

Alternative #1 – Original Draft with staff suggested changes.

11-20.40.070 Plat Amendments

A. Certificate of Correction. The Director and City Engineer may approve minor amendments to a recorded subdivision plat without re-platting the subdivision, through a Certificate of Correction.

1. Allowable minor change items include the following:
 - a. Engineering Errors. Change is due to an obvious error or omission in the preparation of the final plat. This does not include design errors; changes to or relocations of any parcel or easement boundary or line; or changes to the legal description or the land area which is included in the subdivision.
 - b. Name changes, including but not limited to change in the names of subdivisions, streets, or places.
2. The Certificate of Correction shall include the following information:
 - a. The corrections and/or changes requested;
 - b. The date the plat was recorded;
 - c. The instrument number of the plat which is to be modified;
 - d. Signature lines for approval by the Director and City Engineer.
3. The Certificate of Correction shall be recorded prior to any act on the changes.

B. Replat. Any request to vacate, alter, or amend some or all of a recorded subdivision plat that does not include a certificate of correction, boundary adjustments, abandonment or vacation of public rights-of-way **or private street tracts**, or a reversion to acreage.

1. Petition for Replat. The City on its own initiative may consider the vacation, alternation, or amendment of a subdivision plat. Any fee owner of property lying within a recorded subdivision plat may petition the City to vacate, alter, or amend some or all of the subdivision plat. The petition shall include the following:
 - a. The name and address of all owners of record of the land contained in the entire plat or on that portion of the plat described in the petition;
 - b. The signature of each of the owners identified in the petition; and

c. If the land described in the petition is owned in common for the benefit of all other fee owners within the subdivision boundaries, the signatures of each owner within the subdivision plat shall be provided unless individual representatives are elected through covenants, conditions, and restrictions **or as designated on the subdivision plat.**

2. Notice. Notice of any subdivision replat shall be provided as specified in City Code Title 10, Zoning Code, Subsection 10-20.30.080 Notice of Public Hearing to all fee owners within the subdivision plat boundaries **if the signatures required in Subsection 11-20.40.070.B.1.c are not provided.** The notice must include provisions for any fee owners to object in writing to the City within 15 days of the mailed notice.

3. Replat Review and Approval. The replat shall be reviewed and approved in accordance with the provision for final plat review and approval except as modified below:

a. If the City receives written objections within the required timeframes from any fee owner within the boundaries of the subdivision plat to be re-platted the matter shall be referred to the City Council for review and approval.

4. Grounds for Approving a Replat. The Director and City Engineer or City Council may approve a re-plat if they find that there is good cause for the replat, and no public street or municipal utility easement has been vacated or amended.

Alternative #2 – Based on Commission Discussion

11-20.40.070 Plat Amendments

A. Certificate of Correction. The Director and City Engineer may approve minor amendments to a recorded subdivision plat without re-platting the subdivision, through a Certificate of Correction.

4. Allowable minor change items include the following:
 - a. Engineering Errors. Change is due to an obvious error or omission in the preparation of the final plat. This does not include design errors; changes to or relocations of any parcel or easement boundary or line; or changes to the legal description or the land area which is included in the subdivision.
 - b. Name changes, including but not limited to change in the names of subdivisions, streets, or places.
5. The Certificate of Correction shall include the following information:
 - a. The corrections and/or changes requested;
 - b. The date the plat was recorded;
 - c. The instrument number of the plat which is to be modified;
 - d. Signature lines for approval by the Director and City Engineer.
6. The Certificate of Correction shall be recorded prior to any act on the changes.

C. Replat. Any request to vacate, alter, or amend some or all of a recorded subdivision plat that does not include a certificate of correction, boundary adjustments, abandonment or vacation of public rights-of-way, or a reversion to acreage.

5. Petition for Replat. The City on its own initiative may consider the vacation, alternation, or amendment of a subdivision plat. Any fee owner of property lying within a recorded subdivision plat may petition the City to vacate, alter, or amend some or all of the subdivision plat. The petition shall include the following:
 - d. The name and address of all owners of record of the land contained in the entire plat or on that portion of the plat described in the petition;
 - e. The signature of each of the owners identified in the petition; and

f. If the land described in the petition is owned in common for the benefit of all other fee owners within the subdivision boundaries, the signatures of **at least 51% of all ~~each~~ owners** within the subdivision plat shall be provided unless individual representatives are elected through covenants, conditions, and restrictions.

6. Notice. Notice of any subdivision replat shall be provided as specified in City Code Title 10, Zoning Code, Subsection 10-20.30.080 Notice of Public Hearing to all fee owners within the subdivision plat boundaries. The notice must include provisions for any fee owners to object in writing to the City within 15 days of the mailed notice.

7. Replat Review and Approval. The replat shall be reviewed and approved in accordance with the provision for final plat review and approval except as modified below:

b. If the City receives written objections within the required timeframes from any fee owner within the boundaries of the subdivision plat to be re-platted the matter shall be referred to the City Council for review and approval.

8. Grounds for Approving a Replat. The Director and City Engineer or City Council may approve a re-plat if they find that there is good cause for the replat, and no public street or municipal utility easement has been vacated or amended.

Alternative #3 – Based on Commission Discussion

11-20.40.070 Plat Amendments

A. Certificate of Correction. The Director and City Engineer may approve minor amendments to a recorded subdivision plat without re-platting the subdivision, through a Certificate of Correction.

7. Allowable minor change items include the following:

- a. Engineering Errors. Change is due to an obvious error or omission in the preparation of the final plat. This does not include design errors; changes to or relocations of any parcel or easement boundary or line; or changes to the legal description or the land area which is included in the subdivision.
- b. Name changes, including but not limited to change in the names of subdivisions, streets, or places.

8. The Certificate of Correction shall include the following information:

- a. The corrections and/or changes requested;
- b. The date the plat was recorded;
- c. The instrument number of the plat which is to be modified;
- d. Signature lines for approval by the Director and City Engineer.

9. The Certificate of Correction shall be recorded prior to any act on the changes.

D. Replat. Any request to vacate, alter, or amend some or all of a recorded subdivision plat that does not include a certificate of correction, boundary adjustments, abandonment or vacation of public rights-of-way, or a reversion to acreage.

9. Petition for Replat. The City on its own initiative may consider the vacation, alternation, or amendment of a subdivision plat. Any fee owner of property lying within a recorded subdivision plat may petition the City to vacate, alter, or amend some or all of the subdivision plat. The petition shall include the following:

- g. The name and address of all owners of record of the land contained in the entire plat or on that portion of the plat described in the petition;
- h. The signature of each of the owners identified in the petition; and

i. If the land described in the petition is owned in common ~~for the benefit of all other~~ **by all** fee owners within the subdivision boundaries, **such as in a condominium**, the signatures owner within the subdivision plat shall be provided unless individual representatives are elected through covenants, conditions, and restrictions.

10. Notice. Notice of any subdivision replat shall be provided as specified in City Code Title 10, Zoning Code, Subsection 10-20.30.080 Notice of Public Hearing to all fee owners within the subdivision plat boundaries. The notice must include provisions for any fee owners to object in writing to the City within 15 days of the mailed notice.

11. Replat Review and Approval. The replat shall be reviewed and approved in accordance with the provision for final plat review and approval except as modified below:

c. If the City receives written objections within the required timeframes from any fee owner within the boundaries of the subdivision plat to be re-platted the matter shall be referred to the City Council for review and approval.

12. Grounds for Approving a Replat. The Director and City Engineer or City Council may approve a re-plat if they find that there is good cause for the replat, and no public street or municipal utility easement has been vacated or amended.

Alternative #4 – Based on Public Comments

11-20.40.070 Plat Amendments

A. Certificate of Correction. The Director and City Engineer may approve minor amendments to a recorded subdivision plat without re-platting the subdivision, through a Certificate of Correction.

10. Allowable minor change items include the following:

- a. Engineering Errors. Change is due to an obvious error or omission in the preparation of the final plat. This does not include design errors; changes to or relocations of any parcel or easement boundary or line; or changes to the legal description or the land area which is included in the subdivision.
- b. Name changes, including but not limited to change in the names of subdivisions, streets, or places.

11. The Certificate of Correction shall include the following information:

- a. The corrections and/or changes requested;
- b. The date the plat was recorded;
- c. The instrument number of the plat which is to be modified;
- d. Signature lines for approval by the Director and City Engineer.

12. The Certificate of Correction shall be recorded prior to any act on the changes.

E. Replat. Any request to vacate, alter, or amend some or all of a recorded subdivision plat that does not include a certificate of correction, boundary adjustments, abandonment or vacation of public rights-of-way, or a reversion to acreage.

13. Petition for Replat. The City on its own initiative may consider the vacation, alternation, or amendment of a subdivision plat. Any fee owner of property lying within a recorded subdivision plat may petition the City to vacate, alter, or amend some or all of the subdivision plat. The petition shall include the following:

- j. The name and address of all owners of record of the land contained in the entire plat or on that portion of the plat described in the petition;
- k. The signature of each of the owners identified in the petition; and

I. If the land described in the petition is owned in common for the benefit of all other **by all** fee owners within the subdivision boundaries, **such as in a condominium**, the signatures owner within the subdivision plat shall be provided unless individual representatives are elected through covenants, conditions, and restrictions.

~~14. Notice. Notice of any subdivision replat shall be provided as specified in City Code Title 10, Zoning Code, Subsection 10-20.30.080 Notice of Public Hearing to all fee owners within the subdivision plat boundaries. The notice must include provisions for any fee owners to object in writing to the City within 15 days of the mailed notice.~~

15. **2.** Replat Review and Approval. The replat shall be reviewed and approved in accordance with the provision for final plat review and approval except as modified below:

~~d. If the City receives written objections within the required timeframes from any fee owner within the boundaries of the subdivision plat to be re-platted the matter shall be referred to the City Council for review and approval.~~

~~16. Grounds for Approving a Replat. The Director and City Engineer or City Council may approve a re-plat if they find that there is good cause for the replat, and no public street or municipal utility easement has been vacated or amended.~~