

TITLE 11

CHAPTER 4

**REVIEW AND PLAT REQUIREMENTS**

SECTION:

- 11-4-1: Development Review Process
- 11-4-2: Preliminary Plat
- 11-4-3: Final Plat

**11-4-1: DEVELOPMENT REVIEW PROCESS**

- A. Intent: By the time a subdivider creates a preliminary plat, both the subdivider and the city have made a substantial investment in time and money. In addition, once the preliminary plat has been completed, it is difficult and expensive to rework the plans for the project. In an effort to better meet the needs of the city and the subdivider, the city has adopted the following development review process.
- B. Preapplication Meeting:
  - 1. Intent: The purpose of the preapplication meeting is to allow the subdivider the opportunity to share with the planning commission what he/she has in mind for the project. It also gives the planning commission the opportunity to share with the subdivider the thoughts and ideas of the city. The planning commission shall determine the compatibility of the proposed development with the general plan. The planning commission shall also consider general compliance with the zoning ordinance, this title and other ordinances and/or regulations of the city.
  - 2. Process: The subdivider shall purchase a copy of the current subdivision ordinance from the city. The price of a copy of the subdivision ordinance shall be established by the city council and is to cover printing and administrative expenses. After the subdivider obtains and reviews a copy of the subdivision requirements, he/she shall contact the planning commission chairperson at least one week prior to the next regularly scheduled planning commission meeting to schedule a preapplication meeting. If one week's notice is not given, the preapplication meeting may be placed on the agenda of the following regularly scheduled planning commission meeting.
- C. Site Analysis
  - 1. Intent: The purpose of having a site analysis map completed is to better understand what parts of the land are buildable, what land must be left alone, and what features the community may want to preserve.

2. Process: The subdivider next prepares a site analysis map of the property of the proposed project site. The site analysis map shall be prepared to a size twenty four inches by thirty six inches (24" x 36") maximum, and scale that will be used throughout the entire approval process. The site analysis map shall include all existing resources. Resources shall include, but not be limited to: environmental features such as streams, slopes, wetlands and floodplains, as well as historical sites and buildings, cultural features, unusual vegetation, wildlife habitats and paths, unusual rock formations or any other features that make the land distinctive. (See title 10, chapter 11 of this code for additional information.) The site analysis map shall be presented to the planning commission chairperson at least one week prior to the next regularly scheduled planning commission meeting. If the site analysis is not delivered one week prior to the next regularly scheduled planning commission meeting, discussion of the project may be placed on the agenda of the following regularly scheduled planning commission meeting. The site analysis map shall be discussed prior to the site visit taking place, but at the discretion of the planning commission may occur as part of the same planning commission meeting.

D. Site Visit:

1. Intent: Seeing the property and its features will aid in understanding the dimensions and elements of the property. Important features may be very different in reality than they appear on paper; not all natural resources are alike or have the same value. Before the planning commission agrees to modifications of the property, they should know the full impact on the surrounding area.
2. Process: After an acceptable site analysis map has been received, the planning commission, with the subdivider encouraged to attend, will walk or drive around the proposed project site property. The site visit shall be made prior to the presketch conference being held, but at the discretion of the planning commission may occur as part of the same planning commission meeting.

E. Presketch Conference:

1. Intent: Now that the planning commission and the subdivider have the same property in mind and a general idea of what is desired, they can talk about how each visualizes the final product.
2. Process: At least one week prior to a regularly scheduled planning commission meeting, the subdivider shall inform the planning commission chairperson of their, desire to be on the agenda. If notice is not given one week prior to the next regularly scheduled planning commission meeting, discussion of the project may be placed on the agenda of the following regularly scheduled planning commission meeting. The presketch conference shall take place after the site visit, but at the discretion of the planning commission may occur as part of the same planning commission meeting. The presketch conference will include discussion about the locations of different aspects and potential of the development.

F. Sketch Plan:

1. Intent: While this is not a full preliminary plan (it will not contain the technical aspects of a fully engineered plan), the sketch plan is the step where major decisions are made and agreed to.
2. Process:
  - a. The sketch plan shall be professionally prepared in accordance with all the requirements of the city. A public hearing will be held to obtain community input at the sketch plan part of the process. In order for the City to effectively administer a public hearing, it is necessary for the subdivider to provide notice to the city two (2) weeks prior to the planning commission meeting in which the public hearing will be held. The sketch plan should be prepared on transparent paper and placed over the site analysis map. It shall be a paper layout, to scale, of blocks, lots and streets, etc. Six (6) copies of the sketch plan shall be submitted to the planning commission chairperson for the planning commission's consideration at least five (5) working days prior to its next regularly scheduled meeting. The planning commission may, if said copies of the sketch plan are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting. After this review, the planning commission will (with the subdivider, if necessary) present the sketch plan to the city council for its approval, conditional approval or rejection. After this review, the planning commission will communicate to the subdivider appropriate comments, requirements and recommendations. (4-2013, 10-24-13)
  - b. For areas where development is planned to occur in phases, the sketch plan shall show the entire area for which all final plat approvals will be requested. The concept sketch map will be a guide but will have no official standing or approval. It may be amended or modified from time to time by the subdivider. Only the final plat shall have official standing which shall permit the subdivider to proceed with subdivision construction.
3. Sketch Plan Requirements: The sketch overlay plan, provided on the site analysis map, shall include the following items:
  - a. The proposed name of the subdivision.
  - b. A contour map (request for these maps can be made from the U.S. Geological Survey [USGS]).
  - c. A map showing soil types (requests for these maps can be made through the Soil Conservation Service [SCS]).
  - d. A map showing flood hazard areas, including the 100-year recurrence interval flood; or where such data is not available, the maximum flood of record.
  - e. A map showing potential geographical hazards, e.g., earthquake fault lines.

- f. The property boundaries of the proposed subdivision.
  - g. The names of the owner, subdivider, if other than the owner, and the engineer or designer of the subdivision.
  - h. Boundaries of adjacent properties and names of adjacent property owners.
  - i. Approximate number of lots proposed and street layout, indicating general scale dimensions of lots.
  - j. Approximate total acreage of the development as well as size of the individual lots.
  - k. All property under the control of the subdivider, even if only a portion is being subdivided.
  - l. Location, width and names of existing streets within two hundred feet (200') of the subdivision and of all previously platted streets or other public ways, railroad and utilities rights of way, parks and other public open space, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract.
  - m. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision, including, but not limited to, sites for parks, playgrounds, schools or other public uses.
  - n. Location of natural drainage channels and the proposed storm and surface water drainage system.
  - o. Description of the types of water systems proposed, both culinary and irrigation, along with any and all water rights.
  - p. Description of the type of sewer or sanitary waste system proposed.
  - q. Present zoning.
  - r. Date of preparation, scale of drawing and north arrow.
4. Action by Planning Commission: As mentioned above, the planning commission and city council shall review the sketch plan presented by the subdivider and compare its concept with the local general plan, zoning ordinance, this title, and other ordinances and/or regulations in the local jurisdiction to determine compliance. Following this review, and not later than thirty (30) days after review by the city council, the planning commission will communicate to the subdivider, in writing, its comments, requirements and recommendations. Upon approval, the subdivider may then proceed with the preparation of a preliminary plat. In the event a preliminary plat for at least one phase of the proposed subdivision has not been submitted to the planning

commission for approval within twelve (12) months from the date of the said communication from the planning commission, a new sketch plan must be submitted for approval before a preliminary plat can be submitted for approval. (Ord., 8-12-2003)

#### **11-4-2: PRELIMINARY PLAT**

- A. Submittal Process: Seven (7) copies of the preliminary plat shall be submitted to the city for review. These copies are to be submitted at least five (5) working days prior to the next regularly scheduled planning meeting. The planning commission may, if said preliminary plats are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.
1. City Engineer Review: One copy of the preliminary plat shall be delivered to the city engineer for review. After his/her review, the city engineer shall transmit any conclusions and recommendations to the planning commission.
  2. Planning Commission Review: Six (6) copies of the preliminary plat shall be submitted to the planning commission for the commission and other city departments, as required, to review. After completion of all reviews deemed necessary, the planning commission shall approve, conditionally approve or reject the preliminary plat, or the planning commission may table the preliminary plat for consideration at the next regularly scheduled planning commission meeting.
- B. Preliminary Plat Requirements: The preliminary plat shall comply with the following requirements:
1. Basic Information: In a title block located along the bottom or right hand side of the twenty four inch by thirty six inch (24" x 36") plat sheet, the following shall appear:
    - a. The proposed name of the subdivision;
    - b. The location of the subdivision, including the address, the section, the township and the range;
    - c. The names and addresses of the owner, and subdivider, if other than the owner. Also include an affidavit or certificate of clear title to the effect that the applicant is the owner of, or that he is authorized by the owner in writing to make application for, the land proposed to be subdivided. The affidavit or certificate shall state clearly in which status the applicant makes his application, and if it is in the latter status, a copy of said written authorization from the owner shall be submitted with the preliminary plat;
    - d. A signed statement from each of the utility companies involved stating that they have reviewed the plat, that they approve the plat as it relates to their particular company, that they are in agreement with placing all of their utilities underground within the rights of way or utility easements as shown on the plans and are willing to provide the needed service for the

development. Also included in said statements shall be descriptions of any restrictions that will be imposed by the utility companies, any fees that will be assessed by the utility companies to install the utilities and any timetables that the utility companies might use to install their respective utilities;

- e. Signature blocks for the city engineer, fire department and solid waste department approval;
  - f. A block for the planning commission approval by the signature of the chairperson of the planning commission; and
  - g. Date of preparation, scale as previously determined (at least 100 feet to the inch), and north arrow.
2. Existing Conditions: The preliminary plat shall also show all appropriate and pertinent information either shown on the site analysis map or discussed during the development review process. At a minimum, the following shall be shown:
- a. The location of the nearest legal monument;
  - b. The boundary of the proposed subdivision and the acreage included;
  - c. All property under the control of the subdivider, even though only a portion may be subdivided. Where the plat submitted only covers part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plans or other planning commission studies;
  - d. The location, width and names of all existing streets within two hundred feet (200') of the subdivision and of all prior platted streets or other public ways, railroad and utility rights of way, parks, and other public open spaces, permanent easements and section and corporation lines within and adjacent to the tract;
  - e. The location of wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries;
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of one hundred feet (100') beyond the tract boundaries, indicating pipe sizes, grades, manholes and their exact locations;
  - g. Existing ditches, canals, natural drainage channels and open waterways and any proposed realignments within the tract and to a distance of one hundred feet (100') beyond the tract boundaries;

- h. Boundary lines of adjacent tracts of unsubdivided land, showing ownership; and
  - i. Contours at vertical intervals of not more than two feet (2'), excepting in mountainous or otherwise steep areas where a more practical interval would be warranted.
3. Proposed Plan: The preliminary plat shall also show all appropriate and pertinent information discussed during the development review process. At a minimum, the following shall be shown:
- a. The layout of the streets, showing location, widths and other dimensions of proposed streets (designated by actual or proposed names and numbers), crosswalks, alleys and easements;
  - b. The layout, numbers and typical dimensions of lots;
  - c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision;
  - d. Building setback lines; showing dimensions where required by the planning commission;
  - e. Easements for water, sewers, drainage, utility lines and other purposes, as required by the planning commission and/or any utility company;
  - f. The layout of culinary water (including fire hydrants) and sanitary sewer improvements that will provide service to each lot in the subdivision;
  - g. The location of light poles;
  - h. Typical street cross sections and grade streets where required by the planning commission;
  - i. A tentative plan or method by which the subdivider proposes to handle storm water drainage for the subdivision; and
  - j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision. Said agreements shall be presented to the planning commission at the time of preliminary plat submission.
- C. Preliminary Plat Approval: The planning commission, city engineer, and other interested city departments shall review the preliminary plat and may revisit the site of the proposed subdivision. Following this investigation, the planning commission shall approve, conditionally approve or reject the preliminary plat as submitted. The planning commission shall not take action to approve or disapprove the plat until written approval is received from each of the interested, city departments. If the preliminary plat is approved, the planning commission shall return one copy of the plat signed by the planning commission chairperson to the subdivider with any conditions attached. Other signed copies shall be

forwarded to each of the interested city departments. The planning commission shall retain one signed copy of the plat for its files. If the preliminary plat is rejected, the planning commission shall indicate its disapproval by distributing signed copies of the plat bearing the reason for the rejection. The receipt of a signed copy of the approved preliminary plat shall authorize the subdivider to proceed with the preparation of the final plat and construction documents. In the event a final plat is not submitted for at least one phase of the proposed subdivision within twelve (12) months following approval of the preliminary plat, such prior approvals shall be void and the subdivider shall again be required to submit a sketch plan as per this title. When a subdivision is developed in phases, the final plat for a second phase and any subsequent phases must be submitted for approval within two years of the previous phase approval, or as extended by the City Council. If a second phase and any subsequent phases is not submitted within two years of the previous phase approval, the preliminary plat and sketch plan approval for all phases not submitted shall be void. (3-2014, 6-10-14)

### **11-4-3: FINAL PLAT**

- A. Intent: The planning commission and city council approves, conditionally approves or rejects the final plat. With fully engineered construction drawings approved by the city, an approved final plat is recorded in the office of the county recorder.
- B. Submittal Process: Two (2) full size and eight (8) 11x17 copies of the final plat shall be submitted to the city for review. These copies are to be submitted at least seven (7) calendar days prior to the next regularly scheduled planning meeting. The planning commission may, if said final plats are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.
  - 1. City Engineer Review: One full size copy of the final plat shall be delivered to the city engineer for review. After his/her review, the city engineer shall transmit any conclusions and recommendations to the planning commission.
  - 2. Public Works Review: One full size copy of the final plat shall be delivered to the city public works director for review. He will transmit his recommendations to the city engineer.
  - 3. Planning Commission Review: Eight (8) copies of the final plat shall be submitted to the planning commission for review. After their review, the planning commission shall approve, conditionally approve or reject the final plat, or the planning commission may table the final plat for consideration at the next regularly scheduled planning commission meeting.
  - 4. City Council Review: Upon approval and recommendation by the planning commission, the city council shall review and approve, conditionally approve, or reject the final plat at a regularly scheduled city council meeting.
  - 5. Construction Documents Submittal: The subdivider shall submit, with the final plat, the construction drawings prepared in accordance with city construction specifications. Two (2) copies and one Mylar are required to be submitted to



the city. The subdivider shall also submit an estimate of the cost of construction along with the construction documents.

6. Final Plat Signatures: Upon approval of the construction drawings by the city engineer, he/she shall place their signature on the final plat. Upon receiving approval and signatures from the county board of health (if required) and the planning commission, the subdivider shall submit the approved plat, after all fees have been paid to the city, to the mayor for city council final approval. If approved by the city council, the mayor shall place his or her signature upon the final plat, and at the appropriate time, cause the approved plat to be submitted to the city attorney. After the "security of performance", as defined in section 11-2-1 of this title, has been properly posted and the development agreement verified, the city attorney shall place signature upon the final plat and shall have the plat recorded in the county recorder's office solely at the subdivider's expense. At the time of recording, the city attorney shall have recorded any and all restrictions placed upon all lots stating that the city will not issue any building permit for the approved subdivision until minimum improvements, as specified in this title, are complete.

C. Final Plat Requirements: The final plat shall comply with the following requirements:

1. Basic Information: The final plat shall be prepared in accordance with the requirements of this title and be:
  - a. Prepared by a land surveyor, licensed in the state, on Mylar. Other mediums and/or technologies utilized by a land surveyor may be used when approved by the city. The name and contact information of the land surveyor shall be shown on the final plat;
  - b. Drawn to a scale of not less than one inch equaling one hundred feet (1" = 100') and shall indicate the base heading of true north. The top of the plat shall be either north or east, whichever - accommodates the drawing most effectively;
  - c. Prepared on a twenty four inch by thirty six inch (24" x 36") reproducible Mylar medium. It shall have a one and one-half inch (1 1/2") border on the left side and a one-half inch (1/2") border on the remaining sides; and
  - d. Shown with workmanlike execution in every detail. A poorly drawn or illegible plat is sufficient cause for rejection.
2. Description and Delineation: The final plat shall show the following:
  - a. The name of the subdivision as approved by the planning commission;
  - b. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets alleys, easements, setbacks, areas to be reserved for public use and important features;

- c. An identification system for all lots, blocks and names of streets. Lot lines shall show dimensions in feet and hundredths. Metric measurements will become acceptable upon official U.S. government approval of the metric system for all such measurements;
- d. The street address for each lot, as assigned by the subdivider and approved by the city. The north and west sides of the street shall be numbered odd and the south and east shall be numbered even;(1-2015, 6-23-15)
- e. True angles and distances to the nearest established street lines of official monuments which shall be accurately described in the plat and shown by the appropriate symbols;
- f. Radii, internal angles, points of curvatures, tangent bearings and the length of all arcs;
- g. The accurate location of all monuments to be installed shown by the appropriate symbol. All United States, state, county, or other official bench marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position;
- h. The dedication to the city of all improvements, which shall include, but shall not be limited to, streets, waterworks, sewerworks, etc., included in the proposed subdivision;
- i. Street monuments installed by the subdivider's engineer or land surveyor at points designated on the final plat as approved by the city engineer. Standard precast monuments will be furnished by the subdivider and placed as approved;
- j. Rebar lot pins shall be shown on the plat and placed at each lot corner in the field prior to final approval;
- k. Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for the common use of all property owners;
- l. All boundary, lot and other geometrics (bearings, distances, curved data, etc.) on the final plat posed to an accuracy of not less than one part in five thousand (1/5000);
- m. A statement that all expenses involving the necessary improvements or extensions for a culinary water system, sanitary sewer system, natural gas or other piped in gas, electrical service, telephone service, cable or satellite service, grading and landscaping, storm drainage systems, curbs and gutters, fire hydrants, pavement, sidewalks, signage, street lighting and other improvements shall be paid for by the subdivider;
- n. Boundary descriptions of the subdivision;

- o. Standard forms for the following, subject to future form revisions and additions when needed or required:
  - (1) A registered land surveyor's certificate of survey as applicable under state law.
  - (2) The owner's signature of dedication.
  - (3) A notary public's acknowledgment.
  - (4) The city engineer's certificate of approval. The City Engineer shall serve as the culinary water and sanitary sewer authority. (6-2006, 5-9-06)
  - (5) The county board of health's certificate of approval if a septic tank system is used for sewage disposal.
  - (6) The planning commission's signature of approval.
  - (7) The city's signature of approval by the mayor.
  - (8) The city attorney's certificate of approval.
  - (9) The county surveyor's certificate of approval.
  - (10) The county recorder's stamp of approval according to requirements prior to final plat approval.
- 3. Building Lots and Building Permits: Building lots in the approved subdivision may be sold after the final plat has been recorded. The lots, however, shall have recorded restrictions placed upon them stating that the city will not issue any building permit for any lot until minimum improvements, as specified by city ordinance, are complete. A building permit may be issued, however, if a waiver is signed stating that the city has no liability or responsibility to the subdivider.
- 4. Development Agreement: The subdivider shall enter into and sign an agreement, after the security of performance has been properly posted, which shall indicate a timetable for completion of minimum and final improvements. (8-12-2003)