class C misdemeanor and is additionally responsible for:

a. The costs of any necessary legal action; and

b. The costs of reestablishing the survey monument, corner, or witness corner. (Ord. 2008-4, 2008: Ord. 2000-13 § 2)

16.12.070: ADMINISTRATIVE LIABILITY

The city shall hold harmless the public works department, other city agencies and officials, and their official agents and representatives, when acting in good faith and without malice, from all personal liability for any damage that may accrue to any person or property as a result of any act required by these regulations, or for the omission of any act on the part of the department, agency or official or their authorized agents in the discharge of their duties hereunder. Any suit brought against the city or the city administration because of any such act or omission in the carrying out of the provisions of these regulations shall be defended by the city's legal department through final determination of such proceedings. (Ord. 2008-4, 2008: Ord. 94-3 § 1)

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) PLANS

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

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

C. Prior to the preparation and submission of ~~a~~ preliminary subdivision plans ~~plat~~ as discussed in 16.16.020,~~:~~ 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 and any other administrative personnel or private agencies to discuss~~determine~~:

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

2. Availability of public water, sewer, storm drainage, 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, sidewalk and curb and gutter plan, master plans, ~~-~~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 and available through the NRCS website;

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. Any other ~~i~~improvement requirements.

D. As a part of this contact, the subdivider must~~may~~ discuss with the city planner or any other appropriate agency, its tentative proposals for the development of the entire adjacent property controlled by the developer or the developer's affiliates. ~~All fees must be paid prior to consideration.~~

E. The subdivider shall present at least ten~~twelve~~ (10~~5~~12) paper copies and a digital copy in the portable document format (.pdf) of a conceptual plan, also called a ~~or~~ sketch plan, on paper not smaller than 11x17 inches and text not smaller than a 10 font that is legible and easy to read, 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 and addresses of adjacent property owners within 600 feet of the proposed subdivision;

3. Approximate number of lots proposed and the street layout for ~~numbering of lots on~~ the entire property controlled by the developer or the developer's affiliates to

provide an understanding of the full concept for the complete development, even when multiple phases are planned. ~~plat is adequate~~;

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

5. Description of the type of water (culinary and/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 including the ability to connect to the City's system, any proposed or necessary lift stations, and expected sewer pipe sizes.;

7. Present zoning;

8. Written description of the stormwater drainage system proposed in compliance with the most current edition of the Cache County Stormwater Design Criteria and Utah Division of Water Quality stormwater permits for both construction and municipal separate storm sewer systems (MS4);

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 plans, zoning ordinances, subdivision ordinances 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. 2019-6, 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)

I. The subdivider is responsible for the payment of all fees approved by the Planning Commission or the City Council for City planning and engineering reviews of the concept plans and as published by the City prior to discussions about the concept plans.

J. The subdivider must submit the City approved checklist with the concept plans prior to review to verify that all required and necessary information is provided to streamline the process.

¶

16.16.020: PRELIMINARY PLAT AND PLANS

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 (224" x 346") (ANSI D) 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.

C. The preliminary plat ~~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 developments and boundaries;

4. A legal description of the subdivision boundary prepared by a Utah licensed surveyor;

5. The boundary lines of the subdivision shown in a heavy, solid black line and referenced to section or quarter section lines, and survey monuments established within Millville City and identified on the City website;

D. Engineering plans shall contain the following information in the preliminary design drawings of the infrastructure and shall be prepared at the scale listed in the Millville City Manual of Design and Construction Standards. Three (3) paper copies of the design drawings and a digital copy in the portable document format (.pdf) are required. Legible and clear drawings for each item listed below are required.

~~Engineering plans shall contain the following information: ¶~~

1. Plan view of ~~A~~all property under the control of the subdivider and the subdivider's affiliates, even though only a portion is being subdivided, including ~~diagramming~~ the prospective lots, street, sanitary and storm sewer, and culinary water systems for~~of~~ the platted and unplatted parts;

2. 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;

3. Existing contours at a maximum interval of two feet (2') for slopes greater than two percent (5~~2~~%). For slopes of two percent (5~~2~~%) or less, contour intervals shall be one foot (1'), unless waived by the city engineer;

4. L~~General l~~ocation and extent of any significant natural features such as slopes, ~~streams or drainageways. 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;~~.~~

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

   a. Slope Class 1 lots: Lot a~~A~~rea~~:~~ of a ~~M~~minimum of fourteen thousand (14,000) square feet ~~for slope class 1 lots~~ (see definitions in this title), labeled HO-1.~~pending septic tank approval.~~

      Slope Class 2 lots: Lot area of a m~~M~~inimum of twenty thousand (20,000) square feet labeled HO-2. ~~for slope class 2 lots, pending septic tank approval~~.

      Slope Class 3: Lot area of a m~~M~~inimum of twenty six thousand (26,000) square feet labeled HO-3.~~for slope class 3 lots, pending septic tank approval.~~

Slope Class 4: Lot area of a m~~M~~inimum of thirty two thousand (32,000) square feet labeled HO-4.~~for slope class 4 lots, pending septic tank approval~~.

Slope Class 5: Lots that are not eligible for development or construction as defined in this code.

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 ($750~~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;

6. Floodplains as delineated on the FEMA maps. These are available in the office of the city engineer, downloadable from the Automated Geographic Reference Center (AGRC) at https://gis.utah.gov, and the Federal Emergency Management Agency at https://msc.fema.gov/portal/home.;

7. 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;

8. 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, power lines, telecommunication lines, or other underground, above ground, and at grade utilities or installations within the proposed subdivision and~~or~~ within one hundred feet (100') immediately adjacent thereto;

9. 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;

10. Location and width of proposed streets, alleys, pedestrian-ways and easements with the associated details necessary to construct including the plan and profile

of existing and proposed grades for each street; the cross sections of each street showing the width of sidewalks, curb and gutter or grassy swales, and the location of utility mains, and labeled slopes of all street tangents in compliance with the Millville City Manual of Design and Construction Standards;.;

11. Stormwater Improvements: Plan and profile of the stormwater improvements along each street including all inlets, manholes, pipe alignments, sizes, grades, and materials, outlets, etc. Location, grading, size and capacity of proposed stormwater detention and retention ponds, stormwater low impact development systems (LIDs) as required by the Utah Division of Water Quality, with the associated details necessary to construct in compliance with Millville City Manual of Design and Construction Standards; ~~and settling basins;~~

12. Sanitary Sewer Improvements: Location, size and capacity of proposed sanitary sewer system with the associated details necessary to construct including plan and profile drawings along the centerline of the sewer system, manhole locations, pipe sizes and grades, pipe material, etc. inc compliance with Millville City Manual of Design and Construction Standards;

13. Culinary Water Improvements: Location, size and capacity of proposed culinary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the water system, valves, fire hydrants, services, meters, grades, pipe sizes, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;

14. Existing irrigation ditches, canals, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; along with a letter from the affected users indicating the plans are acceptable must be submitted to the City.

15. Irrigation Improvements: Location, size and capacity of proposed irrigation or secondary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the system and showing all necessary appurtenances to construct the system in compliance with Millville City Manual of Design and Construction Standards;

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

17. 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;

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

19. ~~Sidewalks will be installed 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".;~~

20. All infrastructure in the public right-of-way will be installed in accordance with the "Millville City Manual of Design and Construction Standards."

C. ~~As part of the preliminary plat, preliminary design drawings of the infrastructure shall be prepared at the scale listed in the Millville City Manual of Design and Construction Standards.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;¶~~

   ¶

~~4. Label the slopes of all street tangents.~~

D. Preliminary design drawings and associated required information ~~are~~ 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 and engineering plans shall be submitted to the ~~in twelve (12) copies to the commission for review by the commission. The~~ city development coordintor~~planner~~ who will distribute plats and plans to utility companies, and other affected entities.

F. All fees must be paid prior to consideration.

G. The following information and material shall be a part of any preliminary plat and plans submittal and shall accompany the preliminary plat drawing and engineering plans in a three (3) ring binder and a digital portable document format (.pdf) version.

1. Cover and spine shall be labeled ~~with~~ with the subdivision name, subdivider name, subdivider agent name and contact information, and year of submittal ~~on the cover and spine~~:

2. 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 and plans on the cover page;

3. 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;

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

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

6. 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;

7. 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;

8. 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;

9. 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;

10. 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;

11. 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;

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

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

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

15. Storm Water Pollution Prevention Plan: A Storm Water Pollution Prevention Plan in accordance with the Construction General Permit issued by the Utah Division of Water Quality and the Millville City Manual of Design and Construction Standards ~~Erosion Plan: Erosion control plan as approved by the city engineer;~~¶

¶

~~16. Dust Plan: Dust control plan~~ as approved by the city engineer.

17. Copies of draft stream alteration permits, wetland reports, and any other reports and documentation necessary to obtain building permits.

H. After receipt of the preliminary plat, plans, and all required supporting material (subdivision plans) from the city planner, the planning commission representative shall schedule the subdivision~~plat and~~ plans for consideration at the next regular meeting of

the planning commission which occurs after thirty (30) days from the date on which the subdivision plans~~plat~~ were~~as~~ 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 subdivision plans ~~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 if County right of ways or land outside of the current city annexed areas are impacted;
7. ~~U.S. army corps of engineers (if waterways or wetlands are involved);~~ Logan City Environmental Department for garbage collection review if the subdivision in commercial or industrial;
8. Hyrum City Wastewater Treatment Plant;
9. Other entities as determined necessary.

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

J. 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.

K. At least seven (7) days prior to the date of the commission meeting at which the subdivision plans are~~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.

L. The subdivider, or duly authorized representative, shall attend the commission meeting at which his or her proposal is scheduled for consideration or the preliminary subdivision plans ~~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.

M. 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 subdivision ~~plat~~ to a future meeting. The preliminary subdivision plans~~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.

¶

N. Any change to the preliminary subdivision plans~~plat~~ that requires a review from the city engineer or other outside agencies shall be considered a revised preliminary subdivision plans ~~plat~~ with fees as applicable. (Ord. 2019-6, 2019: 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 AND PLANS

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 AND PLANS

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, plans, and other required associated information (subdivision plans), a final ~~plat and~~ subdivision plan may be prepared and submitted. This includes submitting the final subdivision 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 plans shall be prepared and stamped as to its accuracy by a registered professional engineer licensed to do such work in the State of Utah and identified as "FOR CONSTRUCTION". The final plat and required supporting material shall conform to the Millville Manual of Design and Construction Standards~~MDCS~~ and to any conditions of approval specified by the Planning Commission and City Council. Submission of the final subdivision plans~~plat~~ must be completed within twelve (12) months of acceptance of the preliminary subdivision plans~~plat~~ and must conform to all current ordinances and design standards. Failure to submit the final subdivision plans~~plat~~ within the twelve (12) month time period after approval of the preliminary subdivision plan~~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 and standards at the time the extension is issued.

C. All fees must be paid prior to submission of the final subdivision plans. Final platting and design~~platting~~ may be accomplished in stages (phases) covering reasonable portions of the area of an approved preliminary subdivision plan~~plat~~. When this is done, each cover sheet and plat of the final subdivision plan~~plat~~ shall contain a vicinity map showing the location of the portion being submitted in relationship to the area for which the preliminary subdivision plan~~plat~~ was submitted. All final subdivision plans~~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 two~~four~~ inches (22~~24~~") high by thirty four~~six~~ inches (34~~36~~") wide (ANSI D Sheets). 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. The final engineering plans shall be prepared at a scale matching the requirements in the Millville City Manual of Design and Construction Standards and used in the preliminary engineering plans. The sheet size of all final plans shall be twenty two inches (22") high by thirty four inches (34") wide (ANSI D Sheets). Information on the plans 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. Each sheet of the final plans shall be numbered and the total number of sheets comprising the plans 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.

F. The final plat, plan drawings and required supporting materials shall be prepared and submitted digitally in a Portable Document Format (.pdf) matching the hard copy drawings submitted.

G. Twelve (12) ~~(????, I recommend only a couple at most)~~ copies of the final plat and plans and four (4) copies ~~(Are you really wanting four copies or digitally)~~ 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.

H. 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.

I. 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 to 1/10 of a second, 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:

*Entry #*_____

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF

_____

*DATE*_____*TIME*_____*BOOK*_____*PAGE*_____

*FEE*_____ _____

CACHE 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:

J. The final plat and plans shall be accompanied by the items listed in subsection 16.20.020B, "Final Plat And Plan Requirements", of this chapter.

K. The final plat and plans shall be accompanied by the total amount of the final subdivision ~~plat~~ fee.

L. After receipt of the final subdivision plans~~plat~~, the City Planner shall review the submittal for completeness and for conformance with the approved preliminary subdivision plans~~plat~~. The City Planner may refer copies of the final plat to and seek comment from the City Attorney and other officials and agencies. The City Planner may refer copies of the final subdivision plans to and seek comment from the City Enginneer 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 subdivision plans~~plat~~.

M. The final plans~~t~~ 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 plans~~t~~. Recommended approval of a final plans~~t~~ by the Planning Commission shall remain effective for eighteen (18) calendar months.

N. 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 plant is approved, the subdivider may proceed with section 16.20.020 of this chapter. If the final plant 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. 2019-6, 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 AND PLANS 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 subdivision plan~~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 and Utah Division of Water Rights 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 planst. 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 title 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 and ten percent (110~~00~~%) 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 subdivision plans~~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 plan~~st~~, 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 plan~~st~~ and accompanying materials, the City Council shall either approve the final plat or disapprove the final plan~~st~~ and notify the subdivider of the conditions to be met to gain approval. If a disapproved final plan~~t~~ 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.

6. The subdivision does not require extensive utility construction for water, sewer, or storm drainage.

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:

*Entry #*_____

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF

_____

*DATE*_____ *TIME*_____ *BOOK*_____ *PAGE*_____

*FEE*_____ _____

CACHE 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. 2019-6, 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)

Education services both public and private. (Ord. 2013-2, 2013: Ord. 2009-4, 2009: Ord. 99-02-18-01 § 2)

17.20A.040: REGULATIONS AND REQUIREMENTS

A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.

1. Lot corners will be marked with five-eighths inch ($^5/_8$") rebar (#5 rebar) that is eighteen (18) to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.

B. Minimum Conditions: Minimum conditions for a single-family dwelling shall include, but not be limited to:

1. 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.

2. Lot frontage: Minimum one hundred eight feet (108') of clear ownership of the lot the dwelling is built on.

3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.

C. Front Yard Setback: Minimum thirty feet (30') from the lot line.

D. Side Yard Setback:

J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:

1. Lot Area: Minimum twenty thousand (20,000) square feet for slope class 1 lots (see definitions in this title), pending septic tank approval.

   Minimum twenty six thousand (26,000) square feet for slope class 2 lots, pending septic tank approval.

   Minimum thirty two thousand (32,000) square feet for slope class 3 lots, pending septic tank approval.

   Minimum thirty eight thousand (38,000) square feet for slope class 4 lots, pending septic tank approval.

2. Lot Frontage: One hundred twenty four foot (124') minimum.

3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.

4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling.

5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.

6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.

7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.

8. Repealed.

9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.

K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.

G. Vegetative types;

H. Wildlife;

I. Wildlife habitat;

J. Available urban services, i.e., electricity, gas, roads, schools, culinary water, sewage facilities, police and fire protection.

SLOPE CLASS: The city of Millville has made five (5) slope classifications:

Class 1 references slopes less than or equal to twenty percent (20%).

Class 2 references slopes greater than twenty percent (20%) and less than or equal to twenty three percent (23%).

Class 3 references slopes greater than twenty three percent (23%) and less than or equal to twenty seven percent (27%).

Class 4 references slopes greater than twenty seven percent (27%) and less than or equal to thirty percent (30%).

Class 5 references slopes greater than thirty percent (30%).

STREET: A public right of way which affords the primary means of access to abutting property.

STREET PAVEMENT: The asphalt wearing or exposed surface of the roadway used by vehicular traffic.

STREET, PUBLIC: "Public street" means any street which has been dedicated to the city or is otherwise publicly owned by the city, and is improved and constructed to the appropriate standards as required by the subdivision ordinance.

STREET, RIGHT OF WAY: "Right of way street" means any street which has been dedicated to the city, or is otherwise publicly owned by the city, and is unimproved as opposed to a public street which is improved and constructed to subdivision ordinance standards.

STREET WIDTH: The width of the right of way, measured at right angles to the centerlines of the streets.

SUBDIVIDER: Any person, firm, corporation, partnership or association who shall lay out any "subdivision" or part thereof as defined herein.

Providence City Code

10-5-4 Hazard Slope Area (HS)

1. **Conditional Use Permit Required**: An area where the natural slope of the land exceeds an average gradient through the building areas of thirty percent (30%) or greater and lands within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater is designated as a Hazard Slope Area. Within the Hazard Slope Area, no construction or earth moving activity shall occur until a conditional use permit has been obtained in compliance with the provisions of Section 10-3-5 of this Title. A conditional use permit shall not be considered until adequate plans and engineering data are delivered to the City showing that:
    1. No building or structure is to be located on any existing slope with an average gradient through the building area of thirty percent (30%) or greater, nor within thirty feet (30') of any slope falling away at a grade of thirty percent (30%) or greater; and
    2. A detailed erosion control, revegetation and bank stabilization plan has been approved by the City Engineer for any disturbances planned to existing slopes within a Hazard Slope Area; and
    3. A detailed site plan for any buildings or earth moving activities (roads, driveways, sewer or water lines, etc.) that show the location of the planned facilities and how they would fit in with the existing slope and landscape of the area (as shown by before and after contours – see 4. below) has been approved by the designated Land Use Authority.
    4. Contours should show the following:

       Natural Ground: Unimproved earthen material existing at its original location of formation or deposition, which has not been reworked, mechanically altered, constructed or improved.

       Existing conditions: The ground as is presently exists.

       Proposed conditions: The ground after the earth moving activities have taken place.

2. **New Subdivisions**: In the case of new subdivisions, these conditional use permit requirements for all public facilities (roads, sewer and water lines, etc.) within a Hazard Slope Area (HS) shall be included in the final plat and construction drawing phases of the approval process and approval of the final plat shall serve as the conditional use permit for roads, sewer, and water line and similar utility and infrastructure uses within the Hazard Slope Area. An additional conditional use permit shall be required for the construction of buildings or structures, including homes, garages, and other such improvements within the Hazard Slope Area (HS).

10-5-2 Sensitive Areas

1. Sensitive areas are defined as follows:

   Non-developable sensitive areas:

   The following areas are non-developable. None of the acreage encumbered by any of the following sensitive areas may be considered for development density, and none of the areas may be built upon or within except for required public utility and facilities.
    1. Jurisdictional Wetlands: As defined by the US Army Corps of Engineers.
    2. Steep Slopes: Where the rise or fall of the land is equal to or exceeds thirty percent (30%) over a horizontal distance of fifty feet (50') or greater (see Section 4 of this Chapter) measured perpendicular to the contour lines.

3. Natural Waterways or Open Water: Including but not limited to: rivers, creeks, or streams. Identified as those areas where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetation litter or loosely rooted vegetation by action of moving water. The channel or bed need not contain water year round. This definition is not meant to include storm water runoff devices or entirely artificial watercourse unless they are used to store or convey pass through stream flows naturally occurring prior to construction of such devices. Watercourses where the definition may apply are those that appear on the US geological survey quad maps excluding irrigation canals and ditches. For instance, an irrigation canal following a natural or jurisdictional watercourse would not be exempt but others would be exempt.

Potentially developable sensitive areas:

The following areas are determined to be sensitive areas of Providence City and are subject to the requirements of this Chapter. These areas may be built upon based on the requirements of this section and other applicable city, state, and federal requirements.

All acreage encumbered by any of the following sensitive areas may be considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s) with expertise in the field being discussed.

4. Steep Slopes Where the rise or fall of the land is between twenty percent (20%) and thirty percent (30%) over a horizontal distance of fifty feet (50') or greater. (see Section 4 of this Chapter) measured perpendicular to the contour lines.
5. Floodplains See definitions in Chapter 16 Section 3 of this Title.
6. Crucial wildlife habitat areas as identified by the State Division of Wildlife Resources (DWR).
7. Geological hazard areas Earthquake fault lines or areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the US Geological Survey (USGS).
8. Wildfire hazards areas: Areas of the City designated as having moderate to extreme potential for wildfire hazards as identified by the City.

2. Development of Sensitive Areas:
    1. No land designated as a Non Developable Sensitive Area may be considered for development density or disturbed in any manner during the development of adjacent lands except as reasonably necessary for the installation of required public utilities.
    2. The lands within a Potentially Developable Sensitive Area may be developed and built upon, subject to the requirements of this section and other applicable city, state, and federal requirements.
    3. Land within a Potentially Developable Sensitive Area maybe considered for development density at the discretion of the Providence City Planning Commission, based on recommendations from professional(s)with expertise in the field being discussed.
    4. The designation of land as within a Non-developable Sensitive Area or within a Potentially Developable Sensitive Area, and the application of other requirements imposed under the authority of this chapter may be appealed to the Providence City Appeal Authority, as provided for in Chapter 2-5 of this Code.