

City of McCall

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McCall, Idaho 83638
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SUBDIVISION (Final PLAT) INFORMATION



The following information must be submitted:

- One .PDF copy of the final plat and six (6) hard copies reduced to 11 x 17 inches
- Three (3) copies of the final engineering construction drawings for streets, water, sewer, sidewalks, drainage, and other public improvements.
- \$500 + \$75/lot of unit, + \$500 County Surveyor Fee
- A letter addressing how each Preliminary Plat condition of approval was addressed (and reference the document)
- Development agreement (use City of McCall template)
- Electronic files in a form specified by the City
- Improvement guarantee(s)

The final plat shall include the following:

- Proof of current ownership of the real property included in the proposed final plat;
- Such other information as the Administrator or City Council (or County Board) may deem necessary to establish whether or not all proper parties have signed and/or approved final plat;
- Conformance with the approved preliminary plat and meeting all requirements and conditions;
- Conformance with all current requirements and provisions of Title 9;
- Acceptable engineering practices and local standards;
- Building sites on each lot adjusted to setback requirements;
- A detailed landscaping plan if required by the Commission as specified at the preliminary plat hearing;
- Boundaries of flood prone or environmentally sensitive areas to be protected, including wetlands and water courses;
- The book, page, and recorder's instrument number of the covenants governing the subdivision shall be noted and shown on the plat;
- Portions of the subdivision reserved for utility, irrigation, drainage, and all other classes of easements shall be clearly shown and identified;
- For subdivisions that include covenants per § 9.2.04.U as part of the preliminary plat approved, the applicant shall submit in final form any covenants or conditions that shall be applied to the subdivision, including, at least, architectural or design standards, organization of a Homeowners' Association, assessments, various Homeowners' committees, easements, and a legal description of the property.
- Also to be submitted, if required, are the final Bylaws and Articles of Incorporation of the Homeowners' Association. To be included on the final plat are notes attesting to the documents submitted per this paragraph.
- Dedications of streets, rights-of-way, easements, parks and/or open space, and public trails or paths.
- Land becomes dedicated for purposes of title immediately upon the recording of an approved final plat showing the dedication. For purposes of street maintenance, or for purposes of a deed dedicating the land, dedication is effective only when accepted by the Council (or Board) as a public dedication, either by the passage of a City Ordinance or by entry of a Resolution of Approval in the official minute book of the official meetings

of the Council (or Board). The offer of dedication heretofore made in a final plat may be accepted at any time after the plat becomes final.

- Boundaries of the tract to be subdivided shall be fully balanced and closed showing bearings and distances. Linear curves for street center lines and property lines shall include radii, central angle, arc length, points of tangency, long chord length and bearing, and tangent length.
- The exterior boundary of the subdivision shall be tied to not less than two (2) recognized County or City survey monuments
- The size of each lot shall be shown in acres only for lots of one or more acres in size, and in both square feet and acres if the lot is less than one (1) acre in size.

For more information regarding subdivisions, please refer to the McCall City Code, Title 9 and the following chapters; Chapter 1: Subdivision and Development Regulations; Chapter 2: Subdivision Plats; and Chapter 3: Subdivision Design Standards

After the approval or conditional approval of the preliminary plat, the applicant may cause the total parcel or any part thereof to be surveyed and a final plat prepared in accordance with the approved preliminary plat.

The final plat must be submitted to the Commission within eighteen (18) months from the date of approval of the preliminary plat by the Commission unless an extension of time is applied for and granted by the Commission or unless otherwise allowed for with a phasing agreement. Failure to comply will result in the loss of approval of the preliminary plat.

Procedure & Criteria:

Review by Administrator

Acceptance: Upon receipt of the final plat, and compliance with all other requirements as provided herein, the Administrator shall certify the application as complete and shall date the application.

The Administrator shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the Administrator determines that there is material change in the final plat than from which was approved as a preliminary plat or conditions which have not been met, the Administrator may require that the final plat be submitted to the Commission and Council (or Board) in the same manner as required in the preliminary plat process.

Agency Review: The Administrator may transmit one (1) copy of the final plat, and other documents submitted, for review and recommendation to the departments and agencies as deemed necessary to insure compliance with the preliminary approval and/or conditions of preliminary approval. Such agency review may also include the construction standards of improvements, compliance with health standards, the cost estimate for all improvements and the legal review of the performance bond.

Submission to the Commission: Within forty five (45) days (or sixty (60) days if a public hearing, in the opinion of the Commission, is required) of receipt of the final plat, the Commission shall review the plat for compliance with the decisions made upon the review of the preliminary plat, PUD development Plan, subdivision and other agreements subsequent thereto, and if in order, shall recommend approval of the plat by motion and transmit the final plat to the Council (or Board).

Submission to Council (or Board): Upon determination by the Commission that the final plat is in compliance with the preliminary plat and that all conditional requirements have been met, the

Administrator shall place the final plat on the Council (or Board) agenda within forty–five (45) days from the date that the final plat has been recommended for approval by the Commission.

Council (or Board) Action: The Administrator's report and the final plat, together with the development agreement, shall be placed on the Council (or Board) agenda for its approval. The Council (or Board) shall consider the final plat for approval at its next regular meeting after the meeting at which it receives the plat prepared in accordance with Title 9, Chapter 2. The Council (or Board) shall have approved any development agreement before approving the final plat. The Council (or Board) shall consider the comments from concerned departments and agencies to arrive at a decision on the final plat.

The City Council (or Board) shall approve, approve conditionally, disapprove or table to a date certain and request additional information to be provided within thirty (30) days of the date of the first regular meeting at which the final plat is considered. An extension of time may be granted by the Administrator to permit preparation of additional work not previously considered. A copy of the approved plat shall be filed with the Administrator. Upon granting or denying the final plat, the City Council (or County Board) shall specify:

- a. the ordinance and standards used in evaluating the application;
- b. the reasons for approval or denial; and
- c. the actions, if any, that the applicant could take to obtain approval.
- d. if the final plat and development agreement, if any, are approved by the Council (or Board), it shall instruct the City Manager to execute the agreement on behalf of the City.

In the event it is determined that the applicant has omitted significant information, if such information is publicly known and available, regarding adjacent properties (see MCC § 9.2.04 J.) from the preliminary or the final plat, the Commission or Council (or Board) may elect to reopen the public hearing for reconsideration of the plat in order to determine if a change in plat is justified or desirable. Such determination must be disclosed by the City no later than one (1) year after approval of the final plat.

Conditional Approval of Final Plat: With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one (1) of the following:

1. The construction of improvements required by Title 9 shall have been completed by the applicant and approved by the Council (or Board); or
2. Surety acceptable to the City Clerk in the amount of one hundred twenty–five percent (125%) of incomplete or unaccepted improvements shall have been filed in the form of a cash deposit, certified check, negotiable bond, irrevocable bank letter of credit, or surety bond.

Approval Period: The final plat shall be filed with the County Recorder by the applicant within eighteen (18) months after written approval by the City Council (or Board). Otherwise, such approval shall become null and void unless the applicant, prior to said filing date, applies for an extension and such extension is granted by the City Council (or Board). In the event the time period for approval of any final plat has expired, the preliminary plat approval shall also become null and void.

Required Certificates: The following certifications and signatures shall be included on the final plat prior to recording by the County Recorder:

1. Certification and signature of the Chairman of the Planning and Zoning Commission and the Council (or Board) verifying that the subdivision has been approved;
2. Certification and signatures of the City Clerk and City Engineer verifying that the subdivision meets the requirements of the City and has been approved by the Council (or Board); and
3. Certification of the sanitation restriction on the face of the plat in accordance with the provisions of section 50–1326, *Idaho Code*.
4. Other certification as may be required by other City, County, or State personnel.

Record of Final Plat: Upon approval of the final plat by the City Council (or Board) and completion of required certificates on the final plat, the applicant shall furnish proof to the Administrator that the final plat has been recorded, including two copies of the final plat plus an electronic copy.

Further subdivision of a property after final plat approval is not permitted except by resubmission of another subdivision application. A final plat may be amended, at the discretion of the Commission, when minor changes to the plat may be required as a result of actions by a government body. A notice of plat revision is required, but a public hearing is not required. Final approval by the Council (or Board) is required.

Phased Developments: Filing of final plat(s) on phased developments after the thirteen (13) month deadline may be subject to modifications or changes, since the applicant's failure to meet the time limit would result in a loss of entitlement to proceed based solely on their preliminary plat. In all cases of phased development the submittal of final plats must be complete within seven (7) years from the date of approval of the preliminary plat by the Commission.

Condominiums

Every condominium project, except in the R16 zone, requires a Conditional Use Permit application and shall be subject to all conditional use procedures. In addition, all City Codes relating to plats, recording, subdivisions and zoning shall apply to condominium developments. A Condominium, shall be developed in accordance with Section 55-101B, *Idaho Code*, the *Condominium Property Act*, as amended.

The developer of a condominium project shall submit with the preliminary plat application as required by Title 9 a copy of the proposed by-laws and condominium declarations of the proposed development. These documents shall adequately provide for the control (including billing where applicable) and maintenance of all common utilities, common area, recreational facilities, and open space. Prior to final plat approval, the developer shall submit to the City a copy of the final by-laws and condominium declarations which shall be approved by the Council (or Board) and filed with the County Recorder, including the instrument(s)/number(s) under which each document was recorded.

In residential zones all garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units. Detached garages may be platted on separate sub-lots, provided that the ownership of detached garages is tied to specific condominium units on the condominium plat and in any owner's documents and that the detached garages(s) may not be sold and/or owned separate from any dwelling unit(s) within the condominium project.

Parking, Overflow, and Storage

Condominium projects in residential zones shall provide overflow parking and enclosed storage for guests and for the use of owners with snowmobile\ trailers or boat trailers. Condominium projects shall provide a minimum of two (2) parking spaces per residential unit and one (1) parking space, in addition to that required by Title 9, of no less than ten (10) feet by twenty (20) feet dimension, for every two units within the development. In some cases this additional parking may be utilized for snow storage in the winters. In all other zones the Association bylaws shall state that the storage of anything other than licensed motor vehicles in parking spaces is prohibited.

Conversion

The conversion by subdivision of existing units into condominiums shall not be subject to § 9.3.10 *Parks* of this Title.

Townhouses

All townhouse projects, except in the R16 zone, require the submittal of a Conditional Use Permit, and shall be subject to all conditional use procedures. In addition, all townhouse projects shall be subject to all other provisions of Title 9 and Title 3, and to all other rules and regulations of the City and other Government entities having jurisdiction, as applicable. Townhouse sub-lots shall have a minimum area equal to that of the perimeter of each individual townhouse unit, and an additional area three (3) feet in width adjacent to any opening, measured at the foundation. Said sub-lots shall not be buildable for structures other than a townhouse unit as defined herein. Platting of sub-lots shall follow the procedures set forth in the subdivision ordinance and other applicable codes in effect. All other detached and/or accessory buildings are prohibited.

Agreements

The applicant for a townhouse development shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed townhouse sub-lots, which shall adequately provide for the control (including billing where applicable) and maintenance of all common utilities, commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the applicant shall submit to the City a final copy of said party wall agreement and any other such documents and shall record said documents prior to recordation of the plat, which plat shall reflect the recording instrument numbers thereupon.

Garages

In residential zones all garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sub-lots, provided that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.

Parking, Overflow, and Storage

Residential townhouse projects in residential zones shall provide overflow parking and enclosed storage for guests and for the use of owners with snowmobile trailers or boat trailers. Townhouse projects shall provide a minimum of two (2) parking spaces per residential unit and one (1) parking space, in addition to that required by this Title, of no less than ten (10) feet by twenty (20) feet dimension, for every two (2) units within the development. In some cases this additional parking may be utilized for snow storage in the winters. In all other zones the Association bylaws shall state that the storage of anything other than licensed motor vehicles in parking spaces is prohibited.

Expiration

Townhouse developments which have received final plat approval shall have a period of three (3) years from the date of final plat approval by the Council (or Board) to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the Council (or Board). If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the Council (or Board). Further, if construction of any townhouse development or phase of any development ceases or is not diligently pursued for a period of three (3) years without the prior consent of the Council (or Board), that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. The conversion by subdivision of existing units into Townhouses shall not be subject to § 9.3.10 Parks.