

Executive Summary of Subdivision Ordinance Draft

As discussed during that meeting, the changes made are largely organizational, and bring the ordinance up to date with changes in state law. This is a summary of major changes.

Organization. We re-organized into a format that we think provides a more logical approach, e.g., it's set up to be a step-by-step process, and an applicant only has to go as far as his particular application needs to.

Div. 1—General –

- Purpose Applicability

- Plat Approval Required

- Federal Flood Insurance Program** *moved from 98-48 (Streets)*

- Exemptions Definitions

Div. 2 – Authority of Decision Makers **new – This division explains the roles and responsibilities of each official**

- General Provisions

- Responsible Official Assigned

- Director of Public Works

- Director of Parks and Recreation

- City Manager

- Planning and Zoning Commission

- City Council

Div 3 – Application Submittal and Processing Procedures – This division reviews the requirements for submittal, timeline of subdivision plats, and when public hearings are required.

- Pre-submittal Meeting ****new**** - this allows a developer to meeting with Public Works to go over proposed development

- General Application Content

- Initiation, Complete Application, and Expiration

- Application Processing, Action, and Notification Following Decisions

- Public Hearings

- Amendments and Expiration

Div 4 – Subdivision Plat Procedures

- General Procedures

- Subdivision Plat Required – identifies when a subdivision plat is required on a tract of land

- Exceptions to Subdivision Platting Requirements – follows up on the previous section

- Procedure and Submittal Requirements for General Plans

- Preliminary Plats (Procedure and Requirements) – identifies purpose, procedure and surveying requirements

- Final Plats (Procedure and Requirements) – identifies purpose, procedure and surveying requirements

Procedure for Minor Plats**new** – identifies procedure and when a minor plat is allowed
Replats and Amending Plats (Procedure and Requirements) – identifies purpose, procedure and surveying requirements
Plat Vacation (Procedure and Requirements) – identifies purpose, procedure and surveying requirements
Plat Drawings, Reproduction, and Filing – explains how plats should be submitted
Title Report – explains what and when a title report is required and how old it can be
Commission Action – explains the amount of time allowed for the Commission to act
Effect of Denial of Plat – identifies any and all reasons a plat can be denied
Expiration of Plat Approval – explains how long a plat is valid
Additional Requirements for Recordation

Div 5 – Recreational Dedication **new - This division has been revised slightly as described below**

Purpose
Classification of Parks
General Requirements
Financial Donation in lieu of dedication **new** – a fee of \$700 per unit has been decided on. This fee will be used to improve parks within the area of the new development.
Private neighborhood park in lieu of public parkland Fees in lieu of parkland – this allows a developer to create a park maintained by the HOA versus the City
Use of fees, refunds

Div 6 – Design Standards for Improvements –

Design standards
Compliance with Design Standards and Other Regulations
Public Streets—General Arrangement and layout Streets—specific standards
Street Names – naming conventions
One foot reserves Easements
Reserve tracts (parcels, not ROW) Lots—General provisions
Easements – types of easements
Federal Insurance Program
Utilities
Drainage – required drainage for individual parcels and developments
Monuments and Markers - requirements

Div 7 – Traffic Impact Analysis **new – This division requires a TIA if an increase in traffic for the proposed development is over a certain amount of trips**

Analysis and Mitigation
Criteria for Determining when a TIA is required
Requirements for information within a TIA

Div 8 – Definitions – This division was moved to the end of the ordinance.

Usage & Interpretation
Definitions

Minor Plats is a new provision. State law provides that a city council may delegate certain plat approvals to staff. Since this becomes an administrative process, the applicant/landowner saves time. It is limited to plats involving four or fewer lots, where no public improvements are dedicated. The rationale behind the latter limitation is that cities take on the costs of maintenance for a public improvement, and thus Commission or Council should approve the improvement.

Rough Proportionality. State law requires, where City's impose dedication requirements on subdividers, that the City has completed an assessment to make sure they are not "over- charging" the property owner and requiring excess capacity. This is generally done through the engineering calculations that result in standard requirements for roadways, utility line sizes, and so forth. However, this law is in reaction to some Cities that required oversizing or off-site improvements that may or may not have been related to the development. The general concept is simple: development should pay for its own costs—that is, put in the infrastructure that development needs—but it should only pay for that, not for excess capacity to serve another property owner.

We have provided a methodology to undertake this process in the event it is questioned beyond the design standards. Additionally, there may be instances where developers do, in fact, dedicate additional right of way or oversize utility lines, and the city would, in those cases, enter a cost-sharing or pro-rata sharing agreement with them.

Parkland Dedication. The city presently requires parkland dedication. We have revised this section to provide a greater role for the Parks Director to approve preferred dedications. This section is under current revision. The Committee agreed that fees should not be charged to commercial uses. The amount of fees is \$700 per unit, and we prepared language for use of the Parks and Open Space Master Plan as an additional tool to achieve the comprehensive plan goals of greening the city.

Combined preliminary/final plat application process. This has been added and clarified so that applicants who may not fit within the minor plat process, but who have a fairly simple plat may shorten the process into one application and approval step.

We have made the City's Design Standards, vesting information, and the plat dedicatory language into appendices outside of the ordinance so that they may be amended more easily.