

**BIG WATER TOWN
ORDINANCE 07-2025**

**AN ORDINANCE AMENDING ZONING CODE 14.20.030 LOT LINE
ADJUSTMENTS WITHIN A RECORDED PLAT WITHIN THE TOWN OF BIG
WATER, KANE COUNTY, UTAH**

WHEREAS, the Town of Big Water, finds it necessary to clarify and amend procedures and requirements related to lot line adjustments to better serve property owners, ensure consistency with state law, and protect the orderly development of land within the municipality; and

WHEREAS, the proposed amendment is in the interest of the public health, safety, and welfare, and complies with the comprehensive land use plan of the Town of Big Water;

WHEREAS, Planning and Zoning held a public hearing on May 5, 2025, and has duly considered such recommendations as was received;

WHEREAS, the Planning and Zoning Commission passed these updates May 5, 2025:

NOW THEREFORE, be it ordained by the Council of the Big Water Town, in the State of Utah, as follows:

SECTION 1: ~~AMENDMENT~~ **“14.20.030 Lot Line Adjustments Within An Recorded Plat”** of the Big Water Municipal Code is hereby *amended* as follows:

AMENDMENT

14.20.030 Lot Line Adjustments Within An Recorded Plat

In accordance with Big Water Zoning Ordinance (2004-235, adopted, December 21, 2004, amended _____ 2009, *Chapter 15.10 Development Applications and Procedures, Section 15.10.160 Procedure for a Lot Line Adjustment*) and § 10-9a-103 (subsections 24, 44) and § 17-27a-103 (subsections 28, 48) Definitions, Utah Code (Amended 2008), petitions to adjust lot lines (mutual boundary) between adjoining properties may be executed upon the recordation of an appropriate deed with the consent of the owners' of record.

1. The applicants must complete and submit to the Zoning Administrator a Big Water Lot Line Adjustment Request form to include:
 - a. property owners' names;
 - b. date;
 - c. owners' addresses, phone/cell/fax numbers, city, state, Zip code;

- d. name, location (lot #s, block(s), section(s)) and legal descriptions);
 - e. reason for lot line adjustment request;
 - f. paid tax statement for the current year.
 - g. certification to conform to Big Water ordinances.
 - h. names and addresses of all property owners adjacent to the lots in question.
2. Applicants must prove that:
 - a. no new dwelling lot or housing unit results from the lot line adjustment;
 - b. that all adjoining property owners consent to the lot line adjustment;
 - c. the lot line adjustment does not result in a remnant piece of land that did not exist previously; and
 - d. the lot line adjustment does not result in the violation of any applicable zoning district requirements.
 3. Applicants must provide a title report, by a licensed Title Company, for the properties proposed for Lot Line Adjustment with the application.
 4. Applicants must submit a revised (final) plat, prepared by a licensed land surveyor. The plat shall be prepared in pen and all sheets shall be numbered. The plat shall be drawn on reproducible Mylar. A minimum of ~~six (6)~~ ~~twelve (12)~~ paper (8 ½" x 11") copies shall be presented to the Town Clerk with the formal request form. The revised plat shall contain Signature blocks for the ~~dated~~ signature of the Zoning Administrator, Town's Engineer, Mayor, Planning Commission Chair, and Town Attorney.
 5. Applicant must pay the applicable Lot Line Adjustment fees to the Town Clerk in accordance with the current Big Water Rates and Fees for Municipal Services schedule.
 6. The Zoning Administrator shall ensure that notice is given to all adjoining property owners, pursuant to local ordinance.
 7. After the Lot Line Assessment request and plat are acknowledged, approved and certified by the Zoning Administrator, the owners shall, within one year, record the appropriate deed in the Kane County recorder's office.
 8. The County Recorder shall ensure the requirements of this Section are met. The Kane County Recorder may request a review of the materials presented for a Lot Line Adjustment by the Zoning Administrator prior to recordation.
 9. If any owner of an adjoining property notifies the municipality of his/her objection in writing within ten (10) days of mailed notification or by published notification deadline, the Zoning Administrator will set an agenda item for the next Planning and Zoning public meeting. The Applicants, or his/her/their authorized agent(s), must be present. If they are not present, the application will be tabled. (Please see Big Water Zoning Ordinance, Section 15.10.150(7-10), or Big Water Subdivision Ordinance, Section 14.20.020(7-10), for the required additional processes.)

PASSED AND ADOPTED BY THE BIG WATER TOWN COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council member Jim Lybarger	_____	_____	_____	_____
Mayor David Schmuker	_____	_____	_____	_____
Council member Levi Banfill	_____	_____	_____	_____
Council member Luke McConville	_____	_____	_____	_____
Council member Jennie Lassen	_____	_____	_____	_____

Presiding Officer

Attest

David W. Schmuker, Mayor, Big
Water Town

Katie Joseph, Clerk, Big Water Town