



ENT 89243:2025 PG 1 of 11
ANDREA ALLEN
UTAH COUNTY RECORDER
2025 Nov 14 09:26 AM FEE 0.00 BY KC
RECORDED FOR COMMUNITY DEVELOPMENT

ORDINANCE NO. 2025-981

**AN ORDINANCE AMENDING SECTIONS 2.08, 8.76, 8.80 AND CHAPTER 14 OF THE
UTAH COUNTY LAND USE ORDINANCE RELATED TO RECENT STATE
LEGISLATION GOVERNING PROPERTY BOUNDARY ESTABLISHMENT AND
ADJUSTMENT, AGRICULTURAL DIVISIONS, AND SUBDIVISION AMENDMENTS**

WHEREAS, the Utah County Planning Commission has initiated a review of sections 2.08, 8.76, 8.80 and Chapter 14 of the Utah County Land Use Ordinance (UCLUO), related to recent state legislation governing property boundary establishment and adjustment, agricultural divisions, and subdivision amendments; and

WHEREAS, the Planning Commission addressed the proposed amendment to the Utah County Land Use Ordinance during a regularly scheduled meeting of the Planning Commission on October 21st, 2025, held a public hearing regarding the proposed amendment, and made a recommendation to the Board of County Commissioners regarding the proposed amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the recommendation from the Planning Commission regarding the proposed amendment, and the minutes from the Utah County Planning Commission meeting and public hearing regarding the proposed Utah County Land Use Ordinance amendment; and

WHEREAS, the Board of County Commissioners has received and carefully reviewed the input, documents, and testimony from the public regarding the proposed Utah County Land Use Ordinance amendment; and

WHEREAS, the Board of County Commissioners finds the amendment to the Utah County Land Use Ordinance is consistent with the Utah County General Plan and the other provisions of the Utah County Land Use Ordinance; and

WHEREAS, the Board of County Commissioners finds the proposed Utah County Land Use Ordinance is in the best interest of the health, safety, and welfare of the citizens of Utah County, considering all factors;

**NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF UTAH COUNTY ORDAINS
AS FOLLOWS:**

Part I:

Sections 2.08, 8.76, 8.80 and Chapter 14 of the Utah County Land Use Ordinance are hereby amended, including any appropriate re-numbering and re-formatting of applicable subsections, to read as depicted for the applicable subsections in the attached exhibit:

See Exhibit "A"

Part II:

A copy of the Utah County Land Use Ordinance, as amended herein, is hereby ordered to be filed in the office of the Utah County Clerk.

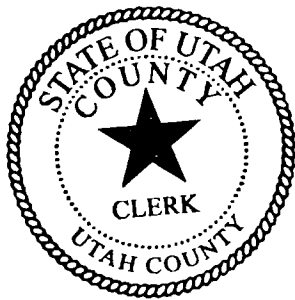
Part III:

If any of the sections, sentences, clauses, or provisions of this ordinance shall for any reason be adjudged inapplicable or invalid by a court of competent jurisdiction, such shall not affect or invalidate the remaining portion contained herein.

Part IV:

This ordinance shall become effective fifteen (15) days after it is passed and upon at least one (1) publication in a newspaper published in and having general circulation in Utah County.

APPROVED and ADOPTED this 12th day of November 2025.



ATTEST:
AARON R. DAVIDSON
Utah County Clerk

By: Jolynn Clegg
Deputy Clerk / Jolynn Clegg

BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH

Skylar Beltran
SKYLER BELTRAN, Vice Chair

APPROVED AS TO FORM AND LEGALITY:
JEFFREY S. GRAY
Utah County Attorney

By: Dale Eyre
Deputy County Attorney / Dale Eyre

BOARD OF COUNTY COMMISSIONERS,
UTAH COUNTY, UTAH

BRANDON B. GORDON, CHAIR

VOTE	
YEA	NAY
<u> X </u>	<u> </u>

SKYLER BELTRAN, VICE CHAIR

<u> X </u>	<u> </u>
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AMELIA POWERS GARDNER, COMMISSIONER

<u> X </u>	<u> </u>
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Exhibit “A”

2.08 Definitions - Land Use

“**Boundary Adjustment**” has the same meaning as defined in Utah Code 17-27a-103, as amended.

- A. “**Simple Boundary Adjustment**” has the same meaning as defined in Utah Code 17-27a-103, as amended.
- B. “**Full Boundary Adjustment**” has the same meaning as defined in Utah Code 17-27a-103, as amended.

“**County Utility Easement**” has the same meaning as defined in Utah Code 17-27a-103, as amended.

“**Large-Scale Development**” A planned subdivision, planned nonresidential subdivision, mountain home development, planned unit development, or recreational resort, which has been approved by the Administrative Land Use Authority and finalized by the recording of a large-scale development plat with the Utah County Recorder’s Office.

“**Public Utility**” has the same meaning as defined in Utah State Code 54-2-1

“**Public Utility Easement**” has the same meaning as defined in Utah State Code 54-3-27

“**Subdivision Amendment**” has the same meaning as defined under Utah Code § 17-27a-103, as amended.

8.76 Division of Land, Plat Required (Deleted)

8.80 Condominium Projects (Deleted)

14 BOUNDARY ADJUSTMENTS, SUBDIVISIONS, LARGE-SCALE DEVELOPMENTS

14.02 Boundary Adjustment

A. Simple Boundary Adjustment:

1. The following documents shall be submitted for a Simple Boundary Adjustment:
 - a. A completed Boundary Adjustment application, signed by all owners of record, along with the required fee.
 - b. All documentation required for a Simple Boundary Adjustment under Utah Code § 17-27a-522, as amended.
 - c. Verification from the County Engineer that the proposed boundary adjustment does not affect any applicable public works requirements including public rights-of-way, county utility easements, existing easements, or public property.
 - d. Verification from County Health Department that the proposed boundary adjustment does not affect applicable health department requirements including onsite wastewater system.
 - e. Verification from the Community Development Department that the proposed boundary adjustment does not affect an internal lot restriction and the lots or parcels conform with land use regulations.

B. Full Boundary Adjustment:

1. If the Full Boundary Adjustment is amending lots within a subdivision, the following shall be submitted:

- a. A Full Boundary Adjustment that modifies the boundaries of a lot within a subdivision plat shall be subject to the provisions of UCLUO 14.26, as amended.

Exception: A Subdivision Amendment is not required if the only item affected involves an easement unrelated to a road or utility. In such case, the Full Boundary Adjustment shall comply with UCLUO 14.02.B.2,

2. If the Full Boundary Adjustment is outside a subdivision, the following shall be completed:
 - a. A completed Boundary Adjustment application, signed by all owners of record, along with the required fee.
 - b. All documentation required for a Full Boundary Adjustment under Utah Code § 17-27a-522, as amended.
 - c. Approval from the County Engineer that the proposed boundary adjustment conforms to all applicable public works standards and requirements.
 - d. Approval from the County Health Department that the proposed boundary adjustment conforms to all applicable county health standards and requirements.
 - e. Verification from the Community Development Department that the proposed boundary adjustment does not affect an internal lot restriction and the lots or parcels conform with land use regulations.
 - f. If a Public Utility Easement or an easement that is used by a Public Utility is being moved or vacated, a written statement from the affected Public Utility.
 - (1) Public Utility statement should address the proposed boundary adjustment and identify any recommendations relative to the proposal.
 - (2) If recommendations are received from a Public Utility provider, the County Engineer, shall determine whether the recommendations will be incorporated into the proposal.

C. Zoning Administrator Review:

1. Upon completion of all applicable Boundary Adjustment requirements as determined by the Zoning Administrator, the Zoning Administrator shall issue the notice of consent in accordance with Utah Code 17-27a-522, as amended.

14.04 Division of Land, Plat Required

A. Plat Required:

1. Any Subdivision of land shall follow the requirement in Title 14 of this Utah County Land Use Ordinance unless it is exempted by state or local law.
2. Any owner or agent of any owner of real property which is located within a subdivision as defined by this ordinance who sells, assigns, or otherwise transfers a lot, parcel of land, or structure before the subdivision plat is given final approval and recorded in the office of the County Recorder, shall be guilty of a separate violation of this ordinance for each lot, parcel, or structure so transferred or sold; and the county may enjoin such transfer or sale by action for injunction brought in any court of equity or may recover a penalty by civil action in any court of competent jurisdiction. The occupancy or use of the facilities involved may be

remedied, in addition to other remedies provided by law, by action for injunction mandamus, abatement, or other appropriate action or actions.

B. Exemption From Large-Scale Development Requirements:

1. **Division of Agricultural Land:**
 - a. Parcels resulting from a division of agricultural land are exempt from the Large-Scale Development requirements of this Land Use Ordinance if the division complies with Utah Code § 17-27a-605, as amended.
2. **Division of Agricultural Land With an Existing Dwelling**
 - a. A parcel of land containing an existing legal dwelling may be divided into two parcels without complying with the Large-Scale Development requirements of this Land Use Ordinance if the division complies with Utah Code § 17-27a-605, as amended.
3. **Record of Survey Map Required**
 - a. The boundaries of any division of land exempted from the Large-Scale Development requirements under this Section shall be graphically illustrated on a record of survey map that meets all requirements in Utah Code 17-27a-605, as amended. The record of survey map shall be filed with the County Surveyor's Office.

14.06 General Provisions

14.08 Planned Unit Development

C. **Application Requirements:** The application shall consist of the following elements.

1. **Application and Fee:** A standard Large Scale Development application shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.

14.12 Planned Subdivision

C. **Application Requirements:** The application shall consist of the following elements.

1. **Application and Fee:** A standard Large Scale Development application shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.
4. **Excluded Portions of Parcels:** The portion of a parcel of land which is not included within a proposed planned Subdivision plat must qualify for, and be approved as, an agricultural land exemption from the Subdivision plat requirements, as provided in UCLUO 14.04

14.16 Mountain Home Development

C. **Application Requirements:** The application shall consist of the following elements.

1. **Application and Fee:** A standard Large Scale Development application shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.
4. **Excluded Portions of Parcels:** The portion of a parcel of land which is not included within a proposed mountain home Development plat must qualify for,

and be approved as, an agricultural land exemption from the Subdivision plat requirements, as provided in UCLUO 14.04

14.20 Recreational Resort

- C. **Application Requirements:** The application shall consist of the following elements.
1. **Application and Fee:** A standard Large Scale Development application shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.
 4. **Excluded Portions of Parcels:** The portion of a parcel of land which is not included within a proposed planned Subdivision plat must qualify for, and be approved as, an agricultural land exemption from the Subdivision plat requirements, as provided in UCLUO 14.04

14.24 Planned Nonresidential Subdivision

- C. **Application Requirements:** The application shall consist of the following elements.
1. **Application and Fee:** A standard Large Scale Development application shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.

14.26 Amendment to Large-Scale Developments

A. Subdivision Amendments:

1. Subdivision Amendments shall comply with the following requirements and procedures:
 - a. Subdivision Amendments including a vacation of a public street or county utility easements shall comply with the procedures and requirements contained in the Utah Code 17-27a-608 and 17-27a-609.5 as amended.
 - b. No Subdivision Amendment shall be approved that violates the current development requirements, standards, and conditions of this Ordinance.
 - c. The submittal of a Subdivision Amendment application does not subject the existing development to a new, full development review. Only those elements of the development proposed to be amended shall be considered in the Subdivision Amendment application and subject to current development requirements, standards, and conditions.
 - d. The current requirements, standards, and conditions of mountain home developments shall be used for review of applications to amend an element of a Planned Dwelling Group or Seasonal Homes Development or other nonconforming development type.
 - e. Previously approved or required occupancy limitations or restrictions for lots in a development (i.e., the occupancy limitations related to a Seasonal Homes Development) shall not be changed through a Subdivision Amendment application.
 - f. The Utah County Zoning Administrator is designated as the Administrative Land Use Authority for Subdivision Amendments.
 - g. Modification of Large-Scale Development plats—prior to recording of the plat, but after plat approval—must be approved by the Zoning

Administrator. The Zoning Administrator may require approval from other county departments.

- h. Each Subdivision Amendment shall be classified as either a minor Subdivision Amendment or a major Subdivision Amendment, as defined below:
 - (1) Minor Subdivision Amendment: A minor amendment is required when one or more of the following applies:
 - (A) The boundary changes fall under a simple boundary adjustment and the applicant requests a subdivision amendment.
 - (B) Public or private roads, road easements, and utility easements are not affected.
 - (2) Major Subdivision Amendment: A major amendment is required for any Subdivision Amendment that does not meet the qualifications of a minor Subdivision Amendment.
2. Minor Subdivision Amendment Requirements: The following items are required for a minor Subdivision Amendment.
- a. A standard Subdivision Amendment application and petition shall be obtained from Community Development and shall be completed and submitted with the required fee. The application shall be completed and signed by all owners of record, or applicant shall establish and provide documentary proof that applicant has a right to purchase the property.
 - b. A recent policy of title insurance verifying the owners who executed the owners' dedication on the plat have sufficient control to effectuate the dedication without boundary exceptions. The title report shall be a full report (title policy commitment quality and form) and the legal description of the property in the title report shall match the legal description as contained on the plat.
 - c. All easements and other title restrictions shall be located and identified on the plat, including the recording information. All blanket easements shall be identified on the plat, by note, including the recording information.
 - d. Lien holder consent and subordination shall be obtained, provided on forms approved by the County Attorney's Office, and submitted for review.
 - e. A reproducible plat drawn in accordance with county standards at a scale of one inch equals one hundred feet (1"=100') or as directed by the Zoning Administrator, and shall show the following:
 - (1) Perimeter boundary of the development and the location of all required survey monuments.
 - (2) The location of all lot lines and/or Building site areas, and the identifying number for each lot, block, and Building site in the development.
 - (3) The name, location, and extent of all streets and the location and nature of all other parcels of land dedicated to the public or reserved for common use by the residents of the development.

- (4) The location and identification of all easements and their specific use.
 - (5) The location and extent of all parcels within the development which are subject to deed restrictions or any other limitations, or which are subject to conditions of approval written on the plat.
 - (6) Statements of limitations or conditions of approval required to be written on the plat by the County Commission, and other statements or information required by this land use ordinance, or other applicable law.
 - (7) The following certifications:
 - (A) The certificate of survey accuracy by the surveyor or engineer preparing the plat.
 - (B) The owner's dedication of land for public use, and the owner's conveyance of easements and parcels for utilities or other special use.
 - (C) The acknowledgment of the owner's dedication by a Utah Notary Public (or an equivalent officer authorized to acknowledge conveyances of real estate if the owner is out of state).
 - (D) The County Commission's acceptance of dedication of streets, easements, etc., along with the attesting signature and stamp of the County Clerk.
 - (E) The County Engineer's certification and stamp that the approved plans for the development conform to the Utah County standards and requirements for roads and other improvements.
 - (F) The culinary water and sanitary sewer authority's approval of the culinary water and sanitary sewer facilities of the development.
 - (G) The utility owners' and/or operators' approval of the applicable underground utilities, other utility facilities, easements, rights-of-way, etc., of the development; however, Utah County shall not require the plat to be approved or signed by a person or entity who does not provide a utility or other service directly to the lots within the development, unless provided or required by the state or local law.
 - (H) The County Administrative Land Use Authority's certification that plans for the development conform to the Utah County Land Use Ordinance.
 - (I) Certifications required by state law and other certifications if required by the Zoning Administrator.
- f. Written statements from the following County agencies or officials that address the proposed Subdivision Amendment and identify any requirements or recommendations relative to the proposal:
- (1) County Health Department

- (2) County Engineer
- (3) County Fire Marshal – Required if the amendment includes:
 - (A) Lots smaller than 5 acres, or
 - (B) Lots are located within a nonresidential development, mountain home development, recreational resort or planned unit development.
- g. A tax clearance for each parcel serial number identified in or by the title report. The tax clearance shall include all property taxes due as of the date of the filing of the application.
- h. A note, in a form acceptable to the Utah County Attorney’s Office, shall be included on the plat that binds the plat to all previously recorded declarations, covenants, conditions, restrictions, maintenance agreements, and all other recorded documents and agreements related to the original development.
- 3. Major Subdivision Amendment Requirements: The following items are required for a major Subdivision Amendment.
 - a. All requirements in UCLUO 14.26.A.2 (Minor Subdivision Requirements)
 - b. Written statement from utility service providers which provide services to the land described on the plat including the following:
 - (1) Utility service provider statements should address the proposed Subdivision Amendment and identify any recommendations relative to the proposal.
 - (2) If recommendations are received from a utility service provider, the County Engineer, shall determine whether the recommendations will be incorporated into the proposal

14.30 Condominium Projects

The owner or owners of real property may construct a new Condominium project or convert existing land and/or Structures into a Condominium project by complying with the provisions of the Utah Code, as amended, and the regulations of this ordinance.

- A. **Minimum Requirements:** Whereas the requirements of this section shall be the minimum requirements for the preparation, submission, and the recording of plats, survey maps, and supporting documents and declarations, the Administrative Land Use Authority may require an increased standard to ensure that the Development will mesh harmoniously with the uses permitted in the surrounding zone and Developments.
- B. **Permitted Uses:** Uses permitted within a Condominium project shall be limited to those specifically permitted within a zone in which the project is located.
- C. **Approval Procedure:** Any owner or owners of real property wishing to develop a new Condominium project, or desiring to convert existing land and/or Structures into a Condominium project, shall follow the procedure for Large-scale Developments as contained in this Land Use Ordinance.
- D. **Standards:** In addition to the standards as set forth in state law, Condominium projects shall:
 - 1. Conform to the Large-scale Developments standards and requirements, if said project also qualifies as a Large-scale Development; or

2. Conform with the requirements and standards of the zone in which the property is located, and the documentation for Large-scale Developments, if the Condominium project does not qualify as a Large-scale Development.
- E. **Violation:** It shall be unlawful to record any record any plat or declaration of a Condominium project in the Office of the County Recorder unless the same shall bear thereon signatures witnessing final approval of the Administrative Land Use Authority, and any plat or declaration so recorded without such approval shall be null and void. Any owner or agent of any owner of real property which is contained within a Condominium project as defined by this ordinance who sells or otherwise transfers any Parcel of land, Structure, or other Condominium unit in such Condominium project before obtaining final approval by the Administrative Land Use Authority, and recording a plat and declaration in the Office of the Utah County Recorder, shall be guilty of a separate violation of this ordinance for each Lot, Parcel of land, Structure, time unit, or other Condominium unit so sold.