

HONEYVILLE, UTAH PLANNING DEPARTMENT

APPLICATION

Subdivision _____ Conditional Use _____ Zoning Map/Ordinance Amendment _____ Board of Adjustment _____ Lot Line Adjustment _____ Other _____

Application No. _____		Filing Fee _____	
Date Filed _____	Received By _____	Zoning _____	
<i>To be completed by Planning Office Staff</i>			

1. Applicant _____ Daytime Telephone _____
 Mailing Address _____ City _____ State _____ Zip _____
 Interest in Property (e.g., owner, lessee, or agent) _____
2. First Party (owner) _____ Daytime Telephone _____
 Mailing Address _____ City _____ State _____ Zip _____
 Assessor's Parcel No. (s) _____, Acres _____
3. Second Party (owner) _____ Daytime Telephone _____
 Mailing Address _____ City _____ State _____ Zip _____
 Assessor's Parcel No. (s) _____, Acres _____
4. Engineer/Land Surveyor _____ Telephone _____
 Mailing Address _____ City _____ State _____ Zip _____
5. Site Address/General Location of Property(ies) _____
6. Purpose/objective, including the Amount of Land to be included in application _____

7. Minimum Information Required to File Application (application will not be accepted without all of the following):

- Filing Fee (refer to ordinance for various fees) \$ _____
- Five (5) copies of Plat map or written details (which ever is applicable)
- One (1) copy 11" x 17" reduction of Plat Map (if applicable)
- Three (3) copies of Assessor's Parcel map, with subject property(ies) outlined in red

The Planning Commission normally meets on the third Thursday of each month. Applicants will be notified of changes in meetings and meeting times. The Planning Staff will not officially accept a submittal until the conditions and necessary parts of each application procedure are completed. The Planning Commission will not review any submittal that was made less than 10 business days (1st Thursday of each month) prior to the scheduled meeting. Submittals are placed on a tentative agenda until necessary staff review has been completed.

I affirm that I have read and understand this application and that all representations made and material submitted with this application are true and correct to the best of my knowledge. The signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting data.

Applicant's Signature _____ Date _____

10-5-11: FINAL PLAT

1. Purpose: This section sets forth procedures for considering and approving a final subdivision plat.
2. Authority: The city council is authorized to approve final subdivision plats as provided in this section after receiving a recommendation from the planning commission.
3. Initiation: A property owner, or the owner's agent, may request approval of a final plat as provided in subsection D of this section.
4. Procedure: An application for final plat approval shall be considered and processed as provided in this subsection.
 1. A complete application shall be submitted to the zoning administrator in a form established by the administrator along with any fee established by the city's schedule of fees.
 2. A final plat application shall include at least the following information:
 1. The name, address and telephone number of the applicant and the applicant's agent, if any.
 2. Improvement drawings and information which conform to section 10-31-3 of this title and other applicable requirements of chapter 31 of this title.
 3. After the application is determined to be complete, the zoning administrator shall schedule a public meeting before the planning commission as provided in section 10-5-4 of this chapter. A staff report evaluating the application may be prepared by the zoning administrator.
 4. The planning commission shall hold a public meeting and thereafter shall either approve or deny the application pursuant to the standards set forth in subsection E of this section. Conditional approval shall not be given.
 5. The city council shall hold a public meeting to consider the planning commission recommendation and thereafter shall approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. Any conditions of approval shall be limited to conditions needed to conform the final plat to approval standards.
 6. After the city council makes a final decision, the zoning administrator shall give the applicant written notice of the decision within ten (10) days.
 7. A record of all final plat approvals shall be maintained in the office of the zoning administrator.
5. Approval Standards:
 1. A final plat shall be approved if the plat:
 1. Covers all or part of land which has received preliminary plat approval.
 2. Conforms to the conditions of preliminary plat approval.
 3. Has been approved by the culinary water authority and the sanitary sewer authority.
 4. Conforms to the provisions of this subsection E.
 2. The city may withhold an otherwise valid plat approval until the landowner provides the city council with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.

3. The landowner shall acknowledge the plat before an officer authorized by law to take the acknowledgment of conveyances of real estate and shall obtain the following signatures on the plat:
 1. City engineer's approval. Approval shall be given if the engineer finds the subdivision and proposed improvements comply with the minimum requirements of the applicable ordinances, that the survey description is correct, and that the easements are appropriately located.
 2. City attorney's approval. Approval shall be given if the attorney finds that:
 1. There is a current title opinion from a licensed title company showing that the person dedicating the property described on the final plat is the title owner as shown on the records of the Box Elder County recorder.
 2. The bond, escrow, letter of credit, trust deed or the agreement deposited with the city recorder is in appropriate form and signed by the necessary parties.
 3. The developer has executed an agreement signed by the property owners adjacent to a protection strip in a form sufficient for recordation in the office of the Box Elder County recorder.
 4. The developer has executed a subdivision agreement as required by applicable provisions of this title.
 5. The subdivision does not violate any city ordinance, or laws or regulations of the state of Utah.
 3. Surveyor's certificate.
 4. Owner's dedication.
 5. Owner's acknowledgment of responsibility.
 6. Notary and/or corporate acknowledgments.
 7. District sanitarian's approval (required only if development is not to be served by public water and sewer systems).
4. The surveyor making the plat shall certify that the surveyor:
 1. Holds a license in accordance with the professional engineers and professional land surveyors licensing act, title 58, chapter 22 of the Utah code.
 2. Has completed a survey of the property described on the plat in accordance with section 17-23-17 of the Utah code and has verified all measurements.
 3. Has placed monuments as represented on the plat.
5.
 1. As applicable, the owner or operator of the underground and utility facilities shall approve the:
 1. Boundary, course, dimensions, and intended use of the right of way and easement grants of record.
 2. Location of existing underground and utility facilities.
 3. Conditions or restrictions governing the location of the facilities within a right of way, and easement grants of records, and utility facilities within the subdivision.
 2. Approval of an owner or operator under subsection E5a of this section:

1. Indicates only that the plat approximates the location of the existing underground and utility facilities but does not warrant or verify their precise location.
 2. Does not affect a right that the owner or operator has under:
 1. Damage to underground utility facilities, title 54, chapter 8a of the Utah code.
 2. A recorded easement or right of way.
 3. The law applicable to prescriptive rights.
 4. Any other provision of law.
6.
 1. After the plat has been acknowledged, certified, and approved, the landowner shall within thirty (30) days record the plat in the Box Elder County recorder's office.
 2. An owner's failure to record a plat within thirty (30) days renders the plat voidable.
6. Appeal Of Decision: Any person adversely affected by a final decision of the city council regarding a final subdivision plat may, within thirty (30) days after such decision, appeal to the district court as provided in section 10-9a-801 of the Utah code, as amended.
7. Effect Of Approval: Approval of a final plat shall authorize an applicant to treat each lot shown on the plat as a legally independent parcel of property subject to any conditions of plat approval.
 1. A person may not submit a subdivision plat to the Box Elder County recorder's office for recording unless:
 1. A recommendation has been received from the planning commission.
 2. The plat has been approved as provided in subsection E of this section.
 2. A subdivision plat recorded without the signatures required under this section is void.
 3. A transfer of land pursuant to a void plat is voidable.
 4. Approval of a final plat shall not be deemed approval of a conditional use permit, site plan, or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this title.
8. Amendments: The procedure for amending a final plat is set forth in section 10-5-12 of this chapter.
9. Revocation: An approved final plat may be revoked as provided in section 10-7-6 of this title, but only prior to recording of the plat in the Box Elder County recorder's office. Following recording a plat may be vacated or amended as provided in section 10-5-12 of this chapter.
 1. In addition to the grounds set forth in section 10-7-5 of this title, a final plat may be revoked if the holder of the approval:
 1. Fails to comply with the conditions of approval or any applicable city, state, or federal law.
 2. Sells or transfers to a third party any of the land subject to a final plat prior to recording of the plat.
 2. No approved final plat may be revoked against the wishes of the holder of the approval without first giving such person an opportunity to appear before the city council and show cause as to why the approval should not be amended or

revoked. Revocation of an approved final plat shall not limit the city's ability to initiate or complete other legal proceedings against the holder of the approval.

10. Expiration: A final plat approval shall expire and have no further force or effect if the plat is not recorded in the Box Elder County recorder's office within ninety (90) days following approval.

11. Exemptions From Plat Requirement:

1.

1. A lot resulting from a division of agricultural land is exempt from the plat requirements of this section if the lot:

1. Qualifies as land in agricultural use under section 59-2-502 of the Utah code.

2. Meets the applicable minimum lot size requirement of this title.

3. Is not used and will not be used for any nonagricultural purpose.

2. If a lot exempted under this subsection K1 is used for a nonagricultural purpose, the lot shall be subdivided as provided in this section.

2.

1. Documents recorded in the Box Elder County recorder's office that divide property by a metes and bounds description do not create an approved subdivision unless the city council's certificate of written approval required by subsection K2c of this section is attached to the document.

2. The absence of the certificates or written approvals required by subsection E3 of this section does not affect the validity of a recorded document.

3. A document which does not meet the requirements of subsection K1 of this section may be corrected by the recording of an affidavit to which the required certificate of written approval is attached in accordance with section 57-3-106 of the Utah code.

12. Common Or Community Area Parcels On A Plat: A lot designated as common or community area on a plat recorded in compliance with this section may not be separately owned or conveyed independent of the other lots created by the plat. The ownership interest in such lot shall for purposes of assessment, be divided equally among all lots created by the plat, unless a different division of interest for assessment purposes is indicated on the plat or an accompanying recorded document; and shall be considered to be included in the description of each instrument describing a lot on the plat by its identifying plat number, even if the common or community area interest is not explicitly stated in the instrument.

13. Dedication Of Streets And Other Public Places: Plats, when made, acknowledged, and recorded according to the procedures specified in this section, operate as a dedication of all streets and other public places, and vest the fee of those parcels of land in the city for the public for the uses named or intended in those plats. The dedication established by this subsection does not impose liability upon the city for streets and other public places that are dedicated in this manner but are unimproved.

Adopted by Ord. 2007-02 on 7/11/2007