

## SECTION 5 PROCEDURE FOR APPROVAL OF PRELIMINARY PLAT

### 5.1 General.

- 5.1.1 Before any subdivider or agent contracts for the sale, for lease hold, or offers to sell any subdivision of land or any part thereof, which is wholly or partly within the County and is not wholly within the corporate limits or extra-territorial jurisdictional limits of a city or village having zoning regulations and subdivision regulations, the subdivider, or his agent, shall file an application for a Preliminary Plat of said subdivision with the Planning Department for public hearing before the Planning Commission and County Board. The Preliminary Plat shall be prepared in accordance with the regulations set forth herein, and shall be submitted to the Planning Department prior to the completion of final surveys of streets and lots, and before the start of any grading or construction work upon the proposed streets and lots, and before any map of said subdivision is made in form suitable for recording. The Planning Commission shall determine whether the tentative plat is in proper form and shall not receive and consider such plat as filed until it is submitted in accordance with the requirements hereof. The street layout shall be in conformity with a plan for the most advantageous development of the entire neighboring area.
- 5.1.2 All plats, preliminary and final, shall be prepared in conformance with the provisions of these regulations and in conformance with the Comprehensive Plan. The subdivider shall be responsible for such conformance.

5.2 Twenty-five (25) copies of the Preliminary Plat and the required supplementary material as specified in these regulations along with one electronic version in AutoCAD format for the County Information Systems Department (GIS Section) in the form set forth in Attachment "A" shall be submitted to the Planning Director at least forty-five (45) days prior to the meeting at which it is to be considered. The AutoCAD format for the County Information Systems Department (GIS Section) is not required for subdivisions with 20 lots or fewer or when granted an exception by the County Surveyor. The Planning Director shall distribute one (1) copy of the Preliminary Plat with a request for comments within seven (7) days to each of the following: Engineer, Superintendent of Roads, appropriate School Board and Fire Department, the Papio-Missouri Natural Resources District, GIS Section and whomever else deemed necessary by the Planning Department.

5.3 The Planning Commission will consider the Preliminary Plat at (1) a public hearing, for which notice is given in a newspaper of general circulation in the County; and will (2) review the Preliminary Plat and other material submitted for conformity thereof to these regulations; and will (3) review any recommendations of the Surveyor, Engineer, Superintendent of Roads, School, and other Agencies; and will (4) recommend to the subdivider changes deemed advisable and the kind and extent of improvements to be made by him/her. The Planning Commission shall act on the plat as submitted or modified, and if approved, the Planning Commission shall express its approval, if any, or if disapproved, shall express its disapproval and its reasons thereof, in its recommendation to the Board.

- 5.4 Conditional approval of a Preliminary Plat shall not constitute an acceptance of the plat, but shall be deemed an expression of approval of the layout submitted on the Preliminary Plat.
- 5.5 The action of the Planning Commission shall be noted on or attached to two (2) copies of the Preliminary Plat. One (1) copy shall be returned to the subdivider and the other will be retained by the Planning Department.
- 5.6 If the Planning Commission recommends disapproval or approval, then the Planning Director will order that a Notice of Hearing before the County Board of Commissioners be published once all revisions recommended by the Planning Commission have been made to the application. The applicant may appeal any revisions to the County Board by written request prior to publishing the item for public hearing at the County Board. The notice must be published at least ten (10) days prior to the Hearing. The Board may: a) Concur with the Planning Commission's Recommendation; b) Reverse the Planning Commission's recommendation; or c) Refer the Preliminary Plat back to the Planning Commission for reconsideration with specific instructions to the Planning Commission.
- 5.7 Approval of a Preliminary Plat shall not constitute approval of the Final Subdivision Plat. Rather, the Preliminary Plat shall be deemed an expression of approval of the general design concept and serves as an acceptable guide for the preparation of the Final Plat. The approval of the Preliminary Plat shall become void after twelve (12) months from the date of such approval unless all or a portion of the approved Preliminary Plat has been submitted for approval as a Final Plat during that period. Twelve (12) month extensions may be granted by the Board upon written request by the subdivider and upon the payment of an additional platting fee equivalent to the original preliminary platting fee.
- 5.8 When a rezoning request is applied for concurrently with the Preliminary Plat, the conditional approval of the plat also allows for conditional approval of the rezoning request. The rezoning does not become official until the final plat is filed and approved.