

The Administration of the Subdivision Control Ordinance

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The subdivision control ordinance is a very important tool in the planning program. It is probably the most direct means of controlling the future development and growth throughout the country. To administer such an ordinance, one is confronted with duties as they are performed by the planning staff and the planning commission. The public will first meet with the members of the planning staff when faced with subdivision problems. It is advisable to prepare a subdivision master plan for all areas that can be expected to be developed in the near future.

Such a master plan should indicate major thoroughfare and feeder streets. The location of all schools, parks, and shopping centers should be indicated. This master plan is a portion of the over-all comprehensive plan which is prepared in all planning offices. The items just listed in the plan should be fairly well established and not changed unless very good reasons can be provided. Arrangements of local streets are purely a recommended solution or a guide which may be changed any time a subdivider or the subdivider's engineer presents another plan which meets the requirements of the ordinance and will function as efficiently as the original master plan.

When a subdivider or the subdivider's engineer confers with the plan commission staff, he will be notified of the subdivision master plan if there is one available in the area for which subdivision is proposed. If there is no master plan available, the engineer should submit a tentative plan to the planning commission, and the staff will review this plat in relation to the surrounding areas. It is advisable to discuss the location and the relation of the plat to the surrounding areas prior to the detailed work on the subdivision plat.

It may be necessary for the planning staff to make plans for this area so that the subdivision will fit into the surrounding property. The designer should be familiar with the ordinance requirements and normal design standards. These standards may be very difficult to

define; the designer becomes skillful in solving subdivision design problems only with experience.

There are a number of basic requirements that should be included in the ordinance. Horizontal curves may be established by the ordinance, and they usually call for a minimum radius of 200 feet. This is to eliminate dog-leg turns in a subdivision.

Minimum vertical curvature is usually required to provide adequate sight distances. This particular requirement has a very wide range of fluctuation because of the flat and hilly terrains. Excepting where such work may be performed on flat terrain, high vertical curves and site distances in hilly terrain make the cost prohibitive.

Requirements on arrangements and lot sizes may also be included in the ordinance. Maximum depths of lots are controlled in order to eliminate long useless strips of ground that do not allow available space for cross lots. This problem is very often faced in metes and bounds lots which have been cut 60 feet wide and a one-quarter of a mile long. Many ordinances limit the length of the lot to three or three-and-a-half times the width of the lot. In view of the fact that corner lots have a required set-back on two sides, they should also be larger than the interior lots in the plan. Some ordinances specify a greater minimum width for the corner lots.

The subdivision plat, after it has been reviewed by the planning staff, is submitted to the plan commission. The approvals of such plats are the primary duties of the plan commission. Under the present state law, it has final jurisdiction on all subdivision plans. The plat will appear before the plan commission at least three times. The usual process is for a tentative plat to be submitted and reviewed. If there are no obvious problems to be faced, it is given a tentative approval and a date for preliminary hearing is set for a future meeting. The legal notices are placed in the paper to notify the people in the surrounding areas, and they have a right to come in and voice opposition at the public hearing. At this meeting preliminary approval may be granted. The subdivider then may proceed with the lot survey and with the improvements that go on the property, such as roads and utilities. The subdivider may be granted a choice of posting bond for improvements in the subdivision or installing improvements before the final plat is presented to the plan commission.

There is a wide variety of construction standards in the various ordinances throughout the state. Most of the metropolitan areas require six to eight inches of compacted base and two inches of black top for

the subdivision roads. Some of them require curbs and gutter, and others require only a shoulder and ditch. Some of the areas away from the metropolitan centers require only a gravel, crushed stone, or slag base. It is considered advisable in metropolitan areas to require curb and gutter, since many of the property owners fill up the roadside ditches without providing adequate drainage, consequently presenting serious drainage problems. If curb and gutter are installed, this is not a problem. Experience indicates that six or seven inches of compacted base over clay soil is not adequate, and more base should be used to make a durable road that will give the local government adequate service. Base eight or nine inches thick has proven more satisfactory.

An engineering check over all the lots on the final plan should be completed before the plan is submitted to the plan commission for final approval. The accuracy of the survey should meet the state accuracy standard of one in 10,000. The plan commission also acts as an advisory body to the local governmental unit, which may be the city council or the county board of commissioners. In this capacity they make recommendations on planning problems.

The plan commission also determines the policies of operation for the planning staff. Some of these policies may involve problems of subdivision design layouts, such as auxiliary roads along state and federal highways. The Lake County Plan Commission has required such auxiliary roads on all subdivision plats regardless of whether they are residential, commercial, or industrial. The commission may also dictate the policy on metes and bounds subdivisions. This is a very difficult problem, and it is doubtful whether the Indiana courts would uphold legislation prohibiting metes and bounds subdivisions at this time. Many states have enacted such laws, and their state courts have upheld the law in decisions. Until such laws exist in Indiana and are supported by the courts, it will be difficult to obtain the co-operation of all subdividers. One of the most effective ways of getting cooperation with the public and the subdividers is an effective public relations program which proves to the subdivider that planning is of assistance in solving many of his problems.

The plan commission and the staff must face many problems of sanitation where septic tanks are used. The standard must be established for lot sizes. The Lake County Plan Commission is using the State Health Department Code which has been accepted by the board of county commissioners. This system is based on percolation tests on the property where any development is contemplated. On a percolation test of less than three minutes, 10,000 square feet is required; on a test

of three minutes to fifteen minutes, 15,000 square feet is required; on a fifteen minutes to one hour test, 18,000 square feet is required. If the percolation test exceeds one hour, it is considered unacceptable for septic tank and must be listed as agriculture land or a sewer system must be installed which carries the sewage down to the sewage disposal plant. The plant must be properly located and approved by the state board of health. The drainage of the subdivision is probably the problem that will give the staff and the plan commission more difficulty than any other problem that they have to face. The increased runoff in the subdivision areas is largely responsible for this problem. In Lake County the runoff for all culverts and bridges in those rural areas that are subject to drastic change has been determined. Estimates have been made and culverts and bridges have been installed to meet the existing conditions. When they are subdivided, roofs are constructed, down-spouts are installed, drive-ways, streets, and parking areas are paved. This all eliminates some absorption area and increases the water runoff five-fold in the first hour following a rain. Consequently, the ditches, culverts, and bridges that have been constructed in these areas only have one-fifth of the capacity that will be needed after the entire watershed has been subdivided.

Many subdivision requirements sometimes place a burden on the plan commission and its staff as they pass on problems coming under its jurisdiction. Therefore, it is sometimes feasible to waive subdivision requirements in certain small subdivisions. Cases falling in this category may be listed as follows: (1) Where a person has cut a lot or two for members of his family; (2) Where one lot is left in an area which has already been subdivided; (3) Where scattered lots may be found facing on an improved and dedicated road.

The plan commission may also determine what park dedications may be required in subdivision plats. The normal need for parks is approximately ten acres for 1,000 population. However, few planning commissions have a policy requiring this amount of park. The Lake County Plan Commission has required four acres per 1,000 population and has succeeded in obtaining this dedication where it is advisable.

It may also be necessary to reserve school sites for a reasonable length of time, which permits the township trustee or school board to collect funds or make arrangements to purchase the proposed school tract before development.

The plan commission has also established a policy regarding utility easements. Most Lake County ordinances require such easements on the rear of all lots and other locations necessary to provide

a closed system. However, the location of utilities on the street rights-of-way must be considered, on occasions, for the location of sewers and gas and water mains.

The plan commission also must determine policies on length, range, plan, and recommended procedures for the financial programming of the physical improvements program.

Effective administration of the subdivision control ordinance requires continual attention to details and "big thinking" regarding neighborhood and community development patterns. Good administration requires constant sketching and re-sketching of street patterns, considering always the best and most economical use of the land. Excellent subdivision control means finer towns in the future; what is done today molds the physical environment for tomorrow. Truly, one of the most important ordinances of a community is its subdivision control ordinance.