

CHAPTER 3: SUBMITTAL REQUIREMENTS

3.1 SUBMITTAL REQUIREMENT TABLES

The following tables have been prepared to simplify the determination of which permits and regulations apply to a given action, and the information that is required to be submitted to obtain such permits and their associated approvals. The tables are sequential and cumulative. Use them as follows:

- Review the numbered list of activities in Table 1 and determine which activity most closely resembles the action you propose to undertake. Note the permits that are required for that activity.
- Refer to Table 1 to determine what type of permit needs to be obtained in order obtain the end result

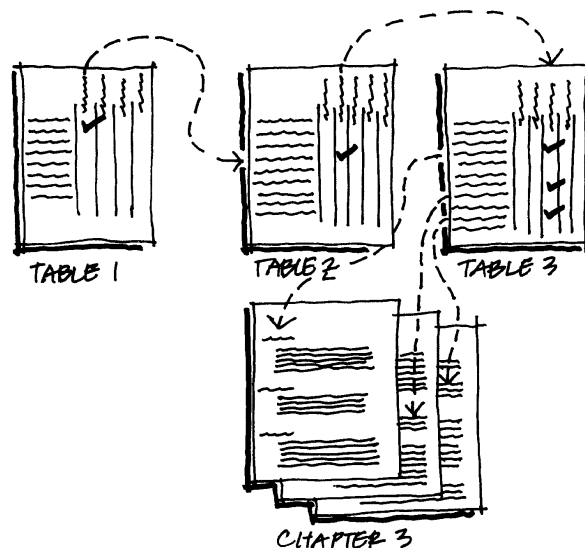


Figure 3.1: How to use the tables and text in Chapter 3.

desired.

- Refer to Table 2 to determine the documents that must be submitted with the application for various types of permits.
- Refer to Table 3, to determine specific requirements regarding the content of each drawing, plan or other document that must be submitted.
- Refer to Section 3.2 for a narratives on certain specific requirements for drawing, plan and other document that must be submitted pursuant to Tables 2 and 3..

NOTE: These tables are necessarily simplified and abbreviated. The City reserves the right to require additional information they deem necessary to fully and compently review any application.

TABLE 1 Potential Land Use Actions		Required Permits/Approvals															
		Master plan Amendment	ReZoning	Subdivision	planned Unit Development	Lot Split	Replat	Building Permit	Grading/Trenching Permit	Sign Permit	Variance	Conditional Use	Certificate of Occupancy	Certificate of Completion	Certificate of Dedication	Design Review	Record With County Clerk
1	Selling or Conveying:																
	A. An existing lot in its entirety (with or without an existing building).																
	B. One new lot to be created from larger parcel.											d					
	C. More than one new lot to be created from larger parcel.	a	b	c								d		eg			
2	Constructing a new commercial or multi-family residential building on an existing lot.	a	b					e				d					
3	Constructing a new single family home on an existing lot.															j	
4	Modifying the exterior shape of an existing building.																
5	Replacing all or parts of an existing building.							i		f							
6	Remodeling the interior of an existing building.																
7	Changing the use of a building (such as an office to a store, store to clinic, etc.).	a	b							f		d					
8	Constructing a building for use not allowed by current zoning	a										d					
9	Grading or constructing a road or driveway.													g		gr	
10	Digging and/or installing utilities (water, sewer, septic, gas, electric, cable tv).																
11	Building a retaining wall.								h								
12	Install an exterior yard light.																
13	Putting up a sign.								h								
14	Seeking to do any of the above when it requires a departure from the regulations.																
15	Develop a condominium project.			l													

KEY:

- Always required
- a If the intended use requires rezoning that is not consistent with the General Plan.
- b If the proposed use is not consistent with existing Zoning.
- c If greater flexibility is desired than permitted under standard subdivision regulations.
- d If proposed use is permitted in the Zone District as a condition upon special review.
- e If grading and/or trenching are proposed.
- f If signage is proposed.
- g If the road is for public use.
- h If structural support will be required.
- i If cost of construction/remodeling work exceeds \$1000, or involves electrical or plumbing.
- j An abbreviated review by Building dept. staff for single family homes.
- k Only the Sketch Plan submittal is required.

Permits/Approvals	Submittal Documents Required																					
	Notice Mailing List - See LMC §1.8.2	Site Map	Application and Fee	Title Report	Existing Conditions Map	Development Report	Concept Site Plan	Detailed Site Plan/Preliminary Plat	Final Plat	Development Agreement	Preliminary Construction Plans	Final Construction Plans	Soils/geology Report	Covenants, Conditions and Restrictions	Security Agreement	Verification State Registration UCA 57-11	Public Offering Statement UCA 57-11-7	Removal / Safety Plan	Hardship Statement	Conditional Use Permit	Final Variance/Special Exception Approval	
1	Master Plan Amendment																					
2	Zone Amendment (Amended Zoning Dist. & Map)																					
3	Annexation																					
4	Subdivision Concept Plan																					
5	Subdivision Preliminary Plan																					
6	Subdivision Final Plat																					
7	Plat Amendment (Replat)																					
8	Building Permit - Concept Review																					
9	Building Permit - Final Review																			c	d	
10	Grading and Trenching Permit																					
11	(Reserved)																					
12	Variance																					
13	Conditional Use																					
14	Design Review																					
15	Certificate of Occupancy																					
16	Vacation of Easement or Right-of-way																					
17	Condominium Permit - Final Plat																					
18	Demolition Permit																					
19	Single Family Building Permit																					

KEY:

- Always Required
- a Only for enclosed structures
- b If site improvements not completed at time of occupancy
- c If use is conditional under applicable zoning district
- d If any variance required for building/construction

TABLE 3 Required Plan/Drawing Contents		Submittal Document												
		Site Map	Notice Mailing List	Detailed Site Plan/Preliminary Plat	Existing Conditions Map	Concept Plan	Final Plat	Conditional Use Site Plan	Preliminary Const. Plans	Final Construction Plans	Final Construction Plans (Residential)	Design Review	Removal/Safety Plan	Single Family Building Permit
1	Project name and subdivision, if applicable													
2	Applicant's name, address, phone number													
3	Preparer's company name, address, phone number													
4	Statement from Owner (if not applicant) authorizing applicant to make submittal													
5	North arrow, scale													
6	Legend (for symbols used on drawing)													
7	Vicinity map showing project location relative to Toquerville City													
8	Site boundaries with dimensions													
9	Protection area boundaries (wetlands, spring/well protection areas, flood plains)													
10	Existing topography													
11	Slopes over 15% highlighted with red hatching pattern													
12	Existing vegetation													
13	Existing roads, including names, grades, pavement widths. Show ROW						a							
14	Existing utilities, by type, including location and dimension of easements						b							
15	Existing emergency access, fire lanes, fire hydrants													
16	Footprint of existing structures, with uses indicated													
17	Existing drainage system **													
18	Proposed topography													
19	Proposed cut/fill color-coded													
20	Proposed vegetation - general landscape plan													
21	Proposed vegetation - detailed landscape plan: type, size, spacing													
22	Proposed drainage system, include location and dimensions of easements													
23	Proposed utilities, by type, including location and dimensions of easements and location of fire hydrant													
24	Proposed roads - names, grades, pavement widths and ROW													
25	Proposed emergency access, fire lanes, fire hydrants													
26	Typical cross sections of roads, curbs, gutters, sidewalks													
27	Layout of lots, with lot sizes, setbacks, buildable areas and lot numbers shown													
28	Footprint of proposed structures, with uses indicated													
29	Calculations of building coverage, units, bedrooms, parking spaces													
30	Building plans, elevations, and sections, with dimensions*													
31	Layout and dimensions of parking lots, with stalls shown													
32	Proposed locations for gas tanks, LP gas, dumpsters													
33	Proposed locations, and types, for signage and lighting													
34	Final Plat data													
35	Phasing plan													
36	Name, address, phone number of all property owners within 300' from any property line of project property													
37	Legal description of project property													
38	Proposed removal description with safety features.													

*For residential building, the Residential Plan Packet provides additional detail and shall be completed as prerequisite to a Building Permit

- a. For concept plan the identification and general location of roadways is all that is required.
- b. For concept plan the identification and general location of existing utilities is all that is required.

**Include either existing natural drainage or existing man-made.

- c. Subdivisions only

3.2 SUBMITTALS

3.2.1. Application and Fees

- a. The application form for each specific action may be obtained from the City. All applications must include an accurate legal description of the land included in the application, *and a site plan of affected and immediately adjacent properties.*
- b. Each application must be accompanied by the applicable fee payment. A fee schedule for each type of application is maintained by the City and is available at the City Offices.

3.2.2. Title Report

A Title report must be prepared by a Title Company or other entity bonded to insure the accuracy of the Title information.

3.2.3. Vicinity Map

A map showing the project location relative to Toquerville City. The map may be at any legible scale, and may be an inset on another plan or drawing (e.g., Existing Conditions plan). It should show the Town boundaries, major roads (e.g., Highway 17) and minor roads that serve the property.

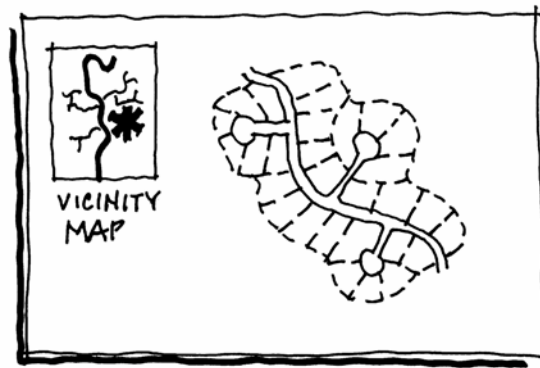


Figure 3.2: A vicinity map can be an inset into a larger map.

3.2.4. Development Report/Statement of Intent

- a. The name and location of the property and applicant;
- b. If the applicant is represented by an agent, a statement from the applicant authorizing the agent to act;
- c. The name and address of the person, firm or organization preparing the application and a statement indicating the record owner's permission to submit the application;
- d. An explanation of the purpose of the proposed action and proposed land use, including building descriptions, variations in building setbacks, parking, height or other requirements that are being sought;
- e. A development schedule indicating the approximate date the development or stages of the development with expected completion dates;
- f. Assessment of the availability and capacity of public infrastructure (utilities, roads) to serve the proposed use;
- g. Any special agreements, conveyances, restrictions, or covenants, which will govern the use, maintenance, and continued protection of the development and any of its common areas.

3.2.5. Development Agreement

A document signed by the applicant prior to approval of a Zone Change, Final Plat, or Conditional Use Permit that memorializes the obligations, commitments and representations made by the proponent in review meetings, as well as any conditions of approval. The development agreement may include or substitute for a security agreement insofar as it contains commitments to site improvements secured by a bond or other form of security. All minutes of public review sessions are incorporated into the development agreement by reference. The City shall have discretion to whether to waive this requirement based upon the scope and complexity of the approval being sought.

3.2.6. Soil/Geology Report

A detailed soil/geology report is required during the preliminary consideration of all building permits and subdivision plats. It shall be based upon adequate test borings, excavations, and geologic evaluations prepared by a geological/engineering firm specializing in soil mechanics and licensed by the State of Utah. Excavations and/or borings shall be located on or near the proposed building site. Reduced cost shall not be justification for more distant convenient locations. Additional soil/geologic investigation may be required if the report indicates the presence of conditions that, if not corrected or adequately addressed through design, could lead to structural damage or premature deterioration or subsidence of the building or damage to surrounding improvements, whether public or private, or damage to surrounding lots. Such conditions may include, but not be limited to:

- expansive soils
- high water table
- soluble mineral veins
- slope instability
- buried slides

- buried stream channels
- fault zones

The investigation shall include visual appraisal of adjacent lots for surface geologic/topographic conditions, which could threaten the proposed building site. The soil/geologic report shall also:

- a) recommend corrective action or building design specifications intended to prevent potential dangers found in the investigation;
- b) state whether the site is buildable or unbuildable because of any potentially threatening conditions which are not economically or technically correctable or avoidable by currently known building practices and codes. (One such example would be the existence of an active or inactive deeply buried landslide.)

3.2.7. Covenants, Conditions and Restrictions

Covenants, conditions, and restrictions (CCR's) shall be required for all subdivisions. CCR's shall include by reference the landscaping requirements outlined in other sections of this Code and the Construction and Design Standards for Public Improvements as adopted by the City Council by resolution and may also include other conditions or restrictions as determined by the Subdivider. Two copies of the CCR's shall be submitted with the final plat.

3.2.8. Security Agreement

Prior to approval of Final Plat or Conditional Use Permit, the applicant shall enter into a security agreement that memorializes the terms and type of security (such as a bond, letter of credit, or escrow account) to guarantee the timely completion of site improvements that are the obligation of the applicant. See Chapter 12 of this Code for specifics regarding satisfactory security for public improvements.

3.2.9. Descriptions of Key Plan/Drawing Contents (Table 3)

- a. **SITE BOUNDARIES WITH DIMENSIONS**
Show on all plans the property boundaries, accurately depicted on a sheet at least 24 inches x 36 inches with bearings and distances based on a recorded plat. Include a copy of the recorded plat with other submittals.
- b. **BOUNDARIES OF PROTECTION AREAS**
Show official boundaries of wetlands (as per US Army Corps of Engineers), floodplains (100 year, as per US FEMA maps, or engineering calculations), and spring and well protection areas (as determined by Public Works Department or Town Engineer).
- c. **EXISTING AND PROPOSED TOPOGRAPHY**
Show contours at not more than two-foot intervals for areas of less than ten percent (10%) slope and not more than five-foot intervals for areas over ten percent (10%) slope. Such contours shall be based on Washington County data when available. The closest Town

survey monument shall be used and its location/elevation noted. Clearly designate the following slope categories:

- i. 0-10 % slopes
- ii. 11-16 % slopes
- iii. 17-23 % slopes
- iv. 24-29% slopes
- iv. 30% and greater slopes

- d. **EXISTING CONDITIONS (Vegetation, Roads, Utilities, Buildings, etc.)**
In addition to showing existing conditions on the property, also show conditions immediately adjacent to the property as well as the location of any improvements that may be required to be constructed beyond the boundaries of the subdivision.

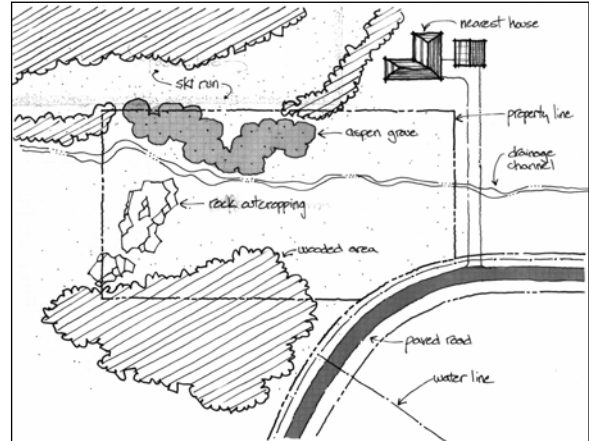


Figure 2.2: Show adjacent uses

- e. **CALCULATIONS OF SITE DATA**
Include the following data, in table form, on the proposed site plan:
 - i. Number of units
 - ii. Number of bedrooms
 - iii. Parking spaces required
 - iv. Parking spaces provided
 - v. Ground coverage (calculate area).
- f. **DETAILED LANDSCAPE PLAN**
Show all landscaped areas; include plans for walls, patios, fences, trees, vegetation and the irrigation thereof.
- g. **PRELIMINARY CONSTRUCTION PLANS**
 - i. Site plans showing footprints of all structures and paved surfaces
 - ii. Sections through the structure(s) and the site, with maximum heights noted
 - iii. Preliminary elevations (exterior views of the building)
- h. **FINAL CONSTRUCTION PLANS / RESIDENTIAL**
See requirements on Tables 2 and 3 together with requirements outlined under Chapter 7.4.1 below. The review and approval of building plans by the Building Department/Building Inspector shall be a prerequisite to the issuance of any building permit.
- i. **FINAL CONSTRUCTION PLANS / COMMERCIAL**
 - i. Site plans
 - ii. Exterior elevations showing vertical dimensions, exterior finishing materials, roof slope and covering materials, and exterior grades
 - iii. Architectural renderings
 - iv. Samples of materials, color and textures
 - v. Complete/final building plans shall be reviewed by Building Department/Building

Inspector and final approval shall be a condition precedent to issuance of any building permit.

- j. FINAL PLAT DATA
 - i. Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.
 - ii. Design data, assumptions and computation in accordance with sound engineering practice, along with plan, section and profile sheets for all public improvements.
 - iii. Current title report.
 - iv. Covenants, Conditions and Restrictions (see below)
 - v. Details of all exterior masonry or concrete walls, including elevations, textures, color and materials.
 - vi. The words "Street," "Avenue," "Road," "Place," "Drive," "Court," or other designation of any street shall be spelled out in full on the plat and shall be subject to approval by the City Council.

3.2.10 Additional Visual Information

The City, at its discretion, may require applicants to provide other documents, studies and visual aids to assist it with comprehending the residual impact upon the City of proposed use or development. Said additional visual information may include, but is not limited to, 3D imaging of proposed projects, additional photographs, digital renderings and/or drawings to scale of buildings and structures from angles other than those submitted or from perspectives which include existing city scapes, buildings or natural features.

3.2. 11 Additional Drainage/Flood Plain Data

If the application relates to property located within or near a floodway, flood plain, flow zone, erosion boundary and or meander zone as those terms are defined by the Federal Emergency Management Agency (FEMA) or any other federal or state agency, the City, at its discretion, may require applicants to provide the City with detailed drainage, erosion control and flood protection plans as well as detailed elevations showing the height of proposed building pads or other structures above established waterways or periodic drainage areas/ravines.

CHAPTER 4: CITY GENERAL PLAN

4.1 PURPOSE

The Toquerville City General Plan is a general plan for the community—a general guide for making land use decisions. It describes the community’s physical development goals and where various land uses are desired. The General Plan is published as a separate document from the Land Management Code and may be obtained from the City Clerk.

4.2 CONSISTENCY POLICY

In accordance with Utah Code Annotated Section 10-9a-401 et seq. (2005), the City Council has adopted a policy that all land use decisions (e.g., zoning and the location of streets, parks, utilities and public buildings) must be in conformance with the General Plan. This is accomplished by rezoning parcels that are not consistent with the General Plan, or, if circumstances warrant, amending the General Plan.

4.3 AMENDMENTS

The current General Plan was adopted after careful study, significant public input, and several review hearings by both the Planning Commission and the City Council. The General Plan may be amended by the City Council by following the same procedure for the original adoption. Specifically, the steps are as follows:

4.3.1 Review Process

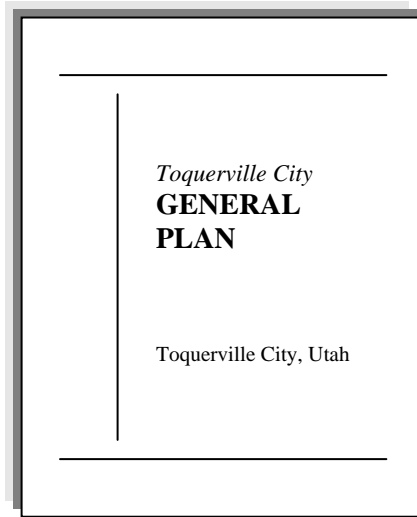
- a. APPLICATION
Application is submitted to the Planning Commission.
- b. PLANNING COMMISSION REVIEW
After appropriate public notice consistent with Section 1.8 of this Title, the Planning Commission shall hold a public hearing and they shall make a recommendation on the proposed amendment to the City Council.
- c. CITY COUNCIL REVIEW
After public notice consistent with Section 1.8 of the Title, the City Council shall hold a public hearing. The City Council may adopt, amend or reject the proposed amendment.

4.3.2 Standards for Review

No General Plan amendment shall be approved unless the Planning Commission finds that the amendment meets the following standards and conditions:

- a. meets a recognized and demonstrated need in the community;
- b. will not create an “island” or “peninsula” zoning district or otherwise constitute “spot zoning”;
- c. will not have a material adverse effect on established uses on contiguous properties;

- d. will not result in an over-intensive use of the land or excessive depletion of natural resources;
- e. will not have a material adverse effect on community capital improvement programs;
- f. will not require a level of community facilities and services greater than that which is available;
- g. will not result in undue traffic congestion and traffic hazards;
- h. will not cause significant air, odor, water, light, or noise pollution;
- i. will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Toquerville City.



4.3.3 City Initiated Amendment

Any amendment or revision of the General Plan initiated by the City shall contain all of the mandatory elements required by Utah Code Ann. § 10-9a-403 (2005).