

Chapter 17.34 Parcel Boundary Adjustment

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Section 17.34.010 Purpose

A Parcel Boundary Adjustment (PBA) is the relocation or elimination of a common property line between two or more abutting properties that are not part of a platted subdivision lot. A PBA may not create any new parcels or lots. Pursuant to Utah Code Section 10-9a-523, a PBA may be executed by a boundary line agreement or quit claim deed and these transactions are not subject Land Use Authority review. The resulting parcels, however, are still subject to compliance with the requirements of this Title or other adopted Lindon City zoning and development standards. The regulations of this Chapter are designed to ensure that:

1. the developed parcels modified or altered by a PBA continue to comply with City requirements for parcel size and acreage, street frontage, water shares regulations, and parcel improvements; and
2. a PBA does not alter the coverage or availability of existing utility services to existing lots or parcels.

Section 17.34.020 When these regulations apply

A PBA does not require Land Use Authority approval, but a parcel that may be modified or altered by a PBA must comply with the provisions of this Title. Lindon City may require a property owner to bring parcels into compliance with this Title and Chapter through a zoning enforcement action, including denial of permits or licenses, the issuance of stop work orders, or red tagging the lot. Amendments to property lines that are part of a platted subdivision lot may not be completed through a PBA, but instead shall follow the requirements set forth in LCC 17.33.

Section 17.34.030 Review of Resulting Parcels

Upon learning that a lot has been modified or altered by a PBA and fails to comply with requirements for parcel size and acreage, street frontage, water shares regulations, and parcel improvements as set forth in this Title, the City may require the property owner to bring the parcel into compliance with this Title and other zoning and development standards that shall include, but not be limited to, the following:

1. Separate Utility Services. The availability of separate utility services to all properties or lots must be maintained. If the availability of separate utility services are not maintained to all parcels, the property owner whose property lacks access to separate utility services shall be responsible for establishing such availability. Lindon City may deny licenses and permits or otherwise prohibit the use of the property or red tag a parcel until separate utility services are provided to the parcel.
2. Water Shares. Water shares must be submitted per LCC Section 17.32.270 for any acreage of the properties for which water shares have not already been turned into the City. Lindon City may deny licenses and permits or otherwise prohibit the use of the property or red tag a parcel until the required water shares are provided as required.
3. Street Improvements. No new lot or public improvements (curb, gutter, sidewalk, etc.) are required if a PBA creates additional street frontage that is added to an existing

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parcel or lot unless the frontage of the existing lot contains improvements, in which case the improvements shall be extended from the existing point where the improvements end and shall be continued across any unimproved street frontage within the lot. Improvement plans and an improvement bond will be required prior to approval. Payment of any additional fees for engineering reviews of improvement plans and/or bonds will be the responsibility of the applicant. Lindon City may deny licenses and permits or otherwise prohibit the use of the property or red tag the parcel until such improvements are made.

Section 17.34.050 Illegal Parcels

Any lot or parcel modified or altered by a PBA so as to violate any provisions of this Title, or any other Lindon City zoning or development standards, shall become an illegal lot or parcel and any use thereon shall become an illegal, non-conforming use. Such illegal parcels or uses created by Parcel Boundary Adjustments are not grandfathered parcels or uses as provided in LCC Chapter 17.16 because the modifications or alterations resulting in the illegal or nonconforming status of the parcels are the result of actions of private property owners and not governmental acts of Lindon City.

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