

Subdivision of Land; Primary Plat

9.14 Subdivision of Land; Primary Plat

- A. Purpose and Intent: A Primary Plat shall provide the Plan Commission with the opportunity to review the details of a subdivision of land to determine compliance with the provisions of the Unified Development Ordinance. A Primary Plat shall also ensure the statutory requirements established in Indiana Code for the subdivision of land are met.
- B. Project Applicability: A Primary Plat shall be prepared in conjunction with any proposal to subdivide or plat property within the jurisdictional area of the Plan Commission.
1. Applicable Districts: The subdivision of land shall be permitted in all zoning districts.
 2. Replats: A replat shall consist of two processes. First, the plat or the portion of the plat shall be vacated in accordance with *IC 36-7-3-10* and *IC 36-7-3-11*. Then, the property shall be platted using the Primary Plat process in this section and the Secondary Plat process in *Section 9.15: Subdivision of Land; Secondary Plat*.
 3. Exemptions: Condominiums regulated by *IC 32-35* are exempt from this subdivision process outlined in the Unified Development Ordinance.
- C. Prerequisites:
1. Eligible Applicants: An Application for Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.
 2. Pre-application Meeting: Prior to submitting an Application for Primary Plat, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures, and examine the proposed use and development of the site.
- D. Elective Concept Plan: The petitioner may elect to seek tentative review by the Plan Commission. The petitioner shall prepare a conceptual plan of the proposed development including:
1. Minimum Submittal Requirements:
 - a. Lot Layout: Generally layout of lots,
 - b. Drainage: Generally how drainage will be handled,
 - c. Product: General description of the product intended to be built on the lots,
 - d. Design Features: General description of the development's features.
 2. Plan Commission Meeting:
 - a. Submittal Deadline: The required quantities of the application and supporting information shall be submitted at least twenty-eight (28) days prior to a Plan Commission or Plat Committee to be considered for that meeting. Depending on the review time necessary, a Primary Plat application may be placed on a later Plan Commission or Plat Committee agenda.
 - b. Notice: A Concept Plan shall not require notice or a public hearing.
 - c. Plan Commission Review: The Plan Commission shall hear a presentation of the material from the petitioner, answer questions, and hear comments in regard to the Concept Plan.
 - d. Plan Commission Action: The Plan Commission shall give final feedback to the petitioner which shall not constitute a legal action.
- E. Filing Requirements:
1. Application: An Application for Primary Plat shall be made on forms provided by the Zoning Administrator.
 2. Supporting Information: The following supporting information shall accompany a completed Application for Primary Plat.
 - a. A list of names and mailing addresses of all known adjacent property owners. The measurement shall include any adjacent property regardless if a road, river, railroad, or other physical barrier exists. This information may be obtained from the Wayne County Auditor's Office.

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- b. A Site Plan, drawn to a scale, that includes the following items:
 - i. North arrow.
 - ii. Graphic scale.
 - iii. Proposed address for each lot.
 - iv. Proposed name of the subdivision.
 - v. Area map insert showing the general location of the site referenced to major streets.
 - vi. Legal description of the site.
 - vii. Boundary lines of the site including all dimensions of the site.
 - viii. Names, centerlines, and right-of-way widths of all streets, alleys, and easements.
 - ix. Layout, number, dimension, area, building setback lines on all lots.
 - x. Location and dimensions of any existing structures.
 - xi. Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
 - xii. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
 - xiii. Proposed perimeter landscaping areas.
 - xiv. Proposed entryway feature signs.
 - xv. Stamp of Registered Professional Engineer or Registered Land Surveyor.
 - xvi. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator. This may include the supporting information listed in *Section 9.11(D)(2)(i)* for projects within the APO District.
- c. Representative building elevations for each facade of primary structures including the following information may be requested by the Zoning Administrator.
 - i. Permitted building materials to be used for wall, window, roof, and other architectural features.
 - ii. Placement, size, color, and illumination details for any proposed wall sign.
 - iii. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
- d. A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale and shall include the following items:
 - i. North arrow.
 - ii. Graphic scale.
 - iii. Proposed name of the subdivision.
 - iv. Names, centerlines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
 - v. All improvements to the street system on-site and off-site.
 - vi. Measurement of curb radius and/or flares.
 - vii. Location of proposed and existing sidewalk and sidepaths.
 - viii. Location and details of all proposed wayfinding signs and traffic signs.
 - ix. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.

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- e. A Utility Plan, drawn to scale, including the following items:
 - i. Location of all existing and proposed utility easements.
 - ii. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components, water components, storm water components, electric, gas, telephone, and cable.
 - iii. Location and illumination capacity of all street lights.
 - iv. Names of legal ditches and streams in or adjacent to the site.
 - v. Contours sufficient to illustrate storm water runoff.
 - vi. Storm water drainage plan including estimated runoff.
 - vii. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
 - f. Traffic Impact Study.
 - i. A Traffic Impact Study shall be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space outside of the Midwest or any future city-owned industrial park; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
 - ii. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and City Engineer to determine an appropriate scope for the Traffic Impact Study.
 - g. Statement of Development Build-out: The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
 - i. The order of development of the major infrastructure elements of the project.
 - ii. Future section boundaries, if any.
 - iii. The order and content of each section.
 - iv. An estimate of the time frame for build-out of each section.
 - h. Landscape Plan: The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed perimeter landscaping and other landscaping that meet or exceeds the standards detailed in *Perimeter Landscaping Standards* in Article 7 and *Landscape Standards* in Article 5.
 - i. Restrictive Covenants: The applicant shall provide a copy of the restrictive covenants that will apply to each lot within the subdivision. Required deed restrictions, non-petition clauses, non-remonstrations clauses, conditions of approval, and/or developer commitments shall be included in the restrictive covenant or in a separate legal document which will apply to each lot and be recorded. Any required restriction, clause, condition, or commitment shall be clearly written to not be amendable by the owner or owners' association and that the only means for removing or modifying the required restriction, clause, condition, or commitment is through a plat vacation or replat process.
 - j. Requested Waivers:
 - i. Lot Establishment: Requirements within *Lot Establishment Standards* may be waived to allow for more creative design, but accessibility shall not be compromised.
 - ii. Open Space: Requirements within *Section 7.15: Open Space* may be reduced by as much as fifty percent (50%).
 - iii. Perimeter Landscaping: Requirements within *Section 7.18: Perimeter Landscaping* may be reduced as much as fifty percent (50%).
 - iv. Street Lighting: Requirements within *Section 7.30: Street Lighting* may be waived if outside the corporate limits and within the two (2) mile fringe.
3. **Deadline:** The required quantities of the application and supporting information shall be submitted at least twenty-eight (28) days prior to a Plan Commission or Plat Committee to be considered for that meeting. Depending on the review time necessary, a Primary Plat application may be placed on a later Plan Commission or Plat Committee agenda.
 4. **Fees:** Applicable fees shall be paid at the time the Application for Primary Plat is filed.

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F. Formal Procedure:

1. *Assignment:* An Application for Primary Plat, which is determined to be complete and in proper form by the Zoning Administrator, may be on the first Plan Commission or Plat Committee agenda that occurs twenty-eight (28) days after the Application for Primary Plat is submitted in its entirety. The application for Primary Plat may be placed on a later Plan Commission or Plat Committee agenda if the review time necessitates more time. The Zoning Administrator shall notify the applicant by telephone or in writing of the meeting date. The Zoning Administrator shall then decide to:
 - a. Assign the Primary Plat to the Plat Committee for review; or
 - b. Assign the Primary Plat to the Plan Commission for review.
2. *Internal Review:* Upon assignment of a case number and hearing date, the Technical Review Committee and/or the Building Department, Engineering Department, Fire Department, Police Department, Department of Public Works, Wayne County Surveyor's Office, Utility Departments and other applicable agencies will be notified of the proposed subdivision of land and asked to review and comment. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the subdivision of land, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the subdivision of land and information from the Technical Review Committee and/or other agencies that have reviewed the subdivision of land. A copy of such report shall be made available to the applicant and all remonstrators.

G. Plan Commission Review:

1. *Required Quantities of Application and Supporting Information:* Thirteen (13) hard copies of the Application for Primary Plat; thirteen (13) hard copies of all supporting information; one (1) digital copy of the Application for Primary Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted.
2. *Public Notice:* The following public notice standards apply to an Application for Primary Plat. All costs associated with providing public notice shall be borne by the applicant.
 - a. The Zoning Administrator shall notify all interested parties of the public hearing by regular US mail a minimum of ten (10) days before the public hearing.
 - b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing.
 - c. The Zoning Administrator shall be responsible for providing proof of published notice to the Plan Commission and including proof in the case file.
3. *Attendance:* The applicant shall be present at the Plan Commission meeting to explain the proposed Primary Plat and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Application for a Primary Plat.
4. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules of Procedure.
5. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
 - a. The Application for Primary Plat.
 - b. All supporting information including the site plan, site access and circulation plan, elevations, etc.
 - c. The testimony of the applicant.
 - d. Information presented in writing or verbally by the Zoning Administrator, the Technical Review Committee, or other applicable department.
 - e. Input from the public during the public hearing.
 - f. Any applicable provisions of the Unified Development Ordinance.
 - g. Any applicable requirements of the City of Richmond's Construction Standards.
 - h. Any other information as may be required by the Plan Commission to evaluate the application.

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6. *Decision:*

- a. The Plan Commission shall make findings of fact and take final action or continue the Application for Primary Plat to a defined future meeting date.
- b. Findings of Fact: The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the provision of the Unified Development Ordinance or City of Richmond's Construction Standards with which there is not compliance or the manner in which the project is not consistent with the *City of Richmond Comprehensive Plan*.
 - i. The subdivision of land is consistent with the *City of Richmond Comprehensive Plan*.
 - ii. The subdivision of land satisfies the development requirements of *Article 6: Subdivision Types*.
 - iii. The subdivision of land satisfies the standards of *Article 7: Design Standards*.
 - iv. The subdivision of land satisfies any other applicable provisions of the *City of Richmond Unified Development Ordinance*.
 - v. The subdivision of land satisfies the construction requirements of the City of Richmond's Construction Standards.
- c. Final Action
 - i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the Application for Primary Plat.
 - ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the Application for Primary Plat.
- d. Commitments: The Plan Commission may require the applicant to make a written commitment concerning the Primary Plat. Any written commitments shall be recorded in the Office of the Wayne County Recorder within ninety (90) days of the Plan Commission's final action.
- e. The findings, final action, and any conditions shall be signed by the President of the Plan Commission.
- f. The Zoning Administrator shall provide the applicant a copy of the decision.

H. Plat Committee Review:

1. *Required Quantities of Application and Supporting Information:* Thirteen (13) hard copies of the Application for Primary Plat; thirteen (13) hard copies of all supporting information; one (1) digital copy of the Application for Primary Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted.
2. *Jurisdiction:* The Plat Committee may grant Primary Plat or Primary Plat Amendment approval to a subdivision of land that:
 - a. Does not involve opening more than 1,000 feet of a new public way;
 - b. Does not include a waivers application;
 - c. Complies in all other respects with the Subdivision Control Ordinance;
 - d. Complies in all other respects with the remainder of the Unified Development Ordinance; and
 - e. Does not result in more than three (3) lots.
3. *Attendance:* The applicant shall be present at the Plat Committee meeting to explain the proposed Primary Plat and address and discuss comments and concerns posed by the Plat Committee. Failure to appear may result in the dismissal of the Application for a Primary Plat.
4. *Public Hearing:* A public hearing before the Plat Committee is not required.

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5. *Review:* At a regularly scheduled meeting, the Plat Committee shall review:
 - a. The written statement and supporting material submitted by the petitioner;
 - b. The Primary Plat;
 - c. Any commitments or conditions of approval attendant to prior approvals;
 - d. The testimony of the petitioner;
 - e. Relevant evidence presented by other persons;
 - f. The *City of Richmond Comprehensive Plan*;
 - g. The applicable standards of the Unified Development Ordinance;
 - h. The applicable engineering standards;
 - i. All information presented by the members of the Technical Review Committee or by City departments;
 - j. The Zoning Administrator report; and
 - k. Such other additional information as may be required by the Plat Committee to evaluate the petition.
6. *Decision:* The Plat Committee shall:
 - a. Approve the petition;
 - b. Approve the petition with conditions of approval and/or commitments;
 - c. Deny the petition;
 - d. Forward the petition to the Plan Commission for consideration; or
 - e. Continue the petition to a determined future meeting date.
7. *Findings of Fact:* The Plat Committee shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the provision of the Unified Development Ordinance or City of Richmond's Construction Standards with which there is not compliance or the manner in which the project is not consistent with the *City of Richmond Comprehensive Plan*.
 - i. The subdivision of land is consistent with the *City of Richmond Comprehensive Plan*.
 - ii. The subdivision of land satisfies the development requirements of [Article 6: Subdivision Types](#).
 - iii. The subdivision of land satisfies the standards of [Article 7: Design Standards](#).
 - iv. The subdivision of land satisfies any other applicable provisions of the *City of Richmond Unified Development Ordinance*.
 - v. The subdivision of land satisfies the construction requirements of the City of Richmond's Construction Standards.
8. *Commitments:*
 - a. *Acceptance:* In conjunction with the approval of a Primary Plat, the Plat Committee may permit or require the petitioner to make written commitments concerning the use or development of the lot. The details of these commitments shall be clearly denoted, with the intent that the petitioner will prepare them in written form for signature.
 - b. *Form:* The petitioner shall prepare the commitment instrument in a form approved by the County Attorney. Once in the proper form, the petitioner and the Chair of the Plat Committee shall sign the commitment instrument.
 - c. *Recording:* The petitioner shall record the commitment instrument in the County Recorder's office within thirty (30) days of the approval of the Primary Plat. The petitioner shall deliver a copy of the recorded commitment instrument to the Zoning Administrator before Secondary Plat approval is granted.
 - d. *Modification or Termination:* The Plat Committee shall not modify or terminate any commitment. A commitment under this section shall be modified or terminated only by a decision of the Plan Commission made at a public hearing and after proper notice.
 - e. *Enforcement:* Any commitment shall be enforced as if it were a development standard of the Unified Development Ordinance.

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9. *Conditions of Approval:* In conjunction with the approval of a Primary Plat, the Plat Committee may impose reasonable conditions of approval concerning the use or development of the lot that will, in its judgment, substantially secure the objectives of the Design Standards.
 - a. *Form:* The Zoning Administrator shall prepare the conditions of approval instrument in a form approved by the City Attorney. The Chair of the Plat Committee shall sign the conditions of approval instrument.
 - b. *Recording:* The petitioner shall record the conditions of approval instrument in the County Recorder's office within thirty (30) days of the approval of the Primary Plat. The petitioner shall deliver a copy of the recorded conditions of approval instrument to the Zoning Administrator within thirty (30) days of recording.
 - c. *Modification or Termination:* The Plat Committee shall not modify or terminate any condition of approval. A condition of approval imposed under this section shall be modified or terminated only by a decision of the Plan Commission made at a public hearing and after proper notice.
 - d. *Enforcement:* Any condition of approval shall be enforced as if it were a development standard of the Unified Development Ordinance.
10. *Revisions:* Following Plat Committee approval, the petitioner shall submit revised copies of the plans that address the comments and concerns of the Plat Committee. The petitioner shall refer to the application packet to determine the format and number of copies of the revised plans to deliver to the Zoning Administrator.
11. *Public Notice and Right to Appeal:* Within ten (10) days after Primary Plat approval by the Plat Committee, the Zoning Administrator shall provide for due notice to interested parties of the Plat Committee's approval and of their right to appeal to the Plan Commission. The notice shall be given in the following manner:
 - a. *Published:* The Zoning Administrator shall be responsible for publishing a legal notice.
 - b. *Mailed:* The Zoning Administrator shall be responsible for mailing notice via First Class Mail.
12. *Notice of Appeal:* An interested party may appeal the Plat Committee approval to the Plan Commission by filing a Notice of Appeal with the Zoning Administrator not more than ten (10) days after the Zoning Administrator has mailed a copy of the Plat Committee's action to the interested party.
- I. Duration: An approved Primary Plat shall be valid for two (2) years from the date the Plan Commission or Plat Committee granted approval. The Zoning Administrator may grant one (1) six-month extension.
- J. Modification:
 1. *Minor Amendments:* Minor amendment to an approved Primary Plat which does not involve an increase in the number of lots or intensity of land uses; the designation of additional land uses; the reduction in perimeter yards; changes to circulation; the addition of driveways or access points; or reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendments do not adversely impact the purpose or intent of the overall development. An example of a minor amendment could be the relocation of an easement. A minor amendment authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.
 2. *Major Amendments:* If the Zoning Administrator or City Engineer determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in the number of lots, or intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file a new Application for Primary Plat.
- K. Pre-Construction Meeting: The petitioner shall provide construction plans at least two (2) weeks prior to the pre-construction meeting. The petitioner shall meet with the Zoning Administrator, sanitary department, utility providers, and City Engineering representatives in a meeting to address construction coordination and anything not addressed by the Plan Commission.
- L. Construction Plan Standards: Construction plans shall be prepared for all required improvements. Plans shall be drawn at a scale of no less than (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the subdivision plat. The following shall be shown:
 1. *Street Elevations:* Profiles showing existing and proposed elevations along center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets within 100 feet of the intersection, shall be shown. Radii of all curves, lengths of tangents, and central angles on all streets shall also be shown.

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2. *Steep Slopes*: The Plan Commission or Plat Committee may require, where steep slopes exist, that cross-sections of all proposed streets shall be shown at not more than 100 foot sections at seven (7) points as follows: On a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, at each gutter line of the street, each property line, and points twenty-five (25) feet inside each property line.
 3. *Plans and Profiles*: Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, servitudes, rights-of-way, manholes, and catch basins; the locations of street trees and street signs; the location, size, and invert elevations of existing and proposed sanitary sewers, and storm-water drains, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.
 4. *Facilities or Utilities*: Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, features noted on the Public Development Plan, at the point of connection to proposed facilities and utilities within the subdivision. The water elevation of adjoining lakes or streams at the date of the survey, and the approximate high- and low-water elevations of such lakes or streams. All elevations shall be referred to the U.S.G.S. datum plane. If the subdivision borders a lake, river, or stream, the distances and bearings of a meander line established not less than twenty (20) feet back from the ordinary high-water mark of such waterways.
 5. *Topography*: Topography at the same scale as the subdivision plat with a contour interval of one (1) foot for areas up to a five percent (5%) grade and two (2) feet for areas over five percent (5%) grade, referred to sea level datum. All datum provided shall be the latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plat.
 6. *Specifications and References*: All specifications and references required by the City's Construction Standards and Specifications, including a site-grading plan for the entire subdivision.
 7. *Surveyor/Engineer Contact Information*: Title, name, address and signature of professional engineer and/or surveyor, and date, including revision dates.
 8. *Certification*: Certification by the land surveyor and/or professional engineer who prepared the construction plans that all requirements of this Ordinance have been duly considered and said requirements have been fulfilled or so noted by a written notice of deviation as to the nature of the deviation along with a clear and rational explanation as to why said deviation should be granted and certification by a land surveyor and/or engineer that he will make periodic inspections of the construction of all improvements which will become a part of the public right-of-way and all improvements on easements that may be required by this ordinance to make the subdivision functionally complete.
 9. *Health Department Approval*: Written evidence of approval by the Richmond Sanitary District or Wayne County Health Department or the Indiana State Board of Health of the proposed means of sewage disposal.
 10. *Flood Hazard Areas*: All subdivision plats containing lands identified, in the Zoning Ordinance, as flood hazard areas shall have the elevation of the 100-year flood listed and shown thereon.
- M. Drainage Sign-off: Prior to building streets the drainage approval letter shall be obtained from the City Engineer.

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- A. **Purpose and Intent:** The Secondary Plat shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording.
- B. **Project Applicability:** Proposals for new subdivisions of land shall meet the standards of this Section.
- C. **Prerequisites:**
1. **Primary Plat:** The Application for Primary Plat shall be approved by the Plan Commission prior to submitting a Secondary Plat. If the Primary Plat approval included commitments, those commitments shall be recorded in the Office of the Wayne County Recorder.
 2. **Infrastructure:** A subdivision that is the subject of a Secondary Plat shall have all of the infrastructure improvements proposed in the Primary Plat installed to meet the City of Richmond's Construction Standards, or the applicant shall have posted a performance bond for the cost of the infrastructure improvements that complies with *Section 7.32: Surety Standards*.
- D. **General:** The secondary plat shall be presented in india ink on tracing cloth or reproducible mylar at a scale of either one (1) inch equals fifty (50) feet or one (1) inch equals 100 feet and contain the same information, except for any changes or additions required by the Plan Commission or Plat Committee shown on the plat submitted for primary approval. The plat submitted for primary approval may be used as the secondary plat if it meets these requirements and is revised in accordance with Plan Commission or Plat Committee's requirements. All revision dates shall be shown as well as the following:
1. **Registered Land Surveyor Certificate:** Each secondary plat submitted to the Commission or Committee for approval shall carry a certificate signed by a Registered Land Surveyor in substantially the following form:
I (Name), hereby certify that I am a Professional Land Surveyor, licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on (Date); that all the monuments shown thereon shall be set as shown/or actually exist; and that their location, size, type and material are accurately shown.
 (SEAL)
 (Signature Line)
 2. **Deed of Dedication Certificate:** Each secondary plat submitted to the Commission or Committee for approval shall carry a deed of dedication in substantially the following form:
We, the undersigned, being all the owners and lienholders of the real estate shown and described herein, do hereby certify that we hereby lay off, plat and subdivide, said real estate in accordance with the within plat. This subdivision shall be known and designated as (Name), (Name) , an addition to (Name). All streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public free and clear of all liens and encumbrances.
Front yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.
Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility is responsible.
Witness our Hands and Seals this [day] of [month], 20XX.
 (Signature Line)
 State of Indiana
 County of Wayne
Before me, the undersigned Notary Public, in and for the County and State personally appeared and separately and severally acknowledge the execution of the foregoing instruments as his or her voluntary act and deed for the purpose therein expressed. Witness my hand and Notarial Seal this [day] of [month], 20XX.
 3. **Covenant or Deed Restriction Binder:** The following shall be attached for covenants or deed restrictions:
The following covenants (or restrictions) are to run with the land and shall be binding on all parties and all

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persons claiming under them until January 1, 20XX, (minimum twenty-five-year period), at which time such covenants (or restrictions) shall be automatically extended for successive periods of ten (10) years unless by unanimous vote of the then owners of the building sites covered by these covenants, (or restrictions), it is agreed to change such covenants (or restrictions) in whole or part.

Invalidation of any one of the foregoing covenants (or restrictions) by judgment or court order shall in no wise affect any of the other covenants (or restrictions) which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal by due process of law of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

(Additional dedications and protective covenants, or private restrictions would be inserted here upon the sub-divider's initiative or the recommendation of the Commission; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor area.)

Witness our Hands and Seals this [day] of [month], 20XX.

(Signature Line)

State of Indiana

County of Wayne

Before me, the undersigned Notary Public, in and for the County and State personally appeared and separately and severally acknowledge the execution of the foregoing instruments as his or her voluntary act and deed for the purpose therein expressed. Witness my hand and Notarial Seal this [day] of [month], 20XX.

4. *Plan Commission (or Plat Committee) Certificate:* The following shall be attached for certification by the Plan Commission or Plat Committee:

UNDER AUTHORITY PROVIDED BY I.C. 36-7-4-700 THROUGH 36-7-4-713 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THEREOF, AND AN ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF RICHMOND, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE RICHMOND CITY PLAN COMMISSION/OR RICHMOND PLAT COMMITTEE AS FOLLOWS:

Approved by the Richmond City Plan Commission/or Richmond City Plat Committee at a meeting held [fill in location].

President

(Signature Line)

Executive Secretary

(Signature Line)

The following shall be attached for Transfer and Recording:

TRANSFER AND RECORDING

Duly entered for taxation this [day] of [month], 20XX.

Wayne County Auditor

(Signature Line)

Recorded this [day] of [month], 20XX.

Wayne County Recorder

(Signature Line)

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5. *County Commissioner Certificate*: The following shall be attached when the proposed subdivision is located in the unincorporated territorial jurisdictional area of the City of Richmond, Indiana.

The Commissioners of Wayne County, Indiana, hereby certify that adequate surety has been presented to guarantee the construction of the roadway and that the roadway meets Wayne County standards and will be accepted into the Wayne County roadway system when completed. Certified at a meeting of the Wayne County Commissioners this [day] of [month], 20XX.

(Commissioner Signature)

(Commissioner Signature)

(Commissioner Signature)

E. Filing Requirements:

1. *Application*: The applicant shall submit a letter stating the status of infrastructure improvements and requesting Secondary Plat. The original Application for Primary Plat should be on file with the Zoning Administrator.
2. *Supporting Information*: The following information shall accompany the applicant's letter requesting Secondary Plat.
 - a. Plans showing the precise location of all installed monumentation.
 - b. Plans showing final dimensions for lots, right-of-ways, and easements.
 - c. If infrastructure improvements are complete, the supporting information shall include as-built drawings of each infrastructure system and any required inspections or certifications by engineers or surveyors.
 - d. If infrastructure improvements are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance bond for the total amount of the infrastructure improvements.
 - e. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
3. *Deadline*: Thirteen (13) hard copies of the letter requesting Secondary Plat; thirteen (13) hard copies of all supporting information; one (1) digital copy of the letter requesting Secondary Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be filed within two (2) years of the approval of Primary Plat by the Plan Commission.
4. *Fees*: Applicable fees shall be paid at the time the request for Secondary Plat is filed.

F. Formal Procedure:

1. *Assignment*: The Zoning Administrator shall review the letter requesting Secondary Plat and all supporting information. Based on the history and the complexity of the project, the Zoning Administrator shall determine if the Secondary Plat should be presented to the Plan Commission or Plat Committee. Should the Zoning Administrator determine Plan Commission or Plat Committee review is necessary, the Zoning Administrator shall assign the Secondary Plat a case number and place it on the first Plan Commission or Plat Committee agenda that occurs twenty-eight (28) days after the Secondary Plat was submitted in its entirety. The Zoning Administrator shall notify the applicant in writing if Plan Commission or Plat Committee review is necessary and the date of the meeting, if applicable.
2. *Review*: The Zoning Administrator shall provide the letter requesting Secondary Plat, the supporting information, and a comment sheet to all applicable departments and agencies. Each department shall determine if the infrastructure improvements installed or proposed to be installed meet the City of Richmond's Construction Standards and if the improvements include adequate connection to existing and future systems. If applicable, each department shall also review applicable cost estimates for reasonableness. Each department shall return the comment sheet with any comments or concerns concerning the infrastructure or the project to the Zoning Administrator. If it has been determined that Plan Commission review is required, the Zoning Administrator shall forward the comment sheets to the Plan Commission for review at the meeting.
3. *Public Notice*: Notice and public hearing shall not be required for Secondary Plat.
4. *Review and Decision*: The Zoning Administrator shall, based on comments from departments, approve, approve with conditions, or deny Secondary Plat. In cases where the Secondary Plat is being heard by the Plan Commission, the Plan Commission shall review the comments from departments at a regularly scheduled public meeting and approve, approve with conditions, or deny Secondary Plat.

- G. Duration: An approved Secondary Plat and any conditions shall be recorded in the Office of the Wayne County Recorder within one (1) year of the date of approval or become null and void.