



How to subdivide,
How not to subdivide.
That is the Question...
And .. We have some
answers!



Subdivision Process Changes

Last year SB 174.....This year HB476

Resources available on ULCT.org under the Advocacy tab

Subdivision Approval Process (SB174) 2023

- New LUDMA Section 604.1 – Process for subdivision review and approval
- Designate “administrative land use authority”
- **Only applies** to subdivisions for 1- or 2-family dwellings, townhomes
- Preliminary and final plats only
- Applicant may request pre-application meeting
- A Land Use Authority may complete preliminary plat review by staff, or in public meeting; may hold one public hearing
- Final plat **cannot** be reviewed or approved by City Council or Planning Commission



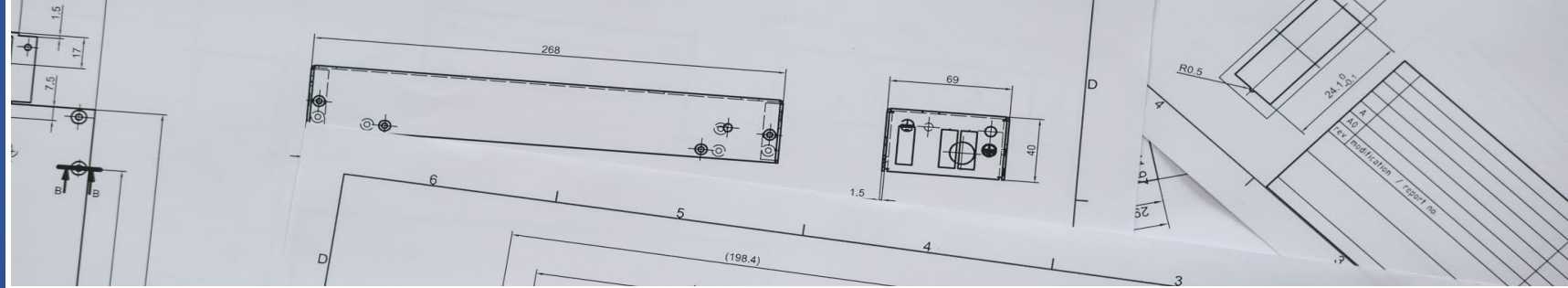
Subdivision Review Process (HB476) 2024

Subdivision Code Cleanup

- Subdivision Improvement Plan submissions
- Preliminary vs. Final Engineering Plans
- Timing of reviews

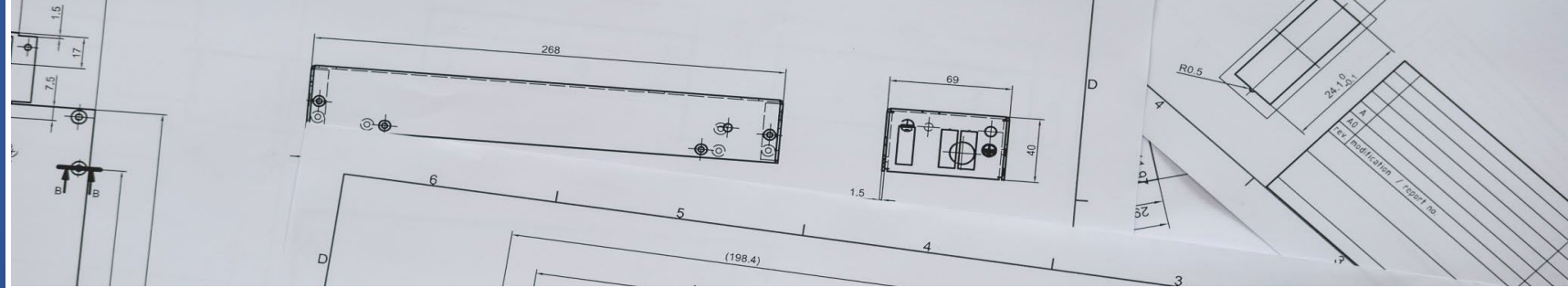


Definition of Subdivision Improvement Plans



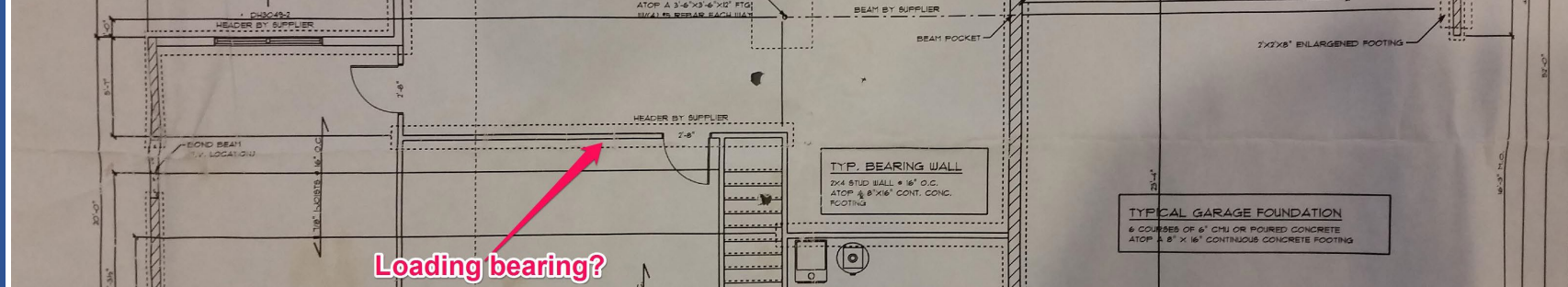
- "Subdivision improvement plans" means the civil engineering plans associated with required infrastructure improvements and municipality controlled utilities required for a subdivision.

Subdivision Improvement Plan submissions



- A municipality may require a subdivision improvement plan to be submitted with a subdivision application.
- A municipality may not require a subdivision improvement plan to be submitted with both a preliminary subdivision application and a final subdivision application.
- The review cycle requirements apply to the review of a preliminary subdivision application, **if** the municipality requires a subdivision improvement plan to be submitted with a preliminary subdivision application; **or** to the review of a final subdivision application, if the municipality requires a subdivision improvement plan to be submitted with a final subdivision application.

Preliminary vs. Final Engineering Plans



The review cycle requirements apply to the review of a preliminary subdivision application, **if** the municipality requires a subdivision improvement plan to be submitted with a preliminary subdivision application; **or** to the review of a final subdivision application, if the municipality requires a subdivision improvement plan to be submitted with a final subdivision application.

A municipality may not, outside the review cycle, engage in a substantive review of required infrastructure improvements or a municipally controlled utility.

Timing of reviews



Subdivision application review: Engineering Light

A municipality shall complete the initial review of a complete subdivision application submitted for ordinance review for a residential subdivision for single-family dwellings, two-family dwellings, or town homes: (i) no later than 15 business days after the complete subdivision application is submitted, if the municipality has a population over 5,000; or (ii) no later than 30 business days after the complete subdivision application is submitted, if the municipality has a population of 5,000 or less.

Timing of reviews

Subdivision application review: Engineering Heavy

A municipality shall complete a subdivision plan review of a subdivision improvement plan that is submitted with a complete subdivision application for a residential subdivision for single-family dwellings, two-family dwellings, or town homes within 20 business days after the complete subdivision application is submitted, if the municipality has a population over 5,000; or within 40 business days after the complete subdivision application is submitted, if the municipality has a population of 5,000 or less.

Contact ULCT

**Cameron Diehl,
Executive Director**

 cdiehl@ulct.org

**Todd Godfrey
Land Use Legal Guru**

 tjgodfrey@hgblaw.net

**Karson Eilers,
Policy Director**

 keilers@ulct.org