

Section 85-050 Procedures for a Preliminary Plat

1. Before dividing any tract of land into three or more lots or parcels, an owner or sub-divider shall, unless a variance is authorized, file with the City Clerk:
 - a. Ten (10) copies of the preliminary plat.
 - b. An application fee plus a fee per lot. (See City fee schedule) This fee shall be used for public expenses in connection with the approval or disapproval of said plat and final plat which may thereafter be submitted. Each final plat submitted except the first as a part of the approved preliminary plat, shall require an additional fee.
 - c. If the sub-divider requests or the Council requires that any existing special assessments which have been levied against the premises described in the subdivision be divided and allocated to the respective lots in the subdivision plat, the City Clerk shall estimate the clerical cost of preparing the revised assessment roll, filing the same with the County Auditor, and making such divisions and allocation, and upon approval by the council of such estimated cost, the same shall be paid to the City Clerk in addition to the fees mentioned in item (2) above to cover the cost of preparing and filing of such revised assessment.
 - d. The sub-divider shall fill out a subdivision application available at the office of the City Clerk.
2. The Planning Commission shall consider the preliminary plat officially filed after the Zoning Administrator has examined it and advised the Planning Commission that it is in proper form.
3. On the same date that the Zoning Administrator places the preliminary plat on file, the City Clerk shall;
 - a. Set a date for a public hearing on the preliminary plat. The Clerk shall cause notice of said hearing to be sent by mail to all property owners of record within 350 feet of the proposed subdivision boundaries at least ten days prior to the hearing. In addition, notice of the hearing shall be published in the official newspaper at least ten (10) days prior to the hearing. The Planning Commission shall hold the public hearing at one of its regular meeting dates.
 - b. Refer one copy of the preliminary plat to the Street and Water Department for examination and report and one copy to the city engineer for his examination and report, and one copy to the school district. Copies of the report of the City Engineer shall be given to the Planning Commission prior to the public hearing.
4. The Planning Commission shall make its report to the Council within 60 days except in cases where the applicant requests additional time to adjust or correct the plats.
5. The Council shall act on the preliminary plat within 60 days of the date on which it was received from the Planning Commission.
6. If the preliminary plat is not approved by the Council, the reasons for such action shall be recorded in the proceedings of the Council and transmitted to the applicant. If the preliminary plat is approved, such approval shall not constitute final acceptance of the subdivision.

7. Should the sub-divider desire to amend the preliminary plat as approved, he may resubmit the amended plat which shall follow the same procedure except for the hearing and fee, unless the amendment is, in the opinion of the Planning Commission, of such scope as to constitute a new plat, in which case it shall be refiled.