

APPROVAL OF SUBDIVISIONS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies county and municipal land use development and management provisions relating to subdivisions.

Highlighted Provisions:

This bill:

▶ makes an exception to a requirement for a planning commission recommendation on a subdivision plat if the plat is uncontested and the county or municipality has authorized the land use authority or staff to approve the plat.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-9a-604, as last amended by Chapter 240, Laws of Utah 2006

17-27a-604, as last amended by Chapter 240, Laws of Utah 2006

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9a-604** is amended to read:

10-9a-604. Subdivision plat approval procedure -- Effect of not complying.



28 (1) (a) A person may not submit a subdivision plat to the county recorder's office for
29 recording unless:

30 (i) except as provided in Subsection (1)(b), a recommendation has been received from
31 the planning commission;

32 (ii) the plat has been approved by:

33 (A) the land use authority of the municipality in which the land described in the plat is
34 located; and

35 (B) other officers that the municipality designates in its ordinance; and

36 (iii) all approvals are entered in writing on the plat by the designated officers.

37 (b) Subsection (1)(a)(i) does not apply if:

38 (i) the planning commission is the land use authority[-]; or

39 (ii) (A) the subdivision plat is uncontested; and

40 (B) the municipality has authorized the land use authority or staff to approve an
41 uncontested subdivision plat without a recommendation from the planning commission.

42 (2) A subdivision plat recorded without the signatures required under this section is
43 void.

44 (3) A transfer of land pursuant to a void plat is voidable.

45 Section 2. Section **17-27a-604** is amended to read:

46 **17-27a-604. Subdivision plat approval procedure -- Effect of not complying.**

47 (1) (a) A person may not submit a subdivision plat to the county recorder's office for
48 recording unless:

49 (i) except as provided in Subsection (1)(b), a recommendation has been received from
50 the planning commission;

51 (ii) the plat has been approved by:

52 (A) the land use authority of the county in whose unincorporated area the land
53 described in the plat is located; and

54 (B) other officers that the county designates in its ordinance; and

55 (iii) all approvals are entered in writing on the plat by designated officers.

56 (b) Subsection (1)(a)(i) does not apply if:

57 (i) the planning commission is the land use authority[-]; or

58 (ii) (A) the subdivision plat is uncontested; and

59 (B) the county has authorized the land use authority or staff to approve an uncontested
60 subdivision plat without a recommendation from the planning commission.

61 (2) A plat recorded without the signatures required under this section is void.

62 (3) A transfer of land pursuant to a void plat is voidable.

Legislative Review Note

as of 1-17-07 11:26 AM

Office of Legislative Research and General Counsel

H.B. 296 - Approval of Subdivisions

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/25/2007, 10:21:14 AM, Lead Analyst: Wardrop, T.

Office of the Legislative Fiscal Analyst