

# Subdivision 101

## Subdivision Ordinance



# Subdivision 101

- Part of the development regulation process - platting
  - State law authorizes pursuant to health, safety, and public welfare
  - Different from Zoning – government authority significantly limited in reviewing a plat
  - Subdivision regulations govern the division of land into two or more parts. The regulations specify the standards for drawing and recording a plat, and requirements for public improvements necessary to make the property suitable for development.
  - Ministerial act
- Basis of regulations:
  - System for land registration
  - Legitimate government interest in “promoting healthy and orderly development” and protecting future lot owners



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- Terms:
  - Subdivision (to subdivide, subdividing): the division of land
  - Platting (to plat) – Government process
  - Subdivision Plat (or Plat) – a government permit that depicts lots, blocks, streets, etc.
  - Planning Commission – appointed governmental body with plat approval authority; City’s Planning and Zoning Commission
  - Extraterritorial Jurisdiction (“ETJ”) - special area surrounding a city where city has power of annexation and limited regulatory authority; City’s platting authority is extended to ETJ (1 mile)
  - Preliminary Plat – initial submitted plat – less detailed
  - Final Plat – upon approval, ready for recording in property records; fully engineered; must meet state and City laws
  - Dedications – rights granted to cities for public streets (right of way), utilities, parks; in general, owners/developers construct improvements and as part of plat review, cities inspect and approve if specifications followed



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- State law:
  - “The municipal authority . . . must approve a plat or replat . . . that satisfies all applicable regulations.” LGC §212.005
  - Cities must promptly approve plats within 30 days after filing is complete
- Platting is independent from and does not affect Zoning

# Status Update

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# Draft Goals (From Stakeholder Interviews)

- **Resolve conflicts** between Subdivision Ordinance and other part of the City Code
  - Construction standards for public v. private streets
  - Parking within easements
  - Ambiguities and inconsistencies requiring staff interpretation
- **Reduce inherent challenges** in ordinance and standards
  - Evaluate the impact of topography on developers' ability to meet ordinance requirements
  - Develop a sidewalk strategy to address the requirement to build “sidewalks to nowhere” just to satisfy the ordinance
- **Strengthen regulations** regarding development in floodplain areas