



MAJOR FINAL PLAT AMENDMENTS APPLICATION & REVIEW PROCEDURES

3.7 Major Final Plat Amendments

3.7.1 Intent and Applicability

A. Intent

These procedures are intended to create a formal process for making an application for approval of a major final plat amendment.

B. Applicability

- i. A proposed amendment to an approved final plat that would result in any of the following shall be considered a major final plat amendment:
 - A change to legal description of the land included within the final plat;
 - An increase in the number of approved lots;
 - A decrease in the amount of approved open space;
 - A request to add or remove a plat note or restriction; or
 - A change in the provision of public improvements or a material change to the design of such improvements, as determined by the Community Development Director.

Examples of a major plat amendment include, but are not limited to, a vacation and re-plat of an approved final plat so long as such replat does not result in the creation of additional lots, tracts, or parcels (e.g., approved final plat includes three lots and one tract and the amendment proposes to plat three lots and two tracts or alternatively four lots and one tract) and amendments to add or remove a plat note or restriction.
- ii. These procedures for major amendments to an approved final plat shall not apply to amendments that would result in any of the following:
 - A new street or alley;
 - The dedication of any lands for public use;
 - A vacation of streets, alleys, or easements;
 - A significant increase in services (e.g., utilities, drainage, schools, traffic control, streets, etc.) or interference with the ability to maintain existing service levels, as determined by the Community Development Director.
 - A deficiency in street right-of-way as required by City regulations, unless additional street right-of-way can be dedicated by separate instrument;
 - A failure to satisfy all easement requirements;
 - The creation of a lot, tract, or parcel that would not have direct access to a publicly maintained street;
 - The creation of a lot, tract, or parcel that would not comply with the zoning requirements of this Code; or
 - The creation of a lot that would be subject to periodic flooding which cannot be feasibly corrected, as determined by the City Engineer.

Requests to amend a final plat to accomplish any of the actions outlined in Section 3.6.1.B.ii above shall still be considered a plat amendment but shall be subject to the procedures for a final plat application under Section 3.5 of this Code.

3.7.2 Pre-Application Conference

A pre-application conference with the City Community Development Director or his/her designee is not required but is encouraged for a major final plat amendment application.

3.7.3 Application Submittal Requirements

A formal application for approval of a major final plat amendment shall include two (2) hard copies of the final plat amendment map and electronic copies delivered both in .pdf and .dwg formats, a completed subdivision application form, and payment of the appropriate application fee.

3.7.4 Major Final Plat Amendment Mapping Standards

All major final plat amendment drawings shall be drawn in black waterproof ink on Mylar of good quality and shall depict the proposed amendment of the subdivision based upon the requirements of this Section 3.6 and shall comply with the zoning requirements of Chapter 4 and the subdivision requirements of Chapter 7 of this Code. All of the following requirements may be combined onto a single sheet if approved by the Community Development Director.

A. General Requirements

Each sheet of a major final plat amendment shall comply with each of the following:

- The major final plat drawing shall be 24 inches in height by 36 inches in width and depicted as a scale of one inch equals 200 feet (1" = 200'), or at an alternative scale approved by the Community Development Director;
- Include a title, which shall state the proposed name of the subdivision or addition and the words "Final Plat Amendment";
- Include a legal description of the location of the addition or subdivision, including a description of the addition or subdivision as part of a larger subdivision or tract of land, and including basis of bearings and designation of any section, quarter section, and sixteenth section lines. If the amendment is proposed to replat the boundaries of existing platted lots, then the legal description should identify the "As Platted" property configuration(s) and the "As Re-Platted" property reconfiguration(s);
- Include a scale commensurate with the final plat drawing;
- Include the date of preparation; and
- Include a north arrow.

B. Cover Sheet Requirements

In addition to the General Requirements above, the cover sheet of a major final plat amendment shall also include each of the following details:

- Vicinity Map, which shall depict the location of the subject property in relation to the nearest major roadways and existing subdivisions;
- Owner's signature block found in Appendix A;
- A certificate for the land surveyor of record found in Appendix A of this Code;
- Certificates for City Council, Planning and Zoning Commission, City Engineer, and County Clerk and Recorder approval found in Appendix A of this Code; and
- A key diagram, if more than three (3) sheets are used, showing the areas covered by each sheet of the major final plat amendment.

C. Mapping Sheet Requirements

In addition to the General Requirements above, the Community Development Director, at his or her discretion based upon the subject and context of the major final plat amendment, may require that any sheet that depicts or otherwise maps the major final plat amendment shall also include the following:

- A depiction of the following:
 - Sufficient data meeting the requirements of Chapter 7 of this Code in order to readily determine the bearing and length of every lot line, block line, and boundary line. No ditto marks shall be used. All lots containing three-fourths (3/4) of an acre or more shall be labeled in acreage to the nearest hundredth. All length, radius, delta and appropriate curve data shall be shown. For lots fronting onto curved street right(s)-of-way, all non-radial side lot lines shall be labeled “NR”.
 - If the amendment constitutes a replatting of existing platted lots, then the plat map shall depict the location and dimensional data labels for the boundaries, widths, lengths, bearings and curves of all existing lots and proposed reconfigured lots on two separate exhibits labeled “As Platted” and “As Re-Platted”;
 - Lot and Block numbering in a logical order. Lot numbering shall begin at number one (1) in each block. For staged or phased development, the block numbering of a subsequent stage or phase shall begin with the next highest number following the highest number used on the plat or latest replat of the immediately preceding stage or phase.
 - Easements, including widths, lengths, and line bearings, to which the proposed lots are subject. Easements for storm drains, surface drainage, sewer, building lines and other purposes shall be depicted by fine dashed lines.
 - A legal description of the “As Platted” property configuration(s) and a legal description of the “As Re-Platted” property reconfiguration(s).
 - Location and delineation of all nearby and included section, quarter section, and sixteenth section lines;
 - Location of all existing monuments with an appropriate explanation in the plat legend and all new monuments meeting the requirements of Chapter 7 of this Code;
 - Location, name, width, length, bearings and curve data on centerlines of all proposed streets;
 - Location and width of all adjoining rights-of-way;
 - Location, purpose, width, length, bearings and curve data on centerlines of all proposed alleys and easements;
 - Location and width of all proposed sidewalks;
 - Location of existing watercourses and direction of flow;
 - Delineation of any one hundred (100)-year floodplain and any land located therein;
 - Location, name, layout, and zoning of all adjoining subdivisions;
 - A plan for managing the drainage of storm water, including necessary improvements to established watercourses, detention and retention facilities, canals, and ditches;
 - Existing and approved sewer and water mains, including alignment and diameter;
 - Location and detailed plans for constructing street lighting utilizing underground facilities;
 - Location and identification of all existing and proposed underground and aboveground utilities, including, but not limited to, gas, telephone, electric, cable television, and fiber optic lines;
 - Location and delineation of easements for postal service facilities;
 - Location and delineation of areas for snow removal storage and for the siting of solid waste disposal containers, pursuant to the requirements of Chapters 5 and 6 of this Code; and
 - The renumbering of blocks and/or lots for a replat shall begin with the next highest number following the highest number used on the immediately preceding plat or replat of the area.
 - Any other features required to be depicted by the Community Development Director.

- Accurate survey data to one one-hundredth of a foot; and
- Contours, which shall be based upon the United States Geologic Survey datum at vertical intervals of not more than five (5) feet where the slope is greater than ten (10) percent and not more than two (2) feet where the slope is less than ten (10) percent.

3.7.5 Review and Referral Process

All major final plat amendment applications shall be processed pursuant to the following:

A. Application Submittal, Cursory Completeness Review, and Referral Procedures

All major final plat amendment applications shall be submitted to the Community Development Department for review pursuant to the requirements of this Section 3.6.

The Community Development Department shall conduct a cursory completeness review at the point of intake to ensure that all applications include the appropriate documentation prior to formal acceptance. If an application is determined to be complete, the Department shall accept the application and distribute it for review by appropriate internal City reviewers and applicable external review agencies. If an application is determined to be incomplete, the Department shall notify the developer of the deficiencies of the application and the developer shall be responsible for rectifying all deficiencies prior to attempting resubmittal of the application for formal acceptance.

B. Technical Review and Resubmittal Procedures

The review and referral period for a major final plat amendment depends upon the complexity of the application and the workloads of the respective reviewers.

Following the review and referral period, the Community Development Department shall provide the applicant with all comments from the Community Development Department, other internal City reviewers, and the applicable external review agencies. It shall be the applicant's responsibility to review all comments and provide revisions to the application, including supporting documentation.

Upon resubmittal of the application and supporting documentation, the Community Development Department shall re-distribute the materials for review to all agencies having unresolved issues following the initial review. The re-review and re-referral period depends upon the complexity of the outstanding issues on the application, and supporting documentation, and the workloads of the respective reviewers. If the applicant is unable to resolve all outstanding technical issues associated with the application following review of the resubmittal, additional resubmittals and re-reviews may be required and shall generally follow the same resubmittal and review procedures identified above.

C. Determination of Technical Completeness and City Administrator Action

The Community Development Department shall make a determination of technical completeness for a major final plat amendment application once the applicant has adequately addressed all outstanding issues and shall present the application to the City Administrator for review and action. The City Administrator shall have the authority to determine whether a proposed major final plat amendment should be approved administratively by the City Administrator or whether such major final plat amendment should be elevated for review and recommendation by the Planning and Zoning Commission and final action by the City Council. Any final plat amendment elevated for review and recommendation by the Planning and Zoning Commission and final action by the City Council shall follow the hearing, notification, and approval criteria requirements for a final plat in this Section 3.5. Notice and public hearings shall not be required if the City Administrator determines that the proposed major final plat amendment be approved administratively.

3.7.6 Approval Criteria

In approving a major final plat amendment administratively, the City Administrator shall find the following:

- i. The proposed major final plat amendment is consistent with the City Master Plan, as amended;
- ii. The proposed major final plat amendment is in compliance with the requirements of this Code, including but not limited to, Section 3.6.1.B.i above;
- iii. The proposed major final plat amendment is in compliance with the design and layout of the approved sketch plan, planned unit development, and preliminary plat, as applicable, including any conditions and/or modifications of the applicable sketch plan, planned unit development, and preliminary plat; and
- iv. The proposed major final plat amendment is in compliance with State law.

3.7.7 Post Approval Requirements

Approved major final plat amendments and resolution of approval or approval with conditions shall be recorded by the City in the records of the Converse County Clerk and Recorder's Office in the same manner as a final plat.

3.7.8 Appeals

Any appeal of the decision of the City Administrator on a major final plat amendment shall be made to the City Council for review and action. All appeal requests shall be submitted in writing to the City Administrator and shall be scheduled for the next available City Council hearing. The written request for an appeal of a decision by the City Administrator shall include the following:

- A statement identifying the specific decision made by the City Administrator;
- A statement detailing the basis for appealing the decision; and
- Language and/or supporting documentation that justifies approval of the appeal request.

There are no notification requirements for a City Council hearing to review and take final action on an appeal of the decision of the City Administrator on a major final plat amendment.

If a major final plat amendment is elevated by the City Administrator to public hearing before the Planning and Zoning Commission and City Council, then there shall be no appeal option upon final action by the City Council.

3.7.9 Scope, Limitations, and Expiration

A major final plat amendment shall be limited in scope to the specific limitations and allowances of the amendment as approved. Any action by the land owner or developer that causes the approved major final plat amendment to be in non-compliance with the scope and limitations of the approval shall be subject to the enforcement provisions of Chapter 9 and all other legal remedies.

An approved major final plat amendment shall automatically expire after sixty (60) days from the date of approval unless such plat amendment is recorded in the records of the Converse County Clerk and Recorder's Office. It shall be the responsibility of the applicant to pay the applicable filing fees to the City Finance Department. Once the required filing fees have been paid, the Community Development Department shall be authorized to file the plat amendment in the records of the Converse County Clerk and Recorder's Office.