

DRAFTER'S NOTE: Former subsection (b) of this section is deleted as obsolete.

### Subdivision Control

#### 5.01. Jurisdiction of planning commission.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE territorial jurisdiction of any planning commission over the subdivision of land shall [only] include ONLY land located in the jurisdiction.

(B) [However, in those jurisdictions] IN A LOCAL JURISDICTION where a county has not [provided functional] ADOPTED subdivision regulations, the territorial jurisdiction of a planning commission of a municipal corporation may include all land [lying within one] LOCATED UP TO 1 mile [of] BEYOND the corporate limits of [said] THE municipal corporation [and] THAT IS not located in any other municipal corporation.

#### 5.02. When approval of plat by planning commission required.

(a) If a local legislative body has adopted the transportation element of the plan of the territory within its subdivision jurisdiction or part of the territory, and has filed a certified copy of that plan in the office of THE clerk of the circuit court of the county in which the territory or part is located, a plat of a subdivision of land within the territory or part may not be filed or recorded [until it] UNTIL:

(1) [has been approved by the] THE planning commission APPROVES THE PLAT; and

(2) [the] THE CHAIRMAN OR SECRETARY OF THE PLANNING COMMISSION MARKS AN approval [entered] in writing on the plat [ by the chairman or secretary of the commission].

(b) (1) [The] A planning commission may authorize the zoning administrator or an equivalent administrative [official] OFFICER to approve subdivision plats and site plans under subsection (a) of this section in accordance with nondiscretionary criteria adopted and specified by ordinance.

(2) The ZONING ADMINISTRATOR OR ADMINISTRATIVE OFFICER SHALL INDICATE APPROVAL OF A PLAT BY MARKING AN approval [shall be entered] in writing on the plat.

#### 5.03. Regulations.

(a) (1) Before exercising the powers [referred to] GRANTED in § 5.02 OF THIS SUBTITLE, the planning commission shall prepare regulations governing the subdivision of land within [its] THE LOCAL jurisdiction.

(2) [Those] THE regulations may [provide for the] INCLUDE PROVISIONS TO:

(I) [adequate] ADEQUATELY control [of] shore erosion;