

# Hot takes:

SB 174 subdivision provisions apply  
only to subdivisions for 1- or 2-  
family dwellings & townhomes

No more City Council approvals for  
these subdivision applications.

Administrative!

&

Planning Commission out of final  
plat approval process

**Need to Designate “administrative land use authority” for these actions**

**Capped Review Cycle. Maximum of 4 review cycles permitted for final review only. So in between the Preliminary approval and final approval only four revisions are permitted.**

**Define a Complete Application-triggers timeclock of review**

**Concept Plan cannot be mandated**

**New Appeal Process is created**

**You have until to make updates by Feb 1, 2024 or Dec 1, 2024 (based on size)**





# Subdivision Approval Process (SB174)

## New LUDMA Section 604.1 – Process for subdivision review and approval

- Designate “administrative land use authority”
- Can be Planning or staff for preliminary review
- Applicant may request pre-application meeting. Can not be mandated. eg no mandate
- A Land Use Authority may complete preliminary plat review by staff, or in public meeting; may hold one public hearing
- Final application **cannot** be reviewed by Council or Planning Commission

# Subdivision Review Process (SB174)

Maximum of 4 review cycles permitted for final review only. So, in between the Preliminary approval and final approval only four revisions are permitted. Check with your attorney for this provision.

- **Initial review** of preliminary plat to be completed within **15 business days** of receiving complete application for that stage.
- Review of final plat to be completed within **20 business days** of receiving complete application for final application.
- Applicant must respond to required changes he/she disagrees with in writing.

# Appeal Process Changes

SB174 creates two distinct appeal processes after the four review cycles have been exhausted & 20 days have passed.

- ❖ For disputes relating to public improvement or engineering standards, the city shall assemble a three-person panel meeting within 10 days of receiving a request from the applicant.
- ❖ For all other disputes refer to the regular Appeal Authority process



# Action Item- When Do I need to do this by?

**Municipalities who are required to comply with Moderate Income Housing Provision (MIHP) reporting** (all cities with populations > 10,000 and cities with populations > 5,000 located in a county of the 1st, 2nd, or 3rd class) must revise their subdivisions ordinances to comply with this process by **Feb. 1, 2024**.

**All other municipalities** must revise their subdivision ordinances to comply with this process by **Dec. 31, 2024**.

