

MILLVILLE CITY CODE
TITLE 16 - SUBDIVISIONS
CHAPTER 16.16 - PRELIMINARY PLATS

[16.16.010: PREAPPLICATION \(CONCEPTUAL\)](#)

[16.16.020: PRELIMINARY PLAT](#)

16.16.010: PREAPPLICATION (CONCEPTUAL)

- A. This section shall apply to subdivisions, both large and small.
- B. The purpose of this preapplication procedure is to determine any problems with the proposed development before expenses are incurred in the preparation of a preliminary plat. No official action is required of the city planner, planning and zoning commission, or other agencies other than to offer appropriate comments on the proposal and indicate suitability for proceeding through the platting process.
- C. Prior to the submission of a preliminary plat, the subdivider shall present a conceptual plan of the proposed subdivision to the commission as required by these regulations (see subsection E of this section). The subdivider shall contact the city planner and any other administrative personnel or private agencies to determine:
 - 1. Procedures and requirement for filing the preliminary and final plats;
 - 2. Availability of public water, sewer and other requirements when public systems are not readily available pursuant to subsection 16.04.070M of this title;
 - 3. Zoning requirements on the property;
 - 4. Requirements of the duly adopted roadway corridor study, land uses, schools, parks and other public open space;

5. The location and extent of any floodplains as shown by FEMA maps in the office of the city engineer;
 6. Soil types and problems on the property as shown on available soil survey maps prepared by the soil conservation service;
 7. The location of well protection and drinking water source protection zones;
 8. The location of all property in the development that may fall under the hillside development overlay;
 9. Proximity to any established agriculture protection area;
 10. Stormwater runoff requirements;
 11. Improvement requirements.
- D. As a part of this contact, the subdivider may discuss with the city planner or any other appropriate agency its tentative proposals for the development of the property. All fees must be paid prior to consideration.
- E. The subdivider shall present at least twelve (12) copies of a conceptual plan, or sketch plan, to the commission for an informal review and discussion of the site plan and the general scope and conditions of the proposed subdivision. The plan shall include the following:
1. The property boundaries of the proposed subdivision as shown with a date certified plat from the county office within the last thirty (30) days;
 2. Names of adjacent property owners;
 3. Approximate number of lots proposed and the street layout numbering of lots on the plat is adequate;
 4. Approximate total acreage of the development as well as lot size range;
 5. Description of the type of water (culinary or irrigation) system proposed along with the water rights pursuant to subsection 16.04.070M of this title;
 6. Description of the type of sewer or sanitary waste system proposed;
 7. Present zoning;

8. Written description of the stormwater drainage system proposed;
 9. A written statement describing the intent of the development;
 10. Lots within the hillside development overlay zone.
- F. In the review and discussion of the proposal, the commission shall consider its concept and compare it with the comprehensive master plan, zoning ordinance, subdivision ordinance and other regulations in the local jurisdiction to determine compliance. A record of the discussion, including the decisions agreed upon, shall be kept in the minutes of the meeting and shall constitute the official record of the meeting. A copy of the minutes shall be furnished to the subdivider within fourteen (14) days of the minutes being approved. The subdivider may then proceed with the preparation of the preliminary plat. In the event the preliminary plat has not been submitted to the commission for approval within six (6) months from the date of the meeting, a new conceptual plan shall be presented for consideration by the commission before a preliminary plat can be submitted.
- G. The commission at their sole discretion may seek input from the city engineer if more information is required to determine the requirements for the subdivision. The subdivider may seek input from the city engineer if desired. The subdivider will be responsible for all engineering fees whether requested by the commission or the subdivider.
- H. The commission may, at its option, hold a public hearing as part of the review process of the conceptual plan. (Ord. 2019-6, 2019: Ord. 2008-4, 2008: Ord. 2003-4 §§ 1, 2, 2003: Ord. 2002-2 § 2, 2002: Ord. 2000-17 §§ 2, 3: Ord. 94-3 § 1)

16.16.020: PRELIMINARY PLAT

- A. This section shall apply to all subdivisions except those exempted as described in section 16.20.040 of this title.
- B. The preliminary plat drawing shall be prepared on twenty four inch by thirty six inch (24" x 36") paper at a scale of one inch equals one hundred feet (1" = 100') or larger for subdivisions where the majority of lots are less than five (5) acres in size. The scale may be reduced to one inch equals two hundred feet (1" = 200') for subdivisions in which the minimum lot size is five (5) acres or more. The design shall conform to the design criteria stipulated in chapter 16.28 of this title. The preliminary plat is to be formatted and scaled in a manner similar to the final plat submittal. See subsection 16.20.010D of this title.

The face of the drawing shall contain the following information:

1. The name of the subdivision. The name shall not duplicate or too closely resemble the name of any subdivision previously filed in the county;
2. Date of preparation, scale and north arrow. The top of each sheet shall represent north wherever possible;
3. A vicinity map drawn at a scale of one inch equals one thousand feet (1" = 1,000') or one inch equals two thousand feet (1" = 2,000'), showing the location of the proposed subdivision in the city and its relationship to surrounding development;
4. A legal description of the subdivision boundary;
5. The boundary lines of the subdivision shown in a heavy, solid line and referenced to section or quarter section lines;
6. All property under the control of the subdivider, even though only a portion is being subdivided, diagramming the prospective street, sanitary and storm sewer, and culinary water systems of the unplatted parts;
7. A symbolic description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey;
8. Existing contours at a maximum interval of two feet (2') for slopes greater than two percent (2%). For slopes of two percent (2%) or less, contour intervals shall be one foot (1'), unless waived by the city engineer;
9. General location and extent of any significant natural features such as slopes, streams or drainageways;
10. Number of lots within the following slope classes labeled on the plat for hillside development overlay zone:
 - a. Lot Area: Minimum fourteen thousand (14,000) square feet for slope class 1 lots (see definitions in this title), pending septic tank approval.

Minimum twenty thousand (20,000) square feet for slope class 2 lots, pending septic tank approval.

Minimum twenty six thousand (26,000) square feet for slope class 3 lots, pending septic tank approval.

Minimum thirty two thousand (32,000) square feet for slope class 4 lots, pending septic tank approval.

- b. Variations: Variations from the development standards within the hillside overlay zone will be considered only when a geotechnical (soils) report is prepared and stamp certified by a state of Utah registered professional engineer. The engineer will verify in detail how the proposed building could be safely located on the sloped lot. If retaining systems such as reinforced concrete walls or proprietary retaining wall products such as "reinforced earth" were used as part of the building, they would have to be prepared by a state of Utah registered professional engineer and reviewed by the city engineer. The cost of preparing the soils report and retaining plans would be the responsibility of the developer. A review fee of five hundred dollars (\$500.00) is required in addition to the hillside development fee to cover the costs of the city having to review and verify the additional reports, plans, and specifications;
11. Floodplains as delineated on the FEMA maps. These are available in the office of the city engineer;
 12. Location, dimensions, numbers (and names if applicable) of existing roads, streets, sidewalks, alleys, railroad rights of way and structures within one hundred feet (100') immediately adjacent to the proposed subdivision showing how they relate to the proposed subdivision layout;
 13. Location, size, and grades of existing sanitary and storm sewers and location and size of water mains, wells (active or abandoned), reservoirs, gas lines, pipelines, or other underground utilities or installations within the proposed subdivision or within one hundred feet (100') immediately adjacent thereto;
 14. Location and dimensions of all easements of record as shown on a plat signed by the county recorder's office and dated within the last thirty (30) days;
 15. Location and width of proposed streets, alleys, pedestrianways and easements;
 16. Location, size and capacity of proposed stormwater detention and retention ponds and settling basins;
 17. Layout, numbers, frontage, and approximate dimensions of proposed lots and blocks. Do not number blocks; number lots consecutively;

18. Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use with the use noted;
 19. Shall identify all lots requiring a hillside overlay permit with the letters "HO" on the plat;
 20. Sidewalks will be installed in accordance with the "Millville City Manual Of Design And Construction Standards", "Concrete Sidewalk Minimum Standards For New Subdivisions And Sidewalks In Millville City Right Of Way".
- C. As part of the preliminary plat, preliminary design drawings of the infrastructure shall be prepared at the scale listed in the MDCS. Three (3) copies of the design drawings are required. Separate drawings for each item listed below are required.
1. Preliminary design drawing of the stormwater system to include:
 - a. Stormwater Improvements: Plan and profile of the stormwater improvements along each street;
 - b. Plan Of Subdivision: A plan of the subdivision showing the general location and extent of any significant features such as rivers, streams, creeks, arroyos, gullies, diversion ditches, spillways or reservoirs;
 - c. Floodplains: Floodplains as delineated on FEMA maps. These are available in the office of the city engineer;
 2. Preliminary design drawing of water and sewer systems along with a profile showing grades and pipe sizes including:
 - a. The profile and tentative grade of each street;
 - b. Locations of pipes, valves and fire hydrants;
 - c. Size and type of pipe;
 3. Preliminary design drawing of proposed streets:
 - a. The plan and profile of existing and proposed grade for each street;
 - b. The cross sections of each street showing the width of sidewalks, curb and gutter or grassy swells, and the location of utility mains;

- c. Label the slopes of all street tangents.
- D. Preliminary design drawings are to be created with the intent that they will be used for final design. Plan and profiles for streets are to be on the same sheet aligned vertically by matching station.
- E. The preliminary plat shall be submitted in twelve (12) copies to the commission for review by the commission. The city planner will distribute plats to utility companies, and other affected entities.
- F. All fees must be paid prior to consideration. The following information and material shall be a part of any preliminary plat submittal and shall accompany the preliminary plat drawing in a three (3) ring binder with the subdivision name on the cover and spine:
- 1. Names Of Developer Or Subdivider: The written names, addresses, and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the preliminary plat;
 - 2. Name Of Agent: The developer shall designate, in writing, the name of the agent who shall be available at all times during construction and who shall not be replaced without a written notice to the city engineer. The agent will be the developer's representative at the site and shall have the authority to act on the developer's behalf;
 - 3. Zoning And Land Use: Existing zoning and land use of proposed subdivision and immediately adjacent areas;
 - 4. Summary Of Number Of Lots: A summary of the total number of acres, number of lots, number of lots within the hillside overlay, acreage of commercial or industrial areas, acreage of open space, amount of land in right of way and other descriptive material useful in reviewing the proposed subdivision;
 - 5. Development And Maintenance Responsibility: Three (3) copies of a statement describing the development and maintenance responsibility for any private streets, ways or open space, and retention/detention ponds;
 - 6. Recommendations: Three (3) copies of the recommendations of a qualified professional engineer or the affected soil conservation district regarding soil suitability, erosion control, sedimentation and flooding problems;

7. Schedule Of Phasing: Three (3) copies of a description of the phasing and scheduling of phases for the development if it is to be constructed in separate phases;
 8. Petition For Annexation: One copy of a petition for annexation to the city if the land to be subdivided is contiguous to, either itself or as part of a larger tract, the boundaries of the city;
 9. Request For City Zoning: One copy of a request for appropriate city zoning for the subdivided area if the area is to be annexed or if the existing zoning district does not allow the type of use proposed;
 10. Owners Of Subdivided Lots: One copy of a list of the names and addresses of all owners of subdivided lots and unplatted land contiguous to or within six hundred feet (600') of the boundary of the proposed subdivision;
 11. Subdivision Application: One copy of a subdivision application on the standard forms provided;
 12. Preliminary Plat Checklist: One copy of the completed preliminary plat checklist on the standard forms provided;
 13. Lots Within Hillside Overlay Zone: As applicable, all lots identified as within the hillside overlay zone;
 14. Erosion Plan: Erosion control plan as approved by the city engineer;
 15. Dust Plan: Dust control plan as approved by the city engineer.
- G. After receipt of the preliminary plat and all required supporting material from the city planner, the planning commission representative shall schedule the plat for consideration at the next regular meeting of the planning commission which occurs after thirty (30) days from the date on which the plat was submitted; and shall, within three (3) days, transmit copies to appropriate agencies and officials for their review and comment. At a minimum, copies of the plat shall be referred to:
1. The city engineer;
 2. The school district;
 3. Police department;
 4. Any utility or special district;

5. Fire department;
 6. Cache County zoning administrator and/or countywide planner;
 7. U.S. army corps of engineers (if waterways or wetlands are involved);
 8. Other entities as determined necessary.
- H. Agencies receiving referral copies of the preliminary plat should return written comments on the plat to the commission within sixteen (16) days after receipt of the plat. Agencies may also present comments on the plat at the planning and zoning commission meeting at which the plat is considered.
- I. The comments received at the close of the sixteen (16) day review period will be considered by the commission at its next regularly scheduled meeting.
- J. At least seven (7) days prior to the date of the commission meeting at which the plat is to be considered, the commission shall notify the owners of subdivided lots and owners of unplatted land within six hundred feet (600') of the boundaries of the proposed subdivision of the time and date of the meeting.
- K. The subdivider, or duly authorized representative, shall attend the commission meeting at which his or her proposal is scheduled for consideration or the preliminary plat will be tabled without consideration. The subdivider, or duly authorized representative, has nine (9) months to appear before the commission with his or her proposal.
- L. For all subdivisions requiring the dedication of lands to the public, the commission shall hold a public hearing on the preliminary plat. At the discretion of the commission, a public hearing may be held for all other subdivisions. A notice of the time, date, place and purpose of the hearing shall be published in a local newspaper having general distribution in the city, and/or posted in at least three (3) conspicuous places within the city limits or on the municipality's official website at least ten (10) days prior to the date of the hearing. In its deliberations on the matter, the commission shall consider oral or written statements from the applicant, the public, city staff, and its own members. The commission may recommend approval, disapproval or may continue the preliminary plat to a future meeting. The preliminary plat may not be continued more than two (2) meetings in succession. The commission shall notify the city council within sixteen (16) days in writing of its recommendation. Recommended approval expires in ninety (90) days unless an extension is granted by the city council.

M. Any change to the preliminary plat that requires a review from the city engineer or other outside agencies shall be considered a revised preliminary plat with fees as applicable. (Ord. 2019-6, 2019: Ord. 2008-4, 2008: Ord. 2004-9, 2004: Ord. 2003-4 § 1, 2003: Ord. 2002-7 § 1, 2002: Ord. 2002-4 §§ 1, 2, 2002: Ord. 2002-2 §§ 2, 3, 2002: Ord. 2000-17 § 2: Ord. 94-3 § 1)