

# TITLE 11 SUBDIVISION REGULATIONS

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F E N N A L

# **11 SUBDIVISION REGULATIONS**

## **11.02 GENERAL PROVISIONS**

### **11.02.02 SHORT TITLE**

These Subdivision Regulations shall be known and cited as the TOWN OF HIDEOUT SUBDIVISION REGULATIONS, hereinafter referred to as the "Subdivision Ordinance".

### **11.02.04 STATEMENT OF PURPOSE**

The purposes of this title shall be to:

1. Protect and promote the health, safety, convenience, and general welfare of the present and future inhabitants of the Town of Hideout;
2. Establish reasonable standards of design and procedures for Subdivisions and plat amendments in order to further the orderly layout and use of land; and to insure proper legal descriptions and recordation of subdivided land.
3. Establish the rights, duties, and responsibilities of Applicants and Developers with respect to land Subdivision;
4. Secure the provision of necessary infrastructure and services in an efficient and economical manner for existing and future residents;
5. Guide the future growth and development of the Town of Hideout, in accordance with the Hideout General Plan.
6. Prevent the pollution or degradation of air, water, and soil, assure the adequacy of drainage facilities, minimize site disturbance and removal of native vegetation, and reduce the hazards to life and Property from fire, flood, erosion, sedimentation and soil slippage.
7. Provide for Open Space and Public Space through efficient design and layout of the land using Open Space requirements and flexible development options established in Sections 10.08.28 and 10.08.30 of Title 10.
8. Encourage the wise use and management of natural resources in order to preserve the integrity, stability and aesthetics of the community.

### **11.02.06 AUTHORITY**

1. By authority of ordinance of the Town Council of the Town of Hideout, hereinafter referred to as "Town Council", adopted pursuant to the powers and jurisdictions vested through Title 10, Chapters 3 and 9a, and Title 17, Chapter 27a of the Utah Code, Annotated (1953, as amended) and other applicable laws, statutes, ordinances, and regulations of the State of Utah, the Town Council hereby exercise the power and authority to review, approve, and disapprove plats for subdividing land within the corporate limits of the Town of Hideout.
2. By the same authority, the Town Council does hereby exercise the power and authority to pass and approve development in Subdivisions and plat amendments of land already recorded in the office of the County Recorder if such are entirely or partially undeveloped.
3. The Subdivision or plat shall be considered to be void if the Subdivision or plat has been recorded with the County Recorder's office without a prior approval by the Town Council.
4. A Transfer of land pursuant to a void plat is voidable.

### **11.02.08 INTERPRETATION AND SEVERABILITY**

1. Greater Restrictions Prevail: In their interpretation and application, the provisions of this title shall be considered as minimum requirements. Where the provisions of this title impose greater restrictions than any statute, other regulations, ordinance or covenant, the provisions of this title shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provision of this title, the provisions of such statute, other regulation, ordinance or covenant shall prevail.
2. Definitions: Whenever any word or phrase used in this title is not defined herein, but is defined in related sections of Utah Code Annotated or in this code, such definition is incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory and the term "may" is permissive.
3. Severability of Parts: The various sections, subparagraphs, sentences, phrases and clauses of this title are hereby declared to be severable. If any such part of this title is declared to be invalid by a court of competent jurisdiction or is amended or deleted by the Town Council, all remaining parts shall remain valid and in force.
4. Rounding: Rounding to whole numbers may be used to determine distance or height, but not in determining maximum or minimum area or other quantitative standards or requirements. A decimal ending with five (5) or greater may be rounded up to the next whole number.
5. Time Computation: Unless otherwise specified herein, a period of time specified in this title shall be calendar days beginning on the day after the act, event or decision to which the time period refers and ending at eleven fifty-nine (11:59) P.M. the last day of the time period.

### **11.02.10 COORDINATION WITH OTHER DOCUMENTS**

This title, together with the most recent version of the Town of Hideout General Plan ("General Plan") adopted by the Town Council, the Town Zoning Ordinance ("Zoning Ordinance") set forth in Title 11, and the Town standard specifications for building, construction, and development ("Building and Development Standards") set forth in Title 9, shall guide the use of all land within the municipal boundaries of the Town.

### **11.02.12 SUBDIVISION ORDINANCE AMENDMENTS**

1. The Town Council may, from time to time and in a manner consistent with the General Plan, amend any provision of this title. Amendments shall be approved in accordance with all public notice and public hearing requirements imposed by state law or local ordinance.
2. Any amendment or revision to this title shall supersede any prior provisions or ordinances. Provisions of this title not affected by the amendment or revision shall continue to be valid and shall not be considered a new enactment when amendments or revisions are adopted. Any prior provisions of Town ordinances, which do not conform to provisions of this title, are declared void. Any uses, structures or buildings which were conforming to previous provisions of this title but do not now conform shall be nonconforming uses, structures or building.

### **11.02.14 ORDERLY DEVELOPMENT REQUIRED**

All Subdivisions, site plans, Condominiums and other developments shall be developed in an orderly manner and in such a way that the required improvements will be continuous and available as necessary during construction activities within the project, and that all of the improvements will be made available for the full, effective and practical use and enjoyment thereof by the purchaser, grantee, assignee,

transferee or lessee of any of the lands developed within the time herein provided or in phases specified. Subdivisions shall be planned and developed to accommodate the continuation of roads, utilities, drainage and other infrastructure to adjoining properties. Over sizing of lines or infrastructure in the Subdivision may be necessary to accommodate future development outside of the project.

#### **11.02.16 COMPLIANCE REQUIRED**

1. No tract of land shall be divided, subdivided, reconfigured, developed or redeveloped except in conformance with provisions of this title, the Zoning Ordinance and all other applicable ordinances and regulations.
2. No plat, Subdivision amendment or reconfiguring of Property shall be recorded except in accordance with the provisions of this title and the Zoning Ordinance.
3. All licenses, permits, agreements and plans issued or approved by the Town shall comply with all requirements and standards of Town ordinances.
4. All Subdivisions, Condominiums, site plans, construction and infrastructure shall be designed and constructed in conformance with Town ordinances, engineering regulations and requirements.
5. All uses shall be conducted in conformance with Town ordinances, approved plans and requirements.
6. Land which is to be subdivided shall not be transferred, sold or offered for sale prior to recording the subject plat or until all requirements of this title for Subdivisions, Condominiums or other development have been met.
7. No building permit may be issued for any structure or development on any land that has been divided, subdivided, reconfigured, developed or redeveloped in a manner not in conformance with the provisions of this title, the Zoning Ordinance, and all other applicable ordinances and regulations.

#### **11.02.18 VACATION, ALTERATION OF AMENDMENT OF PLATS**

The Town Council may, on its own motion, or pursuant to a petition, consider and resolve at a public hearing any proposed vacation, alteration or amendment of a Subdivision plat, or any road, lot, alley or public use area contained in a Subdivision plat, as provided in Section 10-9a-608 through 10-9a-609.5 of the Utah Code Annotated (1953) as amended. If the amended plat is approved and recorded, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat on the same land. The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.

#### **11.02.20 VIOLATION, ENFORCEMENT AND PENALTIES**

In addition to denial, suspension or refusal to act on a Developer or Owner's request, any person who shall violate the provisions of this title shall be guilty of a class B misdemeanor unless otherwise established by law. Each day of violation shall be considered a separate violation and subject to the penalties of this section or any other law, ordinance or other provision

#### **11.02.22 APPEALS**

The requirements and procedures for appealing decisions of the Town land use authority in administering or interpreting the Town land use ordinances, including this title, are set forth in Section 03.04 of Title 3, and are hereby incorporated herein by this reference.

## 11.04 DEFINITIONS

### 11.04.02 GENERAL

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this title. Words used in the present tense include the future; the singular includes the plural; the word "shall" is mandatory and not directory; the word "may" is permissive. Words used in this title, but not defined herein, shall have the meaning first as defined in any other ordinance adopted by the Town and then its common, ordinary meaning.

### 11.04.04 DEFINITIONS

The definitions set forth in Title 10 Section 10.12 of the Town of Hideout Utah are hereby incorporated as definitions pertaining to this title.

## 11.06 SUBDIVISION APPLICATION AND REVIEW PROCEDURES

### 11.06.02 CLASSIFICATION OF SUBDIVISION

1. **Minor Subdivision.** A Subdivision containing not more than five (5) lots fronting on an existing road, not involving any new road or existing road, or the extension of municipal facilities, or the creation of Public Improvements, is not commercial and that is consistent with the Hideout General Plan and existing Zoning Map.
  - a. A Concept Plan may be approved in accordance with these regulations (preferred, but optional).
  - b. A Preliminary Plan shall be approved in accordance with these regulations (preferred, but optional).
  - c. A Final Plat shall be approved in accordance with these regulations.
2. **Major Subdivision.** A commercial project, Condominium, or a residential Subdivision of land into six (6) or more Lots, or any size Subdivision requiring any new road.
  - a. A Concept Plan shall be approved in accordance with these regulations.
  - b. A Preliminary Plan shall be approved in accordance with these regulations.
  - c. A Final Plat shall be approved in accordance with these regulations.
3. **Plat Amendment.** The combining of existing subdivided Lots into one (1) or more Lots or the amendment of plat notes or other platted elements including but not limited to easements, limits of disturbance boundaries or areas, building pads, and house size limitations.
  - a. Plat Amendments shall be reviewed according to the requirements of Section 11.06.24 and Section 11.06.26 Final Plat Application and Procedures and approval shall require a finding of Good Cause and a finding that no Public Road, Right-of-Way, or Easement has been vacated or amended.

### 11.06.04 APPLICATION FORMS AND PERMITS REQUIRED

1. The Mayor or his/her designee shall author application forms and may identify submittal requirements and processing procedures for the acceptance and filing of all applications required by the land use ordinances and building codes, as adopted.
2. The requirements of all land use ordinances and building codes, as applicable, shall apply to all uses, buildings or structures located, or proposed, within the Town. No use, building or structure shall be commenced or occupied unless and until all necessary approvals, permits and licenses

have been issued in accordance with all requirements of the land use ordinances and building codes, as applicable.

### **11.06.06 PUBLIC NOTICE REQUIRED**

1. Any required public hearing shall be scheduled and held by the applicable land use authority in accordance with Utah State Code 11.9a.205. Notice of required public hearings shall be provided by the Town at least ten (10) calendar days before the date of the public hearing by one or more of the following methods as required:
  - a. Mailing to each affected entity or adjacent Property Owners;
  - b. Posting on the Town official website;
  - c. Posting in at least three (3) public locations within the Town; or
  - d. Published in a newspaper of general circulation in the area.
2. If notice given under the authority of this section is not challenged in accordance with applicable appeal procedures thirty (30) days from the date of the hearing for which the notice was given, the notice is considered adequate and proper. The notice provided in this section may be referred to in this title as "required notice". The cost of required notices shall be paid by the Applicant.

### **11.06.08 BONDS GUARANTEEING CONSTRUCTION IMPROVEMENTS**

#### **11.06.08.01 Performance Bond**

1. **Performance Bonding Required.** A performance bond shall be secured prior to the recordation of the Final Plat in order to ensure installation of any improvement required by or promised to the Town of Hideout as part of the development. A performance bond may also be required prior to commencement of any approved improvements if the legislative body after reviewing the projects financial information and funding information determines that is required.
2. **Performance Bond Time Period.** The bond shall be held for a minimum eighteen (18) months upon the completion of the approved construction activities.
3. **Performance Bond Amount.** A performance bond shall be posted with Hideout in a principal amount of one hundred ten (110) percent of the total estimated cost of any improvement or other performance required by or promised to the Town of Hideout as part of the development. The estimated cost shall be based upon the estimate of the Town Engineer who shall take into account some or all of the following factors when making his estimate:
  - a. The Developer's engineering estimate;
  - b. The estimate of any reviewing engineer;
  - c. Any other relevant information.
4. **Failure of Performance, Extension of Time.** In the event that any performance covered by a performance bond required is not completed within the time period allowed for under the performance bond, the Developer may petition Hideout for an extension of time in which to complete the required performance. A one-year extension of time may be granted by Hideout upon application by the Developer, upon a showing of good cause and diligent effort by the Developer to complete the performance as provided in this chapter.

5. **Form of Guarantee.** Guarantee arrangements offered in lieu of simultaneous completion of Buildings and Site or Public Improvements shall be in an amount fixed under the terms of Section 11.06.08(3), and shall be in one or more of the following forms:
  - a. An irrevocable letter of credit issued by a bank authorized to do Business in the State of Utah or an out-of-state bank, provided that a bank authorized to do Business in Utah confirms in writing that it will honor the letter of credit, naming the Town of Hideout as the payee of funds drawn against that letter of credit and guaranteeing the availability of funds for one (1) year, or
  - b. A deposit of cash with a third-party Escrow, or
  - c. A deposit of cash with the Town, or
  - d. Some combination of the above as approved by the Town or an approved equal.
6. **Performance Bond Replacement.** As work is completed, the Developer may replace his performance bond with bonds from the Contractor who performed the work. The Contractor's bonds shall name Hideout as a beneficiary. The Developer's performance bond may be released in an amount equal to the approved Contractor's bond. The Town Council may approve partial releases of the Performance Bond prior to final release. A developer must submit the request using the appropriate form provided by the Town. A fee will be assessed based on the most recent Fee Schedule adopted by the Town for each release to cover any administrative costs. The releases shall not exceed the Contractor's bond and shall not exceed the percentage of work completed and, at no time prior to final acceptance of the improvements by the Town may the total amount of bond be allowed to be reduced lower than one hundred ten percent (110%) of the value of Hideout's engineer's estimate of the uncompleted improvement(s) or other promised performance.

#### **11.06.08.01 Warranty Bond**

1. **Warranty Bonding.** Upon completion of the required improvements or other performance subject to a performance bond, the Developer shall petition Hideout for release of the performance bonds. The Developer, prior to release of the performance bond, shall obtain a warranty bond warranting the required improvements or other promised performance for a minimum of two (2) years following the date of acceptance of the improvements, by Hideout. The Warranty Bond shall be in the amount of fifty percent (50%) of the actual cost of the required improvement or other promised performance. Hideout may waive the warranty bond for those improvements that remain the Property of or are part of the development's maintained improvements, if at the discretion of Town of Hideout, the development's HOA accepts the improvements and it can satisfactorily demonstrated that it is financial responsible to assume this responsibility. In the event the required improvement or other promised performance is not completed in a satisfactory manner, Hideout may, at its discretion, for good cause, require an extended warranty of up to five (5) years. The warranty bond provided for herein shall be required in order to ensure that the improvements are installed pursuant to the approved plans, are structurally sound, and that no further replacements or repairs are required.
2. **Warranty Bond Amount.** Warranty bonds required herein must have a face amount of at least fifty percent (50%) of the value of Hideout engineer's current estimate of the improvements to be warranted. Developer may not draw against the warranty bond for any purpose other than the replacement or repair of improvements as required and approved by Hideout. At no time



prior to expiration of the warranty period warranty bond amount be allowed to be reduced by approved draws lower than twenty-five percent (25%) of the value of the original value of the warranty.

#### **11.06.10 INSPECTIONS DURING APPLICATION PROCESS**

1. In order to review information relevant to an application, a land use authority, the zoning administrator and/or other Town Staff may enter upon any land at reasonable times to make examinations and surveys related to the application.
2. Applications for Subdivision must show proof that they have secured legal access to their Property when their Property does not abut to a public road in order to be considered for approval.

#### **11.06.12 INSPECTIONS DURING CONSTRUCTION**

1. Construction work involving the installation of Public Improvements in Subdivisions and other developments shall be subject to the inspection of the public works director and Town Engineer or their designees.
2. Requests for inspections shall be made to the Town Engineer by the person responsible for the construction. Requests for inspection on work shall be made at least one working day prior to the commencement of the work. Inspections shall be made by the Town Engineer after various phases of the construction work are completed. Any faulty or defective work shall be corrected by the Developer or the Developer's contractor within a period of thirty (30) days from the date of the Town Engineer's written notification to the Developer that correction of the faulty or defective work is required.
3. Work which does not comply with the approved plans and/or does not meet minimum Town Standards will not be accepted by the Town unless approved by the Town Engineer.

#### **11.06.14 FEES**

1. **Application Fees.** The Town Council shall establish, by resolution, a Fee Schedule for the processing and review of all land use applications required by all land use ordinances and designed to recover the actual or anticipated costs for the processing of the land use application. The Fee Schedule may be included in the Town consolidated Fee Schedule, which Schedule may be amended from time to time by resolution of the Town Council. The Fee Schedule for the processing and review of all land use applications may include a processing fee and an application fee. Fees shall not be required for land use applications initiated by a land use authority.
2. **Actual Cost Fees.** The Town Council shall establish by resolution, a Schedule for the amount of money an applicant must place on deposit with the town for the purposes of paying for "Actual Costs". These costs are generally for professional services such as Engineering and Legal; but are not limited to that usage. Each land use application shall define the minimum amount that the applicant must fund, and the thresholds with which additional funds should be deposited.
3. **Impact Fees.** Each development and each individual lot contained within each development shall be subject to all Town of Hideout Impact Fees for the Town of Hideout, as adopted and amended from time-to-time.

## **11.06.16 CONCEPT PLAN APPLICATION**

1. A Concept Plan application package is required for all proposed major residential or commercial Subdivisions. A Concept Plan application package is preferred but optional for a Minor Subdivision application package.
2. A Concept Plan application package includes a completed Concept Plan application form, Concept Plan, and all required plans, reports and documents described herein that conform to the goals of the Hideout General Plan and the Town of Hideout Code relating to the zone(s) governing the application. The Concept Plan should use the criteria established in the Design Standards in Chapter 11.05 and Construction and Improvements Required in Chapter 11.06 of this Title.

### **11.06.16.01 Concept Plan Application Package**

1. **Concept Plan.** The Concept Plan is a preliminarily engineered sketch plan drawn to illustrate the proposed layout for roads, lots, trails, Open Space, Public Space, snow storage areas, and other features in relation to the existing and planned roads within one quarter mile of the new Subdivision. This plan should be prepared using spatial data and shall be prepared by a team that is headed up by a licensed professional engineer or licensed architect/landscape architect. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed development.
2. **Conceptual Level Road Design Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Road Design Plan that includes:
  - a. General Location and Description of Project;
  - b. Township, range, section, 1/4 section, (Subdivision, lot and block);
  - c. Existing roads. Sidewalks and trails in the proposed development and connecting to the proposed development;
  - d. Proposed road (including sidewalks and trails) concept and how it fits existing roads and traffic patterns, sidewalk and trails;
  - e. General discussions of road design problems, including overall area traffic flow, traffic calming, aesthetics, fit to the mountain terrain, snow management, and minimization of disturbance, coordinating/accommodating utilities and consideration of anticipated structures that the roads will serve.
  - f. General discussion of the rationale for including or excluding sidewalks and the proposed design criteria relative to pedestrian travel.
3. **Conceptual Building Configuration and Design.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Site and Building Layout Plan that includes:
  - a. All proposed residential and commercial buildings within a site layout that includes streets, sidewalks, trails, park/open space, storm water basins, etc.
  - b. A conceptual landscape plan including proposed plant typology.
  - c. Conceptual architectural renderings of building designs proposed.
4. **Conceptual Level Drainage Control Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Drainage Control Plan that includes:
  - a. Location
    - i. Township, range, section, 1/4 section, (Subdivision, lot and block).

- ii. Major drainage ways and facilities.
  - b. Description of Property
    - i. Area in acres.
    - ii. Proposed land use and ground cover.
  - c. Drainage Basins and Sub-basins
    - i. Reference to major drainage way planning studies such as flood hazard delineation report, major drainage way planning reports, and flood insurance rate maps.
  - d. Drainage Design Criteria
    - i. Proposed drainage concept, onsite stormwater management infrastructure, and how it fits existing drainage patterns.
    - ii. Brief discussions of drainage problems, including storm water quality, and potential solutions at specific design points.
    - iii. Brief discussion of detention storage and outlet design.
  - e. Identification of Potential Improvements to Public Drainage Systems
    - i. Identification of potential design concepts and impacts to local drainage systems.
- 5. **Conceptual Level Snow Management Plan.** As a part of the Concept Plan application package, the Applicant shall prepare a Conceptual Level Snow Management Plan that includes:
  - a. General location of snow storage areas.
  - b. Brief discussion of snow removal methods and snow management.

#### **11.06.18 CONCEPT PLAN PROCEDURES**

1. The Applicant shall submit an application in Electronic Format to the Town Hall along with required fees set forth in Section 11.06.14. Up to five (5) hard copies of the Concept Plan application package may be requested by the Town Staff.
2. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
  - a. Town Administration for validation of tax compliance;
  - b. Town Engineer for engineering review;
  - c. The Town Planner for planning/design review; and
  - d. Fire District for review.
3. The Town Administration, Town Engineer, Town Planner, or Fire District Representative may request reasonable additional information from the Applicant from time to time.
4. Within thirty (30) days of receiving the reports from the Town Administrator, Town Planner, Town Engineer, and Fire District, the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. During the Concept Plan review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.
5. When the Town Staff determines that the Concept Plan is ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Concept Plan providing sufficient public notice as required by the Town of Hideout Standards for Public Notice as established in Section 11.06.06.
6. The Planning Commission shall give guidance to the Applicant to assist in meeting the requirements and constraints for Subdivision development within the Town of Hideout.

7. If the Planning Commission finds that the proposed Concept Plan complies with all applicable requirements, it shall approve the Concept Plan, or approve the Concept Plan with conditions, and the Applicant may apply for Preliminary Plan approval. If the Planning Commission determines that the proposed Subdivision would violate local ordinances and regulations, no further review of the proposed Subdivision shall be made by the Planning Commission, and a new Concept Plan shall be required to re-initiate the Subdivision process.
8. The approval of the Concept Plan shall be effective for a period of six (6) months from the date the Concept Plan is approved by the Planning Commission, at the end of which time the Applicant must have submitted a Preliminary Plan for approval. If a Preliminary Plan is not submitted for approval within the six (6) month period following approval, or as extended by the Planning Commission in writing, the Concept Plan shall be void, and the Applicant shall be required to submit a new Concept Plan for review and approval subject to the existing provisions of this Code. An approved Concept Plan does not authorize the applicant to begin any form of land disturbing activities.

### **11.06.20 PRELIMINARY PLAN APPLICATION**

1. A Preliminary Plan application package is required for all proposed major residential or commercial Subdivisions. A Preliminary Plan application package is preferred but optional for a Minor Subdivision application package
2. A Preliminary Plan application package includes a completed Preliminary Plan application form, Preliminary Plan, and all required plans, reports and documents described herein that conform to the goals of the Hideout General Plan and the Town of Hideout Code relating to the zone(s) governing the application. The Preliminary Plan shall incorporate the criteria and requirements of the Design Standards in Chapter 11.05 and Construction and Improvements Required in Chapter 11.06 of this Title.

#### **11.06.20.01 Preliminary Plan Application Package**

1. **Preliminary Plan.** The Preliminary Plan consists of engineering drawing(s) prepared using spatial data that shall be drawn to a scale not smaller than one-inch equals one hundred feet (1" = 100') and that meet the minimum legal standards for survey as defined in Utah Code Annotated Section 17-23-20. The Preliminary Plan shall show the following:
  - a. Project name and address;
  - b. North point, scale, date;
  - c. A copy of the closure sheet which shall show the following:
    - i. The courses and distance of the proposed development/Subdivision boundary and the error of closure;
    - ii. The area of each lot in square feet and acres.
  - d. All trails, Open Space, Public Space, and roadways
  - e. Names, addresses, and telephone numbers of Developer, engineer, and current and prospective Owners;
  - f. Nearest section corner tie, Township(s) and range(s);
  - g. Acreage, Property dimensions, project perimeter;
  - h. All proposed phases of the development, numbered and defined, with approximate timetable for development;

- i. Location of entire development in relation to surrounding neighborhoods and developments (include names of adjacent Subdivisions and developments, adjacent Property Owners' names and addresses, and adjacent land uses and buildings);
  - j. Existing topography with a contour interval of two (2) feet;
  - k. Landscape plan illustrating cut and fill limits and limits of disturbance and landscaping plans including topographic lines (in conformance with the Hideout Water Quality Plan) and proposed landscape plant materials with botanical name, planting size, and numbers of each included;
  - l. Existing and proposed lot lines, Easements, walkways, roads and rights-of-way (public and private), including widths, names, and numbers, on subject and surrounding areas; proposed dedications of public use areas; existing and proposed curb, gutter, and sidewalk.
  - m. Existing waterways (including irrigation), significant vegetation, and natural features of the land;
  - n. Sensitive lands in the proposed development shall be identified on a plan prepared and stamped by a licensed geotechnical engineer or licensed geologist;
  - o. Soils testing and geotechnical analysis as required by the Town of Hideout;
  - p. Existing and proposed infrastructure including all fire hydrants, water and sewer lines, storm sewer system, and all utilities, including but not limited to electricity, natural gas, telephone service, and infrastructure to support high speed internet service;
  - q. Proposed layout of all public and private roads, if any, including profiles (same scale as site plan) and cross-sections (same as Town standards, at an interval of one hundred (100) feet (or as determined by the Town Engineer);
  - r. Location and conceptual elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
  - s. Location of onsite drainage and stormwater management features;
  - t. Unit configuration footprints and typical architectural elevations;
  - u. Tabulation of projected ERUs, as established in Title 10 Section 10.12;
  - v. Any additional information which the Town Council may reasonably require in a specific instance. Where a Developer owns or controls more land than he or she wishes to develop immediately, the Town of Hideout may require that a Preliminary Plan of the whole area be submitted, in which case the Developer shall indicate the portion to be developed immediately and the portion to be held for future development.
  - w. For multi-unit structures, the Preliminary Plan shall show the following additional information:
    - i. Firewall construction, as required by the International Fire Code, the adopted Building Code;
    - ii. Additional parking, if required;
    - iii. Additional Open Space, if required;
    - iv. Location of individual utility lines and meters, if required; and
    - v. Additional exits.
2. **Cluster Development Plan.** If a Cluster Development is being requested, additional requirements as outlined in Chapter 12.04 in Title 12 should be included.
3. **Preliminary Road Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Road Plan, using the criteria approved from the Concept Plan submittal, that includes the following additional information:
- a. A Preliminary Plan and/or design of the Public Improvement

- b. References to all criteria, master plans, and technical information used in support of the Preliminary Road Plan.
  - c. Proposed street names within the Subdivision following criteria in Section 10.08.14.6 of Title 10.
4. **Preliminary Landscape Plan.** As part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Landscape Plan that shall include the following:
- a. Proposed locations for all landscaping material, organic and inorganic, used on the site.
  - b. Proposed plant materials, including size, species, and condition, and plans for retention of existing vegetation and materials.
  - c. Location and design of all screening elements, berms, landforms, and stormwater management facilities.
5. **Preliminary Drainage Control Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Drainage Control Plan, using the approved Concept Plan submittal, that includes the following additional information:
- a. Location
    - i. Information as required from Concept Plans.
    - ii. City, County, State Highway and local roads within and adjacent to the site, or the area to be served by the drainage improvements.
    - iii. Names of surrounding developments.
    - iv. Name of receiving water(s).
  - b. Description of Property
    - i. Information as required from Concept Plans.
    - ii. Existing ground cover (type and vegetation).
    - iii. Existing major irrigation facilities such as ditches and canals.
  - c. Major Basin Description
    - i. Information as required from Concept Plans.
    - ii. Major basin drainage characteristics, and existing and planned land uses within the basin, as defined by the Town Engineer.
    - iii. Identification of all nearby irrigation facilities that will influence or be influenced by the local drainage.
  - d. Sub-Basin Description
    - i. Describe historic drainage patterns of the Property.
    - ii. Describe offsite drainage flow patterns and impact on development under existing and fully developed basin conditions.
  - e. Drainage Facility Design Criteria
    - i. Information as required from Concept Plans.
    - ii. How offsite runoff will be considered and how expected impacts will be addressed.
    - iii. Anticipated and proposed drainage patterns.
    - iv. Storm water quantity and quality management concept, including onsite stormwater management infrastructure, and how it will be employed. The use of computer-based models for the evaluation of storm water quality and quantity will not be universally required of new developments, although their use is recommended. Under site specific conditions where it is believed by the Town that impacts from the development may unacceptably impact downstream water quality or quantity however, their use may be required. The recommendation to use computer modeling during the evaluation process is

made since it is likely that the review process will check the validity of the Developer's conclusions utilizing SEDIMOT or other appropriate computer technology.

- v. Maintenance and maintenance access.
- vi. Describe the content of tables, charts, figures, plates, drawings and design calculations presented in the report.
- f. Specific Details (Optional Information)
  - i. Discussions of drainage problems, including storm water quality, and solutions at specific design points
  - ii. Discussion of detention storage and outlet design.
  - iii. Discussion of impacts of concentrating flow on downstream properties.
- g. Public Drainage Improvements
  - i. If the project requires that drainage improvements be constructed that will be turned over and owned and maintained by the Town, the following must also be provided, obtained, or completed: a Preliminary Plan and/or design of the Public Improvement.
- h. References
  - i. Reference all criteria, master plans, and technical information used in support of concept.
- 6. **Preliminary Snow Management Plan.** As a part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Drainage Snow Management Plan, using the approved Concept Plan submittal, that includes the following additional information:
  - a. Location and size of proposed snow storage areas.
  - b. Discussion of snow removal methods (with a list of required equipment) and annual management.
- 7. **Maps.** As a part of the Preliminary Plan application package, the Applicant shall prepare the following maps according to the following criteria:
  - a. General Location Map. The map shall show the following information and conform to the following standards.
    - i. All drawings shall be 22" x 34' in size.
    - ii. Map shall provide sufficient detail to identify drainage flows entering and leaving the development and general drainage patterns.
    - iii. Scale of 1" = 500' to 1" = 4000' and show the path of all drainage from the upper end of any offsite basins to the defined major drainage ways.
    - iv. Identify all major facilities (i.e., irrigation ditches, existing detention facilities, storm water quality facilities, culverts, storm sewers) downstream of the Property along the flow path to the nearest major drainage way.
    - v. Basins, basin identification numbers, drainage divides, and topographic contours are to be included.
  - b. Floodplain Mapping:
    - i. A copy of any published floodplain maps (i.e., flood hazard area delineation, flood insurance rate maps)
    - ii. All major drainage ways shall have the defined floodplain shown on the report drawings.
    - iii. Flood hazards from either shallow overland flow, side channels, or concentrated flows.

- iv. The location of the Property in relation to the floodplain(s) and/or flood hazards.
- c. Drainage Plan Mapping:
  - i. Prepare at a scale of 1" = 20' to 1" = 200' on a 22" x 34" size drawing sheet.
  - ii. Existing topographic contours at 2-feet (or less) intervals, in mountainous areas, the maximum interval may be extended to 5 feet. Final plan approval 1-foot contour intervals shall be shown for areas of little relief. The contours shall extend a minimum of 100-feet beyond the Property lines.
  - iii. All existing drainage facilities within map limits including basin boundaries and sub-boundaries.
  - iv. Conceptual major drainage facilities including proposed storm water quality BMPs, snow storage areas, detention basins, storm sewers, swales, bioretention areas, porous pavement, wetland basins, or outlet structures.
  - v. Any offsite feature including drainage that influences the development.
  - vi. Proposed drainage patterns and, if available, proposed contours.
  - vii. Legend to define map symbols.
  - viii. Project name, address, engineering firm and seal, and date the Title block in lower right corner.
  - ix. North arrow, scale and available benchmark information and location for each benchmark.
- 8. **Supporting Documents.** The following documents which shall be prepared in accordance with applicable standards and shall be submitted in accordance with the requirements of this Code, or any amendment thereto, with the required application fees. These documents shall be a draft copy of each document, which shall be reviewed, and the final copies will be submitted with the final documentation when application is made for Final Approval.
  - a. Draft copy of Articles of Incorporation and Bylaws of the Homeowners' Association;
  - b. Draft copy of Declaration of covenants, conditions, restrictions and management policies;
  - c. A copy of the Record of Survey filed with the Town of Hideout Surveyor's office of the proposed boundary of the overall development and/or phase. In the event that the development has multiple phases, the proposed plat shall show the recorded file number of the Record of Survey and/or paper copy of the survey;
  - d. A will-serve letter from any Special Service District and/or other appropriate agency, indicating the availability of water, water service, sewer service, electricity, natural gas, telephone service, high speed internet service, extended fire, extended police, schools, garbage collection and disposal, roads maintenance, trails maintenance, Open Space management, storm water detention, and other municipal type services;
  - e. A form of certification for each of the following (these are proposed certifications of what is intended to be placed on the plat:
    - i. Owner's dedications;
    - ii. Surveyor's certificate of accuracy of survey;
    - iii. Surveyor's approval

## **11.06.22 PRELIMINARY PLAN PROCEDURES**

1. The Applicant shall submit the Preliminary Plan application package in Electronic Format to Town Hall along with required fees set forth in Section 10.03.10. Up to five (5) hard copies of the Preliminary Plan application package may be requested by Town Staff.



2. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
  - a. Town Administrator for validation of tax compliance;
  - b. Town Engineer for engineering review;
  - c. The Town Planner for planning/design review; and
  - d. Fire District for review; and
  - e. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.
3. The Town Administrator, Town Engineer, Town Planner, Fire District Representative, or POST Committee Representative may request reasonable additional information from the Applicant from time to time.
4. Within thirty (30) days of receiving the reports from the Town Administrator, Town Planner, Town Engineer, and Fire District, the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. During the Preliminary Plan review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.
5. When the Town Staff determines that the Preliminary Plan is ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Preliminary Plan providing sufficient public notice as required by the Town of Hideout Standards for Public Notice as established in Section 11.06.06.
6. The Planning Commission shall hold a public hearing on the Preliminary Plan application.
7. After review of the Preliminary Plan at a public hearing, the Planning Commission shall recommend, reject, or recommend the Preliminary Plan with conditions, or may postpone action to allow the Applicant time to provide material or additional information needed by the Planning Commission to then determine appropriate action.
8. At such time that the Planning Commission determines that a complete application has been provided, the Planning Commission will forward the application along with its recommendations to the Town Council.
9. The Mayor will establish a date for a public hearing that provides sufficient public notice as required by the Hideout Standards for Public Notice as established in Section 11.06.06.
10. The hearing before the Town Council will be held, and comments requested from the public at that time. If, after such hearing the Town Council approves the project, the project may then proceed to apply for Final Plat approval, provided however if any conditions are set forth by the Town Council, all such conditions must be met prior to application for final approval unless otherwise required by the Town Council.
11. The approval of the Preliminary Plan shall be effective for a period of six (6) months from the date the Preliminary Plan is approved by the Planning Commission, at the end of which time the Applicant must have submitted a Final Plat for approval. If a Final Plat is not submitted for approval within the six (6) month period following approval, or as extended by the Planning Commission in writing, the Preliminary Plan shall be void, and the Applicant shall be required to submit a new Preliminary Plan for review and approval subject to the existing provisions of this Code. An approved Preliminary Plan does not authorize the applicant to begin any form of land disturbing activities.

## **11.06.24 FINAL PLAT APPLICATION**

1. A Final Plat application package is required for all proposed major and minor residential or commercial Subdivisions.
2. A Final Plat application package includes a completed Final Plat application form, Final Plat, and all required plans, reports and supporting documents described herein that conform to the goals of the Hideout General Plan and the Town of Hideout Code relating to the zone(s) governing the application. The Final Plat shall incorporate the criteria and requirements of the Design Standards in Chapter 11.05 and Construction and Improvements Required in Chapter 11.06 of this Title.

### **11.06.24.01 Final Plat Application Package**

1. **Final Plat.** The Final Plat consists of engineering drawing(s) prepared using spatial data that are drawn to a scale not smaller than one-inch equals one hundred feet (1" = 100') and that meet the minimum legal standards for survey as defined in Utah Code Annotated Section 17-23-20. The Final Plat must first evidence how the Final Plat conform to the Preliminary Plan and any conditions for preliminary approval. Using the criteria approved from the Preliminary Plan submittal, the Final Plat shall include the following additional information:
  - a. Information as required from Preliminary Plan.
  - b. Development phase number, if a phased project;
  - c. Lot lines, dimensions and area; adjacent lots and phases;
  - d. Topography (contours at 2-foot intervals) and site drainage plan which illustrate existing and proposed conditions;
  - e. Existing vegetation to remain on development and natural features of the land;
  - f. Soils testing and analysis. A letter of purpose will be prepared and submitted by a licensed geotechnical engineer that shall consider the findings of the sensitive lands study along with the project engineering, that will determine the type, frequency and nature of the geotechnical investigation and subsequent report. The purpose letter will also state what minimum requirements, with respect to geotechnical studies, will be imposed on the subdivided land prior to the issuing of building permits.
  - g. Utah Department of Transportation approval for access off state roads if applicable; approval as required of other state and federal agencies;
  - h. Final grading plans illustrating cut and fill limits and limits of disturbance;
  - i. Temporary construction erosion control plan and Dust Control Plan;
  - j. Final drainage plan illustrating methods of controlling runoff, directing water flow, and detention / retention areas;
  - k. Existing and proposed utilities including, fire hydrants, water and sewer lines, and storm sewer system; including plan and profile.
  - l. Location and elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
  - m. A complete landscape plan including all plant proposed (number of each, size at time of planting, botanical/scientific name) and all additional landscape features such as retaining walls, stormwater basins, etc. Including all materials and scale noted;
  - n. Parking, access, and loading plan when applicable;
  - o. Lighting plan, including dark sky initiative;
  - p. Architectural concept plans;

- q. Tabulation of ERUs, as established in Title 10 Section 10.12.
  - r. For Condominiums, the Final Plat shall show the following additional information:
    - i. All buildings;
    - ii. Private drives and parking areas;
2. **Cluster Development Plan.** If a Cluster Development is being requested, additional requirements as outlined in Chapter 12.04 in Title 12 should be included.
  3. **Final Road Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Final Road Plan, using the criteria approved from the Preliminary Plan submittal, that includes:
    - a. Street names within Subdivision as proposed by the developer shall be approved by the Planning Commission and must also be approved by Wasatch County.
    - b. Final design of the Public Improvement that includes the location of all roads, curb, gutter, sidewalks, walkways, driveways, off-site parking or other impervious surfaces.
    - c. A traffic study and or report prepared and signed by a licensed engineer that practices in the field of transportation.
    - d. The conclusions and findings that shall support the Criteria used for the design and the final design.
    - e. A soils report that supports all specified section profiles and specified soil/aggregate materials.
    - f. Information required for the plans shall be in accordance with sound engineering principles, the technical provisions of any Town manuals (where appropriate), these criteria and other applicable Town ordinances, regulations, criteria or design guidelines.
    - g. The plans shall be signed and sealed by a Professional Engineer registered in the state of Utah.
    - h. The plans shall reference all criteria and technical information used.
    - i. Appendices should include all backup and supporting materials
    - j. The plans may be subject to review by outside agencies.
  4. **Final Landscape Plan.** As part of the Final Plat application package, the Applicant shall prepare a Final Landscape Plan, including ongoing maintenance plan. Landscaping shall follow guidelines set forth in Section 10.08.32 of Title 10 and setback requirements set forth in Title 12 for the designated zone. Using the approved Preliminary Plan submittal, the Final Landscape Plan shall include the following additional information:
    - a. Revised locations, if any, for all landscaping material, organic and inorganic, used on the site.
    - b. Planting plan, including location of all materials, size, and scientific and common name of each material. The planting plan includes the location and type of all ground covers, including non-living materials, and all other landscape features and structures.
    - c. Grading plan showing berms, landforms, and stormwater management facilities.
    - d. An irrigation plan, irrigation detail plan and corresponding sheet of irrigation construction notes shall be provided indicating the layout and details of the irrigation system including the type and location of all materials utilized.
    - e. A development obligation statement that establishes the responsibility of the Developer to install landscaping and irrigation according to these regulations.
    - f. A maintenance obligation statement, signed by the Applicant, defining responsibility for ongoing maintenance of specific areas, including public rights-of-way, private on-site improvements, and stormwater management facilities.
  5. **Final Drainage Control Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Final Drainage Control Plan. The use of computer-based models for the evaluation of

storm water quality and quantity may be required (subject to review and discretion of the Town Engineer) of new developments. Under site specific conditions where it is believed by the Town that impacts from the development may unacceptably impact downstream water quality or quantity however, their use may be required. The recommendation to use computer modeling during the evaluation process is made since it is likely that the review process will check the validity of the Developer's conclusions utilizing SEDIMOT or other appropriate computer technology. The information required for the plan shall be in accordance with sound engineering principles, the technical provisions of any Town manuals (where appropriate), these criteria, and other applicable Town ordinances, regulations, criteria or design guidelines. The plan may also be subject to review by outside agencies such as JTAC, Federal Emergency Management Agency, U.S. Army Corps of Engineers, Environmental Protection Agency, Utah Water, or other agencies as required. Using the Preliminary Control Plan approval, the Final Drainage Control Plan shall include the following additional information:

- a. Cover letter presenting the design for review prepared or supervised by a Professional Engineer licensed in the State of Utah with certification that reads as follows:
  - i. "This report for the drainage design of (name of development) was prepared by me (or under my direct supervision) in accordance with the J provisions of the storm drainage design and technical criteria and was designed to comply with the provisions thereof. I understand that Hideout does not and will not assume liability for drainage facilities design."  
Registered Professional Engineer  
State of Utah No. \_\_\_\_\_  
(Affix Seal)
- b. General Location and Description.
  - i. Information as required from Preliminary Plans.
  - ii. Local roads within the adjacent to the Subdivision.
  - iii. Easements within and adjacent to the site.
- c. Description of Property
  - i. Information as required from Preliminary Plans.
  - ii. General project description.
  - iii. General soil conditions, topography, and slope.
- d. Major Basin Description
  - i. Information as required from Preliminary Plans.
  - ii. Identification of all irrigation facilities within the basin that will influence or be influenced by proposed site drainage.
- e. Previous Studies and Specific Site Constraints
  - i. Previous drainage studies (i.e., project master plans) for the site that influence or are influenced by the drainage design and how implementation of the plan will affect drainage and storm water quality for the site.
  - ii. Potential impacts identified from adjacent drainage studies.
  - iii. Drainage impacts of site constraints such as roads, utilities, transit ways, existing structures, and development or site plan.
- f. Hydrologic Criteria
  - i. Design storm rainfall and its return period(s).
  - ii. Runoff calculation method(s).
  - iii. Detention discharge and storage calculation method(s).

- iv. Discussion and justification of other criteria or calculation methods used that are not presented in or referenced by the CRITERIA.
- g. Hydraulic Criteria
  - i. Identify various capacity references.
  - ii. Discussion of other drainage facility design criteria used that are not presented in these criteria.
- h. Storm water Quality Criteria
  - i. BMPs to be used for storm water quality control.
  - ii. Identify, as appropriate, water-quality capture volume and drain time for extended-detention basins, retention ponds and constructed wetland basins.
  - iii. Identify, as appropriate, runoff volume and flow rates for design of water-quality swales, bioretention areas, porous pavement, wetland basins, etc.
  - iv. Discussion of other drainage facility design criteria used that are not presented in these CRITERIA or other manuals referenced by the Town of Hideout.
- i. Waivers from Criteria
  - i. Identify provisions by section number for which a waiver is requested.
  - ii. Provide justification for each waiver requested.
- j. Drainage Facility Design Discuss the following:
  - i. Proposed concept, onsite stormwater management infrastructure, and typical drainage patterns
  - ii. Compliance with offsite runoff considerations.
  - iii. Anticipated and proposed drainage patterns.
  - iv. Proposed storm water quality management strategy.
  - v. The content of tables, charts, figures, plates, or drawings presented in the report.
  - vi. Drainage problems encountered and solutions at specific design points.
  - vii. Detention storage and outlet design.
  - viii. Storm water quality BMPs to be used.
  - ix. Maintenance access and aspects of the design.
  - x. Easements and tracts for drainage purposes, including the conditions and limitations for use.
- k. Stormwater Maintenance Agreement
- l. Conclusions
- m. References
  - i. Reference all criteria and technical information used.
- n. Appendices
  - i. Hydrologic Computations (Including computer model input and output listings.)
  - ii. Land use assumptions regarding adjacent properties.
  - iii. Initial and major storm runoff at specific design points.
  - iv. Historic and fully developed runoff computations at specific design points.
  - v. Hydrographs at critical design points.
  - vi. Time of concentration and runoff coefficients for each basin.
  - vii. Storm water quality BMP sizing calculations including runoff adjustments for minimizing directly connected impervious areas.
  - viii. Hydraulic Computations (Including computer model input and output listings.)
  - ix. Culvert capacities.

- x. Storm sewer capacity, including energy grade line (EGL) and hydraulic grade line (HGL) elevations.
  - xi. Gutter capacity as compared to allowable capacity.
  - xii. Storm inlet capacity including inlet control rating at connection to storm sewer.
  - xiii. Open channel design.
  - xiv. Check and/or channel drop design.
  - xv. Detention area/volume capacity and outlet capacity calculations for flood detention and water quality basins; depths of detention basins.
  - xvi. Wetland area and area/depth distribution for constructed wetland basins.
  - xvii. Infiltration rates and volumes for porous pavement or release rates where under drains or infiltration is not possible.
  - xviii. Flow rates, velocities, longitudinal slopes and cross-sections for wetland basins and water quality swales.
  - xix. Downstream/outfall system capacity to the Major Drainage way System.
6. **Final Snow Management Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Snow Management Plan, using the criteria approved from the Preliminary Plan submittal, that includes:
- a. Location and capacity of snow storage areas based on 5-year snow average
  - b. Detailed discussion of snow removal methods and annual management.
7. **Maps.** As a part of the Final Plat application package, the Applicant shall prepare the following maps according to the following criteria:
- a. General Location Map – Shall include all items as identified for the Preliminary Plan.
  - b. Floodplain Mapping – Shall include all items as identified for the Preliminary Plan.
  - c. Drainage Plan Mapping – In addition to those items identified for the development of the Preliminary Plan, Drainage mapping shall include the following:
    - i. Property lines, existing Easements, and Easements proposed for dedication, with purposes noted.
    - ii. Roads, indicating ROW width, flow line width, curb or roadside swale type, sidewalk, and approximate slopes.
    - iii. Existing drainage facilities and structures, including irrigation ditches, roadside ditches, cross pans, drainage ways, gutter flow directions, and culverts. Also show pertinent information such as material, size, shape, slope and locations.
    - iv. Proposed type of road drainage (i.e., vertical or combination curb and gutter), roadside ditch or swale, gutter, slope and flow directions, and cross pans.
    - v. Proposed storm sewers and open drainage ways, including inlets, manholes, culverts, and other appurtenances, including riprap or other erosion protection.
    - vi. Proposed structural water-quality BMPs, their location, sizing, and design information.
    - vii. Proposed outfall point(s) for runoff from the developed area and, if required, facilities to convey flows to the final outfall point without damage to downstream properties.
    - viii. Routing and accumulation of flows at various critical points for the initial and water-quality storm runoff events, and major storm runoff events.
    - ix. Volumes and release rates for detention storage and water-quality capture volume for facilities and information on outlet works.

- x. Location and water surface profiles or elevations of all previously defined floodplains affecting the Property. If floodplains have not been previously published, they shall be defined and shown on the drainage plan.
  - xi. Location, and measured or estimated elevations, of all existing and proposed utilities affected by or affecting the drainage design.
  - xii. Routing of upstream offsite drainage flow through or around the development.
  - xiii. Location of any improvements included in the appropriate or accepted outfall system plan, major drainage plan, and/or storm drainage plan.
  - xiv. Definition of flow path leaving the development through the downstream properties ending at a major drainage way or receiving water.
8. **Final Documentation.** The following official documents prepared in a manner that will fully present information:
- a. Articles of Incorporation and Bylaws of the Association;
  - b. Declaration of covenants, conditions, restrictions, and management policies;
  - c. An information brochure (prepared in accordance with applicable standards) for use in the sales program to inform all home buyers in simple terms about the Homeowners Association and the rights and obligations of lot Owners;
  - d. A final form of certification for each of the following (these are the certifications intended to be placed on the plat):
    - i. Owner's dedications;
    - ii. Surveyor's certificate of accuracy of survey;
    - iii. Surveyor's approval;
    - iv. Notary Public's acknowledgement
  - e. The Design Review Guidelines governing building design within the development
  - f. Geotechnical Studies required prior to the issuing of a building permit within the development
  - g. For Condominiums to following documentation is required:
    - i. Required assessments;
    - ii. Designation of commonly owned Property;
    - iii. Necessary dedication statement;
    - iv. Statement concerning the formation of a Homeowners Association for the maintenance of the commonly owned Property; and
    - v. Necessary certifications and approvals.
    - vi. A registered architect or engineer shall certify the Final Plat.
  - h. Proof of Performance Bond and Warrantee Bond as described in Section 11.06.08.
  - i. Trails location approval letter by the POST Committee.

#### **11.06.26 FINAL PLAT PROCEDURES**

1. The Applicant shall submit the Final Plat application package in Electronic Format to the Town Hall along with required fees. Up to five (5) hard copies of the Final Plat application package may be requested by the Town Staff.
2. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
  - a. Town Administrator for validation of tax compliance;
  - b. Town Engineer for engineering review;
  - c. Town Planner for planning/design review; and
  - d. Fire District for review; and

- e. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.
3. The Town Administrator, Town Engineer, Town Planner, Fire District Representative or POST Committee Representative may request reasonable additional information from the Applicant from time to time.
4. Within thirty (30) days of receiving the reports from the Town Administrator, Town Planner, Town Engineer, and Fire District, the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. During the Final Plat review process, the Town Staff may request reasonable additional information from the Applicant from time to time; and may ask other advisors to review the plan if, in the opinion of the Town, it may contribute to a decision in the best interest of the Town.
5. When the Town Staff determines that the Final Plat is ready for Planning Commission review, they will notify the Commission's Authority Representative and the Commission's Authority Representative will establish a date for a public hearing and initial presentation and review of the Final Plat providing sufficient public notice as required by the Town of Hideout Standards for Public Notice as established in Section 11.06.06.
6. The Planning Commission shall hold a public hearing on the Final Plat application.
7. After review of the Final Plat at a public hearing, the Planning Commission shall recommend, reject, or recommend the Final Plat with conditions, or may postpone action to allow the Applicant time to provide material or additional information needed by the Planning Commission to then determine appropriate action.
8. At such time that the Planning Commission determines that a complete application has been provided, the Planning Commission will forward the application along with its recommendations to the Town Council.
9. The Town Council will establish a date for a public hearing that provides sufficient public notice as required by the Hideout Standards for Public Notice as established in Section 11.06.06.
10. The hearing before the Town Council will be held, and comments requested from the public at that time. After such hearing the Town Council will vote to either approve the projects without conditions, approve the project with conditions or to not approve the project.

#### **11.06.28 RECORDING OF THE PLAT**

**Final Plat Recordation.** After gaining final approval, a Final Plat shall be prepared on reproducible Mylar drawn in accordance with the Town of Hideout standards at a scale not smaller than one inch equals one hundred feet (1" = 100') that meet the minimum legal standards for survey as defined in Utah Code Annotated section 17-23-20, and shall show the following:

1. Boundaries of the development and location of all required survey monuments;
2. Location of all lot lines;
3. Location and extent of all road and other parcels of land to be dedicated to the public and to be retained in private Ownership;
4. Location and extent of all Easements; and
5. The certifications previously proposed and approved as part of the Final Documentation provided.
6. Evidence of a properly executed Performance Bond as outline in this Title (Section 11.06.08.01)

#### **11.06.30 NO SALE OF LOTS UNTIL PLAT RECORDATION**

Lot(s), in a Subdivision may not be sold, advertised for sale, or offered for sale in any manner until after the plat has been recorded.



### **11.06.32 WITHDRAWAL OF APPLICATION**

An Applicant may withdraw a land use application at any time prior to a land use authority decision on the application. Application fees set for the in Section 11.06.14 shall not be refundable. Any unused Actual Cost Fees set forth in Section 11.06.14 will be refunded.

### **11.06.34 FINAL PLAT EXPIRATION AND REVOCATION**

All expirations and revocations are at the discretion of the Town Council. Any exceptions or extensions granted by the Town Council must be in writing. Any remediation of the Property will be paid for from the posted Performance Bond as described in Section 11.06.08. The Final Plat shall expire, and the Final Plat shall be null and void under the following conditions:

1. **Failure to Record.** If the Final Plat is not recorded within six (6) months from the date of approval. The Town Council may grant a one-time extension to the recording of the Final Plat not exceeding six (6) months; provided, that the Developer submits the request for extension prior to expiration of the Final Plat and satisfies any new Town requirements pertaining to the public health, safety and welfare.
2. **Failure to Obtain Grading Permit.** If the Final Plat was approved more than one (1) year prior to the application of a grading permit unless an extension (not to exceed six [6] months) is granted by the Town Council.
3. **Failure to Obtain Building Permit.** If the Final Plat was approved more than two (2) years prior to the application of a building permit unless an extension (not to exceed six [6] months) is granted by the Town Council.
4. **Abandonment.** If continuous development ceases after the start of development activities. The project is considered to be abandoned if more than six [6] months has elapsed since any development activity has occurred; unless evidence is presented with valid reasons for the delay to the Town Council and an exception is granted.
5. **Violations.** If the construction of the Subdivision is in violation of any local, federal or state regulations, Town of Hideout Building and Construction Regulations set forth in Title 9, Town of Hideout Zoning Regulations set forth in Title 11, Town of Hideout Subdivision Regulations set forth in this Code, or any ordinance of the Town of Hideout, unless the Developer resolves the violation within thirty (30) days of violation notice.

### **11.06.36 REAPPLICATION FOLLOWING APPLICATION DENIAL**

If a land use application is denied for failure to meet the requirements of the land use ordinances and building codes, a land use application for all or any part of the same Property shall not be considered by a land use authority for a period of at least one (1) year from the date of denial, unless the prior denial was based upon a mistake of fact, or on a motion duly passed by the Town Council to act immediately and identifying a valid public purpose.

## **11.08 DEVELOPMENT AGREEMENTS**

### **11.08.02 PURPOSE**

The Developer/Property Owner and the Town of Hideout may enter into a Development Agreement that outlines the duties, responsibilities, obligations, commitments and promises of the Developer/Property Owner and the commitments of the Town.

#### **11.08.04 GENERAL REQUIREMENTS**

1. The Development Agreement may include residential Cluster Development as outlined in Chapter 12.04 in Title 12.
2. The Development Agreement shall be prepared by the Town Attorney and shall incorporate all agreements between the parties.
3. The Development Agreement must be approved prior to the Mayor's signature on the Final Plat.
4. If the Developer is including parks, Open Space, clubhouses and/or trail improvements within a development, the Development Agreement shall include proposed phasing and terms of completion of these improvements.
5. Any special agreements, conveyances, restrictions or covenants which govern the use, maintenance and continued protection of common areas shall be included in the Development Agreement.
6. The Development Agreement may provide limitations on the number of building permits issued and/or phases of the project to be approved subject to the completion of the improvements.
7. The Development Agreement for phased Subdivisions shall incorporate the phased Subdivision master plan.
8. The Development Agreement shall include all required improvements and bonds guaranteeing Subdivision construction as outlined in Chapter 11.06, as well as a schedule for implementation.
9. If the development is a phased Subdivision, the Development Agreement shall specify all conditions and requirements that must be met in order to protect and maintain a vested approval for all subsequent phases. For example, the Town may impose as a condition precedent to final approval of subsequent phases, the availability and access to water and sewer services and source sufficient to accommodate the subsequent phases.

#### **11.08.06 DEVELOPMENT AGREEMENT APPROVAL**

The Development Agreement shall be approved by the Town Council and signed by the Mayor.

#### **11.08.08 DEVELOPMENT AGREEMENT RECORDING**

The Development Agreement shall be recorded by the Town at the Wasatch County Recorder's office. Recordation by the Town shall only take place after all of the necessary signatures are obtained, all approvals given, and all bonds and fees posted. The Development Agreement must be recorded prior to the recording of the Final Plat.