

Title 9 – Land Management Code

Chapter 4

SUBMITTAL REQUIREMENTS

[9-4-1: DEVELOPMENT PROCESS:](#)

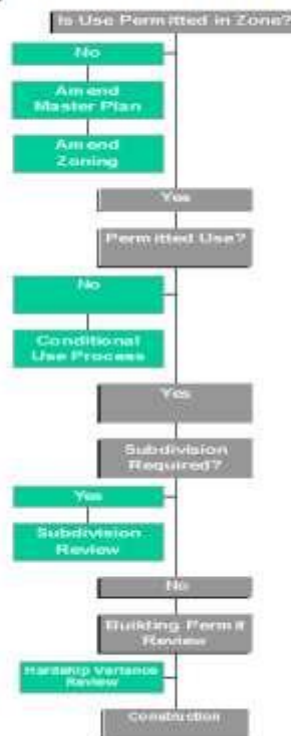
[9-4-2: SUBMITTAL REQUIREMENT TABLES:](#)

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9-4-1: DEVELOPMENT PROCESS:

The following diagram has been prepared to give a visual representation of the development process and which correlates the submittal process.

Development Review Process



9-4-2: SUBMITTAL REQUIREMENT TABLES:

- A. The following tables have been prepared to simplify the determination of which permits, and regulations apply to a given action, and the information that is required to be submitted to obtain such permits and their associated approvals. The tables are sequential and cumulative. Use them as follows:
1. Review the numbered list of activities in [table 1](#) and determine which activity most closely resembles the action you propose to undertake. Note the permits that are required for that activity.
 2. Refer to [table 2](#) to determine the documents that must be submitted with the various types of permits.
 3. Refer to [table 3](#) to see the requirements/content of each drawing, plan or other document that must be submitted.
- B. These tables are necessarily simplified and abbreviated and may be modified as needed. Additional information regarding key documents is presented in section [9-4-3](#) of this chapter and may be modified by ordinance as needed.

| TABLE 1 | | Required Permits/Approvals/Actions | | | | | | | | | | | | | | | | | | |
|---------|--|------------------------------------|---------------------|-----------------------|-------------------------------------|--------------------------|------------------------------------|--|------------------------------------|-------------------------------------|-------------------------------------|------------------------|---------------------|----------------------------|---------------------------------------|-------------------------|--------------|------------------------------------|---------------------------|---|
| | | General Plan Amendment (Chap. 5) | Re-Zoning (Chap. 6) | Subdivision (Chap. 9) | Planned Unit Development (Chap. 11) | Plat Amendment (Chap. 9) | Conceptual Design Review (Chap. 8) | Building Permit-Final Review (Chap. 8) | Certificate of Occupancy (Chap. 8) | Certificate of Completion (Chap. 8) | Grading/Trenching Permit (Chap. 10) | Sign Permit (Chap. 14) | Variance (Chap. 11) | Conditional Use (Chap. 11) | Record with County Recorder (Chap. 9) | Tree Removal (Chap. 10) | Staff Review | Land Use Authority Review/Approval | Appeals Body ⁶ | |
| 1 | Selling or Conveying An existing lot in its entirety (with or without an existing | | | | | | | | | | | | | | √ | | | | | |
| 2 | Creating One new lot per LMC Chap. 9 Minor Subdivision | | | √ | | | | | | | | | | | √ | | √ | W | V | |
| 3 | Creating more than one new lot to be created from a larger parcel | | | √ | | | | | | | | | | | √ | | √ | X1 | V | |
| 4 | Constructing or modifying a commercial or multi-family residential building on an | | | | | | √ | √ | √ | E | | | | | | | K | √ | X | V |
| 5 | Constructing or remodeling a single-family home on an existing lot | | | | | | √ | √ | | | | | | | | | K | √ | W | V |
| 6 | Painting all or parts of an existing commercial building | | | | | | √ | I | | | F | | | | | | √ | W | V | |
| 7 | Changing the use of a building (such as an office to a store, store to clinic, etc.) | A | B | | | | √ | √ | | | F | | D | | | | √ | W | V | |
| 8 | Proposing a use not allowed by current zoning | A | √ | | | | I | I | | | | | D | | | | √ | X | V | |
| 9 | Grading or constructing a road or driveway | | | | | | | | √ | √ | | | | | | | K | √ | W | V |
| 10 | Digging and/or installing utilities (water, sewer, septic, gas, electricity, cable tv) | | | | | | | | √ | √ | | | | | | | K | √ | W | V |
| 11 | Removing trees on a private property | | | | | | | | | | | | | | | | √ | √ | W | V |
| 12 | Building a retaining wall | | | | | | √ | H | | | | | | | | | K | √ | H | V |
| 13 | Installing an exterior yard light | | | | | | √ | √ | | | | | | | | | √ | W | V | |
| 14 | Installing a new sign or modifying and/or enlarging an existing sign | | | | | | √ | H | | | √ | | | | | | √ | W | V | |

Key:

- √ Always Required
- A If the intended use is not consistent with the General Plan
- B If the proposed use is not consistent with existing Zoning
- C If greater flexibility is desired than permitted under standard subdivision regulations
- D If proposed use is permitted in the Zone District as a condition upon special review
- E If grading and/or trenching are proposed
- F If signage is proposed
- H As required in Building Code and/or LMC
- I When required by the currently adopted building code
- J An abbreviated review by Building Dept. staff for single family homes
- K If trees greater than 6" diameter at chest height (trunk) are to be removed
- L Only the Sketch Plan submittal is required
- V Appeal Authority
- W Staff
- X Planning Commission
- X1 Planning Commission and Town Council process
- Y Town Council
- Z District Court

(2010 Code, amd. Ord. 15-004, 4-28-2015)

| TABLE 2 | | Submittal Documents Required | | | | | | | | | | | | | | | |
|---------|---|------------------------------|--------------|-------------------------|--------------------|----------------------------|------------------------------|---|-----------------------|-------------------------------|--------------------------|---------------------------|------------------|----------------------|--|--------------------|-------------------|
| | | Application and fee | Title Report | Existing Conditions Map | Development Report | Schematic Subdivision Plat | Preliminary Subdivision Plat | Final subdivision Plat and Associated Required Public Hearing | Development Agreement | Conceptual Construction Plans | Final Construction Plans | Conditional Use Site Plan | Referral Packets | Soils/geology Report | Covenants, conditions and restrictions | Security Agreement | As-Built Drawings |
| 1 | General Plan Amendment | √ | | | | | | √ | | | | | B | | | | |
| 2 | Rezoning | √ | | | | | | √ | | | | | B | | | | |
| 3 | Annexation Petition | √ | | | | | | √ | | | | | B | | | | |
| 4 | Subdivision Schematic Plat (Including Condominiums) | √ | √ | √ | √ | | | | | | | | | | | | |
| 5 | Subdivision Preliminary Plat (Including Condominiums) | √ | √ | | | √ | √ | √ | | | | B | √ | | | | |
| 6 | Subdivision Final Plat (Including Condominiums) | √ | | | | | √ | √ | | | | | | √ | √ | D | |
| 7 | Lot Split | √ | √ | √ | √ | | | | | | | | | | | | |
| 8 | Re-plat | √ | √ | √ | √ | | √ | | | | | B | | | | | |
| 9 | Building Permit- Conceptual Design Review | √ | | √ | √ | | | | √ | | | | | | | | |
| 10 | Building Permit - Final | √ | | | | | | | √ | | | | √ | | | | C |
| 11 | Grading and Trenching Permit | √ | | √ | | | | | | √ | | | | | | | |
| 12 | Variance | √ | | √ | | | | | | | | | | | | | |
| 13 | Conditional Use | √ | | √ | √ | | √ | | | | √ | B | | | | | |
| 14 | Certificate of Occupancy | | | | | | | | | | | | | | A | D | |
| 15 | Vacation of Easement or Right-of-way | √ | | | | | √ | √ | | | | B | | | | | |
| 16 | Trenching & Tree Removal Permit | √ | | | | | | | | | | | | | | | |

Key:

√ Always Required

A If site improvements **are** not completed at **the** time of occupancy

B Mailing list/labels of the owners of abutting properties located within three hundred feet (300') of the property lines of the land in question

C Prior to footing pour

D Due at completion of project

(2010 Code, amd. Ord. 15-004, 4-28-2015)

| TABLE 3 | | Submittal | | | | | |
|---------|---|-------------------------|----------------------------|------------------------------|---|-------------------------------------|--------------------------|
| | | Existing Conditions Map | Subdivision Schematic Plat | Subdivision Preliminary Plat | Subdivision Final Plat and Associated Conditional Use Site Plan | Conceptual Const. Plans- For Design | Final Construction Plans |
| 1 | Project name and subdivision, if applicable | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 2 | Applicant's name, address, phone number | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 3 | Preparer's company name, address, phone number | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 4 | Agent authorization of owner (if not applicant) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 5 | North arrow, scale | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 6 | Legend (for symbols used on drawings) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 7 | Vicinity map showing project location relative to Brian Head Town | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 8 | Site Boundaries with dimensions | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 9 | Protection area boundaries (wetlands, spring/well protection areas, flood plains) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 10 | Existing topography | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 11 | Slopes over 10%, 25% and 40% identified | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 12 | Existing vegetation, trees or grouping of trees | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 13 | Existing roads, including names, grades, pavement widths. Show ROW | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 14 | Existing utilities, by type, including location and dimension of easements | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 15 | Existing emergency access, fire lanes, fire hydrants | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 16 | Footprint of existing structures, with uses indicated | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 17 | Existing drainage system | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 18 | Proposed topography | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 19 | Proposed cut/fill | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 21 | Proposed vegetation - detailed landscape plan: type, size, spacing (including | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 22 | Proposed drainage system, including location and dimensions of easements | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 23 | Proposed utilities, by type, including location and dimensions of easements | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 24 | Proposed roads - names, grades, pavement widths and ROW | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 25 | Proposed emergency access, fire lanes, fire hydrants | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 26 | Typical cross sections of roads, curbs, gutters, sidewalks | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 27 | Layout of lots, with lot sizes, setbacks, buildable areas and lot numbers shown | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 28 | Footprint of proposed structures, with uses indicated | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 29 | Calculations of site area, building coverage, units, bedrooms, parking spaces | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 30 | Preliminary construction plans and elevations with general dimensions | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 31 | Final construction plans with dimensions, elevations, sections, etc. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 32 | Layout and dimensions of parking lots, with stalls shown | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 33 | Designation of snow storage areas | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 34 | Proposed locations for gas tanks, LP gas, dumpsters | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 35 | Proposed locations, and types, for signage | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 36 | Proposed locations for exterior lot and building lighting plan | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 36 | Final Plat data | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 37 | Phasing plan | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| | Approval Signature of Owner, Town Engineer, Attorney, Manager, Mayor, Utilities and | | | | | | |
| 39 | Waterways or Floodplain Setbacks (Section 12.12 Brian Head LMC) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| 40 | Designation of "No Build Area" for slopes over 40% | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

(2010 Code, amd. Ord. 15-004, 4-28-2015)

9-4-3: SUBMITTALS:

A. Application And Fees:

1. The application form and associated instructions for each specific action may be obtained from the town hall. All applications must include an accurate legal description of the property. (2010 Code, amd. Ord. 15-004, 4-28-2015)
2. Each application must be accompanied by the applicable fee payment. A fee schedule for each type of action can be found either online or available at the town hall. (2010 Code, amd. Ord. 15-004, 4-28-2015)
3. Each application must be submitted with required master (original) and electronic copies to be submitted to town staff and approval body for review and approval. (2010 Code, amd. Ord. 15-004, 4-28-2015)
4. Each application must be submitted to town hall by one o'clock (1:00) P.M., two (2) weeks (14 days) prior to the meeting of the Appeal Authority, Planning Commission or Town Council at which action is requested. (Ord. 08-016, 8-12-2008; amd. 2010 Code)
5. The town staff will review the application packet prior to the meeting and determine if all information is complete and accurate. If the application is incomplete, the Town Manager, or authorized representative, shall inform the applicant of the deficiencies and shall determine if the application shall be removed from the meeting agenda or forwarded to the approval body with an explanation of the deficiencies. Items removed from the meeting agenda shall remain tabled until all required information is submitted by the applicant.
6. The town staff may modify the application form and associated instructions as needed to clarify the approval process as long as it does not violate the provisions of this title.

B. Title Report: A title report must be prepared by a title company or other entity bonded to ensure the accuracy of the title information. One submittal of a title report with the initial application and the title report must be dated no more than thirty (30) days prior to its submission to the town. (2010 Code, amd. Ord. 15-004, 4-28-2015)

C. Vicinity Map: A map showing the project location relative to the town. The map may be at any legible scale and may be an inset on another plan or drawing (e.g., existing conditions plan). It shall show the town boundaries, major roads (e.g., Highway 143) and minor roads that serve the property. It shall clearly identify where it is located in the town and identify businesses or condominium projects adjacent to the property to indicate the location.

D. Development Report; Statement Of Interest:

1. The name and location of the property and applicant;

2. If the applicant is represented by an agent, a statement from the applicant authorizing the agent to act;
 3. The name and address of the person, firm or organization preparing the application and a statement indicating the record owner's permission to submit the application;
 4. An explanation of the purpose of the proposed action and proposed land use, including building descriptions, variations in building setbacks, parking, height or other requirements that are being sought;
 5. A development schedule indicating the approximate date of the development or stages of the development with expected completion dates;
 6. Assessment of the availability and capacity of public infrastructure (utilities, roads) to serve the proposed use;
 7. Any special agreements, conveyances, restrictions or covenants, which will govern the use, maintenance and continued protection of the development and any of its common areas.
- E. Development Agreement: A document signed by the applicant prior to approval of final plat or building permit that memorializes the obligations, commitments and representations made by the proponent in review meetings, as well as any conditions of approval. The development agreement may include or substitute for a security agreement insofar as it contains commitments to site improvements secured by a bond or other form of security. All minutes of public review sessions are incorporated into the development agreement by reference.
- F. Referral Packet: The applicant will provide mailing list/labels of the owners, including condominium owners, of abutting properties located partly or entirely within three hundred feet (300') of any boundary of the property subject to the application and as required in table 2, and their current mailing addresses available at the county recorder's office. The referral packet shall include a statement of intent for the project, the name of the project, location (address) and name of applicant, a development schedule, notification of the meeting schedule with defined format and time for comments and a "vicinity map", as defined in subsection C of this section. The staff will prepare and mail referral packet to adjacent landowners, as well as appropriate agencies. The mailing will be paid for by the applicant.
- G. Soil/Geology Report
1. A detailed soil/geology report is required during the preliminary consideration of all building permits and subdivision plats. It shall be based upon adequate test borings, excavations and geologic evaluations prepared by a geological/engineering firm specializing in soil mechanics and registered by the state. Excavations and/or borings shall be located on the proposed building pad. Reduced cost shall not be justification for more distant convenient locations.
 2. Additional soil/geologic investigation may be required if the report indicates the presence of conditions that, if not corrected or adequately addressed through design,

could lead to structural damage or premature deterioration of the building or damage to surrounding improvements, whether public or private, or damage to surrounding lots. Such conditions may include, but not be limited to: (2010 Code, amd. Ord. 15-004, 4-28-2015)

- a. Expansive soils;
 - b. High water table;
 - c. Soluble mineral veins;
 - d. Slope instability;
 - e. Buried slides;
 - f. Buried stream channels; or
 - g. Fault zones.
 - h. Sand.
3. The investigation shall include visual appraisal of adjacent lots for surface geologic/topographic conditions which could threaten the proposed building site. soil/geologic report shall also:
- a. Recommend corrective action or building design specifications intended to prevent potential dangers found in the investigation;
 - b. State whether the site is buildable or unbuildable because of any potentially threatening conditions which are not economically or technically correctable or avoidable by currently known building practices and codes. (One such example would be the existence of an active or inactive deeply buried landslide).
- H. Covenants, Conditions And Restrictions: Covenants, conditions and restrictions (CC&Rs) shall be required for all subdivisions where common elements are shared by two (2) or more owners of the subdivision. CC&Rs shall include by reference the landscaping requirements outlined in this title and the minimum design guidelines and standards as adopted by the Town Council by ordinance and may also include other conditions or restrictions as determined by the Subdivider. Two (2) copies of the CC&Rs shall be submitted with the final plat.
- I. Security Agreement: Prior to approval of final plat or occupancy permit, as required under [chapter 13](#) of this title, the applicant shall enter into a security agreement that memorializes the terms and type of security (such as a bond, letter of credit or escrow account) to guarantee the timely completion of site improvements that are the obligation of the applicant.
- J. Descriptions Of Key Plan/Drawing Contents (Table 3):

1. Site boundaries with dimensions: Show on all plans the property boundaries, accurately depicted with bearings and distances based on a recorded plat. Include a copy of the recorded plat with other submittals.
2. Boundaries of protection areas: Show official boundaries of wetlands (as per U.S. army corps of engineers), floodplains (100 year, as per U.S. FEMA maps, or engineering calculations), and spring and well protection areas (as determined by the public works department or Town Engineer).
3. Existing and proposed topography: Show contours at not more than two-foot (2') intervals for areas of less than ten percent (10%) slope and not more than five-foot (5') intervals for areas over ten percent (10%) slope. Such contour maps shall be based on county data. The closest established survey monument shall be used, and its location/elevation noted. Clearly designate the following slope categories:

| | |
|-------------------------------|---------------------|
| 0 - 10 percent slopes | 0 - 5.7 degrees |
| 11 - 25 percent slopes | 6.3 - 14 degrees |
| 26 - 39 percent slopes | 14.6 - 21.3 degrees |
| 40 percent and greater slopes | 21.8 degrees |

4. Existing conditions (vegetation, roads, utilities, buildings, etc.): In addition to showing existing conditions on the property, also show conditions immediately adjacent to the property as well as the location of any improvements that may be required to be constructed beyond the boundaries of the subdivision or project where applicable.
5. Calculations of site data table: Include the following data, in table form, on the proposed site plan:
 - a. Ground disturbance (calculate area);
 - b. Number of units;
 - c. Number of bedrooms;
 - d. Parking spaces required;
 - e. Parking spaces provided;
 - f. Ground coverage (calculate area);
 - g. Landscape coverage (calculate area);

- h. Undisturbed land area (calculate area);
 - i. Snow storage (calculate area).
6. Detailed landscape plan: Show all landscaped areas; include plans for walls, patios, fences, trees and other vegetation. Vegetation plan shall include species, variety, number to be planted and size of plant on a legend page. Show areas of lot that will remain undisturbed. The plan shall provide adequate detail to determine planting locations and shall take into account impact of snow storage, and roof snow shed. (2010 Code, amd. Ord. 15-004, 4-28-2015)
7. Preliminary construction plans:
- a. Site plans showing footprints of all structures and paved surfaces;
 - b. Sections through the structures and the site, with maximum heights noted;
 - c. Preliminary elevations (exterior views of the building);
 - d. Exhibits to demonstrate compliance with town design standards, [chapter 12](#) of this title, including elevations, and material samples showing textures and color.
8. Final construction plans:
- a. Site plans;
 - b. Floor plans, including fire protection;
 - c. Sections through all structures;
 - d. Exterior elevations showing vertical dimensions, exterior finishing materials, roof slope and covering materials, exits, stair enclosures and exterior grades;
 - e. Architectural renderings (except for single family dwelling, accessory structures, and commercial remodels that do not change the footprint of the structure); (amd. Ord. 17-004, 7-11-2017)
 - f. Exhibits to demonstrate compliance with town design standards, including elevations, and material samples showing textures and color;
 - g. Other information required by the building codes currently adopted federal, state and local laws. (2010 Code, amd. Ord. 15-004, 4-28-2015)
9. Final plat data:
- a. Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat;
 - b. Design data, assumptions and computation in accordance with sound engineering practice, along with plan, section and profile sheets for all public improvements;

- c. Current title report that has been prepared within thirty (30) days of application; (2010 Code, amd. Ord. 15-004, 4-28-2015)
- d. Covenants, conditions and restrictions (if required);
- e. Details of all exterior masonry or concrete walls, to demonstrate compliance with design standards, including elevations, and material samples showing textures and color;
- f. The words "Street", "Avenue", "Road", "Place", "Drive", "Court", or other designation of any street shall be spelled out in full on the plat and shall be subject to approval by the land use authority. (Ord. 08-016, 8-12-2008)

