

Subdivisions

Packet Synopsis

The subdivision process is an important element in a community's management of its growth. If it has undeveloped land within its legal boundaries or if it plans to expand into its identified growth areas, a well thought out subdivision process and ordinance to govern the same is an essential element of its land use planning. A good subdivision ordinance should reflect and compliment the community vision for itself and its comprehensive land use plan and support the same. A good subdivision ordinance should address and encourage good subdivision design.

The following have been selected from the extensive literature on **land subdivision** and its importance to good land use management:

L is for Land Subdivision, Gerckens, Larry, *Planning ABCs*, Champlain Planning Press, Burlington, VT, 2002 – This is a brief history of land subdivision in the United States, putting the topic in current perspective.

Module 5. Subdivision Management, Drucker, Richard, Institute of Government, University of North Carolina-Chapel Hill, August 1998 – The enclosed introduction to the paper identifies the essential purposes of a good subdivision ordinance. These are: 1. Promote good development and design practice. 2. Ensure that subdivision improvements are adequate. 3. Establish good land records. 4. Protect the interest of the lot purchaser. It then goes on to cover the regulatory setting, the subdivision review process, subdivision design and capital improvement issues, who pays, the types of subdivisions and growth management tools. Although designed for the North Carolina setting, its comments have universal application.

How to Create a Subdivision With Character, *Planning, Planning Practice*, American Planning Association, Chicago, May 1994 – This article's thrust is that the use of cul-de-sacs in subdivision planning should be avoided wherever humanly possible and presents reasons why.

Canadian Combo, Procter, Don, *Planning, Planning Practice*, American Planning Association, Chicago, May 2002 – This brief article offers a different view on cul-de-sacs and street connectivity.

The Problem of Antiquated Subdivisions, Schwab, Jim *AICP, Zoning News*, American Planning Association, Chicago, April 1997 – Does your community have subdivisions of record that have never been developed and do not meet your current subdivision standards? Many communities do. This article analyzes the problems they can cause rational community development and suggests possible remedies.

Antiquated Subdivisions, McGuire, M. Catharine, *Open Space and Growth Management, Planning tool Report*, October 8, 2002 – Some horror stories of the consequences of antiquated subdivisions and some solutions.

Subdivision Control: A Primer for Planning Commissioners, Mech, Stewart *AICP, Planning*, American Planning Association, Chicago, Fall 1996 – An excellent article on the role and responsibilities of the planning commission member and the planning commission in the subdivision process.

Subdivision Review Manual for Local Officials in Iowa, State of Iowa, Office of Planning and Programming, Division of Municipal Affairs, October 1980 – Although written for Iowa local governments, it is equally informative for Minnesota Local Units of Government. Its first part describes the purpose and the community advantages to subdivision regulation and its second part is an excellent description of the subdivision review and approval process. It includes a flow chart of the process.

Connecting the Dots, Arendt, Randall, *Knowledge Exchange/Planning Practice*, American Planning Association, Chicago, August 1998 – Good land use planning has been described as a negative process, first the community decides on what it wants and needs to preserve. This article describes the process of “conservation subdivision design”, or how to provide for growth and yet preserve your natural and community amenities.

St Croix County Request for Land Subdivision Plat Review, St Croix County, WI – A good sample of a subdivision application and review application form. It is essential that the developer knows the rules. This one includes the names and how to contact the significant authorities who may be involved in the approval process.

Platting and Land Subdivision Regulations for Cass County, Cass County, MN – A Minnesota example of a subdivision ordinance. Obviously, the ordinance needs to address and be tailored to the adopting community’s needs and desires, but a good model can help you construct your own.

INTERLIBRARY LOAN MATERIALS

The following on **subdivisions** can be borrowed via MnLINK.

Land subdivision regulation; policy and legal considerations for urban planning, Richard M. Yearwood. Imprint: New York, Praeger Publishers, 1971 Notes: Bibliography Subjects: Land subdivision -- Law and legislation -- United States.

New approaches to residential land development, a study of concepts and innovations. Authors: Harman, O'Donnell * Henniger Associates, inc. Imprint: Urban Land Institute, 1961 Subjects: Cities and towns -- Growth. Land subdivision.

Subdivision regulations; an analysis of land subdivision control practices, Harold W. Lautner. Imprint: Chicago, Public Administration Service, 1941 Notes: Bibliography:

Subjects: Land subdivision -- Law and legislation -- United States. City planning and redevelopment law -- United States.

Growing greener: putting conservation into local plans and ordinances, Randall Arendt; with site plans and perspective sketches by Holly Harper, Stephen Kuter, and Diane Rosencrance Imprint: Washington, D.C. Island Press, c1999, Notes: Includes bibliographical references and index. Subjects: City planning -- Environmental aspects -- United States. Land subdivision -- United States -- Planning. Conservation of natural resources -- United States. Land use -- United States -- Planning.

Conservation design for subdivisions : a practical guide to creating open space networks Randall G. Arendt ; with site plans and perspective sketches by Holly Harper, Stephen Kuter, and Nicole Keegan Imprint: Washington, D.C. : Island Press, c1996. Notes: "Natural Lands Trust, American Planning Association, and American Society of Landscape Architects." Includes bibliographical references and index. Subjects: Land subdivision -- Planning. Planned communities. Real estate development -- Environmental aspects -- Planning. Land use -- Planning Nature conservation

Better site design: a handbook for changing development rules in your community, prepared by the Center for Watershed Protection.
Date: 1998 Collection: Dakota County Library

LEGAL NOTES

Minnesota Statutes § 462.358 **Official controls: subdivision regulation; dedication** grants municipalities and townships the authority to adopt subdivision ordinances.

Minnesota Statutes § 394.25 **Forms of control.** grants counties the authority to adopt subdivision ordinances.

In the absence of any direct prohibition, the concept of **ghost platting** has been used in Minnesota. Two definitions of this technique are:

Ghost platting: A method of master planning for future urban densities in rural large-lot subdivisions located within the city's extraterritorial jurisdiction. Platting for future urban densities is achieved by establishing lines for future splits of large lots into smaller lots and dedication of rights-of-way and easements for future streets, utilities, storm water facilities etc. As the city grows and rural large-lot subdivisions are incorporated into the city, costs of public facility improvements can be shared among more users by planning ahead for conversion of rural subdivisions into urban density neighborhoods.

Ghost platting. A process used in unsewered portions of the Transitional Planning Area whereby land subdivisions arrange houses and roads for potential re-subdivision into City-sized lots with City sewer.

To avoid future problems when further subdivision occurs, all original physical improvements must be limited to one of the ghost lots regarding setback requirements.