pose of marketing the model home(s). This provision is not intended to increase the number of model homes permitted under subsection (D) of this section.

4. One preliminarily approved lot may be used to furnish off street parking. This provision is not intended to increase the number of model homes permitted under subsection (D) of this section.

5. The hours of operation of the model home complex shall be limited to daylight hours only, unless street lighting is installed to the satisfaction of the city engineer and public works director.

6. If street lighting is installed to the satisfaction of the city engineer and public works director, the hours of operation shall be limited to 8:00 a.m. to 9:00 p.m.

7. The model home(s) and sales trailer shall be used for the exclusive purpose of marketing the homes within the plat, not as a branch real estate office.

G. Duration Permitted. The model home(s) and/or sales trailer may be used for no more than 24 months from the date of approval.

H. Removal. The model home(s) and all associated improvements, including but not limited to a sales trailer, shall be removed within 120 days of the following occurrences, unless the action is appealed under SMC 16.120.100:

1. Preliminary plat approval has expired and no extension has been granted.

2. The subdivision was denied final plat approval and/or requires substantial improvements not consistent with the design of the preliminary approved plat in the opinion of the city planner.

3. The approval period has expired, consistent with SMC 16.28.350.

I. Appeals. Administrative interpretations and approvals may be appealed in accordance with the requirements set forth in Chapter 16.120 SMC. (Ord. 855-04 § 1)

16.28.400 Final plat – Procedure for filing.

A. For purposes of filing a final plat, the subdivider shall submit to the city planner five prints thereof; and one print and stable base polyester film or other approved material (hereinafter referred to as mylar). All city departments who reviewed and commented on the preliminary plat shall examine the final plat for compliance with the provisions of the land development code.

B. After receiving a copy of the final plat, the city planner and city engineer shall examine, or have examined, the map as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations, and such other matters as require checking to ensure compliance with the provisions of state laws pertaining to subdivisions with this code, and with the conditions of approval. Traverse sheets (computation of coordinates), and worksheets showing the closure of the exterior boundaries and of each irregular lot and block, and the calculation of each lot size shall be furnished. If the final plat is found to be in correct form, and the matters shown thereon are sufficient, the city planner shall obtain the signature of the city engineer on the mylar of the plat map, and will schedule final consideration of the plat map before the council. Each formal plat map shall be accompanied by a title report showing the names of all persons, firms or corporations whose consent is necessary to dedicate land for public usage.

C. Each preliminary plat submitted for final approval of the city council shall be accompanied by the following agencies' recommendations for approval or disapproval:

1. Local health district or other agency furnishing sewage disposal and supplying water, as to the adequacy of the proposed access of sewage disposal and water supply;

2. City planner, as to compliance with all terms of the preliminary approval of the proposed plat, subdivision or dedication;

3. Department of public works;

4. Other relevant federal, state or local agencies.

None of the agencies listed in subsections (A) and (C) of this section shall modify the terms of its recommendations without the consent of the applicant.

D. If the city council finds that the final plat has been completed in accordance with the provisions of this code, that all required improvements have been completed or the arrangements or contracts have been entered into a guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the city council will (1) adopt a resolution, which incorporates its findings and conclusions, approving the final plat and (2) require the mayor and the majority of the city council members present at the meeting to sign the final plat accepting such dedications as may be included thereon. The final plat shall then be returned to the subdivider for filing for record with the county auditor and must be filed

Attachment 2

within 30 days from the date of approval by the council. (Ord. 840-04 § 1; Ord. 831-03 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(a)], 1995)

16.28.410 Final plat – Format.

A. The final plat shall be clearly and legibly drawn in ink upon mylar. Photographic reproduction on mylar may be substituted.

B. The scale of the plat shall be one inch equals 100 feet, or one inch equals 50 feet, or one inch equals 20 feet; or such scale as may be acceptable to the city.

C. The size of each sheet shall be 18 inches long by 24 inches wide.

D. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of two inches on the left edge, and one-half inch on the other three sides.

E. If more than two sheets are necessary to display plat drawing, an index of the entire subdivision showing the arrangement of all sheets may be required to be included on each sheet.

F. The plat title, scale and north point shall be shown on each sheet of the final plat.

G. All signatures placed on the final plat shall be original signatures written in permanent black ink. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(b)], 1995)

16.28.420 Final plat – Required information.

The following information is required on the final plats:

A. Full and complete legal description of all land included in the plat;

B. Location and names, without abbreviations of all:

1. Streets,
2. Public areas and easements,
3. Adjoining streets,
4. Street names previously approved by the city;

C. The length and bearing of all straight lines, radii, arcs and semi-tangents of all curves;

D. Centerline data on streets and easements, including bearings and distances;

E. All dimensions along the lines of each lot, in feet and decimals of a foot to the nearest hundredth, with the true bearings and any other data necessary for the location of any lot line in the field;

F. Centerline data, width and sidelines of all easements and rights-of-way to which the lots are subject. If the easement is not definitely located of record, a statement as to the easement shall appear on the title sheet;

G. Easements for stormdrains, sewers and other purposes shall be denoted by broken lines;

H. Each easement shall be clearly labeled and identified and if already of public record, proper reference given;

I. Contiguous plats by name, or if unplatted, note "unplatted";

J. City or county boundaries crossing or adjoining the subdivision;

K. Lots shall be numbered in sequence and shall indicate area in either square feet or acres. No two lots in any subdivision shall bear the same number, notwithstanding division of the platted subdivision into separate blocks;

L. In the event that more than one plat sheet is used, a lot shall be shown entirely on the sheet;

M. The final plat shall show clearly any stakes, monuments or other evidence found on the ground which were used as ties to establish the boundaries of the tract;

N. The location of all permanent monuments within the subdivision;

O. Accurate outlines and designations of any areas to be dedicated or reserved for public use or to be committed for the common use of all property owners with the purpose of dedication, reservation and commitment to be clearly set forth on the plat document together with accurate references to appropriate recorded documents;

P. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;

Q. The final plat shall show the subdivision of the section or sections involved and show the township and range;

R. Specific wording as may be required by the preliminary plat approval;

S. A plat or subdivision contiguous to, or representing a portion of or all of the frontage of a body of water, river or stream shall indicate the location of monuments, which shall be located at such distance above high-water mark as to reasonably ensure against damage and destruction by flooding or erosion;

T. If duplexes are proposed, the final plat shall depict the proposed lot or lots which may be developed with a duplex structure. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(c)], 1995)

16.28.430 Final plat – Dedications.

A. All streets, highways and parcels of land shown on the final plat and intended for any public use shall be offered for dedication for public use, except where the provisions of the code provide otherwise.

B. Streets, or portions of streets, may be required to be set aside by the city for future dedication where the immediate opening and improvement is not required, but where it is necessary to ensure that the city can later accept dedication when the streets become needed for further development of the area or adjacent areas.

C. Easements being dedicated shall be indicated on the face of the plat as follows: An easement shall be reserved for and granted to all utilities serving subject plat and their respective successors and assigns, under and upon the exterior seven feet parallel with and adjoining the street frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cables, pipe, and wires with necessary facilities and other equipment for the purpose of serving this subdivision and other property with electric, telephone and utility service together with the right to enter upon the lots at all times for the purposes herein stated. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(d)], 1995)

16.28.440 Final plat – Acknowledgments and certificates.

Acknowledgments and certificates required by the code shall be in a form and language provided by the code. (Ord. 840-04 § 1; Ord. 630 § 2 [16.10.010(1)(b)(vi)(e)], 1995)

16.28.450 Final plat – File with auditor.

A. The original of the final plat shall be filed for record with the county auditor and recorded by him.

B. Should a plat or dedication be filed or recorded without approval of the city council, the city attorney shall apply for a writ of mandate in the name of and on behalf of the council, directing the auditor and assessor to remove from their files or records the unapproved plat or dedication of record. The subdivider shall provide the city with three copies of the recorded plat. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(f)], 1995)

16.28.460 Final plat – Effect of filing.

Any lots in a final plat field for record shall be for a valid land use as provided for in this unified development code. Further, after filing, the plat map shall become the property of the city. For a period of five years after final plat approval, unless the legislative body finds that a change in conditions creates a serious threat to the public health, safety or welfare in the subdivision, a subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations which were in effect at the time of approval. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vi)(g)], 1995)

16.28.470 Replats.

A. General. Replats of recorded plats shall proceed as specified by this title for the approval of a preliminary plat except as modified by this chapter.

B. Multiple Ownership. Where the lots within a recorded plat are held in more than one ownership, the application for replat shall not be accepted by the city for processing unless accompanied by the signatures of all property owners within the plat whose lot boundaries would be altered or affected by the replat.

C. Alteration of Installed Improvements. Whenever a replat will involve the relocation, removal or reconstruction of existing plat improvements or open space, the whole of the land embraced in the plat(s) proposed to be replatted shall be and does constitute an assessment district for the purposes of financing said relocation, removal or reconstruction. Assessment rates and requirements shall be established by the planning commission at the time of replat approval.

D. Recording. Any replat shall be filed and recorded with the county auditor and shall thereafter be the lawful plat and substitute for all former plats; provided that, should the said plat addition or additions be vacated and not otherwise altered or replatted, it shall only be necessary to file with the county auditor the order, resolution or ordinance vacating the same, and the auditor shall thereupon note upon the original plat the part thereof so vacated.

E. Power of Council Not Affected. Nothing in this chapter shall in any way change, limit or affect the power now vested in the council to vacate streets or parts of streets. (Ord. 840-04 § 1; Ord. 630 § 2[16.10.010(1)(b)(vii)], 1995)

16.28.480 Vesting.

An application which contains all the information required pursuant to state law shall be considered under the provisions of this unified development code in effect on the date the application is submitted unless, within three weeks, it is