

Laketown, Utah

ORDINANCE 2025-09

AN ORDINANCE AMENDING TITLE 11, SUBDIVISION REGULATIONS, CHAPTER 11.7, MINOR SUBDIVISIONS; PROVIDING FOR REPEALER AND SEVERABILITY

WHEREAS, pursuant to §10-8-84 of Utah Code (as amended) the legislative body may pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by this chapter, and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the municipality and its inhabitants, and for the protection of property in the municipality; and;

WHEREAS, pursuant to §10-20-801 of Utah State Code (as amended) the legislative body of a municipality may enact ordinances requiring that a subdivision plat comply with the provisions of the municipality's ordinances and this part before the subdivision plat may be filed and recorded in the county recorder's office and lots may be sold; and

WHEREAS, pursuant to §10-20-808 of Utah State Code (as amended) the Town may establish a process to approve an administrative land use decision for a subdivision of ten or fewer parcels without a plat; and

WHEREAS, pursuant to §10-20-802 of Utah State Code (as amended) the Planning Commission shall review and provide a recommendation to the legislative body on any proposed ordinance that regulates the subdivision of land in the municipality; review and make a recommendation to the legislative body on any proposed ordinance that amends the regulation of the subdivision of land in the municipality; provide notice consistent with Section §10-20-205 of Utah State Code (as amended); and hold a public hearing on the proposed ordinance before making the Planning Commission's final recommendation to the legislative body; and

WHEREAS, the Planning Commission duly noticed and held a public hearing to discuss the proposed amendments and made a positive recommendation to the Town Council for the adoption of the proposed amendments; and

WHEREAS, upon making the necessary reviews, the Town Council finds it to be in the best interest of the Town to update the relevant policy statements found in Title 11, Subdivision Regulations, Chapter 11.7, Minor Subdivisions, of the Laketown Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Laketown, Utah:

SECTION 1: Repealer. If any provisions of the Laketown Municipal Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: Amendment. Title 11, Subdivision Regulations, Chapter 11.7, Minor Subdivisions, is hereby amended to read as follows:

11.7.1 Purpose

In an effort to reduce the expense and time of development for smaller properties, minor subdivisions may be considered and approved without the requirement of a subdivision plat as outlined in this

chapter and ~~§10-9a-60520-808~~ of Utah State Code (as amended). This chapter shall not be construed to modify ~~or reduce the requirements for standards for lots, infrastructure, subdivisions, or any other requirement or standard outlined in this code.~~ The sole purpose of this chapter is zoning or other requirements for lots, but is intended solely to provide for a more expedient approval for minor subdivisions on smaller parcels of real property.

HISTORY:

Ord. 2022-09, 12-7-2022

Ord. No. 2023-05, 12/6/2023

11.7.2 Minor Subdivision Requirements

- A. A subdivision plat shall not be required for a "Minor Subdivision" as defined by this ordinance. However, in the case of a minor subdivision, preliminary plan approval is not required. The general review process outlined for final plat subdivision approval in this title shall be followed, even if a plat is not required.
- B. To be considered as a minor subdivision and exempt from platting requirements outlined in this title, the proposed subdivision shall meet the following requirements: Property eligible to be a "Minor Subdivision" and thereby avoid the requirement of a plat, shall satisfy the following requirements:
1. The parcel to be subdivided shall be no more than three (3) acres maximum;
 - 1.2. The proposed subdivision shall contain a maximum of three (3) lots or less;
 - 2.3. The proposed subdivision shall be located in a zoned area; parcel to be subdivided shall not be part of an existing subdivision;
 - 3.4. The proposed subdivision shall not be part of an existing, previously platted subdivision; parcel to be subdivided shall have a current zoning that allows single-family residences;
 5. The proposed Minor Subdivision shall be only for the development of single-family residences, and each lot in the Minor Subdivision shall contain only one (1) single-family residence;
 - 4.6. The proposed Minor sSubdivision shall not be traversed by the mapped lines of a proposed street, municipal utility easement, or any other easement or public purpose as shown in the Town's General Plan or Master Transportation Plan, unless the Town has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes that the Town's ordinances require general plan, unless the Minor Subdivision includes the location of such public uses, and is approved by the Town;
 7. Each of the lots in the proposed mMinor sSubdivision meet all applicable land use and zoning requirements including meeting the required frontage, width, and area requirements, or the applicant can demonstrate that a variance has been granted from such requirements must be approved by the culinary water authority and the sanitary sewer authority, and meet all water requirements imposed by the Town.
 - 5-8. Each lot in the proposed Minor Subdivision conforms to all applicable land use ordinances or has properly received a variance from the requirement of an otherwise conflicting and applicable land use ordinance.

HISTORY:

Ord. No. 2023-05, 12/6/2023

11.7.3 Application Required

- A. An application for a ~~m~~Minor ~~residential s~~Subdivision is required to be filed with the Town.
- B. **Pre-application Meeting Required.**
1. Prior to submitting an application to the Planning Commission, a pre-application meeting shall be required to determine whether the proposed subdivision meets the requirements of a ~~m~~Minor ~~s~~Subdivision.
 - ~~2. If the proposed minor subdivision is a residential single family, two family, or townhouse project, the applicant(s) may request the Town review a conceptual plan as part of the pre-application meeting.~~
- C. **Application.** A ~~m~~Minor ~~s~~Subdivision application shall be completed and signed by the owner(s) as identified on the property assessment rolls of the County, or by an authorized agent of the owner(s) of the land proposed to be subdivided. The ~~m~~Minor ~~s~~Subdivision application shall be accompanied by applicable fees as outlined in the Town's fee schedule.
- D. The Planning Commission shall determine and find that the ~~m~~Minor ~~s~~Subdivision application is complete and contains all of the information required by this chapter and §10-20-808 of Utah State Code (as amended) before commencing the review process. The lack of any information required by this chapter shall be cause for the Town to find the ~~m~~Minor ~~s~~Subdivision application is incomplete.
- E. The determination of an incomplete application shall prohibit the Town from considering any material, items, or other information related to the proposed Minor sSubdivision. The Planning Commission shall notify the applicant(s), in writing of the required information lacking from the ~~m~~Minor ~~s~~Subdivision application. The Town shall allow thirty (30) calendar days from the date of notification of an incomplete application for the applicant(s) to provide the required information to the Town. If the application remains incomplete after thirty (30) calendar days from the date of notification as required herein, the Town shall return the entire incomplete Minor Subdivision application to the applicant(s).

HISTORY:

Ord. No. 2023-05, 12/6/2023

SECTION 3: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 4: Effective Date. This ordinance shall become effective upon publication or posting as required by Utah law.

PASSED AND ADOPTED by Laketown Town Council, this **7th day of January, 2026**.

Brandon Willis
BRANDON WILLIS, Mayor
Laketown Town

Attest:

Lisa Johnson
Lisa Johnson, Clerk
Laketown Town

Town Council Vote As Recorded:

| | AYE | NAY | ABSTAIN | ABSENT |
|-----------------|-----------|-------|---------|--------|
| Kirsten Gash | <u>KG</u> | _____ | _____ | _____ |
| Burdette Weston | <u>BW</u> | _____ | _____ | _____ |
| Kris Hodges | <u>KH</u> | _____ | _____ | _____ |
| Denise Johnson | <u>DJ</u> | _____ | _____ | _____ |

RECORDED this 01-07-26.

PUBLISHED OR POSTED this 01-07-26.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with §10-3-713 of Utah State Code, as amended, I, the Clerk of Laketown Town, hereby certify that the foregoing Amendment was duly passed and published or posted at:

- 1) Laketown Town Office
- 2) Laketown United States Post Office
- 3) Dee's Super Service
- 4) Laketown Town Website

on the above referenced dates.

Lisa Johnson
LISA JOHNSON, Clerk
Laketown Town

