

Glendale Town Subdivision Ordinance
GLENDALE TOWN

SUBDIVISION ORDINANCE

August 2006

GLENDALE, UT

Chapter 1

GENERAL PROVISIONS

Sections:

| | |
|------------|-------------------------------------|
| 1-1 | Purpose |
| 1-2 | Scope of Ordinance |
| 1-3 | Effect on Previous Ordinance |
| 1-4 | Exceptions to the Ordinance |
| 1-5 | Exemptions |
| 1-6 | Definitions |

Section 1-1 Purpose

The purpose of this Ordinance is:

- (1) To promote the health, safety, and general welfare of the resident of Glendale Town.
- (2) To promote the efficient and orderly growth of Glendale Town.
- (3) To provide policies, procedures, requirements and standards for the physical development of subdivision of land, construction of buildings and improvements within Glendale Town; including but not limited to, the construction and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, design standards for public facilities and utilities, accesses to public rights-of-way and to establish fees and other charges for the authorizing of a subdivision.

Section 1-2 Scope of Ordinance

- (1) No person shall subdivide any parcel of land which is located wholly or in part in Glendale Town except in compliance with this Ordinance. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a tract of land, nor offer for recording in the office of the County Recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this Ordinance. This Ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Ordinance except as proved in Section 1-2(2) below.
- (2) No lot within a subdivision created and recorded prior to the effective date of this Ordinance or approved by the Glendale Town Planning Commission and Glendale Town Council and recorded in the County Recorder's Office under the provisions of this Ordinance shall be further divided, rearranged or reduced in area. The boundaries of any lot shall not be altered in any manner so as to create more lots than initially recorded, or any nonconforming lot, without first obtaining the approval of the Glendale Town Planning Commission and the Glendale Town Council as provided in this Ordinance.
- (3) Unless waived by the Glendale Town Planning Commission and the Glendale Town City Council, it shall be unlawful for any person to receive a building permit on the lot until all improvements including road base, pavements and utilities are installed in the subdivision which the building is to be construed. There shall be no human occupancy of any building until the improvements have been accepted by Glendale Town and the building and lot fully comply with the Subdivision and Zoning Ordinances of Glendale Town, It

Glendale Town Subdivision Ordinance

shall be unlawful for any subdivider to sell any portion of an improved subdivision until the prospective buyer or builder has been advised that occupancy permits will not be issued until the improvements are completed.

Section 1-3 Effects on Previous Ordinance

The existing Subdivision Ordinance of Glendale Town, Utah is hereby superceded and amended to read as set forth herein; provided however, that this Ordinance shall be deemed a continuation of the previous Ordinance, and not a new enactment, insofar as the substance of revisions of the previous Ordinance is included, whether in the same or in difference language.

Section 1-4 Exceptions to the Ordinance

Where unusual topographic or other exceptional conditions exist, the Glendale Town Council may change the requirements of this Ordinance after receiving the recommendation of the Glendale Town Planning Commission, provided that such changes will not substantially impair the intent of this Ordinance.

Section 1-5 Exemptions

The following shall be exemptions to the Subdivision Ordinance:

- (1) Land divided into parts the smallest of which is one hundred sixty (160) acres in area, or larger;
- (2) Land divisions which are bona fide divisions or partitions of agricultural land for agricultural purposes, also commercial, industrial and manufacturing.

Section 1-6 Definitions

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words used in present tense include the future; singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the words "used" or "occupied" shall include arranged, designed, constructed, altered, converted, rented, leased or intended to be used or occupied; the word "shall" is mandatory and not directory, and the word "may" is permissive; the word "person" included a firm, association, organization, partnership, trust, company or corporation, as well as an individual; the word "lot" includes words plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other Ordinance adopted by the Glendale Town Council.

- (1) Beginning of Construction – Grading or removal of any vegetation or earth from a site for construction of access routes or preparation for excavation of building pads or footings.
- (2) Contiguous – A parcel of land or phase of a subdivision that joins another parcel of land or phase of a subdivision. Contiguous is not defined to mean joining at a point.
- (3) Frontage, Block – All property fronting on one (1) side of the street between intersecting or intercepting streets or between a street and right-of-way, waterway, end of dead-end street, or political subdivision boundaries, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intersects.
- (4) Frontage Lot – The lineal measurement of the front lot line.

Glendale Town Subdivision Ordinance

(5) Campground – A parcel designated and approved by the Glendale Town for occupancy by tents, trailers, motor homes or campers on a temporary basis.

(6) Garage Repair – A building or portion thereof, other than a private garage used for servicing, repairing, equipping, hiring, selling, or storing motor driven vehicles.

(7) Body and Fender Shop – Facility for major vehicle repairs to body, frame or fenders and including rebuilding.

(8) Grade – For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street;

For buildings adjoining more than one (1) street, the average of the elevation of the sidewalk at the centers of all walls adjoining the streets.

(9) Irrigated Land – Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

(10) Master Plan – A long policy plan prepared and adopted by the Glendale Town Council to guide City growth.

(11) Mobile Home Subdivision – A subdivision designed and intended for residential use where lots are individually owned or leased, and occupied by mobile homes exclusively.

(12) Off-site Facilities – Improvements not on individual lots but generally within the boundaries of the subdivision which they serve.

(13) Official Map – The official map or maps adopted by Glendale Town pursuant to the City zoning and planning enabling legislation.

(14) On-site Facilities – Construction or placement of the dwelling and its appurtenant improvements on a lot.

(15) Parcel of Land – Contiguous land owned by and recorded as the property of a person. Land in one ownership but physically divided by a public highway, road, or street is considered contiguous under this definition.

(16) Person – A firm, association, organization, partnership, company or corporation or any legal entity entitled to own property as well as an individual.

(17) Plot Plan – Plat of a lot, drawn to scale showing such information as may be required by the Glendale Town Planning Commission.

(18) Protection Strip – A strip of land between the boundary of a subdivision and street within the subdivision for the purpose of controlling the access to the street by property owners abutting the subdivision.

(19) Streets –

a. Street - A thoroughfare which has been dedicated and accepted by the City, which the City has acquired by prescriptive right or which the County owns, or offered for dedication on an approved final plat, or a thoroughfare of at least forty (40) feet in width which has been abandoned or made public by right of use land and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards.

Glendale Town Subdivision Ordinance

- b. **Street, Arterial** – A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled-access highway, major street, parkway, or other equivalent term to identify those streets comprising the basic structure of the street plan.
 - c. **Street, Collector** – A Street, existing or proposed street which is the main means of access to the major street system.
 - d. **Street, Local** – A Street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.
 - e. **Street, Private** – A thoroughfare within a subdivision which has been reserved by dedication unto the subdivider or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted design standards of Glendale Town and maintained by the landowners within the subdivision by assessments authorized by recorded covenant.
- (20) **Subdivider** – Any person, developer, firm, corporation, partnership or association who causes land to be divided into a subdivision for himself or others.
- (21) **Subdivision** – The division of any tract, lot or parcel of land into three (3) or more lots, plots, sites, or other divisions of land for the purpose, whether immediate or future sale, lease or of building development, provided that the term “subdivision” shall not apply to those divisions excepted or exempted in this Ordinance. The word “subdivide” and any other derivative thereof shall have reference to the word “subdivision” as herein defined.
- (22) **Vicinity Plan** – A map or drawing to scale showing the physical relationship of the proposed development to existing or proposed streets, building and utilities; other relevant information such as special terrain or surface drainage; and existing zoning classification of all land within three hundred (300) feet of the property proposed for development.
- (21) **Zone Clearance** – Assurance in writing by the Glendale Town Building Inspector that a proposed activity is in compliance with existing Zoning regulations.

Chapter 2

ENFORCEMENTS AND PERMITS

Sections:

- 2-1 Building Inspector to Enforce**
- 2-2 Permits**
- 2-3 Inspections**
- 2-4 Form of Agreement**

Section 2-1 Building Inspector Enforce

The Glendale Town Zoning Administrator is hereby authorized as the officer charged with the enforcement of this Ordinance. The Glendale Town Zoning Administrator shall enforce all the provisions of the Ordinance.

Section 2-2 Permits

The Glendale Town Zoning Administrator shall not grant a permit nor shall any officer grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any state law or rule or regulation of the state or ordinance of Glendale Town until a subdivision plat has been approved pursuant to this Ordinance. Any license or permit issued in conflict with such provisions shall be null and void.

Section 2-3 Inspections

The Glendale Town Zoning Administrator shall inspect or cause to be inspected all buildings, fire hydrants and water supply, and sewage disposal systems in the course of construction, installation or repair. Excavations for fire hydrants and water and sewer mains and laterals shall have been approved by an engineer designated by Glendale Town. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the Glendale Town Zoning Administrator.

Section 2-4 Form of Agreement

Prior to any final approval of a subdivision, the subdivider shall enter into an agreement with Glendale Town which shall be in substantially the following form:

Glendale Town Subdivision Ordinance

AGREEMENT

This Agreement is made by and between _____
(hereafter "Subdivider") and Glendale Town.

Subdivider hereby acknowledges receipt of a copy of the Glendale Town Subdivision Ordinance. Subdivider hereby acknowledges that he or she has read the Subdivision Ordinance (or that an agent of Subdivider has), and that he or she understands the provisions of the Subdivision Ordinance and that he or she will fully and completely comply with the provisions and requirements therein contained.

Dated this _____ day of _____, 20____.

Subdivider

The form of a corporate or partnership shall include a provision for a notary public in which the subdivider represents that the person signing for the corporation or partnership has the authority to execute the agreement for the corporation or partnership.

Chapter 3

PROCEDURES FOR PRE-APPLICATION

Sections:

- 3-1 Pre-Application Process**
- 3-2 Feasibility of Water and Sewage Systems**

Section 3-1 Pre-Application Process

(1) Subdividers shall submit a Sketch Plan to the Glendale Town Planning Commission as part of the pre-application process prior to the submission of a Preliminary Plat. The Sketch Plan is intended to enable the subdivider and the Glendale Town Planning Commission to have an informal preliminary review along with input from the City Manager and the Zoning Administrator and others of the site plan for general scope and conditions which might affect the plan. For large areas where development is anticipated over an extended period of years, the Sketch Plan shall show the area for which preliminary plan approval will be requested for the first phase of development and also show a concept sketch map of the entire property and its environs. The concept sketch map will have no official standing or approval. It shall be amended or modified from time to time by the subdivider as deemed appropriated. This Sketch Plan as well as other submittals shall be receipted by the Glendale Town Planning Commission or an authorized representative.

(2) This Sketch Plan shall include the following:

- a. The general location of the subdivision and the property boundaries of the proposed subdivision area, date, outlined in red, true North and designated public access. It should show significant natural and man-made features on the site and within one-half (1/2) mile of any portion.
- b. Topographic contours from available data, e.g. USGS maps.
- c. Southwest District Health approval for the type of water system proposed; also, documentation of water rights and of historic water use.
- d. Type of sewer or sanitary waste system proposed, as approved by the Southwest District Health Board.
- e. Acreage of the entire tract as well as the number of lots and the average size of the lots.
- f. Brief written statement and oral presentation in sufficient detail that the intent of the subdivider is clear to those who review proposals.

Section 3-2 Feasibility of Water and Sewage Systems

At the time of pre-application the subdivider will be required to show the feasibility of the proposed water and sewage systems necessary to meet the requirements of the Ordinance, the local health officer and the State Division of Environmental Health, as indicated by letters of feasibility from such health officers. Subdividers shall submit required Preliminary Plat materials and supporting documents of a proposed subdivision to the Glendale Town Planning Commission offices for approval prior to the submission of a Final Plat. Subdivision requirements and time required for review and notification are indicated in this Ordinance. Prior

Glendale Town Subdivision Ordinance

to Sketch Plan approval, the Glendale Town Planning Commission or a representative shall have made an on-site visitation to the proposed subdivision.

The Glendale Town Planning Commission shall advise the subdivider of possible problems with the proposed subdivision within 30 days after it receives the Sketch Plan. Approval of the Sketch Plan shall be good for one (1) year. Thereafter, approval of the Sketch Plan will have expired unless a Preliminary Plat has been submitted to the Glendale Town Planning Commission.

Chapter 4

PRELIMINARY PLAT

Sections:

| | |
|--------------------|---|
| Section 4-1 | Submission Requirements |
| Section 4-2 | Plat Requirements |
| Section 4-3 | Drawing Requirements |
| Section 4-4 | Supporting Documents Required |
| Section 4-5 | Summary Statement of Proposal |
| Section 4-6 | Review Procedures – Preliminary Plat |
| Section 4-7 | The Planning Commission Approval |

Section 4-1 Submission Requirements

Copies of all required materials for a preliminary Plat shall be officially submitted to the Glendale Town planning Commission by the subdivider or authorized representative at least eight (8) days prior to the date of the Glendale Town Planning Commission meeting at which the preliminary subdivision plat is to be reviewed.

Section 4-2 Plat Requirements

- (1) One (1) copy of an Application for Approval of a Preliminary Plat and all supporting documents.
- (2) A minimum of eight (8) black on white or blue on white or brown on white prints of the Preliminary Plat
 - a. One (1) additional print is required when the property being subdivided abuts a State Highway;
 - b. One (1) additional print is required when on-site sanitary sewage disposal facilities are proposed;
 - c. When a proposed subdivision lies wholly or partially in proximity to a municipality, and additional print shall be furnished for each such municipality.
- (3) Three (3) copies of the on-lot sewage disposal report, where applicable, shall be submitted.
- (4) A receipt shall be issued to the subdivider for the Preliminary Plat submission when it has been determined that the submission appears to include all the requirements set forth in these regulations. The date of the Glendale Town Planning Commission meeting to review the plans shall be specified on the receipt.

Section 4-3 Drawing Requirements

The accuracy of location of alignments, boundaries and monuments shall be keyed to legal section survey monuments and certified by a registered land surveyor licensed to do such work in the State of Utah. A workmanlike execution of the plat shall be made in every detail. A poorly-drawn or illegible plat is sufficient cause for rejection. The following date shall be submitted as part of the Preliminary Plat submission:

Glendale Town Subdivision Ordinance

- (1) A vicinity sketch showing perimeter outline of the plan, accesses, abutting subdivision outlines and names, and any other relevant information within a one-half (1/2) mile distance of the perimeter of the proposed plat.
- (2) A traverse map of the perimeter of the proposed subdivision. The traverse shall be an error of closure of not greater than one part in 10,000. Surveys shall tie in to at least two (2) legal section survey monuments.
- (3) The existing contours at two (2) foot intervals for predominant ground slopes within the tract between level and five (5) percent grade and five (5) foot contours for predominant ground slopes within the tract over five (5) percent grade. Elevations shall be based on National Geologic Survey seal level data. In case of predominantly level topography throughout a subdivision, one (1) foot interval contours may be required.
- (4) Lot and street layout.
- (5) Dimensions of all lots to nearest foot (which may be scaled values).
- (6) Total acreage of entire proposed subdivision. _____
- (7) Lots and blocks numbered consecutively.
- (8) Locations and identification of all existing and proposed public and private easements.
- (9) Existing and proposed street names.
- (10) Street profiles to show proposed grades.
- (11) The plat shall be drawn to a scale not less than one (1) inch equals fifty (50) feet, and shall indicate the basis of bearing, true north point, name of subdivision, name of county, township, range section and quarter section, block and lot number of the property under consideration, keyed to legal section survey monuments. For special circumstances, the Glendale Town Planning Commission may adjust the map scale requirement.
- (12) All fence lines in and adjacent to the proposed subdivision.
- (13) An affidavit that the applicant is the owner or authorization by the owner, in writing, to make application for the land proposed to be subdivided.
- (14) Sites, if any, to be reserved or dedicated for parks, playgrounds, schools, or other public uses.
- (15) Sites, if any, for multi-family dwellings, shopping centers, community facilities, industry or other uses, exclusive of single-family dwellings.
- (16) Location, function, ownership and manner or maintenance of common open spaces not otherwise reserved or dedicated for public use.

Section 4-4 Supporting Documents Required

The following shall accompany and be a part of the submission:

- (1) Agreement between Glendale Town and the Subdivider (Reference Paragraph 2-4).
- (2) Completed copy of the Application for Subdivision Approval (Appendix A).

Glendale Town Subdivision Ordinance

- (3) Location and vicinity map showing the following:
 - a. Adjacent or adjoining spheres of influence (if applicable).
 - b. Related existing and planned streets and highway systems.
 - c. Subdivision boundary lines (shown in red).
 - d. Zoning Districts and/or any existing Special Improvements Districts (identified by type).
 - e. Three (3) copies of the Sewage Disposal Report where on-lot sewage treatment is proposed.
 - f. Water sources.
 - g. Significant vegetative patterns.
- (4) Map at a suitable scale showing the following:
 - a. Proposed future street layout in dashed line for any portion or parcel of the plan which is not being subdivided at the present time.
 - b. Water courses and proposed storm water drainage systems including culverts, water areas, streams, areas subject to occasional flooding, marshy areas or swamps.
 - c. Approximate boundaries of areas subject to flooding or storm water overflow of an intensity estimated to occur with a return frequency of one every hundred (100) years.
 - d. Existing buildings, other easements, fences, telephone lines, gas lines, power lines, and other features located on the subdivision and within two hundred (200) feet of its boundaries.
 - e. A composite utilities easement plan showing location, size, and proposed use of all easements. All utilities must be constructed within approved easements.
 - f. The substance of all other covenants, grants of easements or restrictions to be imposed upon the use of the land, buildings or structures.
- (5) Geologic maps and investigation reports regarding area suitability for the proposed development.
- (6) Soil type maps and table of soil type interpretations based on the National Cooperative Soils Survey, U.S. Departments of Agriculture, Soil Conservation Service, provided by the Soil Conservation Service District.
- (7) A letter from each utility company involved, addressed to the Glendale Town Planning Commission, stating that they have reviewed the plan and are setting forth their comments concerning the extent of services and the design of utility easements.
- (8) A statement that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full, or a letter stating that a satisfactory bond has been filed to secure such payment.
- (9) An itemized estimate of the cost of all proposed or required improvements, including labor and material.

Glendale Town Subdivision Ordinance

(10) One copy of the proposed deed restrictions in final form and signed by all of the owners of any interest in the subdivision who sign the final subdivision map. This copy shall be acknowledged by a notary public and shall be recorded in the office of the Kane County Recorder along with the final plat.

(11) One (1) copy of a preliminary title report.

Section 4-5 Summary Statement of Proposal

A summary statement to be submitted shall include:

- (1) Total development area, and number of proposed dwelling units.
- (2) Total number of square feet in non-residential floor space.
- (3) Total number of off-street parking spaces, including those associated with a single-family residential development.
- (4) Estimated number of gallons per day of water system requirements.
- (5) Estimated number of gallons per day of sewage to be treated.
- (6) Estimated construction cost and proposed method of financing of the streets and related facilities; water distribution system; sewage collection system; storm drainage facilities; and such other utilities as may be necessary.
- (7) Survey notes of subdivision perimeter survey and copies of all monument records.

Section 4-6 Review Procedures-Preliminary Plat

When a Preliminary Plat has been officially submitted and received at a Glendale Town Planning Commission meeting, it shall be placed on the agenda of the Kanab City Planning Commission meeting within thirty (30) days for subdivision review. This means that all review data has been completed and recommendations received by the Glendale Town Planning Commission. In no case shall the Preliminary Plat be first considered by the Glendale Town Planning Commission later than its second meeting following receipt of the plat.

The Glendale Town Planning Commission shall immediately upon receipt of the complete submission have distributed copies of prints of the plan provided by the subdivider to the staff for review and other interested agencies as follows:

- (1) Kane County School District.
- (2) To any utility or special district or irrigation company, as applicable.
- (3) To the Utah State Division of Forestry and Fire Control where applicable.
- (4) To the Soil Conservation District within which the subdivision is located for explicit review and recommendations regarding soil suitability, flooding problems, and erosion control.
- (5) To the local health officer and the State Division of Environmental Health for their review of the sewage disposal reports, for review of adequacy of existing or proposed sewage treatment works to be built to handle estimated effluent and for a report on the quality and quantity of the proposed water supply to serve the proposed subdivision where applicable.

Glendale Town Subdivision Ordinance

- (6) To the State Engineer for a certified statement documenting all related water rights, historic use and estimated water yield to supply the proposed subdivision, if the water supply is not to be furnished from a public water system approved by the State Division of Environmental Health.
- (7) To the Utah Geological and Mineral Survey.
- (8) To any other agency the Glendale Town Planning Commission deems necessary.

Section 4-7 The Planning Commission Approval

- (1) The Glendale Town Planning Commission shall determine from an on-site review of the proposed subdivision area whether the soil, slope, vegetation, and drainage characteristics of the site are such as to require substantial cutting, clearing, grading, and other earth-moving operations in the construction of the subdivision or otherwise entail an erosion hazard, and if so, the Glendale Town Planning Commission shall require the subdivider to provide soil erosion and sedimentation control plans and specifications. If the site requires substantial cutting, clearing, grading, or other earth-moving operations in construction of structures or roads in the proposed development, the Glendale Town Planning Commission shall require the applicant to provide soil erosion and sediment control plans and specifications prepared by a registered civil engineer.
- (2) The Glendale Town Planning Commission shall approve only those preliminary plats which it finds have been developed in accordance with the standards and criteria specified in this Ordinance and all other ordinances of Glendale Town including, but not limited to, the Glendale Town Zoning Ordinances, major road plans, the Glendale Town Master Plan, building codes, and the Glendale Town Standard City Specifications where applicable.
- (3) Within thirty (30) days after review of the Preliminary Plat at a public meeting, the Glendale Town Planning Commission shall approve with conditions or disapprove the Preliminary Plat. Upon failure to act within such time frame, the Preliminary Plat shall be deemed disapproved. In the event the Glendale Town Planning Commission disapproves the Preliminary Plat, it shall state in writing to the subdivider such reason for disapproval.

Chapter 5

FINAL PLAT

Sections:

| | |
|---------------------|---|
| Section 5-1 | Final Plat Required |
| Section 5-2 | Submission Requirements |
| Section 5-3 | Phase Development |
| Section 5-4 | City Council Action |
| Section 5-5 | Acceptance of Streets and Other Public Land Dedication |
| Section 5-6 | Plat Requirements |
| Section 5-7 | Drawing Requirements |
| Section 5-8 | Monuments |
| Section 5-9 | Survey Certification |
| Section 5-10 | Supporting Documents |
| Section 5-11 | Attorney |
| Section 5-12 | Planning Commission Review |
| Section 5-13 | Glendale Town Council |
| Section 5-14 | Recording Final Plat |
| Section 5-15 | Re-Subdivision Procedure |

Section 5-1 Final Plat Required

After compliance with the provisions of Chapter 4, a Final Plat of the subdivision covering all or part of an approved preliminary plat shall be prepared by a licensed surveyor not employed by Glendale Town in conformance with the design standards and submitted within one (1) year from the date of preliminary plat approval, unless the time is, in writing, extended by the Glendale Town Planning Commission. Otherwise, preliminary approval shall be deemed to have been withdrawn.

Section 5-2 Submission Requirements

- (1) The Final Plat submission shall conform to the approved Preliminary Plat. In addition, to the eight (8) copies as specified for the Preliminary Plat, there shall be one (1) mylar copy of the Final Plat measuring 24"x36".
- (2) Sketch Plans, Preliminary Plats, and Final Plats shall all conform to the requirements and specifications of these regulations and shall be submitted in the manner prescribed.
- (3) Copies of all required material shall be officially submitted to the Glendale Town Planning Commission at the official meeting by the subdivider or his authorized representative.
- (4) Final Plats shall be submitted for approval within one (1) year of the date a preliminary Plat has been approved by the Glendale Town Planning Commission.

Section 5-3 Phase Development

Glendale Town Subdivision Ordinance

- (1) The final platting of subdivisions shall be done in phases, except as provided in 5-3(3) herein. Each phase shall consist of the number of lots which can be completely developed with off-site improvements within a two (2) year period, or twenty-five (25) percent of the lots whichever is larger. If the roads and utilities are not established within two (2) years, the plat shall be considered null and void and subject to reapplication by the subdivider.
- (2) When the off-site improvements have been one hundred (100) percent completed within the boundaries of the recorded plat and approved by the Glendale Town Engineer, the subdivider may submit the next phase of the proposed development in accordance with the provisions of the Ordinance.
- (3) A Final Plat will be accepted only upon the submission of qualified evidence indicating that the market absorption rate is such, and the financial ability of the subdivider is such that the off-site improvements for all lots in such Final Plat will be completed within two (2) years.

Section 5-4 City Council Action

After conditional approval of the Final Plat by the Glendale Town Planning Commission, the subdivider or his agent shall appear at the next regularly scheduled meeting of the Glendale Town Council to request review of the Final Plat. The Glendale Town Council shall act on the application within thirty (30) days of such request. Upon failure to act within such time frame, the preliminary plat shall be deemed disapproved.

Section 5-5 Acceptance of Streets and Other Public Land Dedication

Acceptance of dedication of proposed public lands or streets or street right-of-way in an approved plat can be made only the Glendale Town Council. Plat approval will be deemed as acceptance of dedication unless streets and other public spaces are shown as "not intended for dedication" in the case of a Planned Development or condominium

Section 5-6 Plat Requirements

- (1) The Final Plat submission shall conform in all major respects to the Preliminary Plat as previously reviewed and approved by the Glendale Town Planning Commission and shall incorporate all modifications required in its review.
- (2) The original Final Plat drawing that is submitted shall be on mylar (24"x36") with eight (8) black on white or blue on white prints of the Final Plat.
- (3) A receipt shall be issued to the subdivider or his or her authorized representative for the Final Plat submission when it has been determined that the submission appears to include all the requirements set forth in these regulations.

Section 5-7 Drawing Requirements

The Final Plat drawing shall have the following standards:

- (1) The plat shall be prepared and certification made as to its accuracy by a registered land surveyor licensed to do such work in the State of Utah. A workmanlike execution of that plat shall be made in every detail. A poorly-drawn or illegible plat is sufficient cause for rejection.

Glendale Town Subdivision Ordinance

- (2) The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside with lot dimensions. When the plat is bounded by an irregular shore line or a body of water, the bearings and distances of a closing meander traverse should be given and a notation made that the plat includes all land to the water's edge or otherwise.
- (3) If a plat is revised, a copy of the old plat shall be provided for comparison purposes.
- (4) All blocks and all lots within each block shall be consecutively numbered.
- (5) On curved boundaries and all curves in the plat, sufficient data shall be given to enable the re-establishment of the curves on the ground. This curve data shall include the following for circular curves:
 - a. Radius of curve;
 - b. Central angle;
 - c. Tangent; and,
 - d. Arc length.
- (6) Excepted parcels shall be marked "not included in the subdivision" and the boundary completely indicated by bearings and distances.
- (7) All streets, walkways, existing fences and alleys in and adjacent to the proposed subdivision shall be designated as such and streets shall be named; bearing and dimensions must be given.
- (8) All easements shall be designated as such and bearing and dimensions given.
- (9) All lands within the boundaries of the plat shall be accounted for either as lots, walkways, streets, alleys, or as excepted parcels.
- (10) All dimensions of irregularly-shaped lots shall be indicated in each lot.
- (11) All bearings and lengths shall be given for all lot lines, except that bearing and lengths need not be given for interior lot lines where the bearing and lengths are the same as those of both end lot lines.
- (12) Parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same street. Contiguous parcels owned by different parties may be embraced in one plat, provided that all owners join in the dedication and acknowledgement.
- (13) Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to seconds of arc.
- (14) The information on the plat shall include:
 - a. Name of subdivision, astronomic north arrow and basis thereof, and date.
 - b. Name and address of owner or owners of record.
 - c. Total acreage of subdivision, total number of lots.
 - d. Township, range, section (and quarter section, if portion).
 - e. Graphic scale.

Glendale Town Subdivision Ordinance

- f. Glendale Town Engineer's certificate.
- g. Glendale Town Surveyor's certificate.
- h. Glendale Town Attorney's approval certificate.
- i. Glendale Town Planning Commission approval certificate.
- j. Glendale Town Council approval
- k. Any additional information required by local ordinance or state law.

Section 5-8 Monuments

- (1) Permanent reference monuments as approved by the Glendale Town Engineer as specified in the Glendale Town Design and Construction Standards shall be set on the external boundary of the subdivision, and at all street center line intersections and all beginning and end points of curves to provide line-of-sight control for re-establishing the survey.
- (2) Block and lot monuments shall be set, based on correlation with the nearest legal section survey monuments on the survey.
- (3) At least one second order benchmark shall be set (where practical to the tie in) within every subdivision or subsequent filing prior to submission of the Final Plat for approval.

Section 5-9 Survey Certification

The surveyor making a plat shall certify on the plat that it conforms to these survey regulations and to all applicable state laws and that the monuments described in it have been placed as described. He shall affix his name and seal.

Section 5-10 Supporting Documents

The following documents shall be submitted with the Final Plat drawing and be considered a part of the submission: Drawings showing layout, profile and detail design of:

- (1) All utilities and easements, existing fences, plus statements from utility companies (water, sewer, electric, gas, telephone, etc.) as applicable, that service will be provided to the development.
- (2) Plan, profile, and typical cross-section drawings of the roads, bridges, culverts, sewers, and other drainage structures.
- (3) Grading and drainage plan. The proposed grading plan shall be indicated by solid contours superimposed on dashed line contours or existing topography for the area of the Final Plat. Such contours shall be at two (2) foot intervals for predominant ground slopes within the tract between level and five (5) percent grade, and five (5) foot contours for predominant ground slopes within the tract over five (5) percent grade. In case of predominantly level topography throughout a subdivision, one (1) foot contour intervals may be required.
- (4) Erosion control plan when required, to be submitted as result of Preliminary Plat review.

Glendale Town Subdivision Ordinance

(5) An exact copy of a certificate of a title insurance company or attorney which shall set forth the names of all property owners included in the plat and shall include a list of all mortgages, judgments, liens, easements, contracts and agreements of record in Glendale Town which shall affect the property covered by such plats. If the opinion of title discloses any of the above, then at the option of the Glendale Town Council, the holders or owners of such mortgages, judgments, liens, easements, contracts, or agreements shall be required to join in and approve the application before the plat shall be acted upon by the Glendale Town Planning Commission.

Section 5-11 Attorney

The attorney shall approve the Final Plat if he finds that:

- (1) There is a current title opinion from a licensed title company showing that the person dedicating the property described on the Final Plat is the title owner as shown on the records of the Kane County Recorder's Office.
- (2) The performance bond, escrow deposit, letter of credit, or trust deed with the City is in appropriate form and signed by the necessary parties.
- (3) That the subdivider has executed the subdivision improvements agreement required by this Ordinance (Appendix A).
- (4) That the subdivision does not, in his or her opinion, violate any ordinance of Glendale Town or the laws of the State of Utah or the rules and regulations promulgated pursuant thereto.

5-12 Planning Commission Review

The Glendale Town Planning Commission shall review the Final Plat at a regularly scheduled public meeting.

Within thirty (30) days after review of the Final Plat at a public meeting, the Glendale Town Planning Commission shall send written notification of its review to the Glendale Town Council. Required distribution of the Final Plat shall be one (1) copy to be transmitted to the Glendale Town Council, one (1) to be retained in the Glendale Town Planning Commission files, and one (1) to be transmitted to the subdivider.

5-13 Glendale Town Council

The Glendale Town Council shall review the Final Plat within thirty (30) days of receipt of transmittal from the Glendale Town Planning Commission at a regularly scheduled public meeting. If the Kanab City Council determines that the Final Plat submission complies with the applicable requirements of these regulations, they may certify approval of the plat on the space provided. The subdivider shall provide an adequate number of the approved plats or prints marked for modification, together with the official notification of the action, to be distributed by the Glendale Town Council as follows:

- (1) One (1) copy to the Glendale Town Council files.
- (2) One (1) copy to the Glendale Town Planning Commission files.
- (3) One (1) copy to the Engineer of the subdivider.
- (4) One (1) copy to the Surveyor of the subdivider.

Glendale Town Subdivision Ordinance

- (5) One (1) copy to the Kane County School District Offices.
- (6) One (1) copy to each of the Special Service District Offices.
- (7) One (1) copy to each utility company serving the subdivision.
- (8) One (1) copy to the subdivider.

Section 5-14 Recording Final Plat

- (1) The Glendale Town Council shall record the Final Plat with the Kane County Recorder within five (5) working days of the approval of the Final Plat by the Glendale Town Council; the subdivider shall pay in advance all expenses of such recording.
- (2) The Kane County Recorder shall furnish the subdivider with a receipt, upon filing of the Final Plat.

Section 5-15 Re-Subdivision Procedure

Re-subdivision of land or changes to a recorded plat shall be considered a new subdivision and it shall comply with all regulations.

Chapter 6

ACCEPTANCE OF DEDICATED STREETS AND PUBLIC IMPROVEMENTS

Sections:

- 6-1 Dedication**
- 6-2 Time of Acceptance**

Section 6-1 Dedication

The subdivider shall dedicate the streets, easements, and other public improvements to Glendale Town at the time the Final Plat is approved by the Town. The subdivider shall notify the Town in writing that all improvements are completed. The dedication shall be deemed an offer by the subdivider which shall be irrevocable until one (1) year after all of the improvements are completed. The town shall accept the offer of dedication only if it finds that the subdivider has constructed, installed, and maintained the public improvements required by this Ordinance and that the improvements comply with the minimum standards and requirements of this Ordinance and the Glendale Town Standard City Specifications at the time of acceptance.

Section 6-2 Time of Acceptance

Unless the Glendale Town Council extends the time for acceptance of the dedicated public improvements, the dedication shall be accepted on action by the Glendale Town Council, or at the expiration of one (1) year following the completion of the public improvements. In the event the Glendale Town Council does not accept the dedicated public improvements, the subdivider shall be so advised in writing and of the reason for non-acceptance.

Chapter 7

DESIGN STANDARDS

Sections:

| | |
|-------------|------------------------------------|
| 7-1 | General Provisions |
| 7-2 | Lots |
| 7-3 | Streets |
| 7-4 | Curb, Gutter, and Sidewalks |
| 7-5 | Curvature and Alignment |
| 7-6 | Roadbed Construction |
| 7-7 | Road Grades |
| 7-8 | Block Standards |
| 7-9 | Easement Standards |
| 7-10 | Alleys |
| 7-11 | Sanitary Sewage Disposal |
| 7-12 | Water Supply |
| 7-13 | Flood Plain |
| 7-14 | Storm Drainage |
| 7-15 | Streetlights |

Section 7-1 General Provisions

All subdivisions must comply with the following standards:

- (1) The design and development of subdivisions shall reserve insofar as possible the natural terrain, natural drainage, existing topsoil and trees.
- (2) Land subject to hazardous conditions such as slides, mud flows, rock falls, snow avalanches, possible mine subsidence, shallow water table, open quarries, floods, and polluted or non-potable water supply shall be identified and shall not be subdivided until the hazards have been eliminated or will be eliminated by the subdivision and construction plans.

Section 7-2 Lots

- (1) All lots shown on the subdivision plan shall conform to the minimum requirements of the Glendale Town Zoning Ordinance for the zone in which the subdivision is located, and to the minimum requirements of the engineer and the Southwest Utah Health Department for sewage disposal. The minimum width for any residential building lot shall be as required by the Glendale Town Zoning Ordinance.
- (2) All lots shall abut a dedicated street, a public street, or a street which has become public by right of use. Streets shall be at least thirty-five (35) feet wide. In the event a lot abuts a public right-of-way created by use, the subdividers shall improve the right-of-way to the standards required by this Ordinance and the Glendale Town Design and Construction Standards.
- (3) Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.

~~Glendale Town Subdivision Ordinance~~

- ~~(4) Side line of lots shall be at right angles or radial to the street line.~~
- ~~(5) All remnants of lots less than minimum size left over after subdividing a larger tract shall be added to adjacent lots rather than allowed to remain lot remnants.~~
- (6) Where the land in a subdivision includes two or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be held in either single or joint ownership before approval of the final plan and such ownership shall be recorded in the offices of the Kane County Recorder.
- (7) No single lot shall be divided by a municipal or county boundary line.
- (8) A lot shall not be divided by a road, alley, or other lot.
- (9) No wedge-shaped lot shall be less than thirty (30) feet in width at the front property line, or the lot frontage required by the Zoning Ordinance, whichever is larger.
- (10) Side lot lines shall be at substantially right angles or radial to street lines. Where lot lines are not at right angles to the street lines, this shall be shown.
- (11) All residential lots in subdivisions shall front on a public street, or on a private street, or on a private street or court approved by the Glendale Town Planning Commission and the Glendale Town Council, except as may be approved for Planned Unit Developments, cluster subdivisions or other special dwellings.

Section 7-3 Streets

- (1) Minor streets shall be laid out to discourage through traffic.
- (2) Stub streets shall be provided where needed to connect to adjacent undeveloped land and new streets must be provided where needed to connect to existing stub streets in adjacent subdivision. Not more than three (3) lots shall front stub streets, except where a temporary cul-de-sac turnaround side is provided.
- (3) Intersections of minor streets with major streets shall be kept to the minimum.
- (4) All streets shall be paved and have a minimum roadway width (face of curb to face of curb) of forty (40) feet.
- (5) Half-Streets: no half-streets are permitted, except if required to complete a half-street already existing, or if approved by the Glendale Town Planning Commission and the Glendale Town Council.
- (6) Dead-end Streets, including stub streets, shall be permitted or required by the Glendale Town Planning Commission only to provide future access to adjoining property, except for dead-end street systems in cluster subdivisions, Planned Unit Developments, condominium developments, or similar special projects.
- (7) Permanent cul-de-sac streets serving no more than six (6) lots, or not more than six hundred twenty-five (625) feet long, whichever is more restrictive, may be permitted and shall be provided with a right-of-way at the turnaround of fifty (50) feet radius or more, and the outside curb or pavement edge radius shall be ~~forty (40) feet or more~~

Glendale Town Subdivision Ordinance

(9) Streets should intersect at ninety (90) degrees. All others may be designed only with approval of the Glendale Town Planning Commission.

(10) Two subordinate streets meeting a through street from opposite sides shall meet at the same point, or their center lines shall be offset at least two hundred (200) feet.

(11) Streets shall have the names or numbering system of existing streets which are in alignment. There shall be no duplication of street names or numbering within the area. All street names shall be approved by the Glendale Town Planning Commission. Permanent signs shall be installed by developer at his expense at the time of installation of other off-site improvements.

Section 7-4 Curb, Gutter, and Sidewalks

Curb, gutter, and sidewalks are required in all subdivisions in accordance with the Glendale Town Design and Construction Standards.

Section 7-5 Curvature and Alignment

(1) To ensure adequate sight distances, when street roadway lines deflect more than five (5) degrees, connection shall be made by horizontal curves. The minimum centerline radii for local streets shall be one hundred fifty (150) feet and of all other streets shall be three hundred (300) feet. On collector and arterial streets, a minimum tangent of one hundred (100) feet shall be required between a curve and a street intersection; a minimum tangent of one hundred (100) feet shall be required between reverse curves. This shall be limited to a maximum of 13.5 degree curve.

(2) Vertical curves shall be used at all changes of grades and exceeding one (1) percent and shall be designed to provide minimum sight distances of two hundred (200) feet for local streets and three hundred (300) feet for all other streets, except that vertical curves for arterial streets shall be as determined by the current specifications of the State of Utah.

(3) Where residential subdivision abuts a major highway, frontage roads may required.

Section 7-6 Roadbed Construction

Minimum roadbed grading and paving for local, collector, and arterial streets, shall be in compliance with the Glendale Town Design and Construction Standards. Reduction of such roadway grading and paving may be approved by the Glendale Town Planning Commission and Glendale Town Council for one-way streets.

Section 7-7 Road Grades

All road and street grades shall be designed as follows:

- (1) Arterial Streets: Limited to maximum grade of ten (10) percent.
- (2) Collector Streets: Limited to a maximum grade of twelve (12) percent.
- (3) Local Streets: Limited to a maximum grade of fifteen (15) percent.

Glendale Town Subdivision Ordinance

- (4) **Cul-de-sacs:** Those with a negative grade progressing toward the turnaround shall terminate with a grade of not to exceed three (3) percent for the last one hundred (100) feet of traveled surface. The cul-de-sac shall have adequate easement for drainage.
- (5) **Street Intersections:** These shall have a vertical alignment such that the grade shall not exceed three (3) percent for a minimum distance of fifty (50) feet each way from the centerline of the intersection.
- (6) **Maximum Grades:** Approved only when accompanied by changes to a lesser grade, and where length of that portion of that road to maximum grade is less than six hundred (600) feet.

Section 7-8 Block Standards

Block lengths shall be reasonable as approved by the Glendale Town Planning Commission and in total design shall provide for convenient access and circulation for emergency vehicles.

Section 7-9 Easement Standards

- (1) Easements shall follow rear and side lot lines whenever practical and shall have a minimum total width of fifteen (15) feet apportioned equally in abutting properties.
- (2) Where front-line easements are required, a minimum of fifteen (15) feet shall be allocated as a utility easements. Perimeter easements shall not be less than fifteen (15) feet in width, extending throughout the peripheral area of the development, if required by the Glendale Town Planning Commission.
- (3) All easements shall be designed so as to provide efficient installation of utilities or street planting.
- (4) Unless the Glendale Town Planning Commission and Glendale Town Council determine, upon application by a subdivider, supported by recommendation of the City Engineer, that it is no feasible to do so, all power lines, telephone lines, and other normally overhead utility lines shall be placed underground by the subdivider.

Section 7-10 Alleys

The Glendale Planning Commission may approve service access to the interior of blocks in certain instances, in which case alleys must be indicated on the plan and plat.

Section 7-11 Sanitary Sewage Disposal

Except as otherwise provided below, the subdivider shall provide or have provided, an approved piped sanitary sewage system to the property line of every lot in the subdivision. The sewage system shall meet the minimum standards and requirements of the State Division of Environmental Health. Certification of compliance issued by the State Division of Environmental health shall be provided to the Glendale Town Planning Commission by the subdivider.

Section 7-12 Water Supply

The subdivider shall provide, or have provided, a piped, public or private culinary water supply to the property line of every lot in any subdivision including meter box and yoke. The culinary water system and plans shall also be approved by the State Division of Environmental Health.

Glendale Town Subdivision Ordinance

Section 7-13 Flood Plan

No subdivision in Glendale Town shall be allowed in a flood plain.

Section 7-14 Storm Drainage

(1) Complete drainage systems for the entire subdivision area shall be designed by a professional engineer, licensed in the State of Utah and qualified to perform such work, and shall be shown graphically. All existing drainage features which are to be incorporated in the design shall be so identified. If the Final Plat is to be presented in phases, a general drainage plan for the entire area shall be presented with the first phase, and appropriate development stages for the drainage system for each phase indicated.

(2) The drainage system shall be designed by a certified engineer and approved by the City Engineer and the Glendale Town Planning Commission.

(3) Drainage System Plans

a. The drainage system shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff from the subdivision area but also where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and “upstream” from the subdivision itself, as well as its effects on lands downstream.

b. All proposed surface drainage structures shall be indicated on the plans.

c. All appropriate designs, details, and dimensions needed to explain clearly proposed construction materials and elevations shall be included in the drainage plans.

Section 7-15 Streetlights

Streetlights required at a distance to be determined by the Glendale Town Council.

Chapter 8

CONSTRUCTION STANDARDS

Sections:

| | |
|-----|--|
| 8-1 | Purpose |
| 8-2 | Definition |
| 8-3 | Planned Development Permit |
| 8-4 | Required Conditions |
| 8-5 | Uses Allowed |
| 8-6 | Site Plan |
| 8-7 | Review by Planning Commission |
| 8-8 | Scope of Planning Commission and Town Council Action |
| 8-9 | Construction Limitations |

Section 8-1 Purpose

The purpose of the Planned Development is to allow diversification in the relationship of various uses and structures to their sites, and to permit more flexibility in the use of such sites. The application of planned development concepts is intended to encourage good neighborhood, housing, or area design, thus insuring substantial compliance with the intent of the district health, safety, and general welfare, and at the same time securing the advantages of large-scale site planning for residential, commercial or industrial developments, or combinations thereof.

Section 8-2 Definition

Planned Development, for the purposes of this Ordinance, shall mean an integrated design for development of residential, commercial or industrial uses, or combinations of such uses, in which one (1) or more of the uses in the development is waived or varied to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements as specified in this Chapter.

Section 8-3 Planned Development Permit

Planned Developments may be allowed by Glendale Town Planning Commission approval in any zoning district. No such Planned Development permit shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located, including Planned Developments in planned districts, and meet the density and other limitations of such districts, except as such requirements may be lawfully modified as provided by this Chapter or by district regulations. Compliance with the regulations of this Ordinance in no sense excuses the developer from the applicable requirements of the Subdivision Ordinance, except as modifications thereof are specifically authorized in the approval of the application for the Planned Development.

Section 8-4 Required Conditions

(1) No Planned Development shall have an area of less than one (1) acre in commercial or industrial district, or less than four (4) acres in a residential district.

Glendale Town Subdivision Ordinance

- (2) A Planned Development which will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning district and shall be accompanied by an application for a zoning amendment, except that any residential use shall be considered a permitted use in a Planned Development which allows residential uses and shall be governed by density, design, and other requirements of the planned Development permit.
- (3) The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
- (4) The Glendale Town Planning Commission shall require such arrangements of structures and open spaces within the site development plan as necessary to assure that adjacent properties will not be adversely affected:
- a. Where feasible, least height and intensity of buildings and uses shall be arranged around the boundaries of the development.
 - b. Lot areas, width, yard, height, density and coverage regulations shall be determined by approval of the site development plan.
- (5) Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by:
- a. Dedication of at least five (5) percent of the land as a park, parkway system or recreational area. Minimum lot sizes maybe smaller than normally required by the zoning ordinance but the area saved through lot size reductions must be provided as a park, parkway area or recreation area and shall not be less than the five (5) percent minimum.
 - b. In addition to the above state park requirement, all Planned Developments shall have a minimum of twenty (20) percent of the site area, including front setback area, developed and maintained as landscaped or open green space.
 - c. Granting to Glendale Town a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain perpetually in recreational use, with ownership and maintenance being the responsibility of an Owners' Association established with articles of the association and by-laws which are satisfactory to the Glendale Town Council, or
 - d. Complying with the provisions of applicable State law which provides for the payment of common expenses for the upkeep of the common area and facilities.
 - e. Landscaping, fencing and screening related to the several uses in the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Glendale Town Planning Commission for approval, together with other required plans for the development.

Section 8-5 Uses Allowed

Subject to the review and approval of the Glendale Town Planning Commission, uses allowed in a Planned Development shall be those uses allowed in the Planned District or other zoning district in which the Planned Development is to be located; provided, that for the purposes of this Chapter and Ordinance, multiple-family dwellings shall be allowed in a Planned Development approved in a single-family zoning district, provided the overall density of the development does not exceed the density normally allowed for single-family dwellings in said District. If ten (10) percent of the housing to be built is deemed by the Town to be "Affordable Housing" then a total of twenty-five (25) percent density increase may be allowed.

Glendale Town Subdivision Ordinance

- (2) A Planned Development which will contain uses not permitted in the zoning district in which it is to be located will require a change of zoning district and shall be accompanied by an application for a zoning amendment, except that any residential use shall be considered a permitted use in a Planned Development which allows residential uses and shall be governed by density, design, and other requirements of the planned Development permit.
- (3) The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
- (4) The Glendale Town Planning Commission shall require such arrangements of structures and open spaces within the site development plan as necessary to assure that adjacent properties will not be adversely affected:
- a. Where feasible, least height and intensity of buildings and uses shall be arranged around the boundaries of the development.
 - b. Lot areas, width, yard, height, density and coverage regulations shall be determined by approval of the site development plan.
- (5) Preservation, maintenance and ownership of required open spaces within the development shall be accomplished by:
- a. Dedication of at least five (5) percent of the land as a park, parkway system or recreational area. Minimum lot sizes maybe smaller than normally required by the zoning ordinance but the area saved through lot size reductions must be provided as a park, parkway area or recreation area and shall not be less than the five (5) percent minimum.
 - b. In addition to the above state park requirement, all Planned Developments shall have a minimum of twenty (20) percent of the site area, including front setback area, developed and maintained as landscaped or open green space.
 - c. Granting to Glendale Town a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain perpetually in recreational use, with ownership and maintenance being the responsibility of an Owners' Association established with articles of the association and by-laws which are satisfactory to the Glendale Town Council, or
 - d. Complying with the provisions of applicable State law which provides for the payment of common expenses for the upkeep of the common area and facilities.
 - e. Landscaping, fencing and screening related to the several uses in the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the Glendale Town Planning Commission for approval, together with other required plans for the development.

Section 8-5 Uses Allowed

Subject to the review and approval of the Glendale Town Planning Commission, uses allowed in a Planned Development shall be those uses allowed in the Planned District or other zoning district in which the Planned Development is to be located; provided, that for the purposes of this Chapter and Ordinance, multiple-family dwellings shall be allowed in a Planned Development approved in a single-family zoning district, provided the overall density of the development does not exceed the density normally allowed for single-family dwellings in said District. If ten (10) percent of the housing to be built is deemed by the Town to be "Affordable Housing" then a total of twenty-five (25) percent density increase may be allowed.

Glendale Town Subdivision Ordinance

Section 8-8 Scope of Planning Commission and City Council Action

In carrying out the intent of this Chapter, the Glendale Town Planning Commission shall consider the following principles.

- (1) It is the intent of this Chapter that site and building plans for a Planned Development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The Commission may require the applicant the applicant to engage such a qualified designer or design team.
- (2) Amendments to approved plans and specifications for a Planned Development shall be obtained only by following the procedures here outlined for first approval.
- (3) Upon approval of a Planned Development, construction shall proceed only in accordance with the plans and specifications approved by the Glendale Town Council, and in conformity with any conditions attached.

Section 8-9 Construction Limitations

- (1) Upon approval of a Planned Development, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached by the Commission to its approval.
- (2) The Building Inspector shall not issue any permit for any proposed building, structure or use within the project unless, such building, structure or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.

Chapter 9

CONDOMINIUM AND PLANNED DEVELOPMENT

Sections:

- 9-1 Requirements for all Condominium and Planned Development Subdivisions**
- 9-2 Review Fee**
- 9-3 Information Required with Application**
- 9-4 Association**

Section 9-1 Requirements for all Condominium and Planned Development Subdivisions

In addition to all other requirements relating to new subdivision and all of the requirements relating to planned developments, the requirements of this Chapter shall apply to each condominium or Planned Development subdivision. No condominium or planned development subdivision shall be approved, recorded, or developed in any way without compliance with the terms of this Chapter. The chapter will apply to any subdivision or part of a subdivision intended to be developed by the construction of multiple-family buildings or a multiple-family building, and the sale of the building by selling individual condominium units or Planned Development lots rather than by selling the building to a person, firm, corporation, or association which will act as landlord and rent the dwelling units to individual tenants.

Section 9-2 Review Fee

Each applicant for approval of a condominium or Planned Development subdivision shall pay a review fee as shall be set by resolution of the Glendale Town Council to help defray the cost to the town of reviewing the plans and making a determination as to whether or not the proposed condominium or Planned Development subdivision complies with all applicable ordinances. This review fee will not be refundable, whether or not the subdivision is approved.

Section 9-3 Information Required with Application

Each application for approval of a condominium or Planned Development subdivision shall contain, in addition to the information required by the city ordinance relating to planned developments and new subdivision, the following additional information:

- (1) Plans and specifications or blueprints indicating where each condominium unit or Planned Development lot is to be and indicating what public areas are to be owned by the association of owners or in common by the owners.
- (2) A copy of all proposed covenants, master deeds, or declarations relating to the real estate.
- (3) Proposed articles of incorporation and by-laws for the association of owners.
- (4) A detailed description of proposed financing to be available to purchasers of the units or lots.
- (5) Information indicating financial responsibility and financial ability of the builders or developers to complete the project as proposed.

Glendale Town Subdivision Ordinance

- (6) An agreement by the builder or developer specifying the improvements to be completed by the builder or developer, including recreational facilities, bicycle trails, and other common areas.
- (7) If the construction is to be financed in whole or in part by escrow funds put up by the purchasers, or if escrow funds of any kind are required from the purchasers, then the following information will be provided:
 - a. A description of the escrow arrangements.
 - b. A copy of all escrow documents.
 - c. Provisions for the return of funds to purchasers if the matter is not completed by the date specified.
 - d. The name and address of the institution to hold the escrow.
- (8) Title information showing all liens, easements, and interest of record including all ownership concerning the real estate. All mortgages and mechanics' liens and other financial lines of any kind shall be listed.
- (9) In connection with the common areas and recreation areas, a proposed management agreements and proposed rules will be furnished.
- (10) The forms to be used for agreements, promissory notes, deeds, and other documents of title and documents related to the sale of condominium units will be furnished.
- (11) The applicant will furnish a bond with a corporate surety licensed to do business in this state, guaranteeing that all common areas and facilities and all common recreational facilities will be completed.
- (12) An opinion of counsel certifying compliance with all provisions of state and local law, and in the case of a Planned Development subdivision, compliance with the Suggested Legal Documents for Planned Unit Development, U. S Department of Housing and Urban Development, Federal Housing Administrator and Veterans Administration FHA Form 1400, VA Form 26-8200.

Section 9-4 Association

There shall be provision for an association of the owners. The subdivider or builder of each subdivision shall provide the services, bond and other matters required to be furnished to the association.

Chapter 10

FINANCIAL RESPONSIBILITY

Sections:

| | |
|--------------|---|
| 10-1 | Guarantee |
| 10-2 | Performance Bonds |
| 10-3 | Escrow Deposit |
| 10-4 | Irrevocable Letter of Credit |
| 10-5 | Default |
| 10-6 | Phased Development |
| 10-7 | Improvements Guarantee |
| 10-8 | Covenant |
| 10-9 | Acceptance and Release of Surety |
| 10-10 | Orderly Development Required |

Section 10-1 Guarantee

In lieu of actual installation of the improvements required by this Ordinance, and before Final Plat approval by the Glendale Town Council, the subdivider must guarantee the installation thereof by one or a combination of one or more of the methods specified in 10-2, 10-3, or 10-4, below in an amount equal to the cost of the improvements as estimated by the Town Engineer plus require a percentage to cover unexpected costs and inflation. The guarantee employed shall be approved as to method and form by the Glendale Town Council and the Glendale Town Attorney. The Glendale Town Council is authorized to prescribe by administrative rule, or regulation, forms and procedures to insure the orderly, regular and efficient processing of applications for the approval of a proposed subdivision and the strict compliance with the requirements for the Ordinance.

Section 10-2 Performance Bonds

The subdivider shall furnish and file with the Glendale Town Clerk a corporate surety bond in an amount equal to the cost of the required improvements as estimated by the Town Engineer plus require a percentage to cover costs of inflation, to assure the actual construction of such improvements within a period of two (2) years immediately following the approval of the Final Plat and subdivision by the Glendale Town Council, which bond shall be approved by the Glendale Town Council and the Glendale Town Attorney.

Section 10-3 Escrow Deposit

The subdivider shall deposit in escrow with an escrow holder approved by the Glendale Town Council an amount of money equal to at least one hundred twenty-five (125) percent of cost of improvements required as estimated by the Glendale Town Engineer plus require a percentage to cover the cost of inflation, under an interest bearing escrow agreement conditioned for the installation of said improvements within two (2) years from the approval of the Final Plat and subdivision. The escrow agreement aforesaid shall be approved by the Glendale Town Council and the Glendale Town Attorney and shall be filed with the Kane County Recorder.

Glendale Town Subdivision Ordinance

Section 10-4 Irrevocable Letter of Credit

The subdivider shall file with the Glendale Town Council and irrevocable letter of credit from a duly chartered state or national bank or savings and loan institution which letter shall contain provisions substantially similar to that required in the escrow agreement.

Section 10-5 Default

In the event the subdivider defaults or fails or neglects to install satisfactorily the required improvements within two (2) years from the date of approval of the Final Plat, the Glendale Town Council may declare the guarantee forfeited, and may install or cause the required improvements to be installed, using the proceeds from the collection of the bond to defray the expenses thereof.

Section 10-6 Phased Development

Whenever the subdivider shall develop a subdivision in phases, such development shall be in orderly manner and in such way that required improvements will be continuous and all said improvements will be made available for full, effective and practical use thereof by lessee or grantee of any of the subdivided lands within the time hereinbefore specified.

Section 10-7 Improvements Guarantee

- (1) The subdivider or contractor, upon submission of his plans, shall deposit with the Glendale Town Clerk, a sum in the amount estimated by the Glendale Town Engineer to cover engineering review and inspection of the above improvements.
- (2) All such improvements shall have been installed within a period of two (2) years and shall be installed in a manner satisfactory to the Glendale Town Council.
- (3) The subdivider shall warrant and guarantee that the improvements provided for herein and every part thereof, will remain in good condition for a period of one (1) year after the date of conditional acceptance by the Glendale Town Council and agree to make all repairs to and maintain the improvements and every part thereof in good condition during that one (1) year period at no cost to the Town of Glendale. It is further agreed and understood that identifying necessity for repairs and maintenance of the work rests with the Glendale Town Engineer, whose decision upon the matter shall be final and binding upon the subdivider, and guarantee hereby stipulated shall extend to and include, but shall not be limited to the entire street, sub-grade, base and surface and all pipes, joints valves, backfill, and compacting as well as the working surface, curbs, gutters, sidewalks, and other accessories that are, or may be, affected by the construction operations. Whenever, in the judgement of the Glendale Town Engineer, said work shall be in need of repairs, maintenance or rebuilding and upon the date of their service of such written notice, Glendale Town shall have such repairs made, and the cost of such repairs shall be paid by the subdivider.

Section 10-8 Covenant

The subdivider shall execute and acknowledge in a form capable of recording in the office of the Kane County Recorder, a written agreement with the Glendale Town Council by which the subdivider covenants that he will not sell, lease, or convey any of the subdivided property to anyone whomsoever unless he shall first, as a condition precedent thereto, satisfy at least one of the foregoing requirements of 10-2, 10-3, or 10-4. The agreement shall specifically provide that it shall be deemed to be a covenant running with the land to

Glendale Town Subdivision Ordinance

secure the installation of all the improvements required by this Ordinance together with a payment of all costs, including a reasonable attorney's fee which the Glendale Town Council may incur in enforcing any of the terms and provisions of the agreement. The lien may be released by Glendale Town when the subdivider complies with the requirements set forth in at least one of the requirements of 10-2, 10-3, or 10-4 of this Chapter

Section 10-9 Acceptance and Release of Surety

Conditional acceptance of all the improvements shall be in writing from the Glendale Town Council after written approval has been received from the Glendale Town Engineer.

Final inspection by the Glendale Town Engineer shall be made one (1) year after all work has been completed and before release of the improvement bond, escrow deposit, or irrevocable letter of credit. All defects shall be corrected before acceptance by the Glendale Town Council

Final acceptance shall be in writing by the Glendale Town Council after written approval is received from the Glendale Town Engineer.

Section 10-10 Orderly Development Required

Whenever the subdivider shall develop a subdivision, such development shall be in an orderly manner and in such a way that the required improvements will be continuous and all of the improvements will be made available for the full, effective and practical use and enjoyment thereof by the purchaser, grantee, assignee, transferor or lessee of any of the lands subdivided within the time hereinbefore or in phases specified.

Glendale Town Subdivision Ordinance

Chapter 11

FEEES

Glendale Town Subdivision Ordinance

Chapter 12

PENALTY

Glendale Town Subdivision Ordinance

Chapter 13

VALIDITY

Glendale Town Subdivision Ordinance

Chapter 14

ADOPTION

Glendale Town Subdivision Ordinance

Chapter 99

Appendix A

AGREEMENT

(Corporate)

This Agreement is made by and between _____ hereafter "Subdivider" and Glendale Town.

Subdivider hereby acknowledges receipt of a copy of the Glendale Town Subdivision Ordinance. Subdivider hereby acknowledges that it has read the Subdivision Ordinance (or that an agent of Subdivider has), and that it understands the provisions of the Subdivision Ordinance and that it will fully and completely comply with the provisions and requirements therein contained.

Dated this _____ day of _____, 20____.

SUBDIVIDER/DEVELOPER

President

Secretary

Attest

State of Utah)
 ss

County of Kane

On the _____ day of _____, 20____, personally appeared before me _____ and _____, who being by me duly sworn did say that they are the president and secretary of _____ and that said instrument was signed on behalf of said corporation by authority of its bylaws or a resolution of its board of directors and said _____ and _____ acknowledge to me that said corporation executed the same.

Notary Public
Residing at:
My Commission Expires: _____

Glendale Town Subdivision Ordinance

PRE-APPLICATION

(Glendale Town Subdivision Ordinance 3-1)

Subdivision _____

To Glendale Town Planning Commission: Date / /

Preliminary to application for Subdivision approval the attached sketch plan is submitted showing:

- (1) The general location of the subdivision and the property boundaries of the proposed subdivision area, date, outlined in red, true North and designated public access. It should show significant natural and man-made features on the site and within one-half (1/2) mile of any portion.
- (2) Topographic contours from available date, e.g. USGS maps.
- (3) Southwest District Health approval for the type of water system proposed; also, documentation of water rights and of historic water use.
- (4) Type of sewer or sanitary waste system proposed, as approved by the Southwest District Health Board.
- (5) Acreage of the entire tract as well as the number of lots and the average size of the lots.
- (6) Brief written statement or oral presentation in sufficient detail that the intent of the subdivider is clear to those who review the proposal.

SUBDIVIDER/DEVELOPER

By _____

Address _____

City, State _____

Phone _____

Glendale Town Subdivision Ordinance

APPLICATION FOR APPROVAL OF PRELIMINARY PLAT

(Glendale Town Subdivision Ordinance 4-1)

Subdivision _____

To Glendale Town Planning Commission Date ____/____/____

Submitted for your approval is the preliminary plat of

Subdivision. The Hearing is requested for ____/____/____

(at least eight days but not more than 30 days distant.)

Attached are:
STAFF ONLY

| | Present | Missing |
|--|---------|---------|
| 1. 8 Prints of Preliminary Plat [4-3] | _____ | _____ |
| 2. 1 Additional print each if [4-2(2)] | _____ | _____ |
| a. property abuts State Highway | _____ | _____ |
| b. site sewage disposal proposed | _____ | _____ |
| 3. 3 copies of on-lot sewage disposal report if applicable [4-2(3)] | _____ | _____ |
| 4. Agreement [4-4(1), 2-4] | _____ | _____ |
| 5. Location and Vicinity Map [4-4(3)] | _____ | _____ |
| 6. Site Map [4-4(4)] | _____ | _____ |
| 7. Geological Map and Report [4-4(5)] | _____ | _____ |
| 8. Soil Map and Report [4-4(6)] | _____ | _____ |
| 9. Letters from Utility Companies Approving easements [4-4(7)] | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| 10. Treasurers Statement that all taxes or assessments are paid [4-4(8)] | _____ | _____ |
| 11. Executed copy of restrictions or Covenants [4-4(10)] | _____ | _____ |
| 12. Summary Statement [4-5] | _____ | _____ |

Glendale Town Subdivision Ordinance

PLANNING COMMISSION ACTION

(within 30 days)

1. Possible problems:

2. a. Approval granted ____/____/____
b. Approval denied ____/____/____

Sketch plan approval is valid for one year, and shall expire unless a Preliminary Plat is presented within that time. Sketch plan approval is not Preliminary approval.

GLENDAL TOWN PLANNING COMMISSION

By: _____

GLENDAL TOWN SUBDIVISION CHECKLIST

SUBDIVISION _____ DEVELOPER _____

(1) Sketch Plan

Submitted _____/_____/_____

Denied _____/_____/_____

Approved _____/_____/_____

(2) Preliminary Plat

Submitted _____/_____/_____

Distributed _____/_____/_____

Rejected _____/_____/_____

Approved _____/_____/_____

(3) Final Plat

Submitted _____/_____/_____

Planning Commission _____/_____/_____ (next meeting)

City Engineer _____/_____/_____

City Surveyor _____/_____/_____

City Attorney _____/_____/_____

City Council _____/_____/_____ (15 days)

Recorded _____/_____/_____ (5 days)

(4) Acceptance

Automatic one year after Council acts unless contrary written notice is given.

Glendale Town Subdivision Ordinance

APPLICATION FOR APPROVAL OF FINAL PLAT

(Glendale Town Subdivision Ordinance 5-1)

Subdivision _____

Developer _____

TO GLENDALE TOWN

Application is hereby made for approval of the final plat of

_____ Subdivision.

Approval of Sketch Plan was given _____/_____/_____

Approval of Preliminary Plat was given _____/_____/_____
(must be given within one year)

Attached are:

1. 8 Copies of Final Plat
2. 1 original mylar of Final Plat
3. Copy of proper plat if Final Plat is revised
4. Evidence of financial ability to complete off-site improvements within two years
5. Drawings showing utilities, easements, fences
6. Statement from Utility Company that service will be provided
7. Plan, profile and cross section of roads, sewers, culverts, etc.
8. Grading and drainage plan
9. Erosion control plan
10. Certificate of Title Insurance or Attorney

I hereby acknowledge receipt of a copy of the Kanab City Subdivision Ordinance and review of any condition attached to approval of my preliminary plat, and that I understand the provisions of the Subdivision Ordinance and the required conditions and that I will fully and completely comply with the provisions and requirements therein contained.

Dated this _____ day of _____, 20____

Subdivider/Developer Signature

Glendale Town Subdivision Ordinance

RECEIPT

Receipt is hereby acknowledged of the foregoing application.

Date ____/____/____

GLENDAL TOWN

By: _____

Planning Commission Action

Denied ____/____/____

Reasons:

Conditional Approval ____/____/____

This matter shall be on the Glendale Town Council Agenda on the ____ day of _____,
20____. (within 15 days)

GLENDAL TOWN PLANNING COMMISSION

By: _____

Title: _____

Glendale Town Subdivision Ordinance

GLENDALE TOWN COUNCIL APPROVAL

*The application relating to the Final Plat for the _____
Subdivision has been approved by:*

Glendale Town Planning Commission

Glendale Town Engineer

Glendale Town Surveyor

Glendale Town Attorney

The Subdivision has posted:

- a) a performance bond (10-2)
- b) an escrow deposit (10-3)
- c) irrevocable letter of credit (10-4)

in the amount of \$_____ which amount has been approved by the Glendale Town Engineer and the form of which has been approved by the Glendale Town Attorney.

Dedication, if any, in the plat shall be deemed an offer by the subdivider which shall be irrevocable until one (1) year after all of the improvements are completed. The Town shall accept the offer of dedication only if it finds that the subdivider has constructed, installed, and maintained the public improvements required by this Ordinance and that the improvements comply with the minimum standards and requirements of this Ordinance and the Glendale Town Standard City Specifications at the time of acceptance.

Unless the Glendale Town Council extends the time for acceptance of the dedicated public improvements, the dedication shall be accepted on action by the Glendale Town Council, or at the expiration on one (1) year following the completion of the public improvements. In the event the Glendale Town Council does not accept the dedicated public improvements, notice shall be mailed to the subdivider in writing stating the reason for the non-acceptance.

THE FINAL PLAT IS HEREBY:

_____ APPROVED

_____ DISAPPROVED

Date: ____/____/____ GLENDALE TOWN MAYOR _____

GLENDALE TOWN RECORDER _____

