



## SUBDIVISION/SUBDIVISION REPLAT REVIEW APPROVAL CRITERIA

**Application Filing Fee** – One to 3 lots - \$ \_\_\_\_\_  
Preliminary Subdivision - \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ per lot  
Construction Plan Review - \$ \_\_\_\_\_  
Final Plat - \$ \_\_\_\_\_  
Subdivision Re-plat - \$ \_\_\_\_\_  
First Re-submittal - \$0  
Second Re-submittal - \$ \_\_\_\_\_

### **Pre-Application Conference**

A pre-application conference is required for all requests, unless the Director indicates otherwise. The purpose of the conference is to provide an exchange of information regarding applicable Codes, programs, plans, and policies, and to provide technical assistance. Conceptual plans are acceptable for this process; however, the more information provided the more details can be determined.

### **Purpose**

A Subdivision or Subdivision Replat divides land to create more than three lots or parcels.

### **Procedure**

The Community Development Director may review Subdivisions and Subdivision Replats administratively. A decision of the Director can be appealed to the Planning Commission upon filing a "Notice of Review." Also, depending on the type of project and/or community interest, the Director may refer the application to the Planning Commission for review and action.

### **Type of Review**

Administrative applications require public notice 15 days prior to decision. Notices are mailed to all property owners within 100 feet of the subject site, as well as being posted in the vicinity of the property. If the case is referred to the Planning Commission, 20 days prior, notices are mailed to all property owners within 300 feet of the subject site, as well as being posted in the vicinity of the property and published in the newspaper.

### **Approval Criteria**

Per Section 6.1.050 of LUDO a decision on a preliminary subdivision plan shall be made within 180 days of filing a complete application and based on the following criteria being met:

- The information required by Chapter 6 of LUDO has been provided;
- The design and development standards of LUDO have been met; and
- If the preliminary plan provides for development in more than one phase, the approving authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.

### **Additional LUDO Provisions**

- Should the approving authority find that conditions of approval are necessary to ensure that the preliminary plan will meet all applicable standards, it shall approve the plan with conditions in cases where the necessary conditions of approval can be applied with sufficient specificity.
- Should the approving authority find that the preliminary plan submitted cannot be reasonably approved with conditions of sufficient specificity so as to ensure that the plan will meet all applicable standards, it shall deny the submitted plan with a statement indicating the areas of deficiency.
- The approving authority may require dedication or reservation of land and utility or drainage easements, and may impose conditions promoting redevelopment of the parcels, if, in view of the zoning and Comprehensive Plan Map designation, the acreage of the parcel or parcels in contiguous ownership makes additional partitioning of the subject property feasible.

An application for preliminary subdivision plan approval shall be initiated as provided in Chapter 5 of this Ordinance. The applicant shall file with the Director a preliminary subdivision plan and five (5) additional copies, together with such other data and plans as may be required by Chapter 6 of LUDO, to demonstrate the design and objectives of the subdivision.

In addition to the information listed on the submittal requirement checklist, the preliminary plan shall be clearly and legibly drawn. It shall show all required information to scale so that the approving authority may have an adequate understanding of what is proposed. Under ordinary circumstances, the scale of the drawing is to be one inch (1") equals one hundred feet (100'), or one inch (1") equals fifty feet (50') and shall include:

- ☐ The proposed name of the subdivision.
- ☐ North point, scale, and date of the drawing.
- ☐ Appropriate identification clearly stating the map is a preliminary plan.
- ☐ Names and addresses of the landowners, subdivider, and the engineer, surveyor, land planner, or landscape architect responsible for designing the subdivision.
- ☐ The tract designation or other description according to the real estate records of Douglas County (Township, Range, Section, Tax Lot Number, Assessor's Tax Account Number, Lot Number, Block Number, and Subdivision or metes and bounds description).
- ☐ The boundary line (accurate in scale) of the tract to be subdivided, and approximate acreage of the property.
- ☐ Contour lines based upon U.S.G.S. data having the following intervals:
  - One (1) foot contour intervals for ground slopes up to five percent (5%).
  - Two (2) foot contour intervals for ground slopes between five percent (5%) and ten percent (10%).
  - Five (5) foot contour intervals for ground slopes exceeding ten percent (10%).
- ☐ The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of non-subdivided land.
- ☐ The location, widths, and names of existing or platted streets or other public ways (including easements) within or adjacent to the tract, existing permanent

buildings, railroad rights-of-way and other important features, such as section lines, political subdivision boundary lines, and school district boundaries.

- ☐ Existing sewers, water mains, culverts, drainage ways, or other underground utilities or structures within the tract or immediately adjacent thereto, together with pipe sizes, grades and locations indicated.
- ☐ Location, acreage, and dimensions of parcels of land to be dedicated for public use or reserved in the deeds for the common use of property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservations, if any.
- ☐ Proposed plan for draining surface water from the development and accepting off-site runoff water, and a description of any effects on adjacent properties.
- ☐ The proposed street pattern or layout showing the name and widths of proposed streets and alleys, and curve radii of centerline and rights- of-way.
- ☐ Private streets and all restrictions or reservations relating to such private streets.
- ☐ Easements, together with their dimensions, purpose, and restrictions on use.
- ☐ List proposed suppliers of utility services and show locations of proposed facilities for sanitary sewer, storm drain, water lines, electric/telephone, fire hydrants, street lights, etc.
- ☐ Proposed blocks, numbered in consecutive order.
- ☐ Proposed lots, approximate dimensions, size and boundaries. Residential lots shall be numbered consecutively. Lots that are to be used for other than residential purposes shall be identified with letter designations.
- ☐ Sites, if any, for residences other than single-family dwellings.
- ☐ Parks, playgrounds, recreation areas, parkways, walkways, bikeways, signs, landscaping, and open space for public use, and any other special features that are to be part of the subdivision.
- ☐ Zoning classification of the land and Comprehensive Plan Map designation.
- ☐ Draft of proposed restrictions and covenants affecting the plat.
- ☐ Predominant natural features such as watercourses and their flows, marshes, rock outcroppings, and areas subject to flooding, sliding or other natural hazards.
- ☐ Show minimum setback lines if more restrictive than provided for in the Zoning Ordinance.

#### Development Phasing.

- A preliminary subdivision plan may provide for platting in as many as three (3) phases. The preliminary plan must show each phase and be accompanied by proposed time limitations for approval of the final plat for each phase.
- Time limitations for the various phases must meet the following requirements:
  - (1) Phase 1 final plat shall be approved within twenty-four (24) months of preliminary approval.
  - (2) Phase 2 final plat shall be approved within twenty-four (24) months of final approval of phase 1.
  - (3) Phase 3 final plat shall be approved within twenty-four (24) months of final approval of phase 2.

#### Duration of Preliminary Subdivision Plan Approval.

- Approval of a preliminary subdivision plan shall be valid for thirty-six (36) months from the date of approval of the preliminary plan, provided that if the approved preliminary plan provides for phased development, the approval shall be valid for the time specified for each phase, subject to the limitations of Section 6.1.180(3) of LUDO.
- If the approval includes Development Phasing the preliminary approval of the first phase shall be for twenty-four (24) months from the approval date; with the second phase to be within twenty (24) months of final approval of the first phase; the third phase within twenty (24) month of final approval of the second phase; but in no case shall the preliminary approvals for the entire subdivision exceed ten (10 years).
- If any time limitation is exceeded, approval of the preliminary subdivision plan, or of the phase of the preliminary subdivision plan, and any subsequent phases, shall be void. Any subsequent proposal by the applicant for division of the property shall require new action.

#### Granting of Extensions

- An applicant may request an extension of a preliminary subdivision plan approval, or, if the preliminary plan provides for phased development, an extension of preliminary approval with respect to the phase the applicant is then developing. Such request shall be considered an administrative action, and shall be submitted to the approving authority in writing, stating the reason why an extension should be granted.
- The approving authority may grant an extension of up to thirty-six (36) months of a preliminary subdivision plan approval and twelve (12) months for any phased development. Further extensions of up to one (1) year each may be granted by the approving authority if extraordinary circumstances are shown by the applicant.

#### Final Subdivision Plat Approval

Per Section 6.1.190 of LUDO the applicant shall initiate a request for final subdivision plat approval. Final Plat approval a ministerial action, and must be undertaken within 30-days of receipt of the final plat and conform to the requirements and standards set forth in LUDO.