

**AN ORDINANCE AMENDING HIDEOUT MUNICIPAL CODE TITLES 3, 10, AND 11 REGARDING SUBDIVISION PROCEDURES**

**WHEREAS**, Hideout is a municipality and has authority to regulate subdivisions in general pursuant to Utah Code Ann. Subsection 10-9a-601 et seq.; and

**WHEREAS**, revisions to the existing Subdivision Ordinance of Hideout are required to comply with Senate Bill 174 (2023); and

**WHEREAS**, revisions to the existing Subdivision Ordinance of Hideout are required to comply with House Bill 476 (2024); and

**WHEREAS**, Hideout has authority to adopt subdivision regulations and procedures pursuant to Utah Code Ann. § 10-9a-501 or identify other statute or ordinance that provides authority in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Chapter 9a, Utah Code, to establish an administrative land use authority for subdivisions and other provisions as necessary and appropriate to comply with Senate Bill 174 (2023) and House Bill 476 (2024); and

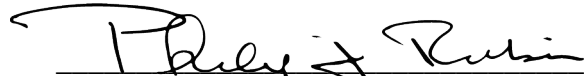
**WHEREAS**, the Council deems it necessary to amend its ordinances accordingly, and for the protection and preservation of the public health, safety, and general welfare.

**BE IT ORDAINED BY THE HIDEOUT COUNCIL** as follows:

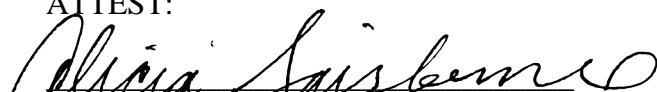
1. Sections of Titles 3, 10, and 11 are repealed, replaced, and amended as shown on **Attachment A** to this Ordinance. All other provisions of the Hideout Municipal Code remain in full force and effect.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
3. Direction. Staff are authorized and directed to make such non-substantive changes and take other actions required to finalize, post, and publish this Ordinance.
4. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

**Passed and Adopted** by the Town Council of Hideout, Utah, this 12th day of December, in the year 2024.

TOWN OF HIDEOUT

  
Philip J. Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Recorder for Hideout



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### **TITLE 3 PLANNING COMMISSION AND ADMINISTRATIVE LAW JUDGE**

#### **3.02.050 POWERS AND DUTIES**

The planning commission shall have such powers and functions and shall perform such duties as prescribed by Utah Code Title 10-9a, and any further amendments of or supplements to which may hereafter be enacted, and shall also have such powers and functions and perform such other duties in connection with the planning and zoning of the town as may hereafter be prescribed by any ordinance. The planning commission shall be designated as the administrative land use authority for preliminary approval of all subdivision applications, and may not be the land use authority for final approval of subdivision applications for developments single-family, two-family, or townhome dwelling units.

#### **3.02.090 NOTICE REQUIREMENTS**

- A. If any applicant desires to have an item placed on the agenda for the regular meeting of the Planning Commission, a complete application (inclusive of all supporting content and required documents such as site plans, building elevations, etc.) and all associated fees and escrow funds must be submitted to the Recorder's Office no later than 10:00 am mountain time forty-five (45) calendar days prior to the Planning Commission's regularly scheduled meeting. If any required application items are delivered after the time set forth in this section, such application items will be placed on the agenda for the following regular meeting of the Planning Commission.
- B. This section makes no changes to any Land Use application schedule or deadlines outlined within existing Town Code or within any duly adopted Master Development Agreement. Those schedules and/or deadlines must be completed prior to any affected item being placed upon the agenda as outlined above.
- C. All applications for property development and/or use permits shall be actively pursued to a final decision by the town. If no activity such as plan submittals, reviews, meetings, or communication by the applicant has occurred on an application for one hundred eighty (180) days, the application will be deemed as inactive, and the file closed. The applicant may submit a written request to maintain the application as active, wherein upon finding that there is good cause and reasonable belief that the application will be pursued to completion, the Town Planner, or their designee may grant a one-time ninety (90) day extension. Once a file is closed, an applicant will be required to pay all applicable fees and reapply for permits or development.

#### **3.04.06 POWERS AND DUTIES**

The Administrative Law Judge shall hear and decide:

- A. Appeals from zoning decisions applying the zoning ordinance;
- B. Variances from the terms of the zoning ordinance.
- C. Nonconforming Uses: The Administrative Law Judge may make determinations regarding the existence, expansion or modification of nonconforming uses.

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- D. Administrative Enforcement Appeals (Title 13)
- E. Any actions by the Board of Adjustment in the Hideout Municipal Code for an action by the Board of Adjustment shall be administered by the Administrative Law Judge.
- F. Any other appeal authority which may be delegated by the Mayor, except those that appeals from subdivision improvement plans, as defined in Utah Code Section 10-9a-401.2, which may not be delegated to the Administrative Law Judge.

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### TITLE 10 BUILDING AND DEVELOPMENT STANDARDS

#### **10.04.14 EXPIRATION OF BUILDING PERMITS**

A building permit ~~shall automatically~~ expires if construction is not begun within one year (1) from the date the building permit was issued. A building permit ~~shall automatically~~ expires if construction is not completed and a Certificate of Occupancy and Land Use Compliance obtained within two (2) years from the date the building permit was issued. The Building Official may, for good cause shown, extend the expiration date for a period of time not to exceed one (1) additional year. Inactivity on a building site exceeding 180 days will be grounds for a permit to expire upon written notice from the Building Official.

#### **10.06.02 LANDSCAPING AND MAINTENANCE REQUIREMENTS**

Landscaping requirements within each zone shall adhere to the following standards:

- A. Landscaping shall follow criteria established in Section 10.08.36 in this Title.
- B. New plant materials should be planted in a way that respects existing planting patterns. Trees, shrubs, and ground cover are usually found in groups of similar species. New planting should follow the patterns characteristic to the Site and should, as much as possible, harmonize with them.
- C. The existing landscape, vegetation and topography are to be considered when siting structures and designing outdoor spaces.
- D. The preservation of natural vegetation or planting of new native vegetation is strongly encouraged for all residential and commercial properties and shall make up no less than 50% of a property's total landscape area (exclusive of building footprint and paved areas).
- E. The following water-efficient landscape standards for new construction are required:
  1. No lawn is permitted on parking strips or areas less than eight (8) feet in width in new development.
  2. No more than 35% of front and side yard landscaped areas in new residential developments may be lawn/turf/mowed grass. This lawn limitation does not apply to small residential lots with less than 250 square feet of landscaped area.
  3. In new commercial, industrial, institutional and multi-family development common area landscapes, lawn/turf/mowed grass areas ~~shall may~~ not exceed 20% of the total landscaped area, outside of active recreation areas.
- F. These plants must achieve 75% coverage within two (2) years as determined by an aerial analysis and in accordance with an inspection by the Town Planner.
- G. Gravel/rock/rock mulch/decorative rock/sand is not permitted as a primary groundcover and is only permitted for small walking paths, small sitting areas/patios, borders, and/or

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- as an accent feature in a garden. In no case ~~shall~~ may gravel/rock/rock mulch/decorative rock/sand exceed twenty-five percent (25%) coverage of the total yard area (not including building footprint and driveway) of any property.
- H. Naturally colored bark mulch may be used as a base ground cover in which to plant shrubs, trees, perennials, annuals, etc. These plantings must achieve at least sixty percent (60%) coverage of the barked area within two (2) years, and plant size and spacing shall not be less than twenty-five percent (25%) coverage at time of planting.
  - I. The Landscaping of all Street rights-of-way contiguous with the proposed Development site not used for Street pavement, curbs, gutters, sidewalks, or Driveways shall be required in addition to the On-Site landscaped areas required herein.
  - J. Pavement such as asphalt with a concrete or paver border, concrete, or other materials may not cover greater than twenty-five percent (25%) of any Lot's total landscape area (exclusive of the building footprint). This includes driveways, parking pads, walkways, porches and patios.
  - K. Community Gardens may count toward a Landscaping and/or Open Space requirement for Multiple Family Residential Developments.
  - L. A minimum fifteen-foot-wide landscape buffer shall be required along those property lines of a site developed for Multiple Family Dwellings, commercial, or industrial uses when such property lines are contiguous with any residential Development or residential zoning district; except that no such landscape buffers shall be required for Multiple Family Dwellings contiguous with other Multiple Family Dwellings or a Multiple Family zoning district. The area of this landscape buffer shall not be used to satisfy the landscape area requirements of this Section.
  - M. The landscape buffer areas shall be improved with a minimum of one (1) screening tree spaced at each ten-foot interval (staggered configuration) of the property boundary being screened.
  - N. Parking Lot Landscaping. Five percent (5%) of the gross parking surface area shall be of dispersed interior Landscaping, designed so as to reduce the "heat island" effect and to enhance the aesthetics of a parking area. A Development with single drive aisle between a building and property boundary may include the required Landscaping on the perimeter of the drive aisle toward this requirement.
  - O. Natural vegetation is permitted for passive Open Space areas. Active Open Space areas may use introduced vegetation for park areas, walking areas, play fields, etc.
  - P. All landscape improvements (landscape materials, irrigation system, landscape buffers, etc.) shall be installed and paid for by the Developer on the site in accordance with the approved Final Landscape Plan prior to the issuance of a certificate of occupancy for the building or use.
  - Q. Automated irrigation systems are required.
  - R. The Homeowners Association shall maintain all Common Areas and facilities.

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### 10.06.04 OPEN SPACE AND PUBLIC SPACE GENERAL REQUIREMENTS

Open Space and Public Space requirements within each zone shall adhere to the following requirements:

- A. Unless approved by the Town Council, the following ~~shall~~may not count toward Open Space Requirement calculations:
  1. Detention/retention basins and other stormwater infrastructure.
  2. Lots and Lot setbacks.
  3. Roads and sidewalks.
  4. Parking and drive aisles.
- B. Public Space may be counted towards the Open Space Requirement calculation.
- C. Open Space shall follow criteria established in Section 10.08.32 in this Title.
- D. Land shall be reserved, and improvements installed for Public Space following the criteria established in Section 10.08.34 in this Title.
- E. Any public trails and Public Spaces shall be either be dedicated to the Town of Hideout or a Public Access Easement dedicated to the Town. Once the improvements associated with Public Trails or Public Spaces are complete according to Town Standards and the Town of Hideout accepts the dedication, the Town of Hideout shall thereafter assume the responsibility of maintaining such public trails or Public Spaces.

### 10.06.06 CONVEYANCE OF OPEN SPACE

- A. Open Space shall be conveyed as follows:
  1. If the Town Council determines that a conveyance to the Town will benefit the public, to the Town of Hideout once any infrastructure and improvements have been constructed to Town Standards and approved by the Building Official. Any conveyance to the Town shall be in a form approved by the Town Attorney. If the Town determines not to accept a conveyance, the Town may require a public access easement over the Open Space and any Public Trails thereon.
  2. If the Town Council determines that conveyance to the Town will not benefit the public, the Open Space must be conveyed to either:
    - a. A homeowner's association organized for the Subdivision in which the Cluster Development; or
    - b. To a nonprofit organization whose principal purpose is the conservation of lands similar to Open Space, provided the conveyance to such a nonprofit organization must be approved by the Town Council.

**Commented [A1]:** JLS - The Town can only require completion of "Public Landscaping Improvements" under 10-9a-604.5.

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- B. In any case, where the Open Space is conveyed pursuant to subparagraph (1)(b), above, a deed restriction enforceable by the Town shall be recorded that provides that the Open Space shall:
1. Be kept in the authorized condition(s); and
  2. Not be developed for Structures, Buildings, Accessory Structures, roadways, or other purposes which are inconsistent with Open Space.

### 10.08.04 APPLICATION OF STANDARDS

The regulations hereinafter set forth in this Chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere within the Town Code. The current edition of the construction specifications for the Town of Hideout will also govern construction of infrastructure in the Town of Hideout.

### 10.08.06 GENERAL STANDARDS

- A. The design and development of Subdivisions shall preserve, insofar as possible, the natural terrain, natural drainage, existing topsoil, existing vegetation, and viewsheds.
- B. The design of buildings should, insofar as possible, blend into the natural beauty of Hideout. See Section 10.08.08 – Building Design Standards for more information.
- C. Monotony Clause – to mitigate the issues associated with monotony of design for single-family or townhouse (two-family) structures located within a neighborhood; the following standards apply:
1. Minor Subdivisions (5 lots or less) ~~shall~~ may not have any two (2) structures with the same elevation. The differentiation of each structure shall be a combination of unique roof lines, garage stepbacks, entry/porch location and canopy, fenestration, building materials, and colors.
  2. Major Subdivisions (6 lots or more) ~~shall~~ may not have greater than twenty (20%) of the structures with the same elevation and, in no case, ~~shall~~ may any two (2) similar structures be located adjacent to each other or directly across the street. The differentiation of each structure shall be a combination of unique roof lines, garage stepbacks, entry/porch location and canopy, fenestration, building materials, and colors.
- D. Land subject to natural hazards such as flooding, wildfire, falling rock, landslides, and avalanches shall be considered unsuitable for any occupancy that may impair the health, safety, or welfare of the inhabitants. Such land shall be identified and ~~shall~~ may not be subdivided until the hazards have been mitigated or will be mitigated by the Subdivision and construction plans in accordance with the Town Code. Where such hazardous conditions are adjacent to lands proposed for Subdivision, the proposal may be denied unless potentially hazardous conditions are appropriately mitigated per the Town Code.

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- E. The Applicant or builder shall comply with landscape requirements of approval, maintain vacant lots, keep sidewalks clear and roads swept, and implement best management practices, including revegetation of disturbed sites, as needed, to reduce erosion, sedimentation, and noxious weed proliferation during Subdivision construction and until the lots are sold.
- F. Maintenance of Common Areas must be accomplished through either covenants and a Homeowners Association, a separate maintenance agreement, or some other perpetual agreement.

### **10.08.36 LANDSCAPING AND IRRIGATION**

- A. **Landscape Improvements and Guarantees.** All landscape improvements (landscape materials, irrigation system, landscape buffers, etc.) shall be installed and paid for by the Developer or property owner on the site in accordance with the approved Final Landscape Plan prior to, or within nine (9) months of, the issuance of a certificate of occupancy or a temporary certificate of occupancy for the building or use. A failure to complete the landscaping within the time limits in this section may subject the Developer or property owner to a refusal, suspension, or revocation of the certificate of occupancy and other civil or administrative actions.
- B. **Minimum Size of Plantings.** Unless otherwise specified herein, all required deciduous trees shall be a minimum of two-inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size.
- C. **Plant Materials.** Plant shall be well-suited to the soil and climate conditions at the project site. Native plant materials are encouraged. The Applicant shall provide the water requirements for all plant material.
- D. **Natural Topping of Landscape Areas.** All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: groundcover, planting, or wood mulch. Decorative rock (commonly known as rice gravel, pea gravel or decomposed granite [DG]) may be used as a ground cover for up to 25% of a property's landscape area (exclusive of building footprint and driveway/parking area).
- E. **Irrigation Standards**
  - 1. All landscaped areas shall be supported by an automatic irrigation system which may be a spray, soaker, or drip type system. The irrigation system shall meet all State and Town requirements for potential cross-connections that must be protect against backflow to the culinary water system. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the road, sidewalk, or parking areas.
  - 2. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Sod and non-sod areas shall be

**Commented [A2]:** JLS - The Town can only require completion of "Public Landscaping Improvements" under 10-9a-604.5.



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irrigated on separate valves. Drip Emitters and sprinklers shall be placed on separate valves.

3. Separate Connection. Any landscaping that will be owned and maintained by the Town shall have separate irrigation line connection prior to the master meter. A backflow prevention device shall be installed by the Developer or Property Owner as required by the Town Planner or Town Engineer.

F. **Soil Preparation.** Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include ripping, tilling, and/or scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material.

G. **Landscape Buffer.** A minimum fifteen-foot-wide landscape buffer with a minimum of one (1) screening tree spaced at each ten-foot interval (staggered configuration) shall be required along those Property lines of a site developed for multiple-family residential, commercial, or industrial uses when such Property lines are contiguous with any residential development or residential zoning district; except that no such landscape buffers shall be required for multiple-family residential contiguous with other multiple-family development.

### 10.10 CONSTRUCTION AND IMPROVEMENTS REQUIRED

#### 10.10.02 CONSTRUCTION STANDARDS

#### 10.10.04 CONFLICTING PROVISIONS

#### 10.10.06 REQUIRED IMPROVEMENTS

#### 10.10.02 CONSTRUCTION STANDARDS

Construction standards, including drawings, tables, charts, references and other regulations adopted by the Town Council by resolution, shall constitute Subdivision Regulations supplementing this Ordinance.

#### 10.10.04 CONFLICTING PROVISIONS

Where specific requirements are made or exemptions allowed under other sections of this Ordinance, those requirements or exemptions shall prevail over the Subdivision Regulations supplementing this Ordinance.

#### 10.10.06 REQUIRED IMPROVEMENTS

The following improvements shall be constructed at the expense of the Applicant, in accordance with the provisions of this Title and the Zoning Ordinance. A performance bond as described in Section 11.06.14 Fees (and specifically detailed in the Town's Fee Schedule adopted by Resolution) shall be secured to ensure installation of required improvements. The improvements shall include:

- A. Roads and road requirements:

**Commented [A3]:** JLS - Consider revising to the more stringent standard controls. See example in 11.02.08. "Greater restrictions prevail."

**Commented [A4]:** JLS - These should be explicitly identified as part of (assuming they are not the entire) subdivision improvement plans.

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1. The grading and graveling of all roads and the installation of all required culverts in accordance with this Title;
  2. The hard surfacing of all roads in accordance with Town Standards;
  3. Sidewalks, curbs, planter strips and gutters in accordance with Section 10.08.16.
- B. Drainage and onsite stormwater management infrastructure in accordance with Section 10.08.20.
- C. Water, Sewer, Solid Waste:
1. A potable water supply in amounts and manner as required under Section 10.06.22 of this Ordinance in accordance with the State Board of Health Standards;
  2. The installation of water and sewer mains and water and sewer laterals to each lot Property line shall be required in accordance with Town Standards;
  3. The installation of fire hydrants in accordance with Town Standards;
  4. Solid waste disposal facilities shall be provided in accordance with Town Standards.
- D. Electricity, natural gas, telephone service, high speed internet service (50/50 Mbps or greater), video, water, sewer and storm drains, shall be installed in accordance with Section 10.08.26 and all other Town Standards. These utilities shall be located underground except when the Applicant demonstrates by clear and convincing evidence that underground lines and structures are not technically possible using commercially available technology. Junction boxes which are less than four (4) feet in height and which are essential to the provision of utility service are exempt from the undergrounding requirement so long as they are wholly located within a utility easement.
- E. Open Space, Public Trails, and Public Space in accordance with Section 10.08.32 and Section 10.08.34.
- F. Landscaping and irrigation systems in accordance with Section 10.08.36.
- G. Survey Monuments. The installation of survey monuments in accordance with Town standards and shall be installed on road right-of-way lines, at road intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the road limits. All monuments shall be properly set in the ground and approved by a Registered Land Surveyor.
- H. Road lighting shall be installed as per Town Standards.
- I. In order to preserve and maintain views within the Town, all utilities, lines, supports, and all related structures shall be installed underground. Any utility provider seeking to install new, additional, supplemental or replacement structures or systems above ground pursuant to Section 10.10.06(4) shall, upon request of the Town, attend a meeting as part of the permitting process to discuss and explore ways of preserving the then existing

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views or, when not technically possible, ways to minimize the impacts to then existing views within the Town. A utility provider shall comply with the Town's requests for above ground adjustments to utility structure location(s) when technically feasible, so long as such requests are based upon: (i) preservation of then existing views; or (ii) public safety.

- J. Upon request, a utility provider seeking to install new, additional, or replacement structures or lines shall promptly provide, as part of any permitting process: (i) accurate drawings depicting the exact locations and approximate dimensions of all proposed above ground lines and structures; and (ii) stake out specific locations as requested by the Town. Failure to timely comply with such requests shall be grounds to deny a permit application.

### **10.12 GENERAL TERMS AND DEFINITIONS**

The following definitions are adopted; additionally, the definitions set forth in Utah Code Section 10-9a--103, as amended, are hereby incorporated as additional definitions pertaining to this Title.

...

**Applicant.** The Owner of land proposed to be subdivided or such Owner's duly authorized agent. Any agent must have written authorization from the Owner.

...

**Civil Engineer.** A professional engineer registered in the State of Utah to practice in the field of civil engineering.

...

**Developer.** Depending on the context in which it is used, either:

1. an Applicant for Subdivision approval;
2. an Applicant for a building permit or other land use permit provided for under the Town Code; or
3. the Owner of the Property for which Subdivision or other land use approvals are sought.

**Development.** The total area of the parcel of land on which a Building permit is to be issued, or the total area of property being improved.

**Development Agreement.** The agreement between the Town and the Owner/Developer that outlines the duties, responsibilities, obligations, commitments and promises of the Town and the Owner/Developer.

...

**Dwelling.** A Building or portion thereof designed or used for residential occupancy, including one- family, two-family, multiple family, and apartment Structure; but shall not include

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boarding, rooming, or lodging houses, tents, trailers, mobile home parks, motels, motor courts, motor lodges, cottage camps, or similar Structures designed or used primarily for transient residential uses.

**Dwelling, Multiple Family Unit.** A Building arrangement designed for and/or occupied by three or more families.

**Dwelling, Single Family Attached.** Two or more contiguous Dwelling Units designed to be independently owned and occupied which are connected by a Lot line wall or party wall, each unit having separate water, sewer, electricity, heating and communication supplies.

**Dwelling, Single Family Detached.** A Building designed for and occupied exclusively by one family on a separate Lot and not sharing any common wall.

**Dwelling Unit.** A single unit providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation.

### E

**Easement.** Authorization by a Property Owner for the use by another, and for a specified purpose, such as utilities and irrigation ditches, of any designated part of the Owner's Property. An Easement may be for use under, on the surface, or above the Owner's Property.

**Electronic Format.** Drawings, maps, calculations, documents or other data required by the Town are to be provided by the Applicant on digital media (or other means) readable by a compatible computer. Types of electronic files including versions will be as requested by Town Staff.

...

**Final Plat.** A map of a Subdivision, required of all Subdivisions, which is prepared for final approval and recordation purposes in accordance with the applicable standards, which has been accurately surveyed, so that roads, lots and other divisions thereof can be identified.

...

**Landscaping.** The installation of plant materials (i.e., lawn, ground covers, annuals and perennial flowering plants, vines, shrubs, and trees), planted directly on the property.

**Landscaping, Public.** Landscaping of areas that will be dedicated to and/or maintained by the Town.

...

**Lot.** A unit of land described in a recorded Subdivision Plat.

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**Lot, Area.** The horizontal area within the exterior lines of the Lot, exclusive of any area in a public or private way open to public uses.

**Lot, Building.** A parcel of land which is of such dimensions as to comply with the minimum requirements of this Title for area, width, and depth applicable to the zone in which it is located and having Frontage on a public or approved private Street.

**Lot, Coverage.** The percent of a lot covered by buildings, driveways, parking areas, sidewalks, or any other impermeable surface.

**Lot, Double Frontage.** Any Building Lot which has both the front and Rear Yard line bounded by a Street. This does not normally include corner Lots.

**Lot, Corner.** A Building Lot situated within a corner created by the intersecting lines of a Street or Streets that has Frontage on two (2) sides.

**Lot, Flag.** A Lot that does not have the required Frontage on a Town of Hideout Road or Private Road built to the Town of Hideout Standards. Access to the buildable portion of the Lot is through a narrow private access that is contiguous and part of the Lot.

**Lot, Inside Gore-Shaped.** A Lot where side Lot lines converge towards the rear to a point or the rear Lot line width is less than half the required width for the Lot in the applicable zone.

**Lot, Interior.** Any Building Lot other than a corner Lot.

**Lot Line, Front.** Any Street right-of-way line of record or established by use, which forms one or more boundaries of a Lot.

**Lot Line, Rear, For Corner Lots.** The interior Lot line which has been designated as the rear Lot line determined by the direction the house faces.

**Lot Line, Side, For Corner Lot.** All interior Lot lines for multi-Frontage Lots; for other corner Lots, that interior Lot line which the Lot owner has designated as the side Lot line.

**Lot Line, Side, For Interior Lots.** Those interior lines lying opposite each other, running between the front and rear Lot lines, or in the case of a multi-Frontage Lot, those interior lines which run between the two front Lot lines.

**Lot, Multi-Frontage.** Any Building Lot, the centerline of which intersects two front Lot lines, and which has no rear Lot line.

**Lot Width, For Corner Lots.** The width of the Lot as measured along both Street Frontages at the required setback.

**Lot Width, For Interior Lots.** The horizontal distance between the side Lot lines measured along a line lying at right angles to the centerline of the Lot at the point of the required setback.

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**Planning Commission.** The Town of Hideout Planning Commission.

**Planning Commission Chair.** The chairperson of the Planning Commission appointed by the Mayor.

**Public Improvement.** Any road dedications, installations of curb, gutter, sidewalk, road base and asphalt, water, sewer and storm drainage facilities, or other utility or service required to provide services to a lot, parcel, building or structure.

...

**Public Space.** Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hardscaped plazas, public trails, and public pedestrian amenities; but excluding Buildings.

...

**Road, Primary.** The main access road into a Development.

**Road, Private.** A road that is on private property and maintained by the property owners and not a public entity.

**Road, Public.** A road that is dedicated to a public entity and maintained by a public entity.

...

**Security Agreement.** Agreement to install improvements secured by cash bond, cash escrow, an irrevocable letter of credit, or any combination of the preceding as approved by the Town Council.

...

**Subdivision.** Any land that is divided or proposed to be divided into two (2) or more Lots, parcels, sites, units, Plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or Development either on the installment plan or upon any and all other plans, terms and conditions.

**Subdivision Improvement Plans.** The civil drawings required and associated with required improvements for any Subdivision, including those for required improvements identified in Town Code Section 10.10.06.

**Subdivision Ordinance.** The terms and provisions of Title 11 of the Town Code, as the same may be amended from time to time.

...

**Town Administrator.** The official appointed by the Mayor of the Town of Hideout as the Town

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Administrator.

**Town Code.** This code of ordinances duly adopted by the Town of Hideout, and any amendments thereto.

**Town Council.** The legislative body of the Town of Hideout, consisting of the elected or appointed council members and the Mayor.

**Town Engineer.** The Town Engineer, a licensed professional engineer in the State of Utah, appointed by the Mayor of the Town of Hideout or the Town Engineer's authorized representative.

**Town Planner.** The individual appointed as the Town Planner by the Mayor of the Town of Hideout.

**Town Staff.** The employees and administrative appointees of the Town of Hideout, including, without limitation, the Town Administrator, Town Clerk, office staff, public works staff, maintenance staff, Town Planner and planning staff, Town Engineer and engineering staff, and Building Official and building staff.

**Town Standards.** The standards, including the Town Code and other applicable standards which have been adopted, created, or approved as authorized under the Town Code, which govern or regulate building, land development, construction and other similar activities.

...

**Zoning Ordinance.** The terms and provisions of Title 12 of the Town Code, as amended from time to time.

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### TITLE 11 SUBDIVISION REGULATION

#### 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:

- A. Protect and promote the health, safety, convenience, and general welfare of the present and future inhabitants of the Town of Hideout;
- B. 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.
- C. Establish the rights, duties, and responsibilities of Applicants and Developers with respect to land Subdivision;
- D. Secure the provision of necessary infrastructure and services in an efficient and economical manner for existing and future residents;
- E. Guide the future growth and development of the Town of Hideout, in accordance with the General Plan.
- F. 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.
- G. Provide for Open Space and Public Space through efficient design and layout of the land using Open Space requirements and other provisions of the Town Standards.
- H. 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

- A. 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 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 exercises the power and authority to ~~review, approve, and disapprove~~ regulate and establish procedures and requirements for plats for subdividing land within the corporate limits of the Town of Hideout.
- B. By the same authority, the Town Council does hereby exercise the power and authority to regulate and establish procedures and requirements for ~~pass and approve~~ development



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- in Subdivisions and plat amendments of land ~~already~~ recorded prior to November 1, 2024, in the office of the County Recorder if such are entirely or partially undeveloped.
- C. ~~The Any~~ 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~~.
- D. A Transfer of land pursuant to a void plat is voidable in the discretion of the Town Council.
- E. The Town Planning Commission is hereby designated as the administrative land use authority for preliminary plat applications for subdivisions.
- ~~D.F.~~ The Town Administrator is hereby designated as the administrative land use authority for final plat applications for subdivisions.
- ~~E.G.~~ The Town Administrator may designate a staff member to oversee reviews as needed, provided the designee cannot be a Council Member, the Mayor, or any other non-staff individual.

### **11.02.08 INTERPRETATION AND SEVERABILITY**

- A. 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.
- B. 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 the Town 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.
- C. 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.
- D. 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.
- E. 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

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the time period refers and ending at eleven fifty-nine (11:59) P.M. on the last day of the time period.

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

This title, other titles and chapters of the Town Code, the Town Standards, and the most recent version of the Town of Hideout General Plan ("General Plan") adopted by the Town Council shall guide the use of all land within the municipal boundaries of the Town.

### **11.02.12 SUBDIVISION ORDINANCE AMENDMENTS**

- A. 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.
- B. 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 may~~ 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**

- A. No tract of land ~~shall may~~ be divided, subdivided, reconfigured, developed or redeveloped except in conformance with provisions of this title and all other applicable provisions of the Town Code and other Town Standards.
- B. No plat, Subdivision amendment or reconfiguring of Property ~~shall may~~ be recorded except in accordance with the provisions of this title and all other applicable provisions of the Town Code and other Town Standards.
- C. All licenses, permits, agreements and plans issued or approved by the Town shall

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comply with all requirements and provisions of the Town Code and other Town Standards.

- D. All Subdivisions, Condominiums, site plans, construction and infrastructure shall be designed and constructed in conformance with Town Code and other Town Standards.
- E. All uses shall be conducted in conformance with Town Code and other Town Standards, all approved plans, and requirements or conditions of approval.
- F. Land which is to be subdivided shall not be transferred, sold or offered for sale prior to recording the subject plat and until all requirements of Town Code for Subdivisions, Condominiums or other development have been met.
- G. 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 the Town Code and all other applicable ordinances and regulations.

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

The Town Council may, on its own motion, or pursuant to a petition or application, consider and approve at a public hearing any proposed vacation, alteration, or amendment of a Subdivision plat involving any vacation of a plat or portion thereof, or of any road, lot, alley or public use area contained in a Subdivision plat, as provided in Utah Code Section 10-9a-608 through 10-9a-609.5 as amended. If an amended plat is approved by the Town Council and recorded, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat on the same land. An ordinance, when approved by the Town Council and recorded, 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 violates the provisions of this title shall be guilty of a class B misdemeanor unless otherwise established by law. Each day of violation of this title exists shall be considered a separate violation and subject to the penalties of this section and any other applicable law, ordinance, or regulation.

### **11.02.22 APPEALS**

The requirements and procedures for appealing decisions of the Town's land use authority in administering or interpreting the Town land use provisions of the Town Code, including this title, are set forth in Title 3 of the Town Code, and are hereby incorporated herein by this reference. Notwithstanding any other provision of the Town Code, any appeal from the Subdivision Improvement Plans, as defined in Utah Code Section 10-9a-604.2, shall comply with Utah Code Sections 10-9a-604.2(8) and 10-9a-508(5)(d) in effect as of the date of the adoption of this Ordinance.

### **11.04.02 GENERAL**

Commented [A5]: This is duplicated in 11.02.08. Consider removing one.

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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 of the Town Code are hereby incorporated as definitions pertaining to this title.

### **11.06.02 CLASSIFICATION OF SUBDIVISION**

- A. **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 General Plan and existing Official Zoning Map.
1. A Concept Plan may be approved in accordance with these regulations (preferred, but optional).
  2. A Preliminary Plan shall be approved in accordance with these regulations (preferred, but optional).
  3. A Final Plat shall be approved in accordance with these regulations.
- B. **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.
1. A Concept Plan ~~shall~~ may be approved in accordance with these regulations (preferred, but optional).
  2. A Preliminary Plan shall be approved in accordance with these regulations.
  3. A Final Plat shall be approved in accordance with these regulations.
- C. **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.
1. 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**

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- A. 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. The forms, applications, and requirements shall be available upon request or made publicly available on the Town's website.
- B. 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 may~~ 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**

- A. Unless otherwise required under state law, notice of all public hearings held by the Town Council or Planning Commission with respect to subdivision or land use applications shall be provided by the Town at least ten (10) calendar days before the date of the public hearing. Such notice shall be provided as required under Utah Code Section 10-9a-205 as if the application were a land use regulation.
- B. 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 COMPLETION BOND**

- A. **Completion Bond Required.** If the required landscaping and infrastructure improvements have not been completed and accepted by the Town prior to the time a final plat for a subdivision, or portion thereof, has been recorded, a completion bond in a form acceptable to the Town shall be required prior to the recordation of the Final Plat. The completion bond will secure installation of any public landscaping or infrastructure improvements required by or promised to the Town of Hideout as part of the development.
- B. **Completion Bond Time Period.** The Town will authorize a pro-rata portion of the completion bond to be released as portions of the required infrastructure and improvements are completed and accepted in accordance with all applicable Town Standards.
- C. **Completion Bond Amount.** A completion bond shall be posted with the Town of Hideout in a principal amount of one hundred (100) percent of the total estimated cost of any improvement or other performance required by or promised to the Town of

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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:

1. The Developer's engineering estimate;
2. The estimate of any reviewing engineer;
3. Any other relevant information.

D. **Failure of Performance, Extension of Time.** In the event that any performance covered by a completion bond required is not completed within the time period allowed for under the completion 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 the Town Council 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.

E. **Form of Bond.** Guarantee arrangements offered in lieu of simultaneous completion of Buildings and Site or Public Improvements shall be in an amount determined as provided for above, and shall be in one or more of the following forms:

1. 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 eighteen (18) months, or
2. A deposit of cash with a third-party Escrow, or
3. A deposit of cash with the Town, or
4. Some combination of the above as approved by the Town or an approved equal.

### **11.06.08.02 WARRANTY BOND**

A. **Warranty Bonding.** Upon completion of the required improvements or other performance subject to a completion bond, the Developer shall petition the Town of Hideout for release of the completion bonds, or a portion thereof, as applicable. The Developer, prior to release of the completion bond, shall obtain and provide to the Town a warranty bond as security for the Developer's unconditional warranty that the required improvements or other promised performance comply with all applicable Town Standards and will not fail in any material respect as a result of poor workmanship or materials for a period of one (1) year following the date of acceptance of the improvements by the Town of Hideout. 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.

B. **Warranty Bond Amount.** Warranty bonds required herein must have a face amount of at least ten percent (10%) of the value of Town Engineer's current estimate of cost of

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completion of the improvements to be warranted. Developer may not draw against the warranty bond for any purpose during the warranty period.

### **11.06.08.03 NOXIOUS WEED ABATEMENT BOND**

- A. All Subdivision Construction Permits require a cash noxious weed bond. \$500 per acre shall be assessed for the bond. The bond is refundable the later of a three year period following receipt of a project's final approval or until the Town Engineer approves the bond release. The Developer shall petition the Town of Hideout for release of the noxious weed abatement bond, or a portion thereof, as applicable."
- B. Applicants of Subdivision Construction Permits and the Town of Hideout will execute a Weed Bond Agreement.

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

- A. To review information relevant to an application, the Town Planner, Town Engineer, or other Town Staff may enter upon any land at reasonable times to make examinations, investigations, and surveys related to the application.
- B. Applicants must show proof that the Property has legal access to their Property when the Property does not abut to a public road as a condition of subdivision approval.

### **11.06.12 INSPECTIONS DURING CONSTRUCTION**

- A. 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.
- B. 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.
- C. Work which does not comply with the approved plans and/or does not meet minimum Town Standards will not be accepted.

### **11.06.14 FEES**

- A. **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.

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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 the Town.

- B. **Actual Cost Fees.** The Town Council shall establish by resolution, a Fee Schedule identifying the amount of money an applicant must place on deposit with the Town for to pay for the costs incurred by the Town in connection with processing and approving a land use application and inspecting any construction or development work performed in connection therewith.
- C. **Impact Fees.** Each subdivision and development and each individual lot contained within each development shall be subject to each applicable Impact Fees adopted by the Town of Hideout, as the same may be amended from time-to-time.

### **11.06.16 FIRE DISTRICT REVIEW**

In connection with the first application delivered to the Town in connection with a subdivision of land (i.e. the Concept Plan, if a Concept Plan application is the first application submitted, the Preliminary Plan, if a Preliminary Plan application is the first application is submitted, or the Final Plan if a Final Plan is the first application submitted), the Applicant must deliver a copy of the Concept Plan, Preliminary Plan, or Final Plan, as applicable, to the Wasatch County Fire District for review and comment.

The plan submitted must contain information about road widths, access points, fire hydrant locations, and other matters reasonably requested by the Fire District. The Fire Chief of the Wasatch County Fire District or his designee shall, within twenty-one (21) days from receipt, provide comment and feedback regarding the in the form of a written report or approval letter which cites to relevant provisions of the International Fire Code or other applicable fire and safety standards as necessary.

If the Fire District does not provide written comment and feedback or approval within that time, the Fire District will be deemed to have waived the opportunity to do so with respect to such application. Any report or approval letter received from the Fire District shall be forwarded to the Planning Commission for consideration. A copy of any report or approval letter received from the Fire District shall also be forwarded to the Applicant. The Applicant will have up to seven (7) calendar days to provide written notice to the Planning Commission of the Applicant's intent to submit any additional information relevant to public safety, including (if desired) a report from an expert of Applicant's choosing, for consideration by the Planning Commission.

The Planning Commission shall consider the Fire District's report along with any information provided by the Applicant in determining whether to approve the Applicant's plan. If the Planning Commission approves the Applicant's plan, the Planning Commission will forward the Fire District's report, together with any information provided by the Applicant to the Town Council along with the Planning Commission's recommendation.

Before any subdivision plat is approved for recording with respect to any subdivision which obtained Preliminary Plan approval prior to the date of this paragraph took effect, or for which



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~~the Fire District review required above has not taken place, the Town Applicant shall provide written approval of the Preliminary Plan from the shall request that the Fire District. The Town shall cooperate with and provide information to the Fire District with respect to the Fire District's review of the subdivision plat, within twenty one (21) days, approve such plat or provide comments and feedback in the form of written recommendations which cite to relevant provisions of the International Fire Code or other applicable fire and safety standards. If the Fire District does not provide written comments and feedback within that time, the Fire District will be deemed to have waived the opportunity to do so with respect to such plat. If the Fire District approves the plat or fails to provide comment and feedback within the time provided for herein, the plat shall be approved and signed so long as it otherwise complies with the Town Code.~~

If the Fire District does not approve the plat, then a copy of the Fire District's recommendations, together with any additional information which the applicant chooses to provide, as provided above, will be forwarded to the Town Council. The Town Council shall thereafter hold a public hearing to determine whether to approve the plat or to instruct the applicant to address the Fire District's recommendations prior to approving. At such hearing, the scope of the Town Council's review shall be limited to Fire District's recommendations.

### **11.06.18 CONCEPT PLAN APPLICATION**

#### **11.06.18.01 CONCEPT PLAN APPLICATION PACKAGE**

- A. A Concept Plan application package is required for all proposed multi-family dwelling unit or major residential or commercial Subdivisions. A Concept Plan application package is preferred but optional for all other residential and all Minor Subdivision application package.
- B. 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 General Plan and the Town Code relating to the zone(s) governing the application. The Concept Plan should use the criteria established in the Building Code and other Town Standards.
- C. Any person seeking to subdivide land that does not require a Concept Plan application within the Town boundaries may request a pre-application meeting or concept plan review. The Town highly recommends a pre-application concept plan review meeting prior to submitting a Preliminary Subdivision Application. An optional preapplication concept plan meeting is not a land use application for the purposes of vesting, and does not count toward the maximum number of review cycles for subdivision applications, where applicable. Within fifteen (15) business days after the request, the Town Staff shall schedule a meeting to review the concept plan and give initial feedback. At or before the scheduled pre-application meeting, Town Staff shall provide the applicant with, or make available on its official website, the following:
1. Copies of applicable land use regulations, including this Title;
  2. A complete list of standards required for the proposed project;
  3. Preliminary and final application checklists; and

Commented [A6]: Consider making this a non-negotiable requirement for final approval. The Town can't approve the subdivision if the applicant can't produce the Fire District's sign-off.

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### 4. Feedback on the concept plan.

B-D. The Town may not engage in substantive in review of Subdivision Improvement Plans during the Concept Plan review stage or at any other time prior to the beginning of the review cycles for Subdivision Improvement Plans during Preliminary Plan approval.

### **11.06.18.01 CONCEPT PLAN APPLICATION PACKAGE**

- A. **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.
- B. **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:
1. General Location and Description of Project;
  2. Township, range, section, 1/4 section, (Subdivision, lot and block);
  3. Existing roads. Sidewalks and trails in the proposed development and connecting to the proposed development;
  4. Proposed road (including sidewalks and trails) concept and how it fits existing roads and traffic patterns, sidewalk and trails;
  5. 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.
  6. General discussion of the rationale for including or excluding sidewalks and the proposed design criteria relative to pedestrian travel.
- C. **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:
1. All proposed residential and commercial buildings within a site layout that includes streets, sidewalks, trails, park/open space, storm water basins, etc.
  2. A conceptual landscape plan including proposed plant typology.
  3. Conceptual architectural renderings of building designs proposed.

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- D. **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:
1. Location
    - a. Township, range, section, 1/4 section, (Subdivision, lot and block).
    - b. Major drainage ways and facilities.
  2. Description of Property
    - a. Area in acres.
    - b. Proposed land use and ground cover.
  3. Drainage Basins and Sub-basins
    - a. Reference to major drainage way planning studies such as flood hazard delineation report, major drainage way planning reports, and flood insurance rate maps.
  4. Drainage Design Criteria
    - a. Proposed drainage concept, onsite stormwater management infrastructure, and how it fits existing drainage patterns.
    - b. Brief discussions of drainage problems, including storm water quality, and potential solutions at specific design points.
    - c. Brief discussion of detention storage and outlet design.
  5. Identification of Potential Improvements to Public Drainage Systems
    - a. Identification of potential design concepts and impacts to local drainage systems.
- E. **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:
1. General location of snow storage areas.
  2. Brief discussion of snow removal methods and snow management.

### 11.06.20 CONCEPT PLAN PROCEDURES

- A. The Applicant shall submit an application in Electronic Format to the Town ~~Hall~~ along with required fees set required under the Town's Fee Schedule. Up to five (5) hard copies of the Concept Plan application package may be requested by the Town Staff.

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- B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
  - 1. Town Clerk for validation of tax compliance;
  - 2. Town Engineer for engineering review;
  - 3. The Town Planner for planning/design review; and
  - 4. Wasatch County Fire District for review as provided for in this Code.
- C. The Town Administrator, Town Engineer, Town Planner, or Fire District Representative may request reasonable additional information from the Applicant from time to time.
- D. Within thirty (30) days of receiving all 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.
- E. 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 under Section 11.06.06.
- F. 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.
- G. 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.
- H. 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.
- I. Notwithstanding the foregoing, for optional Concept Plan applications, the Town Staff shall submit the completed Concept Plan to the Town Administrator for administrative

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review, and no public hearing may be held. The Town Administrator may, in its discretion, submit the Concept Plan to the Planning Commission for discussion and feedback only, with no public hearing being held with respect to the Concept Plan.

### **11.06.22 PRELIMINARY PLAN APPLICATION**

- A. 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
- B. A Preliminary Plan application package includes a completed Preliminary Plan application form, Preliminary Plan, and all required plans, including those comprising the Subdivision Improvement Plans, reports and documents described herein that conform to the goals of the General Plan and the Town Code relating to the zone(s) governing the application. The Preliminary Plan shall incorporate the criteria and requirements of the Building Code and other Town Standards.

### **11.06.22.01 PRELIMINARY PLAN APPLICATION PACKAGE**

- A. **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 Section 17-23-20. The Preliminary Plan shall show the following:
  - 1. Project name and address;
  - 2. North point, scale, date;
  - 3. A copy of the closure sheet which shall show the following:
    - a. The courses and distance of the proposed development/Subdivision boundary and the error of closure;
    - b. The area of each lot in square feet and acres.
  - 4. All trails, Open Space, Public Space, and roadways
  - 5. Names, addresses, and telephone numbers of Developer, engineer, and current and prospective Owners;
  - 6. Nearest section corner tie, Township(s) and range(s);
  - 7. Acreage, Property dimensions, project perimeter;
  - 8. All proposed phases of the development, numbered and defined, with approximate timetable for development;
  - 9. 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);

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10. Existing topography with a contour interval of two (2) feet;
11. 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;
12. 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.
13. Existing waterways (including irrigation), significant vegetation, and natural features of the land;
14. Sensitive lands in the proposed development shall be identified on a plan prepared and stamped by a licensed geotechnical engineer or licensed geologist;
15. Soils testing and geotechnical analysis as required by the Town of Hideout;
16. 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;
17. 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));
18. Location and conceptual elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
19. Location of onsite drainage and stormwater management features;
20. Unit configuration footprints and typical architectural elevations;
21. Tabulation of projected ERUs, as established in accordance with the Town Standards;
22. 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.
23. For multi-unit structures, the Preliminary Plan shall show the following additional information:
  - a. Firewall construction, as required by the International Fire Code, the adopted Building Code;

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- b. Additional parking, if required;
- c. Additional Open Space, if required;
- d. Location of individual utility lines and meters, if required; and
- e. Additional exits.

- B. Cluster Development Plan.** If a Cluster Development is being requested, additional requirements for Cluster Developments required under the Town Standards should be included.
- C. 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:
- 1. A Preliminary Plan and/or design of the Public Improvement
  - 2. References to all criteria, master plans, and technical information used in support of the Preliminary Road Plan.
  - 3. Proposed street names within the Subdivision.
- D. Preliminary Traffic Impact Study.** As part of the Preliminary Plan application package, the Applicant shall prepare a preliminary Traffic Impact Study (TIS) to estimate site-generated traffic volumes and assess its impact on the public street system. The TIS shall also identify on-site and off-site improvements that might be needed as a result of the development including but not limited to, analysis of the traffic impacts of the development, the adequacy of the access drives and the suitability of the on-site circulation and parking.
- E. Preliminary Evacuation Plan.** As part of the Preliminary Plan application package, the Applicant shall prepare a preliminary Evacuation Plan that includes: procedures for the orderly and coordinated evacuation operations for the proposed development in the event of an earthquake, wildfire, flooding, or other natural or manmade disasters. The Plan shall outline warning procedures: to be used for evacuations, to identify primary evacuation routes and shelter resources, to identify procedures for the security of the perimeter during and after the evacuation; and to identify procedures for allowing evacuees to return to their homes.
- F. Preliminary Landscape Plan.** As part of the Preliminary Plan application package, the Applicant shall prepare a Preliminary Landscape Plan that shall include the following:
- 1. Proposed locations for all landscaping material, organic and inorganic, used on the site.
  - 2. Proposed plant materials, including size, species, and condition, and plans for retention of existing vegetation and materials.
  - 3. Location and design of all screening elements, berms, landforms, and stormwater management facilities.

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G. **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:

### 1. Location

- a. Information as required from Concept Plans.
- b. City, County, State Highway and local roads within and adjacent to the site, or the area to be served by the drainage improvements.
- c. Names of surrounding developments.
- d. Name of receiving water(s).

### 2. Description of Property

- a. Information as required from Concept Plans.
- b. Existing ground cover (type and vegetation).
- c. Existing major irrigation facilities such as ditches and canals.

### 3. Major Basin Description

- a. Information as required from Concept Plans.
- b. Major basin drainage characteristics, and existing and planned land uses within the basin, as defined by the Town Engineer.
- c. Identification of all nearby irrigation facilities that will influence or be influenced by the local drainage.

### 4. Sub-Basin Description

- a. Describe historic drainage patterns of the Property.
- b. Describe offsite drainage flow patterns and impact on development under existing and fully developed basin conditions.

### 5. Drainage Facility Design Criteria

- a. Information as required from Concept Plans.
- b. How offsite runoff will be considered and how expected impacts will be addressed.
- c. Anticipated and proposed drainage patterns.
- d. 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



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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.

- e. Maintenance and maintenance access.
- f. Describe the content of tables, charts, figures, plates, drawings and design calculations presented in the report.

### 6. Specific Details (Optional Information)

- a. Discussions of drainage problems, including storm water quality, and solutions at specific design points
- b. Discussion of detention storage and outlet design.
- c. Discussion of impacts of concentrating flow on downstream properties.

### 7. Public Drainage Improvements

- a. 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.

### 8. References

- a. Reference all criteria, master plans, and technical information used in support of concept.

H. **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:

- 1. Location and size of proposed snow storage areas.
- 2. Discussion of snow removal methods (with a list of required equipment) and annual management.

I. **Maps.** As a part of the Preliminary Plan application package, the Applicant shall prepare the following maps according to the following criteria:

- 1. General Location Map. The map shall show the following information and conform to the following standards.

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- a. All drawings shall be 22" x 34' in size.
- b. Map shall provide sufficient detail to identify drainage flows entering and leaving the development and general drainage patterns.
- c. 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.
- d. 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.
- e. Basins, basin identification numbers, drainage divides, and topographic contours are to be included.
- f. Location of postal service gang boxes and pull-out area or parking delineated.

### **2. Floodplain Mapping:**

- a. A copy of any published floodplain maps (i.e., flood hazard area delineation, flood insurance rate maps)
- b. All major drainage ways shall have the defined floodplain shown on the report drawings.
- c. Flood hazards from either shallow overland flow, side channels, or concentrated flows.
- d. The location of the Property in relation to the floodplain(s) and/or flood hazards.

### **3. Drainage Plan Mapping:**

- a. Prepare at a scale of 1" = 20' to 1" = 200' on a 22" x 34" size drawing sheet.
- b. 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.
- c. All existing drainage facilities within map limits including basin boundaries and sub-boundaries.
- d. 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.

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- e. Any offsite feature including drainage that influences the development.
  - f. Proposed drainage patterns and, if available, proposed contours.
  - g. Legend to define map symbols.
  - h. Project name, address, engineering firm and seal, and date the title block in lower right corner.
  - i. North arrow, scale and available benchmark information and location for each benchmark.
- J. **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.
- 1. Draft copy of Articles of Incorporation and Bylaws of the Homeowners' Association;
  - 2. Draft copy of Declaration of covenants, conditions, restrictions and management policies;
  - 3. A copy of the Record of Survey filed with the County 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;
  - 4. 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;
  - 5. A form of certification for each of the following (these are proposed certifications of what is intended to be placed on the plat:
    - a. Owner's dedications;
    - b. Surveyor's certificate of accuracy of survey;
    - c. Surveyor's approval

### **11.06.24 PRELIMINARY PLAN PROCEDURES AND SUBDIVISION IMPROVEMENT PLANS**

- A. The Applicant shall submit the Preliminary Plan application package in Electronic Format to Town ~~Hall~~ Staff along with required fees set forth in the Town's Fee Schedule. Up to five (5) hard copies of the Preliminary Plan application package may

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be requested by Town Staff.

- B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
1. Town Administrator for validation of tax compliance;
  2. Town Engineer for engineering review;
  3. The Town Planner for planning/design review; and
  4. Wasatch County Fire District for review as provided for in this Code; and
  5. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.
- C. 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.
- D. Within thirty (30) business days of receiving ~~the a complete application, reports from~~ the Town Administrator, Town Planner, Town Engineer, and Fire District, shall submit reports to the Town Staff, and the Town Staff will review the application again for completeness and a letter will be sent if additional information is needed. If the application is complete, the Town Staff shall submit to the applicant a written review identifying any non-compliant portions of the application, excluding those pertaining directly to the Subdivision Improvement Plans within thirty (30) business days of receipt. If an application is deemed incomplete, the application automatically terminates sixty (60) days after written notice if the necessary components to complete the application have not been submitted. 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.
- E. No later than forty (40) business days of receipt of a complete Preliminary Subdivision Application including the Subdivision Improvement Plans, the Town shall complete review of the Subdivision Improvement Plans and provide written comments to the applicant, including an index of requested modifications, deficiencies, or additions each of which shall include citations to ordinances, standards, or specifications (the “Review Log”).
- F. Within forty (40) business days of receipt of the Review Log, the applicant shall respond in writing and identifying all revisions, modifications, or corrections including an index of requested modifications, deficiencies, or additions each of which shall include citations to ordinances, standards, specifications, and document locations (the “Correction Log”). The Correction Log shall address all items raised in the Review Log.
- E.G. Within forty (40) business days of receipt of the Correction Log, or sixty (60) business days in the event the Correction Log was received more than forty (40) business days after the Town sent the Review Log, the Town shall update the Review Log according to this Section and send to the applicant.

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- ~~F.H.~~ 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 under Section 11.06.06.
- ~~G.I.~~ The Planning Commission shall hold one (1) public hearing on the Preliminary Plan application.
- ~~H.J.~~ 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. However, the public hearing may not be continued to a future date and there may be no more than one (1) public hearing.
- ~~H.K.~~ At such time that the Planning Commission determines that a ~~complete-compliant~~ application has been provided, the Planning Commission ~~will forward the application along with its recommendations to the Town Council~~ shall approve the preliminary subdivision application and forward the Preliminary Plan to the Town Administrator for consideration associated with a Final Plat Application, provided however if any conditions are set forth by the Planning Commission, all such conditions must be met prior to application for final approval unless otherwise required by the Planning Commission.
- ~~J.~~ The Mayor will establish a date for a public hearing that provides sufficient public notice as required under Section 11.06.06.
- ~~K.L.~~ 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.~~
- ~~L.M.~~ 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.

### 11.06.26 FINAL PLAT APPLICATION

- A. A Final Plat application package is required for all proposed major and minor residential or commercial Subdivisions.

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- B. 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 General Plan and the Town Code relating to the zone(s) governing the application. The Final Plat shall incorporate the criteria and requirements of the Building Code and other Town Standards.

### **11.06.26.01 FINAL PLAT APPLICATION PACKAGE**

- A. **Final Plat.** The Final Plat consists of the final, signature-ready 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:

1. Information as required from Preliminary Plan.
2. Development phase number, if a phased project;
3. Lot lines, dimensions and area; adjacent lots and phases;
4. Topography (contours at 2-foot intervals) and site drainage plan which illustrate existing and proposed conditions;
5. Existing vegetation to remain on development and natural features of the land;
6. 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.
7. Utah Department of Transportation approval for access off state roads if applicable; approval as required of other state and federal agencies;
8. Final grading plans illustrating cut and fill limits and limits of disturbance;
9. Temporary construction erosion control plan and Dust Control Plan;
10. Final drainage plan illustrating methods of controlling runoff, directing water flow, and detention / retention areas;
11. Existing and proposed utilities including, fire hydrants, water and sewer lines, and storm sewer system; including plan and profile.
12. Location and elevation drawings of existing and proposed buildings, signs, dumpster and utility enclosures, fences and other structures;
13. A complete landscape plan including all plant proposed (number of each, size

**Commented [A7]:** Town Planner and Engineer - we may want to confirm the Preliminary and Final requirements are the same. Once the Subdivision Improvement Plans are approved in preliminary, they cannot be revised or reviewed for substantive compliance in final.

**Commented [A8R7]:** We should also verify the checklists are updated.

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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;

14. Parking, access, and loading plan when applicable;
15. Lighting plan, including dark sky initiative;
16. Architectural concept plans;
17. Tabulation of ERUs, as established in accordance with the Town Standards.
18. For Condominiums, the Final Plat shall show the following additional information:
  - a. All buildings;
  - b. Private drives and parking areas;

**B. Cluster Development Plan.** If a Cluster Development is being requested, additional requirements for Cluster Developments required under the Town Standards should be included.

**C. 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:

1. Street names within Subdivision as proposed by the developer shall be approved by the Planning Commission and must also be approved by Wasatch County.
2. 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.
3. The conclusions and findings that shall support the Criteria used for the design and the final design.
4. A soils report that supports all specified section profiles and specified soil/aggregate materials.
5. 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.
6. The plans shall be signed and sealed by a Professional Engineer registered in the state of Utah.
7. The plans shall reference all criteria and technical information used.
8. Appendices should include all backup and supporting materials.
9. The plans may be subject to review by outside agencies.

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- D. **Final Traffic Impact Study.** A final traffic study and or report prepared and signed by a licensed engineer that practices in the field of transportation.
- E. **Final Evacuation Plan.** As part of the Final Plan application package, the Applicant shall prepare a final Evacuation Plan that includes: procedures for the orderly and coordinated evacuation operations for the proposed development in the event of an earthquake, wildfire, flooding, or other natural or manmade disasters. The Plan shall outline in detail warning procedures: to be used for evacuations, to identify primary evacuation routes and shelter resources, to identify procedures for the security of the perimeter during and after the evacuation; and to identify procedures for allowing evacuees to return to their homes.
- F. **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 and setback requirements set forth the Town Standards for the designated zone. Using the approved Preliminary Plan submittal, the Final Landscape Plan shall include the following additional information:
1. Revised locations, if any, for all landscaping material, organic and inorganic, used on the site.
  2. 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.
  3. Grading plan showing berms, landforms, and stormwater management facilities.
  4. 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.
  5. A development obligation statement that establishes the responsibility of the Developer to install landscaping and irrigation according to these regulations.
  6. 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.
- G. **Final Drainage Control Plan.** As a part of the Final Plat application package, the Applicant shall prepare a Final Drainage Control Plan. The Town Engineer may require use of computer- based models for the evaluation of storm water quality and quantity for 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



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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:

1. 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:
  - a. "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 the Town of Hideout does not and will not assume liability for drainage facilities design."

Registered  
Professional  
Engineer State of  
Utah No. \_\_\_\_\_ (Affix Seal)
2. General Location and Description.
  - a. Information as required from Preliminary Plans.
  - b. Local roads within the adjacent to the Subdivision.
  - c. Easements within and adjacent to the site.
3. Description of Property
  - a. Information as required from Preliminary Plans.
  - b. General project description.
  - c. General soil conditions, topography, and slope.
4. Major Basin Description
  - a. Information as required from Preliminary Plans.
  - b. Identification of all irrigation facilities within the basin that will influence or be influenced by proposed site drainage.
5. Previous Studies and Specific Site Constraints
  - a. Previous drainage studies (i.e., project master plans) for the site that influence or are influenced by the drainage design and how

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implementation of the plan will affect drainage and storm water quality for the site.

- b. Potential impacts identified from adjacent drainage studies.
- c. Drainage impacts of site constraints such as roads, utilities, transit ways, existing structures, and development or site plan.

### 6. Hydrologic Criteria

- a. Design storm rainfall and its return period(s).
- b. Runoff calculation method(s).
- c. Detention discharge and storage calculation method(s).
- d. Discussion and justification of other criteria or calculation methods used that are not presented in or referenced by the CRITERIA.

### 7. Hydraulic Criteria

- a. Identify various capacity references.
- b. Discussion of other drainage facility design criteria used that are not presented in these criteria.

### 8. Storm water Quality Criteria

- a. BMPs to be used for storm water quality control.
- b. Identify, as appropriate, water-quality capture volume and drain time for extended-detention basins, retention ponds and constructed wetland basins.
- c. Identify, as appropriate, runoff volume and flow rates for design of water-quality swales, bioretention areas, porous pavement, wetland basins, etc.
- d. Discussion of other drainage facility design criteria used that are not presented in these CRITERIA or other manuals referenced by the Town of Hideout.

### 9. Waivers from Criteria

- a. Identify provisions by section number for which a waiver is requested.
- b. Provide justification for each waiver requested.

### 10. Drainage Facility Design Discuss the following:

- a. Proposed concept, onsite stormwater management infrastructure, and typical drainage patterns
- b. Compliance with offsite runoff considerations.

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- c. Anticipated and proposed drainage patterns.
  - d. Proposed storm water quality management strategy.
  - e. The content of tables, charts, figures, plates, or drawings presented in the report.
  - f. Drainage problems encountered and solutions at specific design points.
  - g. Detention storage and outlet design.
  - h. Storm water quality BMPs to be used.
  - i. Maintenance access and aspects of the design.
  - j. Easements and tracts for drainage purposes, including the conditions and limitations for use.
11. Stormwater Maintenance Agreement
12. Conclusions
13. References
- a. Reference all criteria and technical information used.
14. Appendices
- a. Hydrologic Computations (Including computer model input and output listings.)
  - b. Land use assumptions regarding adjacent properties.
  - c. Initial and major storm runoff at specific design points.
  - d. Historic and fully developed runoff computations at specific design points.
  - e. Hydrographs at critical design points.
  - f. Time of concentration and runoff coefficients for each basin.
  - g. Storm water quality BMP sizing calculations including runoff adjustments for minimizing directly connected impervious areas.
  - h. Hydraulic Computations (Including computer model input and output listings.)
  - i. Culvert capacities.
  - j. Storm sewer capacity, including energy grade line (EGL) and hydraulic grade line (HGL) elevations.
  - k. Gutter capacity as compared to allowable capacity.
  - l. Storm inlet capacity including inlet control rating at connection to storm

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sewer.

- m. Open channel design.
- n. Check and/or channel drop design.
- o. Detention area/volume capacity and outlet capacity calculations for flood detention and water quality basins; depths of detention basins.
- p. Wetland area and area/depth distribution for constructed wetland basins.
- q. Infiltration rates and volumes for porous pavement or release rates where under drains or infiltration is not possible.
- r. Flow rates, velocities, longitudinal slopes and cross-sections for wetland basins and water quality swales.
- s. Downstream/outfall system capacity to the Major Drainage way System.

H. **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:

- 1. Location and capacity of snow storage areas based on 5-year snow average
- 2. Detailed discussion of snow removal methods and annual management.

I. **Maps.** As a part of the Final Plat application package, the Applicant shall prepare the following maps according to the following criteria:

- 1. General Location Map – Shall include all items as identified for the Preliminary Plan.
- 2. Floodplain Mapping – Shall include all items as identified for the Preliminary Plan.
- 3. Drainage Plan Mapping – In addition to those items identified for the development of the Preliminary Plan, Drainage mapping shall include the following:
  - a. Property lines, existing Easements, and Easements proposed for dedication, with purposes noted.
  - b. Roads, indicating ROW width, flow line width, curb or roadside swale type, sidewalk, and approximate slopes.
  - c. 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.
  - d. Proposed type of road drainage (i.e., vertical or combination curb and gutter), roadside ditch or swale, gutter, slope and flow directions, and

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cross pans.

- e. Proposed storm sewers and open drainage ways, including inlets, manholes, culverts, and other appurtenances, including riprap or other erosion protection.
- f. Proposed structural water-quality BMPs, their location, sizing, and design information.
- g. 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.
- h. Routing and accumulation of flows at various critical points for the initial and water-quality storm runoff events, and major storm runoff events.
- i. Volumes and release rates for detention storage and water-quality capture volume for facilities and information on outlet works.
- j. 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.
- k. Location, and measured or estimated elevations, of all existing and proposed utilities affected by or affecting the drainage design.
- l. Routing of upstream offsite drainage flow through or around the development.
- m. Location of any improvements included in the appropriate or accepted outfall system plan, major drainage plan, and/or storm drainage plan.
- n. Definition of flow path leaving the development through the downstream properties ending at a major drainage way or receiving water.
- o. Location of postal service gang boxes and pull-out area or parking delineated.

J. **Final Documentation.** The following official documents prepared in a manner that will fully present information:

1. Articles of Incorporation and Bylaws of the Association;
2. Declaration of covenants, conditions, restrictions, and management policies;
3. 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;

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4. A final form of certification for each of the following (these are the certifications intended to be placed on the plat):
  - a. Owner's dedications;
  - b. Surveyor's certificate of accuracy of survey;
  - c. Surveyor's approval;
  - d. Notary Public's acknowledgement
5. The Design Review Guidelines governing building design within the development
6. Geotechnical Studies required prior to the issuing of a building permit within the development
7. For Condominiums to following documentation is required:
  - a. Required assessments;
  - b. Designation of commonly owned Property;
  - c. Necessary dedication statement;
  - d. Statement concerning the formation of a Homeowners Association for the maintenance of the commonly owned Property; and
  - e. Necessary certifications and approvals.
  - f. A registered architect or engineer shall certify the Final Plat.
8. Proof of Completion Bond and Warranty Bond required under the Town Standards.
9. Trails location approval letter by the POST Committee.

### **11.06.28 FINAL PLAT PROCEDURES**

- A. 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.
- B. The Town Staff shall ensure all necessary documents and information are included with the application and then submit the application to the following entities:
  1. Town Administrator for validation of tax compliance;
  2. Town Engineer for engineering review;
  3. Town Planner for planning/design review; and
  4. Fire District for review; and

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5. POST Committee for review of planned Parks, Trails, Open Spaces and Public Spaces.
- C. 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.
- D. 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.
- ~~E. When the Town Staff determines that the Final Plat is complete, Town Staff shall submit the Final Plat to the Town Administrator for review and approval. 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 under Section 11.06.06.~~
- ~~F. The Planning Commission shall hold a public hearing on the Final Plat application.~~
- ~~G. 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.~~
- ~~H. 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.~~
- ~~I. E. The Town Council will establish a date for a public hearing that provides sufficient public notice as required under Section 11.06.06.~~
- ~~J. F. 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. The Town Administrator shall confer with Town Engineer, Town Planner, Fire District Representative and POST Committee Representative prior to issuing any final determination or approval.~~

### **11.06.30 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 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:

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- A. Boundaries of the development and location of all required survey monuments; and
- B. Location of all lot lines; and
- C. Location and extent of all road and other parcels of land to be dedicated to the public and to be retained in private Ownership; and
- D. Location and extent of all Easements; and
- E. The certifications previously proposed and approved as part of the Final Documentation provided; and
- F. The following Signature Blocks:
  - 1. Required
    - a. Surveyors Certificate
    - b. Owner's Dedication, Lien Holder, and Acknowledgement
    - c. Administrative Approval: Mayor and Attestation
    - d. Planning Commission Chair
    - e. Town Attorney
    - f. Town Engineer
    - g. Wasatch County Surveyor
    - h. Wasatch County Recorder
  - 2. Optional (to be included based on the circumstances indicated):
    - a. Jordanelle Special Services District (when services are directly provided to the subdivision by JSSD)
    - b. Wasatch County Housing Authority (when the subdivision contains an Affordable Housing component)

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

Lot(s), in a Subdivision may not be sold until after the plat has been recorded.

### **11.06.34 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 forth in Section 11.06.14 shall ~~may~~ not be refundable. Any unused Actual Cost Fees set forth in Section 11.06.14 will be refunded.

### **11.06.36 EXPIRATION AND REVOCATION OF FINAL PLAT AND PERMITS**



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All expirations and revocations are automatic except 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 Completion Bond required under the Town Standards. The Final Plat shall expire and be subject to revocation 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. Further, and in addition to any remedies available to the Town and any other requirements associated with the grading permits, building permits, or permits for development, the following circumstances shall be grounds for the expiration and revocation of any grading permit, building permit, or other permit granted for the development on the Final Plat.

**Commented [A9]:** As this action is not related to the approval of the plat, it may be acceptable to leave with the Council.

- A. **Failure to Timely Complete Grading.** If grading is not completed within one (1) year after the issuance of a grading permit unless an extension (not to exceed six [6] months) is granted by the Town Council.
- B. **Failure to Timely Complete Building.** If construction of a building or other improvement is not complete within two (2) years after the issuance of a building permit unless an extension (not to exceed six [6] months) is granted by the Town Council.
- C. **Abandonment.** If development, including grading, construction, etc., ceases for a continuous period for more than six (6) months after the start of development activities unless the Town Council approves the cessation of work.
- D. **Violations.** If there is a violation of any local, federal, or state regulations, including the Town Code and other Town Standards which the permit holder fails to remedy within thirty (30) days after receiving written notice of the violation.

### **11.06.38 REAPPLICATION FOLLOWING APPLICATION DENIAL**

If a land use application is denied for failure to meet the requirements of the Town Code or other Town Standards, a land use application from the same Applicant for all or any part of the same Property shall not be considered 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/ Owner and the Town of Hideout may enter into a Development Agreement that outlines the duties, responsibilities, obligations, commitments and promises of the Developer/ Owner and the commitments of the Town.

#### **11.08.04 GENERAL REQUIREMENTS**

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- A. The Development Agreement may include residential Cluster Development as outlined in the Town Standards.
- B. The Development Agreement shall be prepared by the Town Attorney and shall incorporate all agreements between the parties relating to the development which the subject of the Development Agreement.
- C. If a Development Agreement is required as a condition of Final Plat approval, the Development Agreement must be approved prior to the Mayor's signature on the Final Plat.
- D. 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.
- E. 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.
- F. 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.
- G. The Development Agreement for phased Subdivisions shall incorporate the phased Subdivision master plan.
- H. The Development Agreement shall include all required improvements and bonds guaranteeing Subdivision construction as outlined in the Town Code, as well as a schedule for implementation.
- I. 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**

Approval of The-a Development Agreement is a legislative action and shall be approved by the Town Council and signed by the Mayor.

### **11.08.08 DEVELOPMENT AGREEMENT RECORDING**

The Development Agreement shall be recorded in 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.

### **11.08.10 DEVELOPMENT AGREEMENT REQUIRED FOR PHASED DEVELOPMENT**

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If any requirement of this Title or the applicable standards is proposed to be satisfied by relation to or incorporation of components of another phase or related development, the applicant shall enter into a development agreement with the Town governing the applicable phases or related development or otherwise modify the application to satisfy all requirements independently.