

Effective 11/6/2025

17-79-711 Subdivision amendments.

- (1)
 - (a) A fee owner of a lot, as shown on the last county assessment roll, in a plat that has been laid out and platted as provided in this part may file a petition with the land use authority to request a subdivision amendment.
 - (b) Upon filing a petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 17-79-703 that:
 - (i) depicts only the portion of the subdivision that is proposed to be amended;
 - (ii) includes a plat name distinguishing the amended plat from the original plat;
 - (iii) describes the differences between the amended plat and the original plat; and
 - (iv) includes references to the original plat.
 - (c)
 - (i) The land use authority shall provide notice of a petition filed under Subsection (1)(a) by mail or email to:
 - (A) each affected entity that provides a service to a property owner of record of the portion of the plat that is being amended; and
 - (B) each property owner of record within the portion of the subdivision that is proposed to be amended.
 - (ii) The notice described in Subsection (1)(c)(i)(B) shall include a deadline by which written objections to the petition are due to the land use authority, but no earlier than 10 calendar days after the day on which the land use authority sends the notice.
 - (d) The land use authority shall hold a public hearing within 45 days after the day on which a petition is filed under Subsection (1)(a) if:
 - (i) any property owner within the subdivision that is proposed to be amended notifies the county of the owner's objection in writing by the deadline for objections, as described in Subsection (1)(c)(ii); or
 - (ii) a county ordinance requires a public hearing if all of the owners within the portion of the subdivision proposed to be amended have not signed the proposed amended plat.
 - (e) A land use authority may approve a petition for subdivision amendment no earlier than:
 - (i) the day after the day on which written objections were due to the land authority, as described in Subsection (1)(c)(ii); or
 - (ii) if a public hearing is required as described in Subsection (1)(d), the day on which the public hearing takes place.
 - (f) A land use authority may not approve a petition for a subdivision amendment under this section 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.
- (2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:
 - (a) the petition seeks to:
 - (i) join two or more of the petitioning fee owner's contiguous lots;
 - (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
 - (iii) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or