

Subdivision Amendment Application Requirements

Per NLMC 12D-308:

A. Subdivision Amendments.

1. The Land Use Authority as outlined in 12D-301 may, consider any proposed vacation, alteration, or amendment of a recorded subdivision plat, or any portion of the recorded subdivision plat, by following and complying with all of the requirements for amending a subdivision, or vacating a public street as identified in §10-9a-608 and §10-9a-609 of Utah State Code (as amended).
2. Applicant(s) shall submit a complete application, including the fee as required as indicated in the City's fee schedule to the City on a form prescribed by the City, together with the number and size of plans indicated on the application form, including all digital submittals.
3. Poorly drawn or illegible plans shall be sufficient cause for rejection. The lack of any information required by this title or as outlined in §10-9a-608 and §10-9a-609 of Utah State Code (as amended) shall be cause for the Zoning Administrator's determination of an incomplete submittal and shall prohibit the Recommending Body and Land Use Authority as outlined in 12D-301 from considering any material, items, or other information related to the proposed subdivision amendment. The Zoning Administrator shall notify the applicant of the required information lacking from the application in writing.
4. Plat Requirements. Applicant(s) shall prepare a plat that:
 - a. Depicts only the portion of the subdivision that is proposed to be amended;
 - b. Includes a plat name that distinguishes the amended plat from the original plat;
 - c. Describes the differences between the amended and original plat; and
 - d. Includes relevant references to the original plat.
5. Affected Entities. The City shall provide notice to affected entities as required by §10-9a-608 of Utah State Code (as amended).
6. Public Hearing Required. Unless exempted from the public hearing requirements outlined in §10-9a-608 of Utah State Code (as amended), the Land Use Authority outlined in 12D-301 shall hold a public hearing to consider the approval, approval with modifications, or denial of a proposed subdivision amendment.
7. Preservation Of Easements Required. The Land Use Authority may not approve a petition for a subdivision amendment unless the amendment identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.
8. Approval Requirements. The Land Use Authority may only approve the vacation or amendment of a plat by finding that there is good cause for the vacation or amendment and that no public street or municipal utility easement has been vacated or amended.
9. Appeals. An aggrieved party may appeal the decision of the Land Use Authority concerning a subdivision plat amendment or vacation of public right-of-way to the Appeal Authority outlined in 12D-301.

B. Subdivision Amendments Including Vacation of Public Right-Of-Way Or Public Utility Easements.

1. The Land Use Authority as outlined in 12D-301 may, consider any proposed vacation, alteration, or amendment of a recorded subdivision plat, any portion of the recorded subdivision plat, or any road or lot contained in a recorded subdivision plat by following and complying with all of the requirements for amending a subdivision, or vacating a public street as identified in §10-9a-608, §10-9a-609, and §10-9a-609.5 of Utah State Code (as amended).
2. Applicant(s) shall submit a complete application, including the fee as required as indicated in the City's fee schedule to the City on a form prescribed by the City, together with the number and size of plans indicated on the application form, including all digital submittals.

3. Poorly drawn or illegible plans shall be sufficient cause for rejection. The lack of any information required by this title or as outlined in §10-9a-608, §10-9a-609, and §10-9a-609.5 of Utah State Code (as amended) shall be cause for the Zoning Administrator's determination of an incomplete submittal and shall prohibit the Recommending Body and Land Use Authority as outlined in 12D-301 from considering any material, items, or other information related to the proposed subdivision amendment or vacation of the public right-of-way. The Zoning Administrator shall notify the applicant of the required information lacking from the application in writing.
4. Plat Requirements. Applicant(s) shall prepare a plat that:
 - a. Depicts only the portion of the subdivision that is proposed to be amended;
 - b. Includes a plat name that distinguishes the amended plat from the original plat;
 - c. Describes the differences between the amended and original plat; and
 - d. Includes relevant references to the original plat.
 - e. A petition to vacate some or all of a public street or municipal utility easement shall include:
 - (1) The name, address, and signature of each owner of record of land that is adjacent to the public street or municipal utility easement between the two nearest public street intersections or accessed exclusively by or within three hundred feet (300') of the public street or municipal utility easement who consents to the vacation; and
 - (2) Proof of written notice to operators of utilities and culinary water or sanitary sewer facilities located within the bounds of the public street or municipal utility easement sought to be vacated.
5. Public Hearing Required. The Land Use Authority outlined in 12D-301 shall hold a public hearing in accordance with §10-9a-208 of Utah State Code (as amended) to consider the approval, approval with modifications, or denial of a proposed subdivision amendment that vacates some or all of a public street or municipal utility easement.
6. Approval Requirements. The Land Use Authority may only approve the vacation or amendment of a plat by finding that there is good cause for the vacation and neither the public interest nor any person will be materially injured by the vacation. The Land Use Authority may not approve a petition to vacate a public street unless the vacation identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the public street.
7. Appeals. An aggrieved party may appeal the decision of the Land Use Authority concerning a subdivision plat amendment or vacation of public right-of-way to the Appeal Authority outlined in 12D-301.