



# SANDY CITY COMMUNITY DEVELOPMENT

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## Staff Report Memorandum October 16, 2025

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To: City Council via Planning Commission

From: Community Development Department

Subject: Amendments to Title 21 of the Land Development Code related to Boundary Adjustments CA09302025-0007048

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**Public Hearing Notice:** This item has been noticed on public websites, sent to affected entities and posted in three public locations at least 10 days prior to the Public Hearing.

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### Request

On behalf of Sandy City, the Community Development Department is proposing to amend Title 21, *Land Development Code*, Chapter 3, *Officers, Boards and Commissions*, Chapter 30, *Subdivision Review*, and Chapter 37, *Definitions*. The code amendments will bring the Sandy Land Development Code in line with new changes to the Utah Code. The proposed code amendments update the requirements, procedures and definitions related to simple boundary adjustments, full boundary adjustments and subdivision plat vacations and amendments. The specific amendments to the Land Development Code are included as Exhibit "A" (red-lined version) and Exhibit "B" (clean version).

### Background

Over the years, the State Legislature has made several changes to Utah Code relating to subdivisions, subdivision amendments and property line adjustments. Continuing with this tradition, [Senate Bill 140](#) was passed during the 2025 Utah Legislative Session, which enacted new and revised code language relating to boundary adjustments (aka property line adjustments). Utah code defines a boundary adjustment as an agreement between adjoining property owners to relocate a common boundary that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels, but only if it does not create an additional lot or parcel ([UCA 10-9a-103\(7\)](#)). The primary difference with this new legislation is the establishment of a simplified, ministerial process for owners that want to adjust a shared property line between lots and/or parcels. To address these new provisions, the proposed amendments bring the City's land use code into compliance with the current Utah Code.

Case History	
Case Number	Case Summary
Ordinance No. 24-06 CA02292024-0006725	Amends Title 21, Land Development Code, Chapter 30, Subdivision Review, and Chapter 36, Notice Requirements, to update the public noticing requirements for neighborhood meetings, and the subdivision review requirements and procedures for subdivision plat amendments, property line adjustments and street vacations. Ord. No. <a href="#">24-06</a> , § 1(Exh. A), 4-16-2024).

Case History	
Case Number	Case Summary
Ordinance No. 24-01 CA09272023-0006628	Amends various sections of Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 30, "Subdivision Review" to bring the Land Development Code in line with changes to the Utah State Code relating to requirements and procedures for subdivision review. Ord. No. 24-01, (Exh. A), 01-29-2024.
Ordinance No. <a href="#">21-08</a> CODE-02-21-5989	Amends various sections of Title 21 of the Sandy City Municipal Code, including Chapter 30, Subdivision Review, to include requirements for Storm Water Analysis and Drainage Plans, Storm Water Pollution Prevention Plan, Notice of Intent and Post Construction Storm Water Maintenance Agreements. LDC 2008, § 15A-30-01; Ord. No. <a href="#">21-08</a> , § 1(Exh. A), 3-23-2021.
Ordinance No. <a href="#">20-12</a> CODE-09-20-5907	Amendments to Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 36, "Notice Requirements" to align the development code regulations with recent amendments to State requirements. Amendment allows City to exceed certain minimum State mandated noticing requirements on certain types of land use applications, by requiring both mailed and physical posting of public notice of public meetings. Ord. No. <a href="#">20-12</a> , § 1(Exh. A), 10-20-2020.
Ordinance No. 15-22 CODE-5-15-4333	Amends various sections of Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 30, "Subdivision Review" to address Utah Pollution Discharge Elimination System (UPDES), Storm Water Pollution Prevention Plan (SWPPP) and to encourage a Low Impact Development approach for new development in the City. LDC 2008, § 15A-30-03; Ord. No. 15-22, 7-15-2015.
Ordinance No. 14-29 CODE-5-14-3640	Amends various sections of Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 30, "Subdivision Review" to establish regulations related to private roads and associated development improvements for new subdivisions. LDC 2008, § 15A-30-08; Ord. No. 14-29, 9-28-2014;
Ordinance No. 12-03	Amendments to Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 30, "Subdivision Review." LDC 2008, § 15A-30-06; Ord. No. 12-03, 1-27-2012;
Ordinance No. 09-13	Amendments to Title 21 of the Sandy City Municipal Code (formerly Title 15A of the Revised Ordinances of Sandy City), Chapter 30, "Subdivision Review." LDC 2008, § 15A-30-03; Ord. No. 09-13, 5-15-2009;

### Public Notice

The city issued notice of the public hearing for the proposed code amendments on public websites, mailed notice to affected entities and posted in three public locations at least 10 days prior to the Planning Commission public hearing in accordance with the Land Development Code Sec. 21-36-1 and the Utah State Code § 10-9a-205.

### Analysis

This new legislation establishes new or revised definitions and procedures for boundary adjustments, which in turn require changes to Sandy's existing code related to property line adjustments and subdivision plat amendments. Utah code now offers an efficient process for owners that want to adjust a shared property line with a "simple boundary adjustment" (per [UCA 10-9a-523](#)). A simple boundary adjustment is a boundary adjustment that does not: (a) affect a public right-of-way, municipal utility easement, or other public property; (b) affect an existing easement, onsite wastewater system, or an internal lot restriction; or (c) result in a lot or parcel out of conformity with land use regulations. If a boundary adjustment does not qualify for a simple boundary adjustment, it is considered a "full boundary adjustment." The new law allows city approval of simple boundary adjustments without conducting a public meeting if all standards are met. Alternatively, a full boundary adjustment will be subject to city requirements for subdivision plat amendments, which require public notice and a public meeting prior to a decision by the Community Development Director.

To implement these new provisions, the Sandy Land Development Code is proposed to be amended as follows:

1. Land use decisions ascribed to the Planning Commission and the Community Development Director are corrected where necessary ([Chapter 21-3](#)).
2. The section on property line adjustments is updated to be consistent with state law standards for boundary adjustments ([Chapter 21-30](#)). This will allow owners to adjust a mutual property line through a “simple boundary adjustment” process, if they meet the qualifications and standards for approval. This amendment removes the requirement for a public meeting prior to issuance of a decision, consistent with state law.
3. If an application does not qualify for a simple boundary adjustment, it is considered a “full boundary adjustment,” and subject to the standards and procedures for subdivision plat amendments. Therefore, the section on subdivision plat amendments is updated to include full boundary adjustments ([Chapter 21-30](#)).
4. Lastly, various definitions are added or updated in [Chapter 21-37](#) to align with the Utah Code.

For the specific language of the proposed amendments, see Exhibit “A” (red-lined version) and Exhibit “B” (clean version), which are attached to this report.

### **Non-Conforming Uses**

This code amendment would not create any non-conforming situations.

### **Land Development Code Purpose Compliance**

The Sandy City Land Development Code in 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

#### ***21-1-3 Purpose***

*This Code is adopted to implement Sandy City’s General Plan and to promote public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:*

1. ***General***
  - a. *To facilitate the orderly growth and development of Sandy City.*
  - b. *To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.*
  - c. *To stabilize property values.*
  - d. *To enhance the economic well-being of Sandy City and its inhabitants.*
2. ***Implementation of General Plan***

*To coordinate and ensure the implementation of the City’s General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.*
3. ***Comprehensive, Consistent and Equitable Regulations***

*To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.*
4. ***Efficiently and Effectively Managed Procedures***
  - a. *To promote fair procedures that are efficient and effective in terms of time and expense.*
  - b. *To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.*
  - c. *To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.*

The proposed code amendment is consistent with the purpose of the Land Development Code because the proposal promotes public health, safety and welfare; ensures consistency and equitable standards; establishes fair procedures that are efficient and effective in terms of time and expense; facilitates the orderly growth and development of Sandy City; and is consistent with the Sandy City General Plan.

**General Plan Compliance**

The Sandy City General Plan encourages appropriate development standards for all uses and zoning categories within the city. The proposed code amendment furthers that goal and objective by establishing appropriate land development standards for all uses and zoning categories within Sandy City.

**Recommendation**

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, of the Sandy Municipal Code, relating to boundary adjustments, as shown in Exhibit “A”, based on the following findings:

**Findings:**

1. The City Council may amend land use ordinances consistent with the purposes of the Sandy Land Development Code, the Sandy City General Plan, and the Utah Code, Municipal Land Use, Development, and Management Act per Title 21 Chapter 5 of the Sandy Municipal Code.
2. The proposal is reviewed by the Planning Commission and City Council in accordance with the requirements of Title 21 Chapter 5 of the Sandy Municipal Code.
3. The proposal complies with the purpose of the Land Development Code under Section 21-1-03 by promoting the public health, safety, and welfare; ensuring consistent and equitable standards; establishing fair procedures that are efficient and effective in terms of time and expense; and by facilitating the orderly growth and development of Sandy City.
4. The proposal complies with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Melissa Anderson  
Zoning Administrator

Exhibits:

- A. Proposed code amendments (red-lined version)
- B. Proposed code amendments (clean version)

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**CHAPTER 21-3. OFFICERS, BOARDS AND COMMISSIONS**

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**Sec. 21-3-3. Land Use Authorities.**

(a) *Planning Commission.*

...

(4) *Powers and Duties.*

...

c. *Reviews and Decisions.* The Planning Commission shall review and decide the following:

1. Conditional use permits.
2. Expansion or alteration of a nonconforming structure or use after determination by the Director.
3. Site plans delegated to it in this title or by the Director.
4. Special exceptions delegated to it in this title or by the Director.
5. ~~Reasonable accommodation.~~
6. —Other matters as established by the City Council.

...

(b) *Administrative Officer.* The Director is hereby designated to review and decide the following:

- (1) Special exceptions as specifically set forth in this title, including those in the land use matrices.
- (2) Applications for site plan review and approval as delegated in this title.
- (3) Determination of the nonconforming status of a building, structure, or use.
- (4) Approval of a building permit for a nonconforming structure addition or alteration as allowed within this title.
- (5) Routine and uncontested matters as delegated in this title.
- (6) ~~Property Line Adjustments.~~ Boundary adjustments and vacating or amending a subdivision plat, as set forth in this Title.
- (7) Other matters as established by the City Council.

(LDC 2008, § 15A-03-03; Ord. No. 09-02, 1-26-2009; Ord. No. 10-41, 12-14-2010; Ord. No. 13-15, 6-11-2013; Ord. No. 17-10, exh. A(15A-03-03), 3-9-2017)

State law reference(s)—Planning commissions, U.C.A. 1953, § 10-9a-301 et seq.

## CHAPTER 21-30. SUBDIVISION REVIEW<sup>1</sup>

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### Sec. 21-30-1. Purpose.

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- (b) This Chapter sets forth the processes for obtaining preliminary and final subdivision development approval, as well as vacating or amending a subdivision plat, vacating a public street, right-of-way or easement, ~~property line~~boundary adjustments, and subdivision improvements.

(Ord. No. 24-01, § 1(Exh. A), 1-9-2024)

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### Sec. 21-30-7. Vacating or amending a subdivision plat; process.

- (a) *Applicability.* As set forth in Utah Code, any fee owner of land within a previously platted subdivision may apply to have some or all of the subdivision plat vacated or amended, which includes full boundary adjustments. If no new lots are created, the land use authority, application and review requirements are as set forth in this Section.
- (b) *Land Use Authority Designation; Public Meetings; Notice.*
- (1) *Director.* The Director is hereby designated to consider and determine those proposed subdivision plat vacations or amendments which are requested by petition of a fee owner of land within the subdivision, except those determined by the Planning Commission, as set forth in Subsection (b)(2) of this Section.
- (2) *Planning Commission.* The Planning Commission is hereby designated to consider and determine any proposed vacation or amendment of a subdivision plat for which a public hearing is required. A public hearing is required for ~~all~~any of the following:
- Any owner within the plat objects in writing to the petition within ten days of mailed notification;
  - All the owners have not consented to the petition; ~~and~~or
  - The City proposes to vacate or amend a subdivision plat.
- (3) *Public Meetings and Notice.* A public meeting or hearing shall be held, and notice provided as required by this Title and Utah Code. No neighborhood meeting is required.

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<sup>1</sup>Editor's note(s)—Ord. No. 24-01, § 1(Exh. A), adopted Feb. 27, 2024, amended Ch. 21-30 in its entirety, in effect repealing and reenacting said Ch. 21-30 to read as set out herein. The former Ch. 21-30, §§ 21-30-1—21-30-14, pertained to similar subject matter and derived from LDC 2008, § 15A-30-01—15A-30-13; Ord. No. 09-13, adopted May 15, 2009; Ord. No. 10-01, adopted Jan. 26, 2010; Ord. No. 12-03, adopted Jan. 27, 2012; Ord. No. 14-29, adopted Sept. 28, 2014; Ord. No. 15-22, adopted July 15, 2015; Ord. No. 21-08, § 1(Exh. A), adopted March 23, 2021.

State law reference(s)—Subdivisions, U.C.A. 1953, § 10-9a-601 et seq.

**Sec. 21-30-9. ~~Property line~~Boundary adjustments.**

- (a) Boundary Adjustment. Adjoining property owners may enter into an agreement for a boundary adjustment to relocate a common boundary that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels if the boundary adjustment does not create an additional lot or parcel.
- (b) Simple boundary adjustment. Owners may apply for a simple boundary adjustment if it does not:
- (1) affect a public right-of-way, municipal utility easement, or other public property;
  - (2) affect an existing easement, onsite wastewater system, or an internal lot restriction; or
  - (3) results in a lot or parcel that is in violation of the City Code.
- (c) Full boundary adjustment. If an application for a boundary adjustment does not meet the requirements for a simple boundary adjustment, a full boundary adjustment is required and subject to the standards and procedures set forth under Section 21-30-7, Vacating or Amending a Subdivision Plat.
- (ad) Standards for Simple Boundary Adjustments. Owners may adjust property lines between adjacent legal parcels that are described by a metes and bounds description, by exchanging title to portions of those parcels after City approval if: An application that qualifies for simple boundary adjustment under subsection (b) of this Section may be approved by the City if all the following standards are met:
- (1) No new lot or parcel results from the property lineboundary adjustment.
  - (2) The adjoining property owners consent to the property lineboundary adjustment.
  - (3) The property lineboundary adjustment does not result in new, additional or increased square footage of remnant land ~~that did not previously exist.~~
  - (4) The property lineboundary adjustment does not result in violation of the City Code.
  - (5) The property lineboundary adjustment does not result in an increase of a nonconforming situation.
  - (6) The application meets all requirements of subsection (e) of this Section.
- ~~(b) Adjustments to lots within a recorded subdivision plat shall follow Section 21-30-7, Vacating or Amending a Subdivision Plat.~~
- (ee) Application Requirements. The owners shall file an application requesting a ~~property line~~ simple boundary adjustment together with all required conveyance documents, in electronic PDF format scaled to a print size of eight and one-half inches by 11 inches, as follows:
- (1) Legal Descriptions. Property legal descriptions as follows:
    - a. A legal description for each of the properties that will be affected by the proposed changes, as they currently exist on record with the Salt Lake County Recorder's Office, including the square footage, and the Salt Lake County parcel number of each property.
    - b. A legal description for each of the properties that will be affected by the proposed change, in their final proposed configuration(s), including the revised square footage.
    - c. Each legal description shall be prepared, stamped certified, and signed by a professional land surveyor that is currently licensed in the State of Utah.
  - (2) Property transfer deed(s). A draft of all deeds that will be used to transfer the fee title ownership of the subject properties. They shall include a specific notation as to the purpose of this deed relating to a property lineboundary adjustment.
  - (3) Notice of Approval. An approval form, as provided by the City, that declares approval of the ~~property line~~ simple boundary adjustment and an acknowledgement of approval by the City.

## EXHIBIT "A"

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- a. Is executed by each owner included in the boundary adjustment;
  - b. Is executed by the Director;
  - c. Contains an acknowledgment for each party executing the notice as required by state law for real property; and
  - d. Recites the description of both the original parcels and the parcels created by the ~~property~~ lineboundary adjustment.
- (4) *Map Exhibit.* A visual depiction reflecting the proposed parcel configuration upon completion of the adjustment. It shall contain a north arrow, standard engineer's scale, bearings and distances, curve tables, location of existing structures, easements, setback lines or other information as requested by the City.
- ~~(d) — *Public Meetings and Notice.* A public meeting shall be held, and notice provided as required by this Title and Utah Code. No neighborhood meeting is required.~~
- (ef) *Director Review.* The Director shall act as the land use authority and review all the documents to determine if they are complete, and that they comply with the requirements set forth above. If the Director determines that documents are complete and the requested property lineboundary adjustment complies with the standards set forth above, the Director will approve the ~~property line simple boundary~~ adjustment.
- (fg) *Recordation.* After approval by the Director, the applicant shall:
- (1) Record the Notice of Approval and approved property transfer deeds that convey title with the Salt Lake County Recorder's Office.
  - (2) Provide digital copies of all recorded documents to the City ~~and provide a limited title report or informational report (provided by a title company) of property that was altered, showing that the property was properly transferred and configured as approved by the City.~~
- (gh) *Expiration of Property Line Simple Boundary Adjustment Approval.* The ~~property line simple boundary~~ adjustment notice of approval shall expire and be void one year after issuance by the Director unless it has been recorded with the Salt Lake County Recorder's Office. The Director may grant two six-month extensions of the ~~property line simple boundary~~ adjustment notice of approval, provided it still complies with all applicable ordinances.

(Ord. No. 24-01, § 1(Exh. A), 1-9-2024; Ord. No. 24-06, § 1(Exh. A), 4-16-2024)

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## CHAPTER 21-37. DEFINITIONS

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### Sec. 21-37-3. "B" Definitions.

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(16) Boundary adjustment means an agreement between adjoining property owners to relocate a common boundary that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels. A boundary adjustment does not include a modification of a lot or parcel boundary that creates an additional lot or parcel or that is made by the Department of Transportation.

(17) Boundary Adjustment, Full means a means a boundary adjustment that: (a) affects a public right-of-way, municipal utility easement, or other public property; (b) affects an existing easement, onsite wastewater system, or an internal lot restriction; or (c) results in a lot or parcel out of conformity with land use regulations.

(18) Boundary Adjustment, Simple means a boundary adjustment that does not: (a) affect a public right-of-way, municipal utility easement, or other public property; (b) affect an existing easement, onsite wastewater system, or an internal lot restriction; or (c) result in a lot or parcel out of conformity with land use regulations.

(1619) Botanical gardens means a public or private facility for the demonstration and observations of the cultivation of flowers, fruits, vegetables, or ornamental plants.

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### Sec. 21-37-17. - "P" Definitions.

(1) Parcel means any real property that is not a lot.

(12) Park and ride facilities means ...

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### Sec. 21-37-13. "L" Definitions.

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(8) Lot means a legal parcel of land occupied or to be occupied by a main building or group of main buildings and accessory buildings, together with such yards, open spaces, frontage, lot width, and lot area as are required by ordinance tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

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### Sec. 21-37-20. "S" Definitions.

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(121) Subdivision means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. The term "subdivision" includes:

## EXHIBIT "A"

- ~~a. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and~~
- ~~b. Divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.~~

Subdivision means any land that is divided, resubdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

(a) The term "subdivision" includes:

- (1) the division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- (2) except as provided in Subsection (76)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

(b) The term "subdivision" does not include:

- (1) a recorded conveyance document:
  - a. consolidating multiple lots or parcels into one legal description encompassing all lots by reference to a recorded plat and all parcels by metes and bounds description; or
  - b. joining a lot to a parcel;
- (2) a bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
  - a. is in anticipation of future land use approvals on the parcel or parcels;
  - b. does not confer any land use approvals; and
  - c. has not been approved by the land use authority;
- (3) a boundary adjustment;
- (4) a boundary establishment;
- (5) a road, street, or highway dedication plat;
- (6) a deed or easement for a road, street, or highway purpose; or
- (7) any other division of land authorized by law.

(122) Subdivision amendment means:

(a) an amendment to a recorded subdivision that:

- (1) vacates all or a portion of the subdivision;
- (2) increases the number of lots within the subdivision;
- (3) alters a public right-of-way, a public easement, or public infrastructure within the subdivision;  
or
- (4) alters a common area or other common amenity within the subdivision.

(b) The term "subdivision amendment" does not include a simple boundary adjustment.

(123) Subgrade means either the soil prepared and compacted to support a structure or a pavement system, or the elevation of the bottom of the trench in which a sewer or pipeline is laid.

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**CHAPTER 21-3. OFFICERS, BOARDS AND COMMISSIONS**

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**Sec. 21-3-3. Land Use Authorities.**

(a) *Planning Commission.*

...

(4) *Powers and Duties.*

...

c. *Reviews and Decisions.* The Planning Commission shall review and decide the following:

1. Conditional use permits.
2. Expansion or alteration of a nonconforming structure or use after determination by the Director.
3. Site plans delegated to it in this title or by the Director.
4. Special exceptions delegated to it in this title or by the Director.
5. Other matters as established by the City Council.

...

(b) *Administrative Officer.* The Director is hereby designated to review and decide the following:

- (1) Special exceptions as specifically set forth in this title, including those in the land use matrices.
- (2) Applications for site plan review and approval as delegated in this title.
- (3) Determination of the nonconforming status of a building, structure, or use.
- (4) Approval of a building permit for a nonconforming structure addition or alteration as allowed within this title.
- (5) Routine and uncontested matters as delegated in this title.
- (6) Boundary adjustments and vacating or amending a subdivision plat, as set forth in this Title.
- (7) Other matters as established by the City Council.

(LDC 2008, § 15A-03-03; Ord. No. 09-02, 1-26-2009; Ord. No. 10-41, 12-14-2010; Ord. No. 13-15, 6-11-2013; Ord. No. 17-10, exh. A(15A-03-03), 3-9-2017)

State law reference(s)—Planning commissions, U.C.A. 1953, § 10-9a-301 et seq.

## **CHAPTER 21-30. SUBDIVISION REVIEW<sup>1</sup>**

...

### **Sec. 21-30-1. Purpose.**

...

- (b) This Chapter sets forth the processes for obtaining preliminary and final subdivision development approval, as well as vacating or amending a subdivision plat, vacating a public street, right-of-way or easement, boundary adjustments, and subdivision improvements.

(Ord. No. 24-01, § 1(Exh. A), 1-9-2024)

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### **Sec. 21-30-7. Vacating or amending a subdivision plat; process.**

- (a) *Applicability.* As set forth in Utah Code, any fee owner of land within a previously platted subdivision may apply to have some or all of the subdivision plat vacated or amended, which includes full boundary adjustments. If no new lots are created, the land use authority, application and review requirements are as set forth in this Section.
- (b) *Land Use Authority Designation; Public Meetings; Notice.*
  - (1) *Director.* The Director is hereby designated to consider and determine those proposed subdivision plat vacations or amendments which are requested by petition of a fee owner of land within the subdivision, except those determined by the Planning Commission, as set forth in Subsection (b)(2) of this Section.
  - (2) *Planning Commission.* The Planning Commission is hereby designated to consider and determine any proposed vacation or amendment of a subdivision plat for which a public hearing is required. A public hearing is required for any of the following:
    - a. Any owner within the plat objects in writing to the petition within ten days of mailed notification;
    - b. All the owners have not consented to the petition; or
    - c. The City proposes to vacate or amend a subdivision plat.
  - (3) *Public Meetings and Notice.* A public meeting or hearing shall be held, and notice provided as required by this Title and Utah Code. No neighborhood meeting is required.

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<sup>1</sup>Editor's note(s)—Ord. No. 24-01, § 1(Exh. A), adopted Feb. 27, 2024, amended Ch. 21-30 in its entirety, in effect repealing and reenacting said Ch. 21-30 to read as set out herein. The former Ch. 21-30, §§ 21-30-1—21-30-14, pertained to similar subject matter and derived from LDC 2008, § 15A-30-01—15A-30-13; Ord. No. 09-13, adopted May 15, 2009; Ord. No. 10-01, adopted Jan. 26, 2010; Ord. No. 12-03, adopted Jan. 27, 2012; Ord. No. 14-29, adopted Sept. 28, 2014; Ord. No. 15-22, adopted July 15, 2015; Ord. No. 21-08, § 1(Exh. A), adopted March 23, 2021.

State law reference(s)—Subdivisions, U.C.A. 1953, § 10-9a-601 et seq.

**Sec. 21-30-9. Boundary adjustments.**

- (a) *Boundary Adjustment.* Adjoining property owners may enter into an agreement for a boundary adjustment to relocate a common boundary that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels if the boundary adjustment does not create an additional lot or parcel.
- (b) *Simple boundary adjustment.* Owners may apply for a simple boundary adjustment if it does not:
  - (1) affect a public right-of-way, municipal utility easement, or other public property;
  - (2) affect an existing easement, onsite wastewater system, or an internal lot restriction; or
  - (3) results in a lot or parcel that is in violation of the City Code.
- (c) *Full boundary adjustment.* If an application for a boundary adjustment does not meet the requirements for a simple boundary adjustment, a full boundary adjustment is required and subject to the standards and procedures set forth under Section 21-30-7, Vacating or Amending a Subdivision Plat.
- (d) *Standards for Simple Boundary Adjustments.* An application that qualifies for simple boundary adjustment under subsection (b) of this Section may be approved by the City if all the following standards are met:
  - (1) No new lot or parcel results from the boundary adjustment.
  - (2) The adjoining property owners consent to the boundary adjustment.
  - (3) The boundary adjustment does not result in new, additional or increased square footage of remnant land.
  - (4) The boundary adjustment does not result in violation of the City Code.
  - (5) The boundary adjustment does not result in an increase of a nonconforming situation.
  - (6) The application meets all requirements of subsection (e) of this Section.
- (e) *Application Requirements.* The owners shall file an application requesting a simple boundary adjustment together with all required conveyance documents, in electronic PDF format scaled to a print size of eight and one-half inches by 11 inches, as follows:
  - (1) *Legal Descriptions.* Property legal descriptions as follows:
    - a. A legal description for each of the properties that will be affected by the proposed changes, as they currently exist on record with the Salt Lake County Recorder's Office, including the square footage, and the Salt Lake County parcel number of each property.
    - b. A legal description for each of the properties that will be affected by the proposed change, in their final proposed configuration(s), including the revised square footage.
    - c. Each legal description shall be prepared, stamped certified, and signed by a professional land surveyor that is currently licensed in the State of Utah.
  - (2) *Property transfer deed(s).* A draft of all deeds that will be used to transfer the fee title ownership of the subject properties. They shall include a specific notation as to the purpose of this deed relating to a boundary adjustment.
  - (3) *Notice of Approval.* An approval form, as provided by the City, that declares approval of the simple boundary adjustment and an acknowledgement of approval by the City.
    - a. Is executed by each owner included in the boundary adjustment;
    - b. Is executed by the Director;

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## EXHIBIT "B"

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- c. Contains an acknowledgment for each party executing the notice as required by state law for real property; and
  - d. Recites the description of both the original parcels and the parcels created by the boundary adjustment.
- (4) *Map Exhibit.* A visual depiction reflecting the proposed parcel configuration upon completion of the adjustment. It shall contain a north arrow, standard engineer's scale, bearings and distances, curve tables, location of existing structures, easements, setback lines or other information as requested by the City.
- (f) *Director Review.* The Director shall act as the land use authority and review all the documents to determine if they are complete, and that they comply with the requirements set forth above. If the Director determines that documents are complete and the requested boundary adjustment complies with the standards set forth above, the Director will approve the simple boundary adjustment.
- (g) *Recordation.* After approval by the Director, the applicant shall:
  - (1) Record the Notice of Approval and approved property transfer deeds that convey title with the Salt Lake County Recorder's Office.
  - (2) Provide digital copies of all recorded documents to the City.
- (h) *Expiration of Simple Boundary Adjustment Approval.* The simple boundary adjustment notice of approval shall expire and be void one year after issuance by the Director unless it has been recorded with the Salt Lake County Recorder's Office. The Director may grant two six-month extensions of the simple boundary adjustment notice of approval, provided it still complies with all applicable ordinances.

(Ord. No. 24-01, § 1(Exh. A), 1-9-2024; Ord. No. 24-06, § 1(Exh. A), 4-16-2024)

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**CHAPTER 21-37. DEFINITIONS**

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**Sec. 21-37-3. "B" Definitions.**

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- (16) *Boundary adjustment* means an agreement between adjoining property owners to relocate a common boundary that results in a conveyance of property between the adjoining lots, adjoining parcels, or adjoining lots and parcels. A boundary adjustment does not include a modification of a lot or parcel boundary that creates an additional lot or parcel or that is made by the Department of Transportation.
- (17) *Boundary Adjustment, Full* means a means a boundary adjustment that: (a) affects a public right-of-way, municipal utility easement, or other public property; (b) affects an existing easement, onsite wastewater system, or an internal lot restriction; or (c) results in a lot or parcel out of conformity with land use regulations.
- (18) *Boundary Adjustment, Simple* means a boundary adjustment that does not: (a) affect a public right-of-way, municipal utility easement, or other public property; (b) affect an existing easement, onsite wastewater system, or an internal lot restriction; or (c) result in a lot or parcel out of conformity with land use regulations.
- (19) *Botanical gardens* means a public or private facility for the demonstration and observations of the cultivation of flowers, fruits, vegetables, or ornamental plants.

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**Sec. 21-37-17. - "P" Definitions.**

- (1) *Parcel* means any real property that is not a lot.
- (2) *Park and ride facilities* means ...

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**Sec. 21-37-13. "L" Definitions.**

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- (8) *Lot* means a tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

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**Sec. 21-37-20. "S" Definitions.**

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- (121) *Subdivision* means any land that is divided, resubdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.
  - (a) The term "subdivision" includes:

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**EXHIBIT "B"**

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- (1) the division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
  - (2) except as provided in Subsection (76)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
- (b) The term "subdivision" does not include:
  - (1) a recorded conveyance document:
    - a. consolidating multiple lots or parcels into one legal description encompassing all lots by reference to a recorded plat and all parcels by metes and bounds description; or
    - b. joining a lot to a parcel;
  - (2) a bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:
    - a. is in anticipation of future land use approvals on the parcel or parcels;
    - b. does not confer any land use approvals; and
    - c. has not been approved by the land use authority;
  - (3) a boundary adjustment;
  - (4) a boundary establishment;
  - (5) a road, street, or highway dedication plat;
  - (6) a deed or easement for a road, street, or highway purpose; or
  - (7) any other division of land authorized by law.
- (122) *Subdivision amendment* means:
  - (a) an amendment to a recorded subdivision that:
    - (1) vacates all or a portion of the subdivision;
    - (2) increases the number of lots within the subdivision;
    - (3) alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or
    - (4) alters a common area or other common amenity within the subdivision.
  - (b) The term "subdivision amendment" does not include a simple boundary adjustment.
- (123) *Subgrade* means either the soil prepared and compacted to support a structure or a pavement system, or the elevation of the bottom of the trench in which a sewer or pipeline is laid.

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