



Sevier County Municipal Code

Title 13: SUBDIVISION

Title 13: SUBDIVISION	0
Chapter 13.04 GENERAL PROVISIONS AND ADMINISTRATION	3
13.04.010 Intent and purpose.	3
13.04.020 Scope	4
13.04.030 Exemptions.	5
13.04.040 Permits.	5
13.04.050 Fees.	5
13.04.060 Violation-Penalty.	6
13.04.070 Definitions	6
Chapter 13.08 - PROCEDURE	7
13.08.010 Signed Documentation of Closest Municipality Rejection of an Annexation Request.	7
13.08.020 General Subdivision Procedure.	7
13.08.030 Approval of the Planning Commission and an Improvements Agreement Required Prior to Approval of the Board of County Commissioners.	9
13.08.040 Approval of Planning Commission	9
13.08.050 Failure of the Planning Commission to Act on Final Plat to be Deemed Approval of Final Plat.	10
13.08.060 Application for Designation as a Minor Subdivision.	10
13.08.070 Action on Applications for Minor Subdivision Approval.	10
13.08.080 Minor Subdivision Application Concept Plan/Preliminary design Checklist	11
13.08.090 Drawing Requirements.	13
13.08.100 Time Limits for Final Approval and Recording of Subdivisions.	15
13.08.110 Minor Subdivision Additional Standards	15
Chapter 13.12 - CONCEPT PLAN	16
13.12.010 Procedures and Requirements for Submission	16
13.12.020 Review Procedure - Concept Plan.	17
Chapter 13.16 PRELIMINARY DESIGN PLAN	18
13.16.010 Submission Requirements.	18
13.16.020 Drawing Requirements.	18
13.16.030 Supporting Documents Required.	19



Sevier County Municipal Code

13.16.040 Summary Statement of Proposal.	20
13.16.050 Review Procedure--Preliminary Design Plan.	21
13.16.060 The Planning Commission Approval.	22
Chapter 13.20 - FINAL PLAT	23
13.20.010 Submission Requirements.	23
13.20.020 Plat Requirements.	23
13.20.030 Drawing Requirements.	24
13.20.040 Phase Development.	26
13.20.050 Monuments.	26
13.20.060 Survey Certification.	27
13.20.070 Supporting Documents.	27
13.20.080 Revised Summary Statement of Proposal.	28
13.20.090 Planning Commission Review.	28
13.20.100 Board of County Commissioners' Review--and improvements agreement and compliance with this title required for approval.	29
13.20.110 Recording final plat.	29
13.20.120 Re-subdivision Procedure.	30
13.20.130 Amending a Recorded Subdivision Plat.	30
13.20.140 File of Recorded Subdivisions.	30
Chapter 13.24 DESIGN STANDARDS	31
13.24.010 Design Standards.	31
13.24.020 General Standards.	31
13.24.030 Lots.	32
13.24.040 Street Requirements.	32
13.24.050 Street Names.	35
13.24.060 Curvature and Alignment.	35
13.24.070 Frontage on Major Highways.	35
13.24.080 Roadbed Construction Standards for Paved Roadways for Public Streets.	35
13.24.090 Street Grades.	36
13.24.100 Sidewalks, Curbs and Gutters.	36
13.24.110 Block Standards.	37
13.24.120 Pedestrian Crosswalks.	37
13.24.130 Lot Size Standards.	37



Sevier County Municipal Code

13.24.140 Easement Standards.	37
13.24.150 Utilities to be Underground.	38
13.24.160 Alleys.	38
13.24.170 Sanitary Sewage Disposal--General Requirements.	38
13.24.180 Sanitary Sewer Mains, Laterals and House Connections--Future.	39
13.24.190 Test Procedures.	40
13.24.200 Water in Sufficient Quantity to be an Obligation of Subdivider.	40
13.24.210 Culinary Water System.	41
13.24.220 Culinary/Fire Protection Water Storage Facility.	41
13.24.230 Storm Drainage and Floodplains.	41
13.24.240 Irrigation systems.	42
13.24.250 Fire Protection.	43
Chapter 13.28 - FINANCIAL RESPONSIBILITY	43
13.28.010 Guarantee.	43
13.28.020 Performance Bonds.	44
13.28.030 Deposit in Escrow.	44
13.28.040 Default.	44
13.28.050 Phased Development.	44
13.28.060 Guarantee for One Year.	45
13.28.070 Acceptance and Release of Surety.	45
Chapter 13.32 - Cluster Subdivisions and Open Space.	46
13.32.010 Cluster Subdivisions Standards	46
13.32.020 Unit Density Calculation and Density Bonus.	47
13.32.030 Open Space.	47



Sevier County Municipal Code

Chapter 13.04 GENERAL PROVISIONS AND ADMINISTRATION

Sections:

13.04.020 Scope

13.04.010 Intent and purpose

13.04.030 Exemptions

13.04.040 Permits

13.04.050 Fees

13.04.060 Violation-penalty

13.04.010 Intent and purpose.

This section explains the purpose of Title 13 is to preserve natural features found in the County as well as make safety a top priority in the development process.

The purpose of this title and the intent of Sevier county in the adoption of the ordinance is to promote the health, safety, convenience and general welfare of the present and future inhabitants of Sevier County.

The title will accomplish this purpose by:

1. Providing policies, standards, requirements, and procedures to regulate and control the design improvement of all subdivisions;
2. Assisting in the implementation of the objectives, policies, and programs of the general plan by ensuring that all proposed subdivisions, together with provisions for their design and improvement, are consistent with the general plan and all applicable specific plans;
3. Preserving and protecting, to the maximum extent possible, unique and valuable natural resources and amenities, including topographic and geologic features, natural watercourses, fish and wildlife habitats, historical and cultural places, and scenic vistas and attractions; and improving the public's access to and enjoyment of such resources and amenities through the dedication or continuance of appropriate public easements
4. Preserving and protecting the special environmental quality and aesthetic character of all hillsides and mountainous areas; preventing detrimental impacts on the soil mantle, vegetative cover, and other environmental factors; reducing the hazards to life and property from fire, flood, erosion, sedimentation and soil slippage; and relating the amount of grading within a subdivision to the slope of the natural terrain; .
5. Encouraging quality clustering of housing developments where subdivisions are permitted in hillside and mountainous areas, minimizing grading, preserving the natural terrain, and enlarging the open space;
6. Relating land use intensity and population density to existing developments, street capacity and traffic access, the slope of the natural terrain, the availability and capacity of public facilities and utilities, and open spaces.
7. Providing lots of sufficient size and appropriate design for the purposes for which they are to be used;
8. Providing streets of adequate capacity and design for the traffic that will utilize them, and ensuring maximum safety for pedestrians and users of vehicles;



Sevier County Municipal Code

9. Ensuring adequate access to each building site;
10. Providing sidewalks, pedestrian ways, and equestrian and hiking trails for the safety, convenience, and enjoyment of residents of new developments;
11. Providing adequate systems of water drainage, street lighting, and other utilities needed for public health, safety and convenience.
12. Providing adequate sites for public facilities needed to serve residents of new developments;
13. Ensuring that costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way and for the improvements where needed to serve new developments are the responsibility of borne by the subdivider(s);
14. Preventing land which is actually or potentially dangerous by reason of flood hazard, inundation, inadequate access, inadequate water supply or fire protection, insufficient sewerage facilities, or hazardous geological conditions from being subdivided for any use or in any manner tending to create and increased detriment to the public health, safety or welfare;
15. Ensuring that, as possible, land is subdivided in a manner that will promote the public health, safety, convenience, and general welfare and the physical, social and economic development of the area in conformance with this title and the general plan.

13.04.020 Scope

This section outlines the need to meet standards outlined in this title before land is able to be subdivided. Each potential development plan needs to be approved by the designated land use authority before any work on the land can be started.

1. No person shall subdivide any tract of land except in compliance with this title. No person shall sell or exchange or offer to sell or exchange any parcel of land which is a part of a subdivision of a larger tract of land, nor offer for recording any deed conveying such a parcel of land, or any interest in, unless such subdivision has been created in accordance with the provisions of this Land Use Code.
2. No lot within a subsection created and recorded prior to the effective date of the ordinance codified in this title or approved by the planning commission and board of county commissioners and recorded in the county recorder's office under the provisions of this title, shall be further divided, rearranged, added to or reduced in area, nor shall any boundaries of any lot be altered in any manner so as to create or form a lot, without first obtaining the approval of the planning commission and the board of county commissioners.
3. Restricted lots are prohibited.
4. No division of land that leaves a remainder parcel of less than the required size for a legal lot shall be allowed for development purposes in any zone.



13.04.030 Exemptions.

This section lists the reasons a development would be exempt from the provisions or regulations outlined throughout the remaining sections in this title.

Any land divided for any purpose into two or more parts shall be subject to the following provisions and regulations, except the following, which are exempt:

1. A bona fide actual division or partition of agricultural land for agricultural purposes; a bona fide ag split must meet UCA 59-2 part 5, Farmland assessment act.
2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 - a. No new lot is created; and
 - b. The adjustment does not result in a violation of applicable zoning ordinances;
3. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property;
4. The legitimate bona fide division or partition of land for the purpose of siting, on one or more of the resulting separate parcels, an unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company.
5. A lot subdivided under [Utah State Code 17-27a-605 \(4\)](#) exemption, however before issuance of a building permit on such lot, the following shall be provided to the County:
 - a. A site plan showing the location of the proposed building in relation to parcel boundaries prepared by a surveyor licensed in Utah, to ensure compliance with safety setback, and lot size requirements of the Sevier County Zoning Ordinance.
 - b. Proof of purchase and transfer of culinary water as required by 14.52.030.
 - c. Evidence of legal access to the property that complies with 13.24.030 (5)
 - d. Evidence of wastewater permit approval for the parcel from the State Health Department.

13.04.040 Permits.

This section clarifies the need to obtain a permit or license for land use and construction. A permit/license will only be permitted after the use has met the appropriate zoning and steps have been approved.

The building official shall not grant a permit, or any officer of Sevier County grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any of the provisions of this title, the zoning ordinance, or on a lot in a subdivision created by judicial decree, until a subdivision plat has been recorded, or approved as required by this title. Any license or permit issued in conflict with such provisions shall be null and void.

13.04.050 Fees.

This section states the need to pay the appropriate fees throughout the process in order to be passed by the County.

At the time of filing an application for approval at any step or stage of the subdivision process, a non-refundable fee must be submitted, payable to Sevier County, in accordance with the current applicable fee schedule as adopted by the board of county commissioners.



13.04.060 Violation-Penalty.

This section describes the penalty for a person who violates any provisions of this title and to what extent.

1. Any person, firm or corporation, whether as principal, agent or employee who violates or causes the violation of any of the provisions of this title shall be guilty of a misdemeanor and upon conviction shall be punished as provided by law.
2. In addition, Sevier County by action of the board of county commissioners or the county attorney with or without express action of the board of county commissioners may institute injunction, mandamus, abatement or other appropriate civil action or actions to prevent, enjoin, abate or remove acts or uses in violation of this title

13.04.070 Definitions

Outlines the words used specifically for Title 13.

Refer to Title 14 for land use-related definitions.



Chapter 13.08 - PROCEDURE

Sections:

- 13.08.010 Signed documentation of closest municipality rejection of an annexation request.**
- 13.08.020 General subdivision procedure.**
- 13.08.030 Approval or planning commission and an improvements agreement required prior to approval of the board of county commissioners.**
- 13.08.040 Approval of planning commission.**
- 13.08.050 Failure of the planning commission to act on the final plat to be deemed approval of the final plat.**
- 13.08.060 Application for designation as a minor subdivision.**
- 13.08.070 Action on applications for minor subdivision approval.**
- 13.08.080 Time limits for final approval and recording of subdivision**

13.08.010 Signed Documentation of Closest Municipality Rejection of an Annexation Request.

This section describes the need to have documentation of the closest adjacent municipality rejecting annexation of the proposed project.

All subdivision applications to the County require documentation of the closest adjacent municipality showing the municipalities' rejection of an annexation request, and upon the recommendation of the county planning commission, other municipalities may also be required to reject an annexation request by the subdivider before acceptance of any subdivision application by the county.

13.08.020 General Subdivision Procedure.

This section outlines the process needed to get approval from the planning commission and board of county commissioners.

The procedure by which required writings and material shall be submitted, reviewed, and approved or disapproved by the planning commission shall be as follows:

1. All writings and materials required at the preliminary and final stages of the subdivision procedure shall be submitted at least fourteen (14) calendar days prior to the regularly scheduled planning commission meeting at which the applicant desires to appear. All materials being submitted for the concept plan phase shall be submitted at least twenty-one (21) days before the regularly scheduled meeting.
2. Any filing and review fees required by rule of the planning commission or board of county commissioners for any stage of the subdivision procedure, shall be submitted together with those writings and material specified in subsection (A) of this section.
3. Upon receipt of all required writings, fees and materials for any specific stage of the subdivision procedure, the planning commission shall docket the subdivider's application for review. Incomplete submittals shall not be placed on the agenda docketed for planning



commission review. Complete applications, including all required submittals, which are submitted to the planning commission less than the required amount of calendar days prior to a regularly scheduled meeting of the planning commission shall be scheduled for review at the next such regularly scheduled meeting to allow time for review by the planning commission and staff.

4. Any approval or disapproval made by the planning commission shall be in the form of written findings of fact and conclusions included in the approved minutes of the meeting.
5. Any approval or disapproval by the planning commission described in this chapter may be appealed directly to the board of county commissioners.
6. No excavation or alteration of the terrain within a proposed subdivision may be undertaken prior to approval of the final plat by the county commission, approval or disapproval in conformity with the procedures set forth in this chapter; excavation or alteration of the land prior to approval of the final plat may be cause for disapproval of the proposed subdivision.
7. Receipt of any document for the purposes of official planning commission action shall be deemed to occur only at regularly scheduled meetings of the planning commission.

Steps in the procedure are as follows:

Step 1: Submit Concept Plan.

Subdividers shall submit a concept plan to the development review committee consisting of a representative of the building and zoning department, health department, County fire department, Roads and any other department the County deems necessary prior to the submission of a preliminary plat (preliminary design plan). The concept plan shall enable the subdivider and the development review committee to have an informal preliminary review of a proposed subdivision for general scope and conditions which might affect said subdivision. The concept plan shall be reviewed by the development review committee under guidelines set forth in Chapter 13.12. There is no approval of a concept plan required or given. After reviewing and discussing the concept plan, the Development Review Committee will advise the applicant of the specific changes or additions, if any, it will require in the layout, and the character and extent of required improvements and reservations which it will require as a prerequisite to the approval of the preliminary plat. The Development Review Committee will grant the applicant the right to move forward with authorization to prepare and submit a preliminary plan.

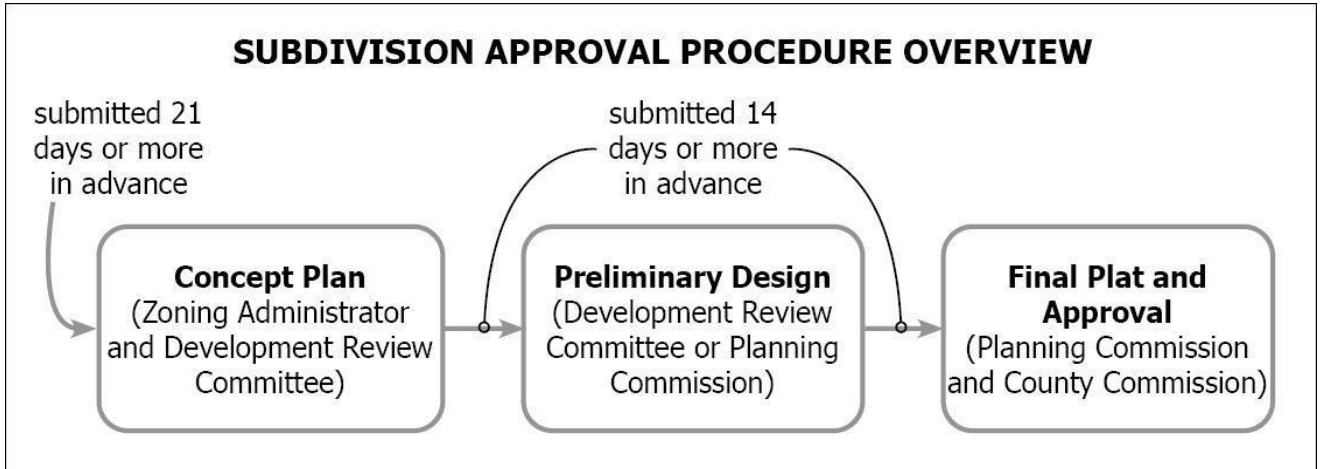
The concept plan shall remain valid for six (6) months. Thereafter, review of the concept plan shall expire, unless the time of approval is extended by the planning commission.

Step 2: Submit Preliminary Design Plan.

Subdividers shall submit a preliminary design plan once the concept plan has been approved. The preliminary design plan shall provide design solutions for problems identified in the approved concept plan. Submission requirements and time required for review and notification are included in Chapter 13.16. The preliminary design plan shall have been approved by the planning commission in a public meeting before the planning commission will review submittals for final plat approval. Approval of the preliminary design plan shall be valid for twelve (12) months. Thereafter, approval of the preliminary design plan will have expired unless a final plat has been submitted to the planning commission, or an extension has been granted by the planning commission.

Step 3: Submit Final Plat.

Once a preliminary design plan has been approved by the planning commission, the subdivider shall submit a final plat and supporting documents. The final plat shall be reviewed by the planning commission and board of county commissioners. Appropriate action shall be taken under the process outlined in Chapter 13.20 Once approved by the planning commission and the board of county commissioners, the final plat may be recorded, and lots may then be sold.



13.08.030 Approval of the Planning Commission and an Improvements Agreement Required Prior to Approval of the Board of County Commissioners.

This section points out the need to have development reviewed by the planning commission and improvement agreement signed by the appropriate parties.

The board of county commissioners shall not approve any subdivision or authorize for recording any subdivision which has not previously been reviewed by the planning commission nor shall it approve and authorize such subdivision for recording unless an improvement agreement with regard to the subject subdivision has been signed by all appropriate parties. The improvements agreement shall then also be recorded.

13.08.040 Approval of Planning Commission

This section describes the process of obtaining approval from the planning commission as part of the process of obtaining approval from the board of commissioners.

The planning commission shall grant approval for any subdivision only after a subdivider has complied with the process outlined in this title. Intermediate approval at each phase of the process shall not be construed to mean an approval of the subdivision for submission to the board of county commissioners.

13.08.050 Failure of the Planning Commission to Act on Final Plat to be Deemed Approval of Final Plat.

This section outlines the need to have action taken by the planning commission within forty-five days or it will be recommended to the county commissioners as a favorable approval.

Failure of the planning commission to act by recommending to the board of county commissioners the approval, conditional approval or disapproval of a final plat within forty-five (45) days of the receipt of such plat, by the planning commission, shall be deemed to be a favorable approval of the planning commission, unless an extended time period is necessary for review for consideration as granted by the board of county commissioners.

13.08.060 Application for Designation as a Minor Subdivision.

This section explains the application process requirements for a minor subdivision.

The owner or agent on behalf of the owner of a tract or parcel of land proposed to be divided into four (4) or less building sites, tracts or lots, shall apply to the planning commission for designation of development as a minor subdivision, if such division meets the requirements for a minor subdivision as outlined in 13.08.070. Such application shall include a legal description of the tract and of the proposed lots and the vicinity plan indicating the relation of the lots to existing roads.

13.08.070 Action on Applications for Minor Subdivision Approval.

This section goes through the process needed for approval of a minor subdivision.

A concept plan review by the Zoning Administrator and other departments as deemed necessary by the Zoning Administrator and a preliminary/final design plan approved by the Planning Commission shall be required for all minor subdivisions. Final approval by the Planning Commission and recording of the final plat will be authorization for the subdivider to sell lots within the subdivision. The Planning Commission may combine the preliminary and final design plans for approval in the same meeting.

The planning commission may recommend on-site and off-site improvements, facilities and amenities, and provided one hundred percent by the applicant for minor subdivision approval determined necessary by the planning commission and accompanied by a finding of the planning commission that such on-site and off-site improvements, facilities and amenities are required to protect the public health, safety and welfare of the residents of the subdivision, or the existing residents of the county, including but not limited to:

1. Road improvements, grading and hard-surfacing, bridges, culverts, road signs and lighting;
2. Flood control areas and facilities;
3. Culinary water facilities;
4. Sanitary sewer facilities;
5. Park, trail, open space areas and facilities;
6. Fire protection facilities, including fire hydrants and water storage facilities;
7. Irrigation facilities;



8. Electrical power, telephone and other utility facilities;
9. Fencing and livestock guards.

To be classified as a minor subdivision, the subdivision must meet the following conditions:

1. The subdivision consists of four lots or less.
2. The subdivision does not require the dedication of any land for street or other public purposes within the subdivision. (Does not include dedication of land to widen existing county rights-of-way.)
3. The subdivision is not traversed by the mapped lines of a proposed street as shown on the general plan.
4. Each of the lots in the subdivision meets the frontage, width and area requirements of the zoning ordinance.
5. Is not within 1,000 feet of another minor subdivision if the property is owned by the same person as outlined in [Utah State Code 17-27a-605](#)
6. There is no dispute, whether actual or implied by conflicting records of title or surveys, as to the ownership of the land within the proposed subdivision.
7. Each lot in the subdivision has been or will be provided with improvements as required by this ordinance and the county road department. Cost of improvements will be at the expense of the property owner.

13.08.080 Minor Subdivision Application Concept Plan/Preliminary design Checklist

This section outlines the required documents needed for a review by the Planning Commission.

An applicant must Submit (9) Copies of the following to the Building/Planning and Zoning Department, No later than 14 days prior to the next scheduled Planning and Zoning Meeting.

1. **Summary Statement** of Application, inserted after Land Use Application with statements on the following issues:
 - a. Proposed Name of Subdivision
 - b. Name and address of person(s) developing this subdivision.
 - c. Total development area, and number of proposed dwelling units.
 - d. Description of water system
 - e. Description of sewer or sanitary system.
 - f. Description of method of financing improvements.
 - g. Written statement of the intent of the property owner including feasibility, design criteria and overall impact of the subdivision.
 - h. Description of Geologic Hazards.
 - i. Location, function, ownership and manner of maintenance of common open space or non-buildable area not otherwise reserved or dedicated for public use if applicable.
 - j. Description of fire protection provided (fire hydrants, fire sprinklers, etc.)



2. **Municipal annexation request letter.** (the nearest municipality must reject your annexation and written documentation must be included.)
3. **A Vicinity Plan.** A drawing on a map of the location of your subdivision. (This is necessary so that the members of the Planning Commission can easily identify where this property is located. Include known roads or landmarks so that the property can be found.)
4. **A Document for Future Roadway Improvements.** Documentation recorded with the Property Stating that the property in the minor subdivision or any portion abutting an existing County road is subject to exactions by the county for any future roadway improvements. Utah Code 17-27a-507. The documentation should also state that the cost of the improvements will be at the expense of the property owner, for the owner's portion.
5. **Perimeter outline drawing** of proposed plan area including the following:
 - a. Lot and street layout with dimension on all lots to the nearest foot.
 - b. Lots and blocks numbered consecutively.
 - c. Locations and identifications of all existing and proposed public and private easements.
 - d. Existing street names.
 - e. Location of trees over 6 inches in diameter.
 - f. Location of well (if necessary) and 100 foot radius well protection zone drawn around the well
 - g. Access from the county road.
 - h. Adjacent property and owners
 - i. True north, township, range, and quarter section.
6. **A description of each lot** survey plat required. (3 Mylar Plats 2-24"X36" and 1- 18"X18") are required at the time of the meeting. Required signatures on the mylar must include Planning Commission Chair, one (1) County Clerk and one (1) County Recorder signature spaces.
7. **Setback Requirements met.** Drawings must show the setback requirements for buildings/structures, setbacks will be measured from the center of roadway, minimum of 63' from center of roadway.
8. **An affidavit (certificate for clear title),** that the applicant is the owner, the equitable owner, or authorized by the owner in writing to make an application or the land proposed to be subdivided.
9. **Documentation of water rights.** Change order applied for, or actual water rights for this property. (Water Rights Division 2031 Industrial Park Rd, Richfield UT 84701, (435)896-2557).
10. **Letter of feasibility for sewage disposal** from the Central Utah Health Department indicating a septic system will work in this area. (Central Utah Health Department 70 Westview Drive, Richfield, Utah, (435) 896-5451)
11. **Access/Encroachment Letter,** from the Sevier County Road Department and or the Utah Department of Transportation providing access to the subdivision off of the county or state rights of ways, this may include dedication of property for rights of way.
12. **A Letter from the Soil Conservation District** or other capable agency regarding soil suitability for the proposed subdivision. (Natural Resources Conservation Service, located in the USDA building, 340 North 600 East, Richfield, Utah.)



13. **The substance of all other covenants**, grants of easement or restrictions to be imposed upon the use of the land, buildings and structures.

13.08.090 Drawing Requirements.

This section states the requirements of the drawing submitted and prepared by a registered land surveyor licensed to do work in the state of Utah.

The final plat drawing shall have the following standards:

1. The plat shall be prepared, and certification made as to its accuracy by a registered land surveyor licensed to do such work in the state of Utah. A workman-like execution of the plat shall be made in every detail. A poorly drawn or illegible plat is sufficient cause for its rejection.
2. The plat shall be delineated in permanent ink, mylar, and electronic form (pdf).
3. Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with the lot dimensions. When the plat is bounded by an irregular shoreline or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge, or otherwise.
4. If a plat is revised, a copy of the old plat shall be provided for comparison purposes. All surveys shall be tied into the state coordinate system.
5. All blocks and all lots within each block shall be consecutively numbered.
6. On curved boundaries and all the curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. Radius of curve;
 - b. Central angle;
 - c. Tangent;
 - d. Arc length;
7. Excepted parcels shall be marked "Not included in this subdivision" and the boundary completely indicated by bearings and distances.
8. All streets, walkways and alleys shall be designated as such and streets shall be named; bearings and dimensions must be given.
9. All easements shall be designated as such and bearings and dimensions given.
10. All lands within the boundaries of the plat shall be accounted for either as lots, walkways, streets, alleys, or as excepted parcels.
11. All dimensions of irregularly shaped lots shall be indicated in each lot.
12. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.



13. Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided all owners join in dedication and acknowledgement.
14. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of an arc.
15. The information on the plat shall include:
 - a. Name of subdivision, astronomic north arrow and basis thereof, and date;
 - b. Name and address of the owner or owners of record (names must be printed on Plat);
 - c. Total acreage of subdivision; total number of lots;
 - d. Township, range, section (and quarter section, if portion);
 - e. Graphic scale;
 - f. Any additional information required by local ordinance, or by state law.
 - g. (1) For existing roads and streets,
 - (i) A surveyed and labeled depiction of their location on the map, distinguishing them as existing, and
 - (ii) A signed and notarized note by the owner containing the following or substantially similar language “For any existing highways, streets and roads in the said plat, I [or we] acknowledge that the same are perpetual public rights-of-way and that I [or we] will not cause the same to be gated, blocked or otherwise restricted.”.
 - (2) For proposed roads and streets,
 - (i) A surveyed and labeled depiction of their location on the map, distinguishing them as proposed;
 - (ii) A note entitled “Description of Proposed Roadways,” or substantially similar language, and containing a legal description of the proposed roads and streets;
 - (iii) A signed and notarized note entitled “Owners Certificate of Dedication” or substantially similar language, and containing the following or substantially similar language: “I [or we], the owner [or owners], do hereby certify that I [we] have caused to be surveyed, subdivided and plated into lots and streets as shown by the plat and any certificate hereto annexed, the hereon described [Title] Subdivision located in [name of jurisdiction], Sevier County, State of Utah. I [we] do hereby dedicate for the perpetual use of the public, a tract of land to be used as public roads and streets and quit-claim any interest in said tract of land, more particularly described by the hereon Description of Proposed Roadways and shown on this plat. For any existing roads in the said plat, I [or we] acknowledge that the same are perpetual public rights-of-way and that I [or we] will not cause the same to be gated, blocked or otherwise restricted.”
16. Signatures required on the Plat:
 - a. County Planning Commission Approval and Acceptance: One line for the chairman, and one line for member with dates;



- b. Owner(s) of record signatures which are notarized;
- c. County Clerk: One signature line and box space for the county clerk seal with date.
- d. County Recorder: One line for signature and Date
- e. Other signatures are required to fulfill the purposes of this title and Utah Code.

13.08.100 Time Limits for Final Approval and Recording of Subdivisions.

This section goes over the time limits on the approval process for a subdivision that needs to be completed within two years and recorded within three months of final approval.

The following time limits will be imposed on any application for a subdivision.

- 1. A minor subdivision application must be completed through the Planning Commission within 24 months from the date the subdivision was first on the Planning Commission agenda. Otherwise, the subdivision application will have lapsed and a new application (with new fees) will have to be made.
- 2. During the approval process, the Planning Commission has the right to recommend that road improvements are complete before the minor subdivision application is approved.
- 3. Once final approval is given by the Planning Commission for minor subdivisions, the subdivision plat must be recorded within 3 months of the meeting it was approved otherwise the application will have lapsed, and a new application made.

13.08.110 Minor Subdivision Additional Standards

This section states additional standards and regulations that are necessary for development of a Minor Subdivision.

- 1- A private Drive is considered a driveway that is used to access no more than 4 building lots in a minor subdivision, if the drive is used to access more than 4 lots or has the potential to be used as a future collector street, then the drive/roadway will need to be designed with easements meeting the county road standards, determined by the County Road Department.
- 2- Requirements for road standards as identified in controlling Sevier County transportation plans and ordinances.



Chapter 13.12 - CONCEPT PLAN

Sections:

13.12.010 Procedures and requirements for submission.

13.12.020 Review Procedure-Concept plan.

13.12.010 Procedures and Requirements for Submission

This section gives instructions as to what documentation is needed for the concept plan meeting with the development review committee.

The subdivider shall submit ten (10) hard copies and one electronic copy (pdf) of a concept plan to the development review committee, at least twenty-one (21) days before the next planning commission meeting for review and discussion on the site plan and general scope and conditions.

The plan shall include the following items:

1. Municipal annexation request form;
2. The proposed name of the subdivision;
3. A vicinity plan;
4. A proposed lot and street layout, indicating general scaled dimensions of lots to the nearest foot;
5. A description of the type of water system proposed; also, documentation of water rights, and of historic water use;
 1. When private wells and on-site adsorption sewage disposal systems are proposed, a description of how each proposed lot will conform to the standard protection radius around the well-head; (refer to 13.24.170)
6. A description of the type of sewer or sanitary waste system proposed;
7. A description of the method of financing improvements and a statement concerning the timing of improvement installation, specifically improvements that are to be installed following the recording of the final plat; (refer to 13.28.020-13.28.30)
8. The acreage of the entire tract proposed for the subdivision, including plans for maintenance and ownership of remaining non-buildable lands as required in the zoning ordinance; (refer to 13.32 Cluster Subdivisions and Open Space.
9. Geologic hazards within the tract;
10. Letters of feasibility from the appropriate health officers of the proposed water and sewerage systems including irrigation, canals, and ditches necessary to meet the requirements of this title, the local health officer, and the state Department of Environmental Quality, Central Utah District.

13.12.020 Review Procedure - Concept Plan.

This section clarifies the process of review of the concept plan by the development review committee. It also gives instructions to the committee as to what they are reviewing.

The development review committee shall, upon receipt of the complete submission, distribute copies of the plan to government departments and other agencies as in the opinion of the committee who may contribute to a decision in the best interests of the public.

The development review committee shall review the concept plan submittals and determine compliance with the general plan, zoning ordinance, the subdivision ordinance, and other regulations of the county.

The development review committee shall notify the subdivider of the concept plan, review findings including questionable design or engineering feasibility, inadequacy of submittals, noncompliance with local regulations, and the need for other information which may assist the planning commission to evaluate the proposed subdivision.

If it is determined by the development review committee that the proposed subdivision would violate local ordinances and regulations, no further review of the proposed subdivision shall be made by the development review committee, and a new concept plan shall be required to reinitiate the subdivision process. Other than as mentioned above, the review of the concept plan shall not constitute an absolute disapproval of the proposed subdivision, but rather shall operate in such a manner as to give the subdivider guidance as to the requirements and constraints for subdivision within the county, until such time as the requirements of the development review committee are complied with an approval of the concept plan is granted.

Once the concept plan has been reviewed by the committee, the subdivider may apply for preliminary design plan approval. If preliminary design plan approval for a proposed subdivision has not been obtained within six months of the date on which the concept plan was approved, a resubmittal of the concept plan shall be required by the planning commission prior to filing an application for preliminary design plan approval.

Chapter 13.16 PRELIMINARY DESIGN PLAN

Sections:

- 13.16.010 Submission requirements.**
- 13.16.020 Additional prints may be required.**
- 13.16.030 Drawing requirements.**
- 13.16.040 Supporting documents required.**
- 13.16.050 Summary statement of proposal.**
- 13.16.060 Preliminary design plan material to be received.**
- 13.16.070 Review procedure Procedure-Preliminary plan.**
- 13.16.080 The planning commission approval.**

13.16.010 Submission Requirements.

This section gives instructions as to the documentation needed and how many days in advance it is needed to be on the next available agenda of the planning commission.

Ten (10) copies of all drawings in a PDF format and other informational material required by this chapter shall be submitted to the planning commission by the subdivider at least fourteen (14) days prior to the next regularly scheduled available planning commission meeting.

13.16.020 Drawing Requirements.

This section describes the requirements of drawings submitted as part of the preliminary review process. It also goes into detail as to what needs to be included in the drawings and cause for rejection of poor or illegible design plans.

The accuracy of the location of alignments, boundaries, and monuments shall be certified by a registered land surveyor licensed to do such work in the state of Utah. A workmanlike execution of the design plan shall be made in every detail. A poorly drawn or illegible design plan is sufficient cause for rejection. The following data shall be submitted as part of the preliminary design plan submission:

1. A drawing showing perimeter outline of the proposed subdivision, accesses, abutting subdivision outlines and names, and other relevant information within the logical planning area of the subdivision as determined by the planning commission or its authorized representative;
2. A traverse map of the monumented (see Section 13.20.050) perimeter of the proposed subdivision. The traverse shall have an error of closure of not greater than one part in ten thousand (10,000). Survey tie into a legal corner or other permanent marker established by the county is required;
3. The existing contours at two-foot intervals for predominant ground slopes within the tract between level and five percent grade and five-foot contours for predominant ground slopes within the tract over five percent grade. Elevations shall be based on National Geodetic Survey sea level data. In cases of predominantly level topography throughout a subdivision, one-foot interval contours may be required;



4. Lot and street layout;
5. Dimensions of all lots to the nearest foot (which may be scaled values); except minor subdivisions which will not have a final map, the drawing scale and accuracy shall be as required for final plats in Chapter 13.20;
6. Total acreage of entire proposed subdivision;
7. Lots and blocks numbered consecutively;
8. Locations and identification of all existing and proposed public and private easements;
9. Existing and proposed street names; proposed names must receive approval of the planning commission;
10. Street profiles to show proposed grades;
11. The plat shall be drawn to a scale not less than one inch equals one hundred (100) feet, and shall indicate the basis of bearings, true north point, name of subdivisions, name of county, name municipality, township, range, section, and quarter section, block and lot number of the property under consideration;
12. General location in the subdivision area of trees over six inches in diameter, measured at four and one-half feet above the ground. In cases of heavily wooded areas, indication of the outline of the wooded area and location of trees which are to remain. It is the intent of this requirement to determine the approximate location of trees for design evaluation rather than to require unnecessary surveying of exact tree location;
13. An affidavit (certificate for clear title) that the applicant is the owner; the equitable owner, or authorized by the owner in writing to make an application for the land proposed to be subdivided;
14. Sites, if any, to be reserved or dedicated for parks, playgrounds, schools, or other public uses exclusive of single-family dwelling;
15. Location, function, ownership, and manner of maintenance of common open space or non-buildable areas not otherwise reserved or dedicated for public use.

13.16.030 Supporting Documents Required.

This section goes into further detail related to the documentation needed to be submitted before review by the planning commission.

Ten (10) copies of the following shall accompany and be a part of the submission:

1. A sewage disposal report or mode of sewage treatment when on-lot sewage treatment is proposed;
2. A vicinity plan;
3. A map at a suitable scale showing the following:
 - a. Proposed stormwater drainage systems. (Note: Detailed design of drainage structures is not required for preliminary design),



- b. Approximate boundaries of areas subject to inundation or stormwater overflows of an intensity estimated to occur with a return frequency of once every one hundred (100) years,
 - c. A composite utilities easement plan showing location, size and proposed use of all easements. All utilities must be constructed within approved easements and extended to property lines of all lots within the subdivision,
 - d. When private wells and on-site adsorption sewage disposal systems are proposed, a plan showing the proposed location of each well and disposal system following the required standard protection radius for each well; (refer to 13.24.170)
4. The substance of all other covenants, grants of easements or restrictions to be imposed upon the use of the land, buildings, and structures;
 5. A letter from Soil Conservation District or other capable agency regarding soil suitability for proposed subdivision;
 6. Geologic maps and investigation reports regarding area suitability for the proposed development, to satisfy concept plan findings;
 7. A letter from each utility company involved, addressed to the planning commission, stating that they have reviewed the plan and are setting forth their comments concerning the extent of services, the design of utility easements to every lot within the subdivision; the plan approved by the utility company shall be returned, initialed by the company, to the planning commission;

13.16.040 Summary Statement of Proposal.

This section requires the subdivider to submit a cover letter including additional information regarding general information of the proposed development.

From the supporting documents a summary statement shall be prepared by the developer subdivider and submitted in a cover letter with the preliminary design plan submittals. The summary statement shall include:

1. Total development area, and number of proposed dwelling units;
2. Total number of off-street parking spaces;
3. Estimated number of gallons per day of water requirements where distribution system is utilized;
4. Estimated number of gallons per day of sewage to be treated by a sewage treatment facility;
5. Estimated construction cost and proposed method of financing of the streets and related facilities; water distribution system; sewage collection system; storm drainage facilities; and such other utilities as may be necessary;
6. Survey notes of subdivision perimeter survey, and copies of all monument records.

13.16.050 Review Procedure--Preliminary Design Plan.

This section names several agencies the planning commission can recommend the preliminary design plan if additional information

The planning commission, may upon receipt of the complete submission, distribute copies of the plan provided by the subdivider to the planning commission staff for review and other agencies as follows:

1. Interested governmental departments of Sevier County;
2. Distribution to the following agencies shall require delivery by certified mail;
3. The school district in which the property proposed for subdivision is located;
4. Other agencies which may contribute to design solutions to problems which may be encountered by the subdivision in question. Examples of such agencies include:
 - a. Cities and towns near proposed subdivision;
 - b. Any affected water quality control agency;
 - c. Any affected utility or special district or irrigation company;
 - d. The Utah State Division of Forestry, Fire, and State Lands, where applicable (such as for mountain subdivisions and in heavily wooded areas);
 - e. The Six County Associations of Governments planning office;
 - f. The Soil Conservation District Board within which the subdivision is located, for review and recommendations regarding soil suitability, flooding problems, and erosion control;
 - g. The local health officer and the Central Utah Public Health Department for their review of the sewage disposal reports, for review of adequacy of existing or proposed sewage treatment works to be built to handle estimated effluent, and for a report on the quality and quantity of the proposed water supply to serve the proposed subdivision;
 - h. The state engineer for review of water rights, historic use and estimated water yield to supply the proposed development, if the water supply is not to be furnished from a public water system approved by the state Department of Environmental Quality, Central Utah District; and
 - i. The Utah Geological Survey.

Failure of any of the above agencies to respond to the planning commission with comments concerning the subdivision within twenty-five (25) business days of review of a copy of the preliminary design plan application from the planning commission shall be construed as indicating that such agency or department has no concern with the proposed subdivision.

The planning commission shall consider the application for preliminary design plan approval at its next available regularly scheduled public meeting following a twenty five (25) business day review and processing period shall be measured from the date on which the preliminary design plan application is initially reviewed by the planning commission.

13.16.060 The Planning Commission Approval.

This section highlights the approval process the planning commission goes through when reviewing a subdivision proposal.

1. The planning commission shall recommend approval only to those preliminary design plans which the commission finds to be developed in accordance with the intent, standards, and criteria specified in this title and other regulations of the county.
2. The planning commission shall only approve preliminary design plans which conform to approved concept plans.
3. The planning commission shall determine from a review of the preliminary design plan whether the soil, slope, vegetation, and the drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earth moving operations in the construction of the subdivision, or otherwise entails an erosion hazard, and, if so, the planning commission shall require the subdivider to provide soil erosion and sedimentation control plans and specifications. Such control plans and specifications shall be prepared by a person trained and qualified in such matters, as is determined by the planning commission using the county conservation standards, with the costs of preparation of such plans and specifications being borne by the subdivider.
4. When public facilities are to be constructed within the boundaries of a proposed subdivision to achieve community standards established in the general plan of the county, the subdivider shall reserve a site appropriate in area and location for such public facility, such site shall be reserved by the subdivider for a period of not less than one year from the date of preliminary design plan approval, to provide the appropriate public agency an opportunity to purchase the site. A determination by the planning commission to require such a reservation by the subdivider shall be made in writing and shall state the reasons for said requirement.
5. Within forty-five (45) days after review of the preliminary design plan at a public meeting, the planning commission shall approve, disapprove, or approve with conditions the preliminary design plan, and notify the subdivider of such action, or may postpone action to allow the subdivider time to provide material or additional information needed by the planning commission, to then determine appropriate action.



Chapter 13.20 - FINAL PLAT

Sections:

- 13.24.010 Submission requirements.**
- 13.20.020 Plat requirements.**
- 13.20.030 Drawing requirements.**
- 13.20.040 Phase development.**
- 13.20.050 Monuments.**
- 13.20.060 Survey certification.**
- 13.20.070 Supporting documents.**
- 13.20.080 Revised summary statement of proposal.**
- 13.20.090 Planning commission review.**
- 13.20.100 Board of county commissioners' review- Improvements agreement and compliance with this title required for approval.**
- 13.20.110 Recording final plat.**
- 13.20.120 Re-subdivision procedure.**
- 13.20.130 Amending a recorded subdivision plat.**
- 13.20.140 File of recorded subdivisions.**
- 13.21.150 Submission requirements.**

13.20.010 Submission Requirements.

This section describes the amount of materials needed and how many days in advance they need to be submitted for a final approval by the planning commission and county commissioners. These materials need to be submitted within one year of the approval of the preliminary plat.

1. Ten (10) Copies of all materials required by this chapter shall be submitted to the planning commission, or its authorized representative, by the subdivider or his authorized representative at least fourteen (14) days before the next regularly scheduled planning commission meeting.
2. Materials required for final plat approval shall be submitted within twelve (12) months of the date a preliminary plat has been approved by the planning commission. No final plat submission can be accepted which has exceeded this time lapse period, unless otherwise provided by this title.

13.20.020 Plat Requirements.

This section gives direction as to the requirements of the plat submitted for a final review. The final must conform to the preliminary plat that was recommended by the planning commission.

1. The final plat submission shall conform in all major respects to the preliminary plat as previously reviewed and approved by the planning commission and shall incorporate all modifications required in its review.
2. The board of county commissioners may approve a final plat which has been modified to reflect improvements in design or changes which have occurred in its natural surroundings and environment since the time of the preliminary plat review and approval.

3. One copy of the application form for review of a final plat and all required supporting documents shall be submitted.

13.20.030 Drawing Requirements.

This section states the requirements of the drawing submitted and prepared by a registered land surveyor licensed to do work in the state of Utah.

The final plat drawing shall have the following standards:

1. The plat shall be prepared, and certification made as to its accuracy by a registered land surveyor licensed to do such work in the state of Utah. A workman-like execution of the plat shall be made in every detail. A poorly drawn or illegible plat is sufficient cause for its rejection.
2. The plat shall be delineated in permanent ink, mylar, and electronic form (pdf).
3. Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with the lot dimensions. When the plat is bounded by an irregular shoreline or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge, or otherwise.
4. If a plat is revised, a copy of the old plat shall be provided for comparison purposes. All surveys shall be tied into the state coordinate system.
5. All blocks and all lots within each block shall be consecutively numbered.
6. On curved boundaries and all the curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. Radius of curve;
 - b. Central angle;
 - c. Tangent;
 - d. Arc length;
7. Excepted parcels shall be marked "Not included in this subdivision" and the boundary completely indicated by bearings and distances.
8. All streets, walkways and alleys shall be designated as such and streets shall be named; bearings and dimensions must be given.
9. All easements shall be designated as such and bearings and dimensions given.
10. All lands within the boundaries of the plat shall be accounted for either as lots, walkways, streets, alleys, or as excepted parcels.
11. All dimensions of irregularly shaped lots shall be indicated in each lot.
12. All bearings and lengths shall be given for all lot lines, except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.



13. Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one plat, provided all owners join in dedication and acknowledgement.
14. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of an arc.
15. The information on the plat shall include:
 - a. Name of subdivision, astronomic north arrow and basis thereof, and date;
 - b. Name and address of the owner or owners of record (names must be printed on Plat);
 - c. Total acreage of subdivision; total number of lots;
 - d. Township, range, section (and quarter section, if portion);
 - e. Graphic scale;
 - f. Any additional information required by local ordinance, or by state law.
 - g. (1) For existing roads and streets,
 - (i) A surveyed and labeled depiction of their location on the map, distinguishing them as existing, and
 - (ii) A signed and notarized note by the owner containing the following or substantially similar language:

“For any existing highways, streets and roads in the said plat, I [or we] acknowledge that the same are perpetual public rights-of-way and that I [or we] will not cause the same to be gated, blocked or otherwise restricted.”
 - (2) For proposed roads and streets,
 - (i) A surveyed and labeled depiction of their location on the map, distinguishing them as proposed;
 - (ii) A note entitled “Description of Proposed Roadways,” or substantially similar language, and containing a legal description of the proposed roads and streets;
 - (iii) A signed and notarized note entitled “Owners Certificate of Dedication” or substantially similar language, and containing the following or substantially similar language: “I [or we], the owner [or owners], do hereby certify that I [we] have caused to be surveyed, subdivided and plated into lots and streets as shown by the plat and any certificate hereto annexed, the hereon described [Title] Subdivision located in [name of jurisdiction], Sevier County, State of Utah. I [we] do hereby dedicate for the perpetual use of the public, a tract of land to be used as public roads and streets and quit-claim any interest in said tract of land, more particularly described by the hereon Description of Proposed Roadways and shown on this plat. For any existing roads in the said plat, I [or we] acknowledge that the same are perpetual public rights-of-way and that I [or we] will not cause the same to be gated, blocked or otherwise restricted.”



16. Signatures required on the Plat:

- a. County Commission Approval and Acceptance: two lines for signature of Commission Chair and date;
- b. County Planning Commission Approval and Acceptance: two lines for signature of Chairman and date;
- c. County Attorney's Approval;
- d. Owner(s) of record signatures which are notarized;
- e. Other signatures are required to fulfill the purposes of this title and Utah Code.

13.20.040 Phase Development.

This section requires a subdivision plan of twenty-five lots or more to be completed in phases. Once improvements have been completed they need to be reviewed by a licensed engineer by the state of Utah.

1. The final platting of subdivisions containing more than twenty-five (25) lots shall be done in phases, except as provided in subsection C of this section. Each phase shall consist of the number of lots which can be completely developed with both off-site and on-site improvements within a two-year period, or twenty-five (25) lots, whichever is larger. Off-site improvements are construed to be those improvements required by this title. On-site improvements shall be construed to mean the construction or placement of the dwelling and its appurtenant improvements on each lot. The development of the subdivision shall be in an orderly manner and in such a way that the phases will be contiguous, the required improvements will continue, and all of the off-site improvements will be made available for the full, effective and practical use and enjoyment thereof by the lessees or grantees of any of the land subdivided within the time hereinafter specified.
2. When the off-site improvements have been one hundred (100) percent completed within the boundaries of the recorded plat and approved by a civil engineer licensed by the State of Utah, and on site improvements are seventy (70) percent completed, the subdivider may submit the next phase of the proposed development in accordance with the rules and regulations of this title. Cost of the engineer will be paid by the subdivider.
3. A final plat including more than twenty-five (25) lots will be accepted only upon the submission of qualified evidence indicating that the financial ability of the subdivider is such that the on-site and off-site improvements for all lots in such a final plat will be completed within two years of such approval.

13.20.050 Monuments.

This section spells out the need to have monuments approved by a professional land surveyor.

1. Permanent reference monuments, as approved by a professional land surveyor, shall be set on the external boundary of the subdivision, and at all street center line intersections, and all beginning and end points of curves, to provide line of sight control for re-establishing the survey. Cost of the work done by the professional land surveyor will be paid by the subdivider.

2. Block and lot monuments shall be set.

13.20.060 Survey Certification.

This section describes the need to have the surveyor certify on the plat that it meets the requirements of applicable state laws.

The surveyor making a plat shall certify on the plat that it conforms to these survey regulations and to all applicable state laws and that the monuments described in it have been placed as described. They shall affix their name and seal.

13.20.070 Supporting Documents.

This section clarifies additional documents needed related to the design and details of a subdivision.

The following documents shall be submitted with the final plat drawing, and be considered a part of the submission:

1. Drawings showing layout, profile, and detail design of:
2. All utilities and easements, plus statements from utility companies (water, sewer, electric, gas, telephone, etc.) as applicable, that the service will be provided to every lot of the development;
3. Plan, profile and typical cross-section drawings of roads, bridges, culverts, sewers and other drainage structures;
4. Grading and drainage plan. The proposed grading plan shall be indicated by solid-line contours superimposed on dashed-line contours of existing topography for the area of the final plat. Such contours shall be at two-foot intervals for predominant ground slopes within the tract between level and five percent grade, and five-foot contours for predominant ground slopes within the tract over five percent grade. In case of predominantly level topography throughout a subdivision, one-foot contour intervals may be required;
5. Erosion control plan where required, to be submitted as a result of preliminary design plan review;
6. An exact copy of a certificate of a title insurance company or attorney's opinion, which shall set forth the names of all property owners included in the plat and shall include a list of all mortgages, judgments, liens, easements, contracts and agreements of record in the county which shall affect the property covered by such plats. If the opinion of title discloses such encumbrances, then at the option of the board of county commissioners, the holders or owners of such mortgages, judgments, liens, easements, contracts, or agreements shall be required to join in and approve the application before the plat shall be acted upon by the planning commission;
7. Where a portion of an existing easement is contiguous to a proposed easement or right-of-way of a new subdivision, proof of the dedication of the existing easement or right-of-way acceptable to the planning commission must be submitted;
8. Where the subdivider is to dedicate land for schools, roads, parks, or other public purposes, a letter of intent is required from the public agency receiving the dedication and stating how



applicable improvement standards will be met. When land within a subdivision is to be purchased by a public agency for public use, a letter of intention to purchase shall be required;

9. When a new street will intersect with a state highway or will cross a railroad, a copy of the state highway permit or railroad crossing permit shall be permitted; Rear yard or side yard setbacks abutting railroad tracks shall be a minimum of 40 feet, unless an earthen berm or other sound barrier is provided along the property line adjacent to the railroad tracks.
10. Where improvements are not to be completed prior to approval of the final plat, cost estimates shall be submitted for construction of streets and related facilities, water distribution system, sewage collection system, floodplain protection, storm drainage facilities, and such other facilities as may be required. In addition, the subdivider shall submit a proposal to satisfy the requirements of Chapter 13.28.
11. Copies of protective covenants, deed restrictions, trust agreements, and homeowners Association articles and bylaws, including those required by the board of county commissioners, to govern the future use of each of water or sewer system, re-subdivision, open space, and other potential changes which might significantly alter the subdivision as approved by the board of county commissioners with regard to the criteria and standards of these regulations;
12. Monument record;
13. All information required by FHA when subdivision will be submitted to that agency for feasibility and approval under a federal program.

13.20.080 Revised Summary Statement of Proposal.

This section requires a summary statement to be submitted to reflect any changes made from the summary statement of the approved preliminary plan.

A revised proposal summary statement shall be submitted to reflect any changes made from the summary statement of the approved preliminary design plan.

13.20.090 Planning Commission Review.

This section outlines the process the planning commission goes through when reviewing the final plan submitted for approval.

1. When a final plat has been received, it shall be acted upon at a planning commission meeting scheduled for subdivision review, within forty-five (45) days of receipt of the final plat application by the planning commission, unless further time is necessary as determined by the planning commission.
2. The planning commission shall review the final plat at a regularly scheduled public meeting. If the final plat and all supplementary data complies with the applicable requirements of these regulations and the requirements of the approved preliminary design plan, the planning commission shall certify approval of the plat on the space provided.
3. Within ten (10) days after review of the final plat at the public meeting, the planning commission shall send written notification and official action taken to the board of county



commissioners. This notification shall specify the modifications of the final plat, if any, which were made and incident to approval of such plat by the planning commission.

4. The only basis for rejection of a plat shall be its non-conformance to adopt rules, regulations and ordinances currently in force and affecting the land and its development, its lack of conformance with the approved preliminary design plan or technical inaccuracies.

13.20.100 Board of County Commissioners' Review--and improvements agreement and compliance with this title required for approval.

This section outlines the process the county commissioners go through when reviewing the final plan submitted for a subdivision.

1. The board of county commissioners shall review the final plat within forty-five (45) days of receipt of transmittal from the planning commission, at a regularly scheduled public meeting. If the board of county commissioners determines that the final plat submission complies with the applicable requirements of this title, they shall certify approval of the plat on the space provided; provided, however, that the board of county commissioners shall approve no final plat unless accompanied by an improvements agreement. The subdivider shall provide an adequate number of approved plants or prints marked for modification, together with the official notification of the action, to be distributed as follows:
 - a. One copy to planning commission files;
 - b. One copy to the board of county commissioners;
 - c. One copy to subdivider;
 - d. One copy to engineer and surveyor of subdivider;
 - e. One copy to each utility company serving the subdivision;
 - f. One copy to the local health officer.
2. Acceptance of dedication of proposed public lands or streets, or street rights-of-way in an approved plat can be made only by the board of county commissioners. Final plat approval by the board of county commissioners will be deemed an acceptance of dedication, unless streets and other public spaces are shown as "not intended for dedication" or unless the board of county commissioners expressly repudiates the presumed dedication.

13.20.110 Recording final plat.

This section states the time frame needed to record a final plat.

1. The board of county commissioners shall record the final plat with the county clerk/auditor and recorder within ten (10) calendar days of approval of the final plat by the board of county commissioners; the subdivider shall pay the expense of such recording.
2. The county clerk/auditor and recorder shall furnish the subdivider with a receipt, upon the filing of the final plat.

13.20.120 Re-subdivision Procedure.

This section outlines needed steps in re-subdividing a lot, street or service facilities.

Land within a recorded subdivision may be re-subdivided, and lot, street and service facility boundaries within such a plat may be changed only after such recorded subdivision plat has been vacated according to the following procedures:

1. Prior to the re-subdivision of a recorded plat, an application for vacation of the recorded plat or portion thereof, signed by all the owners of the land contained in the entire plat and owners of the land contiguous or adjacent to any street or alley therein, shall be made to the board of county commissioners.
2. The board of county commissioners shall have ordered the vacation of said portion of the entire plat to be vacated as asked for in the petition for vacation.
3. The vacation order shall have been filed in the office of the recorder of the county where such land is situated.

13.20.130 Amending a Recorded Subdivision Plat.

This section clarifies amending a subdivision plat for minor surveying or drafting errors, anything else will only be allowed through the previous section of the re-subdivision procedure.

A recorded subdivision plat may be amended only to correct minor surveying or drafting errors, or minor boundary line adjustment, with no creation of additional lots. All other changes in a recorded plat shall be allowed only upon compliance with the re-subdivision procedures of this title. The planning commission shall determine whether a recorded plat may be amended, or first vacated and re-subdivided, in accordance with the intent of this provision. If it is discovered that there is a minor survey or drafting error in a recorded final plat, the subdivider shall be required to file a final plat with an affidavit witnessed by two land surveyors paid at the expense of the subdivider, concerning the change, which shall be approved by the planning commission and the board of county commissioners. If, however, the correction of the error results in such major alterations that the corrected plat no longer meets the design standards and criteria of these regulations, then the corrected plat shall require full approval procedures and the recording of a corrected plat.

13.20.140 File of Recorded Subdivisions.

This section explains the filing system of subdivisions for public viewing.

The county shall maintain a filing system of all subdivisions, which includes copies of all maps, data and official subdivisions; also, a master location map (or maps) referenced to the filing system, for public use and examination.



Chapter 13.24 DESIGN STANDARDS

Sections:

- 13.24.010 Design standards.
- 13.24.020 General standards.
- 13.24.030 Lots.
- 13.24.040 Street requirements.
- 13.24.050 Street names.
- 13.24.060 Curvature and alignment.
- 13.24.070 Frontage on major highways.
- 13.24.080 Roadbed construction standards for paved roadways for public streets.
- 13.24.090 Street grades.
- 13.24.100 Sidewalks, curbs and gutters.
- 13.24.110 Block standards.
- 13.24.120 Pedestrian crosswalks.
- 13.24.130 Lot size standards.
- 13.24.140 Easement standards.
- 13.24.150 Utilities to be underground.
- 13.24.160 Alleys.
- 13.24.170 Sanitary sewage disposal--General requirements.
- 13.24.180 Sanitary sewer mains, laterals and house connections--Future.
- 13.24.190 Test procedures.
- 13.24.200 Water in sufficient quantity to be an obligation of the subdivider.
- 13.24.210 Culinary water system.
- 13.24.220 Culinary water storage facility.
- 13.24.230 Storm drainage and floodplains.
- 13.24.240 Irrigation systems.

13.24.010 Design Standards.

This section states the need to comply with standards found in this title.

All subdivisions shall comply with the following standards of this title.

13.24.020 General Standards.

This section describes the importance of preserving the natural state of the property as much as possible during development as well as avoiding the disturbance of hazardous conditions.

1. The design and development of subdivisions shall preserve as much as possible the natural terrain, natural drainage, existing topsoil and trees.
2. Land subject to hazardous conditions such as slides, mudflows, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, and polluted or non potable water supply shall be identified and shall not be subdivided until the hazards have been eliminated or will be eliminated by the subdivision and construction plans.

13.24.030 Lots.

This section gives the standards a lot must meet in order to qualify for the subdivision process.

1. No single lot shall be divided by a municipal or county boundary line.
2. A lot shall not be divided by a road, alley, or other lot.
 - a. For any application or proposal to establish a lot or parcel, through which a Class D County Road crosses, the lot or parcel shall not be approved by the County unless the owner first gives the County Road Supervisor a signed and notarized written statement ensuring that the owner shall not restrict in any way the public's right to travel that Class D County Road.
 - b. An existing County D Road shall not be closed or restricted in order to establish or maintain any lot or parcel, unless and until the County Board of Commissioners, after consultation with relevant departments, abandons and vacates such road, or segment of road, pursuant to the provisions of Section 13.24.040 paragraph 18 below
3. Wedge-Shaped Lots. No wedge-shaped lot shall be less than thirty (30) feet in width at the front property line, or the lot frontage required by the zoning ordinance, whichever is larger.
4. Lot lines, side lot lines shall be at right angles or radial to street lines, except where justified by the subdivider and approved by the planning commission.
5. Street Frontage- All residential lots in subdivisions shall front on a public street. Required frontage shall not be considered to be provided if vehicular access across the street line is prohibited.
6. In all zones which require a front yard, no obstruction to view in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty-five (45) feet from the intersection of the street lines. All billboards shall be located at least one hundred (100) feet from the point of intersection of any two intersecting streets or highways.

13.24.040 Street Requirements.

This section gives directions as to how streets within the county are to be constructed.

1. The County Commission is authorized to acquire any real property or interests, deemed necessary for temporary, present, or reasonable future County highway purposes by grant, bestowal, warranty, deed, gift, agreement, exchange, purchase, condemnation, or otherwise.
2. Whenever the Board of County Commissioners after consultation with relevant departments, determines that any real property or interest, acquired for County highway purposes, is no longer necessary for such purpose, the Commission may in accordance with paragraph 18 below, abandon and vacate such property as a public highway, street or road, after which they may, after consultation with relevant departments, choose to lease, sell, exchange or otherwise dispose of such real property or interest.
3. Private Roads/Streets: No private roads or streets are to be maintained by the County. No segment of road inside or outside of a subdivision will be accepted for maintenance by



Sevier County, unless the road is appropriately dedicated to the County as a right of way for public use and the County accepts that dedication.

- a. No road outside a subdivision will be accepted for maintenance by Sevier County without first deeding to the county a continuous sixty-six-foot or eighty-two foot if classified as a major street wide road right-of-way as outlined in controlling Sevier County transportation plans and ordinances.
4. Street Plan: The street layout shall conform to the county general plan, transportation master plan, and to the street layout and circulation element of the closest municipal general plan.
5. Through Traffic- Minor streets shall be laid out to discourage through traffic.
6. Stub Streets: Stub streets shall be provided where needed to connect to adjacent subdivisions. Not more than six lots shall front on a stub street, except where a temporary cul-de-sac turnaround is provided.
7. Intersections: Intersections of minor streets with major streets shall be kept to the minimum.
8. Minimum right-of-way widths for public streets shall be determined by resolution of the board of county commissioners, but shall in no case be less than the following:
 - a. Major collector : one hundred (100) feet;
 - b. Minor collector street: eighty-two (82) feet;
 - c. Minor street: sixty-six (66) feet.
9. Roadway Width: Local streets shall have roadway widths but shall in no case be less than the following:
 - a. Major collector : fifty-six (56) feet;
 - b. Minor collector : twenty-eight (28) feet;
 - c. Minor street or frontage road: twenty-four (24) feet.
10. Road Shoulders: Where no curbs are required to be installed, a minimum of ten (10)-foot shoulders shall be provided on each side of the street.
11. Half-Streets: None are permitted, except if required to complete a half-street already existing.
12. Dead-End Streets: Dead-end streets, including stub streets, shall be permitted or required by the planning commission only to provide future access to adjoining property, except for dead-end street systems in cluster subdivisions, planned unit developments, condominium developments, or similar special projects.
13. Cul-de-Sac Streets: Permanent cul-de-sac streets serving no more than six hundred fifty (650) feet long, whichever is more restrictive, may be permitted and shall be provided with a right-of-way at the turnaround of fifty (50) feet radius or more, and the face of curb or pavement edge radius shall be forty (40) feet or more. Cul-de-sac streets intended to be only temporary must also satisfy the above requirements.
14. Number of Streets at Intersection: No more than four streets shall enter an intersection.
15. Angle of Street Intersections: Streets shall intersect at ninety (90) degrees, except where otherwise approved as necessary by the planning commission.



16. Centerlines of intersecting Streets: The centerlines of two subordinate streets meeting a through street from opposite sides shall extend as a continuous line, or the centerlines shall be offset at least one hundred fifty (150) feet.
17. Restricted access roadways/gated communities are allowed only under the following conditions:
 - a. The development is located within the GRF-20S zone.
 - b. The roadway does not access any public lands.
 - c. All property owners beyond the gate shall have access and are in agreement in writing and on record with Sevier County.
 - d. A method of access shall be provided for all fire, health, and government agencies.
 - e. The roadways beyond the gate or other restrictions shall not be dedicated to the County and need not be maintained, repaired or improved to County road specifications, as the County will not be responsible to maintain these roadways.
 - f. All other requirements of the Sevier County Subdivision Ordinance shall apply; however, the subdivision plat language required under Section 13.08-090.15.g(2)(iii) and 13.20.030.30.g(2)(iii) may be modified as needed on a case by case basis, to provide for cases of restricted address roadways/gated communities.
18. Except as provided in paragraph 19, all public highways, streets, or roads once established shall continue to be open to public use indefinitely until the same are formally abandoned or vacated pursuant to Utah Code 72-3-108 as manifested by written order, resolution, or ordinance resolution of the Sevier County Board of Commissioners, or by court decree, and the written order, resolution, ordinance, or court decree has been duly recorded in the Sevier County Recorder's office. See Utah Code 72-5-105(1).
19. Sevier County by and through its Board of Commissioners after consultation with relevant departments, reviewing may in its sole discretion allow for the temporary closure of a public highway, street or road, provided all relevant conditions and procedures of Utah Code 72-5-105(3)-(7) are adhered to and followed. Any and all County approved temporary closures shall be carried out on the ground only by the Sevier County Road Supervisor, or done by a third party only according to the Supervisor's express written consent, approval, and statement of conditions.
20. It is unlawful to gate or otherwise close a public highway, street or road that has not been formally abandoned or vacated, nor formally approved for temporary closure pursuant to paragraph 19 and the referenced Utah Code section.

Amended by Sevier County Code Ordinance No. 99-11-1

13.24.050 Street Names.

This section sets standards for naming new streets as part of the subdivision process.

Streets shall have the names of existing streets which are in alignment. Creation of names for new streets shall be approved by the GIS addressing process. There shall be no duplication of street names within the areas. All street names must be approved by the planning commission after review by the GIS addressing department.

13.24.060 Curvature and Alignment.

This section describes the requirement to have adequate sight distances especially with roads that curve. Specific measurements are made based on the type of the road and where it is located.

1. Horizontal Curves: To ensure adequate sight distances, street roadway line connections shall be made by horizontal curves. The minimum centerline radius for minor streets shall be one hundred fifty (150) feet and of all other streets shall be three hundred (300) feet. On collector and major streets, a minimum tangent of one hundred (100) feet shall be required between a curve and street intersection; a minimum tangent of one hundred (100) feet shall be required between reverse curves.
2. Vertical Curves: Vertical curve shall be used at all changes of grades exceeding one percent and shall be designed to provide minimum sight distances of two hundred (200) feet for minor streets and three hundred (300) feet for all other streets, except that vertical curves for major streets shall be as determined by the current specifications of Utah State Department of Transportation in compliance with AASHTO curve geometry.

13.24.070 Frontage on Major Highways.

This section requires a setback of buildings near a highway to be at least fifty feet from the highway.

Notwithstanding any other provision of this title, all buildings abutting highways having a state or federal designation (except non-access highways), shall be set back at least fifty (50) feet from the highway right-of-way line, except for small temporary fruit and vegetable stands.

13.24.080 Roadbed Construction Standards for Paved Roadways for Public Streets.

This section sets construction standards for roadbed grading and paving width on public streets.

Roadbed Grading and Paving Width. Minimum roadbed grading and paving for minor, collector and major streets shall be in accordance with AASHTO requirements, reviewed and approved by the County Road Department before final approval by the Board of County Commissioners. The County Road Department must review and approve any reduction of such roadway grading and paving for one-way street, mountain subdivisions, or other justifiable design or topographical reasons. Reduction of such roadway grading and paving may be approved by the planning commission and board of county commissioners for one-way street, mountain subdivisions, or other justifiable design or topographical reasons. Ten-foot shoulders shall be provided where curbs are not installed.

13.24.090 Street Grades.

This section designated street grades.

All street grades shall be designed as follows:

1. Major and Collector Streets: Limited to a maximum grade of ten percent. Sustained grades shall be limited to seven percent.
2. Minor Streets: Limited to a maximum grade of twelve (12) percent. Sustained grades shall be limited to nine percent.
3. Cul-de-sacs with a negative grade progressing toward the turnaround shall be limited to a maximum grade of six percent. The cul-de-sac shall terminate with a grade not to exceed three percent for the last one hundred (100) feet of traveled surface. The cul-de-sac shall be limited to a maximum length of six hundred fifty (650) feet and have adequate easement for drainage.
4. Street intersections shall have a vertical alignment such that the grade shall not exceed three percent for a minimum distance of fifty (50) feet each way from the centerline of the intersection.
5. Maximum Grades: Approved only when accompanied by changes to a lesser grade, and where the length of that portion of that road at maximum grade is less than six hundred (600) feet.
6. All Changes in Vertical Alignment: Made by vertical curves with a minimum length of two hundred (200) feet for minor streets and three hundred (300) feet for major streets. (See Section 13.24.060)
7. Streets in mountainous terrain shall be designed at less than maximum allowable slope in order that they can be safely negotiated, and that snow can be removed during winter.

13.24.100 Sidewalks, Curbs and Gutters.

This section outlines the need for public sidewalks, curbs and gutters in the RA zone and other zones when requested by the County.

Sidewalks, curbs and gutters shall be provided on both sides of all streets to be dedicated to the public in RA zones and in other zones as otherwise requested by the planning commission and board of county commissioners. Sidewalks, curbs and gutters may be required by the board of County Commissioners on existing streets bordering the subdivision.

The following chart outlines the districts in which improvements are to be made by the letter " I "

Zoning District	A	GRF-20 S	GRF-20 R	RA	C	I
Improvement						
Curb & Gutter						I
Sidewalk						I
Street paving	I		I	I	I	I



Street name signs	I	I	I	I	I	I
Street monuments	I	I	I	I	I	I

13.24.110 Block Standards.

This section explains the requirements for the block lengths in a subdivision.

Block lengths shall be reasonable as approved by the planning commission, and in total design shall provide for convenient access and circulation for emergency vehicles.

13.24.120 Pedestrian Crosswalks.

This section describes the requirements to have a crosswalk and what the measurements for one would be.

Where blocks exceed one thousand (1,000) feet in length, pedestrian rights-of-way of not less than ten feet in width may be required by the planning commission through blocks where needed for adequate pedestrian circulation. Walk improvements (paving) of not less than five feet in width shall be placed within the rights-of-way, when required by the planning commission.

13.24.130 Lot Size Standards.

This section requires lot sizes to conform to the sizes explained in the zone in which it is located.

Density standards or minimum lot size requirements are specified by the zoning ordinance. All lots shall conform to area requirements of existing zoning ordinance. (See Title 14)

13.24.140 Easement Standards.

This section gives specific measurements for easements.

1. Easements shall follow lot lines and shall have a minimum total width of the set back established in the specific zone. 14.24.050 Table of development Standards, in abutting properties.
2. Where front-line easements are required, a minimum of ten (10) feet shall be allocated as a utility easement. Perimeter easements shall be not less than fifteen (15) feet in width, extending throughout the peripheral area of the development, if required by the planning commission.
3. All easements shall be designed so as to provide efficient installation of utilities or street planning. Special guying easements at corners may be required. Public utility installations shall be so located as to permit multiple installations within the easements. The developer shall establish final utility grades prior to utility installations.
4. There shall be no permanent structures located on or over easements without written approval of the Zoning Administrator and the utility for which the easement is provided.

13.24.150 Utilities to be Underground.

This section requires utilities lines be placed underground unless permission is given by the board of county commissioners to do otherwise.

Unless the planning commission and the board of county commissioners determine, upon application by the subdivider, supported by the recommendation of a civil engineer licensed by the State of Utah, that it is not feasible to do so, all power lines, telephone lines, and other normally overhead utility lines shall be placed underground by the subdivider. All utilities must be developed in provided easements and shall extend to the property line of every lot within the subdivision.

13.24.160 Alleys.

This section allows the planning commission to approve service access to interior blocks deemed to be in the public interest.

The planning commission may approve service access to the interior of blocks where deemed to be in the public interest, in which case such alleys must have a plan for maintenance and be indicated in the preliminary design plans and on the final plat.

13.24.170 Sanitary Sewage Disposal--General Requirements.

This section provides requirements for sanitary sewage systems to be provided by the subdivider.

1. Sanitary Sewerage System Required: Except as otherwise provided below, the subdivider shall provide, or have provided, a piped sanitary sewerage system to the property line of every lot in the subdivision. The sewerage system shall meet the minimum standards and requirements of the state, Central Utah Public Health Department, and this Title.
2. On-Lot Sewage Disposal System: Septic tanks and/or sealed vaults will be approved only when an existing sanitary sewer system is more than 300 feet from the boundary of the subdivision and shall be disapproved in any case unless approved in writing by the state and Central Utah Public Health Department of Health. In order to determine the adequacy of the soil involved to properly absorb sewage effluent and to determine the minimum lot area required for such installations, an interpretive map based on the National Cooperative Soil Survey showing the suitability of the soil for septic tank fields or pits shall be submitted, along with the results of percolation tests. The results of this data will be reviewed by the state and Central Utah Public Health Department, in addition to any other information available to them, for recommendation to the planning commission. The following requirements shall be met:
 - a. Land made, altered or filled with non-earth materials within the last ten years shall not be divided into building sites which are to be served by soil absorption waste disposal systems.
 - b. Each subdivided lot to be served by an on-site absorption sewage disposal system shall contain an adequate site for such a system. An adequate site required a minimum depth of eight feet from the surface of the ground to impermeable bedrock, and a minimum depth of six feet from the surface (based on annual high-water level). Each site must also be at least one thousand five hundred (1,500) feet from any shallow water supply well and one hundred (100) feet from any other



- well; at least one hundred (100) feet from any stream or water-course, and at least ten feet from any dwelling or property line whichever is further or applicable.
- c. Soils having a percolation rate slower than or faster than standards allowed by the state and Central Utah Public Health Department shall not be divided into building sites to be served by soil absorption sewage disposal systems.
 - d. Land rated as having severe limitations for septic tank absorption fields as defined by the county soil survey, U.S. Department of Agriculture, Soil Conservation Service, shall not be divided into building sites to be serviced by soil absorption sewage disposal systems unless each such building site contains not less than twenty thousand (20,000) square feet of other soils rated suitable for building construction and installation of an on-site soils absorption sewage disposal system.
 - e. An applicant desiring to install soil absorption sewage disposal facilities on the soils having severe limitations, as determined in the preliminary plan review, shall:
 - i. Have additional on-site investigations made, including percolation tests; obtain the certification of a soils scientist that specific areas lying within these soils are suitable for the proposed soil absorption sewage disposal system; and meet state and Central Utah Public Health Department standards and regulations. In addition, the local health officer shall find that the proposed corrective measures have overcome the severe soil limitations.
 - f. Other applicable standards adopted by the board of county commissioners and state Health Department.
 - g. Shall follow all area requirements of existing zoning ordinances.

13.24.180 Sanitary Sewer Mains, Laterals and House Connections--Future.

This section explains the need to cap sanitary sewer mains and house connections by the subdivider when requested by the planning commission.

Where local, county and regional plans indicate that construction or extension of sanitary sewers may serve the subdivision area within a reasonable time, the planning commission may require the installation and capping of sanitary sewer mains and house connections by the subdivider, in addition to the installation of temporary individual on-lot sanitary disposal systems by the subdivider or lot purchaser. Whenever individual on-lot sanitary sewage disposal systems are proposed, the subdivider shall either install such facilities or required by deed restrictions or otherwise as a condition of the sale of each lot or parcel within such subdivision that on-lot sanitary sewage disposal facilities be installed by the purchaser of said lot at the time the principal building is constructed, and no building permit shall be issued until such installation is assured. In all other cases, sanitary disposal facilities for sewage shall be provided for every lot or parcel by a complete community or public sanitary system.

13.24.190 Test Procedures.

This section requires sewer mains, laterals and house connections be tested for sanitation purposes.

Tests of sanitary sewer mains, laterals and house connections shall be conducted in accordance with the most recent U.S. Public Health Service Publication Edition, and with other local and state health requirements.

13.24.200 Water in Sufficient Quantity to be an Obligation of Subdivider.

This section explains the requirements from the County related to water rights for a subdivision and standards that must be met.

1. The procurement of water, whether by purchase of water rights, water shares, exchange or service agreement shall be the responsibility of the subdivider, and water shall be provided for each building lot for the exclusive use of the subdivision in an amount sufficient to meet the following flow standards:
 - a. If connected to a public or private water company which provides culinary water, a letter from the water company stating it will provide the necessary culinary water connection to each dwelling or lot in the subdivision.
 - b. If culinary water is to be provided from a well, one-acre foot (.0037cfs) of water is required for each dwelling unit or lot in the subdivision. This water right must be in the name of the subdivision applicant and assigned by the State Division of Water Rights to each subdivision lot.
2. For Planning Commission preliminary design plan approval of a minor subdivision or final plat approval for major subdivisions, the above listed water rights must be approved by the Planning Commission and the following documentation provided to the Planning Commission:
 - a. Documentation from the State Division of Water Rights showing that a change order application has been made with the State Division of Water Rights, changing the appropriate amount of water, to the appropriate subdivision lot(s) in the applicant's name.
 - b. Letter from the public or private water company indicating their ability to provide culinary water to the subdivision lot(s).
 - c. Letter from the irrigation or canal company indicating the irrigation water is owned by the applicant and that it is available for the subdivision lot(s).
3. The Board of County Commission final approval of both major and minor subdivisions, where the culinary water for a subdivision is from a culinary well, the approved water change order or final water right approval from the State Division of Water Rights must be completed, and a copy provided. The final change order must be in the subdivision applicant's name and assigned to each subdivision lot.
4. The above standards are in addition to the requirements of the Central Utah Board of Health.

13.24.210 Culinary Water System.

This section expounds the requirements needed for a culinary water system.

1. The culinary water system in any subdivision shall extend to the property line of every lot and shall be capable of delivering the flows required by Section 13.24.200.
2. Any water system for a subdivision where culinary water will be pumped from one well and serve more than one dwelling unit, or lot, or proposing any system other than one well per dwelling unit, or lot, must be engineered by a professional engineer. The subdivision applicant must provide engineered and stamped plans for the proposed water system from a professional engineer qualified to engineer water systems and licensed in the State of Utah. The design must include a storage tank, water lines and where necessary fire hydrants as per Section 13.24.220, and 13.24.250. These engineered plans must be approved by the Planning Commission and meet all requirements of the Utah Department of Environmental Quality.
3. Any water system that exceeds the number of connections for a private system, according to the Utah Department of Environmental Quality rules, thus becomes a public water system and must meet all requirements for a public system.

Amended by Sevier County Ordinance 2009-5-1

13.24.220 Culinary/Fire Protection Water Storage Facility.

This section states the water storage facility must meet standards from the International Fire Code.

The culinary/fire protection water storage facility shall have a storage capacity as required for fire protection by the International Fire Code, NFPA 22, and meet all regulations of the Utah Division of Environmental Quality.

Amended by Sevier County Ordinance 2009-5-1

13.24.230 Storm Drainage and Floodplains.

This section sets the requirement for a drainage system and floodplains.

1. Drainage System: Complete drainage system for the entire subdivision area shall be designed by a professional engineer, licensed in the state of Utah and qualified to perform such work, and shall be shown graphically. All existing drainage features which are to be incorporated in the design shall be so identified. If the final plat is to be presented in sections, a general drainage plan for the entire shall be presented with the first section, and appropriate development stages for the drainage system for each section indicated.
2. Design: The drainage and floodplain systems shall be designed to:
 - a. Permit the unimpeded flow of natural watercourses;
 - b. Ensure adequate drainage of all low points;
 - c. Ensure applications of the following regulations regarding development in designated floodplains:
 - i. Construction of buildings shall not be permitted in a designated floodway with a return frequency more often than a one hundred (100) year storm.

- ii. Building construction may occur in that portion of the designed floodway where the return frequency is between a one hundred (100) years and a maximum probable storm provided all usable floor space is constructed above the designated maximum probable flood level.
 - iii. Where floodway velocities are generally determined to be under five feet per second and maximum flood depth will not exceed three feet, such uses as cultivated agriculture, nurseries, parks and recreation facilities and accessory parking may be permitted.
 - iv. Any use of land is prohibited where flooding would create a public health hazard or problem. This includes shallow wells, uncased deep wells, sanitary landfills, septic tank and on-lot sewage disposal systems, not completely protected from inundation.
 - v. Recreational vehicles and similar uses shall not be permitted in any designated floodway.
 - vi. Any contemplated floodplain encroachment or channeling shall be thoroughly analyzed and its effect on stream flow determined before such encroachment is undertaken and must be approved by the planning commission, before accomplished accomplishment.
 - vii. No lot one acre or less in area shall include floodlands. All lots more than one acre shall contain not less than forty thousand (40,000) square feet of land which is at an elevation at least two feet above the elevation of the one hundred (100) year recurrence interval flood, or, where such data is not available, five feet above the elevation of the maximum flood of record.
3. Drainage System Plans.
- a. The drainage system shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff for the subdivision area but also, where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and "upstream" from the subdivision itself, as well as its effects on land downstream.
 - b. All proposed surface-drainage structures shall be indicated on the plans.
 - c. All appropriate designs, details and dimensions needed to clearly explain proposed construction materials and elevations shall be included in the drainage plans.

13.24.240 Irrigation systems.

This section outlines the requirements of relocating the ditch or irrigation system that was previously open within 100 feet of a proposed subdivision.

1. Where an existing irrigation system consisting of open ditches is located on or adjacent to or within one hundred (100) feet of a proposed subdivision, complete plans for relocation or covering, or other safety precautions shall be submitted with an application for preliminary approval of a plat.
2. In all subdivisions in which the smallest lot is less than one acre, all irrigation systems shall be underground.



3. All pressure irrigation systems in or within one hundred (100) feet of a proposed subdivision shall be identified, and otherwise color coded as to pipe and valve color to meet state standards and regulations.

13.24.250 Fire Protection.

This section describes that the planning commission may approve alternate forms of fire protection or additional requirements as needed.

1. The planning commission may authorize alternative fire protection in place of fire hydrants when hydrants are not feasible, and the applicant demonstrates that the proposed method is sufficient. Engineering certification may be required.
2. The planning commission may require additional fire protection or policies when because of the location, type of natural features or other factors contributing to fire danger, other precautions are deemed necessary.

Amended by Sevier County Code 99-2-1

Chapter 13.28 - FINANCIAL RESPONSIBILITY

Sections:

- 13.28.010 Guarantee.**
- 13.28.020 Performance bonds.**
- 13.28.030 Deposit in escrow.**
- 13.28.040 Default.**
- 13.28.050 Phased development.**
- 13.28.060 Guarantee for two years.**
- 13.28.070 Acceptance and release of surety.**

13.28.010 Guarantee.

This section requires the subdivider to guarantee the improvements made by selecting one or more of the methods described in this chapter.

Before actual installation of the improvements required by this title, as outlined in 13.24.100 and before final plat requiring approval by the board of county commissioners, the subdivider shall guarantee the installation thereof by one, or a combination of one or more of the methods specified below, in an amount equal to the cost of the improvements as estimated by the subdivider's engineer and approved by the County.

The guarantee employed shall be approved as to method and form by the board of county commissioners and the county attorney. The board of county commissioners may prescribe by administrative rule, or regulation, forms and procedures to ensure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision and the strict compliance with the requirements of this title.

13.28.020 Performance Bonds.

This section describes the use of a performance bond to cover the costs of the required improvements as estimated by the sub-dividers engineer and approved by the County.

The subdivider shall furnish and file with the county clerk a corporate surety bond in an amount equal to the cost of the required improvements as estimated by the subdivider's engineer and approved by the county, to assure the actual construction of such improvements within a period of one year immediately following the approval of the final plat and subdivision by the board of county commissioners, which bond shall be approved by the board of county commissioners and the county attorney.

13.28.030 Deposit in Escrow.

This section describes the use of escrow with an escrow holder to cover the costs of the required improvements as estimated by the sub-divider's engineer and approved by the County.

The subdivider shall deposit in escrow with an escrow holder approved by the board of county commissioners an amount of money equal to the cost of improvements required as estimated by the subdivider's engineer and approved by the county under an escrow agreement conditioned for the installation of said improvements within one year from the approval of the final plat and subdivision. The escrow agreement shall be approved by the board of county commissioners and the county attorney and shall be filed with the county recorder.

13.28.040 Default.

This section goes into detail about what happens when a subdivider defaults on the required improvements within two years.

In the event the subdivider defaults or fails or neglects to satisfactorily install required improvements within one year from the date of approval of the final plat, the board of county commissioners may declare the bond or escrow deposit forfeited, and may install or cause the required improvements to be installed, using the proceeds from the collection of the bond or escrow deposit to defray the expense thereof.

13.28.050 Phased Development.

This section requires the subdivision to be available for use by those developing or using the subdivision within the required time frame mentioned throughout this title.

Whenever the subdivider develops a subdivision in portions, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all said improvements will be made available for full, effective and practical use thereof by lessee or grantee of any of the subdivided lands within the time hereinbefore specified.

13.28.060 Guarantee for One Year.

This section clarifies the need of the subdivider to guarantee improvements described in this chapter for up to one year and to be inspected by the County.

1. The subdivider or contractor, upon submission of his plans, shall deposit with the county clerk a fee in the amount required by the board of county commissioners, to cover engineering review and inspection of the above improvements.
2. The subdivider shall warrant and guarantee that the improvements provided for in this chapter, and every part thereof, will remain in good condition for a period of one year after the date of conditional acceptance by the board of county commissioners and agree to make all repairs to and maintain the improvements and every part thereof in good condition during that period at not no cost to Sevier County. It is further agreed and understood that identifying necessity for repairs and maintenance of the work rests with a civil engineer licensed by the State of Utah, whose decision upon the matter shall be final and binding upon the subdivider, and the guarantee stipulated shall extend to and include but shall not be limited to the entire street, subgrade, base and surface and all pipes, joints, valves, backfill and compaction as well as the working surface, curbs, gutters, sidewalks and other accessories that are, or may be affected by the construction operations.
3. Whenever, in the judgement of the County, said work shall be in need of repairs, maintenance or rebuilding, he shall cause a written notice to be served to the subdivider. Upon receipt of such written notice, the subdivider shall undertake and complete the repairs, maintenance or rebuilding as required by the above-stated written notice. The cost of such repairs, maintenance or rebuilding shall be paid by the subdivider. But if the subdivider fails to complete such repairs, maintenance or rebuilding as are required by written notice, within a reasonable time from the date when such notice was received (not to exceed six months), the board of county commissioners may initiate any and all legal actions necessary to compel compliance with the requirements of the written notice.

13.28.070 Acceptance and Release of Surety.

This section gives the county the authority to inspect all improvements required after they are complete and one year after the final has been approved.

1. Conditional acceptance of all the improvements shall be in writing from the board of county commissioners, after written approval has been received from the County.
2. Final inspection by the county shall be made one year after all work has been completed and before the release of the improvement bond or escrow deposit. All defects shall be corrected before acceptance by the board of county commissioners.
3. Final acceptance shall be in writing by the board of county commissioners, after written approval is received from a civil engineer licensed by the State of Utah.



Chapter 13.32 - Cluster Subdivisions and Open Space.

Sections:

13.32.010 Cluster Subdivision Standards

13.32.020 Unit/Density Calculation/Density Bonus

13.32.030 Open Space.

13.32.010 Cluster Subdivisions Standards

Outlines the standards that need to be met for qualification for a cluster subdivision.

The purpose of a cluster development is for maximum design flexibility, separate residential uses from agricultural uses, and serve to preserve the rural and agricultural character of the county to the maximum extent possible, while still permitting new residential uses.

1. Clustering of residential development shall be done in such a way that:
 - a. Unbuilt areas of the property are maintained by any one or combination of the following:
 - i. Creation of a Homeowners Association with approved covenants.
 - ii. A deed restriction following procedures outlined in Section 13.32.030 .
 - iii. Alternate option approved by the county planning commission.
 - b. No building, structure, or fence shall be placed on greater than the percentage of built area for any zone.
 - c. Minimum setbacks are reserved.
 - d. Traditional access through the property to public lands shall be maintained in accordance with the General Plan.
 - e. The area surrounding and included in the development are not adversely affected by the design.
 - f. All lots in cluster subdivisions shall be served by an internal access road with limited access to existing county roads
2. Cluster subdivisions shall follow all procedures in the Sevier County Subdivision Ordinance.
3. The following rules should apply in cluster subdivisions:
 - a. The density permitted in cluster subdivisions will be as specified in each individual zone.
 - b. All parcels in a cluster subdivision except the residual parcel should be grouped together and contiguous.
 - c. The open space that is created through clustering should allow for agricultural lands to continue to be farmed, storm water to be channelized or detained by grass swales and ponding areas, and preserve open spaces that provide natural habitat areas.



- d. If open space of the cluster development is to be used for agriculture a buffer between residential and agricultural uses may be necessary.
- e. Where development exists adjacent to proposed development an attempt should be made to interconnect development and open space.
- f. The location of buildings in clustering should follow the following criteria for site selection:
 - i. Buildings should be built on least fertile soils.
 - ii. Buildings should not occur on wetlands, buffers, transition areas, flood plains, or areas with steep slopes.
 - iii. Buildings should be clustered in the least visible portions of the site, such as the edges of fields.

13.32.020 Unit Density Calculation and Density Bonus.

How the density is decided when approved for a subdivision.

- 1. The maximum number of units developed shall be determined by the amount of land proposed for development divided by the lot acreage required in the zone.
- 2. Existing homes owned by the same property owner as the land being developed are to be considered a unit in the unit calculation method.
- 3. For every increment of 20 acres of contiguous open space in a subdivision development, one bonus lot shall be added to the maximum number of units calculated in all zones excluding GRF-20S.
- 4. For every increment of 40 acres of contiguous open space in a GRF-20S subdivision development, one bonus lot shall be added to the maximum number of units calculated.

13.32.030 Open Space.

This is the requirement for open space within a clustered subdivision.

- 1. A deed restriction must be filed on the property remaining in open space stating use of the land will be limited to the uses permitted in Subsection 14.24.040, until such time as any of the following occur:
 - a. Zoning classification change; or
 - a. Annexation by a municipality; or
 - b. Other jurisdictional transfer.
- 2. Areas or spaces designated as open space by Section 13.32.010 shall not be developed or used except as follows, subject to the regulations of the zoning district in which the development is located:
 - a. Agriculture, forestry, and fisheries;
 - b. Game preserves, wildlife sanctuaries, and the like; and



Sevier County Municipal Code

- c. Non-commercial recreational structures and uses.
- 3. No required yard or other open space around existing building, or which is hereafter provided around any building, for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established.