

6-1-120. Administrative Review of Small Subdivisions.

Proposed small subdivisions may be approved by the County Commission after review and a positive recommendation for approval by the Zoning Administrator, the County's Engineer, County's Surveyor, the County Roads Supervisor, the Bear River Health Department, the County Fire Marshall, and the County Attorney as outlined in this section.

1. A small subdivision is a subdivision where no more than three new building lots will be created with no improvements.
2. Planning Commission preliminary and final review and approval of the subdivision is waived subject to all other conditions and requirement of the Box Elder County Land Use Management and Development Code, including requirements for preliminary and final approval being met.
3. The developer shall comply with all recommendations and requirements of reviewing agencies and individuals.
4. The Zoning Administrator, the County's Engineer, County's Surveyor, the County Roads Supervisor shall conclude that:
 - a. The subdivision does not require dedication of land for new streets or other public purposes;
 - b. The subdivision is not traversed by the mapped lines of a proposed street or a street to be widened, as shown on the Official Map; and
 - c. The subdivision will not impede access to interior lands or hamper future road circulation.
 - d. The subdivision meets the minimum residential access road serving all lots as shown in the BOX ELDER COUNTY ROAD, STORM DRAIN, AND FENCING STANDARD DRAWINGS adopted March 25, 2010.
5. Any reviewing agency or individual listed in this section may require Planning Commission review and approval.
6. Each of the lots in a small subdivision must meet the frontage, width, and area requirements of the zone district in which it is located, or must have been granted a variance from such requirements by the Hearing Officer.

6-1-130. Preliminary Plat.

- A. Preliminary Plat – Purpose.** The purpose of the preliminary plat is to require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the provisions of this Code and any other applicable County Ordinances.
- B. Application and Fees.** The subdivider of a subdivision shall file an application for preliminary plat approval with the County Community Development Department on a form prescribed by the County, together with three copies of the preliminary plat. At the same time, the subdivider shall pay an application fee as provided in the Fee Schedule.

C. Plat Preparation and Required Information. The applicant shall submit a preliminary plan to the Zoning Administrator. Three (3) copies 24" x 36", one (1) copy 11" x 17 and a 24" X 36"pdf file shall be submitted. All required documentation shall be submitted at least twenty (20) business days (i.e., the third Thursday of each calendar month) prior to the Planning Commission meeting.

1. The proposed name of the subdivision
2. The plat shall show the location of the subdivision as its forms part of a larger tract or parcel. The submittal shall include a sketch of the prospective future street system of the unplatted portion of the property, and the street system of the part submitted shall be considered in light of adjustments and connections with the future street system of the surrounding area and in accordance with the County's General Plan.
3. A vicinity map of the proposed subdivision, drawn at a scale of 500 feet to the inch, showing all lots and streets in the project, and all abutting streets, with names of the streets.
4. The names and addresses of the subdivider, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
5. A contour map at intervals of at least 2 feet, showing all unusual topographic features with verification by a qualified engineer or land surveyor.
6. Certification of the accuracy of the preliminary plat of the subdivision and any traverse to permanent survey monuments by a land surveyor, registered to practice in the State of Utah.
7. The boundary lines of the tract to be subdivided, with all dimensions shown.
8. Existing sanitary sewers, septic tanks, storm drains, subdrains, culinary and secondary water supply mains and culverts and other utilities within the tract or within 100 feet thereof.
9. The location, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots with the size of each lot in square footage and proper labeling of spaces to be dedicated to the public.
10. The location, principal dimension, and names of all existing or recorded streets, alleys, and easements, both within the proposed subdivision and within 100 feet of the boundary thereof, showing whether recorded or claimed by usage; the location and dimensions to the nearest existing bench mark or monument, and section line; the location and principal dimensions of all water courses, public utilities, and other important features and existing structures within the land adjacent to the tract to be subdivided, including railroads, power lines, and exceptional topography.
11. The location of existing bridges, railroad crossings, culverts, surface or subsurface drainage ways, utilities, buildings or other structures, pumping stations, or appurtenances, within the subdivision or within 200 feet thereof, and all known wells or springs (consult Utah State Engineer's Office), and location of the 100-year flood plain as determined by the Federal Emergency Management Agency (FEMA).
12. Proposed off-site and on-site culinary and secondary water facilities, sanitary sewers, storm drainage facilities, and fire hydrants.

13. A tentative plan by which the subdivider proposes to handle storm water drainage for an event with a 10-year return interval, as determined by the County Engineer.
14. Each sheet of the set shall contain the name of the project, scale (not less than 100 feet to the inch), sheet number, and north arrow.
15. Boundary lines of adjacent tracts of unsubdivided land within 100 feet of the tract proposed for subdivision, showing ownership and property monuments. The Planning Commission may ask for a tentative plan for providing street lighting in the subdivision in districts where street lighting is required. Plans showing any required landscaping and/or park strip tree planting.
16. If the site requires substantial cutting, clearing, grading, or other earthmoving operations in the construction of improvements, the application shall include a soil erosion and sedimentation control plan prepared by a registered civil engineer. This is known as the Storm Water Pollution Prevention Plan
17. Verification as to the accuracy of the plat by the owner. The subdivider shall provide with the application the following documents:
 - a. Copies of any agreements with adjacent property owners relevant to the proposed subdivision (i.e. quick claim deeds, ingress/egress deeds).
 - b. A comprehensive geotechnical and soils report prepared by a qualified engineer based upon adequate test borings or excavations shall be submitted in accordance with the County's Subdivision Standards.
 - i. In cases of small subdivisions, a letter from the design engineer, stamped and signed, certifying the road design may be submitted for review and acceptance by the County Engineer/Surveyor.
 - c. A copy of a preliminary title report evidencing satisfactory proof of ownership.
 - d. Satisfactory evidence that all utilities and services will be available for the subdivision and that the utilities and easements therefore have been reviewed by the utilities.
 - e. An adequate traffic report prepared by a qualified traffic engineer when required by the Planning Commission.
 - f. Adequate water pressure report which includes hydraulic calculations for fire hydrant systems and fire hydrants for fire suppression.
 - g. The subdivider shall comply with all other applicable federal, state and local laws and regulations and shall provide evidence of such compliance if requested by the County.
 - h. Copy of proposed protective covenants in all cases where sub-surface drains are to be located within the subdivision.

D. Review and Approval by the Planning Commission.

1. The Planning Commission shall review the submitted preliminary plat and determine compliance with the standards and criteria set forth in this Subdivision Ordinance and all other ordinances of Box Elder County, including, but not limited to, the Box Elder Land Use Development & Management Code, General Plan, Official Map, and applicable building codes. The Planning Commission may approve, approve subject to modification, or disapprove the submitted preliminary plat, and shall make findings

- specifying any inadequacy in the application, non-compliance with County regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat. The Planning Commission may review all relevant information pertaining to the proposed development including but not limited to the following: fire protection; sufficient supply of culinary and secondary water to the proposed subdivision; sewer service or septic tanks; traffic considerations potential for flooding; burden on the school district, etc. The subdivider shall be notified in writing of the action taken by and the findings of the Planning Commission regarding the submitted preliminary plat.
2. If the Planning Commission denies preliminary plat approval, no further review of the proposed subdivision shall be made by the Planning Commission, and a new preliminary plat shall be required to re-initiate the subdivision process.
 3. Granting of a preliminary plat approval by the Planning Commission shall not constitute a final acceptance of the subdivision by the Planning Commission. Nor shall approval of the preliminary plat relieve the subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all County standards and requirements.

E. Expiration of Preliminary Plan Approval.

1. Once preliminary plat approval has been granted, the subdivider may apply for final plat approval. If the final plat has not been recorded within one year of the date of the preliminary plat approval by the Planning Commission, the preliminary plat must again be submitted to the Planning Commission for review and approval.
2. In those cases where a subdivision is proposed to be developed in phases, preliminary plat approval for the remaining portions of the subdivision shall not be voided if final plat for the first phase is approved and recorded within one year of the date of preliminary plat approval.

6-1-140. Final Plat.

- A. Plat – Purpose.** The purpose of the final plat is to require formal approval by the Planning Commission and County Commission before a subdivision plat is recorded in the Office of the Box Elder County Recorder. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this Code. The final plat and construction plans submitted shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure.
- B. Filing Deadline, Application, and Fees.** Application for final plat approval shall be made within twelve (12) months after approval or conditional approval of the preliminary plat by the Planning Commission. This time period may be extended for up to twelve (12) months for good cause shown if subdivider petitions the Planning Commission for an extension prior to the expiration date, however only one extension may be granted. The subdivider shall file an application for final plat approval with the County Community

Development Department on a form prescribed by the County, together with three (3) copies of the proposed final plat and three (3) copies of the construction drawings. At the same time, the subdivider shall pay to the County the application fee for the subdivision as set forth in the Fee Schedule.

- C. Final Plat – Preparation and Required Information.** The following items shall be submitted to the Zoning Administrator for Final Plan review. All required documents are due twenty (20) business days (or the third Thursday of each calendar month) and by appointment with the Zoning Administrator, prior to Planning Commission meeting.
1. Drawings shall be prepared and certification made as to plan accuracy by a registered professional licensee to do such work in the State of Utah. A workmanlike execution of the plan shall be made in every detail. A poorly drawn or illegible plan is sufficient cause for Final Plan rejection.
 2. The plan shall be a permanent photo-copy on 3 to 5 mil Mylar or equivalent approved by the County. Submittal of three (3) copies 24" x 36", one (1) copy 11" x 17 and a 24" X 36"pdf file.
 3. Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to public survey monuments. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with the lot dimensions, and tied to two or more existing land monuments (and state plane coordinates when required by the County). When the plan is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plan includes all land to the water's edge or otherwise.
 4. The plat shall be drawn to a scale not less than 1"-100' and shall indicate the basis of bearings, true North point, name of project and quarter section, block and lot number of property under consideration.
 5. The plat shall be signed by all required and authorized parties with appropriate notarial acknowledgments and the final plat shall contain all information set forth in this section.
 6. An accurate and complete survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground shall close within a tolerance of 1 foot to 10,000 feet. Survey tie into two or more legal corners or other permanent markers established by the County Surveyor is required.
 7. The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius, arc length of curves, and chord bearings and lengths, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall show the calculated Box Elder County coordinates. Lot and boundary closure shall be calculated to the nearest 100th of a foot.

8. All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.
9. Profiles of all streets, water, sewer, and drainage lines. These profiles should be shown on separate sheets but to a scale no smaller than 1"=20' vertical and 1"=40' horizontal.
10. The plat shall show the right-of-way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within 50 feet of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.
11. All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the County. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the County. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.
12. The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.
13. The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the subdivider under the direction of the County Engineer/Surveyor. The following required monuments shall be shown on the final plat:
 - a. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;
 - b. All right-of-way monuments at angle points and intersections as approved by the County Engineer.
14. The final plat shall contain the name of the surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgments and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:
 - a. Registered land surveyor's "Certificate of Survey";
 - b. Owners dedication certificate;
 - c. Notary public's acknowledgment for each signature on the plat;

- d. A correct metes and bounds description of all property included within the subdivision;
- e. Plats shall contain blocks for signature of the Planning Commission, County Engineer (if improvement plans are a part thereof), County Surveyor, County Attorney, and County Commission. A block for the Box Elder County Recorder shall be provided in the lower right corner of the final plat.
- f. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this Code, or by the County Attorney;
- g. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the County Attorney. A "**current title report**" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.
- h. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the County's Subdivision Standards and Specifications.
- i. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas.
- j. A narrative shall be included on the plat which states the purpose of the survey, the basis on which the lines were established, and the found monuments and deed elements that controlled the established or reestablished lines, any evidence on the ground that helps determine boundaries such as parole evidence, and/or fence lines, etc.