



30 (1) Notwithstanding Sections 17-27a-603 and 17-27a-604, the land use authority may  
31 approve the subdivision of unincorporated land into ten lots or less without a plat, by  
32 certifying in writing that:

33 (a) the county has provided notice as required by ordinance; and

34 (b) the proposed subdivision:

35 (i) is not traversed by the mapped lines of a proposed street as shown in the general  
36 plan and does not require the dedication of any land for street or other public purposes;

37 (ii) has been approved by the culinary water authority and the sanitary sewer authority;

38 (iii) is located in a zoned area; and

39 (iv) conforms to all applicable land use ordinances or has properly received a variance  
40 from the requirements of an otherwise conflicting and applicable land use ordinance.

41 (2) (a) Subject to Subsection (1), a lot or parcel resulting from a division of  
42 agricultural land is exempt from the plat requirements of Section 17-27a-603 if the lot or  
43 parcel:

44 (i) qualifies as land in agricultural use under Section 59-2-502;

45 (ii) meets the minimum size requirement of applicable land use ordinances; and

46 (iii) is not used and will not be used for any nonagricultural purpose.

47 (b) The boundaries of each lot or parcel exempted under Subsection (1) shall be  
48 graphically illustrated on a record of survey map that, after receiving the same approvals as are  
49 required for a plat under Section 17-27a-604, shall be recorded with the county recorder.

50 (c) If a lot or parcel exempted under Subsection (2)(a) is used for a nonagricultural  
51 purpose, the county may require the lot or parcel to comply with the requirements of Section  
52 17-27a-603.

53 (3) (a) ~~[Documents]~~ Except as provided in Subsection (4), a document recorded in the  
54 county recorder's office that ~~[divide]~~ divides property by a metes and bounds description ~~[do]~~  
55 does not create an approved subdivision allowed by this part unless the land use authority's  
56 certificate of written approval required by Subsection (1)(a)(ii) is attached to the document.

57 (b) The absence of the certificate or written approval required by Subsection (1) does

58 not affect the validity of a recorded document.

59 (c) A document which does not meet the requirements of Subsection (1) may be  
60 corrected by the recording of an affidavit to which the required certificate or written approval  
61 is attached in accordance with Section 57-3-106.

62 (4) (a) As used in this Subsection (4):

63 (i) "Applicable land":

64 (A) means the agricultural land sought to be divided under this Subsection (4) by a  
65 minor subdivision; and

66 (B) includes land previously divided from the agricultural land by a minor  
67 subdivision.

68 (ii) "Minor subdivision" means a division of a single, contiguous parcel of agricultural  
69 land in a county of the third, fourth, fifth, or sixth class to create no more than one parcel per  
70 100 acres of applicable land.

71 (b) (i) Notwithstanding Sections 17-27a-603 and 17-27a-604, an owner of agricultural  
72 land may make a minor subdivision by submitting for recording in the office of the recorder of  
73 the county in which the land is located:

74 (A) a recordable deed describing by metes and bounds each parcel divided from the  
75 agricultural land; and

76 (B) a notice of the creation of a minor subdivision, containing the legal description of  
77 each parcel divided from the agricultural land.

78 (ii) An owner of agricultural land may not make a minor subdivision if the minor  
79 subdivision would result in the applicable land having more than one minor subdivision parcel  
80 per 100 acres of applicable land.

81 (c) A minor subdivision parcel:

82 (i) may not be less than one acre in size;

83 (ii) may not be closer than 1,000 feet to another parcel created by a minor subdivision;  
84 and

85 (iii) is not subject to the subdivision ordinance of the county in which the parcel is

86 located.

87 (d) A county:

88 (i) may not deny a building permit to an owner of a parcel created by a minor  
89 subdivision based on the parcel's status as a minor subdivision parcel; and

90 (ii) may, in connection with the issuance of a building permit, subject a minor  
91 subdivision parcel to reasonable health, safety, and access standards.