

CHAPTER 16-2 SUBDIVISION PLANS APPROVAL PROCESS

16-2-1

APPLICABILITY

Subdivision of land shall be required before the division of land (for any purpose) into two or more parcels.

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-2-2

OVERVIEW OF APPROVAL PROCESS

Proposed subdivision development plans must be approved by the City in accordance with the following procedures which include four principal steps.

Step 1		Concept Plan <i>(with an annexation petition or in preparation for preliminary subdivision plan)</i>
	Reviewed by	Authorised Official, City Engineer
	Approved by	None

Step 2		Preliminary Plan (in coordination with re-zoning)
	Reviewed by	Authorised Official, Public works Director, City Engineer, Planning & Zoning Commission
	Approved by	Planning & Zoning Commission, City Council

Step 3		Development's Engineer Plans <i>(in preparation for engineering construction plans)</i>
	Reviewed by	City Engineer, Public Work Director
	Approved by	City Engineer

Step 4		Plan <i>(before a building permit is approved)</i>
	Reviewed by	Authorised Official, City Engineer
	Approved by	Authorised Official

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-2-3

FILING FEE

A filing fee shall be deposited with the City for all preliminary subdivision plans, development engineering plans, and plats. The amount of fees charged shall be set forth by resolution of the City Council. Fees established in accordance with this section shall be paid upon submission of a signed application.

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-2-4

SUBDIVISION PLAN EXEMPTIONS – MINOR PLATS

The purpose of this section is to provide for the timely review of minor plats and re-plats (including plats for transfer of ownership) that do not discernibly impact surrounding properties, environmental resources, or public facilities. No concept plan, preliminary plan, or development engineering plans are required. Minor plats and re-plats are administratively approved by the Authorized Official and City Engineer and must comply with all requirements of a plat in Section 502 (The Plat). Any request for new or additional public infrastructure or facility services after the land has platted may be required to comply with Article 5 Development Engineering Plans at the request of the City Engineer.

A. Minor Plats.

1. A minor plat is a plat containing not more than three lots and not larger than one acre fronting on an existing street and meets ALL OF the following requirements:
 - a. Does not require the dedication of right-of-way or construction of new streets, except that arterial roadways identified on the Major Street Plan will be required to dedicate the necessary right-of-way;
 - b. Does not require the creation of easements or has existing services that do not require additional easement size.
 - c. Does not create a lot or tract eligible for any public or private improvements other than sidewalks;
 - d. Does not landlock or otherwise impair convenient ingress or egress to or from the rear side of the subject tract or any adjacent property;
 - e. Does not change the grades from the grading plan which was submitted and approved with the original plat or, if the grades are going to be changed, then a grading plan shall be submitted and approved for the minor plat or re-plat;
 - f. Does not significantly change any plans that have been prepared for the placement of any other utilities in the subdivision;
 - g. Does not adversely affect the remainder of the parcel or adjoining property; and

- h. Does not conflict with any provision or portion of the comprehensive plan, official map, zoning ordinance, or these regulations.
- 2. Re-plat. A re-plat includes all the requirements of a minor plat and shall also include the minor vacation of existing platted lines to achieve either a reconfiguration of the existing recorded plat or change the number of recorded lots in the subdivision and the perimeter of the tract being re-platted is not altered by the re-plat. Also, a re-plat shall certify that the platting vacates the existing plat.

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9

16-2-5

PLAT EXEMPTIONS

The following situations are exempt from the City subdivision regulations rules:

- A. Cemetery grave site plats.
 - 1. Cemetery grave site plats or plots do not have to meet any requirements of this subdivision ordinance as long as land is surveyed, mapped, or diagramed, and subdivided into sections, blocks, lots, individual grave spaces, avenues, walks, and streets, thereby platting or making a map which shall be filed and maintained as a permanent cemetery record.
- B. Government use parcels. In order to facilitate the transfer of ownership from one owner to a government entity for the use of a public land or facility (e.g., school, park, drainage way, H lots), plats may be exempted by the Authorized Official and City Engineer.

However, the exemption of the City of Brandon platting rules and regulations does not exempt the platting requirements of the county register of deeds, title company and state law.

Legislative History:
Ordinance #503, 4/23/13

Authority:
SDCL § Ch. 9