

### **175.03 PROCEDURES AND SUBMISSION REQUIREMENTS FOR PLATS.**

1. Classification of Plats and Subdivisions. Plats and subdivision shall be classified as minor subdivisions, major subdivisions and auditor's plats, as those terms are defined in Section 175.02.
2. Pre-subdivision Conference. Whenever a major or minor subdivision is proposed within the platting jurisdiction of the City, the subdivider may request a pre-subdivision conference with City staff, utility company representatives, and the parties responsible for the development of platting documents. The purpose of the pre-subdivision conference is to acquaint the City staff and utility company representatives with the proposed subdivision and to acquaint the subdivider with the procedures and standards of the City and utility companies with respect to the proposed subdivision.
3. Sketch Plat. The subdivider may provide a map or sketch plat showing the location of the subdivision, the general location of any proposed streets and other improvements, and the general layout and arrangement of intended land uses, in relation to the surrounding area. The subdivider may request that the sketch plat be submitted to the Commission and/or the Council for review prior to preparation of preliminary and final plats in order to determine the acceptability of the concepts for development of the land contained therein.
4. Plats Required. In order to secure approval of any proposed subdivision, the subdivider shall submit plats and other information to the City as required by this chapter.
  - A. Major Subdivision Plats Required. The subdivider of any major subdivision shall comply with the submittal requirements for a preliminary plat and for a final plat.
  - B. Minor Subdivision Plats Required. The subdivider of any minor subdivision is not required to submit a preliminary plat. Specific portions of the documents required for a preliminary plat may be required as part of the final plat submission if requested by City staff, the Commission, or Council.
5. Requirements for a Preliminary Plat. The subdivider shall prepare the preliminary plat and supportive materials in accordance with the Linn County Regional Planning Area Submission Requirement for Preliminary Plats as adopted by resolution of the Marion City Council.

*(Ord. 00-44 – Feb. 01 Supp.)*
6. Procedure for Review of Preliminary Plats.
  - A. Filing. The subdivider shall file the appropriate number of copies of the preliminary plat materials with the Planning and Development Department in accordance with established administrative procedures.

(1) Filing Fee. The preliminary plat shall be accompanied by a filing fee in accordance with a schedule of filing fees as adopted by the Council.

(2) Deadline. The preliminary plat shall be filed in accordance with the filing schedule as may be established by the Commission and/or Council. Preliminary plats filed without all required documentation or filed later than this deadline will not be placed on the Commission agenda.

B. Distribution. The Planning and Development Department shall distribute copies of the preliminary plat and supporting documentation to the Council, the Commission, and the appropriate City Departments, and shall schedule the plat for consideration by the Commission. The subdivider shall distribute copies of the preliminary plat and supporting documentation to the public utilities and such other persons as necessary to review the plat.

C. Staff Review. The appropriate City staff shall review the preliminary plat and prepare reports of their findings and comments to the Commission and the Council.

D. Commission Review. The Commission shall examine the plat and staff reports and such other information as it deems necessary or desirable, to ascertain whether the plat conforms to the ordinances of the City, the Comprehensive Development Plan and other duly adopted plans and policies of the City. The Commission shall, within sixty (60) days of filing of the preliminary plat and all required supportive documentation, forward a report and recommendation regarding the preliminary plat to the Council. If such recommendation is for disapproval of the plat, the reasons therefor shall be set forth in writing and a copy of the report and recommendation shall be provided to the subdivider.

E. Council Review.

(1) The Council shall examine the preliminary plat and the reports of the Commission, staff, and such other information, as it deems necessary or desirable. The Council shall ascertain whether the plat conforms to the Ordinances of the City, the Comprehensive Development Plan, and other duly adopted plans and policies of the City.

(2) The Council may approve, approve subject to conditions, or disapprove the plat. If the Council disapproves the plat, the reasons therefor shall be set forth in writing by the Council.

(3) The Council shall take action on the preliminary plat within forty-five (45) days of the recommendations of the Commission,

unless the time period is extended by agreement of the subdivider and the City. If information or modifications are required before an approval can be granted, the Council may table the matter until the conditions have been met or the necessary information provided.

F. Submittal of the Approved Preliminary Plat. Following Council approval of a preliminary plat but prior to the submittal of the plan of improvements to the City Engineer, the subdivider shall file the appropriate number of copies of the approved preliminary plat with the Planning and Development Department in accordance with established administrative procedures.

G. Distribution of the Approved Preliminary Plat. The approved preliminary plat shall be stamped and signed by the Planning and Development Director. The Planning and Development Department shall distribute the stamped and signed copies of the approved preliminary plat to the appropriate City Departments, the public utilities and such other persons as necessary.

H. Duration of Approval of Preliminary Plat. The approval of a preliminary plat by the Council shall be valid for a period of two (2) years from the date of such approval, except that every preliminary plat or portion thereof not final platted shall be subject to a requirement of being re-platted in order to comply with any municipal, state or federal laws or regulations that have taken effect after approval of the preliminary plat. After a period of two (2) years, such approval of the preliminary plat shall be void unless some portion of the preliminary plat is filed as a final plat or the Council approves an extension on the period of validity. If the preliminary plat expires, the subdivider shall be required to resubmit a new preliminary plat for approval subject to the then current subdivision and zoning regulations before any development of the subdivision will be allowed. *(Ord. 03-25 – Feb. 04 Supp.)*

7. Requirements for Final Platting. The subdivider shall prepare the final plat and supportive materials in accordance with the Linn County Regional Planning Area Submission Requirement for Final Plats as adopted by resolution of the Marion City Council. *(Ord. 00-44 – Feb. 01 Supp.)*

8. Procedure for Review and Approval of Final Plats.

A. Filing. To initiate consideration of a final plat, the subdivider shall file copies of the final plat map with the Planning and Development Department of the City in accordance with established administrative procedures. The final plat shall be accompanied by a filing fee in accordance with a schedule of filing fees as adopted by the Council. The final plat shall also be accompanied by payment of the storm water management fee, as required by the Storm Water Management ordinance. The final plat shall be filed in accordance with the filing schedule as may

be established by the Commission or Council. Final plats submitted without filing fees paid or filed later than the deadline or not in complete form will not be placed upon the Commission agenda.

B. Commission Review. The Planning and Development Department shall schedule the final plat for consideration by the Commission as required below. If the final plat is in conformance with an approved preliminary plat for the area, no review or recommendation by the Commission is required.

C. If there is no approved preliminary plat or the final plat is not substantially in conformance with the approved preliminary plat, the Commission shall examine the final plat and the reports of the City Engineer and the Planning and Development Director and such other information as it deems necessary or desirable, to ascertain whether the plat conforms to the approved preliminary plat, the Ordinances of the City, the Comprehensive Development Plan, and other duly adopted plans and policies of the City. The Commission shall, within sixty (60) days of filing of the final plat with the Planning and Development Department, forward a report and recommendation regarding the plat to the Council. If the recommendation is for disapproval of the plat, the reasons therefor shall be set forth in writing and a copy of the report and recommendation shall be provided to the subdivider.

D. Council Review. The Council shall examine the final plat, the reports of the Commission, the Planning and Development Director, the City Engineer and such other information as it deems necessary or desirable. Upon completion of such examination, the Council shall ascertain whether the final plat conforms with an approved preliminary plat, the ordinances of the City, the Comprehensive Development Plan, other duly adopted plans and policies of the City. If all findings are affirmative, the Council shall approve the final plat.

E. The Council may refuse to consider a final subdivision plat submitted by a subdivider if that subdivider is not in compliance with the terms and conditions of a previously approved final plat of the same subdivider.

F. The Council shall take action on the final plat within twenty-one (21) days following the most recent date of receipt of:

- (1) The report of the Commission,
- (2) The bound copies of the final plat as described in subsection 7 of this section, or

(3) Evidence that all required public improvements associated with the subdivision have either been installed or assurance provided as required in Section 175.04(3).