

**APPLE VALLEY
ORDINANCE O-2023-08**

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

SECTION 1: **AMENDMENT** “11.02.100 Final Plat Requirements” of the Apple Valley Subdivisions is hereby *amended* as follows:

BEFORE AMENDMENT

11.02.100 Final Plat Requirements

A. Required Information: The final plat shall show:

1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the planning commission.
2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
4. Every existing right of way and easement grant of record for communications infrastructure, for underground facilities as defined in Utah Code § 54-8a-2 and for other utility facilities. Where the same is granted to a specific entity, that entity must be clearly identified.
5. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
6. All street centerline data must be shown, together with its relationship to the property lines, corners, etc.
7. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, state, county or other official monuments.
8. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).
9. Street monuments to be installed by the subdivider in accordance with the requirements of the Town standards. Locations of said monuments shall be approved by the Town engineer and indicated on the subdivider's plat by the appropriate symbols.

10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.
 11. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the Town attorney.
 12. The parent parcel number, as shown on the records of the Washington County recorder in St. George, Utah.
- B. Required Forms And Certificates: In addition the final plat shall contain the standard forms for the following:
1. A registered professional land surveyor's signed certificate of survey, together with a statement that: a) the surveyor holds a license in accordance with Utah Code 58-22, professional engineers and professional land surveyors licensing act; b) the surveyor has completed a survey of the property described on the plat in accordance with Apple Valley Town Design Standards and the Utah Code and has verified all measurements; and c) has placed monuments as represented on the plat.
 2. The owner's certificate of dedication of all streets, roads, rights of way or other parcels intended for the use and benefit of the general public.
 3. Mortgagee or other lienholder's consent to record, if applicable.
 4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.
 5. Certificate of approval of Big Plains Water and Sewer Special Service district.
 6. Certificate of approval of the Planning Commission, as evidenced by the signature of the Planning Commission chairperson.
 7. Certificate of approval of the Town engineer.
 8. Certificate of approval as to form executed by the Town attorney.
 9. A one and one-half inch by five inch (1 1/2" x 5") space in the lower right hand corner of the drawing for the use of the county recorder.
 10. Certificate of approval of the county treasurer.
- C. Other Information Required: The following information or documentation shall be submitted with the final plat or prior to recordation:
1. A statement that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full, or a letter stating that a satisfactory bond has been filed to secure such payment.
 2. An original copy for staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the county recorder along with the final plat.
 3. An up to date title or subdivision report for the property being subdivided.
 4. A disk of the final plat prepared in "AutoCAD 2004" (or newer format).

5. Mylar of approved final plat submitted and reviewed for substantial conformance with paper final plat.

D. Requirements For Recordation:

1. Final plat approval.
2. Bond or other financial security in place.
3. Payment of HCP impact fee if applicable.
4. Three (3) disks of the final plat prepared in "AutoCAD 2004" format or later format as designated from time to time by Town engineer; one disk for the Town, one for the county recorder, and one for the Big Plains Water and Sewer Special Services District.
5. Final title or subdivision report prepared and submitted to the Town attorney.
6. Proof of satisfaction of payment of water impact fee to Big Plains Water and Sewer Special Services District.
7. All signatures must be on the mylar, including property owners of record according to the title report, Town officials and Big Plains Water and Sewer Special Service district superintendent. The Town attorney shall be the last signer of the mylar just prior to recordation.
8. Preliminary acceptance by Town of all public and private improvements as shown on approved construction drawings.
9. If submitted mylar shows substantial change from the approved paper final plat, applicant shall submit an application for an amended plat and get approval of the amended plat before recordation will be permitted to occur.

- E. Recordation Of Plat: Any subdivision plat receiving final approval from the final plat approval staff (see section 11.02.090) shall be recorded at the office of the Washington County recorder within one year of the date of said final approval, unless said period is extended in writing by the Town council. Any approval for any final plat not recorded within said period or extended period shall be deemed to have been revoked and any such final plat shall require new approval before recordation.

AFTER AMENDMENT

11.02.100 Final Plat Requirements

A. Required Information: The final plat shall show:

1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the planning commission.
2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.

4. Every existing right of way and easement grant of record for communications infrastructure, for underground facilities as defined in Utah Code § 54-8a-2 and for other utility facilities. Where the same is granted to a specific entity, that entity must be clearly identified.
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 2. The owner's certificate of dedication of all streets, roads, rights of way or other parcels intended for the use and benefit of the general public.
 3. Mortgagee or other lienholder's consent to record, if applicable.
 4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.
 5. Certificate of approval of Big Plains Water ~~and Sewer~~ Special Service district.
 6. Certificate of approval of Ash Creek Special Service District.
 7. Certificate of approval of the Planning Commission, as evidenced by the

- signature of the Planning Commission chairperson.
8. Certificate of approval of the Town engineer.
 9. Certificate of approval as to form executed by the Town attorney.
 10. A one and one-half inch by five inch (11/2" x 5") space in the lower right hand corner of the drawing for the use of the county recorder.
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 6. Proof of satisfaction of payment of water impact fee to Big Plains Water ~~and Sewer~~ Special Services District.
 7. All signatures must be on the mylar, including property owners of record according to the title report, Town officials, Ash Creek Special Service District and Big Plains Water ~~and Sewer~~ Special Service district superintendent. The Town attorney shall be the last signer of the mylar just prior to recordation.
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extended in writing by the Town council. Any approval for any final plat not recorded within said period or extended period shall be deemed to have been revoked and any such final plat shall require new approval before recordation.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from January 18, 2023.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Frank Lindhardt	_____	_____	_____	_____
Council Member Andy McGinnis	_____	_____	_____	_____
Council Member Barratt Nielson	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Robin Whitmore	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Frank Lindhardt, Mayor,, Apple Valley