



## City Council Planning Department Staff Report

---

**City Council Meeting:** January 12, 2020

**Project Planner:** Amanda Padilla, Senior Planner

### Item Details

**Project Name:** Preliminary Plat revision

**Request:** Discuss and consider recommendation of an Ordinance amending the Subdivision Ordinance to expand administrative review of preliminary plat changes that do not affect infrastructure or restrictions on the plats and related fee ordinance.

### Overview/Background

City Staff has noticed an influx of applicants requesting changes to an approved preliminary plat prior to final platting of the entire preliminary plat. Preliminary plats are not created by state law but are used by the City and developers to provide vesting and conceptual planning for plats prior to the immense work that is required for final platting including the building of infrastructure. As part of the City's regulation of preliminary platting, the City requires various approvals including review by Parks Committee and Transportation Committee, as well as the Planning and Zoning Commission, depending on the size and complexity of the plat. After a preliminary plat is approved by the Planning and Zoning Commission, changes can only be made through requests to City Staff. Currently, City Staff could make administrative changes to the preliminary plats only if the change is a minor revision that could include: "slight enlargement or shifting of easements or lot lines, Unit lines, addition of private or franchise utility easements, correction of bearings or distances, correction of minor labeling errors, addition of erroneously omitted informational items and labels, etc. may occur on the final plat without having to reapprove the Preliminary Plat." For those cases, a resubmission of the entire preliminary plat is not required.

However, other types of changes require a resubmittal when the change: "obvious reconfiguration of easements, relocation of driveways or access easements or fire lanes, any modification to the perimeter or boundary of the property, and relocation or addition or deletion of any public improvement (including corresponding easement), shall necessitate resubmission and reapproval of the plat." If it is a major revision it does require a resubmittal and the same approval process as a regular preliminary plat, including the signatures of all owners.

The changes would be to the way the City evaluates and processes minor or major preliminary plat revisions. The changes are listed below:

#### Minor Revision

1. Minor revisions require an application with signatures from all lots that are affected by the change
2. Minor revisions will be reviewed by the Development Review Committee
3. Minor revisions can include an increase in density by no more than 10% of the current approved number of lots or units. Examples listed below in the section.
4. Minor revisions cannot negatively impact the provisions of public facilities

#### Major Revision

1. Major revisions require an application with signatures from all lots that are affected by the change
2. Major revisions require notification to all lot owners within the approved preliminary plat by mail at least 15 days before P&Z

## Planning Department Staff Report

---

Examples of a 10% increase under the new ordinance:

Example 1: If an approved preliminary plat is approved for 100 lots and the applicant would like to add an additional 10 lots, the change would be considered minor as long as there are no changes to infrastructure or parkland and they comply with all development standards.

Example 2: If an approved preliminary plat is approved for 100 lots and the applicant would like to add 10 lots but an agreement limits them to 100 lots the applicant would not be able to add 10 additional lots unless they apply for an amendment to the agreement and the increase in density is approved.

Example 3: If an approved preliminary plat is approved for 100 lots and the applicant would like to add 10 lots and an agreement limits the project to 150 lots. The change would be considered minor as long as there are no changes to infrastructure or parkland.

Example 4: If an approved preliminary plat is approved for 100 lots and the applicant would like to add 10 lots but the addition requires a change in infrastructure/ an increase in parkland, the change would not be minor and would have to go through the major revision process.

Along with the Changes to the ordinance the City has created new fees for Major and Minor Revisions to preliminary plans.

Preliminary Plat Major Revision Filing Fee: 50% of the Preliminary Plat (Major Plat) Filing Fee

Preliminary Plat Minor Revision Filing Fee: \$500.00/plat, plus \$60 per lot affected

The fees would cover: (1) Planning Staff including intake, administrative completeness review, ordinance compliance review, communications, public comment response, and meetings; (2) Parks review; (3) City Administration review; (4) City Attorney review; (5) inspections by staff ( if applicable) ; (6) City Secretary documentation; and (7) the technology and overhead to support the reviews. These same reviews have to be redone if the preliminary plat is revised.

### Summary

City Staff is presenting this ordinance revision because it will make reviewing preliminary plats more efficient without affecting the process or the city standards. The change would allow for lot line changes within a preliminary plat so long as density is not increased by more than 10% and infrastructure and parkland is not affected.

### Meetings Schedule

December 16, 2020 – Planning and Zoning Commission

January 12, 2020 - City Council Meeting

### Planning and Zoning Commission Motion

A motion was made by Vice Chair Martin to recommend approval of an Ordinance amending Chapter 28, Exhibit A Subdivision Ordinance, Sec 4.10 Revisions to Approved Preliminary Plat to update regulations to major and minor revisions. Commissioner McIntosh seconded the motion which carried 6 to 1, with Commissioner Strong opposed.

### Attachments

Exhibit 1: Draft Ordinance

Recommended Action:	Approval of Ordinances.
Alternatives/Options:	Denial or Modification.

**Planning Department Staff Report**

---

Budget/Financial Impact:	N/A
Public Comments:	Staff has received no public comments at this time.
Enforcement Issues:	N/A
Comprehensive Plan Element:	N/A