

CHAPTER 13
SUBDIVISIONS

SECTION:

- 9-13-1: Subdivision Approval Required
- 9-13-2: Preapplication
- 9-13-3: Preliminary Plat
- 9-13-4: Final Plat

9-13-1: **SUBDIVISION APPROVAL REQUIRED:** Any person desiring to create a "subdivision" as herein defined shall submit all necessary applications to the administrator on forms provided by the city. No final plat shall be filed with the county recorder until such plat is approved by the health authority as to water and sewer systems. No final plat shall be filed with the county recorder or improvements made on the property until the plat has been acted upon by the planning and zoning commission and approved by council. No lots shall be sold until the plat has been recorded in the office of the county recorder. (Ord. 426, 7-8-2002)

9-13-2: **PREAPPLICATION:**

- A. Application: The subdivider shall submit a preapplication to enable the administrator to review and comment on the proposed subdivision.
- B. Sketch Plan: The preapplication shall include at least one copy of a sketch plan. The sketch plan shall include the entire developmental scheme of the proposed subdivision, in schematic form and include the following:
 - 1. The general layout and approximate dimensions of streets, blocks and lots in sketch form;
 - 2. The existing conditions and characteristics of the land on and adjacent to the proposed subdivision site;

3. The areas set aside for schools, parks, and other public facilities.
- C. Fee: None required.
- D. Administrator Action: The administrator shall notify the subdivider within fifteen (15) days from the date of receiving an acceptable preapplication as to the general conformance or nonconformance of the proposal with this title, and shall provide the necessary forms and checklists, as well as the additional following considerations:
1. Compliance of the proposed development with existing local or state policies, goals, and objectives or comprehensive plans;
 2. Determination if additional special permits or ordinance conflict, such that rezone, special development permit, or variance are needed, and the manner of coordinating such permits;
 3. Consideration of any unique environmental features or hazardous concerns that may be directly or indirectly associated with the subject property, such as areas that have been designated as areas of critical environmental concern, unique plant or animal life, and floodplains;
 4. Consideration of other local and state agencies that the subdivider should contact before preparing a preliminary plat. (Ord. 426, 7-8-2002)

9-13-3: **PRELIMINARY PLAT:**

- A. Application: The subdivider shall file with the administrator a complete subdivision application form and preliminary plat data as required in this chapter.
- B. Combining Preliminary And Final Plats: The applicant may request that the subdivision application be processed as both a preliminary and final plat if all the following exist:
1. The proposed subdivision does not exceed ten (10) lots;
 2. No new street dedication or street widening is involved;
 3. No major special development considerations are involved, such as development in floodplain or hillside development;

4. All required information for both preliminary and final plat is complete and in an acceptable form.

A request to combine both preliminary plat and final plat into one application shall be acted upon by the commission after receiving a recommendation by the administrator.

C. Content Of Preliminary Plat: The contents of the preliminary plat and related information shall be in such a form as stipulated by the commission; however, additional maps or data as deemed necessary the administrator may also be required. The subdivider shall submit to the administrator at least the following:

1. Ten (10) copies of the preliminary plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated; each of the preliminary plats shall be on good quality paper, shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100'), shall show the drafting date and a north arrow.

2. A written application requesting approval of the preliminary plat.

3. Appropriate information that sufficiently details the proposed development within any special development area, such as hillside, planned unit development, floodplain, cemetery, mobile home, large scale development, hazardous and unique areas of development.

D. Requirement Of Preliminary Plats: The following shall be shown on the preliminary plat or shall be submitted separately together with any other pertinent information requested by the administrator:

1. The name of the proposed subdivision, which does not duplicate the name of any other subdivision in Latah County.

2. The names, addresses, and telephone numbers of the subdividers, the engineer or surveyor who prepared the plat, and any other professional persons involved in the subdivision.

3. The names and addresses of all surrounding property owners both adjacent to and beyond any public thoroughfares from the subject property on record in the county assessor's office.

4. The legal description of the subdivision by section, township, and range.

5. A statement of the intended use of the proposed subdivision, i.e., residential single-family, two-family and multiple-family housing, commercial, industrial, recreational or agricultural and showing of any sites proposed for parks, playgrounds, schools, churches, or other public uses.
6. A map of the entire area scheduled for development if the proposed subdivision is a portion of a larger holding intended for subsequent development.
7. A vicinity map showing the relationship of the proposed plat to the surrounding area (covering at least a 4 square mile area).
8. The land use and existing zoning of the proposed subdivision and the adjacent land.
9. Existing streets, street names, rights of way and roadway widths, including adjoining streets or roadways, along with type of surface and the existence of any curb/gutter and/or sidewalks.
10. Approximate location and length of the boundary lines of each lot, parcel or site and the proposed lot and block numbers. Approximate acreage enclosed by subdivision.
11. Contour lines, shown at five foot (5') intervals where land slope is greater than twenty percent (20%) and at two foot (2') intervals where land slope is twenty percent (20%) or less, referenced to an established benchmark of the city vertical control system, including its location and elevation.
12. A site report as required by the appropriate health district where individual wells or septic tanks are proposed.
13. Location, size, and direction of flow of all existing utilities, including, but not limited to, storm and sanitary sewers, irrigation laterals, ditches, drainage, bridges, culverts, water mains, fire hydrants, gas lines, power, telephone and streetlights. If utilities are not on or adjacent to the property, indicate direction and distance to nearest ones that can serve the subdivision.
14. A copy of any proposed restrictive covenants and/or deed restrictions.
15. Any dedications to the public and/or easements both public and private, together with a statement of location, dimensions, and

purpose of such on both the subject property and surrounding properties.

16. Any additional required information for special developments as specified in this title.

17. A statement as to whether or not any variance will be requested with respect to any provision of this title, describing the particular provision, the variance requested, and the reasons therefor.

18. Location, right of way width and name of all public or private traffic ways, the location, right of way width and use of any proposed public or private pedestrianways or special ways, and a statement of intended improvements to be made thereto.

19. A statement as to what improvements will be made to existing utilities and what other on site improvements will be made.

20. Approximate lot, corner and easement locations of all adjacent subdivisions.

21. Approximate location, size, and direction of flow of all drainage, irrigation, sewer, and water line improvements that will be part of the subdivision development.

E. Fees: A fee for processing and checking a preliminary plat shall be due at the time of submittal of the preliminary plat to the administrator. The amount of the fee shall be established by resolution of the council.

F. Administrator Review:

1. Certification: Upon receipt of the preliminary plat, and all other required data as provided herein, the administrator shall certify the application as complete and shall affix the date of application acceptance thereon. He shall, thereafter, place the preliminary plat on the agenda for consideration at the next regular meeting of the commission. The subdivider shall deliver one copy of the preliminary plat to each member of the commission at least five (5) days prior to the meeting for plat consideration.

2. Review By Other Agencies: The administrator shall refer the preliminary plat and application to as many agencies as deemed necessary. Such agencies may include the following:

- a. Other governing bodies having joint jurisdiction;
 - b. The appropriate utility companies, irrigation companies or districts and drainage districts;
 - c. The superintendent of the school district;
 - d. Other agencies having an interest in the proposed subdivision.
3. Administrator Review: Upon expiration of the time allowance for department and agency review, the administrator shall prepare a recommendation to the commission.
4. Notification To Property Owners: The administrator will notify the owners of all property adjoining the proposed subdivision following the procedure outlined in chapter 11, "Administration", of this title.
- G. Commission Action:
1. The commission shall review the preliminary plat, comments from the concerned persons and agencies, and the report from the administrator, to arrive at a decision on the preliminary plat.
 2. Commission Findings: In determining the acceptance of a proposed subdivision, the commission shall consider the objectives of this title and at least the following:
 - a. The conformance of the subdivision with the comprehensive plan;
 - b. The availability of public services to accommodate the proposed development;
 - c. The continuity of the proposed development with the capital improvement program;
 - d. The public financial capability of supporting services for the proposed development;
 - e. The health, safety, or environmental problems that may be brought to the commission's attention.
 3. Action On Preliminary Plat: The commission may approve, conditionally approve, disapprove or table for additional information

when acting on the preliminary plat. If tabled, approval or disapproval shall occur at the regular meeting following the meeting at which the plat is first considered by the commission. The action, and the reasons for such action, shall be stated, in writing, by the administrator and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the preliminary plat to the council for its information and record. Upon granting or denying a preliminary plat, the commission shall specify:

a. The regulations and standards used in evaluating the application;

b. The reasons for approval or denial;

c. The actions, if any, that the applicant could take to obtain plat approval.

4. Action On Combined Preliminary And Final Plat: If the commission's conclusion is favorable to the subdivider's request for the subdivision to be considered as both a preliminary plat and final subdivision, then a recommendation shall be forwarded to the council in the same manner as herein specified for a final plat. The commission may recommend that the combined application be approved, approved conditionally, or disapproved.

H. Approval Period:

1. Failure to file and obtain the certification of the acceptance of the final plat application by the administrator within one year after action by the commission shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the subdivider and granted by the commission.

2. In the event that the development of the preliminary plat is made in successive contiguous segments in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of one year, may be considered for final approval without resubmission for preliminary plat approval. (Ord. 426, 7-8-2002)

9-13-4: **FINAL PLAT:**

- A. Application: After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel, or any part thereof, to be surveyed, and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the administrator three (3) copies of the final plat.
- B. Content Of Final Plat: The final plat shall include and be in compliance with all items required under Idaho Code title 40, chapter 13, and shall be drawn at such a scale and contain lettering of such size as to enable the same to be placed on one sheet of eighteen inch by twenty four inch (18" x 24") drawing paper, with no part of the drawing nearer to the edge than one inch (1"). The reverse of said sheet shall not be used for any portion of the drawing, but may contain written matter as to dedications, certifications, and other information. If, because of the size or complexity, required information cannot be shown, additional sheets may be used provided they conform to this chapter. The final plat shall include at least the following:
1. A written application for approval of such final plat as stipulated by the commission.
 2. Proof of current ownership of the real property included in the proposed final plat.
 3. Such other information as the administrator or commission may deem necessary to establish whether or not all proper parties have signed and/or approved said final plat.
 4. Conformance with the approved preliminary plat and meeting all requirements or conditions thereof.
 5. Conformance with all requirements and provisions of this title.
 6. Acceptable engineering practices and local standards established by the administrator.
- C. Fees: At the time of submission of an application for a final plat, a fee as established by resolution of the council shall be paid.

D. Administrative Review:

1. Acceptance: Upon receipt of the final plat and compliance with all the requirements as provided for herein, the administrator shall certify the application as complete and shall affix the date of acceptance thereon.

2. Resubmittal Of Final Plat: The administrator shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the administrator determines that there are substantial differences between the final plat and that which was approved as a preliminary plat, or conditions which have not been met, the administrator may require that the final plat be resubmitted to the commission in the same manner as requested in the preliminary plat process.

3. Submission To The Council: Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the administrator shall place the final plat on the council agenda at the next regular meeting.

E. Agency Review: The administrator may transmit one copy of the final plat, or other documents submitted, for review and recommendation to the departments and the agencies as he deems necessary to ensure compliance with preliminary approval and/or conditions of preliminary approval. Such agency review shall also include the construction standard of improvements, compliance with health standards, the cost estimate for all improvements and the legal review of the performance bond.

F. Council Action: The council, at its next meeting following receipt of the administrator's report, shall consider the commission findings and comments from concerned persons and agencies to arrive at a decision on the final plat. The council shall approve, approve conditionally, disapprove, or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify:

1. The regulations and standards used in evaluating the application;
2. The reasons for approval or denial;
3. The actions, if any, that the applicant could take to obtain approval.

- G. Plans And Specifications:
1. Prior to recording the final subdivision plat, the subdivider shall submit to the administrator checked copies of the final plans and specifications for streets, water, sewer, a master utility plan, and other public improvements to be constructed.
 2. All plans and specifications shall have sufficient detail, written information, vertical and horizontal dimensions to accurately locate the proposed improvements in the field and determine their relationship to other improvements. Standards shall be established by the administrator.
- H. Fees: At the time of submittal of plans and specifications, a fee to defray costs and expenses of plan checking as provided for by resolution of the city council shall be paid. (Ord. 426, 7-8-2002)