



**RICHFIELD**

## **Subdivision Ordinance**

**A Part of the City's Land Use Ordinances**

As Adopted by the Richfield City Council and Effective  
June 14, 2005

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## SECTION 100: GENERAL PROVISIONS

### Section 101—Short Title:

This Ordinance shall be known and may be cited as the Richfield City Subdivision Ordinance and may be identified within this document as “the Ordinance,” “this Ordinance” or “Subdivision Ordinance,” or “Land Use Ordinance.” This Ordinance shall be identified as part, or a component of the Richfield City Land Use Ordinances.

### Section 102—Purpose:

The Richfield City Subdivision Ordinance is established to promote the purposes of Chapter 10-9a Utah Code Annotated, 1953, as amended (hereinafter the “Act”) and to provide for the orderly division of lands, and to secure the provision of necessary infrastructure and services in an efficient and economical manner for existing and future residents.

### Section 103—Authority:

The City Council of Richfield City, Utah (hereinafter “Council”) adopts this Ordinance pursuant the Act and all other authorities and provisions of Utah and Federal statutory and common law, as applicable. This Ordinance constitutes a part of the City’s Land Use Ordinances, as authorized and identified by the Act.

### Section 104—Applicability:

Upon its adoption by the Richfield Council, and effective the \_\_\_\_ day of June 2005, this Ordinance shall govern and apply to the subdivision and platting of all lands lying within the corporate limits of Richfield City, Utah (hereinafter “the City”)

### Section 105—Subdivision Defined. Subdivision Approval Required for all Development Approvals and Building Permits:

For the purposes of this Ordinance, and the Act, a subdivision shall be, and shall mean;

Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

"Subdivision" includes:

- a. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and
- b. Except as provided in the Act, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

#### Section 106—Subdivision Not to Include:

As provided by the Act, and for the purposes of this Ordinance "subdivision" does not include:

- a. a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable Land Use Ordinance;
- b. a recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if:
  - i. no new lot is created; and
  - ii. the adjustment does not violate applicable Land Use Ordinances; or
- c. a recorded document, executed by the owner of record:
  - i. revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or
  - ii. joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable Land Use Ordinances.
- d. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under the Act as to the unsubdivided parcel of property or subject the unsubdivided parcel to this Subdivision Ordinance.

#### Section 107—Fees and Charges:

The Council may establish all necessary fees and charges payable for subdivision applications, planning review, engineering review, inspection services, and any additional services of this Ordinance by Resolution. Such fees and charges may be amended from time to time, as considered necessary, by Resolution of the Council.

#### Section 108—Enforcement:

Any City Staff, designated and authorized by the City Administrator, are responsible for the enforcement of this Ordinance. Failure of the City Staff to enforce any provision or seek remedies to a violation of this Ordinance shall not legalize any such violation.

#### Section 109—Licenses and Permits:

From the effective date of this Ordinance, no license or permit, including the issuance of a building permit for the construction, alteration, or modification of any building or structure, shall be issued by the City unless such permit or license complies with the requirements and provisions of this Ordinance, including a determination that the lot or parcel, proposed for the license or permit, is a legal lot created pursuant to the provisions of this Ordinance, or prior enactments, or is a legal lot of record. Any approval issued in conflict with the provisions and requirements of this Ordinance shall be void.