

EXHIBIT A

Title 2 - SUBDIVISIONS

Chapter 1 GENERAL PROVISIONS AND DEFINITIONS SECTIONS

1.01 Title –

1.01.01. This title shall be known as the subdivision ordinance of Caribou County.

1.01.01. Purposes. The purposes of this title are:

- a. To promote and protect the health, safety, comfort and general welfare of the public;
- b. To support and implement the stated goals of the county as expressed in the comprehensive plan ordinance, Idaho Code, and the zoning ordinance of Caribou County;
- c. To protect agricultural lands, surface and ground water, air quality, and sensitive natural resource areas;
- d. To preserve and enhance the value of land and buildings throughout the county;
- e. To provide minimum design standards for development;
- f. To provide application and processing procedures for the division and development of land.

1.02 Definitions - As used in this title:

1.02.01. "Access" means:

- a. The right to enter or leave a tract of land from a public way.
- b. The way, road, street or private road used to approach or leave specific real property.

1.02.02. "Arterial" (roads or streets) means a functional classification of a road or street; usually a major throughway, such as a highway, designed to move traffic at high speed, as designated on functional classification map (See map Appendix A attached to the ordinance codified in this title).

1.02.03. "Block" means part of a plat, a group of lots; an area bounded but not transversed by streets or other physical barriers on all sides.

1.02.04. "Board" means Caribou County board of commissioners.

1.02.05. "Boundary" means a property line, or other line of demarcation such as a zoning district boundary.

1.02.06. "Central sewer" means a sewage and effluent pretreatment facility serving more than one structure, and owned privately or in common by other than a governmental entity.

1.02.07. "Collector road" is a functional classification of a road or street, and usually means a primary road in a subdivision which connects to a larger collector or to an arterial road (See map in Appendix A attached to the ordinance codified in this title).

1.02.08. "Common space" means a lot or portion of a platted subdivision on which development is prohibited or restricted, and ownership is held in common by all the lot owners in the subdivision.

1.02.09. "Community impact analysis" means a study performed to quantify the effect of a planned development or subdivision. Such a study addresses provision of service to the development, taxes generated, resources consumed, output of sewage, dust, traffic and the like.

1.02.10. "Community water system" means a public community culinary water system which serves at least fifteen (15) service connections.

1.02.11. "Comprehensive plan" means a community's official statement of its plans, policies and goals for long-term development, enacted by the governing body. Caribou County's current comprehensive plan was enacted by Ordinance No. 1995-3.

1.02.12. "Concept plan" means the initial proposal presented by a developer to the Planning and Zoning Commission; a general sketch of a proposed development, showing total area, proposed areas for development, transportation routes, and other improvements and landscaping. See Chapter 6.

1.02.13. "Conditions" means a provision that if a certain event occurs, a reciprocal event may occur.

1.02.14. "Commission" means Caribou County Planning and Zoning Commission, appointed by the board of commissioners.

1.02.15. "County" means Caribou County, Idaho.

1.02.16. "Covenant" means a rule or restriction having the power of law, imposed privately, not by government, and pertaining to a particular area of land.

1.02.17. "Cul-de-sac" means an internal subdivision road or street ending in a turnaround.

1.02.18. "Culinary water" means water for human consumption.

1.02.19. "Deed restrictions" means a limitation placed on real property with a deed, as used in this title, usually prohibiting a specific type of development or use, and pertaining to a particular area of land.

1.02.20. "Density" means the number of dwelling units per acre.

1.02.21. "Department" means office of Planning and Zoning services.

1.02.22. "Develop" or "development" means to divide land for purposes other than agriculture; to prepare land for division, building or improvements, including grading, fencing for planned residential lots, road building or utility placement; to place structures or utilities, fencing for other than agriculture, or roads. It also includes a change in the use of an existing structure or on land; mining or excavation; a material change in the external appearance of a structure or land; placement of accessory buildings; demolition of a structure; deposit of waste or fill on a parcel of land; alteration of a shore or floodplain of a body of water or riparian area. "Development" does not include maintenance and repair within a right-of-way, external maintenance or improvement of an existing structure, or the use of land for growing plants, crops, trees, and other agricultural or forestry products. See the county zoning ordinance for other regulations on agricultural activities.

1.02.23. "Development permit" means an authorization to develop issued by office of Planning and Zoning services, formerly called a zoning certificate or zoning permit, required for all development as defined by this title. It does not include interior modification of existing structure where usage does not change. A development permit considers zoning requirements, plat or deed restrictions and performance standards, among other issues.

1.02.24. "Ditch (irrigation) company" means the owner of a man-made water system.

1.02.25. "Divide" or "Subdivide". See subdivide, subdivision.

1.02.26. "Drainage" or "drainage way" means the natural path of surface water flow above ground.

- 1.02.27. "Drainage system" means a system of drainage ways, ditches, basins, pipes or drains to remove surface water.
- 1.02.28. "Driveway" means a private roadway for the use of vehicles or pedestrians, connecting a structure or use to a public road. Driveways over one hundred fifty (150) feet in length are fire accesses.
- 1.02.29. "Dwelling unit" means a building or portion of a building, such as an apartment, designed for occupancy by one household.
- 1.02.30. "Easement" means a property right short of ownership; permanent or limited right to use the land of another.
- 1.02.31. "Egress" means the path or opening by means of which one goes out; exit.
- 1.02.32. "Encumber" means to place a lien, liability or requirement upon a title of ownership.
- 1.02.33. Engineer, County. "County engineer" means a licensed engineer, who is an employee of the county. In the absence of a county employed engineer, the planning director shall act as enforcement officer of the ordinance and shall oversee engineering services performed by contracted engineers appointed by the board of county commissioners.
- 1.02.34. "Engineer" means a person licensed by the state of Idaho to practice engineering. In the context of this title, "engineer" means an Idaho licensed civil engineer.
- 1.02.35. "Environmental protection agency" means an agency of the federal government which was created to assure protection of the environment by abatement and control of pollution.
- 1.02.36. "Environmental impact assessment" means a written report provided by the applicant which describes potential impacts to natural resource values such as soils, ground or surface water, air quality, wildlife, archaeological significance or other concerns specified by the county engineer, which would result from a planned development.
- 1.02.37. "Farmland" means land used for farming including crop production, grazing, timbering or other agricultural product, without respect to soils type, zoning district, or jurisdictional boundaries.
- 1.02.38. Fish and Game Department, Idaho (IF&G). "Idaho Fish and Game Department" means an agency of the state of Idaho charged with protection and management of wildlife in the state of Idaho.
- 1.02.39. "Health department (district)" means Southeastern Idaho District Health Department.
- 1.02.40. "Homeowners' association" means an association of homeowners and lot owners having responsibilities for the management and upkeep of common property and improvements in a specific subdivision. Such associations may also be formed to include a specific area or combination of subdivisions.
- 1.02.41. "Homeowners' association codes, covenants and restrictions" means privately imposed codes, rules and restrictions placed on a subdivision and enforced by the homeowners' association. Such restrictions are not enforced by the county.
- 1.02.42. "Important agricultural soils (or lands)" means "prime agricultural lands" as defined by NRCS, page 99 of soil survey issued September, 1987, plus those soils in Table 5 of the same survey which produce above the median for each category. See Appendix B attached to the ordinance codified in this title.
- 1.02.43. "Important wildlife habitat" as determined by Idaho Fish and Game means habitat changes with development, agricultural activities and other land use changes; therefore, important wildlife habitat is relative and changes over time. Table 11 of the soils survey (see Appendix B attached to

the ordinance codified in this title) evaluates the potential of soils for habitat and will also be considered by staff and Commission.

1.02.44. "Improvements" means any structure, road, utility, or man-made modification to land for development.

1.02.45. "Ingress" means the right or permission to enter; a means or place of entering.

1.02.46. Land Divisions. See "subdivision."

1.02.47. "Landscaping" means to alter the natural grade of land; to alter the appearance of land by planting or by placing non-plant materials such as rock, structures, water, cement or wood.

1.02.48. "Legal description" means a surveyor's identification of property adequate for transferring title. A subdivision which has been platted results in parcels which are called lots, and which are legally described by lot number, block number and name of the subdivision. Land not included in a plat is described by metes and bounds which gives measurements relative to survey lines of sections, townships and ranges. A third type of legal description is a government lot, those pieces of land which were not included in original surveyed sections. Another type of legal description is by aliquot parts; that is, a division by halves or fourths of a section of land such as "West Half of the NW quarter of the NW quarter of Section 3, Township 9 South Range 37 East."

1.02.49. "Licensed surveyor" means a surveyor licensed by the state of Idaho to practice land surveying.

1.02.50. "Licensed engineer" means an engineer licensed by the state of Idaho to practice engineering. In the context of this title, it shall mean civil engineering.

1.02.51. "Life estate" means a grant or reservation of the right of use, occupancy and ownership for the life of an individual, or other as decreed by agreement or court.

1.02.52. "Local street or road" means a roadway used primarily as land access, connecting driveway access to collector or arterial roads. Local roads may be designed for slower traffic, short travel distances and low traffic volumes. Local roads are designed to discourage through traffic. See example in Appendix A attached to the ordinance codified in this title.

1.02.53. Lot. See "plat."

1.02.54. "Lot of record" means a lot or parcel described by metes and bounds, the description of which has been so recorded or notarized to complete a contract of sale prior to April 1, 2015. Does not include a subdivided lot, for purposes of further subdivision.

1.02.55. "Master plan" means the concept plan or sketch for a subdivision of two or more phases.

1.02.56. "Minor land division" means a division of a lot of record into four lots or less.

1.02.57. "Natural Resource Conservation Service" was formerly known as Soil Conservation Service.

1.02.58. "North arrow" or "north point" means a symbol on a map indicating true north.

1.02.59. "NRCS" means Natural Resource Conservation Service.

1.02.60. "Occupancy permit" means permission to occupy or use a structure, or to begin a new use, issued by county building official.

1.02.61. "Open space" means land restricted from development. See Section 9.01.

1.02.62. "Parcel" means an area of land described as a unit by the county assessor's office.

1.02.63. "Phase" means to develop a subdivision in several individual plats, each of which is recorded as a separate plat. A plat developed in phases is governed by its master plan and improvements are made prior to the recording of each phase by plat.

1.02.64. "Planning and Zoning Commission" means Caribou County's planning and zoning, citizen planning body, which is appointed by the board to make land use decisions and recommendations.

1.02.65. Plat. See "subdivision plat."

1.02.66. "Record of survey" means a survey made in conformance with Idaho Code Title 55 by a licensed surveyor or engineer, and recorded in the office of the county clerk and recorder.

1.02.67. "Recreational Subdivision" means a subdivision in which the dwellings and/or lots are intended or designed for use on a limited basis for recreational purposes, and not intended for use as a primary year-round residence in which the road, travel easements, and open spaces are not dedicated to the public, but are retained as private facilities that will not be maintained by the County, and which conclude all facilities or improvements required for subdivisions as set forth in the subdivision ordinance except those specifically applying to water, sewage disposal, power, and roads for recreational subdivisions as set forth in the zoning ordinance and/or subdivision ordinance of Caribou County, Idaho.

1.02.68. "Replat" means the division of a lot(s) or parcel(s) of land that is already a part of an existing subdivision. The term "replat" shall be regarded as synonymous with the terms "resubdivision" and "resegmentation". When it is determined that a replat is necessary it shall be subject to the subdivision process as outline in this chapter.

1.02.69. "Riparian area" means all lands within and adjacent to areas of groundwater discharge, or standing and flowing surface waters where the vegetation community is significantly affected by the temporary, seasonal or permanent presence of water. Examples include springs, seeps, creeks, streams, rivers, ponds and lakes and their margins.

1.02.70. "Riparian corridor" means a riparian area serving as a movement route for fish and wildlife species.

1.02.71. "Reverse frontage" means the requirement for a lot, one side of which abuts a collector or arterial road, to front on the interior subdivision road.

1.02.72. Sketch Plan. See "concept plan."

1.02.73. "Staff" means county engineer and planner.

1.02.74. "Street/Road" means a right-of-way which provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfares, parkway, road, avenue, boulevard, lane, place and other such terms.

a. Alley– A local street providing secondary access at the back or side of a property otherwise abutting a street.

b. Local– A street providing for streets and local streets and for direct access to abutting property.

c. Arterial– A general term including expressways and major arterial streets; and interstate, state or county highways having regional continuity.

d. Loop– A local street with both terminal points on the street of origin.

e. Cul-de-sac– A street connected to another street at one end only and provided with a turnaround space at its terminus.

- f. Frontage– A local street, parallel to and adjacent to an arterial street to provide access to abutting properties.
- g. Partial– A dedicated right-of-way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
- h. . Private– A street that is not accepted for public use or maintenance that provides vehicular and pedestrian access.
- i. State Highway– A public road, including its entire right-of-way, under the jurisdiction of the State of Idaho. Contact: Idaho Transportation Department
- j. County Road– A public road, including its entire right-of-way, under the jurisdiction of Caribou County.
- k. City Street– A public road under the jurisdiction of an incorporated city.
- l. Private Road– A road which provides access to lots, parcels, areas or tracts of land and has been approved by the County for use as a private road. A private road shall be considered that portion of a lot or parcel that is used for access purposes as described by an easement. A private road is not repaired, plowed, or otherwise maintained by the County nor can the County contract for its maintenance.
- m. U.S. Forest Service Road– A federally owned easement or right-of-way which provide access to federally owned land. Direct access to residential, commercial, industrial, or other abutting land and for local traffic movements and connects to collector and/or major street.
- n. Collector– A street providing for traffic movement within neighborhoods of the County and between major arteries.

1.02.75. "Subdivide" or "subdivision" means:

- a. The division of land into parcels less than, or configured differently from, a quarter-quarter section of land, for purposes of development other than agriculture; or
- b. To make one parcel into two or more separate parcels by survey, deed or other transference.

1.02.76. "Sub-divider" shall be deemed to be the individual, firm, corporation, partnership, association, syndicate, trust, or legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this ordinance. The sub-divider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient proprietary rights in the property to represent the owner.

1.02.77. "Subdivision plat" means a map prepared to comply with Idaho Code Chapter 13, Title 50 representing land divided into lots. A plat shows roads, streets and improvements required to record the plat and sell lots. Lots in a plat are described by lot and block number, along with the subdivision's (plat) name.

1.02.78. "Tract (of land)" means an area of land which can be described or referred to as one unit; may contain more than one parcel or ownerships.

1.02.79. "Vacation of plat" means to remove lot lines, rights-of-way or other elements of a plat.

1.02.80. "Wetland" as defined by U.S. Army Corps of Engineers means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

1.02.81. "Wildlife" means any form of animal life living in a natural state and under the authority of Idaho Fish and Game or U.S. Fish and Wildlife Service.

1.02.82. "Zoning district" means land delineated on the zoning map, Appendix A of the zoning ordinance, in which requirements for the use of land and building and development standards are prescribed by the zoning ordinance of Caribou County and the Caribou County subdivision ordinance.

1.02.83. Zoning Certificate. See "development permit."

1.03 Exemption to this Title.

1.03.01. The following divisions of land shall be exempt from the provisions of this Title. A parcel of land created under an exemption set forth in this section will be recognized as a separate parcel as of the day the instrument which created the parcel is recorded.

- a. Cemeteries: Divisions made for cemeteries or burial plots when used for that purpose.
- b. Governmental; Emergency Response Agencies: Divisions resulting from the conveyance of a parcel to a government agency, taxing district, or a public utility regulated by the Idaho Public Utilities Commission. Structures used for the purpose of housing emergency response agencies such as fire stations, police stations or EMS services may contain habitable space. No structures shall contain habitable space if such parcels are to be used for any other purpose.
- c. Conservation Organization: Divisions resulting from the conveyance of land to a conservation organization, providing the land is conveyed as one parcel, and a conservation easement which complies with the requirements of section 8.6.904 of this chapter is recorded on the parcel.
- d. Boundary Line Adjustments: Boundary line adjustments which comply with the applicable requirements of this subsection shall be exempt from the provisions of this chapter.
- e. Boundary line adjustments to legally created parcels must comply with the following requirements:
 - e.01 No additional parcels are created;
 - e.02 The resulting parcels meet the minimum size for the zone and are otherwise in conformance with all applicable provisions of this title; and
 - e.03 The adjustment does not result in parcels separated by a public road or a public or improved private right-of-way.
- f. A boundary line adjustment may add land from an unplatted parcel to an existing lot or from an existing lot to an unplatted parcel.
- g. A parcel that is not eligible for development permits because it does not conform to the applicable provisions of this title, or was created improperly, cannot become eligible for development permits solely as a result of a boundary line adjustment.
- h. In order to ensure that no additional parcels of land are inadvertently created, boundary line adjustments should be accomplished by recordation of a deed of conveyance for the property that is to be transferred, and then by recordation of a second deed for the receiving parcel which describes the new, exterior parcel boundaries. A statement should also be included on the deeds of conveyance which indicates that those instruments are being recorded for boundary line adjustment purposes, and that no additional parcels are being created as a result of the adjustment.
- i. Wills and Similar Instruments: Divisions made pursuant to a will, testamentary trust, testamentary provision of an inter vivos trust, or other similar instrument associated with a

decedent's estate. The instrument must contain language providing for the division to be made. Such divisions must comply with the following requirements:

i.01 Each parcel has legal access to a public road;

i.02 Each parcel meets the minimum size for the zone; and

i.03 Each parcel is otherwise in conformance with all applicable provisions of this title.

i.04 Eminent Domain: Divisions resulting from the exercise of eminent domain by an agency of the State of Idaho or by any local agency or taxing district, including any purchase negotiated between the agency and the property owner in lieu of eminent domain proceedings.

i.05 Court Order: Parcels of land created by court order other than one associated with a decedent's estate or exercise of eminent domain shall be considered a legally created parcel, but shall not be eligible for development permits until they are validated through approval of a major subdivision, minor subdivision, or minor amendment pursuant to this chapter.

1.04 Lot consolidation.

1.04.01. Consolidation of lots may be accomplished through the filing of a completed application for lot consolidation with the department and in the Office of the Caribou County Assessor. The application shall be on a form approved by the Director and the Assessor. For purposes of this title, consolidation shall be effective upon filing and approval by the department. Upon filing and approval, interior lot lines within the consolidated lot shall be disregarded for purposes of determining setbacks and building envelopes. Upon consolidation, no subsequently built structures shall materially interfere with any preexisting easements or rights-of-way. Any subsequent redivision of any consolidated lot must be accomplished via the major subdivision or minor subdivision process, as appropriate.

1.05 Conflicting provisions.

1.05.01. The subdivision ordinance shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of these regulations to interfere with or abrogate or annul any easement, covenant or other agreement between parties. When these regulations impose a greater restriction upon the division and development of land than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of these regulations shall control. Requirements may be increased if necessary, to promote public health, safety, comfort, convenience and general welfare.

Chapter 2 - ADMINISTRATION AND ENFORCEMENT

2.01 Illegally Created subdivisions.

2.01.01. To provide safe and adequate development, the county will require all land divisions to be designed, and the improvements constructed thereon, to the standards of this title.

2.01.02. Enforcement. - The County Planning and Zoning Administrator or his or her designee shall be the enforcement officer of this title.

2.01.03. Permits. - No permits, including but not necessarily limited to building permits and/or development permits, shall be issued on a parcel of land subject to the requirements of this chapter until compliance with this title has been established.

2.01.04. Discovery - Upon the discovery by the engineer, assessor, planning department personnel, or other responsible party, that land has been divided, or development has occurred, without the process set forth in this title, that party shall notify the enforcement officer of this title and the board,

providing names of owners, addresses, if known, and a legal description of the original parcel and of the illegally created parcels.

2.01.05. Building permits shall not be issued until a final plat or record of survey, as appropriate, is recorded.

2.01.06. Notification process. - The enforcement officer shall notify the property owners in writing. The enforcement officer shall demand the filing, recordation of a record of survey or a plat, as appropriate, and the necessary improvements according to state and local codes. Notification will require the property owners to respond within thirty (30) days, providing:

- a. Engineering and a construction schedule for improvements, including roads;
- b. A preliminary plat prepared by a licensed surveyor or engineer, accompanied by the applications required by Chapter 7;
- c. Fees for the concept and preliminary plat phase as prescribed by the board.

2.01.07. Platting process by county.

- a. If it is determined that the subdivider and/or property owners have not returned the written notice or that the thirty (30) day compliance time has lapsed, the enforcement officer may call for written proposals from a licensed land surveyor or engineer.
- b. The proposals shall include all surveying, platting, and anticipated costs of the improvements required by this title.
- c. By certified mail, the enforcement officer shall notify the subdivider and property owners of the proposed costs. Such notification shall be a fifteen (15) day warning notice that if the application and plat are not received by the county by the close of work on the fifteenth (15th) day, the county shall select a qualified bidder to proceed with the platting.

2.01.08. Cost allocation.

- a. All costs incurred from the forcing of the plat and improvements shall be assessed to the subdivider or property owners as follows:
- b. After proper notice and after all requests for platting have failed, the clerk shall proceed to assess the costs to the subdivider's property or estate.
- c. If the original subdivider is deceased and if there is not an estate, or if the county cannot locate the subdivider, the assessments shall be made against the property owners of record. Assessments shall be made as per Section 50-1300 of Idaho Code.
- d. After the assessments have been paid, the enforcement officer shall direct the surveyor or engineer chosen (see Section 2.01.04(B)) to prepare the plat and have improvements built, as required by this title, Idaho Code, and the zoning ordinance of Caribou County, and any and all other applicable ordinances.

2.02 Vacation of a plat or part thereof. –

2.02.01. General. Any plat may be vacated, in whole or in part, as provided in Idaho Code, Section 50-1301, and the Caribou County subdivision ordinance process.

2.02.02. City Impact Area. A vacation will be accomplished according to Idaho Code Section 50-1306.A.

2.02.03. Examples of situations for which replatting would be necessary include realignments, rearrangements and/or redesigns of roads, homeowners' association codes, covenants and restrictions, easements and lots within a recorded subdivision.

2.03 Conditions constituting a violation.

2.03.01. A violation of this title occurs if the developer or property owners fail to submit written acknowledgment or fail to agree to comply with the requirements of this title within thirty (30) days of the certified notice. Each day such violation exists shall be a separate offense. Said violation is in addition to violation which occurs upon discovery of illegally subdivided land, Section 2.01.04.

2.03.02. Appeals - Appeals of decisions of Caribou County Planner may be appealed to the Commission as a business item within ten working days of the staff decision. The Commission will hear the appeal at its next regularly scheduled meeting.

2.03.03. Appeals of the Commission may be brought before the county board of commissioners as prescribed in the Caribou County zoning ordinance.

2.04 Violation.

2.04.01. Misdemeanor. Any person, firm or corporation who fails to comply with or violates any of the provisions of this title may be charged with a misdemeanor violation, and upon conviction thereof shall be subject to a fine of not more than three hundred dollars (\$300.00), or imprisonment for a period not exceeding six months, or both. Each day on which the violation occurs may be deemed a separate offense.

2.04.02. Civil Enforcement. Appropriate actions and proceedings may be taken at law or in equity to prevent any violation of these regulations, to prevent unlawful land division, to recover damages, to restrain, correct or abate a violation, to prevent illegal divisions of land for development purposes, and these remedies may be in place of or in addition to the other penalties described in this chapter.

2.05 Exceptions.

2.05.01. Lots that have been illegally subdivided into four or fewer parcels that would have otherwise qualified for a minor land division under Chapter 5 of this title, may remedy the division by completing the process as described in Chapter 5, minor division of land into four or fewer parcels.

Chapter 3 - RECREATIONAL SUBDIVISION STANDARDS

3.01 Subdivisions classified as Recreational Subdivisions

3.01.01. The only subdivisions in Caribou County which are classified as Recreational Subdivisions and subject to this Chapter at the time of passage of this ordinance are the Squaw Creek Ranchettes Subdivision, Phase I and II, the Pebble Creek Subdivision, all phases, the Earl Smith Subdivision and Caribou Village Subdivision Phase I.

3.02 Recreational Subdivisions Improvements

3.02.01. Recreational Subdivisions shall be required to install all improvements as is required by this Subdivision Ordinance for other subdivisions, except as follows:

a. Alternate power sources shall be permitted for homes within a Recreational Subdivision, upon approval by the Planning and Zoning Commission and Board of County Commissioners.

b. A water source shall be required for each home located within a Recreational Subdivision, either in the form of an individual well, shared well, spring, or a water storage tank of a minimum size of 500 gallons.

c. Before any building permit shall be issued within a Recreational Subdivision, the road to the residence to be constructed, or structure to be constructed, shall be constructed to county standards for a gravel road, and approved by the county road superintendent prior to the permit being approved, and prior to the construction being commenced.

d. All future roads within Recreational Subdivisions shall be of a grade of no more than 7%.

e. All roads within recreational subdivisions shall be private roads, and not dedicated to the county, and shall be privately maintained. The county shall not be responsible for maintenance or snow removal on said roads.

3.03 Future Creation of Recreational Subdivisions Prohibited

3.03.01. At the time of the passing of this ordinance Recreational Subdivisions will no longer be recognized as a type of subdivision for future creation of subdivisions.

Chapter 4 - LAND DIVISION PROCESS GENERALLY

4.01 - Pre-development conference.

4.01.01. Prior to a plat or other land division being presented to the Planning and Zoning Commission for consideration, the developer shall have met with the staff of the county engineer's office and obtained a check list of items required in order to be placed on the Commission's agenda. This checklist will include a list of reviewing agencies to be contacted by the applicant, requirements for the sketch (for concept approval) or the preliminary plat, and other items deemed necessary by the engineer or planner. Because all tracts of land in the county vary in geography and geology, this list may vary from area to area.

4.01.02. Concerning an application for a minor land division, staff will review the application and if the application meets the criteria for a minor division the applicant will be issued a written determination and requirements to complete the division. Appeal of the decision may be made to the Planning and Zoning Commission.

4.02 - Submittal requirements.

4.02.01. The applicant shall provide to the county engineer, at least five business days prior to the on-site meeting:

- a. A legal description of the proposed subdivision to the quarter-quarter section;
- b. A map of the proposal on USGS quad map;
- c. A narrative indicating the basic concept of the proposed project;
- d. A Natural Resource Conservation Service soils information map and analysis;
- e. A completed application to subdivide land, available in the department;
- f. The point from which power and other utilities must be extended (distances and locations);
- g. Approximate location of accesses to a collector or arterial road;
- h. A report from Sixth District Health Department. This agency will review its requirements with the developer. The developer must have the health department's review and comments prior to submitting the application to the county for its review. Note: this agency's signature is a requirement for recording the plat.

4.03 Special reviews.

4.03.01. Depending on the location and extent of the development, the developer may need to contact other special agencies not listed in Section 4.02, for example, the Environmental Protection Agency, the Idaho Transportation Department, and the like.

4.04 On-site review.

4.04.01. County personnel, including engineer, road and bridge supervisor, and planner, and others as deemed necessary by the engineer, will meet applicant on the site to review road access placements and connection to existing roads or streets, public access to public lands, and potential

problem lot locations. Staff will send written comments to applicant within two weeks of the onsite meeting concerning the site's ability to meet this title's standards and listing possible areas of concern.

4.05 Reviewing agencies.

4.05.01. Applicant shall contact and obtain comments from the following agencies:

- a. School Districts. To establish the location of existing school bus stops or routes, the possible need for additional stops, and availability of classroom space.
- b. Idaho Fish and Game Department. This agency will review the site for its natural wildlife habitat values, indicating areas of important wildlife habitat.
- c. Idaho Department of Water Resources. This agency will be asked to provide well logs and information regarding water rights.
- d. Caribou County Road and Bridge Department, Idaho State Transportation Department, as appropriate, to obtain:
- e. Current maintenance status of roads, right-of-way width and other physical characteristics and traffic counts if available;
 - e.01 If roads not presently maintained are proposed for maintenance, an assessment of the highway department's ability to provide maintenance assuming current level manpower and equipment;
 - e.02 Any additional comments or concerns the agency may have.

4.05.02. Fire Suppression Provider. As a minimum, the following information shall be requested:

- a. An assessment of the general impact the proposed development will have on the agency's ability to provide service;
- b. A listing of the on-site facilities recommended to facilitate fire suppression service;
- c. An estimate of the agency's cost to provide service, per incident;
- d. An estimate of response time to the proposed development;
- e. Any other fire suppression or prevention measures the fire district may wish to address.

4.05.03. Utilities shall be asked to comment as to the location and size of rights-of-way needed in the development; landscaping in public areas; availability to the site, and any anticipated public costs. Agencies may offer comment on topics not listed above, but the county requests, at a minimum, comments on those topics. Agencies to be contacted:

- a. The electric power provider (Rocky Mountain Power);
- b. Intermountain Gas;
- c. Telephone
- d. Ditch or irrigation company when present or within one-half mile;
- e. Cable company — fiber optic or television;
- f. Pipelines, if any;
- g. Any other subdivision of government or private utility as applicable.

4.05.04. Army Corps of Engineers for determination of: (a) wetlands or riparian areas; (b) stream crossing needs; or (c) any additional issues the Corps may address.

4.05.05. Public land agencies such as Forest Service, BLM, or state, without regard to location of proposed subdivision.

4.05.06. Idaho Department of Environmental Quality for determination of: nutrient density analysis and the minimum land needs for the proposed number of wells and septic tanks

4.05.07. Applicant shall include all comments with application. In the absence of comments, evidence of contact at least twice by applicant may be submitted.

4.06 Plat name.

4.06.01. A subdivision name shall be reviewed by the county planner or engineer. A name shall not duplicate or resemble the name of any other subdivision in Caribou County. The county shall maintain a permanent record of all subdivisions. When a name has been accepted by the county for the subdivision of a particular tract of land, the subdivider shall place that name upon each submittal of the proposed subdivision. Neither the name nor the area of land for which the name was issued shall thereafter be changed or altered in any manner unless and until a new name has been accepted by the county.

Chapter 5 - SIMPLE SUBDIVISION

5.01 A Simple Division

5.01.01. Defined as a one-time split of land into four or fewer parcels if it meets the following criteria:

- a. Access for each lot is from maintained county road or is suitable for a private shared;
- b. Utilities are available;
- c. Re-dividing a platted lot must be compatible with existing subdivision;
- d. A public hearing is not required;
- e. All other zoning and subdivision requirements apply.

5.02 Record of Survey

5.02.01. Such divisions may be filed as records of survey, and shall be prepared in accordance with Chapter 19, Title 55 of Idaho Code. All other standards, requirements, processes and criteria of this title shall be met, survey notes and or other conditions may be required.

Chapter 6 - CONCEPTUAL OR MASTER PLANS

6.01 - Submittal requirements.

6.01.01. Developer shall submit review fees as established by the board, the report from district health and the following items at least thirty (30) days prior to the hearing:

6.01.02. A sketch, accurate to plus or minus five percent, showing:

- a. Proposed uses of the property and present zoning, if applicable,
- b. Proposed and/or existing deed restrictions, if any, including easements and rights-of-way,
- c. Description of the improvements proposed to be made or installed, the time such improvements are proposed to be made or completed, and the procedures the subdivider wishes to use,
- d. Statement describing proposed water supply, sewage disposal, and drainage,

- e. Approximate location of blocks and number of lots in each,
- f. Legal description to quarter-quarter section, township and range,
- g. North arrow,
- h. Landscaping locations and general type of vegetation,
- i. Ownership and land use of subject development and within three hundred (300) feet beyond plat boundaries,
- j. Road names — subject to county addressing ordinance,
- k. Road design deviations if open space subdivision is proposed;

6.01.03. Comments from reviewing agencies, Section 4.05;

- a. If an agency does not comment, and applicant has proof of contact, staff will contact; if no response is forthcoming, the agency may testify at concept phase. If no testimony nor written comments are presented at the public hearing, Commission may proceed to review application without the agency's comments.

6.01.04. Community impact analysis. - The Divider will prepare a community impact analysis for all developments, to include:

- a. Total population at build out;
- b. Population five to seventeen (17) years of age;
- c. Water usage per unit and total for project;
- d. Sewage produced per unit and total for project;
- e. Tax generated for average size lot and dwelling of two thousand (2,000) square feet;
- f. Cost to provide services by: sheriff's department; road and bridge; school district, for transportation and per student cost, if known; fire district; ambulance service provider and any other affected agency as determined by county.

6.01.05. Environmental impact assessment. - County Planning and Zoning Administrator may require an environmental impact assessment prepared by an environmental engineer, licensed in the state of Idaho, when any of the following conditions apply: inclusion of wetlands, streams or floodplains; land which may have been used previously as an industrial site or has a history of pollution; land which may be subject to sliding, slumping, or movement of any sort; land identified as important wildlife habitat; land which may have historical or anthropological artifacts, or other land deemed by the county to be sensitive to development. Said assessment shall address, but is not limited to, the items listed above, without regard to size of proposed subdivision.

6.02 Public hearing.

6.02.01. The Commission will consider the concept or master plan as a public hearing item, according to procedures established in the zoning ordinance. In phased subdivisions, each phase is considered a preliminary plat for the purpose of this chapter. Concept approval may be based upon a sketch and narrative describing the development and its improvements. Standards (criteria) in Section 6.03 shall be applied to:

- a. Density — average lot size and range of lot sizes;

- b. Utilities — water, power, natural gas, cable TV, telephone; type and placement underground or overhead;
- c. Uses and zoning;
- d. Fire suppression and prevention measures;
- e. Transportation routes — internal and existing arterial or collector routes;
- f. Conformance to comprehensive plan;
- g. Conformance to applicable transportation plans;
- h. Suitability of soil and topography for development;
- i. Wildlife considerations.

6.02.02. Plats which will be phased are called master plans and the following additional items will need approval as a part of the public hearing for concept approval. Additional issues to be addressed are:

- a. Timing of the total project and intervals between phases;
- b. Schedule for construction of improvements in each phase;
- c. Sequence of phases;
- d. A master plan map of total project, showing phases, approximate location of lots, streets and other improvements at build-out.

6.03 Review criteria.

6.03.01. The concept plan for a subdivision may be approved only if the reviewing authority shall find that it satisfies the following criteria:

- a. The proposed tentative plan is in conformance with the Caribou County comprehensive plan; is in conformance with all applicable provisions of this title, other county ordinances, and Idaho Code.
- b. The proposed roads and bridges will be designed and constructed according to Section 9.02 of this title. If a design deviation is requested, it shall equal or exceed those standards for its purpose.
- c. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads.
- d. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition.
- e. The blocks of lots are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.
- f. The proposed property is physically suitable for the type and proposed density of development and conforms to existing zone standards.

6.04 Conditions.

6.04.01. The Commission may place conditions upon the proposed plat to bring it into compliance with the comprehensive plan. If the developer accepts those conditions, the developer may then proceed to preliminary plat review.

6.05 Time limits.

6.05.01. Approval of the concept plan is valid for one year from the date of approval by the Commission. Concept or master plans not advanced to preliminary plat review by the Commission within one year of concept approval by the Commission must be resubmitted for a new concept/master plan approval.

Chapter 7 - PRELIMINARY PLATS

7.01 Submittal requirements.

7.01.01. Preliminary plat review will be considered by the Commission as a business item at subsequent, regularly scheduled meetings of the Commission. The following items must be submitted to the county engineer and planning department at least thirty (30) days prior to the Commission's regular monthly meeting:

a. Plat. Six (6) copies of the Preliminary Plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated; each copy of the Preliminary Plat shall be on good quality paper, shall have dimensions of not less than 24 inches by 36 inches. The preliminary plat shall be drawn up to a scale of one-inch equals one hundred (100) feet or one inch equals two hundred (200) feet, prepared by a land surveyor or engineer licensed to practice in Idaho. The scale may be increased or decreased provided such deviations obtain approval by the county. Map shall show:

a.01 The name of the proposed subdivision.

a.02 The names, addresses, and telephone numbers of the sub-divider or subdividers and the engineer or surveyor who prepared the plat.

a.03 The name and address of all adjoining owners of property, whether or not bisected by a public right-of-way as shown on record in the County Assessor's Office.

a.04 The legal description of the subdivision.

a.05 Scale, north point, and date of preparation including dates of any subsequent revisions.

a.06 A statement of the intended use of the proposed subdivision, such as: residential single family; or two family and multiple housing; commercial; industrial; recreational; or agricultural; and showing of any sites proposed for parks, playgrounds, schools; churches, or other public uses.

a.07 A map of the entire area scheduled for development if the proposed subdivision is a portion of a larger holding intended for subsequent development.

a.08 A vicinity map showing the relationship of the proposed plat to the surrounding area (2-mile minimum radius, scale optional).

a.09 The land use and existing zoning of the proposed subdivision and the adjacent land.

a.10 Topography by contours related to USGS survey datum, or other datum approved by the County Engineer or Commission, or other water features; direction of flow; location and extent of areas subject to inundation whether such inundation be frequent, periodic, or occasional.

a.11 Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; location and extent of areas subject to inundation whether such inundation be frequent, periodic, or occasional.

- a.12 Location, widths, and names of all presently existing platted streets, railroad, utility rights-of-way of public record, public areas, permanent structures to remain, water wells, and municipal corporation lines.
- a.13 The acreage of the tract proposed to be subdivided.
- a.14 Name, book, and page numbers of any recorded adjacent subdivision having common boundary with the tract proposed to be subdivided.
- a.15 Street layout, including location, width, and propose names of street, alleys, crosswalks, and easement; connections to adjoining platted tracts.
- a.16 Lot lines and block showing the dimension and numbers of each.
- a.17 A site report as required by the appropriate health district where individual wells or septic tanks are proposed.
- a.18 A copy of any proposed restrictive covenants and or deed restrictions.
- a.19 Any dedications to the public and or easements, together with a statement of location, dimensions, and purpose of such.
- a.20 A statement designating the method of disposal of sewage within the subdivision and a statement indicating the method by which culinary water will be provided to all lots within the proposed subdivision. A written statement of approval from the District Health Department as to the proposed water supply and sewage disposal system shall accompany the preliminary plat.
- a.21 A preliminary calculation and layout of the proposed system for storm water disposal and locations of outlets subject to approval of the Commission.
- a.22 Any additional information as required by the Commission after review of the pre-application.
- a.23 A written statement as to whether a variance requested and the reason therefore.
- a.24 A master plan for successive stage subdivisions.
- b. Increased road maintenance costs created by the subdivision will be born by the subdivision and not the County.
- c. Title Block. Date of submittal; north arrow; scale of drawing; tax parcel number(s); legal description sufficient to define the location and boundaries of the proposed subdivision by section, township and range; identification clearly stating that the map is a preliminary plat; plat name; engineering or surveying firm and license number of the surveyor or engineer,
- d. The location, width and names of all existing or platted streets, ways or public ways in the proposed subdivision or within six hundred sixty (660) feet of the proposed subdivision; easements; railroad rights-of-way; and other important survey features, such as section lines and corners, found monument, and city boundary lines,
- e. Contour lines of existing grade shall be shown at the following minimum intervals, and shall be related to some established bench mark or other datum as approved by the county engineer: (a) Five-foot contour intervals for ground slopes between five and ten percent; (b) Ten-foot contour intervals for ground slopes exceeding ten percent; and (c) For a rural area, contour lines shall be at intervals necessary to properly indicate the ground contour and to design the street pattern and lot layout, and shall be related to some established bench mark or other datum as required by the county engineer,

- f. The location and direction of all watercourses including a delineation of the high-water mark,
- g. Natural features, such as rock outcroppings, marsh lands, wooded areas, bodies of water, pre-servable trees,
- h. Existing uses of the property, including the location of all existing structures or fences on the proposed plat and within six hundred sixty (660) feet of its boundary, and proposal for use or removal of the structures and fences on the proposed plat,
- i. Proposed streets showing the location, widths, names, approximate grades, and approximate radii of curves and the relationship of all streets to any projecting streets,
- j. The location and width of all existing and proposed easements, including the purpose of such easement,
- k. Lot layout showing approximate (to within ten feet) dimensions, lot sizes within five percent of actual at final submittal, and proposed lot and block numbers,
- l. All land proposed to be reserved by the subdivider for all public purposes, showing the location, size, and proposed uses,
- m. Any other information on plat requested by Commission, engineer or planner during concept review and approval;
- n. Drainage plan in same detail as contour for existing grade described above;
- o. Other engineering or study data required by Commission or county engineer.

7.02 Review.

7.02.01. The Commission will review the preliminary plat as a business item, considering the plat for:

- a. Conformance to concept approval. Preliminary plats which:
- b. Alter water sources or delivery systems, or other utilities including sewage treatment, as approved in concept,
- c. Increase the total number of lots by ten percent or more, or
- d. Change access points to existing collector or arterial roads or streets by a distance greater than fifty (50) feet and not recommended by staff or Commission during concept approval, shall require a new concept review and a new review fee as established by the board;
- e. Utility easements and facilities;
- f. Open space if required in concept approval: amount of land, location, use, ownership and management plan;
- g. Homeowners' association codes, covenants and restrictions which carry out conditions imposed by the Commission or the goals of the ordinance and comprehensive plan. After approval by Commission, county legal staff will also review prior to recording of plat and codes.
- h. Maintenance of Facilities. The developer shall provide a proposal outlining how to establishing funding for the homeowners' association through fees assessed per lot for the water system, sewage system and for road maintenance.
- i. The number of lots in the total master plan shall be used to determine the funding. Funds may be held in an interest-bearing account. At recordation of the plat or record of survey, the facilities will be transferred to the homeowners' association for maintenance. The homeowners'

association will begin collecting an annual fee from all lot owners to add to initial funding. This fund will be used to repair and maintain utility systems and roads. Thereafter, all improvements shall be maintained by the homeowners' association in perpetuity or until connection to a municipal system.

j. All conditions imposed by the Commission will be printed on the plat. All codes, covenants and restrictions applying to infrastructure or public facilities to be provided by the developer will be printed on the plat. A change of such conditions, codes, covenants or restrictions is deemed a replat and must be submitted and processed according to this title,

k. Membership of Homeowner' Association. All lot owners shall be voting members of the Association. Owners of multiple lots shall have one vote;

l. Street Names. A street name must not duplicate an existing street name in the county or its cities; it must not be derogatory to any person or group;

m. Water users' association organization and function;

n. A maintenance and operation plan for all commonly-owned improvements.

7.03 Criteria for approval.

7.03.01. The preliminary plat may be approved only if the reviewing authority finds that it satisfies the following criteria:

a. The preliminary plat is in conformance with the Caribou County Planning and Zoning Commission's approved concept plan, all applicable provisions of this title, other county codes and ordinances, and Idaho Code;

b. The street plan for the proposed subdivision will permit its development in accordance with this code;

c. The street plan for the proposed subdivision will permit the development of adjoining land by providing access to that land by right-of-way dedicated to the county, or a developed street to the property boundary.

d. Lot lines and roads relate to land shapes and existing development.

7.04 Conditions on preliminary plat.

7.04.01. The Commission may place conditions on the preliminary plat which enable the plat to meet criteria for approval. If the applicant accepts the conditions, he or she may proceed to final plat review.

7.05 Time limits on approval.

7.05.01. Preliminary plats not recorded as a final plat in accordance with Chapter 8 within two years of the date of approval by the Commission as evidenced by the Commission's written decision shall become null and void unless a time extension is granted. Developer may apply to the Commission for up to two, time extensions of one calendar year each. The developer of any valid preliminary plat approved prior to the subdivision ordinance amendment effective date may apply for up to two, time extensions of one calendar year each from the date of preliminary plat approval.

7.06 Extension requests

7.06.01. Extension requests will only be granted if one hundred (100) percent of the engineering plans are submitted or upon a showing of "good cause." The Commission has the sole discretion to determine whether a showing of good cause has been made. The maximum number of extensions shall not exceed two requests, or two years total. The maximum time from preliminary plat approval to the recording of the final plat shall not exceed four years total except for valid preliminary plats

approved prior to the subdivision ordinance amendment effective date. Commission shall consider the request for an extension of time as a business item.

Chapter 8 - FINAL PLATS

8.01 Final plat.

8.01.01. The county engineer and planner shall review the proposal to insure that any conditions the Commission placed on the plat have been complied with, and that the performance standards of this title and requirements of Idaho Code have been complied with. The engineer will compare the submitted plat to the approved preliminary plat, and if it conforms, applicant and staff shall proceed as follows.

8.02 Submittal requirements.

8.02.01. In addition to the items required for the preliminary plat approval, the following must be submitted and approved by the county engineer. See Chapter 16.28 also.

- a. As-built engineering details for water delivery systems, both culinary and irrigation;
- b. Landscaping detail and fence cross-sections, if applicable;
- c. Bridge, road and street cross-sections and profiles, weight capacity calculations;
- d. Engineering for any other improvements on plat;
- e. Final codes, covenants and restrictions;
- f. Maintenance and operation plans for commonly owned utilities and open space;
- g. Homeowners' association incorporation documents; codes, covenants and restrictions;
- h. A copy of the subdivision plat as approved with conditions, if any, will be submitted with a number assigned to every lot corner, and at all angle points and points of curvature comprising the boundary lines of said lots or the center line of streets, roads and special easements;
- i. A computer printout, calculator tape or standard letter-size sheets of paper will be submitted with the Y/X coordinates for every point number on said plat. All coordinates will be from the same datum;
- j. The bearing and distance, or two parts of curve (radius, length of curve, delta, etc.) in the case of curved lines, will be drawn between coordinate pairs which traverse lot boundary lines or street center lines;
- k. Dedication statements on the plat;
- l. Plans and engineering detail for all work required by design standards found elsewhere in this title.

8.03 Signatures and certifications required.

8.03.01. County engineer will have example dedication statements required on plat from:

- a. District health department;
- b. County engineer certifying that Idaho Code and this title have been complied with, and that improvements are complete and accepted;
- c. Board of Caribou County commissioners;

- d. County treasurer — certifying that taxes have been paid;
- e. County recorder — certifying that the plat has been recorded;
- f. Surveyor or engineer certification that markers have been set and the plans are correct;
- g. Owner, dedicating roads, easements, common area if applicable, and any other lands dedicated to county or others;

8.03.02. Plat shall reference other recorded documents relating to the plat, including but not limited to: homeowners' association documents, codes, covenants and restrictions.

8.04 Bonding for improvements.

8.04.01. Prior to the recording of any approved plat, the developer shall have completed the improvements on the plat, or posted bond as required in an amount equal to 110% of the estimated cost to complete the unfinished work. Developer shall also submit proposed agreements, work schedule and estimated completion times to accomplish the improvements approved in final plat stage. Off-site improvements, if required, are not bondable items.

8.04.02. Type of Bond. The county will accept only the following types of bonds:

- a. Certified check; or
- b. Cashier's check; or
- c. Certificate of deposit made to, or irrevocably assigned to the Caribou County board of commissioners; or
- d. Any negotiable securities or irrevocable letter of credit or performance bond.

8.04.03. Amount. The bond, if approved by the county, shall be for one hundred ten (110) percent of the estimated improvements. A higher percent may be required if, in the opinion of the county engineer, Commission or board, the improvements may take over one year to complete.

8.04.04. Documentation/agreements. The developer shall provide detailed plans, e.g., drainage areas, cross-sections, sizes of culverts, costs per each, revegetation costs, etc., that are needed to determine the total dollar amounts required to ensure that the improvements will be completed.

8.05 County Review.

8.05.01. All documents, plans, estimates and bond proposals shall be submitted to the county engineer, who will coordinate the reviews with the appropriate county office. If the proposal meets the requirements of this title, the developer shall be notified by the staff who will forward the proposal to the commissioners at the appropriate time. The county engineer shall have a minimum of two days to review the final plat.

8.05.02. Acceptance by the County. The board of county commissioners may, after all other considerations have been made, review the proposal and if appropriate, accept the proposal. Official acceptances are by resolution. The resolution shall state the conditions of acceptance, amounts, time frames, and conditions of bond release.

8.05.03. Release of Bond. The board of commissioners shall release bonds only after certification of completion. The developer shall in writing, and at the completion of the project, request the staff to make a final inspection. The staff shall inspect the work and make a written report as to the completion and compliance with the conditions of approval and this title. If the project needs additional work the developer shall, when appropriate, request another final inspection. If in the opinion of the staff, the proposal meets the standards, then they shall notify the board of said compliance. The board may at that time release the portion of the bond covering the materials and

work performed. The county shall keep ten percent of the total bond amount as a performance bond for eleven (11) months after the proposal was first accepted.

8.06 Penalty in case of failure to complete the construction of a public improvement.

8.06.01. In the event the sub-divider shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, The Board may use any proceeds of the surety bond or other financial guarantee posted by the sub-divider for the completion of said public improvements. In order to accomplish this, the Board shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit or cashier's check which the sub-divider may have deposited in lieu of a surety bond, or may take such steps as may be necessary to require performance by the bonding or surety company, and as included in a written agreement between the Board and the sub-divider.

8.06.02. In the event the sub-divider fails to construct said improvements as required, and the Board finds it necessary to use the financial guarantee funds for completion of said improvement, the same shall not relieve the sub-divider, his agents, officers, or employees from liability for completion of the same or for restitution to the Board and County for costs of construction of said improvements.

8.07 Performance Bond.

8.07.01. At the end of the eleven (11) month probationary time, the developer shall request another inspection and shall follow the procedures as above.

8.08 Bond for Completed Improvements.

8.08.01. Developers shall post a bond for at least ten percent (10%) of the cost of the completed improvements as determined by the county engineer, as assurance that the improvements will not fail within a twelve (12) month period. At the end of the period, the county shall re-inspect the improvements. If repairs are deemed necessary by the engineer, the cost of the repairs shall be deducted from the bond; any unused moneys will be returned to the developer.

Chapter 9 - DESIGN STANDARDS

9.01 Open space subdivisions.

9.01.01. Requirement for Open Space. Open space designed subdivisions will be required as specified in the county zoning ordinance.

9.01.02. Design Criteria. Open space subdivisions will be designed to:

- a. Assure buildable areas on individual lots which will assure privacy to that lot and its neighbors and preserve open lands.
- b. Dwelling sites (buildable area) and building height limits, if appropriate, will be specified for each lot on the preliminary plat in such a manner as to provide privacy to subject lot and adjoining lots.
- c. Lay-out of the subdivision will avoid structure sites on ridges or other land forms which would increase visibility of new development.
- d. Reduce road-building which increases traffic dust, storm water runoff, and road maintenance expense.
- e. No more than an average of one hundred (100) feet of interior subdivision road is permitted per dwelling, not including arterial or collector roads or streets which connect to the subdivision.

- f. A design deviation to this requirement may be applied for to connect separate groups of home sites.
- g. Save water by using multi-party wells or community water systems if municipal utilities are not available.
- h. Shared utilities such as multi-party wells, community water systems and central sewer facilities shall be required when practical. Easements in the open space may be used to accommodate those facilities.
- i. Limit the use of culinary water for irrigation.
- j. Protect ground water quality by using appropriate sewage and effluent pre-treatment.
- k. Protect wildlife, crucial habitats and corridors.
- l. Retain and enhance rural character of the area.
- m. Preserve farmland, including dry grazing and wooded lands.
- n. Reduce infrastructure costs and service needs.
- o. Reduce visibility of development in rural areas.
- p. Offer on-site outdoor recreational opportunities.

9.01.03. Open Space Requirement.

- a. Not more than fifty (50) percent of the gross area shall be divided into individual lots, with the remainder devoted to open space. The open space shall include the areas listed in natural resource and natural features, Section 9.11. Additional open space shall be required to keep open and effective important wildlife habitat, wildlife migration routes, or prime agricultural land.
- b. Allowable density shall not be required to decrease. In an example, a thirty (30) acre tract of land zoned for one-acre lots will allow thirty (30) dwellings on approximately one-half acre lots and fifteen (15) acres of open space, assuming all thirty (30) acres are developable.
- c. Density bonuses up to ten percent of the applicable density, using the entire parcel, may be applied for when additional land is committed to permanent open space. For each minimum lot size committed to open space, another dwelling can be developed, up to ten percent more dwellings than would have been allowed without the bonus. Thus, if a proposed subdivision of one hundred (100) acres yields eighty (80) acres developable and the density is one dwelling per 2.5 acres, twenty-five (25) individual lots can be created on forty (40) acres. If the subdivider then commits ten additional acres to permanent open space, four additional lots (for a total of twenty-nine (29) building sites) may be created on thirty (30) acres.
- d. Open space created shall connect with other permanent open space, such as public land, riparian corridors, wetlands, other subdivision open space, or future logical open space area on undeveloped adjoining lands.

9.01.04. Developer may propose either of three options for the open space:

- a. Common-Owned Space. Each lot owner will be granted a deed to a proportional share of the common space. Thus, an owner of one lot in a sixty (60) lot subdivision will receive a warranty deed for an undivided interest (1/60th) of the common space. The deeds will be restricted permanently to prohibit development including fencing and will transfer with the deeds to the individual lot. The open space cannot be sold or encumbered. The homeowners' association will own and manage the common space and be responsible for its upkeep, tax payment, and use,

in perpetuity. Open space not within an important wildlife habitat may be used for outdoor recreation purposes, and ten percent of the open space area may be developed for common-owned recreation facilities. Open space within an important wildlife habitat shall be limited to ten percent of the open space area which may be used for recreation involving horses or motorized vehicles or structures.

b. Separate Lot. This concept treats the remainder of the site as a separate lot which can be retained by the developer who may elect to keep or sell it. The lot will be deed-restricted against further development but it can be farmed or timbered, etc., as specified and approved by the Commission.

c. Transfer Ownership to a Public Agency. The developer may deed the open space to a public agency such as the Forest Service, Fish and Game, etc., provided that agency is willing to accept it, by deed or by conservation easement approved by the Commission and the public agency.

9.01.05. The Commission shall impose appropriate deed restrictions on the common or open space to ensure its intent for future use and preservation.

9.01.06. Open space may include easements for sewage and effluent pretreatment facilities and wells, buffers and firebreaks, drainage ways, floodplain, riparian areas or corridors, detention basins and the like. Utility easements such as distribution lines or pipeline easements may, at the discretion of the Commission, be counted as open space.

9.01.07. Open space shall not be used for open storage or for collection of refuse, junk or garbage.

9.01.08. Driveways of any length serving two or more structures or two or more nonagricultural uses shall be built to county standards (Section 9.02).

9.01.09. Neighborhood Commercial Uses. Neighborhood commercial uses may be considered in open space subdivisions of adequate size to support the proposed use. Such uses shall not depend on business from more than two miles outside its subdivision, as indicated by a market study provided at the developer's expense. Location and type of such uses will be specified on the plat at concept review.

9.01.10. Open Space Designed Subdivisions. Open space designed subdivisions are subject to all other provisions of this title. Open space designed subdivision applicants may apply for design deviations for Sections 9.02, 9.05 and 9.06.

9.02 Roads, bridges and streets.

9.02.01. The arrangement, character, extent, width, grade and location of all streets shall conform to the County Comprehensive Plan, Subdivision Ordinance, and any standard specifications and drawings adopted by the Board (see section b no.16) and shall be constructed in relation to existing and planned streets, to topographical conditions to public convenience and safety and in there relation to the proposed uses of the land to served by such streets.

9.02.02. Local or minor residential streets shall be designed as to discourage their use by through traffic.

9.02.03. Where a subdivision abuts or contains an existing or proposed arterial street, railroad, or limited access highway, the County may require frontage streets, reverse frontage streets, or such other treatment for the appropriate use of the tract.

9.02.04. There shall be provided rights-of-way of such width and as provided for in the County Comprehensive plan, Subdivision Ordinance, and standard specifications and drawings adopted by

the Board, provided, however, that the width of said right-of-way shall in no case be less than the following unless otherwise set forth in standard specifications and drawings adopted by the Board:

a. Type of Street Right-Of-Way Width

a.01 Collector Street will have a Right-Of-Way width of 80 feet

a.02 Local Street will have a Right-Of-Way width of 60 feet

9.02.05. Cul-de-sac streets shall terminate in a circular turnaround with a right-of-way radius of at least seventy-five (75) feet. The Board may approve an equally convenient form of turning space where extreme conditions justify. The maximum length shall be four hundred (400) feet from the entrance to the center of a turn-around or as determined by the Commission based upon topography, lot size or other conditions affecting the proposed subdivision. In the event that the cul-de-sac is a part of a school bus route and/or maintained by the County there shall be provided a one-hundred (100) foot radius turnaround at terminus

9.02.06. Dead-End streets will not be approved except in locations designated by the Board as necessary to future extensions in development of adjacent lands. In any case, a dead-end street serving more than four (4) lots, shall provide by easement a permanent turning circle with a seventy-five (75) foot radius or other acceptable design to accomplish adequate access.

9.02.07. The length of loop streets shall be determined by terrain and the Road and Bridge Department.

9.02.08. Streets shall be planned to intersect as nearly as possible at right angles, but in no event less than seventy (70) degrees. Streets intersecting an arterial shall do so at a ninety (90) degree angle.

9.02.09. Where any street deflects at an angle of ten (10) degrees or more, a connecting curve shall be required having a minimum center line radius of three hundred (300) feet for arterial and collector streets and one hundred twenty-five (125) feet for local streets.

9.02.10. Streets with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.

9.02.11. A tangent at least one hundred (100) feet long shall be provided between reverse curves for collector and arterial streets.

9.02.12. At street intersections, property line centers shall be rounded by a circular arc, said arc having a minimum tangent length of twenty (20) feet.

9.02.13. Street intersections with more than four (4) legs and Y-type intersections where legs meet at acute angles shall be avoided.

9.02.14. Maximum grades of seven percent (7%) for all streets and roads.

9.02.15. Approaches leaving or entering County roads will be allowed a minimum of a 1/4 mile apart.

9.02.16. Bridges shall be designed and constructed according to State of Idaho Transportation Department "Manual of State Design Standards," current edition.

9.02.17. Design deviations to above referenced standards may be granted in open space design subdivisions. These deviations shall require approval by the Planning and Zoning Commission, county engineer and superintendent of highway district, and must be properly supported with an adequate cost-effect analysis, or written discussion based on engineering judgment or practicality.

9.02.18. The standards contained herein are considered to be minimum, and may be exceeded where county deems necessary. A written discussion of these areas shall be included in concept approval process, Chapter 6.

9.03 Driveways.

9.03.01. All driveways must meet the following standards:

- a. Have a minimum width of twenty (20) feet.
- b. All driveways over one hundred fifty (150) feet long, measured from the right-of-way, shall include a forty-five (45) foot radius turnaround or equivalent backup area, and are considered fire apparatus access roads, requiring review by fire suppression district.
- c. All-weather surface: Where the driveway meets a paved road, driveways must be paved with concrete or asphalt to the right-of-way line of the public road.
- d. No ditch sections shall exceed three hundred (300) feet on grades of three percent or greater without a cross-drain or other approved structure to provide water runoff management.
- e. Prior to beginning of construction, driveways shall be either paved or graveled to prevent the tracking of soil off the site. It is the responsibility of the building permit holder to pave or gravel the driveway adequately prior to grading the building site.
- f. A developer of a subdivision is not responsible for construction of driveways unless specifically required by the Planning and Zoning Commission.
- g. Driveways serving more than two residences, or other nonagricultural buildings, without regard to length, must be built to the standards in subsection A of this section.

9.04 Subdivision Ingress and Egress.

9.04.01. Subdivisions of twenty (20) or more lots or which adjoin an existing subdivision, the combination of which will equal twenty-five (25) lots, shall provide two or more ingress/egress roadways, developed to standards adopted herein. When connected to an adjoining subdivision street which has egress to a collector or arterial road, that roadway may be considered the second ingress/egress. The Commission shall have the option of requiring two accesses for development of fewer lots where one access may not provide adequate, safe ingress and egress due to steepness, wildlands, or development which would preclude use as a safe exit.

9.05 Blocks.

9.05.01. Block Shapes. Block length and width or acreage within bounding roads or streets shall accommodate the size of the lot required in the area by the zoning ordinance and shall provide for convenient access, circulation control, and safety of road or street traffic.

9.05.02. Pedestrian Walks. In blocks more than one thousand (1,000) feet long, pedestrian walks may be required in situations deemed necessary by the Commission. Such walkways shall be three to ten feet wide.

9.05.03. Size. For commercial, group housing, or industrial use, block size shall be sufficient to meet all area and yard requirements for such use.

9.05.04. Width. Blocks shall be wide enough to allow for two tiers of lots, unless the topography or other factors dictate the use of one tier through lots.

9.06 Lots.

9.06.01. Building Site. Each lot shall contain a satisfactory building site which is related to topography and conforms to the district health department requirements and this title.

9.06.02. Restricted Lots. All lots which meet the following criteria shall be marked with an "R" and indicated by shading on the preliminary and final plats. An "R" placed next to the lot number and the reasons for the restrictions (floodplain, steep slope, subwater, drainage easement, etc.), shall be noted on the plat. Lots with slopes in excess of twenty-five (25%) and not including a build-able portion of the lot with an average slope of less than twenty-five percent (25%) shall be classed as restricted and shall be marked on the plat with an "R" to the right of the lot number.

9.06.03. Steep slopes: Lots with a slope in excess of twenty (20) percent grade over twenty-five (25) percent of the lot. Such areas will be shaded on the plat, with explanation of the restriction on the face of the plat;

9.06.04. Water problems:

- a. Lots with riparian areas, wetlands, subwater, floodway or floodplain,
- b. Lots with drainage easements or drainage way(s) anywhere on the lot,
- c. Lots with free-flowing water on any portion of it,
- d. Lots bounded by collector or arterial roads or streets. No access shall be permitted onto such roads or streets.

9.06.05. Dimensions and Area. Lot dimensions and area shall be not less than the requirements of the zoning ordinance. Design deviations may be applied for on plats designed under Section 9.01.

9.06.06. Width to depth ratio shall not exceed one to five; i.e., a one hundred (100) foot width lot cannot exceed five hundred (500) feet in depth.

9.06.07. Minimum width shall be ten feet except in open space designed subdivisions.

9.06.08. Side Lot Lines. Insofar as is practical, side lot lines shall be at right angles to straight roads or streets, and radial to curved roads or streets.

9.06.09. Approved Road or Street. All lots must front upon an approved road or street, either public or private; all roads must be certified by the county as a suitable road or street, as shall be constructed in accordance with Section 9.02.

9.06.10. Hazardous Building Sites Prohibited. Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formations, flood conditions, access problems, or similar circumstances, the Commission may, after adequate investigation, withhold approval of such lot.

9.06.11. Reverse Frontage. All lots in subdivisions of more than four lots shall access to an interior subdivision road or street. Access shall not be permitted onto functionally classified roads, highways or streets.

9.07 Drainage ways.

9.07.01. Easement. Where a subdivision is traversed by a watercourse, drainage way, wet weather line of surface drainage, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse. Such drainage ways shall be preserved as open space. Such areas shall be restricted from development of roads and structures, and the plat shall so indicate.

9.07.02. Design and performance standards in Section 9.11 and elsewhere in this title further restrict development in stream or riparian areas.

9.07.03. Alteration. Regrading, stripping of vegetation, or filling may be permitted in these areas, provided that the drainage is not a riparian area as defined in this title, and a plan is submitted to and

approved by the county engineer. Such plans shall insure that storage capacity and flow is not degraded.

9.08 Water systems.

9.08.01. Culinary Water Systems. Culinary water systems must be approved by division of environmental quality, Caribou County engineer, and district health department. Such systems must be designed by a licensed engineer, who will sign the plans and certify that the system was installed according to the approved plans.

9.08.02. Additional Reports. The Commission may require a report by a professional hydrologist at the applicant's expense. Said report shall indicate availability and quality of water; adequacy of water delivery system design, and maintenance. Hydrologist shall be selected jointly by county engineer and Commission.

9.09 Public water supply and central sewer system.

9.09.01. All public water supply or central sewer systems (serving two (2) or more separate premises or households) shall be constructed in accordance with any plans and specifications as may be adopted by the board as well as specifications and regulations of the District Health Department and /or State of Idaho. All new public water supply or sewer systems shall be an extension of an existing public system whenever possible. In the event that the proposed public water system or sewer system is not an extension of an existing public system, there shall be a showing of the sub-divider that the extension is not feasible and not in the best interest of the public. All water and sewer plans shall be submitted to the District Health Department or other appropriate state agency for approval.

9.09.02. The sub-divider shall provide for the perpetual method of maintenance and operation of public water supply and sewer systems (serving two (2) or more separate premises or households) to insure the continued usefulness of the system.

9.10 Utilities: Electric, telephone, gas and others.

9.10.01. Underground Utilities Required. In all subdivisions, the electric, gas, telephone and other utility lines shall be installed underground from the lot boundary to any structure(s). The subdivision applicant shall install power to the lot boundaries. The power shall be installed outside the road right-of-way except for crossings. Distribution power lines may be above ground with the Commission's approval. In any city's area of impact and where that city's subdivision ordinance requires all underground utilities, that city's ordinance shall apply.

9.10.02. Placement - Utilities shall be placed as follows: North and west side of roadways — water and gas; south and east side of roadways — sewer. Telephone and underground utilities may use either side of the roadways. The developer shall submit location information with the preliminary plat.

9.10.03. Abbreviations to be used on plat: T—Telephone; P—Power (electric); W—Water; S—Sewer; G—Gas; T.V.—Cable; PL—Pipeline; OC—Optical Cable.

9.11 Buffer yard area.

9.11.01. Subdivisions and other types of development may conflict with existing or planned development. Subdivisions and commercial or industrial development in the county must create buffers to reduce this conflict, existing or potential. The following chart specifies the width of the buffer between the subdivision and the existing or planned uses:

Use or Zone	Buffer Yard Width (feet)
Agriculture, present use or zoned	20
Forestry	Fire break at least twenty feet (20') wide or as set

	by Commission
Residential, existing or zoned	0
Commercial or retail, present use or zoned	50
Indoor Recreation	50
Institutional Residential	50
Outdoor Recreation	50
Agricultural Support	30
Office and professional uses, existing	30
Public Service	40
Road Service	40
Commercial Recreation	40
Light Industry	50
Extraction, junkyard or heavy industrial	75

9.12 Natural resource or natural limitation performance standards.

9.12.01. Environmental Protection. In addition to the regulations imposed elsewhere in this title, all development shall be preceded by the identification of any environmental or natural features described in this section, and shall meet the standards of environmental protection as set forth below.

9.12.02. Site alterations, regrading, filling, and clearing or planting vegetation prior to approval of the final plat shall be a violation of this title.

9.13 Wetlands.

9.13.01. All such areas shall remain as permanent open space when situated within a plat for development, except for the items listed in subsection (B)(3) of this section, as set forth in Section 9.01.

9.13.02. Wetlands shall not be filled nor dredged.

9.13.03. Permitted Uses. The following buildings or structures may be permitted within wetlands. Permits are required from the Army Corps of Engineers and Idaho Department of Water Resources, in addition to a county development permit. Permitted uses shall not exceed five percent of the wetland area.

- a. Boat launching ramps, boat, piers, bridge and bridge approaches, marinas, picnic shelter, and stormwater detention facilities, provided that a licensed engineer has certified that such

structures are designed to withstand the forces exerted by the 100-year storm event. Evidence of this certification shall be presented as precondition to issuance of a development permit.

b. Boat houses, boat buildings, and accessory structures (except boat or motor repair buildings) associated with uses permitted in subsection (B)(3)(a) of this section, provided that a licensed engineer certifies that such structures are designed to allow free entrance of floodwater and to withstand structurally the forces exerted by the 100-year flood event at that location, and conformance with the county flood damage control ordinance. Evidence of this certification shall be presented as a precondition to issuance of a development permit.

9.14 Steep Slopes. In areas of steep slopes, the following standards shall apply:

9.14.01. Fifteen (15) percent to less than thirty (30) percent slope: No more than twenty (20) percent of such areas shall be developed and/or regraded or stripped of vegetation. All areas of disturbed soils shall be reseeded to NRCS standards.

9.14.02. More than thirty (30) percent slope: No more than five percent of such areas shall be developed and/or regraded or stripped of vegetation. All areas of disturbed soils shall be reseeded to NRCS standards. At least fifty (50) percent of all areas over thirty (30) percent slope shall be designated open space; one hundred (100) percent of slopes greater than thirty-five (35) percent shall be designated open space as set forth in Section 9.01.

9.14.03. Structures shall not be permitted on slopes of twenty (20) percent or greater without an engineer site plan, including roads, stamped by a civil engineer licensed in the state of Idaho. Prior to issuance of an occupancy permit, a final grading inspection shall be required.

9.15 Lakes and Ponds.

9.15.01. All such areas shall be permanent open space unless totally included in one lot. No development or diverting of these bodies of water shall be permitted except to provide required roads. Filling shall be permitted only in conjunction with deepening the lake and is permitted only if surface area and flood retention remain unchanged or are enlarged. Army Corps of Engineers will require a permit.

9.15.02. No structures, animal runs or enclosures, or septic drain-fields or other sewage treatment facilities, are permitted within one hundred (100) feet of the riparian area surrounding a body of water. Southeastern District Health Department regulations may require greater distances.

9.16 Riparian Areas, Shorelines of Lakes, Ponds, Streams and Rivers.

9.16.01. No structures, animal runs or enclosures, or septic drainfields or other sewage treatment facilities, are permitted within one hundred (100) feet of the riparian area. Southeastern District Health Department regulations may require greater distances.

9.17 Important Agricultural Soils.

9.17.01. In the agriculture zoning district at least ninety (90) to ninety-five (95) percent of all such areas shall remain as permanent open space. Accessory farm structures (i.e., barns, silos) shall be permitted in the open space. This is to preserve and protect the important agricultural soils, crop lands and grazing areas of the county. Also, see definition of "important agricultural soils."

9.18 Stormwater runoff.

9.18.01. On-Site Detention. Each development shall provide for the on-site or off-site detention of excess stormwater runoff resulting from that development. For the purpose of this title, excess stormwater runoff shall include all increases in stormwater resulting from: an increase in the impervious surface of the site, including all additions of buildings, roads and parking lots; changes in soil absorption caused by compaction filling or draining of small depressional areas, alterations of drainage ways, or regrading of slopes; destruction of forest; alteration of drainage ways or

installation of collection systems to intercept street flows or to replace swales or other drainage ways; or the alteration of subsurface flows, including any groundwater de-watering or diversion practices such as curtain drains, compared with the site in its natural state.

9.18.02. Limitation of Stormwater Runoff. No development shall cause downstream property owners, watercourses, channels or conduits to receive stormwater runoff from proposed developments at a higher peak flow rate than would have resulted from the same storm event occurring over the site of the proposed development with the land in its natural, undeveloped condition. "Undeveloped condition" means that all the natural retention areas and drainage ways plus existing farm drainage tiles and highway drainage structures shall be included in the flow calculations. For the purposes of the following calculation, all ground covers shall be considered to be meadow or grassland, with the exception that forested areas shall be treated as woodland. "Channel" or "drainage way channel" means the channels used to convey the 100-year drainage flows from the property to retention facilities, or between successive retention facilities or to retention facilities from the property.

9.18.03. Design Regulation. All detention facilities and improvements required by this section shall comply with the following regulations:

- a. Storage Volumes. Storage may be provided by wet or dry bottom basins or reservoirs.
- b. Maximum Depth. The maximum planned depth of stormwater stored shall not exceed five feet unless natural ground conditions lend themselves to greater depths.
- c. Outlet Control Structures. Outlet control structures shall be designed as simply as possible and shall operate automatically. They will be designed to limit discharges into existing or planned downstream channels or conduits so as not to exceed the existing flow of the site in its natural condition.
- d. Spillway. Emergency overflow facilities shall be provided unless inflow is controlled to divert flows when the basin is at capacity.

9.18.04. Dry Bottom Basin (Basins Designed Without Permanent Pools):

- a. Interior Drainage. Provisions must be made to facilitate interior drainage; to include the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities, or the installation of subsurface drains.
- b. Multipurpose Features. These may be designed to serve secondary purposes for recreation, open space, or other types of use which will not be adversely affected by occasional or intermittent flooding.
- c. Cleaning. The basins shall be designed for periodic cleaning and removal of sediments, which shall be removed from the site or otherwise disposed of in an appropriate manner.

9.18.05. Wet Basins (Basins Designed as Permanent Pools):

- a. Depth for Fish. If fish are used to help keep the basin clean, at least one-quarter of the area of the permanent pool must have a minimum depth of ten feet.
- b. Facilities for Emptying. For emergency purposes, cleaning or shoreline maintenance, facilities shall be provided or plans prepared for the use of auxiliary equipment to permit emptying and drainage.
- c. Pollution Abatement. Aeration facilities may be required when the quality of the influent and detention time would result in a lowering of dissolved oxygen content in the basin.
- d. Slopes. Approach slopes shall be at least six to one but not more than three to one and shall be at least four to six feet wide and slope gently toward the basin. The side slopes shall be of

nonerosive material with a slope of one to one or flatter. The ledge shall be four to six feet wide and slope gently toward the shore to prevent people or objects from sliding into deep water. There shall be a freeboard of twelve (12) to eighteen (18) inches above the high-water elevation on all retention basins. Alternate designs for side slopes may be considered under special circumstances where good engineering practice is demonstrated.

e. Cleaning. The basins shall be designed to include sediment traps in all inlets. Sediment traps shall be designed to permit periodic cleaning and maintenance. A basin maintenance plan shall be developed to ensure that the design depths of the basin will remain over time.

9.19 Maintenance of Facilities.

9.19.01. The developer shall post a performance bond for one hundred ten (110) percent of the cost of developing and maintaining the detention facility with the county. The bond will be returned at the end of five years provided that the county has not used funds to repair or maintain said facilities. The developer shall be responsible for the maintenance of all improvements until such time as eighty (80) percent of the development is completed and occupancy permits are issued or five years from plat recording date, whichever is greater. At that time, the facilities may be transferred to the homeowners' association for maintenance after the developer has complied with the above. Thereafter, all detention improvements shall be maintained by the homeowners' association or individual lot owner if wholly located on one lot, in perpetuity and cannot be altered or eliminated.

9.20 Inspection of Facilities.

9.20.01. The developer's engineer shall be required to inspect all drainage facilities under construction and certify their compliance with approved plans. In addition, a registered engineer, employed by Caribou County at the developer's expense, may inspect all drainage facilities while under construction, at the discretion of the county engineer. When facilities are not constructed according to approved plans, the county has the explicit authority to compel compliance and require correction. It may suspend building permits, sue civilly or criminally, or complete the construction according to the approved plans and levy the property for the amount of money necessary to do so.

9.21 Access for fire vehicles and other standards.

9.21.01. Caribou County has adopted the Uniform Fire Code. Such accesses shall be developed to accomplish the following:

- a. To facilitate rapid and effective extinguishment of fires by ensuring that all premises, which a fire department may be called upon to protect in case of fire, shall be readily accessible for effective fire department operations;
- b. To prevent fire from entering wildlands;
- c. To prevent the rapid spread of fire to other properties.

9.21.02. Definition. Fire vehicle access roads are those private roads, driveways, demarcated lanes and the like which connect public roads or streets to improvements; public roads are not included in the definition.

9.22 Other design requirements for subdivisions which create more than four lots.

9.22.01. Central mail box drops shall be required on all developments as per U.S. postal requirements and this title.

9.22.02. School bus accommodations shall be provided at school district's request and preference for locations.

9.23 As-built plans.

9.23.01. Submittal Requirements. Two certified copies of the engineering details as actually built for roadways, utilities and all other improvements shall be submitted within two weeks of the completion of the project by the project engineer or developer. No bond may be released, and no building permits issued, until after the as-built certificate, certifying that the utilities and road are built and placed as approved, has been reviewed and approved by the county engineer or authorized individual.

9.23.02. Details for Proposed and As-Built. Proposed and as-built plans:

- a. Show lines and directional flow of utilities (arrows are optional);
- b. Stake dead-ends or stub in and/or show changes in direction or size;
- c. Indicate utility crosses, depth, size, type, etc;
- d. Use the approved abbreviations and make notes clear and concise;
- e. Indicate bends, offsets, or dead-ends;
- f. Do not show more than one utility at one location through only one view. Use top and side views for clarification of details where necessary.

9.24 Profile and cross-section standards—Survey profiles.

9.24.01. Road Profiles. A profile of each proposed street or road shall be submitted.

9.24.02. Horizontal scale shall be one-inch equals one hundred (100) feet

9.24.03. Vertical scale shall be one-inch equals ten feet and shall include the following features.

9.24.04. Existing ground profile along the center line shall be shown in reproducible ink with a dashed line. Such profile will include the lowest elevation of creeks or canyons as they cross the center line. The proposed name of the street or road shall be clearly indicated. Profile may be taken from accurate contour lines of the preliminary plan.

9.24.05. Proposed center line grades shall be shown by a solid dark line.

9.24.06. Vertical PI (point of intersection) shall be shown by a small circle with station number and elevation.

9.24.07. Grades shall be lettered on the slant of the grade and expressed to nearest 0.10 percent of grade.

9.24.08. Stations shall be numbered along the bottom of each profile at each one hundred (100) foot station.

9.24.09. Stations of intersecting streets shall be shown on the profile.

9.24.10. Elevations shall be numbered every ten feet at each end of the profile.

9.24.11. Vertical curves shall be shown by a solid line and labeled with the length of the curb.

9.24.12. Horizontal tangents and curves shall be shown.

9.24.13. Profiles shall extend at least three hundred (300) feet beyond the boundaries of the subdivision.

9.24.14. Title of the profile shall be placed in the upper left corner of the profile sheet in reproducible letters approximately one-half inch high including:

- a. Plat name;
- b. Identification as a profile sheet;
- c. Scale, horizontal and vertical;
- d. USGS datum;
- e. Stamp of surveyor or engineer preparing the profile.

9.24.15. Approximate locations and elevations of culverts, drain pipes, or utility pipes or lines buried in the right-of-way shall be shown.

9.25 Survey Cross-Sections Submittal Requirements.

9.25.01. Cross-sections for each proposed street or road shall be submitted to the following scale:

- a. Horizontal scale: one-inch equals one hundred (100) feet;
- b. Vertical scale: one-inch equals ten feet.

9.25.02. Cross-sections shall be shown at:

- a. Each and every one hundred (100) foot station;
- b. Intermediate points of critical concern, such as at extremely deep fills, high cuts or at existing proposed driveways or buildings;
- c. The locations of the widest part of a vehicle turnaround;
- d. Existing ground elevations, shown in black India ink with dashed line. When cross-sections are for a preliminary plat, the existing ground may be scaled from accurate five-foot contours.

9.26 Drawing Standards.

9.26.01. Existing center line elevation shall be shown in numbers one-tenth inch high, one inch to two inches below cross-section, drawn directly beneath center line of cross-section.

9.26.02. Station designation shall be shown below center line elevation numbers drawn in.

9.26.03. Original ground shall be shown at least fifty (50) feet outside required right-of-way when five to ten-foot contours are shown on the preliminary map or tentative map and fifty (50) feet where uncontrolled USGS contours are shown on the preliminary map or tentative map.

9.26.04. Title of cross-sections shall be placed on the cross-section sheet including:

- a. Plat name identification as cross-section sheet number;
- b. Scale, horizontal and vertical;
- c. USGS datum;
- d. Stamp of surveyor or engineer preparing the cross-section.

9.26.05. Overlapping of cross-sections will be avoided when possible.

9.27 Standards of survey accuracy.

9.27.01. The survey of the map or plat shall be of such accuracy as to conform to the minimum requirements of state law. The county engineer will check the plat to ensure mathematical correctness and certify that all local ordinances and applicable state laws have been complied with.

9.28 Monument.

9.28.01. Monuments shall comply with Idaho State Law 50-1300.

9.28.02. Identification of Found Monuments. The surveyor shall clearly identify on the face of the plat all found monuments and their origin used in the survey and the descriptions shall be sufficient to identify the monuments without reference to another record.

9.28.03. Setting of Monuments. All monuments must be set prior to the filing of a plat. Witness posts must be installed prior to recordation of any plat or record of survey.

9.28.04. Adjoining Surveys and Plats. The plat shall clearly show the relationship of all adjoining surveys of record and their relationship to the plat.

9.28.05. Witness Posts.

- a. Every front and rear lot corner shall also be marked with a witness post.
- b. Posts shall be a minimum of four feet above ground and securely placed with a minimum of one foot buried.
- c. The posts shall be a metal, high-impact plastic, fiberglass or other approved material.
- d. Minimum face diameter shall be one and one-half inches for "t's."
- e. Minimum face diameter shall be one and one-half inches for pipe.
- f. Color shall be white, yellow, orange, bright red, or any fluorescent color band six inches wide around the top of the post.
- g. Posts shall have permanently marked on it the block and lot number.

9.28.06. Off-Set Monuments. When the placement of a required monument at its proper location is impractical, the surveyor may set a reference monument near that point. Such a reference monument has the same status as other monuments of record if its location is properly shown.