

CHAPTER 4

FINAL PLAT

SECTION:

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10-4-1: **TENTATIVE FINAL PLAT:**

A. Submission: Prior to submission of the final plat, the subdivider shall submit two (2) copies of the tentative final plat to the Zoning and Building Department staff which shall check it for compliance with the requirements and conditions of preliminary plat approval and for accuracy.

B. Return Copy: One copy of the checked tentative final plat will be returned to the subdivider with any required change.

10-4-2: **FILING:** After compliance with the provisions of this title, the subdivider shall submit a final plat with two (2) copies thereof to the Zoning and Building Department staff. Such plat shall include a certificate by the subdivider's professional land surveyor indicating that all lots meet the requirements of the zoning ordinance.

A. The final plat and accompanying information shall be submitted to the Zoning and Building Department staff, allowing that staff at least forty (40) working days for completion of review for each submittal. The staff will determine if the submittal is sufficient with regard to the applicable requirements of state law and county regulation.

- B. Upon satisfactory review by the staff, the final plat shall be forwarded to an Idaho professional land surveyor, as chosen by the County, with the request that the surveyor verify the plat to be in compliance with Idaho Code 50-1305, and its successor statute(s). The surveyor shall check the plat and computations thereon to determine the requirements are met. The surveyor shall certify such compliance on the final plat. For performing such service, the subdivider shall pay the actual cost of review as billed by the surveyor. Surveyor shall send an invoice for actual services and actual costs to the County, who will provide notice of the billing to subdivider. Subdivider shall pay said amount to County, for remittance to the surveyor. The matter shall not be scheduled before the Commission until all such costs have been paid by subdivider.
- C. Any inaccuracies or omissions in the proposed final plat, as determined by staff, surveyor or other, shall be remedied by the subdivider before further processing of the proposed final plat. The Zoning and Building Department shall notify the subdivider of those findings and that no further action on the proposed final plat will be taken until the necessary corrections are made.
- D. Upon satisfactory review of the proposed final plat by the County's surveyor, the Zoning Administrator shall deem the final plat filed with the Zoning and Building Department. The matter shall then be scheduled on the next available hearing date before the Commission. The Commission shall then examine all issues pertaining to the proposed final plat and make a determination thereon. Once the determination is that the final plat, in all aspects, is in compliance with Cassia County Code in effect on the date of filing, the Commission shall appropriately execute the final plat, and recommend the matter be brought before the Board of County Commissioners for final review.
- E. Any Application that remains inactive for a period of time in excess of ninety (90) days shall, following notice to subdivider, be returned to the subdivider without refund of filing fees. A new fee shall be required for resubmitted plats and/or applications.

10-4-3: **REQUIREMENTS:** The final plat shall comply with the provisions of title 50, chapter 13, Idaho Code, and shall be upon stable base drafting film with a minimum base thickness of 0.003 inches and have the outside dimensions of eighteen (18) inches by twenty-seven (27) inches with a three and one-half (3 ½) inch margin at the left and a one-half (½) inch margin on all other edges. The image thereon shall be by a

photographic process or a process by which a copy is produced using an ink jet or digital scanning and reproduction machine with black opaque drafting film ink or fused toner that will ensure archival permanence. The copy and image thereon shall be waterproof, tear resistant, flexible, and capable of withstanding repeated handling, as well as providing archival permanence. *If ink or toner is used, the surface shall be coated with a suitable substance to assure permanent legibility.* The plat shall be made to a scale large enough to clearly show all details, and the workmanship on the finished drawing shall be neat, clean, and readable. The plat shall be signed by all parties (mentioned in subsection G of this section) duly authorized and required to sign, and shall contain the following information:

- A. Name And Location: A subdivision name approved by the county zoning and building department and the general location of the subdivision in bold letters at the top of the sheet.
- B. PUD or Condominium Project: Where a subdivision complies with the planned unit development provisions of the zoning ordinance, the final plat shall indicate the words "Planned Unit Development" as part of subdivision name. In addition, when a development complies with the condominium project procedure, section 10-2-2 of this title, the record of survey map shall indicate the words "Condominium Project" with the condominium name.
- C. North Point: A north point, scale of the drawing, and the date.
- D. Boundaries: Accurately drawn boundaries showing the proper bearings and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines.
- E. Dimensions And Lots: The widths, lengths, bearings, and curve data on centerline of proposed streets, alleys, and easements; the boundaries, bearing the dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, and numbers of all lots, blocks, and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively by numbering approved by the zoning and building department. After the final plat is approved by the board, the county shall provide the developer with an address number to each residential or business lot within the subdivision plat¹.

¹. See title 7, chapter 3 of this code.

- F. Private Common Open Space: Parcels of land to be permanently reserved for private common open space shall also be titled "private common open space".
- G. Forms: The standard forms approved by the planning and zoning commission for all subdivision plats lettered for the following:
1. Legal Description: Legal description of land to be included in the subdivision.
 2. Surveyor's Certificate: Professional land surveyor's "certificate of survey".
 3. Dedication Certificate: Owner's dedication certificate.
 4. Notary Public: Notary public's acknowledgment of owner's signature(s).
 5. County Surveyor: County surveyor's certificate of approval.
 6. Highway District: Appropriate highway district's certificate of approval.
 7. Zoning Administrator: County zoning administrator's certificate of approval (only for minor subdivisions).
 8. Health Department: County health department's certificate of approval.
 9. Planning and zoning commission: County planning and zoning commission certificate (only for standard subdivisions).
 10. Description of survey monuments.
 11. The point of beginning with ties to at least two recognized monuments.
 12. Narrative as described in section 55-1906, Idaho Code.
 - a. The purpose of the survey and how the boundary lines and other lines were established or reestablished and the reasoning behind the decisions;
 - b. Which deed records, deed elements, survey records, found survey monuments, plat records, road records or other pertinent data were controlling when establishing or reestablishing the lines;

- c. For surveys that contain a vertical component, the narrative shall show the benchmarks used, the vertical datum referenced, and the methodology used to achieve the elevations.
- 13. Certificate Of Acceptance: Board certificate of acceptance attested by the county clerk.
- 14. Recording Block: A three by three inch (3 x 3") block in the upper right hand corner of the drawing for recording information.
- H. Covenants: A copy of the protective covenants for approval by the board and recording if applicable.

10-4-4: **AMENDED PLATS:** When changes are made in a recorded plat of a subdivision, approval of said subdivision shall be voided, and an amended plat thereof shall be processed in accordance with this title and in compliance with the provisions of Idaho Code section 50-1306A.

10-4-5: **APPROVAL:**

- A. Review By Administrator: The final plat and associated documents shall be reviewed by the county. The county zoning administrator shall hire an engineer to check the engineering requirements and construction drawings, and determine the amount of the surety to ensure construction of improvements where necessary, such cost to be paid by the applicant. After review by the county zoning administrator, the final plat and associated documents shall be submitted to the county health department for review of health related items and a signature if approved. On minor subdivisions only, the zoning administrator shall review the final plat for completeness and compliance. Upon approval, zoning administrator shall then sign the plat.
- B. Review By Planning And Zoning Commission: The final plat for a standard subdivision only shall be reviewed by the planning and zoning commission. The planning and zoning commission shall then either approve or reject the subdivision final plat. If approved, the planning and zoning commission shall express its approval through the signature of the planning and zoning commission chairperson on the plat.

- C. **Review By Board:** The final plat, the subdivision agreement (see section 10-4-6 of this chapter), and other applicable documents shall be reviewed by the board. The board shall then either approve or reject the subdivision final plat. If approved, the final plat shall be held by the planning and zoning department until the subdivider pays the required fees, and completes the improvements. Upon compliance with these requirements, the board chairperson shall sign and the county clerk shall attest the plat. The final plat shall then be submitted to the office of the county recorder by the subdivider.
- D. **Approval Required:** No final plats shall be recorded in the office of the county recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.
- E. **Unapproved Plats:** Any final plat not approved and signed, or not offered for recording within one year after the date of final approval, unless the time is extended by the board, shall not be recorded and shall have no validity whatsoever.
- F. **Changing Plat Prohibited:** It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required.

Any plat that is changed in violation of this subsection is void, and the subdivider shall, upon conviction thereof, be punished as set forth in this title. In addition, the county may compel the person recording the plat to withdraw the plat from the county recorder's office or to file a notice, or the county may itself file a notice that the recordation of the plat is void. The subdivider is responsible for recording all subdivision plats, after approval by the board. The subdivider is responsible for all recording and associated fees.

10-4-6:

Installation of Improvements and Repairs and Bond / Guarantee for Maintenance or

Warranty of Improvements: Before recordation, the applicant/developer shall install all required improvements, including but not limited to electrical service; water; sewer; curb, gutter and sidewalk; roadways; telephone lines; internet lines; and repair any existing streets and other public facilities disturbed or damaged in the development of the subdivision. The applicant shall be responsible for the successful operation and all repair to the improvements for a

two (2) year period following their installation. Proof of installation of all improvements will be made to the County by an Idaho Licensed Professional Engineer.

Maintenance or Warranty Bond: Applicant/developer shall provide proof to the County of a maintenance or warranty bond in the amount equal to fifty percent (50%) of the total cost of improvements, which bond serves the obligee (homeowners association on private roadway or relevant highway district on public roadway, electric company, and any other public service provider to said subdivision) to ensure successful operation and maintenance for the two (2) year period following date installation is proved.