

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.

