

Article 16-5

PLATTING PROCEDURES AND REQUIREMENTS

Sections:

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16-501 Sketch Plat.

(A) Prior to the submission of a Sketch Plat application, the subdivider shall schedule a meeting with the Planning Department, who may coordinate a meeting with other City Departments, to discuss and determine the procedures and requirements for filing the Sketch Plat.

(B) Once the procedures and requirements are determined, the subdivider shall submit a Sketch Plat application, two copies, printed to scale, and one pdf of the Sketch Plat drawing and all supporting documentation. The Sketch Plat drawing shall contain the following information:

(1) The Sketch Plat shall indicate the layout of streets and lots, street connections, and the phasing of the development.

(2) A drainage plan shall be submitted which adequately illustrates how the 25-year flow will be handled in the subdivision. The drainage plan must indicate how drainage within the Sketch Plat will match up with drainage of adjacent properties. The manner in which each lot will drain must also be shown. Subdivision drainage may be managed with such measures as retaining walls, alleys or easements.

(3) Availability of public water and sewer. A plan indicating the proposed location and sizing of water and

sewer lines shall be provided.

(4) Zoning requirements on the property.

(5) Requirements of the Comprehensive Plan for land use, arterial and collector streets, schools, parks, and other public open space.

(6) The location and extent of any floodplains.

(Ordinance 2014, 3/20/12)

(C) After receipt of a complete Sketch Plat submittal, the Planning Department shall submit copies to the Utility Review Committee for their review and shall request that comments be returned within 7 days. Members of the Utility Review Committee who do not return comments within 7 days will be considered to be in support of the application.

(D) At the request of the subdivider, the Planning Department shall schedule the application for review and consideration at the next regular meeting of the Commission once the application is considered complete.

(E) The purpose of the Sketch Plat procedure is to determine any problems with the proposed development before expenses are incurred in the preparation of a Preliminary Plat. No official action is required of the Planning Department or other agencies other than to offer appropriate comments on the proposal.

(F) The Planning Department shall provide to the applicant, all comments received from the public, agencies, staff and the Commission. These comments shall be incorporated into the Preliminary Plat.

(G) The Sketch Plat review will remain valid for twelve (12) calendar months from the date the Sketch Plat comments are distributed to the subdivider. (98-05, Amended, 06/16/1998; 97-01, Amended, 02/04/1997; Ord. No. 2007-05, 3/06/2007)

16-502 Preliminary Plat.

(A) Following receipt of the written Sketch Plat comments, a Preliminary Plat application may be prepared and submitted. The lot layout of the Preliminary Plat shall

substantially conform to the Sketch Plat. The Preliminary Plat shall consist of a drawing, prepared and certified as to its accuracy by a registered land surveyor licensed in the state of Wyoming, and accompanying materials and information as required by these regulations. The application form shall be signed by all property owners of record of all property located fully or partially within the boundaries of said Preliminary Plat. Five copies of the Plat drawing(s), printed to scale, and one pdf of the Preliminary Plat drawing and all supporting documentation shall be submitted by the subdivider. The Planning Department shall review the application for completeness and conformance with the Preliminary Plat submittal requirements. If the application does not conform to the submittal requirements, the application will be deemed as incomplete, the subdivider will be notified and the application will be returned. (Ord. No. 9210, 5-5-92; Amended Ord. 2012-04, 3/20/12; Amended Ord. 2014-05, 4/15/14).

(B) The Preliminary Plat drawing shall be prepared at a scale of 1" = 100' or larger. The face of the drawing shall contain the following information:

(1) The name of the subdivision. The name shall not duplicate or too closely resemble the name of any subdivision previously filed in the County.

(2) Date of preparation, scale and North arrow. The top of each sheet shall represent North wherever possible.

(3) A vicinity map drawn at a scale of 1" = 1,000' or 1" = 2,000', showing the location of the proposed subdivision in the City and its relationship to surrounding development.

(4) The names, addresses, and phone numbers of the developer or subdivider, and the individual or firm responsible for the preparation of the Preliminary Plat.

(5) A legal description of the subdivision boundary.

(6) The boundary lines of the subdivision in a heavy, solid line and

referenced to section or quarter section lines.

(7) A description of all monuments, both found and set, which mark the boundary of the subdivision, and a description of all control monuments used in the survey.

(8) Existing contours at a maximum interval of two feet unless waived by the Engineering Department.

(9) General location and extent of any significant natural features such as streams or drainage ways.

(10) Floodplains as delineated on maps provided by the Federal Emergency Management Agency.

(11) Location, dimensions, and names of existing roads, streets, alleys, railroad rights-of-way and structures within 100 feet immediately adjacent showing how they relate to the proposed subdivision layout.

(12) Location, size, and grades of existing sanitary and storm sewers and location and size of water mains, gas lines, pipelines, or other underground utilities or installations within the proposed subdivision or within 100 feet immediately adjacent thereto.

(13) Location and dimensions of all easements of record.

(14) Existing zoning and land use of proposed subdivision and immediately adjacent areas.

(15) Location and width of proposed water and sewer lines, fire hydrants, streets, alleys, pedestrian ways, easements and all necessary appurtenances.

(16) Layout, numbers and approximate dimensions of proposed lots and blocks. Do not number blocks; number lots consecutively. (Ord. No. 84-9, 7-84)

(17) Location, dimension and size in acres of all sites proposed to be used for commercial, industrial, multi-family residential, public or quasi-public use with the use noted.

(18) A summary of the total number of acres, number of lots, acreage of commercial or industrial areas, acreage of open space, amount of land in rights-of-way and other descriptive material useful in

reviewing the proposed subdivision.

(19) The drainage plan for each lot must be shown. Arrows indicating the direction of drainage, along with any easements or retaining wall structures must be included.

(C) The following information and material shall be a part of any Preliminary Plat submittal and shall accompany the Preliminary Plat drawing:

(1) Payment of the total amount of the Preliminary Plat fee.

(2) A statement explaining the design and function of the water system, sewage system, paving, sidewalk, drainage systems, their compatibility with existing systems and the timing and/or phasing of installation.

(3) A statement describing the development and maintenance responsibility for any private streets, ways or open space.

(4) The recommendations of a qualified professional engineer or the affected Soil conservation District regarding soil suitability, erosion control, sedimentation and flooding problems.

(5) A description of the phasing and scheduling of phases for the development if the Final Plat is to be submitted in separate phases. The subdivision shall be constructed in the order in which the phases are numbered. Phasing of a subdivision shall be valid for five years from the date of Council approval. At the end of five years, a two year extension can be requested from the Council. If the extension is not granted, the remaining phases shall become null and void.

(6) A petition for annexation to the City of Rock Springs if the land to be subdivided is contiguous to the boundaries of the City.

(7) An application for appropriate City zoning for the subdivided area if the area is to be annexed or if the existing zoning district does not allow the type of use proposed.

(D) Deleted.

(E) After receipt of the Preliminary Plat application, the Planning Department shall submit copies to the Utility Review

Committee for their review and shall request that comments be returned within 7 days. Members of the Utility Review Committee who do not return comments within 7 days will be considered to be in support of the application. A Utility Review Meeting may be held.

(F) Upon receipt of all agency comments, or at the end of the 7 day period, the Planning Department will summarize the agency comments, add written comments and recommendations from the Department itself, and present the material and recommendations to the Commission for its consideration.

(G) At least seven days prior to the date of the Commission meeting at which the Plat is to be considered, the Planning Department shall notify the property owners of record within 200' of the proposed subdivision of the time and date of the meeting.

(H) The subdivider, or duly authorized representative, shall attend all meetings at which the proposal is scheduled for consideration.

(I) The Commission shall review the Preliminary Plat in a public hearing. A notice of the time, date, place and purpose of the hearing shall be published in the official newspaper of the City of Rock Springs at least 15 days prior to the date of the hearing. In its deliberations on the Preliminary Plat, the Commission shall consider oral or written statements from the applicant, the public, City Staff, and its own members. The Commission may recommend approval, conditional approval, disapproval, or may table the Preliminary Plat. The Commission shall notify the Council in writing of its recommendation. Approval of a Preliminary Plat by the Commission shall remain effective for 12 calendar months from the date of approval. A Preliminary Plat which has not received approval of the Council within 12 calendar months following Commission approval shall require approval through the Preliminary Plat process. The petitioner may submit to the Commission a written request for a six month extension. (Ord. No. 92-18, 8-4-92).

(J) The Council shall hold a public hearing on the Preliminary Plat. A notice of the time, date, place and purpose of the hearing shall be published in the official newspaper of the City of Rock Springs at least 15 days prior to the date of the hearing. In its deliberations on the Preliminary Plat, the Council shall consider oral or written statements from the subdivider, the public, City staff, and its own members. The Council may approve, deny, or table the Preliminary Plat. Approval of a Preliminary Plat by the Council shall remain effective for eighteen (18) calendar months, from the date of approval. The subdivider may apply in writing for, and the Council may for cause shown, grant a six month extension. If a final Plat has not been submitted on all or a portion of the land area included in the Preliminary Plat within this specified period, approval through the Preliminary Plat process shall be required.

(98-05, Amended, 06/16/1998; 97-01, Amended, 02/04/1997, Ord. No. 2007-05, 02/06/2007)

16-503 Final Plat.

(A) Following approval of the Preliminary Plat, a Final Plat application may be prepared and submitted. The Final Plat shall be prepared and certified to its accuracy by a registered land surveyor licensed in the State of Wyoming. The Final Plat and required supporting material shall conform to the design and engineering standards set forth in these regulations and to any conditions of approval specified by the Commission and the Council. The Final Plat shall conform to the Preliminary Plat and any requirements of the Council. Five 24" x 36" printed copies of the Final Plat and all required supporting documentation listed in Section 16-503(G) shall be submitted with the application. In addition, all documents shall be provided in pdf format with the submission of the application. The Planning Department shall review the application for conformance with the Final Plat submittal requirements. If the application does not conform to the submittal requirements, the application will

be deemed incomplete, the subdivider will be notified and the application will be returned.

(B) Final platting may be accomplished in phases as shown on the approved Preliminary Plat. When this is done, each sheet of the Final Plat shall contain a vicinity map showing the location of the portion being submitted in relationship to the area for which the Preliminary Plat was submitted. All Final Plats so submitted shall be of the same scale, shall have identical titles, legends and other information, and shall have match lines so that mosaics of the entire subdivision can be developed. Each phase of the subdivision shall be as nearly self-sustaining and complete as possible and shall by itself, or in conjunction with previous phases, meet the design standards set forth in these regulations so that if development of the entire subdivision is interrupted or discontinued after one or more phases is completed, a viable development will result whether the approved phase remains or is replatted as a separate subdivision. The subdivision shall be constructed in the order in which the phases are numbered. Altering the phasing of the subdivision shall require resubmittal and approval of a new Preliminary Plat

(C) The final Plat shall be clearly and legibly drawn in black ink upon mylar of .004 inch in thickness (minimum) or some similar stable base material. Required affidavits, certificates and acknowledgments shall be legibly printed on the Plat in opaque ink. The sheet size of all Final Plats shall be 24" high by 36" wide. Margins shall be 1-1/2" on the left side and 1/2" on the three remaining sides. The scale may be reduced to 1" = 200' for subdivisions in which the minimum lot size is five acres or more. Each sheet of the Final Plat shall be numbered and the total number of sheets comprising the plat shall be stated on each sheet (for example: Sheet 2 of 4). The relationship of one sheet to the other shall be shown by key maps and by match lines.

(D) Once approved, a mylar copy of the Final Plat must be submitted to the Planning Department as required.

(E) The submitted Final Plat shall contain the notarized signatures of the owner or owners, mortgagees, or others with an equitable or legal interest in the land of whatever nature and the signature of the registered land surveyor. In addition, the mortgagees, if any, shall provide the City with a letter confirming that they are aware of the subdivision and concur with the subdivision filing.

(F) All Final Plats shall include the following information on the face of the Plat:

(1) The name of the subdivision at the top center of each sheet.

(a) If the subdivision involves the resubdivision of all or part of a recorded subdivision, the plat shall be marked "A RESUBDIVISION OF _____" under the subdivision name.

(2) General location of the subdivision by section, township, range, county, and state, entered under the name of the subdivision.

(3) North arrow, date, and scale.

(4) Boundary lines of the subdivision in a heavy solid line.

(5) Legal description of the subdivision boundary based on an accurate traverse, giving bearing and linear dimensions that result in a maximum allowable error of closure of one (1) part in ten thousand (10,000).

(6) The location and description of the point of beginning and its proper reference to the monumented boundary survey.

(7) Location and description of all monuments.

(8) Bearings, distances, and curve data of all perimeter boundary lines indicated outside of the boundary lines.

(9) On curved boundaries and on all curves within the Plat, sufficient data to allow the reestablishment of the curves on the ground.

(10) The location and layout of lots, blocks, tracts, streets, alleys, easements, and other public grounds within and immediately adjoining the Plat, with accurate dimensions in feet and one-

hundredths of feet (1/100), bearings, curve data, length of radii and/or arcs of all curves.

(11) Drainage easements and drainage detention areas, clearly labeled as such and a note indicating the ownership and maintenance responsibility of the drainage easements and drainage detention areas.

(12) The names of all streets.

(13) All lots logically and consecutively numbered in the center of the lot.

(14) All dimensions shown on irregularly shaped lots.

(15) Parcels completely or partially surrounded by the area being subdivided shall be clearly marked "EXCEPTED," and the common boundary with the subdivision shown in a heavy solid line with bearings and distances.

(16) A notation of the total acreage of the subdivision, the total number of lots, and a breakdown of total acreage for street right-of-ways, parkland, open space, drainage detention or other public areas.

(17) A notarized certificate by all parties having any titled interest in or lien upon the land, consenting to the recording of the Plat and dedicating public ways, grounds, and easements. All signatures shall be in permanent, black ink. The certificate shall read:

CERTIFICATE OF DEDICATION

Know all men by these presents that the undersigned (official name of the subdivider), being the owner, proprietor, or parties of interest in the land shown on this plat, do hereby certify:

That the foregoing plat designated as (name of subdivision or addition), is located in (Section, Township, Range, City, County, State), and is more particularly described as follows:

(Insert full legal description)

and contains an area of ___ acres, more or less, and that this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s), and that this is a correct plat of the area as it is

divided into lots, blocks, streets and easements, and that the undersigned owner(s) of the land shown and described on this plat does (do) hereby dedicate to the City of Rock Springs and its licensees for perpetual public use all streets, alleys, easements for the purposes designated and other lands within the boundary lines of the plat as indicted and not otherwise dedicated for public use.

(Individuals, where applicable, should add:) All rights under and by virtue of the homestead exemption laws of the State of Wyoming are hereby waived and released.

Executed this ___ day of _____, A.D., 20____,

by: _____
(Designation of interest: owner, mortgagee, etc.)

_____) SS.
SWEETWATER COUNTY)

The foregoing instrument was acknowledged before me this ___ day of _____, A.D., 20____, by: _____ as a free and voluntary act and deed.

Witness my hand and official seal.
My commission expires:

Notary Public

On plats containing mortgagees, add:

The undersigned (name of Mortgagee), hereinafter MORTGAGEE, holds a mortgage in and to the property embraced by this subdivision plat, which mortgage was filed with the Sweetwater County Clerk in Book _____, Page _____. MORTGAGEE, by signature on this plat, consents to the dedication made herein and specifically releases all streets, alleys, parks, easements, open spaces and other areas dedicated to the City of Rock Springs for public use, as listed and described on this plat from the aforementioned mortgage.

(18) Certificate of a registered land surveyor as follows:

I, _____ do hereby certify that I am a registered land surveyor licensed under the laws of the State of Wyoming, that this plat is a true, correct, and complete plat of (Subdivision Name) as laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Rock Springs' regulations governing the subdivision of land to an accuracy of one (1) part in ten thousand (10,000).

_____ DATE _____
(Registered Land Surveyor)
No.

(Designation of interest: owner, mortgagee, etc. STATE OF WYO
STATE OF WYOMING)
_____) SS.
SWEETWATER COUNTY)

The foregoing instrument was acknowledged before me this ___ day of _____, A.D., 20____, by: _____ as a free and voluntary act and deed.

Witness my hand and official seal.
My commission expires:

Notary Public

(19) Certificate of review of the Department of Engineering/Operations & Public Services as follows:

Data on this plat reviewed this ___ day of _____ A.D., 20____ by a Licensed Professional Engineer on behalf of the Department of Engineering/Operations & Public Services of the City of Rock Springs, Wyoming.

Licensed Professional Engineer

(20) Certificate of approval by the City of Rock Springs Planning and Zoning commission as follows:

This plat approved by the City of Rock

Springs Planning and Zoning Commission
this __ day of _____, A.D., 20__.

Chairman
Attest:
Secretary

(21) Certificate of acceptance
and approval by the City Council of the City
of Rock Springs as follows:

Approved by the City Council of the City of
Rock Springs, Wyoming, this __ day of
, A.D., 20__.

Mayor
Attest:
City Clerk

(22) Certificate for recording by
the Sweetwater County Clerk as follows:

This plat was filed for record in the Office
of the Sweetwater County Clerk at
_____ o'clock__m.,_____20__,
and is duly recorded in the Book of Plats,
Page No. _____.

Sweetwater County Clerk

(23) On plats containing drainage
easements, add:

Maintenance and upkeep of
drainage easements will be the responsibility
of the individual lot owner. Fences, walls or
footings that would impede drainage flows
within those drainage easements and
regarding of drainage easements shall not be
permitted.

(24) Floodplain.

If a subdivision lies within a 100
year flood plain, the following statement
shall appear on the face of the final plat and
all contracts and agreements relating to the
subdivision: "THIS SUBDIVISION IS (OR
THE FOLLOWING LOTS ARE)
LOCATED IN THE 100 YEAR FLOOD
PLAIN AS DEFINED BY THE FEDERAL
EMERGENCY MANAGEMENT
AGENCY."

(25) Mined Areas.

If a subdivision lies over a known
mined area, the following statement shall
appear on the face of the final plat and all
contracts and agreements relating to the
subdivision: "THIS SUBDIVISION IS (OR
THE FOLLOWING LOTS ARE)
LOCATED OVER KNOWN MINED
AREAS."

(26) Statement of Vacation.

(a) When the plat of a
subdivision or resubdivision intends to
vacate an existing easement, the location of
the easement shall be shown on the plat with
a notation that it is being vacated by the
recordation of the plat.

(b) When the plat is a
resubdivision of a recorded subdivision, or
portion of a recorded subdivision, the
following declaration shall appear above the
Mayor's signature or below the title:

DECLARATION VACATING
PREVIOUS PLATTING:

This plat is the resubdivision of
(subdivision or portion of subdivision being
resubdivided), as recorded in the Book of
Plats, Page _____, of the records of the
Sweetwater County Clerk. All earlier plats
or portions thereof, encompassed by the
boundaries of this plat are hereby vacated.

(G) The Final Plat shall be accompanied
by the total amount of the Final Plat fee and
the following supporting documentation:

(1) Final Plat Application.

(2) Two copies of the Drainage
Report. A Drainage Report for the site in
question and all pertinent offsite areas shall
be prepared by a licensed engineer or
hydrologist. The report shall examine 100
year storm flows (Q 100's), the 100 year
high-water mark of any river, creek, arroyo,
gully, diversion ditch, spillway, reservoir,
etc., that may in any way effect the project
area, along with the depth of flow for 100
year runoff. The watershed in all off-site
areas shall be considered fully developed.
Intensities shall be for this area's one hour
100 year term based upon two inches per
hour. Time of Concentration (TC) used in
the study providing for "C" to be 0.5 or
greater and the overlot flow time to gutter to
be eight minutes unless adequate evidence is

provided to the contrary. A certificate shall be provided, signed, and sealed by a Registered Professional Engineer that all drainage facilities, including on site drainage facilities that convey any off site storm flows, utilizing gutters and streets, are designed and sized to handle 100% of the Q 100 runoff.

(3) Two copies of the Soils Report. A Soils Report for the site in question and all pertinent off-site areas shall be prepared by a licensed engineer or soil scientist. The report shall indicate the type and location of soils using the Unified Soil Classification System, shall contain drill logs and swell consolidation curves, and shall contain a discussion of any present or potential hazards, including mine subsidence, associated with soils on the site along with measures which could be taken to mitigate such hazards. In addition the Soils Report shall contain recommendations on subsurface area drains and peripheral drains, foundation design, erosion control measures and surface drainage. Minimum protective slopes away from buildings shall be specified and a typical section of peripheral drain shall be shown with the upper end invert a minimum of 6" below finished grade basement floor, and laid at a minimum of 2% gradient.

(4) Two copies of the Grading, Drainage and Development Plan. A Grading, Drainage and Development Plan shall be prepared at a scale of 1" = 100' or larger showing proposed right-of-ways, easements, walkways, parks, common areas, roadways, water lines and reservoirs, sanitary and storm sewer lines, manholes and treatment facilities, curbs and gutters, culverts, drains, storm water detention and retention basins, swales, ditches and other drainage devices, spot elevations of flow line of curb, high and low street points, drainage arrows, street plans, all drainage areas and acreages, all 25 year (Q 25's) for existing developed areas adjacent to and/or flowing onto the development and on-site at each surface flow junction, storm water "pick-up" and "take-off" points designated to handle 25 year flow on the surface cross

sections and high water elevations for all 25 year flows. Spot elevations shall be given for all inverts, low points and flowing entry and exit points.

For residential subdivisions, all minimum building setbacks shall be shown. No 25 year flow line shall encroach upon any minimum setback line.

The following standards shall be used in preparation of the Grading, Drainage and Development Plan: 25 year storm flow unless otherwise required by the adopted FIRM; pipes into which surface water flows will have a minimum diameter of 15"; a capability for handling all Q 25's on the surface within the roadway. Exceptions and variations to these standards must be recommended by a licensed engineer and approved by the City Engineer and City Planner.

In addition, for residential developments, the Plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits.

A minimum fall of 6" in the first 10' away from any building is required, with a maximum gradient of 21% within 4' of the foundation and usable minimum yard area of 300 square feet with a maximum slope of 5.0%, a minimum foundation exposure above finished grade is 8"; slopes of 3:1 and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach; driveway grades should be maintained between 9.5% and 5.0% when possible; entry walks shall not exceed 5.0%; lots should be graded at a minimum slope of 2% between the sewer flow line in the street and the finish grade first floor elevation; minimum depth of any sewer line shall be 5'.

(5) Six copies of the Construction Plans and Details. Copies for other reviewing agencies may be needed as required. Construction Plans and details must be prepared by or under direct supervision of a Registered Professional

Engineer in the State of Wyoming and shall provide for all improvements indicated on the Grading, Drainage, and Development Plan including right-of-way and easement cross-sections showing construction and placement of streets, walks, curbs, gutters, medians, swales, ditches, utilities, planting strips and property lines; details of hydrants, valves, manholes, pipe junctions, pumps, thrust-blocking, catch basins, etc.; street profiles showing natural and finish grades, center line and both curbs with a recommended minimum vertical scale of 1" = 60'; sanitary sewer line and manhole profiles with natural and finish grades, showing area under drains, if applicable, and the location of gravity outfall lines; storm drainage system profiles showing natural and finish grade; erosion control and revegetation details and other details as necessary to adequately convey the design intent. Quantity take-offs shall also be provided.

(6) Deeds. When required by the City, assurance that a warranty deed or other acceptable instrument conveying to the City or other appropriate public agency any public lands shown on the Final Plat and title insurance if required by the City, shall be presented to the City upon approval of the Final Plat. The method of assurance will be approval by the City Attorney.

(7) Fees in Lieu of Land. Payment of any fees in lieu of public land dedication or any initial payment and a payment schedule keyed to subdivision development.

(8) Title Opinion. Evidence satisfactory to the City must be submitted showing all taxes and assessments due on the property to be subdivided have been paid in full, showing title or control of the property to be subdivided and showing the property to be subdivided as free and clear of any liens. An attorney's title opinion or ownership and encumbrance report from a land title company shall be considered satisfactory evidence. Such an opinion or report shall also note any reservation for mineral rights and the existence of any mineral or oil and gas leases.

(9) Financial Guarantee. A

contractor's performance bond, an irrevocable letter of credit, funds in escrow or other appropriate commitment to guarantee the complete and timely development of any facilities or improvements which are the subdivider's responsibility. The bond shall be in an amount of 125% of the Engineer's Cost Estimate, as approved by the City Engineer. The Engineer's Cost Estimate shall be submitted as part of the Final Plat submittal.

(10) Easements. If the subdivider proposes to utilize adjoining property for water lines, drainage, sewer lines, power lines, or other utilities, the subdivider shall provide copies of the recorded binding easements of not less than 20' in width for the proposed facilities from each property owner over whose land such services shall extend. The Final Plat shall show the Book and Page number as recorded in the Office of the Sweetwater County Clerk for all recorded easements.

(H) After receipt of the Final Plat, and determination that a complete submittal has been made, the Planning Department shall refer material to the Utility Review Committee for their review and shall request that comments be returned within 7 days. Members of the Utility Review Committee who do not return comments within 7 days will be considered to be in support of the application. At least seven days prior to the date of the Commission meeting at which the Plat is to be considered, the Planning Department shall notify the property owners of record within 200 feet of the proposed subdivision of the time and date of the meeting. In reviewing the Final Plat, the Commission shall consider oral or written statements from the applicant, the public, City Staff, and its own members. The Commission may recommend approval, conditional approval, disapproval, or may table the Final Plat. Approval of a Final Plat by the Commission shall remain effective for 12 calendar months. A Final Plat which has not received approval of the Council within 12 calendar months following Commission approval shall be subject to the requirements of Section 16-502. The

subdivider may apply, in writing, for and the Commission may, for cause shown, grant a six month extension to the 12 month period.

(I) City Council Action.

(1) Upon being notified of the comments and any necessary approvals of reviewing agencies, the Planning Department shall forward the Final Plat, comments and approvals of reviewing agencies, pertinent supporting materials, and the recommendations of the Commission to the Council. Incomplete Final Plats for which necessary approvals have not been secured shall not be forwarded to Council for action.

(2) The Council shall either approve the Final Plat or disapprove the Final Plat and notify the subdivider of the conditions to be met to gain approval. If a disapproved Final Plat is modified and resubmitted to the Council at a later date for their consideration, the Council may require the concurrent submittal of an updated ownership and encumbrance report or title opinion.

(J) Recording the Final Plat.

Unless the Alternative Approval Procedure outlined in Section 16-503(K) is authorized by the City Council, within 60 days of approval by the Council, the Final Plat shall be recorded in the office of the Sweetwater County Clerk. It is the subdivider's responsibility to secure all signatures on the Final Plat and record the plat with the Sweetwater County Clerk. A copy of the recorded plat shall be provided to the City of Rock Springs within fifteen (15) days after recording.

(K) Alternate Approval Procedure.

As an alternate procedure and at the request of the subdivider, the Council may approve a Final Plat and instruct the Planning Department to withhold the approved Final Plat from recording for a period of time to allow the subdivider to install all of the required public improvements according to the plans and specifications approved by the City Engineer. This procedure, when approved by the Council, shall be in lieu of the guarantees for installation or improvements

as set forth in these regulations. An executed standard contract as approved by the City Attorney regarding installation of improvements shall be submitted with the Final Plat. The contract shall require that all improvements be completed no later than 12 months from the date the Final Plat was approved by the Council. The subdivider may apply in writing for, and the Council may, for cause shown, by Resolution grant a six month extension to the 12 month period. After all improvements are inspected and approved by the Council, the Plat shall be recorded within 60 days after the City Council's acceptance of the improvements, and the sale of lots may proceed according to the approved and recorded plat. It is the subdivider's responsibility to secure all signatures on the Final Plat and record the plat with the Sweetwater County Clerk. A copy of the recorded plat shall be provided to the City of Rock Springs within fifteen (15) days after recording. Building permits for structures will not be issued within the subdivision until the plat is recorded and the requirements for improvements are met. If after receiving approval of the alternate approval procedure the subdivider chooses to submit a Financial Guarantee, the subdivider shall provide the City Engineer an Engineer's Cost Estimate of the remaining improvements. After approval of the cost estimate by the City Engineer, the Financial Guarantee shall be submitted and approved by the Council by Resolution and the filing of the plat shall proceed.

16-504 Boundary Line Adjustments

(A) Scope.

The Boundary Line Adjustment process establishes minimum procedures and informational requirements necessary to review and approve minor property boundary line adjustments for the sole purpose of ownership transfer, not development, and which do not result in the creation of an additional developable lot, tract or parcel.

(B) Applicability Standards.

(1) The Boundary Line Adjustment shall not affect or alter more than two

parcels at a time, except as provided in 16-504(B)(5).

(2) The adjustment shall not require the extension of streets and/or right-of-way, public easements, public infrastructure, or any other publically dedicated subdivision improvements.

(3) At no time shall the Boundary Line Adjustment procedure be used to intentionally evade the subdivision ordinance.

(4) The parcels involved in the boundary line adjustment must be designated within the same zoning district and the proposed adjustment shall not create or result in a violation of any provision of the Zoning Ordinance or Subdivision Ordinance.

(a) The adjustment shall not create circumstances which promote a variance request from the Zoning Ordinance or the Subdivision Ordinance.

(b) In the case of properties with legally non-conforming lots or structures, the boundary line adjustment shall not increase the extent of the non-conformity.

(5) The boundary line adjustment may include the division of one (1) previously platted lot into no more than two portions provided that:

(a) The divided portions shall be totally merged with and combined with the adjoining lot(s) so that no additional building lots are created, and the resulting lot or tract shall be established as a single lot or tract for all purposes.

(6) Binding Covenant: The Boundary Line Adjustment Record of Survey and the property conveyance documents shall contain a binding covenant that the land being conveyed is for the sole purpose of conducting a boundary line adjustment and is not to be sold or transferred as a separate parcel by the grantee, heirs, and assigns.

(7) The Boundary Line Adjustment process is not to be used in cases where a plat vacation or plat resubdivision is appropriate, such as when easements or rights-of-way are to be altered or vacated.

(8) All property taxes on the parcels involved are current (not past due).

(C) Record of Survey

(1) A Record of Survey shall be submitted to serve as an exhibit attached to the instrument of conveyance for any boundary line adjustment.

(2) The Record of Survey shall be prepared by a registered Wyoming land surveyor and meet the following criteria:

(a) The maximum sheet size shall be eleven inches by seventeen inches (11" x 17").

(b) Information on the Record of Survey shall be so positioned that a one-inch margin remain on the left side of the longer dimension of the sheet and a one-half inch margin is left on the three (3) remaining sides.

(c) The scale of the Record of Survey shall be 1" = 100' or larger.

(d) Each sheet of the Record of Survey shall be numbered and the total number of sheets comprising the survey shall be stated on each sheet (for example: Sheet 2 of 4).

(e) The Record of Survey shall contain the following information:

i. Title "Boundary Line Adjustment Record of Survey" at the top center of each sheet together with the deed exhibit number, if applicable.

ii. General location of the survey by quarter section, township, range, county and state, entered under the title.

iii. North arrow, date prepared and graphic scale.

iv. Name and mailing address of all owners of properties included in the Boundary Line Adjustment.

v. Legal description, including area of the conveyance boundary based on either:

1. Lot, tract and block number of an existing subdivision; or,

2. An accurate metes and bounds description that results in a maximum allowable error of closure of one part in five thousand (5,000) together with the location and description of the point of beginning and its proper reference to the

monumented boundary survey.

vi. Location and description of all existing and proposed boundaries and monumentation, to be in accordance with established state and professional standards. Survey markers shall be set to delineate the new parcel boundaries.

vii. Resultant dimensions and areas of all affected parcels.

viii. Bearings, distances and curve data of all perimeter boundary lines.

ix. The location and layout of lots, block, tracts, streets, alleys, easements and other public grounds within and immediately adjoining the plat.

x. Street addresses of any existing and proposed structures.

xi. Location and dimensions of all structures and improvements (including driveways and fences) along with setback distances from both existing and proposed property lines.

xii. Location of all existing and proposed utilities.

xiii. Binding covenant stating that the land being conveyed is for the sole purpose of conducting a boundary line adjustment and is not to be sold or transferred as a separate parcel by the grantee, heirs, and assigns.

xiv. Surveyor's Certificate in the form required by law by a Wyoming licensed surveyor as outlined in Section 16-503.F.(18) of the Rock Springs Subdivision Ordinance.

xv. Certificate of Review by the Rock Springs City Planner as follows:

This Boundary Line Adjustment Record of Survey was reviewed and approved by the Rock Springs City Planner on this _____ day of _____ A.D. 20____.
City Planner

xvi. Certificate of Review of the Department of Engineering/Operations & Public Services as follows:

Data on this Boundary Line Adjustment Record of Survey reviewed this ____ day of _____ A.D., 20____ by a Licensed Professional Engineer on behalf of the

Department of Engineering/Operations & Public Services of the City of Rock Springs, Wyoming.

Licensed Professional Engineer

xvii. Any additional information deemed necessary to fully and accurately depict the intent of the survey.

(D) Review Procedures

(1) Pre-application Meeting. Persons desiring to obtain a minor boundary line adjustment shall schedule a pre-application meeting with City staff, prior to submitting a Boundary Line Adjustment Application. The purpose of the meeting shall be to review the proposal and the Boundary Line Adjustment requirements and procedures.

(2) Application Submission. Upon determination that the proposal meets the criteria for a Boundary Line Adjustment, the applicant shall submit the following:

(a) A completed application on a form provided by the city, which form shall include the name and address of the applicant and all property owners of record, the existing legal descriptions of the properties involved, and the reason for the Boundary Line Adjustment.

(b) Payment in the total amount of the Minor Boundary Line Adjustment fee.

(c) Two copies, printed to scale, of the Record of Survey prepared in accordance with Section 16-504(C) of this Ordinance to serve as an exhibit attached to the instrument of conveyance. In addition, the Record of Survey shall be provided to the City as a "pdf" at the time of the application submission.

(d) Draft deed(s) that will be used to effectuate the property transfer(s). The property conveyance documents shall contain a binding covenant that the land being conveyed is for the sole purpose of conducting a boundary line adjustment and is not to be sold or transferred as a separate parcel by the grantee, heirs, and assigns.

(e) Title Opinion. Evidence satisfactory to the City must be submitted showing all taxes and assessments due on the properties included in the Boundary Line Adjustment have been paid in full, showing

title or control of the included properties, and showing the included properties as free and clear of any liens. An attorney's title opinion or ownership and encumbrance report from a land title company shall be considered satisfactory evidence. Such an opinion or report shall also note any reservations for mineral rights and the existence of any mineral or oil and gas leases.

(3) Review.

(a) Upon receiving a complete application, the Planning Department shall submit copies to the Utility Review Committee for their review and shall request that comments be returned within seven (7) days. Members of the Utility Review Committee who do not return comments within seven (7) days will be considered to be in support of the application. A Utility Review Meeting may be held to discuss the Boundary Line Adjustment.

(b) Following such review and the completion of any imposed conditions necessary to gain approval, the City Planner and City Engineer may approve the Boundary Line Adjustment. Such approval shall be denoted by the Certificates of Approval on the Record of Survey.

(c) If determined that the minor boundary line adjustment, as proposed, may be detrimental to the public health, safety, or welfare, does not meet the applicability standards of a minor boundary line adjustment, or involves factors which should be reviewed by the Planning and Zoning Commission and the City Council, the City Planner shall notify the applicant in writing.

(d) If the applicant is unable to obtain approval through the administrative Boundary Line Adjustment process, the applicant may withdraw the Boundary Line Adjustment Application and bring the matter before the Planning and Zoning Commission and City Council as a new application through the Minor Subdivision process.

(4) Recording.

(a) Within thirty (30) days of the approval of the Boundary Line Adjustment, as evidenced by the signature of the City Planner and City Engineer on the

Record of Survey, the completed Record of Survey along with the deed(s) for the property transfer shall be recorded with the Sweetwater County Clerk.

(b) If the Record of Survey is not recorded within thirty (30) days, the authorization shall automatically become null and void.

(c) A copy of the recorded documents shall be provided to the City of Rock Springs within fifteen (15) days of the recording of the Boundary Line Adjustment.

(5) Financing.

(a) The Boundary Line Adjustment authorization process does not include a review of financial interests in the properties. Modifications to financing such as mortgage releases and loan modifications may be needed to maintain compliance with lender requirements. It is the responsibility of the property owner to ensure that any financing companies are notified of the Boundary Line Adjustment and that their requirements are met.

16-505 Plat Corrections.

(A) If, after the approval and recording of a Final Plat, minor errors are found in the language or numbers on the recorded Plat, including erasures and modifications to the legal description, survey data, notes, and curve data, an Affidavit of Correction stating the exact nature of the error may be recorded after submittal to and approval by the Planning Department. No changes to the plat shall be made which will alter the intent of the subdivision plat after it has been approved. The City Planner shall make the determination if an Affidavit of Correction is acceptable or if an Amended Plat is deemed necessary as outlined in Section 16-505(B).

(B) If, after the approval and recording of a final plat, substantial errors are found in the language or numbers on the recorded plat, the subdivider shall file a properly signed, corrected or revised original mylar with the Planning Department. The plat shall be noted as an "Amended Plat" under the name of the subdivision. Notations shall be made on the face of the plat. The

Planning Department shall review the Amended Plat and present the plat to the City Council for the reaffirmation of their approval. It is the subdivider's responsibility to secure all signatures on the Amended Final Plat and record the plat with the Sweetwater County Clerk within 60 days of approval by the Council. The recording of the Amended Plat shall void the incorrect original plat, and the County Clerk shall note "VOID" across the face of the incorrect plat. A copy of the recorded plat shall be provided to the City of Rock Springs within fifteen (15) days after recording. (Ord. No. 2007-05, 03/06/2007; Rev. Ord. 2019-14, 7/16/2019)

16-506 Parcel Consolidation.

(A) Scope. The parcel consolidation process is for the purpose of combing two to more parcels of land into a single parcel. Adjacent parcels that have been consolidated pursuant to this ordinance shall be treated as a single lot for building code, zoning code, and property transfer purposes.

(B) Applicability Standards.

(1) The consolidation shall not require the extension of streets and/or right-of-way, public easements, public infrastructure, or any other publically dedicated subdivision improvements.

(2) The parcels to be consolidated must share a common boundary for more than a single point, and not otherwise be separated by a public right-of-way or alley.

(3) The parcels must be under identical, common ownership and financing, if any.

(4) The parcels involved in the consolidation must be designated within the same zoning district

(5) The consolidation shall not create or result in a violation of any provision of the Zoning Ordinance or Subdivision Ordinance.

(a) The adjustment shall not create circumstances which promote a variance request from the Zoning Ordinance or the Subdivision Ordinance.

(b) In the case of properties with legally non-conforming lots, structures,

or uses, the consolidation shall not increase the extent of the non-conformity.

(6) The parcel consolidation process is not to be used in cases where a plat vacation or plat resubdivision is appropriate, such as when easements or rights-of-way are to be altered or vacated.

(7) All property taxes on the parcels involved are current (not past due).

(C) Record of Survey.

(1) A Record of Survey shall be submitted to serve as an exhibit attached to the Parcel Consolidation Declaration.

(2) The Record of Survey shall be prepared by a registered Wyoming land surveyor and meet the following criteria:

(a) The maximum sheet size shall be eleven inches by seventeen inches (11" x 17").

(b) Information on the Record of Survey shall be so positioned that a one-inch margin remain on the left side of the longer dimension of the sheet and a one-half inch margin is left on the three (3) remaining sides.

(c) The scale of the Record of Survey shall be 1" = 100' or larger.

(d) Each sheet of the Record of Survey shall be numbered and the total number of sheets comprising the survey shall be stated on each sheet (for example: Sheet 2 of 4).

(e) The Record of Survey shall contain the following information:

i. Title "Parcel Consolidation Record of Survey" at the top center of each sheet together with the Lot Consolidation Declaration exhibit number.

ii. General location of the survey by quarter section, township, range, county and state, entered under the title.

iii. North arrow, date prepared and graphic scale.

iv. Name and mailing address of the property owners.

v. Accurate legal description of the consolidated parcel, including area of the boundary based on either:

1. Lot, tract and block number of an existing subdivision; or,

2. An accurate metes and bounds description that results in a maximum allowable error of closure of one part in five thousand (5,000) together with the location and description of the point of beginning and its proper reference to the monumented boundary survey.

vi. Location and description of all existing and proposed boundaries and monumentation, to be in accordance with established state and professional standards. Survey markers shall be set to delineate the new parcel boundaries.

vii. Resultant dimensions and areas of all affected parcels.

viii. Bearings, distances and curve data of all perimeter boundary lines.

ix. The location and layout of lots, block, tracts, streets, alleys, easements and other public grounds within and immediately adjoining the plat.

x. Street addresses of any existing and proposed structures.

xi. Location and dimensions of all structures and improvements (including driveways and fences) along with setback distances from both existing and consolidated property lines.

xii. Location of all existing and proposed utilities.

xiii. Surveyor's Certificate in the form required by law by a Wyoming licensed surveyor as outlined in Section 16-503.F.(18) of the Rock Springs Subdivision Ordinance.

xiv. Certificate of Review by the Rock Springs City Planner as follows:

This Parcel Consolidation Record of Survey was reviewed and approved by the Rock Springs City Planner on this _____ day of _____ A.D. 20_____.
City Planner

xv. Certificate of Review of the Department of Engineering/Operations & Public Services as follows:

Data on this Parcel Consolidation Record of Survey reviewed this _____ day of _____ A.D., 20_____ by a Licensed

Professional Engineer on behalf of the Department of Engineering/Operations & Public Services of the City of Rock Springs, Wyoming.

Licensed Professional Engineer

xvi. Any additional information deemed necessary to fully and accurately depict the intent of the survey.

(D) Parcel Consolidation Declaration: The property owner shall execute a Parcel Consolidation Declaration and file the declaration, with the Record of Survey attached as an exhibit, with the Sweetwater County Clerk. The form of the Parcel Consolidation Declaration shall be in substantially the following format:

Parcel Consolidation Declaration

The declaration is made this ____ day of (Month, Year), by (property owner), hereinafter referred to as "declarant".

Recitals:

1. Declarant is the owner of that certain real property located within the City of Rock Springs, Sweetwater County, Wyoming, described as follows:
(legal descriptions of parcels)

2. Declarant desires to consolidate the above referenced parcels into a single consolidated parcel pursuant to City of Rock Springs code.

3. By executing this document, the declarant hereby consolidates said parcels into a single lot or parcel for building code, zoning code, and property transfer purposes.

4. Once executed, no portion of the consolidated parcel shall be individually conveyed or transferred without obtaining subdivision authorization from the City of Rock Springs pursuant to the subdivision requirements in the City of Rock Springs ordinances.

5. This declaration is binding on the owner, heirs, and devisees of said property.

Now therefore, the following real property is hereby consolidated into a single parcel/lot, as described herein.

(Consolidated legal description)

(Signature block)

(Notary Block)

(E) Review Procedures.

(1) Pre-application Meeting.

Persons desiring to obtain a parcel consolidation shall schedule a pre-application meeting with City staff, prior to submitting a Parcel Consolidation Application. The purpose of the meeting shall be to review the proposal and the Parcel Consolidation requirements and procedures.

(2) Application Submission. Upon determination that the proposal meets the criteria for a Parcel Consolidation, the applicant shall submit the following:

(a) A completed application on a form provided by the city, which form shall include the name and address of the applicant and all property owners of record, the existing legal descriptions of the properties involved, and the reason for the Parcel Consolidation.

(b) Payment in the total amount of the Parcel Consolidation fee.

(c) Two copies, printed to scale, of the Record of Survey prepared in accordance with Section 16-506(C) of this Ordinance to serve as an exhibit attached to the Parcel Consolidation Declaration. In addition, the Record of Survey shall be provided to the City as a "pdf" at the time of the application submission.

(d) Draft Parcel Consolidation Declaration.

(e) Title Opinion. Evidence satisfactory to the City must be submitted showing all taxes and assessments due on the properties included in the Parcel Consolidation have been paid in full, and evidence that the parcels are under identical, common ownership and financing, if any. An attorney's title opinion or ownership and encumbrance report from a land title company shall be considered satisfactory evidence. Such an opinion or report shall also note any reservations for mineral rights and the existence of any mineral or oil and gas leases.

(3) Review.

(a) Upon receiving a complete application, the Planning Department shall submit copies to the Utility Review

Committee for their review and shall request that comments be returned within seven (7) days. Members of the Utility Review Committee who do not return comments within seven (7) days will be considered to be in support of the application. A Utility Review Meeting may be held to discuss the Parcel Consolidation.

(b) Following such review and the completion of any imposed conditions necessary to gain approval, the City Planner and City Engineer may approve the Parcel Consolidation. Such approval shall be denoted by the Certificates of Approval on the Record of Survey.

(c) If determined that the parcel consolidation, as proposed, may be detrimental to the public health, safety, or welfare, does not meet the applicability standards of a parcel consolidation, or involves factors which should be reviewed by the Planning and Zoning Commission and the City Council, the City Planner shall notify the applicant in writing.

(d) If the applicant is unable to obtain approval through the administrative Parcel Consolidation process, the applicant may withdraw the Parcel Consolidation Application and bring the matter before the Planning and Zoning Commission and City Council as a new application through the Minor Subdivision process.

(4) Recording.

(a) Within thirty (30) days of the approval of the Parcel Consolidation, as evidenced by the signature of the City Planner and City Engineer on the Record of Survey, the Parcel Consolidation Declaration, including the signed Record of Survey attached as an exhibit, shall be recorded with the Sweetwater County Clerk.

(b) If the Parcel Consolidation Declaration is not recorded within thirty (30) days, the authorization shall automatically become null and void.

(c) A copy of the recorded documents shall be provided to the City of Rock Springs within fifteen (15) days of the recording of the Parcel Consolidation.

(5) Financing.

(a) The Parcel Consolidation

process does not include a review of financial interests in the properties. Modifications to financing such as mortgage releases and loan modifications may be needed to maintain compliance with lender requirements. It is the responsibility of the property owner to ensure that any financing companies are notified of the Parcel Consolidation and that their requirements are met.

16-507 Approval of Minor Subdivisions.

(A) A Sketch Plat of the Minor Subdivision shall be submitted and reviewed in conformance with Section 16-501. The purpose of the Minor Subdivision Sketch Plat review is to determine the submission requirements for the Preliminary and/or Final Plat.

(B) If a Preliminary Plat is required, the Preliminary Plat and the Final Plat shall be submitted and reviewed simultaneously as outlined in Sections 16-502 and 16-503. The City Planner and City Engineer shall determine which supporting documentation listed in Section 16-503.G. must be submitted. It is possible for Preliminary and Final Plats to be one and the same instrument.

(Ord. No. 2007-05, 03/06/2007; Rev. Ord. 2019-14, 7/16/19)