

Approved
form only:

Over

ORDINANCE NO. 4164

Date: 1/3/17

ENTITLED: "AN ORDINANCE PURSUANT TO SECTIONS 1.1.6 AND 2.4.1(b) OF THE CHEYENNE UNIFIED DEVELOPMENT CODE (UDC), AMENDING SECTION 2.1.1 FOR THE PURPOSE OF CREATING A SUBDIVISION PLAT WAIVER PROCESS FOR LIMITED LOT LINE ADJUSTMENTS OF PLATTED PROPERTIES."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That on May 2, 2016, the City of Cheyenne Planning Commission (Commission) requested staff to pursue amendments to the City's Unified Development Code (UDC) responding to a request by a member of the public to create a new process to waive or exempt minor land divisions from the subdivision map requirement.

Section 2. That the purpose of the amendment, Case Number PLN-16-00011, is to minimize the application submittal requirements and associated costs for reviewing and approving lot line adjustments of up to two lots within an existing subdivision or recorded plat.

Section 3. That on January 3, 2017, the Commission conducted a duly-noticed public hearing, reviewed the proposed text amendment that is the subject of this ordinance and described below in Section 4, and recommended approval of said text amendment to the Governing Body.

Section 4: That UDC Article 2 is hereby amended by adding a new Section 2.1.5 as follows:

2.1.5 Limited Lot Line Adjustment Plat Waiver

a. Applicability. The limited lot line adjustment waiver process is applicable for projects affecting no more than two (2) lots and the application meets the following qualifying criteria:

- (a) The adjustment qualifies as a 2.1.1.b.3 Lot Line adjustment; and
- (b) The adjustment does not impact a public right-of-way; and
- (c) This provision is used only once for any lot.

b. After a mandatory pre-application meeting, the Applicant for a qualifying limited lot line adjustment plat waiver shall submit the following material for review by the Development Director or his/her designee. It is the prerogative of the Director to send the application to relevant City Agencies for review. The proposed application shall include:

- (i) A dimensioned plot plan, to scale, of the land showing existing structures, if any (an "as built" plot plan); and

- (ii) A dimensioned plot plan showing the proposed lot lines with the current lot lines shown in shadow lines ("ghosted") and showing all existing and proposed easements, if any; and
- (iii) Contact information for the current owner(s) and the Applicant and the Agent for the Applicant, if different; and
- (iv) The application shall be signed by all property owners of the subject land area, as currently recorded in the County Assessor's Office.

The Director shall have the authority to waive or add submittal requirements in cases where it is determined that the standard submittal information is not needed or if additional information is necessary to accomplish the objectives of this Code.

c. Recording. Following approval of a limited lot line adjustment waiver, the Director and the City Engineer shall sign the appropriate submittal document(s). The applicant shall then record the document(s) in the office of the County Clerk and be responsible for any associated fees. The applicant shall provide a copy of the recorded document(s) to the Director prior to issuance of any building permit(s) for the subject lands.

Section 5. Articles, sections and subsections currently existing in the UDC not set out within this ordinance remain unchanged.

Section 6. That sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 7. That this ordinance shall be in full force and effect upon its approval and publication.

FIRST READING: _____ January 9, 2017 _____

SECOND READING: _____ January 23, 2017 _____

THIRD AND FINAL READING: _____ February 13, 2017 _____



 Marian J. Orr, Mayor

(SEAL)

ATTEST:

Carol Intlekofer
Carol Intlekofer, City Clerk

