



Crosswalk for Chapter 10-9a Recodification

Comparison of Sections Old to New

The list below provides an index for current sections in Chapter 10-9a, Municipal Land Use, Development, and Management Act, affected by File 0014, which mirrors changes made to Chapter 17-27a as part of the recodification of Title 17. For more detailed information regarding the recodification, please contact the Office of Legislative Research and General Counsel.

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File 0014, Municipal Land Use, Development, and Management Act Recodification

Title 10, Chapter 9a: Municipal Land Use, Development, and Management Act

Part 1, General Provisions

- 10-9a-101, Title: **Repealed**
- 10-9a-102, Purposes – General land use authority: **Renumbered and amended as 10-20-101**
- 10-9a-103, Definitions: **Renumbered and amended as 10-20-102**
- 10-9a-104, Municipal standards: **Renumbered and amended as 10-20-103**

Part 2, Notice

- 10-9a-201, Required notice: **Renumbered and amended as 10-20-201**
- 10-9a-202, Applicant notice – Waiver of requirements: **Renumbered and amended as 10-20-202**
- 10-9a-203, Notice of intent to prepare a general plan or comprehensive general plan amendments in certain municipalities: **Renumbered and amended as 10-20-203**
- 10-9a-204, Notice of public hearings and public meetings to consider general plan or modifications: **Renumbered and amended as 10-20-204**



- 10-9a-205, Notice on public hearings and public meetings on adoption or modification of land use regulation: [Renumbered and amended as 10-20-205](#)
- 10-9a-206, Third party notice – High priority transportation corridor notice: [Renumbered and amended as 10-20-206](#)
- 10-9a-207, Notice for an amendment to a subdivision – Notice for vacation of or change to street: [Renumbered and amended as 10-20-207](#)
- 10-9a-208, Hearing and notice for petition to vacate a public street: [Renumbered and amended as 10-20-208](#)
- 10-9a-209, Notice challenge: [Renumbered and amended as 10-20-209](#)
- 10-9a-210, Notice to municipality when private institution of higher education is constructing student housing: [Renumbered and amended as 10-20-210](#)
- 10-9a-211, Canal owner or operator – Notice to municipality: [Renumbered and amended as 10-20-211](#)
- 10-9a-212, Notice for an amendment to public improvements in a subdivision or development: [Renumbered and amended as 10-20-212](#)
- 10-9a-213, Hearing and notice procedures for modifying sign regulations: [Renumbered and amended as 10-20-213](#)

Part 3, General Land Use Provisions

- 10-9a-301, Ordinance establishing planning commission required – Ordinance requirements – Compensation: [Renumbered and amended as 10-20-301](#)
- 10-9a-302, Planning commission powers and duties – Training requirements: [Renumbered and amended as 10-20-302](#)
- 10-9a-303, Entrance upon land: [Renumbered and amended as 10-20-303](#)
- 10-9a-304, State and federal property: [Renumbered and amended as 10-20-305](#)
- 10-9a-305, Other entities required to conform to municipality's land use ordinances – Exceptions – School districts, charter schools, home-based microschools, and micro-education entities – Submission of development plan and schedule: [Renumbered and amended as 10-20-304](#)
- 10-9a-306, Land use authority requirements – Nature of land use decision: [Renumbered and amended as 10-20-901](#)



Part 4, General Plan

- 10-9a-401, General plan required – Content: **Renumbered and amended as 10-20-401 and 10-20-403**
- 10-9a-402, Information and technical assistance from the state: **Renumbered and amended as 10-20-402**
- 10-9a-403, General plan preparation: **Renumbered and amended as 10-20-404**
- 10-9a-403.1, Station area plan requirements – Contents – Review and certification by applicable metropolitan planning organization: **Renumbered and amended as 10-21-203**
- 10-9a-403.2, Affordable home ownership density bonus for single-family: **Renumbered and amended as 10-21-401**
- 10-9a-403.3, Affordable home ownership density bonus for multi-family: **Renumbered and amended as 10-21-402**
- 10-9a-404, Public hearing by planning commission on proposed general plan or amendment – Notice – Revisions to general plan or amendment – Adoption or rejection by legislative body: **Renumbered and amended as 10-20-405**
- 10-9a-405, Effect of general plan: **Renumbered and amended as 10-20-406**
- 10-9a-406, Public uses to conform to general plan: **Renumbered and amended as 10-20-407**
- 10-9a-407, Effect of official maps: **Renumbered and amended as 10-20-408**
- 10-9a-408, Moderate income housing report – Contents – Prioritization of fund or projects – Ineligibility for funds after noncompliance – Civil actions: **Renumbered and amended as 10-21-202**

Part 5, Land Use Regulations

- 10-9a-501, Enactment of land use regulation, land use decision, or development agreement: **Renumbered and amended as 10-20-501**
- 10-9a-502, Preparation and adoption of land use regulation: **Renumbered and amended as 10-20-502**



- 10-9a-503, Land use ordinance or zoning district amendments – Historic district or area: **Renumbered and amended as 10-20-503; 10-9a-503(4) renumbered and amended as 10-20-601**
- 10-9a-504, Temporary land use regulations: **Renumbered and amended as 10-20-504**
- 10-9a-505, Zoning districts: **Renumbered and amended as 10-20-505**
- 10-9a-505.5, Limit on single family designation: **Renumbered and amended as 10-20-602**
- 10-9a-506, Regulating annexed territory: **Renumbered and amended as 10-20-603**
- 10-9a-507, Conditional uses: **Renumbered and amended as 10-20-506**
- 10-9a-507.5, Classification of new and unlisted business uses: **Renumbered and amended as 10-20-507**
- 10-9a-508, Exactions – Exactions for water interest – Requirement to offer to original owner property acquired by exaction: **Renumbered and amended as 10-20-911**
- 10-9a-508.1, Private maintenance of public access amenities prohibited: **Renumbered and amended as 10-20-604**
- 10-9a-509, Applicant’s entitlement to land use application approval – Municipality’s requirements and limitations – Vesting upon submission of development plan and schedule: **Renumbered and amended as 10-20-902**
- 10-9a-509.5, Review for application completeness – Substantive application review – Reasonable diligence required for determination of whether improvements or warranty work meets standards – Money damages claim prohibited: **Renumbered and amended as 10-20-905**
- 10-9a-509.7, Transferable development rights: **Renumbered and amended as 10-20-605**
- 10-9a-510, Limit on fees – Requirement to itemize fees – Appeal of fee – Provider of culinary or secondary water: **Renumbered and amended as 10-20-904; Subsection (7) enacted as 10-20-910**
- 10-9a-511, Nonconforming uses and noncomplying structures: **Renumbered and amended as 10-20-1003**



- 10-9a-511.5, Changes to dwellings – Egress windows: [Renumbered and amended as 10-20-612](#)
- 10-9a-512, Termination of a billboard and associated rights: [Renumbered and amended as 10-20-607](#)
- 10-9a-513, Municipality’s acquisition of billboard by eminent domain – Removal without providing compensation – Limit on allowing nonconforming billboards to be rebuilt or replaced – Validity of municipal permit after issuance of state permit: [Renumbered and amended as 10-20-608](#)
- 10-9a-514, Manufactured homes: [Renumbered and amended as 10-21-301](#)
- 10-9a-515, Regulation of amateur radio antennas: [Renumbered and amended as 10-20-609](#)
- 10-9a-516, Regulation of residential facilities for persons with disabilities: [Renumbered and amended as 10-20-610](#)
- 10-9a-520, Licensing of residences for persons with a disability: [Renumbered and amended as 10-20-610](#)
- 10-9a-521, Wetlands: [Renumbered and amended as 10-20-611](#)
- 10-9a-522, Refineries: [Renumbered and amended as 10-20-612](#)
- 10-9a-523, Simple boundary adjustment – Full boundary adjustment – Process – Review by land use authority: [Renumbered and amended as 10-20-906](#)
- 10-9a-524, Boundary establishment – Process – Boundary agreement not subject to review by land use authority -- Prohibitions: [Renumbered and amended as 10-20-907](#)
- 10-9a-525, High tunnels – Exemption from municipal regulation: [Renumbered and amended as 10-20-613](#)
- 10-9a-527, Historic preservation authority: [Renumbered and amended as 10-20-903](#)
- 10-9a-528, Cannabis production establishments, medical cannabis pharmacies, and industrial hemp producer licensee: [Renumbered and amended as 10-20-614](#)
- 10-9a-529, Specified public utility located in a municipal utility easement: [Renumbered and amended as 10-20-615](#)



- 10-9a-530, Internal accessory dwelling units: [Renumbered and amended as 10-21-303](#)
- 10-9a-531, Utility service connections: [Renumbered and amended as 10-20-616](#)
- 10-9a-532, Development agreements: [Renumbered and amended as 10-20-508](#)
- 10-9a-533, Infrastructure improvements involving roadways: [Renumbered and amended as 10-20-617](#)
- 10-9a-534 Regulation of building design elements prohibited – Regulation of parking spaces prohibited – Exceptions: [Renumbered and amended as 10-20-618](#)
- 10-9a-535, Moderate income housing: [Renumbered and amended as 10-21-301](#)
- 10-9a-536, Water wise landscaping – Municipal landscaping regulations: [Renumbered and amended as 10-20-619](#)
- 10-9a-537, Land use compatibility with military use: [Renumbered and amended as 10-20-620](#)
- 10-9a-538, Modular building: [Renumbered and amended as 10-20-621](#)
- 10-9a-539, Operation of a tower crane: [Renumbered and amended as 10-20-622](#)
- 10-9a-540, Residential rear setback limitations: [Renumbered and amended as 10-20-623](#)
- 10-9a-541, Identical plan review – Process – Indexing of plans – Prohibitions: [Renumbered and amended as 10-20-908](#)
- 10-9a-542, Fees collected for construction approval – Approval of plans: [Renumbered and amended as 10-20-909](#)
- 10-9a-543, Notice of significant private airports: [Renumbered and amended 10-20-214](#)
- 10-9a-544, Digital asset mining – Zoning restrictions: [Renumbered and amended as 10-20-624](#)

Part 6, Subdivisions

- 10-9a-601, Enactment of subdivision ordinance: [Renumbered and amended as 10-20-901](#)



- 10-9a-602, Planning commission preparation and recommendation of subdivision ordinance – Adoption or rejection by legislative body: [Renumbered and amended as 10-20-802](#)
- 10-9a-603, Plat required when land is subdivided – Approval of plat – Owner acknowledgment, surveyor certification, and underground utility facility owner verification of plat – Recording plat: [Renumbered and amended as 10-20-803](#)
- 10-9a-604, Subdivision plat approval procedure – Effect of not complying: [Renumbered and amended as 10-20-804](#)
- 10-9a-604.1, Process for subdivision review and approval: [Renumbered and amended as 10-20-805](#)
- 10-9a-604.2, Review of subdivision applications and subdivision improvement plans: [Renumbered and amended as 10-20-806](#)
- 10-9a-604.5, Subdivision plat recording or development activity required before required infrastructure is completed – Improvement completion assurance – Improvement warranty: [Renumbered and amended as 10-20-807](#)
- 10-9a-605, Exemptions from plat requirement: [Renumbered and amended as 10-20-808](#)
- 10-9a-606, Common area parcels on a plat – No separate ownership – Ownership interest equally divided among other parcels on plat and included in description of other parcels: [Renumbered and amended as 10-20-809](#)
- 10-9a-607, Dedication by plat of public streets and other public places: [Renumbered and amended as 10-20-810](#)
- 10-9a-608, Subdivision amendments: [Renumbered and amended as 10-20-811](#)
- 10-9a-609, Land use authority of vacation or amendment of plat – Recording the amended plat: [Renumbered and amended as 10-20-812](#)
- 10-9a-609.5, Petition to vacate a public street: [Renumbered and amended as 10-20-813](#)
- 10-9a-610, Restrictions for solar and other energy devices: [Renumbered and amended as 10-20-814](#)
- 10-9a-611, Prohibited acts: [Renumbered and amended as 10-20-815](#)



Part 7, Appeal Authority and Variances

- 10-9a-701, Appeal authority required – Condition precedent to judicial review – Appeal authority duties: **Renumbered and amended as 10-20-1101**
- 10-9a-702, Variances: **Renumbered and amended as 10-20-1102**
- 10-9a-703, Appealing a land use authority's decision – Panel of experts for appeals of geologic hazard decisions – Automatic appeal for certain decisions: **Renumbered and amended as 10-20-1103**
- 10-9a-704, Time to appeal: **Renumbered and amended as 10-20-1104**
- 10-9a-705, Burden of proof: **Renumbered and amended as 10-20-1105**
- 10-9a-706, Due process: **Renumbered and amended as 10-20-1106**
- 10-9a-707, Scope of review of factual matters on appeal – Appeal authority requirements: **Renumbered and amended as 10-20-1107**
- 10-9a-708, Final decision: **Renumbered and amended as 10-20-1108**

Part 8, District Court Review

- 10-9a-801, No district court review until administrative remedies exhausted – Time for filing – Tolling of time – Standards governing court review – Record on review – Staying of decision: **Renumbered and amended as 10-20-1109**
- 10-9a-802, Enforcement – Limitations on a municipality's ability to enforce an ordinance by withholding a permit or certificate: **Renumbered and amended as 10-20-1001**
- 10-9a-803, Penalties – Notice: **Renumbered and amended as 10-20-1002**
- 10-9a-804, Consent agreement: **Renumbered and amended as 10-20-1110**

Part 9, Vested Critical Infrastructure Materials Operations

- 10-9a-901, Definitions: **Repealed, substance included in 10-20-701**
- 10-9a-902, Vested critical infrastructure materials use – Presumption: **Renumbered and amended as 10-20-702**
- 10-9a-903, Rights of a critical infrastructure materials operator with a vested critical infrastructure materials use: **Renumbered and amended as 10-20-703**



- 10-9a-904, Notice: [Renumbered and amended as 10-20-816](#)
- 10-9a-905, Abandonment of a vested critical infrastructure materials use: [Renumbered and amended as 10-20-704](#)

Part 10, Home Ownership Promotion Zone for Municipalities

- 10-9a-1001, Definitions: [Renumbered and amended as 10-21-101](#)
- 10-9a-1002, Municipality designation of a home ownership promotion zone: [Renumbered and amended as 10-21-501](#)
- 10-9a-1003, Applicability, requirements, and limitations: [Renumbered and amended as 10-21-502](#)
- 10-9a-1004, Notification prior to creation of a home ownership promotion zone: [Renumbered and amended as 10-21-503](#)
- 10-9a-1005, Payment, use, and administration of revenue from a home ownership promotion zone: [Renumbered and amended as 10-21-504](#)