



OAKLEY CITY APPLICATION MINOR (3 or less lots) SUBDIVISION

\$750 Fee + \$500 Retainer

Read Oakley City Land Management and Development Code: 13-5-5 before submitting this application. Discussion with the City Planner is recommended as there may be other applicable requirements

Proposed Subdivision Name: _____

Physical Address of Parcel(s): _____

Parcel Number(s) of property: _____

Current Zoning: _____ Zoning Change Required: Yes No

Number of Lots Proposed: _____ Density Exhausted: _____

Culinary Water: City Water Well Wastewater: City Sewer Septic

Name of Owners: _____

Phone: _____ Email: _____

Mailing Address of Owners: _____

If owner is being represented by an attorney or agent, please provide the following information:

Authorized Agent: _____

Relationship to Owner/Firm Name (if applicable): _____

Agent Telephone: _____ Agent Email: _____

Surveyor and Contact Info: _____

SUBMISSION REQUIREMENTS

An application for a subdivision consisting of three (3) lots or less shall include the information set forth below. The City Planner may waive specific submittal requirements if it is determined that the submittal requirement(s) are not necessary to demonstrate compliance with the provisions of this chapter.

- a. Completed subdivision application signed by the owner(s);
- b. The payment by the applicant of the subdivision application fee;
- c. The subdivision shall contain sufficient land area necessary to meet the density requirements of the zone;
- d. Name and address, including telephone number, of all the owner(s), and citation of last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantor, grantee, date, and land records reference;
- e. One (1) copy of a survey prepared by a surveyor licensed in the State of Utah including the following information:
 - (1) The name of the land surveyor;
 - (2) Approximate true north arrow;
 - (3) Legal description and location of property, including citation of any existing legal rights-of-way, public and private roads, streets, irrigation ditches, water bodies, water wells, streams/rivers, structures, and/or other physical improvements affecting the property and existing covenants on the property, if any;
 - (4) A delineation of environmentally sensitive areas, floodplains, delineated wetlands, ridgelines, and slopes exceeding thirty percent (30%);
- f. Two (2) copies (one 11" x 17" copy and one 24" x 36" copy) of the proposed final subdivision plat and one (1) electronic copy of a scaled final subdivision plat prepared by a surveyor or civil engineer licensed in the State of Utah, including:
 - (1) The subdivision name and date of plat creation. The subdivision name may not be the same name as any existing recorded subdivision in Oakley City or in Summit County, Utah;
 - (2) The name of the land surveyor;
 - (3) Approximate true north arrow;
 - (4) The plat scale and the location and dimensions of all boundary lines of the property (expressed in feet and in decimals of a foot), the locations, dimensions, and areas of all proposed lots, rights-of-way, and easements;
 - (5) Consecutively numbered or lettered lots with addresses (subject to final review and approval by the City);
 - (6) Notation of any self-imposed plat restrictions;
 - (7) Signature blocks for the Oakley City, Land Use Authority, City Engineer, Public Health Officer, City Attorney, applicable fire district, local electrical power provider, local natural gas provider (if applicable), and local culinary water provider (if different from City);
 - (8) Notarized signatures on the plat by every person having a security interest in the property which sets forth that he/she is subordinating his/her liens to all covenants, servitude and easements imposed on the property, and all conditions of development approval proposed by the City;

- (9) All monuments erected, corners, and other points established in the field;
(10) Plat notes stating that:

"Further subdivision of such lands, whether by deed, bequest, divorce, decree, or other recorded instrument, shall not result in a buildable lot until the same has been approved in accordance with the Oakley City Land Management and Development Code."

"The owners of property within Oakley City recognize the importance of agricultural lands and operations and small rural business enterprises. It is recognized that agricultural lands and operations and rural business enterprises have unique operating characteristics that must be respected. Owners of each lot platted in this subdivision/the owner of the residence constructed upon this lot have/has been given notice and recognize(s) that there are active agriculture lands and operations and rural business enterprises within Oakley City and acknowledge(s) and accept(s) that, so long as such lands and operations exist, there may be dust, noise, odor, prolonged work hours, use of roadways for the purposes of herding/moving livestock, and other attributes associated with normal agricultural operations and rural businesses."

If serviced by a private water system:

"Water has not been approved for this site. It shall be the responsibility of each lot owner to demonstrate that water of adequate quality and quantity is available for each lot prior to the issuance of a building permit. This shall be accomplished with a memorandum of decision from the state engineer for a private well, spring or a written commitment from a private water company."

- g. Following final action on the final subdivision plat which results in an approval, a current (within 30 days) preliminary title report covering all property located within the subdivision;
- h. Following final action on the final subdivision plat which results in an approval, a 24" x 36" mylar of a scaled (1" = 100') final subdivision plat prepared by a surveyor or civil engineer licensed in the State of Utah, including all items listed in subsection B2f of this section.
- (11) Water design/plan – if using well, proof of water shares. If using Oakley City water, water line design.
- (12) Landscaping/agricultural water use plan.
- (13) Sewer design/plan – if using septic systems, please note. If using Oakley City sewer, sewer line design

**** Please note that you will be invoiced for the cost of public noticing. Invoice must be paid prior to date of public hearing.**

SUBDIVISION APPLICATION PROCESS

1. Review of application for completeness. City planner will perform the preliminary review and then send the application and survey to the city public works department, city engineer, city attorney and fire marshal. Certain requirements/changes may be applicable after review by these entities. **Depending on the scope of the application, this review will result in additional fees by these entities which will be passed on to and paid by the applicant.**
2. After review, the application will be submitted to the Oakley City Planning Commission for a public hearing. **Please note that the notice required for the public hearing is two weeks from the date of the planning commission meeting.** For the city to meet the public noticing requirements, please have your application submitted at least 45 days in advance of the anticipated meeting date.
3. Upon approval of the preliminary plat by the Oakley City Planning Commission, the application is then forwarded to the Oakley City Council for public hearing of preliminary plat approval at the next available Oakley City Council meeting which requires the same noticing time frame as listed above.
4. Upon preliminary plat approval applicant, applicant will make any necessary changes to the plat or plan and then notify planner that they are ready for final plat hearing.
5. Final Plat approval hearing is then scheduled with the Oakley City Council. This is not a public hearing.
6. Upon final approval, the plat may then be circulated for signatures. Plat will be returned to the city for Mayor signature and will be recorded with the Summit County Recorder's office.

CRITERIA FOR APPROVAL

Before a subdivision can be approved; it must conform to all of the following criteria:

- a. All of the land required for the density needed to create the lots within the subdivision, including a remnant parcel, which on its own would not be large enough to qualify for any density, shall be contained within the boundaries of the final subdivision plat, and any remnant parcel shall bear a plat note stating that no density exists on such remnant parcel until such time (if ever) as the zone is changed to permit additional density rights and the remnant parcel is, if necessary, re-subdivided in accordance with this chapter; or the remnant parcel is otherwise vacated from the final subdivision plat for the purposes of a parcel boundary adjustment, which shall constitute good cause thereof under State law.
- b. In the event that the parcel(s) being subdivided contain more land than that which is needed to establish the density for the subdivision, such remainder parcel(s) do not need to be included within the boundaries of the final subdivision plat if each of such remainder parcel(s) (or such number of them if contiguous) conform to the minimum size requirement of the applicable zone at the time. In such cases, a certificate executed by the City shall be recorded with the Summit County Recorder, at the same time as the final subdivision plat is recorded, against the remainder parcel(s) located outside of the final subdivision plat stating that such remainder parcel(s) are conforming parcels pursuant to this chapter.

- c. Each proposed lot shall have legal access through a recorded right-of-way or easement. The applicant shall demonstrate that adequate access to the property from a public road may be granted by the State, County, or City, whichever is applicable.
- d. Compliance with the development evaluation standards provided in chapter 3 of Oakley Land Management and Development Code.
- e. Compliance with the infrastructure standards in chapter 9 of Oakley Land Management and Development Code.
- f. The minimum lot size for new lots created through this process will meet the minimum lot size requirements for the applicable zone.
- g. If the subdivision includes any land located within one hundred feet (100') of the center line of a canal, the City Planner shall:
 - (1) Within thirty (30) days after the day on which the application is filed, notify the canal company or canal operator responsible for the canal, if the canal company or canal owner has provided information under Utah Code Annotated 10-9a-213.
 - (2) Wait at least ten (10) days after the day on which the City Planner notifies a canal company or canal operator to approve, approve with conditions or reject the final subdivision plat.
- h. An approval from the Summit County Health Department.
- i. Proof that property taxes for the applicable property have been paid.
- j. All on-site and required off-site improvements are completed or properly guaranteed as per Chapter 13-7 of Oakley Land Management and Development Code.
- k. Compliance with Oakley Land Management and Development Code and all applicable City regulations.

**Please note that Oakley City will not release/sign any plats until all fees are collected and approvals received.*

By signing this application, I understand and agree to abide by the rules and procedures set forth under the Oakley City Land Use and Development Code. I understand that Oakley City may rescind any approval or take appropriate legal action if any of the information or representations in connection with this application are false or misleading. I understand that approvals may be conditional and require further requirements be met due to the unique nature of individual projects. I also understand that there may be additional engineering or specialty fees incurred by the city that are associated with this application and that said fees are the responsibility of the applicant.

Applicant Acknowledgement

Date