

**Toquerville City**  
**FINAL SITE PLAN APPLICATION**  
**Fee: \$250.00**

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

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

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

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

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

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

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

\_\_\_\_\_

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**Submittal Requirements:** This application must be accompanied by a set of development plans which meet the following standards:

- Plans shall be drawn at a scale of no smaller than 1"=100'.
- Submit one (1) set of plans on 11 x 17-inch paper. Also submit one (1) copy of all plans on larger sheets when ever a reduction is required.
- Except for the landscaping plan, the other plans shall be prepared, stamped and signed by a professional engineer licensed by the State of Utah.

The following shall be shown on separate sheets:

1) Site plan including:

- \_\_\_\_\_ a) All facilities related to the project located within two hundred and fifty (250) feet of the site boundary;
- \_\_\_\_\_ b) Layout, dimensions, and names of existing and future road rights-of-way;
- \_\_\_\_\_ c) Project name, North arrow, and tie to a section monument;
- \_\_\_\_\_ d) The boundary lines of the project site with bearings and distances;
- \_\_\_\_\_ e) Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas;
- \_\_\_\_\_ f) Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment;
- \_\_\_\_\_ g) Location of man-made features including irrigation facilities, bridges, and buildings;
- \_\_\_\_\_ h) A tabulation table showing total gross acreage, square footage of street rights-of-way, square footage of building footprint, square footage of total building floor area, number of parking spaces, and, if any, the number and type of dwellings and the percentage devoted to each dwelling type and overall dwelling unit density;
- \_\_\_\_\_ i) Identification of property, if any, not proposed for development; and
- \_\_\_\_\_ j) Proposed reservations for parks, playgrounds, and school or other public facility sites, if any.

2) Grading and drainage plan showing the following:

- \_\_\_\_\_ a) North arrow, scale, and site plan underlay;
- \_\_\_\_\_ b) Topography contours at two (2) foot intervals;
- \_\_\_\_\_ c) Areas of substantial earth moving (typically significant cut, fill or retaining walls in excess of four [4] feet) with an erosion control plan;
- \_\_\_\_\_ d) Location of existing watercourses, canals, ditches, wells, culverts, and storm drains and proposed method of dealing with all irrigation and wastewater;
- \_\_\_\_\_ e) Direction of storm water flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off-site facilities, and off-site drainage facilities when necessary based on City requirements.

3) Utility plan showing the following:

- \_\_\_\_\_ a) North arrow, scale, and site plan underlay;
- \_\_\_\_\_ b) All existing and proposed utilities including but not limited to: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and streetlights;
- \_\_\_\_\_ c) Minimum fire flow required by Fire Code for the proposed structures and fire flow calculations at all hydrant locations;
- \_\_\_\_\_ d) Location and dimensions of all utility easements; and
- \_\_\_\_\_ e) A letter from sewer providers, addressing the feasibility and requirements to serve the project.

4) Landscaping plan, consistent with the requirements of Chapter 10 of the Land Use Ordinance.

5) Building elevations for all buildings showing the following:

- \_\_\_\_\_ a) Accurate front, rear, and side elevations drawn to scale;
- \_\_\_\_\_ b) Exterior surfacing materials and colors, including roofing material and color;
- \_\_\_\_\_ c) Outdoor lighting, furnishings and architectural accents; and
- \_\_\_\_\_ d) Location and dimension of signs proposed to be attached to the building or structure.

Other items that may be requested by the Zoning Administration include but are not limited to:

- \_\_\_\_\_ 1) Any necessary agreements with adjacent property owners regarding storm drainage and other pertinent matters;
- \_\_\_\_\_ 2) A traffic impact analysis;
- \_\_\_\_\_ 3) Warranty deed or preliminary title report or other document showing evidence that the applicant has control of the property; and
- \_\_\_\_\_ 4) Evidence of compliance with all applicable federal, state, and local laws and regulations.

**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. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application, could result in a month's delay.**

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(Office Use Only)

DATE RECEIVED: \_\_\_\_\_ COMPLETE: YES \_\_\_\_\_ NO \_\_\_\_\_

DATE APPLICATION DEEMED TO BE COMPLETE: \_\_\_\_\_

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

Signature

# **FINAL SITE PLAN REVIEW (General Information)**

## **PURPOSE**

The final site plan review process is established to encourage adequate advanced planning and assure a quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Toquerville City General Plan, and the Land Use Ordinance, and to protect the general welfare of the community.

## **WHEN REQUIRED**

The final site plan review is only required on the following types of projects:

- a. Any multiple-family residential use;
- b. Any public or civic use;
- c. Any commercial use; or
- d. Any industrial use.

When a final site plan approval is required, no building permit for the construction of any building, structure, or other improvement to the site shall be issued prior to approval of the site plan. No cleaning, grubbing, drainage work, parking lot construction, or other site improvement shall be undertaken prior to site plan approval.

As an option, prior to developing the detail required for a final site plan review, an applicant may wish to process a preliminary site plan pursuant to Section 10 of the Land Use Ordinance. This optional process is intended to assist an applicant by providing preliminary City comments and direction on a project with less initial cost. However, the submittal, review, and approval of an application for a preliminary site plan does not create any vested rights to develop the project site. Development rights are only vested with the approval of a final site plan.

## **PROCESS**

The preliminary site plan is submitted to the Planning and Building Department 1 week and 1 day - no later than 12:00 noon prior to the regularly scheduled Planning Commission meeting. During this time prior to the meeting, staff will review the plan, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public meeting where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public meeting, members of the public may also have questions or comments. At the public meeting the Planning Commission will review the application and staff's report, and approve, approve with conditions, or deny the final site plan.

## **APPEALS**

The decision of the Planning Commission is final unless an appeal is made. An appeal is filed with the Clerk of the Board of Adjustment and heard by the Board of Adjustment. A public hearing is generally scheduled within a few weeks of the appeal. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction within thirty (30) days from the date of decision of the Board of Adjustment.

## **Site Plan Approval Process**

Site Plan approval is required for all commercial, industrial, and multi-family residential development. This includes a commercial use in a building in a commercial zone previously used for residential. It is also required for any development within a Planned Development Overlay (PDO). This is an extra requirement for development within the overlay to ensure the stated overlay purpose of providing development better than that possible under straight zoning.

Final Site Plan can be run simultaneously with a subdivision plat.

1. Meet with Planning Staff to review proposed application and schedule a site visit if necessary.

2. **Preliminary Site Plan:** Have a preliminary site plan prepared subject to the requirements on the application checklist and submit it with a completed application and payment of \$250 application fee.
3. Submission must be made by the deadline for Planning Commission submission which is noon on the Tuesday three weeks and one day prior to the meeting date.
4. Planning Staff will write comments on the application materials and submit the comments with the application to the Planning Commission for review prior to the Planning Commission meeting.
5. The applicant must appear at the Planning Commission meeting to answer questions and hear comments.
6. A preliminary site plan does not require a motion from the Planning Commission but require Staff, Utilities, and Planning Commission comments be incorporated into the final site plan.
7. Before a final site plan is prepared, construction drawings must be submitted to the Development Staff Utilities Committee for review and signatures. Check with the Zoning Official Mike Vercimak for information on this process at 635-2811 ext 119. Please call no later than 12:00 noon on Monday, to be placed on the agenda for a Tuesday 5:00 p.m. meeting
8. **Final Site Plan:** Based on preliminary site plan comments and requirements on the application checklist on final site plan application, prepare final site plan and submit with a completed application and payment of \$250 application fee.
9. Submission must be made by the deadline for Planning Commission submission which is noon on the Wednesday three weeks and one day prior to the meeting date.
10. If construction drawings have not been signed at least one week prior to the regular meeting date, the application will not be placed on the next agenda but will be delayed until the work meeting agenda on the third Wednesday. This is providing the construction drawings are signed at least one week prior to that meeting.
11. Planning Staff will write comments on the application materials and submit the comments with the application to the Planning Commission for review prior to the Planning Commission meeting.
12. The applicant must appear at the Planning Commission meeting to answer questions and hear comments.
13. The Planning Commission is the land use authority for site plans.
14. After final site plan is approved, and a plat is not required, to move ahead on the project, an engineer's bid for any public facilities, which will be located on the project, should be submitted for approval to the City's Engineer. After the bid is approved a bond or letter of credit for 125% of the approved amount should be filed with the City. A pre-construction meeting will then be scheduled before construction begins.

Comments:

A preliminary site plan, which accompanies an application for a PDO Overlay zone change is the only site plan which goes to the City Council. The Council approves the specific details of the preliminary site plan by approving the zone change. This can include setbacks, distances between buildings, land uses, and recreation facilities if it is a small project. On large projects the preliminary site plan is normally subject to a development agreement because the preliminary plan does not contain that level of detail and generally outlines basic land uses, traffic patterns, and park sites.

**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:

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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

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)ss:

COUNTY OF WASHINGTON

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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)