

## **Chapter 9**

# **SUBDIVISION EXEMPTION**

### **11-9-1: PURPOSE OF CHAPTER:**

It is the purpose and intent of this chapter to allow the owner or purchaser of land, or agent thereof, to divide such land into not more than two (2) parcels, which meet the requirements of the governing zone district classification, without requiring submission of a subdivision plat. Approval of a subdivision exemption shall not exempt the applicant from securing and/or providing the necessary improvements including, but not limited to, sidewalks, curbs, gutters, street paving, storm drainage and utilities. Such land, or parcel which results from the approval of a subdivision exemption as hereinafter provided, shall not be eligible for any subsequent division under the provisions of this chapter. (Ord. 36, Series of 1979)

### **11-9-2: ELIGIBILITY FOR SUBDIVISION EXEMPTIONS:**

The following procedures shall apply to all applications for subdivision exemptions: (Ord. 36, Series of 1979)

(A) Eligibility For Subdivision Exemptions: The owner, purchaser, or agent thereof, must verify all of the following requirements prior to the submittal of a subdivision exemption application to the department of community development:

1. A division of land must not exceed two (2) lots;
2. Such division will not violate the minimum requirements of the governing zone district classifications, the subdivision regulations and other applicable city ordinances and resolutions;
3. All lots must abut a dedicated and accepted city street;
4. The applicant must show evidence that adequate sanitary sewer facilities exist to serve the subject lots;
5. The applicant must show evidence that adequate water facilities exist to serve the subject lots. (Ord. 20, Series of 2012)

(B) Compliance: Any proposed subdivision exemption which does not comply with all of the requirements as defined hereinabove shall be considered as a minor or major subdivision as applicable. (Ord. 36, Series of 1979)

**11-9-3: PROCEDURES:**

- (A) Preparation: The subdivider shall cause the preparation of a subdivision exemption map by a registered land surveyor. The map shall comply with the provisions of these regulations, and other ordinances of the city and state law.
- (B) Submission: The applicant shall submit the application and the subdivision exemption map pursuant to the requirements and process described in section [11-2-2](#) of this title. The application deadlines, required number of copies and map details shall be in accordance with the operating standards as established by the department of community development.
- (C) Administrative Action: City staff shall review the proposed subdivision exemption map for compliance with the provisions of this title, other applicable regulations, the comprehensive plan, existing and proposed development, and comments from affected agencies. City staff may approve the application, approve the application subject to modifications, or recommend the application be processed under the major or minor subdivision procedure. (Ord. 20, Series of 2012)