

**ORDINANCE NO. 2022**

**AN ORDINANCE TO AMEND SECTION 170-11 (PROCEDURE FOR PRELIMINARY PLAT APPROVAL) OF ARTICLE IV (PLAT REVIEW AND SUBMITTAL REQUIREMENTS) OF CHAPTER 170 SUBDIVISION OF LAND OF THE PAPIILLION MUNICIPAL CODE HAVING TO DO WITH SUPPLEMENTAL MATERIALS FOR A PRELIMINARY PLAT APPLICATION; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Papillion has received a recommendation from the Papillion Planning Commission concerning the proposed changes and additions as set forth in this Ordinance.

BE IT ORDAINED by the Mayor and City Council of the City of Papillion, Nebraska, as follows:

Section 1. That § 170-11 Procedure for Preliminary Plat Approval of Article IV (Plat Review and Submittal Requirements) of Chapter 170 Subdivision of Land, be amended to read as follows:

**§ 170-11. Procedure for preliminary plat approval.**

- A. Preliminary plat application submission requirements. After the pre-application meeting, the subdivider seeking to subdivide real property which is subject to the Preliminary Plat requirements, as set forth herein, shall submit to the Planning Department a PDF and folded paper copies of the preliminary plat and all requisite supplemental materials, as specified on the preliminary plat application. AutoCAD files for the preliminary plat and all applicable supplemental materials shall also be submitted. The subdivider shall cause all such submissions to occur at least six (6) weeks prior to the regular meeting of the Planning Commission sought by the subdivider, or as otherwise provided in the official Planning Commission Meeting Schedule maintained by the Planning Department.
- B. Upon receipt of the preliminary plat application and supplemental materials, the Planning Department shall distribute one (1) copy of the preliminary plat with a request for comments within ten (10) days to each of the following: the City Engineer, the Fire Department, the appropriate school board, and any other department or agency deemed necessary by the Planning Director.
- C. Scale and preliminary plat contents. Preliminary plats shall be a scale of one inch (1") equals one hundred feet (100'); provided, however, that an alternate scale may be approved by the Planning Director for subdivisions that exceed eighty (80) acres in size, have an irregular shape, or include circumstances where an alternate scale is more appropriate. All preliminary plats shall be prepared with the following information:

- (1) Name, location, acreage, owner(s) of the real property proposed to be subdivided at the time of application, and designer of the subdivision.
- (2) Proposed and existing zoning of the plat and existing zoning of the surrounding properties at the time of application.
- (3) Date, north arrow, and graphic scale.
- (4) Location of proposed property lines and any street(s).
- (5) Name(s) of all adjoining properties or subdivisions.
- (6) Name(s) of any new street(s).
- (7) Lot dimensions, lot lines, lot number(s), and building setbacks.
- (8) Proposed permanent easement(s) with the purpose and proposed grantees clearly identified.
- (9) Proposed dedication(s) and reservation(s) of land (such as open space(s), outlot(s), park land, and school site(s)) with the purpose, ownership, and maintenance responsibility of any outlot(s) clearly identified.
- (10) All existing easement(s) at the time of application, including the purpose, grantee(s), grantor(s), and instrument number(s), with a notation of all existing easement(s) proposed to be vacated.

D. Supplemental materials. The subdivider shall submit with the preliminary plat application, as supplemental materials, plans for the proposed improvements. Required exhibits shall include:

- (1) Grading Plan;
- (2) Street profiles;
- (3) Streets and Storm Sewer Plan;
- (4) Sanitary Sewer and Water Plan;
- (5) Preliminary cost estimates for public improvements;
- (6) Public Rights-of-Way Accessibility Guidelines (PROWAG) Plan;
- (7) Post-Construction Stormwater Management Plan (PCSMP);
- (8) Drainage Study that includes PCSMP treatment calculations;
- (9) Existing Conditions Plan with location of existing property lines, existing improvements (such as buildings, driveways, utilities, etc.), and existing trees, including major stands of trees, tree canopies, and individual specimen trees with a trunk caliper over six inches (6");
- (10) Plat Phasing Plan (if applicable);
- (11) Floodplain Plan (if applicable);
- (12) Traffic Impact Study (if requested by the Planning Department or the Engineering Department);
- (13) Special Significance Area Map to identify natural areas, wetlands, historic sites, architecturally significant resources, and other distinctive features;
- (14) Tree inventory with tree replacement plan in accordance with the tree replacement requirements established under § 170-14(C)(2) herein;
- (15) A channel survey performed within twelve (12) months of the preliminary plat application as required by the Stormwater Management Policies for the Papillion Creek Watershed and Southern Sarpy Watershed (if any stream may be present); and

- (16) Any other plans or exhibits required to verify compliance with this Chapter, or as otherwise requested by the Planning Director, the City Engineer, or the City Administrator in relation to the proposed subdivision.
- E. Planning Commission recommendation. The Planning Commission, upon receiving the Planning Commission Staff Report and such other reports deemed appropriate, shall consider the preliminary plat at a public hearing as required by Nebraska state statute. After review and public hearing, the Planning Commission shall recommend to the City Council its conditional approval or rejection of the preliminary plat within forty-five (45) days after its public hearing, unless the recommendation is otherwise continued or tabled at the request of the subdivider. The voting on a motion to recommend a preliminary plat, or other similar motion resulting in official action of the Planning Commission, followed by the preparation of the official minutes of the Planning Commission, or a draft thereof, by the Planning Department shall constitute the making of a recommendation to the City Council, as required herein.
- F. Recording of action by Planning Commission. The action of the Planning Commission shall be recorded in the official minutes.
- G. City Council consideration. The City Council shall consider the preliminary plat at a public hearing as required by Nebraska state statute. After review and public hearing, the City Council shall reject, give conditional approval, or defer to a specified date action on the preliminary plat.
- H. Conditional approval. Approval of the preliminary plat shall not constitute approval of the final plat. Rather, preliminary plat approval shall be considered as a conditional approval to be used as a guide for the preparation of the final plat. Any conditional approval of the preliminary plat shall be effective for a period of one (1) year unless an extension is granted by the City Council. Such extension shall require payment of an additional platting fee equivalent to fifty percent (50%) of the original preliminary platting fee.
- I. Zoning request with preliminary plat submission. The subdivider shall apply for a change of zone concurrently with the preliminary plat, if rezoning is either required or desired. The request for rezoning and the final plat shall be considered by City Council concurrently. In the event the request for rezoning and the final plat are approved by City Council, neither shall become official or effective until the change of zone ordinance becomes effective and the final plat is validly filed and recorded with the Sarpy County Register of Deeds.


Section 2. That Papillion Municipal code § 170-11, as previously existing, is hereby repealed.

Section 3. Effective Date. This Ordinance shall be in full force and effect fifteen (15) days after its passage. The City Clerk is directed to effectuate the publishing of this Ordinance for at least one (1) week in a newspaper in general circulation within the City of Papillion, which

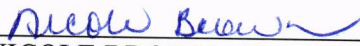
publication must take place within fifteen days of the passage of this Ordinance by the City Council. The City Clerk shall cause this Ordinance to be published in book or pamphlet form. That this Ordinance shall have the same force and effect as though it had been published at large. That a copy of said Ordinance shall be filed for use and examination by the public in the office of the City Clerk.

PASSED AND APPROVED this 4<sup>th</sup> day of June, 2024.

CITY OF PAPIILLION,

  
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DAVID P. BLACK, Mayor

Attest:

  
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NICOLE BROWN, City Clerk

(SEAL)



Planning Commission: 04/24/2024

City Council:

First Reading: 05/07/2024

Second Reading: 05/21/2024

Third Reading: 06/04/2024