

Subdivision Application for Agricultural Subdivision Uses (Instructions)

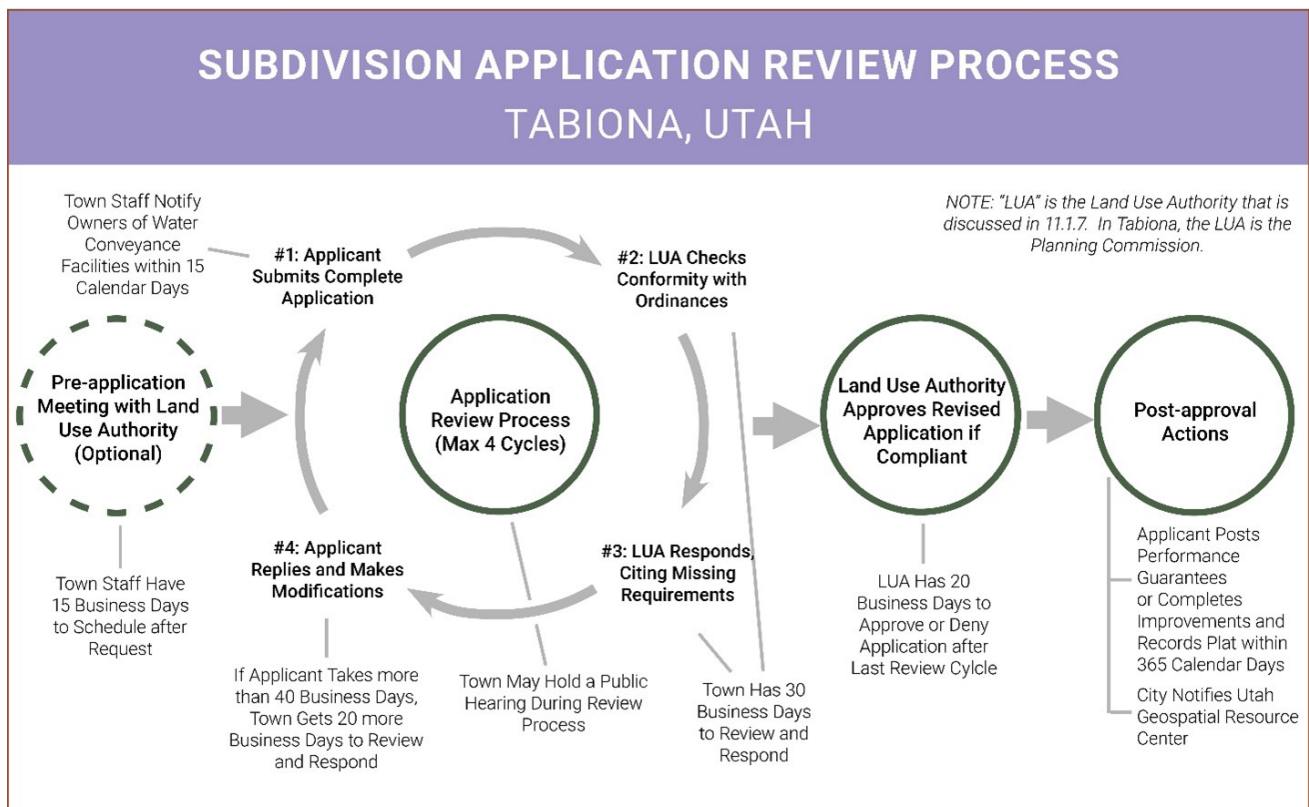
WHAT TO DO:

Submit this completed checklist and all supporting documents to the Town's Staff tabiona@ubtanet.com. Pay the application fee outlined in the Town fee schedule. Before applying, you may schedule a pre-application meeting with Town staff to review a concept plan and/or other elements of your application.

WHAT TO EXPECT:

Town staff will review your application and determine whether it is complete. If your application is complete, or if the Town decides to waive the incomplete requirements, the Subdivision Review Committee and Town staff will review and respond to your application within 30 business days. You may be required to revise your application to conform to Town development standards or to better protect the health and safety of Tabiona Town residents.

The application process for agricultural subdivisions is governed by Chapter 11 Article II Section 11.2.2 of the Town's municipal ordinances. The flowchart below summarizes this process.



Subdivision Application

for Agricultural Subdivision Uses



Name of Proposed Subdivision: _____

Date Received: _____

Receipt #: _____

County Tax Parcel Number: _____

Current Zoning of Property: _____

----- CONTACT INFORMATION -----

Applicant Information Name: _____ Phone: _____ Email: _____	Property Owner #1 Information Name: _____ Phone: _____ Email: _____
Property Owner #2 Information (If Applicable) Name: _____ Phone: _____ Email: _____	Property Owner #3 Information (If Applicable) Name: _____ Phone: _____ Email: _____

If the property to be subdivided has more than three owners, attach supplemental information for remaining owners.

----- DOCUMENT CHECKLIST -----

Preliminary Application Requirements

To be considered complete, an agricultural subdivision application must include at least the following elements:

Applications to subdivide agricultural land are exempt from the plat requirements (but not the other application requirements) of Section 11.2.1 if the resulting parcels:

- a _____ Qualify as land in agricultural use under Utah Code §59-2-502;
- b _____ Meet the minimum size requirement of applicable Town land use ordinances; and
- c _____ Are not used and will not be used for any non-agricultural purpose.

For subdivision applications for which this exception applies, an applicant may submit to the Town—in place of a plat:

- 1 _____ A record of survey map that illustrates the boundaries of the parcels.

To be considered complete, an agricultural subdivision application must also include at least the following elements:

- 2 _____ **An approved land use application** that describes how the property will be used after it is subdivided.
 - a _____ If the intended use is permitted by right under Town ordinances, the land use application must include citations to the specific ordinance(s) that the applicant believes authorizes the intended use.
 - b _____ If the intended use requires a conditional use permit or is otherwise conditioned on Town approval, the land use application must include an approved, Town-issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.
 - c _____ If the intended use is prohibited under Town ordinances and requires a variance, the land use application must include an approved, Town-issued variance authorizing the intended use. Should an applicant seek a variance concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued.
- 3 _____ **A traffic study**, if one is required by an applicable UDOT Access Management Plan.
- 4 _____ **An improvement plan**, created in accordance with applicable portions of Article III and IV of this Title, for all public improvements proposed by the applicant or required by Town ordinances.
 - i _____ In addition to the requirements in Articles III and IV, the improvement plan must contain an engineer's estimate of the cost of completing the required improvements.
- 5 _____ **Certifications**, including:
 - a _____ An affidavit from the applicant certifying that the submitted information is true and accurate.
 - b _____ The signature of each owner of record of land described on the plat, signifying their dedication and approval of the plat.
 - c _____ Certification that the surveyor who prepared the plat:
 - i _____ Holds a license in accordance with Utah Code 58-22; and
 - ii _____ Either

(1) _____ Has completed a survey of the property described on the plat in accordance with State requirements and has verified all measurements; or

(2) _____ Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

iii _____ Has placed monuments as represented on the plat.

d _____ Proof of approval from the culinary water authority, Tri-County Health Department, the local fire chief, and the local public safety answering point.

e _____ If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas.

f _____ A Title Report or Title Insurance Policy for the land to be subdivided verifying property ownership.

g _____ A Tax Clearance Certificate from the state indicating that all taxes, interest, and penalties owing on the land have been paid.

6 _____ **Copies**

i _____ One electronic copy of the final plat in AutoCAD format, with a projection assigned to the file(s) and with the proper metadata that describes what coordinate system/projection the data is assigned to.

ii _____ A PDF document of the complete application (including the plat and all other plans and supporting documents required by this Section).

iii _____ A copy of the plat drawn on Mylar for signing and recording (drawn according to the requirements of 11.2.1 B 2. The applicant may wait to produce this recording-form copy until the Land Use Authority has completed two review cycles, but in such case, the Land Use Authority need not approve the application until this copy has been produced and reviewed.

7 _____ **Payment of any application-processing fees** required by the Town (see the Town's Fee Schedule).

If the Town approves a subdivision application based on a record of survey map, the applicant shall:

1 _____ record the map, signed by the Town, with the County Recorder's Office. This shall be done in the same manner as is done for a plat under Sections 11.2.6 and 11.2.7 of the Town Code.

If a parcel resulting from a subdivision under this exception ever ceases to be used for agriculture, the subdivision shall become invalid. The Town may, in its discretion, impose the penalty in Section 11.1.5 and/or require a subdivision amendment before issuing a building permit.

----- **EXAMPLE CERTIFICATIONS** -----

[See following pages.]

APPLICANT'S AFFIDAVIT – AGRICULTURAL SUBDIVISION APPLICATION

Name of Proposed Subdivision:

County Tax Parcel Number of Property to Be Subdivided:

I, _____ (applicant/agent name), certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Tabiona Town may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Tabiona Town Subdivision Ordinance and that items and checklists contained in this application are basic and to the minimum requirements only and that other requirements may be imposed to ensure compliance with municipal ordinances and approved standards and specifications. Additionally, I agree to pay all fees associated with this application, as set by the currently adopted Tabiona Town Consolidated Fee Schedule.

Signed:

Applicant/Agent

Date

Subscribed and sworn to before me:

Notary Public

Date

Notary Seal:

PROPERTY OWNER’S CONSENT & DEDICATION – AGRICULTURAL SUBDIVISION APPLICATION

Name of Proposed Subdivision:

County Tax Parcel Number of Property to Be Subdivided:

We certify under penalty of perjury that we are the sole owners of the property proposed to be subdivided and that we have thoroughly reviewed the final subdivision application. We hereby consent to this final subdivision application and, contingent on Town approval of the final application, we irrevocably dedicate all portions of the property to the public that are so indicated in this application (including streets, Town uses, utilities, parks, easements, or other spaces). We further consent to agents of the Town entering onto the subject property for the purpose of making any inspections required by this application or related improvements.

Signed:

_____ Property Owner #1	_____ Date
_____ Property Owner #2 (if applicable)	_____ Date
_____ Property Owner #3 (if applicable)	_____ Date

Subscribed and sworn to before me:

_____ Notary Public	_____ Date
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Notary Seal: