



Georgia Planning Officials Newsletter

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An Introduction to Subdivision Regulations

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At first glance, subdivision regulations can appear to be a confusing collection of rules and restrictions designed to confound the developer and planning commissioner alike. Fortunately, the regulations are generally not as inaccessible as they first appear, and in many communities subdivision regulations provide the backbone of a successful planning program. One cautionary note: subdivision regulations do vary from community to community; the following comments are the type of provisions found to be most typical.

The Application and Approval Process

The first step in the approval process is often the submission of a sketch plat, on which the applicant presents the basic concept of the subdivision. A meeting is typically held between the applicant and the local planning official to determine which procedure the applicant must follow -- major or minor subdivision. Additionally, the sketch plat allows the local planning official to initially determine if the project complies with local, state and federal law, including the jurisdiction's zoning ordinance and comprehensive plan. Projects which comply with all applicable regulations are allowed to proceed to preliminary plat approval.

Completion & Maintenance of Improvements

The cost of needed improvements to serve the subdivision -- roads, drainage facilities, water and sewer systems, landscaping, utilities, fire protection equipment, and street signs -- is typically borne by the developer. Approval is typically conditioned on the developer providing adequate financial guarantees, such as a cash escrow or letter of credit, that the required improvements will be completed.

Design and Development Standards

Design and development standards are incorporated into subdivision regulations to assure that developers comply with a wide assortment of local requirements, including items such as: lot arrangement and dimensions, landscaping, road design, and water and sewer facilities. The criteria utilized in design standards are intended to reflect community values, goals and objectives; to harmonize the development with surrounding areas; and to implement the local comprehensive plan.

Public Facility/"Impact Fees"

In addition to necessary "on-site" facilities, a proposed subdivision may trigger a need for "off-site" facilities, such as an arterial road to accommodate traffic anticipated to be generated by the development, or the extension of a sewer interceptor line to the property proposed for subdivision. Many municipalities now require as a condition of subdivision approval that new development pay its pro rata share of the cost of the new off-site capital improvements necessitated by the development.

Additional Resources

Georgia Quality Growth Partnership: Flexible Subdivision Regulations

The Flexible Subdivision Regulations tool includes step-by-step guides for implementation, considerations about costs, administrative requirements, and example ordinances or similar materials that may be used for putting approaches into practice.

http://www.dca.state.ga.us/intra_nonpub/Toolkit/Guides/FlexSubdRegs.pdf

Nashville-Davidson County Subdivision Regulations

With the idea that *Subdivision Regulations are about expanding choices for development that better reflect the patterns of development*, this serves as a comprehensive guide for regulating subdivisions and neighborhoods. <http://www.nashville.gov/mpc/subdivregs/>

Subdivision Regulations

A subdivision regulation is a planning tool that establishes legal minimum standards for subdivision development. As a planning official, it is your responsibility to ensure that proposed subdivisions conform to these adopted standards.

Subdivision regulations set standards for streets, drainage ways, sewage disposal, water systems and other aspects of public welfare. They are needed to protect communities and ensure building lots provide a positive living environment for future residents. These regulations can ensure adequate lot size, public access and the availability of public services to each lot created. They also help to conserve natural, scenic, historic and recreational areas.

The following is an excerpt on the basics of Subdivision Regulations followed by additional resources to further explore this tool.

We want to hear from you! Please send us your thoughts, experiences and advice on being a Planning Official. E-mail or fax your submissions to Robbie Hayes at rhayes@atlantaregional.com or 404.463.3105