

**Toquerville City**  
**PRELIMINARY PLAT APPLICATION**  
**Fee: \$1,000.00**

**Name:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Fax No.** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Agent (If Applicable):** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Address/Location of Subject Property:** \_\_\_\_\_

**Tax ID of Subject Property:** \_\_\_\_\_ **Zone District:** \_\_\_\_\_

**Proposed Use:** (Describe, use extra sheet if necessary) \_\_\_\_\_

**Submittal Requirements:** The preliminary plat application shall provide the following:

1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:

- \_\_\_\_\_ a. The proposed name of the subdivision.
- \_\_\_\_\_ b. The location of the subdivision, including the address and section, township and range.
- \_\_\_\_\_ c. The names and addresses of the owner or subdivider, if other than the owner.
- \_\_\_\_\_ d. Date of preparation, and north point.
- \_\_\_\_\_ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Title 10, City Subdivision regulations.

2. Existing Conditions: The preliminary plat shall show:

- \_\_\_\_\_ a. The location of the nearest monument.
- \_\_\_\_\_ b. The boundary of the proposed subdivision and the acreage included.
- \_\_\_\_\_ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- \_\_\_\_\_ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- \_\_\_\_\_ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- \_\_\_\_\_ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
- \_\_\_\_\_ g. Existing Toquerville Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.
- \_\_\_\_\_ h. Contours at vertical intervals not greater than five (5) feet.
- \_\_\_\_\_ i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche,

gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.

\_\_\_\_j. Information on whether property is located in desert tortoise take-area.

3. Proposed Plan: The subdivision plans shall show:

- \_\_\_\_a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
- \_\_\_\_b. The layout, numbers and typical dimensions of lots.
- \_\_\_\_c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
- \_\_\_\_d. Easements for water, sewers, drainage, utilities, lines and other purposes.
- \_\_\_\_e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat.)
- \_\_\_\_f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
- \_\_\_\_g. Approximate radius of all center line curves on highways or streets.
- \_\_\_\_h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable.)
- \_\_\_\_i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
- \_\_\_\_j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
- \_\_\_\_k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
- \_\_\_\_l. Will this subdivision be phased? If yes, show possible phasing lines.
- \_\_\_\_m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

4. Required copies of plans:

- \_\_\_\_a. Three copies of all full scale drawings.
- \_\_\_\_b. One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property.

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the third Wednesday of each month at 6:30 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

\*\*\*\*\* (Office Use Only) \*\*\*\*\*

DATE RECEIVED: \_\_\_\_\_ DATE PAID: \_\_\_\_\_ PAYMENT TYPE: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

COMPLETE: YES \_\_\_\_\_ NO \_\_\_\_\_ DATE APPLICATION DEEMED TO BE

COMPLETE: \_\_\_\_\_

COMPLETION DETERMINATION MADE BY: \_\_\_\_\_

## **PRELIMINARY PLAT APPLICATION**

### **PURPOSE**

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the City General Plan and to adopted development standards of the Land Use Ordinance.

### **WHEN REQUIRED**

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required \$250 fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (See submittal dates sheet.)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled City Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear City Council comments, answer questions, and receive City Council decision. City Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to Toquerville City standards. Construction drawings must be approved by both the Toquerville Joint Utilities Committee and the Ash Creek Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the City Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one-year time limit is reached. The Planning Commission will review and make recommendation to the City Council on the final plat when submitted. The City Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

**APPEALS**

The Planning Commission makes a recommendation to the City Council, so there is no appeal. The City Council's action on a preliminary plat is final unless appealed to the appropriate court.

**PROPERTY OWNER**  
**AFFIDAVIT & AGENT AUTHORIZATION**

STATE OF UTAH )  
 )ss:  
COUNTY OF \_\_\_\_\_ )

**AFFIDAVIT**

I (we), \_\_\_\_\_, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements therein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received adequate instructions regarding the process for which I (we) am (are) applying and the Toquerville City Planning Staff has advised me that they are available to answer questions should I need assistance.

**AGENT AUTHORIZATION**

*(Note: Do not complete if you will be representing yourself(ves))*

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body of the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

**ACKNOWLEDGEMENT**

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by the above-reference Property Owner(s).

\_\_\_\_\_  
(Notary Public)

## **AGREEMENT FOR THE PAYMENT PROFESSIONAL FEES**

This Agreement for the Payment of Professional Fees (“Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_\_\_\_, by and between \_\_\_\_\_ (“Applicant(s)”), and Toquerville City, a Utah municipal corporation (“the City”). Throughout this Agreement Applicant(s) and the City may be referred to individually as a “Party” and collectively as “the Parties”.

### RECITALS

WHEREAS Applicant(s) has/have submitted the following “Application(s)” to the City:

---

WHEREAS the City has made an initial review of the Application for completeness and is prepared to accept the Application and the payment of any applicable application fee as set forth in the City’s Uniform Fee Schedule, as may be amended from time to time.

WHEREAS because of the nature of the Application, the Parties recognize that there may be a need for the City to engage professionals outside of the City to assist it in analyzing and determining whether or not the Application complies with all requirements of the Toquerville City Code, including, but not limited Title 10 (Land Uses) and any applicable building or safety code that has been adopted by the City.

### AGREEMENT

The Parties, on behalf of itself/himself, its/his heirs, successors and assigns, and for good and valuable consideration, do hereby acknowledge, covenant, and agree as follows:

1. Engagement of Professionals. Within reason (considering the proportionality between the benefit of the Application sought and the cost of professional services needed) the City may, at its sole discretion, engage the professional services of appropriate individuals and firms to assist the City in determining an Application’s compliance with applicable sections of the Toquerville City Code, the Toquerville City Standards and Specifications for Public Improvements and all uniform building and safety codes which the City has adopted.
2. Payment of Professional Fees & Costs. Applicant acknowledges and agrees that, in addition to the application fee as set forth in the City’s Uniform Fee Schedule, he, she, they, it will pay to the City One Hundred Percent (100%) of all fees and costs associated with the provision of professional services rendered to the City relating to the review of Applicant’s Application. Payment to be made within twenty (20) days of the City issuing a written pay request to Applicant.
3. Authorization Threshold. Applicant agrees that when the City has or will engage the services of a professional to review and consult with the City regarding an Application and the

anticipated professional fees for said review or consultation will exceed Five Hundred Dollars (\$500.00), the City will advise you of the same and obtain your written authorization to proceed.

4. Interest On Late Payments & Collection Costs. In the event Applicant fails to pay in full any written pay request for professional service within Twenty (20) days if its issuance (mailing), interest will begin to accrue on any unpaid balance at the rate of Twelve Percent (12%) per annum. Upon Applicant's failure to pay in full any written pay request within Thirty (30) days after its issuance (mailing), the City may initiate legal proceedings to collect the same any state court of competent jurisdiction in Washington County, State of Utah. Should the City be required to initiate legal proceedings, the Parties stipulate that the City is entitled to recover all attorney's fees and costs incurred in said proceeding, regardless of whether the matter proceeds and concludes with a trial or judgment on the merits.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
Title

ACKNOWLEDGMENT

STATE OF UTAH

)

)ss:

COUNTY OF WASHINGTON

)

On the \_\_\_\_ day of \_\_\_\_\_, 202\_\_, personally appeared before me \_\_\_\_\_, as the signer(s) of the above instrument, who duly acknowledged to me that he/she/they/it executed the same on behalf of the Applicant.

\_\_\_\_\_  
Notary Public

(SEAL)