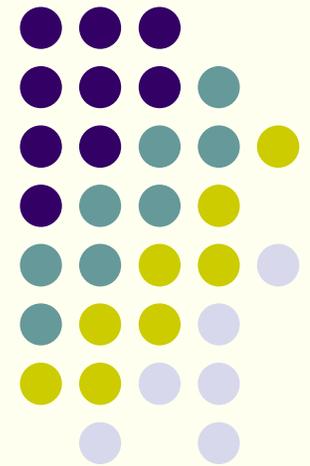


# Subdivisions

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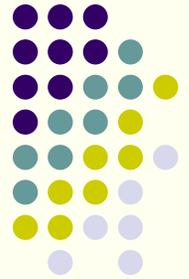
Typical Regulations  
Subdivision Review  
Enforcing Regulations  
Subdivision Types



*I know of no safe depository of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them but to inform their discretion by education.*

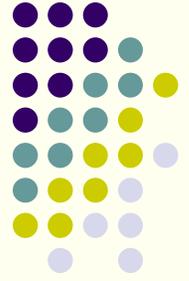
- Thomas Jefferson

# State Subdivision Regulation



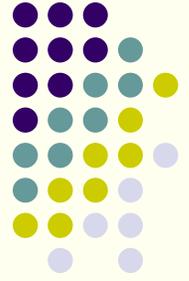
- **10-9a-601 Enactment of subdivision ordinance**
  - (1) The legislative body of a municipality may enact ordinances requiring that a subdivision plat comply with the provisions of the ordinance and this part before:
    - (a) it may be filed or recorded in the county recorder's office; and
    - (b) lots may be sold.
  - (2) If the legislative body fails to enact a subdivision ordinance, the municipality may regulate subdivisions only to the extent provided in [State Code].

# State Subdivision Regulation



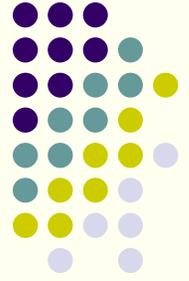
- Municipalities shall have a subdivision ordinance
- Subdivision plats cannot be recorded without approval of the land use authority
- Subdivisions may be recorded prior to improvements being made if the applicant provides improvement assurance

# State Subdivision Regulation



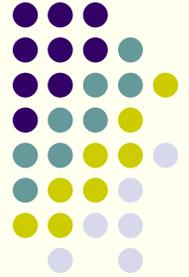
- **Exemptions from plat requirements**
  - The subdivision must be 10 lots or fewer
  - Must certifying in writing that: the municipality has provided notice as required by ordinance; and
  - The proposed subdivision:
    - is not traversed by future roads and does not require any land dedication
    - has been approved by the service providers
    - conforms to all applicable land use ordinances
  - Agricultural Subdivisions
  - Metes and bounds descriptions do not create an approved subdivision unless accompanied by written approval from the land use authority

# Subdivision Regulation

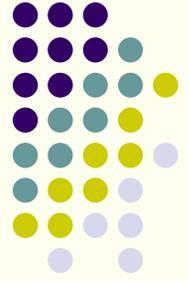


- **Why Do We Regulate Subdivisions**
  - To coordinate the plans of other developers, school boards, park boards, utility companies and other public & quasi public entities
  - To effectuate the general plan and local zoning codes
  - Through the recording of the final plat with the county recorder, adequate records of land titles to lots or parcels are secured

# Subdivision Regulation



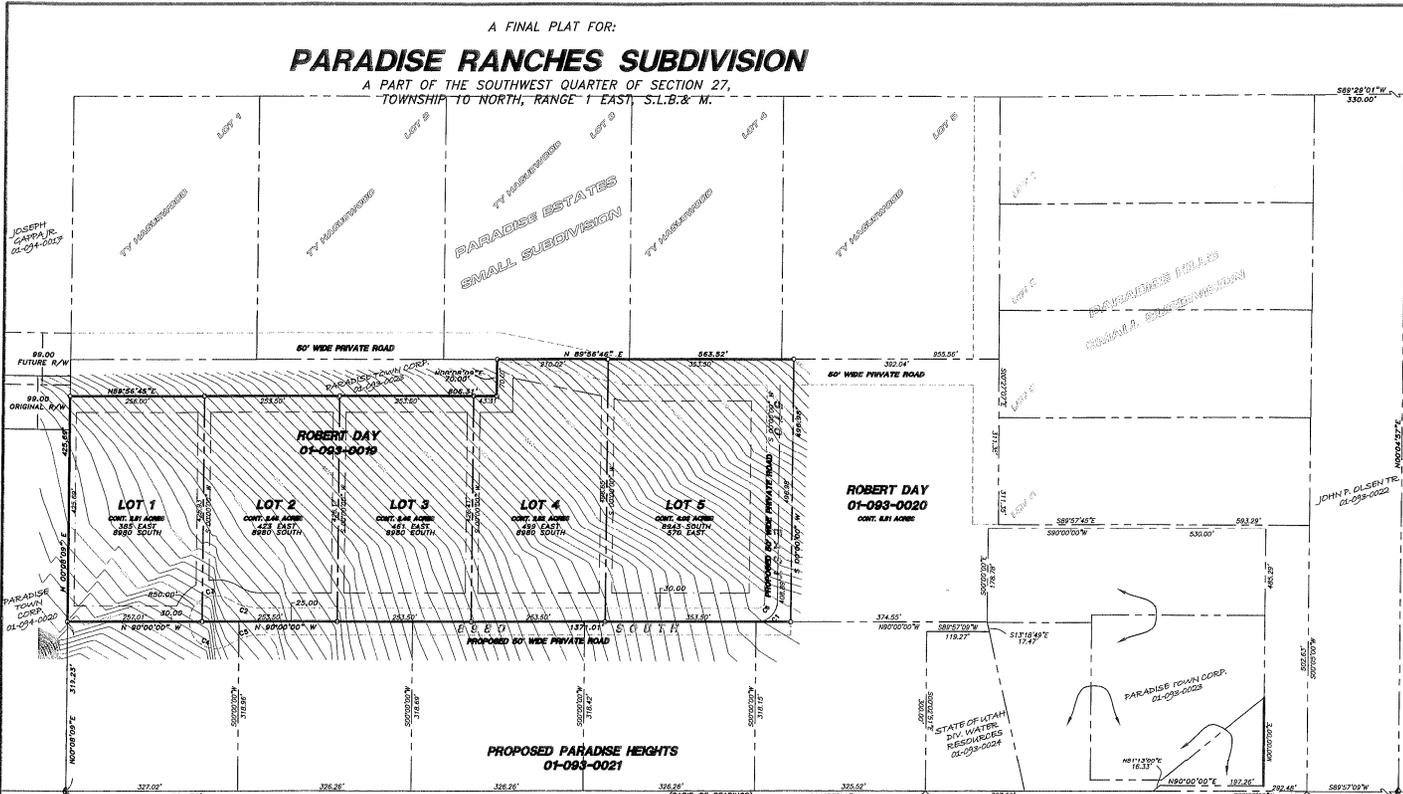
- **Why Do We Regulate Subdivisions, cont.**
  - To Ensure that public improvements are built to standard
  - Require that street and traffic patterns are safe
  - To assure that lots are laid out in such a way as to take advantage of the amenities of a property
  - To provide for well drained and properly oriented building sites with adequate public access



# Subdivision Review

- 1) Does it meet State Code Requirements?
- 2) Does the plat conform to local and State laws?
- 3) Does it comply with service provider requirements?
- 4) Does it meet land use requirements for the zone it is in?
- 5) Does it follow the guidelines of the General Plan?

# Subdivision Review



**SURVEYOR'S CERTIFICATE**

I, K. GREG HANSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 167819 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: PARADISE RANCHES SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

**Subdivision Boundary**

A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE & MERIDIAN:  
 BEGINNING AT A POINT LOCATED NORTH 00°00'00" EAST 319.23 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER AND RUNNING THENCE NORTH 00°00'00" EAST 425.09 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°46'44" EAST 206.31 FEET THENCE NORTH 00°00'00" EAST 76.00 FEET; THENCE NORTH 89°46'44" EAST 463.50 FEET; THENCE SOUTH 00°00'00" WEST 486.80 FEET; THENCE NORTH 90°00'00" WEST 1371.01 FEET TO THE BEGINNING. CONTAINING 14.32 ACRES.

**OWNER'S DEDICATION**

THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND DO HEREBY SUBMIT SAID PARCEL OF LAND TO BE SUBDIVIDED AND KNOWN AS PARADISE RANCHES SUBDIVISION. I HAVE EXECUTED THIS PLAT AND DEDICATION THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

STATE OF UTAH  
 COUNTY OF CACHE  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 2007,  
 I, \_\_\_\_\_, Notary Public.

**PROPOSED PARADISE HEIGHTS 01-083-0021**

**Narrative**  
 The purpose of this survey was to create a 5 lot subdivision on the parcel as shown hereon. The survey was ordered by Ty Hoguewood. The control used to establish the known corners was the existing existing Cache County survey monumentation surrounding Section 27, Township 10 North, Range 1 East of the Salt Lake Base and Meridian. The basis of bearings for this survey is the South line of the Southeast Quarter of said Section returned to bear South 89°29'00" West.

**GENERAL NOTES:**

- Cache County has not determined the availability and necessity of roadway water to any of the lots identified. All owners are advised of the requirements to obtain an approved roadway water service and comply with all other requirements for the installation of existing sewer, prior to the issuance of any building permits.
- Storm Drainage: No increased level of storm water drainage shall be allowed to flow from any portion of any lot or any portion of this subdivision to any adjacent property, ditch, canal, or waterway nor any existing, future, or existing drainage be allowed without prior written authorization provided by the affected party or entity. (This includes but is not limited to, adjacent property owners, the local company, Cache County or the State Water Engineers Office.)
- Present and future property owners must be aware that they will be subject to the rights, terms, and amount of agricultural easements which are the permitted uses in the agricultural zone.
- Setback Area: No increased level of storm water drainage shall be allowed to flow from any portion of any lot or any portion of this subdivision to any adjacent property, ditch, canal, or waterway nor any existing, future, or existing drainage be allowed without prior written authorization provided by the affected party or entity. (This includes but is not limited to, adjacent property owners, the local company, Cache County or the State Water Engineers Office.)
- Private Road Notes: (a) The private road 7400 North Street and 3200 West Street shall be maintained to county standards (including snow removal) by the lot owners using the private road for access. (b) The private road is not dedicated to Cache County and no maintenance or snow removal is provided by the County on the private road.

**LEGEND:**  
 PROPERTY LINE  
 LOT LINE  
 CENTERLINE  
 EASEMENT LINE  
 SECTION CORNER

**CACHE COUNTY PLANNING COMMISSION**  
 I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED BY THE PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007. DATED THIS DAY OF \_\_\_\_\_, 2007.

**COUNTY ATTORNEY APPROVAL**  
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

**BEAR RIVER HEALTH DEPT. APPROVAL**  
 THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

**CACHE COUNTY COUNCIL**  
 THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON \_\_\_\_\_, 2007. DATED THIS DAY OF \_\_\_\_\_, 2007.

**COUNTY SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

**CACHE COUNTY PLANNING COMMISSION**  
 BY: \_\_\_\_\_ CHAIRMAN

**COUNTY ATTORNEY APPROVAL**  
 BY: \_\_\_\_\_ DATE \_\_\_\_\_ CACHE COUNTY ATTORNEY

**BEAR RIVER HEALTH DEPT. APPROVAL**  
 BY: \_\_\_\_\_ TITLE \_\_\_\_\_

**CACHE COUNTY COUNCIL**  
 BY: \_\_\_\_\_ CHAIRMAN  
 ATTESTED TO: \_\_\_\_\_ CACHE COUNTY CLERK

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF CACHE  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 2007,  
 I, \_\_\_\_\_, Notary Public.

**ACKNOWLEDGMENT**

STATE OF UTAH  
 COUNTY OF CACHE  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 2007,  
 I, \_\_\_\_\_, Notary Public.

**COUNTY RECORDER**

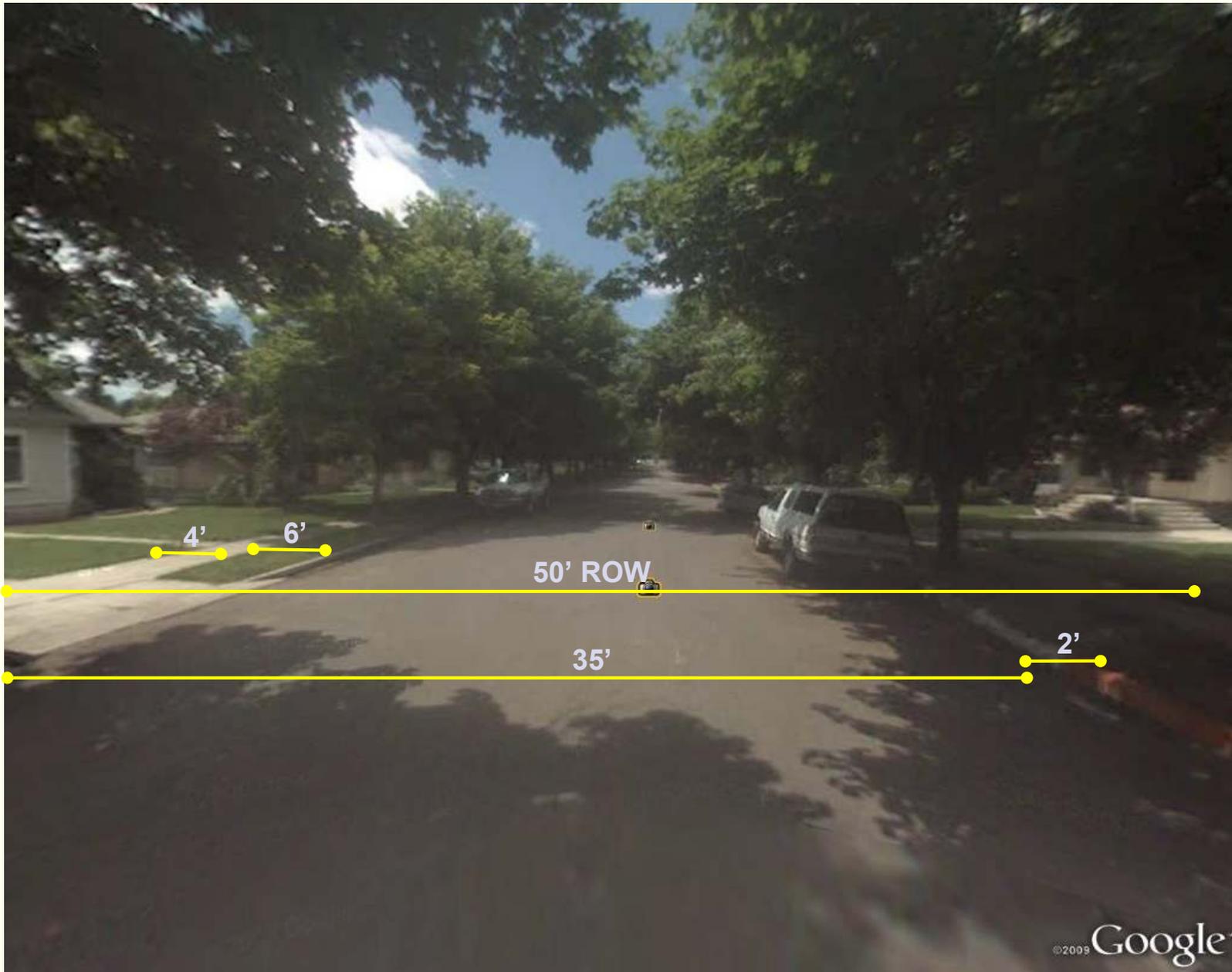
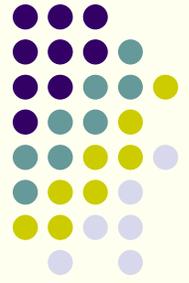
STATE OF UTAH  
 COUNTY OF CACHE  
 THIS PLAT HAS BEEN DULY ACKNOWLEDGED, CERTIFIED, AND APPROVED AND MAY LAWFULLY BE RECORDED IN CACHE COUNTY, UTAH.

FILED AND RECORDED:  
 FILING NO.: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 TIME: \_\_\_\_\_  
 HOUR: \_\_\_\_\_  
 PAGE: \_\_\_\_\_  
 REQUEST OF: \_\_\_\_\_

CACHE COUNTY RECORDER

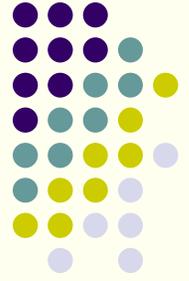


# Subdivision Review

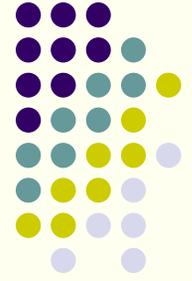




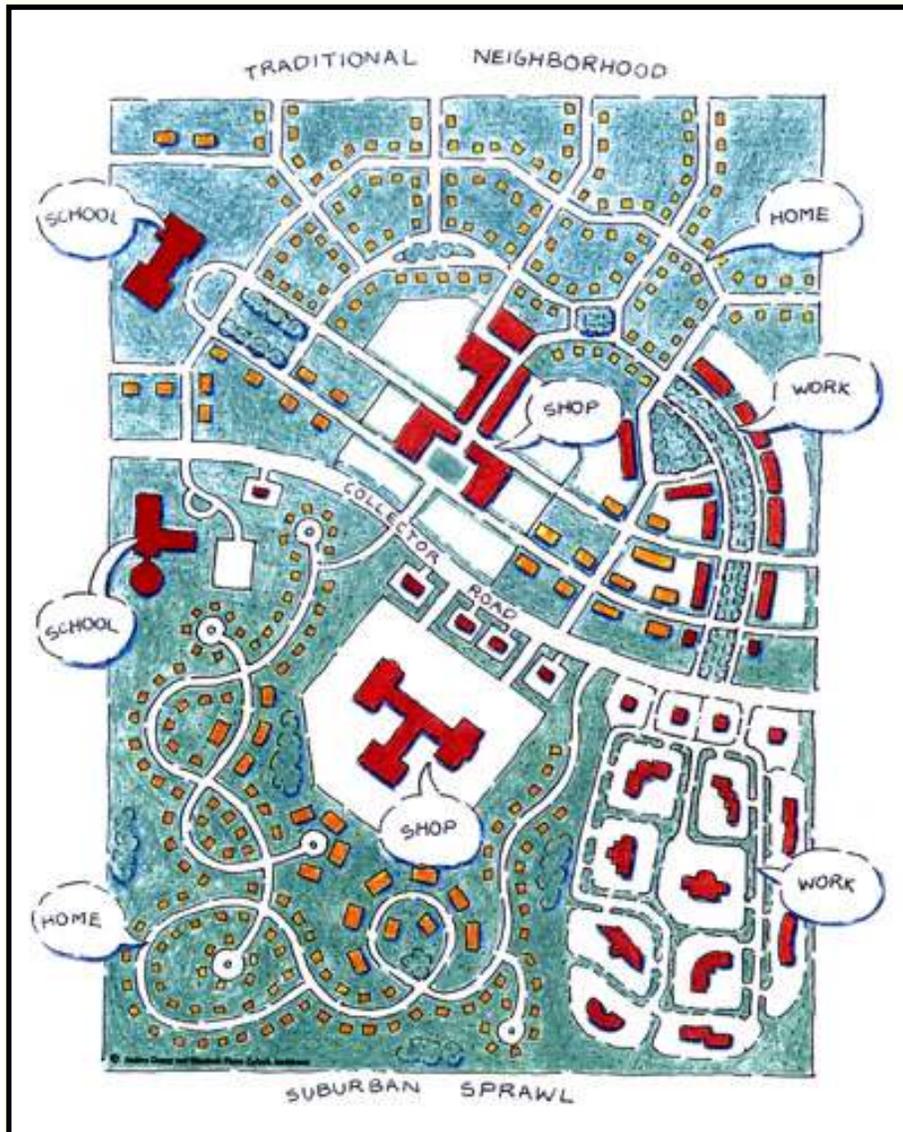
# Enforcing Subdivision Regulations



- Attach conditions of approval based on
  1. Ordinance standards
  2. Service provider recommendations
  3. General plan guidelines
  4. Mitigation of site specific issues
- Subdivision plat cannot be recorded until:
  1. All improvements are made and all conditions of approval met; or
  2. An agreement backed by financial surety is in place.

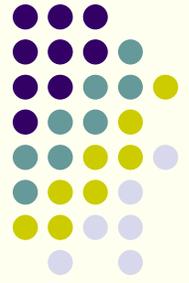


# Subdivision Types



- Conventional vs. Traditional
- Conventional
  - Separates Uses
  - Relies on one arterial to convey traffic between uses
  - Limited connectivity between developments
- Traditional
  - Allows mixing of uses
  - Multiple streets provide connections to destinations
  - Developments are connected

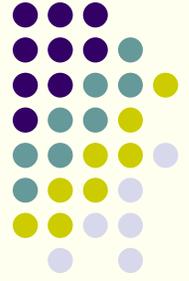
# Subdivision Types



Conventional



Traditional

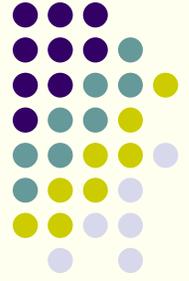


# Subdivision Types

- Cluster/Conservation:

- “The term ‘conservation subdivision design’ refers to residential developments where half or more of the buildable land area is designated as undivided, permanent open space” at a neutral density to existing zoning. – *Randall Arendt, Conservation Design for Subdivisions.*

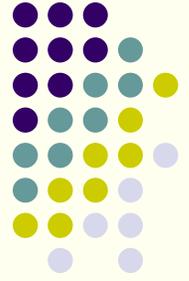




# Subdivision Types

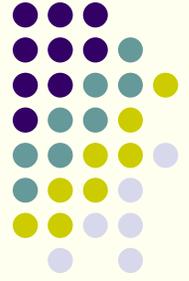
- Planned Unit Development (PUD):
  - Allows a mix of uses within one development
  - In exchange for providing certain amenities to the community the applicant is allowed to develop at a higher density than permitted in the zone.
  - Amenities may be public or private
  - May require negotiation between the city and developer regarding amenities and bonuses

# Evaluating your Ordinance



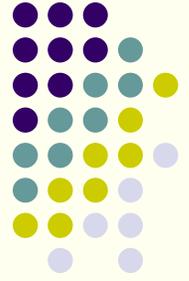
- What to look for when evaluating an existing ordinance.
  - 1) Does it comply with State and Federal Laws?
  - 2) Does it contradict itself or other ordinances in any way?
  - 3) Is it easily understood?
  - 4) Are the definitions clear and concise?
  - 5) Is the overall writing clear?

# Evaluating your Ordinance



- What to look for when evaluating an existing ordinance. (part 2)
  - 1) Is it producing the type of developments that contribute to the community character as outlined in the general plan?
  - 2) Look at specific projects.
    - a. Are the good results because of your ordinance?
    - b. Were there procedural or design issues that are a result of your ordinance?

# Evaluating Your Subdivision Ordinance



- How to evaluate a new subdivision ordinance
  - 1) Base it on an ordinance that has produced desirable results.
  - 2) Test it with hypothetical worst case scenarios.
- Plan and perform periodic evaluations of the ordinance.