



Minor Subdivision Application

(Title 10 Chapter 3 – Cassia County Code)

Proposed Name of Minor Subdivision: _____

Total Area (Acres) _____ Number of Lots _____

Name of Existing Public Roadway: _____

Applicant/Owner Information:

Applicant/Authorized Agent
(Attach additional pages if necessary)

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Contact Phone # _____

Email: _____

Property Owner of Record
(Attach additional pages if necessary)

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Contact Phone # _____

Email: _____

Property Information:

Location of Property (physical address): _____

Parcel Number(s) _____

Legal Description of Property: (Attach if Necessary) _____

Current Zoning of Property: _____

Existing Use of Property: _____

REQUIRED SUBMITTALS:

☐ 1. **Minor Subdivision Application and non-refundable fee.**

☐ 2. **Preliminary Plat (three (3) copies)**

[The plat shall be drawn to a scale clear enough to show detail, as determined by the county and shall be on paper no smaller than eighteen inches by twenty four inches (18" x 24")]

- a. Proposed Name of Subdivision
- b. Location
- c. Legal Description
- d. Personal Information of subdivider (Names & Addresses of Subdivider), and the owners of the land immediately adjoining the land to be subdivided
- e. Boundary Lines of the tract to be subdivided, including total acreage proposed for the subdivision
- f. Dimensions of Features: The location, widths and other dimensions of all existing or platted streets and other important features including easements, railroad lines, watercourses (including irrigation canals and ditches), exceptional topography, bridges and buildings within or immediately adjacent to the tract to be subdivided
- g. Power Lines & Storm Drains: Existing power lines, sanitary sewer, storm drains, water supply mains, and culverts within the tract and immediately adjacent thereto
- h. Flood Hazard Boundaries according to the federal flood insurance administration maps
- i. Location and Dimensions of Streets: The locations, widths, and other dimensions of proposed public streets, private streets, alleys, utility easements, parks, other open spaces and lots, with proper labeling of spaces dedicated to the public, or designated as private streets laid out so they will connect with existing streets without causing bottlenecks
- j. North Point: North point, scale, and date
- k. Lots: The proposed layout, dimensions, size and number of each lot.
- l. Construction and Fencing

☐ 3. **County Weed Plan:** A plan developed in conjunction with the Cassia County Weed Department setting forth suitable methods, managements and practices for controlling weeds on and involved with the proposed development herein. Weeds shall be defined by state of Idaho noxious weed statutes, laws and regulations.

☐ 4. **Natural Features Analysis.**

- a. Hydrology
- b. Soils
- c. Topography
- d. Vegetation
- e. Sensitive Plant and Wildlife Species
- f. Historic Resources
- g. Hazardous Areas
- h. Impact on Natural Features

(Natural Features Analysis Continued)

- i. Map Features
 - j. Other Supplemental Data: including but not limited to
 - i. Approximate location of any areas of fill
 - ii. The elevations of all corner points on the boundaries of the proposed plat
- ☐ 5. **Ground Water Quantity Information:** Adequate information must be provided to ensure that new or existing wells will provide sufficient water for the subdivision, without negatively affecting nearby property owners. The following are required:
- a. Subdivisions served by a well on each lot: Documentation by an Idaho licensed professional engineer (PE) or geologist (PG) that the aquifer proposed for water supply has sufficient production capability to provide drinking water to all of the lots in the proposed subdivision, and that a location is available within each lot for installation of a well without conflicting with proposed sewage systems.
 - b. Subdivisions served by a new water system composed of one or more shared wells: Documentation by an Idaho licensed PE or PG that the sources proposed for water supply have sufficient production capability to provide drinking water to the lots in the proposed subdivision.
 - c. Subdivisions served by a new public drinking water system: DEQ written approval of an engineering report prepared by an Idaho licensed PE or PG demonstrating that an adequate water supply is available to meet the estimated demand for water from the lots in the proposed subdivision.
 - d. Subdivisions served by connection to an existing public water system: A letter from the owner of the system indicating it has sufficient reserve production capacity to supply water to the lots in the proposed subdivision.
 - e. At a minimum, available well logs within one-half (1/2) mile of the boundary of the site must be provided as part of the above submittals. For residential uses, one thousand five hundred (1,500) gallons per day, with a minimum flow of five (5) gallons per minute for four (4) hours, per residence, will be considered adequate if no more than one-half (1/2) acre of property will be irrigated. For low flow wells, storage may be provided to meet this requirement. If conformance with these requirements is questionable, the applicant shall secure an option for a secondary water source that does meet the requirements. If necessary to demonstrate compliance, the Commission may require additional information, such as historic and current static water levels in the area (2 copies).
- ☐ 6. **Districts & Utility Companies Comment:** Sub-divider submits copies of the preliminary plat to the applicable service providers for review and **comment**. Sub-divider shall provide to the planning and zoning department **proof** that these submittals were made to the applicable entities indicated herein:
- ☐ Highway District and/or Idaho Department of Transportation
 - ☐ School District
 - ☐ Fire District
 - ☐ Fuel Company
 - ☐ Electric Company

- ☐ South Central Public Health District
- ☐ Irrigation District and/or Canal Company
- ☐ Culinary Districts
- ☐ Sewer District

☐ **7. List of Property Owners within three hundred feet (300') of the site.**

Upon departmental review of the application, preliminary plat, and accompanying documentation for completeness, and after all required agency letters are received, the Zoning Administrator will schedule the matter for a thirty (30) day public comment period. Applicant will be notified of the public comment period information and shall provide public notice for the comment period in accordance with 10-3-7 C 4 of County Code. Attached to this application is a copy of County Code Title 10, Subdivision Ordinance, for the applicant's review and reference.

Until all items listed herein are submitted to the satisfaction of the Zoning Administrator, any application made with the zoning department is deemed only to be lodged, but not to be filed.

Applications shall be considered and determined based upon the regulations existing as of the date of filing of the application, unless otherwise provided for by action of the Board of County Commissioners.

Applicant/Owner Certification:

I HEREBY CERTIFY that all information submitted for this application is true and accurate, is prepared to the best of my ability and knowledge, and request that this application be processed for consideration as a minor subdivision. Additionally, I hereby authorize agents of the county to enter upon this subject property for purposes of review concerning the pending application and for determining compliance with applicable county regulations.

Signature of Property Owner

Date

Printed Name: _____

For County Office Use Only

Date Application Lodged: _____	By: _____
Fee Received: _____	Check # _____
(Fee: \$500.00)	Cash _____ Credit _____
Application # _____	

Title 10 Chapter 3 of Cassia County Code

10-3-7: **MINOR SUBDIVISION:** The minor subdivision process may be used to create up to and including four

(4) lots, when no shared infrastructure or improvements, other than a water system and/or a common driveway that does not require engineering, must be constructed to meet the requirements of the county or other agencies, and when the property has not been divided to create a total of more than eight (8) lots since the County's adoption of a subdivision ordinance on April 29, 1978. This is an administrative process that does not require a public hearing, and is specifically exempted from requiring a conditional use permit. It does however require compliance with applicable provisions of title 9, Cassia County Code.

A. A. Application Requirements: The subdivision application and plat contain the information that the county needs to make a decision on a subdivision proposal. To gain approval, adequate information must be provided to demonstrate that the project can meet the requirements of the county and of other agencies.

For a minor subdivision, the applicant is required to submit one complete application packet to the county. An application shall be governed by the rules and policies in effect on the day a complete application is submitted to the Zoning and Building Department.

The items that constitute a complete application for a minor subdivision are listed in subsections 10-2-1, 10-3-1, 10-3-2, and 10-3-3 of this chapter, except items "N" and "P" of 10-3-3.

B. A Minor Subdivision shall also meet the following criteria:

1. Comply with all minimum standards and requirements of the Cassia County Zoning Ordinance, and no zone change is required.
2. All lots must adjoin an existing public right-of-way. Dedication of additional right-of-way width for present or future improvements may be required as a condition of approval.
3. All lots must have a minimum frontage along the existing public right-of-way of no less than seventy-five feet (75').

C. Approval Process And Requirements:

1. Any violations of county ordinances shall be corrected prior to application.
2. Subdivision Design: The applicant and their design consultant lay out the subdivision, and the project surveyor then draws the plat.
3. Application: The applicant submits a complete application packet for the county and submits copies of the preliminary plat and any applicable utility or other load information to the applicable highway district, school district, fire district, fuel company, electric power company, South Central Public Health District, and culinary water district for review and comment. Incomplete applications will not be processed.

4. **Comment Period:** After all required agency letters are received or the agency provides a writing that it has no concerns with the proposed development, the Zoning and Building Department will review the application and schedule it for a thirty (30) day public comment period. In the event an agency does not provide any type of written comment within 20 days of notification of the application, the Zoning and Building Department will proceed with the comment period. The Zoning and Building Department publishes a notice of the comment period in the newspaper, said expense to be paid by applicant. The Department will also mail notice of the comment period to property owners within three hundred feet (300') of the site (including any contiguous lots or parcels under the same ownership). Notices to neighbors must be mailed on or before the first day of the comment period. Information submitted prior to the close of the comment period will become a part of the record on the application.
5. **Order Of Decision And Required Findings:** After the close of the comment period, the Zoning Administrator reviews the relevant evidence in the record and issues an order of decision. The order shall cite the applicable legal standards; state the evidence and conclusions on which the decision was based; explain any relevant contested facts and the evaluation of these facts; and if the decision is a denial, the actions, if any, the applicant could take to gain approval. The applicant bears the burden of demonstrating compliance with requirements. To approve a minor subdivision, the Zoning Administrator must make the following findings:
 - a. The applicant provided adequate information to determine compliance with requirements.
 - b. The plat meets the requirements of this title and Idaho Code title 50, chapter 13.
 - c. The project and the lots meet the requirements of this title.
 - d. The plat, the project and the lots are in compliance with other county ordinances without variances (e.g., zoning, road naming, area of city impact and flood ordinances).
 - e. The plat, the project and the lots meet the requirements of other agencies.
 - f. The design and proposed uses are compatible with existing homes, businesses and neighborhoods, and with the natural characteristics of the area. The subdivision creates lots of reasonable utility and livability, capable of being built upon without imposing an unreasonable burden on future owners. Areas not suited for development are designated as open space.
 - g. Negative environmental, social and economic impacts have been, or will be, mitigated. Driveway construction and disturbance of the terrain, vegetation and drainageways will be minimized and will not result in soil erosion. The design adequately addressed site constraints or hazards.
 - h. Services and facilities for subdivision residents are available and adequate; if necessary and authorized by law, payments have been made to mitigate the

impacts of the subdivision, so that it does not compromise the quality or increase the cost of services. Mitigation actions must be commensurate with the impacts of the subdivision.

- i. The sanitary restrictions will be lifted prior to recordation.
 - j. If any land, shared infrastructure, or improvements will be privately maintained, documents establishing the maintenance organization have been approved by the Zoning Administrator, and are ready to be recorded with the plat.
 - k. Any required easements or other documents are ready to be recorded with the plat.
 - l. Public notice and the processing of this application met the requirements set forth in this title and Idaho Code.
 - m. Unless otherwise approved by the applicant, the Zoning Administrator shall make a decision within forty (40) working days after the close of the comment period. If the proposal meets these requirements, it shall be approved. If it does not meet these requirements, or if insufficient information was provided to determine compliance, it may be denied. Conditions may be attached to the approval, and the county will check for compliance with these conditions before the plat is recorded. The Zoning Administrator's decision may be appealed in accordance with the process outlined in section 10-9-2 of this title.
6. Recordation: Within one hundred twenty (120) days of approval, the applicant must meet any conditions and submit the final plat, which shall comply with provisions of Title 50, Chapter 13, Idaho Code and any associated documents in a form ready to record. The applicant obtains all signatures on the plat and documents, except county commissioner and county treasurer signatures. All signatures and stamps must be in reproducible, quick drying, permanent, indelible, black ink. A current title report, or similar document verifying ownership, must also be submitted with the plat. The Zoning and Building Department will schedule the plat for consideration by the Board of Commissioners on its agenda, after the Board signature is obtained, applicant obtains the county treasurer's signature and records the plat and other documents. If the plat is not submitted within one hundred twenty (120) days, and an extension is not granted by the Zoning Administrator, approval is null and void and a new application must be submitted. An extension of time for recordation may be granted by the Zoning Administrator for cause. As part of a subsequent application, updated agency letters may be required, if conditions or approvals may have changed.
 7. Lot Sales: If a portion of the property that is the subject of a subdivision request is divided prior to recordation of the plat, the application becomes null and void, and a new application must be filed by the owners. If the property is not divided, and is sold in its entirety, a new application is not required and the new owner or owners may proceed through the subdivision process with the existing application.