

Chapter 17.33 Amending a Recorded Plat

Sections:

- 17.33.010 Purpose
- 17.33.020 When these regulations apply
- 17.33.030 Application requirements
- 17.33.040 Review process and requirements for approval
- 17.33.050 Adjustment of boundaries between adjacent lots (Lot Line Adjustment)
- 17.33.060 Recording an approval

Section 17.33.010 Purpose

A plat amendment is a change or alteration to a recorded plat that does not create any new parcels or lots, not including the adjustment of boundaries between adjacent lots. (The change may be the relocation of multiple property lines, the elimination of a property line within the plat, a change in notations or lot numbers on the plat, a change of the title or name of the plat, etc.) A plat amendment is an alternative to having to go through a subdivision application process in order to amend a recorded plat when no new parcels or lots will be created. These regulations will ensure that:

1. A plat amendment does not result in properties that violate the requirements of this Title or other currently adopted zoning and development standards of Lindon City; and
2. A plat amendment does not alter the coverage or availability of existing utility services to existing lots or parcels.

Section 17.33.020 When these regulations apply

A plat amendment is required to change or alter an existing subdivision plat when said changes or alterations do not create additional lots or parcels, excluding adjustment of boundaries between adjacent lots. Changes or alterations that create additional lots or parcels and/or initiate installation of new public improvements (other than utility relocations) constitute a subdivision, not a plat amendment, and are subject to the subdivision approval process.

Section 17.33.030 Application requirements

Application submittal requirements shall be followed as listed in the Land Development Policies, Standard Specifications and Drawings manual (Development Manual). The submittal requirements for subdivisions shall apply unless specific requirements for Plat Amendments are shown.

Section 17.33.040 Review process and requirements for approval

Plat Amendments are reviewed by Staff, the City Engineer, and the Land Use Authority in the same manner and process as a subdivision plat per LCC 17.32, and as outlined in the Development Manual. A request for a plat amendment shall be denied by the Land Use Authority if it is determined that the application fails to meet requirements found within Lindon City Code. In addition to any requirements required as part of a typical subdivision plat review, the following items shall be met:

A. Properties.

1. For purposes of this subsection, the plat amendment will not cause any involved properties to move out of conformance with any of the regulations of this Title (become non-conforming), except as follows:
 - a. If a property or lot is already out of conformance with a regulation in this Title, the plat amendment will not cause the property or lot to move further out of conformance with the regulation(s);
2. The plat amendment will not result in the creation of a flag lot;

LINDON CITY CODE

3. No new building lot or additional housing units will result from the amendment;
 4. The plat amendment does not result in remnant land that did not previously exist;
 5. The plat amendment will not result in a property that is in more than one zone (split zoning), unless that property was already in more than one zone;
- B. Utility Services and Lot Improvements.
1. The availability of utility services to the properties or lots must be maintained with no new utility services being installed other than utility relocations (i.e., realignment of property lines that require relocation of utility stubs).
 2. Water shares must be submitted per LCC Section 17.32.270 for any acreage or lots within the plat for which water shares have not already been turned into the City;
 3. A plat amendment that results in new street frontage being added to an existing lot or parcel is acceptable as long as the new street frontage will not result in the creation of any new lots or parcels and the new street frontage already has all typically required public improvements installed (curb, gutter, sidewalk, utilities, etc.). If any new public improvements are necessary along unimproved street frontages (not just relocation of existing utilities) and are to be included within the amended plat, then the request needs to go through a subdivision application – not a plat amendment.

Section 17.33.050 Adjustment of boundaries between adjacent lots (Lot Line Adjustment)

1. The owners of record of adjacent lots in a recorded plat may exchange title to portions of those lots through a Lot Line Adjustment (LLA) if the exchange of title is approved by the Land Use Authority as provided in this subsection.
 - a. Applicants requesting an LLA shall not be required to follow the submittal requirements listed in the Land Development Policies, Standard Specifications, and Drawings Manual (Development Manual), but shall submit such documents and information requested by Staff to determine the effects of the adjustment and the resulting lots.
2. A request for an LLA shall be reviewed by Staff. The City Engineer and the Lindon City Planning Director shall constitute the Land Use Authority for approving such requests.
 - a. The Land Use Authority may approve a request for an LLA if the resulting lots meet the requirements of this Title.
 - b. The Land Use Authority shall deny a request for an LLA if it is determined that the application fails to meet Lindon City Code requirements.
 - c. If the Planning Director and the City Engineer, in their sole discretion, determine that an LLA request presents a difficult question or would create a unique or unanticipated result, they may refer the request to the Planning Commission for final decision.
 - i. Upon referral of an LLA request, the Planning Commission shall become the Land Use Authority.
 - d. If the Land Use Authority denies an LLA request, the applicant may file an appeal pursuant to LCC 17.09.
 - i. The Planning Commission shall be the Appeal Authority on Lot Line Adjustment requests.
 - A. If the original request was referred by Staff to the Planning Commission the City Council shall act as the Appeal Authority on appeal.
3. Upon approval of an LLA request, Planning Director shall execute a Notice of Approval to be recorded with the Utah County Recorder's Office.
 - a. The Notice of Approval shall contain the following:
 - i. the signatures of all property owners involved;

LINDON CITY CODE

- ii. an acknowledgment for each party executing the notice in accordance with the provisions of U.C.A. Title 57, Chapter 2a; and
 - iii. descriptions of both the original lots and the lots created by the exchange of title.
- b. It shall be the applicant's responsibility to provide the legal description required in the Notice of Approval and to secure the signatures of all the property owners.

Section 17.33.060 Recording a plat amendment

The approval and recording process for plat amendments will be the same as an approval for a subdivision plat as found within LCC 17.32 and the Development Manual.

(Ord. 2015-8, amended 03/03/2015)