

# CHAPTER 21: SUBDIVISIONS:

Amended and Restated by Ordinance 2012-01, 2012-04, 2023-03, [Add 2024 Ordinance]

## 21.1.1: GENERAL:

- A. **Purpose.** The purpose of this Subdivision Ordinance is to comply with Utah State Code, amplify the Leeds General and Zoning Plans, and to set forth detailed regulations that will ensure that Leeds develops into the attractive, safe, well-planned residential area that the residents desire as detailed in our General Plan.
- B. **Background.** It is the desire of Leeds residents to have as few regulations as possible but still have a beautiful town in which to live. Areas that detract from, rather than add to Leeds's attractiveness, can for the most part be dealt with through the doctrines of "nuisance"; however, it is necessary to have some regulations so that housing will be safe and achieve the long range plan the residents of Leeds have formulated in the General Plan.
- C. This Ordinance, therefore, has been written mainly to ensure that anyone desiring to develop a subdivision will be required to meet the Leeds Standard Specifications for Design and Construction. In addition, developers will be held responsible for providing the necessary potable water, sewage disposal, drainage, streets, public areas, etc., so that the development will not later become a problem for the Town of Leeds ("Town"). If a conflict exists between this Ordinance and the Leeds Standard Specifications for Design and Construction the more stringent requirement will prevail.
- D. The Town uses a separate review process for single-family, two-family, and townhouse (STT) subdivisions versus other types of subdivisions, although the application requirements for both categories of subdivisions are shared.

## 21.1.2: SUBDIVISION PROCESS ENFORCEMENT:

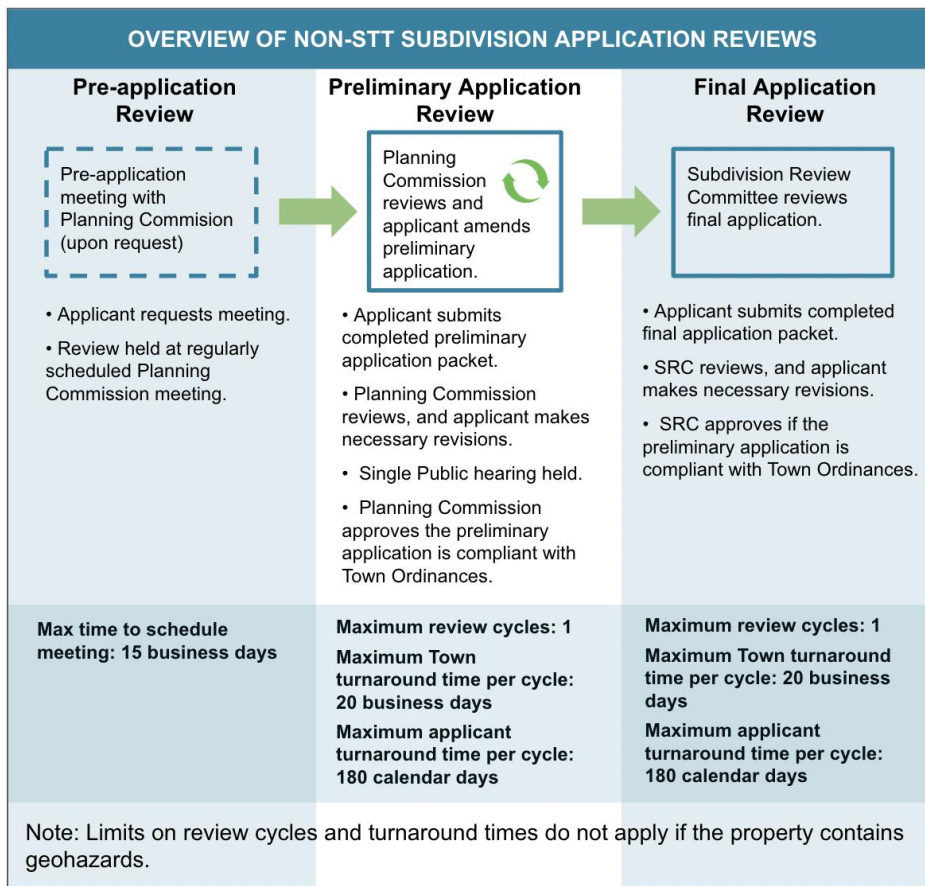
- A. The Town shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this Chapter and received both a preliminary approval and a final approval from the respective Land Use Authorities.
- B. No parcel of land shall be transferred, sold, or offered for sale, contracted for sale, deeded, conveyed, or divided for conveyance, nor shall a building permit be issued for a structure thereon; nor shall the terrain be altered or any vegetation be removed from the proposed subdivision site or engage in any site development until the requirements of this Chapter have been fulfilled.
- C. Recording or sale without approval: Any plat of a subdivision filed or recorded without the approval required by this Chapter is void. It shall be unlawful for any person to offer to sell or lease, to contract to sell or lease, or to sell or lease any such subdivision, or any part thereof, which is located in the Town until the subdivision application, in full compliance with the provisions of this Ordinance, has been approved by the Land Use Authority and duly recorded and filed in the Office of the County Recorder. The Town Council may, in its discretion, void transfers of land done pursuant to a subdivision that was not approved under this Chapter.
- D. The provisions of this Ordinance shall be applicable to all subdivisions of land in which two or more parcels are created, whether the subdivided land is wholly or partially within the boundaries of the Town.

- 43 E. Construction shall not commence until all required construction plans have been approved by  
44 the Town, appropriately recorded, and all applicable Town permits have been issued. All  
45 subdivision improvements are subject to inspection by the Town Representative and  
46 Planning Commission and shall comply with Town requirements approved by the Land Use  
47 Authority. All subdivisions shall comply with all established standards.

48 **21.1.3: LAND USE AUTHORITY AND APPEAL AUTHORITY**  
49 **FOR SINGLE-FAMILY DWELLINGS, TWO-FAMILY**  
50 **DWELLINGS AND TOWNHOUSE (STT) SUBDIVISIONS:**

- 51 A. The Administrative Land Use Authority for preliminary STT subdivision applications under  
52 this Chapter is the Planning Commission. For purposes of STT subdivision applications, the  
53 Planning Commission shall be ultimately responsible for the following, but may delegate  
54 tasks other than land use decisions to the Town Engineer, Town Staff, or members of the  
55 Planning Commission:
- 56 1. Rendering land use decisions related to preliminary STT subdivision applications  
57 under this Chapter, including approving or denying preliminary applications.
  - 58 2. Reviewing preliminary STT subdivision applications under this Chapter in an  
59 impartial manner and according to the standards and deadlines described in this  
60 Chapter.
  - 61 3. Holding public meetings for reviewing preliminary STT subdivision applications as  
62 required by this Chapter.
  - 63 4. Providing feedback to applicants on their preliminary STT subdivision applications  
64 in the manner required by this chapter.
  - 65 5. Scheduling and holding a pre-application meeting and reviewing concept plans, with  
66 potential applicants as required by this Chapter.
  - 67 6. Keeping subdivision application forms (both preliminary and final) and related  
68 information material up to date and publicly accessible and distributing such forms  
69 and materials to potential applicants. This task is delegated to Town Staff by default.
- 70 B. The Administrative Land Use Authority for final applications under this Chapter is the  
71 Subdivision Review Committee (SRC). The SRC shall consist of two members from the  
72 Planning Commission and a designated staff member. The SRC shall meet on an as-needed  
73 basis and act by majority vote. For the purposes of subdivision applications, the SRC shall be  
74 responsible for the following, but may delegate tasks other than land use decisions to the  
75 Town Engineer, Town Staff, or members of the SRC:
- 76 1. Rendering land use decisions related to final STT subdivision applications under this  
77 Chapter, including approving or denying final applications.
  - 78 2. Reviewing final STT subdivision applications under this Chapter in an impartial  
79 manner and according to the standards and deadlines described in this Chapter.
  - 80 3. Providing feedback to applicants on their final STT subdivision applications in the  
81 manner required by this Chapter.
  - 82 4. Providing notice to entities and parties as required by this Chapter. This task is  
83 delegated to Town Staff by default.
  - 84 5. Signing final STT subdivision application approvals as required by this Chapter.

- 85 C. As subdivision application decisions are administrative, not legislative, the Land Use  
 86 Authorities are authorized to make land use decisions described by this Chapter without  
 87 Town Council approval.
- 88 D. Except when operating as the Appeal Authority, the Town Council shall not require the Land  
 89 Use Authority to approve or deny an application under this Chapter.
- 90 E. **Appeal Authority** - The Appeal Authority for decisions by the Administrative Land Use  
 91 Authorities relating to STT subdivision applications is the Board of Adjustments. The  
 92 Appeal Process is described in Chapter 3.9 of the Leeds Land Use Ordinance.



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#### 21.1.4: LAND USE AUTHORITY AND APPEAL AUTHORITY FOR NON-STT SUBDIVISIONS:

- A. The recommending body for preliminary and final non-STT subdivision applications under this Chapter is the Planning Commission. The approving Land Use Authority is Town Council. Recommendation and approval steps may not be delegated.
  - 1. As the recommending body, Planning Commission is responsible for:
    - a. Recommending land use decisions related to non-STT subdivision applications under this Chapter, including recommendations to approve or deny preliminary and final subdivision applications.
    - b. Reviewing non-STT subdivision applications under this Chapter in an impartial manner and according to the standards described in this Chapter.
    - c. Holding public meetings for reviewing preliminary non-STT subdivision applications as required by this Chapter
    - d. Providing feedback to applicants on their preliminary non-STT subdivision applications in the manner required by this Chapter.
    - e. Scheduling and holding a pre-application meeting (and reviewing concept plans) with potential applicants as required by this Chapter.
    - f. Keeping subdivision application forms (both preliminary and final) and related information material up to date and publicly accessible and distributing such forms and materials to potential applicants. This task is delegated to Town Staff by default.
  - 2. As the approving Land Use Authority, the Town Council is responsible for:
    - a. Reviewing non-STT subdivision applications under this Chapter in an impartial manner and according to the standards described in this Chapter.
    - b. Approving land use decisions related to non-STT subdivision applications under this Chapter.
- B. **Appeal Authority** - The Appeal Authority for decisions by the Administrative Land Use Authorities relating to STT subdivision applications is the Board of Adjustments. The Appeal Process is described in Chapter 3.9 of the Leeds Land Use Ordinance.

#### 21.1.5: PRE-APPLICATION MEETING FOR ALL SUBDIVISIONS:

- A. A party intending to submit a subdivision application under this Chapter may request a pre-application meeting with Town Staff and/or Planning Commission for the purpose of reviewing any element of the party's proposed subdivision application (preliminary or final). The proposed application need not be complete for purposes of this meeting and may—if the party desires—be limited to a concept plan.

Commented [MR1]: Add process for Preliminary and Final Plat Review for Non-STT

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1. If an applicant requests a pre-application meeting, the municipality shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
  2. If the meeting is to be with Planning Commission, the meeting shall be scheduled for the next regularly scheduled Planning Commission meeting for which appropriate public notice is attainable.
  3. The Planning Commission or Town Staff shall conduct the meeting, provide feedback on materials as requested by the party, and shall provide or have available on the municipal website the following at the time of the meeting:
    - a. Copies of applicable land use regulations,
    - b. A complete list of standards required for the project, and
    - c. Relevant application checklists.

Commented [MR2]: Copy this section directly from SB174 10-9A-604-1(4)(A)

### 21.1.6: PRELIMINARY PLAT AND APPLICATION FOR ALL SUBDIVISIONS:

The Preliminary Plat shall comply with the following requirements for all types of subdivisions:

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- A. **Preliminary Plat Description** - The following shall appear in a title block located in the lower right-hand corner of the sheet:
    1. The proposed name of the subdivision.
    2. The location of the subdivision including the address and the section, township and range.
    3. The names and addresses of the owners or applicants if other than the owner.
    4. Date of preparation, north point, scale, contour interval, source and date of existing contours.
    5. Scale shall be of sufficient size to adequately describe in legible form all required conditions of this Ordinance.
    6. Sufficient legal description to define the boundary of the proposed subdivision.
  - B. **Preliminary Plat Existing Conditions** - The Preliminary Plat shall show:
    1. The location of the nearest survey monument.
    2. The boundary of the proposed subdivision and the acreage included. A statement of present land use designation(s) as defined in the General Plan, the intended land use(s), and the existing and proposed zoning of the property as shown on the zoning map.
    3. Where the submitted plat covers only a portion of the parcel owned by the applicant, the Preliminary Plat shall include a sketch of the applicant's remaining land. The street system of the portion of the applicant's parcel submitted for Preliminary Plat approval shall 1) conform to the Leeds Master Road Plan, ~~and and 2) a statement identifying how the proposed development is in conformance with the Town of Leeds General Plan, and 2) contemplate expansion into the remaining portion of the applicant's land not included for Preliminary Plat approval.~~
    4. The location, pavement, and right-of-way width, grade and name of all existing streets within two hundred (200) feet on the subdivision and of all prior platted streets or other public ways, utility rights-of-way, parks, and other public open

Commented [HB3]: I'd move this down to a separate section. I placed in in subsection (C) below. This makes it consistent with the checklist.

180 spaces, permanent buildings, structures, houses, or permanent easements and sections  
181 and corporation lines, within and adjacent to the subdivision.

182 5. Existing ditches, canal, natural drainage channels and open waterways and proposed  
183 realignments ~~including drainage and existing and future flood control alignments.~~

184 6. ~~Located within one hundred (100) feet.~~ The names and boundary lines of adjacent  
185 subdivisions located within one (100) feet and the names of owners of adjacent  
186 unplatted land located within one (100) feet.

187 7. A vicinity map showing roads, adjoining subdivisions, cities, creeks, ~~railroads~~ and  
188 other data sufficient to locate the proposed subdivision and show the relation to the  
189 community.

190 8. The location and outline of existing structures identified by type. Structures to be  
191 removed shall be so marked.

192 9. The widths, location and identity of all existing easements.

193 C. **Preliminary Plat** - The Preliminary Plat shall show the following information:

194 1. The layout of streets, showing location, pavement, right-of-way width and  
195 dimensions of (designated by actual or proposed names and numbers) proposed  
196 streets, construction and compaction specifications, reservoirs, existing sewers,  
197 ponds, stop signs, streetlights, street name signs, crosswalks, alleys and  
198 easements. The location and radius of all curb returns and cul-de-sacs shall also be  
199 shown.

200 2. The layout, number and typical dimensions of lots. Multifamily projects shall  
201 demonstrate building footprints in addition to lot dimensions. Each lot shall  
202 identify a “do not disturb” area upon which the natural vegetation shall remain  
203 undisturbed.

204 3. Parcels of land or common areas intended to be dedicated or temporarily reserved for  
205 public use or set aside for use of property owners in the subdivision.

206 4. Builder setback lines required by the Leeds Land Use Ordinances.

207 5. Easements for water, sewers, drainage, utility lines and other purposes.

208 6. Approximate radius of all center line curves on streets and angle of intersecting  
209 streets if the angle deviates from a right angle by more than two (2) degrees.

210 7. Subdivision improvements outside of the boundary including right-of-way, existing  
211 topography, and proposed work.

212 8. Proposed recreation sites, bike paths, trails and parks for private or public use, shall  
213 be identified.

214 9. Existing topography of the proposed subdivision site at least one hundred (100) feet  
215 beyond its boundary, including but not limited to existing contours at one (1) foot  
216 intervals if the existing ground slope is less than fifteen percent (15%) and no less  
217 than five (5) foot intervals for existing ground slopes equal to greater than fifteen  
218 percent (15%). Existing contours shall be represented by dashed lines or by screened  
219 lines. A separate grading plan may be required to be submitted.

220 10. If the applicant plans to develop the site in units or phases, the proposed units or  
221 phases and their proposed sequence of construction shall be shown.

222 ~~10.11.~~ A statement identifying how the proposed development is in conformance

223 with the Town of Leeds General Plan.

224 D. **Accompanying Data and Reports** - The applicant may, at the Town's sole discretion, be  
225 required to submit the following accompanying data and reports in electronic format:

226 **1. Geologic Hazards and Soil Suitability Report.**

227 In most cases a preliminary geologic hazards and soil suitability report will be  
228 required by the Town. If this report is required, it shall be prepared by a Utah-  
229 licensed civil engineer specializing in geotechnical evaluations or a Utah-licensed  
230 geologist and based upon existing state and federal geologic and environmental  
231 agency reports and adequate field data, including test borings and evaluation of any  
232 mine shafts. Percolation tests are required as part of the soils analysis for septic  
233 systems. The report shall be presented to the Planning Commission with the  
234 Preliminary Plat.

- 235 a. If the Town has knowledge of, or the preliminary soils report indicates, the  
236 presence of critically expansive or collapsible soils, liquefaction, or other  
237 hazards which, if not corrected, would lead to structural defects or risk to  
238 human health, a geologic hazards investigation of each lot in the subdivision  
239 will be required by the Planning Commission. This geologic hazard  
240 investigation shall be done by a Utah-licensed civil engineer specializing in  
241 geotechnical evaluations or Utah-licensed geologist, who shall recommend  
242 the corrective action which will prevent risk to human health and structural  
243 damage to each structure proposed to be constructed in the area where the  
244 hazards exist.
- 245 b. The Planning Commission may recommend specific actions based upon  
246 recommendation(s) of the Town Engineer relative to the subdivision, or  
247 portion(s) thereof, where a hazard exists if it determines that the  
248 recommended action will prevent structural damage to each structure to be  
249 constructed or risk to human health, and a condition to the issuance of any  
250 building permit shall require that the approved recommended action will be  
251 incorporated into the construction of each structure.

252 **2. Drainage and Flood Hazards Report**

- 253 a. A tentative Drainage Plan or method by which the applicant proposes to  
254 handle storm water drainage for the subdivision including the proposed  
255 locations and sizes of storm water runoff retention basins.
- 256 b. A drainage report must identify any washes or swampy areas including the  
257 approximate location of all areas subject to inundation of storm water  
258 overflow; the location, width, and direction of flow of each water course; and  
259 the flood zone designation as indicated on the Flood Insurance Rate Map(s)  
260 (Flood Hazard Boundary Maps) prepared by the U.S. Department of Housing  
261 and Urban Development.

262 **3. Title Report.**

263 A preliminary title report, acceptable to the Planning Commission, Town Council,  
264 and Town Attorney showing the legal owners at the time of filing the tentative plat is  
265 required. Include a written statement from all current landowners as to the  
266 subdivision plans, and any pending land sale contingencies.

267 **4. - Will-serve letters or written acknowledgements of service from any utility**

269 purveyor that will serve the property.

270 5. Archaeological survey/report prepared by a qualified archeologist, unless waived  
271 by the ~~€~~Town.

272 6. Biological survey/report prepared by a qualified biologist, unless waived by the  
273 ~~€~~Town.

274 ~~4.~~ 7. Other Reports.

275 Where necessary, copies of any agreements with adjacent property owners relevant  
276 to the proposed subdivision shall be presented to the Planning Commission.

277 E **Record Retention and Transparency.**

278 The Town shall maintain and publish the preliminary subdivision application, including:

- 279 • The application
- 280 • The owner(s)' affidavit(s)
- 281 • An electronic copy of all plans and supplemental reports in PDF format
- 282 • The preliminary subdivision plat drawings
- 283 • A breakdown of fees upon approval of the application

284 **21.1.7: IMPROVEMENT PLAN REQUIREMENTS FOR ALL**  
285 **SUBDIVISIONS:**

286 A. The applicant shall submit an Improvement Plan with the preliminary plat. A preliminary  
287 subdivision application shall not be considered complete without an attached improvement  
288 plan for any public improvements required by Town ordinances or proposed by the  
289 applicant.

290 B. The applicant shall have Improvement Plans prepared by a Utah State licensed engineer for  
291 all onsite and required offsite improvements in accordance with the following:

292 1. **Improvement Plan Description** - Except for in the case of a minor subdivision  
293 which may proceed to the final plat approval process referenced in Section 21.8  
294 below, Improvement Plans must be prepared in accordance with:

295 a. Leeds Design and Construction Standards and Specifications; including but  
296 not limited to:

297 i. Engineering data shall show the proposed finished grade of each lot,  
298 the preliminary design of all grading, numeric estimate of grading  
299 activity relating to excavation and fill, the elevation of proposed  
300 building pads, the top and the toe of cut and fill slopes to scale, the  
301 number of each lot, and the elevation of adjacent parcels.

302 ii. The location and size of proposed and existing wells, septic tanks,  
303 sanitary sewers, ~~fire hydrants~~, water mains, and storm drains  
304 proposed, active or abandoned, and of all reservoirs and ponds within  
305 the tract and to a distance of at least ~~twoone~~ hundred (2+00) feet  
306 beyond the subdivision boundaries. Proposed slopes and  
307 approximate elevations of sanitary sewers and storm drains shall be  
308 indicated. All water and wastewater disposal systems are required to  
309 have project feasibility approval from the Utah Department of

**Commented [HB4]:** As it currently reads, sections 4 through 6 are discretionary and will only be required if the Town specifically elects to receive these reports/surveys. I imagine that we want these to be mandatory—especially the will serve letters. If so, we may want to include language stating that this is the case. For example, Subsection D(1) places applicants on notice that “in most cases” a geological hazards and soil report will be required. We may want similar language in these sections making it clear that these surveys and letters will almost always be required to accompany the application.

310 Environmental Quality Division of Drinking Water prior to  
311 submittal. Final approvals are subject to the Planning Commission,  
312 the Town Engineer and Town Council.

313 iii. The location of proposed and existing fire hydrants within the  
314 tract and to a distance of at least three hundred (300) feet beyond the  
315 subdivision boundaries.

- 316 b. Sewer provider construction standards;
- 317 c. Electric power provider's standards and specifications;
- 318 d. Applicable fire code in consultation with the Hurricane Valley Fire Special  
319 Services District;
- 320 e. Natural gas provider's and telecommunication providers' standards and  
321 specifications, if applicable.
- 322 f. Culinary water provider design and construction standards and specifications.
- 323 g. Irrigation water authority design and construction standards and  
324 specifications.
- 325 h. Specific geotechnical and drainage recommendations established by the soils,  
326 geohazard, and drainage/flood zone report(s), if required.

327 2. **Improvement Plan Authorizations** - Eight (8) sets of complete Improvement Plans  
328 must be submitted with the Preliminary Plat application. Improvement Plans shall be  
329 a minimum of twenty-two inches by thirty-four inches (22" x 34") and have  
330 signature blocks present for signatures from:

- 331 a. Town Engineer
- 332 b. Town Public Works Director
- 333 c. Culinary Water Provider
- 334 d. Irrigation Water Authority
- 335 e. Hurricane Valley Fire Services District
- 336 f. Sewer Authority
- 337 g. Electric Power Provider
- 338 h. Natural Gas Provider
- 339 i. Telecommunications Provider(s)

340 3. **Improvement Plan Streets** - All street grades shall be noted on the Improvement  
341 Plans.

## 342 21.1.8: PRELIMINARY PLAT AND IMPROVEMENT PLAN 343 REVIEWS FOR STT SUBDIVISIONS:

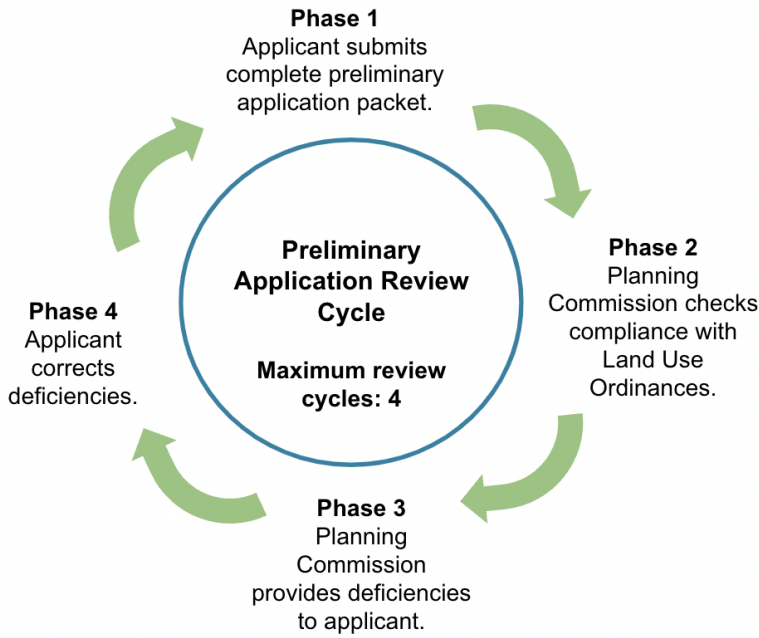
- 344 A. The Administrative Land Use Authority shall review all STT subdivision applications in  
345 accordance with the requirements of this Section before approving or denying the  
346 subdivision application.
- 347 B. The review process begins when an applicant submits a complete application.
  - 348 1. The Administrative Land Use Authority shall not review an incomplete subdivision

- 349 application, except to determine whether the application is complete.
- 350 2. If an Administrative Land Use Authority determines that an application is not
- 351 complete, it shall notify the applicant of the incompleteness, highlighting any
- 352 insufficiencies and explaining that the application will not be reviewed until
- 353 completed.
- 354 C. After the applicant submits a complete application, the Administrative Land Use Authority
- 355 shall review and provide feedback to the applicant in a series of “review cycles.”
- 356 1. A review cycle consists of the following phases:
- 357 a. Phase #1: The applicant submits a complete application (or, if after the first
- 358 cycle, submits a revised version of the complete application).
- 359 b. Phase #2: The Administrative Land Use Authority reviews the application in
- 360 detail and assess whether the application conforms to local ordinances. The
- 361 Land Use Authority shall consider any comments on the application from
- 362 Town Staff and official Town bodies.
- 363 c. Phase #3: The Administrative Land Use Authority responds to the applicant,
- 364 citing any missing requirements or areas of noncompliance and providing a
- 365 detailed indexed list of necessary revisions to the applicant, within the
- 366 timeframe specified in Table A. For any required modification or addition to
- 367 the application or request for more information, the Land Use Authority shall
- 368 be specific and include citations to ordinances, standards, or specifications
- 369 that require the modification and shall provide the applicant with an index of
- 370 all requested modifications or additions.
- 371 d. Phase #4: The applicant revises the application, addressing each comment or
- 372 requirement the Administrative Land Use Authority made. The applicant
- 373 must submit both revised plans and a written explanation in response to the
- 374 Town’s review comments, identifying and explaining the applicant’s
- 375 revisions and reasons for declining to make revisions, if any. If the applicant
- 376 fails to respond to a comment made by the Land Use Authorities in its
- 377 review, the review cycle is not complete and will remain open until the
- 378 applicant addresses all comments.

Table A – Review Cycles, Hearings, and Timelines by Subdivision Use Type					
Use Type	Approval Stage	Max Review Phases	Max Public Hearings	Town Turnaround Deadline*	Applicant Turnaround Deadline**
STT Subdivisions without Geologic Hazards	Preliminary	4	1	30 Business Days	180 Calendar Days
	Final	1	0	20 Business Days	180 Calendar Days
*Describes the total time (per review cycle) the Town may take to complete both Phase #2 and Phase #3.					
**Describes the total time (per review cycle) the applicant may take to submit a revised application before the application expires.					

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**STT SUBDIVISION PRELIMINARY PLAT & IMPROVEMENT PLAN REVIEW CYCLES**



**Note: Limits on review cycles do not apply if the property contains geohazards.**

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- D. The initial review for a preliminary completed subdivision application, including subdivision improvement plans, must be completed within 15 business days.
  - E. The Planning Commission shall not (nor shall any other representative of the Town) exceed the number of review cycles of the deadlines in Table A. If no further revisions are needed, the Planning Commission may end the review period early and approve or deny the application.
    1. This provision notwithstanding, for any subdivision application that affects property within an identified geologic hazard area, the Town is exempt from limits on the number of permitted review cycles and the Town’s deadlines for reviewing and responding.
    2. If the applicant makes a material change to an application not requested by the Town at any point in the review process, the Planning Commission may restart the review process, but only with respect to the portion of the application that the material change substantively affects.

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3. If an applicant does not submit a revised plan within 20 business days after the Town requires a modification or correction, the Town shall have an additional 20 business days to respond.
  4. If an applicant takes longer than 40 business days to submit a revised subdivision improvement plan responding to the Town's requests for modifications and additions (in Phases #1 and #4), the Town shall have an additional 20 business days to review and respond to the revised application (Phases #2 and #3 of the next review cycle or issuing an approval decision).
  5. If an applicant takes longer than 180 calendar days to submit a revised application and respond to the Town's requests for modifications and additions (Phases #1 and #4), the application shall, at the option of the Planning Commission, expire. If an application expires, the applicant must restart the subdivision application process.
- F. After the last review cycle is complete, the Planning Commission shall approve or deny the application within 20 business days.
1. If the Planning Commission has not approved or denied the application within 20 business days after the last review, the applicant may request a final decision. After such a request, the Town shall, within 10 business days:
    - a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code §10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or
    - b. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the designated Appeal Authority.
- G. After the Planning Commission provides comments in the last review cycle, the Town shall not require further modifications or corrections in that review phase unless those modifications or corrections are needed to protect public health and safety or to enforce state or federal law or unless the review cycle reset due to the applicant making a material change that the Planning Commission did not request.
1. With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the municipality waives noncompliant subdivision-related requirements that the Planning Commission does not identify during the review process.
  2. The applicant shall make reasonable changes, unless prohibited otherwise by a contract or deed, to the subdivision application to accommodate the water conveyance facility to the extent required by Utah Code §73-1-15.5.
- H. The Planning Commission may conduct one (but no more than one) public hearing for the purpose of asking questions of the applicant and receiving commentary on the technical aspects of the application from affected entities, interested parties, and the public. If the Planning Commission elects to hold this public hearing, the hearing must occur before the end of the Planning Commission's review period in the last review cycle of the preliminary review phase. Scheduling issues shall not extend the review and approval deadlines in this Chapter.
- I. Before receiving preliminary subdivision approval, an applicant shall:
1. Ensure that the proposed subdivision is consistent with current zoning of the

- 440 property.
- 441 2. Obtain a preliminary plat application form and complete the application and have a
- 442 Preliminary Plat prepared by a Utah State licensed engineer or surveyor in
- 443 conformance with the provisions of this Ordinance.
- 444 3. Submit completed application with notarized signature(s) of owner and/or applicant.
- 445 Include current deed and letter of owner(s)' authorization to proceed with
- 446 development. File ~~seventy-one~~ <sup>seven</sup> (7~~1~~7) copies of the Preliminary Plat and
- 447 the Improvement Plans, a digital copy of the same, and required filing fee to the
- 448 Town Clerk. The Preliminary Plat shall:
- 449 a. Be clear and legible and conform to good engineering and professional
- 450 drafting room practice. Size of drawings shall be twenty-four (24) inches by
- 451 thirty-six (36) inches.
- 452 b. Comply with construction drawings and standards published by the ~~T~~Town.
- 453 4. Provide noticing package for the Administrative Land Use Authority public hearing.
- 454 ~~3.~~ 5. Notify the town if there is any water conveyance facility located entirely or
- 455 partially within one hundred (100) feet of the subdivision plat as determined using
- 456 information made available to the ~~T~~Town.
- 457 ~~4.~~ 6. Appear at each meeting of the Planning Commission at which the preliminary
- 458 application is considered and provide any additional information requested by the
- 459 Planning Commission.
- 460 J. The Administrative Land Use Authorities shall approve or deny a subdivision application
- 461 under this Chapter after reviewing a complete subdivision application as described in this
- 462 Chapter.

463 **21.1.9: PRELIMINARY PLAT AND IMPROVEMENT PLAN**

464 **REVIEWS FOR NON-STT SUBDIVISIONS:**

- 465 A. Before dividing any parcel or acreage into two or more building lots, an applicant shall:
- 466 1. Determine whether proposed subdivision is consistent with current zoning of the
- 467 property.
- 468 2. If proposed subdivision is consistent with zoning designation, meet with the Town
- 469 Engineer and Planner or Planning Commission Chairman and review the proposed
- 470 subdivision.
- 471 3. Obtain a preliminary plat application form and complete the application and have a
- 472 preliminary plat prepared by a licensed engineer or surveyor in conformance with the
- 473 provisions of this Ordinance.
- 474 4. Submit completed application, file seven (7) copies of the preliminary plat and
- 475 required filing fee to the Town Clerk.
- 476 5. Appear at a regularly scheduled meeting of the Planning Commission to discuss the
- 477 proposed subdivision. The Planning Commission shall request additional
- 478 information, if needed. Upon reviewing all submitted information, including any
- 479 additional information requested by the Planning Commission, the Planning
- 480 Commission may recommend the Town Council approve, approve with conditions or
- 481 disapprove the preliminary plat.

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6. After a recommendation by the Planning Commission, appear at a regularly scheduled meeting of the Town Council to discuss the proposed subdivision. The Town Council may approve the preliminary plat, approve with conditions, recommend changes, request additional information, send back to the Planning Commission or deny the preliminary plat. If the Town Council requests additional information or requires significant changes, the preliminary plat will be returned to the applicant so that the additional information can be provided and required changes can be made. Once additional information is gathered or changes are made, applicant must reappear before the Town Council at a regularly scheduled meeting.
  7. If the preliminary plat is approved by the Town Council, the Town Council shall return one (1) copy of the plat signed by the Planning Commission Chairman to the applicant with any conditions attached. The Planning Commission shall retain one (1) signed copy of the preliminary plat for its files. If the preliminary plat is not approved by the Town Council, the Town Council shall indicate its disapproval by returning one (1) copy of the plat to the applicant along with the reason(s) for disapproval.
  8. The receipt of a signed copy of the approved preliminary plat shall authorize the applicant to proceed with the preparation of construction drawings and the final plat. No construction is authorized to commence until the final plat is approved by the Town Council and properly recorded.
  9. Not more than one (1) year after receiving approval of the preliminary plat, submit the original and one reproducible copy of the final plat to the Planning Commission for review. The Planning Commission may extend the one-year time limit for just cause.

506 **21.1.10: AUTHORITY TO DELAY APPROVAL FOR NON-STT**  
507 **SUBDIVISIONS:**

508 The Planning Commission may withhold approval of a preliminary plat for one (1) year if all or part  
509 of the area to be subdivided may be needed for a park, school, street, or other public purpose. The  
510 Planning Commission should notify the appropriate agency in writing of the proposed subdivision.  
511 If proper means have not been initiated to acquire the desired property within one year, the owner  
512 may request that the request for the subdivision go forward without consideration of the area that  
513 was to be set aside for public purposes. The review will then be continued in compliance with the  
514 provisions of this Ordinance.

515 **21.1.11: CONSTRUCTION DRAWINGS FOR ALL**  
516 **SUBDIVISIONS:**

517 After the preliminary plat approval, the applicant shall have construction drawings prepared by a  
518 Utah-licensed engineer for all onsite and required offsite improvements in accordance with the  
519 following:

- 520 A. Construction drawings must be prepared in accordance with:  
521  
522 1. Leeds Design and Construction Standards and Specifications; including but not  
523 limited to:  
524 a. Engineering data shall show the proposed finished grade of each lot, the  
525 preliminary design of all grading, numeric estimate of grading activity  
526 relating to excavation and fill, the elevation of proposed building pads, the

- 527 top and the toe of cut and fill slopes to scale, the number of each lot, and the  
528 elevation of adjacent parcels.  
529
- 530 b. The location and size of proposed and existing wells, septic tanks, sanitary  
531 sewers, fire hydrants, water mains, and storm drains proposed, active or  
532 abandoned, and of all reservoirs within the tract and to a distance of at least  
533 one hundred (100) feet beyond the subdivision boundaries. Proposed slopes  
534 and approximate elevations of sanitary sewers and storm drains shall be  
535 indicated. All water and wastewater disposal systems are required to have  
536 project feasibility approval from the Utah Department of Environmental  
537 Quality Division of Drinking Water prior to submittal. Final approvals are  
538 subject to the Planning Commission, the Town Engineer and Town Council.  
539
- 540 2. Sewer provider construction standards;  
541  
542 3. Electric power provider's standards and specifications;  
543  
544 4. Applicable fire code in consultation with the Hurricane Valley Fire Special Services  
545 District;  
546  
547 5. Natural gas provider's and telecommunication providers' standards and  
548 specifications, if applicable.  
549  
550 6. Culinary water provider design and construction standards and specifications.  
551  
552 7. Irrigation water authority design and construction standards and specifications.  
553  
554 8. Specific geotechnical and drainage recommendations established by the soils,  
555 geohazard, and drainage/flood zone report(s), if required.  
556
- 557 B. Eight (8) sets of complete construction drawings must be submitted to the Town Planner or  
558 authorized Town Representative. Construction drawings shall be a minimum of twenty-two  
559 inches by thirty-four inches (22" x 34") and must contain a signature block for all Joint  
560 Utility Committee members, including:  
561
- 562 1. Town Engineer  
563 2. Town Public Works Director  
564 3. Culinary Water Provider  
565 4. Irrigation Water Authority  
566 5. Hurricane Valley Fire Special Service District  
567 6. Sewer Authority  
568 7. Electric Power Provider  
569 8. Natural Gas Provider  
570 9. Telecommunications Provider(s)
- 571 C. Applicant shall request placement on a Joint Utility Committee agenda for initial review of  
572 the plans.  
573
- 574 D. Applicant or applicant's authorized representative shall attend the Joint Utility Committee  
575 meeting when the item is on the agenda. Joint Utility Committee members will take copies of

576 plans to redline and will return redlined copies of plans to the Town and/or applicant within  
577 seven (7) days.

578

579 E. All street grades shall be noted on the construction drawings.

580

581 F. When redlines are completed, Town Planner or Town Representative shall prepare a  
582 summary of the needed changes and return redlined plans to applicant.

583

584 G. Applicant shall then submit one (1) copy of the corrected construction drawings, addressing  
585 all redlined items, to the Town Engineer for review and possible signature. After Town  
586 Engineer signs the construction drawings, applicant must obtain all required signatures and  
587 return eight (8) copies of the signed plans to Town Planner or Town Representative.

## 588 21.1.12: FINAL PLAT REQUIREMENTS FOR ALL 589 SUBDIVISIONS:

590 The Final Plat must comply with the Leeds Standard Specifications for Design and  
591 Construction requirements, Federal Codes, State Codes and other Leeds Ordinances. Any  
592 conflict between the Leeds Standard Specifications for Design and Construction  
593 requirements, Federal Codes, State Codes, and other Town Ordinances the higher of these  
594 requirements shall apply. The Final Plat must be prepared by a licensed land surveyor on a  
595 standard tracing lined sheet, 24" x 36" in size, drawn with waterproof black India ink. The  
596 top of the plat shall be either north or east, whichever accommodates the drawing best. The  
597 plat shall contain all information required as set forth below:

598 1. **Description and Delineation** - The Final Plat shall show everything required on the  
599 Preliminary Plat, items required by the Leeds Standard Specifications for Design and  
600 Construction requirements and the following information:

601 a. The name of the subdivision, which name must be approved by Town  
602 Council;

603 b. An identification system for all lots and blocks and names of streets. Lot  
604 lines shall show dimensions in feet and hundredths;

605 c. True angles and distances to the nearest established street line or official  
606 monuments, which shall be accurately described in the plat and shown by  
607 appropriate symbol;

608 d. All street centerline data must be shown together with its relationship to the  
609 property lines, corners, etc.;

610 e. The accurate location of all monuments shall be shown on the plat, and shall  
611 be identified, including all United States, State, County, or other official  
612 monuments;

613 f. The dedication to the public of all streets and highways included in the  
614 proposed subdivision.

615 i. Street survey monuments shall be installed by the developer in  
616 accordance with the requirements of the Leeds Standard  
617 Specifications for Design and Construction requirements, the  
618 locations indicated and become the property of the Town .

619 g. Existing sewers, water mains, culverts or other underground facilities within  
620 the tract and to a distance of at least one hundred (100) feet beyond the tract

- 621 boundaries, indicating the pipe sizes, including slope, grades, manholes, and  
622 exact location.
- 623 h. The layout of streets, showing location, grade centerline radius and arc length  
624 of curves, pavement, right-of-way width and dimensions of (designated by  
625 actual or proposed names and numbers) proposed streets, crosswalks, alleys  
626 and easements. The location and radius of all curb returns and cul-de-sacs  
627 shall also be plotted.
- 628 i. Accurate outlines and legal descriptions of any area to be dedicated or  
629 reserved for public use with the purposes indicated thereon, and of any area  
630 to be reserved by deed or covenant for common uses of all property owners.
- 631 j. Where it is proposed that streets be constructed on property controlled by a  
632 public agency or utility company, approval for the location, improvement and  
633 maintenance of such streets shall be obtained from the public agency or  
634 utility company and entered on the Final Plat in a form approved by the  
635 Town Attorney.
- 636 k. List the applicable agencies that provide service to the proposed subdivision  
637 (i.e., school district(s), gas, electric, water and sewer, telephone, internet,  
638 cable TV, etc.)

639 **2. Standard Forms** - The Final Plat shall require:

- 640 a. A registered professional land surveyor's "Certificate of Survey;"
- 641 b. The owner's "Certificate of Dedication" or a "Corporate Certificate" for  
642 corporations;
- 643 c. A notary public's acknowledgment;
- 644 d. The Culinary Water Provider's "Certificate of Approval" (if the Town, acting  
645 in its capacity as the "Water Authority" determines, in its sole and absolute  
646 discretion, that it is in the best interests of the Town and the property owner  
647 to defer the provision of culinary water service to a private water company or  
648 other governmental water purveyor, it may so delegate, and in said instance,  
649 the "Certificate of Approval" shall be executed by the delegated water  
650 provider);
- 651 e. The Sewer Authority's "Certificate of Approval" (if the property subject to  
652 the Final Plat will dispose of its sewage via separate septic system, the sewer  
653 authority is the Southwest Utah Public Health Department or successor  
654 agency, and if the property subject to the Final Plat will dispose of its sewage  
655 through an established sewer system, the sewer authority is the Town and/or  
656 Ash Creek Special Service District (depending upon the ownership of the  
657 system));
- 658 f. Hurricane Valley Fire Special Services District's "Certificate of Approval"  
659 (as the fire authority for the Town and its residents);
- 660 g. The signature of the county treasurer indicating at the time of signing that the  
661 property taxes, special assessments, and fees due and owing have been paid  
662 in full.
- 663 h. A one-and-one half by five-inch (1 ½ x 5") space in the lower right corner of  
664 the drawing for the use of the County Recorder.

- 665 3. **Other Required Information** - A full Title Report that includes as a minimum the  
666 following:
- 667 a. A statement that all taxes or special assessments payable on all property  
668 within the limits of the subdivision are paid in full, or a letter stating that a  
669 satisfactory bond has been filed to secure such payment.
  - 670 b. An original copy of the proposed deed restriction in final form and signed by  
671 all of the owners of any interest in the subdivision who sign the Final  
672 Plat. This copy shall be acknowledged by a Notary Public and shall be  
673 recorded in the office of the County Recorder along with the Final Plat.
  - 674 c. Evidence of ownership of the property being subdivided.
  - 675 d. The applicant shall submit a completed final plat application, paper copy of  
676 Final Plat in full size, an electronic copy of Final Plat, required fee, and any  
677 other required documents to the Town.
  - 678 e. The applicant shall submit six (6) paper copies of Final Plat to Town. The  
679 final plat application shall be placed on the next appropriate Planning  
680 Commission agenda according to required notices.
  - 681 f. The application must include a completion assurance if the applicant elects to  
682 guarantee public improvements rather than complete them before recording  
683 the plat.

684 **B Record Retention and Transparency.**

685 The Town shall maintain and publish a copy of the finalized subdivision application,  
686 including:

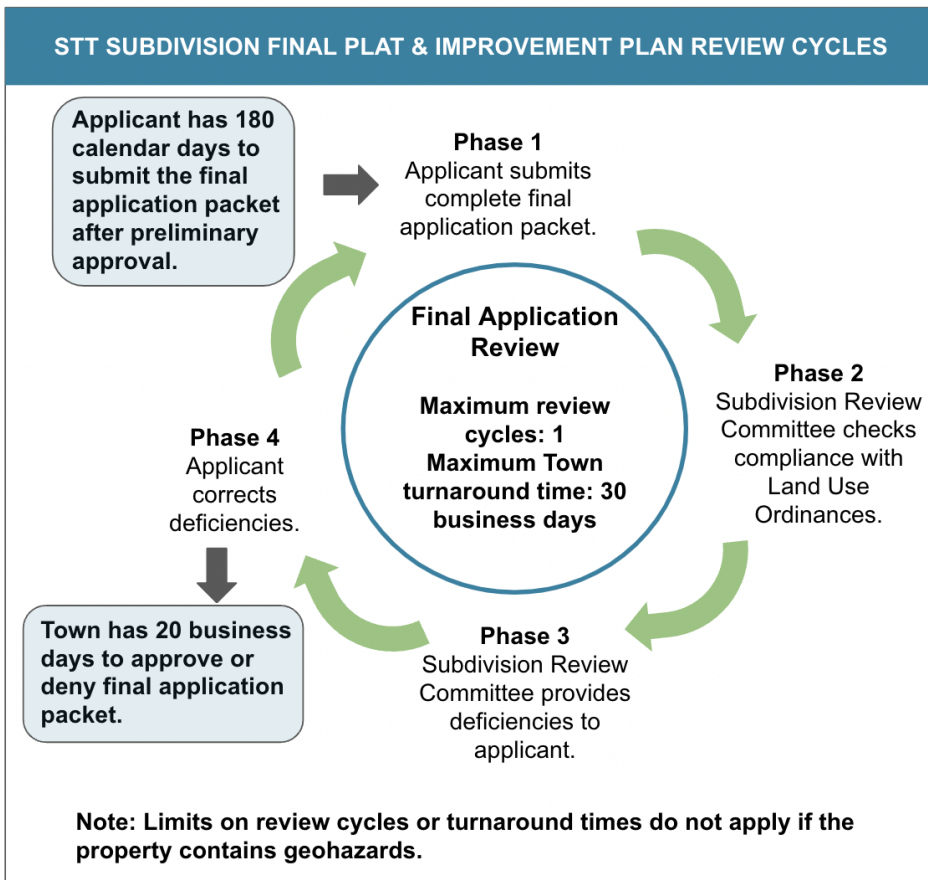
- 687 • The application
- 688 • The owner(s)' affidavit(s)
- 689 • An electronic copy of all plans and supplemental reports in PDF format
- 690 • The final subdivision plat drawings
- 691 • A breakdown of fees upon approval of the application

692 **21.1.13: APPROVAL PROCESS OF FINAL PLAT FOR STT**  
693 **SUBDIVISIONS:**

694 The Administrative Land Use Authority shall review and approve the final plat application as  
695 described below:

- 696 A. The Subdivision Review Committee shall review STT subdivision final applications in  
697 accordance with the requirements of this Section before approving or denying the final  
698 subdivision application.
- 699 B. In order for the final application package to be accepted, the applicant must provide the  
700 following:
  - 701 1. Final Plat copies meeting the specifications described in Section 21.11.
  - 702 2. A finalized Improvement Plan signed by the parties listed in 21.7.
  - 703 3. A written, indexed record of all preliminary plat modification requests and how they  
704 were addressed, including any Ordinance citations and an explanation for any

- 705 requests that were denied.
- 706 4. Final signed version of all requested reports, including Geologic Hazards and Soil  
 707 Suitability, Drainage and Flood Hazards Report, Title Report, Traffic Impact  
 708 Assessment, and any other reports requested by Planning Commission or presented  
 709 as supplemental information during the preliminary application review process.
- 710 5. Evidence of eligibility for a surety bond, cash or credit sufficient to cover the  
 711 required improvements as outlined in 21.16.
- 712 C. Only a single review cycle, as defined in 21.8.C, is permitted, and no public hearings are  
 713 allowed.
- 714 D. The municipality must approve or deny the final subdivision application no later than  
 715 twenty (20) business days after the applicant has submitted a complete final application  
 716 package, including any subdivision review cycles.



717

718 **21.1.14: APPROVAL PROCESS OF FINAL PLAT FOR NON-STT**  
719 **SUBDIVISIONS:**

720 All applicants seeking final plat approval for non-STT subdivisions shall complete the following  
721 process after fulfilling all conditions of preliminary plat approval:

- 722 A. Concurrent with the submittal of the construction drawings, applicant shall submit a  
723 completed the final plat application, paper copy of the final plat in full size, an electronic  
724 copy of final plat, required fee, and any other required documents to Town Planner or Town  
725 Representative on or before deadline for submissions established by this Ordinance.
- 726 B. The Town Engineer, Town Attorney and Town Planner (collectively "Town Staff") shall  
727 preliminarily review the final plat and then, in written and redline form, notify the Town of  
728 any recommended changes. The Town Planner shall review the changes recommended by  
729 the Town Engineer and Town Attorney and then, in written and redline form, communicate  
730 required changes to applicant or applicant's authorized representative. Applicant shall  
731 make required changes and resubmit electronic and paper copies of the final plat, one full  
732 size and one 11"x17" for second review.
- 733 C. If the final plat is not approved by the Town Staff after second submittal, an additional fee  
734 must be paid before any subsequent reviews. The Town Planner or Town Representative  
735 shall communicate Town Staff approval of the final plat to applicant in written form.
- 736 D. After Town Staff approval of the final plat and Joint Utility Committee approval of  
737 construction drawings, the applicant shall submit six (6) paper copies of the final plat to  
738 Town. The final plat application shall be placed on the next appropriate Planning  
739 Commission agenda according to required notices.
- 740 E. The Planning Commission shall review the final plat application, and make a  
741 recommendation to the Town Council and forward the Town Council for consideration.
- 742 F. Once the Planning Commission provides a recommendation to the Town Council, the  
743 applicant shall submit six (6) paper copies of the final plat to the Town Council for  
744 consideration.
- 745 G. The final plat application shall be placed on the next regular Town Council meeting agenda  
746 for review and approval. If the Town Council requests additional information or other than  
747 minor changes are required, the final plat will be returned to the applicant so that the  
748 additional information can be provided and the changes made. Once additional information  
749 is provided, the applicant shall request being placed on the next regular Town Council  
750 meeting agenda for review and consideration. If other than minor changes are required, the  
751 applicant shall submit six (6) copies of the revised final plat to the Town Council for  
752 consideration once required changes are made.
- 753 H. If the final plat is approved by the Town Council, applicant shall submit a paper copy of the  
754 final plat and an updated copy of the title report (if the title report submitted with the final  
755 plat application is older than 60 days) to the Town Engineer and Town Attorney for final  
756 review and acceptance. Upon written acceptance by the engineer and the attorney (as to  
757 form), the Town Planner or Town Representative shall notify applicant or applicant's  
758 authorized representative of final acceptance. Applicant shall then provide Town with a  
759 Mylar version of the final plat, executed and notarized by the applicant and/or any party of  
760 whom consent to record is required, for signature by Planning Commission Chairman,  
761 Mayor and other appropriate Town and governmental officials.

762 21.1.15: RECORDING AND EXPIRATION OF FINAL PLAT  
763 FOR ALL SUBDIVISIONS:

- 764 A. **Submittals for Recording and Copies** - Applicant shall submit two (2) paper copies of the  
765 signed Mylar version of Final Plat, and one electronic copy to Town. These copies shall be  
766 an exact copy of the signed Mylar version of Final Plat as approved by the Town Council.
- 767 B. No subdivision Final Plat shall be recorded without having been signed by the Mayor of  
768 Leeds, Utah, certifying that all applicable conditions of the final plat application contents and  
769 approval of this Ordinance have been met, and that the bonds as required by Paragraph  
770 21.16. have been posted with the Town Clerk.
- 771 C. All required subdivision improvements shall be installed or guaranteed prior to recording the  
772 Final Plat.
- 773 D. **Notice to Affected Entities** - Within 15 calendar days after receiving a complete subdivision  
774 application under this Chapter, Town Staff shall provide written notice of the proposed  
775 subdivision to the facility owner of any water conveyance facility located, entirely or  
776 partially, within 100 feet of the subdivision plat.
- 777 1. To determine whether any water conveyance facility is located within 100 feet of a  
778 proposed subdivision, the Land Use Authority shall review information:
- 779 a. From the facility owner under Utah Code §10-9a-211, using mapping-grade  
780 global positioning satellite units or digitized data from the most recent aerial  
781 photo available to the facility owner;
- 782 b. From the state engineer's inventory of canals; or
- 783 c. From a licensed surveyor who has consulted with a representative of an  
784 existing water conveyance facility that services an area near the land the  
785 application concerns.
- 786 E. **Expiration of Final Plat** - Approval of a Final Plat by the Administrative or Legislative  
787 Land Use Authority shall be valid for twelve (12) months. If the Final Plat (or a Final Plat  
788 for a phase of an approved Preliminary Plan) has not been recorded within twelve (12)  
789 months after approval of the Final Plat, the Final Plat shall expire. When a Final Plat expires,  
790 the result is as though the approvals of the Preliminary Plat and Final Plat were never  
791 granted. The recording of a Final Plat for any phase of an approved Preliminary Plat shall  
792 lock in the remaining phases of that Preliminary Plat so that it will not expire.
- 793 F. The Town Council may approve an extension of the recording of a Final Plat not to exceed  
794 an additional twelve (12) months, provided that the applicant submits a request for an  
795 extension of the validity of the Final Plat prior to the expiration of the Final Plat and satisfies  
796 any new Town requirements pertaining to the public health, safety and welfare.

797 21.1.16: IMPROVEMENTS AND IMPROVEMENT  
798 STANDARDS FOR ALL SUBDIVISIONS:

- 799 A. **Pre-Construction Meeting** - Once the appropriate Land Use Authority has given approval  
800 of a final plat and a bond or other financial security is in place in accordance with Section  
801 21.10 of this chapter, the applicant and/or the applicant's contractor may schedule a pre-  
802 construction meeting with the Town Planner and/or Town Engineer and the Joint Utility  
803 Committee. Upon receipt of written notice to proceed from the Town, construction of the  
804 subdivision may proceed. No construction shall be permitted prior to receipt of written

- 805 notice to proceed.
- 806 B. **Improvement Costs** - The cost of all improvements in any form including but not limited to  
807 inspections, testing, material, equipment, permits, filing fees, fines, disposing of material,  
808 etc., shall be the responsibility of the developer with no cost incurred by the Town.
- 809 C. **Improvements Not Covered by Leeds Standards** - Where improvements are required that  
810 are not covered by the Leeds Standard Specifications for Design and Construction they shall  
811 be developed by the Town Engineer and approved by the Town Council. If the developer  
812 observes such a condition he shall immediately report it to the Mayor and Town Engineer.
- 813 D. **Conflict of Requirements and Sewers** - All improvements shall comply with the Leeds  
814 Standard Specifications for Design and Construction requirements, Leeds Ordinances,  
815 Federal Codes and State Codes. If conflicts exist between the various codes, ordinances and  
816 requirement the higher requirement shall apply.
- 817 1. The subdivider as a condition of approval of Preliminary Plat (tentative plat), shall  
818 provide and install adequate sanitary sewer facilities, either within and/or outside the  
819 subdivision, in compliance with the policies and procedures of the Town Engineer,  
820 General Plan, Land Use and subdivision Ordinances. The plan for a sanitary sewer  
821 system shall be approved in writing by the Town Engineer and shall be constructed  
822 throughout the entire subdivision and shall be connected to an adequate sewer outfall  
823 line. The developer shall provide a service line to each lot within the subdivision,  
824 except where conditions will permit the use of septic tanks. This paragraph becomes  
825 effective immediately following the Town's approval of a sewer system plan.
- 826 E. **Fences and Guards** - The following may be required if recommended by the Planning  
827 Commission and approved by the Town Council.
- 828 1. In locations where land subdivision abuts or is adjacent to public or private grazing  
829 land, a fence of material and quality satisfactory to the Planning Commission shall be  
830 affected around the outer limits of the subdivision as it is shown on the subdivision  
831 plat. The Planning Commission may also require the installation of cattle guards on  
832 any street entering the proposed subdivision from other existing streets.
- 833 2. An applicant, as a condition of approval, for a subdivision located within an area  
834 subject to high wind erosion may be required to comply with the following standards.
- 835 a. A solid masonry wall with a height of six (6) feet and subject to design and  
836 materials recommended by the Planning Commission and approved by the  
837 Town Council shall be constructed on the peripheral boundary of the  
838 subdivision to protect it from the prevailing wind. Where the required wall  
839 extends over a future street opening, a fence, six (6) feet in height, and  
840 subject to design and materials approval by the Planning Commission and  
841 Town Council, may be substituted for the masonry wall.
- 842 b. Lots within and/or outside the subdivision that have had soil disturbed during  
843 construction shall be covered with protective landscaping material, subject to  
844 the approval of the Planning Commission.
- 845 c. Prior to and during construction, streets and disturbed open areas within  
846 and/or outside of the subdivision shall be treated by water or other approved  
847 method to prevent fugitive dust.
- 848 F. **Temporary Rock Crushing Operations** - Temporary rock crushing operations in any  
849 Zoning District within the Town require a conditional use permit according to Section 7 of

850 the Leeds Land Use and Subdivision Ordinance 2008-04.

851 G. **As Built Drawings** - Within thirty (30) days following completion of the subdivision project  
852 and prior to release of any bond, the developer or his engineering firm shall provide to the  
853 Town the Drawings of Record which show all improvement dimensions as they were  
854 constructed in the field. The developer or his engineering firm may request a reasonable  
855 time extension from the Town Representative if appropriate justification is given as  
856 determined at the Town's sole discretion. The Drawings of Record shall be submitted on  
857 two (2) twenty-four (24) inch by thirty-six (36) inch Mylar sheets and in electronic format in  
858 AutoCAD .dxf or .dwg format. The drawings at a minimum shall include all infrastructure  
859 items (roads, drainage, waterlines and controls, electrical, phone, internet, television, sewer,  
860 etc.), complete dimensions of each lot identifying the allowed building areas and areas that  
861 are not to be disturbed, all open areas and trails.

862 H. **Infrastructure Report** - The developer shall hire an agency qualified to witness, examine,  
863 test, and authorize continuation/stop work, of any infrastructure within or being performed in  
864 conjunction with the development of the subdivision. Copies of all test results will be  
865 provided to the Town Engineer and to the Town weekly. Delivery of the test results to be  
866 within seven days of the test. The Town may hire an inspector to monitor all tests, the fee  
867 for this inspector will be paid by the developer. If this is done, the developer or testing  
868 agency hired by the developer are required to notify the Town inspector two (2) days prior to  
869 any testing.

#### 870 21.1.17: PERFORMANCE BONDS:

871 A. **Surety of Improvements** As outlined in this Chapter, the applicant shall file with the Town  
872 Clerk or Treasurer a surety or cash bond, or letter of credit in an amount approved by the  
873 Town Engineer and the Town Council to cover up to one hundred percent (100%) of the total  
874 estimated cost of all required improvements. Additionally, a labor and material security to  
875 cover up to ten percent (10%) of the total estimated cost of all required improvements shall  
876 also be required as a condition of approval of the subdivision plat. If the applicant fails to  
877 complete the subdivision improvements within the specified time limits, the Town Council  
878 may cause any or all uncompleted improvements to be completed and the parties executing  
879 the security or securities shall be firmly bonded for payment of all necessary and appropriate  
880 costs.

881 B. **Indemnification** - In addition to the performance bond, the applicant shall also release the  
882 Town from all liability incurred by the applicant and payment for all reasonable attorney's  
883 fees that the Town may incur because of any legal action resulting from the subdivision. All  
884 such improvements shall be installed within a period of two (2) years and shall be installed in  
885 a manner satisfactory to the Town Representative and Town Council. Upon completion of  
886 the improvements for which a surety, cash bond, or letter of credit has been filed, the  
887 applicant shall call for final inspection by the Town Representative, Engineer and Planning  
888 Commission.

889 C. **Bond Form** - Surety bonds, cash bonds, or letters of credit are subject to the Town Council  
890 and Town Attorney as to final form, but should include the following basic language:

891 *Bond Form:*

892 *Whereas, the Town Council of the Town of Leeds in Washington County in the State*  
893 *of Utah and \_\_\_\_\_ (hereinafter designated as "principal")*  
894 *have entered into an agreement whereby principal agrees to install and complete*  
895 *certain designated public improvements, which said agreement, dated*

896 \_\_\_\_\_, 2 \_\_\_\_\_, and identified as Project \_\_\_\_\_, is  
897 hereby referred to and made a part hereof; and

898 *Whereas, said principal is required under the terms of said agreement to furnish a*  
899 *bond for the faithful performance of said agreement.*

900 *Now, therefore, we, the principal and \_\_\_\_\_ as*  
901 *surety, are held and firmly bound unto the Town of Leeds hereafter called*  
902 *("\_\_\_\_\_"), in the penal sum of \_\_\_\_\_ dollars*  
903 *(\$ \_\_\_\_\_) lawful money of the United States, for the payment of which*  
904 *sum will and truly to be made, we bind ourselves, our heirs, successors, executors*  
905 *and administrators, jointly and severally, firmly by these presents.*

906 *The condition of this obligation is such that if the above bounded principal, his or its*  
907 *heirs, executors, administrators, successors or assigns, shall in all things stand to*  
908 *and abide by, and will and truly keep and perform the covenants, conditions and*  
909 *provisions in the said agreement and any alteration thereof made as therein*  
910 *provided, on his or their part, to be kept and performed at the time and in the*  
911 *manner therein specified, and in all respects according to their true intent and*  
912 *meaning, and shall indemnify and save harmless the Town of Leeds, its officers,*  
913 *agents, and employees, as therein stipulated, then this obligation shall become null*  
914 *and void; otherwise it shall be and remain in full force and effect.*

915 *As a part of the obligation secured hereby and in addition to the face amount*  
916 *specified therefore, there shall be included costs and reasonable expenses and fees,*  
917 *including reasonable attorney's fees, incurred by the town in successfully enforcing*  
918 *such obligations, all to be taxed as costs and included in any judgment rendered.*

919 *The surety hereby stipulates and agrees that no change, extension of time, alteration*  
920 *or addition to the terms of the agreement or to the work to be performed thereunder*  
921 *of the specifications accompanying the same shall in anywise affect its obligations on*  
922 *this bond. And it does hereby waive notice of any such change, extension of time,*  
923 *alteration or addition to the terms of the agreement or to the work or to the*  
924 *specifications.*

925 *In witness thereof, this instrument has been duly executed by the principal and surety*  
926 *above named, on \_\_\_\_\_.*

927 D. BONDS. All bonds shall be executed by a surety company authorized to transact business as  
928 a surety, and have an agent for service in Utah, together with an "A" policy holder's rating  
929 and a financial rating of at least "V" in compliance with the current "Best's Ratings." The  
930 bond(s) shall contain the nearest street address of the institution providing the bond(s).

931 E. CASH DEPOSITS. In lieu of the faithful performance and labor and material bonds, the  
932 principal may submit cash deposits of negotiable bonds of a kind approved for securing  
933 deposits of public monies with the Town for a responsible escrow agent or trust company  
934 under the conditions hereinafter described. Disbursements from cash deposits shall be made  
935 in compliance with a separate agreement between the principal and the Town. A  
936 bookkeeping fee of one percent (1%) of the total amount deposited with the Town for each  
937 cash deposit shall be submitted with each security. Disbursements from a cash deposit in  
938 any instance shall not be permitted unless and until authorized in writing by the Mayor and  
939 Town Council.

940 F. LETTER OF CREDIT. In lieu of faithful performance and labor and material bonds or cash  
941 deposits, the principal may submit an irrevocable instrument of credit subject to the Utah

942 Commercial Code and under the conditions hereinafter described. The letter of credit shall  
943 be issued by a financial institution organized and doing business in, and subject to  
944 regulations by, the state of Utah or Federal Government, in a form, content, and duration as  
945 approved by the Town Attorney and Town Council, and shall pledge that the funds necessary  
946 to meet the performance are on deposit and guaranteed for payment and can only be released  
947 upon written instruction from the Town, and shall become secured trust funds for the purpose  
948 set forth in the instrument. The letter of credit shall contain the nearest street address of the  
949 institution providing the instrument of credit.

950 *Instrument of Credit Form:*

951 *RE: Letter of Credit No.* \_\_\_\_\_

952 *Effective Date* \_\_\_\_\_

953 *Expiration Date* \_\_\_\_\_

954 *Gentlemen:*

955 *Please consider this letter an instrument of credit pledging that*  
956 *\$ \_\_\_\_\_ is deposited by \_\_\_\_\_ and guaranteed*  
957 *for payment of improvements conditioned in the approval of (name of subdivision-*  
958 *legal description should be attached as well as conditions of approval). In*  
959 *compliance with the Leeds Subdivision Ordinance, we are regulated by the Federal*  
960 *or State Government and agree that the funds designated by this instrument shall*  
961 *become a trust fund for the purpose set forth in this instrument.*

962 *It is a condition of this letter of credit that sixty (60) days prior to any such*  
963 *expiration date we shall notify you by registered letter that we elect not to consider*  
964 *this letter of credit renewed. Notice hereunder shall be deemed to have been given*  
965 *when received by you. Upon receipt of such notice, you may draw on said letter of*  
966 *credit.*

967 *RESPECTFULLY SUBMITTED*

968 *(Bank or Financial institution)*

969 *By* \_\_\_\_\_

970 *(Title)*

971 *By* \_\_\_\_\_

972 *(Title)*

973 *Note: Show bond identification and individual number for the letter of credit. All*  
974 *signatures must be notarized.*

975 G. The Planning Commission, Town Engineer, Town Attorney, and Town Council shall not  
976 endorse or sign the "Certificate of Approval" contained on the Final Plat unless and until  
977 improvements security as herein above specified has been posted.

978 H. No Final Plat shall be presented to the Town Council for acceptance until the requirements of  
979 this section have been met and until all charges established by the Council and pertaining to  
980 the property being subdivided have been paid.

981 **21.1.18: RELEASE OF SECURITY:**

982 A. Security provided may not be released. In the case of a letter of credit, the issuing bank or  
983 association will receive a copy of the Notice of Completion.

984 B. **Progress Payments** - Progress payments may be made to the developer and/or contractor  
985 from any deposit of money or letter of credit which the developer and/or contractor may have  
986 made in lieu of providing a security bond; provided however, that no progress payment shall  
987 be made for more than 90% of the value of any installment of work. No progress payments  
988 from cash deposits shall be made except upon certification by the Town Engineer, the Town  
989 Representative and approved by the Town Council, and the developer and/or contractor that  
990 work covered thereby has been completed.

991 C. Release Process

992 1. Inspection prior to release of bond.

993 a. The Mayor or Town Council may at their option request an on-site inspection  
994 within two (2) weeks of the being notified that the project is complete. If it is  
995 found that the project is complete and the test results state that the job met all  
996 requirements then the bond will be released less twenty-five percent (25%)  
997 which will be held for one year as a guarantee following the next regularly  
998 scheduled Town Council meeting. If completion is not satisfactory one of  
999 the following will apply; 1) If the completed work is unsatisfactory and is  
1000 judged to be significant the developer shall redo the unsatisfactory work to  
1001 the Leeds Standard Specifications for Design and Construction requirements  
1002 before any bond can be released. 2) If it is determined that only minor  
1003 portions of the project were not completed satisfactorily and that these do not  
1004 pose a considerable risk to the town. The Town with concurrence with the  
1005 Town Engineer or Town Representative can estimate the amount of risk  
1006 involved to correct the deficiencies or potential deficiencies and this amount  
1007 will be added to the twenty-five percent (25%) guarantee as the amount of  
1008 the bond to be held back. The portion being held back can be released once  
1009 the effort is completed or it is no longer considered a risk. Release of any  
1010 bond funds will be considered at the first regular Town Council meeting  
1011 following the notification of the project being completed by the developer  
1012 and the Towns two (2) week inspection period.

1013 b. If inspection shows that standards have been met in the completion of such  
1014 improvements, the bonds shall be released pursuant to the conditions outlined  
1015 within this Chapter.

1016 2. The labor and material bond shall be retained to secure payment to the contractor, the  
1017 subcontractors, and to personal renting equipment or furnishing labor or materials for  
1018 six (6) months after completion and acceptance of work. Following the six (6) month  
1019 period the labor and material security may be reduced to an amount not less than the  
1020 total of all claims on which an action has been filed and notice given in writing to the  
1021 Town.

1022 D. **Maintenance Guaranty** - The developer shall guarantee all public improvements for a  
1023 period of one (1) year from the date of final acceptance and shall correct any and all defects  
1024 of deficiencies arising during that period of limitation as a result of the acts or omissions of  
1025 the developer, its agents, or employees. This subdivision guaranty shall be backed by a bond  
1026 or each deposit in the amount of twenty-five percent (25%) of the surety posted for  
1027 improvements. The Town shall provide written notice of the defects or deficiency. In any  
1028 instance where the developer fails to take action required to protect the public health, safety  
1029 and/or welfare, the Town may cause the work to be performed and call on the surety for  
1030 reimbursement. The maintenance security shall be submitted prior to final acceptance of the  
1031 public improvements by the Town.

1032 E. **Forfeiture of Surety** - In the event that developer/contractor fails to complete all  
1033 improvement work in compliance with the provisions of this section, and the Town shall  
1034 have to complete the same, the Town shall call on the security for funds necessary to  
1035 complete from any cash deposit funds for reimbursement. If the amount of any security shall  
1036 be less than the cost and expense incurred by the Town, the developer/contractor shall be  
1037 liable to the Town for such difference. Any cash remaining in the possession of the Town  
1038 after completion of the improvement shall be returned to the originator minus normal  
1039 administrative costs.

1040 **21.1.19: AUTHORIZATION TO START CONSTRUCTION:**

1041 Construction shall not commence until all required improvements plans have been approved by the  
1042 Town Engineer and the Town Council and all applicable Town permits have been issued all fees  
1043 paid and the full correct bond in place. All subdivision improvements are subject to inspection by the  
1044 Town Engineer, Town Representative, and the Planning Commission and shall comply with Town  
1045 requirements approved by the Town Council. All subdivisions shall comply with all established  
1046 standards.

1047 **21.1.20: FEES, INSPECTIONS, PERMITS, VIOLATIONS,**  
1048 **ENFORCEMENTS, AND PENALTIES:**

1049 A. **Fees** - Any and all persons filing plats with the Town Clerk shall pay a fee according to the  
1050 schedule adopted by the Town Council by resolution.

1051 B. **Inspection.**

1052 1. Appropriate agencies, departments of the Town and/or others appointed by the Town  
1053 Council shall act as the Town Representatives and shall inspect or cause to be  
1054 inspected all buildings, fire hydrants and water supply and sewage disposal and  
1055 electrical systems during the course of construction, installation or  
1056 repair. Excavations for fire hydrants and all utility mains and laterals shall not be  
1057 covered or back-filled until such installations shall have been approved by the Town  
1058 Representative or utility company representative. If any such installation is covered  
1059 before being inspected and approved, it shall be uncovered after notice to uncover  
1060 has been issued to the responsible person by the Town Representative. All costs will  
1061 be the responsibility of the developer.

1062 2. The inspection may consist of on-site inspection as the developer is required to notify  
1063 the Town Representative twenty-four (24) hours prior to the need for an  
1064 inspection. Inspections may also be any combination of on-site, analysis of test  
1065 results from developers test, material provider records, equipment records, in  
1066 addition to other inspections considered necessary to adequately insure the quality of  
1067 the development effort.

1068 3. The developer/contractor shall pay to the Town Clerk or Treasurer an inspection fee  
1069 as adopted by resolution by the Town Council to cover the cost of inspections in the  
1070 subdivision. If the fund is exhausted before completion of all improvements, the  
1071 developer/contractor shall pay the Town Clerk or Treasurer an amount estimated by  
1072 the Town Engineer, Town Representative or the Town Building Inspector to be  
1073 sufficient to cover completion.

1074 C. **Permits** - From the time of the effective date of this Ordinance, the Building Inspector shall  
1075 not grant a permit, nor shall any officer grant any license or permit for the use of any land or  
1076 the construction or alteration of any building or structure on a lot which would be in

- 1077 violation of any provisions of this Ordinance until a subdivision plat thereof has been  
1078 approved and recorded as herein required. Any license or permit issued in conflict with such  
1079 provisions shall be void. No building permits will be issued until all improvements have  
1080 been installed to the lot for which the permit has been requested.
- 1081 D. **Violations** - No person shall subdivide any tract or parcel of land located wholly or in part in  
1082 the Town except in compliance with the provisions of this Ordinance. No person shall  
1083 purchase, sell or exchange any parcel of land which is in any part of a subdivision or a  
1084 proposed subdivision submitted to the Planning Commission, nor offer for recording in the  
1085 office of the County Recorder, a deed conveying such parcel of land or any fee interest  
1086 therein, unless such subdivision has been created pursuant to and in accordance with the  
1087 provisions of this Ordinance.
- 1088 E. **Enforcement.**
- 1089 1. The Planning Commission, the Town Engineer, the Town Representative and other  
1090 such departments and agencies of the Town as are designated by the Town Council  
1091 are hereby authorized as the agencies charged with the enforcement of the provisions  
1092 of this Ordinance. Failure of such departments to pursue appropriate legal remedies  
1093 shall not legalize any violation of such provisions.
- 1094 2. The Town Representative shall have the authority to stop construction if he  
1095 determines that the work completed or presently being performed does not comply  
1096 with the requirements. Work will only continue to correct the defect. Once the  
1097 defect is correct then normal work may proceed.
- 1098 F. **Penalties** - Any person, firm or corporation (as principal, agent, employee or otherwise)  
1099 violating, causing, permitting violation or failure to comply with the provisions of this  
1100 Ordinance shall be guilty of a Class B misdemeanor. In addition, to any criminal  
1101 prosecution, the Town may pursue any other legal remedy to ensure compliance with this  
1102 Ordinance including, but not limited to, injunctive relief, under Utah Code Annotated "10-  
1103 9a-802. Enforcement". Each day a violation continues shall be considered a separate  
1104 violation and offense.

1105 **21.1.21: VACATING OR AMENDMENT TO SUBDIVISION**  
1106 **PLAT:**

- 1107 A. **Petition to Vacate.**  
1108 The Town Council shall hear and consider a petition proposing to vacate, alter or amend  
1109 a subdivision plat, any portion of a subdivision plat, or any street, lot or alley contained  
1110 in a subdivision plat, at a public hearing, after receiving a recommendation from the  
1111 Planning Commission. This section does not apply to vacations of a subdivision plat  
1112 pursuant to 21.20.B.2 of this Chapter.  
1113
- 1114 B. **Proposal by Town.**
- 1115 1. If the Town files a petition to vacate, alter or amend a subdivision plat, or any  
1116 street or lot contained in a subdivision plat, the Town Council shall consider the  
1117 issue at a public hearing after receiving a recommendation from the Planning  
1118 Commission, and after giving the notice required by this section.
- 1119 2. Notwithstanding any other provision of this Chapter, the Town Council may,  
1120 consistent with Utah Code Annotated § 10-9a-609(3), vacate a subdivision plat,  
1121 or a portion of a subdivision plat, by recording in the county recorder's office an  
1122 ordinance describing the subdivision or the portion being vacated. The recorded

1123 vacating ordinance shall replace a previously recorded plat described in the  
1124 vacating ordinance.

1125 **C. Proposal by a Subdivision Fee Owner.**

- 1126 1. The written request must come from a fee owner of the land, as shown on the last  
1127 county assessment roll.
- 1128 2. The fee owner shall prepare, and if an approved plat exists, record a plat, in  
1129 accordance with Utah State Code § 10-9a-603 that:
- 1130 a. Displays only the portion of the subdivision proposed to be amended;
- 1131 b. Includes a plat name that distinguishes it from the original plat
- 1132 c. Describes the differences between the amended plat and the original plat;  
1133 and
- 1134 d. Includes a reference to the original plat.
- 1135 3. The petition shall also include:
- 1136 a. The name and address of each owner of record contained in the proposed  
1137 plat change.
- 1138 b. The signature of each owner named in Subsection (C)(3)(a) that consents  
1139 to the plat amendment.

1140 **D. Preservation of utilities easements.**

1141 The Town shall not approve a petition for a subdivision amendment unless the amendment  
1142 identifies and preserves any easements owned by a culinary water authority and sanitary  
1143 sewer authority for existing facilities located within the subdivision.

1144 **E. Requests to Amend a Public Street or Municipal Utility Easement.**

1145 Subdivision fee owner petitions to amend a public street or municipal utility easement must  
1146 comply with § 10-9a-605.

1147 **F. Notice of hearing for plat change.** The Town Council shall give notice of the proposed  
1148 plat change by mailing the notice to each owner of property located within three hundred  
1149 (300) feet of the property that is the subject of the proposed plat change, addressed to the  
1150 owners' mailing address's appearing on the rolls of the Washington County assessor.  
1151 The Town Council shall ensure that the notice includes:

- 1152 1. A statement that anyone objecting to the proposed plat change must file a written  
1153 objection to the change within ten (10) days of the date of the notice;
- 1154 2. A statement that if no written objections are received by the Town Clerk within  
1155 the time limit, no public hearing will be held; and
- 1156 3. The date, place and time when a hearing will be held, if one is required, to  
1157 consider a vacation, alteration or amendment without a petition when written  
1158 objections are received.
- 1159 4. This section does not apply to vacations of a subdivision plat pursuant  
1160 to 21.20.B.2 of this Chapter.

1161 **G. Notice of Hearing for Plat Change Involving Vacation, Alteration, or Amendment  
1162 of Street.** If a petition to change a plat involves the vacation, alteration or amendment of  
1163 a street, the Town Council shall give notice of the date, place and time of the hearing by:

- 1164 1. Mailing notice as required in 21.20.C.; and  
1165 2. Publishing the notice once a week for four (4) consecutive weeks before the  
1166 hearing in a newspaper of general circulation in the Town.  
1167 3. This section does not apply to vacations of a subdivision plat pursuant  
1168 to 21.20.B.2 of this Chapter.

1169 **H. Grounds for Vacating or Changing Plat.**

- 1170 1. Within thirty (30) days after the public hearing required by this section, the Town  
1171 Council shall consider the petition.  
1172 2. After considering the petition, if the Town Council is satisfied that neither the  
1173 public nor any person will be materially injured by the proposed action, alteration  
1174 or amendment, and that there is good cause for the vacation, alteration or  
1175 amendment, the Town Council may vacate, alter or amend the plat, any portion  
1176 of the plat, or any street or lot.  
1177 3. The Town Council may approve the vacation, alteration or amendment by  
1178 amended plat, administrative order, or deed containing a stamp or mark  
1179 indicating approval by the Town Council.  
1180 4. Applications for an amended plat, lot split or other action under this chapter are  
1181 not finalized until such is recorded in the office of the Washington County  
1182 Recorder.  
1183 5. An aggrieved party may appeal the Town Council decision to a hearing officer  
1184 and may appeal the hearing officer's decision to the district court as provided in  
1185 Utah Code Annotated section 10-9a-801.  
1186 6. This section does not apply to vacations of a subdivision plat pursuant  
1187 to 21.20.B.2 of this Chapter.

1188 **I. Lot Line Adjustments for Adjoining Properties.**

- 1189 1. The owners of record for adjoining properties may exchange title to portions of  
1190 those properties if the exchange of title is approved by the Town Council as a lot  
1191 line adjustment if the exchange of title will not result in a violation of any land  
1192 use ordinance.  
1193 2. If this type of lot line adjustment is approved, a notice of lot line adjustment shall  
1194 be recorded with the Washington County Recorder which:  
1195 a. Is approved by each owner in the exchange and by Town Council;  
1196 b. Recites the legal descriptions of both the original properties and the  
1197 properties resulting from the exchange of title; and  
1198 c. Shall be recorded in the office of the Washington County Recorder as a  
1199 document of conveyance of title.  
1200 3. A notice of approval recorded under Section J does not act as a conveyance of  
1201 title to real property, and is not required in order to record a document conveying  
1202 title to real property.

1203 **J. Subdivision Name Changes.**

- 1204 1. The name of a recorded subdivision may be changed by recording an amended  
1205 plat making the change, as provided in this section and subject to Subsection

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(K)(3).

2. The surveyor preparing the amended plat shall certify that the surveyor:
  - a. Holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
  - b. Has completed a survey of the property described in the plat in accordance with Utah State Code § 17-23-17, and has verified all measurements; or
  - c. Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
  - d. Has placed monuments as represented on the plat.
3. An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as the subdivision in a plat already recorded with the Washington County Recorder.
4. Except as provided by Subsection (K)(1), the recording of a declaration or other document that purports to change the name of a recorded plat is void.

DRAFT