
Local Government Committee

SB 5674

Brief Description: Addressing the final approval of subdivisions of land.

Sponsors: Senators Palumbo and Fain.

Brief Summary of Bill

- Authorizes the legislative body of a city, town, or county to delegate, by ordinance, final plat approval to an established planning commission, planning agency, or other authorized administrative personnel.

Hearing Date: 3/23/17

Staff: Cassie Jones (786-7303).

Background:

Subdivisions—Preliminary and Final Plats.

Subdivisions are the divisions or redivisions of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. A plat is a map or representation of a subdivision, showing the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

A preliminary plat is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision. It is the basis for the approval or disapproval of the general layout of a subdivision. A final plat is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in state statutes and local regulations.

Subdivision Approval.

There is a two-step process for the approval of subdivisions: (1) approval of the preliminary plat; (2) and approval of the final plat.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Preliminary Plat Approval. A preliminary plat of proposed subdivisions of land must be submitted for approval to the legislative body of a city, town, or county where the plat is located. The administrative officer who is responsible for administering subdivision regulations, or the city or county planning commission (commission) or agency (agency), if the city or county established one, receives the application for the preliminary plat and holds a public hearing to review the preliminary plat. The commission or agency must ensure that the preliminary plat conforms with local planning standards and specifications, and makes recommendations to the legislative body.

The legislative body of the city, town, or county sets a future date at their next public hearing to review the commission's or agency's recommendations. The legislative body may adopt, reject, or change the commission's or agency's recommendations and may adopt its own recommendations and approve or disapprove the preliminary plat. The legislative body must make written findings in adopting or rejecting the preliminary plan.

Final Plat Approval. The applicant must submit a final plat to the legislative body for approval. The final plat must meet all terms of the preliminary plat as well as statutory requirements. If the applicant meets the terms of preliminary approval and the plan conforms with state and local ordinances, final approval must be granted. Only the legislative body of the city, town, or county may approve final plats.

Planning Commission.

A city, town, or county may create a planning commission (commission) to provide its legislative authority with recommendations on planning-related matters. While the local government entity has broad authority to define the role of its commission, such commissions often have two distinct functions. First, they may recommend revisions to the community's comprehensive plan and local land use regulations. Second, they may review development proposals, such as subdivisions, and make recommendations to the local governing body.

Summary of Bill:

The legislative authority of a city, town, or county may, by ordinance, delegate final plat approval to an established planning commission, planning agency, or other authorized administrative personnel in accordance with state law and local charter.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.