

**APPLE VALLEY  
ORDINANCE O-2026-27**

**NOW THEREFORE**, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “11.02.050 Simple Lot Subdivision” of the Apple Valley Subdivisions is hereby *amended* as follows:

**BEFORE AMENDMENT**

11.02.050 Simple Lot Subdivision

- A. Purpose: Utah State Code provides an exemption from many subdivision requirements for subdivisions with up to ten (10) lots. The intent of this simple lot subdivision process is to take advantage of the Utah State Code exemption to allow for subdivision with up to ten (10) lots to be processed as quickly as possible. This section outlines a separate process for these smaller subdivisions. In this process, an applicant may elect to divide property through a metes and bounds record of survey.
- B. Applicability: The procedures set forth in this section shall govern the process and requirements pertaining to simple lot subdivisions with up to ten (10) lots. An applicant may elect to forgo the simple lot subdivision process and instead proceed with the standard preliminary and final plat subdivision process.
- C. Application Process: The subdivider of a simple lot subdivision, after completing the plans required, shall submit a simple lot subdivision application including the simple lot subdivision, the Subdivision Improvement Plans and all other required documentation and information.
- D. Required Conditions: For a proposed subdivision to qualify for simple lot subdivision approval, the proposed simple lot subdivision shall:
  - 1. Be for a single-family dwelling or dwellings, and any associated accessory dwelling.
  - 2. Be located on property zoned for such use.
  - 3. Contain no more than ten (10) lots.
  - 4. Not contain any legislative approval, such as a zone change or text amendment request. Any legislative approval necessary for the simple lot subdivision to meet all requirements shall be pursued separately and shall be completed before the Planning Commission may review the simple lot subdivision application.
  - 5. Not be traversed by the mapped lines of a proposed street as shown in the general plan unless the Town has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality’s ordinances require.
  - 6. Conform to all applicable land use ordinances. A property that has previously

obtained a variance shall be deemed to conform as it relates to the conflict that had necessitated the variance.

E. Submittal Contents: An applicant shall submit an application to the Town for a simple lot subdivision that includes, at a minimum, each of the following:

1. A current title report showing ownership by the applicant.
2. Name of the applicant or authorized agent and contact information.
3. Property address, acreage, boundary, and tax identification number.
4. Date, scale, and North arrow.
5. Vicinity map showing the property's location relative to municipal boundaries and roads that serve the property.
6. A statement containing the zone, lot size, and amount of frontage along a public street for each proposed lot.
7. A metes and bounds description of the property proposed to be subdivided.
8. A subdivision name.
9. A record of survey map, showing each new lot, which includes the following details:
  - a. The location of survey by quarter section and township range.
  - b. The date of survey.
  - c. The scale of the drawing and North point.
  - d. The distance course of all lines traced or established, giving the basis of bearing and the distance and course to two or more section corners or quarter corners, including township and range, or to identified monuments within a recorded subdivision.
  - e. All measured bearings, angles, and distances separately indicated from those of record.
  - f. A written boundary description of property surveyed.
  - g. All monuments set and their relation to older monuments found.
  - h. A detailed description of monuments found and monuments set, indicated separately.
  - i. The surveyor's seal or stamp.
  - j. The surveyor's business name and address.
  - k. A written narrative that explains and identifies:
    - (1) The purpose of the survey.
    - (2) The basis on which the lines were established.
    - (3) The found monuments and deed elements that controlled the established or reestablished lines.
  - l. If the narrative is a separate document, it shall contain:
    - (1) The location of the survey by quarter section and by township and range.
    - (2) The date of the survey.
    - (3) The surveyor's stamp or seal.
    - (4) The surveyor's business name and address.
  - m. The map and narrative shall be referenced to each other if they are separate documents.
  - n. The map and narrative shall be created on material of a permanent

nature on stable base reproducible material in the sizes required by the county surveyor.

- F. Site-Specific Contents: The following documents shall accompany the simple lot subdivision application when deemed necessary by the Town Engineer:
1. Soils Report: The applicant shall provide a detailed soils report addressing the following issues for the subdivision: hill stabilization, road design, foundation design, groundwater impacts, and general soil stability. The report must be stamped and signed by a Civil Engineer licensed in the state of Utah.
  2. Storm Water Plan: The applicant shall provide a detailed storm water plan for the subdivision. This plan shall include all calculations showing that it meets all applicable all applicable codes, standards, and specifications. Plans and calculations shall be stamped and signed by a civil engineer licensed in the state of Utah.
  3. Other Hazard Information: This may include FEMA floodplain information or other information to mitigate natural hazards.
- G. Review and Approval Process: The intent of the simple lot subdivision is to provide timely review and approval of all complete applications, as follows:
1. Optional Pre-Application Meeting: An applicant may request to meet with the Town staff and representatives prior to submittal to review the application and requirements.
  2. Preliminary Review: The applicant shall submit the application and all required contents. The Town will check for completeness. If not all materials have been submitted, the application should be returned to the applicant until all required contents are included.
  3. Administrative Review: Once the application is deemed to be complete, the Town shall complete a review of the simple subdivision application and Subdivision Improvement Plans and determine whether the application meets all requirements or requires corrective actions and shall notify the applicant in a written response:
    - a. If the application is found to require corrections, the Town shall be specific and cite the ordinance, statute, or specifications that require the modification. Comments shall be logged in an index of requested modifications or additions. The required corrections are sent to the applicant to prepare for resubmittal.
    - b. The Town may require additional information relating to the application to ensure compliance with the Town's ordinances and approved standards.
    - c. If the applicant is found to meet all codes, standards, and specifications, Town staff shall forward the application on to the Planning Commission.
  4. Planning Commission Review: The Planning Commission shall hold a public hearing on the application and approve or deny the simple lot subdivision application. If the Planning Commission determines that the application does not meet all requirements, an applicant may request that the application is tabled until all requirements are met.

- a. A public notice shall be sent to all properties within one hundred feet (100') of the property, notifying the property owners of the time and place of the public hearing and the nature of the request.
  - b. If the applicant meets all applicable requirements, the Planning Commission shall approve the simple lot subdivision application. If the applicant is unable or unwilling to meet all applicable requirements, the Planning Commission shall deny the application.
- H. Filing the Record of Survey:
  1. After the Planning Commission has approved the simple lot subdivision application, the Town shall create a written certificate of approval to accompany the record of survey. At a minimum, the document shall be notarized by the Town Recorder, specify the name of the subdivision, the number of lots, and the date of Planning Commission approval.
  2. The applicant shall provide a check sufficient to cover the recording fees.
  3. Within one (1) year of approval of the Record of Survey, with the accompanying written certificate of approval, shall be recorded in the Office of the Washington County Recorder.
- I. Expiration of Final Approval: If a record of survey is not filed within one (1) year from the date of approval, the approval is deemed to have lapsed and the applicant will need to obtain a new approval and meet any new regulations that may have been put in place.

## AFTER AMENDMENT

### 11.02.050 Simple Lot Subdivision

- A. Purpose: Utah State Code provides an exemption from many subdivision requirements for subdivisions with up to ten (10) lots. The intent of this simple lot subdivision process is to take advantage of the Utah State Code exemption to allow for subdivision with up to ten (10) lots to be processed as quickly as possible. This section outlines a separate process for these smaller subdivisions. In this process, an applicant may elect to divide property through a metes and bounds record of survey.
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  1. Be for a single-family dwelling or dwellings, and any associated accessory dwelling.
  2. Be located on property zoned for such use.

3. Contain no more than ten (10) lots.
  4. Not contain any legislative approval, such as a zone change or text amendment request. Any legislative approval necessary for the simple lot subdivision to meet all requirements shall be pursued separately and shall be completed before the Planning Commission may review the simple lot subdivision application.
  5. Not be traversed by the mapped lines of a proposed street as shown in the general plan unless the Town has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinances require.
  6. Conform to all applicable land use ordinances. A property that has previously obtained a variance shall be deemed to conform as it relates to the conflict that had necessitated the variance.
  7. Require no new road easements, water easements, drainage easements, or any other easements, dedications, or improvements that would necessitate engineering review, design, or input. If any such easement, dedication, improvement, or engineering input is required, the application shall not qualify for the simple lot subdivision process and must proceed through the standard preliminary and final plat process.
- E. Submittal Contents: An applicant shall submit an application to the Town for a simple lot subdivision that includes, at a minimum, each of the following:
1. A current title report showing ownership by the applicant.
  2. Name of the applicant or authorized agent and contact information.
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indicated separately.

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a written response:

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- a. A public notice shall be sent to all properties within one hundred feet (100') of the property, notifying the property owners of the time and place of the public hearing and the nature of the request.
  - ~~b. If the applicant meets all applicable requirements, the Planning Commission shall approve the simple lot subdivision application. If the applicant is unable or unwilling to meet all applicable requirements, the Planning Commission shall deny the application.~~

H. Filing the Record of Survey:

1. After the Planning Commission has approved the simple lot subdivision application, the Town shall create a written certificate of approval to accompany the record of survey. At a minimum, the document shall be notarized by the Town Recorder, specify the name of the subdivision, the number of lots, and the date of Planning Commission approval.
  2. The applicant shall provide a check sufficient to cover the recording fees.
  3. Within one (1) year of approval of the Record of Survey, with the accompanying written certificate of approval, shall be recorded in the Office of the Washington County Recorder.
- I. Expiration of Final Approval: If a record of survey is not filed within one (1) year from the date of approval, the approval is deemed to have lapsed and the applicant will need to obtain a new approval and meet any new regulations that may have been put in place.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

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|                                 | <b>AYE</b> | <b>NAY</b> | <b>ABSENT</b> | <b>ABSTAIN</b> |
|---------------------------------|------------|------------|---------------|----------------|
| Mayor   Mike Farrar             | _____      | _____      | _____         | _____          |
| Council Member   Kevin Sair     | _____      | _____      | _____         | _____          |
| Council Member   Scott Taylor   | _____      | _____      | _____         | _____          |
| Council Member   Richard Palmer | _____      | _____      | _____         | _____          |
| Council Member   Lee Fralish    | _____      | _____      | _____         | _____          |

Attest

Presiding Officer

\_\_\_\_\_  
Jenna Vizcardo, Town Clerk, Apple Valley

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Michael Farrar, Mayor, Apple Valley