

Royce,

The City recently received an application for a subdivision which would take two existing lots and a parcel and essentially reconfigure and clean up the boundaries ending up with two residential lots. The language describing the subdivision process as found in 10-12-37-D does not provide an option for this type of situation. The code states the following:

*D. Subdivisions:*

*1. Projects That Apply: All residential subdivision projects resulting in three (3) or more lots shall be required to conform to the provisions set forth herein. Developments consisting of a division of a single, large lot which results in a total of two (2) lots shall adhere to the provisions set forth in subsection D4 of this section.*

And subsection D4 states:

*4. Division Of Large Lots (Single Lot Splits): Residential developments consisting solely of the division of a single, large lot which results in no more than two (2) total lots shall be determined to be a single lot split and shall be reviewed in accordance with the following:*

Per the plain language in subsection D1, all subdivisions “resulting in three or more lots” are required to follow the standard subdivision processes which include a preliminary and a final plat. The proposed subdivision does not result in three or more lots and thus does not fit this requirement. The second option provided in this code is the “division of a single, large lot which results in a total of two (2) lots” which is then directed to subsection D4 that again reiterates the requirement of starting with a single large lot and resulting in two smaller lots. A single lot split as this section option is called recognizes that there is little impact from small subdivisions and they typically don’t require large dedications nor is there a great deal of Engineering involved as the public right-of-way and necessary utilities are minimal as compared to a large subdivision reducing the effort for review. The application received does not have the characteristics described with the second option either. Therefore we do not have a process in code to consider this application. The City has had several of these types of applications over the years and they will only get more common as infill starts to occur and as lots and adjacent remainder parcels such as are prevalent in the older Salem Hills area get combined and reconfigured. Many of these can be addressed through subdivision amendments but there are a few cases such as the application that sits before the city now where the only option is for a new subdivision plat.

It seems like there are three options that could be considered:

The first is to amend subsection D1 to state the following:

- 1. Projects That Apply: All residential subdivision projects resulting in ~~three (3)~~ two (2) or more lots shall be required to conform to the provisions set forth herein. Developments consisting of a division of a single, large lot which results in a total of two (2) lots shall adhere to the provisions set forth in subsection D4 of this section.*

This would mean that applications resulting in two or more lots that are not a single lot split would be required to go through the full subdivision process requiring a preliminary and a final plat. It would retain the language and streamlined process for only single lot splits. I don’t support this idea as it places an undue burden on applications that have minimal impact and don’t require extensive review.

The second option is to amend subsection D1 to state the following:

1. *Projects That Apply: All residential subdivision projects resulting in three (3) or more lots shall be required to conform to the provisions set forth herein. Developments ~~consisting of a division of a single, large lot~~ which results in a total of two (2) lots or less shall adhere to the provisions set forth in subsection D4 of this section.*

And amend subsection D4 to state the following:

4. *~~Division Of Large Lots (Single Lot Splits)~~ Minor Subdivision: Residential developments ~~consisting solely of the division of a single, large lot~~ which results in no more than two (2) total lots ~~shall be determined to be a single lot split and~~ shall be reviewed in accordance with the following:*

This would allow applications resulting in one or two lots to go thorough a single review and approval process. I fully support this option as it provides the city adequate ability to review and consider the process and seems right sized for the type and scope of the application.

The third option would be to add an additional process for projects that result in one or two lots that is similarly streamlined as is the single lot split but provides the ability to differentiate between the applications. I don't see any benefit for doing this as I feel the existing process is adequate. But maybe there is something someone else sees or feels needs to be different from a single lot split and that is why I have included this option.

I look forward to further discussion to find a pathway forward to address these small subdivisions, splits and consolidations. As land becomes more of a premium these types of actions will occur more frequently.

Thanks,

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