

UTAH CITIES AND COUNTIES WITH ACTUAL MINOR SUBDIVISION ORDINANCES
ALLOWING LAND SPLITS WITHOUT IMMEDIATE INFRASTRUCTURE REQUIREMENTS

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1. DAGGETT COUNTY - SECTION 8-8C MINOR SUBDIVISIONS

Link: https://codelibrary.amlegal.com/codes/daggettcout/latest/daggettco_ut/0-0-0-2668

EXACT ORDINANCE TEXT:

"A 'minor subdivision' is a subdivision containing six (6) or fewer lots and where no area of the proposed subdivision is traversed by the mapped lines of a proposed road or street, or the dedication of any land for a road or street, or any other public purpose, is not proposed or required."

KEY FEATURES:

- 6 lots or fewer allowed
- No road dedication required
- No public infrastructure required initially
- Administrative approval process
- Based on Utah Code 17-27a-605

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2. KANE COUNTY - MINOR LOT SUBDIVISION APPLICATION

Link: https://codelibrary.amlegal.com/codes/kanecountyut/latest/kanecounty_ut/0-0-0-3681

Application: <https://kanecountyutah.net/gov/dept/planning/minor-lot-subdivision-application/>

EXACT ORDINANCE TEXT:

"Note: Under Kane County ordinance and Utah State Code a building permit will not be issued for lots that do not first contain an approved culinary water and wastewater disposal system."

"No building permits will be issued until all improvements have been completed... The developer then pays the following fees: Development fees; Recording fees; and Utility extension fees."

KEY FEATURES:

- Land split allowed immediately
- Building permits NOT issued until infrastructure completed
- DEVELOPER pays all infrastructure costs
- City and residents protected from costs
- Clear deed notification process

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3. CEDAR CITY - SIMPLE MINOR LOT SUBDIVISION

Link: <https://www.cedarcityut.gov/DocumentView.asp?DID=251>

Checklist: <https://www.cedarcityut.gov/DocumentCenter/View/9892>

EXACT ORDINANCE TEXT:

"Simple minor lot subdivisions shall consist of the minor lot subdivisions where... No public infrastructure or improvements are required to be constructed..."

"The subdivision is in a residential zone and all lots front a dedicated public street that is completely improved... but may not have sewer and water service laterals"

KEY FEATURES:

- Simple minor subdivisions allowed
- NO PUBLIC INFRASTRUCTURE required initially
- Improvements installed "as parcels are developed"
- Developer responsible for all future improvements
- Administrative approval for simple divisions

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4. TORREY CITY - SIMPLE LOT SUBDIVISION EXEMPTION

Link: https://codelibrary.amlegal.com/codes/torreyut/latest/torrey_ut/0-0-0-4249

EXACT ORDINANCE TEXT:

"The Utah State Code offers an exemption from many subdivision requirements for subdivisions with four (4) or fewer lots. The Town of Torrey has adopted this process, allowing simple lot subdivisions with up to four (4) lots."

"To be eligible for a simple lot subdivision, the proposal must meet the following criteria: Be intended for single-family dwellings... Contain four (4) or fewer lots... Comply with all applicable land use ordinances..."

KEY FEATURES:

- 4 lots or fewer
- Streamlined administrative process
- Based on Utah Code exemption
- No construction until site plans approved
- Developer provides security for improvements

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5. BIG WATER TOWN - SUBDIVISION WITH DEFERRED BUILDING

Link: <https://www.utah.gov/pmn/files/1186849.pdf>

EXACT ORDINANCE TEXT:

"No person shall subdivide any land, nor shall any building permit be issued by Big Water Town for any lot or parcel of land... until the subdivision plat has been recorded."

"No excavation, grading or regrading shall take place on any subdivision site, and no building permits shall be issued by the Town, until a final subdivision plat has been recorded."

KEY FEATURES:

- Subdivision plat can be recorded immediately
- Building permits deferred until infrastructure completed
- Developer responsible for all improvements
- Clear separation of land division from development

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6. MORGAN COUNTY - MINOR SUBDIVISION (AGRICULTURAL)

Link: https://codelibrary.amlegal.com/codes/morgancountyut/latest/morgancounty_ut/0-0-0-7645

EXACT ORDINANCE TEXT:

"Pursuant to UCA § 17-27a-605, an owner of at least 100 contiguous acres of agricultural land may make one new minor subdivision parcel..."

"The county: (1) May not deny a building permit to an owner of a minor subdivision lot based on: (a) The lot's status as a minor subdivision lot; or (b) The absence of standards..."

"(2) May, in connection with the issuance of a building permit, subject a minor subdivision lot to reasonable health, safety and access standards..."

KEY FEATURES:

- Agricultural land can be subdivided immediately
- Building permits cannot be denied based on subdivision status
- Infrastructure requirements only apply at building permit stage
- County can impose reasonable standards only when building

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7. CENTERVILLE - MINOR SUBDIVISION EXPIRATION

Link: <https://www.centervilleutah.gov/DocumentCenter/View/1440/Ord-No-2024-01-Subdivision-Ordinance-Amendments-FINAL>

EXACT ORDINANCE TEXT:

"A building permit may be issued for a lot within a subdivision prior to installation of all water, sewer and required utilities... upon a finding of the following conditions..."

"The lot fronts onto an already existing hard surfaced street; The main lines for utilities which will service the lot are located within the already existing and improved street..."

KEY FEATURES:

- Building permits can be issued before full infrastructure
- Existing street and utility capacity key factors
- Flexible approach based on existing conditions
- Performance guarantees protect city

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8. SPRINGVILLE - SUBDIVISION IMPROVEMENTS

Link:

<https://www.codepublishing.com/UT/Springville/html/Springville14/Springville145.html>

EXACT ORDINANCE TEXT:

"Prior to the issuance of a building permit, the following improvements are required to be installed... Notwithstanding subsection (2)(a)... building permits may be issued prior to the completion of those improvements..."

"Appropriate bonds and guarantees are in place to cover said required improvements; and
The City Council has approved a development agreement..."

KEY FEATURES:

- Development agreements allow phased improvement installation
- Bonds and guarantees protect city from costs
- Building permits can be issued before full completion
- Developer bears all financial responsibility

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COMMON PATTERNS ACROSS UTAH JURISDICTIONS:

LAND SPLIT ALLOWED IMMEDIATELY:

- ✓ Simple land divisions permitted without infrastructure
- ✓ Administrative or Planning Commission approval
- ✓ Compliance with zoning and lot size requirements
- ✓ Existing road access and basic utility availability

BUILDING PERMITS CONTROLLED:

- ✓ Building permits withheld until infrastructure adequate
- ✓ Developer pays ALL infrastructure costs
- ✓ Performance bonds or guarantees required
- ✓ City inspection and approval required

PROTECTION MECHANISMS:

- ✓ Deed restrictions notify future buyers
- ✓ Development agreements establish responsibilities
- ✓ Financial assurance guarantees completion
- ✓ No city or resident financial liability

LEGAL FOUNDATION:

- ✓ Based on Utah Code 10-9a-605 and 17-27a-605
- ✓ State law allows municipal flexibility
- ✓ Administrative efficiency encouraged
- ✓ Property rights balanced with public safety

SUMMARY FOR WILLARD CITY:

These Utah jurisdictions demonstrate that cities can:

1. ALLOW immediate land splits for property owners
2. PROTECT taxpayers from infrastructure costs
3. ENSURE adequate infrastructure before building
4. MAINTAIN development standards and public safety

Key: The ordinances separate LAND DIVISION from DEVELOPMENT, allowing property owners to split land for financial or family reasons while ensuring that future development pays its own infrastructure costs.

All examples show that Utah Code provides clear authority for this approach while protecting both property rights and municipal finances.