

10-21 SUBDIVISIONS

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10-21-1 Purpose

The purpose of this Chapter is to provide regulations and standards for the development of residential and non-residential subdivisions and construction of improvements thereon, including the design and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, and other public facilities and utilities; dedication of land and streets; granting of easements or rights-of-way; and payment of fees and other charges for the approval of a subdivision.

10-21-2 Scope of Chapter; Penalty; Approval Required

- A. **APPLICABILITY:** No person shall subdivide any parcel located wholly or in part within the City except in compliance with this Chapter. This Chapter shall not apply to any

parcel or parcels forming a part of a subdivision created and recorded prior to the effective date hereof, except as provided in subsection B which follows.

- B. **APPROVAL TO SUBDIVIDE REQUIRED:** The boundaries of any parcel shall not be altered in any manner that creates more parcels than initially recorded, or any nonconforming parcel(s), without first obtaining the approval of the Land Use Authority through the procedure identified in this Chapter.
- C. **PENALTY:** It is unlawful to transfer ownership of any parcel of land pursuant to a subdivision created in violation of this Chapter. The penalty for such an illegal transfer or subdivision, done knowingly, is a Class C misdemeanor. Additionally, the City may, in its discretion:
 - a. Bring an action in court to void such transfers;
 - b. Refuse to recognize such transfers; and/or
 - c. Withhold building permits, certificates of occupancy, and other land use approvals concerning the property related to such transfer.
- D. **FURTHER APPROVALS REQUIRED FOR BUILDING:** The City's approval of a subdivision under this Chapter does not authorize the construction, alteration, or repair of any building or structure within the City. Separate from the subdivision process, landowners and their contractors must obtain a building permit and site plan approval before beginning any substantial construction, alteration, or repair of any building or structure as required under Title 9 (Building Regulations).
- E. **ENFORCEMENT:** The community development director is hereby designated and authorized as the officer charged with the enforcement of this Chapter. The director shall enforce all the provisions of this Chapter, entering actions in the courts when necessary, and the director's failure to do so shall not legalize any violation of such provisions.

10-21-3 Interpretation and Conflict

Where any provision in this Chapter conflicts with state law, state law shall prevail. Where any provision in this Chapter conflicts with other ordinances enacted by the City, the provisions in this Chapter shall prevail unless the City intended such conflicting ordinances not in this Chapter to amend this Chapter.

10-21-4 Definitions

The following words and phrases, as used in this Chapter, shall have the following meanings. Words and phrases not defined here have the meaning expressed elsewhere in this Title or, if not defined in this Title, the meaning defined by state law:

- A. **TECHNICAL REVIEW COMMITTEE (TRC):** An administrative body of the City comprising members appointed by the Mayor.
- B. **COMPLETION ASSURANCE (also known as PERFORMANCE GUARANTEE):** A surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by the City to guarantee the proper completion of

landscaping or infrastructure improvements required as a condition precedent to recording a subdivision plat or development of a project.

- C. **IMPROVEMENT PLAN (SUBDIVISIONS):** A plan to complete landscaping or infrastructure improvements on the land to be subdivided that is essential for public health and safety or that a land use applicant must install in accordance with this Title and as a condition of recording a subdivision plat.
- D. **LAND USE APPLICANT:** A property owner, or the property owner's designee, who submits a land use application regarding the property owner's land.
- E. **LAND USE APPLICATION:** An application required by the City and submitted by a land use applicant to obtain a land use approval; this does not mean an application to enact, amend, or repeal a land use regulation or a request to rezone a parcel. Building permit applications and subdivision applications are not land use applications.
- F. **LAND USE AUTHORITY:** An individual, board, or commission appointed or employed by the City to make land use decisions.
- G. **LOT:** 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.
- H. **MATERIAL SUBDIVISION AMENDMENT:** Any subdivision amendment beyond the correction of minor typographical or clerical errors on an approved subdivision document, including any change that changes the rights of landowners or obligations to the City.
- I. **MINOR SUBDIVISION:** A proposed subdivision that (1) would result in the creation of two or three new, including the remainder of the original parcel, and (2) does not require the installation of new improvements under this Code.
- J. **PARCEL OF LAND:** Contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same person.
- K. **PLAT:** An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended).
- L. **PUBLIC HEARING:** A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.
- M. **PUBLIC STREET:** A public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public lane, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way.
- N. **RECORD OF SURVEY MAP:** A map of a survey of land prepared in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended).
- O. **SUBDIVISION:** Any land that is divided, subdivided, 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. 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 below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Subdivision does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
 2. A recorded document, executed by the owner of record revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels or joining a lot to parcel;
 3. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with Utah Code Ann. §§ 10-9a-524 and 10-9a-608, if no new dwelling lot or housing unit will result from the adjustment and the adjustment will not violate any applicable land use ordinance;
 4. A road, street, or highway dedication plat; or
 5. A deed or easement for a road, street, or highway purpose.
- L. **WATER CONVEYANCE FACILITY:** A ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other watercourse. “Water conveyance facility” does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility.

10-21-5 Subdivision Land Use Authority

- A. The Land Use Authority for **preliminary** subdivision applications is the Riverdale City Planning Commission. For purposes of subdivision applications, the Planning Commission shall be ultimately responsible for the following but may delegate any task to the City Engineer, City staff (excluding the Mayor or members of the City Council), Technical Review Committee, or individual members of the Planning Commission:
- a. Rendering land use decisions related to preliminary applications under this Chapter, including approving or denying preliminary applications.

- b. Reviewing all preliminary applications in an impartial manner and according to the standards and deadlines described in this Title.
 - c. Holding public hearings for reviewing preliminary subdivision applications when the Planning Commission deems necessary.
 - d. Providing feedback to applicants on their preliminary applications in the manner required by this Chapter.
 - e. Scheduling and holding a pre-application meeting (and reviewing concept plans) with prospective applicants.
 - f. Keeping subdivision application forms (both preliminary and final) and related informational material up to date and publicly accessible and distributing such forms and materials to prospective applicants. This task is delegated to City staff by default.
- B. The Land Use Authority for **final** subdivision applications is the Technical Review Committee. For purposes of final subdivision applications, the Planning Staff Commission shall be responsible for the following, but may delegate any task to City staff (excluding the Mayor or members of the City Council):
- a. Rendering land use decisions related to final applications under this Chapter, including approving or denying final applications.
 - b. Reviewing all final applications under this Chapter in an impartial manner and according to the standards and deadlines described in this Chapter.
 - c. Providing feedback to applicants on their final applications in the manner required by this Chapter.
 - d. Signing final application approvals as required by this Chapter.
 - e. Ensuring that documents are properly recorded with the County as required by this Chapter. This task is delegated to City staff by default.
- C. As subdivision application decisions are administrative, not legislative, in nature, the Land Use Authorities are authorized to make land use decisions described by this Chapter without City Council approval.
- D. Except when operating as an Appeal Authority, the City Council shall not require the Land Use Authority to approve or deny an application under this Chapter.

10-21-6 Subdivision Appeal Authority

- A. The Appeal Authority for City decisions relating to this Chapter, except where otherwise noted, is the Riverdale City Appeal Authority.
- B. The Appeal Authority shall hear appeals on final decisions made by the Land Use Authority in administering the provisions of this Chapter in accordance with the procedures outlined in Chapter 2-4 of the City's Code.

- C. The appellant shall be responsible for the appeal fee, as set forth in the Riverdale City fee schedule.

10-21-7 Pre-Application Meeting

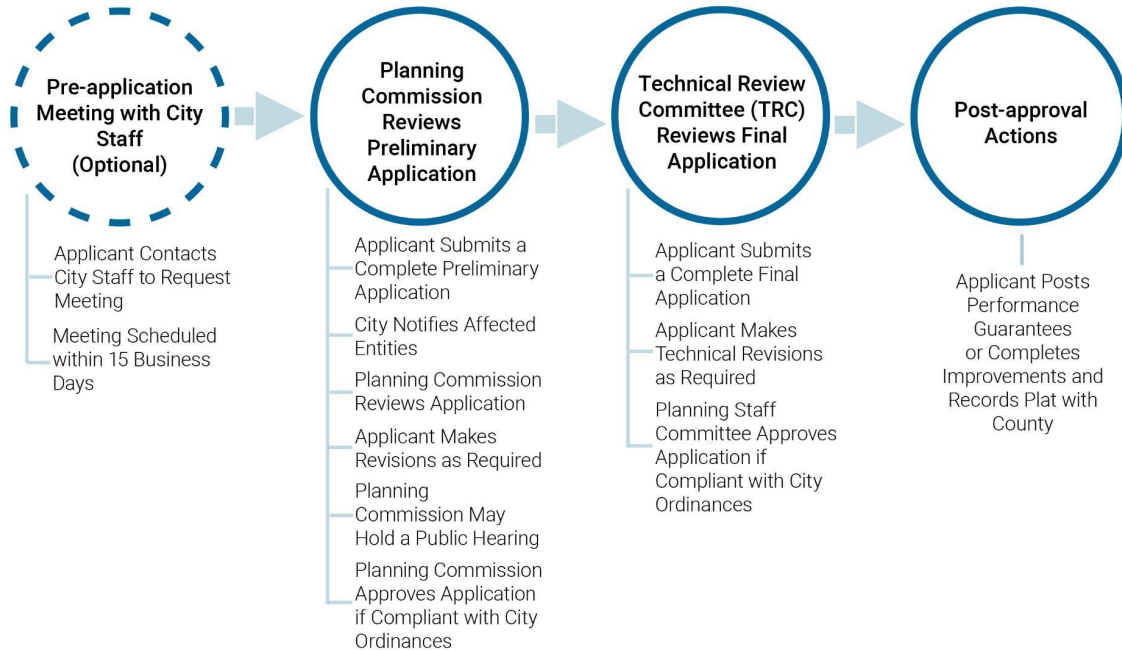
- A. A prospective subdivision applicant may request a pre-application meeting with City staff. The purpose of the pre-application is to give the applicant an opportunity to present a subdivision plan to the City to obtain initial feedback and direction regarding ordinance compliance. The proposed application need not be complete for purposes of this meeting and may—if the prospective applicant desires—be limited to a concept plan.
 - 1. If a prospective applicant requests a pre-application meeting, the City staff shall schedule the meeting within 15 business days after the request.
 - 2. City staff shall conduct the meeting, provide feedback on materials as requested by the prospective applicant, and shall provide or have available on the City website the following at the time of the meeting:
 - a. Copies of applicable land use regulations,
 - b. A complete list of standards required for the project, and
 - c. Relevant application checklists.

10-21-8 Preliminary Application Requirements

- A. The City shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this Chapter and received both a preliminary approval and a final approval from the respective Land Use Authorities.



New SUBDIVISION Review Process: OVERVIEW



B. To be considered complete, a **preliminary** subdivision application must include at least the following elements:

1. An approved land use application that describes how the property will be used after it is subdivided.
 - a. If the intended use is permitted by right under City ordinances, the application must include citations to the specific ordinance(s) that the applicant believes authorizes the intended use.
 - b. If the intended use requires a conditional use permit or is otherwise conditioned on City approval (including PRUD or Group Home developments), the application must include an *approved*, City-issued permit authorizing the intended use. Should a land use applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.
 - c. If the intended use is prohibited under City ordinances and requires a variance, the application must include an *approved*, City-issued variance authorizing the intended use. Should a land use applicant seek a variance concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued.
 - d. If the applicant is seeking an ordinance change or rezoning concurrently with the subdivision application and concerning the same property, the

subdivision application shall be considered incomplete until the ordinance change or rezoning occurs.

2. A Plat. The plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's office. The preliminary plat shall be drawn to a scale not fewer than one hundred feet to the inch (1" = 100'). The plat must include:
 - a. The proposed name and general location of the subdivision, in bold letters at the top of the plat. The proposed subdivision name must be distinct from any subdivision name on a plat recorded in the County Recorder's office.
 - b. A north point, scale, and date.
 - c. A vicinity map.
 - d. A contour map, at appropriate intervals, if the land to be subdivided has any substantial elevation changes
 - e. The boundaries, course, numbering, and dimensions of all proposed parcels. All lots should be consecutively numbered.
 - f. The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.
 - g. The name and address of the applicant and the engineer or surveyor of the subdivision.
 - h. The names and addresses of all adjoining property owners of record, or the names of adjoining developments and the names of adjoining streets.
 - i. Sufficient data acceptable to the City Engineer to readily determine the location, bearing and length of all lines on the plat, and to reproduce such lines upon the ground, and the location of all proposed monuments, including contours at intervals of two feet, five feet, or ten feet.
 - j. A designation of any parcel is intended to be used as a street or for any other public use.
 - k. The names, numbers, widths, lengths, bearings, and curve data on centerlines for all proposed streets, alleys, and easements (if applicable). All proposed streets shall be numbered and named in accordance with the City's adopted addressing system.
 - l. The location of existing streets, easements, water bodies, streams, sensitive lands, and other pertinent features such as wetlands, buildings, parks, cemeteries, drainage ditches, hillside slope areas, irrigation ditches, fences, and bridges.

- m. The location and width of existing and proposed streets, curbs, gutters, sidewalks, easements, alleys, other public ways and easements and proposed street rights-of-way and building setback lines.
 - n. Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.
 - o. Any known and unrecorded water conveyance facility located, entirely or partially, within the plat, including those that:
 - i. are recorded in the state engineer's inventory of canals; or
 - ii. from a surveyor under §10-9a-603(6)(c).
 - p. Whether any parcel is reserved or proposed for dedication for a public purpose.
 - q. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
 - r. As applicable, formal, irrevocable offers for dedication to the public of streets, City uses, utilities, parks, easements, or other spaces.
 - s. If any portion of the proposed subdivision is within 300 feet of an Agriculture Protection Area, the notice language found in Utah Code §17-41-403(4).
 - t. Signature blocks for the owners of the land to be subdivided, the Planning Commission Chair, the City Engineer, the City Attorney, the Mayor, and a notary public's acknowledgement.
3. A subdivision improvement plan, created in accordance with applicable portions of Riverdale City Code regarding required public improvements and design standards, for all public improvements proposed by the applicant or required by City ordinances. In addition to the requirements of the City's engineering and design standards and other City ordinances, the improvement plan must contain:
- a. An engineer's estimate of the cost of completing the required improvements.
 - b. A statement that the applicant electing to either guarantee the required improvements by posting a completion assurance or complete the improvements before recording the subdivision plat. If the applicant elects to not provide a completion assurance, the statement must include a timeframe for completing the improvements not to exceed 180 days after application approval.
 - c. A phasing plan, if applicable.

- d. A landscaping plan drawn by a certified landscape architect, including planting plan, irrigation plan, details, and a data table including vegetation types, quantities, and percentages, percentage of turf, groundcover types, hardscape features, and irrigation zoning.
 - e. A street lighting plan, including photometric information for the site and for immediately adjacent properties, and fixture design, height, and placement.
 - f. A traffic study, if one is required by an applicable UDOT Access Management Plan, for any subdivision proposing a connection to any road built or maintained by UDOT.
 - g. A soils report.
 - h. A data table showing:
 - i. The total planned project area;
 - ii. The total planned number of lots, dwellings, and buildings;
 - iii. Where existing buildings are located, square footage of proposed buildings footprints and, if multiple stories, square footage by floor;
 - iv. For multi-family developments, the number of proposed garage (structured) parking spaces and the number of proposed total parking spaces;
 - v. The total percentage of buildable land;
 - vi. The acreage of sensitive/hillside lands and percentage the sensitive/hillside lands comprise of total project area and open space;
 - vii. The area and planned percentage of open space or landscaping;
 - viii. The area to be dedicated as public right-of-way or private easement;
 - ix. The net density of dwellings by acre.
 - i. Proposed fencing.
 - j. The location and size of all proposed water, secondary water, sanitary sewer, storm sewer, gas, power, communications, irrigation or drainage ditch piping or other subsurface improvements, including detailed provisions for collecting and discharging surface water drainage.
4. Certifications, including:
- a. An affidavit from the applicant certifying that the submitted information is true and accurate.

- b. The signature of each owner of record of land described on the plat, signifying their dedication and approval of the plat.
 - c. Certification that the surveyor who prepared the plat:
 - i. Holds a license in accordance with Utah Code §58-22; and
 - ii. Either
 - 1. Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or
 - 2. Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
 - iii. Has placed monuments as represented on the plat.
 - d. Letters of approval from the secondary water authority, the sanitary sewer authority, the local health department, the local fire department, and the local public safety answering point.
 - e. If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas as defined in Utah State Code §57-8a-102.
- 5. An electronic copy of all plans in PDF format and three (3) large (24"x36") printed copies.
 - 6. Payment of any application-processing fees required by the City. In addition to the City's posted fees, the applicant shall be liable to the City for the cost of any engineering, consulting, or legal assistance, as well as any credit card fees reasonably incurred by the City in reviewing the application and not covered by the posted fees.

10-21-9 Final Plat Requirements

- A. To be considered complete, a **final** subdivision application must include the following:
 - 1. Land Use Authority approval of the applicant's preliminary application, given within the last 180 calendar days.
 - 2. The approved land use application that was accepted during the preliminary application review process.
 - 3. A final plat. The final plat should be the version of the preliminary plat approved by the City during the preliminary application review process, plus any other additions and immaterial changes (e.g., formatting) necessary to comply with the recording requirements of the County Recorder's Office.
 - 4. A completion assurance for all public improvements required by the approved improvement plan, or a statement that such improvements will be completed

before development occurs on the proposed subdivision and before the applicant records the plat, as required by City ordinances.

5. Certifications, including:
 - a. A Title Report or Title Insurance Policy for the land to be subdivided verifying property ownership.
 - b. A Tax Clearance Certificate from the state indicating that all taxes, interest, and penalties owing on the land have been paid.
 - c. An affidavit from the applicant certifying that the submitted information is true and accurate.
 - d. The signature of each owner of record of land described on the plat, signifying their consent to the final subdivision application and their dedication and approval of the final plat.
 - e. Certification that the surveyor who prepared the plat:
 - i. Holds a license in accordance with Utah Code 58-22; and
 - ii. Either:
 1. Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or
 2. Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
 3. Has placed monuments as represented on the plat.
6. Binding dedication documents, including:
 - a. As applicable, formal, irrevocable offers for dedication to the public of streets, City uses, utilities, parks, easements, or other spaces.
 - b. If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas.
7. Copies, including:
 - a. One electronic copy of the final plat in AutoCAD format (DWG or DXF), Geodatabase format (GDB), or Shapefile format (SHP), with a projection assigned to the file(s) and with the proper metadata that describes what coordinate system/projection the data is assigned to; and
 - b. A PDF document of the final plat and all other plans and supporting documents required by this and one printed copy of the application.
8. Payment of any final-application-processing fees required by the City. In addition to the City's posted fees, the applicant shall be liable to the City for the cost of

any engineering, consulting, or legal assistance reasonably incurred by the City in reviewing the application and not covered by the posted fees.

- B. The Land Use Authority shall produce, maintain, and make available to the public a list of the specific items that comprise complete preliminary and final applications and a breakdown of any fees due upon submission or approval of the applications.
- C. The Land Use Authority may require, and the applicant shall provide, additional information beyond the requirements of this Section or those published by the City reasonably relating to the applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements and to protect the health and safety of City residents.

10-21-10 Notice to Affected Entities

- A. Within 15 days after receiving a complete subdivision application, City staff shall provide written notice of the proposed subdivision to the facility owner of any water conveyance facility (including utility companies, the county, school districts, and private owners of ditches and canals) located, entirely or partially, within 100 feet of the subdivision plat.
 - 1. To determine whether any water conveyance facility is located within 100 feet of a proposed subdivision, the Land Use Authority shall review information:
 - a. From the facility owner under Utah Code §10-9a-211, using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;
 - b. From the state engineer's inventory of canals; or
 - c. From a licensed surveyor who has consulted with a representative of an existing water conveyance facility that services an area near the land the application concerns.
- B. To give water conveyance facilities time to provide feedback on subdivision applications, the Land Use Authority shall not approve a preliminary subdivision application sooner than 20 days after the applicant submits a complete preliminary application. This waiting period does not apply to revised applications the applicant may submit during the application review process.
 - 1. A water conveyance facility owner's failure to provide comments to the Land Use Authority about a subdivision application does not affect or impair the Land Use Authority's authority to approve the subdivision application.
 - 2. When applicable, the applicant shall make reasonable changes (unless prohibited otherwise by a contract or deed, etc.) to his subdivision application to accommodate the water conveyance facility to the extent required by state law §73-1-15.5.

10-21-11 Review

- A. The Land Use Authorities shall review all subdivision applications in accordance with the requirements of this Section before approving or denying those applications.
- B. For both preliminary and final applications, the review process begins when a land use applicant submits a complete application.
 1. The Land Use Authority shall not review an incomplete subdivision application, except to determine whether the application is complete.
 2. If the Land Use Authority, or City staff as delegated, determines that an application is incomplete, it shall notify the applicant of the incompleteness, highlighting any insufficiencies and explaining that the application will not be reviewed until it is complete.
- C. For both preliminary and final applications, after the applicant submits a complete application, the Land Use Authority shall review and provide feedback to the applicant in a series of “review cycles.”
 1. A review cycle consists of the following steps:
 - a. Step #1: The applicant submits a complete application (or, if after the first cycle, submits a revised version of the complete application).
 - b. Step #2: The Land Use Authority reviews the application in detail and assesses whether the application conforms to local ordinances.
 - c. Step #3: The Land Use Authority responds to the applicant, citing any missing requirements or areas of noncompliance and providing a detailed list of necessary revisions to the applicant. For any required modification or addition to the application or request for more information, the Land Use Authority shall be specific and include citations to ordinances, standards, or specifications that require the modification or addition and shall provide the applicant with an index of all requested modifications or additions.
 - d. Step #4: The applicant revises the application, addressing each comment or requirement the Land Use Authority made. The applicant must submit both revised plans and a written explanation in response to the Land Use Authority’s review comments, identifying and explaining the applicant’s revisions and reasons for declining to make revisions, if any. If the applicant fails to respond to a comment made by the Land Use Authority in its review, the review cycle is not complete and will remain open until the applicant addresses all comments.

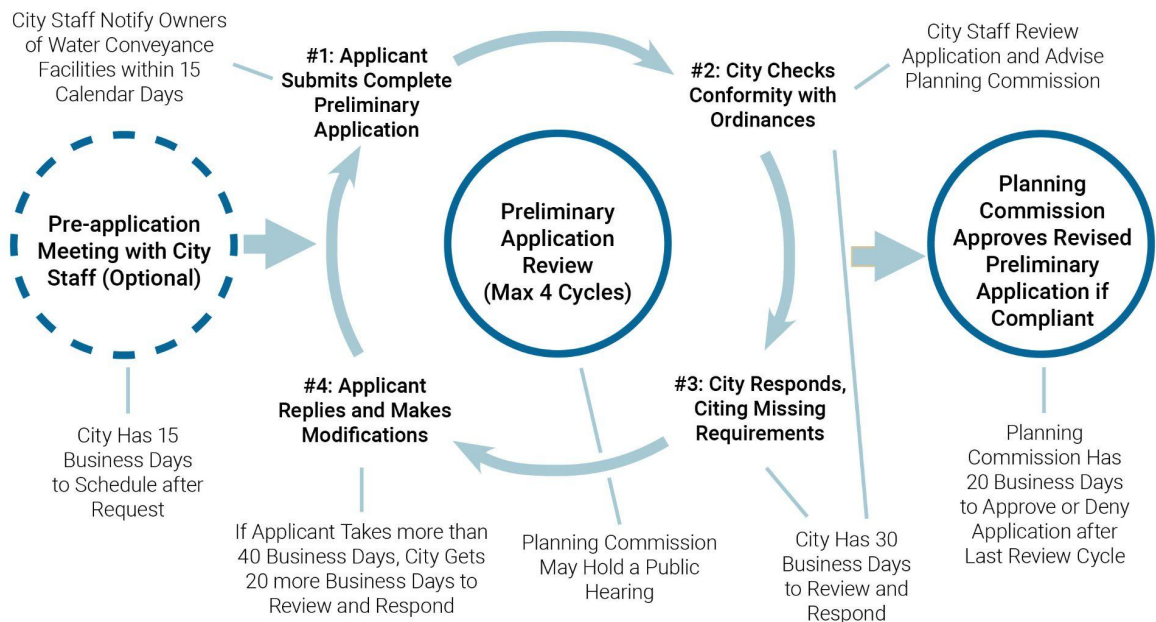
Table 10-21-11 – Review Cycles, Hearings, and Timelines by Subdivision Use Type

<i>Use Type</i>	<i>Approval Stage</i>	<i>Max Review Cycles</i>	<i>Max Public Hearings</i>	<i>City Turnaround Deadline**</i>	<i>Applicant Turnaround Deadline***</i>

Single-Family Residential	Preliminary	4	1	30 Business Days	60 Calendar Days
	Final	1	0	30 Business Days	60 Calendar Days
All Other Uses	Preliminary	6	2	30 Business Days	60 Calendar Days
	Final	1	0	30 Business Days	60 Calendar Days
Describes the total time (per review cycle) the City may take to complete both Step #2 and Step #3. *Describes the total time (per review cycle) the applicant may take to submit a revised application before the application expires.					

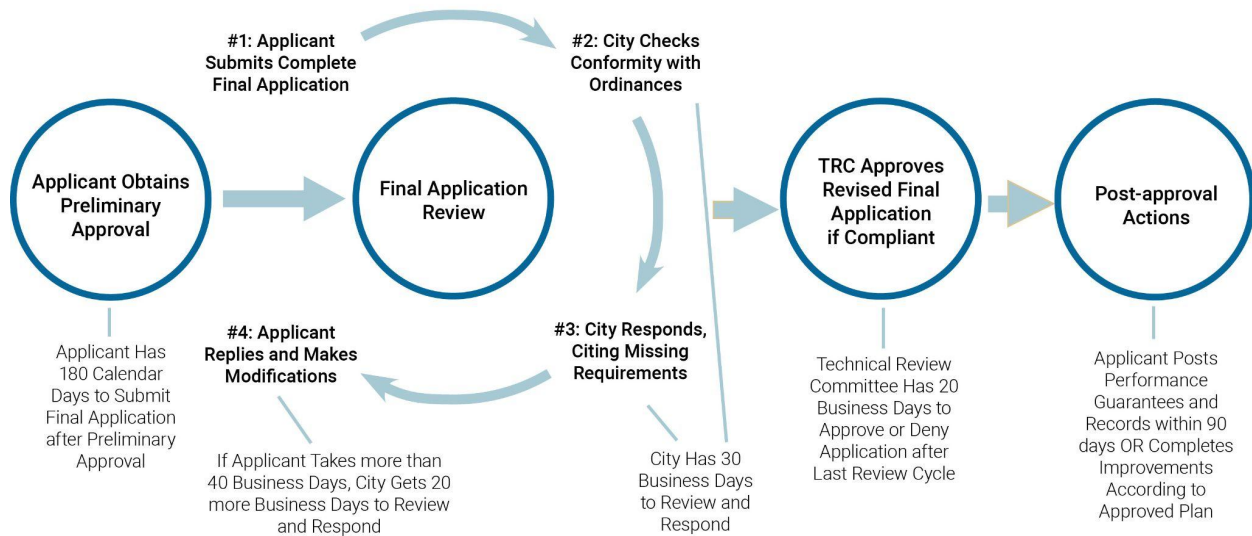


New SUBDIVISION Review Process: PRELIMINARY APPLICATION





New SUBDIVISION Review Process: FINAL APPLICATION



D. The Land Use Authorities (and other City representatives or agents) shall adhere to the maximum number of review cycles and the review deadlines described in Table 10-21-11, except as described below. If no further revisions are needed, the Land Use Authority may end the review process early and approve or deny the preliminary or final application.

1. This provision notwithstanding, for any subdivision application that affects property within an identified geological hazard area, the City is exempt from limits on the number of permitted review cycles and the City's deadlines for reviewing and responding (Steps #2 and #3).
2. If the applicant makes a material change to a preliminary or final application not requested by the City at any point in the review process, the Land Use Authority may restart the review process, but only with respect to the portion of the application that the material change substantively affects.
3. For both preliminary and final applications, if a land use applicant takes longer than 40 business days to submit a revised application and respond to the City's requests for modifications and additions (Steps #1 and #4), the City shall have an additional 20 business days to review and respond to the revised application (Steps #2 and #3 of the next review cycle or issuing an approval decision).
4. For both preliminary and final applications, if a land use applicant takes longer than 60 calendar days to submit a revised application and respond to the City's requests for modifications and additions (Steps #1 and #4), the application shall,

at the option of the Land Use Authority, expire. If an application expires, the applicant must restart the subdivision application process.

5. If the applicant has not submitted a final application within 180 calendar days after the Land Use Authority notifies the applicant that it has approved the related preliminary application, the related preliminary approval shall expire. In this case, the applicant shall not submit a final application until the Land Use Authority has issued a new preliminary application approval.
- E. When a preliminary or final application's review period ends, the Land Use Authority shall approve or deny the respective preliminary or final application within 20 business days.
1. If the Land Use Authority has not approved or denied the application within 20 business days after the allotted review cycles are complete, the applicant may request a decision. After such a request, the City shall, within 10 business days:
 - a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah Code §10-9a-508(5)(d) to review and approve or deny the revised set of plans; or
 - b. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the designated Appeal Authority.
- F. After the Land Use Authority provides comments in the last allotted review cycle for a final application, the City shall not require further modifications or corrections to the application unless those modifications or corrections are necessary to protect public health and safety or to enforce state or federal law or unless the review cycle reset due to the applicant making a material change that the Land Use Authority did not request.
1. With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the municipality waives noncompliant subdivision-related requirements that the Land Use Authority does not identify during the review process.
- D. The Planning Commission may conduct one or more public hearings (up to the number described in Table 10-21-11) during the review period for a preliminary subdivision application. The purpose of these public hearings is to ask questions of the applicant and receive commentary on the technical aspects of the application from affected entities, interested parties, and the public. If the Planning Commission elects to hold this public hearing, the hearing must occur before the end of the Planning Commission's review period in the last review cycle of the preliminary review phase. Scheduling issues shall not extend the review and approval deadlines in this Chapter.

10-21-12 Approval

- A. The Land Use Authorities shall approve any complete subdivision application made under this Chapter that complies with applicable City ordinances and Utah State Code §10-9a-6, as amended.

- B. The Land Use Authorities shall issue all approvals in writing and shall certify the approved plat, either by signing the plat directly or by attaching a signed certification to the plat.

10-21-13 Post-Approval Actions

- A. *If the Applicant Elects to Guarantee Improvements:* The applicant shall record the approved final subdivision plat with the Weber County Recorder's Office within 90 calendar days after the City approves the subdivision application, provided that the applicant has provided all improvement guarantees required by this Title or the approved subdivision improvement plan. The applicant shall not record the approved final subdivision plat until the applicant has provided all such required guarantees.
- B. *If the Applicant Elects to Complete Improvements before Recording:* The applicant shall record the approved final subdivision plat with the Weber County Recorder's Office within the time specified in the approved subdivision application, but in no case later than 180 days after application approval, provided that the applicant has completed all improvements required by this Title or the approved subdivision improvement plan. The applicant shall not record the approved final subdivision plat until the applicant has completed all such improvements.
- C. An approved final plat that is not recorded within the timeframe specified in this Chapter shall be void, unless the applicant submits a written request to the Planning Commission, prior to expiration of the final plat, for an extension of up to six (6) months; provided, however, that if the Planning Commission denies the request for extension, the final plat shall be void upon expiration of the original approval period.
- D. An approved final plat that is recorded without completion or guarantee of the required improvements is void and remains void until the improvements are completed or guaranteed and the Planning Commission grants post-recording approval.

10-21-14 Minor Subdivisions and Other Exceptions to Application Requirements

- A. Minor Subdivisions (2-3 Lots and No Required Improvements):
 - 1. Applications for minor subdivision approval are exempt from the preliminary and final plat requirements, the improvement plan requirement, and the completion assurance requirement (but not the other application requirements) of Sections 10-21-8–9 if the proposed subdivision:
 - a. Results in no more than three parcels;
 - b. Is fully serviced by an improved and dedicated public street such that no public improvements are required;
 - c. Is not traversed by the mapped lines of a proposed street (as shown in the Riverdale General Plan), City easement, or any other land required for public purposes;

- d. Has been approved by the culinary water authority and the sanitary sewer authority; and
 - e. Is located in a zoned area.
 - 2. An applicant for a minor subdivision may submit to the City—in place of a plat—both:
 - a. A record of survey map that illustrates the boundaries of the parcels; and
 - b. A legal metes-and-bounds description that describes the parcels illustrated by the survey map.
 - 3. If the City approves a subdivision application based on a record of survey map and metes-and-bounds description, the applicant shall record the map and description, signed by the City, with the Weber County Recorder's Office within 90 days after City approval. The City shall also provide the notice required in Utah Code §10-9a-605(1).
- B. Subdivision Through a Development Agreement:
- 1. At the request of an applicant, the City may approve a subdivision through a development agreement entered into between an applicant and the City.
 - 2. Subdivisions platted in a valid development agreement are exempt from the application and review and approval requirements of this Chapter.
 - 3. Clauses in a valid development agreement with the City superseded all conflicting requirements in this Chapter, except where a clause in the development agreement poses a substantial danger to the health and safety of City residents.
- C. Public Street and City Utility Easement Vacations: Public streets and City utility easements may be vacated in accordance with City Code Sections 10-1-12–13 and Utah Code §10-9a-609.5, as amended.

10-21-15 Vacating or Amending a Subdivision Plat

- A. The City Council may vacate a subdivision or a portion of a subdivision by enacting an ordinance to that effect that describes the subdivision or the portion being vacated and recording that ordinance in the County Recorder's Office. This vacation shall be done in compliance with this Code and Utah State Code §10-9a-608 and §10-9a-609, as amended.
- B. A property owner or agent of a property owner may correct minor typographical or clerical errors in a document of record by filing with the County an affidavit or other appropriate instrument. This provision does not apply to changing the name of a subdivision, which requires a material amendment described in the following provisions.
- C. A fee owner of land in a platted subdivision may request a material subdivision amendment by filing a written petition with the City Council. This petition must meet all the

requirements for a preliminary subdivision application specified in Section 10-21-8, with the following changes:

1. The preliminary plat (or the record of survey map, if applicable) should:
 - a. Depict only the portion of the subdivision that is proposed to be amended;
 - b. Include a plat name distinguishing the amended plat from the original plat;
 - c. Describe the differences between the amended plat and the original plat;
 - d. Include references to the original plat; and
 - e. Meet all the other plat requirements specified in Section 10-21-9 and Utah State Code §10-9a-603.
 2. The petition must additionally include the name and address of each property owner affected by the petition and the signature of each of those property owners who consents to the petition.
 3. The petitioner must include with the petition envelopes addressed to each property in the subdivision.
- D. Upon receipt of an amendment petition, the City staff shall provide notice of the petition to:
1. Each utility provider that services a parcel of the subdivision. The City shall not approve an amendment petition until at least 10 calendar days after noticing these utility providers. The City may notify the utility providers in any effective manner (email, mail, etc.).
 2. Each property owner in the subdivision. The City shall notify these property owners by mail.
- E. The City Council shall hold a public hearing before approving an amendment petition and within 45 calendar days after the day on which the petition is submitted if:
1. A property owner objects in writing to the amendment within 10 calendar days of the City notifying the property owner by mail, or
 2. Not every property owner in the subdivision has signed the revised plat.
- F. The City Council need not hold a public hearing if notice has been given to adjoining property owners in accordance with any applicable local ordinance and the petition seeks to:
1. Join two or more of the petitioner's contiguous lots;
 2. Subdivide one or more of the petitioner's lots;
 3. Adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;

4. On a lot owned by the petitioner, adjust an internal lot restriction imposed by the local political subdivision; or
 5. Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as a common area.
- G. If the City Council approves the amendment petition, the City Council shall sign the amended plat in the manner described in 10-21-12 and the petitioner shall record the plat, subject to the completion or guarantee of any improvements.

10-21-16 Improvement Bonding and Warranty

- A. Before an approved final subdivision plat may be recorded, and before a building permit may be issued, all improvements specified in the applicant's approved improvement plan or required by City ordinances shall be either:
1. Completed, inspected, and accepted by the City, or
 2. Guaranteed.
- B. The decision whether to guarantee an improvement or to complete it before recording the plat rests solely with the applicant. However, the applicant must comply with the improvement plan approved in the preliminary application (see Section 10-21-8) and the requirements and deadlines of Section 10-21-13.
- C. All improvements are subject to City inspection before such improvements may be accepted by the City or considered complete. The City Engineer and Public Works Department shall be responsible for conducting such inspections. Improvements shall be accepted only if they conform to applicable City ordinances and do not pose a risk to public health or safety. All public improvements are subject to the warranty described in this Section.
1. The applicant/developer shall, in accordance with the City's Fee Schedule, pay to the City an inspection fee before the City shall inspect any improvements.
- D. For subdivisions for which no performance guarantee has been posted, if the improvements are not completed within the period specified in the approved subdivision improvement plan, or within the period specified in Section 10-21-13, whichever is shorter, the approval shall be deemed to have expired. In those cases where a performance guarantee has been posted and required improvements have not been installed within the terms of such performance guarantee, the City may thereupon declare the guarantee to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the guarantee is declared to be in default. In the event that the un-released portion of the guarantee is not sufficient to pay all the cost for installing the required improvements, the City may maintain an action against the person giving the guarantee for the necessary amount to complete the improvements.

- E. If an applicant elects to guarantee any required improvement, the applicant shall execute a Financial Guarantee Agreement in the form provided by the City. The applicant shall provide completion assurance for 110% of the cost of the improvement, guaranteeing that the improvements will be completed within two years after the date of the guarantee; The sum of the completion assurance shall not exceed:
 - 1. 100% of the estimated cost of the public landscaping improvements or infrastructure improvements, as evidenced by an engineer's estimate or licensed contractor's bid; and
 - 2. 10% of the amount of the bond to cover administrative costs incurred by the municipality to complete the improvements, if necessary.
- F. For the purpose of posting an improvement guarantee, the cost of the improvement shall be determined by an engineer's estimate.
- G. The City shall accept any of the following forms of guarantee for an improvement:
 - 1. Bond. The applicant may furnish a bond with corporate surety, which bond shall be approved by the City Attorney and filed with the City Clerk.
 - 2. Escrow. The applicant may make a deposit in escrow with an escrow holder approved by the City Council, under an escrow agreement approved by the City Attorney and filed with the City Clerk.
 - 3. Letter of Credit. The applicant may provide a letter of credit from a financial institution approved by the City Council, under an agreement to complete the improvements that is approved by the City Attorney and filed with the City Treasurer.
- H. As improvements are completed, inspected, and accepted by the City, the City Treasurer shall, each month, at the request of the applicant, issue a partial release of bonded or escrow funds proportional to the improvements accepted during the prior month.
 - 1. Subject to maintenance provisions contained in this Code, the City will not accept dedication of required improvements, or release or reduce a performance guarantee, until the City Engineer and/or Public Works Director has submitted a certificate stating that all required improvements have been satisfactorily completed and until the applicant's engineer or surveyor has certified to the City Engineer, through submission of detailed "as-built" survey plats of, the subdivision, indicating location, dimensions, materials, improvements and other information required by the Planning Commission and City, that the layout of the line and grade of all public improvements is in accordance with the City approved construction plans for the subdivision and that a title insurance policy has been furnished to the City and City Engineer indicating that the improvements have been completed, are ready for dedication to the local government and are free and clear of any and all liens and encumbrances.

2. In no event shall a performance guarantee be reduced below 10% retainage of the principal amount until total completion.
- I. If all required improvements are not completed within one year from the day of final application approval, the party who guaranteed the improvements shall be in default, and at the option of the City Council, shall relinquish the remaining amount of the performance guarantee to the City.
- J. The City shall not require improvement guarantees for any of the prohibited uses listed in Utah Code §10-9a-604.5(3)(d), including improvements the City has previously inspected and accepted, private improvements that are not essential to meet the building code, fire code, flood or storm water management provisions, street and access requirements, or other essential necessary public safety improvements adopted in a land use regulation.
- K. Upon acceptance of all required improvements, the applicant shall warrant that said improvements shall remain free from defects in material and workmanship for a period of twelve (12) months after the date of acceptance by the City. The subdivider shall be solely responsible for all repairs and maintenance required to keep the improvements in good working condition for this twelve-month period. Retention of ten percent (10%) of the total cost of all required improvements shall be held by the City, in one of the same forms of guarantee for an improvement, for the duration of the warranty period. At the conclusion of the warranty period, the City must issue a Certificate of Final Acceptance before the retained ten percent may be released.

10-21-17 Required Improvements

- A. The following improvements are required for all subdivisions in compliance with City ordinances, except those that qualify under the minor subdivision exemption:
- B. Curbs, Gutters, and Sidewalks: Curbs, gutters and sidewalks shall be installed on existing and proposed streets by the developer of the property in all subdivisions and must be put in prior to the sale of any subdivision or phase.
- C. Street Grading and Surfacing: All streets shall be constructed by the developer in accordance with the standards and rules and regulations of the City Engineer.
 - a. Streets on Property of Other Public Agencies or Utility Companies: Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company by the developer and entered on the final site plan in a form approved by the city attorney.
- D. Street Signs: Street signs shall be installed by the subdivider at all locations as designated by City Staff. Such signs shall be of such a type and of such material as shall be prescribed by the City Engineer.

- E. Staking Subdivision Corners: Survey markers shall be placed at all subdivision corners and lot corners so as to completely identify the lot boundaries on the ground and shall be done in conformance to the record of survey requirements. This shall be accomplished before the subdivision is recorded.
- F. Water Supply: A culinary water supply which must be approved by the city engineer and the state board of health shall be available to each lot in the subdivision and shall be provided in conformance with the standards and rules and regulations of the city.
- G. Fire Hydrants: Fire hydrants shall be installed by the applicant at locations determined by the city engineer and fire department in all subdivisions in accordance with the standards, rules, and regulations of the city.
- H. Sewage Disposal: Whether by individual disposal system or by public disposal facilities, sewage disposal shall be provided and approved by the city engineer and public works director for each lot in the subdivision in accordance with the standards, rules and regulations of the city.
- I. Surface Water: The applicant shall provide adequate methods of conveyance and disposal of stormwater and surface water at his expense, the plans for which shall be prepared by a licensed engineer not in the employ of the city and which shall be approved by the planning commission after recommendation by the city engineer. If easements are required across abutting property to permit drainage of the subdivision, it shall be the responsibility of the applicant to acquire such easements.
- J. Ditches and Canals: Open ditches or canals may not be allowed within or adjoining a subdivision. It shall be the applicant's responsibility to work with the irrigation, drainage or ditch companies and arrange for the covering, realigning or elimination of open ditches or canals. In cases where canals or ditches cross public roads or proposed public roads, specifications and grades for pipe or culvert must be approved by the city engineer.
- K. Safety Fences: The applicant shall install a six foot (6') nonclimbable chain-link fence, or equivalent thereof, in conformance with all applicable standards, rules and regulations of the city, along all nonaccess streets, open reservoirs, bodies of water or railroad rights-of-way.
- L. Street Trees: Street trees may be provided at the option of the applicant, but when so provided, the variety and location of such trees shall be recommended by the planning commission staff and approved by the planning commission.
- M. Monuments: Permanent monuments shall be accurately set and established at such points as are necessary to definitively establish all lines of the plat, except those outlining individual lots. Monuments shall be of a type approved by the city engineer. All subdivision plats shall be tied to a corner or monument of record or established land office survey corner.
- N. Streetlights: The city shall install streetlights at each intersection of the subdivision. The installation shall be under the direction of the public works director and shall conform to

the standards set forth in the city street lighting policy. The expense for the cost of materials and installation shall be borne by the applicant.

- O. Administrative Rules, Regulations; Authority: The city council is authorized to prescribe by administrative rule or regulation filed for record with the city recorder forms and procedures to ensure the orderly, regular, and efficient processing of applications for the approval of a proposed subdivision and the strict compliance with the requirements of this chapter.
- P. Fees Deposited; Inspections: The applicant, upon submission of his plans, shall deposit with the city such fees as may be prescribed by resolution of the city council. The public works inspector shall oversee the inspection of all improvements and may request the assistance of the city engineer if the public works inspector deems it necessary. The applicant shall, prior to beginning any improvements as set forth herein, enter into a written agreement with the city to pay all fees or assessments associated with the services provided by the city or which become necessary for the enforcement of this chapter, as said services are rendered.
- Q. Parks, School, and Public Places: The Planning Commission may require areas of a proposed subdivision to be reserved for parks, playgrounds, schools, or other public use in accordance with the City's master plan.

10-21-18 Development Standards

- A. Street Arrangement: The arrangement of streets in new developments shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not developed) insofar as such may be deemed necessary by the planning commission for public requirements. The street arrangement shall be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.
- B. Street Width: A width of no less than 32' for all streets within a subdivision is required.
- C. Minor Streets: Minor streets shall approach the major or collector streets at an angle of not less than eighty degrees (80°).
- D. Major and Collector Streets: Major and collector streets shall conform to the width designated on the master street plan wherever a development falls in an area for which a master street plan has been adopted. For territory where such street plan has not been completed at the time the development preliminary plan is submitted to the planning commission, major or collector streets shall be provided as required by the planning commission with minimum widths of one hundred feet (100') for major streets and sixty-six feet (66') for collector streets.
- E. Minor Residential Streets: Minor residential streets shall have a minimum width of sixty feet (60'), except that cul-de-sacs (dead end streets) or loop streets serving not more than ten (10) lots may have a minimum width of fifty feet (50').

- F. Alleys: Alleys shall have a minimum width of twenty feet (20'). Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the planning commission.
- G. Cul-de-Sacs: Cul-de-sacs (dead end streets) shall be used only where unusual conditions exist which make other designs undesirable. Each cul-de-sac must be terminated by a turnaround not less than one hundred feet (100') in diameter. If surface water drainage is into the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided.
- H. Easements: Easements for drainage through the property may be required by the city engineer, and easements of not less than ten feet (10') in width shall be provided where required for utilities or other purposes.
- I. Service Roads: Service roads paralleling major streets shall be required unless the planning commission approved double frontage lots which may back onto major highways or collector streets as designated on the master street plan. Where lots back onto a major highway or collector street, a buffer planting strip of trees or shrubs shall be provided in a width of a minimum of ten feet (10').
- J. Blocks:
 - 1. Blocks may not exceed one thousand six hundred feet (1,600') in length. A dedicated walkway through the block may be required where access is necessary to a point designated by the planning commission. Such walkway shall be a minimum of four feet (4') in width but may be required to be wider where determined necessary by the planning commission. The applicant shall surface the full width of the walkway with a concrete surface, install a chain-link fence or its equal four feet (4') high on each side and the full length of each walkway, and provide, in accordance with the standards and rules and regulations, barriers at each walkway entrance to allow vehicles no wider than four feet (4').
 - 2. The width of blocks generally shall be sufficient to allow two (2) tiers of lots.
 - 3. Irregular shaped blocks, indented by cul-de-sacs, or containing interior spaces, will be acceptable when properly designed and fitted to the overall plat.
 - 4. Blocks intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.
- K. Lots:
 - 1. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings and be properly related to topography and to existing and probable future requirements.

2. All lots shown on the subdivision plan must conform to the minimum requirements of this title for the zone in which the subdivision is located, and to the minimum requirements of the city engineer and the state board of health for sewage disposal. The minimum width for any residential building lot shall be as required by this title. Where a public sewer is not available, the minimum area of such lot shall be no less than that approved in a letter to the planning commission by the board of health nor less than twenty thousand (20,000) square feet, whichever is greater.
 3. Each lot shall abut on a street dedicated by the recording of the subdivision or on an existing publicly dedicated street, or on a street which has become public by right of use and is more than twenty-six feet (26') wide. Interior lots abutting on more than one street shall be prohibited except where unusual conditions make other design undesirable.
 4. Corner lots shall have extra width sufficient for maintenance of required building lines on both streets.
 5. Side lines of lots shall be approximately at right angles, or radial to the street line.
 6. All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.
 7. Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to either single or joint ownership before approval of the final plat, and such transfer certified to the planning commission by the county recorder.
- L. Utility Installation: In the event a utility easement or easements are provided to the city in connection with the installed improvements, the utility line shall be placed as close to the center of said easement as is reasonably possible.
- M. Inspections: The City shall inspect or cause to be inspected all buildings, fire hydrants, water supply, and sewage disposal systems during construction, installation, or repair. Excavations for fire hydrants and water and sewer mains and laterals may not be covered or backfilled until such installation shall have been approved by the city engineer. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person.

10-21-19 Purchase of Parks, School, and Public Places

- A. The Planning Commission may require areas of a proposed subdivision to be reserved for parks, playgrounds, schools, or other public use in accordance with the City's master plan.

- B. The City shall have the right to purchase, at fair market value, at any time during the two (2) year period immediately following the recording of the final plat, any land which has been set aside for park, playground, school or other public use.
- C. In the case of land required for park or playground, the fair market price will be based upon raw land value, but in no event may such price exceed the price for said land in the last bona fide sale thereof within the period of five (5) years immediately before the date of the final subdivision plat.
- D. The city or other appropriate public agency may accept such offer at any time within a two (2) year period immediately following the recording of the final plat. If any such proposed public areas have not been purchased by the appropriate public agency within two (2) years after the recording of the final plot, such areas may be divided into lots in accordance with the requirements of this Chapter and sold.

10-21-20 Boundary Line Adjustments

- A. The owners of record of adjacent parcels may exchange title to portions of those parcels (creating a boundary line adjustment) through and agreement if properly executed and acknowledged as required under the provisions of Utah Code § 10-9a-523 and Utah Code § 10-9a-524. However, such an agreement is subject to review and approval by the Planning Commission. A boundary line adjustment shall be permitted when:
 - a. No additional parcel results from the boundary line adjustment;
 - b. The boundary line adjustment does not result in remnant land that did not previously exist;
 - c. The adjustment does not result in violation of applicable zoning requirements (e.g., minimum lot size);
 - d. The proposed boundary does not materially affect any approved public utility easements, or an agreement with and between any and all affected utility agencies or entities is formed to maintain or realign the easement.
- B. The owners of record shall submit the following to the Planning Commission in their application for a boundary line adjustment:
 - a. A document of conveyance. A document of conveyance shall be recorded in the Office of the County Recorder to effectuate the boundary line adjustment. The document of conveyance may be either a deed or boundary line agreement. An exchange of title by either deed or by boundary line adjustment under this section shall include:
 - i. a legal description of the original parcels, and the parcels created by the exchange of title;
 - ii. the signature of each owner included in the exchange;
 - iii. a sufficient acknowledgement for each party executing the notice in accordance with the provisions of Utah Code 57-2a, Recognition of Acknowledgements Act; and
 - iv. the address of each owner for assessment purposes.

- b. A notice of approval. The application for a boundary line adjustment shall include a notice of approval for recording in the office of the county recorder, if approved by the Planning Commission. The Notice of Approval shall:
 - i. recite the descriptions of both the original parcels and the parcels created by the exchange of title;
 - ii. be executed by each owner included in the exchange;
 - iii. contain a signature block for the Planning Commission Chairperson; and
 - iv. contain a sufficient acknowledgment for each party executing the notice in accordance with the provisions of Utah Code 57-2a, Recognition of Acknowledgements Act.