



**SUBDIVISION ORDINANCE
SAN JUAN COUNTY, UTAH
AMENDED APRIL 2016**

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ARTICLE I. GENERAL PROVISIONS

Section 1. Title

An ordinance establishing the rules and standards for the regulation of the subdivision of land in the unincorporated area of San Juan County, Utah and setting of the procedures to be followed by the Board of County Commissioners, county staff, the San Juan County Planning Commission and other elected officials in San Juan County, Utah.

Short Title. This Ordinance shall be known and referred to as the “Subdivision Ordinance of San Juan County, Utah” was adopted September 13, 1993, and amended July 1995, October 2002, August 2005 and July, 2015.

Section 2. Purpose

The purpose of this ordinance is to:

- A. Provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the County and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to protect and ensure access to other alternative energy sources, to provide fundamental fairness in land use regulation, and to protect the rights of bona fide property owners and the values of their property.
- B. Promote the efficient and orderly growth of San Juan County;
- C. Establish adequate and accurate records of land subdivision; and
- D. Provide for adequate, safe, and efficient public utilities and improvements, and to provide for other general community facilities and land for public places.

Section 3. Jurisdiction

- A. As provided by state law, this Subdivision Ordinance shall apply to all land in the unincorporated portion of San Juan County, Utah except for lands that are owned or under the legal jurisdiction of the United States, State of Utah, or the Navajo or Ute Nations.
- B. The County is enabled by state law to control all of the land within the unincorporated portion of San Juan County by virtue of the County Land Use Development Act (LUDMA) Section 17-27a-101, et seq. UCA (1953, as amended) excepting those lands exempted in Part A of this Section.

Section 4. Prohibited Acts and Penalties

- A. An owner of any land located in a subdivision who transfers or sells any land in a subdivision before a plat of the subdivision has been approved and recorded violates this ordinance for each lot or parcel transferred or sold.
- B. The description by metes and bounds in an instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from being a violation of Subsection A or from the penalties or remedies provided in this ordinance.
- C. Notwithstanding any other provision of this ordinance, the recording of an instrument of transfer or other document used in the process of selling or transferring real property that violates this section:
 - 1. does not affect the validity of the instrument or other document; and
 - 2. does not affect whether the property that is the subject of the instrument or other document complies with applicable county ordinances on land use and development.
- D. The county may bring an action against an owner to require the property to conform to the provisions of this ordinance.
 - 1. An action under this subsection may include injunction, abatement, merger of title, or any other appropriate action or proceeding to prevent, enjoin, or abate the violation.
 - 2. The county need only establish the violation to obtain the injunction.
 - 3. The county may assess civil penalties for violation of any of the provisions of this ordinance.
 - 4. Violation of any of the provisions of this ordinance is punishable as a class C misdemeanor upon conviction either:
 - a. as a class C misdemeanor; or
 - b. by imposing an appropriate civil penalty not to exceed \$1,000.00, pursuant to state law.

Section 5. Amendments

Amendments to this ordinance may be requested by any person or agent of any person by filing a written request with the Subdivision Administrator of San Juan County. The written request for

an amendment to the Subdivision Ordinance shall include a “Statement of Request to Amend” and payment of such fees that may be established.

Amendments to this ordinance may also be initiated by San Juan County Planning Commission or the Board of County Commissioners by resolution.

No amendments to this ordinance shall be considered or adopted by the Board of County Commissioners until the amendment(s) have been reviewed by the Planning Commission for recommendation and a public hearing has been held. The Board of County Commissioners shall convene a public hearing for the purpose of amending this ordinance only after:

- A. Copies of the “Request to Amend the Subdivision Ordinance” or a copy of the Board of County Commissioner’s Resolution initiating the amendment process have been made available to the public by placing the copies in the office of the County Clerk for a period of not less than twenty (20) calendar days prior to the Public Hearing; and
- B. A “Notice of Public Hearing to Consider an Amendment to the Subdivision Ordinance” has been published in a county newspaper of general circulation at least ten (10) calendar days prior the date of the Public Hearing.

Amendments to this ordinance shall become effective twenty (20) calendar days after approval and adoption by the Board of County Commissioners.

Section 6. Severability

If any section, subsection, sentence, clause or phrase of this ordinance is held to be invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date

This ordinance shall be in effect twenty (20) calendar days from the date of adoption by the Board of County Commissioners, pursuant to legal provisions and procedures required by state law.

Section 8. Definitions

For the purpose of this ordinance, the following definitions shall apply:

Affected Entity – a county, municipality, local district, special service district created under state law, school district, interlocal cooperation entity established under state law, specified property owner, property owners association, public utility, or the Department of Transportation.

Agricultural – the tilling of the soil, raising of crops, horticulture, including the grazing and pasturing of domestic animals, but not including any agricultural business such as fruit packing plants, fur farms, animal hospitals or similar uses.

Agricultural Land - land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including: forages and sod crops, grains and feed crops, livestock, trees and fruits, or vegetables, nursery, floral, and ornamental stock; or land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.

Agricultural Zone District – those areas designated in the Zoning Ordinance of San Juan County, Utah as A-1 and where the primary permitted land use is agriculture.

Angle – the rotation required to superimpose either of two lines on the other.

Appeal Authority - the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance

Arc – a segment of a (surveyed) curve.

Bearing – the angular direction of a line on a survey.

Block – a segment of a platted subdivision usually containing one or more lots.

Board of County Commissioners – The Board of San Juan County Commissioners

Certification – the confirmation of an official document or a copy thereof by an authorized official.

Collateral – funds or some other valuable pledged as security against a promise to repay or perform certain actions.

Configuration – the shape of a boundary or perimeter line, the shape of a lot, block or subdivision.

County – San Juan County, Utah.

Culinary – water intended for human consumption, usually required to meet certain health standards.

Dedication – the conveyance of land or an easement thereon through a final plat or other instrument to a public agency or to one or more persons for a specific purpose.

Delineate – to draw or trace the outline of.

Divided land - land that is described as the land to be divided in a notice as required by this ordinance and has been divided by a minor subdivision.

Dwelling unit – a structure or portion thereof designed to provide permanent living accommodations for an individual or family.

Easement – a right, such as a right of way, afforded a person to make limited use of another's real property.

Escrow deposit – the placement of cash in a special account held by a bank or other financial institution to be released upon completion of specific tasks such as construction of a road.

First lien and restriction of sale – a form of collateral wherein the County places a lien on one or more lots in a subdivision and prohibits the sale of those lots until specified public improvements have been satisfactorily completed.

Floodplain – land that is within the 100-year flood plain designated by the Federal Emergency Management Agency or has not been studied or designated by the Federal Emergency Management Agency but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because the land has characteristics that are similar to those of a 100-year flood plain designated by the Federal Emergency Management Agency.

Floodplain data – information that defines the boundary of a floodplain, either mapped or given in elevations.

High density subdivision – When a subdivision has ten (10) or more lots within a concentrated area.

Impact fees – fees that may be required to provide required infrastructure improvements and/or services.

Land to be divided - land that is proposed to be divided by a platted or minor subdivision.

Land use application - an application required by a county's land use ordinance.

Land use authority - a person, board, commission, agency, or other body designated by the local legislative body to act upon a land use application.

Letter of credit – a document issued by a bank or other financial institution which guarantees a subdivider or developer a specific amount of credit and which can be called by the County for failure to perform specified improvements.

Lot – a parcel or unit of ground described by metes and bounds or as a numbered lot or parcel in a recorded subdivision and held or intended to be held in a separate lease or ownership.

Lot corner – a lot abutting two (2) or more streets at their intersection or upon two (2) parts of the same street when such streets or parts of the same street form an interior angle of less than one hundred thirty five (135) degrees.

Lot depth – the horizontal distance between the front and rear lot lines.

Lot frontage – that part of a front lot line that abuts a street.

Lot line adjustment - the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record pursuant to state law.

Lot width – the horizontal distance between the side yard lines.

Minor subdivision - a division of land into no more than ten (10) lots; or a division of land that is compliant with state law as follows: (a) the parent parcel shall be at least 100 contiguous acres of agricultural land; (b) one new lot, of at least one acre in size and after division is separate from the remainder of the original 100 or more contiguous acres of agricultural land, may be created; and (c) may not be within 1,000 feet of another minor subdivision created through this subsection.

Minor subdivision lot - a lot created by a minor subdivision.

Mylar – (1) a thin polyester material that when drawn upon can be reproduced on a blue or black line print. (2) the official copy of a subdivision plat.

Official – any elected official or their designated deputy of San Juan County or the appointed Administrative Assistant, Building Inspector, Surveyor, Subdivision Administrator, or Zoning Administrator of San Juan County.

Owner of record – the individual named on a deed that has been recorded at the San Juan County Recorder’s Office.

Parcel of record – any lot, tract, parcel or other piece of land that was recorded at the San Juan County Recorder’s Office.

Performance bond – a form of collateral, issued by a bonding company which guarantees a specified amount of money to be paid in the event of failure to perform by a subdivider, or other person.

Perimeter boundary – a line around any piece of property such as a lot, block or subdivision which encloses and separates that piece from adjacent pieces.

Person – any individual or agent of an individual, a family entity, a corporation, a public entity or any other organization or association that has the legal right to own, lease, or use property.

Planning Commission, San Juan County – is a seven (7) member board appointed by the Board of San Juan County Commissioners. The Planning Commission serves the community by hearing and making a variety of decisions on San Juan County planning and zoning issues that impact the County and its residents. For the purposes of this ordinance, the Planning Commission may be the land use authority.

Plat – a map or other graphical representation of lands being laid out and prepared in accordance with state law and this Ordinance which serves as an instrument for approval by the Board of County Commissioners of San Juan County, Utah.

Plat, final – the official signed plat which is recorded with the County Recorder.

Plat, preliminary – the map or maps of a proposed subdivision, and specified supporting materials prepared in sufficient detail to permit the evaluation of the subdivision prior to final engineering design and survey.

Public hearing - a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public meeting - a meeting that is required to be open to the public under the Open and Public Meetings Act of the State of Utah.

Radii – (plural of radius), a line segment between the center of a circle and any point on its circumference.

Recorder – the County Recorder of San Juan County, Utah.

Right-of-way – a legal right of passage over another person's ground.

Road – See Street, public.

Road, County – a road or highway designated as a County road and maintained by San Juan County.

Road, private - a road or driveway on privately-owned property, limited to the use of the owner or a group of owners who share the use and maintain the road without assistance from the County. A private road has not been given to or accepted by the County for public use and maintenance.

Seal – the official seal of a licensed professional Land Surveyor.

Section line – the line delineating the boundary of a section of land in the United States Geological Survey.

Sewer system, private – a system for treatment and disposal of household sewage that is owned by an individual or several individuals and designed to serve the owners property only e.g., septic tank and leach field systems.

Sewer system, public – an approved sanitary sewer system containing transmission lines and treatment facilities owned and operated by a public entity such as a municipality or special district.

Sight distance triangle – the area at the intersection of two streets or roads or where a driveway enters a street or road, which is intended to allow a clear line of sight of oncoming vehicles.

Stock proof fence – a fence designed to contain or prevent cattle, horses, sheep or other domestic animals from entering or leaving the fenced area.

Street, public - a public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way.

Subdivide – any division of an existing parcel of land in accordance with this Ordinance.

Subdivider – any person or agent of a person who causes land to be subdivided.

Subdivision – in this Ordinance, the division, re-subdivision, or proposal to divide any land into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, development, either on the installment plan or upon any and all other plans, terms or conditions. Subdivision does not include:

- (1) a bona fide division or partition of agricultural land for agricultural purposes;
- (2) a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 - (a) no new lot is created; and
 - (b) the adjustment does not violate applicable land use ordinances;
- (3) a recorded document, executed by the owner of record:
 - (a) revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or
 - (b) joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances;
- (4) a bona fide division or partition of land for the purpose of siting on one or more of the resulting separate parcels:
 - (a) an electrical transmission line or a substation;
 - (b) a natural gas pipeline or a regulation station; or
 - (c) an unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility;
 - (d) a data gathering tower or turbine for the generation of electricity.
- (5) a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if:
 - (a) no new dwelling lot or housing unit will result from the adjustment; and
 - (b) the adjustment will not violate any applicable land use ordinance; or
- (6) a bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels.
- (7) the joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection as to the unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision ordinance.

Subdivision, phase(s) - carrying out a subdivision in gradual stages. Subdivision phase(s) may not be one lot and must be contiguous to other parts of the subdivision.

Subdivision Administrator – the official or employee of San Juan County appointed by the Board of County Commissioners to administer this Ordinance. For the purposes of this ordinance, the Subdivision Administrator may be the land use authority.

Subdivision Improvement Agreement – a contract between a subdivider or developer and the County which specifies the required public improvements to be constructed in or in support of a subdivision including the estimated costs and the method of guarantee the collateral, to insure the improvements are constructed.

Storm water detention – the holding of storm water on a particular site through the use of swales or structures that are designed to release the water at a specified rate.

Survey monument – an object placed or built to identify a survey reference point, usually a section corner on the land.

Topographical contours – horizontal lines on a map indicating an elevation above a specified point, usually sea level, and containing intermittent lines in intervals usually of two (2) feet, five (5) feet or other specified distances.

Unit costs – the cost of a specified segment or part of an improvement usually expressed as a cost per linear foot.

Unincorporated – the area outside of the incorporated area of a municipality.

Vacate – 1) to abandon or relinquish a right to use a specific piece of land such as a road, right of way, or easement, or 2) to void a subdivision or portion thereof and return it to unplatted status.

Velocity (water) – the rate of flow at a specific point usually stated in cubic feet per seconds (cfs) or gallons per minute (gpm).

Vicinity map – a small scale map shown as an insert on a larger map that indicates the location of a subdivision or other pieces of land in relation to a much larger geographic area.

Water system, private – a source of water and the transmission lines owned by one or more persons to serve only their property, i.e.: an individual domestic well.

Water system, public – a source of water, including transmission lines and treatment facilities owned by a public entity such as a municipality or special district to provide water to their residents.

Zoning map - a map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

ARTICLE II. PLATTING REQUIREMENTS

Section 1. General Procedures

- A. Any person that wishes to subdivide land in San Juan County should first meet with the Subdivision Administrator. The Subdivision Administrator will explain the County's requirements for subdividing, the procedure that must be followed, and the application fees required to process a subdivision plat and the minimum time that the process requires. To assist with this process, the Subdivision Administrator shall provide the potential subdivider with a procedure checklist and a copy of this Ordinance.
- B. Obtaining approval to create a subdivision in San Juan County is a two step process requiring approval of a preliminary plat and a final plat:
 - 1. the preliminary plat shall be submitted and processed in accordance with provisions of Article II, Section 2 of this ordinance; and
 - 2. the final plat shall be submitted and processed in accordance with the provisions of Article II, Section 3 of this ordinance.

Section 2. Preliminary Plat

- A. Intent. A preliminary plat is the first official document submitted when owner(s) of property wish to subdivide their property. The preliminary plat shall include all the property the owner(s) intend to subdivide. Approval of the preliminary plat does not constitute approval of the subdivision. Only approval of the final plat constitutes official approval by the County.
- B. Preliminary Plat Requirements. An application for preliminary plat approval shall include an original of the following:
 - 1. an "Application for Subdivision Approval" with all requested information complete and required signatures obtained;
 - 2. a letter of intent signed by the applicant subdivider which explains the purpose of the application and includes all requests and justifications for variances, exceptions or waivers of submittal requirements;
 - 3. proof of ownership of the property to be subdivided. A subdivider shall include an Affidavit of Ownership signed and notarized by all owners of the property, or if the property is owned by a corporation, an authorized officer shall sign the Affidavit. If the applicant is different from the property owners, documentation of the applicant's authority to act for the owner shall be included;

4. payment of the processing fee for a preliminary plat approval shall be included. Such fees will be those approved by the Board of County Commissioners in a county Fee Schedule which may be revised from time to time;
5. a preliminary plat map with six (6) copies which shall be on a 24"x 36" sheet or a legible quality print of a matte mylar drawn in black ink or a black line positive mylar of the same and shall contain the following information:
 - a. project name, distinct from any subdivision on a plat recorded in the county recorder's office, type of proposal (preliminary plat), legal description of the total land area referenced to township, range, section; county and state, date of the drawing, scale 1 :100 or larger, and north arrow;
 - b. vicinity map with north arrow (scale of 1"=2000' preferred) with an emphasis on the major roadway network and any existing subdivisions within one (1) mile of the proposal;
 - c. boundary lines of the proposed subdivision drawn in a heavy solid line;
 - d. existing and/or proposed zoning district boundary lines;
 - e. existing topographical contours with intervals of five (5) feet or less within the tract and at least one hundred feet (100') immediately adjacent thereto. In the absence of available five foot contour data, the contour intervals must be deemed acceptable by the San Juan County Surveyor.
 - f. all parcels of land to be dedicated for public use or reserved for the use of all property owners in the proposed subdivision together with the purpose and conditions of such reservations. This shall include the names, locations and widths of proposed right-of-way of streets and alleys, together with total lineal footage of streets and alleys.
 - g. location, width and purpose of all existing and/or proposed public and/or private easements including existing and/or proposed sanitary sewers, utility main lines, culverts, storm sewers and storm water detention areas located within the tract and at least one hundred feet (100') immediately adjacent thereto.
 - h. dimensions of proposed lots and blocks calculated to the nearest foot.
 - i. drainage channels, wooded areas and other significant natural features within the tract and at least one hundred feet (100') immediately adjacent thereto.

- j. location, widths and names of all existing and/or platted rights-of-way for streets or other public ways within the tract and at least one hundred feet (100') immediately adjacent thereto, railroad right-of-way, section lines and/or other such features.
 - k. the boundary and source of reference of any one-hundred year floodplain shall be shown on the preliminary plat. In the absence of reliable floodplain data, any areas of the plat that are known to be subject to flooding shall be delineated and noted on the plat map.
 - l. perimeter fence line, if required, delineated and a description of the type and height of the fence.
 - m. site development details:
 - 1) total land area in acres;
 - 2) existing zoning of the property; and
 - 3) total number of proposed dwelling units.
6. names and addresses of the owner(s), subdivider and surveyor;
7. a letter describing the water and sanitary sewer facilities proposed for the subdivision;
- a. if either the water or sanitary sewer facilities are to be part of an approved public system, the application shall also include confirmation from the entity providing the sewer and water services, that such services are, or will be available to the subdivision;
 - b. if either the water or sanitary sewer facilities are to be individual wells and septic systems for each lot, the letter will include a statement that the wells and septic systems will be installed in conformance with the rules and regulations of the Utah Division of Environmental Health; and
 - c. if either the water or sewer facilities are to be private systems designed to serve multiple lots, the letter shall include a statement that such systems shall be installed in conformance with the rules and regulations of the Utah Division of Environmental Health.
8. estimated construction costs for roads and related facilities for the water supply and distribution systems, for sanitary sewer collection and treatment systems, storm drainage facilities and other such public facilities that may be required. The subdivider shall also state the form of collateral that will be provided to insure that such improvements will be completed. The forms of collateral that are

acceptable to the County are listed in Section 4.1. Subdivision Improvements Agreement.

9. in the event the proposed subdivision is within one and one-half (1.5) miles of a municipality or within the boundary of a County Service Area, Special Service District, or municipal expansion area, the applicant shall provide written comments from the affected entity.
10. other documents and information as may be deemed necessary by the Subdivision Administrator.
11. a copy of all restrictive covenants proposed for the subdivision.
12. a copy of a title insurance policy covering the property to be included in the proposed subdivision. The title insurance policy must be dated within thirty (30) days of the application submitted.

C. Conformance with Zoning Ordinance

No application for a Preliminary Plat shall be accepted by the Subdivision Administrator if the proposed development is not in compliance with the Zoning Ordinance.

Section 3. Final Plat

- A. Intent. The Final Plat is the last stage in the subdivision approval process. At this stage the subdivider is responsible for delineation and dedication of all public rights-of-way and easements, dedication of other public lands, if required, and final lot and block configuration. In addition, all public improvements associated with the subdivision are identified and quantified, and the subdivider is required to enter into a Subdivision Improvements Agreement with the County which guarantees that the appropriate improvement costs are borne by the subdivider.
1. No request for Final Plat approval shall be considered by the Board of County Commissioners until the Preliminary Plat has been approved by the Planning Commission and all conditions of approval set forth in the Resolution approving the Preliminary Plat have been satisfied. The Final Plat approval process shall not be used to amend or revise the approved Preliminary Plat or the conditions of approval of the Preliminary Plat. Any revisions or amendments to the Preliminary Plat, or to the conditions, must be approved by the Planning Commission by an amendment to the Preliminary Plat prior to the Board of County Commissioners hearing of the Final Plat.

B. Final Plat Requirements

1. The Final Plat shall conform in all respects to the approved Preliminary Plat and with all amendments to the Preliminary Plat. An application for Final Plat approval shall include the following:
 - a. an "Application for Subdivision Approval" with all requested information completed and required signatures;
 - b. a certification from the County Treasurer's Office that all taxes on the property are paid;
 - c. title certificate or an abstract of title covering all public lands required to be dedicated, except County Roads and easements.
 - d. a Final Plat map which shall be a print of 24" x 36" matte mylar drawn in black ink or a black line positive mylar of the same, which shall contain the following information:
 - 1) name of the subdivision, name of the county (San Juan) and state (Utah), and the location and legal description of the subdivision referenced to section, township and range;
 - 2) north arrow, scale,(1:100 or larger) dates of original drawing, and subsequent revisions and sheet number;
 - 3) an indication that all subdivision corners have been surveyed. The monuments representing the corners shown on the plat shall be in place and easily identifiable on the ground at the time the subdivision was approved by the County;
 - 4) owners and mortgagee's Certificate of Dedication of public rights-of- way and easements;
 - 5) The surveyor's Certificate of Survey, his or her seal, and the date of survey;
 - 6) boundary of the subdivision or subdivision phase in a heavy solid line with a small circle at each change in direction;
 - 7) Board of County Commissioner's approval signature lines, certificate of the Board of County Commissioner's acceptance of public right-of-way and easements and public land dedications, and the County Clerk's signature line.

- 8) the location and description of all section corners and permanent survey monuments in or near the subdivision giving the basis of bearing and the distance and course to two or more survey monuments (GLO, BLM, City, townsite);
- 9) the length of subdivision perimeter boundary lines in feet and decimals thereof and the value of all required bearings and angles dimensioned in degrees, minutes and seconds for the perimeter boundary. Boundary lengths, bearings and angles must close within the limits of one (1) in two thousand (2000);
- 10) the ownership of lands abutting the subdivisions, or the name of any adjacent subdivision;
- 11) the delineation, dimensions and names of all proposed public roads and access easements to public rights-of-way and adjacent roads and rights-of-way;
- 12) the dimensions of all proposed lots indicated in feet and decimal and the value of all required bearings and angles dimensioned in degrees, minutes and seconds, and the acreage for each lot, shown within the lot lines and staked on the ground;
- 13) the blocks numbered consecutively throughout the subdivision, and the lots numbered consecutively throughout each block, with the areas to be excluded from the plat marked "Reserved" or "Not a Part";
- 14) the outline and notification of any property which is offered for dedication to public use fully dimensioned by lengths and bearings or angles with the area marked "public";
- 15) the identification, location and dimensions of all easements for public services or utilities;
- 16) the radii, arcs, point of tangency and central angles for curvilinear streets and radii of all property returns;
- 17) the identification and designation of the boundaries of any 100 year floodplain and the source of the designation;
- 18) a note disclosing that there are restrictive covenants on the property and an acknowledgment that the County has no responsibility for enforcing the covenants; and

- 19) other plat notes as may be required by the Board of County Commissioners.
- e. two (2) sets of preliminary construction plans for the proposed public improvements prepared in accordance with the requirements contained in Section 5 Design Standards.
- f. in the event the proposed subdivision is within one and one-half (1.5) miles of a municipality or within the boundary of a County Service Area or Special Service District, or municipal expansion area, the applicant shall provide written comments from the affected entity.
- g. a copy of all restrictive covenants on the property which shall be recorded with the County Recorder with the final plat. The covenants shall indicate that the County has no responsibility for enforcing the covenants, but will be the responsibility of the subdivider or subsequent lot purchasers to enforce these covenants.

C. Process

1. The Subdivision Administrator shall review the application for Final Plat approval to determine whether it is consistent with the approved Preliminary Plat and with the requirements of this ordinance.
2. If the Subdivision Administrator determines that the Final Plat application is not in compliance with the approved Preliminary Plat, or with the requirements of this ordinance, the Subdivision Administrator will provide the subdivider a list of the deficiencies and other information to assist in the correction of the application.
3. Upon a determination that the application for Final Plat is complete and consistent with the approved Preliminary Plat and the requirements of this ordinance, the Subdivision Administrator shall schedule the Final Plat to be presented to the Board of County Commissioners for acceptance.

The sub-divider must be familiar with the minimum county road standards as outlined in Appendix “B” of the County Subdivision Ordinance.

- a. If the intent of the subdivider is to build roads within the subdivision that will be accepted and maintained by the County after dedication, such roads must be built consistent with the County Road Standards. To ensure that this happens, the subdivider must meet with a representative of the San Juan County Road Department.
- b. Before proceeding on any road work, placement of any underground utilities, and/or acquisition of any road materials, the subdivider must provide the County Road Department with a copy of the

Preliminary Plat and set up an on site meeting with the County Road Department representative to review all aspects of the roads within the subdivision. If the subdivider intends that the roads within the subdivision shall be private roads and thus not required to be constructed to county standards, the subdivider may be required to obtain the approval of the County Road Department for all subdivision access roads that originate off of County roads and other safety factors such as placement of signs and other items.

- 1) The subdivider may be required, at his/her own expense to provide testing for road materials, compaction testing, and other testing procedures will be used to assure compliance with minimum standards. The subdivider will develop a schedule of work to be accomplished with an inspection schedule.
- c. If the subdivider proceeds with any of the work outlined herein without the approval and/or inspection of the County Road Department representative, the County will not accept these roads onto the County system nor be responsible for any type of maintenance duty. This would include but not be limited to the placement of any type of water, sewer, septic, telephone, cable television, fire hydrant, etc. lines that will be within the right-of-way of any public roads. If such lines are intended to be placed within the right-of-way of any public roads, substantial compliance will be required and the subdivider will required to either provide adequate certification of such compaction or compensate the County for inspecting such for compliance.
- d. After all requirements have been met and inspections completed a letter will be sent to the subdivider stating the acceptance of the roads by San Juan County. (never been done)

D. Actions Required Prior to Recording the Final Plat

1. The surveyor making the plat shall certify that the surveyor:
 - a. holds a license in accordance with the state's Professional Engineers and Land Surveyors Licensing Act;
 - b. has completed a survey of the property described on the plat in accordance with state law and has verified all measurements;
 - c. has resolved any and all boundary issues with adjoining properties to said subdivision; and
 - c. has placed monuments as represented on the plat.

2. No plat shall be recorded until it has been:
 - a. approved by the Board of County Commissioners of San Juan County, Utah;
 - b. a signature mylar has been prepared with all revisions, signed by the land owner(s), and the surveyor with signatures notarized, surveyors seal and registration number, signature of the chairman of the Board of County Commissioners and attested by the County Clerk;
 - c. an approved Subdivision Improvements Agreement has been executed and filed with the County Clerk; and
 - d. the Final Plat mylar has been approved as to form and signed by all necessary parties such as the San Juan County Planning Commission representative, the County Health Department representative, the County Attorney's Office, etc.

Section 4. Subdivision Improvement Agreements

- A. Intent. In order to insure that the required County roads and, if specified, other public facilities including drainage and water and sanitary sewer facilities are constructed in accordance with the County Road Standards, acceptable drainage facility standards and the standards of the agency providing public and water and sanitary sewer service and, to insure that the cost of the required public improvements are borne by the subdivider and not the public, the subdivider will be required to enter into a Subdivision Improvement Agreement with the County. The Agreement shall be found acceptable to the County and signed by the applicant prior to the approval of the Final Plat by the Board of County Commissioners. No final plat shall be approved by the Board of County Commissioners until an approved Subdivision Improvement Agreement has been executed.
- B. Form and Content. The Subdivision Improvement Agreement shall be structured as proscribed by the Board of County Commissioners. The Subdivision Improvement Agreement shall, at a minimum, describe the public improvements to be provided by the subdivider and include unit and total costs, the form of collateral to be provided for the public improvements, and the basis for forfeiture of the collateral and assumption of responsibility by the County.
- C. Collateral Required to Guarantee Improvements
 1. The Board of County Commissioners shall require that sufficient collateral be provided by the subdivider to cover the cost of the public improvements required by the Subdivision Improvement Agreement and insure the completion of such improvements within the time period specified. The amount of collateral shall be 125% of the estimated cost of the County Roads as prepared by the County Road Department. If requested by the agency responsible for the provision of public

water and/or sanitary sewer service, the Board of County Commissioners shall also require collateral for water and sanitary sewer improvements. Collateral may also be required for drainage facilities and other improvements. The collateral shall be in the form of an Escrow Deposit, Performance Bond, Irrevocable Letter of Credit, or in special circumstances, a First Lien and Restriction on Sale of the property to be subdivided. The First Lien and Restriction on Sale of the property shall only be used when the appraised market value of the property is equal to, or greater than, the estimated cost of the public improvements. The Board of County Commissioners may accept one, or a combination, of the types of collateral listed above.

2. As improvements are completed, the subdivider may apply to the Board of County Commissioners for release of all or part of the collateral. Upon certification by the County Road Department that the County Road improvements have been completed and are in conformance with County Standards, the Board of County Commissioners shall authorize the release of part or all of the collateral, except that the Board may retain 10% of the collateral for a specified period of time in order to insure that the improvements have been properly constructed.
3. In the event that the water and sewer facilities have been included in the Subdivision Improvement Agreement and collateralized, the Board of County Commissioners shall authorize the release of the water and sewer collateral upon notification by the providing entity that the improvements have been completed.

Section 5. Design Standards

- A. General Provisions. All subdivisions must comply with the following standards:
 1. Insofar as possible, the natural terrain, existing topography and natural vegetation shall be preserved.
 2. Where the property to be subdivided is subject to natural or man-made hazards such as flooding, rock and mud slides, open quarries or abandoned mines, or where there exists shallow water table conditions or polluted water sources, such hazards or conditions shall be identified and the subdivider shall provide stamped engineered documentation as to how the hazards or conditions have been eliminated, or will be eliminated, through the design and construction of the subdivision.
- B. Lots. All lots within the subdivision shall conform to the following standards:
 1. Lots shall meet the width, depth, frontage and lot size requirements for the zoning district in which the subdivision is located, as specified in the Zoning Ordinance of San Juan County, Utah as outlined in Appendix A of this ordinance;

2. All lots shall abut a dedicated street or county road, or a street or road that has become public by right of use, or a private street for which there is a (recorded) maintenance agreement; and-
3. No single lot shall be transected by a municipal or county boundary line or by a special service area or special service district boundary, a public road or street, or a private road or street which can legally be used by property owners other than the owner of the lot.

C. Public Streets.

All streets or other right-of-way designated for public vehicular use and County maintenance shall be designed and constructed in accordance with the adopted Road Standards of San Juan County, Utah, including adequate and required street or highway signs, cattle guards and other necessary items, which are incorporated into this Ordinance as Appendix B. Maps and plats, when properly made, acknowledged, filed, and recorded according to the procedures specified, operate as a dedication of all streets and other public places and vest the fee of those parcels of land in the county for the public for the uses named or intended in those maps or plats. However, mere dedication of streets does not trigger the County's duty to maintain such roads until they have been constructed or improved to the above mentioned County Road Standards.

1. If, due to the size of a development, a turn lane is required to access a public street or streets to be used in the development, the County shall require the subdivider to obtain and produce for County review a letter from UDOT stating such.

D. Private Roads.

San Juan County does not intend to dictate a specific standard of construction to a subdivider for a private road except that the standard must allow reliable vehicular access for emergency, delivery of goods and services, and the installation and service of utilities. Again, as previously stated above, a dedication of a private road does not trigger the County's duty to maintain such a road until it has been constructed or improved to the County Road Standards.

E. Sidewalks and Pedestrian Walkways.

When, in the opinion of the County Road Department the projected traffic volumes within the subdivision are such that the separation of vehicular and pedestrian access is necessary for the safety of the public, the County Commissioners may require designed sidewalks or pedestrian rights-of-way.

F. Sanitary Sewage.

1. Except as otherwise provided below, each lot in the subdivision shall be served with an approved piped sanitary sewer system.
2. Individual septic tank systems, or other private sewage systems, shall only be permitted when the nearest point of the subdivision boundary is more than 1,320 feet from an existing approved sanitary sewer system. Septic systems shall be in conformance with the requirements established by the State Division of Environmental Health and the San Juan County Health Department.

G. Water Supply.

1. Except as otherwise provided below, each lot in the subdivision shall be served with an approved public water system.
2. Individual or common wells or other private water systems shall only be permitted when the subdivision boundary is more than 1,320 feet from the nearest approved public water system. All private water systems shall be in compliance with the requirements of the Utah Division of Environmental Health.

H. Storm Drainage.

1. If, prior to the submission of the Preliminary Plat and after consulting with the county engineer of record or other qualified person, the Subdivision Administrator determines that the subdivider needs to provide a drainage system design which covers the entire subdivision it shall be required to be completed by the subdivider prior to submission of the Preliminary Plat. The design shall accommodate runoff from the entire subdivision and the historical runoff from areas adjacent to and "upstream" of the subdivision. The design shall insure that runoff from the developed subdivision shall not exceed the historical volumes and velocities discharged onto adjacent property.
2. The drainage system plans submitted with the Preliminary Plat shall include:
 - a. all proposed surface drainage structures; and
 - b. all appropriate design details, dimensions, construction materials and elevations.
3. At the time of the Final Plat, the subdivider shall include Final Drainage Design for the phase of the subdivision included in the Final Plat. The Final Drainage Design shall show how the drainage is consistent with the overall Drainage System Design.

- I. Perimeter Fencing. In all zoned districts, the subdivider shall be responsible for the construction of a stock proof perimeter fence around the entire subdivision. The height,

fence type, and materials shall be as approved by the Board of County Commissioners after receiving a recommendation from staff and/or the Planning Commission.

1. A subdivider may request and the Planning Commission may approve an exemption from the fencing requirement only if one of the following criteria are met:
 - a. the proposed subdivision is completely surrounded by developed land;
 - b. the proposed subdivision is within the future annexation area of a nearby municipality and within 100 feet of a municipal boundary; or
 - c. the proposed subdivision abuts property already enclosed with a stock-proof fence.
2. If the subdivider obtains an exemption from the fencing requirement, this exemption must be reflected on the plat so as to place others on notice of the exemption.
3. If the subdivider fails to obtain an exemption to the fencing requirement, a stock proof fencing proposal shall be submitted with the final plat and the Planning Commission may then make a recommendation to the Board of County Commissioners for final approval.

J. Fire Protection.

1. Except as otherwise provided, the County will not provide any additional fire protection for approved subdivisions other than from those current departments established at different locations within the County.
2. When, in the opinion of the Board of County Commissioners and other County emergency response personnel, the size of the subdivision and the number of lots proposed along with other factors, determines that the health, safety, and general welfare of the residents of the subdivision may require that the subdivider provide substantial improvements to provide fire protection for the subdivision. Such improvements may include, but not be limited to; fire hydrants, water storage for fire protection, other water systems, participation in the acquisition of firefighting equipment and facilities to house such equipment.
3. If such fire protection improvements are required, these shall be made at the expense of the subdivider and shall meet all fire protection standards as provided in the National Fire Code, Uniform Building Code, and other standards that are applicable to such. All systems shall be tested and accepted by the County prior to final approval of the subdivision of the County. In the event that such improvements are not completed or furnished by the subdivider prior to final approval of the subdivision, the subdivider shall provide to the County a form of collateral for the improvements as outlined in Section 4, Subdivision Improvements Agreement.

K. Utilities.

All utilities that are planned to be provided in a subdivision shall be presented to the County prior to any construction or placement of utilities. All utilities and utility corridors shall be shown on the final plat. The subdivider shall provide the County with letters of completion and certification from building inspectors, utility companies or other assurances that all utilities were placed within the easements shown on the final plat and meet proper codes prior to the sale of any lots.

L. Easements and Rights-of-Way.

The final plat shall show all legally recorded rights of way and/or easements that are recorded in the Office of the San Juan County Recorder. The County may require that the subdivider receive written approval from the owners of such rights of way and/or easements that any developments within the rights of way and/or easements meet all public health and safety requirements.

M. Impact Fees. The County may at any time in the future authorize impact fees.

Section 6. Resubdivisions

Substantial changes to a recorded Final Plat shall be considered a new subdivision and shall comply with all the regulations, laws and policies applicable to a new subdivision, and shall be processed in accordance with the provisions of Article II, Section 3 of this ordinance, except where such changes and revisions are determined of a minor nature and eligible to be considered under the administrative resubdivision procedure, the requirements of which are contained in Article II, Section 7 of this Ordinance.

Section 7. Administrative Resubdivisions

A. Intent. An Administrative Resubdivision may only be used for changes and revisions that have been determined by the Subdivision Administrator to be minor engineering, planning or administrative changes or revisions. An Administrative Resubdivision shall be approved by the Subdivision Administrator if :

1. the land has already been subdivided and there exists an approved and recorded final plat;
2. no additional right-of-way dedications or public improvements are necessary;
3. no perimeter boundary of an existing subdivision plat is affected;
4. the perimeter of boundaries of the administrative plat coincide with the existing lots and blocks; and
5. the number of lots shall not be substantially increased and all lots shall be in conformance with the County Zoning Ordinance in affect at the time the Administrative Subdivision is approved.

- B. Procedure. Requests for Administrative Resubdivisions shall include an Application for Subdivision Approval and supporting documentation as specified in the Subdivision Approval Submittal Requirements.

Section 8. Amendments and Vacations

- A. Authority. The Board of County Commissioners, acting as the land use authority, is authorized to amend or vacate any subdivision plat by signing an amended plat or passing an ordinance describing the subdivision or the portion being vacated, if the proposal does not violate other land use ordinances contained herein, there is good cause for approval, and no public street, right-of-way, or easement has been vacated or amended.
- B. Procedure for Amendment or Vacation. The Board of San Juan County Commissioners may consider a proposal for an amendment or vacation after:
 - 1. A written petition to amend or vacate has been submitted to the Subdivision Administrator. Such a petition shall include:
 - a. the names and addresses of all owners of record of the land contained in the entire plat; and
 - b. the signature of each of the owners who consents to the petition.
 - 2. After submission, the petition must be reviewed by the Planning Commission who shall hold a public hearing within forty-five (45) days after the day on which the petition is filed. Prior to the public hearing, all owners of property within the plat proposed to be amended or vacated and any utilities must be notified. If satisfied the proposal does not violate the county's land use ordinances, there is good cause for approval, and no public street, right-of-way, or easement has been vacated or amended, the Planning Commission shall forward a favorable recommendation to the Board of County Commissioners.
 - a. A hearing is not required if all property owners consent to the amendment or vacation of the plat.
- C. Recording. Upon approval of an amendment or vacation by the Board of County Commissioners via the signing of the amended or vacated plat or by ordinance, the Board of County Commissioners shall ensure that that the amended plat showing the vacation or amendment is recorded in the office of the County Recorder.

Section 9. Exemptions, Waivers, Variances and Appeals

- A. Exemptions from Platting Requirements.
 - 1. This ordinance does not provide any exemptions from the platting requirements except as provided below in Subsection 2.

2. A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements if the lot or parcel:
 - a. qualifies as land in agricultural use as defined in this ordinance; and
 - b. is not used and will not be used for any nonagricultural purpose; and
 - c. the new owner of record completes, signs, and records with the county recorder a notice:
 - (i) describing the parcel by legal description; and
 - (ii) stating that the lot or parcel is created for agricultural purposes as defined by state law and will remain so until a future zoning change permits other uses.
 - d. If a lot or parcel exempted under Subsection 2.a. is used for a nonagricultural purpose, the county shall require the lot or parcel to comply with the platting requirements of this ordinance and all applicable land use ordinance requirements.
 - e. A document recorded in the County Recorder's office that divides property by a metes and bounds description does not create an approved subdivision allowed by this ordinance.

B. Waivers.

1. The Board of County Commissioners may waive certain submittal requirements for an application for Subdivision Approval or for all or a portion of the required processing fees. All waiver requests must be submitted to the Subdivision Administrator with a letter which explains the reasons for the waiver. The letter can be presented prior to the submittal of the Preliminary Plat or Final Plat application or as part of the plat submittal.
2. Waivers of submittal requirements may be granted upon recommendation of the Subdivision Administrator, and a finding by the Commissioners that the particular requirements are not necessary for consideration of the subdivision on approval.
3. A waiver of part or all the required processing fees (as found in the County Schedule of Fees) for a subdivision application may be granted by the Board of County Commissioners only on finding that the particular application is such that the review time of county officials will be significantly less than the typical subdivision application.

C. Variances.

1. A variance from specific requirements of this ordinance may **only** (emphasis

added) be granted by the Subdivision Administrator acting as the land use authority or the Planning Commission acting as the appeal authority upon finding that:

- a. literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;
 - b. there are special circumstances attached to the property that do not generally apply to other properties in the same zone;
 - c. granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;
 - d. the variance will not substantially affect the general plan and will not be contrary to the public interest; and
 - e. the spirit of the land use ordinance is observed and substantial justice done.
2. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the land use authority or appeal authority may not find an unreasonable hardship unless the alleged hardship:
- a. is located on or associated with the property for which the variance is sought; and
 - b. comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
3. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection (2)(a), land use authority or appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
4. In determining whether or not there are special circumstances attached to the property, land use authority or appeal authority may find that special circumstances exist only if the special circumstances:
- a. relate to the hardship complained of; and
 - b. deprive the property of privileges granted to other properties in the same zone.
5. Pursuant to state law, variances run with the land.
6. Procedure for variances:
- a. An application for a variance from one or more of the requirements of this ordinance shall be made to the Subdivision Administrator in the form of a letter. The letter shall include the basis for the variance request and the nature of the hardship that would result if the variance is not approved.

- b. The Subdivision Administrator shall evaluate the application using the criteria of Subsection (1) above and shall approve or deny the request.
 - c. If the Subdivision Administrator determines that the variance shall be denied, the applicant may appeal the decision to the Planning Commission acting as the appeal authority who shall uphold or overturn the Subdivision Administrator's decision.
 - i. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.
 - ii. The appeal authority may not grant a use variance.
 - iii. In granting a variance, the appeal authority may impose additional requirements on the applicant that will:
 - (A) mitigate any harmful affects of the variance; or
 - (B) serve the purpose of the standard or requirement that is waived or modified.
 - d. The Preliminary or Final Plat application which includes or is the subject of a variance request shall not be scheduled for consideration by the Board of County Commissioners until all variance requests have been either approved or denied by the Subdivision Administrator and/or the Planning Commission.
- D. Appeals. In the event that any person disagrees with the Subdivision Administrator's interpretation of the language of this ordinance or his /her decision(s) made when acting as the land use authority, they may appeal the interpretation or decision(s) to the Planning Commission acting as the appeal authority.

**APPENDIX “A” COUNTY
ZONING ORDINANCE
REGULATIONS
CHAPTER 11**

<u>WIDTH REGULATIONS</u>	MU-1	A-1	RR-1
The minimum width in feet for any lot in the districts regulated by this chapter, except as modified by planned unit developments or cluster subdivisions, shall be:	660	330	100

<u>FRONTAGE REGULATIONS</u>			
The minimum frontage in feet for any lot in the districts regulated by this chapter on a public street or a private street approved by the governing board shall be:	25	25	25

<u>FRONT YARD REGULATIONS</u>			
The minimum depth in feet for the front yard for main buildings shall be:			
On established street right-of-ways, or an equivalent depth as determined by the Planning Commission where there is no established right-of-way. Accessory buildings may have the same minimum front yard depth as main buildings, if they have the same side yard as required for main building, otherwise they shall be set back at least six (6) feet in the rear of the main buildings.	25	25	25
	A	A	A

<u>REAR YARD REGULATIONS</u>			
The minimum side yard in feet for the rear yard in the districts regulated by this chapter shall be:			
For main buildings	25	25	25
For accessory buildings	5	5	5

<u>SIDE YARD REGULATIONS</u>			
The minimum side yard in feet for any dwelling Other main or accessory buildings in districts Regulated by this chapter shall be:	5	5	5

HEIGHT REGULATIONS

The maximum height for all buildings and structures in districts regulated by this chapter shall be:

In feet	35	35	35
In number of stories	2.5	2.5	2.5

APPENDIX “B” COUNTY

PUBLIC STREET DESIGN STANDARDS

1. STREET TYPES

- A. Residential Streets – Streets which primary function is to provide access to individual lots within the subdivision. This would include all streets except the ones designated as Collector Streets.
- B. Collector Streets – The main streets in the subdivision. This would usually be the street that enters or exits the subdivision which serves as a collector of all the residential streets.

2. STREET WIDTHS

- A. Unless deemed otherwise by the San Juan County Road Department, residential streets shall have a minimum right of way of fifty feet (50’). The minimum surface width for gravel shall be twenty-six feet (26’). The minimum surface width for pavement shall be twenty-four feet (24’).
 - 1. Gravel streets in Spanish Valley are not permitted and must be paved.
- B. Collector streets shall have a minimum right of way of sixty feet (60’). The minimum width for gravel shall be thirty-two feet (32’). The minimum surface width for pavement shall be thirty feet (30’).

3. STREET DESIGN STANDARDS

- A. Before any street is accepted by San Juan County for maintenance, the street must be constructed to the width requirement. A minimum of nine inch (9”) compacted depth of base material must be placed on the street. Of this base material, the surface must consist of a minimum of three inches (3”) of one inch (1”) or three-quarter inch (¾”) crushed gravel. This material must be accepted by the San Juan County Road Department and if deemed necessary, testing of the material and compaction may be required by the engineer. If such testing is required, this shall be done at the expense of the subdivider.
- B. Asphalt Surfaces – If the street is constructed to an asphalt surface, the surface depth must be a minimum of three inches (3”) to be accepted for maintenance by San Juan County. Asphalt and compaction must be accepted by the San Juan County Road Department and, if deemed necessary, testing of the material and compaction may be required by the engineer. If such testing is required, this shall be done at the expense of the subdivider.

- i. All newly constructed subdivision roads in Spanish Valley shall have an asphalt surface.
- C. Unless deemed otherwise by the San Juan County Road Department, the minimum grade for all streets shall be one-half percent (0.5%). The maximum grade allowed for residential streets is eight percent (8%) and for collector streets is six percent (6%). Where the observance of this requirement is unfeasible, an exception may be granted. Streets should be leveled, when possible, to a grade of less than four percent (4%) for a distance of at least fifty feet (50') approaching all intersections.
- D. Whenever possible, streets shall intersect at right angles. When streets meet at acute angles, a reasonable radius will be required.
- E. Dead end streets will have a turn-around (cul-de-sac) with a minimum radius of fifty feet (50'). Dead end streets should not exceed five hundred feet (500') in length if possible.
- F. No more than four (4) streets shall enter an intersection.
- G. Vertical curves shall be used at all changes of grade exceeding one percent (1%). Horizontal curves shall be required if street lines deflect more than five degrees (5°). The minimum centerline radius for residential streets shall be one hundred fifty feet (150'). Collector streets shall be three hundred feet (300').
- H. Curb and gutter – The minimum widths of streets which have curb and gutter shall be forty feet (40') on residential streets and fifty feet (50') for collector streets. All measurements are from the back of the curb to the back of the curb.
- I. Cattle guards – Any cattle guards required or installed, shall be in compliance with the County Cattle guard policy and shall be of a width and construction approved by the San Juan County Road Department.
- J. Signs – The sub divider shall provide and install any required signs on roads or streets as required by the Manual of Uniform Traffic Control Devices and by the San Juan County Road Department.
- K. Gates – No gates, whether locked or unlocked, shall be allowed on any roads or streets accepted by the County.
- L. Public Streets – All roads or streets accepted by the County are considered public roads and access by the public cannot be limited by the subdivider or future owners of any of the lots within the subdivision.
- M. Drainage/Curb and Gutter - In the absence of curb and gutter, the sub-divider shall provide a street drainage plan detailing potential impacts to county roads and

streets. The sub-divider shall be required to provide and install culverts or other drainage structures as required by the county.

- N. New Streets - When a subdivision is considered to be high density. San Juan County may require the sub-divider to pave the road with a minimum of a two lift armor coat consisting of one lift using a three-quarter inch ($\frac{3}{4}$ ") dirty gravel chip and the second lift using a one-half inch ($\frac{1}{2}$ ") clean gravel chip; or as determined by the County a compacted asphalt mat consisting of a minimum two inch (2") depth when fully compacted may be required.
- O. Existing Streets - San Juan County may consider on a case by case basis the upgrading of officially accepted roads that meet San Juan County standards in high density subdivisions with at least ten (10) or more lots, or when conditions in the subdivision may cause safety or health related issues.

4. EASEMENTS

- A. Easements for utilities such as poles, wires, conduits, gas lines, water lines, etc. shall be located at the rear of all lots whenever possible. The width shall be a minimum of fifteen feet (15'), which can be divided between adjoining lots.
- B. If front line easements are required, a minimum of fifteen feet (15') shall be allocated. All easements shall be designed so as to provide efficient installation of utilities.
- C. If front line easements are required and are within the right-of-way of any road or street - sufficient and proper compaction of any underground lines shall be required. Testing of compaction shall be at the expense of the subdivider.
- D. All utilities shall be provided in compliance with all of the required building codes covering such installation.