

# SUBDIVISION REGULATIONS

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October 17, 2018





## **AGENDA**

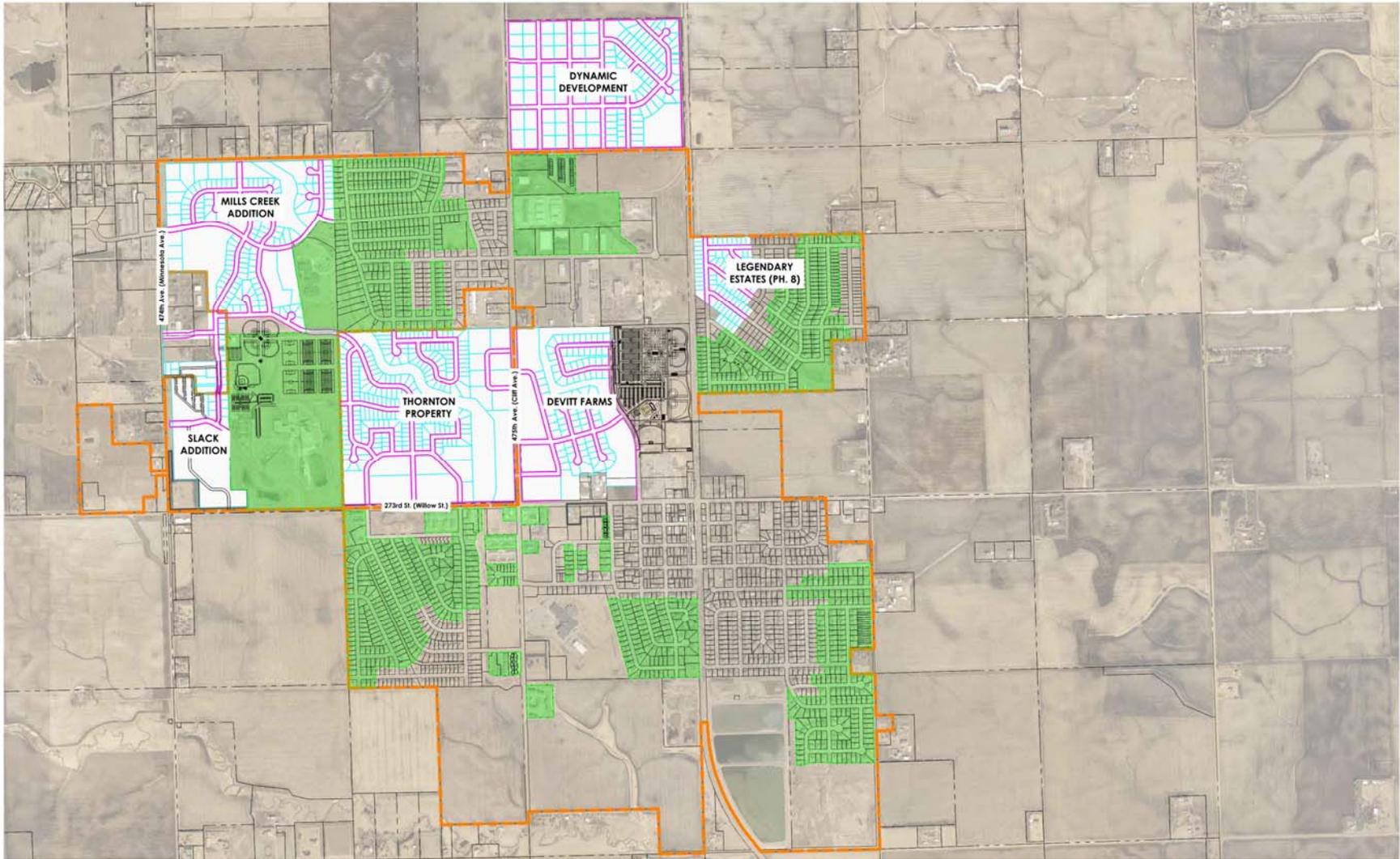
Introductions

Overview of Harrisburg's Recent Development

Review State Statutes

Rewriting Harrisburg's Regulations





Post 2005 & Future Development Exhibit  
City of Harrisburg



Scale: 1" = 600'



STOCKWELL  
11/25/2017 10:00 AM 11/20/17



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## *SDLC 11-6-27*

Recommendation and adoption of subdivision regulations--Purposes of regulations-- Notice and public hearing required. In exercising the duties granted to it by this chapter, the planning commission shall recommend and the council shall by ordinance adopt regulations governing the subdivision of land within its jurisdiction as defined in § 11-6-26. Such regulations may provide for the harmonious development of the municipality and its environs; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the comprehensive plan of the municipality; for adequate open spaces for traffic, recreation, light, and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, or prosperity. Before an adoption of its subdivision regulations or any amendment thereof, the council shall hold at least one public hearing. Notice of the time and place of the hearing shall be given once at least ten days in advance by publication in a legal newspaper of the municipality. Any interested person shall be given a full, fair, and complete opportunity to be heard at the hearing, and the governing body may refuse or adopt the ordinance, with or without amendment.



## *SDLC 11-3-1*

Townsite or subdivision survey and plat required--Contents. When any person wishes to lay out a townsite or subdivision, he shall cause the same to be surveyed and platted, which shall particularly describe and set forth all the streets, commons, or public grounds, and all blocks, lots, parcels, or tracts within such third class municipality or subdivision, giving the names, width, courses, boundaries, and extent of all such streets.



## **SDLC 11-3-4**

Certification, acknowledgment and recording of plats. Every plat provided for in this chapter shall be certified by the registered land surveyor, who shall attach an official seal thereto as specified in § 36-18A-45 as being in all respects correct. The landowner, or the landowner's duly authorized agent, shall certify that the plat has been made at the request and under the direction of the landowner for the purposes indicated therein, that he or she is the owner of all the land included therein, and that development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. The landowner certification shall be acknowledged before some officer authorized to take the acknowledgment of deeds and, with the certificate of such acknowledgment, shall be endorsed on or attached to the plat and be recorded as a part thereof in the office of the register of deeds of the proper county.

No such plat may be recorded until all the provisions of this section have been fully complied with, and upon certification and recordation shall be used as the legal description as provided by § 43-21-4 for all purposes, including constructive notice.



## **SDLC 11-6-31**

Subdivision plats or replats to be submitted to planning commission--  
Recommendation to council. Any subdivision of land containing two or more lots, no matter how described, shall be platted or replatted, and must be submitted to the planning commission for their consideration and recommendation to the council for approval or rejection or reviewed and approved in accordance with § 11-3-6.



## *SDLC 11-3-6*

Municipal approval for adjoining addition or subdivision--Conformity to existing plats and regulations--Taxes and special assessments--Certification--Appeal of denial. The provisions of this chapter apply to every addition to, or subdivision within, any county, municipality, or unincorporated town. If the land or any part of the land included in any addition or subdivision is within, adjoining, or contiguous to the boundaries of any municipality, the plat, before being recorded, shall be submitted to the governing body or, if applicable, the planning director of the municipality. If it appears that the system of streets set forth therein conforms to the system of streets of the existing plats of the municipality, that all provisions of any subdivision regulations have been complied with, that all taxes and special assessments upon the tract or subdivision have been fully paid, and that such plat and the survey thereof have been executed according to law, the governing body shall, by resolution, approve the plat. The governing body may by resolution designate an administrative official of the municipality to approve plats in lieu of approval by the governing body. The auditor or finance officer shall endorse on the face of the plat a copy of the resolution or the designated administrative official's approval and certify to the same. No plat of any such addition or subdivision so situated may be recorded unless the plat bears on its face a copy of the resolution or approval and certificate of the auditor or finance officer. If the designated administrative official denies the plat request, the person requesting the plat may appeal to the governing body.



## **SDLC 11-6-34**

Register of deeds not to record plat unless approved by city council or other designated official. When any map, plan, plat, or replat is tendered for filing in the office of the register of deeds, the register of deeds or deputy shall determine whether such proposed map, plan, plat, or replat is or is not subject to the provisions of this chapter and whether the endorsements required by this chapter appear thereon. No register of deeds or deputy may accept for record, or record, any such map, plan, plat, or replat unless and until it has been approved by the city council of such municipality as required by § 11-6-26 or reviewed and approved in accordance

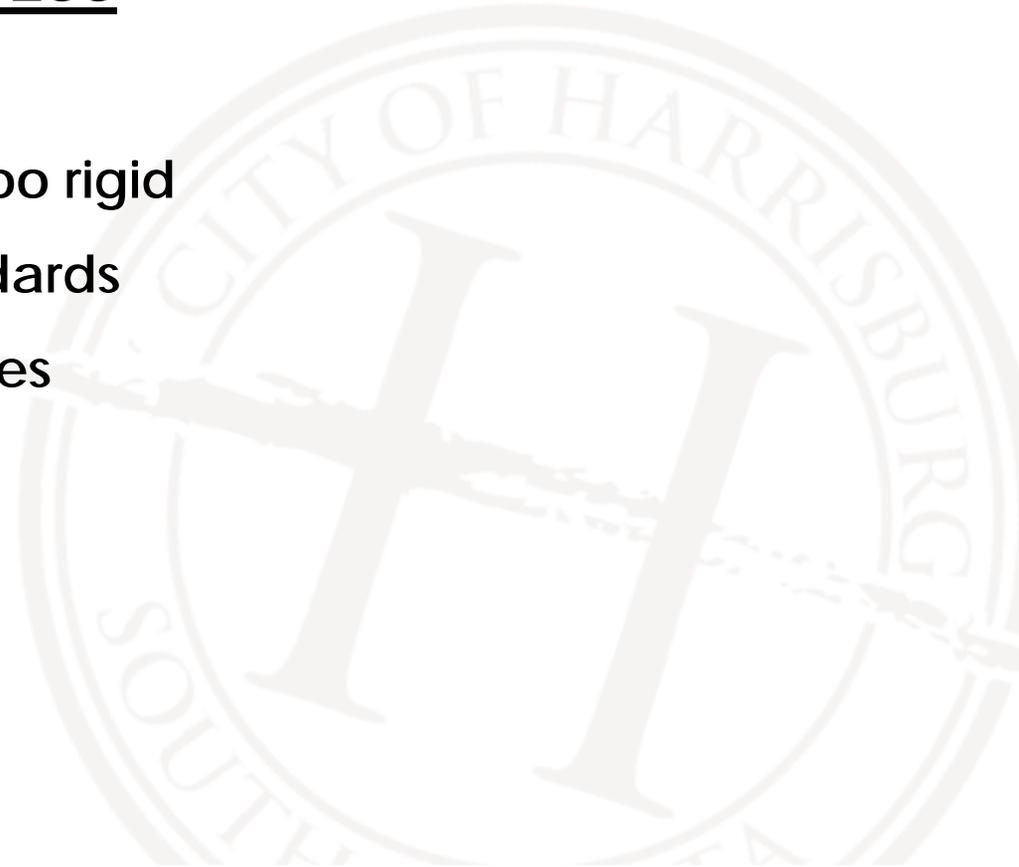


## **SDLC 11-6-40**

Platting of certain land required. Any municipality with a population of fifty thousand or more or any municipality located in a county with a population of fifty thousand or more, if such municipality has adopted a comprehensive plan pursuant to this chapter, the municipality may require by ordinance that any parcel of land of less than forty acres which is located within three miles of its corporate limits, be platted prior to the sale or transfer of the land. The register of deeds may not record any document of any sale or transfer of unplatted property if a municipality requires platting pursuant to this section.

## *PAST SUBDIVISION PROCESS*

- Plan Criteria was lacking
- Minor plat requirements too rigid
- Intermingled design standards
- Did not reflect state statutes
- Difficult to interpret
- Lacking assurances

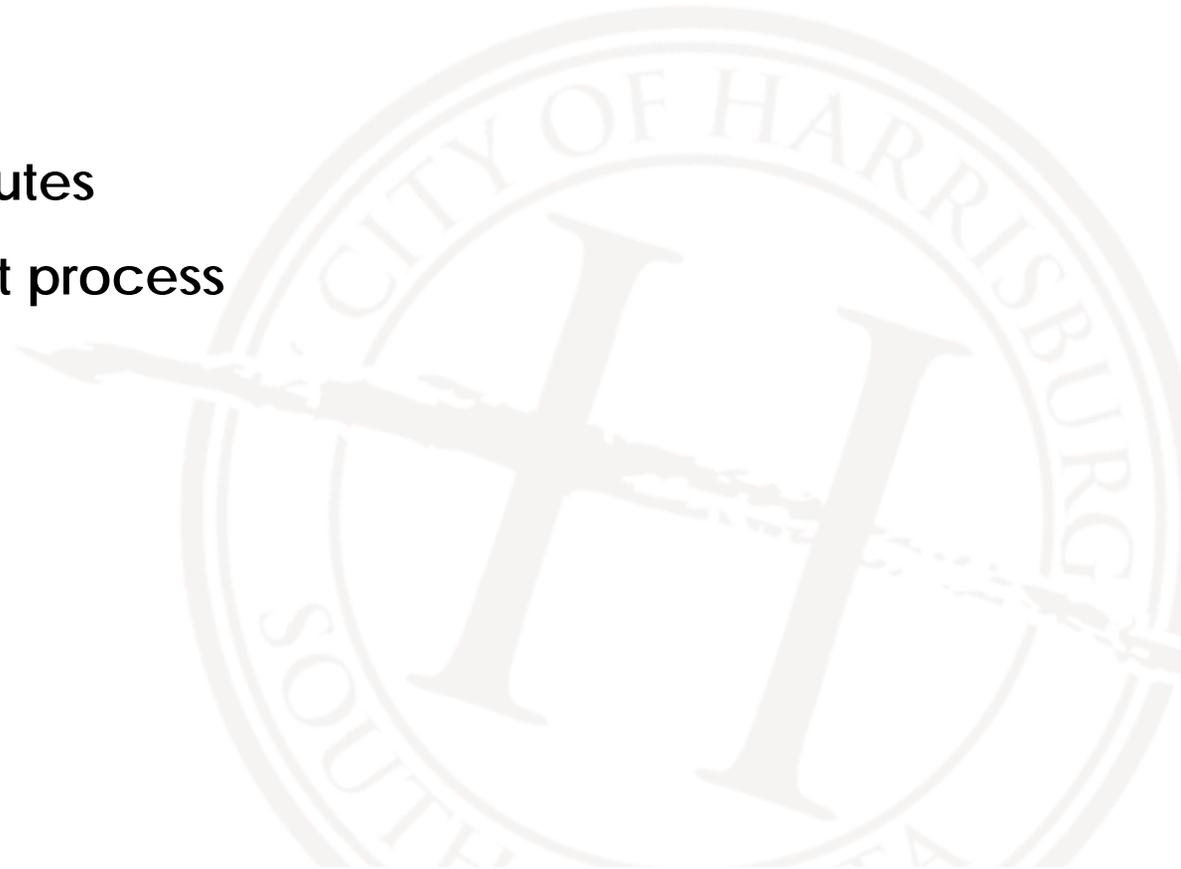


## GOALS

- Separate process from design standard
- More discretion for staff
- Coordinate with state statutes
- Include assurances
- Regulate city's growth area
- Clear purpose
- Simple to administer
- Set criteria for extraterritorial area

## *WORK FLOW*

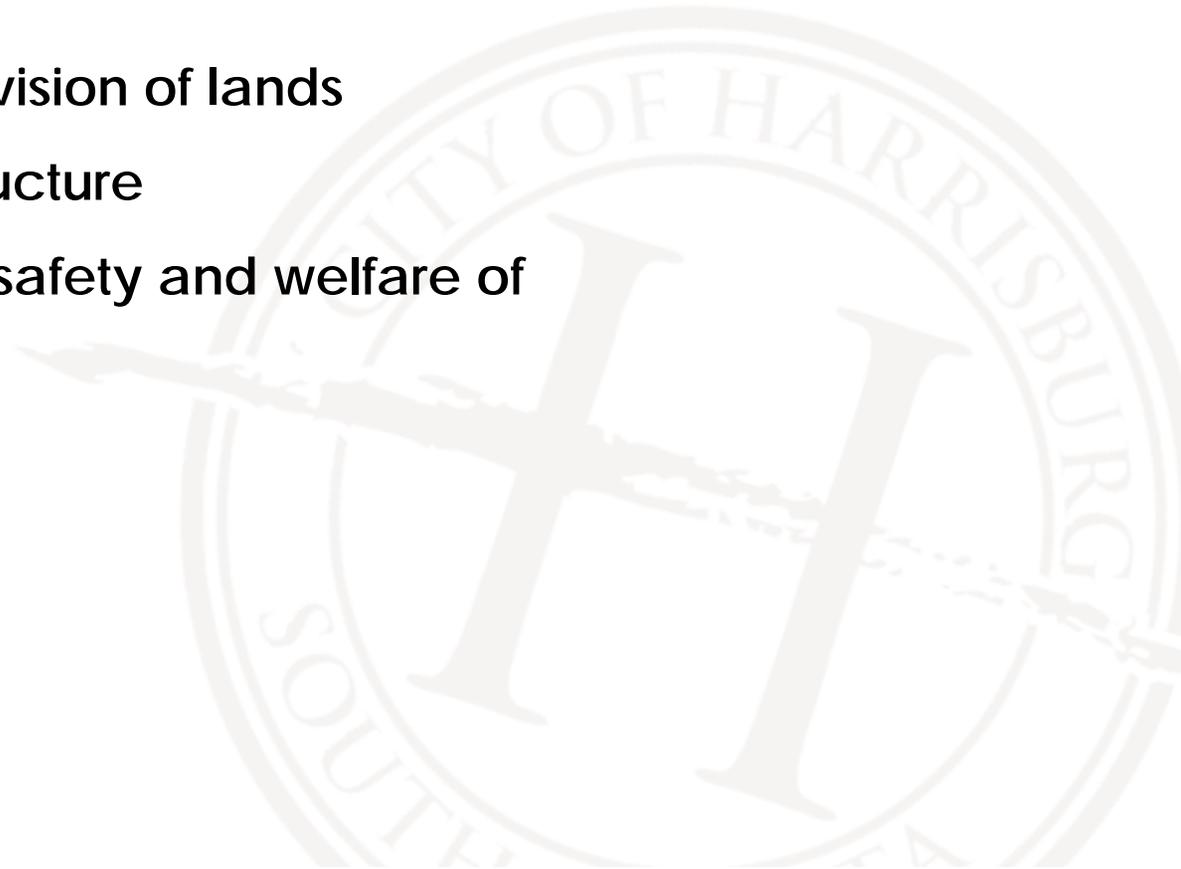
1. Identify purpose
2. Research state statutes
3. Deconstruct current process
4. Reassemble





## *PURPOSE*

- Regulate the subdivision of lands
- Coordinate infrastructure
- Protect the health, safety and welfare of the public





## **PURPOSE**

It is the purpose of these regulations to govern the subdivision of land within the City's jurisdiction so as to provide for the harmonious development of the municipality and its environs; for the coordination of streets within subdivisions with other existing or planned streets or with other features of the Comprehensive Plan of the City; for water and sanitation facilities, drainage and flood control; for adequate open spaces for traffic, recreation, light, and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, or prosperity.



## *STATE STATUTES*

- SDLC 11-6-26
- SDLC 11-3-6
- SDLC 11-3-10
- SDLC 11-6-40
- SDLC 11-3-7
- SDLC 11-3-2
- SDLC 11-3-3
- SDLC 43-18
- SDLC 43-20
- SDLC 43-21
- SDLC 36-18A-45
- SDLC 11-3-4
- SDLC 11-3-20.2
- SDLC 11-3-12.1
- SDLC 11-3-9
- SDLC 9-4-1

## *DECONSTRUCT CURRENT PROCESS*

### Working

- Concept plan, preliminary plan process
- Minor plat process
- Open space contributions

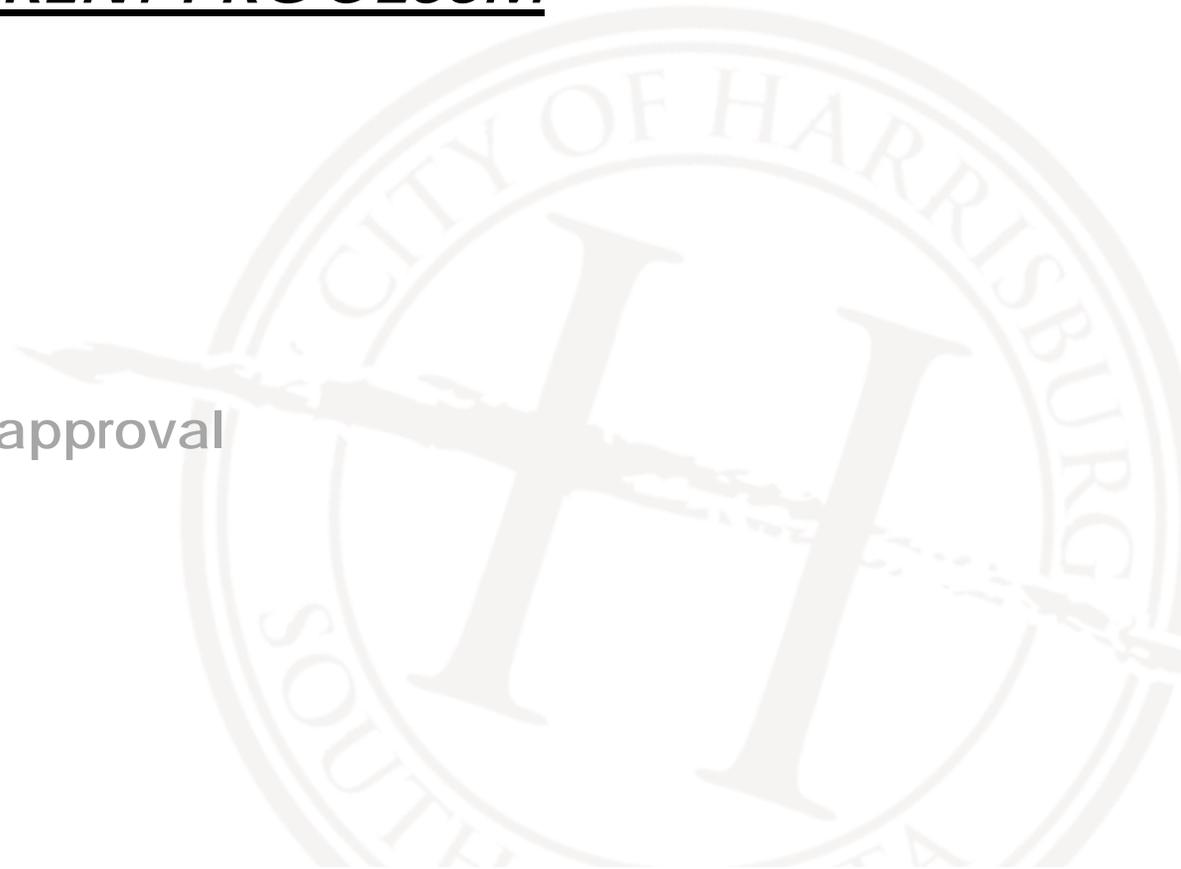
### Not Working

- Plan criteria
- Minor plat criteria
- Assurance agreement
- Plat criteria
- Subdivisions within the unincorporated jurisdiction

## *DECONSTRUCT CURRENT PROCESSM*

### Missing

- Authority
- Appeal
- Permit process
- Assurances
- Effect periods of approval
- Definitions





## **RE-ASSEMBLE**

1. General provisions
  2. Subdivision approval process
  3. Plat criteria
  4. General requirements
  5. Definitions
- Appendix A: The subdivision construction agreement

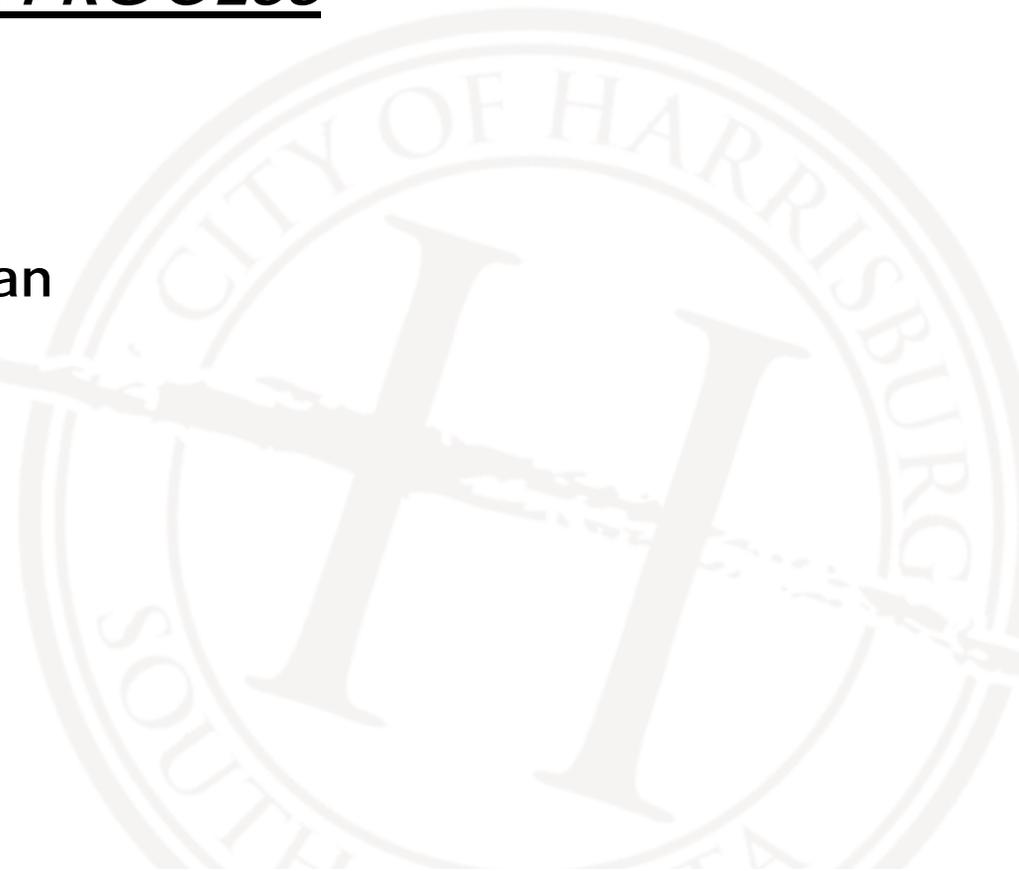
## *GENERAL PROVISIONS*

1. Title
2. Purpose
3. Authority
4. Jurisdiction
5. Interpretation, abrogation, and severability
6. Repeal of conflicting regulations
7. Enforcement and violations
8. Appeal



## *SUBDIVISION APPROVAL PROCESS*

1. Overview
2. Concept plan
3. Preliminary subdivision plan
4. Engineering submittals
5. The plat





## *PLAT CRITERIA*

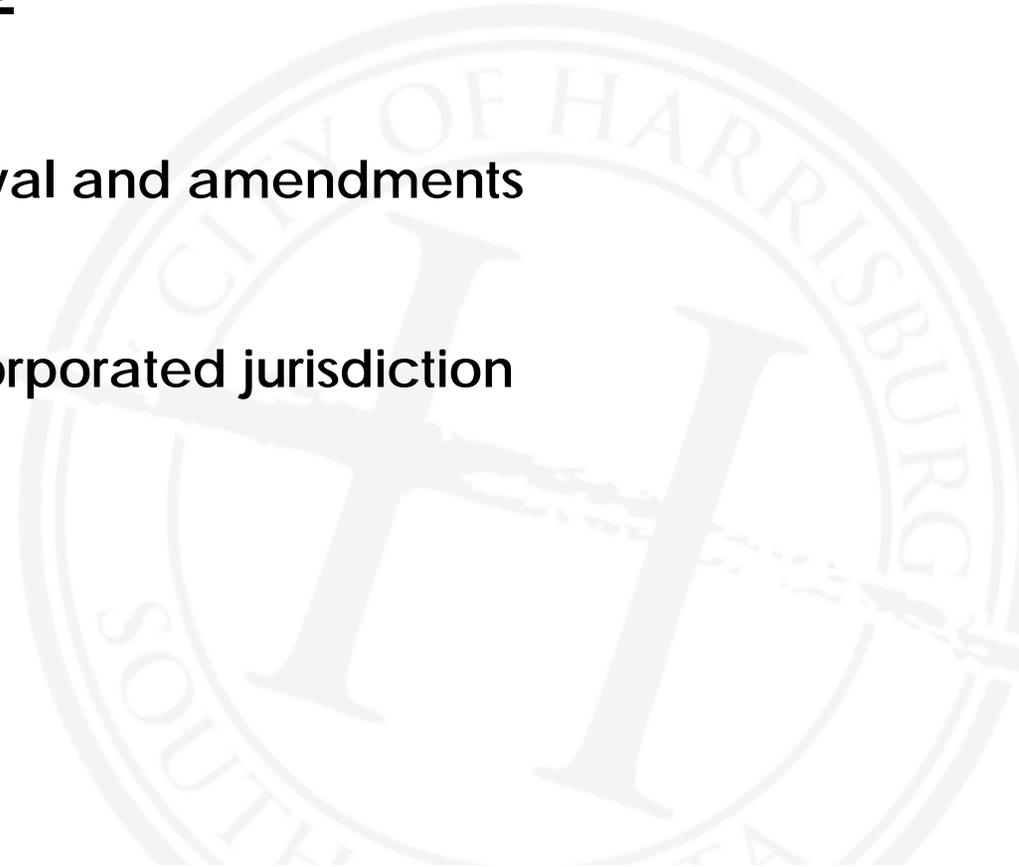
1. In general
2. Map content
3. Certificates required





## **GENERAL REQUIREMENTS**

1. Assurances
2. Effective period of approval and amendments
3. Exemptions
4. Subdivisions within unincorporated jurisdiction





## *THE SUBDIVISION CONSTRUCTION AGREEMENT*

- Time period for construction
- Performance security
- Maintenance
- Inspections
- Acceptance and warranty



## **DESIGN STANDARDS**

Chapter 1: General Provisions

Chapter 2: Pollution Prevention

Chapter 3: Standard Locations & Easements

Chapter 4: Sanitary Sewer Collection

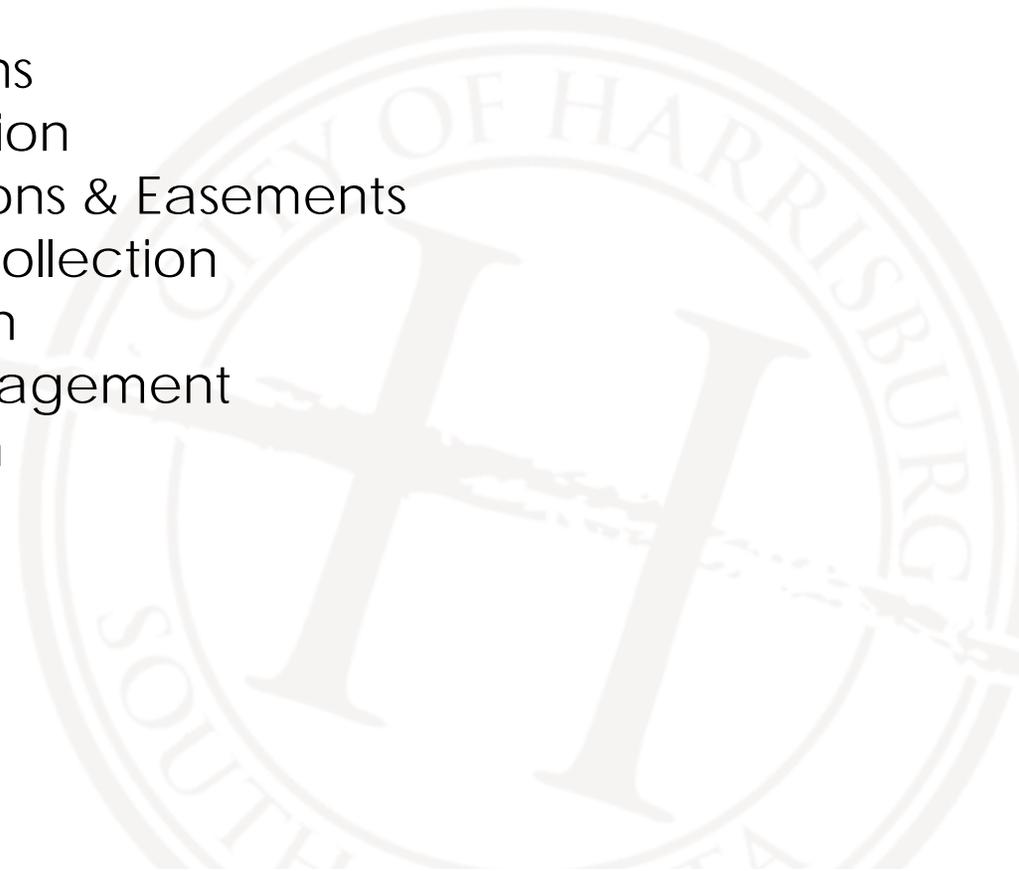
Chapter 5: Water Distribution

Chapter 6: Stormwater Management

Chapter 7: Roadway Design

Chapter 8: Subdivisions

Chapter 9: Submittals





# QUESTIONS?

