
Minutes
Planning Commission Meeting
January 5, 2022

1. Opening ceremonies:

Planning Commission Chairman, Alan Paystrup, called the meeting to order at 6:59 PM. A Quorum was present.

Those in attendance:

Planning Commission Chairman: Alan Paystrup
Commissioners: Barbara Anderson and Chris Chipping
Planning Commission Secretary: Heather Poulsen

Not in Attendance: Commissioner Heath Butler

Also in Attendance: Mayor Bruce Rowley

Prayer was given by Commissioner Chris Chipping

Pledge of Allegiance was led by Commissioner Barbara Anderson

2. Action items:

- Approval of minutes from previous meetings:

Barbara Anderson made the motion, seconded by Commissioner Alan Paystrup, to approve the minutes for the Regular Planning Commission Meeting held on November 3, 2021. All commissioners present were in favor.

3. Reports

-Office issued permits

Steve Burton was issued a building permit for an agricultural building on November 29, 2021.

4. Discussion Items

-2022 Schedule of Meetings

Secretary Heather Poulsen gave the planning commissioners the 2022 meeting schedule that was approved by the town council. All planning commission meetings are the first Wednesday of the month except the December meeting and that will be held on the first Thursday of that month.

-Subdivision Ordinance

The Planning Commissioners started working on the subdivision ordinance. They decided to skip most of the definitions until they were sure the context of the word in the code.

*See attached for changes and suggestions that were made.

The Planning Commissioners asked Secretary Heather Poulsen if she would contact Jason and see if he would be able come to next month's meeting or if it would be easier to schedule a special meeting for him to come to and talk about the subdivision ordinance.

5. Adjourn

Commissioner Chris Chipping made the motion, seconded by Commissioner Barbara Anderson to adjourn. All were in favor. The meeting was adjourned at 8:20 PM.

Heather Poulsen, Deputy Town Clerk
Planning Commission Secretary

***Attachment**

15.02.010 SHORT NAME

This title shall be known as the Subdivision Ordinance of Levan Town, Utah and may be so cited and pleaded.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.020 PURPOSE

This ordinance and the regulations and restrictions contained herein are adopted and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity, or welfare of the present and future inhabitants of the municipality, including among other things; providing adequate open spaces, light and air, classification of land uses, adequate landscaping, distribution of land development and utilization, and protection of the tax base; securing economy in governmental expenditures; and promoting the development of a more wholesome, serviceable, and attractive community resulting from an orderly, planned use of resources.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.030 DEFINITIONS

~~The words and terms defined in this ordinance shall have the meanings indicated. The particular controls the general. The word shall is always mandatory and not directory; the word may is permissive. Words used in the present tense include the future unless the context clearly indicates the contrary. Words used in the singular number include the plural, and words used in the plural number include the singular unless the context clearly indicates the contrary.~~

Curb: ~~Curb in this document shall refer to the property line between owner's property and the street property line.~~ (how is this used in the rest of the ordinance-might need to change)

Developer: Any person, including a corporate person, who undertakes to develop land, including subdividers.

Easements: That portion of a lot or lots reserved or granted for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on the surface, or above said lot or lots.

Final Plat: A final map or plat of the land division prepared for filing with the Juab County Recorder and in compliance with all the requirements set forth in this ordinance and the Levan Town Zoning Ordinance. This plan must have been accurately surveyed and such survey marked on the ground so that streets, alleys, blocks, lots, and other divisions thereof can be identified.

Intervening Property: Property located between the existing service facility and the property under development.

Large-Lot Subdivision: A large-lot subdivision is a proposed subdivision containing at least 15 acres where the proposed lots are one acre in size or greater. The planning commission, because of the unique nature of the terrain or other unique qualities of a proposed large lot subdivision, may approve up to twenty five percent (25%) of the lots less than one (1) acre, but a lot shall never be smaller than three quarters (3/4) of an acre.

Legislative Body: The Levan Town Council.

Off-site Facilities: Facilities designed or located so as to serve other property outside of the boundaries of the subdivision, usually lying between the development and existing facilities.

On-site Facilities: Facilities installed within or on the perimeter of the subdivision.

Preliminary Plat: A drawing prepared by a licensed engineer or land surveyor, to scale, representing a proposal to subdivide a tract, lot, or parcel of land and meeting the vicinity plat requirements of this ordinance, including acreage.

Subdivider: See developer.

Subdivision: Subdivision means any land that is divided, re-subdivided, or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other divisions of land for the purpose, within one (1) year, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes the division or development of land whether by deed, meets and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

Vicinity Plat: A map or chart showing proposed lots and streets within a potential subdivision including the relationship to existing land and streets in the surrounding area.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.040 INTERPRETATION

In interpreting and applying the provisions of this section, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.050 CONFLICT

This chapter shall not nullify the more restrictive provisions of covenants, agreements, other ordinances, or laws, but shall prevail notwithstanding such provisions which are less restrictive.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.060 SEVERABILITY

Should any article, section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.070 ADMINISTRATIVE RESPONSIBILITIES

All administrative officials of the Town of Levan shall refrain from issuing building permits or from opening, accepting, grading or paving a street or authorizing the laying of ~~sewers and~~ water mains, making connections ~~from~~ from the main ~~utilities~~ to such lines in a street which has:

1. Not received the status of a public street, or
2. Does not correspond with a street on a subdivision plat tentatively approved by the Planning Commission, or
3. Having been submitted to the Planning Commission and disapproved by it has not been accepted by the Town Council by a favorable vote of not less than a majority of their membership.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.02.080 GENERAL APPLICABILITY

No person shall subdivide for the purpose of transferring, selling, conveying, or assigning any tract or parcel of land which is located wholly or in part within Levan Town, nor shall any person sell, exchange or offer for sale or purchase or offer to purchase any parcel of land which is divided into ~~three (3)~~ two (2) or more parcels of land within Levan Town, nor shall any person offer fix recording any deed conveying such a parcel of land or any interest therein, unless ~~she~~ they shall first make or cause to be made a final ~~plat~~ plat thereof, which plat shall conform to all requirements of this title and shall have been approved by the planning commission and Town Council and recorded in the office of the Juab County Clerk, and except in compliance with this ordinance.

1. A subdivision plat shall comply with the provisions of this ordinance and be approved by Levan Town before it may be filed or recorded in the Juab County Recorder's office and before lots may be sold.
2. All lots, plots, or tracts of land located within a subdivision shall be subject to this ordinance, regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.04 GENERAL SUBDIVISION REGULATIONS

[15.04.010](#)

[EXCEPTIONS](#)

[15.04.020](#)

[LARGE-LOT](#)

[SUBDIVISIONS](#)

15.04.030	SUBDIVIDER	AGREEMENT
15.04.040	SUBMITTAL	REQUIREMENTS
15.04.050	DEVELOPMENT	SEQUENCE
15.04.060	ENFORCEMENT AND	RESPONSIBILITY
15.04.070	DEDICATION OF STREETS AND PUBLIC	IMPROVEMENTS
15.04.080	AS-BUILT	DRAWINGS
15.04.090	STANDARDS AND	SPECIFICATIONS
15.04.100	DRAWING	REQUIRED
15.04.110		VARIANCES
15.04.120	RELATION TO ADJOINING STREET	SYSTEM
15.04.130		STREETS
15.04.140		BLOCKS
15.04.150		LOTS
15.04.160		EASEMENTS
15.04.170	PARKS AND OTHER PUBLIC	PLACES
15.04.180	PUBLIC USE AND SERVICE	AREAS
15.04.190	SUITABILITY OF THE	LAND
15.04.200	ACCESS TO	LOTS
15.04.210	GUARANTEE OF IMPROVEMENTS	

15.04.010 EXCEPTIONS

The following subdivisions, as defined by this ordinance, may be exempted from any or all of the provisions of this ordinance.

- A. The division, re-subdivision, or proposed division of a parcel into two (2) and only two (2) parcels shall be exempted from the provisions of this ordinance.
- B. A subdivision of property solely owned by **Levan Town** a public entity i.e. town, county, or school district shall be exempted from the provisions of this ordinance provided that the purpose of such subdivision is in keeping with the normal activities of that public entity.
- C. A subdivision which is located entirely within the established block system of Levan Town, not requiring any dedication of property for public use, and having not more than four hundred twenty-nine feet (429') of undeveloped lot frontage shall be exempted from the provisions of this ordinance. **Water???????**
- D. All divisions of land require Compliance with LMC Title 8 before the issuance of a building permit.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.04.020 LARGE-LOT SUBDIVISIONS

A large-lot subdivision shall be required to meet all the requirements of a regular subdivision, except the developer shall not be required to construct concrete sidewalks and concrete curb and gutter in any street dedicated to the public use, but shall be required to accommodate street drainage as required by the ordinances of Levan Town.

HISTORY

Adopted by Ord. [2017-01](#) on 10/4/2017

15.04.030 SUBDIVIDER AGREEMENT (?? Do we really need this in here)???