# SPRING CITY, UTAH
# ORDINANCE 2024-10
# AMENDMENTS TO TITLE 11: SUBDIVISION REGULATIONS

**WHEREAS,** the Utah Code Title 10, Chapter 9a Section 604 concerning subdivisions has been amended by Utah House Bill 476; and

**WHEREAS,** the House Bill requires all cities and towns to review and update their subdivision code setting aside monies for professional help to make approved amendments; and

**WHEREAS,** Spring City has chosen to have Sunrise Engineering work with Planning and Zoning and the City Council to make the appropriate modifications; and

**WHEREAS,** Notice of a Public Hearing regarding the proposed amendments has been published as required by applicable law;

**WHEREAS,** the Public Hearing was held on the evening of **Wednesday, October 30, 2024,** followed by a meeting of the City Council on November 7, 2024, at which the amendments were considered for adoption; and

**WHEREAS,** following the Public Hearing and at a subsequent meeting of the City Council, the City Council adopted a resolution to approve the originally proposed ordinance as modified by amendments approved by the City Council as set forth below;

**NOW, THEREFORE,** be it ordained by the City Council of Spring City, Utah, as follows:

**SECTION 1: Amendment of Section 11-1-2 –Definitions.** Section 11-1-2 of the Spring City Municipal Code, titled "Definitions" is hereby amended to read with existing language stricken and new language added as indicated below:

**11-1-2 DEFINITIONS**

ADMINISTRATIVE ACTIONS: Administrative actions are those where the policy issues have been previously settled by a legislative action, applying existing law to a particular application. Administrative actions require fact findings and there should be substantial evidence on record that justifies the action. City operations, subdivisions, developments, site plan approvals, and consideration of conditional uses are typical administrative actions.

ADMINISTRATIVE LAND USE AUTHORITY: The Development Review Committee is responsible to review concept plan applications and to review applications for preliminary and final plat approval and make recommendations to the Administrative Land Use Authority. For

approval of a Preliminary Plat, the Administrative Land Use Authority shall be the Planning Commission. For approval of a Final Plat, the Administrative Land Use Authority shall be the City designee over planning and zoning. If a Preliminary or Final Plat requires vacating a street, right of way, or easement, the City Council shall be the Administrative Land Use Authority. The City Council reserves the right to change the Administrative Land Use Authority at its discretion, provided that any Administrative Land Authority meets the requirements of Utah Code 10-9a-601, et seq, as amended.

ANNEXATION: To annex land to the city is to absorb by legal incorporation or to bring previously unincorporated land into the municipal incorporation (the city limits).

BUFFER ZONE: A specific area in the county surrounding the city as indicated on the buffer zone or expansion zone map and county maps that is designated as a zone where the county has given or my give certain jurisdictions or opportunities for input to the city with respect to annexation, developments, rights of way, easements, alignment with city plans, provision of services, or otherwise. It is within the discretion of the city to determine what services offered to the city residents may be extended to those residing in such zone, and the terms applicable thereto. For clarification, the city shall not be required to provide utilities and other city services to properties outside of the city limits, unless agreed to in writing by the city council after review by Planning & Zoning, and the provision of utilities to such properties may be contingent upon annexation.

BUFFER ZONE MAP: The official city map outlining the buffer zone and its characteristics.

CITY STREET GRID MAP: The official city map outlining the "street grid" including those planned and proposed for future development. Such map would be referenced in regards to required dedications of land to the city by developers for future city streets.

CLOSED MEETING: Any meeting held by any board, council, commission, and committee or like group which is not open to the public. Although most meetings are open to the public they may or may not allow public comment, such as work meetings and city operational meetings. Some meetings may be closed, such as: meetings concerning character, professional competency, physical or mental health issues of city personnel or other individuals; collective bargaining meetings; strategy sessions to discuss property and equipment purchases, imminent litigations, deployment of security personnel or systems, investigations of allegations of criminal misconduct; and like meetings. However, if a meeting is not open to the public, the purpose of the closed meeting must be stated and no legislative matter may be voted on or changed, even if it is on the agenda for discussion. Minutes and recordings of the proceedings in closed meetings must be kept but are protected records under U.C.A. title 63, chapter 2 and under penalty of law all attendees shall act in accordance therewith. Any such protected records may be disclosed only by a proper court order.

CONCURRENT: Two (2) activities that occur virtually simultaneously with each other. An example would be that growth development plans ensure that public facilities and services necessary to support new development are adequate and available at the time the development occurs.

CONDITIONAL USE: A land use in a particular zone that cannot be assumed by the allowances stated in the character of the zone. Any such conditional use must not impair the integrity and character of any given zone and must be stated in the zoning ordinance with the standards and conditions of the same outlined. If standards and conditions can be met by an applicant, approval must be given.

DEDICATION: The giving of land by a private person or entity to the city, typically for an easement, a street, a park or school site; as a part of and condition of a real estate development. Such dedications must be accepted by the city before or concurrent with the beginning of the development. The city is not required to develop such areas immediately but in no case may they be sold or transferred to any private person.

DEVELOPER: Any person or persons who undertake to improve a plat of land to such an extent as to require building permits or other judicial approval, such as building roads, streets, structures, installing utilities, or any other like action. A number of laws and ordinances governing most developments and permits, as well as due process, are required.

DEVELOPMENT: Any plat of land which is improved to such an extent as to require building permits or other judicial approval, such as building roads, streets, buildings, structures, installing utilities, or any other like action. There are a number of laws and ordinances governing most developments and permits, as well as due process which are required.

DEVELOPMENT REVIEW COMMITTEE: The appointed committee, consisting of the city designee over planning and zoning, Public Works Director, City Engineer, two (2) Council Members as available and assigned by the Mayor, and others as assigned, shall complete a review of each completed Application and provide written comments to the Applicant requesting additional information and/or modifications to plans. Each request shall be specific and include citations to ordinances, standards, or specifications.

DUE PROCESS: The processes required by legislative action, including the U.S. constitution, state, and local laws that ensure fairness, justice, and equality for all citizens. Such processes shall require conditions, standards, and actions that protect the health, safety and general welfare of all concerned. Regarding land uses, such due process must not only advance a legitimate public interest but be a reasonable way to further legitimize governmental purposes.

FINAL PLAT: The final or third step in the three (3) step process necessary for a developer to acquire a permit to build. The official plat plan including all drawings, documents, and maps indicating any and all proposed changes, proposed developments, dedications, affidavits,

approvals, and all other legal documents prepared and presented to the Administrative Land Use authority for final approval before the project is recorded in the county recorder's office and building permit is issued.

IMPACT FEES[1]: A charge levied against new development in order to generate revenue for funding capital improvements made necessary by that development. Impact fees are generally levied at the time a permit is issued. The amount and conditions of impact fees shall be set by the city council and must be reasonably supported by a fact finding process.

LANDLOCKED: Land divided in such a way as to leave a parcel or parcels without proper access from "bona fide" city streets or proper access to utilities in accordance with the city grid map and the appropriate codes. Such divisions are usually an attempt to circumvent the requirement to dedicate property to the city to extend city grid streets through proposed developments. It is not legal, and along with penalties, may render sale or transfers of such lands invalid.

LEGISLATIVE ACTIONS: The powers to make, alter, amend, and repeal laws. Generally, legislative actions are generated in the interest of the public health, safety, and/or general welfare and relates to more than one property or person. Legislative actions may not be arbitrary or capricious. The courts usually uphold any legislative actions that are reasonably in the best interest of the general welfare.

METES AND BOUNDS: A method of describing the territorial limits of property by means of measuring distances and angles from designated landmarks, survey monuments, and adjoining properties, which results in a legal description.

MORATORIUM: A temporary freeze on a legitimate action giving time to solve or remedy a situation or problem usually through legislative action. A good faith effort to study and resolve the issue must be sought to support a moratorium or the extension of the same.

NUISANCE: A public nuisance is any unreasonable interference with some right that is common to the general public. Generally, a nuisance is any use, or condition of land, public street/road, or any structure thereon, or any activity or event which endangers the public safety, health, or welfare, or creates damage to others. Generally a nuisance is shown to be an ongoing rather than an isolated instance.

PARKING vs. STORAGE: Temporary parking of motorized vehicles on public streets, roadways, rights of way, or other designated public parking areas is permissible unless otherwise prohibited or limited by signs to the contrary. No vehicle may be parked in such a way as to restrict the normal flow of traffic. Leaving motorized vehicles parked in/on such public streets, roadways, rights of way, or other designated public parking areas for more than seven (7) consecutive days constitutes "storage" which storage is strictly prohibited (motorized vehicles in constant use excepted). Leaving nonmotorized vehicles such as trailers, horse trailers, wagons,

farm equipment, camper trailers, as well as specialty motorized vehicles such as recreational vehicles (with or without trailers), including, but not limited to, boats, quadrunners, snowmobiles, and the like, parked on public streets, roadways, rights of way, or other designated public parking areas for more than forty eight (48) hours constitutes "storage" which storage is strictly prohibited. Storage on/in such public areas is subject to fines and removal by the city.

PERMITTED USE: A "use by right" which is specifically authorized in a particular zoning district. This is in contrast with conditional uses which are authorized only if certain requirements are met and after review and approval by a designated agency. An applicant is entitled to approval of a land use application if the application conforms to the requirement of an applicable land use ordinance in effect when a complete application is submitted and all fees have been paid, except in a case where the public health, safety, or welfare is at question.

PLAT: A parcel of land that is part of an approved subdivision plat.~~parcel of land.~~

POLICE POWER: The enforcement powers given municipalities and jurisdictions, its legislative, policy making, and implemental entities as handed down from federal through state and local agencies, to establish laws and ordinances to preserve public order and tranquility and to promote the public health, safety, and morals, and general welfare of the public. Jurisdictions must strictly comply with the statute delegating them the powers to act. Failure to strictly follow the statutory requirements in enacting the legislation or ordinance renders it invalid. Regulations must bear a reasonable and substantial relationship to the health, safety, or welfare of the public.

PRELIMINARY PLAN: The second step in the three (3) step process of subdividing or developing a plat of land is to submit a comprehensive preliminary plan to the planning and zoning commission, city engineer, ~~city council,~~ city attorney, and other concerned agencies and officials. The purpose is to resolve issues and ensure compliance with all regulatory laws and ordinances.

PRESUMPTION OF CONSTITUTIONALITY: When an ordinance or regulation is enacted by any legitimate governmental agency, the presumption is that it is legal and supported constitutionally. Should a person challenge such ordinance or regulation's constitutionality, that person has the burden of presenting evidence sufficient to overcome this presumption of constitutionality:

If an ordinance could promote the general welfare; or even if it is reasonably debatable that it is in the interest of the general welfare, we will uphold it. Utah Supreme Court

PUBLIC HEARING: A formally announced meeting to hear written or oral testimony, at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing. Commission or legislative representatives may ask questions but no deliberation or debate shall take place during the meeting. A full record of information shall be kept for further deliberation.

PUBLIC MEETING: A meeting that is required to be open to the public under U.C.A. title 52, chapter 4, open and public meetings.

SINGLE LOT RESIDENTIAL DEVELOPMENT: The residential development of a single lot or parcel of land without subdividing it. Note: There are a number of laws and ordinances governing most developing of land and any prospective developer should refer to SCMC Title 9, "Building Regulations" and this title, "Subdivision Regulations", and comply with the same before attempting any such development.

~~SKETCH~~ CONCEPT PLAN: A non-mandatory review to identify potential issues in ~~The~~ the ~~first step in the three (3) step~~ process of subdividing or developing a plat of land ~~is~~ and to set up a dialogue with the planning and zoning commission, city engineer, city council, city attorney, and other concerned agencies and officials by submission of a ~~sketch~~ Concept ~~p~~Plan laying out the plans of the project for initial review. The purpose is to ensure that the developer/subdivider/owner is aware of the due process, fees, and other concerns and issues that are requisite to approval for a building or other permit.

SPOT ZONING: The unjustifiable singling out of a piece of property for preferential treatment. It is a judicial term signifying legal invalidity. It is zoning a relatively small area differently from the surrounding area, usually for an incompatible use and often to favor the owner of a particular piece or pieces of property. Spot zoning is not allowed in Spring City as it smacks of favoritism and usually annoys neighbors.

SUBDIVIDER: Any person or persons having plans to, in the process of, or having divided land into two (2) or more parcels. To avoid penalties such person would be well advised to consult this title, "Subdivision Regulations" and comply with the same. Failure to comply with subdivision laws can carry fines and/or other penalties.

SUBDIVISION: The process and result of dividing or redividing a parcel of land into two (2) or more smaller pieces, often for the development of residential uses. There are a number of laws and ordinances governing the subdividing of land and any prospective developer should refer to SCMC Title 9, "Building Regulations" and this title, "Subdivision Regulations", and comply with the same before attempting any subdivision. Failure to comply with subdivision laws my result in the invalidation of ~~certian~~ certain actions or other penalties.

> Without limiting the generality of the foregoing, the term "Subdivision" shall mean any land located within any residential zone (R-1 zone) within the limits of Spring City (the city) that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, of offer for sale, for lease, or for residential development either on the installment plan or upon any and all other plans, terms, and conditions. Further, any person or persons making or proposing such a division of land shall be called the subdivider and/or developer and/or owner. Note: Notwithstanding this definition of a subdivision being two (2) or more lots, developers are advised that single lot residential developments in residential zones have

restrictions and requirements as well (see SCMC Title 9). Notwithstanding any other provisions of this Title 11, lots that were previously recorded as 1.06 acre lots by the Sanpete County, Utah recorder's office and later combined can be divided back to the original 1.06 acre sizes (along the original recorded boundary lines~~) ,~~), but no less than 1.06 acres, without complying with the requirements of this Title 11. Any person or persons proposing dividing and re-establishing historical recorded lots shall provide written documentation of said historical property boundaries. No subdivision to the original boundaries as referenced above shall be deemed to impose any requirement on the city to participate in, or bear any costs related to, either the development or improvement of access roads or the installation of Spring City utilities to the resulting lots.

UNDITIONAL USE: A land use in a particular zone which is specifically authorized in a particular zoning district by allowances stated in the character of the zone or one that can be assumed as a "use by right". Any such unconditional use must not impair the integrity and character of any given zone.

USE BY RIGHT: The right to ownership and unrestricted use of property is a basic right granted by the constitution of the United States of America. When necessary, legislative acts, laws, and ordinances are enacted to protect the health, safety, and general welfare of all concerned. If no law is in place to restrict a use or activity, such use or activity is assumed to be legal by common-law right or "use by right", except in cases where the public health, safety, or general welfare is at question.

Because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provision therein restricting property uses should be strictly construed and provisions permitting property use should be liberally construed in favor of the property owner. Patterson vs. Utah Co. Board of Adjustment, April 1995

VARIANCE: A device which grants a property owner relief from certain or specific provisions of a zoning ordinance, because of particular physical surroundings, shape or topographical conditions of the property and special circumstances attached to the property that do not generally apply to other properties in the same zone. A variance is granted when compliance would result in a particular hardship upon the owner, or infringe upon, or limit rights normally granted to others in the same or similar situation; as distinguished from a mere inconvenience or a desire to make more money. Financial conditions or hardships are not a consideration in the granting of a variance. The petitioner must prove that a physical hardship exists, and that the request would not be alien to the design or intent of the area. Only the board of adjustment is vested with the authority to grant variances. Any appeal of the board decision must be made to the district courts.

VOID: The rendering of a regulation, proceeding, ordinance, legislation, or event as legally invalid.

VOID FOR VAGUENESS: Courts will invalidate a regulation that is so unclear or ambiguous that a person of normal intelligence will not be able to comprehend what the regulation forbids or permits.

**SECTION 2: Amendment of Section 11-1-3 – Administrative Responsibilities.** Section 11-1-3, titled "Administrative Responsibilities" is hereby amended to read in its entirety as follows, with existing language stricken and new language added as indicated below:

## 11-1-3 ADMINISTRATIVE RESPONSIBILITIES

No administrative official of the city shall issue a building permit for the building of any structure without due process and all appropriate approvals. Further, no official of the city shall authorize the opening of, or the construction, grading, or paving of any street, or authorize the laying of sewers and/or water mains, or making connections from the mains to any such lines in a street or authorize any such activity for any property which: a) has not received the status of a public street; or b) does not correspond with a street on a subdivision plat tentatively approved by the ~~planning and zoning~~ Administrative Land Use Authority; or c) having been submitted ~~to the planning and zoning commission and disapproved by it, has not been accepted by the city council by a favorable vote of not less than a majority of its membership~~ and disapproved by the Administrative Land Use Authority. (Ord. 2007-01, 2-1-2007, eff. 2-21-2007)

**SECTION 3: Amendment of Section 11-1-9 – Fees, Costs and Charges.** Section 11-1-9, titled "Fees, Costs, and Charges" is hereby amended to read in its entirety as follows, with existing language stricken and new language added at item B, as indicated below:

## 11-1-9 FEES, COSTS AND CHARGES

B. Processing Fees: With respect to new subdivisions/developments, the following provisions and standard fees shall be required and paid to the city:

1. ~~Sketch~~ Concept Plan Fee: There are no fees associated with this type of application. ~~A sketch plan fee shall be paid prior to submission of the said sketch planto the planning and zoning commission.~~
2. Subdivision Preliminary Plan Submittal Fee: For the preliminary plan presented to the planning and zoning commission for consideration, with respect to each subdivision, there shall be a fee paid in the amount set forth in the city resolution for fees and charges. The said fees shall provide for the following services:

    a. Review and verification of metes and bounds conformity of lots to zoning title and planning standards.
    b. Planning review of site plan, placement of parks and common area, if any, and verification of conformance of subdivision ordinance of the city, including general plan conformity.
    c. Legal review of plat, bonding instrument, dedication of public area, preliminary title report and conformity to title.

d. Written notice of preliminary review of the proposed development to owners of properties located within three hundred feet (300') of the proposed development.

3. Engineering Review Fees: Engineering review fees shall be collected for each lot shown upon the preliminary plan approved by the planning and zoning commission. Fees are set forth in the city resolution of fees and charges. The fees collected at the time and in a manner pursuant to Part B,5 and shall pay for the following regulatory services:

    a. Flood control, topographical and drainage review.
    b. Traffic review (pattern and scope).
    c. Review of public improvements design as to adequacy and placement.
    d. Review of capital impact of subdivision, including revenue projection and estimated costs of services.
    e. Calculations and verification of public improvement bond estimates and final amount.

4. Zone Change And Annexation Fees: Each application for a zone change for any parcel of land, regardless of size, shall be accompanied by a fee to pay for legal notices and preliminary staff review of request. Annexation fees shall be based on a flat fee, plus a fee per acre of area annexed, plus a fee for preparing an impact statement. These fees are as established by the city resolution of fees and charges.
5. Payment Of Fees: All fees set forth and required by this section shall be paid to the city as follows:

    a. ~~Sketch~~ Concept Plan fees: Prior to submission of the ~~sketch~~ Concept Plan to the ~~planning and zoning commission~~ Development Review Committee.
    b. Subdivision preliminary plan submittal fees: Prior to submission of the preliminary plat to the planning and zoning commission.
    c. Engineering review fees: Prior to submission of the final plat to the ~~planning and zoning exommission~~ Administrative Land Use Authority secretary, immediately prior to consideration of the same by the city engineer and/or the ~~city council~~ Administrative Land Use Authority.
    d. Zone change and annexation fees: Concurrent with the filing of the petition.
    e. Final plat review and possessing fees: Due concurrent with submittal of final plat.
    f. Impact fee: If applicable, due concurrent with submittal of final plat.

6. Fee Refunds And Fee Modifications: Fees, once paid, shall not be refunded. The fees herein charged may be modified or changed from time to time hereafter by resolution of the city council. (Ord. 2007-01, 2-1-2007, eff. 2-21-2007)

**SECTION 3: Amendment of Section 11-1-11 – Enforcement; Penalty.** Section 11-1-11, titled "Enforcement; Penalty" is hereby amended to read in its entirety as follows, with existing language stricken and new language added at item A, as indicated below:

A. Misdemeanor Penalty: It shall be unlawful to record any plan or plat of a subdivision in the office of the county recorder unless the same shall bear thereon the approval of ~~city~~

~~council and~~ the planning and zoning commission and the Administrative Land Use Authority. Whoever, being the owner or agent of the owner of any land located within a subdivision in the incorporated area of the city, transfers or sells any land in such subdivision before the plan thereof has been approved by ~~the city council and~~ the planning and zoning commission and the Administrative Land Use Authority and the administrative land use authority and recorded in the office of the county recorder, or parcel within the outermost bounds of recorded subdivision which does not conform to the approved and recorded lot lines of the plat, without first following the procedure of amending the subdivision plat as required by state law[1], shall be guilty of a class C misdemeanor for each lot or parcel of land transferred or sold and any such recording may be voidable. The description of lots or parcels of land by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties in U.C.A. 10-9a-803, or from the remedies herein provided.

**SECTION 4: Amendment of Chapter 11-2 Plats and Plans.** Chapter 11-2 of the Spring City Municipal Code, titled "Plats and Plans" is hereby amended Article 11-2-2 and add a new Article 11-2-6 as indicated below;

**Chapter 11-2 PLATS AND PLANS**
11-2-1 PLATS REQUIRED
11-2-2 ~~SKETCH~~CONCEPT PLAN
11-2-3 PRELIMINARY PLAN REVIEWS
11-2-4 FINAL PLAT
11-2-5 PERFORMANCE GUARANTEE
11-2-6 APPEALS

**SECTION 5: Amendment of section 11-2-1 – Plats Required.** Section 11-2-1, titled "Plats Required" is hereby amended to read in its entirety as follows, with existing language stricken and new language added at item A, as indicated below:

**11-2-1 PLATS REQUIRED**

A. Approval; Recording: From the effective date hereof, no person shall subdivide any tract of land which is located wholly or in part within the limits of the city, nor shall any person sell, exchange or offer for sale, or purchase or offer to purchase any parcel of land which is divided into two (2) or more parcels of land within the city; nor shall any person offer for recording any deed conveying such a parcel of land or any interest therein, unless he shall first make or cause to be made a final plat thereof, which plat shall conform to all requirements of this title and shall have been approved by the ~~planning and zoning commission and city council~~ Administrative Land Use Authority and recorded in the office of the county recorder.

**SECTION 6: Amendment of section 11-2-2 – Sketch Plan.** Section 11-2-2, titled "Sketch Plan" is here by amended to read in its entirety as follows, with existing language stricken and new title and language to read as indicated below:

## 11-2-2 ~~SKETCH~~CONCEPT PLAN

A. ~~Required procedure: Any person wishing to obtain approval to subdivide and/or develop any tract of land shall start by complying with the following procedure:~~ Purpose: An Applicant may request a meeting with the Development Review Committee to obtain initial feedback and information prior to making a formal preliminary application for a Subdivision in accordance with Utah Code Title 10, Chapter 9a, Section 604 (§ 10-9a-604.1). This meeting shall be optional, non-binding, and considered separate from and independent of the required Subdivision approval review cycles. It is highly recommended that the Applicant participate in this optional Review Cycle.

~~1. Presentation To Planning And Zoning Commission: After obtaining the necessary information, data, application forms, and upon payment of any repuired initial fees, the subdivider/developer/owner shall contact the city recorder and request a date and time to meet and make a sketch plan presentation of any proposed plan to the planning and zoning commission. At such meeting, plans to subdivide and/or develop procedures, ordinance requirements, standards, and similar concerns, as they relate to the proposed development, will be discussed.~~

~~2. Submittal And Content Of Sketch Plan: The sketch plan shall be submitted to the planning and zoning commission and shall consist of a simple layout of all existing features and proposed features such as: streets, lots, major buildings, planned residential developments, utilities, street lighting, drainage ditches, watercourses, existing utilities, irrigation supply lines, and the like/ Proposed features shall show their relationship to existing streets, etc., within one-fourth (1/4) mile of the development. The plan may be a pencil sketch or may be made directly on an aerial photograph. The plan shall be prepared at a scale of not smaller than one inch to four hundred feet (1" = 400').~~

~~B. Sketch Plan Review:~~

~~1. Scope: In no way shall the meeting with the planning and zoning commission be construed as to constitute approval of the development. The primary purpose of the sketch plan review process is to permit the petitioner to review with the planning and zoning commission the general concept of the proposed development and to receive informal feedback from the planning and zoning commissioners as to whether the development appears feasible, whether there appears to be obvious defects in the development scheme, and if the proposed development is in harmony with the general plan, zoning usages, and other requirements of this title. This meeting is intended to aid the subdivider/developer/owner in the preparation of the plans and documents before incurring potentially unnecessary expenses of detailed plat and plan preparation.~~

~~2. Zone Change Application: The sketch plan must show that all land usages are in compliance with the zone in which the land lies. At the conclusion of the sketch plan meeting with the planning and zoning commission, if it is determined that a variance is necessary, subdivider/developer/owner may appeal to the board of~~

~~adjustments for the same; or if it is determined that a zone change is necessary, an application for the zone change will be filed by the subdivider/developer/owner, together with the fee determined by resolution.~~

~~3. Zone Change Approval: Upon receiving approval for a zone change, the subdivider/developer/owner shall attach such approval to preliminary plan application, maps, statements, documents and other information required in this title.~~

~~C. Preliminary Plan: When the planning and zoning commission determines that all initial issues are resolved, all conditions are met, and no other sketch plan meetings are deemed necessary, subdivider/developer/owner shall prepare a preliminary plan application to be submitted to the secretary of the planning and zoning commission. (Ord. 2007-01, 2-1-2007, eff. 2-21-2007)~~

B. Application Required: To provide a basic framework of the proposed Subdivision, the Applicant shall submit the required application to the Development Review Committee.

C. Fees: There are no fees associated with this type of application.

D. Time Frame: Within fifteen (15) business days after the receipt of the completed application, the Applicant shall be placed on the agenda of the next meeting of the Development Review Committee for discussion.

E. Review: The City shall provide comment on the Concept Plan and provide, or have available on the City website, each of the following:

1. A copy of the applicable land use ordinances
2. A complete list of standards required for the project
3. Preliminary and Final application checklists

**SECTION 7: Amendment of section 11-2-3 – Preliminary Plan Reviews.** Section 11-2-3, titled "Preliminary Plan Reviews" is here by amended to read in its entirety as follows, with existing language stricken and new title and language to read as indicated below:

**11-2-3 PRELIMINARY PLAN REVEIWS**

A. Submission Of Plan: The subdivider/developer/owner shall submit ~~six (6)~~ electronic PDF's copies of a preliminary plan application, ~~in a size and form acceptable to the county,~~ prepared by a licensed professional in land use development, with all maps, charts, statements, documents, approvals, subdivision improvement plan, and other information required for the preliminary plan to the city recorder, together with the required submittal fee. For their consideration, said electronic copies shall be presented to all city officials, commissions, and governmental agencies concerned such as: city engineer, city council, planning and zoning commission, city attorney, etc.

B. Contents: In many cases, the preliminary plan may consist of a series of maps with legends and detailed information on each respective map. As an example, it may include a site plan map, a grading plan map, a utilities plan map, a drainage area plan map, a foliage planting plan map and/or any other map showing the information below. Maps should not be so cluttered as to render them confusing. Along with whatever information

the city officials and other concerned agencies might require, the preliminary plan shall include:

1. Name of owner and proof of ownership of the development parcel.
2. Name of land surveyor, engineer and site planner and certificate as to the accuracy of the plat.
3. Identification and legal description of the subdivision/parcel.
4. Approved name of the subdivision/parcel.
5. Location by section, township and range.
6. Dimensions and bearings of all property boundaries.
7. Layout and dimensions of all proposed lots and numbers of the same.
8. Existing structures.
9. Vicinity map, at a specified scale, showing all lots, streets, sidewalks, and curb and gutters in the subdivision/parcel; and all abutting streets and public rights of way.
10. High watermarks of all lakes, rivers, streams and location of any designated wetlands; all known potential natural hazards.
11. Location of prominent natural features such as rock outcroppings, woodlands, lakes, ponds, and steep slopes.
12. Location and dimensions of existing and proposed utilities and utility easements.
13. Grading and drainage plans, including all proposed changes in grade.
14. Existing and finished contours at intervals of at least five feet (5').
15. Existing sanitary sewers, storm drains, water supply mains and culverts within the subdivision/parcel or within one hundred feet (100') thereof.
16. Existing and proposed storm water drainage system, including easements.
17. Location, width, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces to be dedicated to the public, with complete descriptions.
18. Proposed on site and off site water facilities including culinary, irrigation, fire hydrants, and other water facilities.
19. Soil erosion and sediment control plan, including trees and other vegetation proposed to be planted.
20. Landscaping plan for any public or common areas.
21. Proposed street lighting.
22. Proposed zoning changes, if any are needed or recommended.
23. Graphic scale.
24. North arrow.
25. Date of preparation.
26. Abstract of title or registered property certificate.
27. A certificate of review from the historic preservation subcommittee if land is within the historic district.
28. Any other Information necessary for the City engineer to establish that adequate public facilities exist in the areas affected by the development to accommodate the development.

~~C. Placement On Agenda; Notice To Property Owners: Upon request of subdivider/developer/owner preliminary plan shall be placed upon the agenda of a~~

~~regularly scheduled meeting of the planning and zoning commission. Consideration of the preliminary plan shall not be placed on the planning and zoning commission agenda for a given meeting unless the application of the same was submitted no fewer than fourteen (14) days prior to said regularly scheduled meeting. Coincident with placing consideration of the preliminary plan on the planning and zoning commission agenda, written notice of the proposed development shall be mailed (by U.S. postal service) to all property owners within three hundred feet (300') of the proposed development. The mailing cost of the notice, along with a reasonable administrative fee as established by motion or resolution of the city council, shall be borne by the subdivider/developer/owner. Any and all other officials and concerned agencies must also submit the findings of their review with recommendations to the planning and zoning commission seven (7) days prior to placement of the preliminary plan on the agenda.~~

C. Subdivision Improvement Plan: Along with the plat, the applicant shall include the subdivision improvement plan. This includes the civil engineering plans associated with required infrastructure improvements and municipally-controlled utilities required for the subdivision. The following documents shall be submitted with the Plat drawing and be considered a part of the submittal:

1. Drawings showing layout, profile and detail design of:
2. All utilities and easements, existing fences, plus statements from utility companies (water, sewer, electric, gas, telephone, etc.) as applicable, that service will be provided to the development.
3. Every existing right of way and recorded easements shall be located on the plat
4. Every water conveyance facility, whether recorded or not, shall be located on the plat
5. Plan, profile and typical cross-section drawings of the roads, bridges, culverts, sewers, and other drainage structures.
6. Grading and drainage plan. The proposed grading plan shall be indicated by solid line contours superimposed on dashed line contours of existing topography for the area of the Final Plat. Such contours shall be at two (2) foot intervals for predominant ground slopes within the tract between level and five (5) percent grade, and five (5) foot contours for predominant ground slopes within the tract over five (5) percent grade. In case of predominantly level topography throughout a subdivision, one (1) foot contour intervals may be required.
7. Erosion control plan when required, to be submitted as result of Preliminary Plat review

~~D. City Engineer Review: The city engineer shall review and return to the planning and zoning commission the preliminary plans accompanied by recommendations pertaining to corrections, additions and deletions necessary to bring the same into compliance with city standards. Such recommendations shall be returned to the planning and zoning commission at least seven (7) days prior to the meeting at which the preliminary plan will be put on the agenda for consideration.~~

D. Time Frame: Within forty (40) days after receipt of a completed application, the Development Review Committee shall complete their review of the application and subdivision improvement plan and provide written comments to the applicant as required

by Utah Code Title 10, Chapter 9a, Section 604 (§ 10-9a-604.2). However, the review period cycle timeframe is waived if the proposal includes property affected by a geological hazard and more information is needed to review and approve development within the hazard area.

1. Location Is Within One Hundred Feet (100') Of Water Conveyance Facility: Within twenty (20) calendar days after the receipt of the completed application, the City shall notify in writing the Water Conveyance Facility Owner(s) of the Application and request comments related to the following aspects of the water conveyance facility: access, maintenance, protection, safety, and any other issues related.
    a. Any Water Conveyance Facility shall have at least twenty (20) days to respond. While the City may provide comments to the applicant before this twenty (20) day window is complete, the Administrative Land Authority shall not grant approval until after at least twenty (20) days after the day on which the City mailed notice to the Water Conveyance Facility.
2. Water Conveyance Facility: Shall mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other watercourse. See State Code 73-1-15.5-1b.

~~E. Action By Planning And Zoning Commission: Following receipt of the city engineer's recommendations, as well as all other concerned officials and agencies in a timely manner, the preliminary plans can be put on the agenda of a regularly scheduled meeting of the planning and zoning commission. The planning and zoning commission shall review with the subdivider/developer/owner all reports and recommendations submitted. With the preliminary plans on the agenda, the planning and zoning commission can vote on all related issues and may either approve or disapprove the preliminary plan, documents, and statements. If disapproved, the plans shall be referred back to the subdivider/developer/owner for changes. Disapproval may be for the following reasons:~~

~~1. The development has been found to be inconsistent with the city's general plan; or~~
~~2. The planning and zoning commission requires that certain specific changes be made to the plan in order to bring the plans into compliance with city standards; or~~
~~3. The plans or documents and statements are incomplete; or~~
~~4. An unresolved issue with adjacent property owners; or~~
~~5. Other reasons as indicated on preliminary plan application.~~

E. Review Cycles: The following outlines the review cycles, as intended by Utah State Code 10-9a-604, as amended. If the application includes additional approvals, such as a zone change, overlay approval, annexation, general plan amendment, right of way vacation, or any other legislative action, the review cycle timeline may not apply.

1. When an applicant submits an application, the City reviews the submittal for completeness. If the submittal includes all materials, the City receives the submittal and starts the review cycle. If the submittal is incomplete, the submittal is returned to the applicant.

2. Within forty (40) days the City shall complete a review of the preliminary plan. The review cycle dates are waived if the proposal includes properties affected by a geological hazard and more information is needed to review and approve development in the hazard area.
3. After review, the City will determine if the completed application meets all requirements or requires corrective actions and shall notify the applicant in a written response:
    a. If the application is found to require corrections, the City must be specific and cite the ordinance, statute, or specifications that require the modification. Comments shall be logged in an index of requested modifications or additions. The required corrections are sent to the applicant to prepare a resubmittal.
    b. If the applicant is found to meet all codes, standards, and specifications, the application is forwarded to the Administrative Land Use Authority for review and approval.
4. After receiving the list of required modifications or additions, the applicant's resubmittal shall include a written explanation in response to each of the municipality's review comments, identifying and explaining the applicant's revisions or reasons for declining to make the revisions.
5. The City shall review the resubmittal to ensure that the applicant has responded to each item logged in the index of requested modifications or additions. If the response does not address each item, the City shall return the submittal to the applicant.
    a. If the resubmittal is complete, the City shall continue with the review. The time frame to complete the review depends on how quickly the applicant was able to respond to the corrections in full and if the applicant made any material changes.
        1) If the applicant was able to respond with each requested item in full, and to the satisfaction of the City representative completing the review within the original review cycle of forty (40) days, then the review shall be completed within an additional forty (40) day review cycle.
        2) If the applicant needed additional time beyond the review cycle, then a new review cycle period shall commence with a review period of forty (40) days.
        3) If the applicant made a material change that merits a new review, then the review shall restart at the first review cycle as it relates to the new material.
6. If the City neglects to include a required change or correction in the initial review process, the modification or correction can only be imposed on subsequent reviews if it is necessary to protect public safety or to enforce state or federal law.

7. If the City determines that the resubmittal is now complete and meets all codes, standards, and specifications, the resubmittal shall be forwarded to the Administrative Land Use Authority for review and approval.
    a. If the City finds the resubmittal does not comply with all applicable codes, standards, and specifications, another review letter and index of requested modifications or additions shall be created and sent to the applicant. This shall be provided to the applicant up until the fourth review cycle, at which point the application shall be forward or to the Administrative Land Use Authority for review with a recommendation that the application does not meet all codes, standards, and specification. The applicant may appeal this determination as outlined in Utah Code 10-9a-604.2(8), as amended.

~~F. Planning And Zoning Commission Preliminary Approval: Preliminary approval of plans and documents by the planning and zoning commission shall not constitute approval of the final plan, but shall be deemed as an expression of tentative approval of the layout of the preliminary plan which the subdivider/developer/owner may use as a guide in preparing the final plat and documents. Following approval of the preliminary plans by the planning and zoning commission, two (2) copies of the plans as well as recommendations of the planning and zoning commission shall be submitted for review by the city council. Final approval of the preliminary plan shall only be accorded by the city council.~~

F. Administrative Land Use Authority Review: After the review cycles have been completed, the preliminary plans are put on the agenda of a regularly scheduled meeting of the Administrative Land Use Authority. The Administrative Land Use Authority shall review with the subdivider/developer/owner all reports and recommendations submitted.
    1. The Administrative Land Use Authority may receive public comments, however a hearing is not required unless it is necessary for another approval tied to the application.

    a. The Administrative Land Use Authority may approve, deny or approve with conditions the proposed Preliminary Plan. If the Authority finds questions remain regarding the conformity of the proposed Preliminary Plan with the applicable codes and regulations, they may continue the matter to further study the issues presented. If any conditions are attached, the Preliminary Plan shall be corrected to reflect such changes and an accurate Preliminary Plan shall be submitted to the City. Changes made to the Preliminary Plan shall be completed before proceeding to the next step.
    b. If the applicant is unwilling to make required corrections or provide required information, the Administrative Authority shall deny the application.
    c. Preliminary approval of plans and documents by the planning and zoning commission shall not constitute approval of the final plan, but shall be deemed as an expression of tentative approval of the layout of the preliminary plan which the subdivider/developer/owner may use as a guide in preparing the final plat and documents.

~~G. City Council Action: The city council shall review the preliminary plan, the recommendations of the planning and zoning commission, as well as all other recommendations of concerned officials and agencies and shall approve or disapprove the preliminary plan or refer it back to the planning and zoning commission for further study and/or changes. Before taking action on the plan, the city council may elect to hold a public hearing or request the planning and zoning commission to hold a public hearing putting the plan and all matters pertaining thereto before the public. Said hearing, if one is held, shall be called by giving legal notice, in a newspaper having general circulation in the city, not more than thirty (30) nor less than fifteen (15) days prior to the date of the hearing and by posting in three (3) public places within the city. The legal notice shall contain the date, place and time of the hearing. Upon approval of the preliminary plan by the city council, the subdivider/developer/owner shall be authorized to prepare and submit the final plan to the planning and zoning commission and city council, which shall be in compliance with all procedures, requirements, and standards relating to final approval.~~

~~H.~~ G. Limitation Of Preliminary Plan Approval: The preliminary plans and documents shall be valid for ~~six (6) months~~ one (1) year from the date of ~~the action by the city council~~ approval. ~~Any such extension of time shall be requested in writing and submitted to the planning and zoning commission no less than thirty one (31) days prior to the expiration of the preliminary approval period.~~ No construction shall be permitted until final approval has been obtained. (Ord. 2007-01, 2-1-2007, eff. 2-21-2007)

**SECTION 8: Amendment of section 11-2-4 – Final Plat.** Section 11-2-4, titled "Final Plat" is here by amended to read in its entirety as follows, with existing language stricken and new title and language to read as indicated below:

**11-2-4 FINAL PLAT**

A. Submission: After receiving preliminary plan approval, the ~~planning and zoning commission and the city council~~ subdivider/developer/owner ~~is authorized to~~ may proceed ~~and shall prepare a final plat in a form and sixe that is acceptable to the county recorder's office and submit the same to the planning and zoning commission secretary in the following numbers:~~ to submit a Final Plat application in accordance with Utah Code Title 10, Chapter 9a, Section 604 (§ 10-9a-604). The final plat shall be in a form and size acceptable to the county recorder's office and submit to the City:

1. ~~Six (6)~~ Electronic PDF copies of the final plans.
2. ~~Six (6)~~ Electronic PDF copies and original hard copy of the final plat.
3. ~~Three (3)~~ Electronic PDF copies of the final documents.
4. ~~Three (3)~~ Electronic PDF copies of an itemized estimate of the cost of constructing the required improvements.

Final plans and plat documents that require engineering, shall have an engineering stamp of approval by the engineer responsible for preparing the document.

B. Contents: Along with whatever information the city officials and other concerned agencies have required, the final plat with maps and documents shall include:

1. Subdivision/parcel name and location.
2. Description of land to be included in the subdivision.
3. Accurately drawn boundaries with proper bearings and dimensions of all properties within the subdivision.
4. Graphic scale.
5. North arrow.
6. Date of plat.
7. Name, address, signature of subdivider/developer/owner.
8. Dimensions and bearings of boundary lines of property.
9. Location of rights of way.
10. Widths of existing and proposed streets, sidewalks, curb, and gutters.
11. Numbers (not names) of existing and proposed streets.
12. Location and widths of existing and proposed utility and drainage easements.
13. Location and names of existing and proposed parks and other open space with accurate lot line dimensions.
14. Lot numbers.
15. Location, description, and size of all survey monuments.
16. Location of rivers, streams, lakes, ponds, and swamps with high watermarks.
17. Restrictive covenants, all legal certifications by the proper local officials (usually the chief elected official and the planning and zoning commission chairman) and statements of dedication, dedicating all streets to the city for public use that are not private streets; any and all other legal certifications pertinent to the project.
18. Preliminary title report.
19. Public improvement agreement.
20. Owner's certificate of dedication.

C. Fees: The final plat shall be accompanied by the engineering review fee, as provided by resolution by the city council, plus the actual cost of recording the final plat and documents, and any other fees due and payable before final approval of a building permit.

~~D. Time Limit: In order for the development to be placed on the agenda, the application for final approval of the final plan, final plat, final documents and fees must be submitted to the planning and zoning commission secretary at least fourteen (14) days prior to the meeting at which the plans are to be considered.~~

D. Review Cycles: The following outlines the review cycles, as intended by Utah State Code 10-9a-604, as amended. If the application includes additional approvals, such as a zone change, overlay approval, annexation, general plan amendment, right of way vacation, or any other legislative action, the review cycle timeline may not apply.

1. When an applicant submits a Final Plat application, the City reviews the submittal for completeness. If the submittal includes all materials, the City receives the submittal and starts the review cycle. If the submittal is incomplete, the submittal is returned to the applicant.

2. Within thirty (30) days the City shall complete a review of the Final Plat. If any changes to hazard assessments, such as FEMA floodplains or wetland delineations, have occurred, and time is needed to meet those requirements, then this timeline does not apply.
    a. At a minimum, the review shall include the City Engineer, City Attorney, and a representative of planning.
3. After review, the City will determine if the completed application meets all requirements or requires corrective actions and shall notify the applicant in a written response:
    a. If the application is found to require corrections, the City must be specific and cite the ordinance, statute, or specifications that require the modification. Comments shall be logged in an index of requested modifications or additions. The required corrections are sent to the applicant to prepare a resubmittal.
    b. If the applicant is found to meet all codes, standards, and specifications, the application is forwarded to the Administrative Land Use Authority for review and approval.
4. After receiving the list of required modifications or additions, the applicant's resubmittal shall include a written explanation in response to each of the municipality's review comments, identifying and explaining the applicant's revisions or reasons for declining to make the revisions.
5. The City shall review the resubmittal to ensure that the applicant has responded to each item logged in the index of requested modifications or additions. If the response does not address each item, the City shall return the submittal to the applicant.
    a. If the resubmittal is complete, the City shall continue with the review. The time frame to complete the review depends on how quickly the applicant was able to respond to the corrections in full and if the applicant made any material changes.
        1) If the applicant was able to respond with each requested item in full, and to the satisfaction of the City representative completing the review within the original review cycle of thirty (30) days then the review shall be completed within that initial day review cycle.
        2) If the applicant needed additional time beyond the review cycle window for thirty (30) days, then a new review cycle period shall commence with a review period of thirty (30) days.
        3) If the applicant made a material change that merits a new review, then the review shall restart at the first review cycle as it relates to the new material.
6. If the City neglects to include a required change or correction in the initial review process, the modification or correction can only be imposed on

subsequent reviews if it is necessary to protect public safety or to enforce state or federal law.

7. If the City determines that the resubmittal is now complete and meets all codes, standards, and specifications, the resubmittal shall be forwarded to the Administrative Land Use Authority for review and approval.
    a. If the City finds the resubmittal does not comply with all applicable codes, standards, and specifications, another review letter and index of requested modifications or additions shall be created and sent to the applicant. This shall be provided to the applicant up until the fourth review cycle, at which point the application shall be forward or to the Administrative Land Use Authority for review with a recommendation that the application does not meet all codes, standards, and specification. The applicant may appeal this determination as outlined in Utah Code 10-9a-604.2(8), as amended.

~~E. City Engineer Reviews Final Plat: Before the final plat can be put on the agenda and considered for approval by the planning and zoning commission the city engineer shall:~~

~~1. Review the final plans, plat, documents and cost estimate in detail to finally verify compliance with all of the provisions of city ordinances and standards and with the approved preliminary plans, plat and documents.~~

~~2. Communicate with the subdivider/developer/owner regarding any changes that are required on the final plans, plat, documents and cost estimates to bring the same into compliance with all of the provisions of city codes and standards and with the preliminary plans, plat and documents.~~

E. ~~F. Planning And Zoning Commission Approval:~~ Administrative Land Use Authority Approval: When the plans, plat, documents and cost estimates are complete and have been reviewed ~~by the city engineer~~ as required above, it shall be submitted to the ~~planning and zoning commission~~ Administrative Land Use Authority who shall, upon approval, issue a certification that all lots meet all requirements of the zoning ordinance. For approval, the ~~planning and zoning commission~~ Administrative Land Use Authority shall review and ascertain that the following criterion has been met:

1. The final plans conform with those given preliminary approval~~; and~~,
2. The final plat and documents comply with the requirements and standards relating to the applicable zone~~; and~~,
3. The estimates of cost of constructing the required improvements are realistic~~; and~~,
4. Tax liabilities of the common space (wherever a planned residential development involves the reservation of common open space) have been determined~~;~~, and
5. There are no unresolved issues.

~~G. City Council Final Approval: Following approval by the planning and zoning commission of the final plans, plat, documents, cost estimates and tax liabilities of the common open space, where applicable, a copy of the same shall be submitted to the city council by the planning and zoning commission for its final approval. A bond satisfactory in form to the city attorney shall be submitted with the final plat, and the plat shall be approved as to legal form by the city attorney. The city council will review said plans, plat, documents and cost estimates and if found to be consistent with the approved preliminary plan, the city council shall grant final approval of said plans, plat and documents, execute all documents, agreements and the final plat, and accept all public dedications.~~

F. ~~H.~~ Timely Recording: After final approval, subdivider/developer/owner shall record the plat in the office of the county recorder in the county where the lands platted and laid out are situated. If this is not done within ~~thirty (30) days~~ eighteen (18) months of final approval, the plat may be voidable.

G. ~~I.~~ Timely Beginning Of Construction: Subdivider/developer/owner shall begin the project within one year from the date of recording or approval shall be revoked and the entire review process must be repeated. (Ord. 2007-01, 2-1-2007, eff. 2-21-2007)

**SECTION 9: Adoption of New Chapter 11-6 – Exemptions From Plat; Parcel And Lot Line Adjustments.** A new chapter 11-6 is hereby added to the Spring City Municipal Code, to be titled and to read as indicated below:

**Chapter 11-6 EXEMPTIONS FROM PLAT; PARCEL AND LOT LINE ADJUSTMENTS**

11-6-1 PURPOSE
11-6-2 PARCEL BOUNDARY ADJUSTMENTS NOT IN A RECORDED SUBDIVISION
11-6-3 LOT LINE ADJUSTMENTS WITHIN A RECORDED SUBDIVISION

## 11-6-1 PURPOSE

A. The purpose The purpose of this chapter is to outline the requirements and procedures for parcel line adjustments and lot line adjustments in accordance with Utah State Code and local land use regulations. The intent of this chapter is to allow owners of real property to adjust common property lines while minimizing delay and expense without the need of a subdivision plat.

## 11-6-2 PARCEL BOUNDARY ADJUSTMENTS NOT INA RECORDED SUBDIVISION

A. Approval Required: Prior to the recording of a parcel line adjustment between adjoining properties not located within a platted subdivision, the adjustment must first be approved by the Administrative Land Use Authority if the any of the properties involved includes a dwelling unit.

1. Exemption: Approval is not required prior to recording of a parcel line adjustment if the properties involved do not contain a dwelling unit.
    a. Review: Application and the review of a proposed parcel line adjustment shall follow the procedures listed below:
2. Application: An applicant, either an owner of one of the properties or a representative of the owners, shall submit a complete application which shall include:
    a. Property owner(s) affidavit acknowledging the consent of each party for the proposed adjustment.
    b. Property survey(s) with all existing improvements to the properties;
    c. A legal description of the proposed parcel line and of each parcel after the boundary line is changed;
    d. A site plan or exhibit serving as a visual depiction of the parcel line adjustment;
    e. Any necessary improvement plans, agreements, or additional materials needed for review as determined by the Administrative Land Use Authority.
3. Review Procedure: Upon receipt and payment of a complete application, the Administrative Land Use Authority shall commence the review of the parcel line adjustment request. The review shall be completed, with a written response returned to the applicant, within fourteen (14) business days from the date of complete application. The reviewing parties shall review the adjustment for compliance with city zoning and public works standards.
    a. Final Approval: If the proposed parcel line adjustment complies with all city ordinances and development standards, written approval shall be provided to the applicant by the city staff designee over planning and zoning.
    b. Recording: Upon final approval from the Administrative Land Use Authority, the applicant shall record the approved documents at the office of the Sanpete County Recorder to complete the parcel line adjustment. The parcel line adjustment may be completed by a quitclaim deed or boundary line agreement and shall be accompanied by the following:

4. The written notice of approval of the parcel line adjustment by Spring City that recites the legal descriptions of both the original parcels and the parcels resulting from the exchange of title;

5.The approved site plan or exhibit depicting the new parcel boundaries and adjacent properties if deemed necessary; and

6.Any other documents deemed necessary as part of the parcel line adjustment approval.

a. Exception: If the parcel line adjustment is creating a new parcel(s) for the purpose of constructing a dwelling unit, a subdivision plat must be approved, and the provisions of this title must be followed.
b. All parcel line adjustments shall comply with applicable state code regulations found under sections 10-9a-523 (property boundary adjustment) and 10-9a-524 (boundary line agreement). A parcel line adjustment shall follow the procedures provided herein unless exempted from local land use authority review as provided in the forementioned state code sections.

## 11-6-3 LOT LINE ADJUSTMENTS WITHIN A RECORDED SUBDIVISION

A. Approval Required: Prior to the recording of a lot line adjustment between adjoining properties within a platted subdivision, the adjustment must first be approved by the Administrative Land Use Authority.
B. Review: Application and the review of a proposed lot line adjustment shall follow the procedures listed below:
    1. Application: An applicant, either an owner of one of the properties or a representative of the owners, shall submit a complete application which shall include:
    4. Property owner(s) affidavit acknowledging the consent of each party for the proposed adjustment between the lots.
    5. Property survey(s) with all existing improvements to the lots and reference to the subdivision within which the properties are located including easements located on the lots;
    6. A legal description of each of the proposed lots after the lot line is changed including any changes to platted easements associated with the lots;
    7. A site plan or exhibit serving as a visual depiction of the lot line adjustment. Although not a plat, the site plan or exhibit shall sufficiently represent the new lots and include adjacent lots within the subdivision;
    8. Any necessary improvement plans, agreements, or additional materials needed for review as determined by the city designee over planning and zoning, City Engineer, or designees.
C. Review Procedure: Upon receipt and payment of a complete application, the Administrative Land Use Authority shall commence the review of the lot line adjustment request. The review shall be completed, with a written response returned to the applicant, within fourteen (14) business days from the date of complete application. The reviewing parties shall review the adjustment for compliance with city zoning and public works standards.
    1. Final Approval: If the proposed lot line adjustment complies with all city ordinances and development standards, written approval shall be provided to the applicant by the city designee over planning and zoning.

2. Recording: Upon final approval from the Administrative Land Use Authority, the applicant shall record the approved documents at the office of the Sanpete County Recorder to complete the lot line adjustment. The lot line adjustment may be completed by quitclaim deed or boundary line agreement and shall be accompanied by the following:
    a. The written notice of approval of the lot line adjustment by Spring City that recites the legal descriptions of both the original lots and the lots resulting from the exchange of title;
    b. The approved site plan or exhibit depicting the new lot boundaries along with adjacent lots within the subdivision; and
    c. Any other documents deemed necessary as part of the lot line adjustment approval.
3. Exception: If the lot line adjustment is creating a new lot(s) or parcel(s) for the purpose of constructing a dwelling unit, a subdivision plat must be approved, and the provisions of this title must be followed.
4. All lot line adjustments shall comply with applicable state code regulations found under section 10-9a-608 (5). A lot line adjustment shall follow the procedures provided herein unless an amended plat is required per state statute.