

Mini-Subdivisions

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A. Applicability

The provisions of this title shall apply only to mini-subdivisions, which involves dividing a parcel of land into three (3) lots or less, including the parent property, in which the subdivided lots are on a paved, dedicated City street. All other provisions of the Nibley City subdivision code, shall apply to mini-subdivisions.

1. The subdivider shall first meet with the City Planner to determine if the proposal meets the definition of a “mini-subdivision.”
2. The subdivision is not traversed by the mapped lines of a proposed street as shown on the general plan and does not require the dedication of any land for streets (except for correcting property lines fronting City streets) or other public purposes.
3. Each lot in the mini-subdivision shall meet the frontage and area requirements of the zoning ordinance or has been granted a variance by the Administrative Appeals Hearing Officer.
4. No residential building permit will be issued unless each lot has frontage on a paved, City-owned street.
5. The parcel being divided has not had other lots separated from it within the past five (5) years. If another lot or lots have been separated within that time, it or they will be counted as part of the current request.

B. Submission Requirements

The subdivider shall submit three (3) 24”x36” copies of the proposed mini-subdivision final plat, as well as an electronic copy, and shall submit these two weeks prior to the Planning Commission meeting at which they desire to appear. Any applicable filing fees shall be paid at the time the subdivision is submitted. Copies of the proposed final plat shall be delivered to the City Engineer, Planning Commission and other applicable persons/agencies. The City Planner shall inform the developer of the date the project will appear before the Planning Commission.

In addition to filing fees, the subdivider shall be responsible for any and all engineering, publication or legal fees related to the project.

The final plat shall conform to the following standards and shall show the following:

1. The plat shall prepared by a licensed and registered land surveyor or engineer.
2. The property boundaries of the proposed subdivision, including any boundary line agreements;
3. The name and address of the owner of the property to be divided, and notarized proof of ownership or authority to act for the owner of the property to be divided.
4. The address and number of lots proposed and location of lots in relation to existing streets, curb, gutter and sidewalks.
 - a. Curb, gutter and sidewalk are required in all Nibley City subdivisions, unless specifically exempted by the Planning Commission.
5. The location of all utilities in relation to the individual lots and the owner's plan to extend them. Sewer and water hookups are required to conform to the Nibley City Design Standards & Specifications.
6. The location of any unusual topographic features which may limit the way a lot can be used, including, but not limited to, natural drainages, canals, rivers, and abrupt changes in elevation.
7. Ownership of properties adjacent to the proposed subdivision.
8. Once approved, the final plat shall be drawn to scale on a 24"x36" reproducible mylar and shall contain signature blocks for the following:
 - a. Property owner;
 - b. Notary public acknowledgment;
 - c. Planning Commission approval;
 - d. City Council approval;
 - e. Cache County Recorder approval;
 - f. Nibley City Attorney;
 - g. Nibley City Engineer;
 - h. Utility companies

C. Submission to Planning Commission

The subdivider shall present the mini-subdivision plat to the Planning Commission for approval. After reviewing the plat for compliance with all applicable City ordinances, the Planning Commission shall hold one (1) public hearing, at which it will receive comment regarding the proposal. After holding the public hearing, the Planning Commission will make a recommendation for approval, approval with conditions, or denial, to the City Council, and shall provide the subdivider and City Council with a list of reasons for their recommendation. Such action shall take place within thirty (30) days of the time the mini-application subdivision is received and all filing fees paid, unless for good cause, it can be determined that a longer time is necessary.

D. Submission to City Council

Upon receiving the recommendations from the Planning Commission, the subdivider shall submit the plat plan to the City Council for action. This submittal shall be at least two weeks prior to a regularly scheduled meeting of the City Council. The City Council may approve the plat, approve the plat with conditions, or disapprove the plat and require the subdivider to

comply with all of the non-mini-subdivision requirements of this chapter. No public hearing is required to be held by the City Council prior to their action on the mini-subdivision.

E. Recording the Plat

After approval by the City Council, the subdivider shall record the plat in the office of the Cache County Recorder.

No building permits will be issued prior to the plat being recorded.

F. Penalty

Violation of this section shall be subject to the same penalties as outlined in other provisions of the Nibley City subdivision ordinance.