

## I.7 PLATTING – THE SUBDIVISION OF LAND

The manner in which land is subdivided, how streets are designed, and how the lots are laid out, have a lasting effect on the physical character of the city. The City's Subdivision Code regulates new development to ensure that the health, safety, and welfare of the public are protected. Streets, water and sewage systems must be adequately sized, designed, and constructed. Streets must be able to accommodate the maneuvering of emergency equipment. Future property owners must be guaranteed a parcel with access to public right-of-way and utilities suited for the intended use.

Platting is the process through which undeveloped land is subdivided and ultimately transformed into legal building sites. In some cases, platting may be relatively complex. The layout of streets and utilities are established, and blocks are further subdivided to create lots for individual ownership. In other cases, when an existing platted lot is subdivided further, infrastructure improvements may not be necessary.

### The Platting Process

A plat must be prepared for a property if:

- the property is unplatted land; or
- an existing platted lot is subdivided further.

When a plat is required, it must be approved by the Planning and Zoning Board prior to the issuance of a Building Permit. In the case of subdividing an existing platted lot, you will file for "Summary Plat" establishing a new plat.

Plat approval is divided into two distinct phases: Minor and Major Plats.

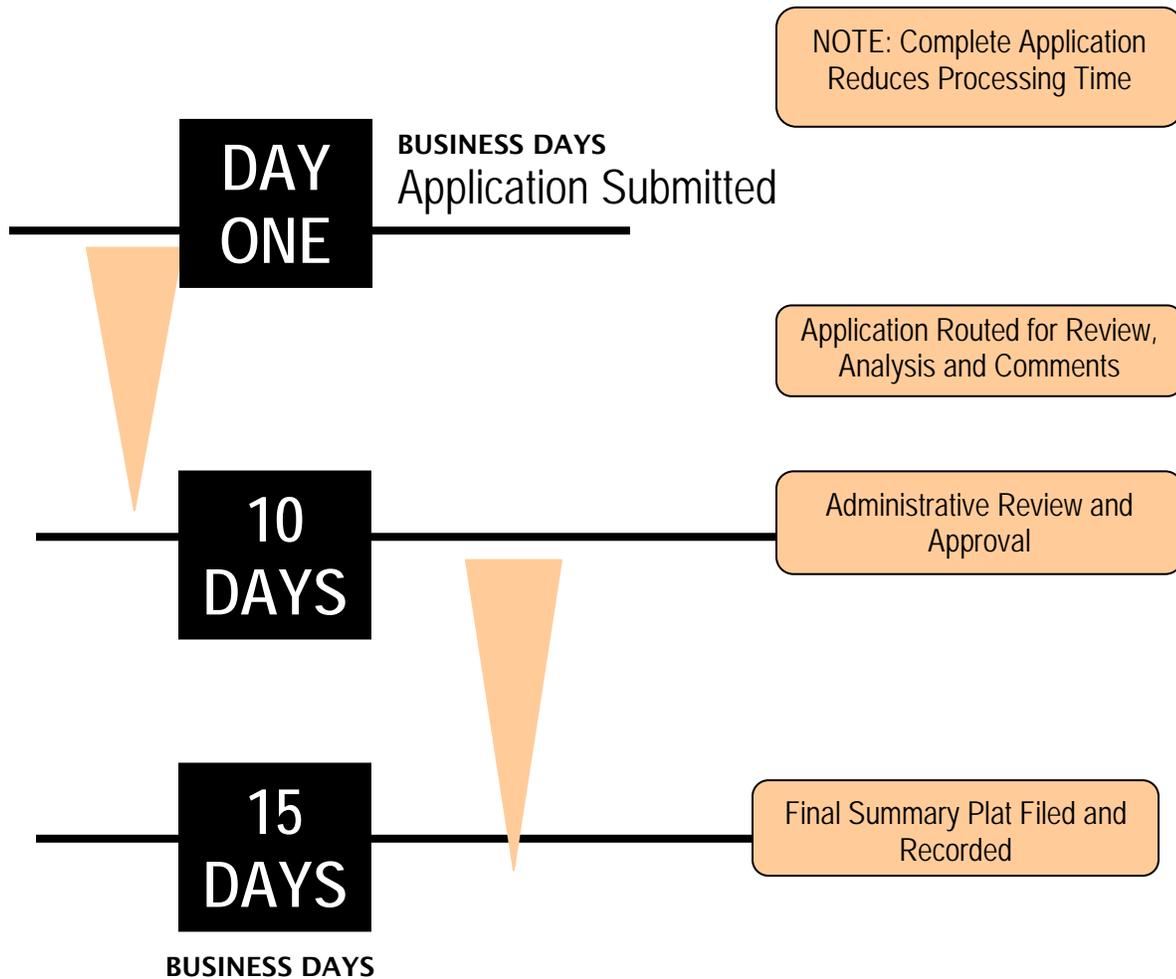
- Minor subdivisions also called, "Summary Plats". Minor subdivisions can be approved using an administrative summary procedure that combines steps.

**Summary Plats** are considered when one or more of the following applies:

- Subdivision contains no more than two (2) lots.
- Parcels created for City dedication as ROW or drainage.
- Re-subdivisions where the combination or recombination of portions of previously platted lots does not increase the total number of lots.
- Lot consolidation combining adjacent property to eliminate property lines or reducing the total number of lots.
- Adding or vacating easements for public utilities, drainage or access.

# Minor Subdivision - Summary Plat Process Flow Chart

## CITY OF RIO RANCHO NEW MEXICO – DEVELOPMENT SERVICES DEPARTMENT



# Platting Application and Checklist

The Platting Applications & Checklists may be obtained either from the DSD or on line at <http://www.ci.rio-rancho.nm.us>.

- Provide (5) copies of the summary plat at a scale no less than one inch equals two-hundred feet. The plat should reflect a survey of the property, any easements to be vacated and any newly created easements or parcels.

Additionally, the summary plat shall include:

- A location map of the summary plat.
- A legal description of the property being replatted.
- A statement describing the purpose of the summary plat.
- The existing number of lots or parcels.
- The number of lots or parcels being created by the summary plat.
- Street dedications, if any.
- The acreage of the total plat area.
- General notes on the summary plat., i.e. survey bearings, distances, etc.
- Physically tie-in two property corners with a monument that references the Central New Mexico State Plane Coordinates.
- Show any easements, right-of-way, or dedications of parcels to the City of Rio Rancho, SSCAFCA, or other agencies and property owners.
- Signature blocks should also be provided for: 1) property owner or authorized agent (must be notarized) 2) surveyor's certification 3) jurisdictional affidavit, 4) all utilities, including Department of Public Works 5) Development Services Director, 6) City Clerk, 7) County Treasurer and 8) County Clerk.
- Two (2) paper copies of existing plat.
- Payment of fee, unless the summary plat is for a public project.

**NOTE: This list is not meant to cover all items but to provide a list of major items required to begin the minor subdivision review and approval process.**

Both the Preliminary and Final plat processes consist of the following:

- Submission of application, plats and development plans, if required, and the payment of fees.
- Consideration for approval by the Planning and Zoning Board.

**You must submit your Final Plat to the Planning and Zoning Board within one (1) year of the approval of your Preliminary Plat.**

Final Plats should be returned (with notarized signatures by the property owner and the surveyor) to the Planning Division. The City will, in turn, obtain signatures from the chairperson of the Planning and Zoning Board and the City Clerk. The plat is then returned to you for filing with the Sandoval County Clerk's Office. Prior to filing the plat,

contact the gas, telephone, electric, and cable television companies and other utility providers servicing your site; place any service easements they may require onto the plat.

After filing the plat for record with Sandoval County, you will return a Mylar copy and three prints with original signatures of the recorded plat (which you will receive at the time of your filing with the Sandoval County Clerk's Office) to the Planning Division.

## Major Subdivision (Bulk Plat, Preliminary Plat, and Final Plat)



DRC Meeting Required

- Major subdivisions include preparation of a preliminary, final plat and/or a Bulk Plat requiring approval of the Planning and Zoning Board.

The Planning Division will be your contact, guide, and source of information throughout the platting process. While many different City Departments and private parties are involved, the Planning Division will serve as your point of orientation, helping you ensure that your journey through the platting process is timely and efficient.

Preliminary Plats and Bulk Plats provide a sketch of the proposed subdivision and improvements at a lower level of detail than that which is required for Final Plats. Final Plats are the final highly detailed document to be approved by the Planning and Zoning Board. Accuracy is critical when platting property. The plat includes exact measurements, easement locations and dedication language for all public dedications. Final Plats are filed for record with Sandoval County Clerk's Office.

At each stage of the development process, some level of public works or civil engineering plans will be necessary. The required level of detail will vary depending on the stage of development, as well as how quickly one desires to move through the process. For example, at the time of zoning approval, if a Concept Plan is being considered, no engineering plans are necessary. If a Detail Plan is part of the consideration, however, schematic utility, drainage and other plans will be needed.

It should also be noted that when a development has reached the Preliminary Plat stage, there are two alternatives: When a development is not ready for construction, a Preliminary Plat can be considered without the submittal of complete engineering plans; if however, the applicant wishes to move forward with immediate consideration of a Final Plat and construction of infrastructure, complete engineering plans must accompany the Preliminary Plat.

### Preliminary Plat

1. Applicant submits preliminary plat application, fee and materials listed below and further detailed in the preliminary plat application to the DSD:

- Preliminary Plat Application (1 copy).
- Letter of Authorization (1 copy).

- Preliminary Plat (6 copies).
  - Preliminary Infrastructure Construction Plans (6 copies).
  - Preliminary Drainage Report (3 copies).
  - Soils Analysis (3 copies).
  - Traffic Impact Analysis (3 copies).
  - Water and Wastewater Availability Statement (2 copies).
2. DSD staff reviews application for completeness. If complete, the application is forwarded to affected City departments and government agencies for review. If incomplete, the application is held until all materials are provided.
3. If City departments and government agencies recommend approval (or conditional approval) of the preliminary plat, the preliminary plat is scheduled for public hearing before the Planning and Zoning Board. If the preliminary plat is returned for revisions, the applicant shall make the necessary revisions and resubmit the revised materials to DSD for re-review.
4. Required Notifications, Staff Report and Planning and Zoning Board public hearing are accomplished.
5. DSD staff mails notice of final decision and findings of fact first-class to the applicant, agent and any individual who spoke at the hearing or requested a copy of the findings.

The City will consider a subdivision plat (preliminary, final, bulk, or summary) to be withdrawn from active consideration if there has been no action on it for one year or more, provided that the applicant has not requested an extension for the completion of the plat. If the plat is considered withdrawn, the applicant will have to reapply and undergo the subdivision process to complete the plat.

## Final Plat

1. Applicant submits final plat application, fee and materials listed below and further detailed in the final plat application to the DSD:
- Final Plat Application (1 copy).
  - Letter of Authorization (1 copy).
  - Findings of Fact (1 copies).
  - Final Plat (6 copies).
  - Final Infrastructure Construction Plans (6 copies).
  - Final Drainage Report (3 copies).
  - Final Soils Analysis (3 copies).
  - Final Traffic Impact Analysis (3 copies).
  - Engineer's Opinion of Probable Cost (2 copies).
  - Development Agreement (3 copies).
  - Covenants (if infrastructure typically maintained by the public is proposed for private operation and maintenance (private streets), 3 copies).
  - Financial Guarantee Statement (2 copies).

- Subdivision Improvement Agreement, if applicable (2 copies).
2. DSD staff reviews application for completeness. If complete, the application is forwarded to affected City departments and government agencies for review. If incomplete, the application is held until all materials are provided.
  3. If City departments and government agencies recommend approval of the final plat and the applicant is prepared to satisfy the following three steps, the final plat is scheduled for public hearing before the Planning and Zoning Board. If the final plat is returned for revisions, the applicant shall make the necessary revisions and resubmit the revised materials to DSD staff for re-review.
  4. Prior to the final plat hearing, the applicant submits two sets of infrastructure construction plans (mylar copies) to DSD staff for signature by affected City departments and government agencies. Infrastructure construction plans must be signed by all affected parties prior to the public hearing.
  5. Prior to the final plat hearing, the applicant constructs all required infrastructure improvements or executes a Subdivision Improvement Agreement and financial guarantee with the Department of Public Works (if applicable).
  6. Prior to the construction of system level infrastructure or final plat hearing, the applicant executes a Development Agreement with DSD Director (if applicable).
  7. Required Notifications, Staff Report and Planning and Zoning Board public hearing.
  8. DSD staff mails notice of final decision and findings of fact first-class to the applicant, agent and any individual who spoke at the hearing or requested a copy of the findings.
  9. Applicant signs plat and acquires signatures from franchised utilities and then provides three mylar copies of the final plat and covenants (if applicable) to DSD staff, who acquire the remaining signatures from City and other government agency representatives.
  10. DSD staff records plat, subdivision improvement agreement ,if applicable, and covenants, if applicable, with the appropriate County Clerk, reserving one copy for the City's records and one copy for the applicant. The applicant must provide a check covering the cost of recordation to DSD staff prior to recordation and ensure that all applicable property taxes are paid in full.

## Bulk Land Subdivision

1. A major subdivision that does not require infrastructure improvements until future subdivision or site plans are prepared is a bulk-land subdivision. The intent of the bulk land subdivision is to:
  - Facilitate the zoning of master-planned developments.
  - Dedicate right-of-way.

- Grant easements.
  - Convey land to intermediaries.
2. Bulk land subdivision procedures are generally the same as those for final plats. Consult with City staff and refer to the final plat requirements previously described in this chapter. Bulk land subdivision proposals can also be submitted to the DRC so that the applicant is informed about City policies and procedures and requirements, and can be better prepared to address any associated issues during formal submittal.

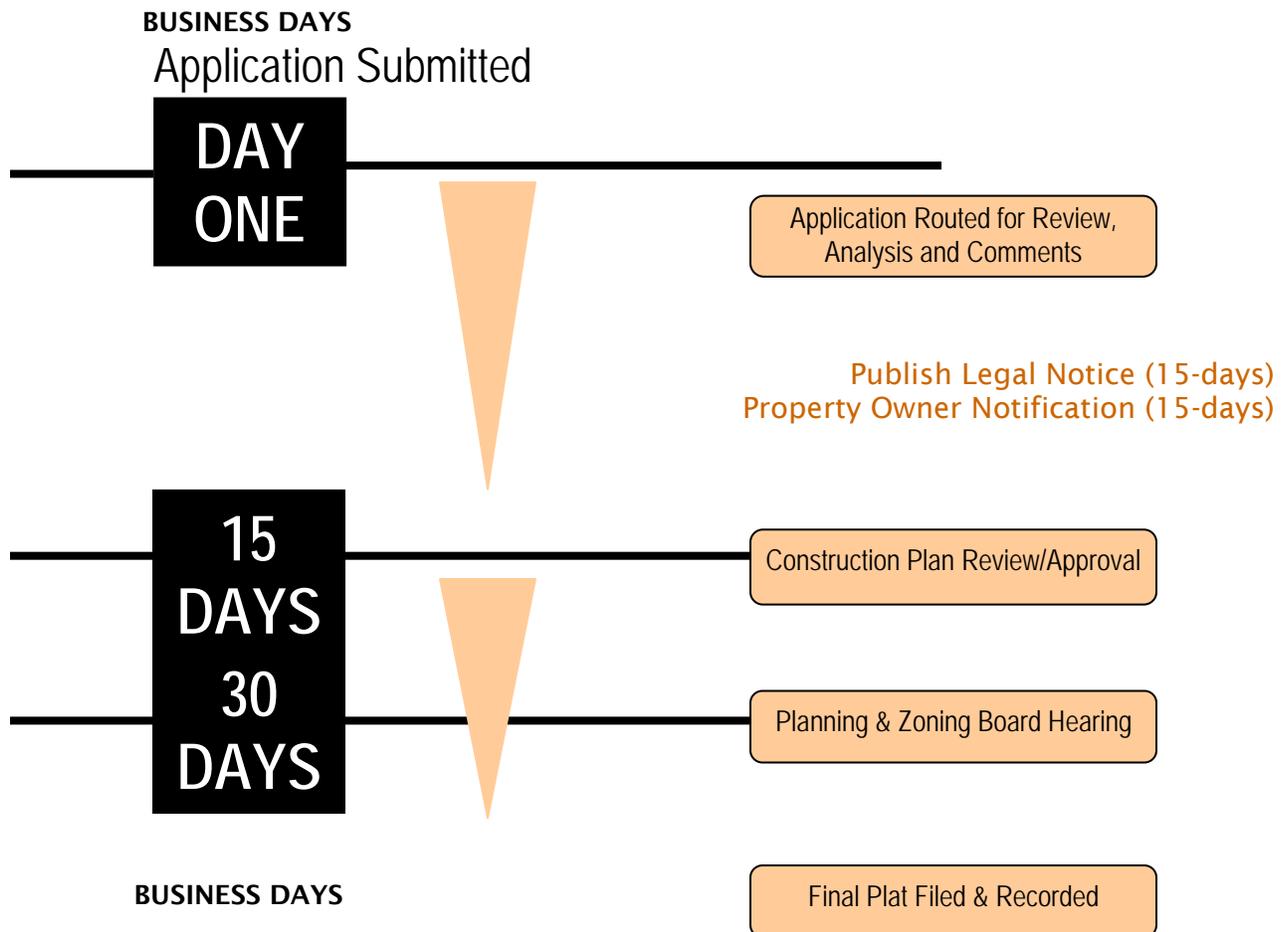


DRC Meeting Required

# Major Subdivision – Preliminary, Final & Bulk Plat Process Flow Chart

**CITY OF RIO RANCHO NEW MEXICO DEPARTMENT OF PUBLIC WORKS**

**NOTES:** Complete Application Reduces Processing Time. Timeline begins after DRC meeting & comments have been addressed



Note: Unlike Final Plats, Bulk Plats do not receive construction plan approval prior to PZB hearing.

## Vacation of Plat

A vacation is required when no replatting is undertaken but elimination of lot lines, rights-of-way or easement lines dividing a parcel is to be accomplished [Title XV – Land Usage, Chapter 155 Subdivisions].

Three types of vacations exist and are defined as follows:

- VACATION OF PLAT - The subdivider of land proposed to be vacated, exclusive of public rights-of-way, shall sign a duly acknowledged statement declaring the plat or a portion of the plat is to be vacated and shall apply to the Planning & Zoning Board through the DSD for approval.
- VACATION OF PUBLIC RIGHT-OF-WAY - Where a public right-of-way is proposed to be vacated, all or a portion, the Planning and Zoning Board shall determine whether or not the vacation will adversely affect the interests of persons owning contiguous land or land within the subdivision being vacated.
- VACATION OF EASEMENTS - The rights-of-way of any public or private utility, including drainage, existing prior to the vacation, total or partial, of any plat are not affected by the vacation of a plat unless an authorized representative of the utility involved agrees in writing to have their rights vacated.