



Land Use Authority

76 North Main Street, Kanab, Utah 84741

(435) 644-4966 or (435) 644-4964

planning@kane.utah.gov

MINOR LOT SUBDIVISION APPLICATION

Owner/Applicant _____ Date _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-Mail _____

Registered Engineer or Surveyor _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-Mail _____

Name of Subdivision: _____

Location and Legal Description: _____

Number of Lots: _____ Minimum Lot Size: _____

Date land was divided: _____

Additional Comments:

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE:

Signature: _____

Printed Name: _____

Attached Documents:

Recordable deed with legal description

Agreement of Understanding

Land Use Administrator Use Only:

Existing Zone _____

General Plan Compliance: Y N

Current Minor Lot Subdivision Reg. Compliance: Y N

Engineer Review:

Record of Survey Map: Approved Denied

Easements: Approved Denied N/A



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PROCEDURE OF A MINOR LOT SUBDIVISION

The following is the procedure to submit an application and obtain approval for a Minor Lot Subdivision. The general purpose of this application process is to provide an official determination of the status of any divided property, to establish whether it was divided in compliance with state and local law or not at the time of the division. For property that was divided illegally, this process will help the applicant understand their options and limitations for moving forward and may provide a fast track approval to correct any procedural deficiencies.

1. Submit an application to the Land Use Administrator with the following documentation:
 - a. Signed "Agreement of Understanding"
 - b. Recordable deed with legal description

2. The Land Use Administrator will conduct a review of the application. If the application is compliant with Utah State Code Section 17-27A-605(4) and Kane County Land Use Ordinance 9-21L-(1-2), the Minor Lot Subdivision will be recorded.

AGREEMENT OF UNDERSTANDING

STATE OF UTAH)
 :SS
COUNTY OF KANE)

I, _____, the applicant for a compliance review for a minor lot subdivision (parcels listed in the legal description below), hereby agree and take notice that under Kane County Land Use Ordinance 9-21K-2 in unincorporated areas of the County, **dedicated roads will not be accepted, paved or maintained by the County, until the subdivision complies with Articles A through J of Chapter 21 of the Kane County Land Use Ordinance.**

Signature: _____ Date: _____

Printed Name: _____

NOTARY STATEMENT

Subscribed and sworn to before me this _____ day of _____, 20____, by _____.

Witness my hand and official seal.

Notary Public Signature

Legal description of both properties:

Certificate of Written Approval

On _____ 20__, the Kane County Land Use Authority Administrator approved the division of land as set forth herein. Under Utah Code 17-27A-605 the following described land meets the requirements to be exempt from a plat. Furthermore, at the time of the division of the land it was in compliance with County Ordinances. As of the date signed below, the land contained herein is in compliance with State and County laws and ordinances regarding the subdivision of land. Any document previously recorded or recorded here with that effectuates the division of land as described herein is legal as of the date that this document is recorded.

Owner(s) of the Property: _____

Parcel ID: _____

Legal Description of Property:

STATE OF UTAH)
 :SS
COUNTY OF KANE)

I, _____, Kane County Land Use Authority Administrator, hereby certify that the property contained herein is in compliance with Utah State Code for a minor lot subdivision and has been approved by the Land Use Authority Administrator for compliance.

Kane County Land Use Authority Administrator

SUBSCRIBED AND SWORN TO before me on this _____ day of _____, 20

NOTARY PUBLIC

ARTICLE L. MINOR SUBDIVISIONS

9-21L-1: MINOR SUBDIVISION EXEMPTION:

9-21L-2: UTAH STATE CODE SECTION 17-27A-605(4):

9-21L-1: MINOR SUBDIVISION EXEMPTION:

Kane County adopts Utah state code section 17-27a-605(4). A subdivision of land that qualifies as a minor subdivision under section 4 does not have to meet the requirements of articles A through J of this chapter. An applicant that desires to create a minor subdivision lot must file application with the Kane County land use authority certifying that the requirements of Utah state code section 17-27a-605(4) have been completed. If the applicant meets all the requirements of said subsection, the land use authority administrator will approve the subdivision after an administrative review. After the land use authority administrator's review, a letter of compliance will be issued to be recorded at the recorder's office for future verification of compliance with state code. (Ord. 2014-1, 1-27-2014, eff. 2-11-2014; amd. Ord. O-2015-12, 7-27-2015, eff. 8-11-2015)

9-21L-2: UTAH STATE CODE SECTION 17-27a-605(4):

For convenience, Utah state code section 17-27a-605(4) is repeated herein, in its entirety.

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

(i) "Divided land" means land that:

(A) is described as the land to be divided in a notice under Subsection (4)(b)(ii); and

(B) has been divided by a minor subdivision.

(ii) "Land to be divided" means land that is proposed to be divided by a minor subdivision.

(iii) "Minor subdivision" means a division of at least 100 contiguous acres of agricultural land in a county of the third, fourth, fifth or sixth class to create one new lot that after the division is separate from the remainder of the original 100 or more contiguous acres of agricultural land.

(iv) "Minor subdivision" lot means a lot created by a minor subdivision.

(b) Notwithstanding Sections 17-27a-603 and 17-27a604, an owner of at least 100 contiguous acres of agricultural land may make a minor subdivision by submitting for recording in the office of the recorder of the county in which the land to be divided is located:

(i) a recordable deed containing the legal description of the minor subdivision lot; and

(ii) a notice:

(A) Indicating that the owner of the land to be divided is making a minor subdivision;

(B) Referring specifically to this section as the authority for making the minor subdivision; and

(C) Containing the legal description of:

(I) The land to be divided; and

(II) The minor subdivision lot.

(c) A minor subdivision lot:

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

(ii) may not be within 1,000 feet of another minor subdivision lot; and

(iii) is not subject to the subdivision ordinance of the county in which the minor subdivision lot is located;

(d) Land to be divided by a minor subdivision may not include divided land;

(e) A County:

(i) may not deny a building permit to an owner of a minor subdivision lot based on;

(A) the lots status as a minor subdivision lot; or

(B) the absence of standards described in Subsection (4)(e)(ii); and

(ii) may, in connection with the issuance of a building permit, subject a minor subdivision lot to reasonable health, safety, and access standards that the county has established and made public.

(Ord. 2013-10, 11-4-2013, eff. 11-19-2013)