

4. *Alternative Subdivision Design*

Purpose and Use

The *Alternative Subdivision Design* (ASD) process outlined below may be of interest to local governments that adopt subdivision design standards for conserving important fish and wildlife resources. This process offers the subdivider some flexibility and promotes creativity in subdivision design, with one important stipulation: *The proposed design meets or exceeds the objectives of the adopted design standard.*

Recommended ASD Process

The ASD is not subject to the traditional variance process. The subdivider submits an ASD as part of the subdivision application. Subdividers interested in utilizing the ASD process are encouraged to consult with the local FWP field biologist, or another professionally trained biologist, and the subdivision administrator about the viability of the proposed ASD, well in advance of submitting a subdivision application and preliminary plat for review. With an ASD process in place, FWP biologists offering early input to a subdivider or commenting on a particular subdivision application can more freely consider alternatives to the adopted design standard, while still meeting the purposes of the standard.

1. Recommended procedure for subdividers who are locally required to complete an Environmental Assessment (EA) and who wish to propose an ASD.

Retain a professionally trained biologist to conduct a *Fish & Wildlife Impact Assessment* (FWIA). Evaluate the proposed ASD as part of the FWIA, and include science-based information indicating that “wildlife and wildlife habitat” will be conserved as effectively, or more effectively, than if the prescribed standard was used. Based upon the findings of the FWIA, the subdivider may recommend a design standard different from that contained in the local subdivision regulations. The FWIA containing the ASD evaluation is submitted with the subdivision application and preliminary plat.

2. Recommended procedure for subdividers who are not locally required to complete an EA, but who wish to propose an ASD.

Retain a professionally trained biologist to address “wildlife and wildlife habitat” in the *Summary of Probable Impacts* (SPI). Evaluate the proposed ASD as part of the SPI, and include science-based information indicating that “wildlife and wildlife habitat” will be conserved as effectively, or more effectively, than if the prescribed standard was used. Based upon the findings of the SPI, the subdivider may recommend a design standard different from that contained in the local subdivision regulations. The SPI containing the ASD evaluation is submitted with the subdivision application and preliminary plat.

3. Staff Recommendation

In his or her review of the subdivision application and preliminary plat, the subdivision administrator provides a recommendation to the subdivider, the governing body, and, if applicable, the planning board, as to whether or not the proposed ASD meets or exceeds the intent of the “wildlife and wildlife habitat” standard that otherwise applies to the project.

4. Governing Body Determination

The governing body makes the final determination as to whether the proposed ASD meets or exceeds the intent of the adopted standard.

Examples of *Alternative Subdivision Designs*

- Adopted standard may require subdivision development features to avoid all winter range found on-site. ASD proposes clustered development on this winter range and permanent conservation of an equivalent area of off-site winter range that is located within one mile of the proposed subdivision and that provides habitat as or more important than that found on the proposed subdivision site.
- Adopted standard may prescribe a vegetated buffer to protect Ferruginous Hawk nesting sites. ASD proposes using platted building envelopes to locate homesites closer than the prescribed buffer distance, but behind a topographic feature (e.g., a knoll or knob) that will shield the nesting site from the proposed development.

