



TOWN OF PORTAGE - LAND USE ORDINANCES

604.1(9)(b), this Chapter describes a “preliminary” review and approval, with “final” approval happening automatically when the plat is recorded.

118.2 Approval

1. The Land Use Authority shall approve any complete subdivision applications made under this Part that comply with applicable municipal ordinances.
2. A subdivision application is approved when the Land Use Authority certifies the approved plat, either by signing the plat directly or by attaching a signed certification to the plat.

118.3 Post-Approval Actions

1. The applicant shall record the approved subdivision plat with the County Recorder’s Office within 365 calendar days after the Land Use Authority approves the subdivision application, provided that the applicant has completed any improvements or posted any performance guarantee required by Town ordinances or described in the approved improvement plan. The applicant shall not record the approved subdivision plat until such improvements are completed or guaranteed in compliance with Town ordinances and the approved improvement plan.
 - a. An approved plat not properly recorded within the timeline specified in this provision is void, unless the Planning Commission approves an extension.
2. Town staff shall work with the County Recorder’s Office to submit to the Utah Geospatial Resource Center (so the subdivision can be included in the 911 database), within 30 calendar days after the application is approved, either:
 - a. An electronic copy of the approved plat; or
 - b. Preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.
 - c. If requested by the Utah Geospatial Resource Center the Town must:
 - i. Coordinate with the Utah Geospatial Resource Center to validate the information the municipality submitted about the final plat; and
 - ii. Assist the Utah Geospatial Resource Center in creating electronic files that contain the information described in the final plat for inclusion in the unified statewide 911 emergency service database.

119.0 AMENDMENTS AND LOT LINE ADJUSTMENTS

119.1 Amending A Subdivision

1. The Town 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



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that ordinance in the County Recorder's Office.

- 2.** 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.
- 3.** A fee owner of land in a platted subdivision may request a material subdivision amendment by filing a written petition with the Planning Commission. This petition must meet all the requirements for a subdivision application specified in Section 117.2 with the following changes:
 - a.** The plat (or the record of survey map, if applicable) should:
 - (1)** Depict only the portion of the subdivision that is proposed to be amended;
 - (2)** Include a plat name distinguishing the amended plat from the original plat;
 - (3)** Describe the differences between the amended plat and the original plat;
 - (4)** Include references to the original plat; and
 - (5)** Meet all the other plat requirements specified in Section 117.2.1.B.
 - b.** 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.
 - (1)** The petitioner must include with the petition envelopes addresses to each property in the subdivision.
 - c.** Upon receipt of an amendment petition, the Planning Commission (or Town staff, as delegated) shall provide notice of the petition to:
 - (1)** Each utility provider that services a parcel of the subdivision. The Town shall not approve an amendment petition until at least 10 calendar days after noticing these utility providers. The Town may notify the utility providers in any effective manner (email, mail, etc.).
 - (2)** Each property owner in the subdivision. The Town shall notify these property owners by mail.
 - d.** The Planning Commission 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 days of the Town notifying the property owner by mail, or
 - (2)** Not every property owner in the subdivision has signed the revised plat.
 - e.** Notwithstanding Section 119.1.3.d, the Planning Commission 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:



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- (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.
- f. If the Planning Commission approves the amendment petition, the Planning Commission shall sign the amended plat in the manner described in Section 118.2.2, and the petitioner shall record the plat, subject to the completion or guarantee of any improvements, as described in Section 118.3.

119.2 Lot Line Adjustment

1. The fee owners of two parcels may petition to adjust the lot line separating the parcels without a subdivision amendment. Such a petition shall include:
 - a. A record of survey map and a metes-and-bounds description showing the adjustment.
 - b. An explanation of the reason for the adjustment.
 - c. Signatures from all the parcel owners involved in the adjustment.
 - d. Any other information the Planning Commission requests.
2. If the adjustment will not result in a violation of a land use ordinance or an adverse development condition, the Planning Commission shall approve the petition.
3. If the adjustment is approved, the Planning Commission shall sign the record of survey map and accompanying metes-and-bounds description, and the petitioner shall record the document in the County Recorder's Office.

120.0 IMPROVEMENTS AND DESIGN STANDARDS

120.1 Required Improvements

The following improvements are required for all subdivisions, except those that qualify under the Exemptions of 117.3.1:

1. Utilities, including water, sewer, telephone, cable, gas, and electricity.
2. Streets, curbs, gutters, and sidewalks.