

5.06. Recording unapproved subdivision plat.

(A) A clerk of the circuit court FOR THE COUNTY IN WHICH THE LOCAL JURISDICTION IS LOCATED [shall] MAY not record a plat of a subdivision unless the plat has been approved by the planning commission FOR THE LOCAL JURISDICTION [as] IN THE MANNER required by law.

(B) Any plat of a subdivision recorded without [planning commission] THE REQUIRED approval has only the legal effect of an unrecorded plat.

5.07. Status of existing platting statutes.

(A) [From and after the time when] AFTER a planning commission [shall have] BEGINS TO EXERCISE control over subdivisions [as provided in] UNDER § 5.01 of this [article] SUBTITLE, the [jurisdiction] AUTHORITY of the planning commission over plats shall be exclusive within the territory under its [jurisdiction, and all] JURISDICTION.

(B) TO THE EXTENT THAT STATUTORY CONTROL IS IN CONFORMITY WITH THE PROVISIONS OF THIS ARTICLE, ALL statutory control over plats or subdivisions of land granted by other statutes shall [, insofar as in harmony with the provisions of this article] be [deemed] CONSIDERED transferred to the planning commission of [such] THE LOCAL jurisdiction.

DRAFTER'S NOTE: In subsection (a) of this section, the reference to "authority" has been substituted for former reference to "jurisdiction" in discussing the planning commission's authority, to avoid confusion with the defined term "local jurisdiction".

Development in Mapped Streets

6.01. Reservation of locations of mapped streets, etc., for future dedication or acquisition for public use.

(A) [Any] A planning commission [is empowered] MAY, after [it shall have adopted] ADOPTING the transportation element of the plan of the territory within its subdivision jurisdiction or of any major section or district [thereof] OF ITS JURISDICTION, [to make or cause to be made, from time to time,] PERIODICALLY:

(1) CONDUCT surveys [for the exact location of the lines of a street or streets] TO LOCATE STREET LINES and any other part of the transportation [element in any portion of such territory and to make] ELEMENT; AND

(2) MAKE a plat of the area or district [thus] surveyed, showing the land which [it] THE PLANNING COMMISSION recommends be reserved for future dedication or acquisition for public streets and any other part of the transportation element.

(B) (1) [The commission before] BEFORE adopting [any such] THE plat, A PLANNING COMMISSION shall hold a public [hearing thereon, notice] HEARING.