



PLANNING & ZONING DEPARTMENT

SUBDIVISION & MAJOR PLAT AMENDMENT PROCESS

Description: Anyone proposing to divide (or redivide) a large parcel of land into smaller lots for individual sale or development must adhere to this subdivision process and meet the requirements of the Brian Head Town Land Management Code and Utah Code 10-9a-6. The subdivision process applies to the following:

- Parcels being subdivided for the first time which do one of the following -
 - Create more than 10 new lots
 - Require public infrastructure or utility development
- Amendments to an existing subdivision which do one of the following -
 - Create or consolidate more than 10 lots
 - Require public infrastructure or utility development

**Req'd Permits
& Approvals:**

- ☐ Preliminary Plat Recommendation (Planning Commission)
- ☐ Preliminary Plat Approval (Town Council)
- ☐ Final Plat Recommendation (Planning Commission)
- ☐ Final Plat Approval (Town Council)

Review Process: ☐ Pre-Application Conference (P&Z Dept)

Schematic Plan Review

- ☐ Completed Application Submitted
- ☐ Fees Submitted
- ☐ Planning & Zoning Dept Review
- ☐ Planning Commission Review

Preliminary Plat Review

- ☐ Completed Application Submitted
- ☐ Fees Submitted
- ☐ Notice Mailed (Plat Amendments only)
- ☐ Planning & Zoning Dept Review
- ☐ Public Hearing
- ☐ Planning Commission Review & Recommendation
- ☐ Town Council Review & Approval

Final Plat Review

- ☐ Completed Application Submitted
- ☐ Fees Submitted
- ☐ Planning & Zoning Dept Review
- ☐ Planning Commission Review & Recommendation
- ☐ Town Council Review & Approval

SUBDIVISION PROCESS (CONT.)

Recording & Subdivision Acceptance

- ☐ Security Agreement
- ☐ Sign Plat and Submit to County Recorder
- ☐ Warranty & Security Release
- ☐ As-Built Drawings Submitted
- ☐ Acceptance of Improvements

Standards for Review:

Schematic Plan Review

1. The proposed subdivision conforms to the town general plan, zoning regulations, public works standards, design standards (chapter 12 of this title) and other relevant sections of this title.
2. The proposed water source is connected to the town's water distribution system and has adequate supply, capacity and method of distribution within the subdivision.
3. The proposed sewage system is connected to the town's sewer system and meets state and town standards and regulations.
4. The proposed method for fire protection complies with this title, and other regulations as applicable.
5. The proposed uses for the property are appropriate to the zone district and the layout/design is responsive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts and preservation of views.
6. Adequate public services are available to meet the needs of the proposed subdivision, including roads, water, sewer, storm water, gas, electric, telecommunications, trails, transit, snow storage areas, mail, police and fire protection, schools and recreation. If adequate services do not exist at the time of application, provision must be made for expansion of services concurrent to the subdivision development at the expense of the subdivider.

Preliminary Plat Review

1. The proposal does not significantly deviate from the schematic plan insofar that the schematic plan was consistent with local ordinances and state statute.
2. The proposed water distribution system is connected to the town's water system and meets the requirements of the town.
3. Provision has been made for a public sewer collection system and is connected to the town's sewer system and meets town requirements.
4. Preliminary engineering plans provide evidence that public services (roads, trails, transit, storm water, snow storage, fire, police, gas, electricity, telecommunications, and recreation) meet the requirements of this title and applicable codes.

Final Plat Review

1. Comply with all conditions of the preliminary plat approval.
2. Include acceptable final engineering plans for the water distribution system, final agreements from the water provider, and provisions for perpetual maintenance for the water system.



SUBDIVISION PROCESS (CONT.)

3. Meet all planning, engineering and surveying requirements of the town for maps, data, surveys, analyses, studies, reports, plans, designs, documents, wetlands designations, and other supporting materials.
4. Provide evidence to show that there is no encumbrance, lien or conveyance restricting the intended use of the lot.
5. Provide evidence from the County Treasurer that all ad valorem taxes applicable to the property have been paid.
6. Include all dedications for streets, roadways, easements, trails and/or rights of way, as necessary.
7. Provide signature blocks on the plat signed by a representative of public utilities which identify their approval.





BRIAN HEAD TOWN

P.O. Box 190068, Brian Head, UT 84719
Phone (435) 677-2029 Fax (435) 677-3661

SCHEMATIC PLAN REVIEW APPLICATION

The schematic plan review is intended to be an abbreviated submittal, to allow the applicant and the review boards to determine the basic feasibility of the proposal before incurring the time and expense of the preliminary and final plats

Property Owner: _____ Telephone: _____

Property Location: _____

Property Owner Mailing Address: _____

Property Owner Email Address: _____

Subdivision Name: _____

Number of Lots / Units: _____

Current Zone: _____

Proposed Land Use _____

Engineer / Surveyor: _____ Phone: _____

Required Submittals:

- ☐ Fee: \$500 per application
- ☐ Title Report
- ☐ Existing Conditions Map
- ☐ Development Report
- ☐ Schematic Subdivision Plat

Signature of Property Owner

Date

By signing this application, you affirm that you are the owner of record of the subject property of this application and that you are responsible for ensuring the use of the property is consistent with the requirements of Title 9 of the Brian Head Town Code.



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PRELIMINARY PLAT APPLICATION

The preliminary plat review is intended to resolve most of the technical details of the subdivision design in order to minimize changes and revisions which might otherwise be necessary on the final plat.

Property Owner: _____ Telephone: _____

Property Location: _____

Property Owner Mailing Address: _____

Property Owner Email Address: _____

Subdivision Name: _____

Number of Lots / Units: _____

Current Zone: _____

Proposed Land Use _____

Engineer / Surveyor: _____ Phone: _____

Required Submittals:

- ☐ Fee: \$1000
- ☐ Preliminary Subdivision Plat
- ☐ Referral Packet (Plat Amendments only)
- ☐ Development Agreement
- ☐ Soils & Geology Report

Signature of Property Owner

Date

By signing this application, you affirm that you are the owner of record of the subject property of this application and that you are responsible for ensuring the use of the property is consistent with the requirements of Title 9 of the Brian Head Town Code.



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FINAL PLAT APPLICATION

The final plat review is required for formal approval of detailed engineering and legal requirements by the Planning Commission before a subdivision plat is recorded. The final plat and improvement plans shall conform in all respects to those regulations & requirements specified during the schematic plan and preliminary plat procedures.

Property Owner: _____ Telephone: _____

Property Location: _____

Property Owner Mailing Address: _____

Property Owner Email Address: _____

Subdivision Name: _____

Number of Lots / Units: _____

Current Zone: _____

Proposed Land Use _____

Engineer / Surveyor: _____ Phone: _____

Required Submittals:

- ☐ Fee: \$500
- ☐ Final Subdivision Plat
- ☐ Development Agreement
- ☐ Covenants, Conditions & Restrictions
- ☐ Security Agreement

Signature of Property Owner

Date

By signing this application, you affirm that you are the owner of record of the subject property of this application and that you are responsible for ensuring the use of the property is consistent with the requirements of Title 9 of the Brian Head Town Code.



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Security Agreement

Property Owner (Applicant): _____

Property Location: _____

Building/Grading Permit #: _____

Developer/Contractor: _____ Phone: _____ License # _____

Assurance Type (attach documentation):

- ☐ Irrevocable Letter of Credit
- ☐ Bond
- ☐ Cash

Assurance Provided For: ☐ Subdivision or Plat Recordation ☐ Landscaping
☐ Building Permit ☐ Public Rights of Way
☐ Other (specify): _____

Total Assurance Amount (must be approved by Planning & Zoning Dept): _____

Assurances – Total assurance amount equals 125% of improvement or rehabilitation costs:

Improvement Completion Amount:	_____	
Landscaping Completion Amount:	_____	
Site Restoration Amount:	_____	
Cleanup Amount:	_____	
Other Amount:	_____	(Attach Description)
25% Guarantee Amount:	_____	

READ CAREFULLY. THIS FORM CONSTITUTES A LEGALLY BINDING AGREEMENT BETWEEN YOU (“DEVELOPER”) AND BRIAN HEAD TOWN (“TOWN”).

1. This Agreement is between Brian Head Town and Developer. Developer agrees to complete certain improvements and to guarantee and provide a financial assurance regarding such improvements in the form of a bond, irrevocable letter of credit, and/or cash.
2. This Agreement is governed by and shall be performed in accordance with the Town Code and approved and adopted Town design and construction standards. To the extent of a conflict, the Town Code and Standards shall take precedence.

3. Developer hereby agrees to comply with Town codes, design standards, and other requirements regarding the completion, installation, and durability of all required improvements, landscaping, and site restoration and cleanup as part of the project approved by the above referenced building or grading permit. Developer agrees that the assurance provided herewith is a guarantee and warranty of Developer's compliance.
4. The improvements covered by this Agreement shall be defined and described by approved final plats, construction drawings, site plans, and/or landscaping plans associated with the above referenced building or grading permit as the Town deems appropriate. (Attach documentation if needed)
5. The amount of the assurance must be first approved by the Planning & Zoning Administrator. Developer must attach the form of the assurance (letter of credit or bond) to this Agreement. A letter of credit or bond must include the following provisions:
 - a. No person, including the Developer and the financial institution issuing the letter or bond, can withdraw, revoke, or cancel the instrument without Town's prior written approval.
 - b. The Town shall be entitled to draw upon all proceeds solely upon the Town's written request. The Town shall be entitled to use the proceeds to cover all costs associated with rectifying Developer's failure to install the improvements as required by this Agreement, including removal, replacement, repair, construction, and installation costs, site restoration costs, landscaping costs, cleanup costs, engineering costs, inspection costs, administrative costs, and legal costs.
6. For subdivisions/plat recordation, the Developer must post an assurance in the amount of 125% of the required public improvements and landscaping, of which 5% will be kept and held after the public improvements, landscaping, and site restoration have been accepted by the Town to guarantee those public improvements and landscaping improvements through a one year warranty period.
7. Partial releases may be permitted, according to Town Code and standards. In no event shall any assurance be released unless and until all associated improvements, landscaping, site restoration and cleanup are completed, inspected, and approved by the Town. Developer shall be responsible for timely requesting inspection of improvements and requesting partial or full release of any assurance.
8. In the event Developer fails to timely construct, install, and/or complete the required improvements, or the improvement as constructed and installed does not satisfy the Town's standards for design, materials, or workmanship, or the improvement fails, within the applicable improvement warranty or guarantee period, as a result of poor workmanship, materials, or the Developer's

noncompliance with Town standards, Town shall be entitled to foreclose upon the assurance without Developer's consent. Town shall be entitled to use all proceeds thereof to repair, construct, install, and otherwise correct the improvements, and to cover all costs associated landscaping and site restoration and cleanup, including administration, legal, and engineering costs. Developer shall fully indemnify and hold the Town harmless from any costs or damages incurred by the Town in correcting the improvements, regardless of the assurance amount.

9. All disputes regarding this Agreement and any assurances provided herewith shall be governed by the laws of the State of Utah. Any litigation shall be commenced in the Fifth Judicial District Court, Iron County. The prevailing party shall be entitled to reasonable attorney fees and litigation costs, including pre-litigation collection and enforcement efforts.

Developer:

Brian Head Town:

Signature

Signature

Name/Title

Name/Title

Date

Date



DESCRIPTIONS OF SUBMITTAL REQUIREMENTS

SCHEMATIC PLAN REVIEW

Application Form: Complete the form provided by Brian Head Town

Land Use Fee: \$500 per application

Title Report: A title report must be prepared by a title company or other entity bonded to ensure the accuracy of the title information. One submittal of a title report with the initial application and the title report must be dated no more than thirty (30) days prior to its submission to the town.

Existing Conditions Map: The applicant will provide a map which displays the applicant's name, property address, phone number as well as the preparer's company name, address, and phone number and a north arrow scale in addition to the following information –

- Site boundaries with dimensions
- Protection area boundaries (wetlands, spring/well protection, flood plains, etc.)
- Existing topography, with slopes over 10%, 25% and 40% identified
- Existing vegetation, trees or groupings of trees
- Existing roads and rights-of-way, including names, grades, and travel lane widths
- Existing utilities by type, including location and dimension of easement
- Existing emergency access, fire lanes and fire hydrants
- Footprint of existing structures with uses indicated
- Existing drainage system (natural or improved)

Development Report: The applicant will provide a narrative statement detailing the following:

- An explanation of the purpose of the proposed action and proposed land use, including building descriptions, variation in building setbacks, parking, height or other requirements that are being sought
- A development schedule indicating the approximate date of the development or stages of the development with expected completion dates
- Assessment of the availability and capacity of public infrastructure (utilities, roads, trails, etc.) to serve the proposed use
- Any special agreements, conveyances, restrictions or covenants, which will govern the use, maintenance and continue protection of the development and any of its common areas

Schematic Subdivision Plat: The applicant will provide a schematic plat map which displays the applicant's name, property address, phone number as well as the preparer's company name, address, and phone number and a north arrow scale in addition to the following information –

- Site boundaries with dimensions
- Protection area boundaries (wetlands, spring/well protection, flood plains, etc.)

- Existing roads and rights-of-way, including names, grades, and travel lane widths
- Simplified layout of proposed lots or units with approximate dimensions
- Approximate location and dimensions of proposed utility easements (with type indicated) and proposed roads or rights-of-way
- Indicate primary access and secondary emergency access and fire lanes



DESCRIPTIONS OF SUBMITTAL REQUIREMENTS

PRELIMINARY PLAT REVIEW

Application Form: Complete the form provided by Brian Head Town

Land Use Fee: \$1,000 per application

Preliminary Subdivision Plat: The applicant will provide a schematic plat map which displays the applicant's name, property address, phone number as well as the preparer's company name, address, and phone number and a north arrow scale in addition to the following information –

- Site boundaries with dimensions
- Protection area boundaries (wetlands, spring/well protection, flood plains, etc.)
- Existing and proposed topography, with slopes over 10%, 25% and 40% identified
- Existing and proposed roads and rights-of-way, including names, grades, and travel lane widths
- Existing and proposed utilities by type, including location and dimension of easement
- Proposed cut/fill
- Proposed draining system including location and dimensions of easements
- Proposed emergency access, fire lanes, and hydrants
- Typical cross-sections of roads, curbs, gutters and sidewalks
- Layout of lots with lot sizes, setbacks, buildable areas, and lot numbers shown with phases identified
- Preliminary construction plans and elevations with general dimensions
- Designation of snow storage areas
- Waterway or floodplain setbacks

Development Agreement: A document signed by the applicant prior to approval of final plat or building permit that memorializes the obligations, commitments, and representations made by the proponent in review meetings, as well any conditions of approval. All minutes of public review sessions shall be incorporated into the development agreement by reference.

Soils & Geology Report: A report of subsurface investigation based upon adequate test borings, excavations and geologic evaluations prepared by a geological/engineering firm specializing in soil mechanics and registered by the state. Excavations and/or borings shall be located on the proposed infrastructure development area. The investigation shall include visual appraisal of adjacent lots for surface geologic/topographic conditions which could threaten the proposed building site. Soil/geologic report shall also recommend corrective action or building design specifications intended to prevent potential dangers found in the investigation and 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).

Referral Packet: The applicant will provide each of the following –

- A map identifying the owners (including condominium owners) of abutting properties located partly or entirely within three hundred feet (300') of any boundary of the property subject to the application
 - Iron County GIS is a useful resource for creating this map (go to <https://www.ironcounty.net/government/departments/information-technology/gis> and click on “Parcel Locator”)
- Mailing labels addressed to each of the property owners identified
 - Mailing labels will be prepared using current mailing addresses available at the County Recorder's office
 - By clicking on parcels on the Parcel Locator, you can get the parcel ID numbers to provide to the County Recorder (note: it will also show a name and address of the owner on the Parcel Locator, but sometimes the information there is not up to date, so be sure to supply the parcel ID#s to the County Recorder to get the correct mailing label information)
 - Recorder's Office Contact: (435) 477-8350 or ironcounty.net



DESCRIPTIONS OF SUBMITTAL REQUIREMENTS

FINAL PLAT REVIEW

Application Form: Complete the form provided by Brian Head Town

Land Use Fee: \$1000 per application

Final Subdivision Plat: The applicant will provide a schematic plat map which displays the applicant's name, property address, phone number as well as the preparer's company name, address, and phone number and a north arrow scale in addition to the following information

- Site boundaries with dimensions
- Protection area boundaries (wetlands, spring/well protection, flood plains, etc.)
- Proposed topography, with slopes over 10%, 25% and 40% identified
- Proposed roads and rights-of-way, including names, grades, and travel lane widths
- Proposed utilities by type, including location and dimension of easement
- Proposed cut/fill
- Proposed draining system including location and dimensions of easements
- Proposed emergency access, fire lanes, and hydrants
- Typical cross-sections of roads, curbs, gutters and sidewalks
- Layout of lots with lot sizes, setbacks, buildable areas, and lot numbers shown with phases identified
- Final construction plans and elevations with general dimensions
- Designation of snow storage areas
- Final plat data to include:
 - 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
 - Design data, assumptions, and computation in accordance with sound engineering practice, along with a plan, section and profile sheets for all public improvements
 - Details of exterior masonry or concrete walls, to demonstrate compliance with design standards, including elevations, and material samples showing textures and color
 - The words "Street", "Avenue", "Road", "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 land use authority
- Waterway or floodplain setbacks

Title Report: A title report must be prepared by a title company or other entity bonded to ensure the accuracy of the title information. One submittal of a title report with the initial application and the title report must be dated no more than thirty (30) days prior to its submission to the town.

Development Agreement: A document signed by the applicant prior to approval of final plat or building permit that memorializes the obligations, commitments, and representations made by the proponent in review meetings, as well any conditions of approval. All minutes of public review sessions shall be incorporated into the development agreement by reference.

Covenants, Conditions & Restrictions: Covenants, conditions and restrictions (CC&Rs) shall be required for all subdivisions where common elements are shared by two (2) or more owners of the subdivision. CC&Rs shall include by reference the landscaping requirements outlined in this title and the minimum design guidelines and standards as adopted by the Town Council by ordinance in addition to other conditions or restrictions as determined by the Subdivider.

Security Agreement: Complete the form provided by Brian Head Town. Town staff will specify the amount of required security, which may vary depending the complexity and scope of the project.