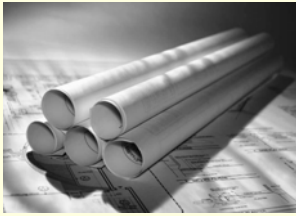


## Model Subdivision and Land Development (SALDO)



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## Subdivision/ Land Development Presentation Overview

- Purpose of Subdivision/ Land Development Ordinances (SALDO)
- Municipalities Planning Code
- Process
- Design Concepts
- Engineering and Construction
- New Model Ordinance Elements



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## Why Subdivision and Land Development Regulations?

- Guides the process of developing and reviewing subdivision and land development plans.
- Establishes uniform standards for adequate public improvements.
- Ensures the creation of developable lots.
- Implements the recommendations of the comprehensive plan.
- Prevents the imposition of development costs on the municipality.



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## Concept of Police Power

*The power incident to state and local government to impose restrictions upon private property to promote health, safety, morals, and general welfare*

- Not arbitrary and capricious
- Rational nexus- regulations must relate to public purposes
- Provide equal protection
- Government cannot confiscate without compensation



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## Zoning and Subdivision/ Land Development Ordinances

### Zoning

- Site specific
- Controls Use, Density, building coverage, and dimensions
- Lacks flexibility

### SALDO

- Uniform municipal-wide
- Process oriented
- Flexible
- Contains design and improvement criteria



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## Definition of Subdivision

- Creation of lot lines dividing a tract into two or more parcels.
- Change of lot lines- either moving or deleting them.
- Purpose can be sale, lease or transfer now or in the future.



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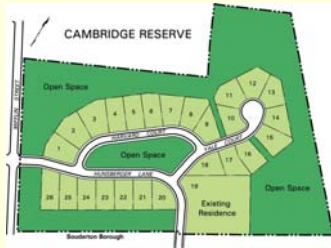
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## A subdivision is needed to create lots for a single family development



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## Definition of Land Development

- Various improvements on land
- Single lot with two or more houses
- Single non-residential structure
- Division of space in a building
- Any subdivision including lot consolidations
- Does not include one residential structure on a lot



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## A land development plan is required for this fast food restaurant



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## A land development plan is required for this large mixed use development



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## Subdivision and Land Development Process



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## Municipalities Planning Code Provisions for SALDO

- Definitions (Section 107)
- Review process and required time frame (Section 503)
- Approval/ Denial procedure (Section 508)
- Ordinance content (Section 503)
- Modifications to subdivision code allowed with governing body approval (Section 512)
- Process for developers to provide off site transportation improvements (Article V-A)



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## Organizing the Process

- Plan filing and review policies are essential.
- Every application should be handled uniformly.
- Signed and completed paper work should be carefully managed.
- An organized process keeps everyone up to date and avoids mistakes.
- The goal should be to keep the process fair, uniform, clear, and transparent.



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## Due Process

*Due process should be taken into account in administering the SALDO including:*

- Adequate notice
- Advance disclosure
- Opportunity for the public to be heard
- Thorough fact finding
- Open deliberation
- Fair and reasoned recommendation



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## Participants in the Subdivision/ Land Development Process

- |                                 |                |
|---------------------------------|----------------|
| ■ Manager                       | ■ Land Owner   |
| ■ Engineer                      | ■ Consultants  |
| ■ Elected officials             | ■ Developer    |
| ■ Municipal Planning Commission | ■ Media        |
| ■ County Planning Commission    | ■ Public       |
| ■ Solicitor                     | ■ Civic Groups |



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## SALDO Review Process

- Two phases- preliminary and final plan review
- 90-day review period for each phase
- Planning Commission recommendations to governing body occur within the review process
- Governing body approves or denies prior to 90-day period expiration unless developer grants an extension
- Administrative process should be established by the municipality and uniformly adhered to- the MPC allows flexibility in process except for review time frame



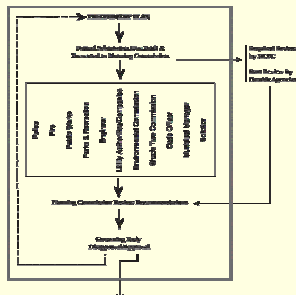
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## Plan Consultation



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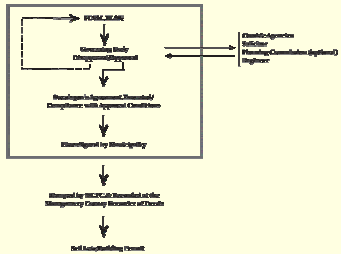
## Preliminary Plan Review



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## Final Plan Review



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## Approval/ Denial Procedure

- Procedure outlined in Section 508 of the MPC.
- Decision of governing body shall be conveyed in writing to the applicant at least 15 days following decision.
- If the plan is denied, a decision shall be accompanied by description of defects, specific requirements that have not been met, and appropriate citations.
- Failure to act on a plan in required time frame can result in deemed approval.



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## Subdivision and Land Development Design



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## Fitting Subdivisions Together



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## Building a New Road Through the Development Process



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## Connecting Office Developments



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## Community Trail Building



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## Infill Development



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## Site Design Elements

- Building Healthy Neighborhoods and Vibrant Commercial Areas
- Designing with Nature
- Establishing Open Space and Recreation Systems
- Cultivate Natural Landscapes
- Develop Safe and Functional Streets
- Managing Stormwater Effectively
- Layout Safe and Convenient Parking Lots and Driveways



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## Site Elements Continued

- Blaze New Pathways for People
- Install Sustainable and Appropriate Scaled Infrastructure
- Promote Energy Conservation and Alternative Energy Development



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## Building Healthy Neighborhoods and Vibrant Commercial Areas

- Create lots suitable for their intended use.
- Establish a human scale.
- Develop harmonious spatial relationships.
- Locate buildings in a way to foster interaction of users.
- Provide access and visibility for businesses.
- Design great retail spaces.
- Preserve special places.



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## Building Great Commercial Areas



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## CVS and Preserved Building



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## Building Healthy Neighborhoods



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## Designing with Nature

- Minimize land disturbance.
- Protect riparian corridors, woodlands, wetlands, floodplains, Steep slopes.
- Minimize grading.
- Prevent erosion and sedimentation.
- Use resources as amenities.
- Recycle brownfield sites.



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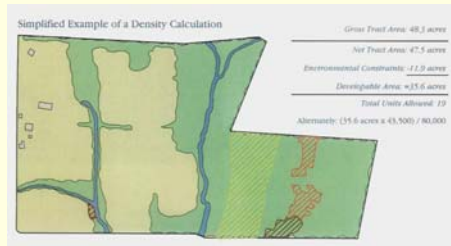
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## Understanding Site Resources



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## Open Space and Recreation Systems

- Designate suitable open space areas.
- Protect natural resources in open space areas.
- Provide a variety of recreation opportunities.
- Interconnect open space areas.
- Enhance access to open space and recreation land.



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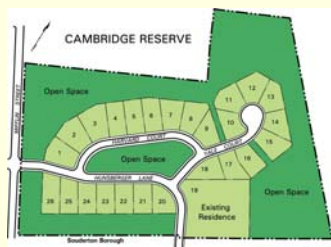
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## Location and Function of Open Space



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## Cultivate Natural Landscaping

- Mitigate for tree loss during development construction.
- Select tree species that are appropriate for site conditions.
- Protect existing trees on site.
- Use landscaping to buffer land uses.
- Choose landscaping that will shade roads and parking lots.
- Use native landscape materials.



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## Trees Change Everything



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## Safe and Functional Streets

- Develop a functional street hierarchy.
- Avoid potential traffic conflicts.
- Promote interconnected roadways.
- Limit the number of cul-de-sacs.
- Encourage shared access.
- Implement traffic-calming measures.
- Require appropriate street paving widths.
- Design for public transportation and alternative transportation opportunities.
- Plan for future road connections.



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## Street Connections



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## Effective Stormwater Management

- Minimize land disturbance.
- Utilize natural drainage systems.
- Infiltrate stormwater first.
- Provide adequate on site retention to minimize flooding.
- Manage surface stormwater to address water quality.



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## Beyond Stormwater Basins



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## Parking and Internal Circulation

- Parking should be convenient.
- Create safe and attractive parking lots and access drives.
- Establish shade in parking lots.
- Use vegetation to buffer parking lots.



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## Parking Lot Elements



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## Pathways for People

- Interconnect trails and sidewalks.
- Design for a variety of users.
- Sidewalks and pathways should connect important community facilities.
- Pathways should provide both recreation and transportation opportunities.



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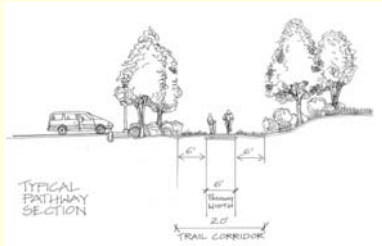
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## Trails Built into Communities



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## Sustainable Infrastructure

- Scale infrastructure to the development and community needs.
- Design should account for long-term use and maintenance.
- Address requirements of future infrastructure owners.
- All lots should demonstrate adequate water supply source.
- Protect groundwater sources.



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## Spray Irrigation Systems



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## Wise Energy Use

- Orient streets on an east-west axis to enable better solar access on building roofs.
- Provide shade along streets and parking lots to lower heat.
- Design within a site's microclimate.
- Encourage use of alternative energy facilities.



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## LEED Buildings in the Suburbs



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## Engineering and Construction



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## Off Site Road Improvements

- Off site improvements involve portions of roads not intersecting the property being developed.
- Developers cannot be required to make off -site improvements.
- Municipalities can establish off- site road improvement funds subject to specific requirements of Section V-A of the MPC.



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## Impact Fees

- Fees for public improvements can be collected for recreation in lieu of providing facilities in new developments (Section 503.11 of the MPC).
- Transportation fees can be collected to address off site transportation impacts if a municipality has established a transportation improvement district (Article V-A of the MPC).
- Other impact fees cannot be required, though off-site improvements or fees are often voluntarily agreed to by developers in exchange for other considerations.



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## Modifications

*The governing body of a municipality may grant relief from specific requirements in the SALDO for good reasons*

- Addressed in Section 512.1 of the MPC.
- All requests shall be in writing.
- Approved by the governing body to relieve hardship or to improve the overall design benefiting the public with recommendation of the planning commission.
- A written record of the modifications shall be kept- should be noted on final plans.



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## Model Subdivision and Land Development Ordinance



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## Content of Subdivision Ordinance

- Purpose
- Definitions- all key terms defined
- Plan contents- specific plan submission requirements
- Review Process- the municipal review process
- Design Criteria- site design and overall layout requirements
- Engineering Criteria- detailed engineering requirements for various improvements
- Financial guarantees



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## Types of Standards Used in SALDOS

- Performance- describes the acceptable impact or conditions resulting from the completed subdivision or land development. How this is achieved is up to the designer.  
*ie. trash dumpsters shall not be visible from the property boundaries*
- Prescriptive- specific dimensional or material standards that are expected to address potential impacts or conditions.  
*ie. an opaque fence six feet in height shall be placed around the trash dumpster area*



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## Minor Subdivisions or Land Developments

- MPC has specific exclusions.
- Can minimize the review process for low impact plans.
- Courts have excluded certain types of potential developments from review requirements.
- Lot line adjustment, simple conveyance, minor subdivision, mortgage subdivision, and minor land development.
- De minimis land development.



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## Sketch Plans

- Not defined in the MPC.
- **Cannot** be required.
- Voluntary sketch plans can afford a great opportunity to discuss and resolve large design issues prior to expensive engineering work.
- Voluntary pre-application sketch plan review process could be done with consent of the applicant.



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## Notification of Subdivision or Land Development

- Posting of properties notifies neighbors of proposed plans.
- Size of the sign
- Sign location
- Information on the sign



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## Resubmission

- Formalizing a subdivision and land development plan revision.
- Making sure only one plan is being reviewed at one time.
- Extension of review time.
- Fees and escrows



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## Development Disclosure

- Disclosure at property sale
- Proposed public improvements
- Future roads
- Open space use
- Limitations on property use
- Temporary cul-de-sacs



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## Open Space

- Designation of type
- Ownership
- Deed restriction
- Location and configuration



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## Recreation Land Dedication

- Location
- Land characteristics
- Municipal acceptance
- Fee-in-lieu of dedication



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## Preservation and Protection of Vegetation

- Forest management
- Protection measures
- Replacement criteria



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## Pathways and Bike Lanes

- Connection to trail system and community facilities
- Design for users
- Fit into landscape and surrounding uses
- Ownership and maintenance



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## Landscaping

- Street trees
- Property buffers
- Site element screens
- Special vegetation requirements



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## Engineering and Construction Standards

- Detailed engineering specifications
- Public infrastructure materials
- Construction technique



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## Special Studies

- Traffic Studies
- Stormwater
- Groundwater Impact



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## Model Subdivision and Land Development (SALDO)



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