

PUBLIC NOTICE IS HEREBY GIVEN THAT THE

Planning Commission of Fairfield, Utah

Shall hold a Regular Session on

November 6, 2024 @ 7:00 P.M.

At the Fairfield Town Office

103 East Main Street Fairfield, Utah

Agenda

Call to Order

- 1) Roll Call

Mayor Update

Presentation

- 1) Introduction to GSBS, the firm responsible for creating the General Plan

Business Items

The Commission will discuss (without public comment) and may either make a recommendation to the Town Council or approve the following items as needed:

- 1) Vote to approve the Regular Session minutes on October 2, 2024.
- 2) Site Plan Devin Meier

Discussion Items

- 1) Subdivision Ordinance

Training Session

- 1) Stephanie Shelley's presentation on how to use Google Docs.

Adjournment

Join Zoom Meeting

<https://us06web.zoom.us/j/84420082790?pwd=U0ZYKzdZMEQ0Zklib3hRZjNnUElOUT09>

Meeting ID: 844 2008 2790

Passcode: 846291

Certificate Of Posting

The above agenda notice was posted on or before the 5th day of November 2024 at the location of the meeting, Fairfield town office 103 East Main Street Fairfield, UT, and at the Fairfield town website <https://fairfieldtown.org/agendas-minutes/>, and on the Utah State public notice website at <https://www.utah.gov/pmn/index.html>.

In Compliance With The Americans With Disabilities Act, Individuals Needing Special Accommodations (Including Auxiliary Communicative Aids And Services) During This Meeting Should Notify City Offices At 801-766-3509.

Date

Stephanie Shelley Town Recorder/Clerk

Unapproved Meeting Minutes

Fairfield Planning Commission

Regular Meeting

October 2, 2024

Minutes

Date: Wednesday, October 2, 2024

Location: Fairfield Town Office 103 East Main Street Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Recorder: Stephanie Shelley

Agenda Item #1- Call to Order and Roll Call

Commissioner Taylor opened the meeting at 7:02 pm.

David Riet, Wayne Taylor, Kyler Fisher

Excused Commissioners: Heather Strong, Jane Lancaster

Staff Present:

Recorder: Stephanie Shelley

Others Present:

Mayor Hollie McKinney (via Zoom), Todd Sheeran (via Zoom)

Agenda Item #2- Approval of Minutes

Vote to approve the Regular Session minutes from September 4, 2024.

Commissioner Riet's motion to approve the September 4, 2024, minutes.

Commissioner Fisher seconded the motion. Unanimously approved

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Agenda Item #3 - Site Plan Review

a) Discussion on the Garth Jacklin Site Plan.

The Commissioners discussed the site plan with Garth Jacklin. They informed him he would need to bring in the written agreement with Jayson Densley with access to his property.

b) Vote to approve Garth Jacklin's Site Plan.

Commissioner Riet motioned to approve Garth Jacklin's site plan which agenda item number three with contingency have an agreement in place with Jayson Densley who owns small strip along Allen Ranch Road and get ten foot easement across that property as well. Commissioner Fisher seconded the motion. The motion passed unanimously.

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Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Agenda Item #7 - Mayor's Report

Update on the General Plan and other ordinances.

Mayor McKinney provided several important updates, starting with discussions about potential funding for water infrastructure through the Inland Port Authority. This organization proposes to help municipalities by bonding for public infrastructure projects, focusing on improving water accessibility in preparation for future development needs. This approach aims to secure and manage financial resources without directly passing the cost onto residents, as the Inland Port Authority can back these financial bonds, which are repaid through increased property taxes from new developments.

The mayor also highlighted collaborative regional planning efforts, including a coordinated master roads plan with nearby areas like Eagle Mountain and Saratoga Springs. These plans account for inter-regional connections to manage roads and transportation corridors more efficiently.

Additionally, the mayor emphasized the town's need to meet upcoming sewer and water resource mandates. By working with consultancy and engineering firms, the town is developing a comprehensive master water plan to assess the capacities required to support both current and anticipated developments.

The importance of strategic general planning was also underscored, particularly in aligning zoning decisions with infrastructure readiness. This involves considering factors like the impact on current zoning and potential adjustments based on the general plan. The mayor explained that a well-developed general plan will guide the town's objectives as it expands infrastructure to support growth, which is expected to be both complex and extensive.

Finally, discussions emphasized that development agreements should include key infrastructure terms to ensure sufficient readiness and capacity for future growth, laying a strong foundation for the town's expansion.

Agenda Item #4 - Lot Line adjustment and Zone change Discussion for Bryce Thomas.

The Commissioners discussed a lot line adjustment requested by Bryce Thomas for his property near Facebook and a pending zone change for new development projects. Bryce Thomas wants to sell off 40 acres to an individual intending to develop a paintball course and

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storage units on the property. The Commissioners considered how the property, currently zoned as AR 40, should be adjusted to facilitate this development. The necessity for adjusting land use and developing infrastructure, such as roads and sewers, was emphasized.

A discussion took place regarding the necessity of obtaining a lot line adjustment and eventually a zone change from agricultural to possibly light industrial, depending on the conformity to town planning. Commissioners' concerns included whether conditional use permits might be applied temporarily for activities such as paintball while a more permanent zoning solution is determined. The Commissioners expressed a need to consider future town planning to decide whether the area might require more permanent zoning changes either to light industrial or commercial. This was amidst broader concerns about increased taxes due to zoning changes and potential impacts on neighboring properties, which may or may not wish for their property's zoning to also change.

Furthermore, considerations were made on infrastructure requirements if the zoning were to change, specifically the need for adjustments in how roads and sewer services would be incorporated into the area. The Commissioners also highlighted that community feedback would be important, especially with public hearings as a requisite for zoning changes, ensuring tax implications for surrounding property owners are clearly communicated. The landowner and developer of the paintball and storage unit project would need to actively participate in these discussions to align their development goals with town planning strategies and ensure that all zoning and development code requirements are met.

Agenda Item #5 - Vote to approve or deny the Cedar Valley Industrial Park Final Plat located approximately 600 South 250 West Fairfield.

The Commissioners discussed the development agreement with Tal, including potential components it might cover. Tal also mentioned exploring the availability of the name "Fairfield Industrial Park."

The following is what they will put into the agreement:

- 1) Conditional approval
 - a) GEO Tech Report for the Asphalts Mc Neil Engineering
- 2) Development Agreement
 - a) Water
 - i) Well
 - ii) Pump House location
 - iii) Water Line
 - iv) Water shares
 - b) Phasing, HOA
 - c) Bonding

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- d) Park and Trails complete; 75% of sold lots
- e) Roads

Commissioner Taylor made a motion that we approve the Cedar Valley Industrial Park final plat on the condition that the development agreement as written with five items and a sixth handwritten item is added and completed and agreed upon by all parties to be signed by the mayor and our attorney before the development is finalized. Commissioner Riet seconded the motion. The motion passed unanimously.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Agenda Item #6 - ADU Ordinance

a) Discussion of the ADU (Accessory Dwelling Unit) ordinance.

The Commissioners reviewed the ADU.

b) Vote on approval or deny the ADU ordinance for recommendation to the Town Council.

Commissioner Riet motioned move the ADU onto a public hearing on December 4th. Commissioner Taylor Seconded the motion. The motion passed unanimously.

Commissioner Taylor - Yes or No

Commissioner Riet - Yes or No

Commissioner Fisher - Yes or No

Agenda Item #8 - Old Business

Discussion of any outstanding items.

Nothing under old business needed to be dealt with this time around.

Agenda Item#9 - New Business

Introduction of any new items for consideration.

The Commissioners acknowledged the ongoing preparation for subdivision adjustments and state code compliance, noting that they were awaiting completed reviews from legal counsel on planning ordinances for upcoming sessions. The subdivision ordinance had been submitted to Todd Sheeran, the town's legal counsel, for updates to ensure compliance with state law. Initially, Todd Godfrey received a version of the ordinance that had passed in 2020, but that

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wasn't reflected in the current codebook. Upon review, Todd Sheeran suggested that the ordinance may need a complete rewrite.

As a result, the review and revision process will continue, with a focus on creating an ordinance that better serves the town's current and future needs. Commissioners recognized the unfortunate but necessary delay, as this process requires a comprehensive review to include all needed adjustments. The Commissioners were updated based on notes provided by legal counsel, which ensures the town's ordinances align with state regulations and reflect the community's best interests.

While there were no further updates at the meeting, Todd Sheeran aims to have the revised ordinance ready for review at the next planning commission meeting, facilitating any necessary adjustments before a public hearing.

Agenda Item #10 - Action Items

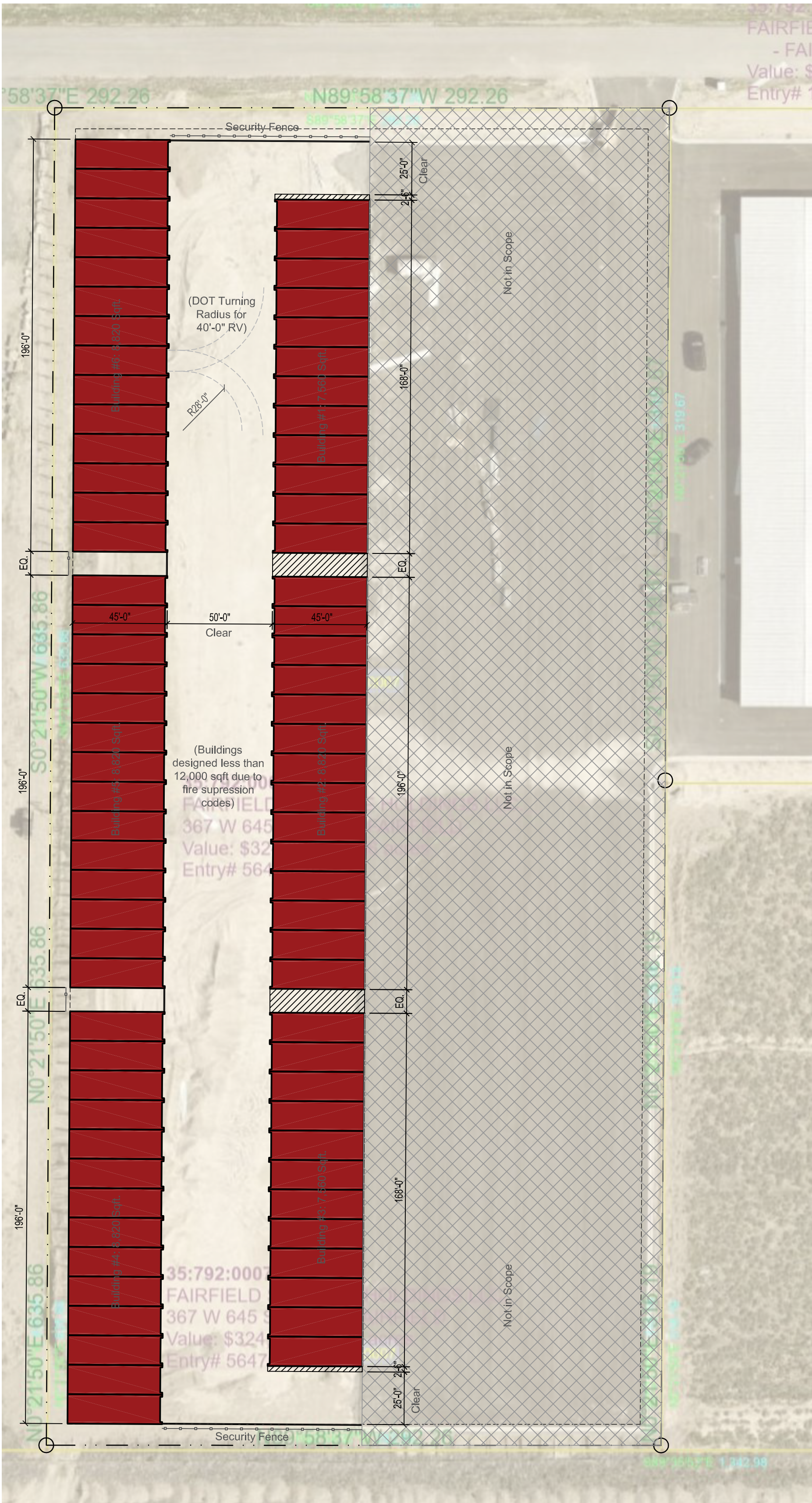
Nothing was discussed.

Agenda Item #11 - Adjournment

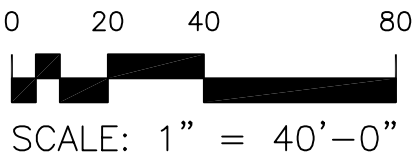
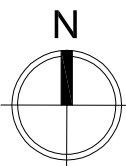
A motion was made by Commissioner Riet to end the meeting. Commissioner Taylor seconded the motion. The meeting ended at 9:17 pm.

Minutes Approval Date

Stephanie Shelley Recorder/Clerk



Site Utilization Plan



Legend

A - 14' x 45'
RV Storage: 80

Site Totals = 80

- Disclaimers:
- Existing building / plat dimensions are approximate and have been recreated to the best of our ability based upon information provided.
 - This plan is for design purposes only. All dimensions are approximate and field verification should take place.
 - A pre-submittal plan review should take place with local planning / fire departments.

7631 Shaffer Parkway Unit C
Littleton, CO 80127
P: 303.867.1179
F: 303.948.2059

Building Outlet Corporation



Fairfield
Utah

Utah County

Address: 303 W. 645 S.
Fairfield, UT 84013

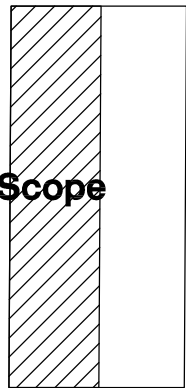
Property ID: 35:792:0007
Zoning: Commercial

Front Setback: 10'-0", TBD by Town Council
Side Setback: 10'-0", TBD by Town Council
Rear Setback: 10'-0", TBD by Town Council

Issued For:

No.	Date	Description
1.	09.23.2024	CLIENT REVIEW (NOT FOR CONSTRUCTION)

Key Plan:



Project Number:

202432.00

Date:

September 17, 2024

Sheet Title:

Site Utilization Plan

Sheet Number:

AS-01

CHAPTER 15 SUBDIVISIONS

SECTION

10.15.10. SHORT TITLE

10.15.20. PURPOSE

10.15.30. APPLICABILITY AND EXCEPTIONS

10.15.40. AUTHORITY

10.15.50. PRESUBMISSION MEETING

10.15.60. APPLICATION

10.15.70. FEES

10.15.80. PRELIMINARY PLAT

10.15.90. TOWN REVIEW

10.15.100. APPLICATION COMPLETION TIMELINE

10.15.110. FINAL PLAT

10.15.120. MINOR SUBDIVISION OF LAND

10.15.130. LOT LINE ADJUSTMENTS

10.15.140. APPEALS

10.15.10. SHORT TITLE.

This chapter shall be known and may be cited as the “subdivision ordinance.”

10.15.20. PURPOSE.

The purpose of this chapter is:

1. To promote the health, safety, and general welfare of the residents of the Town.
2. To promote the efficient and orderly growth of the Town.
3. To provide policies, procedures, requirements, and standards for the physical development of subdivisions of land, and construction of improvements within the Town, including, but not limited to, the construction and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, design standards for public facilities and utilities, accesses to public rights of ways, and to establish fees and other charges for the authorizing of a subdivision.
4. To ensure that public facilities are available at the site and will have a sufficient capacity to serve a proposed subdivision.

5. To encourage the wise use and management of natural resources to preserve the integrity, stability, and aesthetics of the community.

10.15.30. APPLICABILITY AND EXCEPTIONS.

1. No person shall subdivide any parcel of land located wholly or partly in the Town except in compliance with this chapter.
2. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a tract of land, nor offer for recording in the office of the Utah County recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter.
3. This chapter shall not apply to a lot or parcel resulting from a division of agricultural land if the lot or parcel (i) qualifies as land in agricultural use, (ii) meets the minimum size requirements of the land use ordinances, and (iii) is not used and will not be used for any non-agricultural use.

10.15.40. AUTHORITY.

The Town Administrator, or its designee, has the authority to implement, interpret, and enforce the provisions of this chapter. In furtherance of this authority, the Town Administrator shall:

1. Implementation. The Town Administrator shall have the authority to take all necessary actions to carry out the objectives of this chapter, including the approval, denial, or conditional approval of subdivision applications, in accordance with its terms and requirements.
2. Interpretation. In the event of ambiguity, inconsistency, or uncertainty in the application of the provisions of this chapter, the Town Administrator shall have the discretion to make determinations regarding its meaning and intent, consistent with the chapter's purpose and in consultation with relevant legal and planning officials, as needed.
3. Enforcement. The Town Administrator shall have the authority to enforce compliance with this chapter through administrative action, including but not limited to issuing notices of violation, imposing penalties as provided herein, or taking corrective actions. The Town Administrator may also refer matters to the appropriate enforcement agencies or legal authorities for further action, including court proceedings when necessary.

10.15.50. PRESUBMISSION MEETING.

It is strongly recommended that the applicant for a subdivision schedule a presubmission meeting with the Town Administrator or another representative of the Town designated by

the Town Administrator. Upon request from an applicant, the Town shall schedule a presubmission meeting within 15 days of the request.

1. The Town Administrator may extend an invitation to the presubmission meeting to any servicing utility companies, the health department, the state department of transportation, the fire department, and any other private or public body that has jurisdiction or an interest in providing services to the subdivision.

2. At the presubmission meeting, the applicant may bring any materials to assist the parties in identifying the location of the potential subdivision, the size and layout of the subdivision, and any potential problems or challenges to creating the subdivision. The Town shall have available or provide access to: (1) copies of applicable land use regulations; (2) a complete list of standards required for the project; (3) preliminary and final subdivision application checklists; and (4) feedback on the presubmission plans.

3. Due to the unique terrain of the real property within the Town, the Town Administrator may request that the applicant submit additional information.

10.15.60. APPLICATION.

1. The applicant for a subdivision shall prepare and submit a preliminary plat application to the Town Administrator. The application shall include three (3) copies of a complete preliminary plat and three (3) completed application forms for the subdivision, including all required maps and charts. All application materials shall be submitted simultaneously to be considered for completeness.

2. Application Form and Content: The Town Administrator may create a preliminary plat application form based upon the requirements of this section. A complete application shall include all of the following information:

a. Property Information: The date of the application, the name, address, phone number, e-mail address, and signature of the applicant and the owner of the property, the current zoning of the property, the location and address of the proposed subdivision, the total acreage of the subdivision, and the number of proposed lots. All persons with a fee interest in the property shall sign the subdivision application form. The applicant shall submit a preliminary title report for all property within the application.

b. Site Information: The following subdivision site information is required for a complete application and shall be provided at the same scale as the preliminary subdivision plat, on separate sheets if necessary:

i. The identification of known and potential natural features on a map, including, but not limited to, jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, known or potential natural Waterways, Top of Bank, and any potential natural hazards, including avalanche paths, liquefaction areas, and areas of soil instability, and all on-site vegetation regulated by Town ordinance. A final map identifying known and potential natural features as described in this section and

identified by the Town Administrator will be reviewed and approved or denied by the Planning Commission as part of the application review process.

ii. The location and dimensions of all existing buildings, fence lines, and property lines must be overlaid on the proposed subdivision layout, and the location of surrounding manmade features and improvements, including buildings and roads, and natural features, including significant landmarks and geologic features.

c. Evidence Of Availability Of Necessary Services: The following information is necessary to establish the availability of basic services to the proposed subdivision, and the preliminary plat subdivision application is complete only when all basic services are available to the site and to each proposed subdivision lot, and approved in writing by the designated authority:

i. Culinary Water Requirements: The Town Administrator is collectively designated as the "culinary water authority," further defined in Utah Code title 10, chapter 9a. Such culinary water authority shall evaluate and approve the proposed culinary water system for the subdivision. The applicant shall comply with Title 6 of Town Code and provide all information required by the culinary water authority (and other applicable agencies described below, if any), including, but not limited to, evidence of the source, quantity, quality, and means of delivery of the proposed culinary water to the proposed subdivision and each proposed lot. Certain property within the Town boundaries may not be eligible to be served by the Town culinary water system and shall be required to obtain approval from any additional public or private agency with jurisdiction over the proposed water source or delivery system. The requirements of the State Division of Drinking Water must be satisfied and Division approval, where required, shall be obtained by the applicant before a final plat is approved.

ii. Wastewater Requirements: The Town Administrator, are hereby designated collectively as the "sanitary sewer authority", as further defined in Utah Code title 10, chapter 9a, as amended or replaced. Each sanitary sewer authority shall evaluate and approve the proposed sanitary sewer system. The applicant shall provide all information and materials as required by the sanitary sewer authority.

iii. Fire And Emergency Requirements: The _____ is hereby designated as the "fire authority", as further defined in Utah Code title 10, chapter 9a, as amended or replaced. The fire authority shall evaluate and approve the proposed fire suppression infrastructure and emergency access to the proposed subdivision. If the proposed subdivision does not include year round motor vehicle (as defined by Utah Code) access to all proposed lots and proposed and existing roads, streets and adjacent properties, the application shall include an emergency access mitigation plan, approved by the fire authority and the Town. The applicant shall provide all information and materials as required by the fire authority.

iv. Subdivision Roads And Streets: All proposed subdivision streets shall be evaluated and approved by the Town Administrator and, if appropriate, the state department of transportation. The proposed street layout shall comply with Town Code § 6.3.160 and provide adequate and safe year round access to all proposed lots

and proposed and existing roads, streets and adjacent properties. If the proposed subdivision does not include year round motor vehicle (as defined by Utah Code) access to all proposed lots and proposed and existing roads, streets and adjacent properties, the application shall include a parking and access mitigation plan. If the proposed subdivision will be accessed from a state highway, an appropriate access permit as required by the state department of transportation, shall be provided with the application materials in order to be a complete application. If the proposed subdivision will be accessed from land owned by the State or federal government, the applicant shall provide any appropriate access or special use permits as required by the landowner with the application materials in order to be a complete application.

v. Soil Reports: All projects require a Geotechnical Report unless otherwise indicated by the Town Engineer. All contaminated soils found on the Property, including arsenic and lead, shall have a contaminant mitigation plan that complies with the EPA's recommended contaminant levels. At a minimum, the Geotechnical Study shall include the following:

1. Project title sheet including the project name, address, date, and preparer's name, PE stamp and signature by a licensed geotechnical engineer in the state of Utah, and the contact person representing the developer.
2. Introduction shall include a clear scope and objective of the study, a description of the project, a project map and a vicinity map.
3. Describe the existing conditions of the project site including but not limited to the terrain, seismic history, geological history, surface drainage conditions, groundwater conditions or hazards that present risk or burden to construction or longevity of the project, an estimate of the normal highest elevation of the seasonal high-water table, soils classification for the major layers of the soil profile, CBR and bearing capacity, settlement potential, shrink/swell potential, soils resistivity
4. Evaluate and make recommendations related to potential impacts of saturated soil and the suitability of the soils for infiltration of storm water. Consider depth to bedrock, geological hazards, shallow groundwater, potential for landslides, slope stability, retaining wall stability, longevity of effective infiltration, and any other item deemed important by the consultant or the Town Engineer.
5. The percolation rate may be estimated based on site observations of the hydrologic soils group, or a site-specific infiltration rate of in-situ soils may be obtained by conducting hydraulic conductivity testing according to ASTM D5856.
6. Description of the test borings and an accompanying map of the each bore superimposed over the project site map.

7. At a minimum, the report shall include recommendations on soil suitability specific to the project, lateral earth design pressures on retaining walls or basement walls (if applicable), foundation design recommendations, use and treatment of in-situ materials for use as engineering fill, mitigation measures for any identified expansive soils, compaction and construction requirements for project improvements.
8. The report shall provide the data required by pavement structural design.
9. Provide recommendations as to the requirements for land drains to adequately collect groundwater which could adversely affect development.
10. Provide recommendations regarding cut and fill slope limitations.
11. Provide compaction recommendations.

vi. Additional Information And Materials When Necessary: When the Town Administrator deems necessary due to the characteristics of the property to be subdivided, the applicant may be required to provide other information or letters of feasibility from other agencies with jurisdiction over the property to be subdivided, conduct studies, and provide evidence indicating the suitability of the area for the proposed subdivision, including, but not limited to, adequacy of public safety and fire protection, geologic or flood hazard, erosion control, preservation of vegetation, and any other physical or environmental matters in conformance with the Town zoning ordinances. Such additional requirements shall be made of the applicant at the presubmission meeting, or reasonably soon thereafter.

vii. Notice: The applicant shall provide the Town with two (2) sets of typewritten address labels and sufficient funds to cover related postage costs to all property owners within three hundred feet (300') of the boundaries of the proposed subdivision and all affected entities.

10.15.70. FEES.

1. Application Fees: To be considered complete, the application for preliminary plat subdivision approval and a final plat subdivision approval shall be accompanied by all fees established on the Town fee schedule.
2. Technical Expertise And Engineering Fees: The applicant shall pay all expenses of reviewing and approving the subdivision, including the Town fees for hiring individuals with technical expertise, legal counsel and engineers to review the application.

10.15.80. PRELIMINARY PLAT.

1. Preliminary Plat: The Administrative Land Use Authority for the approval of a Preliminary Plat application shall be the Planning Commission. The preliminary plat shall be prepared by a licensed surveyor, and shall include the name and address of

the surveyor responsible for preparing the preliminary plat, and shall include a certification that the surveyor holds a license in accordance with Utah Code title 58, chapter 22, and has completed a survey of the property in accordance with Utah Code § 17-23-17. The preliminary plat shall describe or specify:

- a. A name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office;
- b. North arrow, graphic and written scale, legend, basis of bearings used, and a vicinity map of the site;
- c. The legal description of the entire subdivision site boundary;
- d. The boundaries, course and dimensions, and acreage or square footage for all parcels of ground divided, whether the owner proposes that any parcel or ground is intended to be used as a street or for any other Public Use, and whether any such area is reserved or proposed for dedication for a public purpose;
- e. For all parcels, the proposed lot or unit reference, block or building reference, street or site address, street name or coordinate address (to be approved by the Planning Commission as part of the application review process);
- f. Every existing right of way and easement grant of record for underground facilities and for all other utility facilities;
- g. The anticipated net developable acreage for each lot;
- h. The names and addresses of the applicant and owner of the property, the engineer or surveyor of the subdivision and the owners of the land immediately adjoining the land to be subdivided and within three hundred feet (300') of the boundaries of the proposed subdivision.

10.15.90. TOWN REVIEW.

1. **Determination Of Completeness Of Application:** After receipt of an application, the Town Administrator shall determine whether the application is complete. An application for subdivision is only complete when it includes all information and approvals listed in this chapter. If the Town Administrator determines that the application is not complete, the Town Administrator shall notify the applicant in writing, specifying the deficiencies of the application, including any additional information which must be supplied. No further action will be taken by the Town until the deficiencies are corrected.
2.
 - a. Following a determination that the application is complete, the application shall be reviewed by Town staff for compliance with the Town's Ordinances, Rules and Regulations. Review by staff shall be completed within 40 days of receipt of the application. After staff review, the application shall be placed

on the next available Planning Commission regular meeting agenda for review.

- b. The Planning Commission shall hold a public hearing on the Preliminary Subdivision application. Notice of the Public Hearing shall be sent to the record owner of each parcel within 500 feet (500') of the property that is the subject of the application and shall be posted and provided as a Class B notice in accordance with provisions of Utah Code § 63G-30-102.
- c. The Planning Commission shall approve a Preliminary Plat if the proposed subdivision and the associated improvement drawings are in compliance with the Town's ordinances and requirements.

10.15.100 APPLICATION COMPLETION TIMELINE.

1. Remedy Of Deficiencies: The applicant shall correct all specified deficiencies within ninety (90) days of the written notification of such deficiencies. If the applicant fails to correct the specified deficiencies within such ninety (90) day period, the application for subdivision shall be deemed withdrawn and will be returned to the applicant. Application fees shall not be refunded. Any further submissions shall be considered only as part of a new application.
2. Extensions Of Time: The Town Administrator , upon written request from the applicant, may grant the applicant one automatic thirty (30) day extension to correct the specified deficiencies.

10.15.110. FINAL PLAT.

The Administrative Land Use Authority for approval of a Final Plat application shall be the Town Administrator. Upon approval of the Preliminary Plat by the Planning Commission, an applicant shall submit a final plat, in recordable form, to the Town for its review and approval. The submitted final plat shall be consistent with all provisions and conditions of the Preliminary Plat. With the final plat, the applicant shall submit: (1) an updated Preliminary Title Report issued within 30 days of the Final plat application showing evidence of ownership for all parcels within the plat satisfactory in form to the Town attorney; and (2) any assurance for the installation of public improvements as required by Town ordinance. The Town Administrator shall review a complete Final Plat submittal within 30 days of receipt of the application by the Town, and shall approve the Final Plat if it is consistent with the approved Preliminary Plat and any conditions of approval.

10.15.120. MINOR SUBDIVISION OF LAND

1. Purpose. The purpose of this exception is to provide flexibility in the subdivision ordinance for the division of land into less than three (3) lots when the division complies with the applicable zoning regulations and does not require the creation of public infrastructure or significant land development.

2. Exception Criteria. A land division may be granted an exception to the formal subdivision process if all of the following criteria are met:
- a. Number of Lots: The division of land results in three or fewer lots.
 - b. Compliance with Zoning: The division complies with all applicable underlying zoning requirements, including:
 - i. Minimum lot size, lot width, and frontage requirements; and
 - ii. Compliance with setbacks, easement, and other zoning standards as specified in the zoning ordinance.
 - c. No Public Infrastructure Required: The division does not necessitate the creation or extension of public infrastructure, including:
 - i. Roads or streets that require public dedication or construction;
 - ii. Utility extensions (water, sewer, electricity) to serve the new lots;
 - iii. Stormwater management systems or drainage improvements beyond what is already existing.
 - d. No Impact to the Public or Neighboring Properties: The division must not result in any significant adverse impacts on neighboring properties or the surrounding community, such as:
 - i. Traffic congestion or safety hazards;
 - ii. Degradation of public facilities or services;
 - iii. Creation of non-conforming lots or uses under the zoning ordinance.
 - e. No New Dwellings or Structures: The division does not propose the construction of new dwellings, structures, or other major developments on the newly created lots that would trigger the need for a full subdivision review.
 - f. Conformance with Existing Subdivision Plans: The division must not conflict with any existing approved subdivision plan, master plan, or previously recorded plat within the subject area.
3. Process for Approval.
- a. Application: The property owner or applicant seeking the exception must submit a written application to the Town Administrator. The application shall include:
 - i. A plat or map of the proposed land division;
 - ii. Documentation demonstrating compliance with applicable zoning standards;
 - iii. Any other relevant documentation as required by the Town Administrator.

- b. Review: The Town Administrator, or designated reviewing authority, will review the application for compliance with the above criteria. The review will consider the zoning requirements, the size and configuration of the parcels, and the potential impact of the division.
 - c. Approval or Denial: Upon review, the Town Administrator will issue a written decision, either:
 - i. Approval: If the division meets all the requirements for the exception, it will be approved and the land division may proceed.
 - ii. Denial: If the division does not meet the criteria, the application will be denied, and the applicant must follow the full subdivision process for further consideration.
 - d. Recording: Upon approval, the land division must be recorded with the Utah County Recorder's Office.
4. Limitations.
- a. This exception does not authorize the creation of more than three lots (unless the property owner has previously subdivided the property within a certain time frame as per local regulations).
 - b. This exception does not grant a waiver for compliance with any other applicable laws or regulations, including but not limited to health, environmental, or building code requirements.
 - c. Any future development or subdivision of the property after the division shall comply with the full subdivision ordinance and applicable zoning requirements.

10.15.130. LOT LINE ADJUSTMENTS.

- 1. A lot line adjustment is permitted only if all of the following criteria are met:
 - a. Number of Lots Involved: The adjustment must involve no more than two existing lots.
 - b. No New Lot Creation: The adjustment cannot result in the creation of a new lot. The total number of lots before and after the adjustment must remain the same.
 - c. Zoning Compliance: The adjusted lots must comply with the underlying zoning requirements, including:
 - i. Minimum lot size, width, and frontage requirements.
 - ii. Setback and other dimensional standards.
 - iii. Any other applicable zoning standards.
 - d. No Violation of Easements: The adjustment must not result in the violation of any easement, encroachment, or other legal restrictions on the property.

- e. No Public Infrastructure Impact: The adjustment must not require the creation or extension of public infrastructure such as roads, utilities, or drainage systems.
- f. No Environmental Concerns: The adjustment must not violate any environmental regulations, such as floodplain management, wetland protection, or hillside development rules.

2. Application Process.

- a. Submission Requirements: The property owner or applicant must submit a completed lot line adjustment application to the Town Administrator, including:
 - i. A map or survey prepared by a licensed surveyor showing the existing and proposed lot lines, including dimensions, setbacks, and boundary lines.
 - ii. Written confirmation that the adjusted lots comply with all zoning requirements (e.g., lot size, setbacks, frontage).
 - iii. A legal description of the properties before and after the lot line adjustment.
- b. Review Process: The Town Administrator will review the application for compliance with these regulations, the zoning ordinance, and any other relevant laws. The review process typically includes:
 - i. Verifying that the proposed adjustment meets zoning and subdivision requirements.
 - ii. Ensuring that the adjustment does not create any conflicts with existing easements, covenants, or rights-of-way.
- c. Approval or Denial:
 - i. Approval: If the adjustment meets all requirements, the Town Administrator will approve the application and issue a written decision.
 - ii. Denial: If the application does not meet the criteria, the Town Administrator will deny the application and provide the applicant with a written explanation of the reasons for denial.
 - iii. Recording: Upon approval, the applicant must file the lot line adjustment with the county or city land records office. The adjusted boundary lines will be legally recognized once recorded.

3. Conditions of Approval. Lot line adjustments may be subject to the following conditions:

- a. The applicant must ensure that the adjusted lots comply with all applicable zoning and land use regulations.

- b. The applicant must pay any required fees associated with the review and recording of the adjustment.
 - c. If necessary, the applicant must obtain any additional permits or approvals for construction, drainage, or environmental compliance before proceeding with any development on the adjusted lots.
- 4. Restrictions.
 - a. No Subdivision: A lot line adjustment is not intended to create a subdivision or divide a single parcel into multiple lots.
 - b. Repetitive Adjustments: Repeated lot line adjustments between the same properties, when combined with other adjustments, may be subject to additional scrutiny or may require a more formal subdivision process if the cumulative effect constitutes a subdivision.
 - c. Easements and Restrictions: Lot line adjustments cannot interfere with established easements, rights-of-way, or other legal restrictions.

10.15.140. APPEALS.

- 1. Standing. An applicant, property owner, or adversely affected party (as defined in Utah Code § 10-9a-103(2)) may appeal a decision related to a subdivision application made under this chapter.
- 2. Filing the Appeal.
 - a. The appeal must be filed in writing with the Town Clerk within 10 days from the date of the decision being appealed.
 - b. The appeal should include:
 - i. A clear and concise statement of the reasons for the appeal, outlining why the appellant believes the decision was incorrect or unlawful.
 - ii. A copy of the decision or action being appealed (e.g., denial letter, resolution, or conditions of approval).
 - iii. Any supporting documents, evidence, or materials that the appellant believes are relevant to the appeal.
- 3. Fee for Appeal. A non-refundable appeal fee of \$800.00 shall be submitted at the time of filing the appeal. This fee covers the administrative costs associated with processing the appeal.
- 4. Scheduling the Appeal Hearing.
 - a. Upon receipt of a completed appeal application, the Town's Hearing Officer will schedule the appeal hearing.
 - b. The appellant and any other interested parties will be notified in writing of the date, time, and location of the hearing.

5. Conduct of the Appeal Hearing.
 - a. The Hearing Officer will conduct a hearing where both the appellant and any interested parties (e.g., neighbors, representatives of the planning department) may present their arguments.
 - b. The appellant may present evidence and testimony to support their position, and the staff or planning commission may present the basis for their decision.
 - c. The Hearing Officer may ask questions, request further information, or continue the hearing to another meeting if necessary.
6. Criteria for Decision. The appeal body will base its decision on whether the original decision was in accordance with the law, the subdivision ordinance, and the facts of the case.
7. Final Decision. The appeal body will issue a written decision, typically within 10 business days after the hearing, and the decision will be mailed to the appellant and all interested parties. The decision may include:
 - a. A final approval of the subdivision with or without conditions.
 - b. A final denial of the subdivision.
 - c. A remand to the land use authority with additional instructions for further review.
8. Judicial Review. If the appellant is dissatisfied with the final decision of the appeal body, the appellant may seek judicial review in a court of competent jurisdiction as provided by law. Judicial review must be sought within 30 days of the final decision.