

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

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

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16.16.010: PREAPPLICATION (CONCEPTUAL) PLANS

- A. This section shall apply to subdivisions, both large and small.
- B. The purpose of this preapplication procedure is to identify any problems with the proposed development before significant expenses are incurred in the preparation of a preliminary plat, plans, and required supporting material (subdivision plans). No official action is required of the city planner, planning and zoning commission, or other agencies other than to offer appropriate comments and suggestions on the proposal and indicate suitability for proceeding through the formal process.
- C. Prior to the preparation and submission of preliminary subdivision plans as discussed in 16.16.020, 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 discuss:
 - 1. Procedures and requirement for filing the preliminary and final plats;
 - 2. Availability of public water, sewer, storm drainage, 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, sidewalk and curb and gutter plan, master plans, 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 and available through the NRCS website;
 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. Any other improvement requirements.
- D. As a part of this contact, the subdivider must discuss with the city planner or any other appropriate agency, its tentative proposals for the development of the entire adjacent property controlled by the developer or the developer's affiliates.
- E. The subdivider shall present at least ten (10) paper copies and a digital copy in the portable document format (.pdf) of a conceptual plan, also called a sketch plan, on paper not smaller than 11x17 inches and text not smaller than a 10 font that is legible and easy to read, 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 and addresses of adjacent property owners within 600 feet of the proposed subdivision;
 3. Approximate number of lots proposed and the street layout for the entire property controlled by the developer or the developer's affiliates to provide an understanding of the full concept for the complete development, even when multiple phases are planned.;

4. Approximate total acreage of the development as well as lot size range;
 5. Description of the type of water (culinary and/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 system proposed including the ability to connect to the City's system, any proposed or necessary lift stations, and expected sewer pipe sizes;
 7. Present zoning;
 8. Written description of the stormwater drainage system proposed in compliance with the most current edition of the Cache County Stormwater Design Criteria and Utah Division of Water Quality stormwater permits for both construction and municipal separate storm sewer systems (MS4);
 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 plans, zoning ordinances, subdivision ordinances 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.
- H. The commission may, at its option, hold a public hearing as part of the review process of the conceptual plan.
- I. The subdivider is responsible for the payment of all fees approved by the Planning Commission or the City Council for City planning and engineering reviews of the concept plans and as published by the City prior to discussions about the concept plans.

- J. The subdivider must submit the City approved checklist with the concept plans prior to review to verify that all required and necessary information is provided to streamline the process. (Ord. 2022-2, 2022: 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 AND PLANS

- 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 two inch by thirty six inch (22" x 34") (ANSI D) 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.
- C. The preliminary plat 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 developments and boundaries;
 - 4. A legal description of the subdivision boundary prepared by a Utah licensed surveyor;
 - 5. The boundary lines of the subdivision shown in a heavy, solid black line and referenced to section or quarter section lines, and survey monuments established within Millville City and identified on the City website;

D. Engineering plans shall contain the following information in the preliminary design drawings of the infrastructure and shall be prepared at the scale listed in the Millville City Manual of Design and Construction Standards. Three (3) paper copies of the design drawings and a digital copy in the portable document format (.pdf) are required. Legible and clear drawings for each item listed below are required.

1. Plan view of all property under the control of the subdivider and the subdivider's affiliates, even though only a portion is being subdivided, including the prospective lots, street, sewer, storm water, and culinary water systems for the platted and unplatted parts;
2. 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;
3. 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;
4. Location and extent of any significant natural features such as slopes, rivers, streams, creeks, arroyos, gullies, diversion ditches, spillways or reservoirs;
5. Number and location of lots within the following slope classes labeled on the plat:

- a. Slope Class 1 lots: Lot area of a minimum of fourteen thousand (14,000) square feet (see definitions in this title), labeled HO-1.

Slope Class 2 lots: Lot area of a minimum of twenty thousand (20,000) square feet labeled HO-2.

Slope Class 3: Lot area of a minimum of twenty six thousand (26,000) square feet labeled HO-3.

Slope Class 4: Lot area of a minimum of thirty two thousand (32,000) square feet labeled HO-4.

Slope Class 5: Lots that are not eligible for development or construction as defined in this code. Herein defined as Hazard Slope Areas (HS)

- 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 seven hundred and fifty dollars (\$750.00) 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;

6. Floodplains as delineated on the FEMA maps. These are available in the office of the city engineer, downloadable from the Automated Geographic Reference Center (AGRC) and the Federal Emergency Management Agency;
7. Location of Geological Fault Zones;
8. 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;
9. Location, size, and grades of existing sewer and stormwater and location and size of water mains, wells (active or abandoned), reservoirs, gas lines, pipelines, power lines, telecommunication lines, or other underground, above ground and at grade utilities or installations within the proposed subdivision and within one hundred feet (100') immediately adjacent thereto;
10. 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;
11. Location and width of proposed streets, alleys, pedestrian-ways and easements with the associated details necessary to construct including the plan and profile of existing and proposed grades for each street; the cross sections of each street showing the width of sidewalks, curb and gutter or grassy swales, and the location of utility mains, and labeled slopes of all street tangents in compliance with the Millville City Manual of Design and Construction Standards;
12. Stormwater Improvements: Plan and profile of the stormwater improvements along each street including all inlets, manholes, pipe alignments, sizes, grades, and materials, outlets, etc. Location, grading, size and capacity of proposed stormwater detention and retention ponds, stormwater low impact development systems (LIDs) as required by the Utah Division of Water Quality, with the

associated details necessary to construct in compliance with Millville City Manual of Design and Construction Standards;

13. Sewer Improvements: Location, size and capacity of proposed sanitary sewer system with the associated details necessary to construct including plan and profile drawings along the centerline of the sewer system, manhole locations, pipe sizes and grades, pipe material, etc. inc compliance with Millville City Manual of Design and Construction Standards;
 14. Culinary Water Improvements: Location, size and capacity of proposed culinary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the water system, valves, fire hydrants, services, meters, grades, pipe sizes, pipe material, etc. in compliance with Millville City Manual of Design and Construction Standards;
 15. Existing irrigation ditches, canals, open waterways, and proposed alignments or realignments within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries; along with a letter from the affected irrigation companies indicating the plans are acceptable must be submitted to the City.
 16. Irrigation Improvements: Location, size and capacity of proposed irrigation or secondary water system with the associated details necessary to construct including plan and profile drawings along the centerline of the system and showing all necessary appurtenances to construct the system in compliance with Millville City Manual of Design and Construction Standards;
 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. All infrastructure in the public right-of-way will be installed in accordance with the "Millville City Manual of Design and Construction Standards."
- E. Preliminary design drawings and associated required information are to be created with the intent that they will be used for final design. Plan and profiles are to be on the same sheet aligned vertically by matching station.
- F. The preliminary plat and engineering plans shall be submitted to the utility companies and other affected entities by the developer.

- G. All fees must be paid prior to consideration.
- H. The following information and material shall be a part of any preliminary plat and plans submittal and shall accompany the preliminary plat drawing and engineering plans and a digital portable document format (.pdf) version.
1. Cover and spine shall be labeled with the subdivision name, subdivider name, subdivider agent name and contact information, and year of submittal;
 2. 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 and plans on the cover page;
 3. 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;
 4. Zoning And Land Use: Existing zoning and land use of proposed subdivision and immediately adjacent areas;
 5. Summary And Identification Of Number Of Lots: A summary of the total number of acres, number of lots, number of lots within the hillside overlay by each overlay class, acreage of commercial or industrial areas, acreage of open space, amount of land in City and County right of way and other descriptive material useful in reviewing the proposed subdivision;
 6. 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;
 7. Recommendations: Three (3) copies of the recommendations of a qualified professional engineer regarding soil suitability, erosion control, sedimentation and flooding problems;
 8. 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;
 9. 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;

10. 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;
 11. 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;
 12. Subdivision Application: One copy of a subdivision application on the standard forms provided;
 13. Preliminary Plat and Plan Checklist: One copy of the completed preliminary plat and Plan checklist on the standard forms provided;
 14. Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan in accordance with the Construction General Permit issued by the Utah Division of Water Quality and the Millville City Manual of Design and Construction Standards as approved by the city engineer.
 15. Copies of draft stream alteration permits, wetland reports, and any other reports and documentation necessary to obtain building permits.
- I. After receipt of the preliminary plat, plans and all required supporting material (subdivision plans) from the city planner, the planning commission representative shall schedule the subdivision plans for consideration at the next regular meeting of the planning commission which occurs after thirty (30) days from the date on which the subdivision plans were 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 subdivision plans 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 if County right of way or land outside of the current city annexed areas are impacted;

7. The current solid waste contractor for garbage collection review if the subdivision in commercial or industrial;
 8. Hyrum City Wastewater Treatment Plant;
 9. Other entities as determined necessary.
- J. Agencies receiving referral copies of the preliminary subdivision plans should return written comments on the subdivision plans to the commission within sixteen (16) days after receipt of the subdivision plans. Agencies may also present comments on the subdivision plans at the planning and zoning commission meeting at which the subdivision plans are considered.
- K. 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.
- L. At least seven (7) days prior to the date of the commission meeting at which the subdivision plans are 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.
- M. The subdivider, or duly authorized representative, shall attend the commission meeting at which his or her proposal is scheduled for consideration or the preliminary subdivision plans 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.
- N. 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 subdivision to a future meeting. The preliminary subdivision plans may not be continued more than two (2) meetings in succession. Recommended approval expires in ninety (90) days unless an extension is granted by the city council.

- O. Any change to the preliminary subdivision plans that requires a review from the city engineer or other outside agencies shall be considered a revised preliminary subdivision plans with fees as applicable. (Ord. 2022-2, 2022: 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).