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**DIVISION 2. MINOR SUBDIVISIONS**

**SECTIONS:**

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**4.2.1 PURPOSE.** This Division establishes procedures through which the purpose and intent of the subdivision regulations can be accomplished while providing a more economical process for small subdivisions by requiring less documentation and by providing a shorter process than required for large subdivisions.

**4.2.2 APPLICABILITY.** This Division applies to subdivisions meeting one (1) of the following three (3) groups of criteria.

**4.2.2.1 Group A Criteria.** Group A criteria consist of the following.

- A. Gross site area: Two (2) acres or less.
- B. Number of lots: Six (6) or less.
- C. New streets are not proposed.
- D. All utility services are available at the subdivision site boundary.
- E. All proposed lots have street frontage or perpetual access easements of a minimum width and maximum length to comply with requirements established by this Chapter or applicable Development Standard.
- F. All streets bounding the proposed subdivision are fully improved, except for sidewalks which may be improved as part of the project.
- G. The property has no special topographic conditions, such as slopes greater than ten (10) percent.
- H. The property is not within a one hundred (100) year floodplain.
- I. The site does not have special development requirements, unless these special requirements have been reviewed and a decision rendered concerning the requirements. These special development requirements include, but are not limited to, the Hillside Development Zone (HDZ); the Environmental Resource Zone (ERZ); the Scenic Corridor Zone (SCZ); and the Watercourse Amenities, Safety, and Habitat (WASH) ordinance.
- J. The project is not proposed as a Flexible Lot Development (FLD). (Ord. No. 10636, §14, 2/24/09)

**4.2.2.2 Group B Criteria.** Group B criteria consist of the following.

- A. Gross area of property: Two and one-half (2.5) acres or less.
- B. Number of lots: Twelve (12) or less.

C. The proposed subdivision creates no more than one (1) new street, provided the street is designed with provisions for on-street parking on both sides and there are no special design considerations, unless such street is a collector or arterial. In those situations, the street shall be designed in accordance with the City Engineer's requirements.

D through J. The same as criteria D through J in Group A, Sec. 4.2.2.1.

K. Review at a preapplication conference is required to determine whether there are sufficient design or technical issues to warrant review of a tentative plat.

4.2.2.3 **Group C Criteria.** Group C criteria consist of the following.

A through J. The same as criteria A through J in Group A, Sec. 4.2.2.1. Deviation from criteria A through J is acceptable under condition 3. below. Deviation from criteria A through I is acceptable under conditions 1. and 2. below.

1. The proposed subdivision is a resubdivision of an existing plat and involves the reconfiguration of lot lines only and does not affect the street layout or engineering solutions of the recorded plat; or
2. The proposed subdivision is a resubdivision of an existing plat and involves the consolidation of lots into a number of lots which is less than on the recorded plat and may include the abandonment of existing streets provided no new streets are proposed; or
3. A replatting is proposed to rerecord an existing plat to correct an error, note, signature, or similar minor issue not affecting the subdivision layout.

K. The same as criteria K in Group B, Sec. 4.2.2.2.

**4.2.3 GENERAL PROVISIONS.**

4.2.3.1 Minor subdivisions are subject to all the requirements of Sec. 4.1.4, except the following.

- A. Permits for model homes shall not be issued unless and until the plat for the minor subdivision is recorded.
- B. Land clearing and grading are not permitted unless and until the plat for the minor subdivision is recorded.

4.2.3.2 Minor subdivisions shall conform with the design standards for subdivisions provided in Sec. 4.1.8.

**4.2.4 REVIEW PROCEDURES.** A minor subdivision plat application shall be reviewed in conformance with the review, approval, and recordation procedures for final plats as provided in Sec. 23A-33.2 and Development Standard 2-03.0. Any reviews that are normally conducted during the tentative plat process, such as those involving drainage statements or reports, will be conducted as part of the final plat process. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §4, 7/1/04))

**4.2.5 EXPIRATION DATES.**

4.2.5.1 **Maximum Review Period.** The subdivider has one (1) year from the date of application to obtain approval and recordation of the minor subdivision plat which complies with requirements in effect at the time of application. If at the end of the one (1) year period the plat does not comply with those requirements, the plat must be revised and resubmitted in compliance with regulations in effect at the time of resubmittal. This resubmittal initiates a new one (1) year review period.

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- 4.2.5.2 Review Period Extension. A subdivider may request a one (1) year extension of the one (1) year review period. A one (1) year extension may be granted if there have been no changes in the City regulations applicable to the project. (Ord. No. 9392, §1, 5/22/00)
- 4.2.5.3 Resubmittal After Expiration of Review Period. If the review period for a minor subdivision application has expired, resubmittal will be considered as follows.
- A. If the minor subdivision plat, using the same design concept previously reviewed, is resubmitted within three (3) months of the date of expiration of the review period, the resubmittal will be considered a new application for review purposes; however, new application fees will not be required.
  - B. If the minor subdivision plat is designed differently from the design previously reviewed or is submitted more than three (3) months after the date of expiration of the review period, the resubmittal will be considered new, and appropriate application fees will be required.

