

ORDINANCE 2026-03

AN ORDINANCE AMENDING CHAPTER 21 (SUBDIVISIONS) OF THE LEEDS, UTAH LAND USE ORDINANCE AND ENSURING IT IS CONSISTENT WITH THE CHECK LISTS FOR PRELIMINARY AND FINAL PLAT APPLICATIONS.

WHEREAS, the Planning Commission held a Work Session on March 4, 2026 discussing the check lists for Preliminary and Final Plat Applications and corresponding changes to Chapter 21 (Subdivisions) of the Leeds Land Use Ordinance 2008-04; and

WHEREAS, the Planning Commission held a Public Hearing on April 1, 2026, on amendments to Chapter 21 (Subdivisions) of the Leeds Land Use Ordinance 2008-04 and made a recommendation to the Town Council to approve an amended Chapter 21; and

WHEREAS, the Town Council reviewed the amendments at a Town Council meeting on April 8 and voted to approve them after changing “conformance with the Town of Leeds General Plan” in Section 21.1.6.C.11. to “alignment with the Town of Leeds General Plan”; and

WHEREAS, the Town Council finds that it is advisable, and in the best interests of the Town and its residents, to replace Chapter 21 (Subdivisions) of the Leeds Land Use Ordinance 2008-04 in its entirety with the amended Chapter 21 attached as Exhibit A;

This Ordinance shall become effective immediately upon approval.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEEDS TO ADOPT THE SUBDIVISION ORDINANCE TO BE CODIFIED AS CHAPTER 21 OF THE LEEDS LAND USE ORDINANCE, THIS 27 DAY OF MAY 2026.

BY VOTE:	YEA	NAY	ABSENT
MAYOR WAYNE PETERSON	_____	_____	_____
COUNCILMEMBER JEFF ALLEN	_____	_____	_____
COUNCILMEMBER KOHL FURLEY	_____	_____	_____
COUNCILMEMBER CHRISTINE HARVEY	_____	_____	_____
COUNCILMAN AARON PRICE	_____	_____	_____

Wayne Peterson, Mayor

Attest:

Cari Bishop, Town Clerk/Recorder

Exhibit A

CHAPTER 21: SUBDIVISIONS:

Amended and Restated by Ordinance 2012-01, 2012-04, 2023-03, 2025-02, 2025-05

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:**

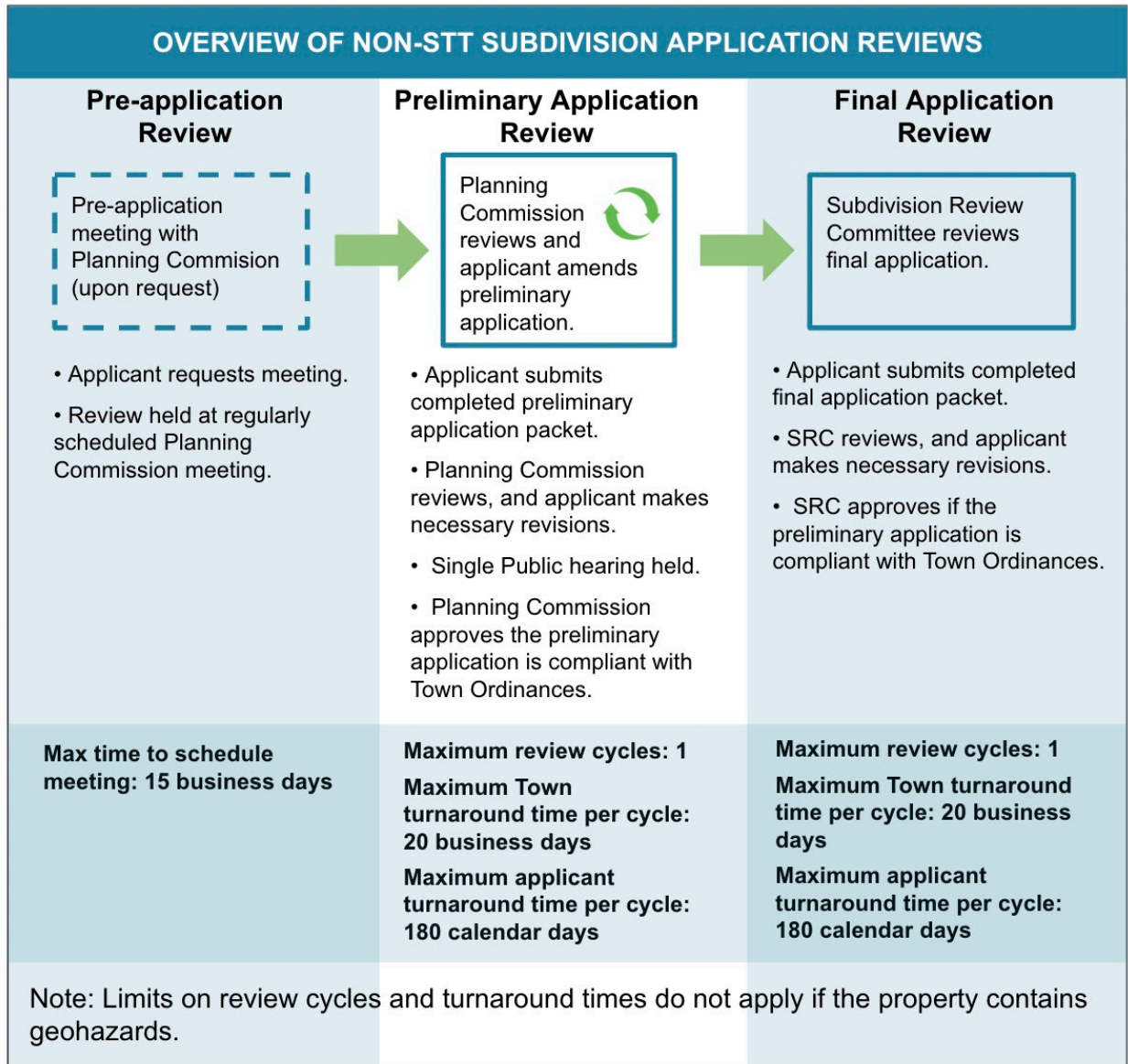
51 A. The Administrative Land Use Authority for preliminary STT subdivision applications under
52 this Chapter is the Planning Commission. For purposes of STT subdivision applications, the
53 Planning Commission shall be ultimately responsible for the following, but may delegate
54 tasks other than land 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 be 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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98 21.1.4: LAND USE AUTHORITY AND APPEAL AUTHORITY
99 FOR NON-STT SUBDIVISIONS:

100 A. The recommending body for preliminary and final non-STT subdivision applications under
101 this Chapter is the Planning Commission. The approving Land Use Authority is Town
102 Council. Recommendation and approval steps may not be delegated.

103 1. As the recommending body, Planning Commission is responsible for:

- 104 a. Recommending land use decisions related to non-STT subdivision
105 applications under this Chapter, including recommendations to approve or
106 deny preliminary and final subdivision applications.
- 107 b. Reviewing non-STT subdivision applications under this Chapter in an
108 impartial manner and according to the standards described in this Chapter.
- 109 c. Holding public meetings for reviewing preliminary non-STT subdivision
110 applications as required by this Chapter
- 111 d. Providing feedback to applicants on their preliminary non-STT subdivision
112 applications in the manner required by this Chapter.
- 113 e. Scheduling and holding a pre-application meeting (and reviewing concept
114 plans) with potential applicants as required by this Chapter.
- 115 f. Keeping subdivision application forms (both preliminary and final) and
116 related information material up to date and publicly accessible and
117 distributing such forms and materials to potential applicants. This task is
118 delegated to Town Staff by default.

119 2. As the approving Land Use Authority, the Town Council is responsible for:

- 120 a. Reviewing non-STT subdivision applications under this Chapter in an
121 impartial manner and according to the standards described in this Chapter.
- 122 b. Approving land use decisions related to non-STT subdivision applications
123 under this Chapter.

124 B. **Appeal Authority** - The Appeal Authority for decisions by the Administrative Land Use
125 Authorities relating to STT subdivision applications is the Board of Adjustments. The
126 Appeal Process is described in Chapter 3.9 of the Leeds Land Use Ordinance.

127 21.1.5: PRE-APPLICATION MEETING FOR ALL
128 SUBDIVISIONS:

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

- 134 1. If an applicant requests a pre-application meeting, the municipality shall, within 15
135 business days after the request, schedule the meeting to review the concept plan and
136 give initial feedback.
- 137 2. If the meeting is to be with Planning Commission, the meeting shall be scheduled for
138 the next regularly scheduled Planning Commission meeting for which appropriate
139 public notice is attainable.

- 140 3. The Planning Commission or Town Staff shall conduct the meeting, provide
141 feedback on materials as requested by the party, and shall provide or have available
142 on the municipal website the following at the time of the meeting:
- 143 a. Copies of applicable land use regulations,
 - 144 b. A complete list of standards required for the project, and
 - 145 c. Relevant application checklists.

146 **21.1.6: PRELIMINARY PLAT AND APPLICATION FOR ALL**
147 **SUBDIVISIONS:**

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

149 A. **Preliminary Plat Description** - The following shall appear in a title block located in the
150 lower right-hand corner of the sheet:

- 151 1. The proposed name of the subdivision.
- 152 2. The location of the subdivision including the address and the section, township and
153 range.
- 154 3. The names and addresses of the owners or applicants if other than the owner.
- 155 4. Date of preparation, north point, scale, contour interval, source and date of existing
156 contours.
- 157 5. Scale shall be of sufficient size to adequately describe in legible form all required
158 conditions of this Ordinance.
- 159 6. Sufficient legal description to define the boundary of the proposed subdivision.

160 B. **Preliminary Plat Existing Conditions** - The Preliminary Plat shall show:

- 161 1. The location of the nearest survey monument.
- 162 2. The boundary of the proposed subdivision and the acreage included. A statement of
163 present land use designation(s) as defined in the General Plan, the intended land
164 use(s), and the existing and proposed zoning of the property as shown on the zoning
165 map.
- 166 3. Where the submitted plat covers only a portion of the parcel owned by the applicant,
167 the Preliminary Plat shall include a sketch of the applicant's remaining land. The
168 street system of the portion of the applicant's parcel submitted for Preliminary Plat
169 approval shall 1) conform to the Leeds Master Road Plan, and 2) **contemplate**
170 expansion into the remaining portion of the applicant's land not included for
171 Preliminary Plat approval.
- 172 4. The location, pavement, and right-of-way width, grade and name of all existing
173 streets within two hundred (200) feet on the subdivision and of all prior platted
174 streets or other public ways, utility rights-of-way, parks, and other public open
175 spaces, permanent buildings, structures, houses, or permanent easements and sections
176 and corporation lines, within and adjacent to the subdivision.
- 177 5. Existing ditches, canal, natural drainage channels and open waterways and proposed
178 realignments including drainage and existing and future flood control alignments.
- 179 6. The names and boundary lines of adjacent subdivisions located within one (100) feet
180 and the names of owners of adjacent unplatted land located within one (100) feet.

- 181 7. A vicinity map showing roads, adjoining subdivisions, cities, creeks and other data
182 sufficient to locate the proposed subdivision and show the relation to the community.
- 183 8. The location and outline of existing structures identified by type. Structures to be
184 removed shall be so marked.
- 185 9. The widths, location and identity of all existing easements.

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

- 187 1. The layout of streets, showing location, pavement, right-of-way width and
188 dimensions of (designated by actual or proposed names and numbers) proposed
189 streets, construction and compaction specifications, reservoirs, existing sewers,
190 ponds, stop signs, streetlights, street name signs, crosswalks, alleys and
191 easements. The location and radius of all curb returns and cul-de-sacs shall also be
192 shown.
- 193 2. The layout, number and typical dimensions of lots. Multifamily projects shall
194 demonstrate building footprints in addition to lot dimensions. Each lot shall
195 identify a “do not disturb” area upon which the natural vegetation shall remain
196 undisturbed.
- 197 3. Parcels of land or common areas intended to be dedicated or temporarily reserved for
198 public use or set aside for use of property owners in the subdivision.
- 199 4. Builder setback lines required by the Leeds Land Use Ordinances.
- 200 5. Easements for water, sewers, drainage, utility lines and other purposes.
- 201 6. Approximate radius of all center line curves on streets and angle of intersecting
202 streets if the angle deviates from a right angle by more than two (2) degrees.
- 203 7. Subdivision improvements outside of the boundary including right-of-way, existing
204 topography, and proposed work.
- 205 8. Proposed recreation sites, bike paths, trails and parks for private or public use, shall
206 be identified.
- 207 9. Existing topography of the proposed subdivision site at least one hundred (100) feet
208 beyond its boundary, including but not limited to existing contours at one (1) foot
209 intervals if the existing ground slope is less than fifteen percent (15%) and no less
210 than five (5) foot intervals for existing ground slopes equal to greater than fifteen
211 percent (15%). Existing contours shall be represented by dashed lines or by screened
212 lines. A separate grading plan may be required to be submitted.
- 213 10. If the applicant plans to develop the site in units or phases, the proposed units or
214 phases and their proposed sequence of construction shall be shown.
- 215 11. A statement identifying how the proposed development is in alignment with the
216 Town of Leeds General Plan.

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

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

220 In most cases a preliminary geologic hazards and soil suitability report will be
221 required by the Town. If this report is required, it shall be prepared by a Utah-
222 licensed civil engineer specializing in geotechnical evaluations or a Utah-licensed
223 geologist and based upon existing state and federal geologic and environmental

224 agency reports and adequate field data, including test borings and evaluation of any
225 mine shafts. Percolation tests are required as part of the soils analysis for septic
226 systems. The report shall be presented to the Planning Commission with the
227 Preliminary Plat.

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

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

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

255 **3. Title Report.**

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

260 **4. Will-serve letters or written acknowledgements of service from any utility
261 purveyor that will serve the property.**

262 **5. Archaeological survey/report prepared by a qualified archeologist, unless waived
263 by the Town.**

264 **6. Biological survey/report prepared by a qualified biologist, unless waived by the
265 Town.**

266 **7. Other Reports.**

267 Where necessary, copies of any agreements with adjacent property owners relevant
268 to the proposed subdivision shall be presented to the Planning Commission.
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270 E **Record Retention and Transparency.**

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

- 272 • The application
- 273 • The owner(s)' affidavit(s)
- 274 • An electronic copy of all plans and supplemental reports in PDF format
- 275 • The preliminary subdivision plat drawings
- 276 • A breakdown of fees upon approval of the application

277 **21.1.7: IMPROVEMENT PLAN REQUIREMENTS FOR ALL**
278 **SUBDIVISIONS:**

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

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

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

288 a. Leeds Design and Construction Standards and Specifications; including but
289 not limited to:

290 i. Engineering data shall show the proposed finished grade of each lot,
291 the preliminary design of all grading, numeric estimate of grading
292 activity relating to excavation and fill, the elevation of proposed
293 building pads, the top and the toe of cut and fill slopes to scale, the
294 number of each lot, and the elevation of adjacent parcels.

295 ii. The location and size of proposed and existing wells, septic tanks,
296 sanitary sewers,, water mains, and storm drains proposed, active or
297 abandoned, and of all reservoirs and ponds within the tract and to a
298 distance of at least two hundred (200) feet beyond the subdivision
299 boundaries. Proposed slopes and approximate elevations of sanitary
300 sewers and storm drains shall be indicated. All water and wastewater
301 disposal systems are required to have project feasibility approval
302 from the Utah Department of Environmental Quality Division of
303 Drinking Water prior to submittal. Final approvals are subject to the
304 Planning Commission, the Town Engineer and Town Council.

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

308 b. Sewer provider construction standards;

309 c. Electric power provider's standards and specifications;

310 d. Applicable fire code in consultation with the Hurricane Valley Fire Special

- 311 Services District;
- 312 e. Natural gas provider’s and telecommunication providers’ standards and
313 specifications, if applicable.
- 314 f. Culinary water provider design and construction standards and specifications.
- 315 g. Irrigation water authority design and construction standards and
316 specifications.
- 317 h. Specific geotechnical and drainage recommendations established by the soils,
318 geohazard, and drainage/flood zone report(s), if required.
- 319 2. **Improvement Plan Authorizations** - Eight (8) sets of complete Improvement Plans
320 must be submitted with the Preliminary Plat application. Improvement Plans shall be
321 a minimum of twenty-two inches by thirty-four inches (22” x 34”) and have
322 signature blocks present for signatures from:
- 323 a. Town Engineer
- 324 b. Town Public Works Director
- 325 c. Culinary Water Provider
- 326 d. Irrigation Water Authority
- 327 e. Hurricane Valley Fire Services District
- 328 f. Sewer Authority
- 329 g. Electric Power Provider
- 330 h. Natural Gas Provider
- 331 i. Telecommunications Provider(s)
- 332 3. **Improvement Plan Streets** - All street grades shall be noted on the Improvement
333 Plans.

334 **21.1.8: PRELIMINARY PLAT AND IMPROVEMENT PLAN**
335 **REVIEWS FOR STT SUBDIVISIONS:**

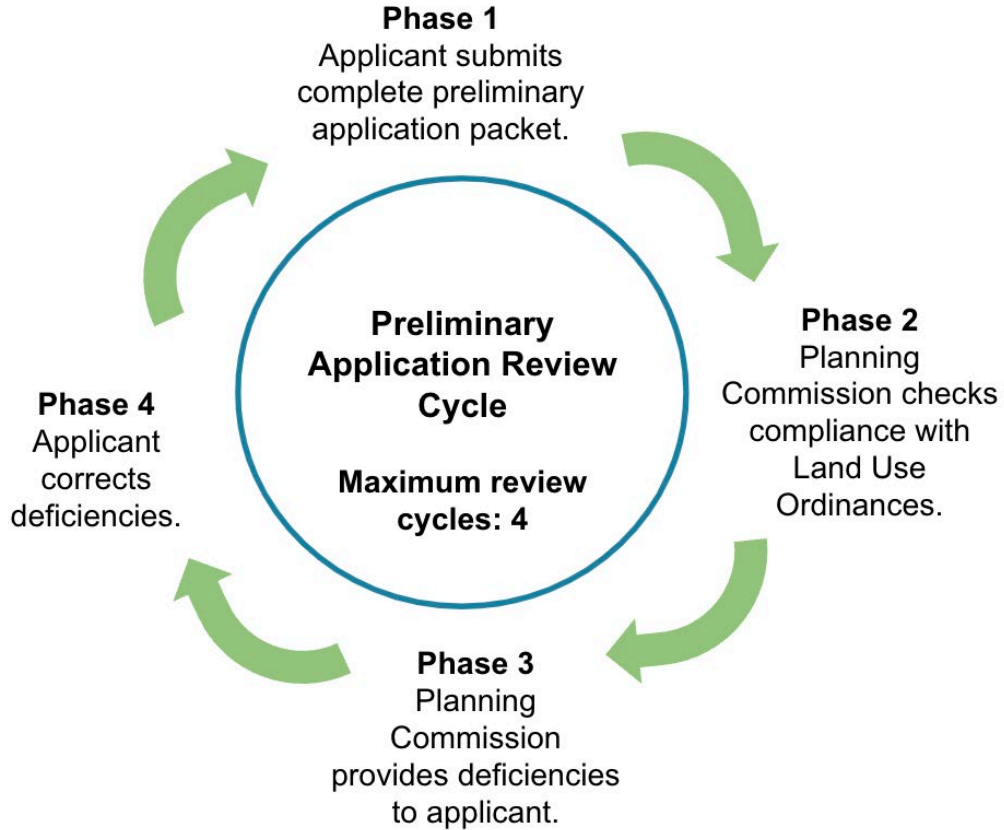
- 336 A. The Administrative Land Use Authority shall review all STT subdivision applications in
337 accordance with the requirements of this Section before approving or denying the
338 subdivision application.
- 339 B. The review process begins when an applicant submits a complete application.
- 340 1. The Administrative Land Use Authority shall not review an incomplete subdivision
341 application, except to determine whether the application is complete.
- 342 2. If an Administrative Land Use Authority determines that an application is not
343 complete, it shall notify the applicant of the incompleteness, highlighting any
344 insufficiencies and explaining that the application will not be reviewed until
345 completed.
- 346 C. After the applicant submits a complete application, the Administrative Land Use Authority
347 shall review and provide feedback to the applicant in a series of “review cycles.”
- 348 1. A review cycle consists of the following phases:
- 349 a. Phase #1: The applicant submits a complete application (or, if after the first

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

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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.

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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.

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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

- 432 property.
- 433 2. Obtain a preliminary plat application form and complete the application and have a
- 434 Preliminary Plat prepared by a Utah State licensed engineer or surveyor in
- 435 conformance with the provisions of this Ordinance.
- 436 3. Submit completed application with notarized signature(s) of owner and/or applicant.
- 437 Include current deed and letter of owner(s)' authorization to proceed with
- 438 development. File seven (7) copies of the Preliminary Plat and the Improvement
- 439 Plans, a digital copy of the same, and required filing fee to the Town Clerk. The
- 440 Preliminary Plat shall:
- 441 a. Be clear and legible and conform to good engineering and professional
- 442 drafting room practice. Size of drawings shall be twenty-four (24) inches by
- 443 thirty-six (36) inches.
- 444 b. Comply with construction drawings and standards published by the Town.
- 445 4. Provide noticing package for the Administrative Land Use Authority public hearing.
- 446 5. Notify the town if there is any water conveyance facility located entirely or partially
- 447 within one hundred (100) feet of the subdivision plat as determined using information
- 448 made available to the Town.
- 449 6. Appear at each meeting of the Planning Commission at which the preliminary
- 450 application is considered and provide any additional information requested by the
- 451 Planning Commission.
- 452 J. The Administrative Land Use Authorities shall approve or deny a subdivision application
- 453 under this Chapter after reviewing a complete subdivision application as described in this
- 454 Chapter.

455 21.1.9: PRELIMINARY PLAT AND IMPROVEMENT PLAN

456 REVIEWS FOR NON-STT SUBDIVISIONS:

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

498 **21.1.10: AUTHORITY TO DELAY APPROVAL FOR NON-STT**
499 **SUBDIVISIONS:**

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

507 **21.1.11: CONSTRUCTION DRAWINGS FOR ALL**
508 **SUBDIVISIONS:**

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

512 A. Construction drawings must be prepared in accordance with:

- 513
514 1. Leeds Design and Construction Standards and Specifications; including but not
515 limited to:
516 a. Engineering data shall show the proposed finished grade of each lot, the
517 preliminary design of all grading, numeric estimate of grading activity
518 relating to excavation and fill, the elevation of proposed building pads, the

519 top and the toe of cut and fill slopes to scale, the number of each lot, and the
520 elevation of adjacent parcels.
521

522 b. The location and size of proposed and existing wells, septic tanks, sanitary
523 sewers, fire hydrants, water mains, and storm drains proposed, active or
524 abandoned, and of all reservoirs within the tract and to a distance of at least
525 one hundred (100) feet beyond the subdivision boundaries. Proposed slopes
526 and approximate elevations of sanitary sewers and storm drains shall be
527 indicated. All water and wastewater disposal systems are required to have
528 project feasibility approval from the Utah Department of Environmental
529 Quality Division of Drinking Water prior to submittal. Final approvals are
530 subject to the Planning Commission, the Town Engineer and Town Council.
531

- 532 2. Sewer provider construction standards;
533
- 534 3. Electric power provider's standards and specifications;
535
- 536 4. Applicable fire code in consultation with the Hurricane Valley Fire Special Services
537 District;
538
- 539 5. Natural gas provider's and telecommunication providers' standards and
540 specifications, if applicable.
541
- 542 6. Culinary water provider design and construction standards and specifications.
543
- 544 7. Irrigation water authority design and construction standards and specifications.
545
- 546 8. Specific geotechnical and drainage recommendations established by the soils,
547 geohazard, and drainage/flood zone report(s), if required.
548

549 B. Eight (8) sets of complete construction drawings must be submitted to the Town Planner or
550 authorized Town Representative. Construction drawings shall be a minimum of twenty-two
551 inches by thirty-four inches (22" x 34") and must contain a signature block for all Joint
552 Utility Committee members, including:
553

- 554 1. Town Engineer
- 555 2. Town Public Works Director
- 556 3. Culinary Water Provider
- 557 4. Irrigation Water Authority
- 558 5. Hurricane Valley Fire Special Service District
- 559 6. Sewer Authority
- 560 7. Electric Power Provider
- 561 8. Natural Gas Provider
- 562 9. Telecommunications Provider(s)

563 C. Applicant shall request placement on a Joint Utility Committee agenda for initial review of
564 the plans.
565

566 D. Applicant or applicant's authorized representative shall attend the Joint Utility Committee
567 meeting when the item is on the agenda. Joint Utility Committee members will take copies of

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

- 570
571 E. All street grades shall be noted on the construction drawings.
572
573 F. When redlines are completed, Town Planner or Town Representative shall prepare a
574 summary of the needed changes and return redlined plans to applicant.
575
576 G. Applicant shall then submit one (1) copy of the corrected construction drawings, addressing
577 all redlined items, to the Town Engineer for review and possible signature. After Town
578 Engineer signs the construction drawings, applicant must obtain all required signatures and
579 return eight (8) copies of the signed plans to Town Planner or Town Representative.

580 **21.1.12: FINAL PLAT REQUIREMENTS FOR ALL**
581 **SUBDIVISIONS:**

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

- 590 1. **Description and Delineation** - The Final Plat shall show everything required on the
591 Preliminary Plat, items required by the Leeds Standard Specifications for Design and
592 Construction requirements and the following information:
- 593 a. The name of the subdivision, which name must be approved by Town
594 Council;
 - 595 b. An identification system for all lots and blocks and names of streets. Lot
596 lines shall show dimensions in feet and hundredths;
 - 597 c. True angles and distances to the nearest established street line or official
598 monuments, which shall be accurately described in the plat and shown by
599 appropriate symbol;
 - 600 d. All street centerline data must be shown together with its relationship to the
601 property lines, corners, etc.;
 - 602 e. The accurate location of all monuments shall be shown on the plat, and shall
603 be identified, including all United States, State, County, or other official
604 monuments;
 - 605 f. The dedication to the public of all streets and highways included in the
606 proposed subdivision.
 - 607 i. Street survey monuments shall be installed by the developer in
608 accordance with the requirements of the Leeds Standard
609 Specifications for Design and Construction requirements, the
610 locations indicated and become the property of the Town .
 - 611 g. Existing sewers, water mains, culverts or other underground facilities within
612 the tract and to a distance of at least one hundred (100) feet beyond the tract

- 613 boundaries, indicating the pipe sizes, including slope, grades, manholes, and
614 exact location.
- 615 h. The layout of streets, showing location, grade centerline radius and arc length
616 of curves, pavement, right-of-way width and dimensions of (designated by
617 actual or proposed names and numbers) proposed streets, crosswalks, alleys
618 and easements. The location and radius of all curb returns and cul-de-sacs
619 shall also be plotted.
- 620 i. Accurate outlines and legal descriptions of any area to be dedicated or
621 reserved for public use with the purposes indicated thereon, and of any area
622 to be reserved by deed or covenant for common uses of all property owners.
- 623 j. Where it is proposed that streets be constructed on property controlled by a
624 public agency or utility company, approval for the location, improvement and
625 maintenance of such streets shall be obtained from the public agency or
626 utility company and entered on the Final Plat in a form approved by the
627 Town Attorney.
- 628 k. List the applicable agencies that provide service to the proposed subdivision
629 (i.e., school district(s), gas, electric, water and sewer, telephone, internet,
630 cable TV, etc.)
- 631 2. **Standard Forms** - The Final Plat shall require:
- 632 a. A registered professional land surveyor's "Certificate of Survey;"
- 633 b. The owner's "Certificate of Dedication" or a "Corporate Certificate" for
634 corporations;
- 635 c. A notary public's acknowledgment;
- 636 d. The Culinary Water Provider's "Certificate of Approval" (if the Town, acting
637 in its capacity as the "Water Authority" determines, in its sole and absolute
638 discretion, that it is in the best interests of the Town and the property owner
639 to defer the provision of culinary water service to a private water company or
640 other governmental water purveyor, it may so delegate, and in said instance,
641 the "Certificate of Approval" shall be executed by the delegated water
642 provider);
- 643 e. The Sewer Authority's "Certificate of Approval" (if the property subject to
644 the Final Plat will dispose of its sewage via separate septic system, the sewer
645 authority is the Southwest Utah Public Health Department or successor
646 agency, and if the property subject to the Final Plat will dispose of its sewage
647 through an established sewer system, the sewer authority is the Town and/or
648 Ash Creek Special Service District (depending upon the ownership of the
649 system));
- 650 f. Hurricane Valley Fire Special Services District's "Certificate of Approval"
651 (as the fire authority for the Town and its residents);
- 652 g. The signature of the county treasurer indicating at the time of signing that the
653 property taxes, special assessments, and fees due and owing have been paid
654 in full.
- 655 h. A one-and-one half by five-inch (1 ½ x 5") space in the lower right corner of
656 the drawing for the use of the County Recorder.

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

676 **B Record Retention and Transparency.**

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

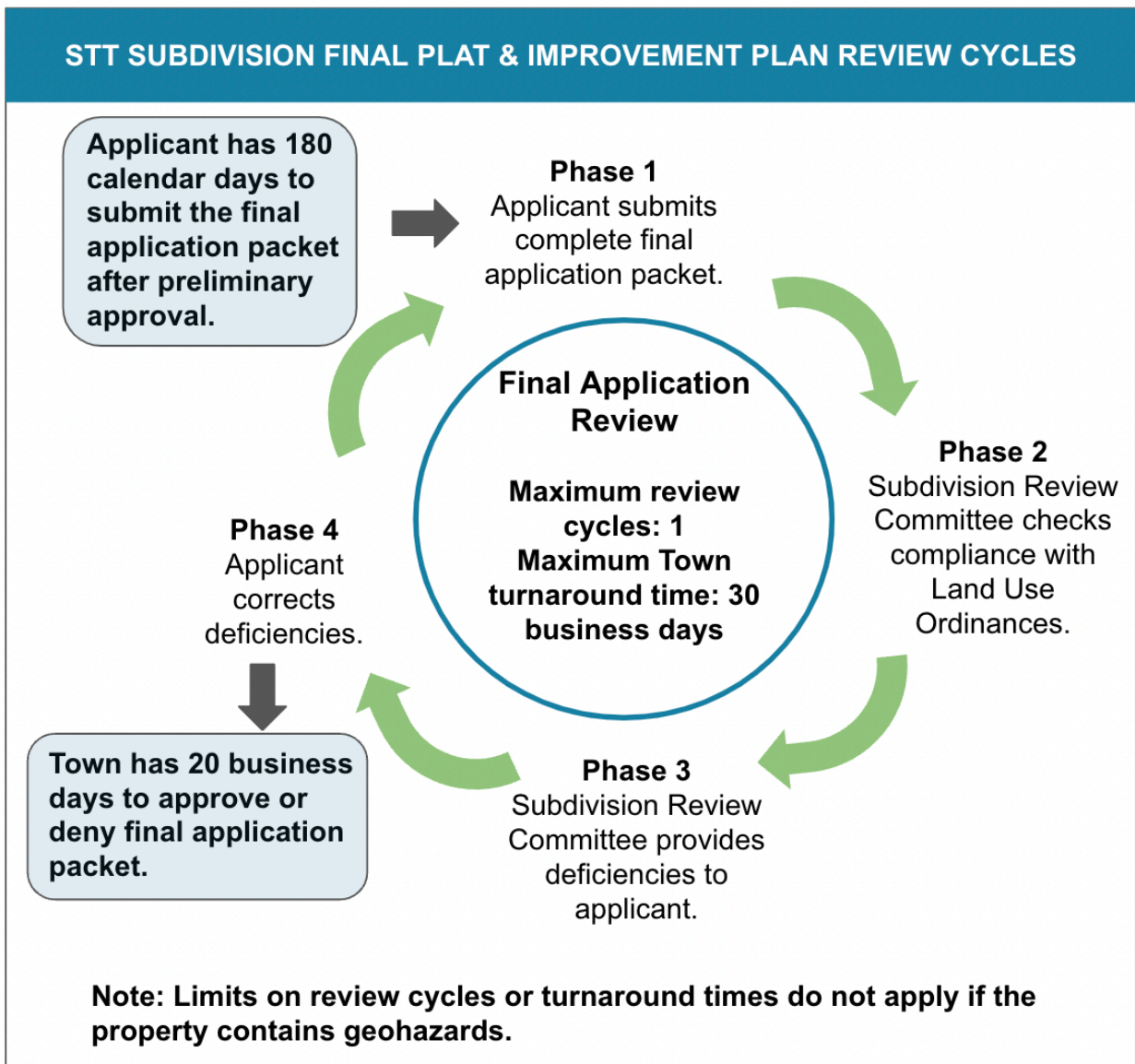
- 679 • The application
- 680 • The owner(s)' affidavit(s)
- 681 • An electronic copy of all plans and supplemental reports in PDF format
- 682 • The final subdivision plat drawings
- 683 • A breakdown of fees upon approval of the application

684 **21.1.13: APPROVAL PROCESS OF FINAL PLAT FOR STT**
685 **SUBDIVISIONS:**

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

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

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



709

710 **21.1.14: APPROVAL PROCESS OF FINAL PLAT FOR NON-STT**
711 **SUBDIVISIONS:**

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

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

754 21.1.15: RECORDING AND EXPIRATION OF FINAL PLAT FOR
755 ALL SUBDIVISIONS:

- 756 A. **Submittals for Recording and Copies** - Applicant shall submit two (2) paper copies of the
757 signed Mylar version of Final Plat, and one electronic copy to Town. These copies shall be
758 an exact copy of the signed Mylar version of Final Plat as approved by the Town Council.
- 759 B. No subdivision Final Plat shall be recorded without having been signed by the Mayor of
760 Leeds, Utah, certifying that all applicable conditions of the final plat application contents and
761 approval of this Ordinance have been met, and that the bonds as required by Paragraph
762 21.16. have been posted with the Town Clerk.
- 763 C. All required subdivision improvements shall be installed or guaranteed prior to recording the
764 Final Plat.
- 765 D. **Notice to Affected Entities** - Within 15 calendar days after receiving a complete subdivision
766 application under this Chapter, Town Staff shall provide written notice of the proposed
767 subdivision to the facility owner of any water conveyance facility located, entirely or
768 partially, within 100 feet of the subdivision plat.
- 769 1. To determine whether any water conveyance facility is located within 100 feet of a
770 proposed subdivision, the Land Use Authority shall review information:
- 771 a. From the facility owner under Utah Code §10-9a-211, using mapping-grade
772 global positioning satellite units or digitized data from the most recent aerial
773 photo available to the facility owner;
- 774 b. From the state engineer’s inventory of canals; or
- 775 c. From a licensed surveyor who has consulted with a representative of an
776 existing water conveyance facility that services an area near the land the
777 application concerns.
- 778 E. **Expiration of Final Plat** - Approval of a Final Plat by the Administrative or Legislative
779 Land Use Authority shall be valid for twelve (12) months. If the Final Plat (or a Final Plat
780 for a phase of an approved Preliminary Plan) has not been recorded within twelve (12)
781 months after approval of the Final Plat, the Final Plat shall expire. When a Final Plat expires,
782 the result is as though the approvals of the Preliminary Plat and Final Plat were never
783 granted. The recording of a Final Plat for any phase of an approved Preliminary Plat shall
784 lock in the remaining phases of that Preliminary Plat so that it will not expire.
- 785 F. The Town Council may approve an extension of the recording of a Final Plat not to exceed
786 an additional twelve (12) months, provided that the applicant submits a request for an
787 extension of the validity of the Final Plat prior to the expiration of the Final Plat and satisfies
788 any new Town requirements pertaining to the public health, safety and welfare.

789 21.1.16: IMPROVEMENTS AND IMPROVEMENT
790 STANDARDS FOR ALL SUBDIVISIONS:

- 791 A. **Pre-Construction Meeting** - Once the appropriate Land Use Authority has given approval
792 of a final plat and a bond or other financial security is in place in accordance with Section
793 21.10 of this chapter, the applicant and/or the applicant’s contractor may schedule a pre-
794 construction meeting with the Town Planner and/or Town Engineer and the Joint Utility
795 Committee. Upon receipt of written notice to proceed from the Town, construction of the
796 subdivision may proceed. No construction shall be permitted prior to receipt of written

- 797 notice to proceed.
- 798 B. **Improvement Costs** - The cost of all improvements in any form including but not limited to
799 inspections, testing, material, equipment, permits, filing fees, fines, disposing of material,
800 etc., shall be the responsibility of the developer with no cost incurred by the Town.
- 801 C. **Improvements Not Covered by Leeds Standards** - Where improvements are required that
802 are not covered by the Leeds Standard Specifications for Design and Construction they shall
803 be developed by the Town Engineer and approved by the Town Council. If the developer
804 observes such a condition he shall immediately report it to the Mayor and Town Engineer.
- 805 D. **Conflict of Requirements and Sewers** - All improvements shall comply with the Leeds
806 Standard Specifications for Design and Construction requirements, Leeds Ordinances,
807 Federal Codes and State Codes. If conflicts exist between the various codes, ordinances and
808 requirement the higher requirement shall apply.
- 809 1. The subdivider as a condition of approval of Preliminary Plat (tentative plat), shall
810 provide and install adequate sanitary sewer facilities, either within and/or outside the
811 subdivision, in compliance with the policies and procedures of the Town Engineer,
812 General Plan, Land Use and subdivision Ordinances. The plan for a sanitary sewer
813 system shall be approved in writing by the Town Engineer and shall be constructed
814 throughout the entire subdivision and shall be connected to an adequate sewer outfall
815 line. The developer shall provide a service line to each lot within the subdivision,
816 except where conditions will permit the use of septic tanks. This paragraph becomes
817 effective immediately following the Town's approval of a sewer system plan.
- 818 E. **Fences and Guards** - The following may be required if recommended by the Planning
819 Commission and approved by the Town Council.
- 820 1. In locations where land subdivision abuts or is adjacent to public or private grazing
821 land, a fence of material and quality satisfactory to the Planning Commission shall be
822 affected around the outer limits of the subdivision as it is shown on the subdivision
823 plat. The Planning Commission may also require the installation of cattle guards on
824 any street entering the proposed subdivision from other existing streets.
- 825 2. An applicant, as a condition of approval, for a subdivision located within an area
826 subject to high wind erosion may be required to comply with the following standards.
- 827 a. A solid masonry wall with a height of six (6) feet and subject to design and
828 materials recommended by the Planning Commission and approved by the
829 Town Council shall be constructed on the peripheral boundary of the
830 subdivision to protect it from the prevailing wind. Where the required wall
831 extends over a future street opening, a fence, six (6) feet in height, and
832 subject to design and materials approval by the Planning Commission and
833 Town Council, may be substituted for the masonry wall.
- 834 b. Lots within and/or outside the subdivision that have had soil disturbed during
835 construction shall be covered with protective landscaping material, subject to
836 the approval of the Planning Commission.
- 837 c. Prior to and during construction, streets and disturbed open areas within
838 and/or outside of the subdivision shall be treated by water or other approved
839 method to prevent fugitive dust.
- 840 F. **Temporary Rock Crushing Operations** - Temporary rock crushing operations in any
841 Zoning District within the Town require a conditional use permit according to Section 7 of
842 the Leeds Land Use and Subdivision Ordinance 2008-04.

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

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

862 **21.1.17: PERFORMANCE BONDS:**

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

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

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

883 *Bond Form:*

884 *Whereas, the Town Council of the Town of Leeds in Washington County in the State*
885 *of Utah and _____ (hereinafter designated as "principal")*
886 *have entered into an agreement whereby principal agrees to install and complete*
887 *certain designated public improvements, which said agreement, dated*
888 *_____, 2_____, and identified as Project _____, is*
889 *hereby referred to and made a part hereof; and*

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

892 *Now, therefore, we, the principal and _____ as*
893 *surety, are held and firmly bound unto the Town of Leeds hereafter called*
894 *(“_____”), in the penal sum of _____ dollars*
895 *(\$_____) lawful money of the United States, for the payment of which*
896 *sum will and truly to be made, we bind ourselves, our heirs, successors, executors*
897 *and administrators, jointly and severally, firmly be these presents.*

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

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

911 *The surety hereby stipulates and agrees that no change, extension of time, alteration*
912 *or addition to the terms of the agreement or to the work to be performed thereunder*
913 *of the specifications accompanying the same shall in anywise affect its obligations on*
914 *this bond. And it does hereby waive notice of any such change, extension of time,*
915 *alteration of addition to the terms of the agreement or to the work or to the*
916 *specifications.*

917 *In witness thereof, this instrument has been duly executed by the principal and surety*
918 *above named, on _____.*

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

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

932 F. LETTER OF CREDIT. In lieu of faithful performance and labor and material bonds or cash
933 deposits, the principal may submit an irrevocable instrument of credit subject to the Utah
934 Commercial Code and under the conditions hereinafter described. The letter of credit shall
935 be issued by a financial institution organized and doing business in, and subject to
936 regulations by, the state of Utah or Federal Government, in a form, content, and duration as

937 approved by the Town Attorney and Town Council, and shall pledge that the funds necessary
938 to meet the performance are on deposit and guaranteed for payment and can only be released
939 upon written instruction from the Town, and shall become secured trust funds for the purpose
940 set forth in the instrument. The letter of credit shall contain the nearest street address of the
941 institution providing the instrument of credit.

942 *Instrument of Credit Form:*

943 *RE: Letter of Credit No.* _____

944 *Effective Date* _____

945 *Expiration Date* _____

946 *Gentlemen:*

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

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

959 *RESPECTFULLY SUBMITTED*

960 *(Bank or Financial institution)*

961 *By* _____

962 *(Title)*

963 *By* _____

964 *(Title)*

965 Note: Show bond identification and individual number for the letter of credit. All
966 signatures must be notarized.

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

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

973 21.1.18: RELEASE OF SECURITY:

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

976 B. **Progress Payments** - Progress payments may be made to the developer and/or contractor
977 from any deposit of money or letter of credit which the developer and/or contractor may have

978 made in lieu of providing a security bond; provided however, that no progress payment shall
979 be made for more than 90% of the value of any installment of work. No progress payments
980 from cash deposits shall be made except upon certification by the Town Engineer, the Town
981 Representative and approved by the Town Council, and the developer and/or contractor that
982 work covered thereby has been completed.

983 C. Release Process

984 1. Inspection prior to release of bond.

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

1005 b. If inspection shows that standards have been met in the completion of such
1006 improvements, the bonds shall be released pursuant to the conditions outlined
1007 within this Chapter.

1008 2. The labor and material bond shall be retained to secure payment to the contractor, the
1009 subcontractors, and to personal renting equipment or furnishing labor or materials for
1010 six (6) months after completion and acceptance of work. Following the six (6) month
1011 period the labor and material security may be reduced to an amount not less than the
1012 total of all claims on which an action has been filed and notice given in writing to the
1013 Town.

1014 D. **Maintenance Guaranty** - The developer shall guarantee all public improvements for a
1015 period of one (1) year from the date of final acceptance and shall correct any and all defects
1016 of deficiencies arising during that period of limitation as a result of the acts or omissions of
1017 the developer, its agents, or employees. This subdivision guaranty shall be backed by a bond
1018 or each deposit in the amount of twenty-five percent (25%) of the surety posted for
1019 improvements. The Town shall provide written notice of the defects or deficiency. In any
1020 instance where the developer fails to take action required to protect the public health, safety
1021 and/or welfare, the Town may cause the work to be performed and call on the surety for
1022 reimbursement. The maintenance security shall be submitted prior to final acceptance of the
1023 public improvements by the Town.

1024 E. **Forfeiture of Surety** - In the event that developer/contractor fails to complete all

1025 improvement work in compliance with the provisions of this section, and the Town shall
1026 have to complete the same, the Town shall call on the security for funds necessary to
1027 complete from any cash deposit funds for reimbursement. If the amount of any security shall
1028 be less than the cost and expense incurred by the Town, the developer/contractor shall be
1029 liable to the Town for such difference. Any cash remaining in the possession of the Town
1030 after completion of the improvement shall be returned to the originator minus normal
1031 administrative costs.

1032 **21.1.19: AUTHORIZATION TO START CONSTRUCTION:**

1033 Construction shall not commence until all required improvements plans have been approved by the
1034 Town Engineer and the Town Council and all applicable Town permits have been issued all fees
1035 paid and the full correct bond in place. All subdivision improvements are subject to inspection by the
1036 Town Engineer, Town Representative, and the Planning Commission and shall comply with Town
1037 requirements approved by the Town Council. All subdivisions shall comply with all established
1038 standards.

1039 **21.1.20: FEES, INSPECTIONS, PERMITS, VIOLATIONS,**
1040 **ENFORCEMENTS, AND PENALTIES:**

- 1041 A. **Fees** - Any and all persons filing plats with the Town Clerk shall pay a fee according to the
1042 schedule adopted by the Town Council by resolution.
- 1043 B. **Inspection.**
- 1044 1. Appropriate agencies, departments of the Town and/or others appointed by the Town
1045 Council shall act as the Town Representatives and shall inspect or cause to be
1046 inspected all buildings, fire hydrants and water supply and sewage disposal and
1047 electrical systems during the course of construction, installation or
1048 repair. Excavations for fire hydrants and all utility mains and laterals shall not be
1049 covered or back-filled until such installations shall have been approved by the Town
1050 Representative or utility company representative. If any such installation is covered
1051 before being inspected and approved, it shall be uncovered after notice to uncover
1052 has been issued to the responsible person by the Town Representative. All costs will
1053 be the responsibility of the developer.
- 1054 2. The inspection may consist of on-site inspection as the developer is required to notify
1055 the Town Representative twenty-four (24) hours prior to the need for an
1056 inspection. Inspections may also be any combination of on-site, analysis of test
1057 results from developers test, material provider records, equipment records, in
1058 addition to other inspections considered necessary to adequately insure the quality of
1059 the development effort.
- 1060 3. The developer/contractor shall pay to the Town Clerk or Treasurer an inspection fee
1061 as adopted by resolution by the Town Council to cover the cost of inspections in the
1062 subdivision. If the fund is exhausted before completion of all improvements, the
1063 developer/contractor shall pay the Town Clerk or Treasurer an amount estimated by
1064 the Town Engineer, Town Representative or the Town Building Inspector to be
1065 sufficient to cover completion.
- 1066 C. **Permits** - From the time of the effective date of this Ordinance, the Building Inspector shall
1067 not grant a permit, nor shall any officer grant any license or permit for the use of any land or
1068 the construction or alteration of any building or structure on a lot which would be in
1069 violation of any provisions of this Ordinance until a subdivision plat thereof has been

1070 approved and recorded as herein required. Any license or permit issued in conflict with such
1071 provisions shall be void. No building permits will be issued until all improvements have
1072 been installed to the lot for which the permit has been requested.

1073 D. **Violations** - No person shall subdivide any tract or parcel of land located wholly or in part in
1074 the Town except in compliance with the provisions of this Ordinance. No person shall
1075 purchase, sell or exchange any parcel of land which is in any part of a subdivision or a
1076 proposed subdivision submitted to the Planning Commission, nor offer for recording in the
1077 office of the County Recorder, a deed conveying such parcel of land or any fee interest
1078 therein, unless such subdivision has been created pursuant to and in accordance with the
1079 provisions of this Ordinance.

1080 E. Enforcement.

1081 1. The Planning Commission, the Town Engineer, the Town Representative and other
1082 such departments and agencies of the Town as are designated by the Town Council
1083 are hereby authorized as the agencies charged with the enforcement of the provisions
1084 of this Ordinance. Failure of such departments to pursue appropriate legal remedies
1085 shall not legalize any violation of such provisions.

1086 2. The Town Representative shall have the authority to stop construction if he
1087 determines that the work completed or presently being performed does not comply
1088 with the requirements. Work will only continue to correct the defect. Once the
1089 defect is correct then normal work may proceed.

1090 F. **Penalties** - Any person, firm or corporation (as principal, agent, employee or otherwise)
1091 violating, causing, permitting violation or failure to comply with the provisions of this
1092 Ordinance shall be guilty of a Class B misdemeanor. In addition, to any criminal
1093 prosecution, the Town may pursue any other legal remedy to ensure compliance with this
1094 Ordinance including, but not limited to, injunctive relief, under Utah Code Annotated “10-
1095 9a.-802. Enforcement”. Each day a violation continues shall be considered a separate
1096 violation and offense.

1097 21.1.21: VACATING OR AMENDMENT TO SUBDIVISION 1098 PLAT:

1099 A. **Petition to Vacate.**

1100 The Town Council shall hear and consider a petition proposing to vacate, alter or amend
1101 a subdivision plat, any portion of a subdivision plat, or any street, lot or alley contained
1102 in a subdivision plat, at a public hearing, after receiving a recommendation from the
1103 Planning Commission. This section does not apply to vacations of a subdivision plat
1104 pursuant to 21.20.B.2 of this Chapter.
1105

1106 B. **Proposal by Town.**

1107 1. If the Town files a petition to vacate, alter or amend a subdivision plat, or any
1108 street or lot contained in a subdivision plat, the Town Council shall consider the
1109 issue at a public hearing after receiving a recommendation from the Planning
1110 Commission, and after giving the notice required by this section.

1111 2. Notwithstanding any other provision of this Chapter, the Town Council may,
1112 consistent with Utah Code Annotated § 10-9a-609(3), vacate a subdivision plat,
1113 or a portion of a subdivision plat, by recording in the county recorder’s office an
1114 ordinance describing the subdivision or the portion being vacated. The recorded
1115 vacating ordinance shall replace a previously recorded plat described in the

1116 vacating ordinance.

1117 **C. Proposal by a Subdivision Fee Owner.**

1118 1. The written request must come from a fee owner of the land, as shown on the last
1119 county assessment roll.

1120 2. The fee owner shall prepare, and if an approved plat exists, record a plat, in
1121 accordance with Utah State Code § 10-9a-603 that:

1122 a. Displays only the portion of the subdivision proposed to be amended;

1123 b. Includes a plat name that distinguishes it from the original plat

1124 c. Describes the differences between the amended plat and the original plat;
1125 and

1126 d. Includes a reference to the original plat.

1127 3. The petition shall also include:

1128 a. The name and address of each owner of record contained in the proposed
1129 plat change.

1130 b. The signature of each owner named in Subsection (C)(3)(a) that consents
1131 to the plat amendment.

1132 **D. Preservation of utilities easements.**

1133 The Town shall not approve a petition for a subdivision amendment unless the amendment
1134 identifies and preserves any easements owned by a culinary water authority and sanitary
1135 sewer authority for existing facilities located within the subdivision.

1136 **E. Requests to Amend a Public Street or Municipal Utility Easement.**

1137 Subdivision fee owner petitions to amend a public street or municipal utility easement must
1138 comply with § 10-9a-605.

1139 **F. Notice of hearing for plat change.** The Town Council shall give notice of the proposed
1140 plat change by mailing the notice to each owner of property located within three hundred
1141 (300) feet of the property that is the subject of the proposed plat change, addressed to the
1142 owners' mailing address's appearing on the rolls of the Washington County assessor.

1143 The Town Council shall ensure that the notice includes:

1144 1. A statement that anyone objecting to the proposed plat change must file a written
1145 objection to the change within ten (10) days of the date of the notice;

1146 2. A statement that if no written objections are received by the Town Clerk within
1147 the time limit, no public hearing will be held; and

1148 3. The date, place and time when a hearing will be held, if one is required, to
1149 consider a vacation, alteration or amendment without a petition when written
1150 objections are received.

1151 4. This section does not apply to vacations of a subdivision plat pursuant
1152 to 21.20.B.2 of this Chapter.

1153 **G. Notice of Hearing for Plat Change Involving Vacation, Alteration, or Amendment
1154 of Street.** If a petition to change a plat involves the vacation, alteration or amendment of
1155 a street, the Town Council shall give notice of the date, place and time of the hearing by:

1156 1. Mailing notice as required in 21.20.C.; and

- 1157 2. Publishing the notice once a week for four (4) consecutive weeks before the
1158 hearing in a newspaper of general circulation in the Town.
- 1159 3. This section does not apply to vacations of a subdivision plat pursuant
1160 to 21.20.B.2 of this Chapter.

1161 **H. Grounds for Vacating or Changing Plat.**

- 1162 1. Within thirty (30) days after the public hearing required by this section, the Town
1163 Council shall consider the petition.
- 1164 2. After considering the petition, if the Town Council is satisfied that neither the
1165 public nor any person will be materially injured by the proposed action, alteration
1166 or amendment, and that there is good cause for the vacation, alteration or
1167 amendment, the Town Council may vacate, alter or amend the plat, any portion
1168 of the plat, or any street or lot.
- 1169 3. The Town Council may approve the vacation, alteration or amendment by
1170 amended plat, administrative order, or deed containing a stamp or mark
1171 indicating approval by the Town Council.
- 1172 4. Applications for an amended plat, lot split or other action under this chapter are
1173 not finalized until such is recorded in the office of the Washington County
1174 Recorder.
- 1175 5. An aggrieved party may appeal the Town Council decision to a hearing officer
1176 and may appeal the hearing officer's decision to the district court as provided in
1177 Utah Code Annotated section 10-9a-801.
- 1178 6. This section does not apply to vacations of a subdivision plat pursuant
1179 to 21.20.B.2 of this Chapter.

1180 **I. Lot Line Adjustments for Adjoining Properties.**

- 1181 1. The owners of record for adjoining properties may exchange title to portions of
1182 those properties if the exchange of title is approved by the Town Council as a lot
1183 line adjustment if the exchange of title will not result in a violation of any land
1184 use ordinance.
- 1185 2. If this type of lot line adjustment is approved, a notice of lot line adjustment shall
1186 be recorded with the Washington County Recorder which:
- 1187 a. Is approved by each owner in the exchange and by Town Council;
- 1188 b. Recites the legal descriptions of both the original properties and the
1189 properties resulting from the exchange of title; and
- 1190 c. Shall be recorded in the office of the Washington County Recorder as a
1191 document of conveyance of title.
- 1192 3. A notice of approval recorded under Section J does not act as a conveyance of
1193 title to real property, and is not required in order to record a document conveying
1194 title to real property.

1195 **J. Subdivision Name Changes.**

- 1196 1. The name of a recorded subdivision may be changed by recording an amended
1197 plat making the change, as provided in this section and subject to Subsection
1198 (K)(3).

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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.