



Committee on Planning & Development

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COMMITTEE ON PLANNING & DEVELOPMENT

Agenda Item No. 5 Meeting Date: January 11, 2016

REQUEST FOR COMMITTEE ACTION

To: Joe Dill, Chairman, Committee on Planning & Development
From: Paula Gucker, Assistant County Administrator, Department of Community Planning and Development
Department: Land Development

Item Title: Minor and Major Subdivisions
Action Taken by Committee previously (include dates when Item was discussed): N/A
Motion Requested Today: Approve Modification to the Land Development Regulations
Staff Recommendation: Approval
Impact of Action: Approval will establish a Minor and Major Subdivision category and clarify the differences and requirements for both.
Funding Amount/Source: N/A
Requested by: Judith F. Wortkoetter, P.E. County Engineer
Staff Representative: Judith F. Wortkoetter, P.E. County Engineer

List of Attachments: summaries and staff reports

January 7, 2016
Date Submitted

Approved by the County Administrator

Various
Council District



Department of Public Works

Paula G. Gucker

**Assistant County Administrator for Community Planning, Development
and Public Works**

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MEMORANDUM

Date: January 7, 2016

To: Mr. Joe Dill, Chairman and Members of the Planning and Development
Committee

From: Paula Gucker

Re: Minor and Major Subdivisions

During the past year we have been working to streamline, clarify and define the process for approval for Minor and Major Subdivisions in response to citizen, surveyor, the development community and council member concerns. This recommendation for adoption clearly defines a minor vs. major subdivision and clarifies as well as establishes number of lots. The changes do meet the intent of the Planning Enabling Act as well as clearly define the process for both.

Minor subdivisions as a rule would not require approval of the Planning Commission unless deemed necessary by staff as outlined in the attached recommendation. Minor subdivision is defined as "the division of land into 6 or less lots, at one time or over a period on time, which does not require construction of a new street with new right of way, the extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

Major subdivisions would require approval of the Planning Commission just as they do now. Major subdivision is defined as "the division of land into 7 or more lots at one time, or over a period of time, or any subdivision of land that includes the construction of a new street or new right of way, extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

These changes have been developed by staff and stakeholders and supported by all.

Major Subdivision – the division of land into **7 or more** at one time, or over a period of time, or any subdivision of land that includes the construction of new street or new right of way, extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

- Applications for Major Subdivisions must follow the schedule for submittals of Preliminary Subdivision for Planning Commission review and approval.

Minor Subdivision – the division of land into **6 or less lots**, at one time or over a period of time, which does not require construction of a new street with new right of way, the extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

- Applications for Minor Subdivisions must follow the Summary Plat process.

The Subdivision Administrator may refer a **Minor Subdivision to the Planning Commission** for good cause. Good cause shall include, but not be limited to, any of the following factors: the site include topographical, geologic, or their physical features which merit special consideration; or the site contains sensitive wildlife habitat for endangered or threatened species, or the site contains or is adjacent to significant archeological, architectural or historic sites or resources which merit protections. The Subdivision Administrator also has the option to take a **Minor Subdivision to the Planning Commission** in order to determine whether or not the proposed subdivision is consistent with the goals and objectives of the comprehensive plan.

The following minimum requirements have been established for **all new Minor subdivisions** to ensure that the development of these lots will protect public health and safety and the orderly development of the surrounding area.

- Each lot must conform to all applicable zoning regulations or Land Development Regulations in unzoned areas
- Does not potentially obstruct the floodplain
- Does not violate the intent of the Subdivision or Zoning Ordinances.
- The subdivider shall design the lots to reflect the unique characteristics of the property by responding to its topography, wetlands, streams and forests and its relationship to adjoining properties and roads.
- At the point where an applicant/property owner wants to exceed the allowable number of lots for a Minor Subdivision, the criteria for a Major Subdivision will apply for all additional lots being created.
- The parcel shall not be located in an existing subdivision (residential development) and is a previously platted lot of record.
- In the unzoned area of the county, subdivisions not fronting on a public road may utilize the unpaved shared drive option to provide access.
- It is the subdivider's responsibility to assure that the proposed lots meet the criteria for public water systems or sewage systems. Appropriate agency approvals must be provided to Subdivision Administration prior to approval of the Summary Plat.
- It shall be the subdivider's responsibility to assure that the proposed lots have direct access from the lot to a right of way dedicated to public use.

- It is the subdivider's responsibility to outline who will be responsible for meeting the stormwater management and erosion control requirements for lot development.
 - If the subdivider's lots are for immediate development, appropriate stormwater permits are to be obtained prior to the approval of the plat.
 - If the subdivider does not want to be responsible for the development of the lot(s), the following notes are to be added to the plat:
 - There is no land disturbance associated with this summary plat.
 - At the time of development each lot must obtain a Land Disturbance Permit through Land Development Division to address water quantity and quality.
 - A building and land disturbance hold will be placed on each lot until a Land Disturbance Permit has been obtained.
- If the new proposed lots have existing structures, zoning and encroachment shall be evaluated.
- If the new proposed lots are zoned non-residential, stormwater will be required.