



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: March 5, 2024  
FROM: Mike DeSimone, Director  
SUBJECT: Ordinance #24-09 (LDC Amendments – Subdivisions)

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### Summary of Planning Commission Proceedings

*Project Name:* Subdivisions  
*Request:* Code Amendment  
*Project Address:* Citywide  
*Recommendation of the Planning Commission:* **Approval**

On February 22 2024, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

Amend Land Development Code (LDC) Chapter 17.40 "Subdivisions" and 17.41 "Boundary Line Adjustments, Vacation or Amending of a Subdivision Plat Map" to bring the City's land division regulations into compliance with changes to UCA Title 10, Chapter 9a, Part 5 & 6 adopted by the State Legislature during the 2023 legislative session (SB 174).

### Planning Commissioners vote (5-0):

Motion: K. Heare  
Second: R. Croshaw  
Yea: R. Croshaw, D. Lewis, E. Peterson, K. Heare, S. Doutré  
Abstain: none Nay: none

### Attachments

*Ordinance #24-09*  
*Staff Report*  
*PC Meeting Minutes*



**Project #24-008  
Subdivisions  
Land Development Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Subdivisions, Boundary Line Adjustment, Plat Vacations, Plat Amendments
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	February 22, 2024
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.40 & 17.41 of the Land Development Code.

**REQUEST**

This is an update of the Subdivisions, Boundary Line Adjustment, Plat Vacations, and Plat Amendment Standards in the Land Development Code (17.40 & 17.41) to bring the City's land division regulations into compliance with Senate Bill 174 & UCA Title 10, Chapter 9a, Part 5 & Part 6 adopted by the Utah State Legislature during the 2023 legislative session.

**SUMMARY OF PROPOSAL**

The changes required by Senate Bill 174 are centered around four general areas:

*Procedural*

- Cities need to establish the Administrative Land Use Authority for the different types of land divisions. The language in SB174 emphasizes that the review of a preliminary plat is an administrative function and not a legislative function. Final plat approval cannot be reviewed by either the City Council or the Planning Commission. *(Already in current LDC)*
- Cities cannot mandate a conceptual plan review. *(Logan does not mandate conceptual plan review)*
- Cities need to define what a "complete application" consists of. *(Logan will have new "complete applications" for all elements covered under SB174)*

*Timing of Review Process*

- Initial review of a complete preliminary plat application shall be completed within 15 business days. *(In proposed code language – City's predevelopment review process will be conducted within 15 days of complete application whereas "approval" of a preliminary plat still resides with Planning Commission in a public hearing)*
- Final plat review completed within 20 days of receiving a complete final plat application. *(In proposed code language)*
- Capped review cycle – no more than 4 review cycles for the final plat. *(In proposed code language)*
- Applicant required to respond to changes. All disagreements must be in writing. *(In proposed code language)*
- Modified lot line adjustment provisions to remove requirement to record an amendment

plat. *(In proposed code language)*

#### **Engineering Standards**

- Cities need to have codified engineering standards. *(Road standards already codified, water/sewer standards In process with PC 24-004)*
- No bonding for landscaping on private property permitted anymore. *(No longer requiring landscape bonds – this does affect applicants trying to get into buildings during winter, early, etc.)*
- New road standards – limit pavement widths on residential roads (25 mph) to no greater than 32'. *(Existing road standards consistent with this requirement)*

#### **Appeals Processes**

- SB 174 creates two distinct appeals processes after the four review cycles have been exhausted and 20 days have passed. *(In proposed code language)*
  - Disputes related to public improvements or engineering standards: within 10 days assemble a panel of three engineers to function as the review authority on the specific disputed standard.
  - Other disputes follow existing appeals process & appeals authority.

#### **Summary of Proposed LDC 17.40 - Subdivisions**

The proposed revisions to Chapters 17.40 and 17.41 are attached. Changes were made to address the requirements under SB 174. The following is a summary of the proposed changes to Chapter 17.40 (Subdivisions):

- Expanded the "General" requirements;
- Identified the Land Use Authority's for each different type of land division;
- Updated the Preliminary Plat procedures and application requirements that the submittal shall include information addressing soils & groundwater, floodplain and drainage, wetlands & critical lands, and preliminary traffic study (above a certain threshold of development);
- Updated the preliminary plat document requirements;
- Included a timeline for preliminary plat application review (5 & 15 business days);
- Included a statement of Notification of Approval to match current practices;
- Cleaned up the Final Plat procedures (Engineering is putting together specific application checklists for final plats);
- Included a timeline for final plat application review (5 & 15 business days);
- Included a reference to Utah Code 10-9a-508 for the specific appeals processes; and
- Updated final plat recording procedures and requirements;

The following is a summary of the changes to Chapter 17.41 (Boundary Line Adjustments, Subdivision Plat Amendments or Plat Vacations, or Vacation of Rights of Way or Easements):

- Updated Purpose statement;
- Identified the Land Use Authority's for each different type of specific activity;
- Clarified the review and approval procedures for Boundary Line Adjustments (City Engineer);
- Clarified the review and approval procedures for Plat Amendments and Plat Vacations;
- Clarified the review and approval procedures for Vacation of Rights of Way or Public Easements; and
- Added expiration deadlines for the actions covered under this Chapter.

**STAFF RECOMMENDATION AND SUMMARY**

As described above, the purpose of these proposed amendments are to bring the City's land division regulations into compliance with changes made to State Law.

**GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes is to bring the City's Land Division requirements into compliance with changes made to State Law. The proposed updates are consistent with the General Plan.

**PUBLIC COMMENTS**

As of the time the staff report was prepared, no comments have been received.

**PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 2/10/24 and posted on the City's website and the Utah Public Meeting website on 2/12/24.

**AGENCY AND CITY DEPARTMENT COMMENTS**

As of the time the staff report was prepared, no comments have been received.

**RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

**CITY OF LOGAN, UTAH**  
**ORDINANCE NO. 24-09**

**AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF  
LOGAN CITY, UTAH**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH AS  
FOLLOWS:

**SECTION 1:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.40 "Subdivisions" are amended as attached hereto as Exhibit A.

**SECTION 2:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.41 "Boundary Line Adjustments, Vacation or Amending of a Subdivision Plat Map" are amended as attached hereto as Exhibit B.

**SECTION 3:** This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

AYES:  
NAYS:  
ABSENT:

\_\_\_\_\_  
Amy Z. Anderson, Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Amy Z. Anderson, Chair

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_,  
2024.

\_\_\_\_\_  
Holly H. Daines, Mayor

# EXHIBIT A

## Chapter 17.40: Subdivisions

### §17.40.010 Purpose

Regulating subdivisions ensures the orderly development of the City in order to protect the public health, safety, and general welfare by ensuring new lots are adequate in size, shape, design, and topography to accommodate new development; roads are adequately designed to provide community linkages and conform to the block grid system; and the character of Logan's neighborhoods are protected in the development process.

### ~~§17.40.020 Standing to Apply~~

~~Any owner of real property proposing to create a subdivision of one or more lots shall follow the procedures in this chapter.~~

### §17.40.020 General

#### A. Transfer of Land or Sales of Portions of Subdivision Parcels.

No person shall sell, deed, or exchange, or offer to sell, deed, or exchange, any parcel of land that is a part of a subdivision or of a larger tract of land, or record in the office of the County Recorder any subdivision plat, unless the subdivision has been approved by the City according to the provisions of the Logan Municipal Code.

1. Parcels created without such approval by the City shall be considered part of an illegal subdivision and not eligible for further subdivision, or building permits, or other development permits until the illegal subdivision is corrected.

#### B. Building and Occupancy Permits.

It shall be unlawful for any person to receive a building or occupancy permit until all infrastructure improvements, as defined by Utah Code Section 10-9a-103, and public landscaping improvements are installed and accepted by the City in writing. In the case of uninstalled infrastructure and public landscaping improvements that are not essential to meet the requirements of the City's adopted building and fire code, a person is eligible for building or occupancy permits in accordance with the City's building and occupancy permit policies and Utah Code 10-9a-802 if performance and warranty bonds are posted (accompanied by a bond agreement).

#### C. Expiration of Preliminary Plat Approval.

A final plat shall be recorded within 12 months of preliminary plat approval or the preliminary plat approval become null and void unless a time extension is granted pursuant to Chapter 17.51.

1. For approved phasing plans, the first phase shall be recorded within 12 months of the original approval date or the entire preliminary plat becomes null and void.
2. Subsequent phases shall be recorded within 12 months of the recording date of the prior phase. If more than 12 months separates the recording of any one unit or phase from another, reapplication for a new subdivision is required.

#### D. Administrative Land Use Authority.

1. Preliminary Plat Applications. The Planning Commission is designated as the administrative land use authority for all preliminary plat applications, excluding minor subdivisions.
2. Minor Subdivisions. The Director is designated as the administrative land use authority for all preliminary plat applications for preliminary minor subdivisions.
3. Final Plats. The City Engineer is designated as the administrative land use authority for all final plat applications, including minor subdivisions.

**~~§17.40.030 — Procedures, Reports and Hearings~~**

~~Subdivisions are processed under the provisions of Chapter 17.48 and the requirements of this Chapter. Applications for subdivisions are heard before the Planning Commission as required by State law and this Code. Minor subdivisions shall be processed according to Section 17.40.040 and the requirements of this Chapter.~~

~~A. Department of Community Development Standards and Procedures:~~

~~The Director shall prepare administrative procedures and requirements to ensure that the Planning Commission has adequate information to make a decision about the proposed subdivision.~~

~~B. Public Works Standards and Procedures for Infrastructure:~~

~~The Director of Public Works shall prepare administrative procedures and requirements to regulate and monitor the construction of infrastructure required as part of subdivision design and development.~~

~~C. Other Department Standards and Procedures:~~

~~The directors of other departments participating in the subdivision process shall prepare administrative procedures and requirements related to the departmental needs in reviewing subdivision design.~~

**~~§17.40.040 — Minor Subdivisions~~**

~~The Director shall be the review authority for Minor Subdivisions and shall review applications according to Section 17.47.~~

~~A. Minor Subdivisions shall meet the following:~~

- ~~1. The total number of lots being created shall not exceed three (3);~~
- ~~2. A minor subdivision shall not involve a division of land requiring the construction of a new roadway;~~
- ~~3. The Director may refer minor subdivision applications to the Planning Commission (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17; and~~
- ~~4. The application for a minor subdivision shall meet the application and approval criteria in this Chapter.~~

~~B. Mailed Notice. Within ten (10) calendar days of receipt of a complete application, the Director shall send a written notice to owners of real property as shown on the latest official County Assessor's rolls within three hundred (300) feet of the perimeter boundaries of the subject property. This notice shall be in addition to any other requirements as specified by Utah law. The notice shall include:~~

- ~~1. The case number and the project's title;~~
- ~~2. The project's address;~~
- ~~3. The name of the proponent;~~
- ~~4. The type of project or projects, including an identification of all types of actions required;~~
- ~~5. The project description;~~
- ~~6. The anticipated decision date;~~
- ~~7. A statement explaining when and where interested persons can obtain information;~~
- ~~8. The name and phone number of the staff member assigned to review the application; and~~
- ~~9. An explanation on how to file an appeal of the decision.~~

~~C. Appeals shall be heard by the Land Use Appeal Board following the provisions of Chapter 17.50.~~

~~D. The Administrative Record of Decision shall serve as the administrative record of proceedings.~~

**§17.40.03050 ~~Additional Application Requirements~~ Preliminary Subdivision Plat Procedures**

- A. Application for Preliminary Subdivision Plat Approval Required:  
In addition to the requirements in Chapter 17.48, An application for a preliminary plat shall be submitted to Community Development, and to be considered a complete application, shall include the following:
1. Preliminary plat application form, accurate & complete application checklist, and applicant certification;
  2. Preliminary plat review fees as set forth in the current fee schedule as adopted by the City Council;
  3. Preliminary title report;
  4. Preliminary Soils report, based upon adequate test borings and excavations, prepared and sealed by a civil engineer specializing in soil mechanics and registered by the State of Utah which at a minimum provides the following information:
    - a. Identification of any geotechnical related Critical Lands within the project area;
    - b. Identification of site conditions that would require special analysis in the final soils report submitted with the construction plans;
    - c. For properties that are designated as a Critical Lands due to high groundwater, the preliminary soils report shall identify the Historic high groundwater elevations on the property as determined by piezometric measuring performed on a frequency equal to the greater of, 1 per acre of land or 1 per proposed stormwater basin, whichever is greater. A piezometric measurement shall include at least one measurement per month during the months of April through August.
  5. Preliminary Floodplain & Drainage Report for any development within a FEMA effective special flood hazard area, developments that are phased, or developments that exceed one (1) acre in size. The report shall be prepared by a civil engineer registered by the State of Utah and shall provide the following information:
    - a. Location of floodplain and floodway;
    - b. Identification of the location and quantity of stormwater that flows onto the property from adjacent properties during the 100 year – 24 hour event; and,
    - c. Preliminary basin locations, preliminary depths, preliminary basin bottom, top, and freeboard elevations, and historic high groundwater elevations as determined by the soils report.
  6. Wetland delineation when required by the City Engineer, the Director, or the Army Corp of Engineers;
  7. Preliminary traffic impact study shall be provided for all commercial subdivisions, subdivisions that will be phased, subdivisions containing 50 or more lots, or subdivisions containing 50 or more residential units. The preliminary traffic report shall comply with the standards outlined in the City's adopted Transportation Master Plan and including the following:
    - a. An analysis of the average daily trips generated by the proposed project;
    - b. An analysis of the distribution of trips on City street systems;
    - c. A description of the type of traffic generated; and
    - d. Preliminary Recommendations on what mitigation measures should be implemented with the project to maintain a level of service for existing and proposed residents that meets the standards of the Transportation Master Plan.
  8. A preliminary plat, stamped and prepared by, or under the supervision of, a licensed surveyor or engineer appropriately licensed to prepare plat maps in the State of Utah and conforming to the City's standard plat layout.

~~a complete application for a subdivision shall include a preliminary plat and the submittal of all applicable preliminary plat review fees as set forth in the current fee schedule as adopted by the City Council. The preliminary plat shall depict the content required by the City's administrative procedures and specified by Utah Law. At a minimum, all preliminary plats shall be stamped and prepared by, or under the supervision of, a professional appropriately licensed to prepare plat maps in the State of Utah.~~

B. ~~Contents of Preliminary Plat Requirements.~~

~~A preliminary plat shall include the following: The preliminary plat shall include the following items and other items as may be required by the Director or City Engineer:~~

1. The proposed name of the subdivision;
2. A title block that includes the following information:
  - a. Name ~~and address, mailing address, telephone number~~ of the subdivider;
  - b. Name ~~and address, mailing address, telephone number~~ of the owner of record if different from the subdivider;
  - c. Name, ~~address, license number, and~~ license type, ~~license number, mailing address, telephone number~~ of the licensed professional preparing the plat;
  - d. The tax identification number(s) of the subject property proposed for subdivision;
  - e. The official record number(s) of the current deed(s) for the property; and
  - f. The official stamp, signature, license number, and date of the person preparing the map.
3. A certificate with the signature of at least one owner of record consenting to the filing of the preliminary plat that states substantially the following:
 

*"I/we, the undersigned, do hereby affirm that I/we are record owners of the subject property proposed on this map for subdivision, and I/we consent to the filing of this preliminary plat map."* The signature(s) shall be notarized and the date signed shall be identified on the preliminary plat.
4. ~~The following existing improvements shall be shown on the preliminary plat in a lighter (faded) and/or dashed line type:~~
  - a. ~~Two (2) foot contours across the site;~~
  - b. ~~The location of existing perimeter property lines shown in a line type that is clearly distinguishable from other line types;~~
  - c. ~~The location, width, and documentation of the dedicating instrument for any existing public or private right of way or easement (PUE, irrigation, power, or any other easement);~~
  - d. ~~Location and extent of critical lands which are not buildable or require special approval as required by this code;~~
  - e. ~~The location and/or dimension of all existing improvements within the proposed subdivision boundary and within 200 feet on adjacent public and private rights of way, including: roadway infrastructure (pavement, curb & gutter, sidewalk, utilities), railroads improvements, trails, buildings, water courses, fences, irrigation ditches, culverts, all underground utilities and structures, driveways (adjacent and across the street) and other important features within or adjacent to the subdivision area;~~
  - 5.f. ~~Adjoining properties and current owners of record and all tax identification numbers and official record number of the current deed or legal description;~~
  - 6.g. ~~The location and diameter of existing sanitary sewer, water, irrigation, and storm drain lines in the area, and storm sewers, water mains, culverts and other underground structures with the location and size of the nearest water main and sewer outlet indicated on the preliminary plat;~~

5. The following proposed improvements shall be shown on the preliminary plat in a dark solid line type easily distinguishable from other features.
- a. Proposed subdivision boundary line in a thick dark line type that is distinguishable from other proposed or existing property line types.
  - b. The proposed name, location, dimensions, and labeling of and width of all proposed street improvements, rights-of-ways, alleys, easements, irrigation features, drainage, parks, open space, recreational amenities, trails, lots, easements, building setback lines, utilities, parks, and other common spaces;
  - c. Proposed cross sections for streets, roads, and utilities which at a minimum shall meet the dimensions and requirements for these facilities as identified in the City's master plans;
  - d. Location of any necessary temporary turnaround easements for emergency access on dead end roads;
  - e. The layout and dimensions of proposed lots with lot areas shown in square feet;
- ~~811. The location of all existing features on the site and within two hundred (200) feet of the subject property, including:~~
- ~~a. Existing public utility easements;~~
  - ~~b. Existing utilities including power, telephone, cable, gas, fiber, etc., and indicate whether they are to remain or be re-located (including proposed new locations); and~~
  - ~~c. Irrigation ditches, canals, drainage channels, culverts, wells, springs, etc.; hydrants and known sewer and water lines within two hundred (200) feet of the subject property;~~
  - ~~f. Date, north arrow, and an accurate bar scale;~~
- ~~11. Description and drawing of the typical template for streets, roads, and utilities;~~
- ~~g. A proposed phasing plan identifying the unit or phase boundaries on the preliminary plat and including a timeline for recording each subsequent final plat; and Failure to identify phases on the preliminary plat may require that the remaining unrecorded portion of the subdivision be reviewed by the Planning Commission when each subsequent final plat is submitted for City review;~~
- ~~153. Location and extent of critical lands, i.e., wetlands, floodplains, slopes in excess of 30%, riparian areas, etc., which are not buildable as required by this code; and~~
- ~~h4. Proposed Land Set Asides, open space, or other land held in common.~~
- C. Determination of Complete Preliminary Plat Application.
1. Within 5 business days of receiving a preliminary plat application, the City will determine whether the application, as submitted, is complete. If the application is determined to be incomplete, the application will be rejected. If the application is determined to be complete, the proposed preliminary plat will be scheduled for a hearing with the Planning Commission and according to the noticing and hearing procedures in Chapter 17.48.
  2. Within 15 business days of certifying that an application for a preliminary plat is complete, the City will conduct its initial review of the proposed preliminary plat in the City's pre-development review process.

**§17.40.0640 Preliminary Plat Approval Process~~Planning Commission Action~~**

As the Land Use Authority on preliminary plat applications, the Planning Commission will conduct a public hearing on preliminary plat applications according to the provisions of this Title.

- A. The Commission will approve a preliminary subdivision plat when it substantiates the following findings:~~Required Findings:  
The Commission may approve a preliminary subdivision plat when it substantiates the following findings:~~
1. The subdivision is consistent with the goals and policies of the Logan General Plan;
  2. Each lot conforms to the requirements of Title 17 of the Logan Municipal Code in terms of lot size, width, and depth;
  3. Each lot is physically suitable for development, has an adequate buildings site, and will not require variances due to physical constraints in order to be developed;
  4. Each lot has access to a street or easements to provide for connection to sewer service, water service, and other public utilities;
  5. The subdivision has been revised and amended by the conditions of project approval in response to issues raised by City Departments and public agencies, and to address legitimate public concerns;
  6. The subdivision meets the approval of the City Engineer for technical specifications, standards, and conforms to the conditions imposed on the subdivision by the Commission;
  7. The design and layout of lots and streets conforms to the city grid to greatest extent possible;
  8. The design and layout of lots and their associated building area is configured to protect critical lands,~~existing trees~~, and other natural features;
  9. The subdivision conforms to the requirements of Utah law;
  10. If the subdivision is proposed to be completed in phases or units, the Commission shall find that the subdivision can be completed in phases. ~~This finding shall be required in order to provide a record of the approved phasing.~~ The City Engineer Department of Public Works shall may make a recommendation on the location of phasing lines to ensure construction of infrastructure and utilities meets the requirements of the Department;
  11. Approval of the subdivision includes appropriate road rights-of-way, easements, and offers of dedication meeting the needs of the City; and
  12. Where adjoining streets are regulated by the Utah Department of Transportation, access to street(s) shall conform to the requirements of the Cache Access Management Plan.
- B. Failure to Substantiate Findings.  
The Commission may deny a proposed subdivision when it is not able to find facts in the record to substantiate the required findings in this section.
- C. Modification of Preliminary Plats.  
The Commission may modify a preliminary plat, including the elimination and resizing of lots, if it finds that the modifications or conditions imposed result in better design, layout, site development, or to satisfy development policies.
- D. Notification of Approval.  
The Director shall notify the subdivider, in writing, of the action taken by the Planning Commission in the form of a permit. This permit contains the Commission's record of decision including conditions of approval, findings of fact supporting the approval, and decision/expiration dates. The permit is required to be signed and returned to the Director for notarization and recordation with the County Recorder.

**§17.40.050 Minor Subdivisions**

The Director shall be the Administrative Land Use Authority for Minor Subdivisions and shall review applications according to Section 17.47.

A. Minor Subdivisions are subdivisions consisting of three (3) or fewer lots.

B. Application Requirements.

An application for a Minor Subdivision shall follow the application requirements listed in Section 17.40.030 for preliminary subdivision plats.

C. Mailed Notice.

Within ten (10) calendar days of receipt of a complete application, the Director shall send a written notice to owners of real property as shown on the latest official County Assessor's rolls within three hundred (300) feet of the perimeter boundaries of the subject property. This notice shall be in addition to any other requirements as specified by Utah law. The notice shall include:

1. The case number and the project's title;
2. The project's address;
3. The name of the proponent;
4. The type of project including an identification of all types of actions required;
5. The project description;
6. The anticipated decision date;
7. A statement explaining when and where interested persons can obtain information;
8. The name and phone number of the staff member assigned to review the application; and
9. An explanation on how to file an appeal of the decision.

D. The Director may approve a Minor Subdivision Plat that:

1. Consists of a preliminary plat with three or fewer lots;
2. Conforms to the requirements of Title 17 of the Logan Municipal Code in terms of lot size, width, and depth;
3. Is physically suitable for development, has an adequate buildings site, and will not require variances due to physical constraints in order to be developed;
4. Has access to a street or easements to provide for connection to sewer service, water service, and other public utilities;
5. Meets the approval of the City Engineer and other City Departments for technical specifications, standards, and conforms to the conditions imposed on the subdivision;
6. Includes appropriate road rights-of-way, easements, and offers of dedication meeting the needs of the City; and
7. Conforms to the requirements of Utah law.

E. Refer Minor Subdivision to Planning Commission.

The Director may refer minor subdivision applications to the Planning Commission (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17.

F. Final Minor Subdivision Plat Approval.

Following preliminary minor subdivision plat approval, the applicant shall follow the final plat approval provisions contained in Section 17.40.060.

G. Appeals shall be heard by the Land Use Appeal Board following the provisions of Chapter 17.50.

H. The Administrative Record of Decision shall serve as the administrative record of proceedings.

**§17.40.0760 Final Plat Subdivision Approval Procedure ~~separation~~**

The City Engineer shall be the Administrative Land Use Authority for Final Plats and shall review applications according to this Section.

- A. Final Plat Application. Application for Final Plat Approval shall be made within 12 months after the Planning Commission approval of the preliminary plat or Director's approval of a Minor Subdivision application. The application for final plat approval shall be made with the City Engineer and shall include the following:
1. Final Plat Application, including an accurate & complete application checklist;
  2. Copy of the signed, notarized preliminary plat permit;
  3. Final plat review fees as set forth in the current fee schedule as adopted by the Logan City Council;
  4. Final Plat prepared in compliance with this Title, Utah Law, and with the approved preliminary plat, including any conditions of approval, changes or additions as required by the Planning Commission;
  5. Construction Drawings of all required and proposed improvements consistent with Logan City's Public Improvement Specifications Engineering Design Standards prepared and stamped by a professional civil engineer or land surveyor in accordance with the procedures of the Utah State Board for Professional Registration:
    - a. Construction drawing shall include all proposed improvements associated with the development. Final plats with associated construction plans that show or require improvements outside of the subdivision boundary shall be submitted with a signed and notarized letter from the affected property owner acknowledging:
      - i. The name and date of the plans that were provided to review in conjunction with the letter;
      - ii. Language recognizing that improvements are being proposed on their property; and
      - iii. The conditional or unconditional approval to construct the improvements along with any specific conditions as may be required.
  6. Final drainage report, soils report, traffic study, etc., if a preliminary report was required with the preliminary plat;
  7. Prepared easement dedication documents, legal descriptions, and exhibits for any necessary offsite utility or road improvements, including temporary turnarounds;
  8. Any deeds or boundary line agreements necessary for recording the final plat;
  9. Any required UDOT approvals for access;
  10. An Engineer's estimate of costs for construction of all required public improvements and life safety related private improvements (including improvements related to water, sewer, storm water, etc.);
  11. Evidence that all property taxes are current, that rollback taxes have been paid, that no other debts or obligations are outstanding, and no liens or encumbrances are placed on the property;
  12. Title report covering all the property located within the subdivision, prepared or updated within 30 days of the date of recording of the final plat;
  13. Final copy of any restrictive covenants, reservations, or private easements required for the subdivision and shall identify that the owner's association shall be responsible for the maintenance of all private utilities, stormwater basins, open spaces, and amenities within the project, and that the owner's association or adjacent homeowner shall be responsible for the maintenance of adjacent park strips and for the removal of snow from adjacent sidewalks; and

14. Draft copies of the any-Development Agreement, private water agreement, stormwater agreement, and financial assurance document.

AB. Final Plat Requirements.Preparation:

~~Following action to approve or conditionally approve the subdivision, the subdivider shall comply with conditions imposed by the Commission shall prepare a final plat for recordation, and shall submit the applicable final plat review fees as set forth in the current fee schedule as adopted by the City Council. The final plat shall comply with this Title and Utah law.~~ At a minimum, and in addition to any requirements established by the City, the plat shall include the following:

1. The surveyed subdivision boundary line shall include all elements defined by Utah Code §17-23-17, and the following:
  - a. A measured distance and basis of bearing between two existing government accepted monuments. Accurate ties from the basis of bearing to the point of beginning of the surveyed subdivision boundary. Monuments used for the basis of bearing shall be monuments that are approved by the Logan City Surveyor. Indication-Identification shall be given-provided on the Plat as to of the type, condition, markings, and nomenclature of monuments used for the basis of bearing.
  - b. A written survey narrative that identifies and explains the following:
    - i. Identify the book and page, entry number, or other such reference to the conveying legal document(s) which contain the legal description(s) of the parcel(s) being surveyed.
    - ii. The date of measurement, method of measurement, distance measured, and basis of bearing used between two government accepted monuments.
    - iii. The written, parol, and demonstrative evidence held, found evidence not held, methods of calculation, and the applications of boundary law used to identify each established or reestablished boundary line.
    - iv. The written, parol, and demonstrative evidence held, found evidence not held, methods of calculation, and the applications of boundary law used to identify the location and width of all existing utilities, easements, right of ways, canals, etc... which adjoin, intersect, or transverse the subdivision.
2. All lots, blocks, and parcels created or offered for any purpose other than streets or easements, shall be delineated and designated with all dimensions, boundaries, courses, square footage, acreage, and ties to the surveyed subdivision boundary clearly shown and defined in every case. Parcels designated as lots for sale shall be identified by numbers starting with the numeral "1" and continuing consecutively throughout the subdivision and shall be assigned a temporary address. Parcels or tracts offered for dedication, other than for streets or easements, shall be identified by letter starting with "A" and continuing alphabetically throughout the subdivision;
3. All lots shall be assigned and labeled with a temporary address;
4. The identification of those specific portions of the subdivision plat that are to be used for streets, right of way, or reserved for other public purposes;
5. The plat shall show the name and/or number of all existing or created streets and the street centerlines, right-of-way lines, widths, and half widths. Every centerline and right-of-way line shall be dimensioned and tied to the surveyed subdivision boundary with sufficient detail to definitively retrace and locate the same;
6. The boundaries, course, dimensions, width, and ties to the surveyed subdivision boundary of all existing or created utilities, easements, right-of-ways, canals, etc.

- which adjoin, intersect, or transverse the subdivision with sufficient detail to definitively retrace and locate the same;
7. Existing right-of-way and easement grants of record for underground facilities, as defined in Utah Code §54-8a-2, and for other utility facilities;
  8. The location of all subdivision boundary corner markers, lot corner markers, and monuments as defined in the Logan Municipal Code Chapter 15.28, or as directed by the City Engineer;
  9. Building setbacks shall not be recorded on the final plat. Setbacks shall be as specified in the Land Development Code at the time of the issuance of the building permit;
  10. The location and extent of trails, open space and/or common areas;
  11. The location and extent of critical lands;
  12. If open space and/or common areas are involved in the subdivision, the final plat shall be accompanied by all common documents including covenants, conditions, restrictions, and articles of incorporation demonstrating perpetual ownership and maintenance of said open space and/or common areas;
  13. The final plat shall be accompanied by copies of any private covenants, conditions, and restrictions (CC&Rs) proposed or required to be recorded for the purpose of providing regulations governing the use of the land;
  14. The final plat shall be accompanied by construction plans as approved by the City Engineer; and
  15. The construction drawings and specifications shall be prepared by, or under the supervision of, a professional civil engineer licensed to perform such work in the State of Utah.

**BC**. Final Plat Certificates.

The final plat shall be prepared using the City of Logan's Title and Signature block format, and shall include the following information as required by the City of Logan and Utah law:

1. A notarized signature of the landowner on the face of the original plat;
2. A certification by the surveyor preparing the plat of the following:
  - a. Holds a license in accordance with Utah Code Title 58, Chapter 22, Professional Engineers and Professional Surveyors Licensing Act;
  - b. Has completed a survey of the property described on the plat in accordance with Utah Code Section 17-23-17 and has verified all measurements; and
  - c. Has placed monuments as represented on the plat in accordance with Logan Municipal Code Chapter 15.28.
3. If the final plat identifies new locations for underground or utility facilities that are shown or described on the plat in conformance with the requirements of Utah State law, the owner or operator of the underground and utility facilities shall approve the plat of its property interest. This is required only if the final plat specifies:
  - a. The boundary, course, dimensions, and intended use of the right-of-way and easement grants of record;
  - b. The location of existing underground and utility facilities; and
  - c. Any conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the subdivision.
4. The following dedications, certificates and acknowledgments shall be shown on the plat and shall empower the person responsible for signing the certificate to require the subdivider to submit any records, calculations, title reports, deeds, property tax records, or other documentation necessary to verify conformance with subdivision requirements:

- a. Licensed land surveyor's certificate of survey;
  - b. Owner's dedication certificate signed by each owner;
  - c. Owner / operator of existing non-City underground or utility facilities affected by the plat
  - ed. Notary public's acknowledgment for each owner's signature and the signature of any affected non-City facility owner;
  - de. City Attorney's certificate of approval;
  - ef. City Engineer's certificate of approval;
  - fg. Director's certificate of approval that states: "This subdivision entered into City Records as Planning Commission Docket # \_\_\_\_\_ was heard before the Commission in a public hearing on the <meeting date> and was approved in substantial conformance with the requirements and design shown upon this plat";
  - gh. The Mayor's certificate of approval;
  - hi. Logan City Departments of Water, Wastewater (collection & treatment), Solid Waste, and Light & Power certificates of approval; and
  - ij. Certificate of the County Recorder.
- ED.** Phasing the Recordation or Completion of a Subdivision.
1. If a proposed phasing plan has been approved by the Planning Commission as part of the preliminary plat, the first phase of the final plat shall be filed and recorded within 12 months of the original Planning Commission approval, and each subsequent unit or phase shall be recorded within 12 months of the filing date of the prior unit or phase. If more than 12 months separates the recording of any one unit or phase from another, re-application for a new subdivision is required.
  2. If the preliminary plat ~~map~~ does not identify phases or units for the subdivision, each subsequent phase or unit shall be reviewed by the Planning Commission.
- E.** Construction Drawings. Construction Drawings shall be prepared and submitted as required by the City Engineer.
- F.** Determination of Complete Final Plat Application.
1. Within 5 business days of receiving a preliminary plat application, the City will determine whether the application, as submitted, is complete. If the application is determined to be incomplete, the application will be rejected. If the application is determined to be complete, the proposed preliminary plat will be scheduled for review by the City Engineer.
  2. Within 20 business days of certifying that an application for a final plat is complete, the City Engineer will conduct its review of the proposed final plat and either notify the proponent of any deficiencies or be given a notice to proceed in preparing the final mylar for signature collection and recording with the County Recorder. It is recommended that the applicant submit a copy of the proposed final plat to the Cache County Recorder for their review in an effort to resolve their concerns prior to printing the mylar and securing all signatures.
- G.** Final Plat Review Process.  
The final plat review process shall follow the process established in Utah Code 10-9a-604.2.
- H.** Final Plat Appeals Process.  
An appeal of a subdivision improvement requirement shall follow the appeals process prescribed in Utah Code 10-9a-508(5)(d). All other subdivision appeals shall follow the appeals process prescribed in Chapter 17.50 of this Title.
- ID.** Final Plat Recordation.  
A final plat will be recorded after all of the following have been met:

1. All conditions, requirements, and modifications have been satisfied. When the final plat has been prepared to City and State specifications, and when all conditions, requirements, and modifications have been satisfied, the City shall approve the final plat and cause it to be recorded. Before the City may approve the final plat, the owner of the land shall provide a Preliminary Title Report and tax clearance from Cache County demonstrating that all taxes, interest, and penalties owing on the land have been paid;
2. All necessary signatures and certifications of approval have been satisfied. The City attorney shall be required to verify that the plat meets the requirements of Utah law and this Title in terms of form, certificates, title, ownership, and release of liens;
3. All construction plans have been approved and fully executed. The Director shall be required to review and ensure that the subdivider has complied with all conditions of Subdivision approval and this Title;
4. All required development agreements have been executed, all financial assurances have been provided, and all development fees paid. If required by the City Engineer, the final plat shall be accompanied by a full and complete drawing on computer diskette readable in the current version of AutoCAD®, ArcInfo®, or as a "DXF" or similar file readable at scale by the City's engineering computer and geographic information system software. Such disks and computer files shall be considered proprietary information between the originating engineer or surveyor and the City and shall not be made available as public documents; and
5. The owner shall submit to Logan City funds payable to Cache County for the recordation of the final plat.
6. The owner shall provide proof that all applicable taxes have been paid prior to filing the final plat.
7. The final development agreements and any required private covenants, conditions, and restrictions (CC&Rs) shall be recorded with the final plat. After the final plat and construction plans have been approved and fully executed acknowledged, certified, approved, and all required development related agreements have been executed, the financial assurances has been provided, and all development fees have been paid, the owner shall provide the City with funds payable to Cache County for the recordation of the plat and the City Engineer shall cause the final plat to be filed and recorded in the county recorder's office. The entire final plat or the first phase of the final plat shall be recorded within twelve months of the date of the Planning Commission approval as per Section 17.58.010. All applicable fees and taxes shall be paid prior to the filing of the final plat. The subdivider shall execute a development agreement for completion of subdivision improvements prior to the recordation of the final plat. The development agreements shall be recorded with the plat and shall run with the land until the completion of all improvements. The City Engineer may require a notation on the final plat concerning assessments or completion of improvements that may occur more than twelve months after recordation of the plat.

or subsequent submittal thereof It is recommended that the applicant submit a copy of the proposed final plat to the Cache County Recorder for their review in an effort to resolve their concerns prior to printing the mylar and securing all signatures.

**§17.40.080 Completion of Subdivision Improvements**

No subdivision final plat or deed shall be recorded until all required improvements have been completed to the standards and specifications established by the City or other codes, laws, or regulations or a suitable financial assurance has been provided to guarantee that the approved subdivision improvements will be constructed by the owner, or which can be used by the City to complete said improvements. In addition, the following minimum requirements apply and may be added to by the City Engineer ~~or the Planning Commission~~ as applicable:

- A. Construction within the subdivision shall conform to all federal, state, and local regulations.
- B. Construction drawings and construction within the subdivision shall conform to the Department of Public Works Standards and Specifications. This document shall be available in the office of the City Engineer.
- C. A work in the right of way ~~construction~~ permit shall be obtained for all work within existing right of ways, public utility easements, or other City easements.
- D. Permits must be obtained for construction of the infrastructure facilities within the subdivision prior to initiating work.
- E. All required fees as set forth in the current fee schedule as adopted by the Logan City Council have been paid. There shall be a schedule of fees in the office of the Public Works Director and approved by resolution of the City Council.
- F. Before obtaining any permits, each contractor must submit proof of the following:
  1. Utah State contractor's license;
  2. Performance bond as required by this Title;
  3. A warranty bond guaranteeing the improvements for a minimum period as set forth in Utah Law;
  4. Liability insurance;
  5. Vehicle insurance; and
  6. Worker's compensation insurance.
- G. Any work which begins prior to the issuance of a permit may be assessed an administrative penalty equal to two hundred percent of the cost of any fees and permits plus one thousand dollars.
- H. A preconstruction conference with the City Engineer may be required not less than forty-eight hours prior to the commencement of construction activities.
- I. The contractor shall notify the ~~Public Works Department~~ City Engineer not less than forty-eight hours prior to the commencement of construction.
- J. Within thirty (30) days of the completion of improvements, the subdivider shall submit "as built" drawings of subdivision improvements prepared by or under the supervision of a professional civil engineer or surveyor licensed to prepare such work in the State of Utah. Failure to submit such drawings shall result in a hold being placed on issuance of any building permits.

**§17.40.090 Final Plat Map Waiver**

- A. City Engineer May Waive ~~the some~~ Final Plat Map Requirements for a Two-Lot Subdivision in accordance with Utah Law and the following:
  1. If the subdivision is comprised of two (2) lots;
  2. The subdivider intends to create the lots by metes and bounds descriptions; and
  3. The subdivision was reviewed and approved under Subsection 17.40.040 Minor Subdivisions.
- B. The City Engineer may require preparation of construction plans when appropriate.

# EXHIBIT B

**Chapter 17.41: Boundary Line Adjustments, Subdivision Plat Amendments  
or Vacations, or Vacation of Rights of Way or Easements  
Amending of a Subdivision Plat Map**

**§17.41.010 Purpose**

~~The purpose of this Chapter is to provide a streamlined and simplified process for complying with State & City requirements for adjusting property lines, amending or vacating subdivisions or plats, or dedicating or vacating public right of ways or public easements. Boundary line adjustment, vacation of subdivision lots, or amending subdivision plat maps procedures are intended to provide a streamlined and simplified method of complying with State law by allowing property owners to adjust lot lines or combine lots within the limits of this chapter.~~

**§17.41.020 ~~Standing to Apply~~**

~~Any property owner or adjoining property owners who submits an complete application, proposed map, and proposed legal descriptions for a boundary line adjustment along with the required plats, maps, legal descriptions, exhibits, title reports, and fees as may be required by the application and State code, shall have establish standing for the submittal to submit a complete application to the City Engineer for the boundary line adjustment, subdivision vacation, or changing a subdivision plat. The City Engineer is The Logan City Council is the land use authority for vacation of public rights of way and easements. The Logan City Mayor (???) is the land use authority for dedicating of new public rights of way and easements not included within the boundaries of a plat empowered to approve, conditionally approve, or deny boundary line adjustments.~~

**§17.41.020 Land Use Authority**

1. The City Engineer is designated as the administrative land use authority for all boundary line adjustments and subdivision plat amendment or vacations.
2. The Logan City Council is designated as the administrative land use authority for all public rights of way and public easement vacations.
3. The Logan City Mayor is designated as the administrative land use authority for all dedication of new public rights of way and public easements not included within the boundaries of a plat.

**§17.41.030 Boundary Line Adjustments**

- A. The City Engineer may approve, without a Subdivision Plat Amendment a single lot line adjustment between two (2) properly subdivided lots, or a single Parcel Boundary Adjustment between two parcels, or a parcel and a single lot, if the owners of each property demonstrate, to the satisfaction of the City Engineer that:
  1. No new developable lot, parcel or unit results from the adjustment;
  2. No street right of way will be affected by the adjustment;
  3. The adjustment and resulting lots or parcels comply with the requirements of their respective zoning districts for lot size, width, frontage, yard, area, parking or other requirements; and
  4. Any affected public utility easements have been vacated or modified as necessary.
- B. Application for a Boundary Line Adjustment.
 

An application for a boundary line adjustment shall be submitted to the City Engineer, and to be considered a complete application, shall include the following:

  1. Preliminary application form, accurate & complete application checklist, and applicant certifications from all affected property owners;

## 17.41: Boundary Line Adjustments, Vacation or Plat Amendment

2. Preliminary review fees as set forth in the current fee schedule as adopted by the City Council; and
3. A scaled drawing prepared by a licensed land surveyor showing the two (2) affected lots, the location of existing buildings on the lots, the proposed location of the new lot line, and the size of the two (2) lots before and after the adjustment; and

C. Plat Map May Be Required.

In accordance with Utah code, if a boundary line adjustment results in the need for dedication of a public right-of-way or other public dedication, a plat shall be required.

D. Recordation of Approved Boundary Line Adjustment.

Following final approval by the City Engineer, the property owner(s) shall submit the executed deeds, any required plats, exhibits, and other required final documentation to the City Engineer along with suitable payment for the cost of recording the legal descriptions with the County Recorder. The City Engineer shall record the deeds.

**§17.41.040 Subdivision Plat Amendment or Vacation**

The application for a Subdivision Plat Amendment or Vacation shall follow the submittal, review and recordation processes of Section 17.04.060 and the provisions set forth in Utah Code 10-9a-608 through 609.

**§17.41.050 Vacation of Rights of Way or Public Easements**

A. An application for a Right of Way or Public Easement Vacation shall be submitted to the City Engineer for a preliminary determination of completeness and review, and shall include the following:

1. Preliminary application form, accurate & complete application checklist, and signatures/certifications from all affected property owners;
2. Preliminary review fees as set forth in the current fee schedule as adopted by the City Council;
3. A written narrative describing the reason(s) for the proposed public right of way or public easement vacation;
4. A scaled drawing prepared by a licensed land surveyor showing the surveyed boundary of the vacated street area, surrounding streets and buildings, the acreage of the vacated street area, and the location of all adjacent properties and the ownership identified;
5. A petition to vacate public right of way or public easement shall include:
  - a. The name and address of each owner of record of land that is adjacent to the public street right of way or easement; or
  - b. The name and address of each owner of record of land that is accessed exclusively by or within 300' of the public right of way or easement; and
6. The signatures of each owner under subsection 5.a who consents to the vacation.

B. An application to vacate a Public Right of Way or Public Easement shall be reviewed according to the provisions set forth in Utah Code 10-9a-609.5.

**§17.41.060 Expiration of Preliminary Approvals**

Preliminary approvals of boundary line adjustments, vacation of subdivision lots, subdivision plat amendments, dedication or vacation of right of ways or public easements procedures are valid for 90 days. All final documentation, plats, agreements, etc., shall be submitted to the City Engineer within 90 days of the date of preliminary approval.

**§17.41.030—City Engineer Responsibilities****A. Preliminary Review:**

~~The City Engineer shall review the an application and all accompanying materials to ensure that it is complete. B before approval may be given or a hearing shall be scheduled as may be applicable, the City Engineer shall be required to substantiate the following:~~

- ~~1. The Any change in boundary property lines does not result in the creation of a new lot or parcel;~~
- ~~2. The proposed Any change to a lot in property lines does not result in the creation of a lot of size or shape that does not conform with City zoning regulations and site development standards. If the proposed change is to a legally existing nonconforming lot, the change may not increase the nonconformity;~~
- ~~3. The proposed change to a lot Any change in property lines does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other site development requirement; and~~
- ~~4. The petition to change the boundaries a property line includes signatures from the legal owner representatives of each lot or parcel affected by the boundary line adjustment change as required by Utah code, and any necessary signatures from holders of liens, mortgages, or easements on properties affected by the boundary line adjustment change.~~

**B. Distribution and City Review:**

~~After completion of the preliminary review, the City Engineer shall circulate a map of the proposed boundary line adjustment property line change to the other City's development review departments or other departments that may be affected by the proposal for comments and recommended conditions, if any. All comments that are based upon the requirements of Utah or Logan code existing at the time standing is obtained, shall be resolved in a satisfactory manner prior to approval to record.~~

**C. Failure to Obtain Signatures of Representatives of Owners of Record:**

~~If the City Engineer Land Use Authority determines that the application does not include signatures from at least one record owners representing each parcel or lot as required by Utah and Logan code, the City Engineer Land Use Authority shall follow the procedures prescribed in Utah code law for considering action on the proposed boundary line adjustment in Utah law.~~

**§17.41.040—Public Hearing Required**

~~The City Engineer Land Use Authority shall hold a duly noticed public hearing in conformance with requirements of Utah law as may be required. A written staff report as specified in Chapter 17.48 shall not be required.~~

**§17.41.050—Recordation of Approved ~~Approved Documents~~ Boundary Line Adjustment**

~~Following final approval by the City Engineer Land Use Authority, the property owner(s) shall submit the executed deeds, any required plats, map exhibits, and other required final documentation to the City Engineer along with suitable payment for the cost of recording the legal descriptions with the County Recorder. The City Engineer shall record the deeds.~~

**§17.41.060—Plat Map May Be Required**

~~In conformance with Utah law code, if a boundary line adjustment results in the need for dedication of a public right of way or other public dedication, a plat shall be required.~~

17.41: Boundary Line Adjustments, Vacation or Plat Amendment

~~§17.41.070 — Vacating or Amending a Subdivision Plat or Public Right-of-Way~~

~~Other amendments to subdivision plats or vacating public right-of-way a plat or portion thereof shall follow the provisions set forth in Utah law Code 10-9a-609.~~

~~§17.41.090 — Vacating a Public Right-of-Way, or Public Easement~~

~~Vacating a public right-of-way or public easement shall follow the provisions set forth in Utah codes 10-9a-609.5.~~

~~§17.41.08000 Expiration~~

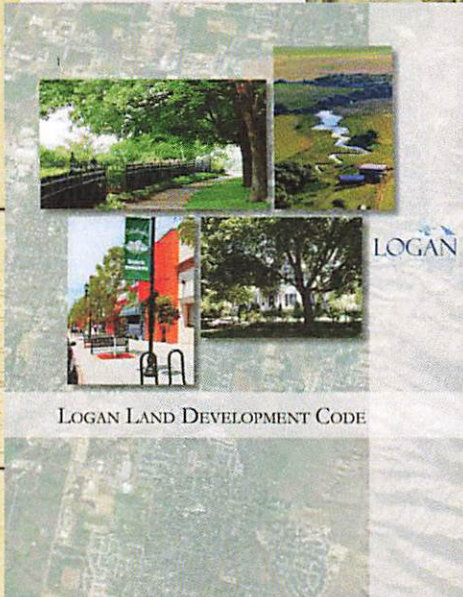
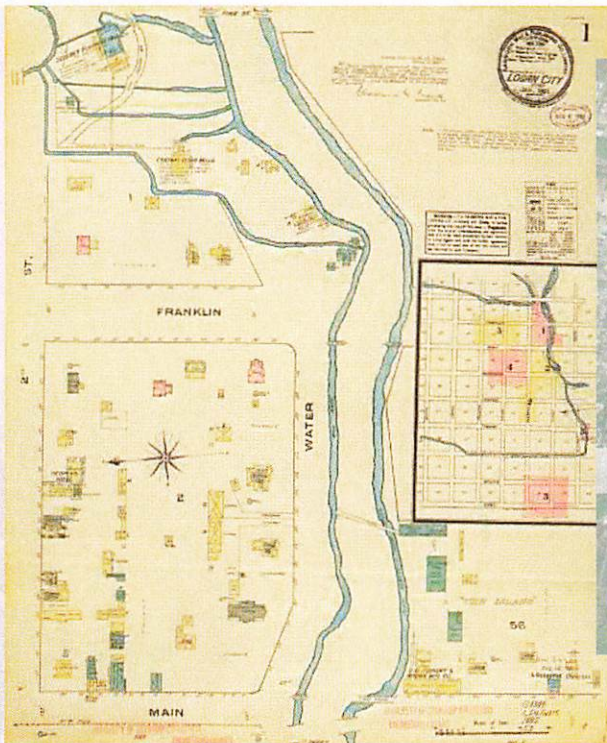
~~Any boundary line adjustment property line change that has not been presented for recordation to the City Engineer within ninety days of the date of City Engineer the Land Use Authority approval shall be deemed to have expired.~~

# PC 24-08

LDC Amendment Chapters 17.40 & 17.41  
Subdivisions, Boundary Line Adjustments, Plat Vacations,  
Plat Amendments

Planning Commission

2/22/2024



Changes to State  
Subdivision  
Requirements  
UCA 10.9a.5 & 6  
(2023/SB174)

Changes to Subdivision Requirements  
focused on four areas:

**Procedural Updates**

- Establish the Administrative Land Use Authority for each type of land division
- Can't Mandate Conceptual Plan Review
- Cities shall Define a Complete Application for each type of land division
- **Purpose – Plats are Administrative Decisions and not Legislative Decisions**

Changes to State  
Subdivision  
Requirements  
UCA 10.9a.5 & 6  
(2023/SB174)

Changes to Subdivision Requirements  
focused on four areas:

Timing of Review Process

- Determine Complete Application
- Initial review of Preliminary Plat application completed in within 15 days (Logan's tied to Pre-Dev process)
- Final Plan review completed within 20 days of application
- Capped #'s of review cycles (no more than 4)
- Applicant required to respond to changes in writing
- Lot line adjustments not required to record plat amendment

Changes to State  
Subdivision  
Requirements  
UCA 10.9a.5 & 6  
(2023/SB174)

Changes to Subdivision  
Requirements focused on four areas:

**Engineering Standards**

- Require Codified Engineering Standards
- Can't require Bonding for landscaping on private property
- New Road Standards – limit pavement widths on residential streets to 32'

Changes to State  
Subdivision  
Requirements  
UCA 10.9a.5 & 6  
(2023/SB174)

Changes to Subdivision  
Requirements focused on four areas:

**Appeals Processes**

- Two appeals processes after four final plat review cycles and 20 days
  - Public Improvement Disputes resolved through a panel of 3 engineers functioning as an appeals board
  - Other disputes follow LDC appeals process

# Summary of Proposed Changes to LDC 17.40



## 17.40.020 General

- Land Sales/Transfer Language
- Connection to Building/Occupancy Permits
- Plat Expiration Timelines
- Administrative Land Use Authorities

## 17.40.030 Preliminary Plat Application Requirements

- Better Delineation of Application Requirements
  - Soils, Floodplain, Wetlands Reports
  - Traffic Study (50 lots/units/phased)
- Better Delineation of Prelim Plat Requirements
- Timeline for Determination of Complete Application (5 days)
- Timeline for Conducting Initial Review (15 days)

# Summary of Proposed Changes to LDC 17.40

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## 17.40.040 Approval Process

- Added Approval Notification (Permit) to Match Practice

## 17.40.050 Minor Subdivisions

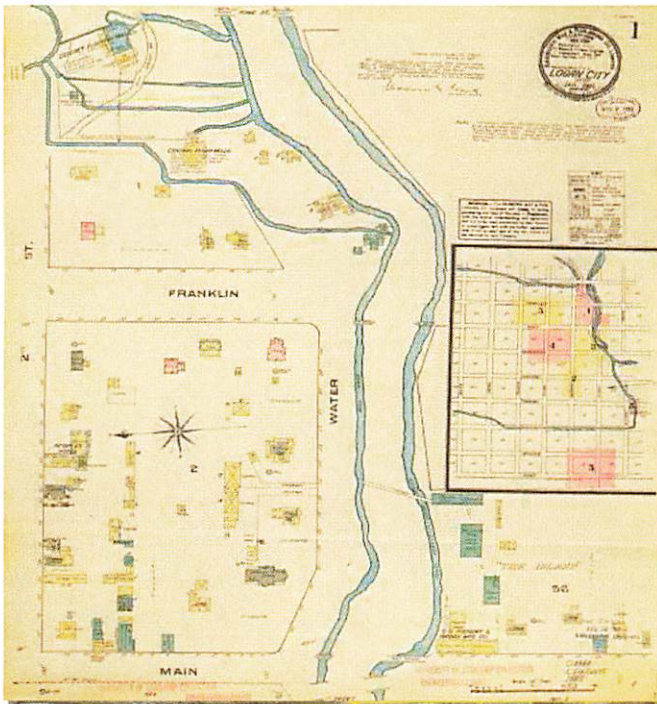
- Administrative Land Use Authority (CD Director)
- Application Requirements
- Approval Criteria
- Added Link to Final Plat Approval Process

## 17.40.060 Final Plat Process

- Administrative Land Use Authority (City Engineer)
- Revised Final Plat Application Requirements
- Requires Final Reports/Studies
- Link to Construction Drawings
- Updated Final Plat Document Requirements
- Timelines for Completeness (5 days) & Reviews (20 days)
- Final Plat Appeals Processes (2 Appeals Tracks)
- Final Plat Recording Requirements



# Summary of Proposed Changes to LDC 17.41



- Boundary Line Adjustments, Plat Amendments, Plat Vacations, ROW & Easement Vacations
- Identified Land Use Authorities for each Action
- Review/Approval Processes
  - Boundary Line Adjustments
  - Subdivision Plat Amendment or Vacation
  - Vacation of ROW/easements
- Added Expiration Dates

# QUESTIONS

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