



# **Article Five**

## Major Subdivision Plats

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# Major Subdivision Plats

### 5.1 Intent

The intent of a major subdivision process is to allow a process for all subdivisions of land that do not fall under the Minor Subdivision or Administrative Plat regulations.

### 5.2 Sketch Plan Application Procedure

- A. Application Requirements: In order to begin the subdivision process the applicant shall file an application for review of sketch plan with the Commission and be entitled to a signed receipt for the same. This application shall:
- a. Be made on forms available at the Office of the Commission and signed by the owner and developer;
  - b. Include indication of all contiguous holdings of the owner including land in the same ownership, with an indication of the portion which is proposed to be subdivided and which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present owner as recorded in the County Recorder's office. The affidavit shall advise as to the legal owner of the property, the contract owner of the property, optionee of the property, and the date on which the contract of sale was executed. If any corporations are involved, the Commission may request a complete list of all directors, officers, and a listing of stockholders if less than ten (10) in number;
  - c. Be presented to the Commission in duplicate;
  - d. Be accompanied by a minimum of fifteen (15) copies of the sketch plan;
  - e. Be accompanied by a fee in the amount of the present fee schedule after the issuance of a docket number;
  - f. Include an address and telephone number of an agent located within the territory of the commission who shall be authorized to receive all notices required by the ordinance; and
  - g. Include a listing signed by the checkpoint agencies indicating that they have received a copy of the proposed sketch plan or a certification that it has been sent.
- B. Checkpoint submission: In order to fulfill this last application requirement, a copy of the proposed plan shall be submitted to each of the agencies appropriate to the plan's location so that their comment may be made to the Commission. The checkpoint agencies appropriate to each participating jurisdiction in which a plat may include, but are limited to, the following:
- Major Subdivisions:
- a. Cicero Town Council
  - b. Plan Commission
  - c. County Board of Commissioners
  - d. County Health Department
  - e. County Soil and Water Conservation
  - f. County Highway Department
  - g. County Transfer Audit Department
  - h. Cicero Police Chief (if within the corporate limits)
  - i. Cicero Fire Chief (if within the corporate limits)
  - j. County Sheriff Department (if outside the corporate limits)
  - k. Jackson Township Fire Chief (if outside the corporate limits)
  - l. Hamilton Heights School Board
  - m. Indiana Department of Transportation

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- n. Town Engineer
  - o. Town Utility Director
  - p. All Utility Companies
  - q. Pipeline Companies
  - r. Hamilton County Surveyor

Written approval and/or comment letters from all checkpoint agencies are required prior to the sketch plan approval. Letters shall be delivered to the Planning Director ten (10) days prior to primary plat hearing.

The Commission shall request that all checkpoint agencies submit a written report to the Commission within twenty (20) days after receipt of the request. No response from an agency shall be interpreted as meaning "no objection".

- C. Classification of Subdivision: After an application for sketch plan approval has been submitted, and at the time of sketch plan review the Commission shall classify the proposed subdivision as either major or minor as defined in the ordinance. The required procedures and approvals for major subdivisions are described in Section 5.5 through 5.20.

### 5.3 Major Subdivision Sketch Plan

- A. Official Submission Dates: The deadline for submittal of a sketch plan and application for certificate of approval shall be thirty (30) calendar days prior to the date of the Plan Commission meeting.
- B. Sketch Plan Review Process: In taking into consideration the requirements of this process and ordinance, particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot size and arrangement, the further development of adjoining lands as yet unsubdivided, and the requirements of the Official Map or Thoroughfare Plan, and Master Plan as adopted by the Town of Cicero.

### 5.4 Specifications for Sketch Plan Documents to Be Submitted

Sketch plans submitted to the Commission office, prepared in pen or pencil, shall be drawn to a convenient scale of not more than one hundred (100) feet to an inch and shall show the following information.

- A. Name
  - a. Name of subdivision if property is within an existing subdivision.
  - b. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any subdivision plat previously recorded nor for which primary approval is still in effect.
  - c. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)
- B. Ownership
  - a. Name and address, including telephone number, of legal owner, the developer or agent of property, and citation of last instrument conveying titles to each parcel of property the developer involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
  - b. Citations of any existing covenants on the property.
  - c. Name and address, including telephone, of the professional person(s) responsible for subdivision design, for the design of the public improvements, and for surveys.
- C. Description: Location of property, name of local jurisdiction, lot, section, township, range and county, graphic scale, north arrow, and date.

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- D. Features to be included on sketch plans
- a. Location of property lines, existing easements, burial grounds, railroad right-of-ways, water-courses, and existing wooded areas or trees eight (8) inches or more in diameter, measured four (4) feet above ground level; location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract, names of adjacent and adjoining property owners (from the latest assessment rolls).
  - b. Location, sizes, elevation, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent buildings and utility poles on or immediately adjacent to the site and utility rights-of-way.
  - c. Approximate topography, at the same scale as the sketch plan (normally showing two (2) foot contour intervals but the Commission may require one (1) foot intervals on very flat land or permit five (5) foot intervals on very steep slopes).
  - d. The approximate location and widths of proposed streets.
  - e. Preliminary proposals for connection with existing water supply and sanitary sewage systems, or alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage.
  - f. The approximate location, dimension, and areas of all proposed of existing lots.
  - g. The approximate location, dimension, and areas of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision.
  - h. The location of temporary stakes to enable the Commission to find and appraise features of the sketch plan in the field.
  - i. Whenever the sketch plan covers only a part of an applicant's contiguous holdings, the applicant shall submit, at the scale of no more than two hundred (200) feet to the inch, a sketch in pen or pencil of the proposed subdivision area, together with its proposed street system, and an indication of the probable future street and drainage system of the remaining portion of the tract.
  - j. A vicinity map showing streets and other general development of the surrounding area. The sketch plan shall show all school district lines with the zones properly designated.

#### 5.5 Application Process for Major Plat

The following steps is a brief overview of the Major Subdivision process. However, The complete details of the Major Subdivision process are outlined throughout this Article and Ordinance.

- A. The petitioner shall consult informally with the Planning Director for advice and assistance before filing the application for a major subdivision. At this meeting, the petitioner should submit a conceptual layout of the plat for review.
- B. The petitioner shall submit copies of the Primary Major Plat application and proposed Primary Plat to the Planning Director to officially begin the application process.
- C. The petitioner shall correspond with all applicable regulatory agencies for all other permits necessary. These may include, but are not limited to the following:  
Major Subdivisions:
  - a. Cicero Town Council
  - b. Plan Commission
  - c. County Board of Commissioners
  - d. County Health Department
  - e. County Soil and Water Conservation
  - f. County Highway Department
  - g. County Transfer Audit Department
  - h. Cicero Police Chief (if within the corporate limits)

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- i. Cicero Fire Chief (if within the corporate limits)
  - j. County Sheriff Department (if outside the corporate limits)
  - k. Jackson Township Fire Chief (if outside the corporate limits)
  - l. Hamilton Heights School Board
  - m. Indiana Department of Transportation
  - n. Town Engineer
  - o. Town Utility Director
  - p. All Utility Companies
  - q. Pipeline Companies
  - r. Hamilton County Surveyor
- D. The Planning Director shall put the petitioner on the agenda for an upcoming Technical Advisory Committee, Subdivision Committee and Plan Commission meeting. The petitioner is responsible for notices to surrounding property owners as stated in Section 2.1 in Article 2 and legal notice in a newspaper of general circulation in Hamilton County, and posting a sign on the property which signage must be approved by the Planning Director.
  - E. The petitioner shall attend the Technical Advisory Committee and the Subdivision Committee meeting for the application and proposed plat to be reviewed.
  - F. The petitioner shall attend the Plan Commission public hearing for approval of the Primary Major Plat.
  - G. If conditions were attached to the Primary Major Plat approval, the petitioner must meet all conditions (if any) prior to Secondary (Final) Major Plat approval.
  - H. The petitioner must meet with the Planning Director to verify that all conditions have been completed prior to the Plan Commission approving the Secondary (Final) Major Plat.
  - I. The Secondary (Final) Major Plat approval is completed by Plan Commission at a regularly scheduled meeting.

**5.6 Application Requirements for a Primary Major Plat**

- A. No application shall be processed until the application is filled out correctly and all applicable attachments are presented to the Planning Director. The Planning Director and/or Town Engineer shall have twenty-one (21) days after receipt of the application package in which to review the documents and to determine if there are any deficiencies. The deficiencies, if any, shall be communicated to the petitioner asking for corrections.
- B. No Docket Number shall be released until all applicable fees have been paid for the application.
- C. The petitioner shall submit fifteen (15) copies of the final application and all applicable attachments to the Planning Director. All final application packages must be submitted at least thirty (30) days prior to the next regularly scheduled meeting of the Plan Commission or it will not be heard at that meeting.
- D. In accordance with I.C. 36-7-4-703, the Planning Director shall announce the date of a hearing before the plan commission within thirty (30) days after receipt of a final and complete application.

**5.7 Requirements of a Proposed Primary Major Plat**

- A. The proposed Primary Major Plat shall be prepared and certified by a land surveyor registered by the State of Indiana.
- B. The proposed Primary Major Plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale exceeds one (1) sheet. In this case, the proposed Major Plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall be sized to show sufficient detail.

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- C. The proposed Major Plat shall include:
- a. Proposed name and legal description of the proposed Major Plat.
  - b. A dimensioned drawing of the parcel of land from which it is being divided.
  - c. Names and addresses of the petitioner, land surveyor, and/or firm who prepared the plat.
  - d. Lot boundary lines showing dimensions, bearings, and references to section, township, range and lines or corners.
  - e. Approximate location of existing or proposed septic systems including termination point and outlet of all perimeter drain systems and/or the municipal sanitary sewer system.
  - f. Approximate location of any existing or proposed wells and/or the municipal water system.
  - g. Legend and notes, including a graphic scale, north point, and data.
  - h. Primary approval certificate (area for signatures) for all of the following agencies:
    1. Plan Commission President and Secretary
    2. Cicero Town Council (if applicable)
    3. County Commissioners (if applicable)
    4. Planning Director
    5. Other appropriate officials from other agencies as may be required by the Plan Commission
  - i. Lot numbers, location of monuments, and area for each lot (square footage). All lots shall meet the minimum requirement for area, width, and frontage of the Town of Cicero/ Jackson Township Zoning Ordinance.
  - j. Indicate buildable areas of parcel per applicable zoning district setback requirements.
  - k. Existing and proposed easements including the location, width, and purpose of each easement.
  - l. Existing and proposed streets and rights-of-way on and adjoining the site of the proposed subdivision showing the proposed names, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks, bikeways, jogging paths, and other recreational ways.
  - m. Street names shall be proposed, but the final decision of the street names shall be determined by the Plan Commission based on input by the appropriate town or county agency.
  - n. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public, or community purposes.
  - o. Location, size, and invert elevation of utilities existing and proposed and on the site, including storm and sanitary sewers; water mains; electrical, telephone, and cable television lines; street lights; fire hydrants; and such other utilities as may be appropriate.

NOTE: All sump-pumps (excluding sanitary pumps for basements) must be connected to the storm sewer system.
  - p. Location(s) of any existing structure(s) or significant feature on the site.
  - q. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, and other structures or significant features.
  - r. Location and results of tests, as required by the Town Engineer, and/or appropriate county, state, federal government agencies made to ascertain subsurface soil, rock, and groundwater conditions.
  - s. Proposed sidewalks and pedestrian trails.
  - t. Proposed decorative lighting. NOTE: For subdivisions located within the municipal boundaries of Cicero, the proposed lighting must be approved by the Cicero Town Council prior to submission to the Plan Commission.
  - u. The existing excess capacity available from the Cicero Waste Water Treatment Plant; the nearest location to the building site of a trunk or connecting sewer line; and the expected demand of the development or building. The excess capacity shall be determined by the Cicero Town Council.
  - v. Proposed preliminary landscaping, signage, entrance to the development, screening, and attempts at preserving natural terrain and open space. The Plan Commission or Planning Director may request a landscaping plan or buffering plan.

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- w. Estimated traffic count increase on adjacent streets resulting from the proposed development; description of type and condition of roads to serve such development; total number of motor vehicles expected to use or be stationed in such development; and on and off-site parking to be supplied.
  - x. Photographs of the site and any significant features.
  - y. If the Primary Plat is to be divided into sections or phases of development, the boundaries and numbers of such sections shall be shown, and a conceptual plan for the entire subdivision shall be submitted as a "phasing schedule."
  - z. Protective covenants shall be prepared by the petitioner and be legally sound. Covenants shall be incorporated in the plat and subject to the approval of the Commission. Any changes before recording shall be reviewed and approved by the full Plan Commission.
  - aa. Soil map of the site from the Natural Resource Conservation Office or a Hamilton County Soil Survey.
  - bb. Proposed development schedule.
  - cc. Whenever the preliminary plat covers only a part of an petitioner's contiguous holdings, the petitioner shall submit, at the scale of no more than one (1) inch equals two hundred (200) feet, a sketch of the entire holding, including the proposed subdivision area, showing an indication of the probable future street and drainage systems, for the remaining portion of the tract.
- D. In addition to the proposed Major Plat a separate drainage/topography/natural environment sheet with the following information is necessary.
- a. Location(s) of any existing structure(s) or significant feature on the site
  - b. Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, and other structures or significant features.
  - c. A map noting significant physical and topographical features of the tract. This map shall also show the direction of the flow of surface water runoff from the site.
  - d. A preliminary drainage plan showing the proposed storm water drainage system to an improved outlet. Data shall be included showing that said outlet is adequate to accommodate the drainage requirements of the finished development. The plan shall include surface drainage system, storm sewer systems, subsurface drainage systems, and storm water detention facilities. Arrows designating the general drainage of all streets and lots shall be included.
  - e. Location of any subsurface drain tile either existing or proposed for the site.
  - f. Type of drainage system(s) proposed to handle surface, underground, and runoff waters. The coefficient to be used for this determination shall be approved by the Town Engineer or Hamilton County Surveyor.
- E. In addition to the proposed Major Plat a vicinity map must be submitted with the following.
- a. Location of the proposed subdivision within the Town/Township.
  - b. Existing subdivisions and lots adjacent to or within 200 feet of the proposed subdivision, including the names and addresses of the property owners.
  - c. Existing schools, parks, playgrounds, or other similar public facilities that will serve the proposed subdivision.
  - d. Location and size of all utilities adjacent to or within 200 feet of the subdivision site, including sanitary and storm sewers, gas lines, electric lines, telephone lines, water mains, fire hydrants, cable television lines, etc.
  - e. All public thoroughfares/rights-of-way adjacent to or within 200 feet of the site.
  - f. Existing streets and rights-of-way on and adjoining the site of the proposed subdivision showing the names, roadway widths, approximate gradients, surface types, and widths of pavements and curbs.

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- g. Existing zoning of the tract and all contiguous tracts surrounding the proposed subdivision.
  - h. All section and municipal corporate boundaries lying within or contiguous to the tract.
- F. Existing subdivisions and lots adjacent to or within 200 feet of the proposed subdivision, including the names and addresses of the property owners.

**5.8 Technical Advisory Committee Review**

- A. The petitioner shall transmit copies of the application and proposed Major Plat to the Technical Advisory Committee for review. The Technical Advisory Committee may report and make recommendations to the Plan Director and/or the Plan Commission for its review.
- B. Changes to the proposed Major Plat required by the Technical Advisory Committee shall be made by the petitioner.

**5.9 Town Engineer Review**

- A. The Town Engineer shall review the proposed Major Plat for drainage, infrastructure, road design and all other provision regulated in the Town of Cicero Construction Standards.
- B. The petitioner shall pay directly to the Town of Cicero all fees of the Town Engineer incurred in review of the proposed Major Plat and inspection of the construction of the subdivision.

**5.10 Subdivision Committee**

- A. Upon receipt of the application package, the Planning Director shall transmit copies to the Subdivision Committee and Plan Commission members. The Planning Director shall schedule the Major Plat application package to be reviewed by the Subdivision Committee.
- B. The Subdivision Committee will review the proposed Major Plat and make a recommendation to Plan Commission.

**5.11 Notice of Public Hearing**

- A. Notice of Public Hearing shall be given as in accordance with I.C. 5-3-1 prior to the Plan Commission meeting where the proposed Major Plat is to be heard. The Notice of Public Hearing shall also be in accordance of section 2.1 in Article 2.

**5.12 Action of Plan Commission Regarding Public Hearing**

- A. Upon receipt of the Major Plat application and plat, the report of the Technical Advisory Committee, Town Engineer, and Subdivision Committee, the Plan Commission shall hold a public hearing. After the Public hearing the Plan Commission shall in writing approve, approve with conditions, continue, or deny the Major Plat.
- B. The Director of Planning shall return one (1) copy of the Major Plat application and plat to the petitioner with the date of approval, conditional approval, continuance, or disapproval and the reasons therefore, in writing, accompanying the application. The Planning Director shall maintain one (1) file copy of the Major Plat application and plat.
- C. Approval of a Primary Major Plat by the Commission is not final approval of the subdivision.
- D. Approval of a Primary Major Plat shall be effective for a maximum period of eighteen (18) months unless, upon application of the petitioner, the Commission grants an extension.
- E. If the application is disapproved, the petitioner may not resubmit for two (2) months from the date of disapproval. Fees on a resubmitted plat shall be the same as if it were an original submittal.



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**5.13 Review**

In reviewing applications for Primary Major Plat approval, the Plan Commission shall consider the following criteria.

- A. The degree to which the application and plat meets the criteria for plat approval set forth in the Subdivision Control Ordinance and as determined by the reports of the Planning Director, Technical Advisory Committee, and the Subdivision Committee.
- B. Consistency with the goals and objectives of the Comprehensive Plan.
- C. Consistency with the intent and standards of the zoning district in which it is located.
- D. The presence or absence of any exceptions to the development standards for the zoning district in which it is located, any general development standards, site design and improvement standards; as evidenced by the listing of any exceptions in the Major Plat application.
- E. The presence or absence of any protective covenant for the subdivision which would alter its impact from what would typically permitted in the zoning district in which it is located; as evidenced by the inclusion of any covenants in the Minor Plat application.
- F. All proposed utility services must be underground. All sump-pumps (excluding sanitary pumps for basements) must be connected to the storm sewer system.

**5.14 Completion of Improvements**

Dedication of road right-of way, dedication of proposed easements, and drainage improvements required and approved by Plan Commission and applicable government agencies shall be completed by the petitioner, inspected and approved (as necessary) before any building permits can be processed and approved and before construction of any structure can begin.

**5.15 Construction Plans**

- A. It shall be the responsibility of the petitioner to prepare and have certified, by a land surveyor registered or licensed engineer in the State of Indiana, a complete set of Construction Plans, including profiles, cross-sections, specifications, and other supporting data for all required public streets, utilities, and other facilities.
- B. Construction Plans shall be submitted for review and for written comments and approval by the agencies appearing in Section 5.2 (B), which have jurisdiction.
- C. The final Construction Plans shall be based on the approved Primary Plat which has been approved. Also, the Construction Plans shall be prepared and submitted to the Plan Commission for review and approval in conjunction with or prior to the Secondary (Final) Plat. The plans shall show the following:
  - a. General improvement plans shall be prepared for all required improvements. Plans shall be drawn on standard twenty-four (24) inch by thirty-six (36) inch sheets at a scale of no less than one (1) inch equaling fifty (50) feet, and map sheets shall be of the same size as the Secondary (Final) Plat.
  - b. A map noting significant physical and topographical features of the tract. For plats, containing more than two lots, a topographical map at typical intervals of two (2) foot contours, which shall be extended one hundred (100) feet beyond the boundary lines of the proposed tract, shall be submitted. This map shall also show the direction of the flow of surface water runoff from the site.
  - c. 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 one hundred (100) feet of the intersection. Radii of all curves, lengths of tangents, and central angles on all streets shall be shown.

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- d. The Plan Commission may require, where steep slopes exist, the cross-sections of all proposed streets.
  - e. Plans and profiles showing the location and typical cross-section of streets including curbs, gutters, sidewalks, rights-of-way, drainage facilities, manholes, and catch basins. Plans shall also show the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, water lines, gas, and fire hydrants, showing connection to any existing or proposed utility systems.
  - f. Location, size, elevation, and other appropriate descriptions of any other existing physical and natural features or facilities including features noted on the official map of local government, trees, the points of connection to proposed facilities and utilities, and the approximate high- and low-water elevations of all ponds, Lakes, and streams. All elevations shall be referenced to the USGS datum plane.
  - g. Upon completion of the construction, the petitioner's engineer shall provide the Plan Commission with one (1) set of "as built" plans showing the location, dimensions, and materials used to construct all improvements within the subdivision.

**5.16 Application Requirements for a Secondary (Final) Major Plat**

- A. After approval of the Primary Major Plat by the Commission and fulfillment of the requirements of this ordinance, fifteen (15) blackline or blue-line reproductions of the Secondary (Final) Major Plat of the subdivision shall be submitted to the Planning Director. All Secondary (Final) Major Plats shall be shown at a scale.
- B. The following information shall be shown on the Secondary (Final) Major Plat:
  - a. Accurate boundary lines, with dimensions and angles, which provide a legal survey per state statute.
  - b. Accurate distances and directions to the nearest official monument. Reference corners shall be accurately described on the plat.
  - c. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
  - d. Accurate metes and bounds description of the tract boundary.
  - e. Source of title of petitioner to the land as shown by the last entry in the books of the County Auditor.
  - f. Name of subdivision followed by the words "Secondary (Final) Plat."
  - g. Name, address, and phone number of the petitioner.
  - h. North point, graphic scale, and date.
  - i. Street names.
  - j. Complete curve table for all curves included in the plat.
  - k. Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines. Radii, points of curvatures, tangent bearings, and lengths of all arcs of street lines shall be provided.
  - l. Lot numbers and dimensions including the square footage of each lot.
  - m. Accurate locations of easements, description of their use, and any limitations on such semi-public or community use.
  - n. Accurate dimensions for any property to be dedicated or reserved for public, semi-public, or community use, including sidewalks, bikeways, and other recreational ways.
  - o. Building lines and setback dimensions throughout the subdivision.
  - p. Location, type, material, and size of all monuments and markers.
  - q. Construction plans and specifications for the improvements required by this ordinance.
  - r. Restrictions of all types which will run with the land and become covenants in the deeds for lots.
  - s. Certification by a registered land surveyor.

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- t. Certification by the petitioner(s) and lien holder(s) (if any) of dedication of streets and other public property, and an agreement executed by the petitioner(s) to make and install all improvements in accordance with the plans and specifications approved by the Commission and accompanying the Secondary (Final) Major Plat.
  - u. Certificate of approval by the Cicero/Jackson Township Plan Commission, if approved.
  - v. Certificate of approval by the Cicero Town Council, if approved.
  - w. A final landscape/screening plan shall be incorporated in the Secondary (Final) Plat design plans and a phasing schedule of landscaping/ screening improvements. All changes shall be reviewed and approved by Plan Commission.
  - x. Any other information or data requested by the Director necessary to clarify conditions and terms of plat approval.
- C. The Secondary (Final) Major Plat may include all or only a part of the land the Primary Major Plat which has received approval and shall be prepared and certified by a land surveyor registered by the State of Indiana. If the Secondary (Final) Major Plat does not contain all of the land approved on the Primary Plat, it shall be designated by a section number in a numerical order.

**5.17 Action of Plan Commission**

- A. Within thirty (30) days after the Planning Director reviews the final complete plat and all required supportive information, the Planning Director shall docket the Secondary (Final) Major Plat with the Plan Commission. If the Plan Commission determines that the plat complies with the standards of this ordinance, it shall make written findings and a written decision regarding secondary approval to the plat. No notices of public hearing shall be required for Secondary (Final) Plat approval.
- B. The approval of the Secondary (Final) Major Plat by the Plan Commission shall be certified on behalf of the Plan Commission by the President and Secretary who shall affix their signatures to the plat original and all other relevant documents which also may require such signatures.
- C. If the Plan Commission disapproves the Secondary (Final) Major Plat, it shall make written findings and notify the petitioner in writing, stating the specific reasons for disapproval. This written notice shall be signed by the President and Secretary of the Plan Commission.

**5.18 Secondary (Final) Major Plat Approval**

- A. Approval of the Secondary (Final) Major Plat shall be effective for a maximum period of twelve (12) months from the date of approval unless signed and recorded as required by Section 5.20. An extension of time may be approved by the Plan Commission.
- B. The approved Secondary (Final) Major Plat approval shall not be signed by the Plan Commission until a performance bond or other acceptable proof of surety has been submitted to the Plan Commission, or all improvements have been installed, inspected, approved, and accepted as shown on the approved Construction Plans. The improvements must be constructed in accordance with the approved Construction Plans.
- C. No site work or earthwork shall be allowed until an Improvement Location Permit has been issued.
- D. In no case shall an Improvement Location Permit be issued by the Planning Director, or his agent until the following is done:
  - 1. Plan Commission has approved the Primary Major Plat;
  - 2. Construction Plans have been approved;
  - 3. Required surety has been submitted and accepted; and
  - 4. All applicable utility fees, availability charges, connection fees, impact fees, and other similar fees have been paid.

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- E. No Certificate of Occupancy shall be issued by the Planning Director, or his agent, for any structure on any subdivision lots prior to addresses being approved, installation and completion of all facilities, including grading, as shown on the approved plans and approved by the Commission; except that in the case of an asphalt road surface, the installation of the final surface coat may, subject to the report of the Town and/or County engineer and the approval of the Plan Commission, be postponed until the end of the maintenance period. The final coat of asphalt shall be installed prior to acceptance of the road for public maintenance.
  - F. A Secondary (Final) Plat of a subdivision may not be filed with the Hamilton County Auditor, and the Hamilton County Recorder may not record it unless it has been granted Secondary (Final) Plat approval by the Planning Director and has been properly signed by the President and Secretary of the Commission. The filing and recording of the plat is without legal effect unless approved and signed by the Plan Commission.

**5.19 Vested Rights**

- A. No vested rights shall accrue to any plat by reason of approval of the Primary and/or Secondary (Final) Major Plat or issuance of earthwork permit until the actual signing of the Secondary (Final) Major Plat by the Planning Director, and the President and Secretary of the Plan Commission.
- B. All requirements, conditions, or regulations adopted by the Commission applicable to the subdivision, or on all subdivisions generally, shall be deemed a condition for any subdivision prior to the time of the signing of the Secondary (Final) Plat.

**5.20 Recording of Secondary (Final) Major Plat**

- A. It shall be the responsibility of the petitioner to file the approved and signed Secondary (Final) Plat with the Hamilton County Recorder within thirty (30) days of the date of signature. Simultaneously with the filing of the Major Plat, the petitioner shall record any agreements of dedication together with any other legal documents as shall be required to be recorded by the Plan Commission or other applicable governmental agency. The filing and recording of a plat is without legal effect unless signed by the Plan Commission's president and secretary, and the Cicero Town Council or the Hamilton County Commissioners.
- B. When recorded in the Office of the Hamilton County Recorder, the Petitioner shall submit the recorded Secondary (Final) Plat to the Planning Director as follows:
  - a. One (1) copy on reproducible mylar, and
  - b. Two (2) copies on paper.
- C. The petitioner must also submit a copy of the recorded Secondary (Final) Plat to the following persons:
  - a. Any corporate utility company that may be affected,
  - b. Hamilton County Highway if outside of Cicero or to the Town of Cicero if located within Town,
  - c. Hamilton County Surveyor,
  - d. Hamilton County Sanitarian, and
  - e. Town Engineer and utility directors.